VOLUME XXXV, PART III.

CONGRESSIONAL RECORD,

FIFTY-SEVENTH CONGRESS, FIRST SESSION.

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Mr. TELLER. I only want to say that if I ever was tainted in the slightest degree with imperialism I am glad to know that I have recovered from that condition.

Mr. TILLMAN. But with all Mr. Bryan's influence—and it was very great, because it was recognized then that he would be the nominee of his party—he did not and could not persuade enough men here to give the necessary votes. After every man whom Mr. Bryan could influence had been influenced and counted, you still lacked votes, and you knew it. You know how you got them.

Mr. SPOONER. How did we get them?

Mr. TILLMAN. I say you know how you got them.

Mr. SPOONER. I do not know how we got them. I do not know that any man voted for that treaty except in obedience to his convictions. Does the Senator know any different?

Mr. TILLMAN. I only know that in a court the Senator would convict on circumstantial evidence some men.

Mr. SPOONER. Does the Senator impeach any Senator? Let him name him. I do not impeach any Senator, nor do I know any ground for impeaching any.

Mr. TILLMAN. I have reason to believe from the circumstantial evidence and from things that have been told to me in confidence by men on the other side that improper influences were used.

Mr. SPOONER. Name the man. That is due to the country, and due to the man whom you suspect, and by innuendo charge. Who was it? Let him answer for himself if he is still a member of this body.

Mr. TILLMAN. Whom do you mean? I can not name the man who gave me the information.

Mr. SPOONER. Whoever you mean.

Mr. TILLMAN. I can not give the name of the man who gave me the information, because he gave it to me in confidence.

Mr. SPOONER. Oh, in confidence. A man who would impeach another in confidence is a coward. [Applause in the galleries.]

Mr. TILLMAN. Cowardice in that case does not rest on my shoulders.

Mr. SPOONER. The Senator turned to me. If the Senator knows of any member of this body who voted under corrupt influences for that treaty, name him.

Mr. TILLMAN. I can not prove it.

Mr. SPOONER. Well, I would not say it.

Mr. TILLMAN. But I can prove this——

Mr. SPOONER. I would not say it.

Mr. TILLMAN. I can prove this: That the patronage of a State has been given to a Democrat who voted for the treaty.

Mr. SPOONER. What State?

Mr. TILLMAN. South Carolina.

Mr. SPOONER. Fight it out with your colleague.

Mr. TILLMAN. I am ready.

Mr. SPOONER. Yes, I am ready and he is ready.

Mr. TILLMAN. Let him——

Mr. SPOONER. He is not here——

Mr. TILLMAN. He has not shown his readiness.

Mr. SPOONER. But he will be.

The PRESIDENT pro tempore. The occupants of the galleries must remember that any marks of approbation or disapproval are not permitted under the rules of the Senate, and if there is a violation of the rule the Chair will be obliged to have the galleries cleared.

Mr. TILLMAN. I will state that after having made a speech in this body two weeks before, replete with cogent arguments and eloquence, against the ratification of the treaty, and after having told us in confidence that he would not vote for it, he did; and since then he has been adopted by the Republican caucus and put upon committees as a member of that party, and has controlled the patronage in South Carolina. I did not expect to bring this in in this way, but I do not dodge or flinch from any responsibility anywhere. I simply know what I believe.

Mr. SPOONER. You simply believe what you do not know.

Mr. TILLMAN. And I have been told, as I told you, in confidence by men on that side, of the transaction.

Now, Mr. President, the question whether this imperialistic policy, this controlling of colonies, this subjugation of appurtenant territory whenever we get in the notion is the issue before the people of this country. There is no other issue. The American people may continue to follow this policy, and if they do by a majority vote I, as a member of the Senate, must submit.

We have had the spectacle of the Supreme Court giving an opinion here in regard to this question which has laid it open to criticism and almost to contempt, but other decisions of that court have been criticised. When the Dred Scott decision, just before the war, was announced, declaring that an escaped slave was property and could be restored to his master, if found, and, if necessary, the Army would be used to enforce the mandate of the court, Senators on the other side, the party they represented, declared that that decision was infamous, and when the same tribunal reversed the opinions of its predecessors and declared the income tax unconstitutional the people who belong to the party which I represent declared that the court was unworthy, and that it had surrendered to unworthy influences.

Now, in one hundred and twenty-five years of our national life we have come to the point where that court declares that Congress, the creature of the Constitution, is more powerful than the Constitution. How a creature can grow more powerful than its creator I do not know, but still that is the effect of the decision of the court.

Have we another Dred Scott decision? Some of us think so. You are passing onward down the national road as leaders of the American people, charged with the responsibility of government, legislating as though you had the absolute right to deal with the lives, the property, and the fortunes of 9,000,000 aliens—not aliens according to your interpretation of the law, but aliens in language, in race, in religion, and everything else. You have the responsibility. The people can indorse you or not. They have grown so besotted and are so subservient to the influences which control parties that I sometimes feel that it is useless to struggle against those influences; but as long as I represent a State on this floor and have a voice I shall protest, and protest and protest, as a true American, against this policy.

I said a little while ago that it was my purpose to put into the RECORD some matter affecting the honor of the Army. I do it for the purpose of forcing the Committee on the Philippines, if it is possible to do it, to go to the very bottom of these charges, and not be content to pooh-pooh them. The witnesses can be brought here. If necessary, the committee can go to the Philippine Islands and get the facts. We have been in this dirty work three years. How much longer are we to continue in it?

The first thing I will read is from this morning's Post, the utterances of a lady last night in this city before a confederation of the National Council of Women. I do not know anything about the lady, but I take it that she must be a respectable woman and a woman of character or the Post would not publish it, and she would not be associated with these other good women.

Prey of our soldiers—Plea for Filipino women by American sisters—Mrs. Ellis's startling charge—Speaking to the National Council of Women, she declared soldiers and officials are causing the downfall of the women and girls of new island possessions—Pleads for investigation.

Most Senators have read it, I suppose. I will simply incorporate it in my speech, or rather as an appendix to my speech, down as far as the cross mark.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Carolina? The Chair hears none. [See appendix.]

Mr. TILLMAN. I have here a letter from Mr. Herbert Welsh, 1305 Arch street, Philadelphia:

In your valued favor of February 17 you say that you "have in mind to spread in the records some morning before this debate closes everything that you can obtain touching the cruelties which have characterized the war in the Philippines," and you ask me to send you what I have of that character.

It seems to me most desirable that the people of this country, who, I believe, in the main wish to do what is just and right, should know the facts of this war. Certain of these facts seem to me to have a twofold significance. First, they show that atrocities have been committed under our flag, and apparently by the authority of certain of our officers, which are wholly contrary to the rules of civilized warfare. Those who are responsible for these atrocities should, I therefore believe, be tried for them, and if the evidence warrants, convicted and punished. In this way the Army as a whole will have its honor vindicated and the burden of such deeds will fall on guilty shoulders alone. To this proposition I should think fair-minded supporters of the present Philippine policy, as well as its opponents, would agree. Second, I believe that the facts of this case, when properly related and considered, bring the strongest indictment against the policy itself—the policy of subjecting an alien people against their will to an outside authority.

I ask your attention to the statement of facts contained in the accompanying article entitled "By way of Manila." They relate strongly to the alleged use of the water torture under our flag in the Philippines. May I venture a word of explanation? Two years ago when I saw in a respectable paper of this city, the Friend's Intelligencer, an account of the alleged use of this water torture I discredited its truth. I became convinced, however, that the statement was true through a personal experience, which is set down in the accompanying article. A gentleman brought to me in my office a letter written by an assistant commissary in our service and dated Tarlac, the 25th of April, 1901. This letter was evidently genuine, written in good faith, addressed to friends in Philadelphia, without expectation on the part of the writer that it would ever have a larger group of readers.

The impression produced by it was deep and convincing. It narrated the use of the torture as the writer had evidently seen it inflicted by the Macabebe scouts. It explained how such means came to be used. It was necessary for us to get the concealed guns of the Filipinos; $30 reward would not bring them, so the methods of these native scouts were employed. The letter convinced me that men high in authority must know of and sanction these means, for you will observe the writer says "they could not get the guns until the Macabebes were sent for." One naturally inferred that the reason for sending for the Macabebes must be well known to those in authority. I was so impressed by this statement that I published it at the time in city and State, and also sent it to the Springfield Republican, in which paper it was likewise published. Then followed from that time to this, without any repudiation or denial by the authorities, the publication in various papers of letters from soldiers similar to that to which I have referred. Governor Taft is reported to have admitted that there had been some slight use of this method of obtaining information, but that it was "strictly forbidden" by the

authorities in the Philippines. It would be interesting to know since when it has been "strictly forbidden."

I send herewith inclosed a copy of an extract from the Manila Times of August 18, 1901, in which the statement is made by a correspondent in the island of Samar that Major O'Connell, of the First Infantry, suspecting certain Filipinos of having given information to their hostile countrymen which led to some of our soldiers being ambushed, determined that a "good shaking up" was desirable, and so put them to the water torture with the result that by this means the guilty were eliminated and locked up in jail. It is interesting to note in this connection the apparent indifference which such a proceeding showed on the part of the officer in question to the fact that guiltless men were subjected to this horrible torture along with guilty ones. From the statement it would appear that not all of those who were so tortured were proved to be guilty—even if a confession under such agony could be considered proof of guilt. It is also significant that such an item of news should be boldly published in a paper circulating in Manila, the seat of American military authority, if the use of these means were "strictly forbidden" in any precise meaning of those words. If the torture really was forbidden, it is inconceivable that a newspaper would openly publish the name and position of the man who used it, unless his court-martial and punishment were about to follow. Possibly Major O'Connell has been court-martialed for this offense, but, if so, I am unaware of any public announcement of the fact.

I further would draw attention to the statement made in an article published by Mr. George Kennan in the New York Outlook last March. Mr. Kennan quotes from the letter of an Army officer of high position and undoubted reliability, written to a brother officer in this country, in which, as you will see, the statement is made that the Macabebe scouts are not the only ones who have used this torture; that it has been employed by us less discriminatingly than it was by Spain; that the Macabebes would apply it to any Filipino whom they might meet on entering a town on the main chance of thereby getting information from him. This is a very interesting statement when compared with that of Governor Taft, which conveys the impression that the torture has been but slightly used. I have taken pains to make inquiries about this military witness, and have satisfied myself that his testimony is to be entirely relied upon. In a speech recently made by me on the Philippine question before the Massachusetts Reform Club in Boston upon the occasion of President Schurman's memorable address, I referred in detail to this question of the use of the water torture. Shortly afterwards I received a letter from the secretary of the club, from which I quote the following passage:

"Apropos of what you write me regarding the treatment of the Filipinos by our soldiers, I must tell you this tale: After your speech, a few days after, one of the members met me and said, 'I could not believe that Welsh could be right in his assertion about the brutality of our soldiers; it seemed to me un-American and impossible; so I went to an officer whom you and I know (he would not give me his name and I am not sure whom he means) and asked him if he had ever known of the water-torture being practiced, He admitted that he had, and had even done it himself, excusing it on the gronnd of necessity.'

"My friend was somewhat stirred up to find that the charge he had sought to disprove was true."

This statement of a returned Army officer that the torture was not only used but that he had used it himself would seem to show clearly that the practice must have attained a recognized position in military operations in the Philippines, otherwise it would be incredible that an officer of standing could make such a statement. This falls in with the statement made by Mr. G. H. Bates, of Saybrook, Ill., a veteran of the civil war, whose letter on this subject was recently published in the Springfield Republican. I quote from it as follows:

"A young friend (whose father was a comrade of mine during the late civil war) sent me a letter lately received from a brother now serving as a noncommissioned officer in the Philippines. I take the liberty to quote briefly from the letter. After describing what he terms 'a few hellish incidents' the writer goes on to say: 'As you know, I don't tote a very rocky heart around in my anatomical outfit, and although I have gone through considerable rather brutalizing service since coming here, I am not, as yet, brutally inclined. All the same, while not brutal by inclination, wish, or in thought, I am brutal in act by order and direction of superior authority. * * * I tell you, Will, if the people at home fully understood one-half—yes, even one-fourth—of the brutality we practice here in these islands by order of our superior officers, it would jolt them into a stunning condition of amazement, sure.'"

I have since corresponded with Mr. Bates to see whether I could obtain further information from his young correspondent, but in this, as in so many other cases, the witness naturally fears publicity.

I further call attention to a statement on this subject which appeared in The State newspaper, Columbia, S. C., December 18, 1901. The correspondent writes from Binan, Laguna, P. I. I quote from his letter, as follows:

"The Americans are using the severest methods to put down the rebellion in Samar. General Smith has ordered everyone to come into the towns by a certain day, and all who are found in the country after then will be killed without question. In Mindoro, Samar, and Leyte the Americans are using the fire and sword as the Spaniards used it in Cuba. This is part of a report from Mindoro: 'Captain Bent applied the torch to the rebel quarter, went back to Monsolia, rounded up the horses and carabaos and shot them, set fire to the town, watched it until it got well under way, marched back to the Monsol, did the same there, and then got on the *Custer* and sailed back.' Like reports come every day from Samar. But no Americans over here blame the Army for such measures, as these natives have no respect for anything short of torture. They are exceedingly cruel themselves, and they consider leniency a sign of weakness and fear.

"The 'water cure' is the favorite torture of the Americans to force the natives to give information concerning the insurrectos. The native is bound and gagged, and one soldier pours water and sand down his throat while another beats him on the stomach, which soon swells out like a drum. This torture is said to be horrible, and it generally makes the Filipino betray everything; but many of them are game to the last and carry their secret with them to the grave. A soldier who was with General Funston told me that he helped administer the 'water cure' to 160 natives, all but 26 of whom died."

Mr. HOAR. May I ask the Senator from South Carolina whether there is any name of a witness given?

Mr. TILLMAN. Yes, sir.

A letter was sent from my office to the editor of The State inquiring as to the reliability of this correspondent. The same mail that brought your letter to me brought one from him under date of February 15. From this I quote as follows:

"After investigating the matter as fully as I could, I submit the results of the inquiry. My news editor informs me that the letter was, as he remembers it, written by Mr. R. D. Epps, a citizen of this State, who was chosen by the State superintendent of education, at the request of Washington authorities, for appointment as a teacher in the Philippines and who went over with a shipload of other teachers last year."

Mr. HOAR. My question was not——

Mr. TILLMAN. Epps is the man; R. D. Epps, an American teacher now in the Philippines.

Mr. HOAR. My question was whether the witness of the act of cruelty——

Mr. GALLINGER. Alleged cruelty.

Mr. HOAR. Alleged act. I suppose my friend from New Hampshire does not doubt the cruelty.

Mr. BURTON. Mr. President——

Mr. HOAR. I desire to ask the Senator if the name of the witness is given.

Mr. TILLMAN. No; Mr. Epps does not give his witness, but Mr. Epps is a witness.

Mr. FORAKER. Mr. President——

Mr. HOAR. If the Senator from Ohio will allow me for a moment, in order to find out what I want, I will give way to him. What I wish to know is whether there is anywhere the name of a witness who can tell us these things at first hand. I receive a great many such letters, and the writers tell me that they have the information in confidence. If I may be pardoned, I should like to say that I can not understand having in confidence information and not relating and exposing these acts, which, if they are done, are among the infamies of human history and are a reproach to human nature itself, on the ground that the person who knows the fact does not want to tell because his military promotion will not happen or because he will incur somebody's displeasure.

Mr. TILLMAN. If the Senator will allow me, I think Mr. Welsh leaves all those facts out——

Mr. HOAR. If the Senator will pardon me, I wanted to take some opportunity to make this statement, and I hope he will give it to me now, as the matter has come up.

Mr. TILLMAN. Certainly.

Mr. HOAR. I do not see how I, for one Senator, can make a charge against the soldiers or officers of my country when the eyewitness undertakes to make it in confidence and will not have his name known. I suppose everybody knows my utter opposition to the whole Philippine war and the Philippine business; and when anybody writes such a letter to me I do not want him to tell me about a murder in strict confidence.

Mr. TILLMAN. Mr. President, I am no more in sympathy——

Mr. FORAKER. Mr. President——

The PRESIDENT pro tempore. Does the gentleman from South Carolina yield to the Senator from Ohio?

Mr. TILLMAN. Certainly.

Mr. FORAKER. I was waiting until the Senator concluded the reading of the letter before interrupting him. I wanted to interrupt him for the same purpose that the Senator from Massachusetts did, namely, to inquire as to the authority of some of the statements contained in that letter.

I want to inquire particularly as to the authority for what is said there about Major O'Connell. I understood it to be a charge that Major O'Connell, major of the First United States Infantry, had been guilty of inflicting the water cure in a very brutal manner, with what results I did not gather from the Senator's reading of the letter.

I wanted to say to the Senator I do not know what information he has on the subject, but I happen to know Major O'Connell. I have known him for many years. He is a citizen of Cincinnati. He is a man who stands high in every sense of the word. He is a typical representative of the American soldiery and the best type of American citizenship. He would no more think of doing a dishonorable, brutal, cowardly thing in the Philippines than would any member of this body think of doing it here in the city of Washington. Therefore it was that, knowing him in this manner, I wanted to ask for the authority upon which his name is used by the Senator from South Carolina.

Then, with respect to the charge the Senator is just now reading, I wanted to say that only yesterday the Senator from Wisconsin put into the RECORD, as a part of his speech, the letter from General Funston contradicting absolutely that whole story. You will find it in the RECORD. I have it before me now. I had been intending to use it also if I had been privileged to get the floor; but, as I said a moment ago, I was waiting until the Senator would conclude the reading of the very remarkable document that he has before him before asking him for these authorities, and I interrupt him now only because the Senator from Massachusetts had already interrupted him.

Mr. BURTON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Kansas?

Mr. TILLMAN. Oh, I will take in all of you. [Laughter.]

Mr. BURTON. I only rose to ask if you will be so kind as to give to the Senate the name of the man who says that while he

was serving under General Funston 160 Filipinos were brutally punished in the way that is stated. Will you please give me the name?

Mr. TILLMAN. I will give this letter just as it is written to me and print it.

Mr. BURTON. Will you kindly answer my question? Who says that?

Mr. TILLMAN. I will go back and try to find out for the Senator.

Mr. BURTON. Mr. President, the reason why I make the inquiry is apparent. I believe that the world knows the history of General Funston. He fought early in Cuba to try to free Cuba from Spanish rule. He has fought in the Philippines——

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield further?

Mr. TILLMAN. I have no objection to the Senator eulogizing General Funston, but I think we are all very well acquainted with his record. We have promoted him from a captaincy here——

Mr. BURTON. Pardon me just a moment.

The PRESIDENT pro tempore. Does the Senator from South Carolina yield?

Mr. TILLMAN. I shall not yield for that, because it is absolutely unnecessary. I know as much about General Funston as the Senator from Kansas does, and every Senator here knows it, but if he wants to put it in the RECORD he is perfectly welcome.

Mr. BURTON. But you were making a misstatement just now, unintentionally, no doubt. He was not promoted from a captaincy.

Mr. TILLMAN. I have said in the beginning, and I repeat it, that I spread these things before the country with the view to force the Committee on the Philippines to send for witnesses.

Mr. BURTON. Does the Senator allow me?

Mr. TILLMAN. Of course.

Mr. BURTON. General Funston was colonel of the famous Twentieth Kansas Regiment, and he was afterwards made brigadier-general for gallantry, on the recommendation of his superior officers.

Mr. TILLMAN. Well, I will sit down. [Laughter.]

Mr. BURTON. I did not mean——

Mr. TILLMAN. I give the Senator all the time he wants. Go ahead.

Mr. BURTON. He was then made a brigadier-general in the Regular Army for serving his country so splendidly in the capture of Aguinaldo, and I believe he was the only volunteer officer in the Spanish-American war who was promoted to be a brigadier-general in the Regular Army. Before he ever was a soldier he had won the confidence and love and admiration of the people of Kansas in civic life. He is the highest type of an American citizen, and I do think that the Senator ought to make this heinous and awful charge against so brave a soldier, so splendid a man, without furnishing the evidence that bears at least indirectly or to some extent upon the truth of the charge.

General Funston on more than one occasion has denied this horrible statement. On the 2d of this month, while in the hospital at Kansas City, Mo., he wrote:

KANSAS CITY, MO., *February 2, 1902.*

SIR: My attention having been called to an extract from an article published in the City and State, of Philadelphia, January 2, 1902, I wish to make the following comment:

In this extract it is alleged that a soldier who claims to have been with me in the Philippines made the statement that he had helped to administer the "water cure" to 160 natives, all but 26 of whom died.

I believe that is the very statement that the Senator is reading.

This statement I wish to brand as an atrocious lie, without the slightest foundation in fact. During my service of three years in the Philippines I never had personal knowledge of the so-called "water cure" being administered to a native, or any other form of torture being used to extract information from them.

Is not that a specific denial coming from this high officer?

Mr. TILLMAN. Will the Senator allow me now?

Mr. BURTON. And I do insist——

Mr. TILLMAN. Will the Senator allow me now in my own time?

Mr. BURTON. Just let me finish this.

Mr. TILLMAN. No; right there.

Mr. BURTON. Very well.

Mr. TILLMAN. Let us look at this language:

A soldier who was with General Funston told me that he helped to administer the water cure to 160 natives, all but 26 of whom died.

Does that say that General Funston knew anything about it? Does it say that General Funston approved it? It simply says that a soldier who was with General Funston——

Mr. BURTON. Does not the Senator understand the English language well enough to know that that refers to General Funston, and the necessary implication is, if it means anything, that General Funston was guilty of this atrocious brutality? What is the use of resorting to subterfuge here?

Mr. TILLMAN. If the Senator is going to give me a lecture on English, I will remand him to his seat until after he gets his own time. I claim to know as well what is the interpretation of words as any man here.

Mr. BURTON. I beg the Senator's pardon. The Senator——

Mr. TILLMAN. It is no use for the Senator from Kansas to undertake to say that this statement here involves Funston.

Mr. BURTON. The Senator read——

Mr. TILLMAN. It simply says "a soldier who had been with General Funston told me." It does not say that "General Funston ordered me," or that "General Funston saw me," or that General Funston approved it. It simply located the man, that he may have been in Funston's regiment.

Mr. BURTON. And General Funston says no such thing ever happened, and brands the whole statement as a falsehood. What is more, Mr. President—and I believe the Senator will not remand me to my seat; I believe I have the floor by his permission?

Mr. TILLMAN. I have the right to take it when I get ready. If the Senator is to go on interminably I will show him whether I have got the right, for I will appeal to the Chair for my right.

Mr. BURTON. Will the Senator then——

Mr. TILLMAN. How much longer does the Senator want? I will give him five minutes, if that will do.

Mr. BURTON. I think I can finish it short of that——

Mr. TILLMAN. Will it take five minutes?

Mr. BURTON. I think I can finish it short of that if the Senator will not interrupt me. General Funston says further—

Statements of this kind—

And I especially direct the Senator's attention to it—

Statements of this kind made by returned soldiers are simply braggadocio—

A braggadocio that is repeated in the United States Senate, too—

and a desire to attract attention to themselves. It is my belief that the "water cure" was very rarely, if ever, administered by American soldiers. It was a matter of common knowledge that occasionally the Macabebe scouts, when not under the direct control of some officer, would resort to this means of obtaining information as to the whereabouts of concealed arms and ammunition.

There is the basis of this whole story, given from as credible a source as can be.

Mr. TILLMAN. And it is a confession that it has been done.

Mr. BURTON. And does the Senator——

Mr. TILLMAN. And done by men in the employ of the United States Government and paid by it.

Mr. BURTON. Does the Senator claim, with this statement here before him, that it was done at the instance of the United States Government? He gives the evidence here that is the foundation of this entire charge.

Mr. TILLMAN rose.

Mr. BURTON. Just one word more and I will be through.

They did this, however, on their own responsibility and without orders from their superiors. It was utterly impossible to prevent a few offenses of this kind by the Macabebes, as they were merely repaying the insurgents for worse treatment received by them in the past.

Now, will the Senator understand that General Funston here speaks in emphatic terms that not only was this offense never committed by an American soldier, but. on the other hand, every effort was made to prevent it? I insist that the Senator does not want to treat General Funston unfairly. He ought not to want to treat any American soldier unfairly.

Mr. TILLMAN. And now if the Senator from Kansas is through, I will proceed.

Mr. FORAKER. Mr. President, will the Senator allow me a moment? There is one other letter in regard to this same charge, immediately following the one that has just been read by the Senator from Kansas, which I should like to see go into the RECORD at the same place. It is a letter from Matthew A. Batson, captain, Fifteenth United States Infantry.

Mr. TILLMAN. Is not that already in the RECORD? It went in yesterday.

Mr. FORAKER. He was a commander of Macabebe scouts.

Mr. TILLMAN. I am perfectly willing to let it go in.

Mr. FORAKER. If you are willing, I should like to have it go into the RECORD.

Mr. TILLMAN. Oh, certainly; put it as an appendix to my speech.

The PRESIDENT pro tempore. If there be no objection, the matter referred to will be printed in the RECORD.

Mr. TILLMAN. Down at the bottom. I do not want it in my speech.

Mr. FORAKER. Let it be an appendix then.

Mr. TILLMAN. I am quoting these letters as an appendix or as a footnote.

Mr. FORAKER. I ask that this may go into the RECORD immediately following that letter.

Mr. TILLMAN. Right along with it. I am perfectly willing.

Mr. FORAKER. I should like to have it appear at the same place.

Mr. TILLMAN. My purpose here is not to slander the American Army or to cast any imputations on it. My purpose is to force the Senate, through some committee, to do something to get at the facts. Where there is so much smoke there must be some fire, and if we are brutally murdering, shooting, and torturing those people it is time the American people knew it. That is what I want.

Mr. LODGE. If you will give the names of witnesses, we will summon them.

Mr. TILLMAN. Summon Mr. Epps, the school-teacher sent out there last summer.

Mr. LODGE. Mr. Epps's evidence is hearsay. Give me the name of a witness.

Mr. TILLMAN. Mr. Epps will give you the name of another witness, if you do not choose to go to the Philippines, and propose to sit here and furnish us ex parte statements from the War Department in refutation of all these charges. I want you to go there and get it. Those poor wretches have no English language. They have no English paper. To all intents and purposes they are dumb, and they can get no hearing anywhere.

Mr. LODGE. When we get the name of a witness we will summon him. Name him, where he is, and who he is.

Mr. TILLMAN. I will give the name of Mr. Epps.

Mr. LODGE. We can not summon an anonymous witness.

Mr. TILLMAN. I name Mr. Epps.

Mr. LODGE. Mr. Epps did not see it and does not pretend that he saw it.

Mr. TILLMAN. If we are to take refuge in that sort of thing then the obvious purpose is to smother the truth and keep the people from finding it out, and the hellish dance of murder and rapine will go on. What are you going to do with this lady, just returned from there, who accuses the officials we have there in this morning's Post of having established houses of debauchery, in which the young Philippine women are being used to furnish an instrument to gratify the lusts of your officers and the men? Send for her, will you? Quit dodging.

Mr. DIETRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Nebraska?

Mr. TILLMAN. Oh, certainly.

Mr. DIETRICH. I wish to ask a question only. While in the Philippines in the fore part of August I received an invitation from General Funston to come to San Fernando. I did so, and gathered there were several hundred of the prominent Filipinos of the best families. They had a ball that night, and at that ball General Funston danced with many of the prominent Filipino women. Now, if it is true that Funston and his officers have been so cruel, would those Filipino women——

Mr. TILLMAN. Oh, Mr. President, I have time and again shown here that General Funston is only involved in this thing by the mention of his name by a man who simply says he was with him. What is the use to continue to defend a man who has not been attacked? I am endeavoring to force the Senate into some action looking to getting at the truth. You can get it if you want. You can go over there if you want. You can get an Army transport or steamer and send a committee there from both Houses, composed of men of character, whose word will be believed by the United States. Carry them there and let them travel about over that country and see what has been done, and give the natives an opportunity to make their statement, and not have it all come from one side. But you sit here in your committee room 7,000 miles from the seat of war, with all these infamies, if they are being perpetrated, and say "give us a witness." It is a clear subterfuge and dodging.

I have here something else which the chairman of the Committee on the Philippines may direct his attention to, if he chooses. The Public, a paper published in Chicago, whose editor I know, a clean, high man, in its issue of February 15, has two pages of editorial matter here dealing with this subject, and asking Mr. LODGE by name certain questions. I will read it or I will print it, just as the Senator chooses.

Mr. SPOONER. Read it.

Mr. TILLMAN (reading):

When Mr. HOAR proposed this investigation by a special committee Mr. LODGE objected. Nor did he rest his objection alone upon the ground that a special committee would be unnecessary, because the standing committee was capable of making the investigation. He intimated very strongly, also, that no investigation at all was needed. His language was: "If the Senate think we ought to investigate some of the disputed questions of the past, to which my colleague has referred, of the necessity of which I will frankly say I am not convinced, I think" the standing "committee is fit to do it." Now, the "disputed questions of the past" are vital factors in an understanding of the situation at present. That the American people may understand why the Filipinos are virtually a unit against American sovereignty, as they are now conceded to be, some, at least, of the "disputed questions of the past" must be searchingly inquired into and the truth about them established.

It must be ascertained, for one thing, whether there was a de facto Filipino government at the time of the American purchase of sovereignty from a displaced de jure government. For another, it must be ascertained whether the hostile assertion of that beclouded title to sovereignty was the real cause of the war, which for three years has devastated the islands. It must be ascertained, also, whether the Americans have authorized the barbarous "water treatment" for the discovery of concealed weapons; whether savage tribes have been employed by the Americans to cope with the civilized Filipinos, after the fashion of the British in this country a century and a quarter ago; whether a reconcentrado policy has been adopted by the Americans, after the fashion of Weyler in Cuba at the close of the last century, and with what effect in the way of weakening "the enemy" with hunger and disease, and whether the Americans have introduced systematic prostitution, fostered drunkenness, murdered prisoners, refused quarter in battle, and wantonly destroyed villages. These are some of the "disputed questions of the past," which any investigation worthy of the name must put at rest.

But Mr. LODGE, when interrogated upon the subject by a constituent of high standing in his community, the Rev. C. F. Dole, really emphasizes his conviction that no such investigation is necessary. The correspondence appeared in the Boston Herald of February 2. Replying to Mr. Dole, Mr. LODGE says that everything relating to our operations in the Philippines has been freely published by the War Department; that he does not believe that any cruelty is practiced; that he doubts the reports to the contrary, and will continue to doubt "such charges without proof;" and that his committee "stands ready at any time to investigate any specific act of wrongdoing," but that "it is impossible for the committee to investigate vague rumors or stories told by persons who will not allow their names to be declared and who furnish no facts as to the time, place, or participants in the alleged abuse."

That is the attitude of a man who, unless he is anxious to conceal the facts, is incompetent for the post of chairman of a committee of investigation. The function of such a committee is not to try issues brought before it, as courts do, but to take the initiative. It is not relieved of this duty by the fact that the War Department has published reports made by the very men who are accused of responsibility for the scandals demanding investigation, and who have not been subjected to cross-examination. It is not relieved because the chairman doubts the scandalous rumors. It is not relieved because the rumors are "without proof;" on the contrary, its duty is therefore all the more imperative to find proof itself of either the truth or the falsity of the rumors. Neither is it relieved because the persons who tell these stories withhold their names and the identifying circumstances. Whether their stories be false or true, they could not disclose their names voluntarily without being victimized; and no identification of circumstances could be made without identifying the persons. But of its own initiative the Senate committee could make an investigation which would disclose names and circumstances without exposing the witnesses to the malice of their superiors. If it neglects to do this, it thereby exhibits incompetency or something worse.

I will pause here to ask, when the army there is in absolute control and the alien and sedition laws of the Taft Commission are in force, what protection has any man, civil or military? He can be tried by drumhead court-martial if he is in the Army, or he can be haled up to jail and put in it indefinitely by the Taft Commission, if it is under the civil government.

Whoever has had correspondence with private soldiers and other subordinates in the Philippine Islands who have written frankly—but, for obvious reasons, in confidence—of the situation there, has as good reason for believing the stories which the chairman of the Senate committee lightly tosses aside as Mr. LODGE has for doubting them, and the latter's incredulity will not convince such persons of the falsity of what their friends in the Philippines say.

They know, if he does not, that it is within the power of his committee to uncover the facts without first requiring their friends to defy the vengeance of superiors in a country where those superiors have and exercise autocratic power. While no one would insist, upon the basis of these personal letters, that what they say is proved, the letters justify the confidence of those who receive them, and they are common enough to have created a sentiment which calls for a Congressional investigation of a searching character.

Is it true, for instance, that the civil governments in the Philippine towns are in reality military? Or, is it true that there is a military garrison in these towns and that the Filipino head man of the "civil" government has about as much power as it strikes the fancy of the military officer in command of the garrison to give him? Or, is it true that the local sentiment thus generated is such as to make the perpetuation of military power a necessity? Or, is it true that this quotation from a letter of the kind we have mentioned indicates the character of the American modes of pacification?

Here is the letter:

I have picked up a good deal of information from an officer stationed here, and one who has been through the whole thing. Naturally he is no friend to Filipinos, and takes delight now in recalling the verbal orders of General —— and men of his stamp to their officers. Their instructions were not to allow any questions of conscience or ideas of justice to hamper them in their dealings with the Filipinos. Such words were not lost on ambitious young men who wished to place another bar on their shoulder straps. The officer here, my acquaintance, frequently recalls the pleasant days when Captain —— tried his new Gatling gun on inoffensive natives and their ponies, or when he blew a few native boats (and, by implication, some natives) out of Lake ——, just to see how well trained his gunners were.

Or is it true that this quotation from the same letter fairly describes the situation?

The native found that the easiest way to get along was to pretend friendship until he got an opportunity to do something. He could do little else, since he was burned out and starved; but those who did him evil foolishly thought he could suddenly come to love them, and so gave him some share in making laws for himself. Naturally the Filipinos who were elected to office were those who most heartily hated Americans and their ways. And then, when laws were not enacted to conform to American ideals, the Filipino was proclaimed unprogressive and useless.

Or, is it true that this quotation from the same letter is correct in its statements?

"For the last two months the province of Batangas has been in open rebellion. Martial law has been again proclaimed, and is strongly advocated for the whole island. In the provinces of Batangas and Laguna all the ports are closed and a policy of fire and sword is inaugurated. As I was going to bed the other night, the officer in command brought in an order from General ——, of the Division of ——, which empowers a post commander or one of his officers to do as he may wish to do—anything, in fact, that may tend to bring peace about rapidly. This may be a better policy than letting the war drag on for a dozen years, but will it bring the right kind of peace?"

And what about the truth of the next quotation? Is the case at all typical?

"There is a native presidente or cabeza who has the name of ruler. But the real rulers are the two military officers. The presidente must stand, hat in hand, and take their orders or insults, just as they fancy. Neither is too well educated, and these years of war, burning huts, and swearing at unruly soldiers leaves them with the ethics of a ward heeler. These two men can practically do as they will. Comparatively speaking, they are not bad. In fact, they have been exceptionally kind to me. But their behavior is very strange and I can not overlook it. They take their carbines, as the notion strikes them, and go out to shoot dogs and pigs on the owners' very door steps, at times within 10 feet of his children."

In explanation they say that the conquered have no rights. Conduct of this sort caused the deplorable massacre in the island of Samar. The commanding officer in the town of Balangiga ordered the presidente of the place to cut the weeds about the town. I can imagine how the order was given. The presidente said, "Yes," and brought on his weed cutters. Of course all had bolos to do the work with. In the early morning, when the soldiers were off their guard, the natives closed in on them and began their butchers' work. Now, I do not commend the action of the dastard presidente; but a little humane treatment would no doubt have prevented this affair.

Finally, is it true that such a condition exists as is described in the following quotation:

"I would send you the papers printed in Manila, but they give no idea of the situation. They merely preach force, force, force, and, occasionally, extermination. The few magazines are no better. I am sending you the Taft Commission Report. The islands were more pacified when that report was handed in to Congress than they are now."

Other questions, specific as to particular abuses, might be framed upon the basis of this evidently truthful letter (now in our possession) from an intelligently observant American; but the abuses are described so circumstantially that no quotation can be made without exposing the writer, who is still in the Philippines, and subjecting him to the risk of persecution. Enough has been quoted, however, to indicate that the situation in the Philippines is scandalous to the American name, and it is sufficiently definite to enable the Senate committee, if it is searching for the truth and not engaged in whitewashing, to bring the scandalous facts to light or show that they do not exist.

Now, if I give the name of the writer of that letter will you send for him and bring him here?

Mr. LODGE. Immediately.

Mr. TILLMAN. All right; I will telegraph him right away.

Mr. LODGE. But it is difficult to examine witnesses unless we know their names.

Mr. TILLMAN. It is more difficult to get them if we are to go on in this way investigating the war in the Philippines in Washington. It will be like the trial of Hastings, in which one of the wits said—I think it was Sheridan—that the court walked while the trial stood still, because it took seven years to determine whether he had been guilty of cruelty or not.

I contend that this Senate ought to order its Committee on the Philippines or a subcommittee to go there, and let it be composed of men on both sides, who would have the courage to look over the ground, go to the bottom of the troubles, try to remove these stigmas from our Army, and remove these accusations against our civilization and our religion and everything else that is decent and manly and American, and let the world know that they are lies. I do not stand sponsor for this; but, as I have said, there is too much smoke for there not to be some fire; and I recollect that Sherman's army in America, commanded by Americans, marched through South Carolina with fire, and spread desolation for a distance 60 miles wide from Savannah to Cheraw in 1865. Why should you be less cruel to those poor negroes in the Philippines?

Mr. SPOONER. Negroes?

Mr. TILLMAN. That is what they call them. Of course, they are a higher race than our negroes; they are a much higher type of men than the negro, but I can not help that. Your writers, your school-teachers, and your officers there call them negroes.

APPENDIX.

PREY OF OUR SOLDIERS—PLEA FOR FILIPINO WOMEN BY AMERICAN SISTERS—MRS. ELLIS'S STARTLING CHARGE—SPEAKING TO THE NATIONAL COUNCIL OF WOMEN, SHE DECLARED SOLDIERS AND OFFICIALS ARE CAUSING THE DOWNFALL OF THE WOMEN AND GIRLS OF NEW ISLAND POSSESSIONS—PLEADS FOR INVESTIGATION.

Startling charges that American officials and soldiers in the Philippines are dragging down hundreds of pure Filipino women into lives of shame and degradation were made at the session of the National Council of Women in Carroll Hall last night. Mrs. Margaret Dye Ellis, the Washington representative of the Woman's Christian Temperance Union, made the charges, and she flung them out with a severe denunciation of the American rule in the Philippines and with a direct appeal to President Roosevelt to investigate and punish the alleged perpetrators of the infamy.

Mrs. Ellis spoke on the theme, "Our duty to the women of our new possessions." She reviewed the occupation by the United States of Cuba, Hawaii, and the Philippines, and described at considerable length the cleanly and virtuous habits of the women inhabiting the last-named islands. She then depicted the horrors of the war and told of the driving from their homes of Filipino families.

"There is still another awful side to the Filipino question," she said, holding up a small book on the flyleaf of which was the portrait of a young Filipino maiden. "Here is the portrait of a girl of 16 years and her signature, who in this work charges her downfall to an American inspector in an American Government department. This girl and hundreds of others are set apart for the greed and lust of American soldiers. They are held in bondage worse than death and for purposes tongue can not describe.

"God pity us—we, the highest type of civilization—for dragging down these Filipino women. Shame, shame. [Applause and cries of "Shame."]

DISGRACE SHOULD BE STOPPED.

"In one hospital in Manila there are, so an agent of the American Bible Society who has been there states, between 400 and 500 Filipino girls under treatment. We have had so many blessings showered on our nation that we American women should rise up in our strenth, our womanhood, and demand that this disgrace be stopped and its perpetrators dealt with severely.

"That brave, true, strong heart in the White House, President Roosevelt, who believes in pure womanhood, I appeal to that he put an end to this crime to Filipino women. That flag, which the American woman has helped so much to make, and which stands for social purity, should not wave over such disgrace. They talk a good deal about our forefathers; they should talk more of our foremothers. The flag should stand for protection, not only to merchandise, shipping, and mercantile commodities, but for pure womankind."—*Washington Post, February 22, 1902.*

[From the Philadelphia Public Ledger.]

WAR HORRORS DESCRIBED—FILIPINO WOMEN AND CHILDREN BURNED OUT OF HOMES AND DRIVEN TO MOUNTAINS.

READING, *February 9.*

Randolph W. Graul, serving in the United States Marine Corps in the Philippines, sends home a graphic story of how they are cleaning out the Filipinos. His letter is dated at Basey, which, he says, is in the hotbed of the insurrection. He writes: "The moment we arrived here orders were given to clean up the place. Every house outside of Basey was burned, and we then went to San Antone. Here we destroyed about 150 huts and made prisoners of the men. The women and children were chased to the mountains. We all felt sorry to be compelled to chase the women out and then burn their homes, but this is a bad place, and our boys have been greatly annoyed by these people. We have got used to it now and do not mind it."

[Cincinnati Enquirer, August 12, 1900.]

BURNED—WOMAN ON HER SICK BED—UNARMED FILIPINOS SHOT DOWN LIKE DOGS—TERRIBLE STORY OF INHUMANITY TOLD BY EX-SOLDIER ALEXANDER GRANT, OF THIS CITY, WHO SERVED WITH SIXTH INFANTRY—BRUTALITY OF OFFICERS.

A tale of horror and bloodshed was told yesterday at the Fourth street recruiting station by Alexander Grant, late a private in Company D of the Sixth Regiment, United States Infantry.

Grant, whose home is at 1535 Vine street, enlisted with the Sixth at the opening of hostilities with Spain, and saw much service in the Philippines. He but recently returned from the islands, having received on the 20th of May his honorable discharge.

He declared yesterday that the things he saw on the islands and the orders he was compelled to carry out have sickened him of all desire for army life.

ATROCIOUS BUTCHERY.

"During all my services in the Philippines," he said, "about all Company D did was police duty on the island of Negros, where most of the Sixth is. Most of the time we were in and around the town of Isabela, where we had had a little scrap with a band of Filipinos. Shortly after that battle, or skirmish—for only one man of the company was wounded, and we had been reenforced by some of Company K—we got into a little town some miles west of Isabela. We were ordered to search the town for proof against the fellow they call by some peculiar name in that country, who occupies the position of chief of police of the town, as it was suspected by the officers that he had been assisting the rebels. We scoured the town thoroughly, but were unable to find anything but a few spears and bows and arrows.

"Nevertheless, Captain Bundy, of my company, placed the chief of police and some of his men under arrest. They were about 10 in number, all told. They were lined up just outside the town and told that they had a chance for their lives. Some of them flopped down on their knees and began to pray. They were made to stand up and told to run. A squad of men were drawn up in a firing line, and as the poor, half-naked devils ran for the bushes the command was given to fire. The chief of police and half of his men were killed. In the meantime the rest of Company D, and I was one of them, under command of Lieutenant Young, were ordered to burn all the houses in the town.

BURNED ON HER BED.

"In one of the shacks was an old woman, who was lying on her bed sick with the smallpox. One of the men told the lieutenant of this. He replied: 'I don't give a d—; burn her, too.'

"An order is an order in the Army. The poor old woman was burned while she lay helpless on her bed, and her cries of anguish rang in the ears of the men for many days afterwards. On another occasion we were ordered to shoot men who had laid down their arms, in the same manner in which the chief of police of that town and his men were murdered. I tell you, boys," Grant continued, as he turned on the group of recruiting sergeants who were listening to him, "it is too awful to contemplate.

"I would have not believed it at all if I had not seen it with my own eyes and been compelled to carry out those fiendish orders myself. Then, again, we have been treated like dogs all the time we have been in the Philippines, and everything under the sun has been tried to keep the men from coming back to the States after they have been discharged from the service. We were kept from getting away from the islands as long as possible in the hope that we would spend all the money we had saved and be compelled to reenlist. I was discharged on the 20th of May and was kept at Isabella for ten days, and again at Iloilo ten days longer. The excuse given was that there was no transport to take me to Manila. Finally I paid my own way there and, after waiting around there until about the middle of July, was allowed to sail on the United States transport *Warren* for San Francisco. Coming over on the transport there were a number of men who had been discharged from various regiments, all of whom complained of the treatment they had received from their officers."

SHAMEFUL TREATMENT CHARGED.

"What was the nature of the ill-treatment from the officers?" was asked.

"In the first place," he answered, "we were allowed absolutely no freedom at all, although we were doing nothing more than police duty most of the time, and there were no rebels within striking distance of us. We were kept housed up doing garrison duty all the time. Then, so some of the boys on the transport told me, they had not been given their allowance for clothing. Nor were we given the full allowance for mileage. It seems that the paymaster stopped the clothing allowance after I was discharged, and would not pay the men for the clothing they had saved, as had been the case heretofore. Coming over on the transport the best we got to eat was the leavings from the officers' table. I tell you I was glad to get back to the States again."

"Don't you realize," said one of the sergeants, "that the statements you have made will blacklist you and make the officers lay for you if you should ever reenlist?"

"I don't care if it would," came the answer in a soldier's quick, decisive tones. "Every word I have spoken is the God's truth, and my story will be vouched for by any and every man who was in Company D. Why, just before I left one of the men was to be court-martialed for writing home about the treatment the men and the Filipinos have been receiving. Its all true, every word of it, and I'm willing to swear to it."

HERBERT WELSH, 1305 ARCH STREET,
Philadelphia, February 18, 1902.

Hon. BENJAMIN R. TILLMAN,
United States Senate, Washington, D. C.

MY DEAR SIR: In your valued favor of February 17 you say that you "have it in mind to spread in the records some morning before this debate closes everything that you can obtain touching the cruelties which have characterized the war in the Philippines," and you ask me to send you what I have of that character.

It seems to me most desirable that the people of this country, who, I believe, in the main wish to do what is just and right, should know the facts of this war. Certain of these facts seem to me to have a twofold significance. First, they show that atrocities have been committed under our flag, and apparently by the authority of certain of our officers, which are wholly contrary to the rules of civilized warfare. Those who are responsible for these atrocities should, I therefore believe, be tried for them, and, if the evidence warrants, convicted and punished. In this way the Army as a whole will have its honor vindicated, and the burden of such deeds will fall on guilty shoulders alone. To this proposition I should think fair-minded supporters of the present Philippine policy, as well as its opponents, would agree. Second, I believe that the facts of this case, when properly related and considered, bring the strongest indictment against the policy itself—the policy of subjecting an alien people against their will to an outside authority.

I ask your attention to the statement of facts contained in the accompanying article, entitled "By way of Manila." They relate strongly to the alleged use of the water torture under our flag in the Philippines. May I venture a word of explanation? Two years ago, when I saw in a respectable paper of this city, the Friend's Intelligencer, an account of the alleged use of this water torture I discredited its truth. I became convinced, however, that the statement was true through a personal experience which is set down in the accompanying article. A gentleman brought to me in my office a letter written by an assistant commissary in our service, and dated Tarlac, the 25th of April, 1901. This letter was evidently genuine, written in good faith, addressed to friends in Philadelphia, without expectation on the part of the writer that it would ever have a larger group of readers. The impression produced by it was deep and convincing.

It narrated the use of the torture as the writer had evidently seen it inflicted by the Macabebe scouts. It explained how such means came to be used. It was necessary for us to get the concealed guns of the Filipinos; $30 reward would not bring them, so the methods of these native scouts were employed. The letter convinced me that men high in authority must know of and sanction these means, for you will observe the writer says: "They could not get the guns until the Macabebes were sent for." One naturally inferred that the reason for sending for the Macabebes must be well known to those in authority. I was so impressed by this statement that I published it at the time in City and State and also sent it to the Springfield Republican, in which paper it was likewise published. Then followed from that time to this, without any repudiation or denial by the authorities, the publication in various papers of letters from soldiers similar to that to which I have referred. Governor Taft is reported to have admitted that there had been some slight use of this method of obtaining information, but that it was "strictly forbidden" by the authorities in the Philippines. It would be interesting to know since when it has been "strictly forbidden."

I send herewith inclosed a copy of an extract from the Manila Times of August 18, 1901, in which the statement is made by a correspondent in the island of Samar that Major O'Connell, of the First Infantry, suspecting certain Filipinos of having given information to their hostile countrymen which led to some of our soldiers being ambushed, determined that a good "shaking up" was desirable, and so put them to the water torture, with the result that by this means the guilty were eliminated and locked up in jail. It is interesting to note in this connection the apparent indifference which such a proceeding showed on the part of the officer in question to the fact that guiltless men were subjected to this horrible torture along with guilty ones. From the statement it would appear that not all of those who were so tortured were proved to be guilty, even if a confession under such agony could be considered proof of guilt. It is also significant that such an item of news should be boldly published in a paper circulating in Manila, the seat of American military authority, if the use of these means were "strictly forbidden" in any precise meaning of those words. If the torture really was forbidden it is inconceivable that a newspaper would openly publish the name and position of the man who used it unless his court-martial and punishment were about to follow. Possibly Major O'Connell has been court-martialed for this offense; but, if so, I am unaware of any public announcement of the fact.

I further would draw attention to the statement made in an article published by Mr. George Kennan in the New York Outlook last March. Mr. Kennan quotes from the letter of an Army officer of high position and undoubted reliability written to a brother officer in this country, in which, as you will see, the statement is made that the Macabebe scouts are not the only ones who have used this torture; that it has been employed by us less discriminatingly than it was by Spain; that the Macabebes would apply it to any Filipino whom they might meet on entering a town on the main chance of thereby getting information from him. This is a very interesting statement when compared with that of Governor Taft, which conveys the impression that the torture has been but slightly used. I have taken pains to make inquiries about this military witness, and have satisfied myself that his testimony is to be entirely relied upon. In a speech recently made by me on the Philippine question before the Massachusetts Reform Club, in Boston, upon the occasion of President Schurman's memorable address, I referred in detail to this question of the use of the water torture. Shortly afterwards I received a letter from the secretary of the club, from which I quote the following passage:

"Apropos of what you write me regarding the treatment of the Filipinos by our soldiers, I must tell you this tale: After your speech—a few days after—one of the members met me and said, 'I could not believe that Welsh could be right in his assertion about the brutality of our soldiers; it seemed to me un-American and impossible; so I went to an officer whom I and you know (he would not give me his name, and I am not sure whom he means) and asked him if he had ever known the water torture being practiced. He admitted that he had, and had even done it himself, excusing it on the ground of necessity.'

"My friend was somewhat stirred up to find that the charge he had sought to disprove was true."

This statement of a returned Army officer that the torture was not only used, but that he had used it himself, would seem to show clearly that the practice must have attained a recognized position in military operations in the Philippines; otherwise it would be incredible that an officer of standing could make such a statement. This falls in with the statement made by Mr. G. H. Bates, of Saybrook, Ill., a veteran of the civil war, whose letter on this subject was recently published in the Springfield Republican. I quote from it as follows:

"The 'water cure' is the favorite torture of the Americans to force the natives to give information concerning the insurrectos. The native is bound and gagged, and one soldier pours water and sand down his throat while another beats him on the stomach, which soon swells out like a drum. This torture is said to be horrible, and it generally makes the Filipino betray everything; but many of them are game to the last and carry their secret with them to the grave. A soldier who was with General Funston told me that he helped administer the 'water cure' to 160 natives, all but 26 of whom died."

A letter was sent from my office to the editor of The State, inquiring as to the reliability of this correspondent. The same mail that brought your letter to me brought one from him under date of February 15. From this I quote as follows:

"After investigating the matter as fully as I could, I submit the results of the inquiry. My news editor informs me that the letter was, as he remembers it, written by Mr. R. D. Epps, a citizen of this State, who was chosen by the State superintendent of education, at the request of Washington authorities, for appointment as a teacher in the Philippines, and who went over with a shipload of other teachers last year. This appointment would indicate that he was a man of character and good standing; and such is my information concerning him. I do not know him personally, but as a former constituent of the State he has made several contributions to it since his arrival in the Philippines, and they have been accepted as written in good faith and with accuracy as to statement of facts.

"I inclose the letter in full, and you will see from it that Mr. Epps writes from the American Army standpoint, not from that of the Filipinos or anti-imperialists. He is evidently in sympathy with the measures adopted."

This evidence would seem to me morally conclusive that the water torture has been used very extensively as a means of obtaining information from suspected Filipinos—how extensively a rigid official inquiry can alone determine. That it puts a horrible stain on our flag I believe every unprejudiced, honorable mind will admit.

But there is another painful subject in this connection which also demands investigation; that is the question of killing the wounded. That such has been done under our flag was asserted by an investigator of world-wide reputation, Mr. George Kennan, in his articles in The Outlook of last February and March. Writing personally to me in relation to this subject, he recently said: "So far as the killing of wounded Filipinos is concerned, I based my assertions partly on the extraordinary and abnormal disproportion between Filipino killed and Filipino wounded, as shown in our official reports, and partly upon the direct testimony of eyewitnesses. * * * American soldiers and noncommissioned officers who personally saw Filipino wounded shot and bayoneted to death. * * * The figures, however, speak for themselves.

How does it happen that in the year ended June 30, 1901, the American rate of killed to wounded was 1 to 2, while the Filipino rate was about 3½ to 1? One of my critics in the Outlook explained that this disproportion is due to the fact that the Filipinos leave their dead on the field, while they carry most of their wounded away. But if the Filipino proportion of wounded to killed is normal, or even approximate to the American rate, they must have carried off the field in the last year for which we have records nearly 7,000 wounded men. Does anybody really believe that this could have been done by a lot of bushwhackers, without any organized transportation service, in a tangled tropical wilderness, where there are no roads, and in spite of the close and active pursuit that our troops make when they win, as they always do?

I have seen something of operations in Cuba; I have tried myself to get through tropical jungles without incumbrance of any kind, and I don't believe it would have been possible even for our regular troops to carry away any considerable number of our wounded if we had been disastrously defeated and closely pursued by the Spaniards at San Juan Hill. If we could not have done it, with a regularly organized transportation service, a hospital corps, litter bearers, ambulances, and surgeons, how do the Filipinos manage it without any such means and resources? The explanation is essentially incredible, and so far as I know it is not supported, or even suggested, by any one of our general officers in the field. In the official report that I examined a year ago the proportion of Filipinos killed to wounded was stated as 4.6 to 1.

It seems to me, I will say in conclusion, that these facts show that an official inquiry which will have the power to summon as witnesses the officers and soldiers of the Army who can testify in the matter is urgently desired. Our good name is to be preserved not by covering up such scandalous deeds, but by exposing them, disavowing them, and holding to strict accountability those who are responsible for them.

I call attention to one additional case. The following is quoted from the Manila correspondent of the Philadelphia Ledger:

"The present war is no bloodless fake, opera bouffe engagement; our men have been relentless, have killed to exterminate men, women, and children, prisoners and captives, active insurgents and suspected people from lads of 10 up, an idea prevailing that the Filipino, as such, was little better than a dog, a noisome reptile, whose best disposition was the rubbish heap.

"Our soldiers have pumped salt water into men to 'make them talk,' have made prisoners of people who have held up their hands and peacefully surrendered, and an hour later, without an atom of evidence to show they were even insurrectos, stood them on a bridge and shot them down one by one, to drop in the water below and float down as examples to those who found their bullet-loaded corpses."

This paper (the Ledger) is, as you doubtless know, one of the most reliable newspapers of the country; it is extremely careful about all statements of fact which appears in its pages. I instituted an inquiry as to whether the Ledger was satisfied as to the trustworthiness of this correspondent, in view of the great importance of the statement made. This elicited the information—while I was not given the name of the correspondent—that the letter had been written by the wife of an Army officer who had himself witnessed the incidents described, and who was anxious that such facts should reach the people of this country.

Very respectfully, yours, HERBERT WELSH.

Mr. FORAKER submitted the following:

WASHINGTON, D. C., *January 29, 1902.*

SIR: Referring to an article published in the City and State, Philadelphia, January 2, 1902, alleging the use of the "water torture" as a means of extorting information from the natives in the Philippines by our troops, and especially Macabebe Scouts, I desire to make the following comments:

The first company of Macabebe Scouts was organized by me in September, 1899. This force was subsequently increased until I had under my command five companies, numbering 640 men. I was in command of these scouts until the latter part of November, 1899, being relieved on account of a wound received at Aringay. These men were, in May, 1900, reorganized and officially designated Squadron Philippine Cavalry, though they were generally known as "Macabebe Scouts." Upon the reorganization I was again placed in command of them, and remained in command until these men were finally discharged from the service, in July, 1901.

At this time there were other bodies of scouts known as Macabebe scouts, about the discipline and conduct of which I know nothing, as I never came in contact with them.

During the time that I was in command of these native troops the practice

of torturing natives to obtain information was neither sanctioned nor practiced. On the contrary, it was prohibited under pain of severe punishment. I not only did not "knowingly allow it," but from the time I organized the first company of natives until my command was discharged, in July, 1901, my officers and men were strictly prohibited from mistreating prisoners or "piasanos" in any way.

From time to time charges similar to that made by Mr. Kennan in the article referred to have been made against my scouts. These charges have invariably been thoroughly investigated, and have nearly always been found to be without foundation. As a rule, these charges have not been made to me as commanding officer of the scouts, but have been sent direct to the division commander, and in a great many cases special inspectors have been sent out to investigate. These inspectors have always been given every assistance by myself and officers to get at the truth, and the natives encouraged in every way to make known any cruelty practiced against them. It has generally been found that the natives have been scared into making these charges, first, by insurgent officials, who sought that method of arousing the natives by telling them of the barbarous treatment that they would have at the hands of the Macabebes, and, second, by American officers, who tried to intimidate the natives by threats of Macabebe vengeance.

I am glad to be able to say, however, that those charges have almost invariably gone before my command, and not followed it. In proof of this I would call attention to the petitions which have been in a number of cases—but notably at Abando and at Montalban—submitted, in which the natives have appealed to the department commander not to remove my command from their towns, as we had always afforded them absolute protection against "ladronism" and outrages of all sorts, and that my men, as they expressed it, treated them like brothers. I request that the Adjutant-General also compare the records of courts-martial of men in my command with those of the Army in general, both in the United States and in the Philippines.

I have heard a great deal about the "water torture," or "water cure," as it is generally called, and I do no not doubt that it has been applied in a few cases. Outrages will be committed in any army in the world. They have been committed against our own citizens in our own country by our own soldiers. But I know that such methods were not sanctioned, as alleged in the article referred to, by the military authorities in the Philippines, and that when proof could be obtained that such methods had been practiced the offenders were promptly brought to justice.

Indeed, after nearly three years' service in the Philippines, I can conscientiously say that I believe the treatment which the natives received at the hands of the military has been extremely humane and tolerant.

Very respectfully,

MATTHEW A. BATSON,
Captain, Fifteenth U. S. Cavalry.

The ADJUTANT-GENERAL U. S. ARMY,
Washington, D. C.

Mr. McLAURIN of South Carolina. Mr. President, I rise to a question of personal privilege. During my absence a few moments ago from the Senate Chamber, in attendance upon the Committee on Indian Affairs, the gentleman who has just taken his seat, the Senator who has just taken his seat, said that improper influences had been used in changing the vote of somebody on the treaty, and then went on later and said that it applied to the Senator from South Carolina, who had been given the patronage in that State. I think I get the sense of the controversy.

I desire to state, Mr. President—I would not use as strong language as I intend to had I not, soon after the Senate met, replied to these insinuations and said that they were untrue—I now say that that statement is a willful, malicious, and deliberate lie.

[At this point Mr. TILLMAN advanced to Mr. McLAURIN of South Carolina, and the two Senators met in a personal encounter, when they were separated by Mr. Layton, the acting assistant doorkeeper, assisted by several Senators sitting near.]

Mr. GALLINGER. Mr. President, I ask that the doors be closed.

The PRESIDENT pro tempore. The Senate will be in order. Senators will please resume their seats.

Mr. PRITCHARD. Mr. President, if the Senator from South Carolina has concluded——

Mr. McLAURIN of South Carolina. Mr. President, I will now proceed with my remarks, which were so unceremoniously interrupted——

Mr. TELLER. Mr. President, I call the Senator from South Carolina to order.

Mr. McLAURIN of South Carolina. Which one of the Senators?

Mr. TELLER. This one, and the other one, too, for that matter.

Mr. FORAKER. Mr. President, I join in that. Surely there is some way of protecting the dignity of this body.

Mr. BURROWS. Certainly; the Senate can not let this thing pass, Mr. President.

Mr. GALLINGER. Mr. President, I asked that the doors might be closed.

Mr. FORAKER. Mr. President, I move that the Senate go into executive session.

The PRESIDENT pro tempore. The Senator from Ohio moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and twenty minutes the doors were reopened.

PROCEEDING FOR CONTEMPT.

During the consideration of executive business, and while the doors were closed, the injunction and seal of secrecy was removed from the following proceedings:

Mr. FORAKER submitted the following order:

Ordered, That the two Senators from the State of South Carolina be declared in contempt of the Senate on account of the altercation and personal encounter between them this day in open session, and that the matter be referred to the Committee on Privileges and Elections with instructions to report what action shall be taken by the Senate in regard thereto.

The Senate proceeded by unanimous consent to consider the said order.

Pending debate,

On motion by Mr. TELLER that the doors be opened,

It was determined in the negative—yeas 18, nays 44.

The yeas and nays being, on motion of Mr. LODGE, desired by one-fifth of the Senators present,

Those who voted in the affirmative are: Messrs. BACON, BATE, BERRY, BLACKBURN, CARMACK, CLAY, COCKRELL, GIBSON, McENERY, MARTIN, PATTERSON, RAWLINS, SIMMONS, SPOONER, TALIAFERRO, TELLER, TURNER, and WELLINGTON—18.

Those who voted in the negative are: Messrs. ALDRICH, ALLISON, BARD, BURNHAM, BURROWS, BURTON, CLARK of Wyoming, CULLOM, DEBOE, DIETRICH, DILLINGHAM, DOLLIVER, ELKINS, FAIRBANKS, FORAKER, FOSTER of Washington, FRYE, GALLINGER, GAMBLE, HANNA, HANSBROUGH, HAWLEY, HOAR, KEAN, KEARNS, KITTREDGE, LODGE, McCOMAS, McMILLAN, MALLORY, MASON, MILLARD, MITCHELL, NELSON, PERKINS, PLATT of Connecticut, PRITCHARD, PROCTOR, QUARLES, SCOTT, SIMON, STEWART, WARREN, and WETMORE—44.

So the motion of Mr. TELLER was not agreed to.

On motion of Mr. FORAKER, and the same having been seconded,

The Senate proceeded to the consideration of secret legislative business.

On the question to agree to the order submitted by Mr. FORAKER,

Mr. BACON demanded a division of the question; and

On the question to agree to the first branch thereof, as follows:

That the two Senators from the State of South Carolina be declared in contempt of the Senate on account of the altercation and personal encounter between them this day in open session—

It was determined in the affirmative—yeas 61, nays 0.

The yeas and nays being, on motion of Mr. HOAR, desired by one-fifth of the Senators present,

Those who voted in the affirmative are: Messrs. ALDRICH, ALLISON, BACON, BARD, BATE, BLACKBURN, BURNHAM, BURROWS, BURTON, CARMACK, CLARK of Wyoming, CLAY, COCKRELL, CULLOM, DEBOE, DEPEW, DIETRICH, DILLINGHAM, DOLLIVER, DUBOIS, ELKINS, FAIRBANKS, FORAKER, FOSTER of Washington, FRYE, GALLINGER, GAMBLE, GIBSON, HANNA, HANSBROUGH, HAWLEY, HOAR, KEAN, KEARNS, KITTREDGE, LODGE, McCOMAS, McENERY, McMILLAN, MALLORY, MARTIN, MILLARD, MITCHELL, NELSON, PATTERSON, PERKINS, PLATT of Connecticut, PRITCHARD, PROCTOR, QUARLES, RAWLINS, SCOTT, SIMMONS, SIMON, SPOONER, STEWART, TALIAFERRO, TURNER, WARREN, WELLINGTON, and WETMORE—61.

None voted in the negative.

So the first branch of the order was agreed to.

The second branch of the order was then agreed to.

On motion by Mr. FAIRBANKS,

The doors were reopened.

After the doors were opened—

Mr. BLACKBURN. Mr. President, the seal of secrecy has been removed from the proceedings had by the Senate when recently in secret legislative session. During that time I made a certain statement to the Senate as to what it was the purpose of the senior Senator from South Carolina [Mr. TILLMAN] to do when the doors of the Senate should be opened and we should be back in public session. The two Senators from South Carolina have been declared by action of the Senate to be in contempt of this body.

What I desire to know now, Mr. President, is as to whether the senior Senator from that State is entitled to recognition by the President of the Senate in order that he may make the statement which I assured the Senate it was his purpose and his pleasure to make.

Mr. FORAKER. Mr. President, I ask the unanimous consent of the Senate——

Mr. BLACKBURN. I desire to have the Chair rule upon the question that I raised. The Senate, against my judgment, took this action prematurely, as I thought, declaring the two Senators from the State of South Carolina in contempt. Now, I want the President of the Senate to determine the rights and the status of these two Senators. That they are in contempt we all know and the public knows, because the seal of secrecy has been removed from the proceedings of this body while in the short secret legislative session. The record shows that both the Senators from South Carolina are now in contempt. The Senate knows, through the statement I made to the Senate, what was then the purpose of the senior Senator from South Carolina, and that, I aver, is still his purpose.

Now, I want the Chair to say, in view of the action taken by the Senate declaring these two members to be in contempt, whether the senior Senator from the State of South Carolina is entitled to

recognition, in order that he may make that statement to the open Senate.

The PRESIDENT pro tempore. The Chair——

Mr. HOAR. Mr. President, may I be permitted to make a suggestion?

The PRESIDENT pro tempore. The Chair will hear the Senator from Massachusetts.

Mr. HOAR. I desire to suggest to the Chair, as the application has been made to the Senate in behalf of the Senator from South Carolina by the Senator from Kentucky, if the proper way would not be for the Chair to submit to the Senate whether the Senator be permitted to proceed; in which case I am quite sure there would be unanimous assent.

Mr. BLACKBURN. Ah, Mr. President, to that I object. There will not be unanimous consent—not until the Chair has answered the parliamentary inquiry which I have submitted. Before the Chair answers that, I want to add that if either of the Senators from South Carolina (both of whom the Senate has just declared to be in contempt) is entitled to recognition by the Chair, it can not be for the given purpose of proceeding to make a statement that has been forecasted. If they, while in contempt, are entitled to recognition by the Chair, it puts the Senator in possession of the floor for any purpose that he sees fit to use it.

Mr. SPOONER, Mr. STEWART, and others. No.

Mr. ALDRICH. Not at all.

Mr. BLACKBURN. Show me the rule. I challenge the oldest Senator in service here. Show me either the rule or the practice or the exception to a rule under which any Senator was ever recognized and put into possession of the floor in which he did not have the right, as long as he kept within the lines of the rule, to discuss what he pleased upon the floor.

Mr. STEWART. The rule in court, I can state——

Mr. BLACKBURN. This is not a court, I beg the Senator's pardon. This is not even a high court of impeachment trying a question of impeachment. This is a deliberative body. It is a legislative body. It is governed by its own rules. We know its rules. I was once the chairman of its Committee on Rules, as the Senator from Wisconsin [Mr. SPOONER] is now.

The proposition I submit. I warned the Senate, I told the Senate what the senior Senator from South Carolina purposed to do and wanted to do. The Senate has seen fit to refuse him the opportunity of doing it. I now aver and avow that it is still his purpose and his pleasure to do precisely what I told you he meant to do. But by the action of the Senate the question comes up as to whether you have not deprived him of the right of making that statement or as to whether you have not conferred upon him the right to go on and discuss the Philippine tax bill or any other subject that he sees fit to handle.

I ask that the Chair shall rule upon the one question as to whether a Senator declared to be in contempt of this body is entitled to recognition by its Presiding Officer and to possession of the floor. If he is, the senior Senator from South Carolina wants to take the floor, but he does not want to take it by unanimous consent; he wants to take it in his own right, and I simply ask the Presiding Officer of this Chamber to answer and tell me whether the senior Senator from South Carolina has that right.

Mr. ALDRICH. Mr. President, I assume that there is nothing in the history of the Senate or in the rules of the Senate that establishes a precedent for the resolution which has just been adopted by the Senate. I think that is clear.

Mr. TELLER. That is right.

Mr. BLACKBURN. That is true.

Mr. ALDRICH. It seems to me that the two Senators from South Corolina, having been adjudged in contempt by the deliberate vote of this body, can not be heard by the Senate, except for the one purpose of purging themselves of that contempt.

Mr. BLACKBURN. Will the Senator from Rhode Island refer me either to rule, precedent, or practice for that conclusion?

Mr. ALDRICH. The second clause of the nineteenth rule provides that when the President of the Senate shall call a Senator to order for disorder in debate the Senator can only proceed in order by the consent of the Senate.

Mr. HOAR. Read the rule.

Mr. BLACKBURN. That does not touch this case.

Mr. ALDRICH. I will read the rule. It is as follows:

2. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the presiding officer shall, or any Senator may, call him to order; and when a Senator shall be called to order, he shall sit down and not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

Mr. BLACKBURN. I ask the Senator——

Mr. ALDRICH. This is a much graver offense.

Mr. BLACKBURN. Does that touch the question of contempt?

Mr. ALDRICH. Absolutely. The Senators from South Carolina being adjudged to be out of order——

Mr. BLACKBURN. Oh, no.

Mr. ALDRICH. And practically by a vote of the Senate——

Mr. BLACKBURN. I deny it.

Mr. ALDRICH. It is worse than being out of order. It is a more grave charge.

Mr. BLACKBURN. I grant you it is a much graver charge.

Mr. ALDRICH. Much graver.

Mr. BLACKBURN. The President of the Senate has not called either of the Senators to order; no member of this body has exercised his right of calling either of the Senators from South Carolina to order. The Senate itself by vote—a yea-and-nay vote—has declared not that either of the Senators from South Carolina was out of order, but that they are both in contempt of this body, and I want the ruling of the Chair on that question.

Mr. ALDRICH. But, Mr. President, by analogy it seems to me apparent that it is a much more serious offense, and it must be treated in the same way in which any disorder on the part of a Senator should be treated.

Mr. PATTERSON. May I ask the Senator from Rhode Island a question?

Mr. ALDRICH. Certainly.

Mr. PATTERSON. Is not this the situation? This is not a question of being out of order——

Mr. ALDRICH. It seems to me it is the most serious disorder.

Mr. PATTERSON. There is no question about that; but, so far as parliamentary rules are concerned, it is not even analogous. The two Senators have been adjudged guilty of contempt—that is, the Senate has pronounced them guilty of contempt—but the Senate has not yet declared what the Senators shall do or what the nature of the punishment shall be. When attorneys in court or members of a legislative body are declared to be in contempt, upon conviction for the offense they then await the declaration of punishment. It is expected that this Senate will not only say that those gentlemen have been guilty of contempt, but what they shall be required to do by reason of it and how they shall purge themselves of it. If one is convicted of contempt in the presence of a court, the court announces that he is guilty of contempt, and then proceeds to declare the punishment, fine or imprisonment or suspension from practice for the time being. That is the exact parliamentary condition of this case.

For my own part, I hope, without any controversy as to this very disagreeable proceeding, that both Senators will be willing to proceed, by unanimous consent, to say what they desire to say. But if that is not their desire, they have no parliamentary right to the floor until the Senate itself shall declare what they shall do to purge themselves of contempt.

Mr. ALDRICH. Mr. President, it seems to me that the Senator from Colorado [Mr. PATTERSON] is right in this respect, that no tribunal, except the Senate itself, can allow either of these Senators to proceed in the discussion of any question pending before the Senate or to make any statement before the Senate. The Senate has the right clearly to say what kind of a statement shall be permitted from those Senators or on what condition it will grant them the floor at all.

Mr. FORAKER. Mr. President, it does not seem to me that there is any difficulty about this matter at all. It seems to me that we are clearly within the terms of the rule under anything like a fair construction.

If any Senator, in speaking or otherwise—

It is not confined to speech—

in speaking or otherwise, transgress the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order.

Then follows the penalty.

Now what occurred?

Mr. ELKINS. Regular order, Mr. President.

Mr. FORAKER. As soon as this contempt was committed the Chair was addressed, and a motion was made to go into secret legislative session. There the Chair and the Senate were addressed, the contempt against the Senate was recited, and a motion was made with respect to it, which resulted in the action that has been taken. So the Senate acted, adjudging those Senators in contempt because they had transgressed, I may say, not only by speech, but also by action, against the rules of the Senate. Now, being in contempt, they can not proceed, according to all parliamentary law, except only by the consent of the Senate.

Mr. BLACKBURN. Mr. President——

Mr. FORAKER. Wait until I conclude.

It is for the Senate to determine whether or not those Senators shall be heard at all. I understand, from what the Senator from Kentucky [Mr. BLACKBURN] has said to the Senate, that the senior Senator from South Carolina [Mr. TILLMAN] desires to address the Senate for the purpose of purging himself of his contempt. I ask that the Senate give unanimous consent. Without that unanimous consent, certainly not without a majority vote of the Senate, it is not possible for us to allow the Senators to be heard consistently with our parliamentary rules and regulations.

Mr. BLACKBURN. Very well.

Mr. FORAKER. Therefore, my contention is, Mr. President, that the Senators from South Carolina being adjudged in contempt directly within the terms of this rule, neither Senator can be heard except by permission of the Senate.

Mr. BLACKBURN. Mr. President——

The PRESIDENT pro tempore. The Chair is ready to determine this question at any time.

Mr. BLACKBURN. Before that is done, Mr. President, I simply want to say that in submitting this inquiry to the Chair I was actuated, not by any purpose that was to be applied to the case before the Senate now, but we are making a precedent, and, as the Senator from Rhode Island [Mr. ALDRICH] has truly said, there is no precedent to guide us in what we are doing now. There has been no division of opinion among Senators as to the fact of the two South Carolina Senators being in contempt. The vote shows there was no division of sentiment there. We all knew that they were in contempt. The question I want determined here, Mr. President, is not with a view of applying to this case at all, for it will not, I apprehend, in the slightest degree affect the action the Senator from South Carolina will take—whether he proceed in his own right or whether he proceed by the sufferance of the Senate. I have no doubt that he will proceed; but I insist upon having a ruling from the Chair to determine whether the Senate, when it took its action in secret legislative session declaring these two Senators in contempt, did not preclude and cut those Senators off from any opportunity or chance to purge themselves of the contempt, unless the Senate should afterwards by further action agree to give them a chance to do so by unanimous consent or by a majority vote.

Mr. SPOONER. To which you object.

Mr. BLACKBURN. I have objected, and said to the Senate that I intended to continue that objection until the President of the Senate ruled upon this question. I want to know whether the senior Senator from South Carolina in his own right can purge himself of contempt, as I apprised the Senate hours ago he wanted to do, or whether he must be clothed with that opportunity and given that chance as a matter of grace by the Senate. If this thing should ever happen again, I want to know what rights, if any, will result to a Senator as long as he stands under the judgment of the Senate in contempt of this body.

Mr. TELLER. Mr. President, I want to call the attention of the Chair to a further fact, which, it seems to me, complicates the matter here. I felt that it would, and I refrained from voting upon the question, not but that I thought both the Senators from South Carolina were in contempt, but it seemed to me that it was an irregular proceeding, and, as the Senator from Rhode Island [Mr. ALDRICH] has stated, it is an unknown proceeding in this body.

In addition to that, we have referred the whole matter to the Committee on Privileges and Elections, which seems to me to complicate it further. I want to say that the Senator from South Carolina who sits on my left [Mr. MCLAURIN] is as anxious to make proper amends as is the Senator from South Carolina who sits on my right [Mr. TILLMAN], as was stated in secret session.

Now, are those Senators to get up here and make their speeches and the Senate say they are not satisfactory or say nothing, and is the matter then to go to the Committee on Privileges and Elections? Have we not put the matter where really the proper place for them to go, unless we retrace our steps, is before the committee and make their defense there? I do not believe that was the intention of the Senate, but it seems to me that, parliamentarily, we have got in that position.

Mr. FORAKER. The vote was taken on it in secret session, and there was an opinion held by some of us there that the two Senators from South Carolina should be adjudged in contempt, but that it ought to be referred to the committee. Then if the Senators wanted to be heard, to address the Senate and purge themselves of their contempt, the Senate would hear them; and what they might state to the Senate in open session in that behalf would be a proper subject-matter for consideration of the committee in extenuation.

Mr. TELLER. I had the floor, and the Senator took me off of it before I had finished my inquiry.

I want to know now, and I want the Chair to rule, first, whether the Senators from South Carolina have the right—and without the consent of the Senate—it seems to me, that it is not possible that they do have such a right—to be heard. Then I want to know, after they have been heard, if the Senate feels that their apology is ample and that they have discharged themselves from that contempt, what the next proceeding will be? Shall we stop there, or will they have another trial? Will they have two trials, one to purge themselves here and another before the committee?

Mr. FORAKER. If the Senator will allow me, that is a matter for the committee to consider. The committee will take into consideration all that has occurred and all that the Senators have said in an endeavor to purge themselves of that contempt; and it will then be for the committee to determine whether any further punishment shall be imposed.

Mr. TELLER. Do I understand the Senate has deprived itself of the right, when it has heard either of the apologies, to determine whether it is sufficient or not?

Mr. FORAKER. The Senate can discharge the committee from the further consideration of the matter at any time, and that would end it.

The PRESIDENT pro tempore. While these two Senators are declared to be in contempt the Chair could not recognize either if he should rise and address the Chair; but on motion made by any Senator that they be heard the Chair would recognize the Senator making the motion, and would hold that the motion was in order. In the ordinary transgression of the rules or violation of order the Senator violating must take his chair, and he can not be recognized by the Presiding Officer again until the Senate has relieved him of that by motion. Of course, the Senators from South Carolina can be relieved from the condition in which they are now, so far as recognition by the Chair is concerned, by a motion and by a majority vote of the Senate. What will happen——

Mr. HOAR. And without debate.

The PRESIDENT pro tempore. What will happen after the two Senators have purged themselves, so far as it is possible, of the contempt, the Chair will be prepared to rule whenever that question is raised.

Mr. BLACKBURN. Then, Mr. President, I move that the senior Senator from South Carolina——

Mr. SPOONER. Why confine it to him?

Mr. BLACKBURN. I will apply it to both.

Mr. SPOONER. That is right.

Mr. BLACKBURN. I move that the two Senators from South Carolina shall now be given the floor and be recognized by the Chair in order that they may in their own way proceed to purge themselves of the charge of contempt of which they have been adjudged guilty by the Senate.

Mr. SPOONER and others. That is right.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Kentucky [Mr. BLACKBURN].

The motion was agreed to.

Mr. TILLMAN. Mr. President, I have always esteemed it a high honor and privilege to be a member of this body. I had never had any legislative experience when I came here, and my previous service as governor of South Carolina for four years had unfitted me in a measure to enter this august assembly with that dignity and regard—proper regard, I will say—for its traditions and habits and rules that is desirable.

I have been here seven years. I have in that time learned to judge men with a little more catholicity of spirit than I did when I came here. I have found a great many people here in whose personal integrity and honor and regard for their obligations as gentlemen I have implicit confidence; but I have seen so much of partisanship, I have seen so much of what I consider slavish submission to party domination, that I confess I have felt somewhat at a loss how to judge men who in one aspect appeared to be so high and clean and honorable and in another appeared more or less despicable. I say this because of the fact that one of the Senators has seen fit to allude to some matters that occurred in the debate this morning.

I now want to say that, so far as any action of mine has caused any Senator here, or the Senate as a body, or the people of the United States to feel that I have been derelict and have not shown that courtesy and proper observance of the rules of this body, I regret it; I apologize for it. I was ready to do that two minutes after I had acted; but under the provocation, which was known of all of you, I could not have acted otherwise than I did; and while I apologize to the Senate and am sorry that it has occurred, I have nothing more to say.

Mr. MCLAURIN of South Carolina. Mr. President, I did not realize that I was in contempt of the Senate, nor do I think now, if my words are read in the RECORD, that I was, but, at the same time, as the Senate has ruled that I am in contempt of this honorable body, I beg leave to apologize.

I desire to say, Mr. President, that I have been very sorely and severely tried. I was in attendance on the Committee on Indian Affairs when I received a message from a friend in the Senate that my presence was needed here.

The history of the vote on the Spanish treaty is known to all of you. There have been statements made in newspapers and insinuations that I had been influenced by improper motives in connection with my vote on that treaty. Knowing in my own soul, and knowing that God in heaven also knows that it was false, when I was told that it was centered down to me, I was so outraged by what I considered a most brutal assault upon my honor as a man, and especially in view of the fact that in the beginning of the session, after the action of my party associates, I made a most

careful and deliberate statement explaining all these matters, I did not feel as a man that I could ever hold my head up again if I did not resent it in the place where it was delivered, in the strongest and most forcible terms that I could employ.

With that, Mr. President, I am done, except I have this to say: If there is any more talk of that kind or any more——

Mr. PATTERSON. I beg the Senator to refrain.

Mr. McLAURIN of South Carolina. I will refrain, Mr. President.

PHILIPPINE TARIFF BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes.

Mr. LODGE. Mr. President, a number of Senators have said to me that they desire to speak. They do not, however, desire to go on now, but they would be glad to have an evening session. I therefore move that the Senate take a recess until 8 o'clock——

Mr. FORAKER. Mr. President, I hope not.

Mr. MASON. I hope we may have a short executive session.

Mr. LODGE. With the understanding that there is nothing to be considered at the evening session except the Philippine bill.

Mr. MASON. Will the Senator withhold that motion for a moment?

The PRESIDENT pro tempore. The Senate will please be in order. The Senator from Massachusetts moves that the Senate take a recess until 8 o'clock.

Mr. TELLER. Mr. President, before that vote is taken, I want to ask leave to be absent from the Senate this evening. I have an engagement, and do not desire to be sent for.

Mr. BACON. Mr. President, I may not be in order, but I hope the Senate will permit me to ask the Senator from Massachusetts not to insist on his motion for an evening session. The Senate is certainly not in a condition to proceed with its ordinary business to-night.

Mr. LODGE. Two Senators have told me that they would like to speak to-night; and I do not see why they should not be allowed to go on and do so, if they desire.

Mr. STEWART. I suggest that we go on now. We will not have a quorum if we have a session this evening. We had better proceed for an hour or two now, and let Senators who desire to speak submit their remarks. It would be very bad traveling to go home and come back.

Mr. LODGE. I am willing to go on now, if Senators desire.

Mr. STEWART. We will accomplish nothing by a recess, because we will not have a quorum at the evening session. I am willing to stay here and hear Senators speak.

Mr. LODGE. I am willing to go on now.

Mr. STEWART. We will accomplish nothing by a recess.

Mr. LODGE. I desire to accommodate Senators so far as I can. The Senator from North Carolina [Mr. PRITCHARD] and the Senator from Mississippi [Mr. McLAURIN] I understand want to go on, and I wish to accommodate those Senators in any way they desire.

Mr. PRITCHARD. It is not my purpose to go on now, nor do I care to speak this evening, if we can have an understanding that the fifteen-minute rule will not apply on Monday.

Mr. LODGE and others. Oh, no!

Mr. McLAURIN of Mississippi. It will suit me to proceed now or at 8 o'clock, but I should like to submit to-day what I have to say on this bill.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the Senate take a recess until 8 o'clock this evening.

Mr. LODGE. If the Senator from Mississippi would like to go on now I will withdraw the motion.

Mr. McLAURIN of Mississippi. It will suit me just as well.

Mr. LODGE. I withdraw the motion, but before the Senator from Mississippi begins I will state that at the conclusion of the Senator's speech I will move that the Senate take a recess until 8 o'clock, the understanding being that the only business before the Senate this evening shall be the Philippine bill.

Mr. McLAURIN of Mississippi. Mr. President, the bill and the substitute now before the Senate have legitimately opened the discussion of the entire Philippine question. I had intended until a day or two ago to say nothing further than a few words in reference to the two amendments, virtually the same, which I had prepared and which my colleague [Mr. MONEY] kindly introduced for me in my unavoidable absence. But I crave the indulgence of the Senate while I submit a few suggestions in reference to the bill and substitute, after calling brief attention to these amendments.

The first amendment mentioned is an amendment offered to the amendment of the Senator from Wisconsin [Mr. SPOONER]. The amendment of the Senator from Wisconsin proposes to refund to the party or parties who have paid internal-revenue taxes on articles shipped to the Philippines since the 1st of May, 1901, the taxes so paid. This amendment I propose to amend by providing that to entitle the party or parties to a refundment of these taxes they shall not have sold, bartered, or traded the articles before the passage of this bill. The bill provides for refunding taxes paid since November 15, 1901, and the amendment is in effect the same as the amendment to the amendment mentioned.

The amendment I offer appears to me to be clearly right. As I understand, nearly the entire amount of the taxes sought to be refunded were internal-revenue taxes collected on beer and whisky or other liquors. The payer of these taxes is the consumer. Nominally, the producer of the liquor pays the tax, but adds the tax to the price when he sells, and in this way the consumer in reality pays the tax. The tax has already been refunded to him who nominally paid it, if he has sold the article, in the price of the thing. If it is to be refunded it ought to be refunded to him who in reality paid it—to the consumer. To refund it to the nominal payer would be to give money to him which in equity belongs to another if not to the Government.

The parties to whom this bill would refund these taxes have no equitable claim to it. I suppose it is not denied that the law authorized and required the collection, and therefore these parties have no legal claim to it. If they have, then, no legal or equitable claim the provision ought to be stricken from the bill.

Now a few words in reference to the bill and substitute. I invite the Senate to compare the title of the bill with the provisions of the bill, and to compare the proposed title of the substitute with the provisions of the substitute and judge which is the more ingenuous. The bill is entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes." "Temporarily to provide," says the title of the bill, and yet you may look in vain for any provision in the bill that is limited in duration of time. It is not an answer to say that this law can be repealed whenever it shall have accomplished its aim. So can any law. Tariff laws are enacted and shortly changed, altered, or amended, but I have never yet seen a tariff law with a title stating that it is temporarily to provide revenue. If the title were to so say, the tariff bill would provide its own repeal at a stated period or upon a certain contingency. The title is not a part of the bill and does not operate as law, and the statement in the title that it is a temporary provision for revenue does not limit the act as to time. So you see the very title of the bill is misleading.

The Senator in charge of this bill [Mr. LODGE] says he "will never put into a bill for the Philippine Islands a legislative promise, vague, uncertain, perhaps impossible of fulfillment. Again, he says, "But do not let us make promises to them about a future as to which neither we nor they can tell." There may be laws that do not imply a promise, but since I heard the Senator I have tried in vain to conceive a law that does not either express or imply a promise. Surely the bill in this case implies promises as binding as if expressed. Indeed, I do not believe it would do violence to language to say that it expresses promise. So no Senator who supports this bill need be squeamish about legislative promise.

The bill proposes a law for the government of the Filipinos. It must be intended for the government of those Filipinos who have submitted to the authority of and are loyal to the United States. It can not be for the government of those who are denominated insurgents, because no law we enact can govern them until we shall have subdued them. We are told that the proportion of those who have submitted to the authority of the United States and are ready to yield obedience to the laws enacted by Congress to the entire population of the islands is exceedingly great. Bearing in mind that those people are agreeing to bow their heads and submit their necks to the yoke that a Congress of another tongue and another race many thousands of miles away, in which they have not the semblance of representation, may put upon them, I do not believe it is unreasonable for them, helpless as they are when opposed to us, to inquire as to what they are to expect or to hope in return for their humility and humiliation. So that the legislative promise, as it is termed, that is contained in the substitute offered by the committee minority is not obnoxious to the criticism directed against it, but it is prompted by high principles of right and noble sentiments of humanity.

In the Republican platform of 1900 it is declared that "a new birth of freedom" was given 10,000,000 of the human race by the result of the Spanish war. Is it possible that three years after those 10,000,000 were given "a new birth of freedom" we are making laws for those freedmen, which we compel them to obey, and refuse to tell them our purposes or designs toward them? The Senator says so, and those who support this bill say so by their acts. But while a grand principle of right and a lofty sentiment of humanity prompt the telling of the Filipinos what they may expect and hope of us, there is higher than these a duty we owe to the

American people, whose servants we are and whose agents they have constituted us, to tell them—the American people—what we intend to do, in order that they may sanction or condemn.

The policy of the party in power seems to be to conceal rather than proclaim its policy in reference to the Philippines. The Republican platform of 1900, in reference to the Philippines, is vague and inexplicit, while the Democratic platform is clear, pointed, and unmistakable in reference to this subject. Compare them. The Republican platform reads:

In accepting, by the treaty of Paris, the just responsibility of our victories in the Spanish war, the President and the Senate won the undoubted approval of the American people. No other course was possible than to destroy Spain's sovereignty throughout the West Indies and in the Philippine Islands. That course created our responsibility before the world and with the unorganized population whom our intervention had freed from Spain to provide for the maintenance of law and order, and for the establishment of good government, and for the performance of international obligations.

Our authority could not be less than our responsibility, and wherever sovereign rights were extended it became the high duty of the Government to maintain its authority, to put down armed insurrection, and to confer the blessings of liberty and civilization upon all the rescued peoples.

The largest measure of self-government consistent with their welfare and our duties shall be secured to them by law.

This is vague and indefinite, concealing whatever policy was intended under the cover of words, instead of making language the vehicle to convey its meaning to the people.

The Democratic platform on the same subject reads:

We condemn and denounce the Philippine policy of the present Administration. It has involved the Republic in unnecessary war, sacrificed the lives of many of our noblest sons, and placed the United States, previously known and applauded throughout the world as the champion of freedom, in the false and un-American position of crushing with military force the efforts of our former allies to achieve liberty and self-government. The Filipinos can not be citizens without endangering our civilization; they can not be subjects without imperiling our form of government; and as we are not willing to surrender our civilization nor to convert the Republic into an empire, we favor an immediate declaration of the nation's purpose to give the Filipinos, first, a stable form of government; second, independence; and, third, protection from outside interference, such as has been given for nearly a century to the republics of Central and South America.

This is terse, pointed, and easy of comprehension. Yet the Republican campaign was so conducted, regardless of the enunciation of principles and policies in platforms, that the people were induced to infer that it was as much the policy of the Republican party as of the Democratic party to give independence to and be dissevered from the government of the Philippines, and the opportunity to accomplish this was committed to the Republican party in pursuance of its administration during the Spanish war, though Democrats did do some of the fighting in the battles of that war.

The Republican platform evaded the questions of a future Philippine policy in words laudatory of the party's past conduct in the premises. The Republican party now, in this bill and in this debate, refuses to take the American people into its confidence and tell them of its policy. The Democratic platform distinctly stated its policy in language susceptible of but one construction and so fraught with utterance that there was nothing left uncovered. The Democratic party now, in this substitute, follows this platform and reiterates its policy in language that may be understood of all the world.

The Senator in charge of the bill [Mr. LODGE] says, in speaking of the Philippines, that he holds an open mind "as to the relations which we shall maintain with them in the present, in the immediate future, or ultimately." And this after more than three years of American occupancy, and after, according to Republican advice, they have practically all submitted to American jurisdiction; more than three years after "a new birth of freedom" was given to the entire 10,000,000 of people, as asserted by the Republican platform of 1900. If they have been given freedom they, the whole "10,000,000," are free now unless that freedom has been taken from them.

What a strange freedom that does not allow an American in the islands to read the Declaration of Independence on the Fourth of July without subjecting himself to conviction of a felony and to be sent to the penitentiary, as declared by the Senator from Massachusetts [Mr. HOAR]. Those people who are free, unless that "freedom" to which the Republican party gave "a new birth" has by somebody been taken away from them, dare not, except at the risk of the penitentiary, belong to a society that has for its object the promulgation of any political opinion or policy. Nor are they permitted to advocate in any way the peaceable separation of the islands from the United States.

If a brother says to a brother, or a father says to a son, let us have a talk to the American authorities, and if necessary let us send some one to Washington to petition Congress to let us be a separate people and a separate government, because that is what I think is best for the islands, he is guilty of a crime. And this is the definition of freedom to which the imperialistic policy of the Republican party has brought us. Aye, "a new birth of freedom." No wonder that the Republican party with such a conception of freedom, mad with power given them by the people, should send special representatives to witness the crowning of the great-grand-son of the king who incited and let loose upon our ancestors the merciless savages, sparing neither age nor sex nor condition, because our ancestors desired to be free under the British Crown if possible; and if not possible to be free there, then the liberty of independence.

No wonder that while the representatives sent by the Republican party are kneeling to the coronation of that King the same party is afraid to speak, even in bated breath, a word of recognition, or comfort, or cheer, or of respect to a struggling republic, fighting for its existence against the heartless invasion of the cruel King at whose feet those representatives are kneeling, lest that party should give offense to royalty. It is a heartless invasion and a cruel King that will concentrate women and children and noncombatants under such conditions that more than 25 per cent of them die therefrom in six months.

But Senators ask if the substitute offered by the Democrats on the committee does not propose to keep the objectionable laws in force. I answer, no. No impartial court in Christendom would so construe it. The provision of the substitute is this:

That until the people of the islands shall establish a government, as hereinafter provided, all laws, rules, and regulations now in force for the government of the islands and the raising of revenue therefor shall be in force, except as the same may conflict with this act.

The first paragraph of the substitute is:

That, subject to the provisions hereinafter set forth, the United States of America hereby relinquish all claim of sovereignty over and title to the archipelago known as the Philippine Islands.

The next sentence says:

That from and after the passage of this act said archipelago shall be foreign territory, etc.

As the substitute makes it foreign territory, the law making it a crime to advocate peaceable separation from the United States is in conflict with the substitute, and therefore, by the terms of the substitute, is repealed. So that objectionable law would be repealed by the substitute. I refer to this to show that the taunt of Senators that the substitute proposes to retain all objectionable laws is based upon misconception of the provisions of the substitute. It may be that some objectionable law would be continued, but it would be only for a little while. It would hardly be expected that an act limited by its terms to a very short duration, and necessarily prepared in haste, could be prepared with such care and accuracy that no mistake could appear in it.

Coming to the charge of cruelty in the islands, I am prepared to believe that it has sometimes been exaggerated. But there is one thing that has impressed me about those charges. The Secretary of War has sent to the Senate the report of the investigation of these charges, and it is printed in Senate Document 205. The charges, generally, were not written for publication. They were written by privates or noncommissioned officers—in one instance "a colored man"—to relatives at home, sometimes to a mother, and not intended or expected to be read by any other than the family. They were not written for political effect.

In every instance, if I am not mistaken, where the soldier was still in the service the officers produced a quasi retraxit, or explanation, or modification from him. But the "colored man" was no longer in the service, and they produced no retraxit, or explanation, or modification from him. The colonel of the regiment, George S. Anderson, of New Jersey, says there were but four "colored men" ever with the regiment. He says one turned out to be a robber and assailant of a native woman, another a robber, and one "a crazy exhorter." The other he only accounts for by saying that he believes he returned with the regiment to the United States.

I do not charge any officer with obtaining those modifications and explanations by duress, but the practical unanimity with which they come from soldiers still in the service and with which they do not come from any out of the service is calculated to create a suspicion that the soldier did not feel as free to act when he was writing the quasi retraxit as he did when he was writing to his mother. I will say, however, that if any officer did use his rank to extort from a soldier such an explanation or modification, he was guilty of infamous conduct. I go further; I recognize that in order to have an army every soldier or officer must yield implicit obedience to every lawful order of his superior officer, but the officer, I do not care what his rank, who uses the opportunities afforded by his position to compel a private soldier to do menial service or to obey any order not necessary to proper discipline is a living, animate mass of infamy. The soldier who endures all the hardships of camp life and the dangers of the field in the service of his country is entitled to the respect due to a gentleman as long as he conducts himself as a gentleman.

I can not let one expression of General Otis, and virtually indorsed by the Secretary of War because he sends it here as a part of his case, pass unnoticed. He says:

While there is little truth in letters written by soldiers to their homes, etc.

That is a slander as foul as the hand that wrote or the heart that conceived it. No denunciation is too severe for the man who will use such indiscriminate language of those through whose fidelity, courage, and endurance he wears his epaulettes. What will the Union soldiers who served between 1861 and 1865 say of this language, and of the Secretary of War who indorsed it by sending it here as a part of his case? If they are the men I think they are, they will resent it. What will the Confederate soldiers who fought as their comrades fell around them when they were as 1 to 10 against their antagonists say of this? I know they will condemn it.

Does anyone answer that the morale of the Army has deteriorated? If so, I ask is it due to the imperialistic policy of the Republican party? That there are soldiers who are untruthful, as there are others untruthful, no man will deny; but to use such language indiscriminately, taking in all soldiers whose love of home prompts them to write to kindred and friends, is intolerable. The private soldier does the drudgery of the camp and is exposed to the direct danger of the battlefield, and receives an insignificant salary as compared with the officers. Grant, for the argument's sake, that this is proper. But when the war is over and they all return to private life, where they ought to be relegated to terms of equality—in the granting of pensions the inequality is reestablished, the ex-officers being given larger pensions than the ex-privates, and for this I have never heard a satisfactory excuse—judged by our American standard of equality of all men before the law.

In conclusion, however much I desire that our Government and country shall deal honorably and justly with the Filipinos, I am more interested for our own country and our own people than I am about the welfare of the Filipinos. Governor Taft is reported as saying that he is undecided as to whether we should give the Philippines independence, quasi independence, or statehood.

It is against the theory of our Government to hold subject colonies or to hold subjects of any kind—waiving the question of power under the Constitution. Where and how would the United States be benefited by admitting the Filipinos as a State? The Secretary of War says, in effect, that they are barbarous and uncivilized. He says:

> The war on the part of the Filipinos has been conducted with the barbarous cruelty common among uncivilized races, and with general disregard of the rules of civilized warfare.

I could quote much more from Republican evidence to the same effect. Do we want to make a State in our Union of such a people?

I believe that there are about a million and a half Chinese in the Philippines. S. W. Groesbeck, judge-advocate of the Army, says:

> Chinamen are persistent and industrious in looting property from abandoned houses, and the men knew that to leave anything that they could apply to their own comfort was to let the Chinamen carry it off.

Add the "barbarous and uncivilized Filipinos" to the "looting Chinamen" and what kind of an equal State in this Union would the mixture make? What kind of United States Senators and Representatives in Congress would they send to participate in the making of laws to tax and govern the American people?

As an investment we have spent hundreds of millions of dollars and sacrificed tens of thousands of lives in the Philippines, and our trade with them is less than five millions annually. Over half of our exports to Manila are wine and beer and whisky. What a return for the millions of dollars expended and tens of thousands of lives sacrificed! What a commentary on the acquisition as an investment! The money expended by the United States in the purchase and subjection of the Philippines would have cut the Nicaraguan Canal and a canal across Florida, and in addition would have put our Navy upon a footing that would have challenged Great Britain's supremacy upon the seas. And these expenditures by the United States on the Philippines have not yet ceased.

In addition to the costs of the Army and Navy there, this bill proposes to give to the Philippines the customs taxes collected in this country on imports from the Philippines, estimated by the Senator from Massachusetts at $400,000 per annum. Four hundred thousand dollars a year taken from the people of the United States to assist in defraying the expenses of the civil government of the Philippines, in addition to the cost of the military and naval establishments necessary to be kept in the islands to sustain the civil government and suppress insurrectionary disturbances. Would it not be better to apply this money to the improvement of some harbor or harbors on our own shores, giving employment to laborers at home and at the same time advancing our commerce?

When you send $400,000 taxes from the American people to defray the expenses of the civil government of the Philippines you must replace it by other taxes—in other form, perhaps—upon the people of the United States. The money does not drop from the skies into the Treasury. Last fiscal year $62,481,907.13 was collected in taxes from the consumers of tobacco. Every time a man used a pound of tobacco he paid 12 cents of this tax; and when he had used a hundred pounds he had paid $12 of these taxes. On fermented liquors, such as ale, beer, lager beer, etc., $75,669,907.65 was collected in taxes. Every time a man took a drink of any of these fermented liquors he paid a part of this sum of taxes. It was added to the price of his drink and in many instances he did not know that he was paying a tax. I only instance these two articles of taxation out of hundreds of other articles taxed in like manner as an illustration of how the money gets into the Treasury.

Suppose a direct tax were imposed upon these people and they were told when the tax collector came for it that it was for the support of the government of the Filipinos. They would answer, let the Filipinos support their own government. Suppose one State were required to pay the taxes to support the government of another State or Territory. The time will come when the taxpayers will consider. They will know that the enormous sums of money that are appropriated from the Treasury are collected from them—indirectly, but as burdensome as if done directly. They will know that they are paying taxes to support the government of the Filipinos, a government from which they derive no benefit. Then they will revolt and the deluge will come.

If pride, to show that we are able to whip the barbarous, uncivilized people, is keeping us there, let us come away, for the Administration party tells us that they are practically subdued. If we hold the islands to give offices to satraps or to allow an oligarchy to exploit the islands, let us return with shame. As long as there is a fight between the United States and the Filipinos my loyalty is to the United States and my sympathies are with the Americans, regardless of causes that produced the strife. But this does not prevent my desire to get out of the strife without inflicting wrong upon friend or foe.

The power supreme has been with the United States in all their wars. When in infancy the Union was formed upon the principles of liberty, and attending to its own business and letting alone the affairs of other people, He sheltered it with His hand. Whatever the abstract power to do so, by the spirit of that union, blessed of Heaven, we can not with impunity mingle with the Filipinos in any way. They are of no account to us, and they do not want our interference. It is a good place to part from them. Let us not tempt the Power who has attended this Government all the way, lest we should dig a cavern into which we may drop out of the hand of Providence.

HOUR OF MEETING ON MONDAY.

Mr. LODGE. I move that when the Senate adjourns to-day it adjourn to meet at 11 o'clock on Monday.

The motion was agreed to.

Mr. LODGE. I now move, in accordance with the understanding, that the Senate take a recess until 8 o'clock for debate this evening upon the Philippine tariff bill, and for no other business.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator from Massachusetts moves that the Senate take a recess until 8 o'clock this evening for debate upon the pending bill, no other business to be transacted.

The motion was agreed to; and (at 6 o'clock and 13 minutes p. m.) the Senate took a recess until 8 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

PHILIPPINE TARIFF BILL.

The PRESIDING OFFICER (Mr. NELSON in the chair). The Senate resumes the consideration of the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes.

Mr. PRITCHARD. Mr. President, I desire to discuss briefly some of the questions which have been referred to in the discussion which has been conducted in this Chamber during the past few weeks with respect to the Philippine tariff bill. We hear a good deal of late about the outrages which the opposition say are being committed by the American troops in the Philippine Islands, but strange to say, those who undertake to give us information as to the conduct of our soldiers are silent as to many outrages that are being committed by those who claim to be insurgents, and who are in opposition to the authority of the United States in the territory in question. Not a word of sympathy or encouragement for the boys in blue who are risking their lives in order to maintain the integrity and honor of this Government in the Philippine Islands has been uttered by our Democratic friends, but, on the other hand, much has been said and done by the leaders of that party which has been calculated to discourage and dishearten the American soldiers and to encourage

those who have been engaged in a guerrilla warfare against the authority of the Government of the United States. The people at the last election condemned the course pursued by the Democratic party with respect to expansion, and rendered a verdict which sustains those who are now endeavoring to deal in an intelligent and patriotic manner with the results that have necessarily followed in consequence of the war with Spain. We are informed by distinguished Senators on the Democratic side of the Chamber that the American soldiers are engaged in "dirty work" in the Philippine Islands. The army in the Philippine Islands is endeavoring to assert the supremacy of the United States over a territory the title to which was obtained in a peaceable and orderly manner, and any party that aids, abets, or encourages those who are engaged in resisting the authority of the United States places itself in direct opposition to the authority of the Government under which we live.

It is contended by the opposition that those who are engaged in resisting the authority of the United States in the Philippine Islands occupy the same position as those who were engaged in resisting the oppression of the British Government during the war of the Revolution. There is nothing in connection with the Philippine question to warrant such a contention. The American people rebelled against the Government of England upon the ground that they were taxed without representation; they rebelled because a foreign government sought to control their action by requiring them to pay tribute without giving them any voice in the control of their own affairs. They were of the Anglo-Saxon race. The majority of them were the peers of any people upon the face of the earth, and no one ever suggested that they were not capable of properly administering the governmental affairs of the territory of which they had so recently taken possession.

From an intellectual standpoint they were the equals and in many instances the superiors of those who sought to oppress them, and it was but natural that they should have rebelled against the authority of the Government which sought to reduce them to a condition that was more intolerable than that of the slave. It is different with the inhabitants of the Philippine Islands. As a race of people they are not prepared to assume control of their affairs under a republican form of government; and until we have fully restored law and order within those islands it is perfectly absurd to talk about placing the reins of government in the hands of those people. As a result of the war with Spain the United States by treaty acquired title to the Philippine Islands by paying therefor the sum of $20,000,000; but before we succeeded in securing the ratification of the treaty months were wasted in a debate in this Chamber which was precipitated by the Democratic leaders and which, in my opinion, ultimately resulted in bringing about a revolt on the part of the Filipinos against the authority of the United States.

During the war of the Revolution the British Government sought to subjugate the American forces for the purpose of continuing in force the oppressive form of government under which our illustrious ancestors had been compelled to live prior to that time. The purpose of the American Government in prosecuting the war in the Philippines is not to subjugate the people of that island, but it is to compel them to respect and obey the authority of the Government of the United States in order that the policy of this country with respect to the inhabitants of those islands may be made effective. What has been that policy in the past? On the 8th of January, 1899, the late President McKinley, in a message to Admiral Dewey and General Otis, with respect to the treatment of the Filipinos, among other things, said:

> Time given insurgents can not hurt us and must weaken and discourage them. They will come to see our benevolent purpose and recognize that before we can give their people good government our sovereignty must be complete and unquestioned.
>
> Tact and kindness most essential now. Am sure you both, having full knowledge of situation, can be trusted to accomplish purposes of this Government with least discord and friction. We accepted the Philippines from high duty in the interest of their inhabitants and for humanity and civilization. Our sacrifices were with high motives. We want to improve the condition of the inhabitants, securing them peace, liberty, and pursuit of their highest good.

Here we have the policy of the United States in a nutshell. It is not our purpose to enter the home of the Filipino for the purpose of denying him the blessings which he now enjoys, but we meet him as a neighbor and a friend, with the assurance that although we own the islands, at the same time we want him to remain, and instead of doing that which will be an injury to him it is our purpose to build schoolhouses and erect churches, and thereby furnish the means of educating his people.

In other words, the war against Spain was one for humanity's sake, and we are endeavoring to restore law and order in the Philippine Islands with a view of giving to the inhabitants thereof the very best form of government which can be successfully administered under existing conditions. That a majority of the Filipinos are incapable of participating in the administration of a republican form of government no one will deny. Those who oppose the present policy of the United States with respect to the Philippine Islands are doing more to postpone the establishment of a government for the Filipinos than all other agencies combined.

On the 15th of this month, among other things, Governor Taft made the following statement before the Committee on the Philippines:

> The condition of the people of the Philippine Islands to-day is such that the extension of constitutional rights now would interfere very much with the question of establishing a stable and successful government. A government ought to be established under American guidance, under which the Filipinos would gradually improve their knowledge of what individual liberty is and what constitutional government is, and subsequently the time will come when the United States and the Filipino people can agree on what their relationship shall be. Whether it shall be a quasi independent colony, as Australia and Canada are to England, or as a State in the Union, is a question so far in the future and so dependent on the success of the operation of a stable government now that I have not myself reached any conclusion on the subject.

Senator CARMACK asked Governor Taft the following question:

> You think, then, that it is an open question whether the Philippine Islands should be admitted to the full rights of American citizenship?
>
> Governor TAFT. That is a question which I would not answer two or three generations before it arises. I think that the great evil to-day is the discussion of something utterly impossible of settlement to-day. What the Filipino people need to-day is a stable government under American control, teaching them what individual liberty is and training them up to a knowledge of self-government, and when they have that the question of the relationship between them and the United States may be decided. But the attempt to decide the question in advance seems to me very unreasonable.

Governor Taft gives us a clear and concise statement as to the relations which we sustain to the Philippine Islands, and no amount of sophistry can becloud the situation so as to prevent the American people from appreciating the great responsibility which rests upon us as a nation with respect to our conduct toward those islands in the future.

That the doctrines of civilization and Christianity must be carried to the inhabitants of the Philippine Islands by some one can not be questioned; and such being the case, the question naturally arises which nation is best calculated to perform such a mission. Are Senators willing to admit that there is a government on the face of the earth better prepared to undertake the performance of this task than the Government of the United States?

The character of the statements made by Democratic Senators would lead one not acquainted with the facts to believe that the question as to whether or not we are to assume control of the Philippine Islands has not yet been settled. The ratification of the treaty of Paris forever settled that question, and no one except those who seek to raise a false political issue will undertake to say that the question is now before us for consideration.

The following from the Vicksburg Herald is, in my opinion, a correct statement as to the situation:

> The Philippine question has resolved itself into terms that need not be misunderstood and can not be avoided. It is no longer a question of possession and retention, but merely a question of administration.

The Herald is a Democratic newspaper, which, to say the least of it, renders any statement it may make with respect to this question entitled to be considered as emanating from a nonpartisan standpoint. The position of the Democratic party in regard to this question is an inconsistent one in every respect. For months before we declared war against Spain our Democratic friends in both branches of Congress labored in season and out of season to secure an interference on our part with the action of the Spanish Government in Cuba.

Members of this body devoted the most of their time to the discussion of resolutions having for their object the independence of the Cuban government. The President of the United States was denounced as a coward and as being under the control of Wall Street and the corporations of the country. It was intimated that the Republican party's refusal to interfere on behalf of the Cubans was the result of corporate influence and a desire to not disturb the business interests of the country. Amidst all the vituperation and abuse that was hurled at the Chief Executive of this nation, that distinguished statesman remained calm and undisturbed, and had it not been for the destruction of the *Maine* I am inclined to the opinion that the late President would have reached a satisfactory settlement of the question by diplomacy, and thereby have prevented the loss of many lives and the consequent evils attendant upon a declaration of war against Spain. But when it was known that the *Maine* had been destroyed, the indignation of the American people knew no bounds, and the Chief Executive of the nation at once inaugurated that which proved to be the most successful war in modern times, which, among other things, resulted in the freedom of the Cubans and the acquisition of the Philippine Islands.

The Democratic party, under the leadership of Mr. Bryan, seeks to make an issue with the Republican party in regard to our policy with respect to the Philippine Islands. Mr. Bryan's attempt to keep alive the issue of imperialism is an effort to infuse life into a carcass that has been dead and buried since the day that the treaty of peace between Spain and the United States was

ratified. The Southern people can not afford to give their support, under any circumstances, to any party that opposes industrial expansion. The acquisition of the Philippine Islands by our Government will in the end result in more substantial benefit to the South than all other sections of the country combined. The thing which the Southern people need above all others is a market for their surplus cotton and cotton fabrics, and the Orient is the principal section whose people are by climate and habits the natural customers of the cotton planters of the South. In the Orient we can find a ready market for our surplus raw cotton, as well as our cotton fabrics, and the Southern man who stands in the way of extension of our trade in that direction is either short-sighted or willing to sacrifice the best interests of his section in order to be able to have a false political issue on which to ride into power.

The Southern people are especially interested in the policy which is being pursued by our Government with respect to our trade in the Orient. They have suffered much in the past on account of not being able to secure a sufficient market for their cotton and cotton fabrics. The extension of our trade in the direction of the Orient is the solution of the problem with which we have been contending for a quarter of a century. The future prosperity of the South depends in a great measure upon our ability to secure a market for the staple to which I have referred. Until the recent disturbances in China the South was making rapid strikes in establishing a trade in the Orient. The acquisition and retention of the Philippine Islands is hailed with delight by that class of people who are doing so much to give the South the position which she is so justly entitled to occupy among the commercial nations of the world.

In discussing industrial expansion, in a speech delivered in the city of Greenville, S. C., on the 22d day of last May, Senator MCLAURIN, among other things, said:

I will not undertake to demonstrate the wisdom of expansion, but will content myself by saying we are a nation of expansionists. We have extended during the last one hundred years on this continent from 800,000 to 4,000,000 square miles. Expansion is the bed rock of Democracy. Thomas Jefferson, the first expansion President, added 1,222,000 square miles to our area.

The annexation of Texas, California, Arizona, New Mexico, and Nevada were by Democratic Administrations. Andrew Jackson would to-day be denounced as an imperialist by the very same people who eat "Jackson-Day dinners" and worship at his shrine. "Old Hickory" said on this subject: "I have thought with the ancient Roman that it is right never to cede any territory within the boundary of the Republic, but always add to it by honorable treaty, thus extending the area of freedom." All this talk about imperialism is bosh. The people understand it as the cry of "wolf" when there is no wolf. When Mr. Bryan abandoned the money question and attempted to substitute imperialism, he stood about as much chance of being elected as a split-foot bullfrog did of kicking all the water out of Lake Michigan. At least that is the opinion of a friend of mine.

Mr. WELLINGTON. Will the Senator give the name of his informant?

Mr. PRITCHARD. The Senator from South Carolina [Mr. MCLAURIN] is present and can speak for himself. He was a gentleman of good judgment, I presume.

The Senator from South Carolina [Mr. MCLAURIN], in the speech from which I have been reading, delivered at Greenville, S. C., proceeded as follows:

The price given for these islands has been given as an objection. This is absurd. England, France, Germany, Russia, or Japan would pay ten times as much to occupy our position in the Philippine Islands. Lying as they do, along the Asiatic coast, they are the gateway to the Orient. The people of the South are vitally interested in the trade of China. So far we have touched one of the provinces. Minister Wu the other night in Charlotte told of the teeming millions in South China, and said the great problem was to clothe the people. They are forced to use silk to make their clothes, but this was expensive and almost an impossibility.

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If any argument was needed to show the importance of these markets, the effect of recent troubles in China is sufficient. Cotton goods are stacked up in the warehouses unsaleable, and when the best judges thought last fall that cotton would be 12½ to 15 cents per pound it has declined more than 3 cents. I am an expansionist. I favor the political, commercial, and religious expansion of our country. This is along the line of progress. We can not attain a certain growth and then stand still. As in the individual, so in the nation. We either move forward toward perfection or backward toward decay. There are certain crises in the life of every man, which, seized, lead to success. Let them pass, and the chance is lost forever.

The capacity to take advantage of opportunity constitutes the difference between the man who succeeds and the man who fails, and so it is with nations. We have grandly seized our opportunities, and I for one am in favor of pushing it to the limit. During the past century we have been absorbed in testing great questions of constitutional representative government, and the development of America. The time has now come when we must have foreign trade, and not merely subsidiary to our industrial development at home, but as necessary to our continued prosperity. Our resources and population demand world-wide avenues of trade, and we can not separate the commercial and political elements involved. What are we to do with our surplus products? This is the question engaging the attention of all the civilized nations of the earth. The only field unoccupied is the Orient. I believe that the time is near at hand when the cotton trade of the South will be with the Orient.

* * * * * * *

We have become a Pacific power, with 5,000 miles of coast on that ocean. With the Hawaiian Islands and the Aleutian Islands as resting places and the Philippines as a key to the "open door," we are the only nation strong enough to compel Russia, with her trans-Siberian railroad, to respect the integrity of the Chinese Empire. As long as the United States and Japan say "No," the Chinese Empire must remain intact and the door be left open to our products.

These are the sentiments of one of the leading Democrats of the South, a man who has studied the question from an industrial standpoint and who has the courage of his convictions and is willing to give the facts to the country, regardless of what effect his action may have upon his own political fortunes in the future.

The late President, whose death the whole world mourns, used his best efforts in the field of diplomacy in order to secure an increased demand for the principal product which is grown south of Mason and Dixon's line.

The Republican party of the nation stands back of President Roosevelt in his efforts to carry out the policies inaugurated by President McKinley—policies which mean everything to the Southern cotton planter—and it remains to be seen whether the Southern business men will in the future be influenced by the false teachings of those who have done the South so much injury in the past. We have frittered our time away on trifles, and have lost the substance in our efforts to catch the shadow. When we consider the enormous undeveloped wealth of the South, it is a question of great importance as to whether or not the blight of Bryanism is to be permitted to arrest Southern progress.

The South has more natural advantages than any other section of the country. West Virginia has 16,000 square miles of coal, as compared with Great Britain's 12,000. The South has nearly one-half of the standing timber of the United States. It furnishes three-fourths of the cotton required by the 100,000,000 spindles in the world. It has a monopoly of the phosphate rock, which is the basis of the fertilizer business, both in this country and Europe, to say nothing about the many other advantages that are to be found in abundance throughout this section.

In spite of the efforts of Southern Democratic Representatives to discourage the investment of capital in the South, its cotton mills represented, in 1900, a money value of $150,000,000, against $61,000,000 ten years earlier. The amount of cotton consumed in these mills was 1,597,112 bales, against 546,898 bales in 1890. The railroad mileage in the South has increased in these same ten years from 42,825 to 53,000 miles. The amount of coal mined has increased from 21,500,000 to 48,192,053, and the amount of pig iron produced from 1,953,459 to 2,604,671 tons. The same ten years saw an increase in the value of agricultural products in the South from $60,000,000 to $1,200,000,000, and in the value of exports from $315,021,008 to $530,317,545.

For the first time since the American occupation of the Philippines the United States in the month of May last headed the list of nations sending merchandise to the Philippines. The imports into Manila from the United States during the month of May were valued at $2,460,431. While I have not had an opportunity to examine the report with the view of ascertaining the character of exports which we sent to that country, I am satisfied that the majority of the items represent Southern products. In this connection I call attention to the fact that the total exports from Wilmington to foreign countries in 1900 were $10,975,511. In 1901 they were $12,013,659, an increase of $1,038,148. This is most encouraging for our chief seaport.

From the ports of Norfolk and Portsmouth, Va., the exports from the United States to the Philippines in 1899 amounted to $70,336, and in 1900 the exports amounted to $118,173, showing an increase of $47,837 within a period of one year from this South Atlantic port.

In 1899 the total amount of the exports from the United States to the Philippine Islands amounted to only the sum of $404,193, whereas in 1900 it amounted to $2,640,449, showing a net increase of $2,236,256 in one year.

Let us see from what source the Philippine Islands obtained their cotton goods. I have examined with great care the importation of cotton and cotton goods to the Philippine Islands from all countries, both manufactured and unmanufactured cotton, for the twelve months ending June, 1901. I find that the total importation of cotton and cotton goods to those islands for the period named amounted to $9,510,307. Of this total the United States furnished the small amount of $127,325. These figures are surprising but true. Those islands imported $9,382,982 worth of cotton and cotton goods from countries other than the United States in 1901. Is it not reasonable to suppose that when our commerce with those islands is firmly established, as it will surely be at an early day, that the South will furnish the greater part of this $9,382,982 worth of cotton and cotton goods that has heretofore been furnished by other countries?

These statements within themselves are sufficient to warrant me in the assertion that those of us who live in the South can not afford under any circumstances to give our sanction to any policy which undertakes to permit these islands to pass from under our control as a nation. Being in the gateway to the Orient is not the only feature which renders them desirable, but when we come

to consider the possibilities of our future trade with the people of those islands, there is every reason why we should give our hearty support to the policy advocated by the Republican party with respect to them.

Mr. FAIRBANKS. Mr. President, it is with some reluctance that I enter the cyclonic atmosphere of the Philippine debate. A sense of duty alone impels me to venture some observations upon the questions which have been discussed upon the pending bill.

The discussion has taken wide range, covering many subjects not germane to the measure before us, and we have been long familiar with many of the arguments made. In fact, we have heard most of them at frequent intervals since the treaty of Paris was laid before the Senate for its ratification.

One question, however, which was argued at length, and with ability and vigor, has not been conspicuous thus far in the present discussion; that is the question of our constitutional power to acquire and hold the Philippines. Those who detained the Senate by profound and learned observations upon our want of constitutional capacity to hold the fruit of our arms and our diplomacy are confronted by the judgment of the Supreme Court of the United States in the insular cases, in which our power to hold and govern is authoritatively established.

Sir, the great questions before us should be considered without passion and without prejudice; they should appeal alone to our higher and better judgment. The way to their solution is not always plain, for we are walking in unfamiliar and untried paths. We are remote from the theater of action, and must in the very nature of the case see conditions through other eyes.

We will be confronted and no doubt often confused by conflicting and contradictory opinions and testimony as to what has transpired and as to what is transpiring. There will be sharp and opposing opinions from those who visit the scenes of our activity, growing out of personal bias, selfish interest, and honest difference of judgment.

The task which rests upon us of separating truth from error and of doing the proper and best thing is a difficult one, but we can reach better conclusions by exercising a catholicity of spirit and yielding to each other honesty of purpose and uprightness of motive. Here is not the place nor is the present the time for mere dogmatic opinion.

The greatest danger we have to fear in dealing with the Philippines is not insurrection in the islands, but political exigencies in the United States. The danger is that parties may seek to make issues of conditions in the islands, and that our course there will be determined too often by supposed party necessities here. In fact, the danger is that our domestic policies at home may be shaped with reference to our course in the Philippines. We observed in the last national campaign a strenuous effort to subordinate our domestic policies and to hinge them upon our attitude with respect to the islands.

The debate upon the pending bill, which has been earnest and very able, has not changed a vote in the Senate. Nor is there anyone who believes, no matter how long the discussion may continue, that a solitary vote remains to be changed. The roll call might have been ordered when the bill was reported by the committee and the result would have been precisely the same as it will be when it is finally taken. Party lines are drawn, and, with an exception or so, we are arraigned upon one side or the other of the question according to our party affiliations.

With respect to some very material aspects of the question we are in entire accord. Speaking largely, the matter of difference between us is as to the wisdom of an immediate declaration of our future permanent policy in the Philippines.

The opposition demands that we should now declare our ultimate purpose to retire from the Philippine Islands when stable government is established, retaining only such military, naval, and coaling stations as may be designated by the United States.

It seemed to me from the beginning that our chief danger in dealing with the new problems before us was inconsiderate haste, immature conclusions. We are dealing with new questions; we are unable to turn to our past national experience for precedent to aid us in their solution.

I have felt that we would do well if we should thoroughly investigate the facts and familiarize ourselves to the utmost with the conditions with which we must deal, and act as an enlightened, patriotic judgment should dictate. I have felt that we should at all times keep our minds open and free, so that we might deal with the problems which may arise from time to time, and not feel as though we were hampered or bound by any hastily preconceived opinions.

The profoundest and wisest among us can see but a little way into the future. The Almighty in His beneficent providence has endowed no one with that clear vision which enables him to see our way far into the future of the Philippines. We are in a manner groping our way, guided by a clear and lofty conception of those fundamental principles of personal rights and individual liberty which have been our guide in dealing with territory and with people who have come to us since the Louisiana purchase, in 1803. Our course has never been harsh and tyrannical or in disregard of the principles of human liberty upon which our institutions are predicated.

Both sides of the Chamber are agreed as to the commanding necessity of remaining in the Philippines and of establishing peace and orderly government there. It is a gratifying fact that all parties recognize this supreme duty, this sacred obligation.

Our arms overthrew Spanish power, the one power which maintained peace and order in the great city of Manila and in other portions of the islands. It is true that this authority was challenged, but it was not successfully challenged, unless, perhaps, in a very small portion of the islands. After our Army and Navy overthrew the Spanish power, it became incumbent upon the United States to hold disorder and anarchy in check, compel obedience to the authority of the United States wherever it was resisted, and to give the people orderly and stable government modeled, so far as practicable, after our republican institutions.

We are dealing with people who have not been educated in the principles of self-government, and who have for centuries known nothing but Spanish rule; a poor education, indeed, for the duties and responsibilities of republican government.

How long we shall be engaged in the work of erecting such a government in the Philippines as is contemplated by both sides of this Chamber no mortal man can tell. But the better judgment seems to be that many years will be required. It is a work which can not be done in a day, for it must be done well.

The opposition contend that the manner in which we are going about the task of pacification and the establishing of government is subversive of the principles of human freedom, for which our patriotic and illustrious forefathers contended and made war.

It is said that we are ruling in contravention of the rights of the governed. This charge raises essentially a question of fact. I have examined with some care the reports of our authorities, and the conclusion at which I have arrived is that only a minority of the Filipinos have ever disputed our sovereignty, and that only a very small minority to-day object to our presence in the islands. In other words, a vast majority of the inhabitants, either affirmatively or passively, accept and acknowledge the sovereignty of the United States.

It is true that a minority took up arms against the Government, and that there are bands to-day engaged in a guerrilla-like warfare and who oppose our sovereignty.

When we acquired the Philippines in an entirely lawful and constitutional way, under the distinct and positive terms of the treaty of Paris, it became the duty of our Government to establish its authority, and those who opposed it did so wrongfully. If, in fact, a majority of the Filipinos accept our sovereignty and a minority only challenge it, can it rightfully be said that we are ruling against the consent of the governed, and that we are violating the great doctrines for which our immortal forefathers pledged their lives, their fortunes, and their sacred honor?

We are advised by our Commission—

that a great majority of the people long for peace and are entirely willing to accept the establishment of a government under the supremacy of the United States.

We are informed by Dr. Schurman that—

out of a total population of 8,000,000 Filipinos, Christian and non-Christian, about 5,000,000 have already received civil government and are now subject to American inspection and control, themselves administering the affairs of their own towns and provinces. They are, however, restrained by fear from taking any action to assist the suppression of the insurrection which has for its indispensable support a conspiracy of murder. Without this, armed resistance to the United States authority would have long ago ceased.

We have the assurance from a large number of the provincial governors, many of whom are natives, that peaceful and prosperous conditions exist in their provinces, and that the people are devoted to American sovereignty.

Outside of five provinces, according to the second report of the Taft Commission—

there is peace in the remainder of the archipelago. This remainder includes 30 organized provinces and all the districts of Mindanao, the Jolo Archipelago, Paragua, Lepanto, Bontoc, and Nueva Vizcaya, Principe, and Infanta. Most of the insurgents have surrendered and in most of the provinces, except among the Lake Moros, it is entirely safe during the day for travelers unattended to go from one town to another.

In other provinces recent war conditions and suffering and hardships from cattle pest and locusts have developed ladronism. The people are friendly to the civil government and manifest no desire whatever for a continuance of the war, but only a desire for peace and protection.

Our military strength has been materially reduced. There are now but 43,000 officers and enlisted men where we had 74,000, and further reductions are soon to be made, leaving the force for the time being at 32,000. There are some 2,000 Filipino troops organized by the authority of the Congress. These, I believe, are in addition to the above.

This is significant proof of increasing tranquillity, and would seem to forcibly negative the assertion that we are making comparatively no headway in the establishment of good order.

I am not disposed, Mr. President, to challenge the accuracy of the information which is submitted to us through our chosen representatives, men of good ability and high character. By every just

consideration we must accept their statement of actual conditions as founded in fact. And if their statements be true, we are not ruling in contravention of the will of the governed. The minority are those who are engaged in guerrilla warfare, and who are bent upon pillage and murder. Is it at their behest and their dictation that we should proclaim our purpose now or hereafter to withdraw from the Philippines?

It is one of the cardinal doctrines of republican government that the majority shall rule. This doctrine prevails in national, State, and municipal governments with rare exceptions throughout the entire United States, and until the opposition can show by a fair preponderance of evidence that a majority of the inhabitants of the Philippines are hostile to American rule there can be no predicate for the charge that we are ruling without the consent of the governed. Sir, has it come to this, that we shall respect only the will of the minority? Minority rule is utterly repugnant to our conception of republican government in the United States, and it is equally at war with our conception of the principles of government which should maintain in the Philippines.

If the annexation of the Philippines to the United States were to be determined by referendum, and it were to appear that a vast majority assented and the minority dissented, could it be said that the annexation was violative of the rights ot the governed? Could it be said that the minority should defeat the will of the majority, and that they might rightfully rebel? Such, I conceive it, is in essence the case here.

But three years have passed since the ratification of the treaty of Paris. It is, indeed, a brief period in the life of a nation, but much has been accomplished.

The course of the Administration has been from the beginning characterized by a thoughtful regard for the welfare of the Filipinos, and a pacific policy has been desired and pursued. We have sent no army of avengers and no military or civic officers who have not been instructed by the Chief Executive to avoid undue severity and deal with those who oppose us in the most pacific and liberal manner possible. Endeavor has been made from the beginning to win the allegiance of the Filipinos by an appeal to their sense of justice rather than by the sword.

President McKinley, desirous of establishing peace and prosperity in the islands, promptly sent a Commission of able and experienced men to supplement the war power, and to report such measures as should be requisite "for the maintenance of order, peace, and public welfare."

The Commissioners were authorized to recommend the loyal inhabitants of the islands for appointment to their own civil offices, and they were enjoined particularly that in their intercourse with the inhabitants they should "exercise due respect for all ideas, customs, and institutions of the tribes which compose the population, and also to emphasize the just and beneficent intentions of the Government of the United States." The commissioners were to be "the bearers of the good will, protection, and the richest blessings of a liberating rather than a conquering nation."

This was indeed the dominant note of the national purpose. It was so then, it is so now.

I do not believe that any other Administration, no matter what its political complexion, will proclaim a less exalted standard.

The national intention so felicitously expressed by President McKinley is one that can give little encouragement, little support, to those who seem to see lurking in our national attitude some imperialistic purpose.

The first Commission discharged in an effective manner its delicate functions. It made proclamation of its pacific purpose and assured the people that American supremacy must be acknowledged and that the utmost liberty of self-government would be granted to the Philippine people consistent with a wise and economic administration of public affairs and consistent with the sovereignty and the obligations of the United States. It gave assurances of the desire of the United States for the welfare and advancement of the Philippine people, and that neither they nor the islands were to be an object or means of exploitation. The people were further assured of provision for the establishment of schools and the education of their people, and that they should be accustomed "to free self-government in an ever-increasing measure."

The Commission, though confronted with great difficulties, rendered invaluable service in gathering information and cooperating with the military and naval authorities in the establishment of our sovereignty in the islands, and in making recommendations with respect to the organization of a civil administration of government.

The first or Schurman Commission was followed by a second or the Taft Commission composed of equally eminent, patriotic, and just men, charged with the important function of promoting peace and erecting civil government in the islands. Most commendable progress has been made in the accomplishment of their purpose. It is, indeed, surprising that, beset with so many difficulties and embarrassments, our authorities have accomplished so much in so brief a time. It is, indeed, a happy augury for the future.

The venality and corruption of the Spanish courts in the islands were flagrant and a scandal. The courts are the very foundation of a stable and well-ordered community. Courts where justice is honestly administered, and where it is not a commodity to be bought, are the safeguard of the rights and liberties of the people. In recognition of this fact, our Government has established in the islands the judicial system upon a higher plane than ever before, and the courts are administering justice without the taint of fraud or bribery and are an assurance of security to life and property.

Dr. Schurman says that—

> provision has been made for the administration of justice by civil tribunals in which Filipinos are well represented. There is a justice's court in each of the 765 municipalities, and all of these justices of the peace are Filipinos. There is a court of first instance in each of the 14 judicial districts into which the archipelago has been divided, with 1 judge to each district, besides 2 from the court of first instance in Manila; and of these 16 judges at least 6 are Filipinos. And there is a supreme court, consisting of a chief justice and 6 associate justices, sitting in Manila, Iloilo, and Cebu, of whom 4 are Americans and 3 Filipinos—one of them, the wise, high-minded, and capable Florentino Torres, and another, the chief justice, that model Filipino and man of spotless integrity, Cayetano S. Arellano, a lawyer of great eminence and renown, and a gentleman of learning, culture, and most charming refinement of life and manners.

There has been considerable debate as to whether the Constitution follows the flag. No matter how diverse and conflicting our opinions may be upon this subject, there is one opinion which we all entertain, and that is that the American schoolhouse follows the flag. The transports which carried our soldiers into the Philippines also carried our school-teachers, until to-day there are some 835 American teachers distributed through 550 towns in the Philippines, and nearly "four thousand Filipinos are employed as elementary teachers."

Governor Taft says that the normal school at Manila was attended by 750 Filipino teachers and that—

> there is great interest and great enthusiasm on the part of the teachers in studying English and in preparing themselves.

The people of the Philippines are generally uneducated. Perhaps less than eight per cent can read and write in any language. Fortunately, they evince a commendable desire for an education, and, I believe, we shall find in the magic of the schoolroom a potential influence working for the advancement of civilization, good order, and civil government in the Philippines. We do not find here any evidence of that imperialistic purpose which seems to disturb the imagination of our patriotic friends in opposition.

When we came into possession of the islands we found much need for the improvement of harbors, the construction of roads, the improvement of municipalities, for Spain, during her centuries of control, had done little toward the betterment of the conditions in the islands. We have been carrying forward the work in an American way so as to promote the health, the commerce, and the prosperity of the people.

While Spain, in 1896, appropriated nothing for public improvements, our Commission has already appropriated $1,000,000 for the improvement of public roads, and a like amount for the improvement of Manila Harbor. The public revenues have been faithfully collected and intelligently and conservatively administered, so that there is to-day in the insular treasury a surplus of about $5,000,000.

During the fiscal year 1901 the revenues of the islands amounted to $10,817,662.31, and the expenditures were $6,763,821.68, leaving a surplus for the year of $4,053,840.63. This is certainly a most creditable exhibit. The surplus does not go into our treasury, but is to be devoted to making improvements in the islands—to the construction of much-needed works, long neglected by Spain.

We invite the attention of our friends to what we have accomplished in Porto Rico for the advancement of the principles of republican government and for the promotion of the welfare of the inhabitants of that island. We heard much criticism a few months ago of our legislation with respect to that island and its people, and the country was for a time deeply stirred, fearing that we were ignoring and subverting the doctrines for which our forefathers stood.

It is a gratifying and reassuring fact, indeed, that the people are so sensitive of the national honor, and that they will not readily sanction any supposed breach of it. The storm, which raged with intensity for a time, subsided in due course, and the integrity and beneficence of our action are now beyond challenge. Porto Rico is enjoying a measure of republican government which is entirely new to her and is blessed with an unprecedented measure of prosperity.

We are attempting to do in the Philippines, under greater embarrassment, precisely what we have been doing in Porto Rico, and if we will but persevere in the right and have confidence in each other's patriotic and humane purposes similar results will doubtless follow.

Mr. President, I supported the treaty of Paris with a full consciousness of what its ratification involved. I realized fully that grave responsibilities would rest upon us by the cession of the Philippines. I did not support the treaty because of the material or commercial possibilities which the islands might afford our citizens.

I have not been able to bring myself to the conclusion of our

duty in the islands from the standpoint of their commercial advantages to us, no matter how considerable they may be. I have from the beginning put our duty upon a higher plane. The obligation to care for and protect those who, through one of the great evolutions of human history have been committed to us, has seemed to me always to be our paramount duty.

It does not matter to me whether the Philippines have gold in abundance, or forests of rare and valuable woods, or fields of unexcelled fertility, or ports filled with a large commerce present or prospective. The supreme question with me, as with an overwhelming majority of the American people, has been and is that question which concerns our duty to men and to humanity.

While we are a nation of tremendous commercial activities and untold wealth, they are not our greatest glory, nor are they the controlling factors in determining our national duty. The questions of human rights and human liberty are the potential questions which have summoned our mightiest armies and have assembled our fleets and stirred our country to the utmost depths.

It was not gold nor the dream of empire that summoned us in 1898 from the fields of peace to the theater of war. It was not the thought of territorial aggrandizement which led the American Congress in the exercise of its exalted constitutional power to declare war against Spain. It was not the lust for mere martial victory for which 250,000 of the flower of the youth of the land left the vocations of peace and went down to the battlefields of the Republic. No, not that. But be it said in honor and praise of the great Republic that it was to overthrow the power of tyranny, and to give to the oppressed children of men the privileges of republican government.

In the presence of such questions as confront us we must not take counsel of our passions nor of our mere material interests, but we must take counsel of our conscience, of our exalted sense of justice.

It should be remembered that originally President McKinley did not wish to take the islands. Who among us was actuated by more exalted motives than he? Who was moved by a higher sense of right and justice than he? He was a total stranger to the elements of an oppressor. He stood against the war, though knowing that it could but result in the triumph of our arms and in increasing throughout the world his prestige and his renown.

The protocol provided that we should—

occupy and hold the city, bay, and harbor of Manila, pending the conclusion of a treaty of peace which shall determine the control, disposition, and government of the Philippines.

The President later thought it essential to take the island of Luzon, and such were his first instructions to our peace commissioners who went to Paris; commissioners who were of the most able, experienced, and enlightened among us, with no desire or thought to do at the international council table anything which was in derogation of our national rights, our national duty, or which was in contravention of the great cardinal principles upon which our Government is founded.

As the discussion progressed and the difficulties seemingly increased and the full measure of our responsibilities gradually unfolded, the conclusion was reached by the President and the commissioners that we could not in honor and duty stop short of the cession of the entire Philippine Archipelago; not, sir, because of any desire of foreign domain or of mere commercial conquest, not for the mere reimbursement of our National Treasury, but because of the supreme dictates of humanity; not for the purpose of holding a subject people; but for the purpose of lifting a subject people into the full sunlight of modern civilization; and to preserve the peace of the world, which would have been placed in instant peril if we should have left the islands like derelicts upon the high seas.

The joint resolution of the honorable Senator from Tennessee [Mr. CARMACK] declares that—

To maintain the relation of sovereign and subject between the Government of the United States and a people under its dominion would be repugnant to the principles of the Constitution.

In what essential particular, we may ask, does our relation to the Filipinos differ from our relation to all the territories we have acquired, beginning with the Louisiana purchase; in what respect is it different from our relation to Oklahoma, to New Mexico, to Arizona, to the Indian Territory, to Alaska, and to the District of Columbia? Who is there that holds that the government of these Territories and the District of Columbia through the direct action of Congress is in derogation of the rights of the inhabitants or is violative of the principles of the Constitution? The great Territory of Alaska, which we acquired some thirty-five years ago, has been and is governed absolutely and solely under the laws enacted by the Congress, as it has no Territorial legislature.

Excise duties are imposed by the Congress, and both parties have long voted for them without a word of protest or a suggestion that we were dealing with "subjects" in the sense in which that term is used by the opposition. We have been and are acting under the broad grant of power of the Constitution "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." When we legislate for Alaska we are acting within the clearly granted authority of the Constitution, and when we legislate for the Philippines we are likewise within the scope and plain purpose of the Constitution.

Mr. President, there is not a Senator upon this floor who sat here when we declared war against Spain who does not well remember the impatience there was because the President did not sooner send to the Congress his war message of April 11, 1898. There were deep mutterings; and the prediction was frequently heard that if there was a day's further delay, there would be a declaration of war without the message. Who is there here who does not remember the intensity of the strain which all experienced, night and day? Who does not recall the sharp and intemperate criticism of the President because of his stand against war? The diplomatic correspondence shows how earnestly he sought to preserve peace. After all efforts seemed unavailing he prepared his message, setting forth the conditions in Cuba and the efforts of the Administration to ameliorate them, and concluded with these impressive words:

The issue is now with the Congress. I have exhausted every effort to relieve the intolerable condition of affairs which is at our doors. Prepared to execute every obligation imposed upon me by the Constitution and the law, I await your action.

Although the Congress was impatient of all delay, the President withheld his message, awaiting further advice from the Spanish cabinet. A crisis was near at hand, but he did not wish to foreclose, if possible, even a remote chance for an honorable peace. Having received further advices from Spain, he communicated the fact to Congress for its consideration.

Yesterday—

Said the President—

and since the preparation of the foregoing, a message was received by me that the last decree of the Queen Regent of Spain directs General Blanco, in order to prepare and facilitate peace, to proclaim a suspension of hostilities, the duration and details of which have not as yet been communicated to me. This fact, with every other pertinent consideration, will, I am sure, have your just and careful attention in the solemn deliberations upon which you are about to enter.

The supreme responsibility then rested with the Congress of the United States, and right well it was met.

No one who shall read the history of our country during the great crisis through which we have passed can fail to give President McKinley all honor for the honest and patriotic service he rendered in his effort to accomplish an honorable and enduring peace in the blood-stained island of Cuba without an appeal to the sword. Sir, the patience, the moderation, and the self-restraint of the President in the gravest emergency which could face an executive challenged the admiration of the world, and it will have the approving judgment of history. He yielded, but it was to the inexorable logic of events. Sir, it will be indeed a sad hour for the Republic when the President shall love peace less than war.

The reported progress we have made in the organization of provincial and municipal governments must be gratifying to those who give the subject a thought. There are already some thirty organized provinces under a liberal form of civil government in which the natives are invited to participate wherever they have shown requisite capacity. The governors of the provinces were first appointed by the Commission; wherever possible natives were appointed. Hereafter they will be elected by the people; in fact, an election of provincial governors was held during the early part of the present month.

It has been asserted upon this floor, and reiterated frequently, that we have been engaged in the unholy task of overthrowing a republic in the Philippines; that a republic had been established there, endowed fully with the functions of government; that it was exercising complete sovereignty, which we, disregarding the rights of a weaker people, overthrew. We have the authority of Dr. Schurmann, president of the first Philippine Commission, for the statement that the "Tagalog insurgents and the Philippine republic did not represent the inhabitants of the Philippine Islands, but only a minority of them."

The Filipino republic was nothing more or less, in fact, than an Aguinaldian dictatorship.

Prior to the fall of Manila an insurrection prevailed in the Philippines, having for its purpose not independence, but a modification of the unsatisfactory conditions existing under Spanish rule. There is nowhere a suggestion founded upon authentic fact that independence was either desired or secured. On the 24th day of May, following the victory in Manila Harbor, Aguinaldo issued a proclamation to his fellow-countrymen, in which he said:

I return to assume command of all the forces for the attainment of our lofty aspirations, establishing a dictatorial government which will set forth decrees under my sole responsibility, assisted by the advice of eminent persons, until these islands are completely conquered and able to form a constitutional convention.

In this proclamation we have an acknowledgment of the fact that the islands were not then completely conquered, and of the further significant fact that a simple dictatorship was to be established and that Aguinaldo was the dictator.

Is this the republic which the United States has overthrown?

In a message dated June 23, 1898, Aguinaldo declared the purpose of his revolution:

> And now they (the Filipinos) no longer limit their claims to the assimilation with the political constitution of Spain, but ask for definite separation from her; they are fighting for their independence, firmly convinced that the time has come when they can and must govern themselves.

This is a distinct recognition that prior thereto the Filipinos did not entertain the thought of independence and that the effort for independence was not attempted until after our victory in Manila. The thought of independence undoubtedly took its root in the vanity and ambition of Aguinaldo.

In his declaration of July 15, Aguinaldo, addressing the admiral of the squadron of the United States in the islands, said:

> The revolution having taken possession of the various provinces of the archipelago, this government has found it necessary to adopt the form and organization best suited to the popular will. I have, therefore, the pleasure and honor of placing in your hands the inclosed decrees.

These proclamations are sufficient to indicate the general character of the government which, it is alleged, was exercising sovereignty in the Philippines at the date of the treaty of Paris; this indicates the character of the republic which challenged the sovereignty of the United States, and which we overthrew.

The fact is that the so-called republic had no real substantial existence; it did not exercise the usual functions of government; it was not acknowledged by the masses of the people of the islands; nor was it recognized by any other nation in the world. In fact we have the opinion of Dr. Schurman to the effect that it "never had extensive jurisdiction except in ink and paper."

Mr. President, the honorable Senator from Tennessee [Mr. CARMACK], in the course of an impassioned appeal, said that—

> If the Church of God is to be established in the Philippine Islands, it will not be by an Administration whose hands are red with innocent blood. It will be by some Administration that is to come after, bearing in its hands the gift of liberty and the blessings of peace.
>
> Sir, these are mere pretexts; they are the mere fig leaves of imperialism and of criminal aggression.
>
> Sometimes the arguments of our friends are garnished with the pretexts of humanity, but wherever you hear it, the staple of the argument—in the press, on the hustings, or on the floors of Congress—is simply the greed for gain and the lust for power.

Whoever says that the course of the majority is inspired by the sordid and ungenerous motives attributed by the honorable Senator, grossly misjudges men.

Aid of the Government in its effort to maintain the laws wherever its jurisdiction extends and wherever it is assailed is not censurable, it is not criminal, and it never will be. Opposition to the efforts of the Government to assert its lawful authority has never been regarded with favor. We erect no monuments to commemorate the efforts, no matter how earnestly and honestly they may have been rendered, of those who put themselves in the pathway of national duty and national progress. Blood has, indeed, been shed, but it has been shed in an effort to establish the lawful authority of the Government in territory which indisputably belongs to it by virtue of the law. I regret most sincerely that blood has been shed, but I am gratified to know that it is not upon our hands.

Mr. President, so long as a vestige of insurrection remains in the islands, opposition in this country means an increase in the death list of our soldiers and seamen. It means an increase of the money required to support the Army and Navy; it means an increase in the pension roll; it means hindrance in building up the waste places in the islands and in the establishment of civic government. Granted that such opposition springs from exalted motives, and I do not question it for a moment, we can only regret that there are those who so erroneously, though honestly, read their national duty.

The suggestion that our attitude is governed by "the greed for gain and the lust for power" is unfounded and ungenerous. Our responsibility came unsought and without any desire whatever for the extension of our commercial dominion. All parties recognize that we are under certain obligations and duties which we can not rightfully or honorably abandon. We are in the Philippines, and must continue there, in the discharge of our solemn duty. All parties seem in accord as to this. The divergence of opinion is with respect to a proclamation as to the length of our stay.

The minority, by their substitute, frankly acknowledge our lawful presence in the islands, and the inexorable necessity of continuing there for an indefinite term. The substitute provides:

> That the United States shall continue to occupy and govern said archipelago until the people thereof have established a stable government, and until sufficient guaranties have been obtained for the performance of our treaty obligations with Spain, for the safety of those inhabitants who have adhered to the United States, and for the maintenance and protection of all rights which have accrued under their authority.

This is certainly a sound and wise provision; it is a distinct and wise acknowledgment of our national duty and obligations. When will these eight or ten millions of people, unskilled in statecraft, untutored in self-government, composed of many hostile tribes, attain to that degree of self-restraint and capacity to furnish "sufficient guaranties for the performance of our treaty obligations with Spain," and when will they, in the language of the substitute, be able to furnish sufficient guaranties "for the safety of those inhabitants who have adhered to the United States, and for the maintenance and protection of all rights which have accrued under their authority?" Who among us has wisdom profound enough to calculate the time which will necessarily elapse before all of this will be properly accomplished?

The Philippine Commission advises us that—

> one fact which is clear above every other is that these people are not, either the small minority of educated people, or the very large majority of ignorant people, prepared to establish a government which would hold together for any length of time, and which would not, in a very short time, present all the evils and oppression which were known in Spanish times.

But the substitute of the minority, after laying down so well the broad principles upon which we must proceed and pronouncing the wholesome end we must accomplish by our advocacy (regardless, it would seem, for the time being, of their solicitous regard for the consent of the governed), proceeds to declare that—

> As soon as the results above mentioned have been accomplished, it is declared to be the purpose of the United States, which the President is directed to carry into effect, to withdraw from said islands and leave the government, control, and sovereignty thereof to the inhabitants of the same, retaining only such military, naval, and coaling stations as may be designated by the Government of the United States.

Sir, we have been engaged in the work of pacification and of erecting civil government in the islands during the brief period of but three years. We are in the lawful and rightful possession of the archipelago, and, as we have observed, but a small minority dispute our sovereignty, yet the opposition demand our withdrawal under the conditions indicated in the substitute and the retention of certain military, naval, and coaling stations. Is this, Mr. President, in the interest of a majority of the Filipinos? Is it in the interest of the United States? Are the terms of withdrawal such as the interest of both peoples should dictate, when all within the intendment of the substitute has been accomplished by our occupancy? Is there any demand for such present declaration of our future purpose? Is it the part of wisdom, in the present posture of affairs, to put upon the statute books expressions of our national purpose in the indefinite and, possibly, remote future?

Under the McEnery resolution, adopted by the Senate soon after the ratification of the Paris treaty, we declare it as "the intention of the United States to establish in the said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interest of the citizens of the United States and the inhabitants of said islands."

The last Republican national convention declared that a "just measure of self-government, consistent with their welfare and our duties, shall be secured to them by law."

Such assurances are broad and liberal. There is no suggestion here which is in contravention of the generous policies which have always characterized the Government in its relation to the inhabitants of all the Territories.

I do not consider that it is the part of sound and wise statesmanship to adopt the substitute of the minority. I do not entertain this opinion because of any desire to abridge the rights of the Filipinos or to leave open the way for future imperialistic rule in the United States. I base my opinion upon the broad ground that all wisdom and all patriotism will not die with us, and that those who will follow us and who shall, in all probability, be obliged to deal with these questions, will be as enlightened and animated by as exalted sense of justice, and be in every respect as sensitive of the national honor as we.

It has seemed to me to be unwise to be engaged in fulminating policies upon this subject while we are in the experimental stages of our undertaking, and that we should act up to the full measure of our duty for the time being, and that we should deal with the problems of the future according to our most enlightened judgment when our way is made more clear by a larger and more enlightened experience. There need be no fear, no matter what political party may be in power for the time being, that there will ever go upon the statute books of the United States a solitary oppressive act or any measure which shall not be inspired by a just sense of the fundamental principles of republican government. Justice Brown, in announcing the opinion of the Supreme Court of the United States in the Downes case, well said:

> Grave apprehensions of danger are felt by many eminent men—a fear lest an unrestrained possession of power on the part of Congress may lead to unjust and oppressive legislation, in which the natural rights of territories, or their inhabitants, may be engulfed in a centralized despotism. These fears, however, find no justification in the action of Congress in the past century, nor in the conduct of the British Parliament toward its outlying possessions since the American Revolution. Indeed, in the only instance in which this court has declared an act of Congress unconstitutional as trespassing upon the rights of territories (the Missouri compromise), such action was dictated by motives of humanity and justice, and so far commanded popular approval as to be embodied in the thirteenth amendment to the Constitution. There are certain principles of natural justice inherent in the Anglo-Saxon character which need no expression in constitutions or statutes to give them effect or to secure dependencies against legislation manifestly hostile to their real interests.

Sir, the utter folly of making declaration of the national purpose, as proposed by the substitute of the minority, is fully shown by Governor Taft in his statement before the Philippines Committee.

I think—

Said he—

the great evil to-day is the discussion of something that is utterly impossible of settlement to-day. The thing the Filipino people need to-day is a stable government under the guidance of American control, teaching them what individual liberty is, and training them to a knowledge of self-government, and when they have that the question of what relation shall exist between the islands and this country may be settled between them and the United States. * * *

Nothing that can be said to-day to the Filipino people in the nature of a promise as to the form of government which may take place after an established stable government shall be framed, could be otherwise than misleading to them and confusing in establishing that government. It would at once begin the agitation among those who desire that separation to have separation, because in their opinion they are fitted for it at once. It would drive away from the support of the stable government that conservative element who are strongly in favor of American guidance and control, because they would anticipate an early change. They would think they would early be left without the support which presence of the American Government necessarily gives, and the promise of something in the future, instead of helping to establish, would render unstable any government which was attempted to be established.

The Governor further approved the report of the Commission wherein it was said that—

To make of the Philippines a colony of the United States or to grant independence to the Philippines would be to hand the islands over to disorder and to anarchy, to destruction and to chaos.

The opinion from those who have spent some two years in thoroughly familiarizing themselves with the conditions of the people, with their manners, customs, intelligence, and aspirations, has much weight. I know of no better source of information than this. Shall we utterly disregard it? Shall we make a present declaration of the Congressional purpose which will multiply the difficulties and embarrassments which attend our administration in the islands?

It would seem that the substitute of the minority, if adopted, would defeat itself. The minority of the committee is composed of Senators of great learning and ability, but shall we accept their judgment and give no heed to the opinion of our officials who are charged with the responsibility of directly dealing with the Filipinos, and with the arduous task of erecting a stable government? It seems to me, sir, that it would be very unwise for us to now act in absolute disregard of the opinion which our own representatives have laid before us—an opinion which is in entire harmony with our knowledge of human nature.

The distinguished Senator from Colorado [Mr. TELLER] said in a speech during the present debate:

You could not have ratified the treaty if you had declared your present policy to be the policy to be pursued under it. You lacked but a vote or two of being defeated. You would have lacked a dozen. You would have received no votes except from those who surrendered their judgment to the party caucus if you had told the truth when the treaty was before us, if you knew the truth. I do not charge now that any Senator here meant to misrepresent. I believe that the policy then was the policy enunciated in the fourth resolution with reference to Cuba up to a time after the treaty was ratified. And then, Mr. President, in some way—I do not know how—some evil influence became dominant and took control of the executive department of the Government, and the President's voice was no longer for peace, but for war.

The honorable Senator does not give us the grounds of his belief. He is content to put upon the pages of history for the perusal of the student of the future the imputation that some unholy purpose lay at the foundation of Executive action.

Mr. President, was there ever imputation which had less basis of truth upon which to rest? Was there anyone upon this floor who suggested during the consideration of the treaty that the policy enunciated in the fourth resolution with reference to Cuba was to be adopted? No, sir; unless my memory fails me, neither the Administration nor anyone in its behalf hinted or suggested that the policy of the resolution indicated by the Senator was to maintain in the Philippines.

Before action was taken upon the treaty and while it was pending before us, the President transmitted to the Senate a report of the Secretary of State covering—

copies of the reports and instructions exchanged by telegraph with the commissioners in the course of the negotiations, excepting only certain matters of collateral import, which in the opinion of the undersigned [the Secretary of State] it would be inconsistent with the public interest to communicate, but which, however, in no wise affected the negotiation as between the United States and Spain.

The undersigned believes that the telegraphic correspondence so submitted contains all that is necessary to a full understanding of the peace negotiations, and therefore does not submit the more detailed reports received by mail after the cabled summaries and inquiries had been received and acted upon, inasmuch as they fully appear in all essential particulars in the protocols and accompanying papers already laid before the Senate with the treaty of peace signed December 10, 1898.

Everything was laid bare before the Senate. There is not a word in the correspondence transmitted giving even remote warrant to the charge that there was anything occult in the course of the Administration.

The embarrassments which attended the negotiation of the treaty and the necessity of taking over the entire archipelago are fully disclosed. The McEnery resolution adopted by the Senate but a few days after the ratification of the treaty does not support the opinion of the honorable Senator.

Furthermore, an amendment was proposed to the treaty similar in terms to the policy enunciated in the fourth resolution with respect to Cuba, and it was defeated mainly by Republican votes. As was shown by the distinguished Senator from Wisconsin [Mr. SPOONER], the Senator from Colorado voted with the Republicans against it. Is it not reasonably possible that he is now mistaken when he says the policy as to Cuba was the policy as to the Philippines until after the ratification of the treaty?

Evil influence forsooth! Has the Senator forgotten the President's opposition to the war from the beginning? Has he forgotten his message transmitting the report of the board of inquiry into the *Maine* disaster and his appeal for conservative judgment and action? Has his last appeal to Spain for peace been forgotten? Has the Senator also forgotten his instructions to our military commanders and civil officers sent into the Philippines to do everything possible to promote and maintain peace? Has he forgotten that every act and every aspiration of the President was in the ways of peace? Our sovereignty in the Philippines was assailed, and it was imperatively incumbent upon the President to see that it was maintained peaceably, if possible, but forcibly if must be. This duty he could not avoid. The record, sir, is written; it is a clean one; there is nowhere to be found upon it a blemish of bad faith on the part of the Administration.

Evil influence! No, Mr. President, do not write into one of the sublimest pages in American history so base a word. There was no influence which guided or controlled the Chief Executive save that influence which sprang from the great, enlightened, patriotic heart of the American people.

The Supreme Court of the United States has lately defined the relations which the islands acquired by the treaty of Paris sustain to the United States. They are held to be property belonging to the United States, and the Congress is left free to legislate for them as their peculiar and varying interests may require. No Procrustean rule must apply as to them. Uniform impost and excise duties are not required as in the United States, but we may enact such laws and adopt such tarift as their respective interests may require.

We are charged with the duty of promoting the commercial welfare and the prosperity of the people of the Philippine Islands so far as it can be done by the enactment of laws. We must have a care that our laws are not unduly restrictive, and that they do not unnecessarily burden the commerce of the islands. Prosperity in the islands will accomplish much toward the promotion of peace and contentment among the inhabitants.

Revenue must be provided for the support of the insular and municipal governments, for the support of public schools, the improvement of harbors, the construction of much needed highways, and for other needful and useful governmental purposes.

In order to safeguard in a reasonable and proper way the commerce of the Philippines, the committee has reported the pending measure. I shall not pause to discuss the details of the bill, nor the amendments modifying schedules. The committee having the bill in charge has given and will give to them all necessary consideration.

Our present duty in the Philippines may be stated concretely thus: First, put down all insurrection and compel recognition of American sovereignty; second, establish schools and educate the people; third, promote public improvements, construct highways for the ready intercommunication of the people of the islands, improve harbors for the accommodation of commerce; fourth, erect municipal, provincial, and insular governments, modeled, so far as possible, after our republican institutions, and as rapidly as is practicable admit the Filipinos into the administration of their own affairs. These are a few of the vital objects to which we are addressing ourselves, and which will engage our attention indefinitely. They command the best and profoundest statesmanship among us. If we but discharge these paramount duties in an intelligent, earnest way, we shall have gone far toward solving the Philippine problem, and our friends need not concern themselves greatly as to the future.

As is well known, there is before the Senate a bill providing for an insular government in the Philippines, republican in form. The essential features of this bill will undoubtedly become a law, and the Filipinos soon will enjoy a very large measure of representative government and under the express sanction of the Congress. This will, indeed, be a radical transformation in the brief space of four or five years. There is certainly nothing in this proposed legislation which can have any other effect than to assure the Filipinos of the broadest and most generous purpose of the United States.

Mr. President, I shall not further detain the Senate. We find in what the Government has accomplished in the Philippines much to commend. We find in what it is doing the most abundant assurance of our ability to successfully solve the great problem which is upon our hands. We have the courage, we have the ability, to meet every emergency which lays before us. Let us go forward, animated by the one great purpose to discharge our duty in full measure, inspired by the same high purpose which actuated us when we resolved upon war against the Spanish power.

Sir, those who read in a large way the purpose of the All-wise Ruler see in the tragic events of the last four years a far-reaching Providence. Habana and Manila and Santiago and Buffalo tell of the mighty cost of human liberty; they chasten us; they show how narrow is the boundary set to our finite vision, and how we should address ourselves to the duties of the hour and courageously and hopefully await the demands of the future; they show that moral duties abide with nations as with men. If, sir, we shall nobly meet the demands of the hour, accomplish peace, and lead the Filipinos in the way of civilization and self-government, we shall have earned the approval of our own conscience and have won the admiration of the world.

Mr. PRITCHARD. I move that the Senate adjourn.

The motion was agreed to; and (at 9 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, February 24, 1902, at 11 o'clock a. m.

SENATE.

MONDAY, *February 24, 1902.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Saturday last when, on request of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will, without objection, stand approved.

BRIG LOUISA.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims, set out in the findings by the court relating to the vessel brig *Louisa*, Benjamin Wheeler, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

ENROLLED BILL SIGNED.

The PRESIDENT pro tempore announced his signature to the enrolled bill (H. R. 3104) to grant the right of way through the Oklahoma Territory and the Indian Territory to the Enid and Anadarko Railway Company, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Post-Offices and Post-Roads:

A bill (H. R. 7018) for the relief of Robert J. Spottswood and the heirs of William C. McClellan, deceased; and

A bill (H. R. 9991) for the relief of F. E. Coyne.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs.

A bill (H. R. 280) for the relief of James M. Stradling;

A bill (H. R. 610) to correct the military record of John F. Antlitz; and

A bill (H. R. 1381) for the relief of J. V. Davis.

The following bills were severally read twice by their titles, and referred to the Committee on Naval Affairs:

A bill (H. R. 720) for the relief of Lieut. Jerome E. Morse;

A bill (H. R. 1375) for the relief of Louis Weber;

A bill (H. R. 4748) authorizing the President of the United States to nominate Lieut. Commander R. M. G. Brown, now on the retired list, to be a commander on the retired list; and

A bill (H. R. 5224) for the relief of Edward Kershner.

The following bills were severally read twice by their titles, and referred to the Committee on Finance:

A bill (H. R. 303) for the relief of Sol Bear & Co.;

A bill (H. R. 966) for the relief of Edward R. Stackable, collector of customs for the district of Hawaii;

A bill (H. R. 8209) for the relief of P. A. McClain; and

A bill (H. R. 9295) for the relief of T. B. Stackhouse, a deputy collector of internal revenue for the district of South Carolina during the fiscal year 1894 and 1895.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 621) for the relief of Daniel Cherry;

A bill (H. R. 949) for the relief of Charles H. Robinson;

A bill (H. R. 1748) for the relief of Julius E. Mugge;

A bill (H. R. 2641) for the relief of Albion M. Christie;

A bill (H. R. 3510) for the relief of the executors of James P. Willett, deceased, late postmaster of the District of Columbia;

A bill (H. R. 3830) for the relief of William C. Marr;

A bill (H. R. 5550) for the relief of W. C. Taylor;

A bill (H. R. 7035) for the relief of Charles Hurrle; and

A bill (H. R. 9280) for the relief of Hugh C. Preston.

The bill (H. R. 299) for the relief of William C. Dodge was read twice by its title, and referred to the Committee on Patents.

The bill (H. R. 11353) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes, was read twice by its title, and referred to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented a petition of the Board of Trade and Transportation of New York City, praying for the re-establishment of the pneumatic tube postal service in that city; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Central Federated Union, American Federation of Labor, of New York City, praying for the enactment of legislation providing that the maximum salary of letter carriers for the fourth year of service, and thereafter, shall be $1,200 per annum in cities of the first class and $1,000 in cities of the second class; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of F. X. Brandecker and sundry other citizens of New York City, remonstrating against the restriction of immigration; which was referred to the Committee on Immigration.

He also presented a petition of Command No. 22, Spanish War Veterans, of Niagara Falls, N. Y., praying for the enactment of legislation providing for the payment of medical expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough; which was referred to the Committee on Military Affairs.

He also presented a petition of the Allied Printing Trades Council, American Federation of Labor, of Syracuse, N. Y., praying for the removal of the duty on paper and pulp; which was referred to the Committee on Finance.

He also presented a petition of the New York Odontological Society, of New York City, praying for the enactment of legislation providing for the appointment of a corps of dental surgeons in the United States Navy; which was referred to the Committee on Naval Affairs.

He also presented a petition of the American Federation of Labor, of Rochester, N. Y., praying for the enactment of legislation providing for the construction of storage works to equalize the flow of streams for the irrigation of the arid lands of the West; which was ordered to lie on the table.

He also presented a petition of Local Division No. 42, Order of Railroad Telegraphers, of Jamestown, N. Y., praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a memorial of sundry citizens of New York City, remonstrating against the enactment of legislation to prohibit the desecration of the American flag, etc.; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Bangall Parish and Ballston Lake, in the State of New York, and of the National Live Stock Exchange, of Chicago, Ill., praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a memorial of the Chapter of the American Institute of Architects of Buffalo and Brooklyn, in the State of New York, and a memorial of the National Sculpture Society, remonstrating against a change being made in the title of Architect of the United States Capitol; which was ordered to lie on the table.

He also presented a petition of the Board of Trade and Transportation of New York City, praying for the establishment of reciprocal trade relations with foreign nations and for the establishment of a reciprocity bureau in the department of commerce; which was referred to the Committee on Commerce.

He also presented a memorial of the Lake Seamen's Union, International Seamen's Union, of Buffalo, N. Y., remonstrating against the adoption of the proposed amendment to chapter 7 of the Revised Statutes, relative to the employment and treatment of the seamen of the merchant-marine service of the country; which was referred to the Committee on Commerce.

He also presented a memorial of the Lake Seamen's Union of Buffalo, N. Y., remonstrating against the proposed change in the name of the United States Marine-Hospital Service to that of the United States Health Service; which was referred to the Committee on Naval Affairs.

He also presented petitions of sundry post-office clerks of Owego; Branch J, New York City; Branch G, New York City; Station C, Brooklyn; Station A, Brooklyn; Fredonia, Oswego, and Ithaca, all in the State of New York, praying for the enactment of legislation providing for the classification of the salaries

of clerks employed in post-offices of the first and second classes; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Painters, Decorators, and Paper Hangers' Union No. 367, of Seneca Falls; of the Glass Bottle Blowers' Association of Brooklyn; of Labor Protective Union No. 9259, of Fort Edward; of Great South Bay Oystermen's Union No. 8201, of Sayville; of the Trade and Labor Council of Peekskill; of Electric Lodge, No. 313, of New York; of Shirt Waist and Laundry Workers' Union No. 44, of Troy; of the Wood Carvers' Association of Brooklyn; of Liberty Lodge, No. 2, of Buffalo; of Cigar Makers' Local Union No. 219, of Rome; of International Association of Car Workers, Local Union No. 4, of Rochester; of Cigar Makers' Local Union No. 5, of Rochester; of International Association of Machinists, Union No. 421, of Elmira; of Iron, Steel, and Tin Workers' Union No. 1, of Lockport; of Laundry Workers' Union No. 9, of Troy; of Central Labor Union No. 10, of Binghamton; of the Central Trades and Labor Council of Olean; of Carpenters and Joiners' Local Union No. 9, of Buffalo; of the United Garment Workers' Local Union of Brooklyn; of Cigar Makers' Local Union No. 132, of Brooklyn; of United Garment Workers' Local Union No. 111, of Syracuse; of Hat Makers' Local Union No. 7, of Brooklyn; of Team Drivers' International Union No. 17, of Oswego; of Tile Layers' Local Union No. 5, of Buffalo; of Wood Carvers' Local Union of Jamestown; of Typographical Union No. 9, of Buffalo; of Leather Workers' Local Union No. 2, of Olean; of Delivery Wagon Drivers' Local Union No. 83, of Buffalo; of International Cigar Packers' Union No. 213, of New York City; of Hackmen's Protective League No. 332, of New York City; of Cigar Makers' Local Union No. 132, of Brooklyn; of International Car Workers' Local Union No. 24, of New York City; of Textile District Council No. 4, of Jamestown; of Cigar Makers' Local Union No. 84, of Saugerties; of Allied Metal Mechanics' Local Union No. 106, of Poughkeepsie; of the Lock City Central Labor Union, of Lockport; of Laundry Workers' Union No. 8, of Troy; of International Association of Machinists, Local Union No. 381, of Syracuse; of Boot and Shoe Workers' Local Union No. 160, of Brooklyn; of Indurated Fiber Workers' Local Union No. 7185, of Lockport; of Coopers' Local Union No. 48, of Niagara Falls, and of the American Wire Weavers' Protective Association of New York City, all of the American Federation of Labor, in the State of New York, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of sundry citizens of Auburn, Deerfield, Utica, Olean, Lima, Buffalo, New York City, Brooklyn, and Oneida, all in the State of New York, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of Eldredge Post, No. 199, of Whitney Point; of Col. Elmer E. Ellsworth Post, No. 619, of Mechanicsville; of Carroll Post, No. 279, of Port Jervis; of J. M. Brown Post, No. 285, of Jamestown; of Ballard Post, No. 551, of Oneida County; of M. Richards Post, No. 367, of Mexico; of Knowlton Post, No. 160, of Cazenovia; of D. F. Schenck Post, No. 271, of Fulton; of Fuller Post, No. 246, of Little Valley, and of Lennon Post, No. 490, of Bloomingdale, all of the Department of New York, Grand Army of the Republic; of Coopers' Local Union No. 48, of Niagara Falls; of Journeymen Barbers' Local Union No. 141, of Buffalo; of Plumbers' Local Union No. 253, of Gloversville; of Musicians' Local Union No. 134, of Jamestown; of International Association of Machinists' Local Union No. 201, of Hornellsville; of Broom Makers' Local Union No. 14, of Amsterdam; of Carpenters and Joiners' Local Union No. 6, of Amsterdam; of Iron Molders' Local Union No. 230, of Lockport; of Steel Cabinet Workers' Local Union No. 7294, of Jamestown; of International Association of Machinists' Local Union No. 467, of Pearl River; of Typographical Union No. 305, of Newburg; of Carpenters' Local Union No. 289, of Lockport; of Laborers' Protective Union No. 8962, of Glens Falls; of Carpenters and Joiners' Local Union No. 546, of Olean, and of Hat Finishers' Association No. 22, of Yonkers, all of the American Federation of Labor, in the State of New York, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a petition of the Board of Merchants of Matanzas, Cuba, praying for the enactment of legislation granting concessions and relief for Cuba with reference to sugar; which was referred to the Committee on Relations with Cuba.

He also presented a memorial of the board of supervisors of Mohave County, Ariz., remonstrating against the enactment of legislation exempting the Santa Fe Pacific Railway Company from taxation; which was referred to the Committee on Railroads.

He also presented a memorial of the Citizens' Association of East Washington, D. C., remonstrating against the further appropriation of money for continuing the erection of a workhouse on the present site in Washington, D. C.; which was referred to the Committee on the District of Columbia.

Mr. PROCTOR presented a petition of the Business Men's Association of Island Pond, Vt., praying for the enactment of legislation reducing the duty on tobacco and sugar imported from Cuba; which was referred to the Committee on Finance.

He also presented petitions of the Granite Cutters' Local Union of Waterbury, and of United Garment Workers' Local Union No. 32, of Brattleboro, in the State of Vermont, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. DILLINGHAM presented a memorial of the congregation of the Reformed Presbyterian Church, of West Barnet, Vt., remonstrating against the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented petitions of 42 members of Riverside Council, No. 6, Daughters of Liberty, of North Danville; of United Garment Workers' Local Union No. 32, of Brattleboro, and of the Barre Branch, Granite Cutters' National Union, of Barre, all in the State of Vermont, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. GIBSON presented the petition of J. W. Ward and 182 other citizens of Missoula and Ravalli counties, in the State of Montana, praying for the enactment of legislation providing for the reclamation of the arid lands in those counties; which was ordered to lie on the table.

He also presented a petition of Local Union No. 29, International Association of Machinists, American Federation of Labor, of Anaconda, Mont., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of Local Union No. 29, International Association of Machinists, American Federation of Labor, of Anaconda, and of Federal Labor Union, No. 175, Western Labor Union, of Kalispell, in the State of Montana, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented the memorial of Pat. Lavelle and 180 members of the Carbon County Stock Protective Association, in the State of Montana, remonstrating against the leasing of public lands; which was referred to the Committee on Public Lands.

Mr. DRYDEN presented petitions of Councils Nos. 130, 26, 202, 89, 109, 22, 156, 188, 64, 113, 49, 90, 233, 36, 20, 174, 164, 247, 102, 139, 256, 21, 192, 57, 183, 193, 186, 268, 288, 108, 207, 41, 166, 237, 28, 4, 150, 250, 241, 254, 84, and 231, of Newark, Williamstown, Barnegat, Trenton, Cedarville, Clayton, Orange, Bockton, Cassville, Stanhope, Tabernacle, Trenton, Newark, Pennsgrove, Hackettstown, Pompton Lakes, Branch, Crosswicks, Monmouth Junction, Plainfield, Paulsboro, Mullica Hill, Hurffville, Ridgefield Park, Livingston, Oceanport, Vailsburg, Windsor, Deckertown, Plainfield, Bernardsville, Seabright, Phillipsburg, Raritan, German Valley, South Orange, Caldwell, Leesburg, and Pleasantville, all of the Junior Order of United American Mechanics, in the State of New Jersey, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. HALE presented a petition of sundry citizens of Berwick, Me., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Daniel White Post, No. 19, Grand Army of the Republic, Department of Maine, of Kenduskeag, Me., and a petition of the Atlantic Coast Seamen's Union, American Federation of Labor, of Portland, Me., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of Local Branch, Garment Cutters' National Union, of North Jay, Me., and a petition of Local Branch, Garment Cutters' National Union, of Waldoboro, Me., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Local Grange No. 159, Patrons of Husbandry, of Easton; of the Maine State Grange, Patrons of Husbandry, and of sundry citizens of Windsor, all in the State of Maine, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. WETMORE presented petitions of Journeymen Plumbers' Local Union No. 28 and of Journeymen Barbers' Local Union No. 224, of the American Federation of Labor, in the city of Providence, R. I., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Journeymen Plumbers' Local Union No. 28 and of Journeymen Barbers' Local Union No. 224, of the American Federation of Labor, in the city of Providence, R. I., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. LODGE presented petitions of the American Ornithologists' Union and of the Fish and Game Protective Association, of Groveland, Mass., praying that an appropriation be made for the erection of a monument in the city of Washington to the memory of the late Prof. Spencer F. Baird; which were referred to the Committee on the Library.

He also presented the petitions of E. E. Phelps and 45 other citizens of Adams; of George H. Taylor, jr.; and 45 other citizens of Shelburne Falls, and of A. C. Stoddard and 45 other citizens of North Brookfield, all in the State of Massachusetts, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. McMILLAN presented a petition of Detroit Harbor, No. 47, American Association of Masters and Pilots of Steam Vessels, of Detroit, Mich., praying that relief be granted James Caniffe for injuries received while lowering a gas buoy from the deck of the United States light-house tender *Hayes*, etc.; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Reading, Mich., praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of the State Association of Farmers' Clubs of Michigan, praying for the enactment of legislation to suppress anarchy; which was referred to the Committee on the Judiciary.

He also presented petitions of Colonel E. H. Liscum Post, No. 343, of Sault Ste. Marie; of Phil Sheridan Post, No. 4, of Reading; of De Golyer Post, No. 110, of Hudson; of Caldwell Post, No. 365, of Lake City; of Burlingame Post, No. 402, of Akron, all of the Department of Michigan, Grand Army of the Republic; of Journeymen Tailors' Local Union No. 302, of Houghton; of Coopers' International Union No. 67, of Grand Rapids; of Local Union No. 90, International Association of Allied Metal Mechanics, of Bay City, and of Carpenters' Local Union No. 609, of Onaway, all of the American Federation of Labor, in the State of Michigan, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of the Trades Council and Tobacco Workers' Local Union No. 13, of Detroit; of Coopers' Local Union No. 143, of Albion; of the Trades and Labor Council and Coopers' Local Union No. 67, of Grand Rapids; of Carpenters and Joiners' Local Union No. 643 and Broom Makers' Local Union No. 49, of Flint, and of Journeymen Tailors' Local Union No. 302, of Houghton, all in the State of Michigan, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FRYE presented petitions of William Reed Post, No. 164, of Sanford, and of E. G. Parker Post, No. 99, of Kittery, of the Department of Maine, Grand Army of the Republic, in the State of Maine, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

IMITATION DAIRY PRODUCTS.

Mr. PROCTOR. I am directed by the Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 9206) to make oleomargarine and other imitation dairy products subject to the laws of any State or Territory or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, to report it with amendments, and to submit a report thereon. The minority of the committee will later submit their views.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

REPORT OF INDUSTRIAL COMMISSION.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the resolution submitted by the Senator from California [Mr. BARD] on the 19th instant, to report it with amendments, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, which was read, as follows:

Resolved, That 5,000 copies of the report of the Industrial Commission on irrigation, which is incorporated in the final report of the Industrial Commission, Volume XIX, pages 1071 to 1084, inclusive, be printed, and that 2,500 copies thereof be printed and bound in paper covers for the use of the Geological Survey.

The amendments of the Committee on Printing were, in line 1, to strike out "five" and insert "six;" and after the word "printed," in line 5, to strike out the remainder of the resolution and insert:

And bound in paper covers, 1,000 copies for the use of the Senate, 2,500 copies for the use of the House of Representatives, and 2,500 copies for the use of the Geological Survey.

So as to make the resolution read:

Resolved, That 6,000 copies of the report of the Industrial Commission on irrigation, which is incorporated in the final report of the Industrial Commission, volume 19, pages 1071 to 1084, inclusive, be printed and bound in paper covers; 1,000 copies for the use of the Senate, 2,500 copies for the use of the House of Representatives, and 2,500 copies for the use of the Geological Survey.

The amendments were agreed to.

The resolution as amended was agreed to.

INDEX OF PUBLIC DOCUMEMTS.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. CULLOM on the 19th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed the number of copies hereafter stated of Tables of an Annotated Index to the Congressional Series of United States Public Documents, prepared under the supervision of the Superintendent of Documents, 5,000 copies, 1,000 copies for the use of the Senate, 3,000 for the House of Representatives, and 1,000 for the Superintendent of Documents.

BILLS INTRODUCED.

Mr. FAIRBANKS introduced a bill (S. 4106) granting an increase of pension to David Jones; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4107) granting an increase of pension to Richard A. Wood; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 4108) for the relief of Decatur Hamlin; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. LODGE (by request) introduced a bill (S. 4109) to promote agriculture; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 4110) to pay to Samuel M. Blair the sum of $12,470; which was read twice by its title, and referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 4111) granting an increase of pension to Abner J. Pettee; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4112) to provide for an increase in the Medical Corps of the Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 4113) authorizing the construction of a building for the accommodation of the Supreme Court of the United States, the United States courts in the District of Columbia, the Department of Justice, and commissions exercising judicial functions in the District of Columbia created by acts of Congress; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PLATT of New York introduced a bill (S. 4114) to authorize the Secretary of the Treasury to grant, by deed, a permanent and perpetual underground right, easement, and right of way to the city of New York for the construction, operation, and maintenance of a rapid-transit railroad; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 4115) granting a pension to Judson E. Walker; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4116) for the relief of estate of Nicholas White, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 4117) to prevent vicious and evilly disposed persons from resorting to the District of Columbia for the purpose of committing crime; and

A bill (S. 4118) to abolish estates of curtesy and dower in the District of Columbia, to provide for the custody of the persons of children under 14 years of age, to regulate the descent and distribution of the estates of intestates, and for other purposes.

Mr. McMILLAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4119) granting an increase of pension to William R. Armstrong;

A bill (S. 4120) granting a pension to Jane Hale (with an accompanying paper); and

A bill (S. 4121) granting a pension to Elizabeth Jacobs (with accompanying papers).

Mr. BERRY (for Mr. JONES of Arkansas) introduced a bill (S. 4122) for the relief of the heirs of George M. Campbell; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. STEWART submitted an amendment authorizing the Secretary of the Treasury to state an account with Morgan's Louisiana and Texas Railroad and Steamship Company for transporting the United States mail over postal routes Nos. 30003 and 149003 during the period between July 1, 1878, and February 21, 1892, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. MITCHELL submitted amendments proposing to increase the appropriation for support and education of pupils at the Indian school, Salem, Oreg., from $91,830 to $100,000, and also to appropriate $30,000 for the construction of a new brick dormitory, intended to be proposed by him to the Indian appropriation bill; which were referred to the Committee on Indian Affairs, and ordered to be printed.

SENATORIAL INVESTIGATION.

Mr. PRITCHARD. Mr. President, it is my purpose to introduce a resolution, and before doing so I desire to have the Secretary read a letter from the junior Senator from South Carolina, which is self-explanatory.

The PRESIDENT pro tempore. If there be no objection, the letter will be read.

The Secretary read as follows:

UNITED STATES SENATE,
Washington, D. C., February 24, 1902.

Hon. J. C. PRITCHARD,
United States Senator, Washington, D. C.

MY DEAR SENATOR: I was prevented, as you know, from offering the resolution which I wrote at my desk on Saturday, demanding an investigation of the charges made by my colleague, by being adjudged in contempt of the Senate. I am now debarred the privilege, and request you to introduce the resolution, for the reason that if the charges are true I am unfit to remain a member of the Senate, and if they are untrue the man who made them is unfit to remain a member of this honorable body. In any event, I feel that I am entitled to a vindication by the same body that makes investigation in the proceedings for contempt. I herewith inclose the resolution.

Yours, very truly,

JOHN LOWNDES McLAURIN.

Mr. PRITCHARD. I offer the following resolution, and ask for its present consideration.

The resolution was read, as follows:

Whereas the senior Senator from the State of South Carolina charged in a speech on the floor of the Senate that the junior Senator from the same State had been improperly influenced in casting his vote for the ratification of the treaty of peace between the United States and Spain; and

Whereas the said charge was emphatically denied by the junior Senator: *Resolved*, That the Committee on Privileges and Elections be directed to investigate and report as to the truth of the said charges, with full power to send for persons and papers.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator rise to this resolution?

Mr. HALE. I rose to object, so that it will go over, unless it can be referred to the Committee on Privileges and Elections. I do not think the Senate should instruct the committee.

The PRESIDENT pro tempore. The Senator from Maine objects, and the resolution will go over under the rule.

Mr. HALE. I give notice that I shall move that it be referred to the Committee on Privileges and Elections.

Mr. HOAR. Let the Senator make the motion now.

Mr. HALE. Very well; I make that motion.

The PRESIDENT pro tempore. The Senator from Maine moves that the resolution be referred to the Committee on Privileges and Elections.

The motion was agreed to.

EMPLOYMENT OF STENOGRAPHER.

Mr. PROCTOR submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Agriculture and Forestry be, and is hereby, authorized to employ a stenographer to report hearings on bills coming before said committee, the expense thereof to be paid from the contingent fund of the Senate, and that the committee be authorized to have said hearings printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 219) for the relief of Mary Chambers, widow of Thomas Chambers; and

A bill (S. 1573) to authorize Commander James M. Miller, United States Navy; Surg. Oliver D. Norton, United States Navy, and Mr. Edwin V. Morgan, formerly secretary of the Samoan Commission and now secretary of the legation of the United States at Seoul, Korea, to accept presents tendered to them by His Majesty the Emperor of Germany.

PHILIPPINE TARIFF BILL.

The PRESIDENT pro tempore. The morning business is closed, and the Chair lays before the Senate the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes.

Mr. HOAR. Mr. President, I expect to vote for this bill unless it shall be pointed out in the debate that there is something in it other than what I have found there. It seems to be merely a provision by the power at present in control in the Philippine Islands for the regulation of imports into those islands, which, of course, some power must do, and for the regulation of imports from those islands into this country, which, of course, the legislative power in this country must do. I do not, therefore, find in the bill any violation of those principles of liberty and free government in regard to which my own opinion is unchanged.

But I can not vote for the amendment proposed by the minority, because that amendment in terms, if I understand it, gives the express sanction of law to some rules and regulations and enactments now in force in the Philippine Islands which to my mind seem utterly vicious and unjust. So I shall vote for the bill as at present advised, and vote against the amendment.

I did not mean to speak further on this question until the pending investigation had been concluded or had so far progressed as to bring out the case on both sides. There will be a bill for declaring a more permanent policy, by and by, to which such a discussion will be pertinent and on which that investigation will throw much light. So I should not have said a word but for the speech of my friend from Wisconsin [Mr. SPOONER], who I thought was in his seat when I rose to address the Senate. I would have preferred to have said what I had to say in his presence, and should not have risen at this time if he had not then been here. I think I ought to say a word or two about that.

Mr. SPOONER entered the Chamber.

Mr. HOAR. I will repeat what I just said, that I should not have said anything now, except to announce my purpose to vote for the bill and against the amendment, but for what has been said by my honorable friend from Wisconsin. The Senator chose his time for his earnest and protracted remarks very skillfully. It was at a time when the evidence of a gentleman entitled to great respect, and whose opinions are entitled to great weight, thoroughly committed to the policies which have been pursued in the Philippine Islands, had made his powerful statement; when the evidence on the other side had not been heard at all, and when the cross-examination of Mr. Commissioner Taft himself was incomplete.

That evidence, as far as it has gone, is not yet in print, or if it be in print this morning, it has not come to us in time for any purpose useful to this debate. We only get what the gentlemen who heard it tell us about it or what has been filtered through the press, which is generally favorable to that side.

And yet, Mr. President, there are two or three facts which stand out already which ought to be noticed now. One is that that gentleman has declared in substance—and, if he be correctly reported, in words—exactly what the chairman of the other great Commission sent there to represent the Government declared lately with so much emphasis, that it would have been better for our country if we had never gone there. What becomes of the traitorous men, who, thinking they were acting and had a right to act for the interest of the United States, at least as American legislators and American citizens, dared to oppose this policy when its great defender admits that all American considerations make it appear that we never should have gone there, and it has been to no advantage to the country?

We have spent hundreds of millions of treasure; we have sacrificed thousands of American lives; we have slain 100,000 Filipinos; we have given away all the old ideals of the country in the past. The human intellect for us, so far as righteousness and liberty are concerned, has changed masters, and yet it has been no advantage to this country, according to Mr. Taft, that we went there.

Now then, what is the advantage to the Filipinos? You have got a condition of things there, according to the same authority, where no party in the island wants your rule. The only party that submits to it is a party that submits to it on a condition which you all say you will never grant, and that is that they are to come into the Union as an American State. You have substituted hate for love; you have substituted despair for hope; you have substituted despotism for a republic. You have been no advantage to us, according to Mr. Taft himself, and you have not as yet got a single Filipino, as far we know, who is reconciled to your rule

as a colony or as a province, but only in the fallacious hope, which no man will stand on this floor and encourage, that they will come in as an American State.

But look a little more, as far as it has gone now, at the advantage to the Filipino of this thing which is of no advantage to us.

Mr. Taft gives an account of schools established, of children eager to learn, and of American teachers at work. All those are good things. But, Mr. President, Admiral Dewey sent through those islands just after we landed our army there two officers who, he says, have given the best account of things there, who give an account of orderly government, of an eager desire to learn on the part of those people quite as good as this. One of our consuls describes his landing in the Philippine Islands, and says that the people thronged to him, as an American, with expressions of love and gratitude, eager almost to kiss the hem of his garment.

What have you got? What have you got in Mr. Taft's report of an eager desire to learn on the part of those people, or a readiness to learn, which is a better story than what you had then? You have slain a hundred thousand of them. You have had your reconcentrado districts; you have had a little water torture, not much; and those islands are not so well off, except in the single fact that the schools they were then all ready to establish have been established, every one of them at the cost of the Filipino, not yours. That is all.

No, that is not all. You have, so far, slain more parents than you have children in school.

Now, Mr. President, what have you got for them and for you? Coming to the essence of the thing, you have no advantage for us and no substantial advantage for them. And what you have got you have got at the cost of thousands of American young lives, of hundreds of millions of treasure, of the sacrifice of every ideal of the Republic.

My friend says he loves the Declaration of Independence. He can not state a doctrine of the Declaration of Independence that he will get up in the Senate and stand by—not the right of a people to establish their own government; not the doctrine that all men are created equal; not the doctrine that governments rest on the consent of the governed. These three things constitute the whole of the Declaration of Independence. There is not one of those that my friend will now say he loves, although he thinks he loves the Declaration of Independence. But you have got for an example to mankind a government where there is no consent of the governed, a state where men are not created equal, a flag the symbol of absolute government, not of liberty; a flag which the water torture follows a little, but the Constitution does not follow at all; treason without an overt act and without a trial by jury; taxation without representation; election without free speech; printing without a free press, and schools where they can not teach liberty.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. FORAKER. Mr. President, I regret exceedingly that I was unable to get the floor until we passed under the fifteen-minute rule. I have this regret because a great many things have been said in the course of this debate to which I desire to make answer, or at least attempt to make answer. I shall hope that there will be an opportunity yet given to make the answer which I desire to make and to which I refer in that remark.

If such opportunity is presented, I think I shall be able to show, Mr. President, that the United States did not act unwisely in acquiring the Philippine Islands; that we not only acted wisely, but that we could not, under the circumstances, have acted otherwise than as we did act. I shall undertake to show, and I think I shall be able to do so, that from the hour we took possession of the Philippines until this time our work has been an uninterrupted success, instead of a miserable and dismal failure, such as it has been represented to be on the floor of this Chamber during the last two or three weeks. And I trust I shall be able to show, without any difficulty whatever, to the satisfaction of every unbiased and unprejudiced mind, that the American Army in the Philippines, officers and men alike, have been guilty of no unnecessary cruelty, no unnecessary harshness, certainly no barbarity such as has been depicted here; that, on the contrary, they have been the same gallant and heroic men the American Army, officers and men alike, have ever been wheresoever they have carried our flag to battle and to victory.

I shall undertake to show also, Mr. President, when I have opportunity to speak at length, that the civil commission, the Taft Commission, as it is called, has acted only wisely and judiciously, patriotically and efficiently, in all that it has done in the Philippine Islands. I shall undertake to show it has enacted no statutes that have not been called for and justified by the necessities of that situation, and that to-day, as the result of what has been done in the Philippine Islands since we took possession, we are in peaceful control of four-fifths of that archipelago, and soon, if we continue the policy we have been pursuing, we shall be in peaceable control of the whole of the archipelago.

But, Mr. President, as to all these subjects I must, as I have indicated, pass them by until I have opportunity to speak at length. Having only a few minutes at my disposal, I want to confine myself to a discussion of this bill upon its merit. The debate has been so extended and so exciting in some respects that I think I may safely say that pretty nearly everything suggested by a mention of the Philippines has received more consideration than the measure under consideration.

It is a bill to raise revenue, not for the benefit of the United States Government, but for the Philippine Islands, to sustain the civil government that we are establishing there. The bill approves and puts into continued force and operation the tariff schedules adopted for importations into the Philippine Islands by the Taft Commission, and it provides that upon all imports into the United States there shall be levied and collected 75 per cent of the full Dingley rates of tariff duties on all dutiable articles.

I have given notice that at the proper time I shall offer an amendment to strike out 75 per cent on importations from the Philippine Islands and insert 25 per cent. I want to indicate in the little time allowed me why I shall move that amendment.

In the first place, Mr. President, I shall make that proposition because the Philippine Islands are our own, and being our possessions they ought to be treated as nearly as circumstances will allow as we have treated other possessions belonging to the United States. All know how we have treated Porto Rico and Hawaii. Porto Rico and the Philippines came to us by the same title, by the same deed of cession. They sustain toward us in a legal sense precisely the same relation. We have given Porto Rico free trade, for a short time levying a small duty on certain articles of commerce between the two countries because there was a necessity for it to support the Porto Rican government. Now they have free trade with us, however, on everything.

I think we ought to approach as nearly as possible to free trade with us in levying tariff duties for the benefit of the Philippine Islands. I mean free trade between the United States and the Philippine Islands. I have looked into this matter somewhat and I have found, what I think every other man will find who examines the question, that there is no necessity for levying any duties upon importations from the Philippine Islands into the United States, except only to raise revenue for the Philippine Islands. There is no danger, in my judgment, to any protected industry of country, certainly not to tobacco or sugar or anything else that has received tariff protection under the Dingley statute.

Mr. President, I have not time to develop and elaborate it, but it is my opinion that there will be more revenue raised by collecting only one-fourth the Dingley rates than there will be if we undertake to collect three-fourths of the Dingley rates; for the simple reason that 75 per cent of the Dingley rates will prove practically prohibitory.

But aside from that there is another reason of greater force why I hope we will cut the duty down to 25 per cent, and that is the effect it will have upon the Filipinos themselves. We have heard a great deal in this Chamber during the last two or three weeks about the unsatisfactory feeling and disposition of that people toward the United States. I do not know to what extent all this is true. I think much that has been said has been an exaggeration, but it is undoubtedly true to some extent. To whatever extent it may be true, there is nothing we can do to help our authorities and representatives in the Philippine Islands so much in their effort to restore law and order and establish government as to create a feeling of kindliness and friendship on the part of that people toward us; and the best way to do that is to show that we have a feeling of kindliness and friendship toward them; that they are possessions of the United States, and that we propose to treat them as possessions of the United States.

Now, Mr. President, why is that? There is something more than sentiment about it. The sentiment itself might be sufficient, but there is more than sentiment about it. If we would have those people live satisfactorily under the government that we will establish, accepting it and abiding by it, we must make them satisfied with it. I do not care how good a government you establish, and I do not care how good a set of men you put there to discharge the duties of that government and operate the governmental machinery, there will be trouble unless the people themselves are satisfied with their domestic condition, and no people will be satisfied who do not have prosperity, and no people can have prosperity who do not have markets.

Therefore what we want to do is so to legislate as most efficiently to help the Filipinos, not only to have peace, law, and order, and protection for property, and liberty and life, but also to have an opportunity to develop their country. To accomplish this they must have an opportunity not only to reap, but also an opportunity to sell, and therefore I think we should let them into our markets upon the best possible terms we can afford to accord to them. Their prosperity is our prosperity.

Now, there is a reason why we should make the tariff at this end of the line as low as possible. We have been demanding the

open-door policy in the Far East. We have been demanding it as to China and Japan and all other countries. We want an opportunity to trade on equal terms with the six or eight hundred millions of people in the Orient. But we can not demand the open door as we have been demanding it and refuse it consistently as to the Philippines. But if we are to grant the open door as to the Philippines, then that means that every other country with its importations into the Philippines will go in there on precisely the same terms we go in upon. If we go in without tariff, every other country will go in free of duty. If we levy only half rates, we can collect only half rates from other countries.

The result is that if we would supply the civil government of the Philippine Archipelago with a sufficient revenue to support it we must, as the Taft Commission has already provided, levy and collect important tariff duties on importations there, and we must collect the same from ourselves that we collect from all other countries of the earth. In other words, we can not show favor beyond certain limitations to the Filipinos at that end of the line. The favor must be shown here; and if we show it here, we have no way to show it except only by reducing, as much as we can afford, the rates of duty which we impose and collect on their importations into this country.

For reasons of this character, which under the circumstances I have no time to elaborate or dwell upon or enforce by argument, I have offered this amendment. I have offered it from a sense of duty. I speak in support of it from the same prompting, and I sincerely hope that it may be adopted by the Senate. The bill I am most heartily in favor of in every other respect.

Now, Mr. President, if I have a moment left let me employ it to say that if there is anybody in the Senate of the United States or in the country who is estopped to complain of our policy in the Philippines or to criticise what has been done there it is the man who favored the annexation of the Philippine Islands, the man who favored the ratification of the treaty of peace with Spain under which we took the cession of title to the Philippines, and particularly, Mr. President, the man who favored the acquisition of the Philippines by the ratification of that treaty after the insurgents and our troops had come into hostile conflict on the 4th day of February, 1899. The treaty was ratified on February 6.

Senators have spoken here—I refer particularly to the Senator from Colorado [Mr. PATTERSON]—in criticism. He, I am sure, will admit that during all that period he advocated the ratification of that treaty; he advocated it after this conflict to which I have referred; he advocated it also, Mr. President, when he knew what the policy of the United States Government would be in the Philippine Islands, for he advocated it after the order issued by the President—which has been referred to here—to criticise it, dated the 21st day of December, 1898, in which the President outlined what our policy would be, and pointed out that it would be precisely what it has been; for President McKinley in that order announced that it would be our effort to enforce law and order, establish government, maintain, uphold, and enforce the American authority, using whatever of force and power might be necessary to that end. We have done nothing more than that.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. TURNER. Mr. President, I shall confine myself this morning to a few thoughts suggested by the speech of the Senator from Wisconsin [Mr. SPOONER] last Friday. That was a most eloquent speech, but I was surprised as it proceeded to see that the Senator had worked himself up into what appeared to me to be a fine frenzy, causing him to lose his usual fine sense of the relation of things and to take an exaggerated and almost grotesque view of his own position and of that of his political opponents. One listening to him would imagine that everybody on this side was engaged in a desperate attempt to blacken the fame of our Army, impeach the veracity of our officers, assail the honor of the nation and its flag, and to decry the virtue and the sanity of the American people.

I assure that Senator that neither he nor his side have a monopoly of admiration for the truth, the honor, the courage, and the humanity of the American soldier. The Senator is not singular or alone in love and reverence for the flag of the nation. There are others besides him and his side who have confidence in the sanity, the virtue, the integrity, and the magnanimity of the American people. If they have not felt called on to sing a continual and never-ending pæn in eulogy of the first and of the second, and have not felt called on to continually throw themselves incontinently at the heads of the third in paroxysms of delirious protestation, it has not been because they have not had as high a regard for them as has the Senator from Wisconsin; it has been because they did not care for the applause of the unthinking, and were careless of the meretricious aids to that end which the Senator from Wisconsin has not disdained to employ.

There is another thing which I wish to state to the Senator from Wisconsin—and I am sorry he is not in his seat—because it appears to be necessary, and that is that the Republican party is not the nation, and that it has long since ceased to stand, if it ever did stand, for those things which the flag of the nation symbolizes. It may be measured, therefore, like every other human instrumentality, and one may criticise its sins of omission and commission without subjecting himself to prosecution for treason or misprision of treason—unless he happens to be in the Philippine Islands.

I hope that the Senator in the course of time will come to recognize this fact and thereby be enabled to take a more just view of the position maintained by his political opponents. When he does so, he will not see insult, innuendo, and assault on the honor of the nation and the flag in every criticism, even in the most severe criticism, upon the Republican party and its leadership.

The Senator from Wisconsin is fond of discussing the question whether our officers promised the Filipinos independence as a return for their aid in the war with Spain, and he never fails, as he did not fail in this instance, to drive home to the public mind with great force the mean and contemptible attitude of those Americans who he assumes are willing to believe the testimony of the leaders of the Filipino insurrection upon this subject rather than that of American officers and American representatives. For one I have never undertaken to make, and have never made, an issue of veracity between American officers and American representatives on the one side and the leaders of the Philippine insurrection on the other concerning the promise of independence made to the Filipinos in return for their aid in the war with Spain, nor has anybody on this side done so in this debate.

That is an issue which the Senator from Wisconsin is fond of raising and discussing. I have, however, asserted on the testimony of American officers and American representatives alone that we sought the aid of the Filipinos in the war with Spain, knowing that in giving that aid they knew nothing of us and cared nothing for us, and that the only reason they could be expected to have for giving us their aid was that they hoped thereby to secure their own independence, and that no representative of this Government, from beginning to end, during all of their connection with us in that war, gave them to understand that after they had helped us to end the war we proposed to deny them their independence.

This assertion is so well supported that the Senator from Wisconsin, in his wildest bursts of eloquence, has not undertaken to deny it or to controvert it. I have asserted as a corollary of that proposition that to conclude a peace with Spain without giving our Filipino allies any voice therein, even the voice of remonstrance, and to take their country as a part of the spoil of war, and not only to deny them their independence, but to propose to hold them as vassals and subjects and not as citizens, was an act of perfidy and bad faith which had dishonored the nation.

The Senator from Wisconsin, of course, denies that proposition, but if the premise be correct—and neither he nor anybody else in this Chamber or anywhere else in this country, so far as I am informed, has ever undertaken to deny it—if the premise be correct, then I am willing to leave the validity of the conclusion which I have drawn to the intelligent and magnanimous judgment of the American people, and I have no more fear of that judgment than has the Senator from Wisconsin. I only beg that he will not befog that issue. The nation has been dishonored, but it has not dishonored itself. It can not do so until, with full knowledge of all the facts, it shall ratify and confirm the perfidy practiced by its agents in its name. It never has yet done so, and I have so much more confidence in the sanity and the virtue and the good judgment and the honor of the American people than has the Senator from Wisconsin that I do not believe it ever will do so.

The Senator from Wisconsin in his speech made an involuntary confession of the weakness of his cause by undertaking to bolster it up with the aid of a great name now passed into history, and in doing so he reiterated the charge, which he has made on a number of occasions, that President McKinley had been grossly and outrageously assailed on more than one occasion in this Chamber. I have no doubt that I was intended to be included in that charge. I confess to having freely criticised President McKinley's course during his lifetime. If that criticism ever passed just bounds and degenerated into an assault, I regret it now more than I have words to express. De mortuis nil nisi bonum. I make no war upon the dead. Neither do I use their bodies as a bulwark. And if in dealing with the living I have sometimes been censorious and fault-finding I beg that there may be set off against that fault the undoubted virtue which I believe I do possess and which others might well emulate, that I never fawn on any man, no matter how high, nor by sycophantic adulation seek to win his favor.

I say it is unjust to the dead and cowardly to the living to project the name of President McKinley into this discussion. Even if he were living—and no man regrets his tragic and untimely death more than I do—he would be entitled to the same immunity from responsibility for administrative acts as every other ruler of every other nation on earth. Rulers are not omniscient and all seeing; they are human and act upon advice, and, therefore, we attribute, and justly attribute, the faults and shortcomings of an administration, if there be any, to the advisers

who have caused the President to pursue the course which we criticise. They are responsible for that which has happened in the Philippines who pressed upon the President the course that has there been pursued, and who have since dinned into the ears of the American people, until they have almost been stunned and staggered, the false and blasphemous pretense that this nation was in those islands as the result of a trust devolved on us by Almighty God! They who have done that thing are the leaders of the Republican party, and they can not escape responsibility by calling on the name of any man or any men besides themselves either living or dead.

Why they have done it some of those leaders have not hesitated to confess. They have done it for the same reason that Cortez pursued a similar, but a more honorable and less perfidious course, in Mexico, for the same reason that Pizarro planted the standard of Spain in Peru. We know why Cortez and Pizarro did that. It was for love of gold and lust of dominion.

Men may babble about God, and prate about His mysterious ways in the effort to ease their own consciences and to lull the conscience of the nation; but this same God to whom they appeal has already written His verdict. No sham, no false pretense, no legerdemain of cheap rhetoric can reverse or avert it. When the awful day comes that that verdict shall be transmuted into judgment, woe be it unto the men who have had a hand in the chapter of avarice and greed written in the tears and the blood of the people of those far-off islands in the Pacific seas, as well as in the blood of our own young American manhood.

When I shall have retired from service in this body, Mr. President, the most pleasant and most honorable recollection of my service here that I shall carry with me will be the recollection that I have had no lot or part, from beginning to end, in this Philippine folly, either in pushing our country out upon its evil course or in preventing it, now that that evil has become apparent of all men, from rehabilitating itself in the eyes of God and man by retracting that evil course. I will have no lot or part in it now. I will not touch, taste, or handle the unclean thing. For that reason I decline to be drawn into the trap presented by the Senator from Ohio [Mr. FORAKER] in the amendment offered by him to reduce these duties to 25 per cent. We have no right, under our own institutions, we have no right, consistently with the principles of eternal justice, to make those people pay one solitary single red cent, and I will cast no vote which now or hereafter may indicate that I have ever held a contrary opinion.

Mr. MCCOMAS. Mr. President, I had desired to discuss this bill, and incidentally the substitute, on Saturday last, but I will postpone that discussion on my part until later. The agreement made as to this debate, however, leaves me but fifteen minutes in which to make a statement, which I think it is my duty to make, and while my colleague [Mr. WELLINGTON] is present I take the only opportunity which remains to make it.

My colleague has thrice stated that President McKinley gave him assurances which induced him to vote for the treaty of Paris, which assurances were not fulfilled. My colleague's statements vary somewhat from each other. I was present at the conversation my colleague had with the President concerning the treaty.

When my colleague deserted the Republican party——

Mr. WELLINGTON. Mr. President——

Mr. MCCOMAS. Which elected him, and went over to the Democracy; he made a speech at Cumberland, where Mr. Bryan took the Senator into the fold.

Mr. WELLINGTON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to his colleague?

Mr. MCCOMAS. If I have time later, I will yield.

Mr. WELLINGTON. I want to object to my colleague's words as to my desertion from the Republican party.

Mr. MCCOMAS. Then I will accept the objection.

My colleague's prepared speech was fully printed in the Baltimore Sun. From it I read these rather vague statements:

> A few days before the vote was taken I called upon him (the President), at his request, in company with a Senatorial colleague [meaning myself], and the question of the treaty was discussed at length.

Further, my colleague said:

> The conclusion then reached was that I would abstain from amending the treaty and that I would cast my vote for it. This was agreed, upon the assertion of the President that it was not his purpose permanently to acquire or hold against the consent of the inhabitants the Philippine Islands, that it was his purpose only to restore order by American arms in the contest then being waged, and to prevent foreign interference in the affairs of the archipelago. This was the understanding, and upon that promise I voted for the ratification of the treaty; without my vote it would not have been ratified. The treaty was ratified, but the promise of the President was not fulfilled.

This charge is absurd and is without foundation. Let me show the absurdity of the charge.

The Constitution makes a treaty part of the supreme law of the land, and the treaty of Paris in terms provides:

> That the civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

The commissioners who made the treaty and the President who transmitted it to Congress were familiar with our Constitution, which provides that—

> Congress shall have power to dispose of and to make all needful rules and regulations respecting the territory of the United States.

It is for Congress to say how we will govern the Philippines, which belong to us, if we do not cede them. It is not for the President, nor did he, as my colleague says, arrogate to himself that function in his talk with my colleague and myself.

On December 5, 1898, the President sent his annual message to Congress. This was sixty days before the ratification of the treaty. Of course my colleague had read before our visit this statement therein about the Philippines:

> I do not discuss at this time the government or the future of the new possessions which will come to us as the result of the war with Spain. Such discussion will be appropriate after the treaty of peace shall be ratified. In the meantime and until the Congress has legislated otherwise it will be my duty to continue the military governments which have existed since our occupation and give to the people security in life and property and encouragement under a just and beneficent rule.

Had the President in our interview claimed power to dispose of the Philippine territory, I am bound to believe my colleague would have reminded him that power was in Congress and not in the President and that the President in his annual message had admitted the sole power of Congress to permanently dispose of the Philippines when ceded by the treaty.

The treaty was ratified on February 6, 1899. Ten days thereafter the President made his notable speech in Boston. It was no doubt read by every Senator, including my colleague. If my colleague then believed the President had misled the Senator he should then have called attention to this speech of the President:

> The treaty has been ratified by the votes of more than two-thirds of the Senate. Spain is now eliminated from the problem. It remains to ask what we shall now do. I do not intrude upon the duties of Congress or seek to anticipate or forestall its action. Congress will have the power and I am sure the purpose to do what is right and just and humane for these people in distant seas. This whole subject is now with Congress, and Congress is the voice and conscience and the judgment of the American people. Upon their judgment and conscience can we not rely? I believe in them. I trust them. Until Congress shall direct otherwise it will be the duty of the Executive to possess and hold the Philippines, giving to the people thereof peace and order and beneficent government.

Surely my colleague read the part of the President's message of December 5, 1899, in which he said:

> The future government of the Philippines rests with the Congress of the United States. It does not seem advisable that I should recommend at this time a specific and final form of government for these islands. When peace shall be restored it will be the duty of Congress to construct a plan of government which shall establish and maintain freedom and order and peace in the Philippines. The insurrection is still existing. As long as the insurrection continues the military arm must necessarily be supreme. Until Congress shall have made known the formal expression of its will, I shall use the authority vested in me by the Constitution and the statutes to uphold the sovereignty of the United States in those distant islands as in all other places where our flag rightly floats.

Surely, I say, my colleague must recollect that statement of the President in his message of December 5, 1899. If he believed the President made a different statement to my colleague and myself, why did he not then make his charge against the President? These three statements of the President's purpose all agree with each other and disagree with my colleague's statement.

To my knowledge, neither in public speech nor in any conversation with me did my colleague ever complain that the President had pledged him in our interview that the Philippines should not be permanently held. It was impossible that the President could have made such a statement for the reasons I have given, and it appears impossible that my colleague could have been persuaded to believe any such statement made by a President, for I assume my colleague had read the Constitution and read the treaty and the two annual messages to Congress concerning the Philippines.

With full knowledge of all these statements of the President's purpose, clear, explicit, and constitutional, thereafter, in the early days of December, 1899, my colleague, as I am informed by General Agnus, called upon the President to assure him that he (the Senator) would loyally support the President's Administration. Gen. Felix Agnus, the editor of the Baltimore American, was with him, and asserts that my colleague assured the President of his support of the Administration nearly one year after the ratification of the treaty.

My colleague never made this absurd charge until in the midsummer of 1900, when he was about to go over to the Democracy in support of Mr. Bryan.

Mr. WELLINGTON. Mr. President——

Mr. MCCOMAS. I can not yield just now. I will try to yield if I have time. I will hurry on with what I have to say.

I have shown the absurdity of this charge. I say further there is no foundation for this charge, and I give the substance of the conversation which occurred when we visited the President.

In the first place, my colleague is in error when he states that we visited the President at his (the President's) request. We, by telephone, asked an interview with the President. He replied that he would receive us.

My colleague is again in error when he says the conclusion then was that he would abstain from amending the treaty. I can not say to what pending amendment my colleague refers, because no amendment was discussed in our twenty-minute conversation with the President. My colleague said he would vote for the treaty. Thereafter the burden of my colleague's talk was complaint of the Spanish war. He said nothing of its glories, but still considered it a calamity; and after the President had stated substantially what he said in my quotation from his Boston speech my colleague again assured the President he intended to vote for the treaty and to give the President loyal support in his Administration.

My colleague did say he was opposed to a Philippine State or Territory, the President replying, "You gentlemen are in Congress, and Congress will have the power to determine the future government of the islands." My colleague voluntarily assured the President that he would vote for the ratification of the treaty without any pledge or promise or representation from the President other than the general statement that the President, when the treaty was ratified, would go forward to enforce peace and order and exercise a temporary civil control until Congress should provide by legislation a government for the Philippine Islands.

This was, in substance, the whole conversation—nothing more, nothing less, nothing different. I regret that my colleague has forgotten the conversation, not only because it imputes to our martyr President forgetfulness of the Constitution and the treaty, but because it imputes to my colleague that he has forgotten the fundamental difference between the powers of the Executive and of Congress.

More than all that, I am profoundly sorry that my colleague in his place in the Senate, when that noble President is in his grave, mourned by all the world, mourned by the whole nation, and nowhere more deeply mourned than by all the people of the State we both represent, has repeated a statement which I have shown could not have been made by the President and was not made by the President.

The PRESIDENT pro tempore. The time of the Senator from Maryland has expired.

Mr. McCOMAS. My colleague is entirely mistaken in his statement of the conversation with President McKinley which occurred in my presence.

Mr. BERRY obtained the floor.

Mr. WELLINGTON. Will the Senator from Arkansas yield to me?

Mr. BERRY. I have only fifteen minutes. Otherwise I would. It would deprive me altogether of the right to speak, according to the arrangement.

Mr. WELLINGTON. I desire to say merely this——

The PRESIDENT pro tempore. The Chair has recognized the Senator from Arkansas.

Mr. BERRY. I will yield if it does not come out of my time.

Mr. WELLINGTON. I must reply to the statement of my colleague.

Mr. BERRY. But I can not yield if it is to come out of my time. But for the arrangement by which fifteen minutes only is to be given to a speaker I should be glad to yield to the Senator from Maryland. He will have an opportunity later.

Mr. President, a little more than three years ago, in December, 1898, the Republican party and the Republican administration had the choice between peace and war in the Philippines. It was a great responsibility thrown upon that party, and which they and they alone were to determine. It is due to the then President to say that he hesitated long before he determined what that policy should be. But having made that determination, and having issued a proclamation which brought about the war, the Republican party can not escape the responsibilities which come from it.

I understood the Senator from Wisconsin [Mr. SPOONER] to say the other day that Mr. Bryan and the Democratic Senators who voted in favor of the ratification of the treaty were responsible for the consequences which followed. I thought that an unkind statement, coming from the Senator from Wisconsin, because day after day in the discussion of the treaty the Senators upon the other side of the Chamber urged and pleaded with Senators on this side to vote for the treaty, and no men were more eloquent in their pleadings than the Senator from Ohio and the Senator from Wisconsin, and no men were more liberal in the promises they made as to what the President would do in giving this people their liberty. And yet, after having persuaded some of our friends over here to vote for the treaty, after having promised them, as the Senator from Ohio and the Senator from Wisconsin did, that these people should be made independent, then comes the Senator from Wisconsin and reproaches these men for having done what he urged them to do and which they did, relying upon his promises.

Mr. President, I was not one of them. I told the Senator from Wisconsin on this floor that I did not trust their promises, and therefore that no power on earth could make me vote for the ratification of the treaty. Therefore I say it was unkind and unjust to attempt to thrust the responsibility upon Senators who, misled by their promises, gave their votes in favor of the ratification of the treaty.

But it was before the treaty was ratified that this policy had been inaugurated. When that proclamation was issued by the President in which absolute sovereignty and dominion were proclaimed it was the proclamation of war. Those people had fought for hundreds of years for liberty and believed they had it almost within their grasp. They had aided us in the contest. They believed the long-deferred time had come; and when that proclamation was made, came a proclamation, too, after the treaty was signed, but before it was ratified, wherein absolute sovereignty and dominion were asserted, it was only a question of time when the conflict would come. When a people with arms in their hands, who had fought for three hundred years for liberty, with the belief that they had won it, were suddenly deprived of their hopes, it was the most natural thing on earth for the conflict to come.

But these Senators seek to shift the responsibility on Democratic Senators, and yet they say that their policy has been a success. It seems to me that if you really thought your policy had been a success you would not try to put the responsibility for it upon others.

We say it has been a miserable failure. You say it has been a success. That policy has already cost the Government of the United States $500,000,000, and no dollar has been returned. That policy has cost the lives of more than 10,000 of our soldiers and has sent 1,000 more to insane asylums. That policy has brought sorrow and pain and despair to thousands of American households. That policy has brought ruin and destruction upon a far-off people who never injured us, but who aided us in the war with Spain. You have burned their houses and desolated their homes. You have killed, as the Senator from Massachusetts says, a hundred thousand men and at least some of their women and children, and all of this has come from your policy which you say has been a success.

Not only that, but this policy has brought forth a Commission, clothed with arbitrary power, which has made it a crime for one of those people to breathe a hope for liberty; a Commission which has denied them the writ of habeas corpus, which has denied them the right of trial by jury, which has denied them the right of free speech. And yet you say that policy has been a success. What do you mean by success? In what way has it been beneficial to the American people?

All this has been done. Three years have rolled by and yet you dare not say to-day what is your ultimate purpose. You dare not stand upon this floor and assert that it is your purpose to admit the 10,000,000 Asiatics into the American Union with equal rights and equal privileges with the American citizens. There is not one man here who will say that he favors that policy. You dare not say that it is your intention for all time to come to govern them under the arbitrary and unconstitutional method now employed, and you have not the courage to say, "We made a mistake, we committed an error, and we will retrace our steps and yet do justice to these people."

Why should you not grant them independence? What reason can you give? We went to war with Spain for the sole purpose of freeing Cuba. Every man who testified before the Paris Commission, including Admiral Dewey and General Merritt, said these people were more competent for self-government than the Cubans. If we were willing to give money, if we were willing to give the lives of our soldiers to make the Cubans free and independent, can any just man tell me why we should not give it to the Filipinos, when it would not cost us one dollar or one life? No man yet has ever given a reason why in that proclamation we should not have offered them their ultimate freedom. If there had been one word or one sentence in the proclamation which promised them independence, even in the far-off future; if there had been one word that the executive department of this Government favored a policy of that kind; if there had been a single hope or a single light held out to them, there would have been no war. Do you not think it would have been better, do you not think it would have been more honorable, to give them that promise, and thereby save all the bloodshed that has followed? You can not shirk the responsibility, because you deliberately pursued that course.

Mr. President, I have no hope that anything I can say will induce you to retrace your steps. It is too late to right all the wrongs which have been committed. It is too late to bring back $500,000,000 which we have expended. It is too late to restore the lives of our 10,000 soldiers who have found graves in that far-off land. It is too late for that, but it is not too late to do justice. All seasons and all times ought to be a place for justice, and if you are to be true to the traditions of our Government, if you are to be true to all we have ever professed and all we have ever taught and all we have ever believed, if you are to relieve

this Government from the stain which has been put upon the fair name of the Republic by doing an injustice to these people, you yet can in a measure redeem what you have done. You may not erase the blot altogether, but you can obscure it, and you can thereby regain the confidence of the American people in the belief that this Government shall be what it was intended to be, that it shall still be the friend of liberty wherever it may be. You may yet, if you will, retrace your steps and tell these people that ultimately you intend to make them free. That will bring peace within thirty days. If you do that, while I say now it will not fully atone for the wrongs done, yet it will hold out to those in every land and in every clime the hope that the American Republic is still the friend of liberty and is still opposed to oppression, come from whatever source it may.

Mr. DOLLIVER. Mr. President, I have had a good deal of hesitation, amounting, I may say, almost to timidity, in taking any part at all in this controversy, and that feeling of timidity has increased rather than diminished as the debate has drawn toward a conclusion on account of the bewildering variety of talents which have been brought into action.

There are some questions, and I have all along felt that this is one of them, the proper solution of which requires the counsel and the good will of everybody. There are situations in which a country like this ought to present a united front, and in which contentions of a merely partisan character are not only damaging to the public interests, but injurious to the national prestige.

The questions presented in this bill, if I have got the meaning of it correctly, are comparatively simple. It is not a question of constitutional law. It is a question of practical public policy in our commercial relations with the Philippine Islands. The bill proposes to reenact the Taft Commission schedules in the dealings with these islands of the outside world, including ourselves, and it proposes to cut the Dingley rates 25 per cent in the dealings of the islands with us.

I have been informed that an amendment is pending proposing to enlarge the commercial opportunities of the islands in their dealings with us, and while I do not intend to set my own opinions against the judgment of the committee which has had this matter in charge, I can not forbear to confess here my conviction that the time will come when we will, in order to preserve a manageable situation in these islands, be required to establish conditions of trade comparatively free, so far as their dealings with us are concerned.

There is an incongruity which the world has not been slow to perceive in the policy of permanently protecting ourselves from our own possessions, especially those possessions which are so situated that they have to buy nearly everything they consume and export nearly everything they produce.

The other day I asked a Democratic friend on the other side of this Chamber how it happened that when this great opportunity arises for constructive legislation, for creative work in the affairs of our Government, we are treated to a six weeks' controversy on matters that are dead and gone, which passed out of the consideration of Congress more than two years ago. My friend replied that he and his colleagues were engaged in making a platform for the Democratic party. I suppose that may be taken at least as an explanation of the singular attitude of our affairs here to-day.

Now, that platform has already fallen down under the feet of the Democratic party. The Senator from Washington [Mr. TURNER] a moment ago said that this question had never before been presented to the American people. That is not my recollection about it. My memory about it is that it was presented to the American people two years ago, and under auspices at least as encouraging as surround it to-day.

It had the advocacy of the most famous Democrat living in the United States, the leader, and the tried leader of the Democratic party, a man who hardly yet 40 years of age, by the unaided force of his own genius and his own character, has made himself the well-beloved leader of millions of people in the United States; and it had also an alliance, more or less valuable, with the venerable Senator from Massachusetts [Mr. HOAR] and others scattered about sparsely over the United States.

At least that alliance held good while Congress was in session, though I am pleased to say that the moment that honored and indefatigable student of American history got home he made haste to say that the success of the Democratic party, while it might possibly save the Declaration of Independence, would probably cost the American people all their other worldly possessions.

It was presented on the part of our Democratic friends as well as it will ever be presented again, and with the encouragement and help of many people who before that time had only a languid interest in the Democratic party. It was submitted to the American people, and, in my humble opinion, it was disposed of finally as an issue in the politics of the United States.

I heard a Senator say the other day that a matter is never settled in this country by a mere count of heads and clack of tongues. That may be true, but it would be at least a valuable exercise for our Democratic brethren to inquire into the reasons why that propaganda in favor of human liberty under the patronage of the Democratic party failed to make headway in the United States two years ago.

I intend to point out, if my fifteen minutes last, some of the morbid aspects of this platform which in my judgment make it incurably defective and fatally objectionable to the country. I wish to point out in the first place that it disparages the Army of the United States. Now, I have heard several eulogies on the Army in this Chamber, followed almost instantly by the most vehement and most unaccountable slanders and libels ever uttered against a national army in the history of the world.

I have sat in this Chamber and heard the officers of the United States Army denounced for murdering prisoners and shooting down helpless men after they had surrendered. I have heard letters read and rumors set afloat here that the Army is an organized scheme of cruelty in the Philippine Islands. Of course, nobody pretends to believe such a thing, and I honor the distinguished Senator from Massachusetts for rising in his place on Saturday and calling a halt on the scattering of these wicked scandals against the good name of the Army of the United States.

I have read this literature both since this session of Congress began and before Congress met, and I say here that not a single syllable has been put on record which would be accepted in any court of justice. Every allegation is a hearsay, in most cases two or three times removed, and I have felt that the United States Army ought to be protected from a campaign of that sort. Our soldiers over there have had a hard task. They are on the other side of the world, in a land of strangers, far from their homes. They are doing their duty—officers and men alike—with fidelity and with heroism. Some of them have made themselves famous in the legends and traditions of the service. They have had enough to bear—burdens enough—without hearing a constant fusillade in the rear from so-called politicians in the United States.

I say to you that the American people will not tolerate a campaign of that sort very much longer. The patriotic sentiment of the nation everywhere is, always has been, and always will be, God bless the soldiers of the United States Army wherever they are encamped.

Again, this platform is fatally defective because it disparages the Government of the United States. Whatever has been done in the Philippine Islands has certainly been done in the light of day. I was interested as I listened a moment ago to the Senator from Washington trying to lighten the weight of the accusation made by the Senator from Wisconsin [Mr. SPOONER] that these bitter denunciations of the national policy fall, in reality, upon the late President of the United States.

How is it possible to attack with intemperate abuse our Philippine policy without desecrating the grave of William McKinley? My friend said he had great admiration for him, and in the same breath he denounced our proceedings in the Philippine Islands as an infamy, a perfidy, and a dishonor without a parallel in the annals of the United States.

We who have lived through these times know that no step has been taken without the counsel of William McKinley. We know, what the Senator from Washington does not seem to know, that the former President was not a weakling driven by the evil influence of others.

We know that in every step of this great transaction he himself gave to the policy of the United States the weight of his influence and the value of his public counsels; and it is not possible, whatever may be said on either side of this Chamber, to utter a railing accusation involving the character of the Government of the United States, filling the air with charges of perfidy and dishonor and tyranny, without covering with degradation and reproach the central figure in the progress of these times—the man whose name can not be separated from this epoch in the national life, and whose grave, yonder at Canton, has become a shrine for the pilgrimage of the human race in all ages.

Again this platform disparages the people of the United States. We sat in this Chamber, Saturday, and heard the American people described as a "set of asses." We sat in this Chamber and heard the American people derided as so besotted as not to be open to Democratic arguments; and I could not listen without feeling that this Democratic attack upon the national policy belittles the whole character and purpose of the American people.

They have entered upon the administration and management of far-off islands with doubts and uncertainties and misgivings. They have taken, step after step, many of them in the dark, but judging from what I know of the American people, and what I was able to find out from the last election returns, that they are walking steadfastly and calmly, aware of the difficulties and dangers that have surrounded us, and true to their national characteristics, they intend to go through with this work in the fear of God, even without the aid of the Democratic party.

This Democratic platform has this morning been paraded to confute those who still cherish the faith of our fathers in the Providential government of this world. I have inherited an old-fashioned belief that nations are subject to a guidance by powers somewhat higher than our poor human wisdom.

If I did not believe, I will say to the Senator from Washington, that there is a less fallible direction in our affairs; that there is a wisdom in the concerns of men somewhat more perfect than is found in the streets of Washington or Paris or London or Berlin, I would despair both of civil government and of human society itself; and I do not regard it, as the Senator from Washington seems to regard it, as an evidence of weakness in the character of the fallen President of the United States that in the midst of the darkness which has surrounded the American people as they have tried to deal with these difficult and complex questions, he more than once publicly avowed his dependence on the arm which is almighty and recognized with reverence our divine commission to stand in the arena of the world's great affairs, as the obedient servants of mankind. I am not ashamed of that philosophy.

If I read the history of the United States correctly, this platform is a disparagement of every stage in our national growth. Even these pleas in behalf of liberty, these citations more or less accurate from the Declaration of Independence, are not new. They have beset the footsteps of the great statesmen who have guided the enlargement of our frontiers in other generations.

For my part, I have no fear for human freedom, and I will say also that I have very little patience with a man on any side of this Chamber who thinks that the cause of civil liberty will stand a better chance under the proclamations of the military chieftains of the Malay tribes in the islands of the Pacific than it does under the flag of the American Republic. [Applause in the galleries.]

The PRESIDENT pro tempore. The occupants of the galleries must understand that under the rules of the Senate no marks of approval or disapproval are permitted, and if repeated the galleries will necessarily be cleared.

Mr. VEST. Mr. President, I desire to offer an amendment.

The PRESIDENT pro tempore. The Senator from Missouri offers an amendment, which will be read.

The SECRETARY. Add at the end of the bill the following as a new section:

SEC. 8. Nothing herein contained shall be held to mean that the United States intends to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to retain permanently said islands as an integral part of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of said States and the inhabitants of said islands.

Mr. VEST. Mr. President, this amendment is identical in its provisions with the McEnery resolution, which was adopted by the votes of Republican Senators in 1898, after the ratification of the Paris treaty.

It is not my purpose to enter into a discussion of the general question which has occupied the attention of the Senate for the past six weeks. I simply wish to emphasize the fact that the only successful attempt in either House of Congress to offer to the people of the Philippines local self-government and independence has come from the Republican party in this Chamber. If anything has been said in this debate more frequently than anything else, it is that while hostilities are going on in the Philippine Archipelago any suggestion of independence or self-government in the Philippine Islands is giving aid and comfort to the enemy, and we have been told that those of us who even dared to criticise in the slightest degree the conduct of the war after the ratification of the Paris treaty are perilously near to treason itself.

Now, Mr. President, I should like to know from any of my friends upon the other side if we are guilty of giving aid and comfort to the enemy by any of the remarks or amendments we have offered contemplating self-government and independence for the Filipinos, in what position have Republican Senators, embracing all the leaders in this Chamber, placed themselves by voting for the McEnery resolution in 1898? I repeat, that the only successful attempt to offer self-government and independence to the inhabitants of the Philippine Islands has come from the Republicans themselves, and they were the first to tender aid and comfort to men who had arms in their hands against the Government of the United States.

The McEnery resolution was adopted by a vote of 26 to 22 five days after the battle had been fought in front of the walls of Manila, where it was said 4,000 Filipinos were killed, wounded, and captured.

Mr. President, let me say for myself that, so far from desiring to give aid and comfort to the enemy resisting the authority of the United States, I deplore the existence of that war. Although I sympathize with every people upon the face of the earth struggling for self-government and independence, if my voice could reach the Filipinos to-day I would advise them to cease this hopeless struggle, which can only result in the loss of blood and the expenditure of treasure, and can not benefit the Filipinos themselves, and certainly not the people of the United States.

While I say this, I wish it to be distinctly understood that I will not cease to oppose, so long as I can, the unnecessary, cruel, and unconstitutional methods adopted by the Republican party in carrying on this war. I do not abdicate, while I deplore the existence of this strife in the Philippine Islands, the right as a Senator and citizen to declare that the Constitution of the United States is supreme, and that it can not be violated by members of Congress in either House unless they deliberately violate their oaths to support that instrument.

The greatest evil that can befall the people of the whole world is the destruction of free and constitutional government upon this continent. We are engaged in the great experiment of the people governing themselves; and if that experiment is a failure, a calamity greater than the destruction of all the islands of the ocean with all their inhabitants has fallen upon the human race and upon the cause of liberty and human rights.

Sir, I shall not indulge in any theological discussion such as we have just heard from the eloquent Senator from Iowa [Mr. DOLLIVER], nor will I apply offensively what was said once in the British Parliament that the last refuge of a hypocrite is religion. Whenever our mistakes and crimes and follies are placed at the door of Providence, we may be very certain that we can give no adequate and sufficient reason for conduct which all the world sees to be wrong and the effects of which we seek to evade by placing the responsibility upon a higher power.

Never, Mr. President, will I vote to place in the hands of any one man what has been given to the President of the United States by what is known as the Spooner enactment, placed in the Army appropriation bill of the Fifty-sixth Congress. I was astounded the other day, long as I have listened to amazing statements in this Chamber, when the senior Senator from Minnesota [Mr. NELSON] declared that the Spooner law, as I have said, in the Army appropriation bill, was framed after the Louisiana act of 1803 and that the Constitution gave to the President as great a power in itself, proprio vigore, as was conferred upon the Chief Executive by these two legislative enactments.

Mr. President, there is no more similitude between the Spooner law and the act of 1803 than between night and day, or fire and water, or truth and falsehood.

In 1803 the Congress of the United States passed an act giving to President Jefferson the right to fill all offices then existing in the Louisiana Territory and to preserve peace and order until Congress should see proper to apply a systematic code of laws to that newly acquired Territory. The Spooner bill creates an autocracy as unlimited as that of Russia or Turkey. It gives to the President of the United States, in so many words, the power to create offices in the Philippines, to appoint such officials as he pleases, and to give them such powers as he thinks necessary. It gives him the power of life and death, the power to take property without compensation, the destruction of all the rights which the Constitution of the United States gives to every human being beneath our flag. There can be no pretense that this enactment was intended for any other purpose than to make the President of the United States an autocrat without limitation upon his power in any regard.

More than that, Mr. President, this act does not apply alone to the Filipinos. It applies to every man, whether a citizen of a foreign country or of the United States, who for business or pleasure is found in the Philippine Islands. No citizen of this country is exempt from the unlimited power conferred by this act upon the Chief Executive of the United States.

I ask the other side where in the Constitution is found their right to confer any such power upon the Chief Executive. If there is one thing marked out in the Constitution more distinctly and emphatically than any other, it is the independence of the three great branches of the Government—the executive, the legislative, and the judicial. Yet by the Spooner enactment all the legislative powers and all of the judicial powers are conferred upon the Chief Executive and he can do as he pleases, when he pleases, and how he pleases, without regard to Congress or even the Supreme Court of the United States.

It was not enough that the President of the United States construed his power to mean that the bill of rights even did not obtain in the Philippine Islands unless he permitted it to be done, and therefore he instructed the first Commission which went to the islands that the bill of rights by his will and his pleasure should be effective in those far-distant islands.

The Spooner enactment goes further, and it declares emphatically that the Chief Executive can fill all offices, give all powers, suspend all laws and privileges as to every man, woman, and child within those islands.

Mr. President, I am not here to-day to indulge in any laudation

of the spirit of liberty which has heretofore actuated the American people, but I am compelled to say that commercialism has taken possession of this entire question. I am almost afraid, after the philippic of the Senator from Iowa [Mr. DOLLIVER], to mention the Declaration of Independence and Washington's Farewell Address. We read them from force of habit, but who pays any attention to them practically in our legislation here in Congress?

Professor Schurman told us in his eloquent address that the people of the United States desire to give the Filipinos independence and that we are governed by the great law of "do unto our neighbor as we would have him do unto us."

Mr. President, if the vote were taken to-morrow, with the promise of higher prices and increased commercial activity, it would be more than doubtful whether any single State in this Union would vote to withdraw the troops of the United States now from the Philippine Islands. The golden rule has had a new interpretation, the interpretation of David Harum, not to do unto others as you would they should do unto you, but "do unto others as you believe they would do unto you, and do it quick." [Laughter.]

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. ELKINS. Mr. President, the discussion of the bill under consideration, "to provide temporary revenue for the Philippine Islands," has taken a wide range. The policy of the United States in holding the islands and the methods thus far adopted for their government, putting down the rebellion against our authority, establishing civil government by the Taft Commission, the acts and doings of the civil and military officers, and the general policy of the Administration in regard to these islands have not only been opposed, but at times most bitterly assailed. Nothing done by the Government in the Philippines seems to have satisfied the minority; some are even opposed to subduing the rebellion; others sympathize with the Filipinos in their opposition to our flag and our laws.

The dominant party in Congress is substantially united in all the Government has done or is trying to do in the Philippines, while there is no unanimity in the views of the minority. In respect to these and other great public questions the minority is agreed only on one point—opposition to almost everything proposed by the dominant party. Some of the minority favor giving up the Philippines, "the scuttle policy," some favor holding them under a protectorate, some having them made independent and allowing the Filipinos to govern themselves, and others favor withdrawing the Army.

PHILIPPINES TERRITORY OF THE UNITED STATES.

The Philippine Archipelago belongs to and is territory of the United States. Article 3 of the treaty with Spain says:

> Spain cedes to the United States the archipelago known as the Philippine Islands. * * * The United States will pay Spain the sum of $20,000,000 within three months after the exchange of ratifications of the present treaty.

This article clearly ceded the right of sovereignty, jurisdiction, and ownership of the Philippine Archipelago to the United States, to which Spain had an undisputed title for three hundred years.

The treaty was ratified by the Senate, Democrats voting for the same under the advice of their Presidential candidate at that time, William Jennings Bryan.

But the Supreme Court of the United States has put the question at rest by declaring that the Philippine Islands are part of and territory of the United States.

In the case of "The Diamond Rings," decided October term, 1901, the court uses this language:

> By the third article of the treaty Spain ceded to the United States "the archipelago known as the Philippine Islands," and the United States agreed to pay to Spain the sum of $20,000,000 within three months. The treaty was ratified; Congress appropriated the money; the ratification was proclaimed. The treaty-making power, the executive power, the legislative power concurred in the completion of the transaction.
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> The Philippines thereby ceased, in the language of the treaty, "to be Spanish." Ceasing to be Spanish, they ceased to be foreign country. They came under the *complete and absolute* sovereignty and dominion of the United States, *and so became territory of the United States* over which civil government *could be established*. The result was the same although there was no stipulation that the native inhabitants should be incorporated into the body politic, and none securing to them the right to choose their nationality. Their allegiance became due to the United States and they became entitled to its protection.

CONGRESS HAS THE RIGHT TO GOVERN THE ISLANDS.

Being territory of the United States, Congress has the right, and it is its duty under the Constitution, to govern the Philippine Islands as it may see fit. Section 3 of Article IV of the Constitution says:

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

The treaty and decision of the Supreme Court make the Philippine Islands territory of the United States and settle the question of sovereignty and ownership. The Constitution settles the question how territory of the United States shall be governed by conferring this power on Congress. Unless Congress can govern these islands there is no other authority or power under our Constitution that can; they are in the charge and keeping of Congress, and Congress must meet this responsibility whether the Filipinos or their sympathizers are pleased or not. The Filipinos, according to the decision of the Supreme Court, owe the United States allegiance and the United States owe them protection and good government. The Republican party will see that both debts are discharged.

The Democratic party favored the war with Spain, which gave us the Philippine Archipelago, helped to ratify the treaty, but seemingly wish now to avoid the results of the war and carrying out the obligations of a treaty which could not have been ratified except with their aid.

The United States can not surrender its jurisdiction and sovereignty over the Philippine Islands. No nation ever gave up territory ceded by treaty following a war, especially where a large consideration was paid, as set forth in the treaty; it is unnatural for a nation to give up territory acquired in this way. An individual rarely parts with real estate for nothing, if it can be helped, and a nation never with its territory unless obliged to do so.

QUESTION DIFFICULT, BUT MUST BE MET.

Difficult and serious questions arise in considering what is best to be done with the Philippine Islands and how to govern them. Questions of this kind, however, are not new to the people of the United States. They were raised when Florida was acquired from Spain in 1815, and more seriously following the treaty with France in 1803, which gave us the Louisiana purchase, and were raised following the treaty of Guadalupe Hidalgo in 1848, by which New Mexico, Colorado, California, and Arizona were ceded to the United States by Mexico.

In the case of the Louisiana Purchase, stretching from the Gulf of Mexico to British Columbia and Oregon, now covering 12 States, with a population in 1890 of 11,232,439 freemen, with an area of 875,025 square miles, being seven times larger than the Philippine Archipelago, there was at the time of its acquisition relatively only a handful of people capable of self-government in all this vast territory. There were a few half-civilized Indians, and the balance were savages, numbering about 200,000. The conditions were about the same in the territory ceded by Mexico in 1848, except there came to us under this cession a foreign people who did not speak our language and knew as little of our institutions as the Filipinos, and in many respects resembled the civilized Filipinos.

When the Louisiana purchase was made, doubt was expressed as to the power of the Government to make it part of the United States and whether it was constitutional. Even Mr. Jefferson doubted the constitutionality of acquiring the territory and making it into States. There were all sorts of questions raised as to what disposition to make of this territory, how to govern it, just as are raised now in the case of the Philippines. The territory acquired from France and from Mexico were then much farther from the East and from Washington than are the Philippines now.

In 1867 we acquired, under a treaty with Russia, the Territory of Alaska, with an area of 577,393 square miles, and a population nine-tenths of which was Indians and the balance Russians. These three large accessions to the territory of the United States furnish precedents as to what may be done in the case of the Philippines, especially in the Louisiana purchase and the territory ceded by Mexico under the treaty of Guadalupe Hidalgo. In the case of the Louisiana purchase the Government proceeded, without considering the question of the consent of the governed, to organize for the civilized inhabitants a Territorial form of government; and as to the semicivilized and savage portion of the inhabitants, they have since 1803 almost continuously until within the last twenty years been in open hostility to the United States, and we have maintained an army to keep them in subjection, and now they are living at peace and learning the arts of civilization after all these years of hostility. What was done in this case can and will be done in the Philippines. We had the same experience in the territory ceded to the United States by Mexico, with about the same results.

GIVE THE CIVILIZED A TERRITORIAL FORM OF GOVERNMENT.

It is claimed that in the city of Manila, with 300,000 inhabitants, there are cultivated, educated, and refined people, as well as in portions of the other islands, for which a Territorial form of government is well suited. First of all we must put an end to the war, stop the rebellion, compel respect for the flag and sovereignty of the United States, and obedience to its laws; then give these civilized inhabitants just such form of Territorial government as is proper and best suited for them and their needs.

The form of Territorial government for the civilized portion of the Philippines might be varied according to the exigencies of

the case. It might be somewhat different from that adopted for our other Territories, but fashioned after the same. Treat the savages as we have treated our savage Indians. We have dealt with semicivilized people and savages for one hundred years, and there is no reason why we should not deal with the savages in the Philippines as we have done with our savage Indians from the beginning of the Government.

Take the case of Alaska. Congress governs it without even a Territorial form of government; it has established a court, some ports of entry, and appointed a marshal. The code for the government of Alaska was adopted by Congress, every Democrat in the Senate voting for it; it made laws for the people of Alaska upon every possible subject, provided methods of taxation on all business, going so far in section 460 of the code as to specify the license tax upon saloons, boarding houses, hotels, banks, billiard rooms, brokers, bowling alleys, cigar stores, meat markets, peddlers, and nearly every other kind or sort of business, and not one word was said about the consent of the governed or the power of Congress to make these laws and impose these taxes.

The people of Alaska had no part in making these laws—none whatever—were never consulted. Why should the Filipinos fare better than the people of Alaska or the people that came to us under the Louisiana purchase? The only difference is, the people of Alaska, after the cession, did not instantly engage in rebellion against our flag and authority, but became peaceable and law-abiding citizens. It is possible, however, had they organized a rebellion against the Government they would have had more active sympathizers in the United States against governing them and taxing them without their consent, but they did not get up a rebellion and therefore are not entitled to consideration at the hands of the minority.

CONSENT OF THE GOVERNED HAS NEVER BEEN ASKED IN THE TERRITORIES.

The consent of the governed was not asked in Alaska nor in the territory ceded by France and by Mexico. In all this national experience, covering not only vast territory with sparsely settled peoples, savages and semicivilized, Congress never asked the consent of the governed, but went on under the Constitution to provide such needful rules and regulations from time to time as it deemed best.

From the beginning Congress has at all times and everywhere compelled respect for the flag and obedience to its laws. It must follow the same course in the Philippines. Those who are civilized, worthy, and deserving, and who can appreciate it, should have a territorial form of government; those who can not should be governed and controlled as the Indians have been.

There is no other method or rule to be adopted in the case of the Philippine Islands than the one we have adopted and followed in dealing with acquired territory and the inhabitants thereof for a hundred years. Congress can not shrink from the task because there are difficulties in the way; it never has and never will. It can not give up these islands to the inhabitants nor to any foreign power; this is impracticable and impossible; and, considering our growing commerce and interests in the Orient, to become larger and more important as years go by, our relations to other countries, and our treaty obligations, we should not give them up even if we could do so justly and honorably. Much has been said in this debate about the sedition laws passed by the Taft Commission. These laws do not differ materially from the laws of West Virginia on this subject. If my constituents can stand them, I think the Filipinos can and should.

I have not the least doubt but that these islands will prove of great benefit to the United States in many ways in establishing and increasing our trade and business in the Orient, and in the end will be helpful to the people of the islands in uplifting them, giving them what they have never enjoyed—protection to life, liberty, and prosperity and the blessings of free government. I know this may be called commercialism, but whenever we can honorably extend our trade and commerce in any part of the world we should do it, and more particularly when we can by simply discharging our duty to people who have come to us by the fortunes of war and for whom we are responsible.

We can not bind the people and future Congresses by what we may do now in the way of promises as to giving the Filipinos statehood or absolute independence or establishing a protectorate over them. The most we can hope to accomplish is to end the rebellion in the islands, establish law, peace, and order, and give the civilized people such form of government as best suits their necessities, going forward doing our whole duty as we see it with the lights before us, leaving the rest to those who come after us.

The Republican party only insists upon carrying out the unbroken policies of the Government in respect to governing the people in acquired territory for a hundred years, having always dealt justly and fairly with them. It will insist at all times on subduing rebellion wherever it exists and upholding the flag wherever it floats on land or sea. It never had and never will submit to or even temporize with organized rebellion against the sovereignty of the United States.

CONDITIONS IN THE LOUISIANA PURCHASE THE SAME.

The conditions are not widely different from those in the territory that came to us by the Louisiana purchase, and particularly in the territory ceded by Mexico. The people that came to us by the cession from Mexico did not speak the English language, they were foreign to us, not accustomed to our institutions, and did not understand our laws. In the case of the Louisiana purchase the people complained of tyranny and oppression, protested, and said they were unjustly treated, but Congress under the Constitution did its plain duty. It made needful rules and regulations respecting this territory and its inhabitents.

Nearly every argument now put forth by the minority was then urged, but met, and the country moved forward. We are familiar with what has followed. There were doubts in the minds of the leading men in and out of Congress as to the power of the Government to create Territories with the view of making them States of the Union, but the difficulties were overcome and the apprehension, doubts, and fears disappeared. Ample authority was found in the Constitution to do what was done, and there is ample authority under the Constitution for what is being done now in the Philippines.

ISLANDS WILL PROVE BENEFICIAL TO THE UNITED STATES AND THE FILIPINOS.

The outcome of our efforts will be, under our beneficent Government, that the Filipinos in time will prosper, become law abiding, happy, and contented, enjoying the blessings of liberty and free government, which they have never known before. Let our Government put forth nearly a hundred years of efforts in the Philippines, as it has in the territory acquired by the Louisiana purchase; give it the same time and opportunity it has had in the territory acquired from Mexico under the treaty of Guadalupe Hidalgo, and I predict the results will be equally gratifying, and no Democrat in or out of Congress, in the Philippines or elsewhere, will be found to complain. Nations do not live for a day or a century, but for thousands of years, and they take time to work out great problems and difficult questions.

The day will come when we will have a population of twenty or thirty millions of prosperous, contented, law-abiding, free citizens in the Philippines enjoying the protection of our flag and the blessings of free government. Let us hope the United States will do better in the Philippines than the Dutch have done in Java and Sumatra, both prosperous islands with contented people. I believe we can govern people in far-off islands and in the Tropics better than European countries or monarchies, giving them better opportunities and better government. To say it could do less would be to admit for certain purposes the great Republic is a failure.

The bill before the Senate is simply to provide temporary revenue and in every way in the interest of the people of the Philippine Islands, and should pass.

Mr. CULBERSON. Mr. President, in the limited time allowed for debate under the present order of business it is obvious to all that only general principles can be considered. The position of the Democratic party, as I understand it, on this question rests upon two general principles—one, that during the temporary occupation of the Philippine Islands which we propose trade between them and the United States shall be free, and that upon the establishment of a stable government there they shall be independent. All else is mere nonessential detail, and upon these two general propositions we appeal to the judgment and conscience of the American people.

Mr. President, that under the circumstances our commercial relations with the Philippines should be free is dictated alike by our honor and their industrial interests. When we succeeded to the sovereignty of the Philippine Archipelago, assisted by the allied insurgents then in revolt, it already enjoyed free trade with Spain, which gave it an open and reciprocal market for its products with 18,000,000 people. Notwithstanding this, notwithstanding our obligations to those allies and the clearly implied promises of our military officers previous to the land assault at Manila, it is proposed by the majority to erect a tariff barrier around them, applicable to us and to all other nations, a barrier which will repress their trade, stifle their commercial development, and make of them industrial bondsmen. The minority protest against this as an act of national ingratitude and injustice. Instead of this we propose a compliance with our implied obligations, the freedom of trade as respects the mother country, accorded to their dependencies by the most successful colonizing nations, and the consequent individual prosperity and industrial development which such a policy will bring.

To add to the oppressive and faithless character of the course of the majority it is without the shadow of excuse, for the duties to be imposed on trade between the islands and the United States are wholly unnecessary in an economical yet progressive administration of Philippine affairs.

But, sir, the purpose in imposing those taxes is plain. Though

the inhabitants of those islands are already impoverished and in want, the glamour of conquest must be maintained and great salaries must be provided to tempt men of character and enterprise to become their rulers and the apologists of empire. The treasury of the insular government, already the most extravagant under like conditions in the world, must be kept filled to serve the spirit and the purpose of exploitation.

But back of this, more potent, perhaps, than all else, stand the avarice and greed of American trusts and monopolies, at whose instance the Republican party puts on and off its policies as a lackey changes his livery at his master's command. So far has this subserviency already gone that the protected interests through class legislation now not only reap unconscionable profits at home, but in many instances sell cheaper to foreigners than to their own countrymen. It is sad enough and humiliating enough, Mr. President, that the American people, drunk with temporary and subsidized prosperity and unmindful of their danger, shall be within the grasp of these combinations; but to deliver to them an alien, poor, and defenseless people approaches governmental infamy.

Not content with this condition of industrial servitude, the Republican party proposes indefinite political dependency and subjugation for the Filipino. Admitting, Mr. President, as all must do, our sovereignty there under international law, at the bar of conscience and in the great forum of public opinion the question of final retention of that sovereignty must be met and determined by the United States. Whether it was wise or unwise to accept that sovereignty in the beginning, whether we did it under the idea of finality, as some believe, or with a view of ultimately disposing of it, as others think, in my judgment we ought to relinquish it now, both because of the circumstances under which we acquired it and because it is inexpedient and unwise to retain it.

Whatever appeals may be made to our pride as a people, whatever specious and subtle argument may be offered to the contrary, whatever narrow denial may be entered of promises made, yet the material facts are that the Filipinos had long been in revolt against Spain, they had practically achieved their freedom before our forces landed on the islands, and at our instances they became our allies with the understanding on their part, which our officers did not until long afterwards controvert, that success would result in their independence.

Having sought and accepted their aid in battle, Mr. President, upon such conditions as these, to deny them the share in the allied victory which they expected and had a right to expect would be an act of perfidy unparalleled in the history of free and Christian people, and would leave an ineffaceable stain upon the character of the Republic.

But, Mr. President, aside from the question of honor involved, aside from the moral principle at issue, whether regarded from a commercial or political view, the sovereignty of the Philippines ought not to be retained. All the world knows the vast sums we are spending there, and unless history shall be reversed they will always be a care and a burden to us. After centuries of experience, after the enormous waste of blood and treasure to improve their systems of government, there is not an Asiatic colony to-day which is self-sustaining. If all the trade of the Philippines which will come to us because of our sovereignty is placed against the cost of wars and armies and navies their retention will involve, or if it could be weighed in the balance with the precious lives that will be sacrificed, we would turn from it as profitless and as unworthy of our mission as a people.

In a still more sordid sense this trade is valueless in comparison with its cost, for the Asiatics do not use or need or purchase American or European products except to a very limited degree. In the Anglo-Saxon colonies, with a population of 17,000,000, in 1897 the imports amounted to $460,000,000, while the 730,000,000 of Hindoo and Mongolian inhabitants only imported that year $530,000,000.

When we turn from budgets and trade, countless obstacles arise to political union with the Filipinos; but alienage of race and civilization and the mortal wound which it would inflict upon our free institutions suffice for me. For myself, whatever others may think, above trade, above the dream of colonial possessions, above fleets and armies and martial glory, however enrapturing, give me our race undefiled, our civilization untarnished, and our institutions uncorrupted by oppression and the lust for power.

Mr. LODGE. Mr. President, at the proper time I shall move to amend this bill by adding a new section providing for an appeal to the general Board of Appraisers on questions of valuation and classification of Philippine products.

I shall also move to amend the clause in regard to foreign tonnage by inserting the date July 1, 1904, for the application of the coastwise laws; and, so far as I am concerned, I shall accept the amendment offered by my colleague [Mr. HOAR] relating to the necessity of two witnesses in all cases of treason.

All the other amendments, Mr. President, I hope the Senate will vote down, and especially all large and general amendments relating to policy and sentiment, which I think have no place upon this tariff bill.

Mr. President, when this debate opened I discussed for an hour the merits of this bill and the purposes of its provisions. I have been led to believe since then that that speech in regard to the bill before the Senate was the only wholly irrelevant speech made. [Laughter.] The debate which followed began with the American Revolution, which lasted two days; then, by an easy transition, it passed to the character of a United States judge in Alaska; thence it returned to our entire conduct of the Philippine affairs from the time of the treaty of peace, and during that discussion, Mr. President, so much acrimony has arisen that we were finally witnesses to an incident on Saturday which I think we all deeply deplore. But, Mr. President, that was not a momentary incident. It grew out of the general character of the Philippine debate. In that debate, Mr. President, the ordinary decencies and proprieties of public discussion which have always characterized the United States Senate hitherto have all been rudely brushed aside; interruptions have increased in frequency until they have become mere disorder, and language of the most unseemly character has been freely used. The time has come, Mr. President, in my judgment, when it is the first duty of the United States Senate to restore the character of its debates by a rigid enforcement of its rules, and by more stringent rules, if necessary, to the high plane which has always caused them to be held in honor by the people of the United States.

Mr. President, it seems to me that it is possible to discuss this question in the Senate of the United States without calling one side traitors and the other side hypocrites and cowards. It seems to me that it is possible to debate this question of the Philippines without throwing every kind of slander upon the officers of the Army of the United States and without applying to them abusive epithets.

It also seems to me, Mr. President, that the time has come when, in the Senate of the United States, the Presidents of the United States, who, after all, are the heads of the nation, should have at least the respect which we accord to a debate in the House of Representatives.

Within the week, Mr. President, I have heard our dead President, honored above all men for his patriotism, his ability, and his generosity of soul, accused on this floor of deceiving one Senator deliberately and of bribing another Senator. I have heard him portrayed as a bloody tyrant, eager to cast down the Filipinos into ruin and oppression. I think, Mr. President, that debates of that character and aspersions of that nature should stop, and stop now.

In the few minutes which remain to me I do not desire to bring conflicting witnesses here; I do not want to reconcile one story with another; still less do I wish to discuss the foul anonymous charges which have found their way into this Chamber—charges emanating for the most part from busybodies outside, who can find no way to advertise their own virtues but by charging vice and crime upon all their fellow-beings.

Mr. President, I want simply to summon as witnesses in the few minutes that I have facts which can not be impugned. We went into the Philippine Islands three years ago; it is three years since we ratified the treaty of peace. War was then flagrant through all the Christian Filipino provinces. To-day there are 34 of the Filipino provinces with organized civil governments, withdrawn from military control. There are two Filipino provinces, Infanta and Principe, which are sparsely populated and on the eastern coast of Luzon which have not yet been organized, but which are at peace; there are four, Batangas, Laguna, Tayabas, and Samar, where there is still a smouldering insurrection fast sinking away into quiet.

We have brought peace to those islands. We have organized civil government in 34 provinces. The 9 provinces that are occupied by wild tribes and by Moros are at peace and have always been so. There is less brigandage there to-day than at any time under Spanish rule.

More than that, Mr. President, those organized civil governments have reelected their governors and municipal officers within the month under popular elections peaceably held. Governor Taft, unattended and practically alone, rode into the center of Luzon within a few months before he left and no man's hand was lifted against him.

We have put into those islands and scattered through the provinces outside of Manila 835 American school-teachers; they are in 445 towns, and in 200 of these towns there is no American garrison, and only one school-teacher has been molested in any part of those islands.

These are proofs of peace and quiet not to be refuted or sneered down, and the greatest proof of all, one that can not be denied, a witness whose honesty can not be assailed, as I have heard every other witness, no matter how honorable, attacked on this

floor if his testimony did not coincide with the preconceived notions of the opposition—here, I say, is a witness that can not be impugned. A year ago we had 71,000 troops in the Philippines, to-day we have 41,000, and when the present orders of the War Department are carried out there will be only 26,000 troops left in the islands. There is a witness to the pacification that is going on and to the reduction of expenses which can not be overturned or set aside.

We have given the Filipinos schools. One Senator said it is oppression to teach them English, and I believe the editor of the Commoner says it is oppression to give them any education at all. So be it. I think the education we are giving them is a great and noble gift. We have given them efficient courts and quick justice. Mr. President, to go into a Spanish court, under the old rule, was a denial of justice; suits lingered, and lasted for twenty years. Now there is prompt justice. There were 90 prisoners in the Bilibid prison who had languished there for years, not knowing even the charge against them—men who had never been tried. They have all been released under the habeas corpus, which to-day in every organized province is a writ of right. We have brought them all these things, Mr. President—peace, justice, education. We have given to those people schools, habeas corpus, prompt courts, and a new code of legal procedure, and have started them on the road to civil government; and I say that the American people, sensible and wise, will know as they read that record that the three years have not been wasted and that every step has been in accordance with the wise and kindly policy of the President who is dead, carried out by his brave and patriotic successor who now holds his place.

Mr. President, we propose to go on and give these people more and help them further. In a bill which must pass before we adjourn we take back the lands of the friars, whose ownership is the greatest grievance those people have ever had, and return them to the natives. We give them all titles to their homesteads, which they have never had before; we give them a chance to work their forests, to open their mines, and, at the same time, an opportunity to American enterprise to build railroads and to develop the islands. We will settle the coinage and establish banks. We will go on in this path, and when Senators on the other side want us to utter vague promises of self-government, I say we are giving them self-government now, which is better than any promise. We are leading them in this way along the only road which can ever conduct them to independence, something that fine language and high-sounding resolutions can never do.

Mr. President, I do not underrate the commercial importance of the Philippines. I have never disguised my opinion of their value; but I say what took us there and what keeps us there, and the only valid reason for our expenditure of life and treasure, is our high duty, our clear responsibility, to those people, to ourselves, and to the world. We are not prepared to say now whether we will make them a State or give them independence under a protectorate, or absolute independence, or make them a self-governing colony like Canada or Australia, or whether we will hold them as a dependency. The time has not yet come for that. An attempt to settle the unknown future now would be dangerous to us and cruel to them. That is the question of another generation.

When the Senator from Arkansas [Mr. BERRY] tells us what we dare not do, I will tell him what we dare to do, and that is to reject, while we are responsible for the Government, what the minority advises, and do what we conceive to be our duty as the party in control of all departments of the Government.

Here hard by our doors lies the island of Haiti. We have stood across the path; we said, as we were bound to say to all the nations of the earth under the Monroe doctrine, into that island you shall not come. The responsibility we would not allow to others we have cast aside ourselves, and those people calling themselves a republic—a mockery of the name—those people who are said to have self-government—the bitterest irony ever spoken—are sinking back into savagery, into fetchism and degradation. Within a week a traveler has told me that he has seen human flesh exposed for sale in the shops of that island. I say when self-government, so called, comes to that and results in barbarous misgovernment, and we have the opportunity and the duty and the power to prevent it, we are derelict to humanity if we fail. I do not want to see a repetition of Haiti in the Philippines in any degree or in any measure. It would be an eternal stain on the fair fame of the United States and upon our courage and honor as civilized men.

I believe if we withdraw from the Philippine Islands now it will mean blooodshed, anarchy, ruin, and the division of the islands among other powers less beneficent, less pitiful, less generous than ours. If we stay and go on as we are going on I believe we shall raise the Philippine people to self-government and put them in a position where they themselves can say intelligently what relations they wish to bear to us. When that day comes, and not before, it will be for them and for our successors here to determine that great question.

Mr. DUBOIS. Mr. President, I shall cheerfully give my support to the substitute offered by the minority of the Committee on the Philippines and shall vote against the bill of the majority. Holding, as I do, that when the treaty of peace was ratified by the Senate this archipelago became a part of the United States, it is impossible for me to discriminate against them in the imposition of taxes. My interpretation of the Constitution is that we can not tax them with discrimination so long as they are a part of this country. Therefore I can not vote for the amendment offered by the distinguished Senators from Ohio and Oregon. There is no difference, in my opinion, between a 75 per cent reduction and a 25 per cent reduction. There is no difference between a reduction of 98 per cent and 2 per cent. It is not with me a question of schedules. I can not vote, in accordance with my oath of office, to tax them at all.

Mr. President, I left the Republican party and the United States Senate in 1896 not so much on account of the money question as because of the tendency of that party to allow the great corporations and the power of wealth undue influence in the councils of the Republican party. The bill before us is on the same lines; and if I had not left the Republican party for reasons which were sufficient to me then, I should have left it fifty times since after it started on this colonial policy. No one can deny or will deny now that when this bill shall have been passed this afternoon we will have a colony. The time has gone by when those on the other side attempt to deny it.

Mr. President, I do not impugn the motives of anyone who does not think as I do in regard to the Philippine Islands. It is my judgment, however, that the junior Senator from Indiana [Mr. BEVERIDGE] stated the motive which actuates the Republican party, not only in this Chamber, but outside of it. He said that the main reason was that the islands would be of value to us; that we would not let them go at any time, because they would be a valuable possession. The opinion is prevalent that it will be a profitable enterprise. It is not a question of duty or philanthropy or the uplifting of the Filipinos, but a question of gain and profit for us. Whether or not Senators on the other side of the Chamber and those outside who agree with them will admit the truth of that assertion, I firmly believe it is the underlying motive for their action. With the establishment of gigantic trusts and department stores in this country, we have gone very far toward accepting the statement that in the struggle for supremacy in trade only the fittest should survive, and the wealthiest and most powerful are the most fit.

Recognizing this tendency on the part of the Republican party, I am not sure that I would call them hard names even if they boldly avowed that their object in holding these people and their lands was their own commercial gain. I have already stated my belief that this is the object of the Republican party.

In my judgment they will be disappointed. Loss, not gain, must come to us. These people will not trade with us. There is very little we have which they want or ever will want. People of tropical countries do not need nor care for what we produce, and never will to any degree. What we sell there now we sell to foreigners mostly, and it will always be so. Our complaint against the Chinese in this country, who are the most industrious of all the Asiatics, is that they will not buy of us even while living here. Our merchants complain that the Chinese will not trade with them while earning their money in this country. They get their goods from home even while living here. They do not use our articles even while living in our midst. The Filipinos do not and will not want our goods, and would have nothing to buy them with if they did.

The Republicans intend to exploit the Philippines. They intend to grant franchises of all kinds and descriptions for railroads, for mines, to cut timber, etc., and they intend to sell the 60,000,000 acres of public land in large tracts, the limit to be 5,000 acres to any individual or corporation. According to Governor Taft, most of the 60,000,000 acres of public land is arable. Sixty million acres of land represents more arable land than there is in the States of California, Oregon, Washington, Idaho, Montana, Wyoming, Utah, Nevada, and Colorado combined. It represents more land than there is land in the States of Indiana and Illinois.

The capitalists whom the Republican party proposes to invite to go to the Philippine Islands to exploit them, in addition to cultivating the lands and cutting the timber, will establish factories; and how are they to be conducted? Who is to perform the labor? I have talked with men representing our Government who have been there. I talked with one only last night. I will not give his name. He is a representative of our Government, and he says that they can not cultivate that country without Chinese and Japanese laborers. I have talked with other representatives of our Government who say the same thing. I will not give their names.

I will only quote Governor Taft. Every member of the Philippine committee knows of the close personal relations existing between Governor Taft and myself, and I would not, on any account, misrepresent him in the slightest degree or question his motives, but he was asked several times in regard to Chinese labor. I think I can safely say that he evaded it. He conveyed the impression, to my mind at any rate, that in that country the labor had to be performed by Chinese. He was asked this question:

Senator RAWLINS. I want to go a step further. Do you think it wise, in enacting a law, to dispose of these lands in any way that would lend encouragement to or extend the influence of those who would desire the introduction of Chinese labor to subserve their purposes in the islands?

Governor TAFT. What we want to do is to develop the islands, and certainly the attraction of capital, by offering what will return a reasonable profit, is our policy, and the sale of lands in tracts sufficiently large to attract capital is an essential part of that plan.

That is as close as he ever came to answering the question; but I assert that you can not exploit that country without Chinese labor.

In Hawaii, now, they are asking us to allow Chinese and Japanese to come in. They can not cultivate their sugar fields with their own labor or with any other except Chinese and Japanese, and in this country now the feeling in favor of Chinese exclusion is weaker than it ever was before. It will be somewhat difficult for us now to pass the proposed Chinese-exclusion act, and the demand will come from the Philippines, and you will accede to it, to allow the Chinamen to go in there in order to exploit that country, or it will not be exploited. White men can not and will not work in that clime, and the natives will not do it. The Hawaiians will not in the Sandwich Islands, and much less will these people living in a more tropical country.

I was opposed to the annexation of Hawaii. I am glad to say that I have been opposed to this departure all the way through. The capitalists who will be invited to go to the Philippines will establish great factories. They will establish, for instance, a cotton factory. They will employ a great many Chinese hands, because there are 400,000,000 Chinamen at their doors, for laborers. They will make goods as well as any other people can, under our guidance and superintendency, and put those goods in competition with us here. It will be so in regard to wool. They will get it from Australia and the Mongolian plains. It will be so in regard to iron. Gentlemen may say that by this bill you have demonstrated that you can put a tax on their goods and keep them out of this country. When they are at work there, if you keep the goods out of this country by law, you can not exclude them by law from other countries, and their goods will be in competition with ours either here in the United States or else in the other markets of the world, and especially in China. I say you can not exploit those islands without Chinese and Japanese labor, and, further, that the next step will be to allow them to come in here.

I went into a factory in Hankow, on the Yangtse River, and I saw 2,500 Chinese men and boys employed in a woolen factory, with only one white man, the superintendent, around the premises. The Chinamen were receiving the munificent salary of $1.75 a month and feeding themselves. They are so imitative that under skillful superintendents from America they can make just as fine goods as we make. The clamor, as I say, is now going on to let the Chinese and the Japanese enter the Hawaiian Islands, and the Japanese can not be kept out of the Philippines and the Chinese will not.

This whole thing appears to me to be wrong. Our nation has stood as the beacon light to all people in all climes who were struggling for freedom of thought and action and religion. We have invited them to come and live under our benign laws. We have allowed them to participate in all our affairs. We have given them citizenship and the right of the ballot after a short probation. We have assimilated them, and I say that our mission is to the white people of the world, and the hope of the white people of the world, in my judgment, lies between the country west of the Missouri River and the Pacific Ocean and north of that region in British Columbia. Let us not depart from the foundations. We have grown to be the greatest and the mightiest nation in trade by living under our own laws and not by annexing or trying to assimilate foreign people. It is time, it seems to me, for us to think a little of what is to come, and not do as those on the other side say, "Shut your eyes and blindly follow whatever we ask you to do." They twit us with being traitors if we even take a look into the future. They say, "The future will take care of itself. Follow us blindly now. We must not discuss what is to happen afterwards."

The PRESIDENT pro tempore. The time of the Senator from Idaho has expired.

Mr. STEWART. Mr. President, I have not been impressed with the usefulness of this debate. I can not understand what good is to be accomplished by finding fault with what is already decided upon by this Government. I do not see why men should engage in criminations and recriminations about the fact. It seems to me it is our duty to consider pending questions; to give our attention to the duty of the hour. We have acquired the Philippines. Our title is perfect under the treaty we ratified and under the decision of the Supreme Court. Everybody knows that. We have undertaken to suppress rebellion there, and we have suppressed it mostly; it is nearly accomplished, and by appropriations made unanimously by both Houses. The Government of the United States is responsible for what has occurred. Why charge individuals? Why make long speeches that have no good purpose in view? Our duty is in the present. What are we doing?

As nearly as I can ascertain, we are extending the blessings of freedom to a people who never had them before. More has been done for the Filipinos in the last three years than was done for them by Spain in three hundred years, and the world knows it. They have in this period made more progress than was made by them during all their history.

The minority say we must establish government there and then turn it over to the Filipinos. When we have established government, when we have taught them the lessons of freedom, it will be time enough to decide what to do next. If you say you will do that now, it will be a question whether or not such a government has been established. The question will be, "When will it be done?" There will be no rest or content anywhere. We should go on as we have been going on in establishing governments and giving them, so far as we can, the privileges that we enjoy. Then will be the time to consider that question.

As to this particular bill, relating to the tariff, I would much prefer that there were no tariff upon goods produced in the Philippines and imported into this country. I am glad the Senator from Ohio has proposed an amendment reducing it from 75 per cent to 25 per cent. I would prefer that it should be free trade. The tariff established by the Commission, under the authority it possesses, against all the world was necessary in order to raise revenue to carry on the Philippine government. There is no other way of raising revenue but from a tariff on imports. The tariff duties that are paid on Philippine goods entering the United States will also go to that government. They will not be paid into the Treasury of the United States. The Government of the United States does not want them. They will be a small amount, anyway, but I do not think it is necessary for the Philippine government to have that amount. I think they can get an equal amount from other sources.

The idea that the Philippine Islands will interfere with the business of this country; that they will interfere with the raising here of tobacco or sugar or anything else, is very absurd. It will be so infinitesimal that it can not affect us. I am a protectionist on principal. I have always been. But that does not deprive me of my common sense. When I see that we can do a great good to the Filipinos by encouraging them without injuring our industries I want to have it done.

Furthermore, it must be remembered that the time is not far distant when we shall have free trade with them, because they are a part of our country. It is only a temporary arrangement, anyway. I prefer there should be no tariff, but I will vote for any reduction that may be proposed by amendment.

How can we help the Filipinos in establishing a government? We have helped people before. We will help them as we helped the New Mexicans. We will help them as we helped the people of Florida, and as we helped every people who have come under the jurisdiction of the United States. What did we do for New Mexico and California? We gave New Mexico a Territorial form of government. For four years we gave California a military government, but that military government was a mild one. The people elected their alcaldes. I lived under that government. It was not oppressive. It was American, breathing the American sentiment. The people did not rebel; they did not resist; and they had all the privileges they ever had. The State government came in after four years of that kind of government.

In New Mexico for half a century there has been a Territorial form of government, conferring all the blessings of free government that we enjoy. How can the Government of the United States be injured by governing as we always have governed the people whom we took under the jurisdiction of this country, giving them a Territorial form of government? That government is elastic. It can be changed to suit conditions. It is not arbitrary. You must let the people exercise the functions of government so far as they are capable. See how we have done with all our Territories—with Utah and other communities—hostile for the time being, but by allowing them to play government they have learned to govern themselves. That will be the case with the Philippine Islands, if we give them a chance to govern themselves, with organized institutions, letting them vote, etc., under our Territorial form of government. If they never learn it at all—if we can not teach them—then will be the time to consider the question of letting them go.

The Government of the United States has undertaken to extend free government to the Philippines. The world is watching our progress. Shall we fail? We never have. We will not now. How can the Government of the United States be injured by it? The Filipinos do not vote here. They do not participate in making our laws. Our Government will go on just the same as it always has. Their voting there for their local officers and for Delegates in Congress will not affect us. While the great experiment of extending to the Orient the free institutions we enjoy is being made, we will keep order; we will carry out the obligations that we have assumed toward Spain to preserve law and order and protect life and property there. We are bound to do that. Nobody is in favor of doing otherwise. The whole country is in favor of that. We will preserve order so that nobody will be injured.

Why in the name of humanity may not the people of the Philippines have an opportunity to learn this great lesson? They can not learn it by themselves. See what our example has already done. We first established a government here, and see how it spread over this continent. Gentlemen may say that some of the governments in Mexico and South America may not be good examples, but they are progressive governments. They are republics and are growing up to understand and appreciate liberty. Without our example what could they have done? Without our protection what would New Mexico have done? Without the Government of the United States having been spread over the Far West to the Pacific Ocean what kind of country would it have been? Mark the benign influence of the spread of free institutions. We now being in the Philippines, having been brought there by the fortunes of war, having acquired the islands legitimately, having undertaken to give an example in the Orient of the benign influence of free government, why should we not go on?

Why should we stop here and announce what you will do when you have given them free government, as the minority propose? We will know what to do with them when we have established free government. If the United States were to find fifty or a hundred years from now that they are fit to come in as States they will come in as States. Nobody proposes to let them come in as States now. Nobody proposes to do anything with them that could possibly affect our institutions. To extend to them Territorial privileges will not injure us. The system was wisely devised by the fathers. It is amply sufficient for all purposes that can possibly arise. It is the system by which free institutions have been spread over this vast continent to the West. It is the system by which they will continue to spread. It is an example that has elevated the whole continent of America.

It is our example, and shall we here, after having undertaken this great work, after having assumed this responsibility and carried it forward, with the expenditures of millions of money and the loss of thousands and thousands of lives, abandon it? Shall we say that our soldiers have died in vain? Shall we withdraw the flag in dishonor by saying that the cause is an unworthy one? Will the people of the United States consent that their graves shall be desecrated by the slander that they were murderers and pirates, and that the army must be taken away? No, no! The American people say that where the flag is planted and where it has been upheld by the blood and treasure of the American people there shall it remain.

It always has stood and it will not be torn down. The flag will not be torn down from the Philippines. They will have a free government, and if they can exercise the functions of a free government the world will say amen. If we adopt a policy of cowardice, leaving them now, it will disgrace the American name and dishonor the American dead who have fought under the flag of their country. But that will not be done.

The suggestion has been made that we will exploit that country; that we will steal its timber; that we will steal its franchises, and rob it. Where did the United States ever exploit a country? Did it exploit California, New Mexico, Texas, or Florida? Where in any of its acquisitions has the United States by its land laws and by its legislation exploited and ruined a country?

Will anybody believe that there will not be men here, and that there are not men here now and men who will come after us, who will guard the rights of the Philippines with the same jealousy that the rights of other sections of our country are guarded? There may be wrongs, but the American people have done all they could, and, continuing, will do all they can to prevent those wrongs. They have been successful, as the prosperity of regions newly acquired abundantly show. They show no exploitation. They show no injury and no ruin. On the contrary, they show growth in population, prosperity, and progress; and those we will have in the Philippines in due time. The American people have undertaken this task. The task may be a difficult one, but it is not the first time that our Government has undertaken a difficult task.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. BACON obtained the floor.

Mr. TELLER. I ask the Senator from Georgia to allow me to put into the RECORD a paper concerning this very question, which is a respectful statement by a gentleman who served with the volunteer forces in the Philippines. I ask to have it printed in the RECORD without reading.

The PRESIDENT pro tempore. Is there objection?

Mr. ALDRICH. What is the subject?

Mr. TELLER. It is a speech by Captain Hall at a dinner in Boston. He is an imperialist. It is on the question of taxation.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

AS SEEN BY THE OTHER SIDE.

On the occasion of the ninety-third birthday of Abraham Lincoln, the Middlesex Club gave a dinner at the Hotel Brunswick, in Boston, in which about 400 persons participated. The guests of the club were Hon. John D. Long, Maj. Gen. Daniel E. Sickles, Capt. Bordman Hall, jr., and Roscoe Conkling Bruce, the young colored man who is the Harvard class orator this year, all of whom delivered addresses. One of the most interesting was that of Captain Hall, who served with the volunteer forces in the Philippines. He is an ardent imperialist and fully approves our policy in those islands. While we do not agree with Captain Hall's views altogether, we gladly quote from his speech:

"Having got the islands into this situation, America's duty toward them, our new wards, and how we are impressing them, is a momentous question. I am sorry to say I fear that so far their experience with our Government is, on the whole, a sad one; and it is just here, before it is too late for our Republican majorities in Congress to mend matters, that I hope we may extend them relief. In revolting against Spain one of their chief grievances was the unbearable taxation. We Americans have now actually reenacted the identical old Spanish internal-tax system, a thing of which all our people and I believe most of our members of Congress know nothing. I have in my hand a copy of the official Manila edition of the industrial tax under which I myself have paid tribute. It is identical with the old Spanish tax and has marked on its cover, 'Translation of Spanish decree of June 19, 1890.' Under its provisions absolutely no business can be done without paying heavy tribute to the American civil government in the islands. For instance, all directors, agents, or representatives of companies, corporations, or banks must pay 5 per cent of their salaries. All employees receiving over $300 yearly must pay 2½ per cent. All corporations must pay 5 per cent of their profits. Importers and consignees of ships must pay $500.

"No stores can be opened without paying a heavy annual tax; for instance, in Manila stores selling jewelry must pay for the privilege $250; drug stores, $200; those selling pig iron, $150; those selling wrapping and writing paper, $100; those selling locks and nails, $30. If any of these stores desire to add petroleum, flour, or other articles, another $100 must be paid. Auctioneers must pay $150 for an annual license. Venders of meat in the street even must pay $6 a year; of thread and needles, $4.

"All kinds of manufacturing are also taxed; each horse power of a steam plant, for example, $3. A house with more than two hand looms is rated a 'factory,' and each loom is taxed 50 cents a year; a steam crane must pay $50 a year; carriages, $10; wagons and carts, $4. All professions and trades, likewise lawyers and doctors, $75; tailors, $50; watch repairers, $15; barbers, $6; carpenters and horseshoers, $3; amusements, 10 per cent of one full house for each 10 performances; newspapers, $30 a year.

"Then every one must pay a dollar poll tax. If a building is rented, 5 per cent of the rental must go to the government. Every bank check and dispatch must have its 1-cent stamp. Every receipt for payments for less than $7.50, a 1-cent stamp; if for more, a 5-cent stamp. All business account books must be submitted every quarter and have 25-cent stamps attached to the pages. No petition may be addressed to government officials, no legal proceedings of any kind carried on, unless they are written on government stamped paper, varying from 2½ cents to $2.50 for each four pages, according to the value of the matter concerned.

"Beyond all these internal taxes, he must pay a heavy tariff on all his goods, food stuffs, and machinery he needs from abroad, even though they do come from America, his newly adopted country, and may be only farm machinery or absolute necessities. In sending his staple products—sugar, tobacco, hemp, indigo, and rice—out of the islands to find a market he is confronted with another burden, an export tax, to go to this same American government in Manila. Nor even then are his difficulties at an end. Formerly he had a free market for his products in Spain; he would now naturally expect to find a substitute in the United States. In the past he has seen, and it was one of the things he most counted on for himself in seeking peace, Hawaii and Porto Rico given free entry into the United States for their products; in the last few months he has heard strenuous efforts made to give Cuba, a foreign country, a 50 per cent reduction. He must carry his products ten times as far, and yet the most generous suggestion for him—a dweller in American territory—is a reduction of half as much—25 per cent.

"In a land emerging from three years of desolating war, with many of its sugar mills and buildings burned and its machinery destroyed, the cattle plague last spring swept off 80 per cent of the water buffaloes—the only available power for plowing the land and moving the crops.

"Weighed down by taxation, unable to find a profitable market for his products, without employment for himself or his children, can it be wondered at if the Filipino exhibits signs of unrest and if those still in the field continue the struggle?

"I am, and hope I always shall be, a stanch and true Republican and an ardent supporter of Republican principles. But in the matter of our present treatment of the Philippines it is not a question of principles, but of policy, which is at issue. From this point of view, then, what can the Republican party here at home do that will make for permanent peace in the Philippines?

"In the first place, they can stop now, once and for all all, talk and agitation within the party for independence, or ultimate independence, which only tends to continue factional disturbances among the people. Practically, unless we wish to shoulder the responsibility for years of resulting anarchy and disorder, it could not be granted for generations to come. From the legal point of view I believe our Constitution provides for expansion, but not contraction, of territory; and every American in or going to the islands trusts that the Republican party, Congress, the President, and the Supreme Court will never allow the hauling down of the Star-Spangled Banner. This, too, with fair consideration on our part, will never be desired by the people.

"Second, the Republican party can lighten the taxation, both direct and indirect. We all agree that large revenues are necessary to put into practice the reforms and improvements which are indispensable to the American mind. But let us remember that it is partly the Filipino mind with which we are now dealing. Let us remember that he knows when he is being taxed

heavier or lighter than under the Spanish rule, and by this, and by this alone, for some time, his ignorant mind will judge the American system. A $3,500,000 harbor for Manila does not seem an individual benefit to him. He sees in our road building only a desire on our part to give our wagon trains more chance in case he ever again objects to our presence in the country. To the infinitesimal portion whose children are now being educated in English there may appear to be a desire on our part to wean the little ones from the influence of their parents. But, on the other hand, lighten the annual tax burdens he bears, give him a better price for his products, or let him get his much-desired American goods more cheaply, and he will evermore be an ardent supporter of American control.

"Third, grant restricted franchises where necessary to develop the country, and arrange suitable mining and land laws. With the enormous tracts of unoccupied lands, the Filipino welcomes the coming of the American settler, who can teach him improved methods in agriculture and the use of machinery. A sprinkling of steady, industrious American farmers through the country will have a wonderful steadying influence; will furnish an element, identified with the country, ready to give warning of intended disturbances; to furnish a reserve in case of trouble, and to supply in time the men to take the governing places where Americans are needed, and thus complete a government, partly Filipino and partly American-Filipino, which shall be purely local in interest, yet stable and well balanced in operation.

"Lastly, the Republican party here can pass laws promoting in every way the education of the people; and, above all, can give them a law permitting them to have representation in a central deliberate body where all the different races can receive due consideration from our Commission, and where the views, now dangerous, because smothered and discussed in secret, can be allowed to disintegrate in the publicity of open debate.

"If these things can be done, we may look with confidence to the future peace and prosperity of the Philippines. Owing to racial differences, we should probably expect to see, in the ultimate stage of evolution, a federation with three States—Luzon, the Visayas, and Mindanao. With gradual development and constant help, they will surely grow into a lusty child, an American Australia, which will desire a protectorate, and will ever look to this country for direction and advice; which will rely upon the free interchange of commodities for mutual advantage; which will hope and pray for a maternal consideration in all things, and which in return will give its filial love to America and will ever stand ready to shed the last drop of its blood in defense of liberty and the life and honor of its beloved mother country."—*City and State, February 20, 1902.*

Mr. BACON. Mr. President, I take the liberty of requesting that when only two minutes of my time shall remain, the Chair will notify me of the fact, in order that a paper, which is already in the clerk's hands, may be read during my time.

The PRESIDENT pro tempore. The Chair will notify the Senator.

Mr. BACON Mr. President, I have presented to the Senate and have given notice that I would offer certain sections as an amendment to the pending bill. I will read the proposed amendment. It is as follows:

SEC. —. That when armed resistance to the authority of the United States shall have ceased within said islands, and peace and order shall have been restored therein, it is the purpose and intention of the United States, so soon thereafter as the same can be practically and safely accomplished, to provide the opportunity and prescribe the method for the formation of a government by and of the people of the Philippine Islands, to be thereafter independently exercised and controlled by themselves, it being the design of the United States to accord to the people of said islands the same measure of liberty and independence which have been pledged by the Congress of the United States to the people of Cuba.

SEC. —. That when a stable government shall, by the method aforesaid, have been duly formed and erected in said islands, competent and worthy, in the judgment of the United States, to exercise the powers of an independent government and to preserve peace and maintain order within its jurisdiction, it is the purpose and intention of the United States, reserving to themselves only such harbors and tracts of land as may be needed for coaling stations or other governmental purposes, to transfer to said government, upon terms which shall be reasonable and just, all rights and territory secured in said islands under the treaty with Spain, and to thereupon leave the dominion and control of the islands to their people.

SEC. —. That when said government has been thus formed and set up in the Philippine Islands and approved by the United States it is the design and intention of the United States, through such means and measures as may be deemed most efficient and appropriate, to secure the guaranty of the continued independence of the same.

Mr. President, it had been my intention on Saturday last to address the Senate in support of that amendment. Unforeseen circumstances prevented me from having the opportunity so to do, and in the limited time allowed me it is impracticable for me now so to do. I therefore will not offer, as I had intended, this amendment to this bill, but I shall offer it when the bill for the organization of a civil government in the Philippine Islands shall come before the Senate, which is really the more appropriate place for it.

I desire to say, however, Mr. President, as I can not now offer this amendment or discuss it in detail, that it is not new. I believe it to express the intention and wish of the Democratic party relative to the Philippine Islands. The amendment certainly expresses my individual view. It is the view which I have entertained from the beginning of this unfortunate complication. The amendment is in substance the same as the resolution which I introduced in the Senate in January, 1899, before the ratification of the treaty of peace. The amendment is in substance the same as the amendment which I offered to the McEnery resolution in February, 1899, and it is a verbatim copy of the resolution which I introduced in the Senate in January, 1900.

Before passing from this amendment, I desire further to say, and I challenge contradiction, not now, because it is impracticable, but hereafter, that there is not a single assertion or a single proposition of this amendment which is not approved and justified in the utterances of Senators on the other side of the Chamber who now condemn it. Time does not permit that I should refer to all the utterances of Senators on the other side of the Chamber, but I will, in brief, call attention to some of them—sufficient to indicate where they can be found—and I will, with the permission of the Senate, insert them somewhat more at length in the RECORD than I shall read now.

Of all the Senators who have given utterances which approve and justify this amendment, the Senator from Wisconsin [Mr. SPOONER] has made them oftener and more emphatically than any other Senator in this Chamber.

I desire to call attention to some things which the Senator from Wisconsin, as well as other Senators, has said upon this subject. In a speech made by the Senator from Wisconsin on the 2d day of February, 1899, he used the following language:

This Philippine proposition is one of the fruits of the war. To me it is one of the bitter fruits of the war. I wish with all my heart we were honorably quit of it.

On page 31 of the same speech he said:

c But, Mr. President, I shrink from the notion that the interests of this country will be subserved by making permanently a part of our land territory thousands of miles away, inhabited by peoples alien to us, not of our blood, not of our way of thinking, foreign to all our associations, living in a tropical climate, where the white man can not work, under labor conditions of necessity which we would not permit to exist in the United States.

Every argument which has been made in support of this doctrine of territorial expansion—and by "territorial expansion" I mean permanent territorial expansion—seems to me to be superficial, some of them sentimental, and some of them fantastic.

The jingle of words which we read every day about "hauling down the flag" does not in the least either thrill me or impress me. Our flag has been hauled down before, Mr. President. It will be hauled down again. Where we raise it we will permit no other power on earth to haul it down, but with us it may be as honorable to haul it down as it was to raise it. It was hauled down in Mexico when hostilities ended there. If we had sent our fleet across the sea to the peninsula of Spain and captured Barcelona, raising our flag above it, it would not have been there to stay; we would have hauled it down.

To-day it floats in Cuba; the Spanish flag has gone forever, but our flag is not there to stay. It floats there in sight of the poor, wrecked *Maine* at Habana, but there will come a day, Mr. President—and I hope it will not be long—when we will take down our flag, raised there in the cause of liberty, and leave behind it liberty and an independent government, won and established under its folds. I hope that, too, about the Philippines, and that is not at all inconsistent in my view with the ratification of the pending treaty.

It is insisted that we must have permanent territorial expansion in order to extend our trade. Mr. President, I do not think so. I have been strongly inclined to think that in the long run, with all the embarrassments and complications and dangers it will bring upon our people, it will retard rather than develop the foreign trade of the United States. We have been growing rapidly in our trade without territorial expansion. To acquire distant, non-assimilable peoples in order, through permanent dominion, to force our trade upon them seems to me to be the poorest imaginable national policy. How far will that be carried? We want the trade of the world, and we intend to have our share of it. Are we, therefore, to obtain it by carrying this doctrine of expansion to the uttermost parts of the earth? If territorial expansion means national trade, if it be necessary to national trade, where are we to stop?

I think, Mr. President, the trade of the world will go where its interest leads it in the long run, and the best avant-courier of civilization is a merchant ship carrying the products of civilization and teaching the wants of civilization.

Permanent dominion over the Philippines by the United States as a part of this country means to me an endless and vast burden upon the industries of our people. We would be as sacredly bound to protect that distant people living under our flag in a part of our territory as we would the people living on the coast of Maine or the people living around Boston Harbor.

In the event of war the most distant outpost where our flag could be found would be the point of first attack, and we would be obliged, in my judgment, to maintain a navy adequate to protect the millions of people in the Philippines, 7,000 miles away, Hawaii, and our Atlantic and Pacific coasts. If our Navy were not adequate to all that, our ships being sent far away, our home coasts would be unprotected. This would involve an awful increase of taxation.

Mr. BATE. When was that speech delivered?

Mr. BACON. February 2, 1899. In the same speech, on page 33—I am using the pamphlet which the Senator himself issued—he used this language:

I can not say, in view of the history of the country, that time may not change my views, but I must say that, as I now feel, if the ratification of this treaty involved permanent dominion by the United States over the archipelago and its people as a Territory of the United States, irrevocably committed us to the policy of territorial expansion, I could not give it my vote.

On page 38 the Senator used this language:

If I may be permitted to repeat, if we take this title we are there as a sovereign. We have the will and the power to enforce law. We will enforce order there. We will establish government there. We will not violate the Declaration of Independence. This treaty will be an emancipation proclamation to the Filipinos, securing in that island all of the great rights which we so prize, and which have been here so much discussed. That we will give them every possible opportunity for self-government I do not allow myself to doubt. I hope the day may soon come when they may have a government of their own.

On page 39 he said:

There is another thing about it, Mr. President. Under this treaty we can give them, when the time comes, the sovereignty and title of Spain. They will have then the possessory right and the title, because, this treaty being ratified, we will possess it; we will have it to cede. We may cede it upon conditions such as at the time shall seem to us best for them and best for us. We may cede it upon condition that their constitution shall contain irrevocable guaranties essential to freedom, to popular education, to religious liberty, to the right of habeas corpus, the protection of life and property; indeed, all the guaranties which American communities under the Declaration of Independence demand.

We can cede it upon condition of the grant to us of adequate naval stations, supply stations, and commercial advantages. And if we have doubt as to the permanent stability and power of their government to stand alone, if we

then feel we can not safely sail away and leave them to their destiny, we can, in their interest as well as in ours, maintain a protectorate over them with comparative safety, because we can make it a condition of cession of this title and sovereignty to such government as they shall establish that they shall enter into no treaty obligation with other governments without our consent. Without this power we can with safety maintain no protectorate of a government 7,000 miles away, over whose treaty-making power and over whose international transactions we have no control.

Again, Mr. President, the whole matter will be within our own hands. If we find we can not get on with the Filipinos; if, after studying the conditions over there, our people find we can not without strife and intolerable burdens do them any good, we can then cede the sovereignty to them and sail away. We will not be then running away from a responsibility at first sight. We will not subject ourselves to possibly the just charge of cowardice by other nations. We will have left them, then, after having made every honest effort in our power, upon the solid foundation of Spain's sovereignty and title, to help them to benefits which they would not have. We will have attempted to shower upon them blessings which long-continued tyranny has deprived them of the power to appreciate.

Again, on May 22, 1900, the Senator used this language, which shows the view he entertained concerning the annexation of the Philippine Islands, which largely influenced the expressions by him which I have already quoted:

I suppose, Mr. President, it will be admitted that had there been no war with Spain and she had tendered to us "without money and without price" a cession of the Philippine Archipelago, and a treaty accepting that cession had been transmitted to the Senate for its action, it would have received hardly a vote in this body, and would have proved entirely unattractive to the great body of our people. The suggestion in advocacy of it, that we are "trustee" to lead the nations of the earth in the work of civilization, would not have been at all persuasive.

The quick and sufficient answer to that would have been that, while this is a missionary people, this is not and can not become a missionary Government, and that it is not our function, philanthropic as we may be and as this people is, that their Government shall police the world, seeking for people oppressed, living in the darkness of ignorance and half civilization, in order to uplift them.

It would have been said that we have problems of our own to solve, some of them complicated, all of them important, and that the first duty of this Government, trustee of our people, is to subserve the interests of our people, to develop the illimitable resources of this continent, to spread the blessings of education among the people, to give to the country equal laws, and to lift up as far as may be all here who are oppressed. If it had been said that the islands are full of mineral wealth, of untold richness in soil, and of unspeakable beauty, that would have produced no effect in this Chamber.

Our people would not have harbored the thought of going into distant seas and taking archipelagoes of alien people because of the richness of the islands. I can conceive of no argument in favor of the acceptance of such a proposition which would have found much, if any, favor here or in the country.

There would have been found no lust of empire among us; nor is there now, in my opinion, in the sense in which that term is now used in this body and in the country by certain distinguished gentlemen.

Mr. President, I can not pursue this line, but I wish to state that on the 1st day of March, 1900, my colleague [Mr. CLAY] made a speech to the Senate in which he collated and read to the Senate the extracts from speeches of Senators on the other side of the Chamber, in which they all asserted that they did not desire the permanent retention of the Philippine Islands and that they intended to give the Filipinos an opportunity to become an independent people, governing themselves, free from the domination of any other people. Those extracts which I read from his speech are some of them as follows:

The Senator from Ohio [Mr. FORAKER] said:

I do not understand anybody to be proposing to take the Philippine Islands with the idea and view of permanently holding them and denying to the people there the right to have a government of their own, if they are capable of it and want to establish it. I do not understand that anybody wants to do that. I have not heard of anybody who wants to do that. The President of the United States does not, I know, and no Senator in this Chamber has made any such statement.

The Senator from Massachusetts [Mr. LODGE] said:

Suppose we ratify the treaty. The islands pass from the possession of Spain into our possession without committing us to any policy. I believe we shall have the wisdom not to attempt to incorporate those islands with our body politic or make their inhabitants a part of our citizenship. I believe we shall have the wisdom, the self-restraint, and the ability to restore peace and order in those islands and give their people the opportunity for self-government and for freedom under the protecting shield of the United States until the time shall come when they shall stand alone.

He also said in the same speech:

I want no subject races and no vassal States. That we had by the fortunes of war assumed a great responsibility in the Philippines; that we ought to give to those people an opportunity for freedom, for peace, and for self-government.

I want to get this country out of war and back to peace. I want to get the disposition and control of the Philippines out of the hands of the war power and place them where they belong—in the hands of Congress and the President. I want to enter into a policy that shall enable us to give peace and self-government to the natives of those islands. The rejection of the treaty makes all of these things impossible.

The senior Senator from Colorado [Mr. TELLER], while not of the Republican party, voted for the treaty. He said:

There are few people in the world incapable of self-government. I believe the people of Luzon are capable of self-government now. I believe the people of some of the islands are. I do not know but all are. Mr. President, I keep in view this truth which I have stated, which I believe to be a truth, that the people are entitled to a government of their own making, and that we have no right to say, "Your standard is so low you will create a government which we can not affirm; therefore you can not have a government of your own." They are entitled to only such a government as they themselves can maintain; it must be one producing order and protection to persons and property, for otherwise it is not a government at all.

He continued:

We shall make a mistake if we make up our minds that we are going to govern these people from here, that we are going to govern them with Anglo-Saxons whom we send out there from here to administer the affairs of that country. You will need 50,000 soldiers; in a little while you will need more, for they are a great people. They are a people who are willing to contend for their liberty, and I believe it also to be an axiom that a people who will fight for their liberty and who are willing to die for it are capable of maintaining it.

The senior Senator from Vermont [Mr. PROCTOR] said:

I am not in favor of annexation, not because I would apprehend any particular trouble from it, but because it is not a wise policy to take in any people of foreign tongue and training and without strong guiding American elements.

The late Senator from Nebraska [Mr. Thurston] also said:

I am unalterably opposed to any departure from the declared policy of the fathers, which would start this Republic, for the first time, upon a career of conquest and dominion utterly at variance with the avowed purpose and manifest destiny of our republican Government.

The junior Senator from South Carolina [Mr. MCLAURIN] said:

It is idle to speak of Americanizing a tropical country 8,000 miles away. Our people will never consent for the people of that far-off land to ever have a voice in the affairs of our country. Therefore, to govern them we must inaugurate a military or colonial system utterly at variance with the principles of our Republic. But even if by a strained construction of the Constitution the power is vested in the United States to inaugurate a colonial system, I am utterly opposed, as a matter of policy, to the acquisition of any territory that can not be Americanized and brought into harmony with our institutions. I believe the time is not far off, and I gladly welcome its approach, when our flag will float over every foot of North American soil, but it must come naturally and peacefully—by the consent of the governed, not by the rude hand of war.

But when it comes to thrusting our rule upon 10,000,000 people on another continent by force of arms, I hold that such a policy is unwise as well as at variance with the principles upon which our Government is founded. Taxation without representation is as much tyranny as when King George's tea was dumped into Boston Harbor. To govern the people of the Philippines without their consent is as much government without the consent of the governed as it was when we were under the rule of Great Britain.

In a commercial point of view, I believe the importance of the Philippines per se is greatly exaggerated. They are chiefly valuable as the key to the Orient, but we need not colonize to obtain that advantage. The exports of the Philippines, according to the statistical abstract, in 1896 amounted to $30,806,250. If this entire trade was monopolized by us it would be insignificant. We will have to teach them to wear shirts and breeches before we can trade with them much.

The late Senator from Delaware [Mr. Gray], a Democrat who voted for the treaty, said:

Now we have them, it does not follow that we are committed to a colonial policy or to a violation of those great principles of liberty and self-government which must always remain American ideals if our own free institutions are to endure. No country, and this country least of all, can afford to trample on its ideals. I have no fear that it will do so.

He went further:

I assure you, with some knowledge of whereof I speak, that the President is committed to no policy calculated to discourage, much less strike down, the aspirations of liberty-loving people all over the world.

Most of the above extracts have been heretofore read in the Senate by different Senators. The object I have in repeating them is this: It is of course impracticable now to discuss in full the questions involved here, and my purpose is not to show that Senators have been inconsistent, but to show that they themselves have in their repeated utterances in the Senate given warrant and approval to the proposition which we now present to the Senate that when the proper time comes, even if that time should be the present, it is the purpose of the United States to give to those people a free and independent government.

Mr. SPOONER. This is not now the proper time.

Mr. BACON. The Senator I hope will take some other time to interrupt me. He knows very well I always yield to him, but I can not do so now.

Mr. SPOONER. I beg the Senator's pardon.

Mr. BACON. Mr. President, it is not necessary for me to tell to the Senate the manner in which I regard the Senator from Wisconsin, because I believe it is known to all the Senate, and the Senator himself knows it better than anybody else; that while we differ upon a great many propositions, the regard which I have for him personally is not inferior to that which I have for any other Senator in this Chamber.

And yet, Mr. President, I am constrained to say that what he uttered here on Friday last was not merely a surprise to me, but a pain, possibly the more, coming from him, than from any other Senator on that side of the Chamber.

Mr. President, when I sat here with incredulous ears hearing what the Senator said, in his earnestness leaving his seat and walking to the center of the aisle, it called to my memory an incident in our early history. Silas Deane, the first diplomatic agent ever sent by the united colonies to Europe, when he came back to America, feeling that his services had not had proper recognition by the colonies, went to England and abjured the cause of the colonies, and from there issued an address to the people of the colonies in which he advised them to submit to the domination of England.

After the treaty of peace, Jay in England received from him a letter asking that he might have a personal interview in which, he could have an opportunity to explain his conduct. Jay replied

to him that he had been sincerely attached to him; that he had a sincere esteem for him, but said he in his letter, "I understand that you had intimate relations with Arnold, and that you have been frequently in his company, and," he added "the American who gives to that man his hand, in my opinion, pollutes it."

Mr. President, when the Senator's language recalled that incident, the thought came into my mind that if there are any on this side who were worthy of what he said on that day they are not worthy hereafter to be taken by his hand. And I will say to the Senator that his utterances on that occasion were not in harmony with the fairness, the liberality, the generosity, and the consideration which have heretofore characterized his utterances in this Chamber.

Mr. President, heretofore it has been said by those on our side that the position occupied by Senators on the other side was one which would prolong the war, and that the effect of it, therefore, would be to cause additional bloodshed. The opposing thing has been said by the other side as to the position occupied by us on this side. But so far as I know and now recall, it was left for the Senator from Wisconsin to say, as he said, that it was the purpose of those who occupy the position which I occupy, as well as those with whom I am affiliated, to obstruct the operations of the Government in the Philippine Islands, and that they were therefore responsible for the blood which was shed in those islands.

A cause must be weak when recourse must be had to such charges, and it is strange that Senators who are so sensitive to reflections upon them should be so free to make much graver reflections upon others.

Mr. President, it is an unjustified thing to charge that those who differ from the Senator from Wisconsin are purposely endeavoring to assist in the overthrow of the American Army. As I have heretofore said in this Chamber there are in our Army in the Philippines those of my own blood. There are there many who are my personal friends, and the sons of those who stand nearest to me. What is true in this regard is equally true of other Senators on this side of the Chamber. We do not yield to the Senator from Wisconsin in our devotion to the welfare of the soldiers in that Army. We have there our full complement of soldiers, and their welfare is dear to us, and I resent and repudiate the charge made by the Senator from Wisconsin.

One can be in favor of giving freedom to the Filipinos and still be true to the United States and to the American Army. In 1899 I made a speech in this Chamber giving my reasons for supporting the bill providing the Army to be sent to the Philippines, in which I said:

> Now, Mr. President, I can not be accused by anybody, or be suspected by anybody, of favoring the annexation of the Philippine Islands. I can not be thought to favor anything growing out of this annexation or of anything made necessary by such annexation. I can not be considered as in any manner responsible for anything which has led to the annexation of the Philippine Islands. I can not be understood for a moment as favoring the retention of the Philippine Islands.
>
> If I had my way, before we adjourned this night I would pass a resolution saying to those people, be free! And I would do it immediately; not only because they are entitled to be free, but also mainly because of the influence which that would have upon our own people and upon the most cherished institutions and principles of our own country.
>
> Mr. President, no one is more extreme, I admit it, on that question than I am, and therefore it is from the standpoint of one occupying that extreme position that I propose to give the reasons why I conceive it to be my duty to vote for this bill.

There could be no stronger expression of a desire to give freedom to the Filipinos than I thus expressed, and yet in the same speech I took the position that it was my duty to support the Government so long as it was by legal authority prosecuting the war. And that speech, Mr. President, has been more than once applauded on this floor by the Senator from Wisconsin. Nor is that all. While I believe it to the interest of this country to withdraw from the Philippines and give freedom to the people, I have never failed to urge that under existing conditions that result could be accomplished only through the success of the American Army and the full recognition of American authority. I had the opportunity in September last to say that in a public speech in the Philippine Islands, a speech which was translated to the audience sentence by sentence as delivered, and which was reported at the time and published in the Philippines, and which, I ask, may now be read by the Secretary.

The Secretary read as follows:

[Excerpt from the Manila Times, Philippine Islands, September, 1901.]

SENATOR BACON'S SPEECH, NUEVA CACERES, DISTRICT OF THE CAMARINES, P. I.

* * * * * * *

Senator BACON expressed for himself and the representatives who were present a most cordial appreciation of the warm welcome and generous hospitality which had been extended to them by the people of Nueva Caceres. He said he trusted that he was not mistaken in the hope that in the near future there would be the most friendly relations between the American people and the Filipinos. What he had seen of the Filipinos had largely increased his interest in them and had intensified his desire to do all in his power to aid them in the effort to become a peaceful, a prosperous, and a happy and a contented people. After continuing for a little time upon this line of thought, he said:

"I regret that I can not speak Spanish and that I have been unable to understand what has been said here to-day by the distinguished Filipinos who have addressed us. In consequence, I can not make what I now say directly responsive to what they have said. There is, however, one thought that I wish to impress upon the Filipinos, not only here but to all of them throughout these islands. It is not only a thought, but a fact, that the happiness and the prosperity of this people can not be restored until there is perfect peace in these islands. So long as there is resistance to the authority of the United States it is impossible for the Americans most friendly to them to accomplish anything for them.

"The American people as a whole are a liberty-loving people. It is not in their hearts to desire to oppress any people anywhere in the world. In their hearts they desire all men to be free and to enjoy personal and political liberty. There are different ideas in America as to what is best to be done for the Filipinos; but while Americans differ among themselves as to what is best to be done and how it should be done, they all, speaking generally, want to do good for the Filipinos. As long, however, as war lasts in these islands, it is difficult for the Americans to do what they wish for them. War naturally and necessarily produces strong feeling not only here, but in America, and while the war lasts, even though there be only a little of it, the American people are thinking more about the war than they are about what shall be done in the future with the Filipinos and for the Filipinos.

"When it is proposed in Congress to determine what shall be done for the people of these islands, the answer is that nothing can be done and nothing can be finally determined for them as long as war continues in the Philippine Islands.

"Therefore," continued Senator BACON, with emphasis, "it is that I say that the best interest of the Filipinos requires that there should be perfect peace here, and that the authority of the United States should be undisputed in the Philippines. There is no more important thing that I can say to you and to the Philippine people, and I say it as one who has been and is their sincere friend and well-wisher."

Mr. BACON. I will simply say that I believe that to be the position of the Democratic party, and I not only said it in that speech but in every opportunity I had to speak to the Filipinos.

Mr. SPOONER. The Senator will permit me to say that is the position of the Democratic party over in the Philippines, but not here.

Mr. BACON. Yes, it is here also. The Senator misrepresents the Democratic party and myself also.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. CLAPP. Mr. President, from the speech of the Senator from Georgia [Mr. BACON] it appears to be the belief of the Democratic party that while war is being waged on the American flag the American people think more of the conclusion of that war than of the details to follow. If this be true, why does not the Democratic party come over and help us first to put out this fire and end the war?

Mr. President, if this discussion had been limited to the question of a tariff in the Philippine Islands I would not have presumed with my short service here to have spoken upon the subject. But it has taken a broader range. It has ranged to the extent of attacks upon our Administration, of slurs upon American soldiers, of sneers at American manhood and womanhood engaged in the Philippines in the laudable purpose of educating the people of those islands; and on behalf of the loyal and patriotic constituency through whose confidence I occupy a seat in this Chamber I desire to enter a protest against the conduct of this debate.

If we were actuated solely by a desire to gain partisan advantage, we might well welcome a continuation of the debate, for, as the Senator from Georgia [Mr. BACON] so well said, while war is waged upon the American flag the American will think more of that war and the methods of disposing of the war than of any other question which may grow out of its conclusion. But, sir, we have a higher duty than to sit here and to gain an advantage for partisan benefit by a controversy of this character.

Mr. President, this debate has taken a wide range, and yet the Democratic party stands concluded here by the very amendments which they have offered to the bill. Whether we refer to the substitute offered by the minority of the committee or whether we refer to the amendment offered by the Senator from Georgia, in either case it is a concession of every single thing that has been done or is being done to-day in the Philippine Islands. The only issue left is whether or not, at this time, we should give forth a promise as to what we will do when the war ceases. Both this substitute and this amendment provide that this war shall and must be waged until peace comes; and the only issue left in this debate is as to whether or not we are at this time prepared to make these promises.

I want to remind the Senate, while it may be a delicate subject, that to-day, as we look back into the inception of the Spanish war, the only mistakes that we have made which have embarrassed us have arisen from the fact of our making promises and presenting policies before we had reached a point where promises ought to be made or policies formulated.

They tell us to-day that we are drifting hither and yon without any guide, without any compass, and without any rudder. We are not drifting; we were not drifting when we lifted the hateful, palsied hand of Spain from Cuba; we were not drifting when we relieved the Philippine Islands of Spanish rule. When we went to the Philippines we went there for the establishment and inauguration of law.

Senators draw a comparison between our position and that of

ancient nations. No such comparison can be drawn. This is the first instance in the history of this great world when a free government entered upon the discharge of duties of this character. We may turn to history in vain for a precedent and a guide. But we have one guide that is as unerring as that of the pillar of cloud by day and the pillar of fire by night which guided the Israelites in their journeyings through the desert. That guide is the wise, practical patriotism of the American people.

Mr. President, this policy is confronting us to-day, whether we shall turn every political agitator in the Philippine Islands loose to claim that they have reached the time when they can avail themselves of the benefit of that amendment, if it shall pass, or whether we shall, which is infinitely better, it seems to me, await the development of that policy initiated by the wise and cautious McKinley and administered through the sturdy patriotism of President Roosevelt.

Mr. WELLINGTON. Mr. President, I entered upon this debate reluctantly, and I assure the Senate that I would not again have transgressed upon their attention in the closing hours of this debate, but the junior Senator from Maryland [Mr. McComas], my colleague in the Senate, has seen fit, in the fifteen minutes which were given to him to discuss the Philippine bill, to make a personal attack upon me and to endeavor to cast by imputation and by direct assertion doubts as to the truth and veracity of a statement that I have made not only upon one occasion, not only upon two occasions, but upon many occasions, and the Senator from Maryland has given an evidence to this Senate that his memory is not as good as mine. His recollection does not serve him well. Either he is so ignorant of what is in this controversy that he should not presume to speak upon it, or has by mistake, or willfully, said that which is untrue concerning this matter.

Sir, he says that the first time I made this charge was in my own home, at Cumberland, when I addressed a meeting of my fellow-citizens upon the occasion upon which I gave to William J. Bryan my adhesion during that campaign. He says that was the first time I uttered anything concerning this matter. If he had read that speech, he would have informed himself better, because, sir, in the Senate of the United States, six or seven months at least before I made the speech in Cumberland, I introduced a resolution embodying, as I reiterate to-day, the promises and conclusions which the President made upon the occasion of my interview. I presented that resolution to the Senate, and two days later I addressed the Senate of the United States upon that resolution. I then stated the matters and facts as I stated them in Cumberland and as I have given them since. It was not new; it was not something that had been conjured up by me between times.

The Senator said that I had received no message that the President desired to see me. That, again, is untrue. I did receive from the President of the United States, through a channel that I believed could represent him, a message that he would be glad to see me and talk over this matter with me.

I desire to say, Mr. President, that when I went to see the President of the United States my colleague was with me, but he did not hear the conversation. He was not then, as I recollect, a Senator of the United States, though he had been elected. When the interview came to a conclusion, the President and myself were at one end of the room and my colleague was standing by the window, where he could not hear, so he can not speak with knowledge upon this subject.

I reassert to-day that the President upon that occasion did make the promises of which I spoke in my speech during last week. I reiterate them here, and I desire to say now what I have said upon many occasions when I addressed the people of the United States outside of this Chamber. I have said to them that I believed that the President of the United States meant to carry out his promises when he made them, but by the sinister and malign influences which surrounded him he was gradually taken away, and that he did drift, drift, drift. But, sir, I do not stand alone in this matter. You dare not try to impugn my veracity without impugning that of another Senator of the United States. I will go further now, and I will say that the same promises were made to another Senator of the United States, and he is upon the floor now, or was. They were made to him as they were made to me.

Sir, I was not mistaken. There can be no mistake, and there must be no equivocation upon the part of the Senator from Maryland in this matter. He speaks of putting off declarations. Why did he not answer that charge during the last Presidential campaign? He did not do so. Why I know not, but he did not. He waited until he could hide behind the rules of the Senate, and then attempt by imputation to make such a charge.

Sir, in the resolution I introduced in January, 1901, I recited, in the language as best I could of the Chief Executive himself, his ideas and his determination.

The Senator talks about the Constitution and intimates that I ought to have known that the power of dealing with the Philippines rests with Congress. Sir, I have read the Constitution, and perhaps know as much about it as the junior Senator from Maryland, though I am a layman. I have read it, I have studied it, and I believe I know somewhat of its spirit and its intention; but, sir, the Constitution has not been taken into account in this matter. You know that war in the Philippines was declared outside of the war-making power by the President; you know that it has been continued since outside of any action of Congress, except that by which we were made to give an army. You may talk about the Constitution, but that does not alter the result. I was looking toward the man who stood at the head of the Administration; I was looking toward the man who alone stood responsible for our conduct in the Philippines during the interregnum of the sessions of Congress.

Then the Senator does me the honor to refer to another conversation that was had with the President of the United States, in which he says that somebody else said that I then and there promised adherence to the President's policy. He says that General Agnus, of Baltimore, and myself called upon the President, and that in his presence I made such a declaration. The Senator is giving what somebody else said.

What is the truth concerning that visit to the President of the United States? The truth is that General Agnus and myself visited the President of the United States to ask him to endeavor in his policy of dealing with the Navy Department to give justice to Admiral Schley. That was the reason of my visit, and the whole conversation hinged upon that matter. Upon that day the President expressed his admiration for Admiral Schley, but said he could not do what we asked him to do. That is the whole of that matter.

Now, Mr. President, it is not my intention to detain the Senate longer upon this matter, but I will say this in closing: I desire to be within the rules of the Senate; I desire to say nothing that shall go outside or beyond them; but, sir, I will say this: If my colleague will at any time outside of this Chamber say that what I have said is not correct, then I will tell him what I must not say now in this Chamber because of Senatorial dignity and because of parliamentary law, that he utters a cowardly and malicious falsehood.

Mr. HOAR. Mr. President, I call the Senator from Maryland to order.

The PRESIDENT pro tempore. The Senator from Maryland will take his seat and the Senator from Massachusetts will state his point of order.

Mr. HOAR. My point of order is that it is not in order, in a body where the courtesies of debate are the law, to say that an insulting expression would be made against another Senator outside if he should repeat something he said here.

The PRESIDENT pro tempore. The Chair sustains the point of order made by the Senator from Massachusetts.

Mr. Allison and Mr. Wellington addressed the Chair.

The PRESIDENT pro tempore. The Senator from Iowa.

Mr. ALLISON. Mr. President, I had not intended to mingle in this debate, and do not intend to do so now, except to state, in as brief words as I can, why it is that I give my support to the pending measure.

I had hoped when this measure came into the Senate that whatever debate there might be upon the general question of the Philippines would be postponed until the questions which have been discussed in this debate should come regularly before the Senate; but it seems that by means of the substitute introduced by the minority of the committee the whole subject of the Philippine Islands has been brought into the debate on the bill and the substitute.

Mr. President, I had supposed that there were several things which had already been settled by former debates and votes in this Chamber. I learned from the Senator from Washington [Mr. Turner] this morning and in his speech the other day that at the time we captured Manila, and later, the Filipinos had an established government in the Philippine Islands. Why, Mr. President, nothing is further from the truth than that statement. There never was up to the time of our capture of Manila any semblance of an independent government in the Philippine Islands, except a government on paper. There were pronunciamentos without number issued from the headquarters of Aguinaldo, but they had nothing of the form or semblance of an organized government.

Aguinaldo came into the islands on the 20th day of May. He began his proclamations, I believe, on the 6th of June, and continued issuing them on the 18th of June, on the 23d of June, on the 24th of June, and so on, day by day, without consultation, so far as the record discloses, with the people of those islands, or even with the people of the island of Luzon. Therefore it was that when we captured Manila he had no status in those islands worthy ot the name of the head of a government. He was not recognized as such by any public officer in those islands.

But the capture of the city of Manila put the United States in a singular position respecting that country. Not knowing at that time, as General Merritt did not know, of the protocol, which had been signed the day before, he captured the city of Manila, with practically the entire Spanish army; and although the protocol confined the possession of our Government to the city and bay of Manila until the final treaty should be signed, we captured at Manila as prisoners of war practically all the forces in the Philippine Islands. Then is it to be said that the roaming over those islands or provinces by little bands of Filipinos constituted a government or the possession of those islands? That has been thrashed out in this Senate over and over again, and by the judgment of the Senate it has over and over again been decided that Aguinaldo and his followers had no status in the form of any government whatever in the islands when we captured Manila. That is number one.

Now, as to the second proposition. It has been reiterated here to-day that we began war upon the Filipinos. It is as well known as any other fact in the history of this transaction that Aguinaldo and his followers began war upon the United States early in October of the year 1898. They began with the forces they had, and we could not impede those forces because by the protocol we were confined to the city of Manila. Therefore Aguinaldo, knowing of this protocol, and not being our ally, occupied a position with his forces and commenced fortifying and surrounding the city of Manila with his army, and when notified by General Otis that he was committing acts of hostility, he still went on. So that when it is pretended here—honestly and sincerely, I have no doubt—that Aguinaldo was our ally, the facts are that Aguinaldo was our enemy before the capture of Manila in August, 1898.

Therefore, although it is said that we made war outside of the Constitution, the fact is we were within the Constitution of the United States, certainly so after the ratification of the treaty, when we resisted the rebellion and authority of the Flipinos in their insurrection against the United States.

Mr. President, these are some of the facts, and they were not seriously controverted in the early debates. It is true they were alluded to, but the matter has been settled and disposed of, first, by the ratification of the treaty, and next by a unanimous vote of this Senate to give the President of the United States a hundred thousand men to put down this rebellion. Why was that done by our friends on the other side if they thought that we were making an unconstitutional and an unjust war against a free people? No, Mr. President, all these questions have been practically decided. They may be debated historically, as the Revolution can be, but they have been practically decided, and the discussion which has taken place has not been pertinent to the questions now under consideration.

The question with us now is whether or not we shall go on and establish there, as all agree there should be established there, a free government, a stable government, one in which the people of those islands shall have participation, so far as they are capable of participation, or whether we are now to make some promises which are to be vaguely fulfilled in the future.

We have heard here quotations from our treaty with Mexico to the effect that we promised the inhabitants of the territory taken from Mexico statehood, yet they have been fifty-four years without it. Fifty-four years have passed, and the great part of the territory taken from Mexico under that treaty of peace still remains outside of the promise which we made so long ago. Therefore what boots it that we should make a promise now that the Filipinos shall have statehood when another generation of men, or two generations of men, are to follow us here in the Senate before there will be any necessity, according to precedent, to fulfill that promise.

So, Mr. President, in my belief and judgment, it is wiser and better for us, as it is wiser and better for the Filipinos, that we should go on doing the best we can to secure a good, stable government for them; and, for one, I want to thank the Senator from Georgia [Mr. BACON] for his manly, frank statement to those Filipino people, that nothing could be done here in the United States as respects their condition or their status until they laid down their arms and submitted to our authority. As is suggested to me by the Senator from Wisconsin [Mr. SPOONER], that statement was made in the English language, but it was in such form that they understood what he meant; and yet now, after a period of six months, we are told here that we are responsible for all that has been done or is being done in the Philippine Islands, when it turns out that the leader of the Democratic party on that side of the Chamber told those people the plain and honest truth, that nothing could be done until they laid down their arms and submitted to our rightful authority.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator has but two minutes more.

Mr. ALLISON. Mr. President, I desired to speak for a minute or two upon the subject of statehood for those islands, but I will use those two minutes in saying that, according to the testimony of Governor Taft, whom we all believe and all respect, the islands are now practically in a condition of peace, except a rebellion in four islands, and that rebellion in one of them is confined to 200 insurrectos in Samar, who live in the mountains and come down into the valleys at recurring intervals. Not only is that island peaceful, but it is so peaceful that the teachers whom we sent there to educate the children in those islands go unmolested in 34 of those provinces and without hindrance; the children attend the schools, and the teachers, men and women, are permitted to go through those islands without military escort and without interruption.

So that, according to the testimony of Governor Taft and all of the concurring surroundings, the war in the Philippines is practically ended, and we are establishing there not a despotism, but we are establishing there a free and just government, giving to the people of those islands all the participation therein of which they are capable as respects the character of that government.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CLAY. Mr. President, we have had two speeches, one from the junior Senator from Iowa [Mr. DOLLIVER] and one from the senior Senator from Iowa [Mr. ALLISON], this morning. The junior Senator made a severe indictment against the Democratic party. He charged that the Democratic party was disloyal to the Army and that the Democratic party had spoken, during the debate, with irreverence toward our dead President.

I challenge the Senator to point to a single instance where any Senator on this side has been disloyal to our arms. I go to Georgia. She is a Democratic State. Her quota of soldiers in the late Spanish-American war was 830, and she furnished 1,027. Iowa's quota was 830 and she furnished about 400.

The Senator also said that the Senators on this side of the Chamber have spoken with irreverence in regard to our dead President. We have differed with President McKinley on political questions, but I dare say that no Senator on this side of the Chamber has spoken of him except with the highest respect, and while we in Georgia differed with him, we honor and revere his memory because he was a good man.

We are assaulted by the junior Senator from Iowa [Mr. DOLLIVER] because, as he says, we were disloyal in supporting the Army, and the senior Senator from Iowa [Mr. ALLISON] comes forward, and what does he say? He assaults Democrats on this side of the Chamber because, forsooth, we have voted for every single appropriation bill supporting the Army. The charges are inconsistent. The Democratic party has felt it to be its duty while we were in war to stand by our Army, and we have stood by them bravely and courageously from the beginning to the end.

Mr. President, I am not a bitter partisan. I am a Democrat, but I always respect the views and judgment even of those who differ with me. I never question their honor or their integrity. Three times to-day have I heard it charged on this floor that the Democratic party is in favor of pulling down the flag and taking our Army away from the Philippine Islands, and I have heard it charged against the minority that we are in favor of pulling down our flag and getting away from the Philippine Islands at once. The charge is false. When we had the treaty before us and were trying to ratify it, and before it was ratified, we endeavored to get a declaration of policy from both Houses of Congress in favor of a policy looking forward to the ultimate independence of those people, and that would have kept down war.

After the treaty was ratified there was a resolution introduced looking to their ultimate independence, but there was not one word said about pulling down the flag. The Democratic party has not been in favor of leaving the Philippine Islands until a stable government is established there, but we have been in favor of saying to those people, "Lay down your arms, submit to American authority and American sovereignty, and then we will treat you fairly and give you the right of self-government."

Take the report of the minority here—and I have read it; I have it before me. I see it constantly charged in the press that the Democratic minority were in favor of pulling down the flag and getting away from the Philippine Islands, leaving them in anarchy. The Democratic minority report does not provide for any such thing, and the charge is false from beginning to end.

Let us see what the Democratic minority do say. Let us do the Democratic minority justice. I do not say that we on this side of the Chamber have all the patriotism, but we love our country and we are as loyal to the flag as are you on the other side of the Chamber. I do not say you are dishonest. You see it in one way; we see it in another. We believe that the policy we have advocated from the beginning to the end would have saved the lives of more than 4,000 American soldiers and the expenditure of more than $350,000,000, and would have saved the lives of 40,000 Filipinos, and that peace would have reigned from the time the treaty was ratified to the present moment. What does the Democratic minority say?

That the United States shall continue to occupy—

Now listen—

and govern said archipelago until the people thereof have established a stable government and until sufficient guaranties have been obtained for the performance of our treaty obligations with Spain for the safety of those inhabitants who have adhered to the United States and for the maintenance and protection of all rights which have accrued under their authority.

That as soon as these results have been accomplished, it is declared to be the purpose of the United States, which the President is directed to carry into effect, to withdraw from said islands and leave the government, control, and sovereignty thereof to the inhabitants.

That is the report of the minority. I was amused at my friend the Senator from Wisconsin [Mr. SPOONER], for if there is any member of this body for whom I have high respect it is he. He is not only fair as a general thing, but he is a man of more than ordinary ability. He stood here the other day and arraigned Mr. Bryan and arraigned the Democratic Senators who voted in favor of the ratification of the treaty, and turned around and said we were absolutely inconsistent. I hold in my hand the speech he made in favor of the ratification of the treaty, and I also have the speech of my friend the junior Senator from Massachusetts [Mr. LODGE]. The junior Senator said—if he does not recollect it I will read it, but I do not want to take up the time—"ratify the treaty; get rid of the sovereignty of Spain, and then we will take up the Philippine problem in Congress and solve it and gradually give them an independent government."

Now, when Senators who voted in favor of the ratification of the treaty turn around and say, "Let us do that," then the Senators charge that we are keeping up the war in the Philippines.

Not only that, but the Senator from Wisconsin, in one of the ablest speeches that has been delivered in the Senate and one in favor of the ratification of the treaty, stood here, Mr. President and Senators, and declared that we did not have time to deal with the question before we ratified the treaty. "Ratify the treaty," said he, "do away with the sovereignty of Spain, and then we will have the problem all to ourselves, and Congress will take it up and immediately solve it and grant to them self-government, and then will be the time to act." That is what Mr. Bryan said.

Mr. Bryan has been viciously assaulted and those of us on this side of the Chamber who voted in favor of the ratification of the treaty have been told that we are inconsistent. I deny that I have been inconsistent. I voted in favor of the ratification of the treaty, and my colleagues on this side of the Chamber, men with experience in the Senate, beseeched me not to do so, but as a brave man, believing that it was best to do so, I did what I thought to be my duty, announcing at the same time that I favored legislation looking forward to the independence and self-government of those people.

In voting in favor of the ratification of the treaty I never believed and I do not believe now that I am estopped from voting for every movement looking toward an equitable solution of our troubles in the Philippine Islands, gradually giving to those people independence and self-government.

I have read with a great deal of interest our history since we have been in the Philippine Islands. I am not prepared to say that every time our Army officers have been charged with improper conduct the charges are true, but I am prepared to say here to-day that I have read the history of those people, I have read the history of our relations with them, and I believe to-day that they love liberty and they love self-government; that they have a pride in building up a nationality of their own just like we have. Do you know, human nature is the same the world over. The Anglo-Saxon loves home, justice, liberty, and self-government. So do these people.

I believe there was a time in the Philippine Islands, before we ratified the treaty and even since we ratified, when we had 10,000,000 friends in those islands. I believe that by a conservative and a wise course we could have kept their friendship. We could have dealt with them as friends. We could have avoided this war, and we could have solved the Philippine problem in a better way in peace than in war. At the time when we took the city of Manila and a week before throughout the length and breadth of the Philippine Islands there was nothing but friendship for our people. It is a fact which can not be disputed that wherever an American soldier or an American citizen went in the Philippine Islands he received a hearty welcome at the hands of the Filipinos.

I know it will not do to talk about the past. I am ready to help solve the future in a patriotic and broad sense. I would reverse our position and say to them, "Lay down your arms, acknowledge the sovereignty of the great American Government, and then we will deal with you in the spirit of justice, and so soon as you can form laws and a constitution and put them in operation, submitting them to us in order to let us see whether they are just and wise, you shall have your country; all of your private land." I am not prepared to say that in the solution of this question we shall surrender all of our rights to the people of those islands. I am not only willing to do justice to the Philippines, but I want to do justice to the American people.

There are 63,000,000 acres of vacant land in the Philippine Islands that once belonged to the Kingdom of Spain. The question what we shall do with it and whether or not the Filipinos shall pay us a reasonable sum for it to cover the legitimate expenses to which we have been put must be dealt with by practical statesmen and in a business way. There are many questions that will arise in the future in the Philippine Islands which I can not now discuss, but I tell you the mistake we made was in not declaring the policy we intended to pursue. We ought to have shown to them that the American people are in favor of justice and in favor of liberty everywhere.

The PRESIDING OFFICER. The time of the Senator from Georgia has expired.

Mr. HANNA. Mr. President, it is not my purpose to enter into this discussion either upon the tariff or the political phase of it; but I can not permit an incident which has just occurred to pass by without making a remark. With respect to the differences between the Senators from Maryland, and so far as personalities are concerned, I have nothing to do or say. But inasmuch as that difference, if settled at all, could only be settled by lips closed in death, I do propose to say that in that contention, without regard to what one or the other may have understood or believed, I resent, in the name of the American people, the statement made that a promise given by our dead President was unfulfilled. [Applause in the galleries.]

The PRESIDING OFFICER. The Chair admonishes the occupants of the galleries that it is in violation of the rules of the Senate to manifest either approbation or disapprobation, and if it is repeated the Chair will order the galleries to be cleared.

Mr. HANNA. I am willing to admit that a misunderstanding with respect to an interview or words used may have occurred, but it needs no further evidence than the character and career and policy of President McKinley to answer a charge brought here that either intentionally or otherwise he left unfulfilled a promise made. It is not possible. I desire to leave it there. It must have been a misunderstanding, or else, in the name of the American people, I leave on record my protest against the statement made.

Mr. RAWLINS. Mr. President, I do not rise for the purpose of making a speech. In behalf of the minority of the Committee on the Philippines I wish to invite the attention of the Senate to a proposed modification of the proposition submitted as the minority report of the committee. At the time the report was made we had not yet received information as to all the laws which had been passed by the Philippine Commission. At that time we were unaware of the enactment of what is known as the treason and sedition laws, which have since been the subject of considerable discussion in the Senate. The minority of the committee were of the opinion that it would be a proper thing to do to continue in force the laws in relation to the government of the islands as they exist at the present time, and we did not presume that the eminent men who have been sent to the Philippine Islands for the purpose of temporarily exercising the authority of the United States in those islands would enact measures other than such as would be reasonable and proper, tending to the peace and welfare of the islands.

So, Mr. President, this language was inserted in the minority report:

That until the people of the islands shall establish a government, as hereinbefore provided, all laws, rules, and regulations now in force for the government of the islands and the raising of revenue therefor shall be in force except as the same may be in conflict with this act.

In view of the developments which have been made since the presentation of the minority report it is proposed to modify the minority report by striking out the language which I have just read. Speaking in behalf of the minority of the Committee on the Philippines which made this report, I ask that the amendment I have offered, constituting the report of the minority, be modified by striking out lines 18, 19, 20, 21, and 22.

The PRESIDENT pro tempore. The Senator from Utah asks that the amendment submitted by the minority of the committee be modified as will be stated.

The SECRETARY. It is proposed on page 2 to strike out all of lines 18, 19, 20, 21, and 22.

The PRESIDENT pro tempore. The Senator has a right to make the modification.

Mr. LODGE. I ask that the words may be read, because the paging is different in some prints of the bill.

The PRESIDENT pro tempore. The words stricken out will be read.

The Secretary read as follows:

That until the people of the islands shall establish a government, as hereinbefore provided, all laws, rules, and regulations now in force for the government of the islands and the raising of revenue therefor shall be in force except as the same may be in conflict with this act.

Mr. HOAR. How will that leave the amendment?

Mr. CULLOM. I should like to have the substitute read as it now stands.

The PRESIDENT pro tempore. Will the Senator from Utah allow the amendment to be read in his time?

Mr. RAWLINS. Certainly.

The PRESIDENT pro tempore. The amendment as modified will be read.

Mr. HOAR. I should like to have it read as it will stand after modification.

The Secretary read as follows:

Be it enacted, etc., That, subject to the provisions hereinafter set forth, the United States of America hereby relinquish all claim of sovereignty over and title to the archipelago known as the Philippine Islands.

That from and after the passage of this act said archipelago shall be foreign territory, and all goods entering the United States therefrom shall be subject to the same duties, customs, and imposts as are now, or may hereafter be, prescribed by law for goods entered from other foreign countries: *Provided*, That during the temporary occupation of said islands, as hereinafter provided, all trade between the same and the United States shall be free.

That the United States shall continue to occupy and govern said archipelago until the people thereof have established a stable government and until sufficient guaranties have been obtained for the performance of our treaty obligations with Spain for the safety of those inhabitants who have adhered to the United States and for the maintenance and protection of all rights which have accrued under their authority.

That as soon as these results have been accomplished it is declared to be the purpose of the United States, which the President is directed to carry into effect, to withdraw from said islands and leave the government, control, and sovereignty thereof to the inhabitants of the same, retaining only such military, naval, and coaling stations as may be designated by the Government of the United States.

Mr. RAWLINS. Mr. President, the purpose of the amendment of the minority report is manifest from its reading. The design is to carry into effect the purpose which has been expressed by many Senators upon both sides of the Chamber at various times in the history of our relations with the islands. When the people there have established a stable government, a government suited to them, a government which they are capable of administering, and upon securing the guaranties which are provided for in the amendment, the proposition is upon the part of the United States to withdraw from the islands and leave the government to the inhabitants thereof. Mr. President, a distinguished educator, the chairman of the first Philippine Commission, has declared that any decent sort of government of Filipinos by Filipinos is better than the best possible government of Filipinos by Americans.

It has been claimed that if we leave the islands the government there will be an oligarchy. For myself—and I think in that regard I speak for the minority upon this proposition—if there is to be an oligarchy in the islands, ruling it, we prefer that it be not the creation of the American Republic. To-day we have there an absolute form of government, with all power vested in the hands of a single individual, the President of the United States, and such persons as he may select; and those who are prescribing the policy of this government—you of the majority—are not prepared to make any declaration as to the future of the islands, but you leave the question to be determined some time in the future, not proposing to deal with it at present.

Mr. President, there is nothing unpatriotic in the proposition presented by the minority. It recognizes the authority of the United States so far as that authority lawfully extends. It concedes to Congress the power of making such disposition of the islands as it may deem proper in exact accordance with the decision of the highest judicial tribunal in the land. It does not propose any assault upon the American Army, but it proposes to say to the Filipinos, "Your aspirations for free government shall be accorded upon the conditions which are prescribed in this proposition."

Mr. President, with respect to those on the other side who, in their frenzy to-day, impute improper motives to Senators on this side, I will say that I believe their hearts are better than their tongues, and that they have no faith in the proposition which they present for political effect. Senators upon the other side, as well as upon this side, know that this is a legitimate proposition, one that may be patriotically espoused by the people of the United States; and many of you, I have no doubt, although your votes may not be recorded in accordance with your belief, believe that if the proposition of the minority were adopted, it would be best for the people of the United States as well as best for the people of the Philippine Islands.

Mr. President, we have had war and bloodshed there. What have we done in the past three years, asks the Senator from Nevada [Mr. STEWART]? What have we accomplished there? General MacArthur says we have exterminated one-sixth of the natives of Luzon; the Philippine Commission say we have destroyed hundreds of public buildings and thousands of private residences. We have over there a picture of desolation, if your eyes could reach that far and view it.

Mr. President, we have accomplished nothing for the benefit of the islands there. The condition there is so intolerable that language is inadequate to describe it, and what has taken place, if you continue the same policy, is likely to be augmented and multiplied in its distress and disaster in the future.

We stand for the flag and for the Constitution. We say bring back our sovereignty where it can be under the protection and guardianship of our Constitution. You propose to send it away where it shall be unrestrained despotism. You can not answer our facts, you can not respond to our arguments by attempting to feed on the cadavers of dead heroes and bringing forth the remains of Lawton or any other soldier. They are our generals and they are our soldiers, and we will respect their memory and will uphold their honor as well as you. Speak not with impudence to a large class of the American people who are as much filled with patriotism, who are as true to the interests and the welfare of the institutions of this country as you can possibly be.

Mr. President, you upon that side will not deter any true American citizen from expressing his opinion in reference to any political question that may arise, and which shall be legitimately before the people or the Congress of the United States for their solution. To question our attitude is an evidence of cowardice on your part, because if our facts are not true and our arguments are unsound, meet our facts and respond to our arguments and do not assault our motives. When the Senator from Wisconsin undertakes to impugn the motives on this side he does injustice to himself. He does not rise to the stature of an American Senator and he does not typify the spirit of American institutions.

Mr. President, this proposition we present to you in all fairness. You have a right to vote against it, as you will. We have a right to support it, and our votes will be cast in accordance with our best judgment and our honest convictions. Then we have a right to go to the tribunal of the great American people and ask them to decide whether you are right or whether we are right.

Mr. FAIRBANKS. Mr. President, after having spoken at length upon this subject on Saturday evening, I did not intend again to claim the attention of the Senate, but some things have been said during the course of the debate to-day that have moved me to trespass a few moments further upon the time of the body.

The question before us is a simple one. It is a plain one. It is one about which there should be aroused no personal feeling, no personal resentment. Here in this august assembly of the American people is no place for other than deliberate words—words of counsel, words of reason, words of patriotism in the highest and the fullest sense.

We face great responsibilities that have come upon us unexpectedly, and it is for us to rise equal to the occasion and meet the demands as American patriots should meet them. We face conditions which are the legitimate and natural outgrowth of a war; not a partisan war, but a war of all parties, a war of the American people; not war for conquest, not war for the extension of the domain of the United States, not war to gratify the commercial spirit, but war waged in humanity's name by one of the greatest and wisest and best patriots this country has ever produced.

Sir, those who are here remember how anxiously President McKinley sought to avert war. They know full well how day in and day out, week in and week out, he devoted all of his great powers, his genius, and his lofty statesmanship to settle the difficulties in Cuba by an appeal to the reason and justice of Spain. All of his efforts proved unavailing, and war came. When it came, it was his duty as the Commander in Chief of our Army and Navy to strike down Spanish power wherever it was established.

One of his first acts after he received the high commission of the American Congress to make war was to send a message across the Pacific to a brave commander of our Navy then stationed at Hongkong. It was a brief message, yet it changed the destiny of an empire. It was a brief message, yet it changed the destiny of a republic.

Fortunately the message fell into the hands of a naval officer of the United States intelligent enough to interpret it according to the will of the American people, and brave and courageous enough to execute it according to its intendment. That message was, "Find the Spanish fleet; capture or destroy it," and in one brief hour, in the bay of Manila, there was born among the great naval heroes of the world George Dewey.

Mr. President, then came Santiago and the treaty of peace at Paris, and that treaty of peace was sent to the United States Senate for its ratification. We ratified it, and it thereupon became the supreme law of the land. Under it Spain ceded to the United States, among other property, the Philippine Archipelago, and under that cession it became the duty of the United States to establish peace and good order in the Philippines. Spain's power had forever been destroyed and overthrown in those islands in the distant sea.

Some of our friends upon the opposing side said that Dewey should have left Manila after he had broken down and destroyed the Spanish fleet. No, Mr. President, he could not have left Manila. Why? Because it was his duty, as it was the imperative duty of the United States, to hold anarchy in check in the Philippine Islands, and to preserve life and property, which were

placed in serious peril by the destruction of Spanish authority and power.

Mr. President, our course in the Philippines has not been imperialistic; it has not been harsh; it has not been tyrannical; it has been the exact contrary of all this. President McKinley undertook through commissions of eminent and patriotic citizens of the United States to substitute for the war power the ways of peace, and to accomplish through the commissions a peaceful settlement of the insurrection in the Philippine Archipelago.

Mr. President, it has been from the beginning of our occupancy, and is now, the duty of the United States Government to compel recognition of American sovereignty and American authority in the Philippines. This has been our imperative duty, a duty which we could not avoid or evade without absolute national dishonor. We must hold to the doctrine, without varying or turning aside, that the rightful sovereignty of the United States, whenever it is challenged, must be upheld against all comers. Who is there with a sensitive regard for the prestige and good name of his country that would consent that his Government should do less than this?

Have we done nothing in the Philippines of which we may be proud? The catalogue of our achievements there is vast. We have accomplished much toward the advancement of an ignorant people in the ways of a higher civilization. No other government than ours has in its beneficence accomplished so much in lifting up an unfortunate people to a higher plane. We have counted no effort too great to win those people to the ways of tranquillity and to educate them in the principles of republican government.

Shall we leave half done an undertaking self-imposed? Shall we turn over the Philippines to disorder and to become the prey of rapacity of other powers? Shall we withdraw our sovereignty and perhaps thereby disturb the international peace? Have we done nothing in the Philippines except that which deserves censure? Is there nothing done in the islands of which we may be proud? What we have done signalizes our Government as one of the most just and humane governments of which there is record; and every American should be filled with pride because of what we have accomplished in the name of justice and for humanity.

Sir, the moral forces of the United States have been back of the Republican party in carrying forward our exalted and self-appointed task, and they will sanction no base abandonment of it, or any wretched and cowardly surrender of our authority at the dictation of those insurrectionists who wish to place under contribution the Philippine Islands.

Our friends in opposition are continually inquiring, "What of the future?" Let them be patient. Let them restrain their impetuosity. Let them indulge in no intemperate speech and criticism. Let them have faith in the wisdom of the American people.

How long it will require us to educate the people in the Philippines, how much time will be required to establish municipal governments and provincial governments and an insular government a power higher than us knows, and He only knows. It is not given to our finite wisdom to see far into the future, but I have no doubt, Mr. President, as to our future in the Philippines.

I believe that the American people, actuated always by those great fundamental principles of free government, actuated by the principles which have governed us from the beginning until now, will carry into the Philippines no trace or suggestion of tyranny or harsh rule. We are ruling in the Philippines under the provision of the Constitution which distinctly and clearly enables the Congress of the United States to make such laws and regulations with respect to the territory belonging to the United States as the Congress in its superior wisdom shall deem just and proper.

Mr. President, it is not necessary that we should now declare our purpose with respect to the future of the Philippines. We must persevere in carrying into those islands as rapidly as possible all of the principles of free government, as we have been doing thus far. We have established, as I said before, in a large portion of the islands, peace, and if we are correctly advised, Mr. President, the majority of the inhabitants are to-day either affirmatively or passively in favor of American rule there.

It would indeed be an inglorious step for us to take, after we have gone thus far, to pull down the flag of the United States, and, in the language of President McKinley, adopt a policy of scuttle there. The problem, as I said in the beginning, is a plain one. We have but to do as we have done in the past, meet the duties of the hour in a brave, courageous, honest, straightforward manner, and the future will take care of itself.

There is no necessity for any heat; there is no necessity for any excitement, for I believe that no matter how grave and sharp the differences may be between us, after all we each desire to promote not only the welfare of the people of the Philippine Islands, but also the welfare and honor and the good name of the United States.

We owe a duty not only to the Filipinos, but we owe a corresponding duty and obligation to the United States. The substitute of the minority, it seems to me, is unwise, and if we are to believe the Philippine Commission and others whose opinions are of weight, its adoption would result not in promoting peace, but in ushering in there an era of turbulence and disorder, the farthermost limits of which we can not now measure.

Let us not be uncharitable; let us go forward, meeting the duties of the present in an intelligent, enlightened, patriotic way. By our past achievements we have added greatly to the renown of our country, and if we shall continue to persevere and hold fast to the great principles which have thus far guided us, we shall best serve the Filipinos and we shall increase the prestige and renown of our Government, which is dearer to us than all else.

Mr. HOAR. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Massachusetts will state his inquiry.

Mr. HOAR. I desire to inquire if, as the votes on the amendments go along, it will be in order to move new amendments?

The PRESIDENT pro tempore. The Secretary will please read the rule which was adopted.

Mr. HOAR. I so understand it, but I wished to have the Chair state the fact.

The Secretary read as follows:

FEBRUARY 24, 1902.

By unanimous consent it is agreed that on Monday, February 24, after the routine morning business, the unfinished business (H. R. 5833) will be taken up for consideration, and each Senator shall be limited in debate to fifteen minutes, the time to be equally divided between the friends and opponents of the bill until 4 o'clock p. m., when debate shall cease and a vote be taken on all amendments submitted and to be presented and then on the bill, it being further agreed that said bill shall be taken up for consideration each morning after the routine business is concluded. (February 18, 1902.)

The PRESIDENT pro tempore. The first amendment pending is that offered by the junior Senator from Colorado [Mr. PATTERSON].

Mr. LODGE. I ask if the Senator will allow me to offer a committee amendment before the question is put on that, to which I think there will be no objection?

Mr. PATTERSON. Very well.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none. The Senator from Massachusetts, in behalf of the committee, offers an amendment, which will be read.

Mr. LODGE. It is to stand as a new section.

The PRESIDENT pro tempore. It will be read.

The SECRETARY. Insert as a new section the following:

SEC. —. That an appeal as respects all articles coming into the Philippine Archipelago from the United States and all articles coming into the United States from the Philippine Archipelago shall be allowed as provided in an act entitled "An act to simplify the laws in relation to the collection of revenues, approved on the 10th day of June, 1890 (26 Stats., 131), as amended by an act entitled "An act to provide for the Government, and to encourage the industries of the United States," approved July 24, 1897 (30 Stats., 151).

The PRESIDENT pro tempore. Will the Senate agree to the amendment?

The amendment was agreed to.

Mr. LODGE. Now I move a further amendment. In section 3, page 3, line 13, in the print that I hold in my hand, I move to strike out the words "otherwise provided by law" and to insert the words "July 1, 1904."

The PRESIDENT pro tempore. The Senator from Massachusetts offers an amendment, which will be read.

The SECRETARY. Line 13, page 3, section 3, strike out the words "otherwise provided by law" and insert in lieu thereof "July 1, 1904."

Mr. PATTERSON. Let the clause be read as proposed to be amended.

The Secretary read as follows:

Provided, however, That until July 1, 1904, the provisions of law restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from one port of the United States to another port of the United States shall not be applicable to foreign vessels engaging in trade between the Philippine Archipelago and the United States, etc.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The Secretary will read the amendment offered by the junior Senator from Colorado [Mr. PATTERSON].

The SECRETARY. It is proposed to insert at the end of the bill as a new section the following:

SEC. 8. That an act adopted by the United States Philippine Commission on November 4, 1901, entitled "An act defining the crimes of treason, insurrection, sedition, conspiracies to commit such crimes, seditious utterances, whether written or spoken, the formation of secret political societies, the administering or taking of oaths to commit crimes or to prevent the discovering of the same, and the violation of oaths of allegiance, and prescribing punishment therefor," be, and the same is hereby, repealed.

Mr. PATTERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BERRY (when Mr. BLACKBURN'S name was called). The Senator from Kentucky [Mr. BLACKBURN] is unavoidably absent. He is paired with the Senator from Michigan [Mr. MCMILLAN]. If the Senator from Kentucky were present, he would vote "yea."

Mr. CLARK of Wyoming (when his name was called). I am paired with the Senator from Kansas [Mr. HARRIS]. In his absence, with the consent of the pair of the Senator from Pennsylvania [Mr. QUAY], I will transfer my pair to the Senator from Pennsylvania, and vote. I vote "nay."

Mr. HALE (when his name was called). I am paired with the senior Senator from Arkansas [Mr. JONES]. I am informed that he would vote "yea," if present.

Mr. HANSBROUGH (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL]. I suggest to the senior Senator from Montana [Mr. CLARK] that we transfer our pairs, so that he and I may vote.

Mr. CLARK of Montana. That is agreeable to me.

Mr. CLARK of Wyoming. I vote "nay."

Mr. MCENERY (when his name was called). I have a general pair with the junior Senator from New York [Mr. DEPEW], who is absent. If he were present, I should vote "yea."

Mr. MCMILLAN (when his name was called). In accordance with the announcement made by the Senator from Arkansas [Mr. BERRY], I am paired with the Senator from Kentucky [Mr. BLACKBURN], and I will not vote.

Mr. PATTERSON. Mr. President, I rise to a parliamentary inquiry. Was the name of the Senator from South Carolina [Mr. MCLAURIN] passed by direction of the President pro tempore?

The PRESIDENT pro tempore. It was passed by the instruction of the Chair.

Mr. PATTERSON. I want to raise the question——

Mr. ALDRICH, Mr. HALE, and others. Regular order!

Mr. PATTERSON. I want to raise——

Mr. BURROWS. The Senator can not interrupt the roll call.

The PRESIDENT pro tempore. The roll call will proceed.

Mr. PATTERSON. The point can not be raised before the vote is announced.

Several SENATORS. Regular order!

The PRESIDENT pro tempore. The roll call will proceed.

The Secretary resumed the call of the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. That pair is transferred to the Senator from Kansas [Mr. HARRIS], and I vote "yea."

The roll call was concluded.

Mr. DILLINGHAM. I was out of the Chamber when my name was called. I desire to state that I have a general pair with the Senator from South Carolina [Mr. TILLMAN]. I do not know what my duty is under the circumstances; I should like to be advised; but, under the circumstances, I think I will decline to vote.

Mr. TURNER. Mr. President, I call the attention of the President to the fact that the name of neither Senator from the State of South Carolina has been called. I am authorized to state that the senior Senator from South Carolina [Mr. TILLMAN] is in his seat and desires to vote upon this question. I ask a ruling of the Chair as to whether these Senators are entitled to vote on this question.

The PRESIDENT pro tempore. In the opinion of the Chair, they are not.

Mr. TURNER. Mr. President, I desire to take an appeal from the decision of the Chair, and upon that appeal I desire to be heard.

Mr. President, we have here the gravest proposition of constitutional law, I imagine, that has ever been presented in this body upon a mere question of order. We have presented the question whether a sovereign State in this Union——

Mr. LODGE. I rise to a question of order, Mr. President.

The PRESIDENT pro tempore. The Senator will state his point of order.

Mr. LODGE. Is it in order to debate any subject during a roll call?

Mr. TURNER. Mr. President——

Mr. LODGE. The roll call is still in progress.

Mr. TURNER. My question of order and the appeal thereon, pertaining to the roll call, is germane and certainly can be presented——

Mr. LODGE. It can not be discussed during a roll call.

Mr. TURNER. A question involving the high privilege of a State to representation in this body may be discussed at any time.

Mr. LODGE. After the roll call.

Mr. TURNER. The matter will then have passed into precedent, and that is what I desire to avoid, and what I think other Senators who are anxious to have proper and orderly procedure here ought to wish to endeavor to avoid.

Mr. LODGE. I make the point of order, Mr. President——

Mr. TURNER. I wish to say upon that point of order that I have heard these matters discussed pending a roll call for hours at a time since my limited service in this Chamber began.

Several SENATORS. No, no!

The PRESIDENT pro tempore. The Chair sustains the point of order raised by the Senator from Massachusetts [Mr. LODGE]. Until the roll call is completed, certainly nothing can intervene.

Mr. TURNER. When is the roll call completed, Mr. President?

Mr. HOAR and others. Regular order, Mr. President.

Mr. TURNER. I ask when the roll call is completed.

The PRESIDENT pro tempore. The names will be read.

Mr. TURNER. At what time will it be in order, Mr. President, to make this point of order?

Mr. HOAR. I rise to a question of order, Mr. President, that nothing can be done, either in the way of inquiry or otherwise, until the Chair has had the roll call completed. The Senate is executing its order, and nothing else can be heard. Afterwards the rights of everybody will be taken care of in some proper way.

Mr. TURNER. I will ask the Senator from Massachusetts when it will be in order?

Mr. HOAR. I should be out of order if I should respond to that question.

The PRESIDENT pro tempore. The Secretary will recapitulate the vote.

The Secretary recapitulated the vote.

Mr. TURNER. Mr. President——

The PRESIDENT pro tempore. The Senator from Washington.

Mr. TURNER. I now make the point of order that the names of the Senators from the State of South Carolina have not been called, and that they are entitled under the Constitution to vote upon this question.

The PRESIDENT pro tempore. The Chair overrules the point of order.

Mr. TURNER. I take an appeal from the decision of the Chair, and upon that appeal I desire to be heard.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. ALDRICH. I move to lay the appeal of the Senator from Washington on the table.

Mr. TURNER. I believe I have the floor, and the Senator can not take me off the floor.

Mr. BERRY (to Mr. ALDRICH). How can you take the Senator off the floor? You can not do that.

Mr. TURNER. As I said, Mr. President, this presents a grave question——

Mr. ALDRICH. I renew the point of order that debate of any kind is not in order pending a roll call, and, moreover, until the result is announced the roll call is not completed.

The PRESIDENT pro tempore. The Chair is clearly of opinion that the point of order is well taken, and that the rule provides for nothing except excusing a Senator from voting.

Mr. TURNER. Does the Chair mean to hold that the Chair can decide that a Senator is not entitled to vote here, and that there is no method of obtaining redress against that ruling until after the effect of that ruling has had its force?

Mr. ALDRICH. I make the point of order——

Mr. TURNER. A minority might be permitted to enact laws here——

Several SENATORS. Regular order!

Mr. LODGE. I insist on my point of order, Mr. President.

The PRESIDENT pro tempore. The Chair has sustained the point of order.

Several SENATORS. Regular order!

Mr. TURNER. I make the point of order, then, that the roll has not been called upon this vote.

Several SENATORS. Regular order!

Mr. TURNER. I ask for the ruling of the Chair.

The PRESIDENT pro tempore. The Chair rules that the roll has been called.

Mr. TURNER. I take an appeal from the decision of the Chair, and upon that I desire to be heard.

Mr. President, the Constitution of the United States——

Mr. GALLINGER. Mr. President, I make the point of order that, according to the unanimous consent agreement of the Senate, no other business can be transacted until the amendments to the pending bill and the bill itself have been voted on.

Mr. TURNER. Mr. President, I desire to be heard upon that point of order.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. The Chair has held that no debate on any question touching the roll call is in order, certainly not until after the announcement of the result of the roll call.

Mr. TURNER. I have now made the point of order that the roll has not been called, and that the Chair is about to proceed to

announce the result without calling the roll. The Chair has ruled upon that, and I have taken an appeal from the decision of the Chair, which I desire to discuss.

The Senator from New Hampshire [Mr. GALLINGER] makes the point of order that I can not discuss the proposition. I desire now, if the Chair will permit me, to discuss that point of order made by the Senator from New Hampshire.

Mr. HOAR. I rise to a question of order, Mr. President, that there can be no point of order taken or stated, and no discussion pending a roll call, and that the order must be executed by the Chair absolutely, without the intervention of any other question whatever.

The PRESIDENT pro tempore. The Chair sustains the point of order made by the Senator from Massachusetts [Mr. HOAR].

Mr. PATTERSON. Mr. President——

Several SENATORS. Regular order!

Mr. PATTERSON. Gentlemen, we listen to you. Is it in the power of the President of this body——

Mr. LODGE. The Senator is out of order.

Mr. PATTERSON. To disfranchise the State of South Carolina or any other State?

Several SENATORS. Order! Order!

The PRESIDENT pro tempore. The Senator from Colorado will take his seat and the Secretary will——

Mr. TURNER. I have taken an appeal from the decision of the Chair, which I wish to have submitted to the Senate.

Several SENATORS. Regular order!

Mr. TURNER. Mr. President——

The PRESIDENT pro tempore. The result of the vote will be announced.

The result was announced—yeas 28, nays 47; as follows:

YEAS—28.

Bacon,	Cockrell,	McLaurin, Miss.	Rawlins,
Bailey,	Culberson,	Mallory,	Simmons,
Bate,	Dubois,	Martin,	Taliaferro,
Berry,	Foster, La.	Money,	Teller,
Carmack,	Gibson,	Morgan,	Turner,
Clark, Mont.	Heitfeld,	Patterson,	Vest,
Clay,	Hoar,	Pettus,	Wellington.

NAYS—47.

Aldrich,	Dryden,	Kean,	Platt, Conn.
Allison,	Elkins,	Kearns,	Platt, N. Y.
Bard,	Fairbanks,	Kittredge,	Pritchard,
Burnham,	Foraker,	Lodge,	Proctor,
Burrows,	Foster, Wash.	McComas,	Quarles,
Burton,	Frye,	McCumber,	Scott,
Clapp,	Gallinger,	Mason,	Simon,
Clark, Wyo.	Gamble,	Millard,	Spooner,
Cullom,	Hanna,	Mitchell,	Stewart,
Deboe,	Hansbrough,	Nelson,	Warren,
Dietrich,	Hawley,	Penrose,	Wetmore.
Dolliver,	Jones, Nev.	Perkins,	

NOT VOTING—13.

Beveridge,	Dillingham,	McEnery,	Tillman.
Blackburn,	Hale,	McLaurin, S. C.	
Daniel,	Harris,	McMillan,	
Depew,	Jones, Ark.	Quay,	

So the amendment of Mr. PATTERSON was rejected.

Mr. TURNER. Mr. President, do I understand that the President of the Senate declines to entertain an appeal from his decision? I had taken an appeal before the President announced the vote.

The PRESIDENT pro tempore. The Chair sustained the point of order made by the Senator from Massachusetts [Mr. HOAR].

Mr. TURNER. That an appeal could not be taken?

Mr. ALDRICH. That point of order can not be raised.

Mr. MCCOMAS. Let the Senator read Rule XX.

Mr. TURNER. Rule XX says nothing of the kind.

Mr. BURROWS. I call attention to Rule XX.

Mr. TURNER. I do not desire to obstruct the proceedings of the Senate, but I feel earnestly about this, because I believe wrong has been done, and I ask for information whether the Chair has declined to permit an appeal from the ruling of the Chair?

The PRESIDENT pro tempore. The Chair certainly during the pendency of the roll call could not permit of any discussion of an appeal entered.

Mr. TURNER. I took an appeal and asked the Chair to submit it to the Senate.

The PRESIDENT pro tempore. No; the Senator, if he will pardon the Chair, desired to discuss it.

Mr. TURNER. I took an appeal and desired to discuss it. Then the Chair ruled that I had no right to do that, but I did not understand the Chair to rule that the appeal was not pending and was not properly taken. I asked the Chair to withhold the announcement of the vote and to submit the appeal from the decision of the Chair to the Senate.

Mr. ALDRICH. Mr. President, if the Senator from Washington will read the first clause of Rule XX, I think his mind will be perfectly clear on the subject.

Mr. TURNER. I have read the rule.

Mr. ALDRICH. It is explicit in terms, that a question of order may be raised at any stage of proceedings except when the Senate is dividing.

Mr. TURNER. I have seen that rule, and I assume that that rule does not relate to questions concerning the very division which has been going on.

Mr. ALDRICH. Certainly; it relates to all questions.

Mr. TURNER. Otherwise the Chair would be invested with the authority to say what Senators should vote upon any particular question; and if he were disposed to be arbitrary he could absolutely disfranchise enough Senators in this body to pass any measure he desired to.

Mr. President, if it is now in order I will present some considerations to the Senate on this question, and it is a question of high privilege. I present to the Senate and to the President of the Senate the fact that the State of South Carolina is here with two Senators——

Mr. ALDRICH. I rise to a question of order, Mr. President.

The PRESIDENT pro tempore. The Senator will state his question of order.

Mr. ALDRICH. My point of order is that according to the order of the Senate under which we are proceeding no debate is in order upon this question or any collateral question.

The PRESIDENT pro tempore. The Chair can not rule upon a question arising from a unanimous-consent agreement, it is for Senators themselves to determine what it means.

Mr. ALDRICH. Then I ask that the Chair may submit that question to the Senate.

Mr. TURNER. I rise to a question of privilege. I am addressing the Chair upon a question of privilege. I do not recognize the authority of the Senator from Rhode Island to take me off my feet, nor do I recognize the fact that the unanimous-consent agreement to which he refers has any application whatever to the question which I am now going to present to the Senate.

Mr. ALDRICH. Mr. President, if the Senator——

Mr. TURNER. I decline to be interrupted.

Mr. ALDRICH. If the Senator is proceeding to a question of privilege, he is bound, in the first instance, to state what his question of privilege is. That is the ordinary parliamentary law.

The PRESIDENT pro tempore. The Chair feels bound to recognize any Senator who states that he rises to a question of privilege.

Mr. TURNER. The question of privilege which I present is that the State of South Carolina, by the ruling of the Chair, has been prevented from exercising its constitutional right of participating in the proceedings of this body and of having its will registered through the votes of its Senators upon this measure.

Section 3 of Article I of the Constitution declares:

> The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for six years; and each Senator shall have one vote.

Article V of the Constitution provides:

> The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that "no State, without its consent, shall be deprived of its equal suffrage in the Senate."

Mr. President, I do not question the right of the Senate to punish members for disorders committed in the Senate, for any breach of the rights, powers, and privileges of the Senate, but I do question the right of the Senate or of the President of the Senate, so long as a member remains a member of this body, to deprive him of his equal voice with every other Senator in the proceedings of this body and in the votes taken by this body.

It is true that we had a scene of disorder in this body on last Saturday, participated in by the two Senators from South Carolina, which everybody regrets, and which they regret; that they were at that time called to order; that, as a part of that proceeding, the Senate passed a resolution declaring them to be in contempt; and that it has postponed further proceedings under that contempt order until after the Committee on Privileges and Elections shall have reported to the Senate what, in its judgment, ought to be the action taken by the Senate thereon. Does the fact that the Senate has declared a member in contempt take him off the floor and deprive him and his State of the right to participate in the proceedings of this body?

Why, Mr. President, that would be a monstrous proposition. I am surprised that anybody could contemplate such a result as that from the vote of this body on last Saturday. If that rule be established, it is within the power of the majority to force cloture here at any time they please to do so by simply declaring the

minority members to be in contempt and not entitled to the privileges of the floor.

Moreover, sir, under that rule a minority might be transformed into a majority if the minority, finding a number of members of the majority absent from the Chamber, chose to take advantage of the temporary majority vote which they then had to declare enough members of the majority in contempt to reduce the majority to a minority. We would have the minority transformed into a majority in this body through the legerdemain of an accidental vote declaring certain members of the majority in contempt.

This rule of order, upon which the Chair has proceeded, and upon which I understand he has predicated his ruling, was not intended to bring about or to permit any such result. No such construction as that has ever been given to it. I submit that these results, which Senators can see are so extraordinary, and so much beyond anything which it can be possibly presumed the framers of that rule had in mind in drafting it, that it would be a most dangerous precedent if we went on and undertook to enforce a construction which could bring about such results.

Now, Mr. President, I understand the ruling of the Chair to be predicated upon subdivision 2 of Rule XIX, which reads:

2. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order; and when a Senator shall be called to order he shall sit down, and not proceed without leave of the Senate.

Mr. President, that rule is simply designed to secure orderly conduct, and its effect is limited, if disorder has occurred, to the particular debate then proceeding before the Senate. After that debate shall have passed on if a Senator who has been in disorder be then in his seat and desires to proceed to debate in order and according to the rules of the Senate, there is no power in the world to prevent him except the power of this body to expel him, and until that order has been made there is no power in the world to prevent him having his votes registered here as fully and to the same extent as the vote of any other Senator.

In the name of all the States of the Union, not because it has any effect upon this particular measure here, because we know it has not, but in the name and in the interest of the States of the Union, whose right to representation in this body is being jeopparded by the action of the President, I most solemnly protest against that action and insist that it be reversed.

Mr. FORAKER. Mr. President, it seems to me it is easy indeed to answer all that has been said or suggested by the Senator from Washington [Mr. TURNER]. He has read only a part of the Constitution that is applicable. It is true that the Constitution does provide that each State shall be represented by two Senators, and that they shall have the right to vote; but the Constitution also provides:

Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

The Senators from South Carolina were guilty of misbehavior in the Senate Chamber in open session on last Saturday, as the Senator concedes. It is true there is no rule of the Senate adopted under this authority of the Constitution directly applicable to that case, but the failure to have provided a rule exactly applicable does not deprive this body of its constitutional power to punish its members for misbehavior as it may see fit to punish.

Therefore it was competent for the Senate, as was suggested by the Senator from Massachusetts, to commit the Senators from South Carolina to the custody of the Sergeant-at-Arms. Suppose that proposition had carried and the Senators from South Carolina were at this moment in the custody of the Sergeant-at-Arms of the Senate. Could it be claimed that it would be necessary for the Senate, they demanding the right to vote, to send for the Sergeant-at-Arms and have him escort the Senators from the place where he had seen fit to confine them into the Senate Chamber in order that their names might be called and they be allowed to respond with votes? A mere statement of the proposition is enough to show its utter absurdity.

Mr. President, it is a right inherent in every parliamentary body to protect itself as against its own membership, and when members see fit to violate the dignity of the body, when members see fit to violate the rules of the body, it is competent, under our constitutional power expressly given us, to punish as in our judgment we may see fit to punish. We have seen fit not to commit these Senators to the custody of the Sergeant-at-Arms; but in lieu thereof we have adjudged them guilty of contempt of the Senate.

It is a contempt of a high character, gross and grievous in its nature. An outrage was perpetrated, if that is not too harsh a word for me to use, of which the Senate was bound to take notice. We meant something when we adjudged those Senators to be guilty of contempt. Is it possible that members of the Senate who are in contempt, solemnly so adjudged, are to have the privileges of the floor, to address the Senate, to advise us how we shall vote, and then to vote themselves upon a proposition submitted to us? Of course they represent a State; of course they should be entitled to vote here; but that presupposes that they will first have conformed to the rules and regulations constitutionally prescribed, for the Constitution says they shall be prescribed by this body for the government of this body; and when they see fit to violate those rules they forfeit those rights, at least at the option of the Senate. We have exercised our option. When they were adjudged in contempt they lost their right to further participate in our proceedings.

Mr. TURNER. Upon what ground?

Mr. FORAKER. And they must of necessity stand in that position until the contempt is removed by the judgment of the Senate, the only body that can remove it. On the ground, answering the question of the Senator from Washington, that the Constitution has put it in our power to punish as we see fit. We have seen fit to punish by adjudging them in contempt. It is contrary to common decency for a member of a body who is in contempt of the body to address the body and exercise all of the rights of membership in the body.

Mr. MALLORY. Mr. President, I regard this as a very grave question and one which ought to be determined after a very careful consideration of its merits. The question which presents itself is whether a sovereign State of the Union can be deprived, not merely by the act of the President of the Senate, but by the act of the Senate itself, of a right conferred upon it by the Constitution.

The Senator from Washington [Mr. TURNER] has read two provisions of the Constitution which indicate very plainly and clearly that it was the intention of the framers of that instrument that every State of the Union should have the right to have its will expressed through its representatives here on all questions coming before the Senate. When it is declared in the Constitution that "Each Senator shall have one vote," that, without qualification, would seem to my mind to be conclusive of the fact that under no circumstances shall a member of this body, so long as he is a Senator, be deprived of the right to vote.

In answer to that the Senator who has just taken his seat cites the provision of the Constitution which vests in the Senate or the House of Representatives, or both, the power to determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, and the Senator from Ohio [Mr. FORAKER] has assumed the fact that by the adoption of a resolution which has declared those two Senators to be in contempt the Senate has punished those two Senators. There is no precedent in the annals of Congress for us to go to in order to determine what is meant by a member being placed in contempt. The Senator from Ohio construes it to mean that it is the punishment itself, and he construes it further to mean that by being placed in that position and being punished the constitutional right of the Senator to cast his vote upon any question before the Senate is taken from him.

Mr. President, that is a very long step from a premise to a conclusion, and the very fact that these Senators have been placed by resolution of the Senate in contempt is a declaration of the fact that we have not yet punished them and that they are awaiting the punishment which hereafter may be inflicted. I do not for an instant deny that it is within the power of the Senate to punish members of this body who are guilty of any grave infraction of the rules of the Senate, but the fact that they are in contempt is not a punishment. They are in a condition of reprobation, if I may use the expression, to await the final determination of the Senate with regard to the act with which they are charged. That final determination may be a vote of censure. It may be a vote of expulsion. We have it in our power, if two-thirds of the Senate choose to exert that power, to expel the two Senators. But we have not done it. We have taken no action. We have, in fact, referred the matter to a committee to determine what action shall be taken; and so far as their status as members of this body is concerned, with the exception of the fact that the Senate has declared that they are in contempt, they are in exactly the same position that is every other Senator on this floor.

I can not understand why it is contended that the mere fact of our placing our ban upon them to the extent that they are in contempt and shall be in that condition until we shall decide further what shall be done deprives them of the right which the Constitution confers upon them, to vote on every question that comes up here. We may at any time exert this power which is given us in the clause quoted by the Senator from Ohio. We may say, or undertake to say, that the Senators shall not be allowed to vote, shall not be allowed to participate in the proceedings of the Senate, until they do something to purge themselves of this contempt. But we have not as yet done that. The committee is to take this matter into consideration and make its report, and we are then to determine whether or not the recommendation of the committee shall be adopted.

Therefore it strikes me that it is as clear as the noonday sun that while under the rule of order which prevails those Senators can be called to order, can be required to take their seats, and need not be recognized by the Chair until the Senate by a vote authorizes them to be recognized; nevertheless we can not strike their names from the list of members of this body. They are still Senators of the United States from the State of South Carolina. It is not in the province of the Secretary of the Senate to strike off their names from the list, and it is not in the province of the President of the Senate to cause it to be done. Until it can be shown that the resolution of the Senate declaring each of the Senators in contempt amounts to a punishment and that punishment amounts to an exclusion from the rights to vote, the Senators have the right to vote, and I solemnly enter my protest against any conclusion to the contrary.

Mr. BAILEY obtained the floor.

Mr. FORAKER. I wish to ask the Senator from Florida if he perceives——

The PRESIDENT pro tempore. The Senator from Texas has been recognized.

Mr. HOAR. I rise to a point of order.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from Massachusetts will state his point of order.

Mr. HOAR. The point of order is that the Senate has not merely made a unanimous-consent agreement, but has ordered that certain votes shall be taken at this time, and it is impossible to interrupt the execution of that order by raising questions of order or by debate.

Mr. BAILEY. I suggest to the Senator from Massachusetts that we are not now raising a question of order, properly speaking, but a question of the highest privilege.

Mr. HOAR. You can not interrupt the order with a question of order.

The PRESIDING OFFICER. Does the Senator from Massachusetts insist upon his point of order?

Mr. HOAR. Yes.

The PRESIDENT pro tempore resumed the chair.

Mr. HOAR. The present occupant of the chair was absent when the point of order was raised. I will restate it. The Senate not merely gave unanimous consent, but made an order that at this time certain votes should be taken, and the point of order is that nothing can be admitted to interrupt the taking of those votes.

Mr. BAILEY. The very question is——

The PRESIDENT pro tempore. The Chair is obliged to overrule the point of order. The RECORD shows that it was by unanimous consent, and the Chair can not exercise——

Mr. PLATT of Connecticut. It was agreed to.

[At this point the President pro tempore rapped with his gavel, the Senators rose, and Prince Henry of Prussia entered the Chamber, accompanied by his suite and the reception committee, and he was escorted to a seat provided for him on the left of the President pro tempore.]

Mr. HOAR. Let the agreement be read.

The PRESIDENT pro tempore. It will be read.

The Secretary read as follows:

FEBRUARY 24, 1902.

By unanimous consent it is agreed that on Monday, February 24, after the routine morning business, the unfinished business (H. R. 5833) will be taken up for consideration, and each Senator shall be limited in debate to fifteen minutes, the time to be equally divided between the friends and opponents of the bill until 4 o'clock p. m., when debate shall cease and a vote be taken on all amendments submitted and to be presented and then on the bill; it being further agreed that said bill shall be taken up for consideration each morning after the routine business is concluded. (February 18, 1902.)

The PRESIDENT pro tempore. The responsibility of violating the agreement must rest with the Senators themselves. The Chair has no power to enforce it.

Mr. SPOONER. That is right.

Mr. CULLOM. Let us proceed to vote.

Mr. BAILEY. Mr. President, I cheerfully take my part of that responsibility. If this were a mere effort to delay a vote to serve either selfish or partisan ends, I should shrink from it; but it being a question of the utmost importance, not only to us who are here now, but to those who must come after us, no mere question of propriety, even if it were a doubtful one, would restrain my action.

No Senator here more sincerely deprecates the unfortunate occurrence of Saturday afternoon than I do, nor will any Senator go further in all proper ways to vindicate the dignity of this body; but when the Senate undertakes to punish a Senator it must be careful not to punish a State.

The Constitution gives to each House of Congress the power to punish its members for disorderly behavior. That such a power could be properly exercised in an instance like this I have no kind of question; but, sir, it is not within the power of the Senate—and much less is it within the power of its presiding officer—to strike from the rolls of this body the Senators from a sovereign State.

South Carolina, like her sister States, is entitled to her representation here, and if those whom she now honors with her commission are not worthy to serve among us, our recourse is an easy one. Whenever two-thirds of the membership of this body shall so adjudge, they can expel the present Senators and leave the State of South Carolina to give other men her commissions.

Mr. SPOONER. Will the Senator from Texas allow me to interrupt him?

Mr. BAILEY. Certainly.

Mr. SPOONER. The Senator admits, as he must, that the Senate has power to punish its members for disorderly conduct. Does the Senator mean to say that the only punishment must be expulsion?

Mr. BAILEY. I do not; for there would be no sense in the constitutional provision which authorizes the Senate to punish for disorderly behavior and then that follows with authority to expel upon the concurrence of two-thirds.

Mr. SPOONER. Could the Senate imprison?

Mr. BAILEY. In a proper case it might.

Mr. SPOONER. Then would not the members from the sovereign State be incapacitated from voting?

Mr. BAILEY. No, sir.

Mr. ALDRICH. Can not the Senate suspend a Senator?

Mr. BAILEY. I think clearly not.

Mr. ALDRICH. I should like to read——

Mr. BAILEY. I know what you have in your mind and I will come to that.

Mr. ALDRICH. I am very glad to know that.

Mr. BAILEY. But if it will serve the purpose better now, I will yield to have it read.

Mr. ALDRICH. Paragraphs 626 and 627 of Cushing's Manual say:

The power to expel also includes in it a power to discharge a member, for good cause, without inflicting upon him the censure and disgrace implied in the term "expulsion;" and this has accordingly been done, in some instances, by the House of Commons.

Mr. BAILEY. In the House of Commons, where they have no written constitution and no limitations such as those under which we live.

Mr. ALDRICH. They have rules, and the rules are subject to parliamentary practice and law, and this is one of them:

Analogous to the right of expulsion is that of suspending a member from the exercise of his functions as such, for a longer or shorter period; which is a sentence of a milder character than the former, though attended with somewhat different effects; for during the suspension the electors are deprived of the services of their representative, without power to supply his place; but the rights of the electors are no more infringed by this proceeding than by an exercise of the power to imprison.

Mr. BAILEY. There is nothing in that which I feel called upon to controvert. Undoubtedly the Parliament of Great Britain is, as the law books say, omnipotent. It not only can do what it pleases with its own members, but it can do what it pleases with the people for whom it legislates. I believe Lord Coke did say that the Parliament could not make a man a judge in his own case, but I think my Lord Coke would have hesitated before declaring a law of Parliament invalid even upon that ground.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. The Senator must be aware that the authority from which I read is not an English authority.

Mr. BAILEY. Oh, yes.

Mr. ALDRICH. It is the recognized American authority upon parliamentary law and practice.

Mr. BAILEY. But in the paragraph which the Senator read the author is speaking about the practice in Great Britain.

Mr. ALDRICH. No; I beg the Senator's pardon.

Mr. BAILEY. Indeed he does.

Mr. ALDRICH. It merely cites in that one section what has been done in the Parliament of Great Britain.

Mr. BAILEY. Let me read to the Senator from Rhode Island from an American authority about American matters, contrasting this with the rule in Great Britain.

Mr. ALDRICH. From what does the Senator propose to read?

Mr. BAILEY. From the American and English Encyclopedia of law:

The same inherent power of punishing for contempt belongs to Parliament in England. The House of Commons has it, not because it is a representative body with legislative functions, but because it is a part of the high court of Parliament, the highest court in the realm.

A legislative assembly of an English colony, not being a judicial body, has no inherent right to punish for contempt, and, except in those cases where Parliament has invested them with it, they can not exercise it.

In the United States the judicial power is vested by the various constitutions in the courts created by the constitutions and such others as may be created. Neither Congress nor the State legislatures succeeded to those inherent and unlimited powers of punishing for contempt possessed by the English Parliament.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield?

Mr. BAILEY. I will.

Mr. ALDRICH. Does the Senator contend that there is any limitation whatever upon the power of the Senate to punish its own members for offenses against it?

Mr. BAILEY. I am contending that this very moment. I am contending that the Senate can inflict any punishment upon its members who are guilty of disorderly behavior short of depriving a sovereign State of its representation in this body. The Senate can stand the two offending Senators from South Carolina up in its presence——

Mr. FORAKER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Ohio?

Mr. BAILEY. I will.

Mr. FORAKER. I understood the Senator to concede a moment ago, in answer to a question by the Senator from Wisconsin, that it is within the power of the Senate to imprison as a punishment. What, I ask the Senator, would be the course of procedure in case of imprisonment and the demand of a Senator from a State to vote who was so imprisoned?

Mr. BAILEY. The Senator so in charge of an officer of this body would have a right to demand that he should come to this Chamber and answer to his name whenever the roll was called.

Mr. FORAKER. Would he not also have the right to come here in order that he might participate in the discussion and become informed as to what he was to vote upon?

Mr. BAILEY. Although it would be going to the extreme length that the Senate might control in the matter of debate, because the Constitution does not declare that every Senator shall have the right to speak, but it does provide that each Senator shall have one vote, and that no State shall be deprived of its equal suffrage in the Senate.

In all other portions of the Constitution the framers talk of representation, but in this particular clause they speak of suffrage, and they deny not only to both Houses of Congress, but deny to the American people in their sovereign capacity the power to deprive any State of the Union of its equal vote in the Senate. That is the one and the only provision of the Constitution not now subject to amendment; and yet, sir, by a mere resolution declaring two Senators in contempt it is now proposed not only to deprive a State of its equal suffrage in the Senate, but to deprive it of all suffrage here.

I was about to say, when the Senator from Ohio interrupted me with his question, that I believe the Senate can stand these offending Senators up in its own presence and in the presence of the country, and can require them to apologize for what the Senate may deem their misbehavior.

Mr. CULLOM. Suppose they refuse?

Mr. BAILEY. The Senate can then expel them; but whenever the Senate decides that these two Senators are not fit to cast the vote of South Carolina, it must expel them and thus enable that State to send representatives here who can and will cast the vote of that State.

Mr. FORAKER. Mr. President——

Mr. BAILEY. Will the Senator let me conclude the sentence?

Reflect a moment, Mr. President. It requires two-thirds to expel under the direct limitation of the Constitution, and yet you may accomplish a greater wrong against a State by simply adopting a resolution by a bare majority of one. If you expel her Senators a State can send others to represent it; but by this procedure you can silence the present Senators through all their terms and the State will have no power to choose their successors because no vacancy exists. On the other hand, declare their expulsion, and on the next day the legislature of the State may elect two Senators, or, if it be not in session, the Constitution deems it so important that the State shall be represented that the governor himself may commission her most worthy sons to come and speak for her.

An example of this kind once consented to by the Senate and become a precedent will breed more mischief than a hundred broils could do. That the Senate is no place for personal encounters, I grant you. But, Mr. President, we sit here, all of us, holding our places under a solemn oath to support the Constitution, and it binds everyone of us to see to it that no State shall be deprived of its equal suffrage in this body.

Mr. FORAKER. If the Senator will allow me——

Mr. BAILEY. I will.

Mr. FORAKER. I will not interrupt him unless it is agreeable to him.

Mr. BAILEY. It is entirely agreeable.

Mr. FORAKER. I should like to have the Senator speak—because he is making a very interesting and a very able speech—as to the effect upon the status of a Senator of adjudging him in contempt. Does it affect his status at all? I understood the Senator to say that if we saw fit we could punish by imprisonment in a proper case, and that when we punish by imprisonment we could exclude the Senator from debate probably.

He did not seem to be certain about that, but that seemed to be his better judgment. However, he said that even then we could not deprive him of his right to vote. Now, I ask him, is not adjudging a Senator in contempt in the nature of punishment? Does it not have some effect upon his status here? And if a Senator be adjudged in contempt because he has been guilty of misbehavior, pending final action does it not affect his right to participate in the proceedings, both in debate and in voting?

Mr. BAILEY. Now, if the Senator——

Mr. McLAURIN of Mississippi. Will the Senator from Texas allow me just one suggestion right here?

Mr. BAILEY. Let me say before the Senator from Mississippi interrupts me, that I only agree that the Senate might imprison in what I described as a proper case, and I made that answer at the moment. I am not sure, upon reflection, that I would not go further and say that the power of the Senate to imprison is certainly limited to the extent that its imprisonment could not interfere with a State's equal suffrage in the Senate. Now I will yield to the Senator from Mississippi.

Mr. McLAURIN of Mississippi. Now, with the permission of the Senator from Texas——

Mr. FORAKER. I wish the Senator from Texas might be allowed to conclude his answer to the question I asked him as to the effect of adjudging a Senator in contempt.

Mr. McLAURIN of Mississippi. I wish to make just one suggestion.

Mr. BAILEY. I am going to answer the Senator from Ohio.

Mr. McLAURIN of Mississippi. In this section of the Constitution I read the following clause:

> The Senators and Representatives * * * shall in all cases, except treason, felony, and a breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech, etc.

One of these Senators is certainly not guilty of treason, felony, or a breach of the peace. Neither of them is guilty of treason or felony. Is it possible that this could have meant that they should not be arrested by anybody else, but that they might be arrested by the Senate?

Mr. BAILEY. I think that was intended to abridge the power of the ordinary courts of the country over them.

Mr. McLAURIN of Mississippi. I do not think that this was intended to be limited anywhere. I think it was the intention of the framers of the Constitution to provide that they should not be arrested for anything except felony, treason, or a breach of the peace, because it was the intention of the framers of the Constitution that for everything else they should be allowed to be here and to vote.

Mr. BAILEY. The truth about this case would be that it would be a breach of the peace, and they might have been arrested for that.

Mr. McLAURIN of Mississippi. It would have been a breach of the peace on the part of one; it would not have been a breach of the peace on the part of the other.

Mr. BAILEY. That might require me to go into a question that I would not want to discuss at this stage of the proceedings. A little further on I think that will become a proper question.

Mr. FORAKER. I insist, if I may be allowed, upon an answer to my question.

Mr. BAILEY. I will give it. If the Senator from Ohio would permit me to change his word "status" to "standing"——

[At this point Prince Henry of Prussia retired from the Chamber amid applause on the floor and in the galleries.]

The PRESIDENT pro tempore. The Senate will please be in order. The occupants of the galleries will be as quiet as possible.

Mr. ELKINS. Mr. President, I should like to interrupt the Senator from Texas for the purpose of asking him a question.

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from West Virginia?

Mr. BAILEY. Yes, sir.

Mr. ELKINS. The Senate has by a resolution, after some deliberation, adjudged the two Senators in contempt. It is an order entered upon the records of the Senate. Now, if those Senators can have all the privileges of other Senators and can vote, what good is the order? It is about as idle as a painted ship on a painted sea—the order of the Senate amounts to nothing.

Mr. BAILEY. Replying to the Senator from West Virginia, and interrupting my reply to the Senator from Ohio, I will state that the resolution that they are in contempt has no more effect than a resolution that they ought to be held in general contempt or any other resolution of censure.

Now, as I was proceeding to say to the Senator from Ohio, the action of the Senate has a very serious effect upon the standing of these two Senators, unless the country shall decide, and their

constituents shall decide, that this unfortunate occurrence took place in the heat of blood, and therefore it is one of the regrettable circumstances that shall be passed in silence, or shall determine that, in spite of this single unfortunate transaction, the services of either Senator or of both to the State heretofore has been such and to the State hereafter is to be such that this might be overlooked.

I say unless the State believed that, neither of the Senators would ever be commissioned again to sit in this body; the effect of their own conduct and the effect of the Senate's action would be a very serious one. I do not mean to say that the unfortunate affair of Saturday ought to retire the offending Senators from the public service. Men, because they are Senators do not cease to be men; the best of us can be stung by epithets into hasty and ill-considered action. While that is no excuse perhaps, or at least no sufficient excuse for misconduct in the Senate, yet that offense, grave as any Senator may choose to consider it, can not afford the shadow of a justification for depriving a sovereign State of its equal suffrage in the Senate.

Senators affect to be greatly shocked—I withdraw the expression "Senators affect" because it is an offensive suggestion that Senators do not regard this breach of our rules with great aversion. I know they do. I know how much I regret it myself. I know the Senate feels that its dignity was outraged; but nearly any Senator on this floor who is worthy to represent a State would in the last stage of the controversy have done what both of the Senators from South Carolina did.

Mr. President, the Senate has expressed its disapproval, and if not satisfied with that it can still, under its power of expulsion, turn these Senators from the Chamber with a disgrace upon their names that would outlive their generation; but, sir, the Senate has no power to deprive any State in this Union of its equal suffrage here.

Mr. HAWLEY. For any offense.

Mr. BAILEY. For any offense committed by her Senators. It does not deprive the State of its equal suffrage by expulsion, because if a Senator is expelled one day, as fast as steam and iron can bring a successor here he will be named.

Mr. ELKINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from West Virginia?

Mr. BAILEY. I yield.

Mr. ELKINS. I do not wish to offend the Senator, but Mr. President——

Mr. BAILEY. The Senator from West Virginia could not offend me. He is too good-natured.

Mr. ELKINS. I thank the Senator very much. Then I demand the regular order. This speech, which is admirable, is suited when the Senators from South Carolina are on trial, but not now. I demand the regular order, that the Senate proceed, under the unanimous-consent agreement, to vote on the bill and amendments.

Mr. BAILEY. I will say to the Senator from West Virginia I am not speaking for the Senators from South Carolina now; I am speaking for the State of South Carolina. It is entitled to vote on this question and entitled——

Mr. ELKINS. I demand the regular order, Mr. President.

Mr. BAILEY. The State of South Carolina is entitled to vote on every question.

Mr. HALE. Mr. President——

Mr. ELKINS. Regular order.

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Maine?

Mr. HALE. I was waiting for the Senator. I thought from what the Senator said that he had just finished. I do not want to interrupt him, but I ask for the floor when the Senator has concluded his remarks. I do not want to interfere with the Senator from Texas.

Mr. BAILEY. Certainly. I had not, Mr. President, dwelt on another view of the question, which I had intended to discuss.

Mr. ELKINS. Regular order, Mr. President.

Mr. BAILEY. But I recognize the desire of the Senate to dispose of the matter now under consideration, and I certainly have no desire myself to postpone that action.

If it could be defeated, even at the expense of fretting my excellent and good-natured friend from West Virginia, I would speak on; but knowing that that action is already determined on, I certainly could have no pleasure in making the hour of consummation 7 o'clock to-night instead of 5. I assure him, as I assure the Senate, that I would much have preferred that the necessity of saying anything had not arisen. I would much have preferred that the roll of the Senate had not been altered under the direction of the Presiding Officer, or by the Clerk, or by the Senate itself.

My own judgment is that the Senate has no power, except by resolution of expulsion supported by two-thirds of the Senate, to take the name of a single Senator from the roll either for a day or for a year. Let me illustrate the danger of the rule. If the Presiding Officer is correct in his ruling, it requires the action of the Senate to restore the right of these two Senators to vote.

Suppose that such action is never taken, for nearly six years South Carolina would not be permitted to cast the vote represented by her senior Senator, and for nearly two years she could not cast the vote held by her junior Senator; and thus that State, without any offense on her part, and against the constitutional guaranty, would be deprived not only of her equal, but of all suffrage in the Senate. By a mere resolution adopted by a majority of one (because in legal contemplation it makes no difference whether it were adopted unanimously or adopted by a single majority) you thus invent, under the pretense of punishing a disorderly Senator, a way to deprive a State of its equal suffrage in the Senate. I appeal to Senators on that side.

Mr. ELKINS. Mr. President, if the Senator from Texas will allow me to interrupt him, if it will be in order, he can continue his speech to-morrow, and I move that the Senate do now adjourn.

Mr. HALE. I hope the Senator will not——

Mr. ELKINS. We can not get through here to-night.

Mr. HALE. I hope the Senator will not make that motion.

Mr. BAILEY. I am not sufficiently practiced in the ways of this body to speak four or five hours at a time. I probably will learn that after I have served here longer. [Laughter.]

Mr. ELKINS. As I understand the situation, we must vote to-night, according to the unanimous-consent agreement. Now, if we are to take up the case of the two Senators from South Carolina we can not reach a vote. I want to make some progress with the question before the Senate. As I understand, this question is not before the Senate. If the Chair will enforce the rule, I will withdraw either the demand for the regular order or the motion for an adjournment.

Mr. BAILEY. We are having the regular order.

Mr. ELKINS. Not at all, Mr. President. I ask for the ruling of the Chair on that subject.

Mr. BAILEY. Each Senator has the floor on his own responsibility. I cheerfully took mine in the beginning of what I had to say. The Senator from West Virginia did not happen to be here at that time to claim the floor. He was otherwise and, perhaps, better occupied.

Mr. ELKINS. Mr. President, is a motion to adjourn in order?

Mr. BAILEY. Not until the Senator from West Virginia has the floor, and for that purpose I decline to yield.

Mr. ELKINS. I understand that a motion to adjourn is in order at any time.

Mr. BAILEY. It is when a Senator has the floor to make the motion.

Mr. President, I doubt, as was well said by the distinguished Senator from Washington [Mr. TURNER], if either this or any other legislative body ever confronted so grave a question upon a matter of order, and I appeal to Senators on the other side of the Chamber not to make such a precedent as this will become. I assure them that Senators on this side of the Chamber at a proper time and in a proper way will join them or ask them to join us in an orderly and proper proceeding to vindicate the dignity of this body. But let us not in haste or passionate resentment do that which through all the years to come we must sincerely regret.

I saw such an exhibition of bad temper here this afternoon as I never expected to witness in the Senate, and such as I trust I never shall witness again. I heard great Senators, when a colleague rose to address the body upon a matter affecting its constitutional privileges, drown his voice with a demand for the regular order—conduct as discreditable to the Senate as that which we witnessed on Saturday afternoon. Then we had two infuriated men, each stinging under what he believed to be a personal insult. This afternoon we have almost one entire side of the Senate Chamber ready to deny a colleague a hearing upon a question affecting the rights of a sovereign State.

Mr. HAWLEY. Will the Senator permit me just a single observation?

Mr. BAILEY. I am compelled, of course, to yield to the Senator from Connecticut.

Mr. HAWLEY. I understand that what we have done is that we have already referred this question to the highest committee of the Senate.

Mr. BAILEY. If the Senate will agree to defer further action until that committee has ascertained what the punishment ought to be, we will end this controversy and take a vote upon the main question at once. But what I protested against is that after having referred a question to a committee you not only seek to inflict a punishment upon Senators, but you seek to inflict a greater and an unwarranted punishment upon the State which they represent.

I should be glad to join the gentlemen on that side in a unanimous-consent agreement that the Chair should reserve the question of order until that committee has decided. If the committee recommend a punishment like that, we can then discuss it when

the Senate is better prepared to hear the discussion and when Senators have had the time and the opportunity to prepare themselves for its discussion.

What I further protest against now is that the Presiding Officer of the body, under his sense of duty—because I have respect enough for him to believe that neither out of personal resentment nor for party advantage would he transgress the rules of this body which has honored him by making him its Presiding Officer—but under the rules as he understands them he has not only ordered these names stricken from the roll of the Senate, but he has denied the Senators from the State of South Carolina the right even to be heard in their own defense.

Without a motion supported by a majority of this Senate neither Senator from South Carolina can ever rise in his place even to protest in the name of his State against this grave injustice. The Senate ought not, in taking care of its own dignity, to outrage a State of the Union and violate the plain provision of the Constitution. We ought not, in exercising our power to punish a disorderly Senator, to attempt to punish a State.

Mr. HOAR. Mr. President, may I ask the honorable Senator if any justice of the peace in the entire country could not do the same thing by committing the Senators for a breach of the peace?

Mr. BAILEY. Of course, whenever the Senator from Massachusetts asks a question about the law the question answers itself. The venerable Senator from Massachusetts is so distinguished a lawyer that, even if I thought him wrong, I should hesitate to say so. [Laughter.] In this case I thoroughly agree with him. If these two Senators were practicing law in a justice's court, had forgotten the dignity of that place—and it has its dignity as well as this body——

Mr. HOAR. I do not think the Senator understands my question.

Mr. BAILEY. And had engaged in an encounter——

Mr. HOAR. My question was not whether any justice of the peace would keep them from practicing in his court, but whether any justice of the peace could not deprive the State of South Carolina of representation in this body by committing the two Senators from that State for contempt if there had happened in that justice's court what happened here?

Mr. BAILEY. It was deemed so important that a State should not be deprived of its representation——

Mr. FORAKER. Will the Senator allow me to supplement that question with another?

Mr. BAILEY. Let me finish my sentence first.

It was deemed so important that a State should not be deprived of representation that the Constitution deprives the law officers of a court of the power to arrest a Senator, except in case of treason, felony, or breach of the peace. I might in turn become the questioner, and ask the venerable Senator from Massachusetts why that provision was placed in the Constitution? Was it not because the Constitution makers deemed it so important that a State should not be deprived of its representation?

Mr. HOAR. My question was this: If any justice of the peace in Texas or Massachusetts—I will not say Texas—if a justice of the peace in Massachusetts should commit two Senators from Massachusetts for a breach of the peace in his presence, and thereby deprive the sovereign State of Massachusetts of their votes in the Senate until they had served out the contempt for doing exactly what happened here, is it such a dreadful thing when it is done by the Senate of the United States?

Mr. BAILEY. That could not deprive a Senator of his right here, for the reason that he could either pay his fine or give a bond, and then come here and vote.

Mr. HOAR. But can not the Senator see for himself——

Mr. FORAKER. Will the Senator allow me to supplement the question he has just answered by another question, and that is whether or not, in his opinion, there is any justice of the peace in the State of Texas or the State of Massachusetts or any other State——

Mr. BAILEY. Suppose we take Ohio.

Mr. FORAKER. We will take Ohio, then. Does the Senator imagine that a justice of the peace anywhere could be found, who, after he had adjudged parties guilty of contempt, would allow them to address him again and proceed in the trial of a cause before him as attorneys until they had to his satisfaction purged themselves of contempt?

Mr. BAILEY. Aye; he might not allow them to do that.

Mr. FORAKER. Would any court in Christendom allow them to do it?

Mr. BAILEY. The moment they offered to purge themselves of that contempt he would be compelled to allow them to do so, and they could then try the cause of their client in his court.

Mr. FORAKER. That may be law in Texas, but it is not in any other State I have ever heard of.

Mr. BAILEY. There is a great deal of law the Senator from Ohio has not heard of. [Laughter.]

Mr. FORAKER. Undoubtedly; and especially in Texas, from what the Senator has said. [Laughter.]

Mr. BAILEY. I had the misfortune once to try a case in Ohio, and I learned some new and remarkable law there.

Mr. FORAKER. I have no doubt you learned something before you got through with it. [Laughter.]

Mr. BAILEY. Without intending to be offensive, if there is much to be learned there——

Mr. PETTUS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Alabama?

Mr. BAILEY. I will yield when I finish this sentence. If there is much to be learned there, I commend the Senator from Ohio to stay there as much as his Senatorial duties will allow. [Laughter.] The distinction between the cases suggested by both the Senator from Massachusetts [Mr. HOAR] and the Senator from Ohio [Mr. FORAKER] and the one now under consideration is broad and, as I think, plain. In those cases a Senator might be deprived of his physical ability to be present in the Senate and exercise his right to vote, while in this case it is proposed to deny him the right when he is here and anxious to exercise it.

Mr. PETTUS. Mr. President, I did not rise to ask permission to interrupt the Senator, but I rose to a question of order.

The PRESIDENT pro tempore. The Senator will state his question of order.

Mr. PETTUS. Senators talk to each other backward and forward here without paying any attention to the rules of the Senate, and without the permission of the Chair. I insist, sir, that the order of the Senate shall be preserved in that respect.

Mr. BAILEY. Mr. President, if the Senator from Alabama [Mr. PETTUS] had been in the chair I should never have made that mistake. I have seen him very properly enforce that rule on more than one occasion; and if I have transgressed it in what I have had to say this afternoon, I regret it; but the chances are that I could not have offended against the rule because other Senators have interrupted me. I had the floor.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. ALDRICH. I did not rise to ask the Senator to yield. I rise to a question of order.

Mr. BAILEY. Then I decline to yield the floor until after the Senator has stated what he rises for.

Mr. ALDRICH. Mr. President——

Mr. BAILEY. I hope the Senator will wait a moment.

Mr. ALDRICH. I rise to a question of order, Mr. President.

The PRESIDENT pro tempore. The Senator from Rhode Island will state his point of order.

Mr. BAILEY. I make the point of order that one point of order is already pending.

Mr. ALDRICH. My question of order is this: The Senate is acting, by a unanimous-consent agreement, under an order of a particular kind—an order made by unanimous consent, that debate upon the pending bill and all amendments should close at 4 o'clock—and that under that order no other business whatever and no discussion is in order. The Senator from Texas and other Senators are talking about the rights of a State and of two Senators, and the Senator by his action is depriving 44 other States of their rights upon this floor and preventing any action whatever.

Mr. BAILEY. I make the point of order that it is not in order for the Senator from Rhode Island to discuss the point of order.

The PRESIDENT pro tempore. It is, if the Chair permits it.

Mr. ALDRICH. I ask the Chair to submit the question to the Senate for its decision.

The PRESIDENT pro tempore. The Senator from Rhode Island makes the point of order that under the unanimous-consent agreement the Senate must proceed with the votes upon the pending bill and the amendments thereto, and the Senator requests the Chair to submit that question to the Senate. The Chair submits the question to the Senate.

Mr. BAILEY. I demand the yeas and nays.

The PRESIDENT pro tempore. The Secretary will call the roll.

Mr. ALDRICH. I understand a vote in the affirmative means to sustain the point of order.

The PRESIDENT pro tempore. Senators sustaining the point of order will, as their names are called, vote "yea" and those opposed will vote "nay."

The Secretary proceeded to call the roll.

Mr. BAILEY (when his name was called). Mr. President, in view of the fact that I have been taken from the floor on this question, I decline to vote.

Mr. DILLINGHAM. I have a general pair with the Senator from South Carolina [Mr. TILLMAN], but I think, under the circumstances, I shall decline to vote. If I were at liberty to vote, I should vote "yea."

Mr. ELKINS (when his name was called). I am paired with the junior Senator from Texas [Mr. BAILEY], who will not vote; and I should like to know whether I can vote.

Mr. BAILEY. I freely agree that the Senator from West Virginia may vote, if he votes right.

Mr. ELKINS. I will vote right. I vote "yea."

Mr. HALE (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES]. If he were present, he would vote "nay" and I should vote "yea."

Mr. MCMILLAN (when his name was called). I announce my pair with the Senator from Kentucky [Mr. BLACKBURN]. If at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. MCENERY (after having voted in the affirmative). I inadvertently voted "yea." The junior Senator from New York [Mr. DEPEW], with whom I am paired, is absent, and I therefore withdraw my vote.

The result was announced—yeas 46, nays 25; as follows:

YEAS—46.

Aldrich,	Dryden,	Kean,	Pritchard,
Allison,	Elkins,	Kearns,	Proctor,
Bard,	Fairbanks,	Kittredge,	Quarles,
Burnham,	Foraker,	Lodge,	Scott,
Burrows,	Foster, Wash.	McComas,	Simon,
Burton,	Frye,	Millard,	Spooner,
Clapp,	Gallinger,	Mitchell,	Stewart,
Clark, Wyo.	Gamble,	Nelson,	Warren,
Cullom,	Hanna,	Penrose,	Wellington,
Deboe,	Hansbrough,	Perkins,	Wetmore.
Dietrich,	Hawley,	Platt, Conn.	
Dolliver,	Hoar,	Platt, N. Y.	

NAYS—25.

Bacon,	Dubois,	Martin,	Taliaferro.
Bate,	Foster, La.	Mason,	Teller,
Berry,	Gibson,	Money,	Turner,
Carmack,	Heitfeld,	Patterson,	Vest.
Clark, Mont.	Jones, Nev.	Pettus,	
Clay,	McLaurin, Miss.	Rawlins,	
Culberson,	Mallory,	Simmons,	

NOT VOTING—17.

Bailey,	Depew,	McCumber,	Quay,
Beveridge,	Dillingham,	McEnery,	Tillman.
Blackburn,	Hale,	McLaurin, S. C.	
Cockrell,	Harris,	McMillan,	
Daniel,	Jones, Ark.	Morgan,	

So the Senate sustained the point of order.

Mr. HALE. Mr. President, I rise to a question of the order of business. I ask that the pending amendment be stated.

The PRESIDENT pro tempore. The pending amendment will be stated.

Mr. TURNER. Mr. President, I do not rise for the purpose of debate——

Mr. HALE. I do not yield the floor.

Mr. TURNER. I do not rise for the purpose of debate. I rise for the purpose of presenting to the Senate, on behalf of the senior Senator from South Carolina [Mr. TILLMAN], a protest against this action; which I ask may be spread upon the Journal of the Senate and printed in the RECORD.

Mr. ALDRICH, Mr. HOAR, and others. That is not in order now.

Mr. TURNER. Whenever it is in order, I ask that it be spread upon the Journal of the Senate and printed in the RECORD.

The PRESIDENT pro tempore. There is no amendment pending except the one offered by the minority of the committee.

Mr. HALE. Let that be stated.

Mr. TELLER. I gave notice of an amendment that I intended to offer, and I offer it now.

The PRESIDENT pro tempore. The Chair does not wish to be misunderstood. There are quite a number of amendments printed and on the table.

Mr. TELLER. I send to the Chair the amendment of which I gave notice some time ago.

Mr. HALE. I did not yield the floor, Mr. President.

The PRESIDENT pro tempore. The Chair did not understand that the Senator from Maine had yielded the floor.

Mr. HOAR. How can the Senator have the floor?

Mr. HALE. Let the amendment be read.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Colorado [Mr. TELLER] will be stated.

The SECRETARY. At the end of the bill it is proposed to insert the following as a new section:

SEC. 8. That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Philippine Archipelago as elsewhere within the United States.

Mr. TELLER. I ask for the yeas and nays on that amendment.

Mr. MALLORY. I ask that the amendment be again read. Owing to the confusion it was not heard in the Chamber.

The PRESIDENT pro tempore. The Senate will please come to order, and guests in the rear of the Chamber will take seats. The amendment will be again read.

The Secretary again read the amendment proposed by Mr. TELLER.

The PRESIDENT pro tempore. The Senator from Colorado [Mr. TELLER] demands the yeas and nays on the amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BERRY (when Mr. BLACKBURN'S name was called). The Senator from Kentucky [Mr. BLACKBURN] is paired with the Senator from Michigan [Mr. MCMILLAN]. If the Senator from Kentucky were present, he would vote "yea."

Mr. CLARK of Wyoming (when his name was called). Under the transfer of pairs heretofore announced, I am at liberty to vote, and vote "nay."

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from South Caroline [Mr. TILLMAN], and therefore withhold my vote on this question. I should vote "nay" if at liberty to vote.

Mr. HALE (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES]. If he were present he would vote "yea" and I should vote "nay." I make this announcement of our general pair upon this bill and amendments that I may not be obliged to take the time of the Senate by continually iterating and reiterating it.

Mr. MCMILLAN (when his name was called). On this question I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. HANSBROUGH. I inquire if my name is recorded as having voted?

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator's name is not recorded.

Mr. HANSBROUGH. I vote "nay."

The result was announced—yeas 26, nays 47; as follows:

YEAS—26.

Bacon,	Cockrell,	Mallory,	Simmons,
Bailey,	Culberson,	Martin,	Taliaferro,
Bate,	Dubois,	Money,	Teller,
Berry,	Foster, La.	Morgan,	Vest,
Carmack,	Gibson,	Patterson,	Wellington.
Clark, Mont.	Heitfeld,	Pettus,	
Clay,	McLaurin, Miss.	Rawlins,	

NAYS—47.

Aldrich,	Dryden,	Jones, Nev.	Platt, Conn.
Allison,	Elkins,	Kean,	Platt, N. Y.
Bard,	Fairbanks,	Kearns,	Pritchard,
Burnham,	Foraker,	Kittredge,	Proctor,
Burrows,	Foster, Wash.	Lodge,	Quarles,
Burton,	Frye,	McComas,	Scott,
Clapp,	Gallinger,	McCumber,	Simon,
Clark, Wyo.	Gamble,	Millard,	Spooner,
Cullom,	Hanna,	Mitchell,	Stewart,
Deboe,	Hansbrough,	Nelson,	Turner,
Dietrich,	Hawley,	Penrose,	Wetmore.
Dolliver,	Hoar,	Perkins,	

NOT VOTING—15.

Beveridge,	Dillingham,	McEnery,	Quay,
Blackburn,	Hale,	McLaurin, S. C.	Tillman,
Daniel,	Harris,	McMillan,	Warren.
Depew,	Jones, Ark.	Mason,	

So the amendment was rejected.

Mr. HOAR. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Massachusetts offers an amendment which will be stated.

The SECRETARY. It is proposed to add at the end of the bill the following:

No person in the Philippine Islands shall, under the authority of the United States, be convicted of treason by any tribunal, civil or military, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Mr. HOAR. I ask for the yeas and nays on the question of agreeing to the amendment.

Mr. LODGE. I stated in the Senate in behalf of the committee that I would accept the amendment, but of course I have no objection to the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN]. I am advised that if he were at liberty to vote, he would vote "yea." As I would vote the same way, I will vote. I vote "yea."

Mr. MCMILLAN (when his name was called). On this question I am paired with the Senator from Kentucky [Mr. BLACKBURN].

The roll call was concluded.

Mr. TALIAFERRO (after having voted in the affirmative). Has the junior Senator from West Virginia [Mr. SCOTT] voted?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. TALIAFERRO. I ask leave to recall my vote, being paired with that Senator.

The result was announced—yeas 69, nays 0; as follows:

YEAS—69.

Allison,	Dillingham,	Hoar,	Pettus,
Bacon,	Dolliver,	Jones, Nev.	Platt, Conn.
Bailey,	Dryden,	Kean,	Platt, N. Y.
Bard,	Dubois,	Kearns,	Pritchard,
Bate,	Elkins,	Kittredge,	Proctor,
Berry,	Fairbanks,	Lodge,	Quarles,
Burnham,	Foraker,	McComas,	Rawlins,
Burrows,	Foster, La.	McCumber,	Simmons,
Burton,	Foster, Wash.	McLaurin, Miss.	Simon,
Carmack,	Frye,	Mallory,	Stewart.
Clapp,	Gallinger,	Martin,	Teller,
Clark, Mont.	Gamble,	Millard,	Vest,
Clay,	Gibson,	Mitchell,	Warren,
Cockrell,	Hale,	Money,	Wellington,
Culberson,	Hanna,	Nelson,	Wetmore.
Cullom,	Hansbrough,	Patterson,	
Deboe,	Hawley,	Penrose,	
Dietrich,	Heitfeld,	Perkins,	

NAYS—0.

NOT VOTING—19.

Aldrich,	Depew,	McMillan,	Spooner,
Beveridge,	Harris,	Mason,	Taliaferro,
Blackburn,	Jones, Ark.	Morgan,	Tillman,
Clark, Wyo.	McEnery,	Quay,	Turner.
Daniel,	McLaurin, S. C.	Scott,	

So Mr. HOAR's amendment was agreed to.

Mr. HOAR. I also move to insert what I send to the desk. I hope it will be accepted in the same way.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. It is proposed to add after the amendment just adopted the following:

Provided, That there shall be no conviction or punishment under the authority of the United States by any tribunal, civil or military, of any mother or father for failing to give information against his or her child, or of any son or daughter for failing to give information against his or her mother or father, or of any husband for failing to give information against his wife, or of any wife for failing to give information against her husband.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Massachusetts.

Mr. PATTERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Under the transfer of pairs heretofore announced I will vote. I vote "nay."

Mr. DILLINGHAM (when his name was called). I am paired with the senior Senator from South Carolina [Mr. TILLMAN] and therefore withhold my vote. If I were at liberty to vote I should vote "nay."

Mr. MCMILLAN (when his name was called). On this question I am paired with the Senator from Kentucky [Mr. BLACKBURN].

The roll call having been concluded, the result was announced—yeas 38, nays 34; as follows:

YEAS—38.

Bacon,	Cockrell,	Hoar,	Pettus,
Bailey,	Culberson,	Jones, Nev.	Rawlins,
Bard,	Dolliver,	McCumber,	Simmons,
Bate,	Dryden,	McLaurin, Miss.	Taliaferro,
Berry,	Dubois,	Mallory,	Teller,
Burnham,	Fairbanks,	Martin,	Turner,
Carmack,	Foster, La.	Money,	Vest,
Clapp,	Gibson,	Patterson,	Wellington.
Clark, Mont.	Hale,	Penrose,	
Clay,	Heitfeld,	Perkins,	

NAYS—34.

Aldrich,	Foster, Wash.	Kittredge,	Proctor,
Allison,	Frye,	Lodge,	Quarles,
Burrows,	Gallinger,	McComas,	Scott,
Clark, Wyo.	Gamble,	Millard,	Spooner.
Cullom,	Hanna,	Mitchell,	Stewart,
Deboe,	Hansbrough,	Nelson,	Warren,
Dietrich,	Hawley,	Platt, Conn.	Wetmore.
Elkins,	Kean,	Platt, N. Y.	
Foraker,	Kearns,	Pritchard,	

NOT VOTING—16.

Beveridge,	Depew,	McEnery,	Morgan,
Blackburn,	Dillingham,	McLaurin, S. C.	Quay,
Burton,	Harris,	McMillan,	Simon,
Daniel,	Jones, Ark.	Mason,	Tillman.

So the amendment was agreed to.

Mr. FORAKER. I offer an amendment, and shall ask for the yeas and nays upon it.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to strike out "seventy-five," in line 12, page 2, and insert in lieu thereof "fifty;" so as to read:

Provided, That upon all articles the growth and product of the Philippine Archipelago coming into the United States from the Philippine Archipelago there shall be levied, collected, and paid only 50 per cent of the rates of duty aforesaid.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Ohio [Mr. FORAKER].

Mr. FORAKER and Mr. LODGE called for the yeas and nays, and they were ordered.

Mr. CULBERSON. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 2, line 12, strike out "seventy-five" and insert "fifty;" so that if amended the proviso will read:

Provided, That upon all articles the growth or product of the Philippine Archipelago coming into the United States from the Philippine Archipelago there shall be levied, collected, and paid only 50 per cent of the rates of duty aforesaid.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. BERRY (when Mr. BLACKBURN'S name was called). The Senator from Kentucky [Mr. BLACKBURN] is paired with the Senator from Michigan [Mr. MCMILLAN]. If the Senator from Kentucky were present, he would vote "yea," and he told me to so announce to the Senate.

Mr. CLARK of Wyoming (when his name was called). Under the transfer of pairs heretofore announced, I vote "yea."

Mr. DILLINGHAM (when his name was called). Owing to my pair with the Senator from South Carolina [Mr. TILLMAN], I will withhold my vote. Were I at liberty to vote, I should vote in favor of the amendment.

Mr. MCENERY (when his name was called). I am paired with the junior Senator from New York [Mr. DEPEW]. I do not know how he would vote if he were present. If he were present, I should vote "nay."

Mr. PENROSE (when Mr. QUAY'S name was called). My colleague [Mr. QUAY] is absent. He desired me to announce that if he were present he would vote in favor of the amendment.

The roll call was concluded.

Mr. MCMILLAN. On this question I am paired with the Senator from Kentucky [Mr. BLACKBURN], and therefore withhold my vote.

Mr. HALE (after having voted in the negative). I withdraw my vote and announce my pair with the Senator from Arkansas [Mr. JONES].

The result was announced—yeas 29, nays 43; as follows:

YEAS—29.

Bacon,	Cullom,	Hansbrough,	Platt, N. Y.
Berry,	Dryden,	Kearns,	Quarles,
Burnham,	Fairbanks,	Mason,	Scott,
Burton,	Foraker,	Millard,	Stewart,
Clapp,	Foster, Wash.	Mitchell,	Wellington.
Clark, Wyo.	Gallinger,	Nelson,	
Clay,	Gamble,	Penrose,	
Cockrell,	Gibson,	Pettus,	

NAYS—43.

Aldrich,	Dubois,	Lodge,	Rawlins,
Allison,	Elkins,	McCumber,	Simmons,
Bailey,	Foster, La.	McLaurin, Miss.	Simon,
Bard,	Frye,	Mallory,	Spooner,
Bate,	Hanna,	Martin,	Taliaferro,
Burrows,	Hawley,	Money,	Teller,
Clark, Mont.	Heitfeld,	Patterson,	Turner,
Culberson,	Hoar,	Perkins,	Vest,
Deboe,	Jones, Nev.	Platt, Conn.	Warren,
Dietrich,	Kean,	Pritchard,	Wetmore.
Dolliver,	Kittredge,	Proctor,	

NOT VOTING—16.

Beveridge,	Depew,	Jones, Ark.	McMillan,
Blackburn,	Dillingham,	McComas,	Morgan,
Carmack,	Hale,	McEnery,	Quay,
Daniel,	Harris,	McLaurin, S. C.	Tillman.

So the amendment was rejected.

Mr. TELLER. I desire to offer the amendment of which I gave notice some days ago.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to insert as additional sections the following:

SEC. —. That it is not intended by the Government of the United States to permanently annex the Philippine Islands as an integral part of the United States, but it is the determination of the United States to establish, with the consent and assistance of the inhabitants thereof, a government or governments suitable to their wants and condition, and that shall give to the inhabitants the control and administration of their local affairs, such as the raising of revenue and the disposition thereof; the maintenance of peace and order in the several communities of said islands that have been or that may be organized by the people thereof, and eventually to give them their independence.

SEC. —. That there is no intention on the part of the Government of the United States to deprive the people of said islands of their liberties or to subjugate or oppress them, but on the contrary to secure to them the blessings of a free government of their own choice that shall recognize and protect the rights and interests of all the people of said islands.

SEC. —. That it is necessary to the establishment of such government that peace and order shall prevail on said islands in order that the people thereof may be enabled to exercise the rights of freemen and to have free expression of their wishes in the form and character of the government under which they desire to live.

SEC. —. That to this end the Government of the United States will at all times cooperate with the peaceably disposed inhabitants in the formation of such governments, and will defend and protect such government or governments so organized from any foreign interference or attempted control by foreign powers until such government or governments shall be able to defend themselves.

Mr. TELLER. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Under the transfer of my pair with the Senator from Kansas [Mr. HARRIS], heretofore announced, I vote "nay."

Mr. DILLINGHAM (when his name was called). Owing to my pair with the Senator from South Carolina [Mr. TILLMAN], I do not feel at liberty to vote on this or any of the other questions that may come up on the bill. For that reason I shall withhold my vote.

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT].

Mr. MCMILLAN (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], and therefore withhold my vote.

The roll call having been concluded, the result was announced—yeas 20, nays, 44; as follows:

YEAS—20.

Bacon,	Cockrell,	Mallory,	Simmons,
Bate,	Foster, La.	Mason,	Taliaferro,
Berry,	Gibson,	Patterson,	Teller,
Clark, Mont.	Hoar,	Pettus,	Vest,
Clay,	McLaurin, Miss.	Rawlins,	Wellington.

NAYS—44.

Aldrich,	Dolliver,	Hawley,	Penrose,
Allison,	Dryden,	Jones, Nev.	Perkins,
Bard,	Elkins,	Kean,	Platt, Conn.
Burnham,	Fairbanks,	Kearns,	Pritchard,
Burrows,	Foraker,	Kittredge,	Proctor,
Burton,	Foster, Wash.	Lodge,	Quarles,
Clapp,	Frye,	McComas,	Scott,
Clark, Wyo.	Gallinger,	McCumber,	Simon,
Cullom,	Gamble,	Millard,	Spooner,
Deboe,	Hanna,	Mitchell,	Stewart,
Dietrich,	Hansbrough,	Nelson,	Wetmore.

NOT VOTING—24.

Bailey,	Depew,	Jones, Ark.	Morgan,
Beveridge,	Dillingham,	McEnery,	Platt, N. Y.
Blackburn,	Dubois,	McLaurin, S. C.	Quay,
Carmack,	Hale,	McMillan,	Tillman,
Culberson,	Harris,	Martin,	Turner,
Daniel,	Heitfeld,	Money,	Warren.

So the amendment was rejected.

Mr. RAWLINS. Is the minority amendment pending, or is it necessary to offer it now?

The PRESIDENT pro tempore. It is necessary to offer it.

Mr. RAWLINS. I now offer it.

The PRESIDENT pro tempore. The Senator from Utah offers an amendment in behalf of the minority of the committee, which will be read.

Mr. LODGE. This is the substitute, is it not, for the entire bill?

The PRESIDENT pro tempore. It is the substitute for the entire bill. It will be read.

Mr. ALLISON. It has been read.

Mr. COCKRELL. Yes, it has been read.

Mr. CULLOM. It has been already read.

The PRESIDENT pro tempore. It has been read.

The amendment proposed by Mr. RAWLINS, in behalf of the minority members of the Committee on the Philippines, was to strike out all after the enacting clause of the bill and to insert:

That, subject to the provisions hereinafter set forth, the United States of America hereby relinquish all claim of sovereignty over and title to the archipelago known as the Philippine Islands.

That from and after the passage of this act said archipelago shall be foreign territory, and all goods entering the United States therefrom shall be subject to the same duties, customs, and imposts as are now, or may hereafter be, prescribed by law for goods entered from other foreign countries: *Provided*, That during the temporary occupation of said islands, as hereinafter provided, all trade between the same and the United States shall be free.

That the United States shall continue to occupy and govern said archipelago until the people thereof have established a stable government, and until sufficient guaranties have been obtained for the performance of our treaty obligations with Spain, for the safety of those inhabitants who have adhered to the United States, and for the maintenance and protection of all rights which have accrued under their authority.

That as soon as these results have been accomplished it is declared to be the purpose of the United States, which the President is directed to carry into effect, to withdraw from said islands and leave the government, control, and sovereignty thereof to the inhabitants of the same, retaining only such military, naval, and coaling stations as may be designated by the Government of the United States.

Mr. RAWLINS. On that I ask the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HEITFELD (when his name was called). I again announce my pair with the senior Senator from New York [Mr. PLATT]. If he were present, I should vote "yea."

Mr. MCMILLAN (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], and withhold my vote.

The roll call was concluded.

Mr. BERRY. My colleague [Mr. JONES] is paired with the Senator from Maine [Mr. HALE]. If my colleague were present, he would vote "yea." The Senator from Kentucky [Mr. BLACKBURN] is paired with the Senator from Michigan [Mr. MCMILLAN]. The Senator from Kentucky would also vote "yea," if present.

The result was announced—yeas 25, nays 46; as follows:

YEAS—25.

Bacon,	Cockrell,	Martin,	Teller,
Bailey,	Culberson,	Money,	Turner,
Bate,	Dubois,	Patterson,	Vest,
Berry,	Foster, La.	Pettus,	Wellington.
Carmack,	Gibson,	Rawlins,	
Clark, Mont.	McLaurin, Miss.	Simmons,	
Clay,	Mallory,	Taliaferro,	

NAYS—46.

Aldrich,	Dryden,	Kean,	Platt, Conn.
Allison,	Elkins,	Kearns,	Pritchard,
Bard,	Fairbanks,	Kittredge,	Proctor,
Burnham,	Foraker,	Lodge,	Quarles,
Burrows,	Foster, Wash.	McComas,	Scott,
Burton,	Frye,	McCumber,	Simon,
Clapp,	Gallinger,	Mason,	Spooner,
Clark, Wyo.	Gamble,	Millard,	Stewart,
Cullom,	Hanna,	Mitchell,	Warren,
Deboe,	Hansbrough,	Nelson,	Wetmore.
Dietrich,	Hawley,	Penrose,	
Dolliver,	Jones, Nev.	Perkins,	

NOT VOTING—17.

Beveridge,	Hale,	McEnery,	Quay,
Blackburn,	Harris,	McLaurin, S. C.	Tillman.
Daniel,	Heitfeld,	McMillan,	
Depew,	Hoar,	Morgan,	
Dillingham,	Jones, Ark.	Platt, N. Y.	

So the amendment was rejected.

Mr. MALLORY. I offer the amendment I send to the desk.

The PRESIDENT pro tempore. The Senator from Florida offers an amendment, which will be read.

The SECRETARY. It is proposed to strike out all of section 3 and to insert:

SEC. 3. That until July 1, 1903, the same tonnage taxes shall be levied, collected, and paid upon all foreign vessels coming into the United States from the Philippine Archipelago, and in addition to any tonnage dues or taxes now imposed by the government of the Philippine Islands upon all foreign vessels, except vessels of Spain owned by Spanish subjects engaged in traffic between the ports of the Philippine Archipelago, which are required by law to be levied and collected and paid upon vessels coming into the United States from foreign countries: *Provided, however*, That until July 1, 1903, the provisions of law restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from one port of the United States to another port of the United States shall not be applicable to foreign vessels engaging in trade between the Philippine Archipelago and the United States or between ports in the Philippine Archipelago; and thereafter such provisions shall not apply to vessels of Spain owned by Spanish subjects entering the ports of the Philippine Islands until the expiration of the ten years mentioned in Article IV of the treaty of Paris of December 10, 1898: *And provided further*, That the Philippine Commission shall be authorized and empowered to issue licenses to vessels or other craft now engaged in lighterage or other exclusively harbor business, but after the passage of this act such licenses, except as herein provided, shall be issued only to vessels or other craft built in the Philippine Islands or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands.

And it shall be the duty of the Secretary of the Treasury, as soon after the approval of this act as practicable, to make and promulgate such rules and regulations as may be necessary for the nationalization of all vessels built in the United States or in the Philippine Islands and owned at the date of the approval of this act and thereafter by inhabitants of said islands not subjects or citizens of any foreign nation; and no inhabitant of said Philippine Islands, not the subject or citizen of any foreign nation, possessed of other qualifications required by existing law to act as an officer of a merchant vessel of the United States, shall be disqualified as an officer of any vessel nationalized in accordance with the provisions of this act by reason of his not being a citizen of the United States. The coasting trade between the Philippine Islands and the United States shall be regulated in accordance with the provisions of law applicable to such trade between any two great coasting districts of the United States, and the coasting trade between the islands of the Philippine Archipelago and between said islands and the other insular possessions of the United States in the Pacific Ocean shall be regulated in accordance with the provisions of law applicable to such trade within one great coasting district of the United States.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Florida [Mr. MALLORY].

Mr. MALLORY. I ask for the yeas and nays on that amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HEITFELD (when his name was called). I announce my pair with the senior Senator from New York [Mr. PLATT]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 23, nays 42; as follows:

YEAS—23.

Bacon,	Cockrell,	Mallory,	Simmons,
Bailey,	Culberson,	Money,	Taliaferro,
Bate,	Dubois,	Patterson,	Teller,
Carmack,	Foster, La.	Perkins,	Vest,
Clark, Mont.	Gibson,	Pettus,	Wellington.
Clay,	McLaurin, Miss.	Rawlins,	

NAYS—42.

Aldrich,	Dryden,	Jones, Nev.	Platt, Conn.
Allison,	Elkins,	Kean,	Pritchard,
Bard,	Fairbanks,	Kearns,	Proctor,
Burnham,	Foraker,	Kittredge,	Quarles,
Burrows,	Foster, Wash.	Lodge,	Scott,
Burton,	Frye,	McComas,	Simon,
Clapp,	Gallinger,	McCumber,	Spooner,
Cullom,	Gamble,	Millard,	Stewart,
Deboe,	Hanna,	Mitchell,	Warren.
Dietrich,	Hansbrough,	Nelson,	
Dolliver,	Hawley,	Penrose,	

NOT VOTING—23.

Berry,	Dillingham,	McEnery,	Platt, N. Y.
Beveridge,	Hale,	McLaurin, S. C.	Quay,
Blackburn,	Harris,	McMillan,	Tillman,
Clark, Wyo.	Heitfeld,	Martin,	Turner,
Daniel,	Hoar,	Mason,	Wetmore.
Depew,	Jones, Ark.	Morgan,	

So the amendment was rejected.

Mr. VEST. Mr. President, I now ask for a vote on the amendment I offered.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Missouri will be stated.

The SECRETARY. It is proposed at the end of the bill to add the following as a new section:

SEC. 8. Nothing herein contained shall be held to mean that the United States intends to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to retain permanently said islands as an integral part of the United States, but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of said States and the inhabitants of said islands.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Missouri.

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Under the transfer of pairs heretofore announced, I vote "nay."

Mr. PETTUS. I desire to suggest to the Senator from Wyoming [Mr. CLARK] that, as I understood, he exchanged his pair with the senior Senator from Alabama [Mr. MORGAN], both their pairs being absent. Is that correct?

Mr. CLARK of Wyoming. I transferred my pair to the Senator from Pennsylvania [Mr. QUAY]. If he is paired with the Senator from Alabama [Mr. MORGAN], I withdraw my vote.

Mr. PETTUS. My colleague [Mr. MORGAN] is paired with the Senator from Pennsylvania [Mr. QUAY], and is absent.

Mr. CLARK of Wyoming. Then I withdraw my vote.

Mr. HEITFELD. I suggest to the Senator from Wyoming that we transfer our pairs, I being paired with the senior Senator from New York [Mr. PLATT], and that will leave the Senator from Wyoming and myself at liberty to vote.

Mr. CLARK of Wyoming. That is perfectly satisfactory, and I will let my vote stand.

Mr. MCMILLAN (when his name was called). I again announce my pair with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. MCENERY. I am paired with the junior Senator from New York [Mr. DEPEW]. If he were present, I should vote "yea."

The result was announced—yeas 24, nays 43; as follows:

YEAS—24.

Bcoan,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Simmons,
Bate,	Culberson,	Mallory,	Taliaferro,
Berry,	Dubois,	Money,	Teller,
Carmack,	Foster, La.	Patterson,	Vest,
Clark, Mont.	Gibson,	Pettus,	Wellington.

NAYS—43.

Aldrich,	Dolliver,	Hoar,	Perkins,
Allison,	Dryden,	Jones, Nev.	Platt, Conn.
Bard,	Fairbanks,	Kean,	Pritchard,
Burnham,	Foraker,	Kearns,	Proctor,
Burrows,	Foster, Wash.	Kittredge,	Quarles,
Burton,	Frye,	Lodge,	Scott,
Clapp,	Gallinger,	McComas,	Simon,
Clark, Wyo.	Gamble,	McCumber,	Spooner,
Cullom,	Hanna,	Millard,	Stewart,
Deboe,	Hansbrough,	Mitchell,	Wetmore.
Dietrich,	Hawley,	Nelson,	

NOT VOTING—21.

Beveridge,	Hale,	Martin,	Tillman,
Blackburn,	Harris,	Mason,	Turner,
Daniel,	Jones, Ark.	Morgan,	Warren.
Depew,	McEnery,	Penrose,	
Dillingham,	McLaurin, S. C.	Platt, N. Y.	
Elkins,	McMillan,	Quay,	

So the amendment was rejected.

The bill was reported to the Senate as amended.

Mr. HOAR. I ask for the yeas and nays on the passage of the bill.

The PRESIDENT pro tempore. If there be no objection, the vote in the Senate on the amendments made as in Committee of the Whole will be taken in gross. The Chair hears no objection. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments made as in Committee of the Whole were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDENT pro tempore. The question now is, Shall the bill pass? On this question the Senator from Massachusetts [Mr. HOAR] demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BERRY (when Mr. BLACKBURN'S name was called). The Senator from Kentucky [Mr. BLACKBURN] is paired with the Senator from Michigan [Mr. MCMILLAN]. The Senator from Kentucky, if present, would vote "nay."

While on my feet, I will announce that my colleague [Mr. JONES of Arkansas] is paired with the Senator from Maine [Mr. HALE]. If my colleague were present, he would vote "nay," and the Senator from Maine would vote "yea."

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT], but by arrangement with the senior Senator from Wyoming [Mr. CLARK], we have transferred our pairs, which leaves the Senator from Wyoming and myself at liberty to vote. I vote "nay."

Mr. MCENERY (when his name was called). I am paired with the junior Senator from New York [Mr. DEPEW]. If he were present, I should vote "nay."

Mr. MCMILLAN (when his name was called). I again announce my pair with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 45, nays 26; as follows:

YEAS—45.

Aldrich,	Dryden,	Kean,	Pritchard,
Allison,	Fairbanks,	Kearns,	Proctor,
Bard,	Foraker,	Kittredge,	Quarles,
Burnham,	Foster, Wash.	Lodge,	Scott,
Burrows,	Frye,	McComas,	Simon,
Burton,	Gallinger,	McCumber,	Spooner,
Clapp,	Gamble,	Mason,	Stewart,
Clark, Wyo.	Hanna,	Millard,	Warren,
Cullom,	Hansbrough,	Mitchell,	Wetmore.
Deboe,	Hawley,	Nelson,	
Dietrich,	Hoar,	Perkins,	
Dolliver,	Jones, Nev.	Platt, Conn.	

NAYS—26.

Bacon,	Cockrell,	Mallory,	Taliaferro,
Bailey,	Culberson,	Martin,	Teller,
Bate,	Dubois,	Money,	Turner,
Berry,	Foster, La.	Patterson,	Vest,
Carmack,	Gibson,	Pettus,	Wellington.
Clark, Mont.	Heitfeld,	Rawlins,	
Clay,	McLaurin, Miss.	Simmons,	

NOT VOTING—17.

Beveridge,	Elkins,	McLaurin, S. C.	Quay,
Blackburn,	Hale,	McMillan,	Tillman.
Daniel,	Harris,	Morgan,	
Depew,	Jones, Ark.	Penrose,	
Dillingham,	McEnery,	Platt, N. Y.	

So the bill was passed.

Mr. LODGE. I move that the Senate do now adjourn.

The PRESIDENT pro tempore. Before putting that motion, the Chair will lay before the Senate the unfinished business——

Mr. HOAR. I wish there might be a brief executive session.

The PRESIDENT pro tempore. The Chair will first lay before the Senate the unfinished business, being the bill (S. 3057) appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands.

The Senator from Washington [Mr. TURNER] has asked unanimous consent that a protest against the decision of the Chair, as the Chair understands it, might be filed and printed in the RECORD.

Mr. HOAR. Let that go over until to-morrow.

Mr. TURNER. The Chair does not state that accurately. I do not ask unanimous consent. I present the protest as a right under the Constitution of the United States in behalf of the senior Senator from South Carolina [Mr. TILLMAN], and ask that it be spread upon the Journal of this body and printed in the RECORD.

Mr. PLATT of Connecticut. I object, Mr. President.

The PRESIDENT pro tempore. The Senator from Massachusetts has moved——

Mr. HOAR. If my colleague will allow me, I wish to move a brief executive session.

Mr. LODGE. Certainly.

EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 6 o'clock and 56 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 25, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 24, 1902.*

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

We bless Thee, Almighty God, our heavenly Father, that republics are not always ungrateful; that the people of the United States remember with gratitude the distinguished services of their illustrious sons as witnessed by the demonstrations in honor of our beloved Washington and in the encomiums pronounced upon his life and character. We honor him for what he was and what he did, and shall ever hold him up to the world as the Father of his Country.

We thank Thee, too, that we can lay aside whatever prejudices we may have against other forms of government and extend cordially a friendly greeting to a visiting representative of a sister nation and welcome him to our hospitable shores; and we pray that the friendly relations which have always existed between this Government and Germany may continue forever; that the distinguished visitor may return in safety to his people with pleasant recollections of his visit, our people, and their sacred institutions; and Thine shall be the praise, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, February 21, 1902, was read and approved.

LIGHT-HOUSE, KEWAUNEE, WIS.

Mr. MINOR. Mr. Speaker, I ask unanimous consent for the present consideration of House bill 6300, to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of a bill which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the sum of $7,500, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the construction of a dwelling for the keeper of the light-house at Kewaunee, in the State of Wisconsin, in accordance with the recommendations of the Light-House Board.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICHARDSON of Tennessee. I want to ask the gentleman what committee has reported this bill?

Mr. MINOR. The Committee on Interstate and Foreign Commerce. That committee reports it unanimously.

Mr. RICHARDSON of Tennessee. Is it recommended by any of the various departments?

Mr. MINOR. The Light-House Board have earnestly recommended this legislation. Some fifteen years ago a light-house was constructed on the end of the harbor at Kewaunee, Wis., about 600 feet out in Lake Michigan, and a keeper was employed at a salary of $560 a year. Some six years ago a steam fog whistle was added to the light-keeper's outfit, and an additional keeper employed at a salary of $450 per year. A keeper's dwelling has never been provided for those people, and the result is that they have been compelled to rent dwellings far removed from the light-house on account of the peculiar formation of the shore, and it is very inconvenient for those people to comply with the rules of the Light-House Board, and the Light-House Board has recommended this numerous times, but it has never as yet received any consideration at the hands of the House.

The SPEAKER. Is there objection? The Chair hears none.

The amendment recommended by the committee was read, and agreed to, as follows:

Strike out all after the enacting clause and substitute in lieu thereof the following:

"That the Secretary of the Treasury be, and he is hereby, authorized to erect a dwelling for the keeper of the light-house at Kewaunee, Wis., at a cost not to exceed the sum of $5,000."

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MINOR, a motion to reconsider the last vote was laid on the table.

JUDICIAL DISTRICTS, TEXAS.

Mr. BALL of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 11611) to divide the State of Texas into four judicial districts.

Be it enacted, etc., That the State of Texas is divided into four judicial districts, which shall be called the northern, the eastern, the southern, and the western judicial districts of the State of Texas.

The northern judicial district includes the following counties and the waters thereof:

Navarro, Johnson, Ellis, Kaufman, Dallas, Rockwall, Hunt, Commanche, Hood, Erath, Tarrant, Parker, Palo Pinto, Wise, Clay, Jack, Young, Wichita, Wilbarger, Archer, Baylor, Cottle, Hardeman, Motley, Briscoe, Hall, Childress, Collingsworth, Donley, Armstrong, Deaf Smith, Randall, Oldham, Potter, Carson, Gray, Wheeler, Hemphill, Lipscomb, Ochiltree, Roberts, Hutchinson, Hansford, Sherman, Moore, Hartley, Dallam, Eastland, Stephens, Throckmorton, Shackelford, Callahan, Taylor, Jones, Haskell, Knox, Nolan, Fisher, Stonewall, Kent, Dickens, King, Crosby, Garza, Lubbock, Gaines, Andrews, Mitchell, Scurry, Borden, Howard, Martin, Midland, Glasscock, Sterling, Coke, Tom Green, Crockett, Schleicher, Sutton, Irion, Mills, Runnels, Coleman, Brown, Bailey, Castro, Cochran, Dawson, Floyd, Foard, Hale, Hockley, Lamb, Lynn, Parmer, Swisher, Terry, Upton, Yoakum, Concho, and Menard.

The eastern judicial district includes the following counties and the waters thereof:

Cooke, Denton, Montague, Collin, Grayson, Liberty, Jefferson, Orange, Newton, Jasper, Hardin, Tyler, San Augustine, Sabine, Shelby, Nacogdoches, Angelina, Houston, Anderson, Cherokee, Panola, Rusk, Smith, Henderson, Van Zandt, Rains, Gregg, Wood, Upshur, Harrison, Marion, Cass, Bowie, Red River, Titus, Camp, Hopkins, Morris, Franklin, Lamar, Fannin, and Delta.

The southern judicial district includes the following counties and the waters thereof:

Polk, Trinity, Madison, Brazos, Grimes, Walker, San Jacinto, Montgomery, Harris, Chambers, Galveston, Brazoria, Fort Bend, Waller, Austin, Colorado, Lavaca, Wharton, Matagorda, Jackson, Victoria, Goliad, Calhoun, Refugio, Aransas, San Patricio, Nueces, Cameron, Hidalgo, Starr, Zapata, Webb, Dimmit, Lasalle, McMullen, and Duvall.

The western judicial district includes the following counties and the waters thereof:

Maverick, Bee, Live Oak, Karnes, Dewitt, Gonzales, Guadalupe, Wilson, Atascosa, Bexar, Comal, Kendall, Kerr, Edwards, Bandera, Medina, Frio, Zavalla, Uvalde, Kinney, Pecos, Presidio, El Paso, Fayette, Washington, Burleson, Milam, Robertson, Leon, Freestone, Limestone, Hill, Bosque, Somervell, Hamilton, Coryell, McLennan, Falls, Bell, Williamson, Lee, Bastrop, Caldwell, Hays, Travis, Blanco, Burnet, Gillespie, Llano, Mason, McCulloch, Kimble, San Saba, Lampasas, Brewster, Winkler, Ward, Valverde, Crane, Ector, Jeff Davis, Loving, and Reeves.

SEC. 2. That the district judge of the northern judicial district as heretofore constituted and in office when this act takes effect shall be the district judge of the northern judicial district as hereby constituted; the district judge of the eastern judicial district as heretofore constituted and in office when this act takes effect shall be the district judge of the eastern judicial district as hereby constituted, and the district judge of the western judicial district as heretofore constituted and in office when this act takes effect shall be the district judge of the western judicial district as hereby constituted.

The President of the United States, by and with the advice and consent of the Senate, shall appoint a district judge for the southern judicial district of Texas as hereby constituted, who shall possess and exercise all the powers conferred by existing law upon the judges of the district courts of the United States, and who shall, as to all business and proceedings arising in said southern judicial district as hereby constituted or transferred thereto, succeed to and possess the same powers and perform the same duties within said southern judicial district as are now possessed and performed by the district judges of the judicial districts in said State of Texas.

SEC. 3. That the clerk of the circuit court and the clerk of the district court in the northern judicial district as heretofore constituted and in office when this act takes effect shall continue to be the clerks of the circuit and district courts, respectively, of the northern judicial district as hereby constituted, until their successors respectively shall be appointed and qualified.

The clerk of the circuit court and the clerk of the district court of the eastern judicial district as heretofore constituted and in office when this act takes effect shall be the clerks of the said courts, respectively, in the southern judicial district as hereby constituted until their successors respectively shall be appointed and qualified. The district judge of the said eastern judicial district as hereby constituted is hereby authorized and empowered to appoint a clerk of the district court in said district, and the judge of the circuit court is authorized and empowered to appoint a clerk of said circuit court in said district in the manner provided by law and said clerks respectively shall possess the powers and perform the duties within said judicial district conferred by law on the clerks of circuit and district courts.

The clerk of the circuit court and the clerk of the district court of the western judicial district as heretofore constituted shall continue to be the clerks of the circuit and district courts, respectively, of the western judicial district as hereby constituted until their successors respectively shall be appointed and qualified.

SEC. 4. That the marshals of the northern, eastern, and western judicial districts as heretofore constituted and in office when this act takes effect shall continue to be the marshals of said northern, eastern, and western judicial districts as hereby constituted, respectively, and until their successors, respectively, shall be appointed and qualified.

The President of the United States, by and with the advice and consent of the Senate, shall appoint a marshal for the southern judicial district of Texas as hereby constituted, who shall within his jurisdiction possess and exercise all the powers conferred by existing law upon the marshals of the United States.

SEC. 5. That the district attorneys for the northern and western judicial districts as heretofore constituted shall continue to be the district attorneys of the northern and western judicial districts as hereby constituted, respectively, and until their successors, respectively, are appointed and qualified.

The district attorney for the eastern judicial district as heretofore constituted shall continue to be the district attorney for the southern judicial district as hereby constituted and until his successor is appointed and qualified, with the same salary he is now receiving.

The President of the United States, by and with the advice and consent of the Senate, shall appoint a district attorney for said eastern judicial district of Texas as hereby constituted, who within his jurisdiction shall possess and exercise all the power conferred by existing law upon the district attorneys of the United States.

SEC. 6. That the office of judge, marshal, and district attorney in each of said judicial districts, deputy marshals and assistant district attorneys, and all other officers authorized by law and made necessary by the division of the State of Texas into four judicial districts and by the provisions of this act, and all vacancies created by said division, in either of said districts, as constituted by this act or hereafter occurring, shall be filled in the manner provided by existing law. The salaries, pay, fees, and allowances of the judges, district attorneys, marshals, clerks, and other officers in said districts, until changed under the provisions of existing law, shall be the same, respectively, as now fixed by law for such officers in the said judicial districts of Texas as heretofore constituted, except as herein provided.

SEC. 7. That all causes and proceedings of every name and nature, civil and criminal, now pending in the courts of the judicial districts of the State of Texas as heretofore constituted, whereof the courts of the southern judicial district of the State of Texas as hereby constituted would have had jurisdiction if said district and the courts thereof had been constituted when said causes or proceedings were instituted, shall be, and the same are hereby, transferred to and the same shall be proceeded with in the southern judicial district of the State of Texas as hereby constituted, and jurisdiction thereof is

hereby transferred to and vested in the courts of said southern judicial district, and the records and proceedings therein and relating to said proceedings and causes shall be certified and transferred thereto; and all causes and proceedings of every name and nature, civil and criminal, now pending in the courts of the several judicial districts of Texas as heretofore constituted, whereof the courts of the several judicial districts of the State of Texas as hereby constituted would have had jurisdiction if said districts and the courts thereof had been constituted as under the provisions of this act when said causes or proceedings were instituted, shall be, and the same are hereby, transferred to, and the same shall be proceeded with, in the said several judicial districts of the State of Texas as hereby constituted the same as if said judicial districts had been constituted and created as by the provisions of this act when such causes or proceedings were instituted, and jurisdiction thereof is hereby transferred to and vested in the courts of said judicial districts, respectively, as hereby constituted, and the records and proceedings therein and relating to said proceedings and causes shall be certified and transferred thereto: *Provided*, That all motions and causes submitted and all causes and proceedings, both civil and criminal, including proceedings in bankruptcy, now pending in the judicial districts of Texas as heretofore constituted in which the evidence has been taken in whole or in part before the present district judges of the judicial districts of Texas as heretofore constituted, or taken in whole or in part and submitted and passed upon by the said district judges, respectively, shall be proceeded with and disposed of in the said judicial districts, respectively, as heretofore constituted, where said motions and causes were submitted or where such evidence was taken in whole or in part and submitted and passed upon as hereinbefore mentioned.

SEC. 8. That all prosecutions for crimes or offenses hereafter committed in either of said judicial districts as hereby constituted shall be cognizable within the district in which committed, and all prosecutions for crimes or offenses committed before the passage of this act in which indictments have not yet been found or proceedings instituted shall be cognizable within the judicial district as hereby constituted in which such crimes or offenses were committed.

SEC. 9. That all process issued against defendants residing in the counties of Navarro, Johnson, Ellis, Kaufman, Dallas, Rockwall, and Hunt shall be returned to Dallas.

That all process issued against defendants residing in the counties of Comanche, Hood, Erath, Tarrant, Parker, Palo Pinto, Wise, Clay, Jack, Young, Archer, Wichita, Wilbarger, Baylor, Bailey, Hardeman, Cottle, Motley, Briscoe, Hall, Childress, Collingsworth, Donley, Armstrong, Randall, Deaf Smith, Oldham, Potter, Carson, Gray, Wheeler, Hemphill, Lipscomb, Ochiltree, Roberts, Hutchinson, Hansford, Sherman, Moore, Hartley, Dallam, Foard, Parmer, Swisher, Castro, Lamb, Hale, Floyd, Cochran, Dawson, and Hockley shall be returned to Fort Worth.

That all process issued against defendants residing in the counties of Eastland, Stephens, Throckmorton, Shackelford, Callahan, Taylor, Jones, Haskell, Knox, Nolan, Fisher, Stonewall, Kent, Dickens, King, Crosby, Garza, Lubbock, Gaines, Andrews, Mitchell, Scurry, Borden, Howard, Martin, Midland, Yoakum, Terry, and Lynn shall be returned to Abilene.

That all process issued against defendants residing in the counties of Glasscock, Sterling, Coke, Tom Green, Crockett, Schleicher, Sutton, Irion, Mills, Runnels, Coleman, Concho, Menard, Brown, and Upton shall be returned to San Angelo.

That all process issued against defendants residing in the counties of Fayette, Washington, Burleson, Williamson, Lee, Bastrop Caldwell, Hays, Travis, Blanco, Gillespie, Burnet, Llano, Mason, Kimble, McCulloch, San Saba, and Lampasas shall be returned to Austin.

That all process issued against defendants residing in the counties of Bee, Live Oak, Karnes, Dewitt, Gonzales, Guadalupe, Wilson, Atascosa, Bexar, Comal, Kendall, Kerr, Edwards, Bandera, Medina, Frio, Uvalde, Zavalla, Kinney, Maverick, and Valverde shall be returned to San Antonio.

That all process issued against defendants residing in the counties of El Paso, Pecos, Presidio, Reeves, Loving, Winkler, Ward, Ector, Crane, Jeff Davis, and Brewster shall be returned to El Paso.

That all process issued against defendants residing in the counties of Zapata, Webb, Duval, Dimmit, Lasalle, McMullen, Nueces, San Patricio, Aransas, and Refugio shall be returned to Laredo.

That all process issued against defendants residing in the counties of Shelby, Nacogdoches, Angelina, Houston, Anderson, Cherokee, Panola, Rusk, Smith, Henderson, Van Zandt, Rains, Gregg, and Wood shall be returned to Tyler.

That all process issued against defendants residing in the counties of Jefferson, Liberty, Orange, Newton, Jasper, Hardin, Tyler, San Augustine, and Sabine shall be returned to Beaumont.

That all process issued against defendants residing in the counties of Grayson, Cooke, Montague, Denton, and Collin shall be returned to Sherman.

That all process issued against defendants residing in the counties of Upshur, Harrison, Marion, Cass, Bowie, Titus, Camp, Hopkins, Morris, and Franklin shall be returned to Jefferson.

That all process issued against defendants residing in the counties of Lamar, Fannin, Red River, and Delta shall be returned to Paris.

That all process issued against defendants residing in the counties of Milam, Robertson, Leon, Limestone, Freestone, McLennan, Falls, Bell, Coryell, Hamilton, Bosque, Somervell, and Hill shall be returned to Waco.

That all process issued against defendants residing in the counties of Cameron, Hidalgo, and Starr shall be returned to Brownsville.

That all process issued against defendants residing in the counties of Austin, Fort Bend, Matagorda, Wharton, Brazoria, Galveston, and Chambers shall be returned to Galveston.

That all process issued against defendants residing in the counties of Goliad, Victoria, Calhoun, Jackson, Lavaca, Colorado, Waller, Grimes, Brazos, Madison, Trinity, Walker, Montgomery, San Jacinto, Polk, and Harris shall be returned to Houston.

SEC. 10. That all process issued against defendants residing in any county which may hereafter be created by law shall be returned to the nearest place for holding court in the judicial district within which said county is formed. That if there be more than one defendant, and they reside in different divisions of the district or in different districts, the plaintiff may sue in either division, or in either district in which one or more defendants may reside, and send duplicate writ or writs to the other defendant or defendants, on which the clerk issuing the writ shall indorse that the writ thus sent is a copy of a writ sued out of the court of the proper division of said district, and said writs, when executed and returned into the office from which they were issued, shall constitute one suit, and be proceeded in accordingly: *Provided*, That suits and actions affecting the title to or to foreclose liens on real estate shall be brought in the district and in the division thereof in which said real estate is, in whole or in part, situate.

SEC. 11. That the United States circuit and district courts for the southern district of Texas shall be held in each year at the times and places as follows:

At Galveston, in the county of Galveston, on the second Monday of January and the first Monday of June.

At Houston, in the county of Harris, on the fourth Monday of February and the fourth Monday of September.

At Laredo, in the county of Webb, on the third Monday of April and the second Monday of November.

At Brownsville, in the county of Cameron, on the second Monday of May and the first Monday of December.

SEC. 12. That the United States circuit and district courts for the northern district of Texas shall be held in each year at the times and places as follows:

At Dallas, in the county of Dallas, on the second Monday of January and the first Monday of May.

At Fort Worth, in the county of Tarrant, on the first Monday of November and the second Monday of March.

At Abilene, in the county of Taylor, on the first Monday of October and the second Monday of April.

At San Angelo, in the county of Tom Green, on the third Monday of October and the fourth Monday of April.

SEC. 13. That the United States circuit and district courts for the eastern district of Texas shall be held in each year at the times and places as follows:

At Tyler, in the county of Smith, on the fourth Monday of January and the fourth Monday of April.

At Jefferson, in the county of Marion, on the first Monday of October and the third Monday of February.

At Beaumont, in the county of Jefferson, on the third Monday of November and the first Monday of April.

At Sherman, in the county of Grayson, on the first Monday of January and the third Monday of May.

At Paris, in the county of Lamar, on the fourth Monday of October and the second Monday of March.

SEC. 14. That the United States circuit and district courts for the western district of Texas shall be held in each year at the times and places as follows:

At Austin, in the county of Travis, on the third Monday of January and the second Monday of June.

At Waco, in the county of McLennan, on the first Monday of March and the fourth Monday of September.

At San Antonio, in the county of Bexar, on the second Monday of April and the fourth Monday of November.

At El Paso, in the county of El Paso, on the second Monday of May and the first Monday of November.

SEC. 15. That the marshal and district attorney for the southern judicial district of the State of Texas created and appointed under the provisions of this act shall each receive a compensation or salary of $3,500 per annum, payable as the marshals and district attorneys in the other districts are paid under the provisions of existing law, and the marshals and their deputies shall give the bond required of marshals and deputy marshals under the provisions of existing law.

SEC. 16. That the clerk of the district court appointed in the southern judicial district as created by this act shall reside at one of the places designated therein for holding courts, and such clerk shall appoint at least three deputies, one of whom shall reside at each of the other places in said district designated for holding courts therein.

SEC. 17. That each of the referees in bankruptcy residing in the several judicial districts of the State of Texas as constituted by this act shall continue to act as such within their respective districts, and all proceedings commenced and pending before them, respectively, at the time this act goes into effect shall be continued and disposed of in the court and district to which jurisdiction thereof is given by the provisions of this act.

SEC. 18. That all laws and parts of laws, so far as inconsistent with the provisions of this act, are hereby repealed.

SEC. 19. No provision in this act contained shall be construed to continue in office any officer of said courts or judicial districts for a term longer than that for which he was appointed or to limit or restrict the power of removal in accordance with the provisions of existing law.

SEC. 20. That this act shall take effect on the 1st day of July, 1902.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PAYNE. Reserving the right to object, I would like to ask the gentleman from Texas [Mr. BALL] some questions. I understand that the object of all the language that we have been listening to in this bill is to create another district court in the State of Texas. I have been so informed.

Mr. BALL of Texas. The bill has two purposes, first to create a new judicial district in Texas, and second, to reorganize and rearrange the existing three districts, so as to equalize the work of the different judges and procure the proper dispatch of the business pending in the Federal courts.

Mr. PAYNE. So that it will give four districts, instead of three?

Mr. BALL of Texas. It gives an additional district; yes.

Mr. PAYNE. And I understand that the population of Texas has increased a million in the last decade?

Mr. BALL of Texas. Yes.

Mr. PAYNE. I have also understood—I do not know how true it is—that since the recent discovery of oil in Texas, and the development of business resources there, that some of the stringent anti-trust laws have gone into innocuous desuetude, so to speak.

Mr. BALL of Texas. I do not think that is true so far as the laws are concerned.

Mr. LANHAM. That is a great mistake.

Mr. PAYNE. You draw a distinction between the laws and the enforcement of them?

Mr. BALL of Texas. There is sometimes a difference.

Mr. LANHAM. Those laws are being very vigorously enforced.

Mr. PAYNE. They are?

Mr. LANHAM. Yes; and they ought to be.

Mr. PAYNE. When has there been a case?

Mr. BALL of Texas. I will state to the gentleman from New York [Mr. PAYNE] and to the House that this bill has had a very exhaustive consideration at the hands of the Judiciary Committee; that it was considered first by the committee as a whole and then referred to a subcommittee, which reported upon it favorably, and that subsequently the chairman of the Judiciary Committee [Mr. RAY] has gone very carefully over it, and it is now reported

unanimously from the committee, that the district which the bill creates is necessary for the proper conduct of the Federal court business of Texas.

Mr. PAYNE. I want to say to the gentleman from Texas [Mr. BALL] that I think he presents a great deal better case for another district than any I have heard for some time.

Mr. BALL of Texas. I thank the gentleman from New York.

Mr. JONES of Washington. I would like to ask the gentleman a question.

The SPEAKER. Does the gentleman from Texas yield?

Mr. BALL of Texas. Yes.

Mr. JONES of Washington. Does the report of the committee state in detail the amount of business?

Mr. BALL of Texas. What is the question?

Mr. JONES of Washington. Does the report of the committee state in detail the amount of pending business?

Mr. BALL of Texas. All that information was furnished to the Committee on the Judiciary.

Mr. JONES of Washington. Can the gentleman state about the extent of business there is now—the number of cases?

Mr. BALL of Texas. I have not the data before me, because it was filed with the Judiciary Committee, and I do not remember; but I do remember that a sufficient showing was made before the Judiciary Committee and the subcommittee to satisfy them that this court is necessary, that the three district judges of Texas, who are young, active, and vigorous men, devote their entire time to the business in their courts, and all say that this bill is absolutely necessary for the relief of the present districts and the proper dispatch of the business in the Federal courts.

Mr. JONES of Washington. You don't know whether the report in this case sets up the amount of business or not?

Mr. BALL. I do not.

Mr. LANHAM. I would state that it does not set out in detail the business of the various courts, but I will say that there are now pending in the courts, the three district courts as at present constituted, as well as I remember, about six hundred cases.

Mr. CLAYTON. Civil cases?

Mr. LANHAM. Cases of all kinds.

The CHAIRMAN. Is there objection. The Chair hears none.

The question being on the engrossment and third reading of the bill, it was accordingly read the third time, and passed.

On motion of Mr. BALL, a motion to reconsider the last vote was laid on the table.

NONRESIDENTS' PURCHASE OF LAND IN CUBA.

Mr. TAWNEY. Mr. Speaker, I present the following privileged report from the Committee on Insular Affairs.

The Clerk read as follows:

Resolved, That the Secretary of War be, and he is hereby, requested to furnish the House of Representatives such information concerning the number of acres of land in Cuba purchased by nonresidents of the island since the date of American occupation as is shown by the reports to and the records of his Department and by the records of the military government of the island of Cuba, giving the consideration, the names and places of residence of purchasers as shown by the recorded instrument of conveyance, and also the number of acres contained in each tract so conveyed; also the total acreage of cultivated sugar land in the island of Cuba now owned by citizens of the United States and by citizens of other countries foreign to Cuba.

The amendment recommended by the Committee on Insular Affairs was read, as follows:

Amend by inserting the word "also" after the word "and" in line 12 of the resolution.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I am unable to understand upon what claim this is privileged. There has been none stated, no ground stated that makes it privileged.

Mr. TAWNEY. This is a resolution of inquiry addressed to a department of the Government.

Mr. RICHARDSON of Tennessee. A resolution from the department?

Mr. TAWNEY. A resolution of inquiry.

Mr. RICHARDSON of Tennessee. Addressed to the department?

Mr. TAWNEY. Addressed to the department.

Mr. RICHARDSON of Tennessee. And regularly introduced here?

Mr. TAWNEY. Regularly introduced and referred to the Committee on Insular Affairs and reported by me this morning.

Mr. RICHARDSON of Tennessee. This is a resolution, then, reported by the Committee on Insular Affairs.

Mr. TAWNEY. This is a resolution reported by the committee and it is unanimously reported.

The amendment was agreed to.

The resolution as amended was agreed to.

On motion of Mr. TAWNEY, a motion to reconsider the last vote was laid upon the table.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. WOOTEN, indefinitely, on account of important business.

To Mr. BLACKBURN, for two days, on account of important business.

DISPOSAL OF CERTAIN REFUSE IN THE DISTRICT OF COLUMBIA.

Mr. JENKINS. Mr. Speaker, I desire to call up for passage the bill H. R. 11241.

The SPEAKER. This being District of Columbia day, the gentleman from Wisconsin, on behalf of that committee, calls up the following bill for the consideration of the House:

The Clerk read as follows:

A bill (H. R. 11241) to amend an act entitled "An act to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes," approved January 25, 1898.

Be it enacted, etc., That notwithstanding anything contained in the act entitled "An act to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes," approved January 25, 1898, the health officer of said District may issue permits for the erection and maintenance of such temporary privies as may be necessary during the pendency of building operations, during encampments, and under similar circumstances, under such restrictions as may be essential in the judgment of said health officer to prevent nuisance or danger to public health; and no person shall erect or maintain a temporary privy in said District without a permit from said health officer so to do, or otherwise than in accordance with the terms of such permit.

SEC. 2. That any person who shall violate or aid or abet in violating any of the provisions of this act shall be punished by a fine not exceeding $100 or by imprisonment in the workhouse of said District for not more than six months, or by both such fine and imprisonment, in the discretion of the court. All prosecutions under this act shall be in the police court of said District, on information signed by the city solicitor or one of his assistants.

SEC. 3. That all acts or parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

The amendments recommended by the commtttee were read, as follows:

Page 1, line 8, strike out the word "such."

Page 1, lines 8, 9, and 10, strike out the words "as may be necessary during the pendency of building operations, during encampments, and under similar circumstances."

Mr. JENKINS. Mr. Speaker, I yield ten minutes to the gentleman from Ohio, who reported the bill.

Mr. NORTON. Mr. Speaker, this bill was prepared by the health officer of the District of Columbia, and, as the text of the bill explains, it is to meet emergencies. When large bodies of men come to the capital and there are extensive buildings constructed it becomes necessary to take care temporarily of the refuse. This bill simply authorizes the District Commissioners to so arrange for the care temporarily of this refuse. The bill has met with the unanimous approval of the District Committee, and I think, with the amendments that the committee have made to it, it should be passed.

Mr. MOODY of Massachusetts. Mr. Speaker, I would like to ask the gentleman a question.

The SPEAKER. Does the gentleman yield?

Mr. NORTON. Certainly.

Mr. MOODY of Massachusetts. Who pays the expense of the removal of this refuse?

Mr. NORTON. The District pays it.

Mr. MOODY of Massachusetts. And not the builders of the building?

Mr. NORTON. The builders will pay for it, but it will have to be done under the regulations of the District Commissioners.

Mr. MOODY of Massachusetts. Will the effect of this bill be to assess on the builders the expense incurred by the District Commissioners in the removal of this refuse?

Mr. NORTON. It will. But when there are congregated here large bodies of men, such as the Grand Army Encampment and other organizations, I understand, then it will have to be paid by the committees who invited them. This simply regulates and controls the construction of those buildings.

Mr. MOODY of Massachusetts. Then it imposes no other burden upon the District than now imposed.

Mr. NORTON. None whatever; and it carries no appropriation.

Mr. JENKINS. I ask for a vote on the bill as reported.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the vote by which the bill was passed, was laid on the table.

TAXES AND TAX SALES IN THE DISTRICT OF COLUMBIA.

Mr. JENKINS. Mr. Speaker, I now call up for passage the bill H. R. 11400.

The bill was read, as follows:

A bill (H. R. 11400) to amend an act entitled "An act in relation to taxes and tax sales in the District of Columbia," approved February 28, 1898.

Be it enacted, etc., That an act entitled "An act in relation to taxes and tax sales in the District of Columbia," approved February 28, 1898, be, and the same is hereby, amended to read as follows:

"That the assessor of the District of Columbia shall prepare a list of all taxes

on real property in said District subject to taxation on which said taxes are levied and in arrears on the 1st day of July of each year hereafter; and the Commissioners of said District shall fix date of sale and publish the said list, with notice of sale, in a pamphlet, of which not less than 2,000 copies shall be printed for distribution to taxpayers applying therefor. That the said Commissioners shall give notice, by advertising twice a week for three successive weeks, beginning on the third Monday in March of each year hereafter, in the regular issue of three daily newspapers published in said District, that the said pamphlet has been printed and that a copy thereof will be delivered to any taxpayer applying therefor at the office of the collector of taxes of said District; and if the taxes due, together with the penalties and costs that may have accrued thereon, shall not be paid prior to the day fixed for sale, the property will be sold, under the direction of the Commissioners of the District of Columbia, at public auction at the office of the said collector of taxes, commencing at least three weeks after the first publication of said notice and continuing on each following day, Sundays and legal holidays excepted, until all said delinquent property is sold; a description sufficient to identify the property shall be considered a proper description.

"SEC. 2. That upon the day specified aforesaid the Commissioners shall proceed to sell or cause to be sold any and all property upon which such taxes remain unpaid, and continue to sell the same every secular day until all the real property as aforesaid shall have been brought to auction and sold. In case no other person bids the amount due, together with penalties and costs, on any lot, the said collector of taxes shall bid the amount due, together with penalties and costs, on the same and purchase it for the District.

"SEC. 3. That every purchaser other than the District at any sale of property sold as aforesaid shall pay the amount of his bid to the collector of taxes within five days after the last day of sale. If any such purchaser shall not have paid his bid or the same shall not have been collected from him within the time above mentioned, the Commissioners may set aside the sale for which the bid was made, and all the rights of the purchaser under such bid shall thereby be extinguished, and the said collector of taxes shall thereupon be held to have bid the amount due on the said lot and to have purchased it for the District. Immediately after the close of the sale, upon payment of the purchase money, the said collector of taxes shall issue to the purchaser a certificate of sale, and if the property shall not be redeemed by the owner or owners thereof within two years of the last day of sale, by payment to the collector of taxes of said District, for the use of the legal holder of the certificate, the amount for which it was sold at such sale and 12 per cent per annum thereon, a deed shall be given by the Commissioners of the District, or their successors in office, to the purchaser at such tax sale, his heirs or devisees, or to the assignee of such certificates, which deed shall be admitted and held to be prima facie evidence of a good and perfect title in fee simple to any property bought at said sale herein authorized: *Provided*, That no deed shall be issued until all taxes and assessments appearing upon the tax books against the property are paid, with penalties, interests, and costs, including taxes for the years for which the District purchased the property at tax sale: *Provided*, That no property advertised as aforesaid shall be sold upon any bid not sufficient to meet the amount of tax, penalty, and costs; but in case the highest bid upon any property is not sufficient to meet the taxes, penalties, and costs thereon said property shall thereupon be bid off by the said collector of taxes, in the name of the District of Columbia; but the property so bid off shall not be exempted from assessment and taxation, but shall be assessed and taxed as other property; and if within two years thereafter such property is not redeemed by the owner or owners thereof, or their legal representatives, by the payment of the taxes, penalties, and costs due at the time of the sale and that may have accrued after that date, and 8 per cent per annum thereon, or if any property two years after having been so bid off at any sale in the name of said District under this act or any other law in force is not or has not been so redeemed as aforesaid (unless it shall be shown that the sale for taxes was irregular and void), then the Commissioners of the District, or their successors, shall, in the name of and on behalf of the District of Columbia, sell said property at public or private sale and issue to any purchaser of such property a deed, which deed shall have the same force and effect as the deed hereinbefore provided for in this section for property sold at the regular annual sale: *Provided, however*, That no such deed shall be issued until all assessments, taxes, costs, and charges due the District, of whatever nature, shall have been paid in full: *And provided also*, That minors or other persons under legal disability be allowed one year after attaining full age or after the removal of such legal disability to redeem the property so sold, or bid off by the collector of taxes in the name of the District of Columbia as aforesaid, from the purchaser or purchasers, his, her, or their assigns, or from the District of Columbia, on payment of the amount of purchase money so paid therefor, with 8 per cent per annum interest thereon as aforesaid, together with all taxes and assessments that have been paid thereon by the purchaser or his assigns between the day of sale and the period of redemption, with 8 per cent per annum interest on the amount of such taxes and assessments. When such property is redeemed from a purchaser other than the District of Columbia, and when such property shall be redeemed from the District of Columbia, it shall, except as to the period of redemption, be upon the terms and conditions hereinbefore provided for in the case of redemption by persons not under legal disability: *Provided, however*, That failure on the part of the District, from any cause whatsoever, to enforce the liens acquired aforesaid shall not release the property from any tax whatsoever that may be due the District: *Provided further*, That at any time after any property shall have been bid off as aforesaid by the collector of taxes, and before the expiration of the time allowed for the redemption thereof, the Commissioners of the District of Columbia, through the collector of taxes of said District, may issue to any person or persons, upon the payment of a sum not less than the aggregate amount of the taxes, penalties, and costs due at the time the property was bid off by the collector and that may have accrued after that date, a certificate of sale, reciting the time when same was bid off as aforesaid and the amount paid by the person or persons to whom such certificate may be issued; and if the property shall not be redeemed by the owner or owners thereof within two years from the date when bid off by the collector, by payment to the collector of taxes of said District, for the use of the legal holder of the certificate, the amount paid by the person or persons to whom such certificate was issued and 12 per cent per annum thereon, a deed shall be given by the Commissioners of the District of Columbia, or their successors in office, to the legal holder of such certificate, which deed shall have the same force and effect as the deed hereinbefore provided for in this section for property sold at the regular annual sale; and that the foregoing provisions in this section in reference to the sale at public or private sale of property in the District of Columbia advertised for sale for taxes and bid off by the collector of taxes be, and the same are also hereby, made applicable to all property in the District of Columbia subject to taxation whereon taxes levied and in arrears on the 1st day of July, 1897, or at any time prior thereto, have not been paid, and which at any sale held previous to said date were bid off in the name of the District of Columbia; that when for any reason any tax sale of real property in the District of Columbia may be set aside or canceled, such property may be readvertised and sold at the next ensuing annual sale.

"SEC. 4. That the owner of any property sold as aforesaid, or any other person having an interest therein at the time of redemption, may redeem the same from such sale at any time within two years after the last day of sale by paying to the collector of taxes, for the use of the purchaser, his heirs and assigns, the sum mentioned in the certificate of sale therefor, with interest thereon at the rate of 12 per cent per annum after the date of such certificate of sale, together with any tax or assessment which the holder of said certificate shall have paid between the days of sale and redemption, with interest on the same at the rate of 8 per cent per annum.

"SEC. 5. That the collector of taxes shall, within twenty days, exclusive of Sundays and legal holidays, after the last day of the sale hereinbefore provided for as aforesaid, file with the recorder of deeds a written report, in which he shall give a statement of the property sold, other than that sold to the District of Columbia, to whom it was assessed, the taxes due, to whom sold, the amount paid, the date of sale, the cost thereof, and the surplus, if any. Any surplus remaining after the collection of taxes, penalties, and costs on any real estate shall be collected as provided in sections 161 and 162, chapter 6, of the Revised Statutes of the United States, relating to the District of Columbia, and shall be deposited by the collector of taxes to the credit of the surplus fund, to be paid to the owner or owners, or their legal representatives, in the same manner as other payments made by the District.

"SEC. 6. That the said Commissioners shall not convey any property sold for taxes if they shall discover, before the conveyance, that the sale was for any cause invalid and ineffectual to give title to the property sold; but they shall cancel the sale and cause the purchase money, together with interest at the rate of 6 per cent per annum, to be refunded to the purchaser, his representatives, or assigns.

"SEC. 7. That the expenses of advertising and the printing of said pamphlet shall be paid by a charge of 50 cents for each lot or piece of property advertised.

"SEC. 8. That this act shall take effect from and after its passage; and that all acts or parts of acts inconsistent herewith be, and the same are hereby, repealed."

Mr. JENKINS. I ask for a vote, Mr. Speaker.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the vote by which the bill was passed was laid on the table.

SUPERVISION OF CERTAIN CHARITABLE INSTITUTIONS IN THE DISTRICT OF COLUMBIA.

Mr. JENKINS. Mr. Speaker, I now desire to call up the bill H. R. 10372.

The Clerk read as follows:

A bill (H. R. 10372) to transfer to the Secretary of the Interior such supervision of the Government Hospital for the Insane, Freedmen's Hospital and Asylum, and the Washington Hospital for Foundlings as may have been conferred upon the Board of Charities of the District of Columbia under the act approved June 6, 1900, creating such board.

Be it enacted, etc., That such supervision over the Government Hospital for the Insane, Freedmen's Hospital and Asylum, and the Washington Hospital for Foundlings as may have been conferred upon the Board of Charities of the District of Columbia under the provisions of the act of Congress entitled "An act to establish a Board of Charities for the District of Columbia," approved June 6, 1900 (31 Statutes, p. 664), is hereby transferred to the Secretary of the Interior, who shall have exclusive supervision over said institutions and the disbursement of all appropriations therefor, subject to the laws of Congress.

SEC. 2. That the Commissioners of the District of Columbia are hereby authorized to enter into contract with the Secretary of the Interior for the care, at a reasonable rate per capita, of all persons from the District of Columbia treated in the Freedmen's Hospital and Asylum.

SEC. 3. That all acts or parts of acts inconsistent herewith are hereby repealed.

Mr. JENKINS. I ask for a vote on the bill, Mr. Speaker.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the vote by which the bill was passed was laid on the table.

ACKNOWLEDGMENT OF DEEDS IN THE PHILIPPINE ISLANDS AND PORTO RICO FOR REAL ESTATE IN THE DISTRICT.

Mr. JENKINS. Mr. Speaker, I now call up the bill H. R. 11474.

The bill was read, as follows:

A bill (H. R. 11474) for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States.

Be it enacted, etc., That deeds and other instruments affecting land situate in the District of Columbia or any Territory of the United States may be acknowledged in the Philippine Islands and Porto Rico before any notary public appointed therein by proper authority or any officer therein who has ex officio the powers of a notary public: *Provided*, That the certificate by such notary in the Philippine Islands or in Porto Rico, as the case may be, shall be accompanied by the certificate of the attorney-general of Porto Rico or the governor or attorney-general of the Philippine Islands to the effect that the notary taking said acknowledgment was in fact the officer he purported to be.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. JENKINS. Mr. Speaker, that concludes all the work from the Committee on the District of Columbia this morning.

DIPLOMATIC APPROPRIATION BILL.

Mr. HITT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union, for the consideration of appropriation bills, intending to call up the consular and diplomatic appropriation bill.

The SPEAKER pro tempore (Mr. DALZELL). The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the consular and diplomatic appropriation bill.

The question was taken, and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. CURTIS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering the diplomatic appropriation bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903.

Mr. HITT. Mr. Chairman, I move to dispense with the first and formal reading of the bill, that we may proceed to general debate, and afterwards take up the bill and consider it by paragraphs.

The motion was agreed to.

Mr. HITT. Mr. Chairman, this appropriation bill is to provide for the needs of our foreign service for the coming fiscal year. It has nothing radical in the way of change; it has been carefully considered, every part of it, by the committee, and is reported with the concurrence of all the members of the committee.

The only fault that is found in the bill, and I believe that fault is agreed to as necessary by every member of the committee, is that it does not make many provisions that we would like to have in changing our service, which is defective, illy paid, and incomplete. But, remembering the experience of the past, and the spirit and temper of the House, we have not attempted any considerable change, leaving that for the consideration of the House when it comes to general legislation on the consular service.

I will briefly state the changes we have made, and they can be explained with more detail when we come to consider the bill by paragraphs as each particular item is read.

Last year we appropriated $1,848,728.76 for the service. We have here increased that in numerous items, raising the pay of officers, furnishing additional clerk hire for consulates where there was imperfect provision, and providing a considerable sum for the legation building in China, so that the appropriation bill is altogether for $1,931,678.76, or a total increase of $82,950.

In the appearance of the bill there is a greater change than in fact. The consulates in former bills or in the law heretofore were arranged in a system of schedules and classes and grades that have gradually fallen into incongruity and confusion; they were perplexing, and any member who attempted for the first time to disentangle them was confounded by this enumeration. It has caused numerous errors in the accounting department, and confusion and delay in the State Department. We have placed all the consulates of the United States—from the most important and highly paid consul-generals to the smallest of the posts—in alphabetical order, so that anyone may instantly turn to the post he wishes to examine, find its compensation, and, if he desires, can find also a designation by schedule and class as stated in the old law.

That subject was discussed when we had the bill last year before us, and our committee reported the same alphabetical arrangement and the House adopted it. At the other end of the Capitol the gentlemen were so wedded to the very conservative and ancient confusion of the law that they restored it. It is evidently as unsystematic as the method in which we print and entitle House documents, appending wholly unintelligible titles. A large part of the literature of this House is so published.

In the great item of contingent expenses for foreign missions, $150,000, we have increased it $25,000. That is a large sum, but we thought it better to recognize the fact that the country is growing; that its business, its wants, and its needs in its foreign relations require more service and more expenditure. It was thought better to meet it in this way than to evade the question and let it come, as heretofore, in deficiency bills; and this is about what was spent last year and what is required.

In the recent confusion and trouble in China we have had to do as the Governments of other countries have done—make new provision for our legation. Last year we appropriated $40,000 for the purchase of land on which to erect a legation, and it was thought that we could buy the property requisite and which was already selected for it, but the price demanded was so unreasonable that the Department would not accept it.

That lot is now taken by the Korean Government. It is the land upon which stands the building now occupied by our legation under a lease to the United States. That lease will expire very speedily, in a few months, and we have therefore provided an appropriation of $60,000 with which to purchase absolutely land that is believed to be more advantageous for the purpose. We have to have the money speedily, as the building we now occupy will soon be wanted. So this is made at once available.

The emergency fund is increased $12,000. The provision for the Mexican Boundary Commission, which has been engaged, with a similar body of Mexican officers, for a number of years on a work now approaching completion, requires less money, and so we have appropriated $2,600 less than last year for that purpose.

There is a sum of $3,000 that is new, set apart for our representation at the international conference of the Red Cross at St. Petersburg. This convention was made several years ago. Similar provision was then made to do our part, and this sum will be required for our contribution to the expenses of the coming conference.

About one-third of the consular officers of the United States, it is probable, on fair consideration, are not adequately paid. This conclusion is not dependent upon the statements of the consuls, each one of whom might perhaps say that he was not paid sufficiently; at least, that would be his natural tendency. But most of those who are conversant with the business carried on at these consulates—the department officers, business men who travel, all who have to do with the business of our people as carried on through these offices—agree that the consular officers are inadequately paid.

Knowing something of the temper of this House, the committee has gone very slowly in granting increases of pay. We have made such increase in a dozen or more cases, generally about $500 at each office, and in many places have allowed a little more for clerk hire, such allowance being absolutely essential for the conduct of the daily business of these larger offices, where often property to the amount of hundreds of thousands of dollars has to pass through the consulates to the United States.

At Amsterdam, where the trade is very large and where the invoice fees collected amounted to something more than $7,600 last year, we have raised the pay of the consul $500. The former salary has been $1,500, which we have increased to $2,000.

At Budapest, where there is a feed office, we have fixed the consul's salary at $1,500, whereas the fees taken there have amounted to $1,461.

It is desirable in every case to have these consuls controlled and regulated by fixed rules and receiving compensation determined as salary, rather than leave open the temptation to exaggerate fees.

At Dawson City, where the cost of living is so enormous, we have increased the salary $500. It was high before, but all the stories coming from there represent the cost of living as something unparalleled.

At Ensenada, in northern Mexico, where the business is rapidly increasing, where our people trade more and more every year, and where on account of the increase of business and the rise of prices no man could live on the salary heretofore allowed, $1,000, we have fixed the salary at $1,500.

At Freiburg, in Germany, where a very large business is done, the invoices alone showing receipts amounting to $3,336, we have made an addition of $500.

At Guatemala City, where there is a consul-general, we have also made an increase of $500. It is not a place where much business is done; but there is a great deal of business done in towns almost in sight. Guatemala City is the capital, and the offices at these other places are subordinate, under the control and direction of this central officer, who, as I have said, is a consul-general.

At Patras, in Greece, we have made an increase. This is the chief commercial port of that Kingdom, and the pay of the consul has been inadequate. We allow him $500 additional.

At Pernambuco, where there has been a considerable increase of business, we have raised the salary $500.

At Port Limon, a feed office doing a large business, the fees have amounted to between $2,000 and $3,000. We have fixed the salary at $1,500. That is a new office.

Pretoria, South Africa, is a place where there has been no consul for a long time, because the pay has not been sufficient to enable a man to live upon it there. There has been an acting officer there. We have made a slight amendment by allowing $1,000 additional.

At Puerto Cortez the case is similar to that just referred to—Port Limon—where the business is large, and the fees collected are the only pay of the consul. It is better that there should be a salary allowed, and we have fixed it, as in the other case, at $1,500.

At Santos, a coffee port in South America, which I believe is one of the most unhealthy posts in our consular service, we have increased the pay $500.

At Stanbridge, a small feed office in Canada, where the duties are really important, and where it is necessary there should be an efficient officer, we have allowed $1,000.

At Three Rivers, where the business has been increasing rapidly, we allow $500.

The whole body of increases in all these consular offices added

together amounts to $11,000. There is also an increase, amounting to $2,142, in the amount allowed to consulates for clerk hire. I will not stop to recapitulate the details, only a small amount being allowed in each case.

We have allowed $10,000 for the cost of preparing and publishing the consular reports, which members are constantly asking for in additional numbers, and which are called for so largely by our commercial houses, so that it was thought the Department should be authorized to issue more copies than have been issued heretofore. The contingent expenses of the consular service are increased by $5,000. That was done in order to enable the Department, if it saw fit, to take advantage of the opportunity to provide a system cable cipher which would be convenient for merchants and tend to enlarge our commerce at the chief consular posts. It is an experiment, and it is put within the discretion of the Department. These are the essential items of change from the existing law.

Mr. ROBINSON of Indiana. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Indiana?

Mr. HITT. Certainly.

Mr. ROBINSON of Indiana. I would like to say to the gentleman from Illinois [Mr. HITT] that I agree with him that the consular service of our country is defective and ought to be reformed, if not entirely remodeled. I would be willing to follow the guide of the gentleman from Illinois, by reason of his great experience in nearly all matters nonpolitical in our foreign affairs, but this is piecemeal legislation, largely.

Let me ask the gentleman whether this process of oiling of a cog or the repairing of a part of the gear is not somewhat unjust and unequal, when the whole machine, as it seems, ought to be overhauled? Now, does he give us any promise, has he any hope, that the proper committee will submit to this Congress—and I think Congress is in favor of remodeling it—a measure providing for a reorganization? Can we have any hope, can the gentleman give us any promise, that this Congress will pass on this American consular system that so long has been defective?

Mr. HITT. The Committee on Foreign Affairs has been considering several bills on the subject. We expect to report one, and will try to get consideration in this House for a bill reorganizing the whole consular service, making it a harmonious system, fairly well paid, so selected and disciplined and so administered that it will be an effective aid to commerce, to public interests, to the protection of American citizens—an efficient and satisfactory service.

Whether it will pass the House depends upon the gentleman himself and 300 other gentlemen like him. The attempt has been tried heretofore, and such a bill has not passed because of reasons that will come up again when the time comes for discussion. Now, this bill is a very poor way of mending the consular service, but it would be defeated right here in the House if we had reported 100 amendments. I have seen it tried too often. The confusion that comes from commencing too rapidly to adjust the whole service by piece meal is never successful in bringing out a good bill.

Mr. ROBINSON of Indiana. Mr. Chairman, I would like to state further——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Indiana?

Mr. HITT. In a moment. The cases that we have tried to adjust are such as are plain and manifest cases, and those only have we brought in, for this reason: By the rules of the House any member here can by a single objection throw out any one or all of these amendments that we have brought in. They are all subject to the point of order, and so we have to go very carefully. We have put in what we believe to be so perfectly defensible that everyone will agree to it.

Mr. ROBINSON of Indiana. Mr. Chairman, I do not mean to be understood as standing in the attitude of opposing this measure. In fact, I think the provisions are perhaps wholesome, but I would like to have an entire reorganization of the system. I think there is a demand for it throughout the country.

Mr. HITT. I am heartily in accord with the gentleman, and I think he will find out that the committee is doing its best to carry out the wishes he expresses.

Now, Mr. Chairman, I will not take up further time of the committee at this moment.

[Mr. COCHRAN addressed the committee. See Appendix.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. COCHRAN. I ask leave to extend my remarks in the RECORD by inserting certain historical allusions and certain tables that I have prepared and which if I had expected to speak this morning I would have had here.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. HITT. I suppose they all bear upon the subject of his remarks and on the bill.

The CHAIRMAN. The Chair hears no objection.

Mr. HITT. I yield to the gentleman from Pennsylvania [Mr. ADAMS] forty minutes.

Mr. ADAMS. Mr. Chairman, the items of this bill have been so fully set forth by the chairman and its general provisions have been presented to the House in such a way that I deem it unnecessary to make any further remarks in regard to those questions. But the question arises, in the passage of these annual appropriation bills appropriating the money therein contained for the various objects referred to, whether we have performed our whole duty in this regard when we have passed those bills. I propose to take advantage of the license of debate on appropriation bills to make some references to what is provided in this bill in regard to our consular service.

It is a curious fact that, notwithstanding the great importance of this subject in relation to our business affairs, the business men of our country up to a very recent time have shown but little interest in the improvement of this service.

The legislation that has taken place upon this subject has been most crude and very far apart in its passage.

Our consular service was founded principally under the acts of July 31, 1789, and July 1, 1790. From that period down to 1856 there was practically no legislation relating to this important branch of our service. The next legislation affecting this subject was enacted in 1883, which took away the excessive fees which then existed in regard to our shipping. But it had the disadvantage also that in taking away those fees that were for the benefit of shipping, it took away, to a large extent, the compensation of our consuls, and from that day to this they have had very little and unequal compensation.

I am glad to say, Mr. Chairman, that things have come about so that the people are beginning to take some interest in this subject. The boards of trade throughout our country and chambers of commerce and business men have taken up this question and are now pressing it upon the Congress for its reorganization.

In evidence of this fact I cite the following declarations of the various boards of trade and chambers of commerce of our country:

The National Board of Trade, at its thirty-second annual meeting, held in Washington in January, 1902, resolved—

That the National Board of Trade strongly urges Congress to pass, at an early day, such legislation as is necessary to reorganize our consular service on the lines of the bills now before it, which demand greater efficiency, permanency of tenure, with compensation sufficient to attract agents of such technical and commercial education as is absolutely essential to the maintenance and growth of our vast commercial interests.

ROOMS OF THE BOARD OF TRADE OF THE
CITY OF BALTIMORE, RIALTO BUILDING,
Baltimore, January 9, 1899.

DEAR SIR: I have the honor to invite your attention and beg your consideration of the following report and resolution unanimously adopted by this board at meeting held this day.

Very respectfully,

HENRY C. LANDIS, *Secretary.*

A BILL TO INCREASE THE EFFICIENCY OF THE FOREIGN SERVICE OF THE UNITED STATES AND TO PROVIDE FOR THE REORGANIZATION OF THE CONSULAR SERVICE.

The committee on foreign commerce, to whom was referred a communication from the Merchants' Association of New York, dated December 27, 1898, calling attention to a bill now pending before Congress, entitled "A bill to increase the efficiency of the foreign service of the United States and to provide for the reorganization of the consular service," beg to submit the following report:

The subject of improving the consular service of the United States has in former years been under consideration by this board, and resolutions were adopted by it on March 4, 1895, in favor of a bill then pending in the Senate, introduced by Senator LODGE, having this object in view.

The large yearly increase in the foreign trade of the United States, and especially the great expansion that is now taking place, makes it more than ever important that our consular service should be placed on a footing of efficiency that will compare favorably with other countries, and notably with our chief competitors, Great Britain and Germany.

The bill now pending in Congress, known as House bill No. 2524, and which has been favorably reported by the Committee on Foreign Affairs, is designed to place the consular service on a better footing than that upon which it now stands: Therefore, be it

Resolved, That the Board of Trade of Baltimore is heartily in favor of such measures being adopted by Congress as will secure efficient and creditable service, and would urge the passage of House bill No. 2524 at the earliest practicable date.

Resolved, That copies of these resolutions be sent to the members of the United States Senate and House of Representatives, and that the Senators and Representatives from Maryland be requested to do all in their power to secure passage of the bill.

THE CHAMBER OF COMMERCE OF SAN FRANCISCO,
San Francisco, January 24, 1899.

Hon. DAVID B. HENDENSON,
House of Representatives, Washington, D. C.

DEAR SIR: Realizing with other commercial bodies the great need of a radical improvement in the system under which our consular service is operated, and also being firmly impressed by the great importance of having this department of our Government in as efficient condition as possible, particularly as we are now, as a nation, engaged more than ever in a great commercial struggle to place our products in the markets of the world, and as a means of accomplishing this end we consider the aid which can be rendered

by a properly organized corps of consuls of immense benefit, we therefore respectfully urge that you will take such steps as will bring up for the earliest possible consideration in the House of Representatives the bill known as House bill No. 10524, as a means of effecting the desired improvement in that branch of the service.

Trusting that this will meet with your approval and hearty support, we have the honor to subscribe ourselves,

Your obedient servants,

THE CHAMBER OF COMMERCE OF SAN FRANCISCO,
CHARLES NELSON, *President.*
E. SCOTT, *Secretary.*

THE CHAMBER OF COMMERCE OF SAN FRANCISCO,
San Francisco, January 25, 1899.

MERCHANTS' ASSOCIATION OF NEW YORK,
New York Life Building, New York City.

DEAR SIRS: I beg to acknowledge receipt of your favors of the 9th and 10th of January in regard to a bill introduced by Congressman ADAMS, namely, H. R. 10524, for the improvement of the consular service. This is a matter in which we are in full and hearty accord with you, and have the pleasure of inclosing you a copy of a letter sent to Hon. DAVID B. HENDERSON, one of the members of the House Committee on Rules. We have sent a similar letter to each of the members of that committee, also practically the same to Hon. John A. Barham, Hon. James G. Maguire, Hon. EUGENE F. LOUD, and Hon. Samuel G. Hilborn, of the California delegation in the House, with the slight addition of a request to urge upon the House committee the necessity and urgency of this matter.

Joining with you in the hope that the bill will meet with an early approval, I beg to remain,

Yours, very respectfully, E. SCOTT, *Secretary.*

CHAMBER OF COMMERCE AND MERCHANTS' EXCHANGE,
Cincinnati, January 9, 1899.

Mr. WILLIAM F. KING,
President the Merchants' Association of New York,
New York Life Building, New York City.

DEAR SIR: Referring to your communication under date December 27, in regard to consular service, I have the honor of inclosing copy of action upon the same by our board of directors.

Truly, yours, C. B. MURRAY, *Superintendent.*

CINCINNATI CHAMBER OF COMMERCE.

The Cincinnati Chamber of Commerce, recognizing the importance of effective service in the consular offices representing our Government in its influence for the promotion of the industrial interests of our country, joins in commending the passage of the measure pending in Congress known as H. R. bill No. 2524, Report No. 1460, entitled "A bill to increase the efficiency of the foreign service of the United States and to provide for the reorganization of the consular service," it being believed that such measure would be promotive of improvement in results of each service.

LITTLE ROCK BOARD OF TRADE,
Little Rock, Ark., January 12, 1899.

MERCHANTS' ASSOCIATION,
New York City, N. Y.

GENTLEMEN: Herewith please find copy of resolutions adopted by our board of directors.

Whenever we can be of service, please command us.

Respectfully, etc.,

LITTLE ROCK BOARD OF TRADE,
By GEO. R. BROWN, *Secretary.*

LITTLE ROCK BOARD OF TRADE, LITTLE ROCK, ARK.

Resolved by the Little Rock Board of Trade, That we heartily concur in the memorial of the Merchants' Association of New York City favoring the passage by Congress of the bill entitled "A bill to increase the efficiency of the foreign service of the United States and to provide for the reorganization of the consular service."

Resolved, That the consular service should be made as efficient as possible and placed on a par with the service of Germany and Great Britain, and under the civil-service rules.

MEMPHIS MERCHANTS' EXCHANGE,
Memphis, Tenn., February 21, 1899.

Mr. WILLIAM F. KING,
President Merchants' Association, New York, N. Y.

DEAR SIR: I have the honor of transmitting to you herewith resolution adopted at a general meeting of this exchange, held this morning, upon the subject of the reorganization and improvement of the consular service of the United States.

Very truly, yours, N. S. GRAVES, *Secretary.*

MEMPHIS MERCHANTS' ASSOCIATION, MEMPHIS, TENN.

[Resolutions adopted at a general meeting of the Memphis Merchants' Exchange, February 21, 1899.]

Whereas an effort is now being made to secure such legislation by the Congress of the United States as will insure a thorough reorganization of the consular service of the United States and increase its efficiency by establishing a classified service, with permanency of tenure and with appointments and promotions based on examinations as to experience and fitness for positions: Be it

Resolved, That the Memphis Merchants' Exchange, in the interest of American commerce and the life and property of American citizens in foreign countries, ask the earnest consideration of our Senators and Representatives to the organization and improvement of the consular service, and invoke their prompt and hearty cooperation in securing the early consideration of the bill recently introduced in the House of Representatives by the Hon. ROBERT J. ADAMS, of Pennsylvania, known as H. R. 10524, Report No. 1460; and further be it

Resolved, That we urge the adoption of said bill No. 10524 or such other measure as will substantially carry into effect its provisions.

Resolved also, That a copy of these resolutions be sent to each of the Senators from this State and to the Representatives in Congress from this particular district, as also the adjoining districts of the States of Mississippi and Arkansas, with the request that they interest themselves in securing the proposed legislation.

[OFFICIAL SEAL.] N. S. GRAVES, *Secretary.*

NATIONAL ASSOCIATION OF MANUFACTURERS
OF THE UNITED STATES OF AMERICA,
Philadelphia, Pa., January 31, 1900.

Hon. ROBERT R. HITT,
Chairman Committee on Foreign Affairs,
House of Representatives, Washington, D. C.

SIR: As it is not possible for me to appear in person before your committee and thus convey an expression of opinion from members of the National Association of Manufacturers relative to the pending bills for the reorganization of the consular service, I beg leave to submit herewith some suggestions on behalf of the 1,100 manufacturers embraced in the membership of this association.

Upon many occasions this association has placed itself on record as desiring most earnestly the reorganization of our consular service in such manner as will increase its efficiency and eradicate many of the evils which now exist as the result of the present system.

Perhaps the position of this association is most concisely and most clearly expressed in the following recommendations, which were transmitted to the President under date of April 5, 1897:

That the changes in the consular service shall be as few as possible.

That removals shall be made only because of demonstrated incapacity.

That vacancies shall be filled as far as possible by promotions or transfers.

That appointments shall be made solely upon the basis of proper qualification for the position, and without regard to political service.

That only American citizens shall be appointed to any consular offices.

I can only repeat the recommendations to express the present position of this association, and I believe that they will equally well express the opinion of every thoughtful business man who has any familiarity with the needs and requirements of our consular service, and with its present condition.

I am not one of those who pronounce sweeping condemnation of our consular service; for a somewhat intimate acquaintance with many of our consular officers, and a careful investigation of the records of a large number of them, have shown me that the service contains many men of marked ability, and also a large number of men who are both unqualified for and unworthy of the positions they hold: That we have any efficient men in the service is not due to the system under which the service is organized and maintained; the efficient men are there in spite of the system rather than because of it. It is in accord with the sound principles which have governed every business enterprise, and which as well should be applied to the conduct of the business functions of our Government that this branch of the governmental service should be organized and conducted upon such a basis as shall insure the appointment of competent men rather than make their presence in the service merely the result of accident. I take this to be the principle which has actuated those who have formulated the bills looking to the improvement of the consular service that have been introduced into Congress and are now pending.

With particular reference to H. R. 1026, which I have examined with much care, I beg to offer the suggestion that while this measure seems to provide a very efficient manner for placing the consular service upon a much better business basis, it is lacking in one or two points, the provision of which would make the meaning and purposes of the bill clearer and stronger. For example, while the wording of several paragraphs very clearly implies that vacancies in each grade shall be filled by promotions from the next lower grade, this fact is not stated in specific terms, and to place this method of procedure beyond question, I beg leave to suggest that the wording of the bill should be made more specific on this particular point.

Furthermore, there seems to be in this bill no provision touching the manner of making removals from the consular service, a matter of quite as much importance as the making of appointments or promotions.

I take the liberty of suggesting that the wording of the bill should be made very clear and specific on this point, to provide that removals shall not be made except for cause, and that the causes and the manner in which removals therefor should be made should also be very distinctly expressed.

With the general purposes of this bill I am in hearty accord, and I know that the ends it seeks to accomplish command the most earnest approval of the business men of the United States as a whole. The astonishing increase in our foreign trade during the past three or four years I regard as only the beginning of our conquest of the world's markets, and the consular service of the United States is a most essential and vital factor in the growth of this business. It is this that gives to the manufacturers of the United States such deep interest in everything that tends to improve the efficiency of our consular representation.

Respectfully yours, THEODORE C. SEARCH,
President National Association of Manufacturers.

RESOLUTIONS ON IMPROVEMENT OF CONSULAR SERVICE BY THE TRANS-MISSISSIPPI COMMERCIAL CONGRESS.

Whereas the functions of our consular service are almost exclusively confined to matters pertaining to our foreign commerce, which should therefore be regarded as a branch of a great business enterprise, and administered strictly on business principles; and

Whereas the rapid growth and increasing importance of our foreign commerce specially demand men of the best business qualifications and unsullied reputations, who will command alike the confidence and respect of all who have business with them: Therefore,

Resolved, That the Trans-Mississippi Commercial Congress earnestly urges such thorough organization of our consular service as to secure the most efficient service to our business interests, and it believes that this can be best accomplished by basing appointments on experience, ability, and character, unbiased by any political consideration, thus assuring that efficiency which is only attained by extended experience. With this end in view it urges upon its Representatives in Congress the passage of bill No. 1026 now pending in the House of Representatives.

The Executive of our country, with that great extent of view which he possesses, in sending in his message, which covers to an extraordinary extent all the vital topics which relate to the interests and welfare of our country, wrote as follows in regard to this subject:

The consular service is now organized under the provisions of a law passed in 1856, which is entirely inadequate to existing conditions. The interest shown by so many commercial bodies throughout the country in the reorganization of the service is heartily commended to your attention. Several bills providing for a new consular service have in recent years been submitted to Congress. They are based upon the just principle that appointments to the service should be made only after a practical test of the applicant's fitness, that promotions should be governed by trustworthiness, adaptability, and zeal in the performance of duty, and that the tenure of office should be unaffected by partisan considerations.

The guardianship and fostering of our rapidly expanding foreign commerce, the protection of American citizens resorting to foreign countries in lawful pursuit of their affairs, and the maintenance of the dignity of the nation abroad, combine to make it essential that our consuls should be men

of character, knowledge, and enterprise. It is true that the service is now, in the main, efficient, but a standard of excellence can not be permanently maintained until the principles set forth in the bills heretofore submitted to the Congress on this subject are enacted into law.

Mr. Chairman, the President has in that terse sentence covered all the interests and requirements in the matter of our service. As to the matter of appointments, I wish to speak entirely in a nonpartisan way. The consular service relates to the business interests of our country. It is essentially the business branch of our Government.

They are sent abroad to represent the interests of the citizens, to protect their rights, and to furnish the citizens at home with reliable information, so that the avenues of trade may be opened up and the necessary information furnished to the merchants of our country in that respect. The tenure of office should be permanent, or for a long period of time. What incentive have consuls in our service to-day for great and adequate work, when it is known that their tenure of office is limited to four years, and that, even without a change in the political party, the consul probably is removed at the end of four years?

Just at the very time when he has probably learned the language of the country; just at the time that he has learned the trade requirements and the avenues for opening business to our people; just at the very time that he has learned how to report the important facts and valuable information, he is brought back to our country and a novice, unprepared in any way, unlearned in the methods of securing that information, is sent out to replace a competent man, and he, too, is brought home when he has reached a similar efficiency and is liable to the same change. Surely that is a wrong principle; surely it is not in the interests of our business development; surely there is great ground for correction.

It is proposed to have examinations, and to have men pass such an examination in order to enter this service. But we are met with this objection: "We want business men. We do not want classic students from universities; we do not want men who have passed technical examinations. Such examinations as are proposed may not, it is true, prove the entire fitness of the applicant for the post of consul, but they are surely better than the requirement that the consul should be skilled in manipulation of primaries and conventions in his own district. What we do need is to have business men of our country. Give us business men, who know what to report and how to start out and get the information and give it to the merchants."

Mr. Chairman, if it was the successful business man that sought this position there might be some force in that argument. Successful business men do not seek consulships. He is better off in his business at home. It is a poor business man who does not make $2,000 or $2,500 a year. It is the unsuccessful business man who seeks this position; it is the broken-down merchant, who has failed, who wants to be sent abroad and occupy this honorable position. Therefore the cry that these places should be entirely filled with business men fails, for you do not get a class of men who are competent who would be successful in maintaining the position. Permanent tenure is absolutely essential in order to secure energetic work on the part of our representatives. How could you expect a man to live in a tropical climate, where his northern nature is enervated by a warm atmosphere? How can you expect a man that is enervated in this way to work hard in order to furnish information when he knows that his endeavor will receive no response and no acknowledgment in the way of promotion, and that he simply will be returned home at the end of his four years?

Give that man a hope that he will be promoted; give that man an incentive to work—that he will be moved both to a better climate and an increased pay—and you give him an incentive to furnish our people with that information which is so essential to our development.

Then, Mr. Chairman, our consuls should be allowed to be moved from one place to another. There is no reason why a fixed tenure should not be introduced in this regard. The President further says in his recommendation relating to the expansion of our trade—which is now the most vital question before our country, the one to which all our economic tendencies are moving, the one to which the genius of the American people has brought our production to such a point that it is absolutely necessary that we should seek new markets—this service is one of the most essential vehicles in which to develop the trade by furnishing the necessary information to our people.

Now, as to the qualifications of the men who should enter the consular service. They should be men who have prepared themselves with a knowledge of international law, in the knowledge of treaties, in the knowledge of the laws relating to decedents, and in the laws relating to shipping. They should know how and what are the rights of the American citizen residing abroad, and be prepared to enforce them and to protect them. This takes specially trained men.

Next, there is a necessity for an examination before they enter the service; an assurance that when once in they should be continued for long periods. How can we expect the proper class of young men to enter the service, to take the necessary education, which represents invested capital; how can we expect such a class of young men to seek the service unless there is some assurance that the time and money that they have invested will be returned by a tenure of office existing, say, for life, or over some considerable period?

To illustrate, Mr. Chairman, this one item that came under my observation in visiting the Commercial Museum, in the city of Philadelphia, an institution designed for the expansion of our trade, furnishing information to our merchants at home. There is shown there a number of specimens of labels which it is insisted shall be put upon the goods for the Chinese, making them attractive. To display these goods in China without being labeled in that way would simply prohibit their sale. What consul, going to that country for the first time, could possibly be aware of such a custom, prejudice, or superstition, whichever you may call it, on the part of the inhabitants of that great Empire? Four hundred millions of people are at our disposal to cultivate commercial relations, and the want of information on a simple little item like that might hurt, if not injure permanently, our trade with that great Empire.

Hence, I insist that these men should remain in the country long enough to learn its peculiarities, commercial requirements, and opportunities for development which it gives to our merchants. Another point in which our consular service is at present in a most chaotic state. I did not wonder that the gentleman from Indiana arose and made some inquiries in regard to the salaries of our consuls. There is no set of men occupied in the same class of work that are paid so unequally as our consuls, from the great salaries and fees that are given to the men in the large cities of Europe down to the poor men who are serving in a tropical climate at $1,500 a year. You can run the gamut of the scale and see the inequality that exists in this business branch of our Government. It is essential that men doing the same service with equal energy shall be paid an equal compensation.

Justice demands it, and no government can get the best service out of these servants that is not sufficiently just in that requirement that those doing the same service should be paid equal compensation. The only way salaries can be changed now is by this method, which, as our chairman has explained, is really illegal, and which can be defeated by a point of order raised by any member on this floor. We want legislation that will remedy these difficulties. I am glad to say that there are bills now, which have the support of the business community, that will shortly be reported to the House, and my object in making these remarks is to call my colleagues' attention to these bills in such a manner that I hope it will enlist their sympathy for one of these bills, whichever may be reported out of the committee. These bills are founded on the doctrine of nonpartisanship. They open to all the citizens of our country the opportunity to apply for the service, and therefore we can appeal to gentlemen on both sides of the Chamber to rally and give their support to this nonpartisan bill, founded on equal justice to all American citizens.

I will quote another illustration of the necessity of trained men in this service. Before the breaking out of the Spanish war it was necessary that our Government should have the most reliable information of what was taking place in the Kingdom of Spain. I will ask any man in this House, How can a consul who does not understand the language of the country to which he is sent—who can not read the papers—in what position is he to furnish his home government with necessary information? What does he know of the temper of the press, if he can not read the editorials? What does he know of the doings of the people, if he can not speak their language and mingle among them. How can any man who is thus tied of tongue, living among a people whose language he does not know, gather information such as his home government may require? Why, Mr. Chairman, that one consideration alone is sufficient to show the necessity for a change in the organization of this service.

This need is more pressing now than at any previous time in our history. With the great development that is taking place in our manufacturing organizations, the proposed development of our merchant marine, the extension of our colonies into all quarters of the world, it becomes more than ever essential that we should have a trained corps of consuls.

The necessity for an examination as to the qualifications of an applicant for such a position must be evident when we consider what the necessary qualifications are. The candidate should be competent to pass an examination on such subjects as the laws regulating shipping, the commercial treaties existing between our own and other countries, our laws relating to intestates, the consular regulations of the United States, and such other subjects as relate to consular duties. The candidate should also be required

to have a practical knowledge of French or of the language of the country to which he is to be sent.

It may be asked where will such a body of trained men be found? Mr. Chairman, only last winter, when this subject was pending before the House, I received letters from two universities asking with regard to the probabilities of the passage of a bill such as I am advocating and declaring their willingness to introduce a special course to prepare men for these positions.

The wisdom of a system of this kind has been demonstrated in Great Britain. When these positions there were thrown open to competitive examination the number of applicants the very first year increased from 5,000 to 15,000, showing that men were ready to enter the service—that they would gladly avail themselves of the advantages thus held out of permanent tenure, insuring them life service, if they desired it, in this peaceful pursuit, tending to build up the foreign commerce of their country. If such has been found to be the fact in Great Britain, then, in view of the similarity of our people and their well-known energy, a similar condition will be found to exist in our own country. The young men of our country are alive to the advantages such positions may offer them. Give them the opportunity, supported by the assurance that it means a livelihood for life, and you will have our consular service filled with the best ability and energy that the young men of our country can furnish.

Mr. Chairman, in the bills proposed to be brought before Congress the salaries are raised throughout the entire service. But, more than that, the compensation of the different consulates is equalized, so that if these bills should become laws the charge now brought as to the inequality of compensation in different branches of this service will be done away with. The service as a whole will be equalized.

It is only recently that the business interests of the country have been pressing this subject upon the attention of Congress. But that is not the case in other directions. Those who have been most familiar with the necessities of the case have for a long time been urging action by Congress upon this subject. All our Secretaries of State, all our Assistant Secretaries of State, who have had this matter under their immediate supervision, have been pressing this measure of reform upon Congress.

Nearly every man who has been prominent in the consular service, though he may have felt that his mouth should be closed while he was exercising active official duties under the Government, has, on retiring from office, testified to the necessity for this change, and has shown wherein the necessity lay. I am glad to say, also, that even those who occupy positions in this service have rallied to the support of this measure.

I cite the following expressions, showing that this statement is not unfounded:

Secretary of State Livingston, in 1833, and Secretary of State Buchanan, in 1846, called attention to the evils existing in the service, but it was not until 1884, when Secretary of State Frelinghuysen discussed the subject in his admirable and exhaustive report, transmitted to Congress by President Arthur March 20 of that year, that the strong necessity for action was made apparent. In it he said:

"Until recently the demands of Europe, which consumed the greater portion of our exports, and the condition of the producing countries were such as to give us control in the supply of certain products, such as breadstuffs, provisions, cotton, and petroleum, etc. The demands of Europe for all these products and of the other continents for petroleum especially were so positive and our producing conditions so favorable as to give us practically a monopoly for their supply.

"These conditions of international demand and supply are undergoing radical changes, which the near future will intensify.

"The efforts which have been made and which are being made by Europe to enlarge the field of supply in the above-mentioned products, aided by the ambition which prevails in all countries for the development of natural and artificial resources to meet their own wants and to supply the wants of others, have resulted in awakening competition for the supply even of those products which we have heretofore controlled. It is true that thus far this competition has not affected our trade to any appreciable extent, but the desire for development which is now abroad and the ambition which prevails to increase the production (outside of the United States) of the foregoing articles render consular supervision of absolute importance. The complex commercial relations and industrial interests which now prevail in Europe have originated hostility to American products in many countries and afford additional reasons for the enlargement and perfection of the consular service."

The same necessity has been pressed upon the Government at home by our representatives in the service abroad. In 1864 John Bigelow, consul at Paris, wrote:

"The practical results of our system, which in this respect has no parallel under any other government, are—

"(1) That we are obliged to select for consular posts men without the proper training and qualifications.

"(2) We are obliged to select men who have no intention of making a career in the consular service. Consequently they have no great inducement to qualify themselves properly for a post which they can hope to hold only for a brief term by the acquisition of knowledge of little or no use to them in any other profession.

"(3) The fact that our consuls are so transitory deprives them of their proper influence in the consular body, as well as in most political and social circles where it is the interest of the Government that they should circulate

"(4) Such frequent changes prevent anything like uniformity or regularity in the conduct of consular business, which results in a serious prejudice to commerce and a grave inconvenience to the Department.

"(5) With each change of Administration the Government is exposed to lose the benefit of whatever knowledge and influence its agents have acquired during their terms of service, and thus most of the time is served by raw and, therefore, to a considerable extent, by incompetent officers.

"There is no other country in the world where the tenure of the consular office is dependent upon the permanence of the home Administration. Nor can the practice be defended by any consideration whatever which looks to its usefulness and efficiency."

Surely no stronger evidence could be adduced, coming from one of experience in the consular service.

The Hon. Robert Adams, jr., when United States minister to Brazil, in 1889, wrote in the North American Review:

"The method by which the men are chosen for the positions necessarily brings forth poor candidates, while the short tenure of office, which is generally limited to the Presidential term, almost certainly so if a change of party takes place, and the meager salaries paid—in some posts hardly sufficient to support life in a respectable manner—deters competent men from entering the service. It should also be remembered that there is no promotion for efficient service; that a consul can not hope for a change of climate from a trying to a more healthful and genial one after a given period of service, and that there is always the prospect of returning to the United States broken down in health, unfitted to resume private business, and without prospect of further employment at the hands of the Government."

His excellency the Chinese minister, in a recent address before the University of Pennsylvania, said:

"Most European governments send young men to the East to learn the language and study the customs of the country. After a residence of two or three years, when they have proved themselves proficient, after passing a strict examination, they are then placed in responsible positions as student interpreters, consular assistants, etc. Merit is rewarded by promotion. Thus those governments have competent men specially fitted for service in the Orient. It might not be unwise for your Government to adopt a similar system."

Assistant Secretary Rockhill, in an article in the Forum for the month of February, 1897, sums up the evils of our consular system as follows:

"(1) Imperfect mode of selection of consular officers.

"(2) No permanency of tenure.

"(3) Inadequate compensation, resulting in (*a*) the exaction of excessive fees and (*b*) the creation of consular agencies to increase salaries.

"(4) Excessive number of fee consulates and commercial agencies.

"(5) Imperfect enforcement of regulations, especially as regards amounts of fees and their collection."

This judgment from the late Assistant Secretary of State, who had especial charge of the consular service, is certainly deserving of great weight upon this subject.

The demand is growing in every direction. For the first time in many years the President of the United States in his official communication to Congress has referred to this necessity. The boards of trade all over the country have sent in resolutions indorsing a measure of this kind. The National Board of Trade, which met here in Washington only a short time ago, embracing representatives from almost every chamber of commerce throughout our country, heartily indorsed this project. Business men individually have given the measure their support. And we find, although the spectacle is a new one, members of Congress rising and asking questions, showing their interest in this measure. Above all, as I have said, in view of the advancement and expansion of our trade into our new possessions, it is necessary that this question should come before us.

Now, my colleagues, in closing I appeal to you one and all to lay aside any partisanship on this question. I know there are some gentlemen who have a prejudice against the law now on our statute books known as the civil-service law. I wish to keep this matter apart from that question. Consuls are apart from the general officeholders of this country. They are a small class of men, about 300 in number, who do not live in this country. I also know the feeling on the part of some members against giving up patronage. But, sir, no man need have any doubt in his mind as to the relinquishment of patronage with respect to consulships. I speak from personal experience. There will hardly be a man who will not have two or three constituents pressing him for appointment in the consular service. He is a lucky Congressman, even if a member of the Foreign Affairs Committee, who gets one appointment in the consular service.

What is the practical result? You place one constituent who goes abroad and you make dissatisfied the two or three who remain at home. When you turn and ask their support, as you may, for renomination, you may find the disappointed probably against you, and the man whom you have appointed, if you ask him to come home and support you, will tell you that he feels the obligation and that he would like to do it, but that his salary is so small that he can not afford the expense. And so you are left without the support of the one man upon whom you have a right to rely and the opposition of those whom you were obliged to disappoint. Whatever view you take of this question, whether economic or political, you will find that it is to the interest of the country and to our individual interest that this service should be reorganized and changed.

More than one Secretary of State, in their succession in office, have told me that their time is so taken up by the importunities of Senators and Congressmen for these places that they can hardly attend to the affairs of state. It is essential that they should be relieved of this and be enabled to give their time to those greater questions which affect our country so much. It has been urged here, and with perfect truth, that our service has received compliments. We have able men in our consular service, and I am the last one not to give them full credit for leaving their country and serving it in this occupation, but it is the principle that I

stand for. The appointment of these men is an accident; they may be good or they may be bad. It is impossible for the President to go into every case; he is called upon of necessity to rely upon the indorsements, the judgment, and opinions of others, and the result is that many disappoint his expectations, without any responsibility on his part. I ask that we inaugurate this system by which men may pass examinations, and thus relieve the Secretary of State and the President from these importunities, a system whereby the salaries may be equalized and whereby we can raise up the men in the service and give them a chance, so that if they do good work they will be retained and promoted, and if you do you will find that our service will be vastly improved and will give that efficiency which we have a right to expect.

Mr. Chairman, our country grows. The events of the last few years have placed us to the very foremost among the nations of the earth. Our commerce and trade are extending in a way that is almost phenomenal. The prospect of this country was never before so bright.

Let us go on in that development; let us give employment to every man, woman, and child in our country; let the hum of the factory and the smoke from the stacks whirl and curl together; let everyone have that prosperity and happiness under the institutions of our Government; but let us also remember that the Government can not proceed, that this prosperity can not continue unless, with that foresight which becomes a great and glorious people, we will put the machinery of government in such order, we will take advance steps to place our service on a par with that of any other country in the world, that America in this regard, like every other, will be to the front; that we will command the best talent of our country; that we will be assured that the best men will enter into it; and then, with that industry, ingenuity, and talent of our country we can press forth in the production of our mills and factories, knowing full well that the information that will come to us as to where to ship the products will be of that reliable character from energetic, pushing, educated Americans in our consular service that will bring renown and credit to the country and glory and prosperity to the inhabitants thereof. [Applause.]

Mr. HITT. Mr. Chairman, I will ask the gentleman from Arkansas [Mr. DINSMORE] to fill the time now.

Mr. DINSMORE. I yield thirty minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Chairman, I wish to-day to make a few "untutored remarks" about the cavities into which the tariff advocates in this country are daily depositing themselves—to expose a few of the inconsistencies in the present tariff condition, with side lights of the effect of tariff upon trusts.

Mr. Chairman, there is a curious tragedy-comedy now going on in this country; a comedy, in so far as those who are engaged in it are concerned and a tragedy in so far as the effect upon the American people is concerned. In the first scene of that tragedy-comedy, which is a tragedy-comedy of only one act, the advocates of tariff taxes appear as boasters and barons, and in the second scene of the one-act play they appear as beggars at the door of legislative halls. I want to show you how, when they are advertising their schemes and engaged in the business of developing trade, they unconsciously answer every argument which they make when they appear before the committees of the House and Senate as beggars for legislation. Now, Mr. Chairman, upon what ground are tariff taxes advocated? There have been from the beginning of the Government two schools. One is ours, and the other is yours. One has held that the Government had no right to tax any citizen except for the purpose of raising a revenue to support the Government.

The other has contended that, under the general-welfare clause of the Constitution, Congress has the right to levy taxes for purposes of "protection;" that a part of the "public welfare" is the encouragement of individual enterprise, or "business interests," as they call it. Now, suppose a tariff tax raises neither revenue nor furnishes any needed protection, then upon what ground can it possibly be advocated? If people engaged in a given industry sell their goods all over the world to foreigners, where, of course, they neither are, nor can be, protected as producers by our tariff tax, then one of three things must follow: They are either selling at cost, or below cost, or for a reasonable profit. Now, if they are selling either at or below cost, then they must expect one of two things, either to recoup at the expense of the American consumers in the home market, at more than a reasonable profit, or else to fail in their business, if they keep it up long.

We object to the theory that there is any right in the Federal Government, even within the lines of your long-cherished doctrine of protectionism, which you worship as a fetich, to levy a tax to enable the home producer to take possession of a *foreign* market at the expense of the *home* consumer. We deny that you have a right to fix your laws so that a man can sell at a loss abroad and "recoup" upon me and upon other citizens of this country for the purpose of enabling him to make a profit out of his entire business put together, foreign and domestic. Democrats and Republicans alike, under their respective theories, must and will resent the foreign market "recoupment theory."

Now, if, upon the other hand, one is selling at a reasonable profit to the foreign consumers, then a tariff tax can answer but one purpose, and that purpose is to enable its beneficiary, under its protection, to get from the home consumer an unreasonable profit by shutting out from the home market the foreign producer, whom he can beat in any market.

Mr. Chairman, we object, I say, to building up foreign trade at the expense of the American people. Let us see what some of these things we are daily and yearly selling abroad are. Not long ago a gentleman by the name of Vanderlip, who was recently Assistant Secretary of the Treasury of the United States, wrote an article for Scribner's which was pronounced by the Outlook to be "thoroughly judicial in tone and as setting forth in strong relief the facts which have created [in Europe] the American alarm." The article was headed "The American invasion of Europe."

I want to read from this for the purpose of establishing the fact that in a dozen or more branches of American industry, highly protected at home by Dingley tariff rates, we are selling the product all over the world, and are demonstrating the fact that we can hold our own with the foreign producer and with the so-called "pauper labor" of Europe, right in the market where the "pauper labor" produces and where the foreign capital is exploited.

I know it will be answered by some that a good deal of this selling has taken place for the purpose of "building up a market" and "opening" it. But that can not be said with truth, because it has been going on now for half a dozen years. A man can not *habitually* sell at a loss for the purpose of establishing a new market without ruining himself, unless, as I said a moment ago, he can recoup by some legislative favoritism in another market, which in this case is the home market.

What does Mr. Vanderlip say?

American locomotives, running on American rails, now whistle past the Pyramids and across the long Siberian steppes. They carry the Hindoo pilgrims from all parts of the Empire to the sacred water of the Ganges. Three years ago there was but one American locomotive in the United Kingdom. To-day there is not a representative line there on which trains are not being pulled by American engines.

In Egypt, in India, in England competing in the colonies and in the home country with the locomotive and rail makers of Great Britain! In Siberia, in the protected market of Russia! Competing with the entire world!

And yet, Mr. Chairman, with these facts staring you in the face, if it were proposed in this House to-day to reduce the tariff upon rails or upon locomotives there would be a cry going up from all the men engaged in those industries in this country. They would crawl upon their very bellies, as beggars before the American Congress, with uplifted whites of eyes and outstretched hands, pleading that a reduction of duty would make beggars of them and would throw out of employment American labor.

Mr. Vanderlip says further:

American bridges span the rivers on every continent. American cranes are swinging over many foreign moles. Wherever there are extensive harvests, there may be found American machinery to gather the grain. In every market of the world tools can have no better recommendation than the mark, "Made in America."

That is from a Republican Assistant Secretary of the Treasury. He is engaged now as a tariff boaster. Later on doubtless he, with others who agree with him, will be engaged in the second scene of the one-act tragedy-comedy as a tariff beggar.

This structural iron which our manufacturers are selling everywhere is mainly the product of the steel trust, and yet how you scored, as a blasphemer against sacred things, the gentleman from Wisconsin [Mr. BABCOCK] when he wished to alter the Dingley bill in this respect, and how greedily you adopted a special rule to prevent him from offering an amendment to that effect!

You are keeping up a tariff on agricultural implements and making Southern and Western farmers pay extortionate prices for them, and our agricultural implement makers are meeting the world in competition "wherever there are extensive harvests!"

Hear Vanderlip, your own witness, again:

We have long held supremacy as a producer of cotton. We are now gaining supremacy as makers of cloths. American cottons are finding their way into the markets of every country. They can be found in Manchester, on the shores of Africa, and in the native shops of the Orient.

Think of that, Mr. Chairman.

As well as on the shores of Africa and in the native shops of the Orient.

Think of the triumph of our cotton manufacturers selling cotton goods in Manchester.

Oh, what a veritable "another Daniel come to judgment" is this "wise young man," Vanderlip! "I have thee, Jew, upon the hip!" Begging protection in the home market and selling

American cotton goods in Manchester, the home of cotton manufacturing!

Oh, that is what they are doing. Mr. Vanderlip says so, and he has told the truth. And yet the moment you raise your voice and ask to reduce the duty even a little bit, so that these same men can not make the home consumer pay as high a price as they are now making him pay, the cry goes out at once that you are threatening to "murder and destroy American industry;" that you are "striking American labor." Here is this great chief authority saying that we are not only meeting England and Germany all over the world in fair and equal competition in cottons, but also selling them in Manchester itself. Some member behind me says: "They sell cheaper there than here." Of course our manufacturers sell cheaper there than they do to us. But the point that I am dwelling upon now—whether they sell cheaper to us or not is outside of this question—the point is that they sell cheaper in England than the English can sell the same goods, or they would not sell them at all. Hear our Daniel further: "American windmills are working east of the Jordan."

Mr. GRAHAM. Will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from Pennsylvania?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. GRAHAM. I would ask the gentleman from Mississippi if he does not imagine that it is true that the system of protection has built up this trade to the extent that it has expanded now?

Mr. WILLIAMS of Mississippi. No; "the gentleman from Mississippi" never was so simple as to have that sort of an "imagination." I am poetic in my temperament, but not that much so. [Applause on the Democratic side.] The gentleman from Mississippi can tell the gentleman from Pennsylvania what has built it up; the broadest and most expansive area of free trade that ever existed on the surface of the earth—[renewed applause on the Democratic side]—the free trade between the States and Territories of the American domain. [Renewed applause.]

I can tell my friend what was the second factor that built it up. A people of peculiar individuality, self-reliant in their every fiber, built it up—people who had protected themselves from wild nature and wilder men, who had had to resort to every nerve-spring and invention in a new country, and, later on, after the pioneer stage of life had passed, resorted to the same invention and the same self-reliance and the same individuality to meet new conditions in a new country with improved machinery, labor-saving devices, cheaper production, and better articles. I can tell the gentleman another reason for it. We have not been weighted down by the immense cost of maintaining militarism which has weighted Europe down. We have not imposed on every industrial enterprise an immense tax for army and navy and colonial purposes, robbing those engaged in them of a great part of their capital, nor have we condemned almost every full-grown man to a life of from three to five years out of the workshop, to become a part of the army, as an idle consumer, and that, too, at the most useful, productive, and receptive time of his life. Our progress in the march which has fitted us to conquer the markets of the world is not a thing of recent birth, and it has been, moreover, constant and ever forward.

Now and then a sporadic or spasmodic check has been given to our progress, but that has been under high tariffs, low tariffs, and moderate tariffs alike. An advancing people is like the advancing of the tide when on the rise. It goes forward at the first and then recedes for a time—goes back a little—and goes forward further the next time, until it reaches its height.

Mr. BURK of Pennsylvania. I want to ask the gentleman from Mississippi whether this condition obtained from the year 1892 to 1896, and if the same opportunities for development were present during that period as since 1896?

Mr. WILLIAMS of Mississippi. Not as fully developed, and the same opportunities were presented to the country.

Mr. BURK of Pennsylvania. But no protection to the American industries.

Mr. WILLIAMS of Mississippi. Oh, wait. We were during that period experiencing first, and later recovering from, a panic. We have had panics before. We have had not only the panic of 1893, but there were four great panics before, and if the gentleman were as zealous a student of history as he is a political partisan he would have discovered that these panics have come under all sorts of tariff legislation.

Moreover, the particular panic referred to did not have its birth in America. It began with the failure of the Baring Brothers, of London, and swept over the world, reaching us last.

How could a world-panic in England, Australia, Austria, Germany, beginning in England and Australia in 1890—for that was the date of the crash of the Baring Brothers—be attributed by any sane man as an effect of an American tax law passed in 1894? I know that the "omnipotence of Congress" is a latter-day Republican doctrine, but surely the doctrine is confined to our "insularities," and does not extend to foreign kingdoms nor to periods before Congress acted! Now, let me go on. Vanderlip again:

Bread is baked in Palestine from flour made in Minneapolis. American windmills are working east of the Jordan and in the land of Bashan.

Phonographs are making a conquest of all tongues. The chrysanthemum banner of Japan floats from the palace of the Mikado on a flagstaff cut from a Washington forest, as does the banner of St. George from Windsor Castle.

The first part of this is no news to us. Our American agriculture has always been in possession of the foreign market.

But "windmills in the land of Bashan." This is where the Scriptural bull came from. He must have been a tariff-baron bull, roaring with one lung: "We have captured the markets of the world," and with the other: "Protect us from European pauper labor."

The American typesetting machines are used by foreign newspapers, and our cash registers keep accounts for scores of nations. America makes sewing machines for the world. Our bicycles are standards of excellence everywhere. Our typewriters are winning their way wherever a written language is used.

Yet if you threatened to take off the tariff to-day from typewriters and typesetters and cash registers—if there is any tariff on cash registers—I expect you would hear the old familiar cry, "American industries are about to be murdered, assassinated, and throttled by the 'free-trade theorists,' and American labor is menaced with immediate starvation." Let me go on—

In all kinds of electrical appliances we have become the foremost producer. In many European cities American dynamos light streets and operate railways. Much of the machinery that is to electrify—

This gentleman is not quite so good in English as he is in some other things. I do not suppose he meant "electrify;" he meant to furnish with electric power—

Much of the machinery that is to electrify London tram lines is now being built in Pittsburg. The American shoe has captured the favor of all Europe, and the foreign makers are hastening to import our machinery that they may compete with our makers.

And yet the shoe men are flooding me and are flooding all the members of this House with prescribed, forewritten, stereotyped circulars, asking us for God's sake to take the duty off of leather and let it come in as free raw material in order that they may "build up their industries." If the proposition were made to-morrow to reduce the duty on shoes a little bit—if we took the duty off hides, and the proposition were made to reduce the duty on shoes in order to make up for it, they would howl, and we should find politicians playing the old tune and fools dancing to it, that every reduction of the sacred duty means American starvation and a going backward of American civilization.

Mr. MOODY of Massachusetts. Let me correct the gentleman on that. I think the manufacturers of shoes would be quite content to submit to a very substantial reduction of tariff on the manufactured shoes if they could get free hides.

Mr. WILLIAMS of Mississippi. I know of only one reason to the contrary. I will take the House into my confidence. I received from some shoe men a circular of the kind that I mentioned, and I wrote back and asked the question: "In case we do this and put hides on the free list—and I am perfectly willing to do it, provided there is a reduction of a like character elsewhere—would you people consent to make a like reduction—an equivalent reduction upon shoes?" I got another circular from manufacturers of harnesses and carriages upon the same subject, and I wrote exactly the same answer to them, and it has now been four or five or six weeks, and I never have received an answer from either.

Let me go on:

In the Far East, in the capital of Korea, the hermit nation, there was recently inaugurated, with noisy music and flying banners, an electric railway, built of American material by a San Francisco engineer, and now it is operated by American motormen.

One might go on without end telling in detail the story of American industrial growth and commercial expansion. In the list of our triumphs we would find that American exports have not been confined to specialties nor limited as to markets. We have been successfully meeting competition everywhere. America has sent *coals to Newcastle, cotton to Manchester, cutlery to Sheffield*, potatoes to Ireland, *champagnes to France*, watches to Switzerland, and *Rhine wine to Germany*.

Now, I recommend the Rhine wine and the champagne propositions as an instance of American progress in trade by use of the means of "fraudulent imitation," so much decried during the oleomargarine discussion. [Laughter.] Now, my friends, so much for Mr. Vanderlip. I will read a comment by the editor of the Outlook, because he expresses it so much better than I can:

When concrete facts like these are made still more vivid to the mind's eye by pictures of an American bridge in Burma, an American typewriter in Uganda, American-equipped electric cars in Cairo, and other like illustrations of American inroads into the Old World, the reader is prepared to understand the significance of the often-repeated figures about the growth of our exports during the past few years.

Now, speaking of the effect of all this in Europe, the editor goes on to say:

The landowners have long been crying out against American competition. The recent enormous purchases of American manufactures have aroused

the same cry in the cities, and the cry in the cities has gained such volume as to make the American question foremost in all the capitals of Europe.

The danger that comes to us from this European alarm has already been noted in these columns. It is retaliatory legislation to exclude American products by tariffs as high as our own.

Gentlemen, if that retaliatory legislation comes at all, it will come because these people believe we are building up by a protective tariff wall an inside protected home-market that enables our manufacturers to sell at a profit to them by recouping in the United States. It makes no difference whether what they believe is true or not. They will resent it, just as we resent the effects of their sugar-bounty laws. Their retaliation will come against our agricultural products. Our farmers will, as usual, bear the brunt. Is it not wise to reduce your tariff within reasonable limits? And remember, on this occasion, when I say "reasonable limits" I am not speaking now as a Democrat, not as an advocate for "a tariff for revenue only," though I believe in that, but as a nonpartisan American citizen. I am speaking to people who believe in tariff for revenue on my left and to those who believe in a tariff for protection on my right. But when the tariff furnishes *neither needed protection nor revenue* why not cut it down within reasonable limits? You can stop this retaliatory commercial warfare by reducing your tariff to a reasonable basis.

Now, my friends, one more thing in this connection. Here is the most amusing thing in this tragedy-comedy. Here is one Oxnard, a little while ago "sugar-beet baron" and now sugar-beet tariff beggar, at the doors of the committees of this House.

Mr. Oxnard writes this note to people who had heard that he had "assented" to something—"assented," forsooth, to legislation! He says:

We have assented to nothing; we claim there is no necessity for action. We were asked if we would consent to this measure, and replied that we would rather accept it than anything else that had been proposed; but we did not say we would accept the proposition. And, as a matter of fact, we stand as we have stood from the beginning on the proposition, believing that there was no necessity for any concession to the Cubans.

Here is an assumption on the part of a private citizen, never elected by the people—the source of power—to a legislative or an executive office, trusted with no public power in molding legislation, that it is necessary to get his "assent" and the "assent" of people who are thriving upon the ill-gotten gains of a too high protective tariff, in order that a legislative proposition may be considered reasonable and right.

There are members of the House, and always have been, who are ready to recognize as necessary the assent of such men to our legislation. I do not blame them, because their standpoint is not mine. Their standpoint is that you have the right to use the taxing power of the Government to build up private industries. But from my standpoint the greatest humiliation that can happen to a nation is for the chosen representatives of the people—the legislators under their fundamental law—to be asking not these questions: "What are the Governmental necessities?" "What are the capacities of the consumer to withstand taxation?" but these questions: "What do the capitalists in private business think about it?" "Do they think it will put money in their pockets, or do they think it will take money out?"

Now, I have read the language of Mr. Oxnard when he was figuring in the second scene as a tariff beggar. Let me read now his language when he was speaking in the first scene as a tariff boaster—a real live "captain of industry" and "tariff baron."

I told you in the beginning that I wanted to show you how these men, when they were engaged in exploiting trade, make full and complete and satisfactory answer to their own arguments when they are engaged in begging legislation. Here is his answer. Here is what Mr. Oxnard says in an official capacity, in a paper issued by him and Mr. Bayard Cutting, as the president and director of the great "American Beet-Root Sugar Company." Here is what Mr. Oxnard said in 1899:

Of the tropical countries which it is proposed to annex to the United States Porto Rico is too small to cut any figure.

So Porto Rico is out. When he says this he is encouraging the people to invest in beet-sugar factory stock; he is telling them to come in and help him build up this industry; he is trying to show how absolutely necessary it is that it should be, and could only be, a money-making industry. And his proposition is that Porto Rico can not hurt.

And the Philippine Islands have not the necessary elements for the expansion of the sugar business sufficiently rapidly to give any concern to those interested in the production of sugar from beets in this country for the next twenty-five years to come.

So the Philippines are disposed of. Yet when we wanted to enact a measure here by which the Philippines, as long as they were a part of the United States, should be treated like the balance of the Union, and have free importations into the United States, these very same people gathered around the halls of legislation and sang the old song of alarm and intimidation. They said that if we gave free trade to Philippine sugar we would ruin the American beet-sugar industry and the American cane-sugar industry. But in this article he says that the Philippines can not hurt us. Let us go on, then, to Cuba. That is the question that is now being agitated; and it was in connection with the proposition for the reduction of the Dingley rates upon sugar from Cuba that Mr. Oxnard wrote the letter I read you a moment ago. Now what does he, when telling the truth as a business man, say about Cuba:

The island of Cuba is so situated that its sugar industry can rapidly recover the ground lost during the insurrection, provided that the labor question there can be satisfactorily settled.

I suppose he means, provided they can get Chinese labor.

There is, however, no fear that Cuban production, even under an annexation to the United States, can in our day expand to the point where the United States would become exporters of sugar instead of importers, and hence that protection would no longer protect.

Now, I call your attention particularly to the following language—it is Oxnard's:

Greater than all the above assurances of the permanence of the sugar industry in this country is the fact that sugar can be produced cheaper here than it can be in Europe. The sugar industry is, after all, merely an agricultural one. We can undersell Europe in the production of all other crops, and sugar is no exception. The sugar consumed in the civilized world consists of 3,000,000 tons of cane sugar grown in the Tropics, and 5,000,000 tons of beet sugar grown on the Continent of Europe. Therefore, in considering any given sugar enterprise, if it can meet and overcome the competition of sugar on the Continent of Europe, it is perfectly safe to say that it has a permanent future.

Now, Mr. Chairman, in that connection this may be said in reply to Oxnard and me, that while we can produce beet sugar here cheaper than they can in Germany or France, they enable their people by bounty to do what we enable some of our people, engaged in other industries, by tariff to do, namely, to sell their beet sugar cheaper to the foreigner than it is sold to the home consumer in Germany or in France; but the answer to that is; if we take off all duties on sugar, and if sugar were free so far as Cuba is concerned, it would not affect the proposition; and, further, that if sugar were free so far as the entire world is concerned it would not affect the proposition, provided only that we placed a tariff upon our sugar equal to the bounty given by these countries.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I would like to have a little more time.

Mr. DINSMORE. How much more time do you want?

Mr. WILLIAMS of Mississippi. Ten minutes.

Mr. DINSMORE. I yield for ten minutes.

Mr. WILLIAMS of Mississippi. Now, a gentleman on the Republican side the other day made the first so-called Republican speech against trusts. Now, I freely admit that there has been a great deal of demagoguery and nonsense spouted on the stump and written in the newspapers about trusts, but that trusts are an evil whenever they reach a monopolistic stage, is a thing which I believe every liberty-loving, every individuality-loving, and every country-loving American will admit and must admit; and yet, when the gentleman made his so-called antitrust speech the other day, it was, in the language of a friend near me, "an apology for their existence and a plea for their continuance." That is the first utterance on trusts that I remember to have heard from that side. A great many impracticable propositions have been made regarding trusts, but I want to call your attention to two that are practicable in their character and that conservative men can advocate anywhere and without a word of direct legislation on the subject of trusts—that is, national legislation.

I believe there ought to be Federal legislation on the subject of trusts themselves, but these two propositions I intend now to expound are not in that line. Some gentleman the other day asked the gentleman from Texas [Mr. BURLESON] if he could point to a single trust which was "chartered and doing business under a Federal law." Of course there is none. The question was one that ought to have been answered in that way; but I can point to a great many which were enabled to begin their existence and are enabled to continue it under the protecting agencies of Federal laws upon other subjects. [Applause.] I believe there are two pieces of Federal legislation that might be enacted which would have the effect of restricting and limiting, if not of putting out of existence, the great trusts—the trusts which are monopolistic in their character. The first one which I would suggest, and which is suggested to my mind by this tariff discussion, is in line with the proposition made by the gentleman from Wisconsin [Mr. BABCOCK], only going further.

I say that if you would put upon the free list all trust-produced articles, all articles made by those trusts and combinations which are now selling to the foreigner cheaper than they do to the American, you would clip their wings, if you did no more effective work. They would "roost lower" hereafter.

There is another proposition. It has nothing to do with the tariff. The great Industrial Commission which has been sitting for long months has made a laborious investigation of the industrial condition of the United States. They are, I believe, though my memory upon that subject may be inaccurate, unanimous in reporting—and, if not, then a majority of them report—that one of

the first and most necessary things to be done in order to clip the wings of these trusts and to bring them down to where they will be upon a footing of equality with other American citizens engaged in competitive industrial enterprise, is to pass such legislation, strengthening the powers of the Interstate Commerce Commission, as will enable it to put an end to unjust railroad discriminations between producers.

It is an admitted fact upon their part, it is a fact admitted by everybody who has examined into the question, that the main ground upon which these trusts find a stable footing is the discrimination which the great railway systems constantly make in their favor. It is but natural that they should make that discrimination, because those people are their most important customers; but it is equally natural, in the words of the present occupant of the White House—words so soon forgotten by him—that we, the American Congress, the American people, should find a means—constitutional, fundamentally right—of "shackling cunning as civilization in the past found a means of shackling force." Now, Mr. Chairman, I have taken more time in this discussion than I expected to take when I started in. I did not expect to speak this morning, but I could not resist the temptation of propounding to my Republican friends a Republican industrial conundrum—and when I say Republican friends I mean it, because I glory in the fact that I do not believe there is a man in the House that has more personal friends in it on that side—good men and square, fair and personally worthy of every man's commendation.

I want to put to you this Republican conundrum. It is this: If a tariff tax exists bringing in no revenue, and therefore with no *raison d'être* as a revenue measure, and furnishing no needed protection, because the producers of the goods have demonstrated their ability to sell abroad at a less rate than the foreigner can sell in his own home markets, then what reason for the continuance of that particular tariff tax can there be? Then, I want to propound this interrogatory also: If a great commission, a majority of whose members are of your own party, engaged in nonpartisan industrial investigation, say to you virtually that you can clip the wings of monopolistic corporations which are destroying individual enterprise through unfair competition, by disabling the railroads from giving them unjust freight-rate discriminations, then, why not—not as Republicans, but as American citizens loving the old American spirit of self-dependence and individuality about to be stamped out—why not enact such legislation?

Are you willing to see all—90 per cent of—the American people become employees? I do not know how the balance of you feel about it, but I would rather be my own master at $600 a year than to be the servant of any man or corporation at $5,000.

Why, they are gradually pressing out of existence every one of the small and individual enterprises in the country. The time has come when a man with from $3,000 to $10,000 capital can no more go into business and hold his own, than a cat can fly across the Atlantic Ocean.

A great many foolish, and some unconstitutional, propositions have been made on this subject. Whenever men feel that they are drowning they grasp at straws. But I believe that our sacred shield ought to be the preservation intact of our fundamental law. I do not believe that you have a right to violate the Constitution, even to accomplish a public good. I do not believe that the "public welfare" justifies me or you in violating our oath to that instrument, because it is the instrument which gave us birth and by virtue of which alone we can have a justifiable existence. The "public welfare" after all is only what each Congressman would choose to call the public welfare. It would be a measure of constitutional power as variant as "Old Coke" said chancery jurisdiction was: "It might as well be measured by the length of each chancellor's foot." But if, by any constitutional means in the world you can accomplish this curtailment of monopolistic power, and certainly your ingenuity is equal to it, because the Republican party, whatever else may be said of it—and some very hard things can be justly said of it—has never been a party of fools, you ought to do it. If any party in the world can find the means to throttle these trusts, to clip their wings at any rate—I do not mean to oppress them because they are rich or anything of that sort, but to put them upon an equal footing with every other citizen—can not you do it, and if so, are you going to let the opportunity pass?

If you do, you know, I know, the country knows that it will be a criminal omission of legislative duty and due, in your case, not to want of power or of intelligence, but to want of will.

You can do it, and without violating the Constitution, certainly not from your latitudinarian standpoint of constitutional construction.

Mr. GRAHAM. Is not your own State of Mississippi to-day violating that very Constitution which you uphold in the restriction of suffrage to the colored man?

Mr. WILLIAMS of Mississippi No; a thousand times, no! And the Supreme Court of the United States has said no, not by a majority of one, shifting from day to day, but by a unanimous vote. [Applause on the Democratic side.]

Mr. GRAHAM. Wait until the question comes up properly, wait until that court reaches it properly, and then you will find——

Mr. WILLIAMS of Mississippi. They have reached it properly, and they have passed upon it. The point went to the Supreme Court as to whether the constitution of the State of Mississippi, under which certain officers were chosen, was unconstitutional from the Federal standpoint.

Mr. GRAHAM. Yes; but did they pass upon it under the act of 1869, under which Mississippi came back from a state of rebellion?

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WILLIAMS of Mississippi. I should like, as a Mississippian, to answer the gentleman's question, although it is absolutely irrelevant to the topics being discussed by me.

Mr. HENRY of Mississippi. I ask that the gentleman's time be extended.

The CHAIRMAN. Does the gentleman from Arkansas [Mr. DINSMORE] yield any more time to the gentleman from Mississippi?

Mr. HITT. I will yield five minutes of my time to the gentleman.

Mr. WILLIAMS of Mississippi. Now, gentlemen, a few words of coolness, because this is a question upon which we Southern men are apt to get excited, and it is a question upon which, of all questions, we ought not to get excited, but ought to keep cool heads.

The Supreme Court of the United States did pass upon that proposition. A case was carried to the Supreme Court, and among other things the very objection which the gentleman raises was urged, namely, that the State of Mississippi, notwithstanding the fact that, when she came back into the Union in the year 1869, she had put into her fundamental law at that time—into the constitution of the State of Mississippi—a provision that nobody should ever be disfranchised by an educational qualification, and notwithstanding that Congress had furthermore passed a law at the same time, readmitting Mississippi to the Union upon the express condition that she should not make a provision disqualifying anybody for educational reasons, had enacted in the new constitution an educational qualification. The Supreme Court held that Mississippi had a right to enact such a qualification.

In other words, in order to arrive at its decision the court had to hold, and virtually and impliedly, though not expressly, held, as every lawyer in this body would hold, that after Mississippi was once admitted into the Union, no matter under what Congressional conditions, she came in, and continued in it, as the equal of every State in the Union, with the right to do anything that Massachusetts had the right to do, or that Connecticut had the right to do; and there is not a clause in the constitution of the State of Mississippi that is not copied from some clause in some Northern State constitution, except one, and that is the so-called "understanding clause," which is not nearly so bad as a clause that was in the constitution of Vermont, I believe, and may be there now for all I know, namely, that the selectmen must say that a fellow was of a good moral character before he could vote. Remember, too, that more negroes than white men are admitted to the ballot in Mississippi under the "understanding clause," and that it is in extension and not in restriction of suffrage. The Supreme Court held that the Mississippi constitution of 1890 was not obnoxious to the charge of violating any part of either the fourteenth or fifteenth amendments to the Federal Constitution, or any other part of it.

Every point was raised that shrewd lawyers could raise—even the point that the constitution of Mississippi had not been submitted back to the people of the State for their affirmative ratification.

Of course, if the Supreme Court had thought that an act of Congress *could make constitutional law* and could make *unequal* States in a "Union of *equal* and indestructible States," they were imperatively called upon on the facts and under the law of that case to say so. They were not so foolish.

Mr. GRAHAM. Have you the grandfather clause——

Mr. WILLIAMS of Mississippi. No.

Mr. GRAHAM. That so many object to?

Mr. WILLIAMS of Mississippi. Oh, my friend, all of the wisdom does not dwell in the East. All of culture and all of education is not in the North. There were wise men at the helm of the Mississippi ship of state, in those days—old James Z. George and men of his character, Wiley P. Harris, S. S. Calhoun—and what they meant to do they did, namely, accomplished the disfranchisement of corruption, ignorance, venality, and semi-veneered savages without violating the Constitution of the United States. [Applause on the Democratic side.]

Mr. GRAHAM. What does the gentleman himself think about the grandfather clause?

Mr. WILLIAMS of Mississippi. My dear friend, am I to defend the entire South on a tariff and trust debate? I have defended the State of Mississippi.

Mr. GRAHAM. You are such an able defender——

Mr. WILLIAMS of Mississippi. There are men here who will defend their own States in their own way for anything that is in their constitutions. The task is theirs; they are able and willing, and the subject is not relevant to my remarks of to-day. If there is in any State constitution a provision violative of the Federal Constitution, the question will be decided by the Supreme Court of the United States, and if the Supreme Court decides that the "grandfather clause," which exists in one or two constitutions, is unconstitutional, that clause will go by the way; and when it goes by the way, if it shall, it will still leave us what our race has always possessed, and especially that superb part of the race to which I belong—the Southern white people, almost purely of English-speaking blood in their derivation—it will leave us with the intelligence, with the ingenuity, with the courage and the resolution to take care of the white man's code of ethics—his sacred family life, the capstone of it, and Caucasian civilization, the fruit of it all [loud applause]—without violating one word of the Constitution of the United States. [Applause.] If we do violate it, the Supreme Court will call us to halt, and we will then e'en do the work over again, and better, under their instructions. [Loud applause on the Democratic side.]

Mr. HITT. I yield to the gentleman from Kentucky [Mr. IRWIN] five minutes.

Mr. IRWIN. Mr. Chairman, prompted by what I regard as good taste and a wise course for a new member to pursue, I have heretofore refrained from seeking the privilege of the floor, and I do not rise now to make a speech, but simply to state my position, and to protest, in behalf of that portion of Kentucky which I have the honor to represent, against the astounding attitude that my colleague [Mr. WHEELER] assumed toward our distinguished guest, Prince Henry; and also to protest against his remarkable attack upon Hon. John Hay, Secretary of State, whom I regard as having extraordinary qualifications for the position he holds. To my mind there is no humor, only insult, in the epithet of "Little Dutchman," in the connection in which it was used.

The native-born Americans gladly join the German-Americans among us, who constitute so large and valuable a part of our citizenship, in resenting the insult to their Fatherland implied in the question of my colleague, "What do we care about the good will of the German people?"

As a Representative from Kentucky I disavow any indorsement of the sentiments expressed by the honorable gentleman from the same State in his speech delivered in this House February 14, 1902, and I sincerely hope, especially on account of the incident in the House of Representatives, that the people of Louisville, Ky., will be able to signalize the brief visit there of Prince Henry in such a manner as not only to redeem Kentucky from the unhappy and unworthy position in which she has been placed, but also to express the warm hospitality for which my State has always been famous and of which she is so justly proud. [Loud applause.]

Mr. HITT. Will the Chair recognize the gentleman from Pennsylvania as in charge of the bill?

Mr. DINSMORE. I yield thirty minutes to the gentleman from Kentucky [Mr. GILBERT].

Mr. GILBERT. Mr. Chairman, so long as the Administration adheres to its announced policy of holding in subjection a distant people and alien races, I shall consider it is not too late to protest, with the hope that those in power may yet be able to see the crime and folly of the enterprise. I maintain that history teaches these three propositions:

First. That no permanent civilization is possible in tropical climates;

Second. That any government, however virtuous in itself, forcibly imposed by one race upon another, always retards rather than advances the growth of the people held in subjection; and

Third. Freedom to work out their own destiny under laws of their own selection is the universal measure of national progress.

Then, first, no civilization worth the name has ever appeared within the Torrid Zone. This zone lies, as everybody knows, between the Tropic of Cancer on the north of the Equator and the Tropic of Capricorn south of the Equator; and in all the rise and fall of empires, in all the rise and wanderings of the races of men, no great cities have been built, no great literature has been written, and no great nations have been founded between these two lines. The Tropic of Cancer runs through Africa, but it is more than a thousand miles south of Gibraltar and 600 miles south of the mouth of the Nile.

So that the old civilizations of Egypt and Carthage were north of this line and within the Temperate Zone. Egypt was farther south than any other of the ancient civilizations, and so all of the great nations that existed around the shores of the Mediterranean were still farther north and farther away from the Tropics.

The Sphinx, the Temple of Luxnor, Baalbec, the Pyramids, and all the ancient landmarks of Egyptian civilization stand in the Temperate Zone. The Tropic of Cancer passes through Asia, but far south of Palestine and Persia. The civilizations on the banks of the Euphrates and the Tigris were hundreds of miles north of the northern line of the Torrid Zone. Babylon and Tyre; the ancient splendors of the Chaldean and Media-Persian Empires; Palmyra, Phœnicia, Asia Minor, the Greeks, the Romans, all flourished in the North Temperate Zone. Even Japan and China, and all the islands of the sea where human progress has been made, have been away from the heat and humidity of the Tropics. On the Western Continent this line passes north of the Sandwich Islands, through the center of Mexico, and just north of Cuba. The southern line of the Torrid Zone passes through Australia, but the great progress of that island, and, indeed, about the only progress made there has been south of the line and in the South Temperate Zone. The flourishing cities of Melbourne and Sidney, the great sheep-raising and mining industries of that island continent are all in the South Temperate Zone, while that portion within the Tropics is still covered with savages and forests.

Macaulay some years ago prophesied that a traveler from New Zealand might some day sit upon the broken columns of London Bridge and, with pencil in hand, take notes and moralize over the ruins of the ancient city. New Zealand and Tasmania have indeed made greater progress than any other countries in the South Sea Islands, but these are both in the Temperate Zone also and more than a thousand miles south of the Tropics. This line passes through nearly the center of South America, but the countries of that continent that are coming to the front are Chile, Argentina, Paraguay. The city of Rio de Janeiro and the great coffee and sugar plantations of Brazil are south of the line and in the Temperate Zone. This line passes through the southern portion of Africa; but the Transvaal, the Orange Free State, Cape Colony, and all the civilized portions of South Africa are in the Temperate Zone. Within the Torrid Zone some countries are found which are apparent exceptions to this rule. The high plateaus of southern Mexico and the northern part of South America are within the Tropics, and are perhaps capable of an advanced civilization.

But these countries really form no exception, because, although they are within the Tropics, they are, on account of their great elevation, blessed with the climate of the Temperate Zone.

Within the Tropics we find a long list of dreary deserts, savage races, and no civilization. And thus it has been through all the history of the world. All of the religions of antiquity except the lowest form of fetichism were founded in the Temperate Zone. Zoroaster and his Parsee followers; Osiris and Isis, and their Egyptian worshipers; Brahma and Buddha; Confucius, Mohammed; Christianity, Judaism, and all had their origin in the Temperate Zones. But the Philippine Islands are wholly within the Tropics and close to the equator at that, and the country is low, humid, and hot. All of our insular possessions—Porto Rico, the Sandwich Islands, the Philippine Islands, the new Danish Islands, and all of the possessions acquired during the last few years of our crazy commercialism—lie within this forbidden section of the globe.

If six thousand years of human history and the experience of all the world are worth anything, we must learn that it is impossible for any people to become progressive and civilized in these tropical climates.

But secondly, whatever any people anywhere are capable of achieving, it must be accomplished by themselves; they must evolve their own laws and their own institutions, and no alien race can forcibly interfere without retarding, rather than advancing, their progress.

Whatever any people, either in the Tropics or elsewhere, are capable of accomplishing will be best attained by allowing them freedom and by giving them full scope to work out their own destiny.

Various fortunes have been meted out to subjugated races. In many instances extermination has been their fate, as the Moors in Spain, the aborigines of Palestine, and others. Then, we find cases where the subjugated race has remained for centuries in slavery, without improvement or progress, as the Jews in Egypt, the Javanese under the tyranny of Holland, and the people of India under the foreign yoke of England, and others. Then, again, we find instances where the conquering race came and stayed in such numbers that by intermarriages the two peoples became blended into one, as the Normans in England, as the Romans in Gaul, or as the northern barbarians in southern Europe, or the Greeks in Asia Minor. But history furnishes no instance of an alien race held separately and in subjection improving under a foreign domination. You can not thrust upon any race of people a foreign yoke without injuring them and retarding instead of promoting their advancement. It matters not how superior the

laws and the institutions of the conquering people may be abstractly considered. Such laws and institutions imposed by superior force upon an unwilling race always prove disastrous to those who are forced to receive them. Fifty years ago Japan was a semibarbarous and half-civilized country. Suppose Commodore Perry, when he landed there, had shelled the cities of Japan and by an army of invasion had undertaken to thrust our modern civilization down the throats of these people, would Japan have advanced as rapidly as she has done?

By being left to pursue their own methods, by being allowed to fashion their own peculiar laws and institutions in their own way, they have made a marvelous progress, but which would have failed under the control of this country or of England or any other foreign power. Spain and Portugal tried for centuries with weapons in one hand and prayer books and rosaries in the other to force their ideas of religion and of civilization upon their colonies. Pizarro in Peru and Cortez in Mexico left those countries in an infinitely worse condition than when they were first discovered.

Not only so, but those countries continued to remain in a worse condition during all of the centuries the foreigner was struggling to improve them. So it has always been and always will be. When the alien race ceases to drive and never attempts to govern, but endeavors by friendly contact and commercial intercourse to trade, these influences will gradually have their beneficent influence upon the inferior race, and the people will develop. But always and everywhere the inferior race can only develop by methods and processes of their own selection.

England, too, has often tried the foolish experiment of thrusting the sword through the heathen in order to make him a Christian.

When Captain Cook discovered Australia there were many thousands of natives, and now they have almost been exterminated. So with the Sandwich Islands; so with the American Indians, and so everywhere in the history of the world. Egyptian civilization was the peculiar outgrowth and the evolution of her own people. Her architecture, her literature, her poetry, her religion, and everything were unlike those of any other country. Assyria tried to thrust her own superior culture down the throats of these people of the Nile. Assyrian literature, poetry, architecture, and everything were said to be superior to those of Egypt. The result of the effort was that Egypt became a wilderness, and her cities and monuments crumbled into dust. The Assyrian Empire became great and waxed strong for a thousand years. But the Persian invasion came and introduced what was thought to be a higher religion, new and better laws, and the Assyrian in turn and his civilization passed away.

Then came the Macedonian, with the elegance and culture of the Greeks, and undertook to introduce the splendid philosophy of Plato and the splendid architecture of Phideas, and Persia became a story and a tradition. The hand of the invader and sword of the conqueror may better the condition of the invader, but they have always been destructive of the defeated race, and have always everywhere caused their decline and decay. The colonies of the Roman Empire continued to be tribute-paying barbarians as long as the power of the conqueror remained. External force never advanced the civilization of any people. Certain races of mankind will reach by slow processes of evolution a certain stage of progress and there remain stationary for ages. We have tried for several hundred years to Christianize and civilize the Indian, and we have not even succeeded in making him cut off his hair. Proximity to civilization, opportunities to attend churches and schools do not affect him. He reached that degree of progress, or, if you prefer, he descended thus far in the scale of humanity, and no farther, by reason of his own inherent qualities, whether of strength or weakness, and no other nation can come to his rescue. The African negro likewise has roamed for ages over the Dark Continent utterly ignorant of the value of his country, unconscious of the splendid fertility of the soil, the salubrity of the climate, or the wealth of its mineral resources. Whether in the Tropics or out of the Tropics, there are certain races that must inevitably disappear, like the rattlesnake and the buffalo, before the march of civilization. No exterior force, however well intentioned, no civilized government, however wise, can elevate certain races.

But those that are capable of being civilized at all must evolve—grow up to it by laws and institutions of their own fashioning. Civilization is not a manufactured article and has no particular features or dimensions. On the contrary, every race and every nation that has succeeded at all has developed peculiarities, and no procrustean bed can be made to fit any two of them.

We insist, in the third place, that the universal prerequisite to the progress of any people is the right to make their own laws and to develop their own institutions in their own way. The dark ages of Europe, from the fifth to the fifteenth century, came as the result of the policy of the Roman Empire. That imperial city held the provinces in subjection, denied them local self-government, and burdened them with taxes and tributes until they became more savage and barbarous than ever, and that barbarism reacted against the city until all went down together. When civilization began to dawn again its feeble appearance was first seen in local independent communities which, under the feudal system, permitted the people to cluster around the baronial castle and to enact local laws and customs of their own. Further on we find the free cities becoming the centers of wealth and culture—Venice, Florence, Padua, Genoa, and the Hanse Towns of Germany. These cities obtained charters which enabled them to make their own laws and build up institutions to suit themselves. And in proportion as they enjoyed freedom they outstripped their neighbors in science, in art, in wealth, and all that goes to make a cultivated and prosperous people.

These free cities taught modern Europe the value of freedom, and then the next step finds separate nations struggling for independence and with wars and revolutions finally establishing their separate national existence and the right to make laws for themselves.

Where there is a unity of race, of religion, of language, and interest under one government, that people may be a republic, a monarchy, or what not, and still they will make progress if it be a race capable of making progress at all. The form of government is not as important as to have home-grown institutions with laws and customs emanating among the people themselves. Let me repeat that an intermeddling alien race always does more harm than good, and it makes no difference that the intermeddler represents a superior race, nor does it make any difference that this intermeddler has a better government, or a better religion, or a wiser system of laws.

The Moors in Spain for eight hundred years had their own laws and their own religion and were an independent, thrifty, progressive people. They were perhaps the most civilized country then to be found in Europe. Malaga and Toledo, Cadiz and Grenada were splendid cities lighted with lamps, paved with cut stone, with fountains playing and flowers blooming in the parks. But the Spaniards came, determined to force upon them the Christian religion and a better system of laws. The result was the Moor and his cities disappeared, while ruin and desolation marked the path of the invader. Cortez found an Aztec civilization in Mexico, which was advancing and which had already made considerable progress.

These the Spaniards destroyed and those people made not another step forward until the yoke of the foreign oppressor was removed.

Since her independence Mexico has been slowly but surely coming to the front. When these Spaniards invaded Peru, they found splendid aqueducts running along the west slope of the Andes, furnishing abundance of water, which was skillfully diverted into channels for irrigation. They found fertile fields, cultivated with care, producing two and three crops a year. They found herds of fat sheep roaming the hillsides and their wool woven into cloth of many curious patterns and ornamented with many brilliant colors.

They found the splendid Temple of Cuzco carved with the chisel of the sculptor, the altar covered with burnished gold; and the rustic soldiers of Spain were awed by the chanting of the many worshippers who came to watch the rising sun. But with the conquest all these disappeared; no further progress was made for three hundred years, and not until that country again became free. The stereotyped answer to all this is that we are not oppressing the Filipinos and do not propose to oppress them. The argument is that we are going to establish schools, build roads, and teach these people self-government. This is no answer at all. Let me tell you again that you can not manufacture a civilization to order. It is a growth and not a manufacture. It is always and everywhere an evolution, and an evolution of the people themselves, and not superimposed by another race. We have already seen that whenever and wherever an alien race attempts by force to impose its laws and institutions upon another race the effort has always been in the past and always will be in the future a failure. Let me repeat that it matters not that your laws and your institutions are better, abstractly considered, than theirs.

The failure will be none the less signal on that account. The failure comes from the obvious fact that your modes of thought, your manner of doing things, your literature, your laws, your institutions, your architecture, your habits of life, and your everything are different from theirs, and the failure comes especially from the fact that these things are imposed by force, imposed by a foreign race, and because they are distasteful and unsuited to those people. You should never forget that the laws and institutions are valuable to a people only when they express the sentiments of the people themselves. England has better laws and institutions than Russia, and yet if England should subjugate

Russia or buy her and attempt to force those superior laws down the throats of the Muscovite he would not advance more rapidly by the change. He would not advance at all. He would retrograde. But you say the Filipinos welcome our invasion. If this be true, then it contradicts all the history and experience of mankind. It marks these people as the only race in all the world that ever welcomed a foreign invader.

No other people, since the journey of the Children of Israel across the Red Sea to escape the taskmasters of Egypt, have ever appeared who despised independence and hailed the coming of a strange people. This is the only race, if this be true, who were ever willing to throw away their mother tongue for the language of the stranger, who are willing to obey laws that are enacted, and who are willing to pay taxes that are imposed on the opposite side of the globe. No, gentlemen, the convict may smile in the face of his keeper with the hope of lightening his burden, but at heart he is praying for freedom. These people may or may not be capable of self-government—that is to say, they may or may not be capable of adopting and maintaining our form of Government—but beyond all question they are more capable of governing themselves in their own way than we are of governing them in our way.

Their government fashioned to suit themselves will be a better government for them than any we can impose upon them.

There is no tribe or people on the earth, and there never was, who were not capable of governing themselves better than any other people can govern them. We do not govern the American Indian.

We allow them to govern themselves according to their own tribal customs and usages. We have found that no other government is possible among them. We do not govern the Chinese. The Six Companies rule them according to Chinese laws and customs of which we know nothing. There is no such thing as a people not capable of self-government. There never was a people who did not thrive better and improve faster under laws of their own than under laws imposed by a foreign and alien race.

You are building schoolhouses and making roads, are you? So did Rome and Spain and Portugal and England. The Appian Way stretched over hill and dale and was broad and beautiful, but to the provinces it stood only as a monument of oppression. England has built railroads in India, but they only increase the number of pilgrims who flock to Delhi and Benares, who pray more fervently than ever to the gods of Brahma and Buddha to take away the strangers.

Your schools will only hasten the day of another revolt, and your roads will only increase the speed of a new-grown army.

The students in the schools of Russia are the greatest thorn in the side of the Czar, and these people that our schools are educating will be the first and the leaders in the next revolt, which is sure to come.

Hundreds of thousands of sturdy Englishmen have laid down their lives in India, but scarcely a Hindoo has been taught the philosophy of Bacon or made to understand the dramas of Shakespeare. Hundreds of thousands of Hollanders have died in Java, but not a Javanese has been made to love the poetry of Richter or to appreciate the reasoning of Kant. Hundreds of millions of dollars will be spent by this country in the Philippine Islands and hundreds of thousands of our young men in the coming years will leave their bones to bleach in the tropic sun of these far-off islands, but not a Filipino will ever be made to believe that we are adhering to the doctrines of the Declaration of Independence, or that we are governing them according to the teachings of Washington and Jefferson. We have assumed a task doubly impossible and absurd. Impossible and absurd because no civilization ever existed in any low, hot country like the Philippines. We had just as well undertake to open up an ostrich farm in the Klondike or to raise Polar bears in Cuba as to expect to transplant our Western civilization among those oriental and tropical people. Our task is impossible and absurd because no people while they are held in subjection by a different race ever made any progress, even in the Temperate Zone.

Now, mark my prophecy. Some fine day a new insurrection will come and a new army will be marching along these fine roads toward Manila. They will come like the hungry and ragged peasantry came to Paris, and the students you are now educating in your boasted schools will be the officers and the ringleaders. Remember that race prejudices are eternal and the only way to keep these people pacified is to do worse than Spain and keep them in ignorance and slavery. Your schools and your roads will only serve to develop a national spirit and to hasten that new revolution.

Therefore history and the experience of mankind point out both what we can do and what we ought to do. We can go further and do worse than Spain. We can keep these people in more abject slavery, destroy their national spirit, and thus prevent revolutions. We can go there in great numbers and take possession of the country as England has done in Canada and Australia, and thus make a larger America, as Canada and Australia and other countries go to make up a larger England. Nobody advocates either of these methods.

Then how can we make the schools we have established and the roads we have built profitable? And how can we haul down the flag consistently and withdraw from the islands now after having spent $20,000,000 for them and started upon a policy of subjugation? It is always easy and honorable to do right.

The greatest act in the life of Mr. Gladstone was in confessing the wrongs of the Empire at Majuba Hill and withdrawing the British army from Africa. Every Englishman now regrets that this liberal policy had not been continued. So we can and ought to say to the Philippines just what we have said to Cuba: Form your government and we will get out. Allow them to make their own laws and to fashion their own institutions in their own way. This will not be retreating, nor will it be hauling down the flag. It will be carrying out what the American people and all the world supposed we meant to do when we ratified the treaty with Spain. Do that and the treaty of Paris will become the greatest act of disinterested devotion to the cause of human liberty the world has ever seen.

To pay $20,000,000 for the privilege of liberating a downtrodden and oppressed people is the greatest and noblest act of the human race. Let us tell these people now that they shall be free and we can at once withdraw our Army and Navy.

They can, as all the world teaches us, govern themselves better than we can govern them. Let us erect on the shores of Asia a banner inscribed with the grand motto; "All men are created with certain inalienable rights; among these are life, liberty, and the pursuit of happiness."

Then these people will work out a civilization, the highest possible in that climate, the highest of which the race is capable, and our country will have accomplished the greatest of all national achievements.

The great English essayist and historian, Sir Thomas Carlyle, has said:

> If England were presented with the necessity of surrendering either her Indian Empire or her Shakespeare, she would without a moment's hesitation surrender those vast Eastern possessions and hold onto those immortal dramas.

So let me say that the American Revolution was not fought in vain if thereby the human family learned the single sentiment, "All men are created with certain inalienable rights. Among these are life, liberty, and the pursuit of happiness."

It would be infinitely better for us and for the Filipinos to immediately surrender those far-off islands than to surrender those foundation principles of the Government upon which we have grown to be the most splendid example of human freedom that the world has ever seen. Let us not sell our birthright for a mess of pottage.

[At this point Admiral Prince Henry of Germany entered the galleries of the House.]

The Angles who settled England came from Germany. The Anglo-Saxon and the German, if we go back a few generations, were all of the same race. We are proud of the achievements of both races, and welcome you to America's Capitol.

Let me call the attention of this House to what some recent authors who are worthy of our attention have said upon this subject of thrusting one civilization upon an unwilling and alien race.

Professor Seeley, in the course of a series of lectures recently delivered at Cambridge, England, has this to say:

> We doubt whether our rule of India is preparing them for a happier condition. We doubt whether it may not be sinking them lower in misery, and we have our misgivings that perhaps a genuine Asiatic government, and still more a national government springing up out of the Hindoo population itself, might in the long run be more beneficial because more genial, though perhaps less civilized, than such a foreign, unsympathetic government as our own. (Expansion of England, Prof. Seeley, p. 236.)

And this author proceeds to state what every observing and reading man already knows, as follows:

> The instinct of nationality or of separate religion is so strong among all peoples that they more than supply the place of valor or of discipline. The desire for independence is universal among mankind, and is diffused among the whole population, whereas valor and discipline are confined to the fighting part of the invading country. * * *
>
> The elements that go to make a nationality are unity of interest, uniformity of language, and sameness of religion.

The historian, Ireland, in his recent book, Tropical Colonization, 1899, shows (page 220) that now after England has been in India for more than two hundred years she can sell but a trifling amount and receives from them a still less amount. This is his language:

> We have seen that England can only sell her tropical subjects 71 cents' worth of goods per capita each year, and that she draws from each only 66 cents' worth of supplies.

In a recent work, styled "English Colonization and Empire," by Alfred Caldecott, the author says (page 3):

> Again and again the cooler climes have sent their wholesomely nurtured hordes to reap the fruits of the labors of enfeebled nations dwelling in the

milder regions, either to return with spoils or to be mingled with the conquered, themselves after a time of brief prosperity to be subjected to a like treatment in their turn.

Elsewhere this author says (page 74):

The growth of the English constitution is a result of long and detailed struggle, and none but the most optimistic of doctrinaires would waste time in endeavoring to transplant it to Asia.

Now, mind you, these are English authors speaking of their own failures in the East. Everybody knows that England has been the most successful colonizer in the world's history, and what horrid tales of atrocity and failure follow the bloody story of Holland in Java, of Spain and Portugal in the West Indies, in Africa, and everywhere they have gone to colonize and elevate inferior races.

But we are going to civilize the Filipinos. We are there now, loaded down with the implements of civilization.

On one side of the streets we have books and Bibles, missionaries and teachers; on the other we keep bloodhounds and halters, rifles and torches, bayonets and tariff schedules, and over all is a carpetbag government wielded by high-salaried strangers speaking a strange tongue, strangers whom they have not selected-making laws they do not want, but whose high salaries they are taxed to pay. No, gentlemen, we are on the same old broad beaten highway of folly and crime, along which through all the ages strong nations have traveled to the destruction of most that was pure and good and beautiful. [Loud applause on the Democratic side.]

Mr. ADAMS. Mr. Chairman, I yield thirty minutes to the gentleman from Missouri [Mr. CLARK].

Mr. CLARK. I yield my time to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Chairman, a year ago I had occasion to submit some remarks to this House which were somewhat of a surprise to the House and the country. I admit that the facts at that time were a surprise to myself, as I had not investigated the matter prior thereto, and I expect at this time to follow it up with some remarks, and the information upon which they are based may perhaps be a surprise even to the members of this House. On that occasion I compared the applications for pensions from five regiments from Northern States and five from Southern States who had had like service in the war with Spain, and it was found upon comparison that there were five times as many applications for pensions from the Northern regiments as there were applications for pensions from the Southern regiments of like service and exposure to injury.

That statement opened the eyes of the country. I charged then and I charge now that it was due to environment. I said then and I say it now, that the South will be in the same condition when the same causes have existed at the South as long as they have at the North. I asked the House then to call a halt and I ask it to do so now. I want now to call attention to what this House did in the passage of private pension bills in the short session of the Fifty-sixth Congress. There were four days upon which private pension bills were considered, and 707 bills were passed in those four days. How much consideration could they have had from this House? How much consideration did they have from the committee? It is utterly impossible for that number of bills to be given that consideration which legislative measures should have in so short a time. Nearly every one of these bills was for increase. Why do men come to this House asking for pensions? They come because they are not entitled to them under the general law or else their title is defective under the requirements of the general law as administered at the Pension Bureau.

Ought the old soldier whose title to a pension is absolute to receive worse treatment at the hands of this Government than the soldier who either has no title under general law or a defective title? But what are the facts? The amount of increase granted by special pension legislation was, in round numbers, 200 per cent more than the same soldiers would have received under the general law at the Bureau if their title under general law had been perfect. What hope, then, is there that the flood gates of private pension legislation will ever close? When the soldier of doubtful merit and doubtful title appeals to the generosity of this House and finds that he receives, for doubtful title and doubtful service, three times the consideration that the soldier of absolute title receives under the general laws of the country, where is this abuse to end?

Mr. ADAMS. I ask the indulgence of the gentleman to move that the committee do now rise, and he shall have his place when the committee resumes its session.

Mr. SIMS. Certainly.

Mr. ADAMS. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CURTIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 219. An act for the relief of Mary Chambers, widow of Thomas Chambers;

S. 1573. An act to authorize Commander James M. Miller, United States Navy; Surg. Oliver D. Morton, United States Navy, and Mr. Edwin V. Morgan, formerly secretary of the Samoan Commission and now secretary of the legation of the United States at Seoul, Korea, to accept presents tendered to them by His Majesty the Emperor of Germany.

LEAVE TO EXTEND REMARKS.

Mr. GILBERT. I ask leave to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky asks leave to extend his remarks in the RECORD. Is there objection?

There was no objection.

And then, on motion of Mr. ADAMS (at 4 o'clock and 19 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Frederick Demmien against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and law in the French spoliation cases relating to The schooner *Sally*, Jacob Osgood, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of War transmitting, with a letter from the Chief of Engineers, the claim of Robert Birnie—to the Committee on Claims, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War, submitting an estimate of appropriation for road from the Aqueduct Bridge to Fort Myer, Va.—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LITTLEFIELD, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 11599) to redivide the district of Alaska into three recording and judicial divisions, reported the same without amendment, accompanied by a report (No. 582); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 6553) to change the boundaries between the southern and central judicial districts of the Indian Territory and to establish a United States commissioner's court at Durant, Ind. T., reported the same with amendment, accompanied by a report (No. 583); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHACKLEFORD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 9962) to authorize the construction of a bridge over the Missouri River at or near the city of Kansas City, Mo., reported the same with amendments, accompanied by a report (No. 584); which said bill and report were referred to the House Calendar.

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 184) to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C., reported the same with amendment, accompanied by a report (No. 585); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Arizona, from the Committee on the Territories, to which was referred the bill of the House (H. R. 3090) to approve and ratify an act of the legislative assembly of the Territory of Arizona, entitled "An act to provide for the collection, arrangement, and display of the products of the Territory of Arizona at the International Exposition to be held at St. Louis in 1903," reported the same without amendment, accompanied by a report

(No. 586); which said bill and report were referred to the House Calendar.

Mr. ROBINSON of Indiana, from the Committee on the Territories, to which was referred the bill of the House (H. R. 9334) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc., reported the same without amendment, accompanied by a report (No. 589); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. PERKINS, from the Committee on Foreign Affairs, to which was referred the bill of the House (H. R. 11576) granting permission to Capt. B. H. McCalla and others to accept presenst and decorations tendered to them by the Emperor of Germany and others, reported the same without amendment, accompanied by a report (No. 581); which said bill and report were referred to the Private Calendar.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6467) granting an honorable discharge to Samuel Welch, reported the same without amendment, accompanied by a report (No. 588); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 7445) for the relief of the legal representatives of Neafie & Levy, reported the same without amendment, accompanied by a report (No. 590); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred, as follows:

A bill (S. 3097) granting an increase of pension to Joseph A. Nunez—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (S. 3064) granting an increase of pension to Emma Sophia Harper Cilley—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (S. 1942) granting an increase of pension to Kate H. Clements—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RODEY: A bill (H. R. 11721) providing for the reapportionment of the Territory of New Mexico—to the Committee on the Territories.

Also, a bill (H. R. 11722) for the relief of small-holding claimants within the limits of the grant to the Atlantic and Pacific Railroad Company—to the Committee on the Public Lands.

By Mr. HASKINS: A bill (H. R. 11723) increasing the limit of cost of the public building, including site, heretofore authorized to be erected at Newport, Vt.—to the Committee on Public Buildings and Grounds.

By Mr. CURTIS: A bill (H. R. 11724) to authorize and legalize the use of the system of chronology known as "The brophetic Biblical system of chronology," or "Cruzen's Christian Chronology," developed by James H. Cruzen—to the Committee on the Judiciary.

By Mr. JONES of Washington: A bill (H. R. 11725) to amend section 4139 and section 4314 of the Revised Statutes—to the Committee on the Merchant Marine and Fisheries.

By Mr. HOLLIDAY: A bill (H. R. 11726) making appropriations for the improvement of the Wabash River, in the State of Indiana, from the southern limit of the city of Terre Haute to the northern limit of the city of Clinton—to the Committee on Rivers and Harbors.

By Mr. STEPHENS of Texas: A bill (H. R. 11727) requiring the United States Government to furnish post-office boxes permanently to all citizens paying the first cost of their box in all post-offices now renting boxes to citizens, and to repeal all laws inconsistent with this act—to the Committee on the Post-Office and Post-Roads.

By Mr. LOUD: A bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation of employees thereof—to the Committee on the Post-Office and Post-Roads.

By Mr. EDWARDS: A bill (H. R. 11729) to amend section 2593 of the Revised Statutes, relating to ports of entry—to the Committee on Ways and Means.

By Mr. WILCOX: A bill (H. R. 11730) to fix the term of office of senators elected at the first general election of the Territory of Hawaii; also the apportionment of those to be elected at the general election in November, 1904—to the Committee on the Territories.

By Mr. SOUTHARD: A bill (H. R. 11731) providing for the purchase of a site and the erection of a public building thereon at Toledo, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. CASSEL: A bill (H. R. 11732) to provide for the erection of a public building at Columbia, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. ADAMS: A bill (H. R. 11733) to amend an act entitled "An act to allow the bottling of distilled spirits in bond," approved March 3, 1897—to the Committee on Ways and Means.

By Mr. NEEDHAM (by request): A bill (H. R. 11734) to amend section 2322, chapter 6, of the Revised Statutes of the United States—to the Committee on the Public Lands.

By Mr. TAYLER of Ohio: A bill (H. R. 11735) providing for the erection of an addition or extension to the post-office building at Youngstown, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. GOOCH: A resolution (H. Res. 142) to replace the name of Jefferson Davis, Secretary of War in 1853, on the bridge across Cabin John Creek—to the Committee on Military Affairs.

By Mr. KNOX: A resolution (H. Res. 143) making clerk of Committee on the Territories an annual clerk—to the Committee on Accounts.

By Mr. ELLIOTT: Memorial of the assembly of South Carolina, favoring the passage of the bill to promote the efficiency of the Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BELL: A bill (H. R. 11736) for the relief of O. E. Noland, of Mancos, Colo.—to the Committee on Claims.

By Mr. BOREING: A bill (H. R. 11737)) granting a pension to Irene Hill—to the Committee on Pensions.

By Mr. BOUTELL: A bill (H. R. 11738) granting an increase of pension to Orrin L. Mann—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 11739) granting an increase of pension to S. N. Northway—to the Committee on Invalid Pensions.

By Mr. BURK of Pennsylvania: A bill (H. R. 11740) for the relief of Thomas J. McGinnis—to the Committee on Claims.

By Mr. BURKETT: A bill (H. R. 11741) granting an increase of pension to George H. Holley—to the Committee on Pensions.

By Mr. CASSINGHAM: A bill (H. R. 11742) granting certain lots in Gnadenhutten, Ohio, to Gnadenhutten special school district—to the Committee on the Public Lands.

By Mr. CURTIS: A bill (H. R. 11743) for the relief of Charles Holborn, and for other purposes—to the Committee on Claims.

Also, a bill (H. R. 11744) to remove the charge of desertion from the record of Hubbard Frisbie—to the Committee on Military Affairs.

Also, a bill (H. R. 11745) for the relief of Hiram B. Hatten—to the Committee on Military Affairs.

Also, a bill (H. R. 11746) for the relief of Jessie K. Sirlott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11747) for the relief of Uriah Barnes—to the Committee on Military Affairs.

Also, a bill (H. R. 11748) granting an increase of pension to Samuel Ashmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11749) granting an increase of pension to Thomas Dockery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11750) granting an increase of pension to John Billingsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11751) granting a pension to Frederick Figalla—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11752) granting a pension to Richard L. Shanks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11753) granting a pension to Albert D. C. Walker—to the Committee on Pensions.

By Mr. BROWNLOW: A bill (H. R. 11754) for the relief of George Washington Wallace—to the Committee on Military Affairs.

By Mr. DAHLE: A bill (H. R. 11755) to provide compensation for injuries received by George E. Giles, of Watertown, Wis., at the Ford's Theater disaster, which occurred June 9, 1893—to the Committee on Claims.

By Mr. DALZELL: A bill (H. R. 11756) to remove the charge of desertion from the military record of Henry A. Levake—to the Committee on Military Affairs.

By Mr. DAVIS of Florida: A bill (H. R. 11757) for the relief of

the estate of Eliza Turner, deceased, Richard H. Turner, and Eliza Turner—to the Committee on War Claims.

Also, a bill (H. R. 11758) for the relief of the estate of W. A. D. Roberts—to the Committee on War Claims.

By Mr. GOOCH: A bill (H. R. 11759) for the benefit of John W. Kirby, late sheriff of Gallatin County, Ky.—to the Committee on Claims.

By Mr. HAMILTON: A bill (H. R. 11760) granting an increase of pension to William L. Thornton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11761) granting an increase of pension to Lewis H. Sanford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11762) granting a pension to Benjamin S. Harris—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 11763) granting a pension to Greenbury Hogue—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 11764) granting a pension to John Hurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11765) granting an increase of pension to Salina T. Helms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11766) granting an increase of pension to John Tindall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11767) granting an increase of pension to Cyrus H. Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11768) to correct the military record of Benjamin Cornwell—to the Committee on Military Affairs.

By Mr. JONES of Virginia: A bill (H. R. 11769) for the relief of Sarah Ann Collins and Lauretta Turlington—to the Committee on Pensions.

Also, a bill (H. R. 11770) for the relief of the heirs of John Turlington—to the Committee on Pensions.

Also, a bill (H. R. 11771) for the relief of William Thomas, of Accomac County, Va.—to the Committee on Claims.

By Mr. KEHOE: A bill (H. R. 11772) for the relief of William J. Meadows—to the Committee on Military Affairs.

Also, a bill (H. R. 11773) granting a pension to Gertie Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11774) granting an increase of pension to Nancy Pierce, widow of Frank H. Pierce—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 11775) for the relief of the heirs of George M. Campbell, deceased, late of Hot Spring County, Ark.—to the Committee on War Claims.

By Mr. LOVERING: A bill (H. R. 11776) granting a pension to George C. Peterson—to the Committee on Pensions.

By Mr. McCALL: A bill (H. R. 11777) granting an increase of pension to Mary A. Craigue—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: A bill (H. R. 11778) to correct the military record of Patrick O'Connor—to the Committee on Military Affairs.

By Mr. NAPHEN: A bill (H. R. 11779) granting an increase of pension to Margaret J. Kibble—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 11780) for the relief of Charles D. Watson—to the Committee on Military Affairs.

By Mr. OVERSTREET: A bill (H. R. 11781) to appropriate money to pay the claim of the Indiana State board of agriculture—to the Committee on War Claims.

By Mr. PALMER: A bill (H. R. 11782) granting an increase of pension to Allen Hockenberry—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 11783) granting an increase of pension to Charles M. Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11784) for the relief of B. F. Ludwig, former postmaster at Huntsville, Ala.—to the Committee on Claims.

Also, a bill (H. R. 11785) for the relief of William R. Rison, trustee of Harriet M. Barnard and others—to the Committee on War Claims.

By Mr. RYAN: A bill (H. R. 11786) granting a pension to Peter Clabeau—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11787) granting a pension to John J. Manner—to the Committee on Pensions.

By Mr. SHAFROTH: A bill (H. R. 11788) granting an increase of pension to Joseph Allison—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 11789) granting an increase of pension to D. T. Towles—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Alabama: A bill (H. R. 11790) granting an increase of pension to Abel Woods—to the Committee on Invalid Pensions.

By Mr. VANDIVER: A bill (H. R. 11791) granting a pension to Andrew Litzelfelner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11792) granting a pension to David E. Cummins—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 11793) granting an increase of pension to John Reily, Company B, Thirty-ninth Ohio Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 11794) granting an increase of pension to John M. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11795) granting an increase of pension to Martin V. Dial—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 11796) granting a pension to Mary Danahay, invalid sister of Daniel Danahay, late a private in Company H, Eighteenth New York Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11797) for the relief of Joseph D. Grinnell—to the Committee on Invalid Pensions.

By Mr. DAHLE: A bill (H. R. 11798) granting an increase of pension to Ole Oleson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11799) granting a pension to Christian A. Weber—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of William Cuppy Post, No. 195, Grand Army of the Republic, Department of Indiana, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. ADAMS: Resolution of Philadelphia Board of Trade, indorsing the acquisition of the Danish West India Islands—to the Committee on Insular Affairs:

Also, resolution of the Philadelphia Board of Trade, urging an early adjustment of the trade relations with Cuba—to the Committee on Ways and Means.

Also, resolution of the Philadelphia Board of Trade, relating to the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. ALEXANDER: Resolutions of Brotherhood of Locomotive Engineers, Division No. 105, of New York, N. Y.; Division No. 419, of Brooklyn, N. Y.; Division No. 15, of Buffalo, N. Y., and of D. F. Wait Lodge, No. 296, favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Tonawanda Branch, Lake Seamen's Union, of Tonawanda, N. Y., and of the Lake Seamen's Union of Buffalo, N. Y., protesting against the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of Marine Firemen, Oilers, and Wipers' Union No. 124 and of Journeymen Barbers' Union No. 141, of Buffalo, N. Y., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Lake Seamen's Union of Buffalo, N. Y., protesting against the passage of House bill No. 7189, to change the name of the United States Marine-Hospital Service to that of "United States Health Service"—to the Committee on Interstate and Foreign Commerce.

Also, protest of International Brotherhood of Electrical Workers No. 3, of New York City, against the passage of Senate bills 2054 and 1466, to regulate wiring in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BABCOCK: Resolution of the Board of Trade of La Crosse, Wis., favoring a national park reservation in Minnesota—to the Committee on the Public Lands.

Also, papers to accompany House bill 10782, granting a pension to Ole Steensland—to the Committee on Invalid Pensions.

By Mr. BARTLETT: Resolution of Central Labor Union, American Federation of Labor, of Rome, Ga., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Local Union No. 326, United Brotherhood of Carpenters and Joiners, of Macon, Ga., relative to admission of immigrants—to the Committee on Immigration and Naturalization.

By Mr. BELL: Resolution of stage employees, Colorado Springs, Colo., favoring the exclusion of Chinese—to the Committee on Foreign Affairs.

Also, resolution of A. Lincoln Post, No. 4, of Denver, Colo., Grand Army of the Republic, favoring the construction of naval vessels at Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of railroad conductors, Trinidad, Colo.; Carpenters' Union, Victor, Colo., and locomotive engineers, Pueblo, Colo., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BENTON: Petition of Liberal Post, No. 515, of Liberal, Mo., Grand Army of the Republic, advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. BOWERSOCK: Resolutions of the Merchants' Exchange of San Francisco, Cal., favoring the admission of certain classes of Chinese—to the Committee on Foreign Affairs.

Also, resolution of board of supervisors of Mohave County, Ariz., requesting Congress to fix a tax valuation on the property of the Santa Fe Railway Company throughout Arizona—to the Committee on Pacific Railroads.

Also, resolution of city council of Atchison, Kans., protesting against interference by the United States with construction of a Pacific cable by private enterprise—to the Committee on Interstate and Foreign Commerce.

Also, petition of Mrs. Mary T. Gray and other citizens of Kansas City, Kans., praying for the enactment of a law against polygamy—to the Committee on the Judiciary.

Also, resolutions of the synod of Kansas of the United Presbyterian Church, at Clay Center, Kans., protesting against the repeal of the anticanteen law—to the Committee on Military Affairs.

By Mr. BROMWELL: Petitions of Jacob Bossong, Albert Wettig, and other citizens of Hamilton County, Ohio, favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Boot and Shoe Cutters' Union No. 216, Jewel Workers' Union No. 4, Beer Drivers and Stablemen's Union No. 175, Cigar Makers' Union No. 481, Distillery and Yeast Workers' Union No. 9117, all of Cincinnati, Ohio, favoring exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. BROWN: Petition of Trans-Alaskan Railway Company, urging the passage of the bill granting land in Alaska for the construction of the railroad owned by the company named—to the Committee on the Public Lands.

Also, petition of James Shields Post, No. 145, Grand Army of the Republic, Department of Wisconsin, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolutions of the Marine Council of the Port of Milwaukee, Wis., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Henry C. Isbell Post, Grand Army of the Republic, Birnamwood, Wis., and Retail Clerks' Protective Association of Marinette, Wis., favoring the construction of naval vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Marine Council of the Port of Milwaukee, Wis., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

Also resolution of the Marine Council of Milwaukee, Wis., in opposition to House bill No. 9685—to the Committee on the Merchant Marine and Fisheries.

Also, petition of business men and liquor dealers in Arborvitae, Woodruff, and Minocqua, Wis., urging the passage of House bills 178 and 179, proposing to reduce the tax on whisky—to the Committee on Ways and Means.

By Mr. BURKETT: Resolutions of Post No. 84, Grand Army of the Republic, of Falls City, Nebr., favoring the building of naval vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of citizens of Richardson County, Nebr., favoring the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. CALDERHEAD: Petition of the Synod of Kansas, of the United Presbyterian Church, in opposition to liquor saloons, and against the repeal of the anticanteen law—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of the Western Retail Implement and Vehicle Dealers' Association, against House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of the board of supervisors of Mohave County, Ariz., in opposition to legislation exempting the Santa Fe Railway Company from taxation in Arizona Territory—to the Committee on Pacific Railroads.

Also, resolution of the Merchants' Exchange of San Francisco, Cal., for the admission of the mercantile class of Chinese—to the Committee on Foreign Affairs.

Also, memorial of the American Hawaiian Steamship Company, protesting against the passage of Senate bill 1970 and House bill 965, granting an American register to the foreign-built barkentine *Hawaii*—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Brotherhood of Locomotive Engineers, Herington Division, Kansas, favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the interstate-commerce law convention, St. Louis, Mo., for the passage of amendments to strengthen interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Manhattan Post, No. 271; Lew Gove Post, No. 100, Department of Kansas, Grand Army of the Republic, urging that the navy-yards be utilized for the construction of war vessels—to the Committee an Naval Affairs.

Also, editorial from the Commercial West relating to the evils of "bucket shops," and favoring a continuance of the tax—to the Committee on Ways and Means.

By Mr. CASSEL: Resolution of Cigar Makers' Union No. 301, of Akron, Pa., and Cigar Makers' Union No. 257, of Lancaster, Pa., favoring the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. CURRIER: Petition of Woman's Christian Temperance unions of North Weare, Peterboro, North Charlestown, and Epping, N. H., and petition of C. H. Knight and 14 other residents of Peterboro, N. H., favoring the adoption of an anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, resolutions adopted by Iron Molders' Union No. 257, of Nashua, N. H., favoring more strict immigration laws—to the Committee on Immigration and Naturalization.

By Mr. CURTIS: Petition of the Shawnee Indians, members of the Cherokee tribe, for a division of their lands—to the Committee on Indian Affairs.

Also, resolution of the Topeka (Kans.) Commercial Club, condemning the proposed Bowersock land-grazing bill—to the Committee on the Public Lands.

Also, resolution of Western Retail Implement and Vehicle Dealers' Association, held in Kansas City, Mo., against House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of International Association of Machinists of Topeka, Kans., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Quapaw Agency, Ind. T., against House bill 6563, to organize Quapaw County—to the Committee on Indian Affairs.

Also, resolutions of Post No. 253, of Axtell, Kans., Grand Army of the Republic; Barbers' Union, and Retail Clerks' Union, of Leavenworth, Kans., favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr. DAHLE: Petition of Philo C. Buckman Post, No. 153, of Stoughton, Wis., Grand Army of the Republic, favoring the building of vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. DALZELL: Papers to accompany House bill 11756, for the removal of the charge of desertion from the military record of Henry A. Levake—to the Committee on Military Affairs.

By Mr. DEEMER: Petition of Etz Post, No. 401, of Tioga, Pa., and of Colonel John D. Musser Post, No. 66, Grand Army of the Republic, of Muncy, Pa., favoring an investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolution of Carpenters and Joiners' Union No. 691, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. EDWARDS: Report to accompany House bill 11659, relating to Indians of the Crow Reservation in Montana—to the Committee on Indian Affairs.

Also, paper to accompany House bill 11729—to the Committee on Ways and Means.

By Mr. FOSS: Petitions of Retail Clerks' Union No. 444 and Piano and Organ Workers' Union No. 1, of Chicago, Ill., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Lake Seamen's Union of Chicago, Ill., protesting against the passage of House bills 9685 and 7185—to the Committee on the Merchant Marine and Fisheries.

By Mr. FOSTER of Vermont: Petition of Old Brigade Post, No. 47, Grand Army of the Republic, Department of Vermont, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, petition of J. W. Lavigne and 2 others, for tariff concessions to Cuba—to the Committee on Ways and Means.

By Mr. GOOCH: Resolutions of Watch Case Engravers' Union No. 2, of Newport, Ky.; Iron, Steel, and Tin Workers' Unions Nos. 5 and 8, of Newport and Covington, Ky., in favor of the re-enactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. GRAHAM: Report of the committee on resolutions of the Ohio Valley Improvement Association, Cincinnati, Ohio, for the improvement of the Ohio River at various points, etc.—to the Committee on Rivers and Harbors.

Also, resolutions of Branch Union No. 95, Glass Bottle Blowers'

Association, of Tarentum, Pa., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of the Chamber of Commerce of Pittsburg, Pa., in relation to the Pittsburg Pool and Davis Island Dam—to the Committee on Rivers and Harbors.

By Mr. GREEN of Pennsylvania: Resolution of Amalgamated Sheet-Metal Workers' Union No. 132, of Reading, Pa., asking the passage of a Chinese-exclusion law of permanent duration—to the Committee on Foreign Affairs.

By Mr. GRIFFITH: Petition of citizens of Adams, Decatur County, Ind., in support of an amendment to the Constitution for the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, resolution of Chapter Brown Post, No. 106, Grand Army of the Republic, of Valparaiso, Ind., in support of House bill No. 7533, granting land to soldiers—to the Committee on the Public Lands.

Also, papers to accompany House bill 10741, granting an increase of pension to Joseph F. Andrews—to the Committee on Invalid Pensions.

By Mr. HASKINS: Memorial of Garment Workers' Union No. 32, of Brattleboro, Vt., favoring reenactment of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, memorial of Reformed Presbyterian Church, of West Barnet, Vt., against reenactment of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, memorial of Garment Workers' Union No. 32, of Brattleboro, Vt., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. HEMENWAY: Petition of Laborers' Protective Union No. 7120, of Evansville, Ind., advocating the construction of war vessels in United States navy-yards—to the Committee on Naval Affairs.

By Mr. KNAPP: Papers to accompany House bill 11797, for the relief of Joseph D. Grinnell—to the Committee on Invalid Pensions.

Also, resolutions of Iron Molders' Union No. 78, of Watertown, N. Y., and G. W. Flower Post, No. 306, Theresa, N. Y., Grand Army of the Republic, favoring the construction of naval vessels at Government navy-yards—to the Committee on Naval Affairs.

By Mr. LANHAM: Resolution of Sunset Lodge, No. 177, Brotherhood of Locomotive Firemen, of Marshall, Tex., in support of Senate bill 1118 and House bill 1060, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. LIVINGSTON: Petition of Edward Crusselle, heir at law of Thomas G. W. Crusselle, late of Atlanta, Ga., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. LOUD: Resolution of the San Francisco Chamber of Commerce relative to the metric system of weights and measures—to the Committee on Interstate and Foreign Commerce.

By Mr. MAHON: Petition of John C. Arnold Post, No. 407, Grand Army of the Republic, Department of Pennsylvania, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. McANDREWS: Resolution of Boot and Shoe Workers' Union No. 94, Chicago, Ill., favoring restriction of undesirable immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Lake Seamen's Union, Chicago, Ill., protesting against the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

By Mr. McCALL: Petition of Committee of Council and Cooperation, representing 5,000 women of the State of Massachusetts, declaring against legalized vice in this country—to the Committee on the Judiciary.

By Mr. MINOR: Resolutions of Lake Seamen's Union, Chicago, Ill., and Marine Council of the Port of Milwaukee, Wis., protesting against the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Federated Trades Council of Greenbay, Wis., and Harrison Post, No. 91, Grand Army of the Republic, of Depere, Wis., for the building of war vessels in United States navy-yards—to the Committee on Naval Affairs.

Also, resolution of Marine Council of Milwaukee, Wis., to exclude Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Marine Council of Milwaukee, Wis.; Cigar Makers' Union No. 162, of Greenbay, Wis., and Marine Engineers' Association of Sturgeon Bay, Wis., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. MOODY of Massachusetts: Letter of National Woman's Christian Temperance Union, by Mrs. Margaret Dye Ellis, relating to matters in the Philippines—to the Committee on Insular Affairs.

By Mr. MOON: Papers of Pleasant Hixon to accompany House bill 1244, for the relief of Julia M. Onland—to the Committee on War Claims.

By Mr. MORRELL: Papers to accompany House bill 11450, relating to the correction of the military record of Bryan Healey—to the Committee on Military Affairs.

By Mr. MUTCHLER: Papers to accompany House bill to correct the military record of Patrick O'Connor—to the Committee on Military Affairs.

Also, resolutions of Cigar Makers' Union No. 466, of Easton, Pa., favoring reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. NAPHEN: Resolutions of the Atlantic Coast and Seamen's Union, of Boston, Mass., in favor of the seamen's clause in House bill 9330, relating to the exclusion of Chinese from competition with American workers—to the Committee on Foreign Affairs.

By Mr. OTEY: Resolutions of Carpenters and Joiners' Union No. 319, and Old Hickory Lodge, No. 168, of Roanoke, Va., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

Also, resolution of Carpenters' Union No. 319, of Roanoke, Va., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. OVERSTREET: Papers to accompany House bill 11781, to appropriate money to pay the claim of the Indiana State board of agriculture—to the Committee on War Claims.

By Mr. PALMER: Resolutions of Brewery Workmen's Union No. 163, of Wilkesbarre, Pa., and Union No. 33, of Pittston, Pa., in regard to immigration and the exclusion of cheap labor from Europe—to the Committee on Immigration and Naturalization.

By Mr. PATTERSON of Pennsylvania: Resolutions of Union No. 340, of Pottsville, Pa., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Mine Workers' Union No. 1687, of Seek, Pa., in favor of Chinese exclusion from the United States and our insular possessions—to the Committee on Foreign Affairs.

Also, resolutions of Allison Brothers Post, No. 144, Grand Army of the Republic, Department of Pennsylvania, for the building of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. RAY of New York: Resolution of Logan Post, Grand Army of the Republic, of Stamford, N. Y., favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Watertown Division, No. 227, Brotherhood of Locomotive Engineers, of Indianapolis, Ind., favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolution of Order of Railway Conductors, No. 154, Binghamton, N. Y., for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Order of Railway Conductors, No. 154, of Binghamton, N. Y., in favor of the reenactment of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill 11785, for the relief of B. F. Ludwig—to the Committee on Claims.

Also, papers to accompany House bill 11783, granting an increase of pension to Charles M. Montgomery—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of Boiler Makers, Summit City Lodge, Union No. 54, of Fort Wayne, Ind., favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of Fort Wayne (Ind.) Division, No. 12, Brotherhood of Locomotive Engineers, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Nebraska: Papers to accompany House bill granting a pension to John W. Genung—to the Committee on Invalid Pensions.

By Mr. RUMPLE: Resolutions of Muscatine Typographical Union, No. 251, of Muscatine, Iowa, urging the reclamation of arid lands and the construction of certain reservoirs—to the Committee on Irrigation of Arid Lands.

Also, resolutions by same organization, favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions by same organization, favoring an educational test for immigrants—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Petition of Iron Ore Handlers' Union No. 111,

Marine Firemen's Union, and Shovelers' Union No. 110, all of Buffalo, N. Y., favoring the construction of naval vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Lake Seamen's Union of Buffalo, N. Y., in opposition to the change of name of the United States Marine-Hospital Service—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Resolutions of Cigar Makers' Union No. 7, of Utica, N. Y., favoring the reenactment of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, petition of Elkhart Chapter, Division 248, and Indianapolis Division No. 11, Brotherhood of Locomotive Engineers, favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolutions of Cement Workers' Union No. 40, and Journeymen Bakers' Union No. 100, of Utica, N. Y., and Iron Molders' Union No. 246, of Frankfort, N. Y., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SHACKLEFORD: Resolutions of Carpenters' Union No. 945, of Jefferson, Mo., relative to the construction of vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr. SPERRY: Resolutions of Typographical Union No. 47, of New Haven, Conn., in favor of the reenactment of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 47, of New Haven, Conn., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. STARK: Papers to accompany House bill for the erection of a public building in the city of York, Nebr., consisting of a map of York County, a map of the city of York, a list of business houses in the city of York, manufacturing plants, wholesale houses, professional men, colleges, churches, public utilities, societies and clubs, train service, post-office business, and statement of buildings constructed during the last year, all furnished by the Commercial Club, York, Nebr., and letter of Hon. C. A. McCloud, mayor—to the Committee on Public Buildings and Grounds.

Also, papers to accompany House bill 9653, granting an increase of pension to James L. McGee, of Beatrice, Nebr.; also, papers to accompany House bill 10769, granting an increase of pension to Cyrus Payne—to the Committee on Invalid Pensions.

By Mr. STEELE: Resolution of Carpenters' Union No. 160, of Gas City, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. THOMAS of North Carolina: Paper to accompany House bill for the relief of the heirs of Jonathan Hawkins—to the Committee on War Claims.

By Mr. VREELAND: Two petitions of citizens of Jamestown, N. Y., favoring the adoption of an antipolygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, resolution of Carpenters' Union No. 546, of Olean, N. Y., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Leather Workers' Union of Olean, N. Y., and Street Railway Employees' Union of Jamestown, N. Y., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. WADSWORTH: Resolutions of Typographical Union No. 233, of Niagara Falls, N. Y., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Typographical Union No. 233, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Power City Lodge, Union No. 316, of Niagara Falls, N. Y., and of Retail Clerks' Union No. 489, of North Tonawanda, N. Y., favoring the building of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. WILCOX: Resolutions of the Republican party of Territory of Hawaii, disapproving any attempt to restrict the franchise of the natives of the islands—to the Committee on the Territories.

By Mr. WILLIAMS of Illinois: Resolutions of Rhoads Post, No. 58, of New Haven, Ill., Grand Army of the Republic, favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, paper to accompany House bill 11794, granting an increase of pension to John M. Stevens—to the Committee on Invalid Pensions.

Also, paper to accompany House bill 11795, for the relief of Martin V. Dial—to the Committee on Invalid Pensions.

By Mr. WRIGHT: Resolutions of Southern Tier Division, No. 10, Railway Conductors of America, favoring exclusion of undesirable immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Swarts Post, No. 72, and Lieutenant H. C. Titman Post, No. 93, Grand Army of the Republic, Department of Pennsylvania, relative to the construction of vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr YOUNG: Petition of Lydia B. Paxon and 5 others of Philadelphia, in relation to certain immoralities prevailing in the Philippines—to the Committee on Insular Affairs.

SENATE.

TUESDAY, *February 25, 1902.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of yesterday.

Mr. STEWART. I ask unanimous consent that the further reading of the Journal be dispensed with.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that the further reading of the Journal be dispensed with. Is there objection?

Mr. TURNER and Mr. DUBOIS. I object.

The PRESIDENT pro tempore. Objection is made, and the reading will proceed.

The Secretary resumed and concluded the reading of the Journal, and it was approved.

DEATH OF REPRESENTATIVE CRUMP.

Mr. MCMILLAN. Mr. President, I ask the Chair to lay before the Senate the resolutions from the House of Representatives in relation to the death of Hon. ROUSSEAU O. CRUMP, my late colleague in that body.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions of the House of Representatives, as follows:

IN THE HOUSE OF REPRESENTATIVES, *February 21, 1902.*

Resolved, That the House of Representatives has heard with profound sorrow of the death of Hon. ROUSSEAU O. CRUMP, late a Representative from the State of Michigan.

Resolved, That as a mark of respect to his memory the House do now adjourn.

Resolved, That the Clerk communicate these resolutions to the Senate.

Mr. MCMILLAN. Mr. President, I offer the resolutions which I send to the desk, and ask unanimous consent for their immediate consideration.

The PRESIDENT pro tempore. The resolutions will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. ROUSSEAU O. CRUMP, late a Representative from the State of Michigan.

Resolved, That as an additional mark of respect to the memory of the deceased the Senate do now adjourn.

The resolutions were unanimously agreed to; and, under the second resolution, the Senate (at 12 o'clock and 12 minutes p. m.) adjourned until to-morrow, Wednesday, February 26, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 25, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

PROPERTY TAKEN BY UNITED STATES FORCES.

Mr. SIMS. Mr. Speaker, I ask leave that House bill 2659, being a bill for the relief of parties for property taken from them by military forces of the United States, lie on the table, a similar bill from the Senate having been passed by the House.

The SPEAKER. The gentleman from Tennessee asks that House bill 2659 lie on the table, a similar bill from the Senate having been passed by the House. This order will be made, if there be no objection.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BREAZEALE, indefinitely, on account of sickness in family.

To Mr. VANDIVER, indefinitely, on account of important business.

To Mr. BOWERSOCK, for one week, on account of important business.

DIPLOMATIC APPROPRIATION BILL.

Mr. HITT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of appropriation bills, especially the one I shall call the consular and diplomatic appropriation bill.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the

state of the Union for the further consideration of consular and diplomatic appropriation bill.

The question was taken, and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. CURTIS in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the purpose of further considering the diplomatic appropriation bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903.

Mr. HITT. Mr. Chairman, at the time the committee rose the bill was being considered in general debate, and in resuming that general debate I will ask the Chair to recognize the gentleman from Tennessee [Mr. SIMS] for thirty minutes.

Mr. ADAMS. Will the gentleman yield one moment?

Mr. SIMS. Certainly.

Mr. ADAMS. I ask unanimous consent to extend my remarks of yesterday in the RECORD.

There being no objection, it was so ordered.

Mr. SIMS. Mr. Chairman, I hope the House will bear with me if I repeat just a little of what was said yesterday afternoon, as I was requested to yield the floor in order that the House might adjourn and pay its respects to a very distinguished citizen of a great country who was visiting our capital, Prince Henry of Prussia, and I yielded for that purpose. Now I want to say that I do not intend and it is not my purpose to say anything that will wound the feelings of any member of this House. I am serious about the remarks that I expect to make, and in some respects critical, but critical of a policy and not of the acts of individuals. This is a serious matter, when we consider the great amount that this Government has to pay year in and year out on account of pensions. I think the subject certainly worthy of reasonable and patient consideration. It is well known that on the days devoted by the rules of the House to the consideration of private pension bills we can not have time to discuss these matters in general.

I know that it is barely possible to consider a reasonable number of bills in proportion to the number on the Calendar for consideration, and that is my excuse for imposing upon the patience of the House at this time. Bear with me while I state the facts, which I think justify me in the remarks I am making. I am making no appeal to the galleries, but to this House, because I feel it is my duty to appeal to it, and it is for the House to consider the facts that I shall state. What I shall have to say will have no party politics in it, and is as much directed to this side of the House as to that.

There are some reasons for congratulation, and some of these I shall now state. The appropriation bill for pensions for the fiscal year 1900 was $145,233,830; for 1901, $145,245,230; for 1902, $145,245,230, and for 1903, the bill already passed the House, carries $139,842,230, or a reduction of $5,403,000 from 1902. It will take, according to the estimates, $5,403,000 less money to pay pensions for the ensuing fiscal year than for the last three fiscal years. While that is a fact, I wish to state that it is also true, as appears from the records, that we had on the pension rolls on the 1st of July, 1901, 997,735 pensioners, 4,206 more than the year before. While the total appropriation is $5,403,000 less, the pension roll has increased, as I have just stated.

That, I think, is something upon which we should congratulate those who manage the Pension Office, and it is a well-deserved congratulation. All just pension claims should be granted, and granted for reasonable amounts, and they should continue to increase if meritorious applications continue to come in. The continuation of military strife means a continuation of causes for pension, legitimate and worthy. Therefore it appears that the pension roll is going to be somewhat of a measure of "the greatest good to the greatest number," if we continue to increase the number of pensioners while we decrease the gross amount paid. I think it is more just to give every worthy person a pension reasonable in amount than to give large numbers excessive pensions and deny many of those justly entitled to reasonable pensions, because the amount to be paid may thus greatly increase year after year.

What I desire to talk about chiefly, and I hope I will have the earnest attention of the House, is the character of private bills that we pass, the number of them, the reasons for them, and what policy, if any, should be adopted by the House to prevent this flood of private bills for our consideration. At the present time, only three months of this session of Congress having passed, 5,672 private pension bills have been introduced and referred to the two Pension Committees. Now, it is reasonable to presume that each member in this House, in introducing a private pension bill, has done so seriously and with the intent to try to procure its passage. I want to know if it is possible for these two committees to give this great flood of bills such attention as they deserve?

I happen to know well the chairmen of both these committees. There are no two men for whom I have a higher regard; there are not, probably, two more honest and sincere in the public service. I want to say that I have had the pleasure as well as the honor of having lived four years in the same hotel with the chairman of the Committee on Invalid Pensions. I believe I know something about the facts, and I think I do not misrepresent them when I say that the chairman and the clerks of his committee work six days in the week; and I do not suppose I would misrepresent were I to say a good deal on Sundays also. It is work, work all the time, and yet what does it amount to? With this great amount of work, the number of bills considered and reported is very small in proportion to the number they are asked to consider.

Why should that be the case? That is one of the things I wish to inquire into and ascertain, if I can, what must be done in order to prevent it. If these 5,672 bills are just measures, they ought to be considered in a reasonable time and action taken on them in this House; but it is utterly impossible. I believe that I do not misstate the facts in saying that some members of this House have introduced as many as 200 private pension bills. Now, in justice to the membership of this House the committees have tried to deal fairly and report about the same number of bills for each member. What does it amount to? Two, three, four, possibly five to the member is all that can be reported, while he has forty or fifty unreported bills. These unreported bills perhaps just as meritorious and worthy of consideration as the meager number that are considered.

What is the consequence? When that member goes home he has on his hands 30, 40, or 50 men for whom he has been unable to get any measure of relief. They raise a fire of complaint behind him because three, four, or five bills have been reported. They have a just right to complain. Why should they be selected out of the number introduced for favorable action, while 40, 50, or perhaps 100 others just as good are not reported?

The member finds that getting a few bills reported and passed has only increased his troubles. The three or four whose pensions have thus been increased are often badly dissatisfied because they did not get as great an increase as they felt they were entitled to, and thus the clamor and the storm grows worse.

How can the committee do more than they are doing? How can they work harder? How can they report a greater number of bills and consider them at all? How can the House do more than it is doing? It is a remarkable spectacle to come into this House on private-bill day and see bill after bill pass without a word of information, simply trusting to the committee. Do not blame the House, do not censure it, because, do as it may, it amounts substantially to a denial of justice to a great number of men no doubt as worthy as those whose bills receive consideration.

Look into it; see the result. I say, Mr. Chairman, that this House ought not to undertake to revise the pension roll. It is not capable of doing it. It has not the necessary information nor has it the time to carry it out. General legislation is loudly called for to prevent this House from perpetrating the grossest favoritism and abuses. Take the pension bills passed in the short session of the last Congress. We had only four days—three whole days and a part of another—for pensions. There were passed 707 bills, an average of 177 at a sitting of the House. No more rapid work could be done to have the dignity of consideration and be entitled to it. Let us see what we did. It certainly presents a case for proper nd intelligent treatment. I do not profess to have all the information on this subject. I have but little, and I would be glad if some member of the House more conversant with the matter would give the information we so sadly need.

As I have just said, there were 707 bills passed at the short session in four sittings of the House, an average of 177 on each sitting. The amount appropriated per annum, in round numbers, was $120,000; that to continue for the life of the pensioners. In that short space, counting five hours to a session—and there were sessions when there were not over four hours—both in Committee of the Whole and in proper session, the House had to pass upon these 177 bills, amounting to about $30,000 a session, or $5,000 an hour. The amount involved calls for more deliberate consideration.

Nearly all of these bills were for increases for men who had had consideration at the Pension Bureau and had received a pension for some amount. I want this House to get an idea of the average increase. I will go a little into detail, in order that members may know that I am not overstating the matter. There were 467 bills for increases. Two hundred and sixty-five of that 467 increase the pensions already allowed by the Pension Bureau from 100 to 500 per cent.

The average increase for all is about 200 per cent over and above what the Bureau allowed.

Mr. Chairman, I here read from the last report of the Commissioner of Pensions a statement of the private pension bills passed at the short session of the Fifty-sixth Congress for increases, showing the amount of pension received under the general law

as allowed by the Pension Bureau and the amount given the soldier by private bill by way of increase, and I hope this table may be studied with both interest and profit by this House. The table shows the name of the soldier, his rank, and the pension he now receives by private act, and the amount he received prior to the special private act, as follows:

Name of soldier.	Rank and service.	Monthly rate—	
		By special act.	Prior to special act.
Michael Dempsey	Private	$12.00	$8.00
David S. Snyder	Captain	24.00	12.00
Nicholas Briggeman	Corporal	30.00	12.00
Cornwell M. Brill	Private	20.00	12.00
James A. Cabbell	do	24.00	12.00
James U. Childs	Second lieutenant	50.00	12.00
Charles Claussen	Private	20.00	17.00
George S. Colbath	Captain	20.00	8.00
George O. Cole	Private	30.00	12.00
Edwin Culver	Quartermaster-sergeant	50.00	30.00
Oliver Domon	Sergeant	30.00	12.00
Simon B. Dow	Corporal	12.00	8.00
Wilbur F. Dubois	First lieutenant	17.00	12.00
William N. Ferry	do	40.00	12.00
Louis Hebel	Captain	24.00	6.00
Joseph E. Hendrickson	Private	50.00	
John F. Hutchison	do	50.00	14.00
Charles H. Irvin	Captain	30.00	12.00
Matthew T. Jones	Private	30.00	14.00
Samuel W. Kirkendall	do	36.00	12.00
Byron Kurtz	do	30.00	12.00
John H. Morrison	First lieutenant	17.00	6.00
Eli H. Murray	Colonel	30.00	8.00
John Nicklin	First Battery Minnesota Volunteer Light Artillery.	24.00	17.00
Maj. A. Northrop	Wagoner	30.00	12.00
Daniel H. O'Linn	Private	17.00	12.00
Edward A. Parmalee	do	30.00	24.00
Ernst Pitschner	Sergeant	20.00	12.00
Alonzo C. Rembaugh	Captain	24.00	12.00
Lewis H. Riden	Private	24.00	12.00
Gideon W. T. Ridlon	do	30.00	12.00
Samuel R. Sharrard	Captain	20.00	8.00
Thomas J. Stillman	First lieutenant	17.00	12.00
John B. Sharpe	Corporal	12.00	8.00
William Stephenson	First lieutenant	25.00	17.00
Rowen Summers	do	17.00	8.00
Moses H. Taber	Private	40.00	25.00
Samuel A. Tate	do	20.00	8.00
Giles W. Taylor	do	30.00	12.00
Charles A. Westfield	do	30.00	24.00
John H. Wilcox	do	50.00	30.00
Martin V. B. Winkler	do	30.00	12.00
Boswell S. Wilmarth	Second lieutenant	15.00	8.00
John J. Wilson	Private	36.00	30.00
Melchior Weinheimer	do	24.00	8.00
Melancthon McCoy	do	50.00	25.00
Nicholas Crotsenburg	Second lieutenant	15.00	8.00
Edmund P. Tierney	Hospital steward	30.00	12.00
Edwin S. Anderson	Private	15.00	6.00
Andrew J. Arnett	Corporal	30.00	12.00
Samuel S. Brooks	Second assistant engineer	20.00	8.00
Issac N. Cissna	Corporal	30.00	16.00
James W. Cluke	do	20.00	8.00
Gilbert F. Colby	Private	24.00	12.00
John Coombs	do	40.00	30.00
Brice Davis	Musician	30.00	12.00
William Daniels	Corporal	12.00	8.00
William H. Danilson	Major	25.00	8.00
Jonathan W. Childs	Colonel	30.00	8.00
Lunsford Ellis	Private	20.00	12.00
Jesse F. Gates	do	30.00	17.00
William T. Gratton	do	30.00	8.00
George B. Hayden	Sergeant	24.00	12.00
Thomas G. Huff	Private	50.00	12.00
George W. Harrison	Captain and assistant quartermaster.	20.00	8.00
Alfred Hering	Private	20.00	8.00
James Irvine	Sergeant	20.00	12.00
Stephen Johnson	Private	17.00	8.00
Elam Kirk	Chaplain	30.00	12.00
Stephen Longfellow	Sergeant	30.00	24.00
William R. McMaster	Private	40.00	30.00
David H. Morey	do	40.00	12.00
Anthony Muck	Captain	20.00	8.00
Samuel Nichols	Private	20.00	8.00
William Oliver	Corporal	24.00	12.00
James Osborn	Private	25.00	17.00
Charles A. Perkins	Landsman	30.00	12.00
Jasper Pitts	Private	30.00	12.00
Francis M. Porter	Commissary sergeant	50.00	12.00
Eben E. Pushor	Corporal	20.00	10.00
Alexander Repetti	Lieutenant-colonel	25.00	8.00
Benjamin Rippleman	Private	17.00	10.00
Albert A. Roberts	do	12.00	8.00
John Roop	First assistant engineer	20.00	12.00
Joseph Smith	Private	17.00	6.00
Samuel Schutz	do	24.00	12.00
Cornelius Shroder	do	20.00	12.00
Sylvester Solomon	do	25.00	12.00
Henry Van Gelder	Corporal	30.00	12.00
Adam Velten	Private and sergeant	40.00	12.00
Thomas Claiborne	First lieutenant	12.00	8.00
James Coventon	Musician	16.00	12.00
Alfred W. Drew	First lieutenant	25.00	17.00
Bogardus Eldridge	Captain	30.00	20.00
W. G. Lyster	Colonel	35.00	25.00
Abram R. Smith	Private	$16.00	$8.00
Edward Wm. Sturdy	Lieutenant-commander	35.00	30.00
Melville C. Wilkinson	Captain	30.00	20.00
John A. Wilcox	Lieutenant-colonel	12.00	8.00
Charles A. D. Wiswell	Private	36.00	12.00
Frederick W. Baker	Captain	20.00	12.00
George W. Carr	Second lieutenant	12.00	8.00
Eli F. Chittenden	Corporal	50.00	17.00
Elsy Frisbey	Musician	12.00	8.00
William E. Ferree	Private	20.00	8.00
John Hutchens	do	12.00	8.00
Thomas J. Jackson	Lieutenant-colonel	50.00	30.00
Ellis P. Phipps	Second and first lieutenant	60.00	50.00
Alvin N. Sabin	First lieutenant	50.00	13.00
Thomas L. Turnipseed	Private	12.00	8.00
John L. Young	do	12.00	8.00
John Abell	do	24.00	12.00
Luke P. Allphin	First sergeant	12.00	8.00
Julian G. Baker	Quartermaster	20.00	10.00
Henry C. Brooks	Private	30.00	12.00
Frank Blair	do	16.00	12.00
James Beistle	do	17.00	8.00
Adam Beiger	do	24.00	12.00
Francis Buehler	do	20.00	17.00
Walter Mason Dickinson	Captain	30.00	20.00
Nancy L. Donaldson	Nurse	20.00	12.00
Andrew E. Dunham	Acting ensign	24.00	12.00
Jeremiah Everly	Private	30.00	12.00
David R. Ellis	Paymaster's steward	40.00	12.00
Hezekiah Herriman, alias Charles Clifford.	Sergeant	12.00	8.00
Henry A. Jordan	Private	24.00	6.00
James P. La Mott	First lieutenant	12.00	8.00
George Lee	do	25.00	17.00
Edward McDuffey	Coppersmith	30.00	8.00
Morton L. Phillips	Captain	20.00	8.00
Americus V. Rice	Colonel	100.00	36.00
Henry F. Rice	First lieutenant	50.00	30.00
Thomas H. Roberts	Sergeant	30.00	12.00
Smith Thompson	Second and first lieutenant	36.00	24.00
Peter Anderson	Private	30.00	12.00
William P. Aylesworth	do	24.00	12.00
Albert M. Bennett	do	20.00	12.00
Henry G. Bigelow	do	45.00	30.00
Alexander Boltin	do	24.00	12.00
David Briggs	do	12.00	12.00
Gorton Brown	do	30.00	12.00
Hiram M. Bryson	First lieutenant	17.00	10.00
Michael Dignon	Private	30.00	10.00
Thomas Duffy	do	20.00	8.00
Charles Forbes	do	24.00	17.00
Gabriel M. Funk	do	24.00	17.00
John H. Gardner	First lieutenant	30.00	12.00
William H. Gibbs	Captain	12.00	6.00
Franklin I. Gilbert	Private	17.00	6.00
Charles Gilpin	Lieutenant-colonel	30.00	8.00
Joel H. Hallowell	Private	30.00	12.00
Burwell Hinchman	Sergeant	24.00	17.00
Richard Holloway	Private	30.00	12.00
Michael Howlett	First lieutenant	30.00	12.00
John Kinsey	Private	24.00	12.00
George F. White	do	17.00	12.00
Lewis Wilson	Colonel	30.00	8.00
Joseph Zimmerman	Sergeant	17.00	8.00
Horace L. Stiles	Private	50.00	8.00
Orville H. Cram	do	17.00	8.00
H. S. Reed, alias Daniel Hull	Seaman	24.00	6.00
George P. Beach	Private	24.00	17.00
David E. Bedell	do	22.00	12.00
James Brown	First lieutenant	30.00	6.00
Francis H. Buffum	Sergeant	20.00	8.00
Charles C. Bunty	Private	24.00	12.00
Wm. J. Cannon, alias James Cannon.	do	30.00	12.00
Bernard P. Chenoweth	Captain	30.00	20.00
William F. Cloud	Colonel	25.00	12.00
Horatio N. Davis	Captain	50.00	12.00
Robert A. Edwards, jr	Second lieutenant	24.00	15.00
George S. Fisher	Sergeant	12.00	8.00
Cyrus A. B. Fox	Musician	16.00	6.00
William Fox	Private	18.00	8.00
Charles Frye	Sergeant	30.00	20.00
Carroll W. Fuller	Private	20.00	10.00
John Geibel	do	30.00	12.00
William Gordon	Captain	30.00	24.00
Harvey Graham	Colonel	30.00	8.00
Richard O. Greenleaf	Captain	30.00	12.00
Joshua B. Harris	Corporal	20.00	12.00
Daniel L. Harbaugh	Private	24.00	12.00
Jacob Hight	do	30.00	17.00
Frederick O. Lathrop	do	16.00	8.00
George A. Libby	do	20.00	10.00
Leonhart Miller	do	12.00	8.00
Smith Miner	do	17.00	6.00
Madison McCollister	do	30.00	12.00
Matthew McDonald	do	50.00	24.00
George W. Myers	do	24.00	12.00
George W. Plants	Corporal	24.00	12.00
Richard H. Pond	First lieutenant	17.00	8.00
Robert A. Reid	Private	24.00	8.00
Thomas H. Roberts	Sergeant	30.00	12.00
Samuel Ryan	Quartermaster-sergeant	30.00	12.00
Lyman A. Sayles	Private	30.00	16.00
Chauncey Sheldon	do	24.00	17.00
Martin Sherwood	do	24.00	12.00
John C. Sheuerman	do	24.00	12.00

Name of soldier.	Rank and service.	Monthly rate— By special act.	Monthly rate— Prior to special act.
William Snider	Corporal	$24.00	$14.00
Louis Snyder	do	40.00	30.00
James Henry Stillman	Private	22.00	10.00
Thomas Tate	First lieutenant	17.00	8.00
Henry S. Topping	Quartermaster-sergeant	50.00	17.00
Amos Van Nausdle	Sergeant	20.00	10.00
John Walker	Private	30.00	12.00
Amos L. Hood	do	12.00	10.00
Hiram I. Hoyt	Corporal	30.00	12.00
Samuel N. Hoyt	Sergeant	30.00	12.00
Henry D. Johnson	Private	30.00	17.00
John G. Merritt	Sergeant	12.00	8.00
James M. McFry	Private	24.00	12.00
Oliver W. Miller	do	14.00	8.00
William I. Miller	do	36.00	12.00
Henry Muhs	Captain	50.00	12.00
George A. Parker	Sergeant	50.00	12.00
Thomas T. Phillips	Private	25.00	12.00
Ezra S. Pierce	do	24.00	17.00
Hiram J. Reamer	do	20.00	12.00
Andrew Reed	do	30.00	14.00
Norton Schermerhorn	Sergeant	40.00	16.00
Charles Stewart	Private	30.00	16.00
John D. Thompson	Corporal	24.00	12.00
Frederick Vogel	Private	24.00	17.00
Bernard Wagner	Captain	24.00	12.00
George S. Wentworth	Private	12.00	8.00
Ross Wheatley	do	30.00	17.00
Joseph B. Whiting	Surgeon	50.00	25.00
Wiley J. Worley	Sergeant	15.00	8.00
Andrew J. Woodman	First lieutenant	30.00	24.00
John D. Allen	Sergeant	17.00	12.00
James Barton	Private	30.00	12.00
Patrick Brennan	do	40.00	12.00
Michael S. Brockett	Sergeant	30.00	16.00
Henry H. Brown	Private	17.00	6.00
John E. Brown	do	12.00	8.00
Albert Buck	do	24.00	12.00
Chamness S. Burks	Sergeant	30.00	12.00
James M. Campbell	Private	20.00	6.00
Frank F. Carnduff	Corporal	24.00	17.00
Charles W. Clancy	Lieutentant-colonel	15.00	8.00
John D. Cohler	Corporal	50.00	36.00
Patrick Connelly	Private	30.00	24.00
Thomas A. Cord	First sergeant	50.00	30.00
Robert P. Currin	Private	16.00	8.00
George W. Cox, alias John Smith.	Corporal	24.00	12.00
Burdette N. Cleveland	Sergeant	30.00	12.00
John W. Dininny	Colonel	25.00	8.00
George H. Dobyns	Captain and assistant quartermaster.	30.00	20.00
Albert L. Duddleson	Private	40.00	12.00
Edwin G. Fay	Second lieutenant	50.00	12.00
William P. Flynn	Private	18.00	8.00
David Flinn	Landsman	20.00	12.00
Franklin F. Flint	Colonel	24.00	8.00
Maurice Fitzgerald	First lieutenant	15.00	12.00
Johnson H. Fitzpatrick	Private	17.00	10.00
Albert Foster	do	30.00	17.00
William C. Griffin	do	20.00	8.00
John W. Godfrey	Acting master	16.00	8.00
E. Bradford Gay	Private	50.00	24.00
Charles Hawkins	Seaman	40.00	22.00
Aquilla Hardy	Private	25.00	12.00
Silas Howard	Corporal	25.00	12.00
Edward Hause	Private	30.00	12.00
Andrew J. Harbison	do	20.00	8.00
Thomas Jefferson Holmes	do	36.00	12.00
George W. Hissey	do	25.00	12.00
James R. Husted	do	30.00	12.00
John R. Joy	do	30.00	12.00
Amory K. Johnson	do	12.00	8.00
Gideon Johnson	First lieutenant	50.00	30.00
Perry C Jeffry	Private	12.00	6.00
William W. King	do	30.00	24.00
John T. Knox	do	12.00	8.00
Charles H. Knapp	Corporal	30.00	17.00
Jacob W. Kouts	do	36.00	12.00
Joseph Kemper	Private	20.00	12.00
Marcellus A. Lothrop	do	30.00	12.00
Elliott Loomis	do	20.00	8.00
Joseph N. Loving	do	17.00	12.00
John Q. Mallard	do	12.00	8.00
Samuel Minnich	do	17.00	8.00
Robert H. Metcalf	do	25.00	12.00
Richard P. Mitchell	Surgeon	25.00	12.00
George Mowry	Private	30.00	12.00
Fred. G. McDowell	do	24.00	12.00
John F. McGlensey	Captain	35.00	30.00
John A. Nelson	Second-class boy	12.00	8.00
Louis Nessell	Private	18.00	12.00
George P. Overton	do	24.00	12.00
James Paul	Sergeant	24.00	10.00
Abram P. Pew	Private	30.00	17.00
Lewis W. Phillips	do	30.00	17.00
Francis H. Pike	Musician	24.00	10.00
John R. Robinson	Private	24.00	12.00
Aaron R. Rohrback	Corporal	20.00	12.00
Gustav Rienecker	Second lieutenant	30.00	12.00
Jerome R. Rowley	Corporal	60.00	45.00
William P. Rucker	Major	50.00	12.00
James W. Russell	Chaplain	12.00	6.00
Alexander C. Scott	Captain	30.00	12.00
Daniel W. Shaw	Private	17.00	12.00
William W. Schooley	do	40.00	30.00
William H. Simmonds	Private	$24.00	$12.00
Daniel Smith	do	40.00	12.00
Samuel S. Stafford	First lieutenant	30.00	17.00
Bela Sawyer	do	40.00	17.00
William S. Swaney	Private	50.00	36.00
Jacob E. Swap	do	40.00	24.00
Isaac D. Toll	Captain	12.00	8.00
William M. Tom	Private	24.00	12.00
James A. Thomas	do	45.00	8.00
Benjamin T. Thomas	do	30.00	12.00
Hugh Thompson	do	24.00	12.00
Douglas Tolson	do	12.00	8.00
Daniel E. Turner	do	40.00	12.00
Ferdinand Wagner	do	30.00	16.00
Edward Warner	do	40.00	12.00
Franklin Warren	do	24.00	10.00
Henry L. Whitehead	First lieutenant	17.00	8.00
Edwin A. Wilson	First and second lieutenant.	16.00	8.00
William B. Wright	Colonel	40.00	30.00
Andrew J. West	Private	40.00	16.00
John B. Frisbee	Seaman	12.00	12.00
Samuel F. Bell	Private	24.00	17.00
John H. Bliss	do	24.00	12.00
John Burns	Corporal	14.00	6.00
Peter Brunette	Private	40.00	17.00
Augustus L. Chetlain	Brigadier and brevet major-general.	40.00	12.00
Solomon Delzell	Private	40.00	12.00
Benjamin Eason	Captain	24.00	10.00
Michael Falkoner	Private	30.00	12.00
Don. Farrington	do	24.00	12.00
James Gatton	do	24.00	12.00
Benjamin H. Gilman	Captain	30.00	20.00
Sylvanus A. Gifford	Corporal	30.00	12.00
William Gross	do	24.00	12.00
Levi C. Hare	do	24.00	12.00
Jacob C. Hansel	First lieutenant	36.00	12.00
Edgar Hill	Private	30.00	12.00
Nicholas B. Ireland	do	40.00	12.00
Lealdes F. Laverty	do	30.00	24.00
James Mason	do	30.00	12.00
Condy Menalis	do	12.00	8.00
Reamus G. Morris	do	16.00	12.00
Gilbert L. Pierce	do	36.00	12.00
William H. Ransom	do	36.00	12.00
Benjamin F. Shott	do	24.00	17.00
Julius Sporleder	Sergeant-major	30.00	12.00
Philip Volkner	Private	24.00	12.00
Thomas J. Young	do	50.00	30.00
William Ashmead	Captain	12.00	12.00
William L. Aten	Private	20.00	12.00
Philetus M. Axtel	Corporal	16.00	12.00
William H. Ball	Colonel	50.00	12.00
Hubert Bascombe	Private	30.00	12.00
James H. Bellinger	do	20.00	12.00
George W. Bodurtha	do	20.00	8.00
Charles Bridges	Sergeant	17.00	12.00
Alexander W. Browning	Private	40.00	30.00
James F. Bruner	Assistant surgeon	17.00	
George F. Burrage	Private	24.00	12.00
John W. Canaday	do	20.00	8.00
Uriah Clark	Sergeant	20.00	16.00
Charles R. Cole	First sergeant	24.00	12.00
Edmund R. Colhoun	Rear-admiral	40.00	30.00
Stacy H. Cogswell	Corporal	50.00	12.00
John T. Comegys	Private	50.00	30.00
Edmund Cragg	do	20.00	8.00
Frank F. Crenshaw	Captain	50.00	28.00
Warren Damon	Sergeant	12.00	8.00
Jesse N. Dawley	Private	24.00	17.00
James C. Delaney	Musician	20.00	12.00
John W. Eichelberger	Corporal	24.00	14.00
David I. Ezekiel	Second lieutenant	20.00	15.00
Albert H. Fairchild	Private	30.00	6.00
George W. Fansler	do	20.00	8.00
Charles H. Force	Sergeant	24.00	8.00
William H. Gardner	Second lieutenant	30.00	17.00
William Grills	Private	25.00	12.00
Henry Guckes	Second lieutenant	30.00	12.00
James W. Harden	Private	30.00	12.00
Henry Holmes	Corporal	15.00	8.00
William I. Henry	Major	24.00	8.00
John L. Hyde	Quartermaster-sergeant	17.00	8.00
Lewis S. Horsey	Private	12.00	6.00
Henry Hegwer	do	40.00	12.00
Zadok S. Howe	do	50.00	12.00
George C. Jarvis	Surgeon	50.00	12.00
Jeremiah Jackson	Private	12.00	8.00
Robert H. Jones	do	40.00	12.00
Linsay C. Jones	Corporal	12.00	6.00
John Johnson	Private	36.00	24.00
Theron Johnson	Paymaster's steward	30.00	12.00
Morris B. Kimball	Private	30.00	12.00
Henry Keene	do	24.00	14.00
Franklin Kersting	do	30.00	12.00
Henry W. Lawton	Lieutenant-colonel	50.00	30.00
Morris Leavey, alias Lewis.	Sergeant	25.00	12.00
Charles L. Leiper	Colonel	30.00	8.00
Elias M. Lynch	Private	12.00	8.00
Woodford H. Mabry	Colonel	50.00	30.00
Charles A. Marsh	Private	50.00	12.00
Fielding Marsh	do	20.00	12.00
Oscar A. Mack	Lieutenant-colonel	50.00	30.00
Jesse Millard	Corporal	30.00	6.00
James M. Munn	First lieutenant	50.00	30.00

Name of soldier.	Rank and service.	Monthly rate— By special act.	Monthly rate— Prior to special act.
Samuel Z. Murphy	Private	$24.00	$17.00
John W. Phillips	do	24.00	12.00
William J. Potts	do	20.00	8.00
Hippolyte Perrault	First lieutenant	30.00	12.00
Adolphus Richardson	Corporal	24.00	8.00
Martin Rodman	Sergeant	40.00	24.00
James Ryan	Private	30.00	12.00
Selah V. Reeve	Captain	24.00	12.00
John Scott	Private	24.00	10.00
Charles Scott	Lieutenant-colonel	50.00	22.50
Charles T. Shaw	First lieutenant	24.00	12.75
Peter Shelt	Private	25.00	12.00
Samuel H. Smith	do	20.00	8.00
Henry Smith	do	20.00	12.00
George Starr	do	20.00	8.00
Charles L. Summers	Second lieutenant	15.00	12.00
Norman Stewart	First lieutenant and regimental quartermaster.	17.00	8.00
George N. Tarburton	First sergeant	20.00	12.00
Asa W. Taylor	Corporal	30.00	24.00
John H. Taylor	Private	30.00	12.00
John F. Townsend	First-class fireman	30.00	12.00
Marvin V. Tufford	Private	24.00	14.00
Edward W. Ward	Captain	30.00	17.00
Daniel W. Warren	Private	50.00	24.00
Thomas M. Wimer	do	20.00	8.00
Merit C. Welsh	Colonel	30.00	20.00
William C. Whitney	First lieutenant	30.00	12.00
Charles F. Williams	Colonel	50.00	30.00
Elijah Baxter	Private	30.00	12.00
William H. H. Bouslough	do	12.00	6.00
Lewis Black	do	30.00	12.00
Samuel Baughman	do	12.00	6.00
John F. Carbee	do	12.00	6.00
Henry H. Coston	Captain	20.00	15.00
Upton F. Cramer	Private	15.00	8.00
Ajax Causey	do	20.00	8.00
Ezekiel Dawson	Assistant surgeon	30.00	17.00
Isaac H. Duvall	Brigadier-general	50.00	30.00
Milbre V. Douglass	Sergeant	40.00	30.00
William N. Hall	Quartermaster-sergeant	20.00	12.00
John A. Hardy	Private	12.00	8.00
William Hays	Brigadier-general	50.00	30.00
John W. Horner	Private	24.00	12.00
James Hickey	Sergeant	30.00	12.00
Peter M. Hill	Captain	30.00	12.00
Alfred H. Jones	Private	50.00	36.00
Thomas J. Kerstetter	Corporal	50.00	24.00
Edgar F. Koehler	First lieutenant	25.00	17.00
Eugene Leahy	Coal heaver	40.00	12.00
Charles W. Little	Private	30.00	12.00
Samuel A. Needham	do	17.00	8.00
Albert Pratt	Artificer	12.00	8.00
Charles C. Parsons	Captain	20.00	8.00
Roddie Reynolds	Acting master's mate	20.00	12.00
George B. Smith	Sergeant	17.00	12.00
Samuel C. F. Seabury	Corporal	30.00	12.00
Sidney E. Stuart	Captain	30.00	20.00
Francis M. Thompson	Musician	60.50	50.00
Nehemiah Tunis	Captain	20.00	12.00
Grotius N. Udell	Private	72.00	36.00
Total		16,348.00	6,319.00

Here are cases of $12 to $24, $12 to $30, $12 to $50, $8 to $20, $12 to $40, $6 to $24, $14 to $50, $14 to $30, $12 to $36, $6 to $17, $8 to 30, $12 to $24, $8 to $20, $25 to $40, $36 to $100, and so on through the entire list.

No doubt many of these bills ought not to have passed. This House ought to be able to establish some rule by which injustice shall not be done to that great body of pensioners who have received consideration at the Pension Bureau, and who are not knocking at the doors of Congress for increases by private acts, by refusing to give others who had either no title or one so defective that the Bureau refused to give any pension even greater pensions by private acts than if they had perfect and indefeasible title under general law.

Now, we will say, for example, that $20 per month should be the highest amount allowed under general law to soldiers of the Mexican war or to soldiers of the war between the States under the act of 1890, both being dependent service-pension acts.

No private bill should be reported for a greater amount. The act of July 14, 1890, provides for a pension of $12 per month where there is dependency. Now, how much should we, by general law, in case of total disability allow? Suppose the amount should be $20 per month, same as we would allow the Mexican soldier. No private bill should be passed for more than that amount. In such cases let the committee refuse to report and the House refuse to pass a bill for a greater amount. If the amount fixed by general law is not high enough, then let it be increased by general law.

Of course I assume that nothing except honorable influence is exerted. But we know that often a worthy, a popular, a strong member of this House goes to either of these committees and says, "I have a constituent who is in a terrible condition," and then he describes the man's condition. He says "I want you to do the best you can for him in regard to this pension." Then members, on account of the pitiful description given of the particular case and on account of the influence of the member who introduced the bill, are induced to give more than would otherwise be granted. But the member who asks the committee to do more for a particular individual than the member would be willing to do for the constituent of any other member on the floor is doing wrong.

I ask whether any member here has ever heard a member make a motion to reduce the amount allowed by the committee? I have known of only one member, whose name I will not mention, who has ever moved such an amendment. But, on the other hand, how often is it the fact that after the committee has given a pension bill mature deliberation, careful consideration, and decided to report a bill liberal in its provisions, some member of the House, eloquent perhaps, strong in personal influence, has asked the House to increase the amount of the proposed pension beyond what the committee has reported and to do this upon a statement which he makes here on the floor.

I criticise, and I think justly, any such proceeding. If there should be reported from the committee a bill for an insufficient amount, the proper method to pursue is to ask that the bill be reconsidered, or, if necessary, recommitted, and then let the committee hear the evidence offered which they did not at first have before them, and determine the question. But, sir, the committee has little inducement to be reasonable and conservative in its action if, when it makes a report, the amount allowed in the report is increased on the floor of this House—increased, it may be, without additional evidence bearing upon the case. Such action by the House is impliedly a rebuke to the committee. It is equivalent to saying to the committee, "You have not treated this soldier fairly and justly." I repeat that if there is evidence in such a case that was not submitted to the committee the bill ought to be recommitted and the committee allowed to consider the new evidence.

For reasons like these ever since I have been a member of this House I have always supported the action of the committee, because I believe they have the best opportunity to consider the merits of the case. They are in fact the only members who have such opportunity. They are no doubt influenced often in their action by the personal appeals of members in particular cases, but this influence does not operate upon the committee to the extent that it does upon the House. When an impassioned appeal is made here in behalf of some poor, deserving soldier we all feel kindly and sympathetic, and we are apt to go wild and sometimes grant a pension four times, five times, or six times larger than the soldier can get at the Pension Bureau under the general law and the established rulings of the Department.

Now, my friends, the granting of increased pensions in these exceptional cases is not going to help you at home. We will suppose that in fifty cases where applications are made from your district for increase of pensions you succeed in getting through the increase in two or three cases. You do not help yourself at home. We from the South are perhaps in a better position for success in cases of this kind than others; no doubt a greater percentage of our bills are passed than of other members, because there are fewer applications from the South. The soldiers who served in the Spanish war are from all parts of the Union, not entirely from one section. And we at the South are going to have trouble in regard to this matter. I appeal to the wisdom of the House to deal with this question seriously, honorably, liberally. Let us settle these matters as far as possible by general legislation. Let us have in this House no applications or very rare applications for increases; and when such increases are granted, let them be reasonable in amount and let them be uniform. Here are hundreds of bills on this Calendar in which increases are reported from $8 to $20; from $12 to $24; from $12 to $34; from $12 to $50. There is no uniformity in these increases. No rule seems to be followed, either by members of the committee or by the House.

I indulge in no criticism of gentlemen who are members of the Pension Committee, because they are subjected to these appeals year in and year out, and it is but human nature to give way to the pleadings of want and suffering. But it is the duty of this House to act intelligently and justly on these applications.

I want to say something, not in any spirit of criticism, but simply because it appears to be a fact. As I said, I have no thought of criticising any member of the Pension Committee unjustly, because I know and respect them all and think that they are as good as I am, and may be better under like circumstances, but three members of this committee come from one State.

Mr. GAINES of Tennessee. What State is that?

Mr. SIMS. The State of Michigan. Two of them come from the State of Indiana. It is no reflection if they all come from either of those States. They could, and still be very good men; but the applicants for private acts from those States have an

advantage which can not be prevented. Now, I wish to show you just a few figures here. Take the State of Indiana. The number of pensioners in that State is 66,974, and the gross amount paid by this Government to those pensioners is $10,291,896.75 per annum. That State has two members on the committee. Now, let us take the great State of Illinois, right beside it, and I suppose that State furnished pro rata as many soldiers as did Indiana. That State has on the pension roll 70,481, a greater number by several thousand than Indiana, and those pensioners receive $9,757,003.75. Let us take the State of Michigan, with three members on the committee. There are on the roll from Michigan 44,050 pensioners, who receive $6,653,101.55. Now take the State of Pennsylvania. Pennsylvania has on the pension roll 104,345, and they receive $13,378,371. The average annual value of a pension in Michigan is, in round numbers, $150, while the average value in Pennsylvania is but $125. The average annual value in Indiana, in round numbers, is $150, while in Illinois it is $137.

Mr. SULLOWAY. Will the gentleman yield a moment?

Mr. SIMS. Certainly.

Mr. SULLOWAY. Does the gentleman contend that the allowance made to these pensioners can in any way be affected by the Committee on Invalid Pensions or the Committee on Pensions?

Mr. SIMS. Only in this way: With a greater number of members on the committee there is a better opportunity for those applying for private pensions from that particular State to get them reported.

Mr. SULLOWAY. But a very small per cent of those you name are by private act.

Mr. SIMS. I must state that I do not know just how many are by private act; neither do I know how it happens that three members of this committee come from one State and two members from another.

Mr. SULLOWAY. I want to say in answer to that, if the gentleman will pardon me, that Michigan gets no advantage in that. One of those three members is assigned to the committee that has the territory of Michigan in charge and the other two are somewhere else.

Mr. SIMS. Why, Mr. Chairman, as far as I know, they may be the very best members of that committee. Some of them I know personally and regard them highly; but an analysis of the figures that I have quoted shows that from some cause there is a great disparity in the average value of pensions from different States where the soldiers seem to have had the same service.

Mr. MAHON. Will the gentleman yield a moment?

Mr. SIMS. Yes.

Mr. MAHON. I would like to state that troops from different States were frequently in more severe battles than troops from other States, and in that way more men were badly injured than others. This disparity that the gentleman speaks of comes from the service. It can not be regulated in any way.

Mr. SIMS. I can not go into all the causes, but I think it is a significant fact that the average value of a pension from your State is $125, taking the whole State over, and from the State of Michigan it is $150.

Mr. MAHON. It comes because of severe service.

Mr. SIMS. Of course, that applies to the Bureau and to private legislation; but I am pointing out that injustice does exist and it exists in considering bills on this floor. Why, no longer ago than the last pension day a distinguished gentleman from Pennsylvania rose and made one of the most tender and appealing speeches I ever heard, asking an increase in a pension bill over the committee's report. The committee opposed it through one of its members and the increase was not made, and I thought properly—not that I doubted the gentleman's word, but he ought to have given the information he stated to the House to the committee.

Then another gentleman on this side of the House rose and asked for an increase of pension from $24, as reported, to $36. By special act that had already, as I recollect it, been doubled by the committee. The gentleman to whom I refer made statements that, I think, should have been considered by the Committee on Invalid Pensions, and the chairman of that committee very kindly stated that the committee reported all they thought the applicant ought to have with the evidence before them, but that he could not question the word of the distinguished gentleman on this side [Mr. RICHARDSON of Tennessee], and therefore made no objection, and it went right through. Now, was there any more justice in denying the Pennsylvania soldier an increase than the Tennessee soldier?

Mr. SULLOWAY. If the gentleman will permit me, I would like to say that the gentleman on your side of the House produced some evidence here that was not before the committee and he made a much stronger case, and that was the reason for raising no objection.

Mr. SIMS. I understand that, and that is the reason the chairman stated what he did. But are we to be witnesses in all of these cases on the floor of the House and not before the committee? We can not get up here and question what a member says. He says what he believes to be true and his information may be true; but I say, let him go to the committee and make these statements.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMS. I would like to have five minutes more.

Mr. HITT. I yield five minutes more to the gentleman.

Mr. SIMS. If a member of this House gets information after the bill has been reported, why then let him ask that the bill be recommitted, and let it come regularly. Now, what is the result of our present methods? What would the entire pension roll amount to if acted on by Congress in this way? I have shown you what 465 cases amount to, that it amounts to double what could have been obtained under the general law. A man goes before the Pension Bureau with an imperfect title. If he had a good title he would get $12, but he can not make it and he does not get anything. Then he comes here, and out of kindness of heart and liberality the House gives him $24, when he could not have gotten over $12 if he had had a good title. I say that the House ought to hold itself down, and whenever they give a pension to a man because of his not being able to strictly comply with all the technicalities of the law they should not give him more than he would have received if he had the proper proof at the Bureau. There are hundreds of soldiers of like service, where there is no doubt of their injury, who receive their pension by the Bureau, and they make no complaint, but those who have a doubtful title come here and are awarded 100 per cent over what they could have obtained if they had had a good title.

Mr. SULLOWAY. Will the gentleman yield a moment?

Mr. SIMS. Yes.

Mr. SULLOWAY. I think that is a very unfair statement in view of the fact that when a claimant has made a case before the Bureau with evidence sufficient to hang any member of this House before an intelligent jury, and he is rejected, then the Committee on Pensions gives him what it thinks he ought to have upon that evidence.

Mr. SIMS. Mr. Chairman, I do not know just how much evidence it would take to hang a member of this House. It might not take very much in some cases, but I am presuming that the law officers of this Government do their duty. If they do not, why do they remain in office?

Mr. SULLOWAY. That is a violent presumption in that case.

The CHAIRMAN. The committee will be in order. If any gentleman desires to ask a question, he will rise to his feet and address the Chair.

Mr. SIMS. I want to state that I believe that if the pension roll of $140,000,000, in round numbers, was revised by Congressional action, it would amount to $400,000,000.

I want to state now a little experience of my own, and I hope nobody will ask me to give the name. A man asked me to introduce a bill to increase his pension. He was getting $12. I introduced a bill for twenty. It was reported at sixteen. The evidence of the physician was all right, showing that this increase was fully warranted. The bill was passed and signed by the President, and I wrote him a letter about it. He wrote back and thanked me very much; but he said, "Since that proof was taken I have gotten a great deal worse. Please introduce a bill for $30." [Laughter.]

They do not all do that, but the idea that each man must get as much as every other man does prevail to a great extent, and we must remove, if possible, the impression among the soldiers of the country that they are not fairly treated, and that those who receive pensions by private legislation are preferred to those who receive pensions under the general law.

Mr. Chairman, I said one year ago in this presence that as long as I remained in this House I should continue in my humble way to make the best fight I could against extravagant and unreasonable pension legislation, either by general law or by private act, and I am now trying to redeem that promise. I am glad that there is much to encourage me in this determination. Since that pledge was made to the House and the country I have seen the total amount appropriated for pensions shrink more than $5,000,000 in one year, while the number of pensioners on the roll have increased more than 4,000. If I could only have more help in this undertaking from members on this side, I would have reason to believe that even greater results would follow; but if I have to continue to do this work alone, as my good friend from South Carolina, Mr. TALBERT, is going to leave us, I shall not cease my efforts as long as they are crowned with so much evidence of success.

Mr. HITT. Mr. Chairman, after consultation with my colleague as to the time he desires, I ask unanimous consent that the general debate be closed at half past 2 o'clock.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that general debate close at half past 2 o'clock. Is there objection?

There was no objection.

Mr. HITT. I ask the Chair to recognize the gentleman from Alabama [Mr. RICHARDSON] for thirty minutes.

Mr. RICHARDSON of Alabama. Mr. Chairman, in the time allotted to me this morning, I desire briefly to call attention to what I believe to be some of the mistakes and errors that appear in two carefully prepared speeches delivered in this House by the distinguished gentleman from Michigan [Mr. CORLISS] on the subject of the Pacific cable.

The bill favoring Government construction and ownership of the telegraphic cable line from the coast of California to Manila has been reported favorably from the Committee on Interstate and Foreign Commerce, accompanied by a minority report.

Now, it is not my purpose or desire, Mr. Chairman, to criticise or to animadvert in any improper way upon the eagerness and haste of the gentleman from Michigan or the manner in which he has so earnestly disseminated and given his views to the country before the members of the House had an opportunity to read either the majority or the minority report, and from those reports learn what the real facts are and what the conditions and circumstances are. I say I will not criticise that; that is a matter of mere taste. But I do say, Mr. Chairman, that the circumstances under which it was done lead one reasonably to believe that there was a manifest and decided disposition upon the part of the gentleman from Michigan to have this House and the country prejudge the question in advance of discussion.

Now, it appears to me, Mr. Chairman, that this precipitate and untimely haste in rushing into the discussion of this Pacific cable question—more hurried than Hamlet's mother's marriage to the husband's brother—leaves the gentleman from Michigan [Mr. CORLISS] in the unpleasant attitude of the "agitator of old," of whom it was said, "The zeal of thine house has eaten thee up."

I do not think, Mr. Chairman, that this is the opportune time to discuss the question in full and according to all of its merits, as to whether the Government should construct and own this Pacific cable, or whether it should be constructed by a private corporation. But it seems to me that it is but just and fair to all concerned in this important matter that the attention of the House and country should be called to the manifest errors of statements and facts occurring in the speeches made by the distinguished gentleman from Michigan, and they ought to be corrected. I do not believe that any gentleman on this floor ought to criticise, impugn, or malign the motives of anyone—individual or corporation—that has not here the right of reply.

I hope that I do not possess any partiality or prejudice that would lead me under any circumstances to accord to a corporation any privilege or advantage that it ought not to have, or to take from that corporation any legal right that it has; and I can say here for myself that, in the many years of my professional experience, I have never had the pleasure or the honor of representing a corporation.

Now, Mr. Chairman, in the first instance, I desire to call the attention of the House to a paragraph in the speech of the gentleman from Michigan, in which he uses this language, in the RECORD of February 19, page 2027:

> But, recognizing the importance of Government ownership and control, she—
>
> Referring to Great Britain—
>
> has contracted for the construction of a cable over 7,000 miles in length, extending from Vancouver, in the British possessions, down through the Pacific, connecting all of her islands, including Australia and New Zealand.

This, Mr. Chairman, is adroitly intended to commit this House, in its tendencies at least, to Government ownership by the precedent claimed to be established by Great Britain.

Now, I am not disposed in any way to criticise Great Britain. I have not any tendency or disposition in that respect. I recognize it as a great Government that has furnished us with the wonderful principles of the common law, and that we are indebted to it in a great many respects. Therefore I am not here, nor am I disposed in any way, to criticise or speak unkindly of Great Britain in any of her matters, as we hear so frequently done. I desire to see the commercial, social, and political relations of our country and Great Britain most friendly and cordial. Now, what is the real truth of the paragraph just read—and I beg to call the attention of the House to it. The fact is undeniable, and I call the attention of my friend from Michigan, with whom I have the pleasure and honor of serving on the Committee on Interstate and Foreign Commerce, that the English Government repeatedly offered a large subsidy to any private company that would build this cable, and tried over and over again with her best and ablest diplomacy to avoid its construction as a Government cable.

Mr. CORLISS. Will the gentleman permit an inquiry?

Mr. RICHARDSON of Alabama. Certainly.

Mr. CORLISS. Has the gentleman read the proceedings had by the British Parliament on the construction of this Pacific cable, in which it was determined that a Government cable was necessary for the protection of Great Britain and her interests?

Mr. RICHARDSON of Alabama. I will answer my friend during the course of my remarks.

Mr. CORLISS. If not, I will produce the document for him.

Mr. RICHARDSON of Alabama. I will say, like I have heard my distinguished friend the gentleman from Illinois [Mr. CANNON] say so often on the floor of this House, "Oh, we are not talking about that right now; wait until I get to it." [Laughter.] But no private corporation could be induced to take that risk; and I have the evidence of it here or I would not have made that statement. In a speech before the board of directors of the Eastern Extension Cable Company, that my friend speaks so much about, in December last, Sir John Pender, the president of that company, stated that he had again declined, under the offer of a large subsidy by the British Government, to agree to lay a cable from Vancouver to Australia. It had been offered over and over again, and again he had declined.

He emphasized, Mr. Chairman, his unwillingness to undertake the risk of such a cable for so long a distance in unknown waters. And I contend now, Mr. Chairman, that when such an erroneous and misleading statement as that is sent broadcast to the country, and that in advance of a proper discussion in the Congress of the United States, it seems to me that this is sufficient to challenge and invite the inquiry of the House and the country as to what had induced such an assertion on the part of the gentleman from Michigan and what such reckless zeal means.

Mr. CORLISS. Will the gentleman permit another question?

Mr. RICHARDSON of Alabama. Well, not now. I will when I get through.

The CHAIRMAN. The gentleman declines to yield.

Mr. RICHARDSON of Alabama. Yes, for the present—just for the present. Now, I call your attention again, Mr. Chairman, to an inaccuracy and error that the gentleman makes in his report. In the report made by the gentleman himself from the Committee on Interstate and Foreign Commerce he uses this language:

> For fifty years England has been constantly acquiring by purchase and construction cable communication with her vast possessions, until she has expended upward of a hundred millions of dollars for that purpose and operates over 20,000 miles of her own cable lines connecting her colonies.

Now, let us examine that.

The fact is, Mr. Chairman, that the English Government has never to this day owned a long submarine cable. The English Government has a one-half interest only in the short channel cable connecting England with France, Belgium, Holland, and Germany. These countries insisted upon owning an equal interest in these cables, because they would not allow cables owned by another country to land on their shores. Now let us see if this is true. I call the attention of the House to the testimony that was taken in the Fifty-sixth Congress—and my friend from Michigan ought to have known better and must have known better when he made that statement. Listen. This is the testimony given by Mr. Scrymser, one of the men who has wonderfully changed his attitude on the question of Government ownership and individual building of a cable since last Congress.

I read from the testimony taken in the Fifty-sixth Congress before the Interstate and Foreign Commerce Committee:

> Mr. SCRYMSER. I should like to ask if the United States Government would permit a foreign government to land and operate a government-owned cable on the coast of the United States?
>
> Mr. CORLISS. Let me answer that question by the Yankee notion of asking another question. How many cables owned by Great Britain are laid and operated by her, connecting her with foreign lands? Foreign to herself, I mean.
>
> Mr. SCRYMSER. I will explain that. The Submarine Telegraph Company, operating all the cables between England and the Continent, was an English corporation. When the English Government bought out the telegraph system of Great Britain it also bought a majority of the shares of the Submarine Telegraph Company, just as it bought a majority of the shares of the Suez Canal. Those shares are held by the English Government, and it is not a government cable. The Government is simply a shareholder, subject to all the conditions of the concessions held by the parent company.
>
> Mr. CORLISS. Great Britain owns it and controls it, however?
>
> Mr. SCRYMSER. Owns and controls it, and it owns it and controls it under the concessions granted to the Submarine Telegraph Company, which would give France the right to close any office at any time.
>
> Mr. CORLISS. Do you mean by that to be understood to say that Great Britain has not to-day in her own individual right a cable upon foreign shores?
>
> Mr. SCRYMSER. Only through the medium of a corporation which held concessions for that purpose and under which France and other countries have reserved the right to close at any moment.
>
> Mr. CORLISS. You mean to say that Great Britain has none at all in her own right?
>
> Mr. SCRYMSER. That is right, so far as relates to cable connection with foreign shores.

Now, Mr. Chairman, another point in my friend's speech, and he resorts to what he says is the "deadly parallel." I read, Mr.

Chairman, from the RECORD the deadly parallel that the gentleman from Michigan uses in his speech on February 14, and I submit that the deduction that I propose to make about which he complains in his two speeches—I submit it to the common sense and the business sense of this House and ask if there is anything in it that any business man can possibly object to.

The first deadly parallel is:

(1) That neither the company, its successors or assigns, nor any cable with which it connects, shall receive from any foreign government exclusive privileges which would prevent the establishment and operation of a cable of an American company in the jurisdiction of such foreign government.
(2) That the company shall not consolidate or amalgamate with any other line or combine therewith for the purpose of regulating rates.

The next one, where he says is the "deadly" sting:

(1) That neither this company, its successors or assigns, nor any cable with which it connects (*and over which it exercises control*) shall receive from any foreign government exclusive privileges which would prevent the establishment and operation of a cable of an American company in the jurisdiction of such foreign government.
(2) That the company will not consolidate or amalgamate with any other line or combine therewith for the purpose of regulating rates (*except to make through rates*).

Now, the objection that he makes so earnestly and vociferously is of the addition of the words "over which it exercises control," in the first paragraph, and the next is the addition of the words "except to make through rates" as they appear in the second paragraph.

The gentleman claims to expose "the villainy" of the Commercial Pacific Cable Company and "its rascally modifications" by the use of this deadly parallel. I most respectfully submit the inevitable deduction from the "deadly parallel" to the business common sense of the House. It appears to me that a very appropriate parallel can be made, if we recall it, of the mountain that labored, and you know the result.

Now, Mr. Chairman, the gentleman from Michigan contends that the words in the parentheses, as I have read them, and printed in italics, are "rascally modifications" which the officers of the Commercial Company thought were so ingeniously devised as not to be discovered, or that the Secretary of State and the President of the United States were too stupid or indifferent to the public welfare to detect the villainy in them. Such, Mr. Chairman, is the violent and aggressive language that the gentleman from Michigan uses throughout both of his untimely delivered speeches, when he refers to the Commercial Cable Company that makes the simple and plain proposition to build this cable without asking a subsidy from the Government.

Why, I ask, this intemperate language? The gentleman calls most pathetically upon the members of this House who have had no opportunity to see the majority report or the minority report to come to the rescue, and in conclusion he says: "Are the members of this House willing to be charged with the disposition of Nero? Are they to sleep while this American ally usurps the rights of the people and steals the greatest public franchise now held by our country?"

If I have read tradition aright, the gentleman departs from the parallel, because my understanding is that Nero did not sleep while Rome was burning, but he "played the fiddle." [Laughter.]

But let us look a little bit further to the deadly parallel. What is there, I ask you, in the modification complained of and charged to be so rascally and ingenious, devised to mislead, and which was designed to impose upon the well-established diplomatic acumen of the Secretary of State and to blind the perceptive faculties of the President of the United States with his well-known disposition and capacity to detect fraud and deception?

The language used is plain in these italics; it is simple and easily understood. The complaint is about the insertion of the words "and over which it exercises control," in the first paragraph, and the insertion of the words "except to make through rates," in the second paragraph.

Now, I propound this question to the members of this House: How could the Commercial Pacific Company or any other cable company accept or refuse to have anything to do with concessions or privileges over a cable line over which it did not exercise control or over which it has no ownership? How can the United States Government restrict privileges to foreign cables by a foreign government simply because the United States cable connects with such foreign government? How can the United States Government cable get messages to foreign countries unless it connects with foreign cables? How can it do it? The only way it can refuse to connect with foreign cables would be for the United States Government cable or the United States cable corporation to encircle the globe and thereby bring about the octopus monopoly so greatly dreaded by the gentleman from Michigan.

Every American cable in the Atlantic "connects" per force with the foreign cable companies in Europe. Otherwise its messages could not be delivered. It is remarkable logic to undertake to make American companies responsible for the exclusive privileges possessed by foreign companies. The Commercial Company is also taken to task for including in the clause of its petition "that the company will not consolidate or amalgamate with any other line or combine for the purpose of regulating rates" and addition of the words "except to make through rates." It is plain to see that the United States Cable Company would be obliged to enter into some arrangement with foreign companies in order to make through rates. Without this reduced through rates could not be had. By means of this the Commercial Pacific Cable Company, which formerly caused the rates to China to be reduced from $2.35 a word to $1.66 a word, has arranged for further reduction, which they guarantee from $1.66 a word to $1 a word.

Suppose the same policy of complaint was put in operation as to railroads and all other land or water line transportation forbidding through rates. What would the business interests of this country say to such a proposition as that?

The gentleman from Michigan, in the report of the committee, says:

It has been claimed, and we would be pleased to have this cable monopolist deny, that Germany offers a subsidy for the construction of this cable so as to connect its Marshall Islands instead of the island of Guam, where our country has a naval station that demands cable communication.

It will be understood by this House that the only difficulty in reference to the all-American cable occurs in the deep waters around Guam, and it may be that this difficulty can not be avoided and thereby an all-American cable not secured. The testimony before the committee discloses the fact that the waters near Guam are the deepest in the world.

Now, Mr. Chairman, in answer to that error, misstatement, inaccuracy, or inadvertence in the gentleman's speech, I have this to say: The Commercial Cable Company has denied and does deny this statement. There is a letter here from Mr. Ward, vice-president and general manager, an active, intelligent, and leading man in the Commercial Pacific Cable Company, that denies it emphatically. This letter is here for inspection. This company declares that Germany has, neither directly nor indirectly, offered them any subsidy or any other inducement whatever to land a cable on the Marshall or any other island.

The company has further guaranteed—and I want you to listen to this, and we have a copy of the bond of that company attached to the minority report of the Interstate and Foreign Commerce Committee—the company has further guaranteed that they will land on American soil, if that be a physical possibility, and they have asserted their anxiety to make a bond agreement to this effect as soon as they can ascertain through the Navy Department soundings or through soundings of their own that it will be physically possible to land a cable at Guam. They have stated, in my opinion, sound and good reasons for objecting to landing on German soil, because they would thereby be compelled to give half rates to the German Government and be subject to other restrictions that the German Government might see proper to impose.

Why, Mr. Chairman, the Government ownership bill, reported by the gentleman from Michigan, states that the cable shall be constructed by the way of Guam "by whatever route may be determined to be the most practicable by the President."

That is the provision of the gentleman's bill. Does not this paragraph inserted in the bill indicate an uncertainty? It is an admission that it may not be possible to land a cable at Guam or to construct an all-American cable. And yet this Commercial Cable Company, which has made so fair and liberal a proposition to the Government, is charged with these sinister motives because, forsooth, they say "if practicable" they will build an all-American cable.

[Here the hammer fell.]

Mr. HITT. I have no more time or I would yield further to the gentleman.

Mr. RICHARDSON of Alahama. I would be glad to have my time extended for a few minutes, by unanimous consent.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks.

Mr. CLAYTON. I ask unanimous consent that my colleague be allowed an extension of fifteen minutes.

Mr. HITT. That motion will have to be modified in some way, because by unanimous consent a time has been fixed for closing general debate. If this request is agreed to, it will have to be understood that the time for closing debate will be deferred for fifteen minutes and this additional fifteen minutes given to the gentleman from Alabama.

The CHAIRMAN. The gentleman from Alabama [Mr. CLAYTON] asks unanimous consent that the time for general debate be extended for fifteen minutes.

Mr. CLAYTON. And that those fifteen minutes be given to my colleague.

The CHAIRMAN. Unanimous consent is asked that the time for closing general debate be extended for fifteen minutes and

that the gentleman from Alabama be now allowed an extension of fifteen minutes. Is there objection? The Chair hears none.

Mr. RICHARDSON of Alabama. Now, my friend from Michigan becomes really dramatic when he uses this expression in one of his speeches:

The audacity of this octopus and the villainous ingenuity with which it seeks to evade the conditions imposed upon other cable companies, and extend its tentacles over our islands in the Pacific, and fasten its grasping clutch upon the wheels of progress so rapidly moving from our country toward the Pacific Ocean is marvelously ingenious and the most audacious usurper of public rights of the present age.

Why, Mr. Chairman, such hyperbolic language as this carries us back to the days when Socialists and Populists talked flippantly about that wonderful "octopus" that was winding itself slowly (in their heated imagination) around the body politic of this great Government of ours and squeezing the very lifeblood out of all of us. The gentleman from Michigan surely must possess well-defined Populistic views and tendencies. On March 6, at Indianapolis, in the year 1900, Eugene Debs was nominated for President of the United States on this declaration:

The public ownership of all railroads, telegraph and telephone, and all means of transportation and communication, all waterworks, gas and electric plants, and other public utilities.

On the 2d day of July, 1892, James B. Weaver was nominated for President on this declaration:

Transportation being a means of exchange and a public necessity, the Government should own and operate the railroads in the interests of the people, and the telegraph and telephone, like the post-office system, being a necessity for the transmission of news, should be owned and operated by the Government in the interests of the people.

Now, let us look at what the gentleman from Michigan says on that subject.

Mr. SHACKLEFORD. May I ask the gentleman a question?

Mr. RICHARDSON of Alabama. Yes; what is it?

Mr. SHACKLEFORD. I would like to ask the gentleman if he was aware that Thomas Benton, before there was ever a Populist heard of, advocated the building of the Atlantic and Pacific Railroad by the United States?

Mr. RICHARDSON of Alabama. No. I have not gone back to ancient history. I have just gone back to Debs and Weaver.

Mr. SHACKLEFORD. That was advocated by Thomas Benton and John C. Calhoun.

I will read from the report of the gentleman from Michigan, at page 8. Listen to it, and I ask you to institute the "deadly parallel" between the declarations in the platform of Debs and of Weaver and what the gentleman from Michigan says in this report. He says:

The transmission of communication should be held by the State. The Post-Office Department is undoubtedly the most useful arm of our Government, and has given to our people, through the blessings of rapid communication at the least possible cost, the greatest benefits and contributed most to the progress of the nation.

I leave it to the fair and unbiased judgment of this House to say what the parallel is between the position of the gentleman from Michigan and the platforms upon which Debs and Weaver were nominated. It is not my purpose, Mr. Chairman, at this time to enter upon the discussion of the acceptance by the Commercial Cable Company of the provisions of the postal act of 1866, or the authority of the President or the Secretary of State as to the landing of cables on American soil.

I simply refer to what I believe to be certain inaccuracies in order to put this House and the country on notice that it will not be well to decide this question until the facts on both sides can be regularly and fully presented. The complicated question, Mr. Chairman, of cable manufacture and management, the relative costs of Government and private ownership, the advisability of the Government invading the private field of enterprise—all of these great questions and many others should be carefully examined into before our judgment is rendered upon this important subject. This question has been ably discussed in past Congresses, and it is quite interesting to examine the present attitude of some of the leading parties as compared with their attitudes in the past. Mr. Scrymser, the president of the Mexican Telegraph Company, the Central and South American Telegraph Company, and the Pacific Cable Company, says in evidence taken before the Interstate and Foreign Commerce Committee of the House:

Mr. SCRYMSER. I have appeared before this committee frequently during the past five years and advocated the establishment of a private cable and opposed the establishment of a Government-owned cable.

* * * * * * *

Mr. SCRYMSER. President of the Mexican Telegraph Company, the Central and South America Telegraph Company, and the Pacific Cable Company. Mr. Baylies is with me, and he can give you some information affecting these exclusive rights in a way which I think would be far more accurate and intelligent than I can present it.

Mr. MANN. Have your companies any special connection or relation with the Western Union Telegraph Company?

Mr. SCRYMSER. Yes, sir; we have a traffic agreement.

Mr. MANN. I suppose it is a good thing once in a while to get down to what they call "brass tacks," and get a little information. If the Pacific Commercial Cable Company strikes a line across the Pacific with an arrangement with the Eastern Company, do you consider that that will be a discrimination against the Western Union Telegraph Company?

Mr. SCRYMSER. Undoubtedly; that is the rock on which we split.

Mr. MANN. That is the real reason you are now in favor of Government ownership, or one of the reasons?

* * * * * * *

Mr. HENRY C. SMITH. Will my colleague state whether the bill he is now advocating is in the interest of the Western Union Telegraph Company?

Mr. CORLISS. I am very glad to have that question asked at this time. In the Fifty-fifth Congress there were pending two measures, one in behalf of what was known as the Pacific Cable Company, controlled by Mr. Scrymser, who sought to obtain the right to lay this cable with a subsidy; and another company, in whose interest the Commercial Company seemed to be associated, sought also the privilege with a subsidy. One of those bills was reported to the House carrying a subsidy of, I think, $400,000 per annum. It was in behalf of the Pacific Cable Company, associated with which is supposed to be the Western Union interest in the cable across the Atlantic. They were undoubtedly interested in that bill, as the Commercial Cable Company, now seeking to usurp the right, was anxious to defeat that bill or pass one for its own use.

Now, Mr. Chairman, I want simply in conclusion to refer to the report of the minority on this subject. The minority of the Interstate and Foreign Commerce Committee says:

We dissent from the majority report. In our judgment the Government should not undertake to construct a cable to the Hawaiian Islands and the Philippines. A private corporation, the Commercial Pacific Cable Company, has given the assurance that a contract has been let by it for the manufacture and laying of a cable from San Francisco to the Hawaiian Islands, and that that cable will be in operation by November 1 of this year. That company has declared that it intends to complete a cable to Manila within two years thereafter.

We attach hereto a proposed contract executed on behalf of the Commercial Cable Company, under which said company claims this Government can obtain the advantages of the completion of a cable at an early day, and the probability of governmental ownership, and avoid the risks and disadvantages of governmental ownership by allowing a private corporation to lay and operate its cable. Moreover, we do not think it right for the Government to lay this cable after a private corporation has started to lay such a cable. It appears also that this Commercial Pacific Cable Company, having filed with the Postmaster-General its acceptance of a certain act of Congress of July 24, 1866, is now under moral obligations to sell its cable and property to the Government at any time at its appraised value, and also that the Postmaster-General has the right annually to fix the rate to be charged for governmental cablegrams transmitted by this cable, and also that governmental messages shall have precedence over other messages in transmission.

I now refer to the conclusions of the Committee on Interstate and Foreign Commerce that reported on this subject in the last Congress:

The following disadvantages of a Government cable have occurred to the committee, and in the opinion of the committee they are controlling and justify the conclusions now arrived at:

1. The great first cost of establishing a Government trans-Pacific cable system, that is $15,000,000.

2. The comparatively great annual cost of a Government cable, estimated at $1,500,000.

3. The inability of the United States Government to land and operate a government-owned cable either in Japan or China.

4. That as a Government cable would not obtain traffic to and from China and Japan, its income would be limited to traffic to and from the Philippines and Hawaiian Islands, which at an outside estimate would not exceed $150,000 annually, while the annual expense would be $1,500,000.

5. That, assuming that a Government cable could reach China and Japan and secure all the business which a private company might develop, still, if the experience of American cable companies in Central and South America is repeated in the Philippines, China, and Japan, as seems probable, 90 per cent of the whole telegraph traffic will be carried on by less than 400 customers, 300 of whom will be foreigners and the balance inhabitants of the United States; so that the proposition to establish a Government cable system would mean a tax amounting to an outlay of $15,000,000 and a large annual expense for the benefit of only 100 Americans and 300 foreign firms and corporations.

Mr. Chairman, I ask if there is any argument that has been made for and in behalf of the Government building, constructing, and owning this Pacific cable that does not apply with equal force to land transportation, railroads, and to our foreign shipping interests? Why does it not apply?

Now, Mr. Chairman, just in conclusion, as I see my time is about to run out, I desire to read what one of the ablest commercial papers published in this country says about that majority report. I do not mean to reflect upon anybody or on anything, but the Journal of Commerce, published in New York, stands as high with the business interests of this country as any newspaper, magazine, or other publication, I believe, in the country. It is well for this House, when undertaking to engage in a business transaction, to consider these things. Here is a company that offers to build this cable, that has a contract already let for a part of it, and that obligates itself to build it by 1905 without a single dollar of subsidy from the Government.

In the last Congress the proposition was for the Government to pay $400,000 annually for twenty years. This company now offers to build this cable without any Government subsidy. When you come to look into this matter and see the testimony of Mr. Scrymser you will see where the great Western Union Telegraph Company stands in this transaction. It is here to-day opposing this company, opposing the proposition to let an individual corporation build this line, when in the last Congress it advocated that proposition. What is the cause of the change? I say it is enough to cause us to look into it,

Now, the Journal of Commerce comments upon the majority report upon this bill, which is the report made by my friend the gentleman from Michigan [Mr. CORLISS], who made two speeches

upon this subject before the majority and minority reports were presented to the House. The Journal of Commerce in commenting on this report uses this language:

The majority report of the House Committee on Interstate and Foreign Commerce on the bill providing for Government ownership of the Pacific cable is one of those documents which tend to deepen the conviction that there has of late years been a marked decline in the average intelligence of the popular branch of Congress. It certainly reads like anything but the argument that an intelligent body of men would present on a plain business proposition for the purpose of convincing other men of presumably sound judgment of the propriety of expending a very large amount of public money. It is a curious mixture of pure claptrap, baseless assumption, and bald inaccuracy.

Mr. Chairman, if this bill is passed, I sincerely believe that it will be the stepping-stone to the most comprehensive system of Government monopoly. The most advanced expansionists can scarcely contend for such a measure. It is an old and well-established American doctrine that the Government shall not enter the field of individual enterprise. The protection of our foreign possessions is not so exacting that we should violate this fundamental principle.

Mr. CORLISS says:

How anyone representing the interests of the people can sanction such a scheme by their silence and countenance the compact between these companies is beyond my comprehension.

My reply, Mr. Chairman, to that is that it is more than preposterous to think that any public man or business man would for a moment favor the United States Government laying a cable to compete with a cable which is being manufactured and laid at private expense and without a dollar of subsidy or cost to the Government, and laid by a company competent, skilled, and reputable, and which gives every guaranty that the Government has asked—permits the Government to buy the cable at any time at an appraised value; agrees to build an all-American cable, if possible; to allow Postmaster-General to fix the Government rates; to give priority to Government messages; to allow Secretary of State, when he thinks it is expedient to the public service, to take control of the cable for the use of the Government, or if Secretary of State thinks proper, can order persons to take charge of the transmission of messages; to build the entire line to the Philippines by January 1, 1905. How can a business man ask that the Government build their cable in the face of such propositions from a competent private company?

Mr. Chairman, the comment that I have read from the Journal of Commerce comes from a paper that goes into the banking houses and business offices of the men of this country. It was made upon the report of my friend from Michigan. It speaks plainly and with force on the business aspect of this question.

[Here the hammer fell.]

Mr. HITT. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. BELLAMY] fifteen minutes.

Mr. BELLAMY. Mr. Chairman, on Monday last this House, by a unanimous vote, passed the bill abolishing the last of the war taxes, which were levied to meet the expenses of the war of humanity which was declared by our Government against Spain to release her tyrannical hand from the throat of prostrate Cuba.

The necessity for the repeal of these war taxes had been long apparent, and this burden on our people ought to have been removed more than two years ago, when the Democratic minority endeavored to abolish them, but were prevented by the majority party in this Chamber.

This action, however, coming as late as it does, is gratifying to the friends of good government, who believe that unnecessary taxation is unjust taxation, and that the accumulation of a large surplus in the Treasury is robbery of the substance of the people and an impoverishment of their condition.

It seems, then, that at last a general feeling of justice and equity is beginning to pervade this Chamber, which I hope will continue, that we may invoke it in behalf of the Cuban people in their appeal to the American Congress.

There is no figure in the present era of our politics who has impressed me more as one who is fearless, honest, and positive, and withal endowed with great individuality, than has our distinguished President, and, while differing with him in many of his views of governmental principles and policies, I cheerfully concede to him these virtues. In his message to Congress in December last he used this language:

I most earnestly ask your attention to the wisdom, indeed, to the vital need, of providing a substantial reduction of the tariff on Cuban imports into the United States.

In enforcing this grave matter upon Congress he but gave emphasis to these characteristics, expression to a wise and statesman-like policy, and to a sentiment that lies deeply embedded in every philanthropic American heart.

These views are entitled to the respectful and serious consideration of this Congress, and should be heeded by the enactment of a law to effect that result.

I wish to thank the gentleman from Nevada [Mr. NEWLANDS] for his wise, timely, and patriotic resolution in behalf of Cuba, inviting her to become a part of the American Republic, and to assure him that he has at least my humble aid and support in this commendable measure.

His resolution is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to admit Cuban sugars, produced from the present crop, upon the payment of three-fourths of the present duty, in consideration of a reciprocal arrangement upon the part of Cuba, giving to the American products entering Cuba such concessions or preferential duties as he may approve and deem advisable, such arrangement to continue until the 1st day of January, 1903.

SEC. 2. That in the meantime the Republic of Cuba is invited to become a part of the United States of America and her people to become citizens of the United States, with the assurance that Cuba will be entitled at first to a Territorial form of government under the Constitution and laws of the United States, with a Delegate in Congress to represent her people, and that ultimate statehood will be granted when, in the judgment of the Congress of the United States, it is advisable to admit Cuba, including such other West India islands belonging to the United States as may be deemed advisable, as a single State in the Union, to be called the State of Cuba.

It has long been the dream, if not the ardent desire, of the American people that Cuba should some day become an integral part of our Union. Mr. Thomas Jefferson recommended its acquisition early in his first Administration.

During President Polk's Administration our Government offered Spain $100,000,000 for the islands, but Spain promptly declined the offer.

In 1854 President Pierce, through his Secretary of State, Marcy, appointed Ministers Buchanan, Mason, and Soulé, then our representatives at three European courts, to confer with Spain in reference to its acquisition, and these ministers published a manifesto in which they said the Union could never enjoy repose and security "as long as Cuba is not embraced within its boundaries."

The national Democratic convention of 1856, and that also of 1860, both declared in favor of the acquisition of Cuba. It is Democracy, therefore—yes, Jeffersonian Democracy—to advocate the expansion of our Republic, if such expansion extends to the acquisition of contiguous territory, or even territory in close proximity to the American Union.

It is the manifest destiny of this great American Union, this great national Republic, to expand its territorial borders, and in the course of time to embrace within its limits the Dominion of Canada and the Republic of Mexico, and to become a great North American Republic, ruling the people who inhabit it with those principles embodied in that form of government first promulgated to the world in the written Constitution of the United States. And it is a fervent wish in which I may be pardoned for indulging that I may live to see the day when by peaceable and honorable means not only those two great countries, but Cuba as well, may be merged into our Union under the same flag and the same Constitution which is now the emblem of our nationality and the chart of our powers.

How can we bring about these ends? Not by hostile tariff laws, which already have alienated many of the best people of Canada, who have fondly cherished the idea of annexation to this Republic, but by cultivating the most equitable reciprocal trade relations as to those articles she produces that would not cripple or injure any existing industries of our country and by encouraging the most friendly social intercourse, which will ultimately weld together the two countries by such ties as to make it to the interest and policy of that great Dominion to knock for admission to our Union, that they may also share the advantages of a republic which develops not only the most magnificent citizenship, but also the most splendid material and industrial civilization that the genius of man has ever evolved.

Many annexationists have boldly proclaimed that the Teller resolution passed at the time of the declaration of the war against Spain—

That the United States disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people—

and that the war was declared to stop the inhuman and brutal practices of Spain toward those people, was not only a mistake, but a blunder. I do not so regard it. There is honor among nations as among individuals, and no other declaration and no other motive would have justified, at the time, this Government, either among the nations of the world or in the eyes of our own Christian people in this era of the world's civilization, in sacrificing the blood and property of this nation, which was offered up on the altar of humanity.

That resolution was the expression of a policy long adopted by this nation in its relations with the other powers of the world, which has ever made it the beacon light to lead on all struggling peoples, which have been restless for liberty and which has made this Republic leap forward in its progress as a nation, and attracted to its shores much of the splendid manhood and talent of

the world, who have made it their home and contributed toward making it the richest and most powerful of all nations.

By the destiny of war Porto Rico has become a part of our territory. The Danish West Indies have been purchased within the last few days, and Cuba, the gem of the Antilles, stands at our threshold.

Cuba occupies to-day a most singular attitude toward this Republic. Geographically it is but a prolongation of the Florida coast, which in some remote age was cut off from the mainland by volcanic upheaval or depression. Certain it is that its proximity to our territory makes it a most valuable and desirable acquisition.

It has, by its last census, 1,572,000 people. It has rich soil and pleasant climate.

Her chief products are sugar, tobacco, fruits, hard woods, and minerals, which she exports, while her purchases are rice, cotton goods, boots and shoes, paper, machinery, crockery, glassware, furniture, and wood manufactures.

In her present depressed and impoverished condition she buys of other nations annually about—

Rice	$4,000,000
Low-class wines	4,000,000
Metals and machinery	5,000,000
Cotton goods	7,000,000
Boots and shoes	400,000
Crockery and glassware	7,000,000
Furniture and woodwork	3,000,000
Total	34,000,000

Besides this she purchases many millions of dollars worth of food products. Her purchases for 1891 amounted to $66,000,000. Much the larger portion of all her purchases of manufactured products are obtained from Europe, when reciprocal trade relations at the present time would enable our factories and people to sell them at least 90 per cent of all these purchases, and final annexation will practically secure it all.

And why should we not induce Cuba to enter our ports on terms more advantageous to both countries? Will it injure seriously or in any degree any existing industry of this nation?

It has been claimed by only two industries—that of beet sugar and the cigar manufacturer—that they would be affected.

Let us examine these claims. In reference to the sugar-beet industry we see that for the year 1901 the entire amount of sugar consumed in the United States was 2,372,316 tons.

The entire product of the sugar producer for 1901 was from—

	Tons.
Louisiana	300,000
Hawaii	320,000
Porto Rico	120,000
American beet sugar	150,000
Making a total of	890,000

which still left a shortage in American consumption for said year of 1,482,316 tons. Cuba's sugar product estimated for 1901–2 is 800,000 tons. If the whole of her product were allowed to come in free, there would still be a shortage in the American demand of 682,316 tons, which we would still have to import from other nations of the world; and yet the beet-sugar trust is not willing to allow the people of the United States to be generous to a nation whose good will we wish to hold and which is virtually asking to be admitted into our Union as a part of our territory!

In the matter of the cigar makers' claim, I have this to say: The quality of tobacco which Cuba produces and manufactures does not seriously come in competition with the American product. But few States in the Union cultivate tobacco for cigar purposes. Neither Virginia, North Carolina, South Carolina, Alabama, Mississippi, or Louisiana cultivate it at all for that purpose, while Ohio, Connecticut, Wisconsin, Pennsylvania, New York, Massachusetts, and Florida to a very limited extent!

And even in Cuba her exports of cigars to the United States has fallen off from 1889 to the year 1900 of nearly 62 per cent; last year even less. In 1900 Cuba only exported to the United States three-fourths of 1 per cent of all the cigars consumed in this country. Even if Cuba should be encouraged to aspire to producing 2 per cent of the American cigar consumption she would have to double her present output, which she could not do, because of the recognized fact that she has not the land adapted to the growth of tobacco suitable to our market.

Why, then, is it not good business policy to reduce the tariff on sugar and cigars 40 per cent of the present rates for a corresponding reduction of the Cuban tariff on cotton goods, rice, furniture, woodwork, boots and shoes, machinery, glass and crockery ware?

This is a matter not only of general good to the people of all sections of our country, but especially so to the section which I represent.

Cotton manufactures are growing at a very rapid rate in the States of North and South Carolina and Georgia.

In the census returns for 1900, North Carolina has advanced ahead of all the States of the Union in the number of cotton-manufacturing establishments.

	Mills.
North Carolina	177
Massachusetts	163
Pennsylvania	150
South Carolina	80
Rhode Island	71
Georgia	67

While in the capital invested Massachusetts stands first, South Carolina, Rhode Island, and North Carolina follow in successive order. In North Carolina, in 1900, 30,273 persons were employed in these mills, while 30,201 were employed in South Carolina, and 18,283 in Georgia.

In North Carolina, in 1901, $17,386,624 of material was used, and in South Carolina $17,263,882, and $11,113,356 in Georgia. In the last two years the cotton-mill industry has been much depressed and many mills have been run at a loss. It is estimated that with proper reciprocal arrangements the cotton-goods trade alone could be increased to $13,000,000 a year when that country is permitted to make a living price on sugar and tobacco, which to-day, on account of the high tariff, we are reliably informed, is raised and sold at a loss and her people unable to buy our products.

There is another consideration which makes the residents of the Atlantic seaboard look with favor upon the problem of annexation. Situated so close to our doors, with a rich soil and luxurious vegetation under a semitropical sun, Cuba has been for generations past a breeding spot for that most virulent and fatal of all pests, yellow fever. We have seen our seaport towns, in years gone by, swept by epidemics of this dreadful disease, brought from Cuba, with such violence that our towns were almost depopulated. It took years to recover from the demoralization and loss, both to life and property, and yet each recurring season they stood in awe of another visitation.

Norfolk and Wilmington, Charleston and Savannah, New Orleans and Mobile, and Galveston all felt the scourge of this dreadful plague.

Modern hygienic measures have demonstrated not only that this disease can be checked, but can be eradicated by proper sanitary precautions.

The welfare of the great eastern section from Maine to Texas would be secured if the Government of the United States owned this territory and could put into practical execution all of its laws and rules of sanitation to the same extent and as fully as it could or would do were Cuba a part of our territory and our governmental regulations at all times in force there.

But apart from a business and sordid consideration, that humanity which we so much and so wisely respected, and which prompted us to declare war against Spain, now urgently demands that the United States, which has its army in the island, and which has forced Cuba to yield her assent to the eight provisions of the Platt amendment—that she should not enter into a treaty with a foreign power, allowing such power to obtain lodgment in or control of any portion of her territory; that she shall not contract a debt beyond the ability of the island to pay; that this Government may intervene at any time it deems proper to protect life, liberty, or property; that this Government shall have a voice in the sanitary plans of the island, and that Cuba will cede to us territory for coaling stations and dockyards, and shall not include the Isle of Pines in the government—demands now, as we virtually exercise a protectorate, that we give her the relief for which she prays.

President-elect Palma, of the Cuban Republic, tells us that unless we reduce the tariff on sugar the planter can not make any profit whatever, and he can not continue in business, and—

as a consequence 500,000 persons will be practically without means of subsistence. Anarchy will reign in the island instead of law and order, and you will not only have to send more troops there, perhaps, but will surely be sending us food, that we may not die of famine.

And to the same effect is the report of our representative in Cuba, General Wood, who forcibly says:

Each day of delay in giving relief is dangerous. When once the crash comes relief will be of little value, except to the speculator, who may gather up the wrecks here. The people of the country, who have virtually reconstructed it in three years, will be ruined, and we shall have to step in and reoccupy the country or continue in occupation and do over again the work which we have spent thousands of lives and much treasure in doing up to date.

This information, coming as it does from the representatives of the two governments, with daily appeals from the commercial bodies of Cuba and many of her prominent citizens to the members of this House, is a warning which this Government can not disregard.

On comparison with the Philippine possessions Cuba is a far more desirable acquisition. I can not better draw the comparison than by quoting a part of an article in the Habana Post of November 10, 1901, where the editor says:

All of the Philippines, for example, import less than Habana does, although the population of Manila and Habana are practically the same.

Manila contains more than 50,000 Chinamen and Habana fewer than 3,000. Manila holds more than 180,000 native Filipinos and Habana fewer than 30,000 negroes; Manila has fewer than 11,000 whites, including 8,500 Americans, while Habana is controlled by 116,000 native whites, assisted by 53,000 whites of foreign birth. This tells the story. The situation in Hawaii is little if any better than in the Philippines. Porto Rico is stifled by an excessive population, negro and mixed, and holds no promise for development.

Outside of the towns, both in the Hawaiian and the Philippine islands, the barbarian holds sway. Life is not safe, and agriculture must be carried on under the protection of armed men. Outside of the cities and towns of Cuba human life is as safe as within the towns, and as safe as in Ohio or Pennsylvania. Here are millions of acres awaiting occupation and culture, and the immigrant can squat as safely in Santiago as he could fifty years ago in Nebraska.

The conditions are entirely different in Cuba from those of the other islands named. There are more white persons in Cuba than in the Philippines, Sandwich Islands, Porto Rico, Java, Trinidad, Barbadoes, Bermuda, and British Guiana together. There are more evidences of wealth and civilization in this island than in all the others united. The United States can sell more goods to this island two years from now, under proper trade arrangements, than that country will be selling to all of the others. More Americans will come to Cuba under such trade arrangements than will go to all the other areas named. With fair trade relations, this island would become Americanized long before the American armies can be withdrawn from the Philippines.

Already this Government has expended $300,000,000 for the subjugation of the Philippine Islands, and it is costing us $12,000,000 a month to further pacify them. So long as we keep these Asiatics they will be a source of irritation and expense to our country. Spain has given us the veritable shirt of Nessus, and the more we try to solve the expensive problem of pacification by arms the more we will tear the very flesh from our vitals. Let our Government promptly adopt the affirmative policy now outlined by the Democratic party in the Senate, which is:

(1) That the United States relinquish all claim to sovereignty over the Philippines, "subject to the provisions hereinafter set forth."

(2) That from and after the passage of this act the Philippine Islands shall be foreign territory, and all goods entering the United States therefrom shall be subject to the same duties, customs, and imposts as are now or may be hereafter prescribed by law for goods entered from other foreign countries: *Provided*, That during the temporary occupation of the islands all trade between them and the United States shall be free.

(3) That the United States shall continue to occupy the archipelago until the Filipinos have formed for themselves a stable government, and until sufficient guarantees have been obtained for the performance of our treaty obligations with Spain, and for the safety of those inhabitants who have adhered to the United States.

(4) That as soon as these results have been accomplished it is declared to be the purpose of the United States to withdraw from the Philippines and leave the government, control, and sovereignty thereof to the inhabitants, retaining only such military, naval, and coaling stations as may be designated by the Government of the United States.

If we can then free ourselves by this means of the Philippine blunder and confine our territorial acquisitions to the American continent, the United States of America will become the leading factor in the world's civilization. Our Army, which, if large, may become, as the founders said, "the engine of despotism," may be kept at a minimum and not be a burden to the people; our Navy should be increased to keep pace with our constantly increasing commerce, and will be able to protect American interests in all quarters of the globe. If, then, by generous treatment we can further gain the good will of Cuba, and by the passage of the Newlands resolution invite her to apply for annexation, the "Gem of the Antilles" will add much to the wealth of our nation. She will become a valuable strategic point, as she is now a natural military outpost for our Government, which, if not secured, may, in the not distant future, be used to the great detriment of this country in time of war.

Let us all be true and cling with confidence to the traditions of the fathers.

Let us avoid entangling alliances and develop our Republic on the Western Hemisphere.

Let us preserve and defend the Monroe doctrine.

Let us extend our trade by the principles of amity and fair dealing.

Our people will then be prosperous and happy. The American name will be revered throughout the world as the synonymn of honor, chivalry, and progress. Wars will not be known, and peace and plenty will prevail throughout the land.

> Peace! And no longer from its brazen portals
> The blast of war's great organ shakes the skies;
> But beautiful as the songs of the immortals
> The holy melodies of love arise.

[Loud applause.]

Mr. HITT. I yield fifteen minutes to the gentleman from Pennsylvania [Mr. GREEN].

Mr. GREEN of Pennsylvania. Mr. Chairman, the passage of the bill under consideration means that for another year after the close of the present fiscal year this country is pledged to a continuance of the present inefficient consular system.

Viewed from a commercial standpoint there is no branch of this Government so much in need of immediate reform as the consular service. We have reached the time when this country has become a great exporting nation. Whether we shall hold our own and increase our foreign markets largely depends upon the efficiency of this service. That will be a more potent factor in the development of our trade relations with foreign nations than any ship-subsidy bill that can be enacted into law.

I had hoped that before the present bill would be presented for our consideration a bill effecting radical changes in this service on business lines would be passed. When I vote for this bill it will be only because a continuance of the present service is better than none at all.

My plea is for a complete reorganization of this important branch of the public service.

Pending that, I urge two important reforms which are possible and most urgent, one, at least, of which can be made by amendment of the present bill.

The first is the selection of more efficient men to fill the consulships in important commercial ports, or ports which can be made important.

Second. Adequate pay for our representatives, especially at these ports.

An examination of the great commercial routes of the world will show that shipping from all the export ports of the eastern and western Atlantic converges at the entrance of the Mediterranean Sea. It then sails east, some stopping at the ports of southern Europe and northern Africa, but the main body pass through the Suez Canal and visit Arabia, Egypt, the seaport towns of eastern Africa, or those of southern Asia, until Singapore is reached. Here it diverges, going northward to Manila, Hongkong, and the commercial ports of eastern Asia and Japan, and southward through the East Indies until they touch the ports of far-off Australia and the islands of Oceania.

To the American, English, German, and French manufacturers—and these are the four greatest manufacturing nations—this commercial route takes a very considerable part of the manufactured goods they export, and through it returns all the merchandise returned in exchange for the outgoing cargoes.

One would naturally suppose that at every port of general rendezvous or importance along that great artery of commercial travel this country would be represented by a capable, active, aggressive, industrious business man—a real American hustler—who not only examines the situations as disclosed at his port daily, keeping up with the news as told by the trading vessels coming and going, locating the localities where goods were being carried, as well as the return cargoes, watching demand and supply, alert to find an opportunity for a new market or the extension of an existing one. Is this the case?

It happened to be my privilege last summer to pass over this great commercial route, stopping at Gibraltar, where all that vast volume of shipping going to the Orient stops and stops again returning, visiting the ports of Malta, Port Said, Suez, Aden, Ceylon, Singapore, Manila, Hongkong, Shanghai, Nagasaki, Kobe, and Yokohama.

All along the route I gave attention to the matter of American consuls and met and conversed with many of them. Time and time again the utter inefficiency and sometimes the absolute worthlessness of the present service at these important ports was impressed upon me. I do not hesitate to say that I believe the great mercantile firm of Marshall Field & Co., of Chicago, told nothing but the plain, unvarnished truth when they said:

> There is no branch of the service more in need of reform. So far as the importing business is concerned, our consuls, with some few exceptions, are worthless, and if we hope to secure for our manufacturers a full share of foreign trade the necessity for improvement in the service is apparent. It seems to me that this country should be intelligently and creditably represented abroad.

Any traveler who has the power of observation to a slight degree, when his attention is called to our service, must admit that only too often our consuls are worthless. One would naturally suppose that along the important commercial pathway which I have mentioned we would have our best men. If that is the case, I would like to see the worst.

It is fair at least to consider those located at the ports I visited as fair specimens of what I would find along other important commercial routes.

With these as examples I cry out loudly for reform. The increase of our foreign markets has been largely due to the individual enterprise of our manufacturing companies, and they have received little or no assistance from our consular agents. They have paid their own bills, and the expense of establishing a foreign market for any manufactured article is enormous and the risk great.

They are entitled to have such assistance as this Government can furnish them with through the most expert and energetic officials.

They have no such assistance if the ports I have visited are fair examples.

At Gibraltar, which by reason of its location ought to be one of the most important of our consular stations, what have we there? A miserable $1,500 position, with a consul who certainly does not earn by his work a larger sum.

When I was at Gibraltar during the past year, the consul had recently died, and his son was taking his place, and, if I remember rightly, his son had never seen America. The father had been there for many years. The fact was that the service at an important point like that was in the hands of a man who knew little or nothing of America. He had no occasion to speak any foreign language particularly, because the English language is current there, so that that was no excuse for having a foreigner there or a man who was equivalent to a foreigner.

Here, at that important point, at the gateway of that great highway of commerce, we have a $1,500 consulate, and the result is a $1,500 man. I say, if we want to improve this service we could start right at this point and make that consular station a position commensurate with the importance of the place, and then fill it by putting a live, hustling, American business man there.

I am satisfied there are opportunities for extending our markets all over this portion of the world, in Africa, in Spain, and many other places where proper consular officials could give us important information, through the opportunities afforded by the shipping coming through this port. At Malta, in my opinion, we have one of the most active men I have met in the service. Instead of giving him the miserable $2,000, give him better pay, for he spends the greater portion of his salary in pushing our business interests. This pushing, energetic man we should give a liberal salary, so that he should be able to meet half way the people from whom you are trying to obtain business.

We all know in business it takes money to extend trade. To say the least, our consuls must meet men and entertain them constantly; mix with them and be the polite good fellow among them. A consul receiving $1,500 or $2,000 a year must do this out of his own pocket. In these seaports along the principal commercial routes there should be a contingent fund in the consul's control, under fair limitations, by which he can meet contingencies as they occur. I am satisfied that the work of first-rate men at Gibraltar, Malta, and Port Said, where we do not have a consulate, only an agent, would pay the expense of the whole consular service in the East. Here are three important places—Gibraltar, Malta, and Port Said—through which the shipping of the Orient passes. Active men at these places could keep tab on all that takes place in the Eastern commercial world.

They could give our Government information and suggestions which would do more to extend our commerce than any subsidy bill. And if we would follow out that with an active man in Ceylon, and an able representative at Singapore, we would do much to improve the service in that part of the world. The representative at Colombo is not at all fitted for the place he holds. When we arrived there few of us were able to find our consul. He did not seem to think it was worth while to come on board a United States transport or even inquire whether he could be of any service to representatives of his country.

A man with less ambition I never met in the service; and from all I could find out about him from the active business men I met in that city he seemed to hold himself aloof from the business community and associates with himself, mixing with the merchants and planters and American visitors only as much as it was absolutely necessary to attend to routine work. He seemed to have no friends, and every one I met spoke slightingly of him.

That is not the kind of man to press American commerce; not the kind of man to increase our markets. At this port is a place for a good, active consul. The tea industries of Ceylon are increasing. Ceylon is intimately connected with the trade of British India. If there is a place in all that section that could be picked, outside of the port of Singapore, it is Ceylon, where a good, active business man could show results.

Singapore is the port where all the commerce of Australia and eastern Asia concentrates. It is the great trading mart and transshipment port of the Orient. I admit the commerce there is in the hands of the Chinese merchants. It would be hard for you to buy or sell a thousand dollars' worth of goods at that port without their going through the hands of the Chinese merchants.

At that port I found a sharp contrast between the active, efficient business man employed by the American Tobacco Company to manage and care for that company's interests in that part of the world and the American consul. The American consul perfunctorily does his business, and he receives $3,000 compensation for it.

If we had a representative like the American Tobacco Company there I am satisfied it would show results which increased business and such practical results as our manufacturing communities trading there have the right to expect. We may talk as we please about maintaining a great "open door" in the East. We may ask an "open door" in China; but, gentlemen, with "open doors" we must have the right kind of doorkeepers. That is what we must have there if we would develop the trade of our country and reap the great advantages of that immense volume of trade which it is claimed we can develop there.

Mr. CLARK. Will the gentleman allow me to ask him a question?

Mr. GREEN of Pennsylvania. Certainly.

Mr. CLARK. What scheme have you got that will give us better consuls? This committee has wrestled with that proposition a good long time.

Mr. GAINES of Tennessee. You could not have done much worse than you have.

Mr. CLARK. Our evidence is that the American consular service is as good as anybody else's.

Mr. GAINES of Tennessee. That is a mistake.

Mr. GREEN of Pennsylvania. That is an absolute mistake. I will answer that by saying that if you will pay adequate salaries I think you will get better consuls.

Mr. CLARK. But the question I would like to ask you is as to whether a committee or an individual upon the floor of the House would know best about that. This Committee on Foreign Affairs has wrestled with the proposition a good deal and we have had these civil-service reformers up there; my friend from Pennsylvania [Mr. ADAMS] has his scheme; and I would ask the gentleman if he has something practical in the way of getting better consuls.

Mr. GREEN of Pennsylvania. I should have thought the Committee on Foreign Affairs, who have that matter in charge, and who would be acquainted with the details particularly must have studied the question, and I certainly thought they were able to devise some scheme. Pick your men who are business men in this country and who are accustomed to handle the goods that go through the market and give them a sufficient salary. Instead of giving them $1,500 give them $5,000 or $10,000, and you will bring into the positions a class of men that will be useful to you. What is the use of maintaining a consular service for the sake of calling it a consular service? If you want to get a good service, you must pay for it. That is the rule in this country.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GREEN of Pennsylvania. Mr. Chairman, I would like a few minutes more.

Mr. SHAFROTH. I ask unanimous consent that the gentleman be allowed five minutes.

Mr. HITT. I ask unanimous consent that the time for closing general debate be postponed five minutes, and I will yield it to the gentleman from Pennsylvania.

Mr. HILL. Mr. Chairman, I would like five minutes to reply to the gentleman from Pennsylvania if I consent that he shall have five minutes more. Is there any objection to that?

Mr. HITT. Three other gentlemen have asked the same thing.

Mr. HILL. Then I guess that will be reply enough, and I withdraw my request. [Laughter.]

The CHAIRMAN. The gentleman from Illinois asks that the time of the general debate be postponed five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HITT. I will yield that five minutes to the gentleman from Pennsylvania.

Mr. GREEN of Pennsylvania. Mr. Chairman, I can not say that I have examined or have sufficient information on this question of the consular service. I make this as a fair criticism from matters that have been brought to my personal attention, matters that I could not help examining, circumstances that were so thrust upon my attention that I could not help taking notice of them.

Knowing the demand of this country, knowing the opinion of men who have manufactured goods to export, knowing that they believe that we could expand to a large extent our foreign markets if they had such assistance as the Government ought to furnish them, I came here to tell you what I know, what I saw, and to plead with you to find some way in which the consular service could be reformed.

I believe that in reforming you will bring good men into the service and pay them an adequate salary. If a fund for them which they could use in an emergency could be established, and in addition to that you should inspect the consulates and keep men going around to give you the latest news from the consular ports, it would be a great benefit to the service. If you should cover this ground, you will do a great deal to reform the service and make it as practical as you can do it without absolutely reforming it.

I do not believe so much will be accomplished in a short time by civil-service rules, but I do believe that wherever there are assistants you should put them under the civil-service rules and give them a chance by promotion to take the important places as they become fitted for them. The inspectors will soon tell you who are fit men and who are not, especially if the inspector is a fair man and has the interest of the Government and the interest of the people who manufacture goods in this country at heart.

Mr. KLUTTZ. May I ask the gentleman from Pennsylvania a question?

Mr. GREEN of Pennsylvania. Certainly.

Mr. KLUTTZ. Is the gentleman from Pennsylvania in favor of putting the consular service under the civil-service rules?

Mr. GREEN of Pennsylvania. To some extent I am. I believe you can do it to a considerable extent if you make the examinations sensible and practical. I do not mean one that a school-teacher only could pass, but to examine a man and see whether he has got hustle and push, business knowledge and address that will make him efficient in a place of that kind.

Mr. HITT. I now yield to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Chairman, there is nothing easier in this world than to complain and growl. I have listened on the floor of this House a great many years to an annual recurrence of the bitter criticism made upon the corps of consular representatives of the United States abroad. In 1891 I had occasion to hold either personal or written communication with each one of them, and since that time I have visited and seen a majority of them. I undertake to say, what I have said on this floor before, and which general statement will not be contradicted, that the consular service of the United States is far better, in all respects and in every respect, than is the consular service of any nation in the world. [Applause.]

I pointed out that in the European system every one of the propositions in what is called the reform movement in the consular service of the United States is involved. Long terms of service, training for the particular place, rigid and active examinations under various civil-service organizations, and all that, and yet I repeat now what our ambassador to France told me less than a year and a half ago, of his own motion, that it was conceded by every ambassador and minister at the court of Paris that our system and our representatives were by far the most efficient in all Europe. [Applause.] He told me further than that, that upon the recurrence of each one of our consular reports being printed and sent to the ambassador in Paris that the representatives of foreign governments always came to him and in a complimentary manner said: "Your system, your men, are so far superior to ours that we frankly come and say so to you and ask you for the information which they have furnished."

Mr. GREEN of Pennsylvania. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Pennsylvania?

Mr. GROSVENOR. No; I can not yield. I could give names if it were proper. I will refer to one or two. They talk about the length of service. There is a consul-general at Berlin to-day who was appointed in the consular service in 1877—a man of fine education before he went abroad and who has acquired a splendid knowledge of the languages of those countries. He, with another consul-general, has charge of all the consulates in the great Empire of Germany. I say to the gentleman from Pennsylvania that I can take a list of the names of those consuls and read them to the House and point out that there is no better-educated class of men anywhere—no more efficient, valuable, sterling men. They are not hustlers. They would not do to handle a ready-made clothing store, I presume. There are many of them doubtless who would not be efficient in the character of the "auctioneer" in the famous play that is being performed throughout this country.

I do not think they would understand all about the question of high prices in one instance and low prices in another. But they are gentlemen who have studied the system of trade; and the reports which they send to this country from the different towns at which they are stationed should put the blush of shame upon men who are constantly deriding the institutions of our country. Take our consular reports from Glasgow, from Edinburgh, from Manchester, from Birmingham, from Huddersfield, from any of the points in the United Kingdom. Take the reports from the different consular stations in Germany or from St. Gall or elsewhere over the Continent of Europe, and tell me what is there lacking in those reports in the matter of education and intelligence and clearness of statement. I say to the gentleman from Pennsylvania—and I stand here to challenge contradiction of the statement—that our consuls are an educated, efficient, and highly valuable organization of men. You can not have a permanent——

Mr. DOUGLAS. If those men are so efficient as the gentleman says they are—and I do not agree with him on that point—should they not be paid better salaries? And I should like to ask, also, whether some of our consuls are not resigning constantly because upon the compensation allowed they can not support themselves?

Mr. GROSVENOR. The gentleman is making a speech in my time.

Mr. DOUGLAS. I beg the gentleman's pardon, but——

Mr. GROSVENOR. I decline to be interrupted in any such unfair manner.

Now, what I was about to say, Mr. Chairman, was this: We can not have long-continued service by these consuls upon the pay we are giving them. And let me say, very few of them are resigning. I have examined with some care and ascertained what happens at the consulates in Europe and in Asia. Some consuls are resigning, it is true, but I have never yet known one of those places to be vacant very many hours. There are always 25 or 30 applications for one vacancy. And if the gentleman has any friend who is an applicant for such a position he will have to be very alert in going to the State Department in behalf of the applicant, so as to know at once when a vacancy happens, for otherwise he will not have a chance to get his man in. We can not keep men in those positions for long terms, and I do not believe, as a rule, it is desirable that we should.

Mr. HILL. There is no nation that does keep its men long in such service.

Mr. GROSVENOR. Certainly; that is the fact. The experience of mankind has been against long-continued terms of consuls.

[Here the hammer fell.]

Mr. HITT. I yield three minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Chairman, I had somewhat of an experience last summer in regard to our consuls. I did not hear all of the remarks of my friend from Pennsylvania [Mr. GREEN], but I did hear the question put to him by the gentleman from Missouri [Mr. CLARK], who asked him in effect how he would improve the consular service. Allow me to say to the House that I think the personnel of this service at some places should be improved.

I think we should have better men at certain places. We should have men in this service who are consuls only, and not consuls incidentally and merchants or agents of American and other firms as a daily and regular business. It seems to me that our consuls should be consuls and capable of being so, and nothing else.

The service between New York and the Philippine Islands by way of the Suez Canal is not what it should be, because some of the officers are not fit for the place in any respect. There are some notable exceptions.

If we can not improve this service by getting better men at the salaries now paid, then I say we should increase the salaries, if money will enable us to get the men who should represent us at these places. We should not pay the "poor little pittances," as some of them said, now allowed, and then turn these officers loose upon the community to make up what should be paid them by the Government by selling goods on a commission or otherwise.

I remember distinctly that the most importunate appeals were made to me, and if I mistake not to other members of our Congressional party, and those appeals consisted in this: "For Heaven's sake raise our salaries; we can not live here scarcely on the salary we are paid and attend to our business as we should." Now, Mr. Chairman, I am an American. I dislike to criticise any man who is an American, and I am talking not so much about the law as the men who are executing the law as it is. I speak of what I happened to know, and I feel Congress should know. We have to be cruel to be kind sometimes.

Mr. LANDIS. Will the gentleman yield to a question?

Mr. GAINES of Tennessee. I should like to yield, but I think my time is up.

Mr. LANDIS. The gentleman speaks of the importunate appeals for increase of salary.

Mr. GAINES of Tennessee. Yes.

Mr. LANDIS. I would like to ask if the gentleman knows of anyone in the Government service, excepting Senators and Representatives, who are not importunately demanding an increase of salary?

Mr. GAINES of Tennessee. Do you object to increasing the salaries of the judges of our Supreme Court? I am not for increasing their salaries, I will tell you. There are other people in this country who are in a state of penury to-day who have no salary and no money, and in need of the every-day necessities of life, who are appealing to this Congress year after year, and have for forty years, asking that this Government pay them their just claims, and yet we turn them away with a deaf ear and a cold hand. I am opposed to that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HITT. Mr. Chairman, I yield to the gentleman from Illinois [Mr. FEELY] for ten minutes.

Mr. FEELY. Mr. Chairman, in expressing my belief that the time is ripe for the improvement of the consular system, I desire not to cast any reflections on the service of the United States, as the distinguished gentleman from Ohio would have us believe anyone would do who would insist upon an improvement of the system. I desire to call attention to the fact that the business interests of the United States are daily petitioning members of this House for an examination into and a report upon the question of the improvement of the system. I can not in the few minutes allotted

me discuss to any considerable extent, or formulate even the outlines of any definite plan, as is thought necessary to be done by the gentleman from Missouri before the first word can be said on this subject; but I insist that the time is now here when the members of this House and the Senate must take up this question of the improvement of the consular service. And they must answer the question of the gentleman from Missouri: Shall we place the consulate under civil service?

I do not know that the Democratic party, as a whole, is committed to the principle of civil service—and I know there are men in it who are even as insistently opposed to the principle of civil-service reform as the gentleman from Ohio [Mr. GROSVENOR]—but I for one say that if the standard of this service can be raised, if the personnel of the consular system can be improved by providing for a definite tenure of office longer than four years for the consuls and attachés, then we ought at least to favor civil-service rules in this respect. I am not afraid of a system because it may attract the opposition of some. We are now in an age when we must move forward or move backward. I do not believe that the war of 1898 marked the beginning of this country as a world power. The brain of the American, the brawn of the American, the best that is in the American character, inherited from all the nations of the earth and welded together to constitute a liberal man with unity of purpose and great patriotism, applying his powers to the development of this country and to the development of its trade, have done more to make this country respected as a world power than all the wars, than all the attempts at civilizing and assimilating foreign people than has ever been done since we went into this colonization and assimilation business.

Mr. CLARK. Will you permit me to ask you a question?

Mr. FEELY. Certainly.

Mr. CLARK. Have you any practical suggestion to make as to how to get a better consulate service? If you have, let us have it, because the Foreign Affairs Committee, of which I am one of the members, has spent a great deal of time wrestling with this very proposition.

Mr. FEELY. And has confessedly failed.

Mr. CLARK. Why, yes; confessedly failed, as the House will confessedly fail——

Mr. FEELY. The gentleman is indulging in mere prediction when he says that the House will fail.

Mr. CLARK. The House, on an average, is of no higher intelligence than the Foreign Affairs Committee, I will undertake to say, without any fear of contradiction. Mr. Chairman, I want to ask——

The CHAIRMAN. Does the gentleman yield?

Mr. FEELY. Certainly.

Mr. CLARK. Here is what I want my friends from Chicago and Tennessee and Pennsylvania and the rest of them to do. The Foreign Affairs Committee is just as anxious as anybody else to improve this consular service, but it will do no good and it is of no purpose to stand here and inveigh against it. That does not accomplish anything. If you have any practical suggestion to make, make it, and we will take it into consideration.

Mr. GREEN of Pennsylvania. By removing some of them and putting better men in their places.

Mr. FEELY. I would suggest to the gentleman from Missouri—and I am not at all concerned as to whether or not the House or the gentleman from Missouri or the Committee on Foreign Affairs itself thinks this a ludicrous suggestion—but I would submit that if we have a plan here to educate and develop good diplomats, as we have had a successful plan to educate and develop good soldiers for the land and on the sea, we would be making one step forward in your investigation as to what may be done to elevate the personnel and the whole system of our consular service. I do not see how a man taken from some backwoods county, with no training and no business experience, and appointed because he was useful in delivering a certain number of delegates in that county, can be as good a representative of our country in a busy foreign port as a man who has been educated along the lines of the service as we educate our soldiers and our naval officers.

Mr. WM. ALDEN SMITH. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Michigan?

Mr. FEELY. Certainly.

Mr. WM. ALDEN SMITH. Do you see how it is possible for a man from a backwoods county to make a good soldier?

Mr. FEELY. I certainly do, if he is trained for it; but I see how it has been impossible in the history of this country, in many instances, to take an untrained civilian and place him at the head of a body of soldiers and get anything like satisfactory results from his activity.

Mr. WM. ALDEN SMITH. Is it not a fact that some of the best soldiers of whom our country can boast, and indeed that the strong military arm of this Government is found in the volunteers who have never had any training?

Mr. FEELY. Oh, I have as much respect for the volunteer as the gentleman from Michigan, but I submit that a volunteer never won a victory—a captain's victory, if you choose to call it that—on the day or in the year when he was first commissioned as an officer to guide soldiers in the wars of this country. I have as much respect for the volunteer as the gentleman from Michigan or any other man on the floor of this House, but I submit that if I were to volunteer to-morrow I should want, as the President of the United States wanted in 1898, to fall in line behind a trained officer of this Government. The unsuccessful competitor in the last Presidential race and the present President of the United States are examples of tribute paid to learning and to development, and military practice. The volunteer of to-day is not an untrained soldier ordinarily. He has seen years of service and practice and training in the National Guard of his State and he knows the rules and how to fight so well that he generally wants to fight under officers whose experience have been varied and training rigid.

Mr. KLUTTZ. Will the gentleman yield for a question?

Mr. FEELY. Yes.

Mr. KLUTTZ. How would the gentlemen select his volunteers for education by the Government?

Mr. FEELY. Oh, they might be selected along the lines that you select the volunteer from your district for appointment to West Point or Annapolis. Exactly the same way. The educated man who is ambitious soon learns business methods. I believe that the United States can not secure, for the paltry sum that it pays, the services of the kind of men whom it should have and whom it is entitled to in this service.

You all know that the great business interests of this country have their own representatives in many of these ports, because they can not rely on the men sent there by the United States under our present system. The Committee on Foreign Affairs ought to be able to do something about it, and I do not admit that that committee has confessed its inability to frame a system for the betterment of this service. If they are so confessedly unable, it might be well, in the face of all this clamor for a betterment of the service, to have public hearings and let suggestions be made by other members of the House and by the various importing and exporting interests, who are so deeply and directly interested in such matters. At any rate, the complaint is quite general, and we could then see upon what basis of reason this complaint rests. We should have the best. We should be willing to pay for it. We should not be unwilling to hear in every particular where we are weak. It is no easier to inveigh against this service than it is to bombastically declare that it is the best service in the world. Such talk will serve no purpose. We want not to declare the belief, but to know the fact.

Mr. DINSMORE. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Arkansas?

Mr. FEELY. I do.

Mr. DINSMORE. I should like to ask the gentleman for some suggestion of some line upon which the consular service is to be improved. I should like to have the gentleman specify in what way we may improve this service. We all admit that it ought to be improved, as other branches of the Government ought to be improved, but I should like to know what suggestion the gentleman has to make in that direction.

Mr. FEELY. In the first place, I should improve the service by improving the personnel. Competent men should fill the places. The positions should not be used to pay doubtful political obligations.

Mr. DINSMORE. How would you go about that?

A MEMBER. Elect a Democratic President! [Laughter.]

Mr. FEELY. I do not know that I would do it wholly by electing a Democratic President. I do not assume that in general the appointments made under a Democratic President have been any better than those under a Republican President; but I would raise the salaries; I would assure to the man who goes into that service a livelihood for a certain term of years, at any rate, and if he tired of the position, as suggested by the gentleman from Ohio, I would transfer him to some other post where his usefulness might be demonstrated to the country at large. Men accept these positions with the paltry salary attached for one of three reasons. Either they have despaired of making as much in ordinary business activity, or they desire to be educated at the public expense, with a view of proffering their services to trading concerns at the end of their service, or they are of the globe-trotting class, referred to by certain members, whose only desire is to travel and idly disport themselves, clad in the vestments of the authority of this great Government. They, in the most part, are of these three classes. This should not be. Our Government is too great for

this. The standard should be high, the positions should be of such a standard that honor will attract, and the compensation should be such that those who accept them can live in respectability and in dignity compatible with the requirements of the country.

Let us endeavor to build up a system which will attract more than derelict politicians, pulpitless ministers, and lady-like gentlemen.

The whole system of the appointment of our consular officials is defective. The manner of appointment has been a byword, not only throughout the country, where criticism is general, but here in the capital, where it is regarded as part of the pleasantries which brighten official life.

It is vouched for by members of this House that on the incoming of a certain Administration the Executive sent to the Senate for confirmation the name of a gentleman from a certain State. Both of the Senators from that State approached each other, and out of their mouths came the same query, "Who in the Lord Harry is Smith?" and they immediately went to the White House and demanded to know why the President appointed such an individual to such an important post. The President, with the imperturbability which was one of his characteristics, reached into a pigeonhole and got the application of the gentleman who had been appointed and, lo and behold, beneath the gentleman's application there was the indorsement and signature of both the indignant Senators. The appointment was made, and it was the duty and pleasure of the two Senators to move the confirmation of the gentleman whom they did not know and of whom they had never heard. This is only one instance, and that there are many such no one will gainsay.

At the beginning of each Administration a great many of the faithful come to this Mecca to receive their reward, following the wise injunction to aim for heaven that they may at least reach purgatory, and that they may receive the reward for which their conception of their ability warrant them in aspiring. The good places are rapidly filled, and they are told daily that they will receive "something equally as good." Then they become as ubiquitous as they are anxious. They meet their Representative everywhere he goes. They bid him "good morning" when he awakes and "good night" when he retires, and finally in sheer desperation they get him in the mood of the young lady who married her unwelcome suitor in order to get rid of him. He indorses their applications and they transfer their importunities at once to the executive department. The consulship is filled, and the happy man, armed with his credentials, starts for the point where he is to shed luster and renown on our Government and forward its interests for a salary munificent and tempting.

We recognize that every wideawake official appreciates the necessity for prompt action looking in the direction of elevating the service, and we recognize also the difficulty of those who seek practical means to bring about a wholesome change. Those who suggest the establishment of diplomatic schools to fit men for the consular service meet the objection of those that the applicants shall have practical experience before they shall be trusted with such responsibilities.

Those who suggest civil-service examination meet the objection of the chronic, who is opposed to anything connected with the despised words "civil service;" but nevertheless the merit system gains friends and supporters of the cause every day and keeps on demonstrating that ability and education should be recognized and that the examination should be broad enough to cover all characteristics of particular merit for the service. Acquaintance with the language of the post to which the official is assigned ought to be a prerequisite. Definite tenure of office gains friends, and there are few who believe that consuls should be retired every four years. A reorganization looking toward rearrangement and general increase of the salary paid is one part of the plan which everyone must favor, which seems quite practicable, and which few will deny. The fee system is no more suitable here than it is in offices of a similar character in our large cities. Make a man depend on the amount which he receives for transacting the public business, and you make him a servant of himself and not of the people. Public fees should be turned into the public Treasury, and the officer should depend on a prescribed compensation, definite and certain.

Some say that they do not desire that our consul should be made a drummer for the business interests. One of the very complaints made now is that many of our consuls are drummers, not for the business of the United States, but for certain concerns in the United States and foreign countries, and are made so by certain temptations held out to them, caused by the inadequacy of the compensation and the improper appreciation of the ethical duty toward our Government which employs them.

The problem, of course, requires study, and its solution rests in a general compromise, after a careful and rigid investigation of all the defects in the service, between the radical who sees little good in the service at present and the conservatives who are perfectly satisfied with the present status.

The searchlight of publicity should be turned on the service, its personnel improved, its character made more honorable, and its compensation greater.

The great value which an efficient consular service will be to our country in the advancement of trade, in the dissemination of knowledge of this country, its aims, its objects, its possibilities, its products, and its desires, must be admitted by all. Let us give less time to the consideration of abstract theories in our foreign relations, and let us expend more energy in seeking to advance our interests and utilize trade as a civilizing influence in working out our share of the world's destiny.

This is a subject which Congress should be eager to take up and which should receive its best thought and judgment on the question of the improvement of the service. And it should keep religiously at it until the time shall come when the world can appreciate our seriousness when we stand here and declare that our consular service is the best in the world, and it shall show the wisdom and economy in the vast annual expenditure of the people's money for the maintenance of this system, which ought to be useful as well as ornamental. [Applause.]

Mr. HITT. Mr. Chairman, I yield to the gentleman from Nevada [Mr. NEWLANDS] twenty-five minutes.

The CHAIRMAN. There are only eighteen minutes remaining.

Mr. DINSMORE. I ask unanimous consent that the time be extended so that the gentleman from Nevada may have twenty-five minutes.

The CHAIRMAN. Unanimous consent is asked that the time for general debate be extended so that the gentleman from Nevada may have twenty-five minutes. Is there objection?

There was no objection.

[Mr. NEWLANDS addressed the committee. See Appendix.]

Mr. HITT. The time for general debate is now exhausted: but the gentleman from Arkansas [Mr. DINSMORE], I think, wished to ask unanimous consent for a member to whom time had been promised.

Mr. CLARK. The gentleman from Montana [Mr. EDWARDS].

Mr. HITT. As I desire that faith shall be kept with everyone, I ask unanimous consent that the time for general debate be extended for five minutes. As I understand, after we enter upon the consideration of the bill under the five-minute rule a point of order will lie upon the ground of irrelevancy to any remarks not germane to the bill, but it does not lie now.

The CHAIRMAN. The gentleman from Montana [Mr. EDWARDS] will be recognized for five minutes, if there be no objection.

There was no objection.

Mr. EDWARDS. Mr. Chairman, I read from page 1934 of the RECORD:

Mr. TAWNEY. What did the Democratic governor of Montana do with respect to the railroad merger that the gentleman alludes to?

Mr. BURLESON. If he is not in line with the governor of Minnesota in his protest against the railroad merger, then I, as a Democrat, repudiate him.

Mr. TAWNEY. He is not, and he repudiates you. [Laughter on the Republican side.]

Now, I want to read to the gentlemen and the House some of the utterances of Governor Toole on that question. In a letter to Governor Van Sant, written November 26, 1901, Governor Toole said:

If you have rightly interpreted the purpose of this organization, as it relates to the State of Minnesota, there would seem to be no doubt but that such a consolidation is a violation of the spirit if not the letter of our constitution.

I am not sufficiently advised at this time to indicate what remedies are available to defeat this consolidation and its purpose to control the rates of transportation in this State, but whatever lawful methods are available will be employed, and to this extent our cooperation may be relied upon.

"I have not devoted any time to the consideration of the discussion going on in the press, as to whether the unobstructed and successful launching of this gigantic combination would prove dangerous and detrimental to the commercial welfare of the Northwest, or whether it would eventuate, as claimed by some, in giving stability and steadiness to transportation charges, and hence redound to the public good, but have considered that question settled by what seems to me to be the plain plenary and positive provisions of the constitution and laws of Montana, designed to prohibit the very things which confessedly the Northern Securities could not do directly, but which it is avowedly attempting to do indirectly.

"It may be, as claimed by counsel representing the Northern Securities Company, that the scheme embodied in this organization is a successful evasion of our constitution and laws, but until the court of last resort has sanctioned such combination and its purpose no such contingency ought to be accepted for a moment."

And assuring Governor Van Sant that Attorney-General Donovan is opposed to this invasion of the constitution and statutes of Montana, and will give such assistance as he can in any procedure finally determined upon.

An interview given out on December 26, in regard to the rumor that the merger roads were going to reduce freight rates so as to show that the merger means lower instead of higher rates, Governor Toole said of the promise of lower rates:

"This would be a good thing—certainly as long as it lasted. The great

trouble found in reconciling one's self to such seductive overtures lies in the constitution and laws prohibiting the consolidation of parallel or competing lines, and the formation of what is 'known as a trust,' more than in any incredulity which such an offer at such a time might create.

"The power to reduce rates carries with it the power to increase rates, and the exercise of this power by a combination of individuals or corporations, whether for good or bad, appears to be the thing prohibited. Right or wrong, wise or foolish, this prohibition is firmly ingrafted into the public policy of this State. The generally accepted reasons for this, if such are required, may be found in a decision of the supreme court of Texas, where the following language is used:

"'To fix by combination a rate lower than the one that has prevailed carries with it the power and ability to establish higher ones, and the object of the statute is to free business and commerce from being controlled by combinations, whether of persons or corporations. It does not matter that the immediate result of combination may be a reduction in the price of commodities. A dangerous arbitrary power has been lodged in its hands, by which the business of the country may be absolutely dominated and prices arbitrarily controlled, regardless of the laws of trade or the rules of supply and demand. If the combination be one "to create or carry out restrictions in trade or commerce or aids to commerce," no matter what may be the result of the combination, the law has been violated.

"'The law does not look to the results. The object of the statute is to guard the commerce and trade of the State, so that it may flow in its regular channels, subject to the law of supply and demand, and untrammeled by combination of man or corporation which can at will control their course. The State is unwilling to trust to any combination, even though of her creatures, the tyrannical and oppressive power that is inseparably connected with the power to raise and lower prices of commodities and control the trade of the country.

* * * * * * *

"'It does not matter that the parties to the unlawful combination may not have been actuated by any bad motive, or that the public may have been temporarily benefited by it, such combination was incompatible with public policy and is condemned by law.

"'The inquiry is not as to the degree of injury inflicted upon the public. It is sufficient to know that the inevitable tendency of the act is injurious to the public.'"

Resolutions adopted by the antimerger conference in Helena on December 31:

"In our opinion, the consolidation or threatened consolidation of the Great Northern, Northern Pacific, and Burlington railway systems, in the several States through which they run, as parallel and competing lines, is contrary to sound public policy and also, with the exception of Idaho, is in violation of the constitution or laws of said States. And mindful of the obligation which the law imposes in such cases upon the officials of the several States here represented, we hereby give our unqualified approval and indorsement to any proper and suitable proceedings which may be instituted in any court having jurisdiction by the sovereign State of Minnesota, or any other State affected thereby, designed or intended to speedily and finally test and determine the validity of such consolidation or threatened consolidation; and to that end we hereby pledge our earnest cooperation, and, further, we unanimously protest against any combination or consolidation which restricts or stifles free competition in the trade or commerce of the country."

Governor Toole was chairman of the committee that drafted that resolution. After its adoption by the conference Governor Toole signed it, as did the other conferees present. And here is another resolution passed by the conference:

"Whereas a consolidation of the great transcontinental railway lines has been accomplished or threatened, which in the opinion of the members of this conference is inimical to the public welfare: Therefore, be it

"*Resolved*, First. That the Congress of the United States be, and is hereby, requested to investigate the general subject and take suitable action thereon.

"Second. That power should be granted to the Interstate Commerce Commission to fix maximum rates upon interstate traffic and to regulate the same.

"Third. That a copy of these resolutions be forwarded to the Senators and Representatives in Congress of the States here represented."

The Indiana courts seem to entertain the same view. "The authorities affirm," says the court, "as a general rule, that if the act complained of by its results will restrict or stifle competition the law will regard such act as incompatible with public policy, without proof of evil intent on the part of the actor or actual injury to the public. The inquiry is not as to the degree of injury inflicted upon the public. It is sufficient to know that the inevitable tendency of the act is injurious to the public."

And so I may add that the promise to reduce rates may be made in the utmost good faith, with every intention of fulfillment, upon the part of the president of the Northern Securities Company, but such a promise, however tempting, can not overcome or neutralize the effect of the constitution and laws which the executive is called upon to enforce."

The anti-merger conference was held in Governor Toole's office; he was chairman of the committee on resolutions, and since the conferences on public occasions he has said:

The results of the conference were eminently satisfactory to me. The resolutions adopted express my views.

And I want to say to you that when we adopted those resolutions we meant what we said. There is no string tied to them.

[Here the hammer fell.]

Mr. CLARK. I ask unanimous consent that the gentleman from Montana have leave to extend his remarks in the RECORD.

There was no objection.

The Committee of the Whole then proceeded to consider the bill by paragraphs under the five-minute rule.

The Clerk read as follows:

SALARIES OF AMBASSADORS AND MINISTERS.

Ambassadors extraordinary and plenipotentiary to France, Germany, Great Britain, Mexico, and Russia, at $17,500 each, $87,500.

Mr. OLMSTED. I wish to ask the chairman of the Committee on Foreign Affairs why the ambassador to Mexico is allowed a salary of $17,500 and three secretaries, while the ambassador to Italy is allowed only $12,000 and two secretaries?

Mr. HITT. In order to conform to the rule, I will move to amend by striking out the last word, and will answer the gentleman from Pennsylvania.

The mission to Mexico was formerly at a lower rate of salary, and, of course, a lower grade. It is a far more important mission than the one to Italy. It has many times the amount of business. And it was, therefore, raised in pay and in grade until it was finally made an embassy. The relations between this country and Mexico are now so extensive that it was long ago deemed necessary, for reasons which were duly considered by the House and Senate, that the increasing dignity and importance of this mission should be recognized. We have $250,000,000 of American money there in railroads and other investments, and thousands of our citizens are deeply interested there.

Mr. CLARK. Mr. Chairman, the gentleman from Pennsylvania [Mr. GREEN] raised a very grave question, one that is worthy of exhaustive debate, one which challenges the sum total of the wisdom of this House. It is the improvement of the consular service of the United States. It is extremely easy to inveigh against any system. It is a great deal more difficult to suggest an improvement. It is easy to make a diagnosis of the disease, but it seems almost impossible to prescribe an adequate remedy. I wish to say, in the first place, that the Committee on Foreign Affairs has spent a great deal of time studying this question, talking about it, and hearing delegations from boards of trade all over this country, that have come into our room for the purpose of enlightening us. We have done our best to devise a better plan. I repeat what I said in an interlocutory way a little while ago, that, leaving myself out of consideration, I believe the Foreign Affairs Committee shows as high an average of intelligence as the House itself contains, and to prove that that is true there is nothing else necessary to be done than to read the list of the members of that committee.

It is composed of the following Representatives: ROBERT R. HITT, of Illinois; ROBERT ADAMS, jr., of Pennsylvania, both of whom have had large diplomatic experience; ROBERT G. COUSINS, of Iowa; WILLIAM ALDEN SMITH, of Michigan; JOEL P. HEATWOLE, of Minnesota: FREDERICK H. GILLETT, of Massachusetts; CHARLES B. LANDIS, of Indiana; JAMES B. PERKINS, of New York; JACOB A. BEIDLER, of Ohio; DAVID J. FOSTER, of Vermont; THEOBOLD OTJEN, of Wisconsin; HUGH A. DINSMORE, of Arkansas, who has had a good deal of diplomatic experience himself; WILLIAM M. HOWARD, of Georgia; ALBERT S. BURLESON, of Texas; CHARLES E. HOOKER, of Mississippi; HENRY F. NAPHEN, of Massachusetts, and myself. The members of that committee are just as anxious to improve the consular service of the United States as any other member of this House can possibly be. The evidence in the case shows, when these visiting gentlemen come before the Foreign Affairs Committee and are cross-examined, which is the surest way of eliciting the truth, that our consular service ranks among the very best consular systems in the world.

Another fact is demonstrated on cross-examination, and that is that the consular service of the United States is constantly improving. The trouble about it is that there are certain doctrinaires in this country who are determined that the consular service of the United States shall be put under a hard-and-fast civil-service system of examination, and who denounce as "spoilsmen" all who do not accept their ideas and plans without question and without amendment. I want to say, speaking for myself and the entire Democratic party, that we are not opposed to a merit system. I repeat that with emphasis, so that no idiot can go away from here and misconstrue it [laughter], that the Democratic party is not opposed to a merit system based on common sense. We are not opposed to a merit system, but we are opposed to life tenure in office. It is both undemocratic and un-American. I have an old-fashioned idea that when the Republicans carry the election in this country they have a right to the offices and when the Democrats carry it they have a right to them; and certainly Democrats do not carry it often enough to form the chronic habit of office holding. [Laughter.]

I undertake to say, without the fear of successful contradiction, that it is a libel on American intelligence and on the public-school system of this country, which we so proudly vaunt and which costs so much, to say that out of the 6,000,000 men who voted for William J. Bryan in 1900 you can not find 200,000 fit to hold these appointive offices under the President of the United States; and it is a greater libel, simply because there were more of them and not because they were more intelligent, to say that out of the 7,000,000 Republicans who voted for William McKinley you can not find 200,000 fit to hold these offices. If a system could be devised of this sort there would be some sense in it; that is, when the Democrats are in power, have it understood that they are to appoint Democrats.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK. I would like to have ten minutes more.

Mr. HITT. I move to strike out the last two words. With that I will consent that the gentleman may proceed for five minutes more.

Mr. CLARK. That gives me ten minutes—five minutes for each word. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I ask unanimous consent that his time be extended ten minutes further.

Mr. HITT. If we get to unanimous consent, we will never get through. I will try and arrange it to give the gentleman his time.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the time of the gentleman be extended. Is there objection?

Mr. HITT. I object. I object to unanimous consent for ten minutes, but the gentleman has the floor to speak on the amendment for five minutes more.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. CLARK. I say this, that when the Democrats are in power, if you would have a rule that the appointees should be Democrats, and then that they should be thoroughly examined, that would be all right, and the same way when the Republicans are in power; but here is the objection in this consular business to the civil-service-reform examination as now conducted.

They do not ascertain a man's fitness to be a consul, because the examinations are not about things which a consul ought to know in order to render the best service.

I stated on the floor of this House once, and I repeat it now, that in my judgment, notwithstanding there are over two hundred college graduates in this House and a proportional number in the Senate, there are not 30 men in both Houses who could stand an examination for a $900 clerkship over here in one of the departments. [Laughter.] Why is that true? I will tell you. It is true because the men who are fit to sit in the Congress of the United States have forgotten the things that they are examined on in these examinations over there. That is the truth about it.

Men are fit to serve in House and Senate, not because they have forgotten certain things but because they have learned more important things. The latter things crowd the former out of their minds. To undertake to examine men for consular positions in one of the civil-service examinations, as now conducted, will end in this, that you will get a lot of men just out of school who know nothing about business, while business knowledge is the most necessary qualification for consul, as it is a purely business office. Napoleon picked his marshals by the shape of their noses. [Laughter.] I undertake to say that there is not a man on this floor who can not go into his own district and pick the men who are fit to be consuls anywhere by their business capacity, because he knows them and understands what they are good for. Natural pride would compel him to select the most competent.

Now, somebody says that you get a lot of backwoods politicians who have delivered delegates to somebody. We never have any delegates in the district which I have the honor to represent, for we have primaries. "Backwoods" districts are not the only places where there are a job lot of politicians hanging around. [Laughter.] I have heard that politicians abound in great cities and deliver delegates sometimes. Another thing, the men who run this House, as a rule, are backwoods men. They come from the country or from little towns. There never has been but one man nominated for President of the United States from a great city. That was Grover Cleveland in his second term, the greatest calamity that has happened to the human race since the fall of Adam. [Laughter.]

Mr. FEELY. Mr. Chairman, will the gentleman permit a short question?

Mr. CLARK. Yes, with pleasure.

Mr. FEELY. Does the gentleman believe the members of this House can go into their districts and find men fit to hold these positions who will accept them for the salary now paid?

Mr. CLARK. The question of salaries is a different question. I will come to that after a while. I say that I can find men in my Congressional district, and every man on this floor can find men who are fit to fill these consular places anywhere. This talk about backwoods statesmen and backwoods districts makes me very weary. [Laughter.]

We have fallen of late years into the habit of selecting West Point candidates by competitive examinations. That gives all the boys a fair chance; but if that rule had been in force years ago neither Stonewall Jackson nor Ulysses S. Grant would ever have seen the inside of the West Point Academy.

I wish to say to my friends from Pennsylvania and Tennessee and Chicago that we are not combating their proposition that this service ought to be improved, but what we do combat is the performance of these gentlemen coming in here and making a broadside criticism of the Committee on Foreign Affairs when the Committee on Foreign Affairs is doing the very best it can. Time and time again in that committee, when these self-appointed delegations have appeared from these boards of trade, we have tried to get them to suggest something that is feasible, and you never get a single practical suggestion out of the whole gang; never.

Now as to the question of salary. There is a great deal of rot got off around this Capitol, first and last, to the effect that men are not getting big enough salaries. I undertake to say this, Mr. Chairman, that if every Federal officeholder from Theodore Roosevelt down to the cuspidor cleaners in this House, including every member of the House and the Senate, were to die to-night, their places could be filled within a month by men just as capable as the men who hold the offices now, and they will take them at the same salaries, too. [Laughter.] The ins and not the outs clamor for higher salaries. I want to reiterate on this floor a statement that Senator BAILEY made the other day in the Senate. I take a great deal of pride in the fact that a prophecy which I have made about him time and time again was partially verified yesterday—that in less than two years from the time he set foot in the Senate he would demonstrate that he was the strongest debater in that body. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

Mr. HITT. If the Chair will have the Clerk read the next few lines, I will make the formal motion and yield to the gentleman from Missouri.

The Clerk read as follows:

Ambassador extraordinary and plenipotentiary to Italy, $12,000.

The CHAIRMAN. The Chair suggests to the gentleman from Missouri that it is not in order to refer in debate to the remarks of a member of the other body.

Mr. HITT. I move to strike out the last word.

Mr. CLARK. If the gentleman will yield to me, I will take the time.

I want to repeat what Senator BAILEY said about salaries in discussing the question of the salaries of judges. He said he hoped the time would never come in this country when the salaries of the officers would be made so large that the salary itself would be the main temptation or inducement to a man to hold an office. [Applause.] That is right, too. There is not one of us that does not feel that the honor attaching to our position is of greater value than the salary. I will say now that we do not get as much as the judges of the United States, and yet there are plenty of men in this House who are thoroughly fit to be judges of the Supreme Court of the United States who are just as good lawyers as any of the men on that bench.

Nobody ever heard of any office, great or small, going begging. There are always many more applicants than positions. Lincoln's story of the excess of pigs and the paucity of teats is as applicable to-day as when he told it first. No office is ever vacant for an hour because the pay is too small; but as soon as the average citizen is safely installed in office—especially if he holds by life tenure—he begins yelling and lobbying to have his wages increased. If he does not like his pay, he has his remedy. He can resign. There are others who stand ready to take his place. We all know that people want to get the Federal appointive offices, even at the present salaries; otherwise they would not apply for them.

Now, let us see what is the duty of a consul. My friend from Chicago and my friend from Pennsylvania—I did not happen to hear what the gentleman from Tennessee said, as I was out—seem to think that the sole duty of a consul is to act as a drummer for somebody in Europe, Asia, Africa, or wherever he happens to be. I deny that it is the function of the consul. If the American Tobacco Company (of which the gentleman spoke) wants to sell its tobacco in Europe, Asia, or Africa, let the American Tobacco Company do exactly in those countries what it does in the United States—send its drummers out and solicit trade at its own expense.

Mr. GAINES of Tennessee. Our consuls get a commission to do that.

Mr. CLARK. That is aside from their business.

Mr. GAINES of Tennessee. They are drummers.

Mr. CLARK. I will tell you what a respectable consul ought to be. Above all he should be a man of incorruptible integrity, an American to his heart's core, proud of his country. In addition thereto he ought to be a man of good common sense, of fair intelligence in business matters generally, and of indefatigable industry. His duty is to take care of American interests in general, and to inform our Government as to trade conditions in the country where he is domiciled. He should not be the agent for any particular sort of our products or for any particular house. To be a drummer is as honorable as to be a consul; but the two functions should not be combined in one person because they are incompatible. A man can not serve two masters.

It will be a sad day for the American Republic when our consular service is converted into a service of drummers pure and simple; because, when that is done, you will witness the sordid spectacle in this capital of great commercial, manufacturing, and exporting houses scrambling and fighting among themselves, each struggling to have its own man appointed consul, to act as a drummer for its special interest at the public expense. It

surely can not be that any sane man desires such a state of affairs as that.

Instead of making jimcrack speeches in criticism of the consular service of this country, let every man in this House put on his thinking cap and make to the Committee on Foreign Affairs a practical suggestion—and without being authorized to do it, I assume the responsibility of speaking for the gentleman from Illinois [Mr. HITT], the chairman, and the gentleman from Arkansas [Mr. DINSMORE], the ranking Democrat on that committee, and for all the members of the committee and saying that every such suggestion will receive all the courtesy, consideration, and wisdom that we can command. [Loud applause.]

Mr. HITT. I withdraw the pro forma amendment.

The Clerk read as follows:

Envoys extraordinary and ministers plenipotentiary to Austria, Brazil, China, Japan, and Spain, at $12,000 each, $60,000.

Mr. DINSMORE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in view of what has been said upon this side of the House by gentlemen upon this subject, and to supplement what has been said so very forcibly by the gentleman from Missouri [Mr. CLARK], I want to submit two or three observations. The Committee on Foreign Affairs has not been indifferent to the importance of this question. They have given it thought and sober consideration, and the suggestions made by these gentlemen are quite welcome to us. They are only in keeping with many suggestions that have been made in advice given by gentlemen who have come before the committee and insisted upon a reform in the consular service.

It is the desire of the Committee on Foreign Affairs to get the very best consular service possible; but when we are enjoined to make a reform, the committee would be glad to be advised as to how the reform shall be made. When gentlemen say the consular service should be better, and we ask them to designate in what respect and how it may be made so, we are told to increase the salaries. I want for one to interpose a respectful protest to that.

I do not believe that an increase in salaries will bring a greater efficiency in the service. At the same time I must admit I believe it is possible and even probable that the consuls in some particulars are not sufficiently paid. I do not wish the House to believe that I would have them underpaid. As a Representative interested in the public service of the country, in behalf of my own constituents, I say that they ought to be sufficiently paid.

But, Mr. Chairman, I have not much patience with this constant insistence that we hear from all quarters about increasing salaries. I believe that the officials of the Federal Government are, as a rule, sufficiently paid, and that when we increase salaries or compensation we do not, as a rule, increase the efficiency of the service. Increase of compensation often adds to the splendor and style of living, and I fear detracts from efficiency of service.

How shall we proceed to improve the service? I agree with my colleague, I agree with the gentleman from Ohio [Mr. GROSVENOR] who addressed the House this afternoon, that the United States has to-day a consular service equal, if not superior, to any other country in the world. [Applause.]

It is true that we do not put men into the consular service in their young days and keep them there continually, elevating them from one position to another, secure against removal; but I beg to suggest to this House that that system would not improve the efficiency of the men. I know that in many instances our consuls are not fair representatives and do not come up to the standard of requirement; but I am disposed to believe that these are the exceptions.

Having been a little more than three years in the foreign service myself, I have had an opportunity to observe something of the relative merits and standing of American consuls abroad with those of other countries, and I take a great deal of pride in saying, before the House and the country, that, with rare exceptions, I have never known anything to make me feel that the Government had cause to feel ashamed of its consular reputation. [Applause.]

Mr. RICHARDSON of Tennessee. Will the gentleman from Arkansas allow me a question?

Mr. DINSMORE. With pleasure.

Mr. RICHARDSON of Tennessee. I would like to ask the gentleman, from his experience and knowledge of consular matters, whether the placing of the consular agents and consuls under the civil service by President Cleveland improved the service; what does the gentleman think upon that subject?

Mr. DINSMORE. Mr. Chairman, I do not believe it did improve the service. I know that it was the desire of the Department of State to do so, and I attribute to this House and to these gentlemen who have made suggestions an interest in public affairs which prompted them, and a desire to bring about an improvement. But we have so often had occasion to observe the effect of these things when they come to practical application, and have so often found that they failed to bring about that which was desired, that I am not convinced that the application of the civil-service rules to the consular service will give us a more efficient system.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. HITT. I move to strike out the last two words, and I will yield the time to the gentleman from Arkansas.

The CHAIRMAN. The Chair thinks that under the rules the gentleman had no right to yield time.

Mr. HITT. I made the motion and the gentleman was speaking in opposition to my motion.

The CHAIRMAN. Let the Clerk report the next paragraph.

The Clerk read as follows:

Envoys extraordinary and ministers plenipotentiary to the Argentine Republic, Belgium, Chile, Colombia, Netherlands, Peru, Turkey, and Venezuela, at $10,000 each, $80,000.

Mr. DINSMORE. Mr. Chairman, I move to strike out the last word. I know that the proposition would commend itself to the ordinary mind and intelligence to have consuls, or men to represent the Government, or in any other branch of the service selected under a system of examination with a view to ascertaining their fitness for the duties which they are to perform, and that it would bring about more efficiency. But, unfortunately, it has been our experience that these examinations are not conducted upon lines which are calculated to disclose whether they are qualified for the performance of the duties which they are to perform.

Let me give an instance. It is not entirely in line, but it is upon the subject of civil service. I have a friend in my district who, under Mr. Cleveland's first administration, filed an application with the Government to be appointed a postal inspector. He had been engaged in the postal service of the United States about eight years. His father was postmaster of the town in which I live. He was a young gentleman of intelligence, education, and fine business capacity. He had been in that office, and I have reason to know myself was thoroughly familiar with all the postal regulations of the Government. He had informed himself about everything appertaining to the duties of the service. He thought he was qualified to make a good postal inspector, and he came on to Washington and stood an examination.

In that examination he was asked questions, scientific questions, on subjects that no postal examiner would ever be called upon to know in the performance of his duties. He was asked catch questions in geography, mathematics, and physical science that only a boy fresh from school would be expected to be informed upon, and he failed.

Another young man was appointed postal inspector who knew absolutely nothing about the postal service, but because he knew more about the matters that he was examined upon and with which he was familiar from his recent school experience.

Now, let me give another experience that came to me from my own observation in the consular service. Gentlemen go abroad to represent us, and may come from what my friend from Missouri [Mr. CLARK] calls the backwoods district and, perhaps, have not the manners which commend themselves to the dilletante gentry who travel over the country globe trotting to see the world. Their manners may not be good, but nevertheless they may have something back of these manners which may make them eminently fit to perform the duties of their position.

Mr. FEELY. Will the gentleman allow me a question?

Mr. DINSMORE. Certainly.

Mr. FEELY. I want to ask the gentleman if a large per cent of the men now holding consular positions are not of the same dilettante globe-trotting class of which the gentleman speaks.

Mr. DINSMORE. It may be so since the civil-service rules were applied and adopted by a former Administration.

Mr. GAINES of Tennessee. And continued by the present Administration.

Mr. DINSMORE. And, as my friend from Tennessee says, continued by the present Administration.

But I want to get at the manner in which men are selected for these positions under the system which at present obtains, and which was referred to by my friend from Missouri who has just taken his seat. A Congressman who recommends a citizen of his district for appointment as consul is not fit to represent his people in Congress if the man whom he selects is not chosen with reference to his fitness for the position. A Congressman having a proper regard for his duty and his responsibilities to his Government and his own people will not recommend a man for a position in the foreign service unless he believes he can perform the duties of the office respectably and acceptably.

I say, further, when you talk about politicians from the crossroads who can furnish delegates for a convention, that when a

man has manifested his ability to control men even in a convention he has manifested an ability which will serve him well in any other position which he may be called upon to fill.

Mr. GAINES of Tennessee. Do you think a man ought to be made a consul for such a reason?

Mr. DINSMORE. Perhaps not. I merely make that remark in answer to an argument that has been made here. But I shall come to the point to which the gentleman from Tennessee now directs my attention.

[Here the hammer fell.]

Mr. FEELY. I ask unanimous consent that the gentleman from Arkansas be allowed to proceed.

Mr. HITT. I object. Let the reading of the bill be resumed, and then the gentleman from Arkansas can offer an amendment.

The Clerk read as follows:

Envoy extraordinary and minister plenipotentiary to Nicaragua, Costa Rica, and Salvador, $10,000.

Mr. DINSMORE. I move to amend by striking out the last word.

When interrupted I was directing my remarks to the objections raised to the consular representatives of the United States abroad. Some years ago a gentleman of West Virginia was selected to be consul at Nagasaki, Japan. He was a parvenu, so to speak, in consular matters. He had never been abroad—perhaps he had never been out of the confines of the State of West Virginia, unless it may have been to come to this capital or to go to New York. On arriving at Nagasaki he found it inconvenient to secure proper quarters for his consulate.

He could not get a house in which to establish his office. But he found an American merchant doing business in Nagasaki, who said to him: "You can have these rooms above my store." So Mr. Birch, the gentleman of whom I am speaking, took the rooms above that store and hoisted his flag. He was immediately tabooed by the whole consular fraternity there and by the community. Why? Because the English idea of affairs obtained out there, and shopkeepers were not considered entirely respectable people. Mr. Birch had set up his consulate in a shopkeeper's establishment.

On making application at that time to become a member of the Nagasaki Club, Mr. Birch was blackballed; he was not admitted to the club. But I take pleasure in saying that before John M. Birch had been in that port two years he was recognized as the best consul there, and was president of the same club which had before blackballed him for putting his flag over a shop.

Mr. GAINES of Tennessee. As a matter of fact, the consul at Nagasaki now has handsome headquarters up on the side of the hill.

Mr. DINSMORE. I am very glad to hear it, though I do not know that it is very material to the present question.

Mr. GAINES of Tennessee. The consulate has been moved away from the store.

Mr. DINSMORE. Yes, it was moved away from the store very soon. But that same American spirit in the heart and mind of John M. Birch which prompted him to put up his flag wherever he might find a place for it to wave is the same spirit that makes the flexible American character, which makes Americans better fitted to be consuls or anything else than any other men occupying such positions abroad.

And so it is in other ports. At Shanghai, Mr. Kennedy, now dead; at Kobe, Mr. Thomas R. Jernigan; at Yokohama, Mr. Greathouse; at Hongkong, Mr. Withers, of Virginia. Notwithstanding they had had no previous training and were selected without competitive examination, all stood at the very top of the consular representation in the countries where they were respectively stationed; and when at the end of the Administration these gentlemen, as it was thought, would be recalled, petitions were sent up to our Government, signed by all nationalities in those ports, asking for their retention in the service.

Our consuls abroad are usually officers of efficiency and ability. They have not been selected under civil-service regulations; they have not been selected under the ideas which gentlemen here think ought to obtain; but they were selected by Congressmen and Senators, because it was thought they would be capable and reputable representatives of the United States in consular positions.

A MEMBER. And because they were men.

Mr. DINSMORE. And because they were men, capable men.

Now, Mr. Chairman, I want to state further in my observance of these things, I have been led to believe that there is something in the genius of American institutions that better fits a man for responsibility than the ordinary groove into which men fall under civil-service rules and regulations. You take the British service. They have some very estimable men, some very able men, but they start in for a career in the consular service. They begin as student interpreters in the Orient, and they are promoted from time to time and they spend their lives there. All they have to do is to render acceptable service and they know they will be retained.

They fall into a groove; they do not aspire to get outside; they are slow to take responsibilities; they shirk them; they submit questions to their superiors for settlement, but I was always proud to observe that the American, taught from his youth to fit himself for any occupation into which he might be thrown, for any duties which might devolve upon him, in his consular responsibilities was always prepared to act, and usually he acted so well that he received the approval of his Government at home. I believe they are more capable. I believe the very fact that they were not there holding a secure position in which they might decay had a tendency to make them more efficient in their service and that they brought about better results for our country. Occasionally they fail; occasionally we get a man who is incompetent to perform the duties of his office; occasionally there comes a man of whom we are ashamed, a recent illustration of which we had before the Committee on Foreign Affairs, when a gentleman testified as to certain things that the consul had written; but taking them by and large as a whole, I believe that in the consular service and in every other service America has had as good representation as any other nation. [Applause.]

The Clerk read as follows:

Envoy extraordinary and minister plenipotentiary to Guatemala and Honduras, $10,000.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last words. I regret that the gentleman from Missouri [Mr. CLARK] is about to leave the Hall, because the gentleman in his speech, that we all enjoyed as usual, alluded to what he supposed I said, as he was not present when I addressed the committee a few moments ago.

In making his splendid speech he said exactly what I had said—that is, that some of our consuls—and I met some on this trip—are drummers for American firms; and why? Because they can not maintain themselves with the salary that we pay, so they said. We went to the headquarters of one I have in mind, in a dark, deserted, cold—no, it was not cold, it was hot—hot place, that not a member of this House would live in, and there we found articles of cotton goods from Atlanta, and goods from St. Louis, and goods from Chicago, and goods from New York, all in a sample case, and his little cups and various little boxes and various drumming paraphernalia that he put under his arm and peddled around throughout the town.

And why? To make a living—not that he cared so much for the American commerce, I dare say, but to make a living. Now, I am glad that my distinguished friend from Missouri condemns that practice. I say that the consul to whom I refer showed that he was industrious, that he wanted to make an honest living, and was doubtless doing so.

Now, is that the proper way to have a consular service? If it is, gentlemen, you are having it that way in some places. I agree with my friend, the great champion of American rights and American manhood, the gentleman from Missouri, that it is the men who come from the backwoods that have always ruled and always will rule and always should rule this country; but not all of them, Mr. Chairman, are men who should and can fill any position, because they are not all competent.

Now, my friend from Arkansas [Mr. DINSMORE] admits something I believe that my friend from Missouri did not admit, to wit, that there are defects in our service and in the personnel of our consular service. I do not speak of the law, because I know nothing of the law, but I know something of the personnel of this service, and I say, Mr. Chairman, that the personnel of our consular service can be improved upon and should be improved upon by Congress or by the appointing power in a number of places between New York and the Philippine Islands.

I do not know who appointed them. Many of them have been in position for years. Some of them are quite young men, and certainly they could not have been there very long; but the fact remains, as I have stated, that their headquarters were not as they should be, as shown by the example mentioned by my friend from Arkansas [Mr. DINSMORE], who alluded to our consul at Nagasaki, a beautiful city clustered all around a magnificent bay, an ancient city, by the consul going there and hanging out the American flag over some man's third-class business store.

Did he stay there? No. He now has splendid headquarters upon the side of the hill, with the American flag floating over it, and a good officer he must be. I did not see him; he had his clerk there to represent him. He was absent. I believe he was in the United States.

Now, I say, gentlemen, that I am as good an American, I believe, as any man in this House, and love my country as much and will do as much, and if I do not do it I will try to do as much as any other man in this House for its promotion, regardless of politics, and I shall continue to do it, and I dislike to criticise; but I do say, as a duty, here and now, that there are places where

the personnel of the consular service could be and should be improved.

Mr. DINSMORE. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Arkansas?

Mr. GAINES of Tennessee. Yes.

Mr. DINSMORE. I merely want to ask my friend if he will suggest to us some means by which we may improve the consular service.

Mr. GAINES of Tennessee. I wish to say that I do not believe there is a member of that committee who would be derelict in his duty if he knew where the fault was, but I say, Mr. Chairman, that certainly one fault is in the appointing power appointing inferior men. I do not care whether the appointee comes from the city or from a village or a town or from the country. In every instance where a man is efficient I hope he comes from the country, for my part.

Mr. Chairman, I am for the country man as against the city man every time. [Applause.] As a rule, that is equitable; it is just. It often in the start evens up the city and country boy in the race of life. I know what the trials of a country boy are, and as long as I can, here or elsewhere, give him a helping hand I will. I have and I shall continue to do so. Regardless of the city or country man, we, I say, have inferior consular service in some places.

Mr. Chairman, the gentleman from Ohio [Mr. GROSVENOR], in his usual adroit manner of defense, said that our service was all right in Paris. I do not doubt that in the least. I did not go to Paris. He says it is all right in Europe. I have not been to Europe.

I have not the least doubt in the world but what in London, in Frankfort, in Berlin, in Italy, in Greece, and in various other places I might mention, there is a magnificent ambassador, as we know there is, and a splendid consul, as I presume there is; and these must be so, because the gentleman from Ohio says it is so. But I say, Mr. Chairman, and I say it to the delectable chairman of this committee [Mr. HITT], whose friendship I enjoy and whose confidence I hope I have, that there are men in the consular service who should not be in it at any salary.

Mr. GREEN of Pennsylvania. Mr. Chairman, I ask to extend my remarks in the RECORD. I think I can add to them some suggestions.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GREEN of Pennsylvania. Now, Mr. Chairman, I move to strike out the last word.

As I understand the question, it is not as my friend from Missouri [Mr. CLARK] suggests, that we are here to improve the consular service by making a Democratic consular service or a Republican consular service, according to whether the President is a Democrat or a Republican. I thought we were here to improve and rehabilitate the United States consular service. I think this consular service should be for the benefit of the American people and not for the benefit of the Democratic party or the Republican party, and to the extent that you bring politics into this service you injure it.

You will find that to be true. The most favorable statement made to-day about this consular service is that where we have had first-class consuls the people in those places have made their wishes known and asked that they be retained in spite of a change in Administration. Now, I say we can go a step further. We can have a system of inspection of this consular service. Certainly under a system of inspection the inferior men who are acting as consuls must, some of them at least, be found out, and I hope they will be removed.

And where we have a good man who is fitted to occupy a better place that man should be promoted. Then, I believe, we will reach the merit system. So, I say, promote efficient men who are capable of filling more responsible positions, and remove those men who are unfit to occupy any position. We can accomplish this by an honest and efficient system of inspection.

The Clerk read as follows:

Minister resident and consul-general to Korea, $7,500."

Mr. HITT. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

On page 3, in line 6, strike out the words "minister resident and consul-general" and insert "envoy extraordinary and minister plenipotentiary."

The amendment was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 5833. An act temporarily to provide revenue for the Philippine Islands, and for other purposes.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 26:

Resolved by the Senate (the House of Representatives concurring), That there be printed the number of copies hereafter stated of Tables of an Annotated Index to the Congressional Series of the United States Public Documents, prepared under the supervision of the Superintendent of Documents, 5,000 copies; 1,000 copies for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 1,000 for the Superintendent of Documents.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Consul-general at Constantinople and agent at Sofia, $5,000;

Mr. HITT. Mr. Chairman, I move to strike out lines 14 and 15.

The Clerk read as follows:

Strike out lines 14 and 15 on page 3.

The amendment was agreed to.

The Clerk read as follows:

Total, $390,000.

Mr. HITT. Mr. Chairman, I move to amend line 19 by striking out "ninety" and inserting "eighty-five;" so that it will read "$385,000."

The Clerk read as follows:

Amend line 19, page 3, by striking out "ninety" and inserting "eighty-five;" so that it will read "three hundred and eighty-five."

The amendment was agreed to.

The Clerk read as follows:

Secretaries of legations to Argentine Republic, Venezuela, and Peru, at $1,800 each, Liberia and Korea, at $1,500 each, $8,400.

Mr. HITT. I offer the following amendment.

The Clerk read as follows:

On page 5, line 6, amend by inserting, after the word "Korea," the words "(who shall be consul-general to Seoul)."

The amendment was agreed to.

The Clerk read as follows:

CONTINGENT EXPENSES, FOREIGN MISSIONS.

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, postage, telegrams, furniture, messenger service, clerk hire, compensation of kavasses, guards, dragomen, and porters, including compensation of interpreter, guards, and Arabic clerk at the consulate at Tangiers, and the compensation of dispatch agents at London, New York, and San Francisco, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, $175,000.

Mr. HITT. I move to strike out the last word. I stated in explaining the bill that I would call attention to any item in which there was a considerable change. This is the largest item in this part of the bill, and it contains an increase of $25,000. This branch of the appropriation last year was $150,000 for contingent expenses, foreign missions. That is now increased by $25,000, making it $175,000. It is caused by the general enlargement of business, corresponding to the enlargement and growth of our country. By reading the preceding paragraph anyone caring to know will see by the long list of purposes for which this is to be expended the necessity for the provision. I withdraw the pro forma amendment.

The Clerk read as follows:

ERECTION OF BUILDINGS FOR LEGATION TO CHINA.

For the erection of necessary buildings for legation premises at Pekin, China, $60,000.

Mr. HITT. That item, Mr. Chairman, is new. An appropriation of $40,000 made last year for the purchase of ground is not repeated here. This is a provision for building a legation, made necessary by the recent disturbance in China. It was expected that we would buy the ground on which our old legation building stood, but so great a price was asked that it could not be obtained, and we have purchased other ground, which is believed to be more advantageous. This sum, it is said, will be sufficient for the erection of the building.

The Clerk read as follows:

INTERNATIONAL BUREAU OF WEIGHTS AND MEASURES.

Contribution to the maintenance of the International Bureau of Weights and Measures for the year ending June 30, 1902, in conformity with the terms of the convention of May 24, 1875, the same, or so much thereof as may be necessary, to be paid, under the direction of the Secretary of State, to said Bureau, on its certificate of apportionment, $2,270.

Mr. HEMENWAY. I move to strike out the last word, in order to call attention to a probable mistake on line 4, page 10. I think you ought to strike out "two" and insert "three."

Mr. HITT. The gentleman is correct. I move to strike out "two" and insert "three."

The Clerk read as follows:

On page 10, line 4, strike out the word "two" and insert the word "three," so that it will read "1903."

The amendment was agreed to.

The Clerk read as follows:

INTERNATIONAL BUREAU FOR PUBLICATION OF CUSTOMS TARIFFS.

To meet the share of the United States in the annual expense for the year ending March 31, 1902, of sustaining the International Bureau at Brussels for the translation and publication of customs tariffs, $1,318.76; this appropriation to be available on April 1, 1902, pursuant to convention proclaimed December 17, 1890.

Mr. HITT. I move to strike out the word "two," in line 14, and insert the word "three."

The amendment was agreed to.

The Clerk read as follows:

INTERNATIONAL (WATER) BOUNDARY COMMISSION, UNITED STATES AND MEXICO.

To enable the Commission to continue its work under the treaties of 1884 and 1889, $17,400.

Mr. HEMENWAY. I move to strike out the last word, in order that I may ask when the duties of this Commission will cease?

Mr. HITT. This work is continuous. It is pursuant to a convention between the nations, to which it is intended that copies of new tariffs, as made from time to time, shall be sent for translation and publication, and they are then communicated to the different countries.

Mr. HEMENWAY. I think the gentleman misunderstands my question. It is the last item, "International Boundary Commission."

Mr. HITT. That is the boundary survey to ascertain the boundary between the United States and Mexico, which is a work that has been prosecuted for a series of years. The Commission referred to is composed of a body of officers, a part of them from our Engineer Corps on the side of the United States, and a body of officers on the side of Mexico. It is a long, apparently endless work; but it is approaching completion, and we have provided this time an appropriation of $2,600 less than last year, and we hope that it will be done very soon.

There is a series of volumes, I will state to the gentleman if he is interested in the subject and desires to see them, showing the progress of the work and the difficulty of determining and fixing the path of the Rio Grande. Gentlemen from Texas are familiar with the shifting pathway of the river, and know that it is the most uncertain stream in America. Sometimes part of the United States is found to be over in Mexico, and again, by another change, part of Mexico is in the United States, if you follow the course of the river as it runs in its changes. This has produced a vast amount of trouble in our customs service and in other ways, and this work is to settle and determine in some permanent way the boundary of the United States.

The Clerk read as follows:

To meet the share of the United States in the expenses of the special bureau created by article 82 of the general act concluded at Brussels July 2, 1890, for the repression of the African slave trade and the restriction of the importation into and sale in a certain defined zone of the African continent of firearms, ammunition, and spirituous liquors, for the year 1903, $100.

Mr. OLMSTED. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee where the African slave trade exists and between what countries.

Mr. HITT. There is a slave trade existing in central and eastern Africa. There was a convention or conference held at Brussels six or seven years ago, and our country adhered to it. It is a small cost. It is a slave traffic that is considerable and produces great horrors. If the gentleman from Pennsylvania is interested in the subject I will say that there was an admirable report made to this House by John H. Andrew, of Massachusetts, from the Committee on Foreign Affairs.

Mr. OLMSTED. I have no objection to the appropriation; I simply asked for information. Mr. Chairman, I withdraw my formal amendment.

The Clerk read as follows:

Amsterdam, Netherlands, consul, Schedule B, class 5, $2,000.

Mr. HEMENWAY. Mr. Chairman, I move to strike out the last word. I notice that the salary of the consul at Amsterdam is raised $500. The office receives something like $7,500 official fees, and I want to ask if the consul receives any fees in addition?

Mr. HITT. That official receives $1,100 of unofficial fees besides the salary. There is a considerable allowance for clerk hire, but if the gentleman will notice the official fees which go to the Government, and not to the consul, he will see that it is one of the large business offices in Europe. The amount of business is so great that it was deemed proper to make that increase. It is a strong case, an exceptional case, though it is subject to a point of order if the gentleman chooses to make it.

Mr. HEMENWAY. I do not wish to make the point of order, and I withdraw the pro forma amendment.

The Clerk read as follows:

Budapest, Austria-Hungary, consul, Schedule B, class 6, $1,500.

Mr. HITT. Mr. Chairman, I move to strike out the last word. Budapest has been an office paid by fees. The fees amounted to $1,461. It was thought much better to have it fixed by salary for various reasons than by fees, and we have made it a salary of $1,500. This is a new salaried office.

The Clerk read as follows:

Cape Town, Africa, consul-general, Schedule B, $3,000.

Mr. DOUGLAS. Mr. Chairman, I move to strike out the last word. I do not think there has been any intention to criticise the gentlemen of the Committee on Foreign Affairs, although several gentlemen have brought this question into the debate. I can not quite agree with the gentleman from Ohio [Mr. GROSVENOR] nor the gentleman from Missouri [Mr. CLARK]. Those who have traveled in foreign countries will fully agree with me that the consular service of the United States is not what some of us say it is, and we ought to have reasonable revision of this important Government department. But, Mr. Chairman, my reason for especially rising in connection with this question is that I want to put these facts before the House. The consul-general at Cape Town is occupying a most important post. To-day that trade is increasing with enormous strides, and when the war in South Africa is over that gentleman will have very arduous duties to perform. It is a fact that the last consul-general, an able, fine man, Colonel Stowe, resigned because he was not paid a salary commensurate with his duties and one upon which he could afford to live decently, which can be confirmed by the State Department.

A gentleman by the name of Bingham was appointed to the position, and that gentleman is now in Cape Town. I have received letters from him within a recent date, in which he also says he can not live on the salary now paid. He has to do a great deal of work, and house rent and living expenses are very high, and a $3,000 salary is inadequate for him to live upon.

Now, Mr. Chairman, I would like to have the chairman of the committee consider this question. I shall also ask the consent of the House to continue my remarks in the RECORD, as I hope to give our friend from Missouri, notwithstanding his witty speech, some views on this subject which may be of value to the committee.

I ask, Mr. Chairman, to strike out the words "three thousand" and insert the words "forty-five hundred" as the salary of the consul-general at Cape Town. He only receives $600 for clerk hire, and he wrote me the other day that he could not get a clerk at any such price. I know that is correct and that he can not obtain a clerk and stenographer combined that will do the duties properly for less than $1,200. He would probably be willing to stay there if he could get a reasonable increase in his compensation. He wrote me in a letter, which I showed to the State Department, that he had spent since he left the United States, seven or eight months ago, over $5,000 for himself and family, or over $2,000 in excess of what he receives. I hope the chairman of the committee and the House will agree to my amendment.

Mr. HITT. The conditions are such that I am compelled to object. I recognize and the committee know the truth of the greater part of what the gentleman has stated. The $3,000 salary at Cape Town is very attractive to applicants who want an office, and many applications are made for that office and have been for twenty years, and the men appointed are disillusioned by finding that it is a very expensive post.

The former incumbent, a most efficient man who, resigned, Mr. Stowe, has stated the facts truly. The consul there gets a greater amount than the gentleman from New York has stated. There are some notarial fees which go to him, and he gets $304 as his one-half of the fees of the agents. We have also given him $600 for clerk hire. If we had gone on to raise the salary of one $3,000 post to $3,500 like this, there would have been 50 gentlemen on the floor who would have insisted on equality and fair treatment, and that other consuls should be raised a like amount. The gentleman can see that if the committee allowed one amendment to go in there would be a dozen others.

Mr. DOUGLAS. Mr. Chairman, I recognize the truth of the remark by the chairman of the committee, and I withdraw my proposed amendment. I ask, however, Mr. Chairman, consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Dawson City, Northwest Territory, consul, Schedule B, class 3, $3,500.

Mr. HITT. I move to amend the paragraph just read by striking out, after the word "class," the word "three" and inserting "two;" so as to read "class 2."

The amendment was agreed to.

Mr. HEMENWAY. I move to amend by striking out the last word. I notice that this salary has been increased $500. Does this officer get any fees in addition to his salary?

Mr. HITT. Yes, sir; enormous fees, as they seem to me. The unofficial fees going into his own pocket last year were $3.925. The year before they were still higher, and his salary, which has been $3,000, we have increased to $3,500. In addition to that, we allow him a slight increase of clerk hire.

Mr. HEMENWAY. What reason is there why this officer should have this very large compensation?

Mr. HITT. That question was asked by the committee; and it was most aboundingly answered that this consul could not get a clerk for $1,000 a year, nor could he keep one very long for more than that amount. The prices of living there are said to be prodigiously high. There is no other point in the world, as facts given to us seem to show, where the cost of lodging, food of mere existence from day to day, is so high as in Dawson City. To get one's meals at a restaurant costs more than board with a suite of rooms at the finest hotel in this part of the country.

Mr. HEMENWAY. Does the chairman of the committee think that this salary ought to be increased $500 in addition to the fees which this officer receives?

Mr. HITT. I contested that point at the Department. We discussed this question in committee, because the compensation seemed too high, especially in view of another fact which I will candidly state, that this officer is not at this place all the year. But it appeared that the expenses of living there go outside of all scales that we have to measure things by. It is a mining camp, where all articles necessary for subsistence have to be imported from a distance at a great cost, and are poor and bad when they get there.

The CHAIRMAN. As the Chair understands, the pro forma amendment of the gentleman from Indiana [Mr. HEMENWAY] is withdrawn.

The Clerk read as follows:

Ensenada, Mexico, consul, Schedule C, class 7, $1,500.

Mr. HITT. I move to amend the paragraph just read by striking out "C" and inserting "B," and by striking out "seven" and inserting "six;" so as to read "Schedule B, class 6."

The amendment was agreed to.

Mr. HITT. I move to amend by striking out the last word. In this case we have raised the salary from $1,000 to $1,500. The business in Government fees has amounted to $654 and in unofficial fees to about $50.

I speak of this in order to show the spirit of the committee—their desire to do what appeared to be necessary. This is a small town and the business is small, but it is increasing very rapidly with the rush of American trade into northern Mexico. It has recently doubled and trebled. Undoubtedly, although it does not show in the invoices, there will be a larger business there.

We could not get a man of the proper capacity to live there in the mountains of Mexico on a salary of $1,000 a year. In order to get an officer to stay there and be of some use we increased the salary $500, although on the face of the matter this might seem to be unfair and partial treatment. I withdraw the pro forma amendment.

The Clerk read as follows:

Freiburg, Germany, consul, Schedule B, class 5, $2,000.

Mr. HEMENWAY. I observe at this place the salary has been increased. I would like to know some reason for this.

Mr. HITT. There is a large business at Freiburg.

Mr. HEMENWAY. How about the fees?

Mr. HITT. The official fees are large. The invoices cover quantities of velvets, woolen goods, etc., and in a single invoice may amount to $5,000. The official fees last year were $3,336.

Mr. HEMENWAY. Now, then, I understand the consul there gets one-half of that?

Mr. HITT. He gets nothing of that. That all goes to the Government.

Mr. HEMENWAY. What does he get in addition?

Mr. HITT. He gets the salary directly and then the unofficial fees, and last year all the unofficial fees or notarial fees in that consulate amounted to but $444. That was so plain a case of underpay that we could not afford to let it pass, and so we increased it.

The Clerk read as follows:

Lucerne, Switzerland, consul, Schedule B, class 5, $2,000.

Mr. HITT. I will say that that is a new consulate established by the committee in place of Aarau, which was a consulate and is now reduced to a consular agency. Lucerne is a city of much more importance politically and a suitable place for a consulate. So we made it a consulate instead of an agency and the other we made an agency instead of a consulate.

The Clerk read as follows:

Lyon, France, consul, Schedule B, class 4, $2,500.

Mr. HITT. I move to amend, in line 13, page 23, by inserting the letter "s" after the word "Lyon," so that it will be "Lyons."

The amendment was agreed to.

The Clerk read as follows:

Marseille, France, consul, Schedule B, class 4, $2,500.

Mr. HITT. I will ask consent to go back to page 22, line 21, and change a letter in the word "Leipzig." I wish to make it a "c" instead of a "g."

The CHAIRMAN. Without objection, the correction will be made.

Mr. HITT. On page 24, the paragraph just read, I move to insert after the word "Marseille" the letter "s;" making it read "Marseilles."

The CHAIRMAN. Without objection, the correction will be made.

The Clerk read as follows:

Ottawa, Ontario, consul-general, Schedule B, $3,500.

Mr. HITT. On page 26, in line 15, I move to amend by striking out the word "three" and in line 16 strike out the word "three" and the words "five hundred" and insert "four;" so that it will read: "Ottawa, Ontario, consul-general, Schedule D, $4,000."

The amendment was agreed to.

Mr. HITT. I will ask consent to correct the motion I made a moment ago as to the word "Leipzic." I want to have that word corrected so that it will be spelled "Leipsic."

The CHAIRMAN. Without objection, the correction will be made.

The Clerk read as follows:

Para, Brazil, consul, Schedule B, class 5, $2,500.

Mr. HITT. In line 21, page 26, I move to amend by striking out the word "five" and inserting the word "four;" so that it will read "class four."

The amendment was agreed to.

The Clerk read as follows:

Patras, Greece, consul, Schedule C, class 6, $1,500.

Mr. HITT. In line 1, at the top of page 27, I move to amend by striking out the letter "C" and inserting the letter "B."

The amendment was agreed to.

Mr. HEMENWAY. I move to strike out the last word. I notice an increase in the salary there of $500 and the total fees received are only $467. Why is that?

Mr. HITT. Patras is a considerable port and the invoices do not always show the volume of business. The invoices of Paris are in these little articles of toilet, so that there are a great number of invoices, each one bringing a fee of $2.50 for a small amount of value, but in the export tea trade from China a single invoice may cover many thousands of dollars' worth of tea. This is the chief port of Greece. The fruit and currant traffic is considerable.

Mr. HEMENWAY. Has it increased in the last year?

Mr. HITT. It is increasing all the time, but it run down during their war.

Mr. HEMENWAY. As to the next item there, the same matter, there is an increase there from $2,500 to $3,000 where the fees show only $926. The item has been read.

Mr. HITT. Yes; Pernambuco is a coffee and sugar port. It is an unhealthy place, and unattractive, but important. One of the members of the committee who has been in Brazil agreed so strongly with the Department in recommending it, that we thought it was necessary to increase it in order to always secure a competent man in the place.

Mr. HEMENWAY. There has been no resignation?

Mr. HITT. There has not, but now and then deaths at those hot ports.

The pro forma amendment was withdrawn, and the Clerk read as follows:

Port Limon, Costa Rica, consul, Schedule B, class 6, $1,500.

Mr. HITT. I move to strike out the last word. Port Limon is a new consulate, and was established by the committee, not in the spirit of making offices, but for efficiency and to have a salaried consul. It is now paid by fees, and last year the fees that were paid, which went to the consul and to the consular agent, were $2,884. We have put him on a salary of $1,500, and then he gets the unofficial fees, which are not large.

The Clerk read as follows:

Port Sarnia, Ontario, consul, Schedule B, class 6, $1,500.

Mr, HITT. Mr. Chairman, there is an omission that was made in the reporting of the bill. The subcommittee had agreed on it. Port Sarnia should be $2,000, and I move that amendment. The gentleman who had charge of that was absent from the committee on the day it was passed on, and he has called attention to it since. I will make that motion.

The Clerk read the amendment, as follows:

In lines 13 and 14 strike out the words "one thousand five hundred" and insert the words "two thousand."

The amendment was agreed to.

Mr. HITT. I also move to strike out the word "six," in line 13, and insert the word "five" instead.

The amendment was agreed to.

The Clerk read as follows:

Port Stanley, Falkland Islands, consul, Schedule B, class 6, $2,000.

Mr. HITT. In line 16 of page 27 I move to strike out the word "six" and insert the word "five."

The amendment was agreed to.

The Clerk read as follows:

Pretoria, South African Republic, consul, Schedule B, class 5, $3,000.

Mr. HITT. On page 27 I wish to amend, at line 22, by striking out the word "five" and inserting the word "three."

The amendment was agreed to.

The Clerk read as follows:

Quebec, Quebec, consul, Schedule B, class 4, $3,000.

Mr. HITT. Mr. Chairman, in line 5, page 28, the word "four" should be "three," so that it will read "class 3."

The Clerk will report the amendment.

The Clerk read as follows:

On page 28, in line 5, strike out "four" and insert "three," so that it will read "class 3."

The amendment was agreed to.

The Clerk read as follows:

Rheims, France, consul, Schedule B, class 5, $2,000.

Mr. HITT. Mr. Chairman, after line 10, I move to insert the words "Riga, Russia, consul, Schedule C, class 7, $750."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After line 10, insert "Riga, Russia, consul, Schedule C, class 7, $750.

Mr. HITT. It is due to the House that I should explain this amendment. This is the lowest salary given to a consul, so far as I know. The State Department asked this. It was not submitted formally to the committee, but the statement was made by the Assistant Secretary that the officer there is a large shipping merchant who does a great deal of business for Americans and American interests.

We can not get an American to go out there at any such compensation, and the State Department asks that this resident of the town of Riga be given this small salary. There seems to be considerable business there, but he has to pay the clerk hire and the office rent.

The amendment was agreed to.

The Clerk read as follows:

Stanbridge, Canada, consul, Schedule B, $1,000.

Mr. HITT. Mr. Chairman, that is a new salaried office. The fees there are not much. The whole compensation of the consul is only a little over $500. We have made the salary $1,000. None of us thought we could make it any less in decency. The duties are of an important character, but some of them have nothing to do with commerce. That is a runway for the Chinese who are brought across the border by a system of bribery and smuggling. This officer has been efficient there. We make the new salaried office and fix the salary at $1,000.

The Clerk read as follows:

Sydney, New South Wales, consul, Schedule B, class 5, $2,000.

Mr. DOUGLAS. Mr. Chairman, I move to strike out the last word. I should like to ask the gentleman from Illinois and the members of this House to increase the salary of the consul at Sydney, New South Wales. That is a city of 400,000 people, and under the new federation of the colonies it will be the most important point in the South Seas. I have lived there myself, and know the place well, and I do not see how a man can possibly live there on that salary. I move to strike out $2,000 and insert $3,000.

Mr. HITT. Is that Sydney, Nova Scotia?

Mr. DOUGLAS. No; Sydney, New South Wales.

Mr. HITT. The salary is $2,000 at present.

Mr. DOUGLAS. Two thousand dollars at present, in a city of 400,000 people, with at least $10,000,000 of exports from this country going in there every year. I know the consuls who have lived there for the last twenty years. I have lived there myself. I will not say how much I have had to spend there, but I say that no man can represent this country properly on that salary, even with what little fees he may have. It is a disgrace to this country to ask him to do it.

Mr. HITT. I agree with the gentleman. I know the port very well and I know the consul. He has made a good official.

Mr. DOUGLAS. I do not know who the consul is at present, except by name.

Mr. HITT. I do, and he is a good officer. But I have no right as an individual member to assent to an amendment of this kind.

Mr. DOUGLAS. I will ask to have the amendment submitted to the committee.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 20, strike out "two" and insert "three;" so that it will read "$3,000."

Mr. HITT. I am compelled, Mr. Chairman, to make the point of order against that amendment.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Three Rivers, Canada, consul, Schedule B, class 5, $2,000.

Mr. HITT. Mr. Chairman, at Three Rivers, Canada, there is an increase. On account of the great rapidity in the increase of business we have raised it from $1,500 to $2,000. The fees will show that there is a large increase there, based on increase of American population who have bought these lands, and the trade in timber and in agricultural implements is very large.

The Clerk read as follows:

Total, $581,500.

Mr. HITT. I offer the following amendment:

The Clerk read as follows:

In line 19, page 34, strike out the word "one" and insert the word "two," and by striking out the word "five" and inserting the word "seven," and by adding after the word "hundred" "and fifty;" so that it will read $582,750.

The amendment was agreed to.

The Clerk read as follows:

Leipzig, Germany, $800.

Mr. HITT. Mr. Chairman, on line 2 make the same change, from "Leipzig" to "Leipsic."

The amendment was agreed to.

The Clerk read as follows:

Lyon, France, $1,200.

Mr. HITT. I move to amend, in line 5, after the word "Lyon," by inserting the letter "s," so as to read "Lyons."

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

The Clerk read as follows:

Marseille, France, $1,200.

Mr. HITT. Mr. Chairman, I move to amend by inserting "s" after the word "Marseille."

The CHAIRMAN. Without objection the amendment will be agreed to.

There was no objection.

The Clerk resumed and concluded the reading of the bill.

Mr. FEELY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HITT. Mr. Chairman, that concludes the consideration of the bill in the committee. I now move that the committee rise and report the bill to the House with a favorable recommendation of the bill and amendments.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CURTIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment; if not, the Chair will submit them in gross to the House.

The question was taken on the amendments in gross, and they were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. HITT, a motion to reconsider the vote by which the bill was passed was laid on the table.

HOUSE BILL AND SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate concurrent resolution and House bill (with Senate amendments) of the following title were taken from the Speaker's table and referred to their appropriate committees as indicated below:

Senate concurrent resolution 26:

Resolved by the Senate (the House of Representatives concurring), That there be printed the number of copies hereafter stated of tables of an annotated index to the Congressional series of the United States public documents, prepared under the supervision of the Superintendent of Documents, 5,000 copies; 1,000 copies for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 1,000 copies for the Superintendent of Documents—

to the Committee on Printing.

H. R. 5833. An act temporarily to provide revenue for the

Philippine Islands, and for other purposes—to the Committee on Ways and Means.

Mr. HITT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriations for establishment of the boundary line between Montana and Idaho—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Navy, transmitting a petition of yeomen and others in the Navy, asking for the passage of the bills (H. R. 7486, S. 1883) relating to clerical services in the Navy—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Ira J. Partlow, administrator of estate of Lydia Hoff and Hannah Updike against the United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. TATE, from the Committee on Printing, to which was referred the bill of the House (H. R. 10161) providing for the distribution of Government publications to colleges, reported the same without amendment, accompanied by a report (No. 591); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Washington, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 4549) authorizing the issuance of a patent to the county of Clallam, State of Washington, reported the same with amendments, accompanied by a report (No. 593); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11053) providing for the issuance of patent to the town site of Basin, to the municipal authorities thereof, for the use and benefit of said town, reported the same with amendments, accompanied by a report (No. 594); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAVEY of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 10072) for the establishment of a light-house at the mouth of Oyster Bayou, near the Louisiana coast, in the Gulf of Mexico, reported the same without amendment, accompanied by a report (No. 595); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LOUD, from the Committee on the Post-Office and Post-Roads, to which was referred the bill of the House (H. R. 11728) to classify the rural free-delivery service and fix the compensation to employees thereof, reported the same with amendments, accompanied by a report (No. 597); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 4607) to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr., reported the same with amendments, accompanied by a report (No. 598); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1592) for the relief of F. M. Vowells, reported the same without amendment, accompanied by a report (No. 592); which said bill and report were referred to the Private Calendar.

Mr. DAYTON, from the Committee on Naval Affairs, to which was referred the bill of the Senate (S. 1258) to remove the charge of desertion from the naval record of John Glass, reported the same without amendment, accompanied by a report (No. 596); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RODEY: A bill (H. R. 11800) to authorize the Navajo Indians to lease mineral lands on a royalty basis—to the Committee on Indian Affairs.

By Mr. SMITH of Iowa: A bill (H. R. 11801) amending section 4 of an act to provide revenue for the Government and to encourage the industries of the United States, approved July 24, 1897—to the Committee on Ways and Means.

By Mr. FLYNN: A bill (H. R. 11802) to enable the people of Oklahoma to form a constitution and State government and to be admitted into the Union on an equal footing with the original States—to the Committee on the Territories.

By Mr. FLOOD: A bill (H. R. 11803) for the purchase, for a national park, of the tract of land upon which the Natural Bridge of Virginia is situated—to the Committee on Military Affairs.

By Mr. ROBERTS: A bill (H. R. 11804) to diminish the number of appraisers of merchandise at the ports of Philadelphia and Boston—to the Committee on Ways and Means.

By Mr. LITTLEFIELD: A bill (H. R. 11805) to provide for the construction of a light-house and fog signal at Outer Diamond Shoal, on the coast of North Carolina, at Cape Hatteras—to the Committee on Interstate and Foreign Commerce.

By Mr. WARNER: A bill (H. R. 11806) to amend the act of August 27, 1888, to provide aid to State or Territorial Homes for the support of disabled soldiers and sailors of the United States so as to provide aid to such Homes for the support of wives, widows, and mothers of such soldiers and sailors—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 11807) to open for settlement 25,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations, in Oklahoma Territory—to the Committee on Indian Affairs.

By Mr. BURKE of South Dakota: A bill (H. R. 11808) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891—to the Committee on Indian Affairs.

By Mr. LOUD: A bill (H. R. 11839) authorizing the Secretary of War to loan certain tents for use at Knights of Pythias encampment, to be held at San Francisco, Cal.—to the Committee on Military Affairs.

By Mr. JONES of Washington: A joint resolution (H. J. Res. 158) providing for a modification in the adopted project for the improvement of Everett Harbor, Washington—to the Committee on Rivers and Harbors.

By Mr. GARDNER of New Jersey: A resolution (H. Res. 144) authorizing the Clerk of the House of Representatives to pay to the widow of Charles T. Parker, late printing clerk of said House of Representatives, a sum equal to six months' salary, and funeral expenses, not exceeding $250, the same to be immediately available—to the Committee on Accounts.

By Mr. STEVENS of Minnesota: Memorial of the legislature of Minnesota, respecting the 5 per cent or minimum price of public lands appropriated for military compensation—to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BELL: A bill (H. R. 11809) for the relief of Oscar Rankin—to the Committee on War Claims.

Also, a bill (H. R. 11810) for the relief of Wilbert Bowen, of Cripple Creek, Colo.—to the Committee on Claims.

By Mr. BURK of Pennsylvania: A bill (H. R. 11811) to correct the military record of Patrick Harrington—to the Committee on Military Affairs.

By Mr. BURKE of South Dakota: A bill (H. R. 11812) granting an increase of pension to Martin Boice—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 11813) granting an increase of pension to Richard Trist—to the Committee on Invalid Pensions.

By Mr. CROWLEY: A bill (H. R. 11814) granting an increase of pension to Peter Kaufman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11815) to correct record of Thomas Riley—to the Committee on Military Affairs.

Also, a bill (H. R. 11816) granting an increase of pension to Elizabeth C. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11817) granting an increase of pension to Joseph Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11818) granting an increase of pension to Samuel Anderson—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 11819) granting an increase of pension to John L. Grener—to the Committee on Pensions.

By Mr. FLOOD: A bill (H. R. 11820) for the relief of the estate of Robert J. Hope, deceased, of Staunton, Va.—to the Committee on War Claims.

By Mr. GOOCH: A bill (H. R. 11821) for the relief of Nina W. Halsey, widow of Capt. Irving Halsey, of Company C, Fifth Ohio Cavalry—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 11822) granting an increase of pension to John M. Bigger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11823) to correct the military record of Benjamin F. Herrington, late a private of Company H, Fourth Michigan Infantry, and a corporal of Company D, Eleventh Michigan Infantry—to the Committee on Military Affairs.

By Mr. JACKSON of Kansas: A bill (H. R. 11824) granting a pension to George W. James—to the Committee on Invalid Pensions.

By Mr. KERN: A bill (H. R. 11825) for the relief of James E. Johnson—to the Committee on Claims.

By Mr. MAHONEY: A bill (H. R. 11826) removing the charges against the record of Samuel Warren—to the Committee on Naval Affairs.

By Mr. McCALL: A bill (H. R. 11827) granting a pension to Antoinette I. Sawyer—to the Committee on Invalid Pensions.

By Mr. MICKEY: A bill (H. R. 11828) to remove charge of desertion from military record of Alonzo McKenzie—to the Committee on Military Affairs.

By Mr. NORTON: A bill (H. R. 11829) granting a pension to Frederick W. Spier—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 11830) to remove the charge of desertion from the military record of Henry G. McDougall—to the Committee on Military Affairs.

By Mr. PUGSLEY: A bill (H. R. 11831) granting an increase of pension to John W. Acker—to the Committee on Invalid Pensions.

By Mr. RAY of New York: A bill (H. R. 11832) granting an increase of pension to Caroline Bingham—to the Committee on Invalid Pensions.

By Mr. SCHIRM: A bill (H. R. 11833) granting an increase of pension to Albanis L. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11834) granting an increase of pension to Austin Blackwell—to the Committee on Invalid Pensions.

By Mr. SELBY: A bill (H. R. 11835) granting an increase of pension to Chamberlain Belk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11836) granting a pension to John A. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11837) granting an increase of pension to Jeremiah Cokely—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 11838) to allot 160 acres of land to Bianco L. Bell, of Clay County, Tex., out of the Comanche, Kiowa, and Apache reservations, in Oklahoma—to the Committee on the Public Lands.

By Mr. CORLISS: A bill (H. R. 11840) to correct the military record of Nelson E. Freer—to the Committee on Military Affairs.

By Mr. SOUTHARD: A bill (H. R. 11841) granting an increase of pension to Peter Whitmore—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petitions of Belknap Post, No. 515, Keokuk, Iowa; Liberal Post, No. 515, Liberal, Mo.; E. D. Edward Post, No. 22, Vicksburg, Miss., and G. W. Hughs Post, No. 298, Nashville, Ohio, Grand Army of the Republic, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. ADAMSON: Resolutions of Order of Railway Conductors, Chattanooga Division, and Carpenters and Joiners' Union No. 313, both of Columbus, Ga., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. ACHESON: Petition of Mine Workers' Union No. 1115, of Pricedale, Pa., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. ALEXANDER: Petitions of D. O. Trainor and other clerks of Buffalo, N. Y., post-office, for the classification of salaries of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Coopers' Union No. 33, Buffalo, N. Y., and Lake Seamen's Union, Tonawanda, N. Y., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Coopers' Union No. 33, and Typographical Union No. 9, of Buffalo, N. Y., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Robert Orr Post, No. 553, Grand Army of the Republic, Department of New York, for the building of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, petition of Legislative Board of Brotherhood of Locomotive Firemen of Albany, N. Y., favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. BELL: Resolution of Order of Railway Conductors, Grand Junction, Colo., for an amendment to the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. BENTON: Resolution of Cigar Makers' Union No. 322, of Joplin, Mo., for an amendment to the immigration laws—to the Committee on Immigration and Naturalization.

Also, resolution of Post No. 141, Grand Army of the Republic, of Marionville, Mo., favoring the construction of naval vessels at the Government navy-yards—to the Committee on Naval Affairs.

By Mr. BROWN: Resolutions of the La Crosse Board of Trade, in opposition to the bill relating to the affairs of the Chippewas of Minnesota, known as the Morris bill—to the Committee on Indian Affairs.

Also, resolutions of the Retail Clerks' International Protective Association, of Marinette, Wis., favoring the exclusion of the Chinese—to the Committee on Foreign Affairs.

By Mr. BULL: Resolutions adopted at the Thirty-fifth Annual Encampment, District of Rhode Island, Grand Army of the Republic, in favor of a service pension—to the Committee on Invalid Pensions.

Also, resolutions of Journeymen Barbers' Union No. 224, of Providence, R. I., and of Journeymen Plumbers' Union No. 28, of Providence, R. I., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. BURKETT: Resolution of Mullegan Post, No. 209, Grand Army of the Republic, of Western, Nebr., favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr. BUTLER of Pennsylvania: Petition of Boiler Makers' Union No. 17, Chester, Pa., favoring the exclusion of Chinese—to the Committee on Foreign Affairs.

By Mr. CALDERHEAD: Petition of John Brown Post, No. 44, Grand Army of the Republic, Department of Kansas, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolution of board of supervisors of Coconino County, Ariz., requesting Congress to fix a tax valuation on the property of the Santa Fe Railway Company throughout Arizona—to the Committee on Pacific Railroads.

Also, papers of I. A. Fort, in support of greater homesteads—to the Committee on the Public Lands.

By Mr. CANNON: Petition of Central Trades and Labor Council of Joliet, Ill., for the enactment of an eight-hour law and mandatory classification for clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, resolutions adopted by Iron Molders' Union No. 221, of Joliet, Ill., favoring more strict immigration laws—to the Committee on Immigration and Naturalization.

Also, resolution of Central Trades and Labor Council, and Union No. 33, and Union Label League No. 39, all of Joliet, Ill., favoring the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. CAPRON: Resolutions of Journeymen Barbers' Union No. 224 and of Journeymen Plumbers' Union No. 28, of Providence, R. I., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Cigar Makers' Union No. 94, of Pawtucket, R. I., for the restriction of illiterate immigrants—to the Committee on Foreign Affairs.

Also, resolutions adopted at the Thirty-fifth Annual Encampment, District of Rhode Island, Grand Army of the Republic, in favor of a service pension—to the Committee on Invalid Pensions.

Also, resolutions of Journeymen Plumbers' Union No. 28, of Providence, R. I., advocating the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, petition of citizens of Newport, R. I., in favor of the reduction of Congressional representation in those States wherein the right of suffrage is abridged by constitutional enactment—to the Committee on the Census.

Also, petition of Rev. William Sheafe Chase, of Woonsocket, R. I., against the regulation of vice in the insular possessions—to the Committee on Insular Affairs.

By Mr. CASSINGHAM: Petition of citizens of Holmes County, Ohio, in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. CONNELL: Resolutions of Post No. 218, Grand Army of the Republic, of Moscow, Pa., favoring the building of naval vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of the Merchants' Exchange of San Francisco, Cal., for the admission of the mercantile class of Chinese—to the Committee on Foreign Affairs.

Also, petition of the board of supervisors of Mohave County, Ariz., in opposition to legislation exempting the Santa Fe Railway Company from taxation in Arizona Territory—to the Committee on Pacific Railroads.

Also, resolution of the Engineers' Club of Philadelphia, Pa., in favor of the Appalachian National Park Association—to the Committee on the Public Lands.

Also, resolutions of Brewery Workers' Union No. 232, of Scranton, and Mine Workers' Union No. 844, of Carbondale, Pa., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Order of Railway Conductors, Pennsylvania Division, No. 156, Brotherhood of Locomotive Engineers, Division No. 403, and Brewery Workers' Union No. 232, of Scranton, Pa., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. COOPER of Wisconsin: Petition of Boot and Shoe Workers' Union No. 284, of Janesville, Wis., favoring exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. CROWLEY: Papers to accompany House bill 11816, granting a pension to Elizabeth C. Jones—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 11814, granting a pension to Peter Kaufman—to the Committee on Pensions.

Also, papers to accompany House bill 11815, to correct record of Thomas Riley—to the Committee on Military Affairs.

Also, papers to accompany House bill 11817, granting an increase of pension to Joseph Robinson—to the Committee on Invalid Pensions.

By Mr. DALZELL: Petition of sundry citizens of Pittsburg, Pa., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

Also, resolutions of Tile Layers' Union of Pittsburg, Pa., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

By Mr. DOVENER: Petition of Mrs. S. O. Paull and 24 other citizens of Wellsburg, W. Va., for amendment to the National Constitution relating to polygamy—to the Committee on the Judiciary.

By Mr. DRAPER: Petition of the board of supervisors of Coconino County, Ariz., in opposition to legislation exempting the Santa Fe Railway Company from taxation in Arizona Territory—to the Committee on Pacific Railroads.

By Mr. ESCH: Resolutions of Marine Council of the Port of Milwaukee, Wis., protesting against the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Marine Council of Milwaukee, Wis., to exclude Chinese laborers—to the Committee on Foreign Affairs.

Also, resolution of Marine Council of Milwaukee, Wis., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. FLOOD: Paper to accompany House bill for the relief of Robert Hope—to the Committee on War Claims.

By Mr. FOSS: Resolutions of Carpenters and Joiners' Unions Nos. 18 and 181, of Chicago, Ill., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. GILBERT: Petition of the National American Woman Suffrage Association, in relation to the right of suffrage for women—to the Committee on the Judiciary.

Also, petition of sundry citizens of Lincoln County, Ky., requesting legislation prohibiting Government license to liquor dealers in localities where the sale of liquor is prohibited by State laws—to the Committee on Alcoholic Liquor Traffic.

By Mr. GOOCH: Resolution of Blue Grass Union No. 1; Journeymen Horseshoers' Union No. 111, and Union No. 5, Federation of Labor, of Newport and Covington, Ky., and Clothing Cutters and Trimmers' Union No. 100, of Cincinnati, Ohio, favoring the exclusion of Chinese—to the Committee on Foreign Affairs.

By Mr. GREEN of Pennsylvania: Resolution of Iron Molders' Union No. 370, of Reading, Pa., asking the passage of a Chinese-exclusion law of permanent duration—to the Committee on Foreign Affairs.

By Mr. HAMILTON: Resolution of Henry M. Liddle Post, No. 131, and David Oaks Post, No. 135, Grand Army of the Republic, Department of Michigan, favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

Also, petition of Sterling Post, No. 74, of Weyland, and L. C. Woodman Post, No. 196, Grand Army of the Republic, Department of Michigan, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. HEMENWAY: Resolution of the Indiana State Board of Commerce, for the passage of amendments to strengthen interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Potters' Union No. 5, of Evansville, and Mine Workers' Union No. 1244, of Boonville, Ind., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Cigar Makers' Union No. 54 and Potters' Union No. 5, of Evansville, Ind., in regard to immigration—to the Committee on Immigration and Naturalization.

By Mr. HILDEBRANT: Petition of residents of the Sixth Congressional district of Ohio, asking for an amendment to the Constitution defining legal marriage—to the Committee on the Judiciary.

By Mr. HILL: Resolutions of Cigar Makers' Union No. 139, of Long Hill, Conn., and Electrical Workers' Union No. 146, of Bridgeport, Conn., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. HITT: Resolution of Carpenters' Union No. 719, of Freeport, Ill., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. HOPKINS: Paper to accompany House bill 11822, granting a pension to John M. Bigger—to the Committee on Invalid Pensions.

By Mr. HOWELL: Protest of W. E. Honeyman, of Plainfield, N. J., against regulation of vice by Manila board of health—to the Committee on Insular Affairs.

By Mr. JACK: Resolutions of United Mine Workers' Unions Nos. 79 and 761, of Webster, Pa., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Marchand Post, No. 190, of Irwin, Pa., concerning the construction of Government vessels in navy-yards—to the Committee on Naval Affairs.

By Mr. JACKSON of Kansas: Resolution of Atchison (Kans.) city council, favoring the construction of the Pacific cable by private enterprise—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill 3746, for the relief of Richard L. Sturges—to the Committee on Invalid Pensions.

By Mr. JOY: Petition of Division No. 48, Locomotive Engineers, of St. Louis, Mo., favoring an educational test for immigrants—to the Committee on Immigration and Naturalization.

By Mr. KNAPP: Resolutions of Plumbers' Union No. 117, American Federation of Labor, of Watertown, N. Y., advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. KNOX: Resolution of Brotherhood of Stationary Firemen of Lowell, Mass., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Team Drivers' Union No. 262, Carpenters and Joiners' Union No. 49, and Cigar Makers' Union No. 255, all of Lowell, Mass., relative to admission of immigrants—to the Committee on Immigration and Naturalization.

By Mr. LACEY: Resolutions of Carpenters' Unions Nos. 166 and 554, of Rock Island, Ill., protesting against treatment of union-labor employees at the United States arsenal at Rock Island, Ill.—to the Committee on Military Affairs.

Also, resolutions of the St. Paul Chamber of Commerce, favoring storage reservoirs for the reclamation of arid lands—to the Committee on Rivers and Harbors.

By Mr. LANHAM: Resolution of W. H. Reilly Division, No. 427, Brotherhood of Locomotive Firemen, of Yoakum, Tex., in support of Senate bill 1118 and House bill 1060, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. LESTER: Petitions of Councils Nos. 2, 3, 8, and 16, Junior Order United American Mechanics, of Savannah, Ga., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. LINDSAY: Resolution of International Association of Machinists No. 15, of New York City, favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr. LITTAUER: Petition of citizens of Ballston Spa, N. Y.,

asking for revision of the rural free-delivery laws—to the Committee on the Post-Office and Post-Roads.

By Mr. MAHONEY: Resolution of the Lake Seamen's Union of Chicago, Ill., in opposition to House bill 9685—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Carpenters and Joiners' Union No. 451, of Chicago, Ill., favoring the repeal of the desert-land act, etc.—to the Committee on the Public Lands.

By Mr. MARSHALL: Petition of Appomattox Post, No. 24, Grand Army of the Republic, Department of North Dakota, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, petition of H. S. Wiley and other citizens of Hillsboro, N. Dak., praying for the enactment of a law against polygamy—to the Committee on the Judiciary.

By Mr. MARTIN: Petition of citizens of the county of Fall River, S. Dak., against leasing of public lands—to the Committee on the Public Lands.

Also, resolutions of McLean Post, No. 162; Letcher Post; General Crook Post, No. 153, Grand Army of the Republic, of Whitewood, S. Dak., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

By Mr. McANDREWS: Petition of Carpenters and Joiners' Union No. 181, of Chicago, Ill., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. McDERMOTT: Petition of Coopers' Union No. 20, of Jersey City, N. J., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Typographical Union No. 94, of Jersey City, N. J., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. McCALL: Petition of Carpenters' Union No. 441, of Cambridge, Mass., in favor of restricting immigration—to the Committee on Immigration and Naturalization.

By Mr. McCLEARY: Resolution of James Clabough Post, Grand Army of the Republic, of Winnebago City, Minn., favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr. MICKEY: Petition of Tobacco Workers' Union No. 19, of Quincy, Ill., favoring the construction of naval vessels at the Government navy-yards—to the Committee on Naval Affairs.

By Mr. MIERS of Indiana: Papers to accompany House bill 2552, for the relief of Mahala C. Carter—to the Committee on Invalid Pensions.

By Mr. MONDELL: Petition of ranchmen and stockmen of the county of Laramie, Wyo., in relation to the leasing of public lands and the homestead law—to the Committee on the Public Lands.

By Mr. MOODY of Massachusetts: Resolutions of Machinists' Union, American Federation of Labor, of Salem, Mass., favoring the building of war vesels in United States navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Carpenters and Joiners' Union of Danvers, Mass., favoring the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MUTCHLER: Resolution of Agricultural Board of Pennsylvania, favoring House bill 8735, oleomargarine, and opposing irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Order of Railroad Conductors of Mauch Chunk, Pa., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Carpenters and Joiners' Union of East Stroudsburg, Pa.; Robert Oldham Post, No. 527, Grand Army of the Republic, of South Bethlehem, Pa., and Iron Molders' Union of Lehighton and Westport, Pa., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, resolutions of Typographical Union No. 258, Barbers' Union 277, of Easton, Pa.; United Mine Workers' Unions of Lansford and Carbon, Pa., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. NORTON: Statement and photograph to accompany House bill 10964, granting an increase of pension to Francis M. Beebe—to the Committee on Invalid Pensions.

Also, resolutions of J. W. Ash Post, No. 679, Kansas, Ohio; Roberts Post, No. 672, Poplar, Ohio, and Moses Martin Post, No. 649, Huron, Ohio, Grand Army of the Republic, and International Association of Machinists No. 344, Galion, Ohio, favoring the construction of naval vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, petitions of G. B. Smeltzer and 47 citizens of Marion, Ohio; Longshoremen's Union No. 170, Sandusky; Cigar Makers' Union No. 79, Sandusky; Machinists' Union No. 344, Galion; Iron Molders' Union No. 328, Crestline; Potters' Union No. 7, Tiffin; Buckeye Union, No. 228, Galion, and Job Pressmen's Union No. 12, Dayton, all in the State of Ohio, advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. OTJEN: Resolutions of Lake Seamen's Union, Chicago, Ill., and Marine Council of the Port of Milwaukee, Wis., protesting against the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Marine Council of Milwaukee, Wis.; Federated Trades Council, Coopers' Union No. 35, Cigar Makers' Union No. 25, and Eagle Lodge No. 1, all of Milwaukee, Wis., to exclude Chinese laborers—to the Committee on Foreign Affairs.

Also, resolution of Marine Council of Milwaukee, Wis., and Order of Railway Conductors, Milwaukee Division No. 46, for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. OVERSTREET: Resolution of the Topeka (Kans.) Commercial Club, condemning the proposed Bowersock land-grazing bill (H. R. 7212)—to the Committee on Irrigation of Arid Lands.

Also, petition of Elkhart Chapter, Division 248, and Indianapolis Division No. 11, Brotherhood of Locomotive Engineers, favoring bill (H. R. 9678) to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

By Mr. PAYNE: Papers to accompany House bill 11343, granting a pension to Mary Louise Lowry—to the Committee on Pensions.

By Mr. POWERS of Maine: Papers to accompany House bill 11830, relating to the correction of the military record of Henry G. McDougall—to the Committee on Military Affairs.

By Mr. PEARRE: Petition of George E. Anderson and 45 others, of Williamsport, Md., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

By Mr. PRINCE: Petition of Alfred Bing Post, No. 492, Grand Army of the Republic, Department of Illinois, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. PUGSLEY: Resolution of Ossining Division, New York, Order of Telegraphers, No. 99, for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Kitching Post, No. 60, of Yonkers, N. Y., Grand Army of the Republic, favoring the construction of naval vessels at Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Lodge No. 15, Association of Machinists, New York City; Wood Carriers' Union, No. 9144, of Mamaroneck, N. Y., and Cigar Makers' Union No. 81, of Peekskill, N. Y., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. ROBINSON of Indiana: Resolution of Central Labor Union, American Federation of Labor, of Fort Wayne, Ind., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, petition of Advance Grange, of Fremont, Ind., against Government irrigation projects, and in favor of the McCleary bill—to the Committee on Irrigation of Arid Lands.

Also, resolution of Order of Railway Conductors, No. 138, Garrett, Ind., for the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Resolutions of Lake Seamen's Union, Tonawanda, N. Y., and Outside Freight Handlers' Union No. 242, Buffalo, N. Y., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, resolutions of Lake Seamen's Union, Tonawanda, N. Y., and Stationary Firemen's Union No. 11, of Buffalo, N. Y., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Tonawanda Branch, Lake Seamen's Union, of Tonawanda, N. Y., protesting against the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

By Mr. SCHIRM: Petitions of United Brotherhood Leather Union No. 88, of Baltimore, Md., and of certain residents of Baltimore, favoring Chinese exclusion—to the Committee on Foreign Affairs.

By Mr. SCOTT: Resolutions of the Industrial Council of Pittsburg, Kans., favoring the continued exclusion of Chinese laborers from the United States—to the Committee on Foreign Affairs.

By Mr. SIBLEY: Petitions of International Association of Machinists, Journeymen Plumbers' Union No. 207, and Federal Labor Union No. 7150, all of Bradford, Pa., in favor of the reenactment of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. SELBY: Petition of Hesse Post, No. 203, of Winchester,

Grand Army of the Republic, Department of Illinois, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolution of Chiles Post, No. 278, of Palmyra, Ill., Grand Army of the Republic, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of the Chamber of Commerce of Quincy, Ill., favoring the creation of a department of commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. SLAYDEN: Petition of Carpenters and Joiners' Union No. 717, of San Antonio, Tex., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SNOOK: Petition of Evans Post, No. 194, Grand Army of the Republic, Department of Ohio, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. SOUTHARD: Resolution of Journeymen Tailors' Union of Toledo, Ohio, and Gas Well Workers' Union and citizens of North Baltimore, Ohio, favoring the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Manufacturers' Club of Cincinnati, Ohio, and Central Labor Union of Toledo, Ohio, favoring the bill to increase the efficiency and to change the name of the United States Marine-Hospital Service—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 63; of Ford Post, No. 14, and Quiggle Post, Grand Army of the Republic, Department of Ohio, urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, resolutions of various orders in Toledo, Ohio, for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SPERRY: Resolution of directors of the Connecticut State prison, opposing legislation forbidding transportation of prison-made goods from one State to another—to the Committee on Labor.

By Mr. STEELE: Petition of Henry C. Coulter Post, No. 131, Grand Army of the Republic, Department of Indiana, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. STEVENS of Minnesota: Petition of citizens of Lindstrom, Minn., favoring the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, resolution of St. Paul Liquor Dealers' Union, urging the passage of House bills 178 and 179, proposing to reduce the tax on whisky—to the Committee on Ways and Means.

Also, petition of citizens of Crookston, Minn., in favor of the establishment of a military post at Crookston, Minn.—to the Committee on Military Affairs.

Also, petition of Machinists' Union No. 112, of St. Paul, Minn., advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolution of Cooks' Alliance No. 271, Division No. 40, Order of Railway Conductors, and Zenith Division, No. 249, Brotherhood of Locomotive Engineers, favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of German-American Central Bund, of St. Paul, Minn., against restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Cigar Makers' Union No. 98 and Waiters' Union No. 43, of St. Paul, Minn., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SULLOWAY: Resolution of Granite Cutters' National Union, of Milford, and Freight Handlers' Union, of Manchester, N. H., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Post No. 57, Columbia, N. H., Grand Army of the Republic; Old Homestead Lodge, No. 319, of Keene, N. H., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, resolution of Columbia Council, Daughters of Liberty, Manchester, N. H., favoring reenactment of the Chinese-exclusion law, a more restrictive immigration law, fixing a severe penalty for attempt on the life of the President, etc., and a law to prohibit the landing and for the deportation of anarchists—to the Committee on Foreign Affairs.

Also, petitions of the Woman's Christian Temperance unions of East Rochester, East Colbrook, Richmond, South Acworth, Newmarket, Concord, Franklin, Candia, Rumney, Seabrook, Newport, Alton, Claremont, and Contoocook, N. H., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

By Mr. TAYLOR of Alabama: Petition of Brotherhood of Railway Carmen, Union No. 76, of Whistler, Ala., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. TOMPKINS: Resolutions of Hollingsworth Division, No. 100, Order of Railway Conductors, Columbus, Ohio, favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolution of Hollingsworth Division, No. 100, Order of Railway Conductors, Columbus, Ohio, favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. WANGER: Resolutions of Colonel Croasdale Post, No. 256, Grand Army of the Republic, Department of Pennsylvania, for the building of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, resolution of Carpenters' Union No. 465, of Ardmore, Pa., and Cigar Makers' Union, No. 489, of Souderton, Pa., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. WARNER: Resolution of Champaign (Ill.) Local Union of Carpenters and Joiners of America, favoring the passage of a law which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. WARNOCK: Petition of S. C. Kitchen and other citizens of Delaware County, Ohio, for an amendment to the National Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

By Mr. WILSON: Resolution of Photo-engravers' Union No. 23, of New York City, and District Lodge No. 15, of International Association of Machinists, of New York, asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. WOODS: Petition of City Front Federation, of San Francisco, Cal., favoring House bill 9330, to exclude Chinese from competition with American workers—to the Committee on Foreign Affairs.

Also, resolutions of Vallejo Lodge, No. 148, Boiler Makers and Iron Ship Builders, condemning the action of the Chamber of Commerce of San Francisco on the Chinese—to the Committee on Foreign Affairs.

Also, resolution of San Francisco (Cal.) Labor Council, advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Upholsterers' Union No. 62, of Stockton, Cal., and Pacific Coast Marine Firemens' Union, favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

SENATE.

WEDNESDAY, *February 26, 1902.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

Mr. FORAKER. Mr. President, on account of the McKinley memorial exercises, which are to be held in the Hall of the House of Representatives at 12 o'clock to-morrow, I move that when the Senate adjourns to-day the adjournment be until a quarter before 12 to-morrow.

The motion was agreed to.

Mr. BURROWS. Mr. President, the Committee on Privileges and Elections had a session this morning, and we are in the midst of the consideration of the order submitted to that committee. By direction of the committee, and hoping we may be able to reach an agreement, I am requested to make the motion that the Senate do now adjourn.

The PRESIDENT pro tempore. The Senator from Michigan moves that the Senate do now adjourn.

The motion was agreed to; and (at 12 o'clock and 2 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 27, 1902, at 11 o'clock and 45 minutes a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 26, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

REPRINT OF A BILL.

Mr. LOUD. Mr. Speaker, I will ask first unanimous consent for a reprint of the bill (H. R. 11354) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1903, including the accompanying report, No. 550, as I understand it is exhausted.

The SPEAKER. The gentleman from California asks unanimous consent for the reprint of the House bill 11354, being the

Post-Office appropriation bill and the accompanying report. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. LOUD. Now, Mr. Speaker, I will ask unanimous consent of the House that bill H. R. 11728, to classify the rural free-delivery service, and the compensation of the employees thereof, be taken up for consideration Monday next, immediately after the reading of the Journal, and that such bill shall be the continuing special order until disposed of; the bill to be considered in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from California asks unanimous consent that House bill 11728, a bill to classify the rural free-delivery service, and fix the compensation of the employees thereof, be taken up on Monday next, immediately after the approval of the Journal, and become the continuing special order until disposed of by the House, subject to revenue and appropriation bills and conference reports. Is there objection?

Mr. LOUD. And to be considered in Committee of the Whole.

The SPEAKER. That would follow, but the Chair will add that to the request.

Mr. SWANSON. Mr. Speaker, I would like to have added to that a request for unanimous consent that the time in which this bill is considered shall be equally divided between those who favor the bill and those who oppose it.

The SPEAKER. The gentleman from Virginia asks that there be added to the request the provision that the time allowed for consideration of the bill be equally divided between those in favor and those opposed to the bill. The Chair thinks that will follow as a matter of course. Is there objection to the request of the gentleman from California?

Mr. FORDNEY. I object, Mr. Speaker.

Mr. LOUD. Will the gentleman withhold his objection that I may make a brief statement about the facts in the case?

Mr. FORDNEY. Yes.

Mr. LOUD. Mr. Speaker, the Post-Office Committee finds itself in this position: For a number of years we have been appropriating a lump sum for the rural free-delivery service. This year if it is continued it may necessarily require legislation, and legislation outside of that which I anticipate the gentleman from Michigan objects to. We can not consider the appropriation bill unless this legislation shall first be considered, or it must be considered on the appropriation bill. The question that confronts the House must be disposed of one way or the other, or the appropriation bill must pass the House without containing the provision for rural free-delivery service. If there are any provisions in this bill that the House does not like, it has the power to strike it out; but a failure to consider this bill, as far as the House is concerned, prohibits an incorporation of the rural free-delivery service in the bill. I think that is all, Mr. Speaker.

Mr. CORLISS. I would like to ask the gentleman from California a question.

Mr. FORDNEY. I will withdraw my objection, Mr. Speaker.

Mr. LOUD. I will yield to the gentleman from Michigan.

Mr. CORLISS. I would like to ask the gentleman if this bill—I have not been able to get a copy of it—embraces the provision with reference to a contract system for the rural free-delivery carriers?

Mr. LOUD. It does; that is one of the provisions.

The SPEAKER. Is there objection?

Mr. SWANSON. I shall object, Mr. Speaker, unless the request that the time be equally divided be added to the request.

The SPEAKER. The gentleman's request is added to the request of the gentleman from California, although the Chair thinks it would follow anyway. Is there objection? [After a pause.] The Chair hears none, and the order is made as requested.

BRIDGE OVER THE MISSOURI RIVER NEAR KANSAS CITY.

Mr. COWHERD. Mr. Speaker, I desire to call up the bill (S. 3107) to authorize the construction of a bridge over the Missouri River at or near Kansas City, Mo. I desire to say that the bill H. R. 9962 is a similar bill and has been reported favorably by the House committee.

The Clerk read the bill at length.

The SPEAKER. Inasmuch as this is a Senate bill substantially the same as the House bill which has been favorably reported by a committee of the House, it does not have to be considered in Committee of the Whole. Under section 2 of Rule XXIV it is in order on the Speaker's table.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. COWHERD, a motion to reconsider the last vote was laid on the table.

Mr. COWHERD. Mr. Speaker, I ask unanimous consent that House bill 9962, a similar bill, lie on the table.

There was no objection.

HOMESTEAD ENTRIES IN OKLAHOMA.

Mr. LONG. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The bill (H. R. 7933) providing for the commutation for town-site purposes of homestead entries in certain portions of Oklahoma was read, as follows:

Be it enacted, etc., That that portion of section 22 of the act approved May 2, 1890, entitled "An act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States court in the Indian Territory, and for other purposes," providing for the commutation for town-site purposes of homestead entries in certain instances, be, and the same is hereby, made applicable to the lands in the Territory of Oklahoma ceded to the United States by the Wichita and affiliated bands of Indians and the Comanche, Kiowa, and Apache tribes of Indians, under agreements, respectively, ratified by the acts of Congress of March 2, 1895, and June 6, 1900.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. RICHARDSON of Tennessee. We would like to hear some explanation of the extent and scope of the bill, and would also be glad to know what committee has reported it.

Mr. LONG. I yield to the gentleman from Oklahoma [Mr. FLYNN] that he may explain the bill.

Mr. FLYNN. Mr. Speaker, this bill has been unanimously reported by the Committee on the Public Lands of this House. It provides that the section of the general land law which authorizes in all parts of Oklahoma commutation of homestead entries for town-site purposes shall be extended over the reservations known as the Kiowa, Comanche, and Apache reservations opened up last August. The bill has the united support of the gentleman from Texas [Mr. STEPHENS] and myself. Both of us appeared before the Committee on the Public Lands in relation to the measure.

Under existing law a homesteader can commute his homestead entry at the expiration of fourteen months by the payment to the Government of $1.25 an acre. Under this bill he can commute for town-site purposes by paying $10 an acre at any time. It merely extends the existing provisions of law now applying to all other parts of Oklahoma which were opened up last August. It was purely by oversight that this section was omitted from the bill which passed the House.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. LONG, a motion to reconsider the last vote was laid on the table.

PERSONAL EXPLANATION.

Mr. TAWNEY. Mr. Speaker, a few days ago, when the gentleman from Texas [Mr. BURLESON] was addressing the House on the subject of trusts, he alluded to the merger of two railroad companies in Minnesota——

Mr. RICHARDSON of Tennessee. I rise to a point of order. I do not understand by what right the gentleman from Minnesota [Mr. TAWNEY] is occupying the floor.

The SPEAKER. The gentleman from Minnesota can proceed only by unanimous consent.

Mr. TAWNEY. I ask unanimous consent to make a personal statement.

Mr. LANHAM. I do not see my colleague [Mr. BURLESON] in the House.

Mr. TAWNEY. I spoke to him a moment ago about this matter concerning which I intend to make a statement, and we agreed upon the request I am about to make. I do not know where he is just now, but I spoke to him about the matter.

Mr. LANHAM. If my colleague has consented to the arrangement, all right.

Mr. TAWNEY. I ask unanimous consent——

The SPEAKER. For how long?

Mr. TAWNEY. Just to make a personal statement to the House and then to ask that the question asked of the gentleman from Texas by me in the course of his remarks a few days ago and his reply thereto may be stricken from the permanent record of the House. I do not want more than five minutes.

The SPEAKER. The gentleman from Minnesota asks five minutes to make a statement. Is there objection? The Chair hears none.

Mr. TAWNEY. As I said a moment ago, the gentleman from Texas, in the course of his remarks a few days ago, alluded to the proposed merger of the Great Northern and Northern Pacific railroads in the State of Minnesota, and commended the governor of Minnesota, a Republican, for the action which he had taken to prevent the full consummation of that combination. At that point it was suggested to me by a member sitting near by that I ask the gentleman from Texas what was the attitude of the governor of Montana, a Democratic governor, on this same question.

It was suggested to me that he was against the prosecution of pending judicial proceedings, and recalling the fact that the governor of one of the neighboring States was opposed, or did not

join in the proceedings to prevent the merger, I asked the question as to the attitude of the governor of Montana, to which the gentleman from Texas replied that he did not know, but that if he was against it he [Mr. BURLESON] repudiated him; and I replied that he was against it. I wish to correct that statement. It is not in accordance with the fact. My remark was uttered hastily and without stopping to consider what particular governor was opposed to the prosecution of the judicial proceedings for the purpose of preventing this merger. The governor of Montana, as I am informed, has always been opposed to the merger and is now opposed to it—is doing all he can to assist the governor of Minnesota in preventing the full consummation of the merger contemplated by and through the organization of the Northern Securities Company.

I make this statement in justice to the governor of Montana. I knew that one or more of the governors of States in that section were opposed to the proceedings against the so-called merger, and the suggestion being made to me by a member sitting near me that it was the governor of Montana, I hastily asked the question I did. In view of the fact that it was an erroneous statement concerning the chief executive of Montana, I ask unanimous consent that those questions and answers may be stricken from the official record of the House. I wish to say that the gentleman from Texas [Mr. BURLESON] consented to this a moment ago when he was here and would consent to it now if he was here.

Mr. LANHAM. It was just the statement made by yourself?

Mr. TAWNEY. It is a question and the answer.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that there may be stricken from the official record of the date referred to so much of the colloquy between himself and the gentleman from Texas [Mr. BURLESON] as he has explained. Is there objection? [After a pause.] The Chair hears none.

RURAL FREE DELIVERY.

Mr. SWANSON. Mr. Speaker, I ask unanimous consent that the minority members of the Post-Office Committee may be permitted to file their views against House bill 11728, which provides for the contract system of rural delivery.

The SPEAKER. The gentleman from Virginia asks unanimous consent to submit the views of the minority members of the Post-Office Committee against House bill 11728. Is there objection? [After a pause.] The Chair hears none.

PHILIPPINE TARIFF.

Mr. PAYNE. I desire to report from the Committee on Ways and Means on the Senate amendments to House bill 5833, being an act temporarily to provide revenue for the Philippine Islands, and for other purposes.

The SPEAKER. The gentleman from New York, chairman of the Committee on Ways and Means, by direction of that committee reports back House bill 5833.

Mr. PAYNE. Mr. Speaker, the committee recommends a disagreement with all the amendments of the Senate, although I may say for the majority of the committee that they are in accord with nearly all of the amendments; but a number of them with which they are in accord they think ought to be amended in order to clearly state the object of the amendments, and to be sure that what the object of the Senate was in making the amendment is accomplished by the language employed; and I would ask unanimous consent of the House to disagree with these amendments and ask for a conference.

The SPEAKER. The gentleman from New York asks unanimous consent that the House disagree to the amendments of the Senate to House bill 5833, and ask for a conference. Is there objection?

Mr. RICHARDSON of Tennessee. Mr. Speaker, reserving the right to object, I want to say that the amendments were hastily considered in the Committee on Ways and Means, and for the minority I would say that some of them were regarded as not very material and were not objected to; but I can not agree with the request of the gentleman from New York, and I demand the regular order.

The SPEAKER. The gentleman from Tennessee demands the regular order. The Clerk will report the Senate amendments.

Mr. RICHARDSON of Tennessee. I make the point of order that they require consideration in the Committee of the Whole. I will make it now or after they are reported.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Page 2, line 5, after "countries," insert:

"*Provided*, That upon all articles the growth and product of the Philippine Archipelago coming into the United States from the Philippine Archipelago there shall be levied, collected, and paid only 75 per cent of the rates of duty aforesaid: *And provided further*, That the rates of duty which are required hereby to be levied, collected, and paid upon products of the Philippine Archipelago coming into the United States shall be less any duty or taxes levied, collected, and paid thereon upon the exportation thereof from the Philippine Archipelago, as provided by the act of the United States Philippine Commission referred to in section 1 of this act, under such rules and regulations as the Secretary of the Treasury may prescribe, but all articles, the growth and product of the Philippine Islands, now admitted into the ports of the United States free of duty and exported directly from said islands to the United States for use and consumption therein, shall be hereafter exempt from any export duties imposed in the Philippine Islands."

Page 2, line 8, after "all," insert "foreign."

Page 2, line 9, after "Archipelago," insert:

", and in addition to any tonnage dues or taxes now imposed by the government of the Philippine Islands upon all foreign vessels, except vessels of Spain owned by Spanish subjects engaged in traffic between the ports of the Philippine Archipelago."

Page 2, lines 11 and 12, strike out "otherwise provided by law" and insert "July 1, 1904."

Page 2, line 17, after "United States," insert:

", or between ports in the Philippine Archipelago: *And provided further*, That the Philippine Commission shall be authorized and empowered to issue licenses to all vessels or other craft now engaged in lighterage or other exclusively harbor business; but after the passage of this act such licenses except as herein provided shall be issued only to vessels or other craft built in the Philippine Islands or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands."

Page 2, lines 19 and 20, strike out "less the cost of collecting the same."

Page 2, line 20, strike out "the gross amount of."

Page 2, lines 20 and 21, strike out "collections of."

Page 2, line 21, after "taxes," insert "collected."

Page 2, line 22, after "upon," insert "foreign."

Page 4, line 2, after "prescribe," insert:

"And all taxes paid upon such articles shipped to the Philippine Islands since November 15, 1901, under the decision of the Secretary of the Treasury of that date, shall be refunded to the parties who have paid the same, under such rules and regulations as the Secretary of the Treasury may prescribe, and a sum sufficient to make such payment is hereby appropriated, out of any money in the Treasury not otherwise appropriated."

Page 4, line 3, strike out "imported."

Page 4, after line 9, insert:

"SEC. 7. That merchandise in bonded warehouse or otherwise in the custody and control of the officers of the customs, upon which duties have been paid, shall be entitled, on shipment to the Philippine Islands within three years from the date of the original arrival, to a return of the duties paid less 1 per cent, and merchandise upon which duties have not been paid may be shipped without the payment of duties to the Philippine Islands within said period, under such rules and regulations as may be prescribed by the Secretary of the Treasury."

Page 4, after line 9, insert:

"SEC. 8. That an appeal as respects all articles coming into the Philippine Archipelago from the United States, and all articles coming into the United States from the Philippine Archipelago, shall be allowed as provided in an act entitled 'An act to simplify the laws in relation to the collection of revenues,' approved on the 10th day of June, 1890 (26 Stats., 131), as amended by an act entitled 'An act to provide for the Government and to encourage the industries of the United States,' approved July 24, 1897 (30 Stats., 151)."

Page 4, after line 9, insert:

"SEC. 9. That no person in the Philippine Islands shall, under the authority of the United States, be convicted of treason by any tribunal, civil or military, unless on the testimony of two witnesses to the same overt act, or on confession in open court: *Provided*, That there shall be no conviction or punishment under the authority of the United States by any tribunal, civil or military, of any mother or father for failing to give information against his or her child, or of any son or daughter for failing to give information against his or her mother or father, or of any husband for failing to give information against his wife, or of any wife for failing to give information against her husband."

The SPEAKER. The gentleman from Tennessee makes the point of order that these amendments should be considered in the Committee of the Whole House on the state of the Union. The Chair will ask the gentleman from Tennessee to indicate to which of these amendments he makes the point of order, because that point can apply only to propositions for raising revenue, not to regulations or increases or decreases from the propositions of the House bill.

Mr. RICHARDSON of Tennessee. Mr. Speaker, amendment No. 1 reads as follows:

(1) *Provided*, That upon all articles the growth and product of the Philippine Archipelago coming into the United States from the Philippine Archipelago there shall be levied, collected, and paid only 75 per cent of the rates of duty aforesaid: *And provided further*, That the rates of duty which are required hereby to be levied, collected, and paid upon products of the Philippine Archipelago coming into the United States shall be less any duty or taxes levied, collected, and paid thereon upon the exportation thereof from the Philippine Archipelago, as provided by the act of the United States Philippine Commission referred to in section 1 of this act, under such rules and regulations as the Secretary of the Treasury may prescribe; but all articles the growth and product of the Philippine Islands now admitted into the ports of the United States free of duty and exported directly from said islands to the United States for use and consumption therein shall be hereafter exempt from any export duties imposed in the Philippine Islands.

Now, I grant you that that is a simple reduction from 100 per cent charged under the Dingley law to 75 per cent, but the proviso—

That the rates of duty which are required hereby to be levied, collected, and paid upon products of the Philippine Archipelago coming into the United States shall be less any duty or taxes levied, collected, and paid thereon upon the exportation thereof from the Philippine Archipelago, as provided in the act of the United States Philippine Commission referred to in section 1 of this act, under such rules and regulations as the Secretary of the Treasury may prescribe; but all articles the growth and product of the Philippine Islands not admitted into the ports of the United States free of duty and exported directly from said islands to the United States for use and consumption therein shall be hereafter exempt from any export duties imposed in the Philippine Islands—

is a direct change of law with reference to the rates of duty. Then there are a number of other changes, some of them not very material. The second amendment adds the word "foreign," which changes the law as to the tonnage taxes on vessels from

all vessels to foreign vessels, which makes a change in the revenue law. The third amendment exempts the vessels that "in addition to any tonnage dues or taxes now imposed by the government of the Philippine Islands upon all foreign vessels, except vessels of Spain," etc. It may be insisted that the object of that amendment is to make it conform to the treaty, but it changes the law. Amendment No. 4 is as follows:

Page 2, lines 11 and 12, strike out "otherwise provided by law" and insert "July 1, 1904."

That might not require consideration in Committee of the Whole. However, it is not important. Amendment No. 5 provides a restriction as to the vessels of the United States, the transportation of passengers and merchandise, etc., and inserts:

or between ports in the Philippine Archipelago: *And provided further*, That the Philippine Commission shall be authorized and empowered to issue licenses to all vessels or other craft now engaged in lighterage or other exclusively harbor business; but after the passage of this act such licenses except as herein provided shall be issued only to vessels or other craft built in the Philippine Islands, or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands.

I do not care so much for that amendment, and yet it is a modification of the law. Then in section 4 amendments 6, 7, 8, and 9 refer to the collection of the revenue, and affect at any rate the amount, but that is not so very important. Still they do change the existing law in respect to the revenue.

Now, amendment 11 is one which certainly requires consideration in Committee of the Whole. It is as follows:

And all taxes paid upon such articles shipped to the Philippine Islands since November 15, 1901, under the decision of the Secretary of the Treasury of that date, shall be refunded to the parties who have paid the same, under such rules and regulations as the Secretary of the Treasury may prescribe, and a sum sufficient to make such payment is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

That is a direct appropriation of money to refund by reason of this change in the law caused by the Senate amendment. There is an amendment, No. 12, that I do not consider important. It simply corrects the verbiage.

Amendment 13 is as follows:

That merchandise in bonded warehouse or otherwise in the custody and control of the officers of the customs, upon which duties have been paid, shall be entitled, on shipment to the Philippine Islands within three years from the date of the original arrival, to a return of the duties paid less 1 per cent, and merchandise upon which duties have not been paid may be shipped without the payment of duties to the Philippine Islands within said period, under such rules and regulations as may be prescribed by the Secretary of the Treasury.

This amendment requires consideration in the Committee of the Whole. The next amendment is No. 14, which relates to appeals. It gives appeals in respect to all articles coming into the Philippine Archipelago from the United States and all articles coming into the United States from the Philippine Archipelago, which is a direct interference with the tax law and makes a change in our law in respect to this question of appeal. Amendment No. 15 is one that relates to the matter of treason, and defines how conviction shall be had for treason by any tribunal, civil or military, etc., in the islands. That might not require consideration in the Committee of the Whole. It simply regulates the method and mode of practice and fixes the evidence necessary for a conviction for treason. It is one of the best amendments, I think, that the Senate proposes. So that, Mr. Speaker, nearly every one of the amendments require consideration in the Committee of the Whole; not all of them, but those that do not are merely amendments of not much importance and would not be resisted, I think.

Mr. PAYNE. Mr. Speaker, if the gentleman is through——

Mr. RICHARDSON of Tennessee. I am for the present.

Mr. PAYNE (continuing). On page 681 of the Digest I find:

A Senate amendment which is a modification merely of a House proposition, like the increase or decrease of the amount, etc., and does not involve new and distinct expenditures, is not to be required to be considered in Committee of the Whole.

Mr. RICHARDSON of Tennessee. That is right.

Mr. PAYNE. That seems to have been decided a great many times and is the parliamentary law of this body. In the light of that decision, Mr. Speaker, it is difficult to find an amendment proposed by the Senate that does not come under that ruling affecting the receipts of revenue. As to amendment No. 1, the House bill provided that on goods coming from the Philippine Islands to the United States the full Dingley rate should apply. The Senate amendment modifies that and says we shall collect 75 per cent of those rates. The proviso to that amendment reduces the amount of export duties on goods coming from the Philippine Islands to the United States. We in the House imposed those export duties by reenacting the Taft Commission bill, and the Senate in the proviso strikes out these export duties. That would come clearly under the rule that I have read.

Mr. RICHARDSON of Tennessee. That part of it makes it absolutely necessary to be considered in the Committee of the Whole.

Mr. PAYNE. I did not hear what the gentleman from Tennessee said.

Mr. RICHARDSON of Tennessee. I said I conceded that the point would not lie as to the first four lines of the Senate amendment, being simply a reduction, and would not require consideration in the Committee of the Whole; but that the proviso made it fairly within the rule.

Mr. PAYNE. In the House bill we provided distinctly that the export duties provided by the Philippine Commission should be collected upon all goods coming from the Philippine Islands into the United States. This provides that no such export duty shall be collected. It is a modification of the House bill, and no more. On amendment numbered 2 we provided for tonnage taxes upon all vessels. The Senate restricted that to foreign vessels.

Mr. RICHARDSON of Tennessee. Before the gentleman leaves the other point. I do not want to interrupt his argument. While on that amendment, I call his attention to the fact that this proviso makes new law and affects the revenue directly in a manner that the House bill did not affect it. It is not simply a reduction of what was in the House bill, but new law affecting the revenue, and therefore subject to the point of order.

Mr. PAYNE. I am glad to have the gentleman come to our proposition here, that the laws of the Philippine Commission are laws binding upon Congress. But we reenacted these laws. We did that in connection with the first section of the bill, in stating that these export duties enacted by the Philippine Commission should be collected upon all goods coming into the United States from the Philippine Islands; but that does not go to the root of the matter, because the Senate has simply modified a section of our bill and provided that no export duty shall be collected upon goods coming from the Philippine Islands into the United States; so that that amendment is not within the rule. The next amendment relates to tonnage on vessels.

We provided in the House bill that tonnage should be collected on all vessels, including vessels of the United States, carrying goods from the Philippine Islands to the ports of the United States and back. This amendment provides that this tax shall only be collected on foreign vessels, or, in other words, exempt vessels of the United States. It is a modification of the provision in our bill. Amendment 3 is also an amendment to the Philippine tariff commission bill which we had enacted:

And in addition to any tonnage dues or taxes now imposed by the government of the Philippine Islands upon all foreign vessels, except vessels of Spain or owned by Spanish subjects, engaged in traffic between the ports of the Philippine Archipelago.

We put it upon all vessels; they confine it to foreign vessels, and then they excepted Spanish vessels, or, in other words, it reduces the revenue that we were providing for under our bill.

Amendment numbered 4 is in relation to the time.

The SPEAKER. The gentleman from Tennessee did not make a point of order on amendment numbered 4 or amendment numbered 5, as the Chair understands.

Mr. PAYNE. On amendments 5, 6, 7, 8, 9, and 10.

The SPEAKER. The point of order was not made as to either of these. The gentleman from Tennessee will correct the Chair if he is in error.

Mr. PAYNE. On amendment numbered 11 a point of order is made against that, in that it provides for revenue duties and appropriates money. That is something new. The point of order might possibly be good as to that amendment. Amendment 12 simply strikes——

Mr. RICHARDSON of Tennessee. I could not hear what the gentleman was saying as to amendment 11.

Mr. PAYNE. I say possibly that may be subject to the point of order.

Amendment 12 strikes out the word "imported."

The SPEAKER. No point of order was made against that.

Mr. PAYNE. It simply changes the language. Section 7 provides:

That merchandise in bonded warehouse or otherwise in the custody and control of the officers of the customs, upon which duties have been paid, shall be entitled, on shipment to the Philippine Islands within three years from the date of the original arrival, to a return of the duties paid less 1 per cent, and merchandise upon which the duties have not been paid may be shipped without the payment of duties to the Philippine Islands within said period, under such regulations as may be prescribed by the Secretary of the Treasury.

That makes no appropriation; it extends the exemption that we had put in our bill upon the payment of duties.

Section 8, amendment 14, provides——

The SPEAKER. The Chair would say to the gentleman from New York that the Chair did not hear what the gentleman said about amendment 13.

Mr. PAYNE. I am in doubt, Mr. Speaker, as to amendment 13. It provides for a refunding of the duties paid under certain circumstances. Now, as to amendment 14——

The SPEAKER. The Chair did not understand that the gentleman from Tennessee made the point of order against the fourteenth amendment.

Mr. RICHARDSON of Tennessee. Yes, Mr. Speaker; I insist

that amendment 14 changes the law in respect to appeals and would affect the revenue. I said it was obnoxious to the rule. I think we might have gone into Committee of the Whole upon these amendments and expedited business. We did not propose to abuse the rule.

Mr. PAYNE. It has been held that if one or more amendments are subject to a point of order the House may go on and consider the remainder, and then go into Committee of the Whole on such amendments as must be considered in Committee of the Whole.

Mr. RICHARDSON of Tennessee. I did not hear what the gentleman stated.

Mr. PAYNE. It has been held that where there are several amendments, and only one or more of them, or a portion of them, must be considered in Committee of the Whole, the House may first proceed and consider the amendments not subject to that point of order.

Mr. RICHARDSON of Tennessee. There is no question but that that may be done if the Speaker should be of the opinion that there was only one; but there are so many that require consideration in Committee of the Whole that I think we would get along more expeditiously if we went into Committee of the Whole upon all the amendments. We do not propose to abuse the rule by debate, but we think it would be better to consider them in Committee of the Whole.

Mr. PAYNE. Can we agree on general debate in Committee of the Whole?

Mr. RICHARDSON of Tennessee. I do not think it will be necessary to have general debate. I do not think it would take a great while. We do not want to abuse the patience of the House.

Mr. PAYNE. What would the gentleman say to an hour or two hours for general debate?

Mr. RICHARDSON of Tennessee. I would rather that the amendments should be read and let us go along with them at once.

Mr. PAYNE. Will the gentleman agree that we shall go along without any general debate, under the five-minute rule?

Mr. RICHARDSON of Tennessee. I have had no request for general debate, but some members on this side want to discuss certain amendments.

Mr. PAYNE. Well, suppose we take it up under the five-minute rule?

Mr. RICHARDSON of Tennessee. I am willing to do that, inasmuch as nobody has asked for general debate.

Mr. PAYNE. Well, Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the amendments, and pending that, I ask unanimous consent that general debate be dispensed with, and that the amendments be taken up under the five-minute rule.

The SPEAKER. The gentleman from New York moves that the House resolve itself into Committee of the Whole House on the state of the Union to consider the Senate amendments to the bill 5833, and, pending that, asks unanimous consent that general debate be dispensed with and that the Committee of the Whole proceed at once under the five-minute rule. Is there objection? [After a pause.] The Chair hears none.

The motion of Mr. PAYNE was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HEPBURN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering Senate amendments to House bill 5833. General debate having been dispensed with, the Clerk will report the first amendment.

The Clerk read as follows:

On page 2, line 1, after the word "countries," insert:

"*Provided*, That upon all articles the growth and product of the Philippine Archipelago coming into the United States from the Philippine Archipelago there shall be levied, collected, and paid only 75 per cent of the rates of duty aforesaid: *And provided further*, That the rates of duty which are required hereby to be levied, collected, and paid upon products of the Philippine Archipelago coming into the United States shall be less any duty or taxes levied, collected, and paid thereon upon the exportation thereof from the Philippine Archipelago, as provided by the act of the United States Philippine Commission referred to in section 1 of this act, under such rules and regulations as the Secretary of the Treasury may prescribe, but all articles, the growth and product of the Philippine Islands, now admitted into the ports of the United States free of duty and exported directly from said islands to the United States for use and consumption therein, shall be hereafter exempt from any export duties imposed in the Philippine Islands."

Mr. PAYNE. Mr. Chairman, I move that the committee recommend to the House nonconcurrence with this amendment, and I want to make a statement about it.

Mr. MCCLELLAN. Mr. Chairman, I move that the committee recommend a concurrence in Senate amendment No. 1 with the amendment that I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New York moves that the committee recommend concurrence with the amendment which the Clerk will read.

The Clerk read as follows:

Amend Senate amendment as follows:

"In line 9, strike out the word 'seventy-five' and insert in lieu thereof the word 'twenty-five.'"

Mr. PAYNE. Mr. Chairman, I make the point of order on that. As I understand it, the House having fixed the rate at 100 per cent and the Senate at 75 per cent, the House must agree upon something between 75 and 100 per cent. I know it is so whenever the matter is in conference, and I do not see why the same rule does not hold good when operating on a Senate amendment.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I submit that there is no such rule as that referred to by the gentleman from New York governing us in dealing with Senate amendments. The House passed this bill with the Dingley rates. The Senate passed an amendment fixing the rates at 75 per cent of the Dingley rates; and there were other things in the amendment. It is proposed now to concur in the entire Senate amendment, merely striking out 75 per cent and inserting 25 per cent. There is no rule of parliamentary law, there is no rule of law of any kind, so far as I know, that prevents the House amending the Senate amendment in the manner proposed in the amendment of of the gentleman from New York [Mr. MCCLELLAN].

I grant, if we go into conference, the conferees can deal only with the text as changed by the Senate; but the entire amendments of the Senate would be open to amendment. We could very well say: "If we can not get 100 per cent reduction we will take a 25 per cent duty, but not 75 per cent." There is no sort of restriction upon the House in amending a Senate amendment, except it must be germane. I submit that the gentleman from New York [Mr. PAYNE] can not find a precedent to sustain him in the position he has taken.

Mr. PAYNE. I am unable to turn to any precedent. This is a new question to me.

The CHAIRMAN. The Chair is not inclined to sustain the point of order as raised by the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Chairman, the reason I made the motion to disagree to this amendment——

Mr. MCCLELLAN. Has the Chair ruled on the point of order?

Mr. PAYNE. The Chair ruled the amendment in order.

Mr. MCCLELLAN. I would like to be heard on that amendment.

The CHAIRMAN. The gentleman from New York [Mr. PAYNE] has been recognized.

Mr. PAYNE. So I supposed. Now, I will begin again. My reason for making the motion to disagree to this amendment was this: The committee, so far as the majority members are concerned, are willing to concede this 25 per cent reduction, and they are willing also to concede that the export duties, so called, on goods coming from the Philippine Islands to the United States be abolished. But when we came to look at the language employed by the Senate in the provision abolishing these export duties we thought it could very easily be made clearer and more definite, while employing a good deal less language. We thought there might be a proviso something like this: That no tax or duty shall be collected in the Philippine Islands upon any goods——

Mr. GAINES of Tennessee rose.

Mr. PAYNE. Oh, do not interrupt me in the midst of a sentence.

Mr. GAINES of Tennessee. I rose simply to ask for order. I am very anxious to hear what the gentleman is saying.

The CHAIRMAN. The Committee of the Whole will be in order.

Mr. PAYNE. As I have stated, the majority members of the committee were willing to concede the reduction of 25 per cent as proposed by the Senate, and also willing to concede what the Senate asks in regard to the abolition of export duties. But we very seriously question whether the Senate, by the use of half a page of language in trying to get rid of what are called export duties on goods coming from the Philippine Islands to the United States, has accomplished the object aimed at. It has occurred to us that a simple provision that no duty or tax shall be collected in the Philippine Islands upon any goods coming from those islands to the United States would be all sufficient and would make the meaning perfectly clear.

I confess that in reading over the Senate provision I can not determine whether the court would hold that the language of the Senate had made the proposition as clear as it ought to be. For this reason we wish to nonconcur in the Senate amendment.

So far as the amendment of my colleague is concerned, to reduce the duty to 50 per cent, the House well knows that that proposition came up in the Senate——

A MEMBER. Twenty-five per cent.

Mr. PAYNE. Was the amendment of my colleague 25 per cent?

Mr. McCLELLAN. The recommendation of Governor Taft was a reduction of 75 per cent. My proposition is to strike out "75" and insert "25."

Mr. PAYNE. Every member knows that an attempt was made in the Senate to reduce the duty to 50 per cent.

A MEMBER. Twenty-five.

Mr. PAYNE. A vote was taken on both propositions in the Senate—50 per cent and 25 per cent. There was full discussion in the Senate, especially on the proposition to reduce the duty to 50 per cent. But that amendment was beaten by an overwhelming vote.

Now, what we desire is to get this bill speedily into conference; and in order to do this, to dispose of these amendments in Committee of the Whole, to report them to the House for consideration, and then secure as soon as possible the passage of a bill providing revenue for these islands. The House will remember that this bill passed the House on the 17th of December. We passed it promptly in order to cut off importations, free of duty, from the Philippine Islands.

A few days after we passed the bill I was told by a large dealer that he was trying to get up a syndicate to bring here a large shipload of tobacco free of duty, but that the prompt action of the House had discouraged the syndicate, and that they had given up the project. They thought then the Senate would promptly take up the bill and dispose of it. The Senate did take it up. There have been many days of debate there on every other question except this. The Senate has finally passed the bill, and that cargo of tobacco has not come here yet. I want this bill passed before it does come, so that when it arrives it shall be compelled to pay into the revenue of the Philippine Islands 75 per cent duty. Therefore I hope that the Committee of the Whole will vote down the amendment offered by my colleague, will disagree to the amendment of the Senate, and will throw this question into conference, so that we may have in this bill a provision which everybody will understand.

Mr. McCLELLAN. Mr. Chairman, I voted against this bill when it passed the House, and I should be very glad to do anything now to defeat it. But the bill has passed the House, and it has been returned to us by the Senate with amendments. It will become a law very nearly as it is before us to-day. I do not offer a free-trade amendment, for section 1 of the House bill has already been adopted by the Senate. A proposition to allow Philippine goods to enter the United States free would have no possible chance of success. Therefore, while I should like to see free trade with the Philippine Islands, I feel that such a consummation is impossible, that the best we can obtain is some modification or improvement of a bad bill. I have offered an amendment to reduce the rate of duty to 25 per cent instead of 75 per cent, as proposed by the Senate amendment, because of statements made by Governor Taft in the hearings before the Senate committee. I read from page 165 of those hearings:

Senator ALLISON. If you were not obliged to have revenue to carry on the government of the islands, I suppose it would be beneficial to the islands to have absolute free trade?

Governor TAFT. Yes, sir, undoubtedly; and we limited our recommendation to at least a 50 per cent reduction, and now to 75, because we feel that we ought not to ask free trade with the United States while imposing a customs duty on the United States.

Then on page 229, at the hearing of February 8, he states that he wired General Wright on January 31, 1902, as follows:

Consult sugar tobacco men on probable effect 50 per cent reduction Dingley rates exports to United States. Manila hemp already on free list.

In reply to that he received the following:

With reference to your telegram of 31st ultimo, public session, sugar and tobacco interests favor a reduction of 75 per cent at least. State a reduction of 50 per cent leaves tariff almost prohibitive. Sugar price now very low. European market very dull on account of overproduction and low price beet sugar. Planters each have lost heavily by carabaos machinery, and otherwise sugar cultivation in a bad condition. Memorials received from sugar growers' associations, Negros and Panay, ask for free trade for this reason. Think a reduction of 75 per cent on sugar and tobacco would be a measure of relief and have excellent political effect here.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. McCLELLAN) there were—ayes 75, noes 80.

Mr. McCLELLAN. I demand tellers.

Tellers were ordered, and the Chairman appointed Mr. PAYNE and Mr. McCLELLAN.

The committee again divided, and the tellers reported—ayes 84, noes 107.

The CHAIRMAN. On this question the ayes are 84 and the noes 107. The noes have it, and the amendment is not agreed to.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I desire to move to concur in the Senate amendment with the following amendment. I have not a copy of the Senate bill except as it is printed. I will read my amendment:

Strike out, in line 4, beginning with the words "be levied, collected, and paid 75 per cent of the rates of duties," and all the words following in section 5 to and including the words "Philippine Islands," in line 4, page 2, and insert the following words: "Not be collected any rate of duty, but the trade between the Philippine Islands and the United States shall be free."

It would then read as follows:

Provided, That upon all articles the growth and product of the Philippine Archipelago coming into the United States from the Philippine Archipelago there shall not be collected any rate of duty, but the trade between the Philippine Islands and the United States shall be free.

I do not think, Mr. Chairman, that we ought to make any charge if they are part and parcel of the United States.

Mr. WILLIAMS of Mississippi. Will you object to adding the words "so long as they are a part of the United States?"

Mr. RICHARDSON of Tennessee. No; I have no objection to adding those words and will now add them.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all of the amendment after the word "shall," in line 4, and insert the words so that the amendment in full will read: "That upon all articles the growth and product of the Philippine Archipelago coming into the United States from the Philippine Archipelago there shall not be collected any rate of duty, but the trade between the Philippine Islands and the United States shall be free so long as they are a part of the United States.

Mr. PAYNE. Mr. Chairman, I make the point of order against that that it changes the part of the bill which has not been amended by the Senate. If the Chair will look at the first part of section 2, he will see that part has not been changed. This makes a material change in that part of the bill.

Mr. RICHARDSON of Tennessee. Only a word, Mr. Chairman. Of course my amendment would not be in order to the first section, because the Senate did not amend the first section, but it is in order, it seems to me, for the second section, because the second section deals directly with this question: The rate of duty. I submit, Mr. Chairman, that the fact that the two sections might then be inconsistent would not make it subject to a point of order I grant that the two sections, the first and second, if my amendment be adopted, would be inconsistent. All the authorities go to the point, however, that that does not make the second section or the amendment I offer obnoxious to the rules, as the Chair can very well understand.

It may be ground upon which gentlemen would vote against the second section, or my amendment, having adopted the first; but it does not make it obnoxious to the rule. it does not make it out of order because it is inconsistent. The House has a right to pass two inconsistent propositions in the same bill. They are not against the rules, they are not out of order because they are inconsistent; and I repeat, it may be that an inconsistent proposition coming later in the bill would be ground upon which a member should vote against the proposition, but it is not sufficient—and the authorities all go to that extent—for the Chair to hold that it is obnoxious to any rule, because the House has the right to insert in the same bill two inconsistent propositions, if it wishes to do so, without violating any parliamentary law. I can find the authority on that if the Chair doubts it.

Mr. DALZELL. Mr. Chairman, I call the attention of the Chair to the fact that this is an act temporarily to provide revenue for the Philippine Islands, and for other purposes. It is solely a revenue bill, and its purpose is to raise revenues. Section 2, to which the amendment is offered, provides for the raising of revenues, and section 4, to which the Chair will observe there is no point of order pending, provides that the revenue provided for by section 2 shall not be paid into the Treasury of the United States, but be held as a separate fund and paid into the treasury of the Philippine Islands, to be used and expended for the government and benefit of said islands. Now, it is certainly not in order to offer as an amendment that which defeats the entire purpose of the bill; that which, if allowed, would be equivalent to striking out the enacting clause.

Mr. GAINES of Tennessee. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. DALZELL. Yes.

Mr. GAINES of Tennessee. You say this is an act "temporarily to provide revenues for the Philippine Islands"—"temporarily." The act itself may be a temporary law; but is it the policy of the gentleman's party and the Administration to levy a tariff permanently on the products sent from the United States to the Philippines and from the Philippines to the United States? Is this policy permanent or not?

Mr. DALZELL. I am not discussing any question of policy. I am discussing the purpose of this bill and the relevancy of this point of order.

Mr. GAINES of Tennessee. I wanted to know whether the policy upon which this bill is based is permanent or whether both the law and this policy are temporary?

Mr. RICHARDSON of Tennessee. The authority which I mentioned a moment ago is a decision in the Forty-seventh Congress, and it has never been ruled otherwise:

The fact that a proposed amendment is inconsistent with the text or embodies a proposition already voted on constitutes a condition to be passed upon by the House and not by the Speaker.

That is the point I make, that it may be inconsistent, but the House must pass upon it and not the Chair.

The CHAIRMAN. The Chair overrules the point of order raised by the gentleman from New York.

Mr. RICHARDSON of Tennessee. Now, then, Mr. Chairman, I want only a moment. It seems to me that we involve ourselves in confusions when we undertake to fix a duty between a country that belongs to or is a part of the United States and our own country. We already have free trade with Porto Rico, and with Hawaii, all of our Territories. Why not have it with the Philippines? I am not going to debate it; I simply submit the matter, because it seems to me it appeals directly to the sense of justice on the part of the members.

Mr. GAINES of Tennessee. Mr. Chairman, I am opposed to levying a tariff upon products sent from the Philippines here or from the United States to the Philippine Islands. This is the culmination of the annexation policy of the Republican party. They did not care particularly about taxing imports from Porto Rico, and said so on the floor of this House, and they went further and said: "If under the Constitution you can not tax imports from Porto Rico, then you can not tax them from the Philippine Islands, and the tobacco and the sugar sent from the Philippine Islands will ruin the tobacco and sugar interests in the United States."

So they trumped up the Porto Rican tariff law, and upon that a lawsuit to test this question in the courts, and they did test it, and the sugar lords, tobacco men, and the Republican party won. They have the law now adjudged to suit them, and this bill follows as a result and for the purpose of excluding the product to the Philippine Islands from the United States that would otherwise interfere with this industrious, patriotic, and thoroughly American tobacco and sugar society.

Mr. Justice Brown, speaking for himself and for four of his associate justices (Fuller, Brewer, Harlan, Peckham), in the De Lima cases, held that Porto Rico was "domestic territory," and ceased to be "foreign country for any purpose" as soon as the treaty was ratified; that is, after cession and possession of that territory was given. Mr. Justice Brown, after having most elaborately reviewed all the decision and traced the practice of this Government down to the present era, said:

From this résumé of the decisions of this court—

That is, all the decisions of the court up to that hour—

the instructions of the Executive Departments, and the above acts of Congress, it it is evident, from 1803—

When we acquired the Louisiana purchase—

the date of Mr. Gallatin's letter, to the present time, there is not a shred of authority, except the dictum in Fleming *v.* Page (practically overruled in Cross *v.* Harrison), for holding that a district *ceded to and in the possession of* the United States remains for any purpose a foreign country. Both these conditions—that is, cession and possession, must exist to produce a change of nationality for revenue purposes.

The words "ceded to and in the possession of" are italicized by the distinguished justice.

Justice Brown continues:

Possession is not alone sufficient, as was held in Fleming against Page; nor is a treaty ceding such territory sufficient without a surrender of possession; citing 8 Pet., 308; 14 Pet., 353, 406; 7 Ala., 899; 5 Ch. Rob., 97. The practice of the Executive, thus continued for more than a half century, is entitled to great weight, and should not be disregarded nor overturned except for cogent reasons, and unless it be clear that such construction be erroneous; citing 124 U. S., 236.

So that Porto Rico is not "for any purpose a foreign country," and ceased to be such when cession and possession were given by Spain to the United States, and this has been the practice of this Government in "the executive department for more than half a century," and has always been the law.

We acquired the Philippines and Porto Rico under the same treaty, and the Supreme Court, in the recent Diamond Rings case, applied the same rule of law to the Philippines as was here applied in the De Lima case. Both territories ceased to be "foreign for any purpose" and became "domestic territory," the court held, when the treaty was ratified.

Porto Rico has free trade with us; so has always Alaska had after we acquired her, June 20, 1867; so has Hawaii. Why not the Philippines? The Philippines are "domestic territory of the United States;" I contend, "a part of the United States." Why should the Philippines be treated, be taxed, as "foreign country," when she is "domestic territory?" Did not the Supreme Court say that the Philippines, as did Porto Rico, ceased to be "foreign country for any purpose" when the treaty was ratified, and has this not been the practice with the Executive Departments all the history of our Republic after cession and possession? Why this discrimination? Why this unjust and unequal taxation?

Did not President McKinley say that our flag did not mean one thing in the Tropics and another in this country? Why this new and wicked policy? You have crushed the uniformity clause of the Constitution to do this, but is this policy right? The inhabitants of the Philippines are "subject to the jurisdiction of the United States," and we punish them if they fail to obey our laws and yield peaceful allegiance to our sovereignty. Why treat these people unlike the people in our Territories out west of the Mississippi, who never had such laws applied to them? But under the law now you can treat them as you are about to treat the Filipinos.

Now, Mr. Chairman, in the De Lima case five judges agreed, and that, too, Mr. Chairman, after the court had, with great industry, investigated every Executive order that has ever been made on this subject and all the cases. Not a single President of the United States, whether Whig, Democrat, Know-nothing, Free Soiler, or Republican, ever undertook to do what the Republicans are doing to-day; and I will let my right hand forget its cunning and my tongue cleave to the roof of my mouth before I shall impose on these people such an infamous law. [Derisive applause on the Republican side.]

The CHAIRMAN. The House will be in order.

Mr. GAINES of Tennessee. Mr. Chairman, when we annexed the little Territory of Alaska Andrew Johnson, of Tennessee, was then President, Mr. Seward was Secretary of State, William M. Evarts was Attorney-General, and Hugh McCulloch Secretary of the Treasury, and the question was presented to them, a few days after the treaty was ratified, asking if goods from Alaska could come into the United States duty free?

What did Mr. McCulloch, a distinguished Republican, Mr. Chairman, then and there, April 6, 1868, say? He said the moment the treaty was ratified that they were entitled to free entry into our ports. He said:

The request for the free entry of said oil was made on the ground that the oil was shipped from Sitka after the ratification of the treaty by which the Territory of Alaska became the property of the United States. The treaty in question was ratified on the 20th of June, 1867, and the collector at San Francisco has reported that the manifest of the vessel shows the oil to have been shipped from Alaska on the 6th day of July, 1867, and that the shipment consisted of 52 packages. Under these circumstances you are hereby authorized to admit the said 52 packages of oil free of duty.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES of Tennessee. Just a few minutes more, Mr. Chairman. [Cries of "Vote!" "Vote!"]

Mr. GAINES of Tennessee. Mr. Chairman, I ask for two minutes more time.

The CHAIRMAN. The gentleman from Tennessee asks that his time be extended for two minutes. [Cries of "Vote!" "Vote!"]

Mr. DALZELL. Go ahead.

The CHAIRMAN. There is no objection.

Mr. GAINES of Tennessee. You dilettante gentlemen on the other side do not want to hear what we have done heretofore contrasted with what you want to do to-day.

In the second letter they did not simply rely upon the short opinion which Secretary McCulloch gave, but they relied upon the case of Cross against Harrison, and said that after the treaty was ratified we had no right to levy a tax on the products from Alaska. I will read from Mr. Justice Brown on this point as follows:

This position was indorsed by the Secretary of State, Mr. Seward, in a letter dated January 30, 1869, in which he said: "I understand the decision of the Supreme Court in the case of Harrison *v.* Cross (16 How., 164) to declare its opinion that upon the addition to the United States of new territory by conquest and cession the acts regulating foreign commerce attach to and take effect within such territory ipso facto and without any fresh act of legislation expressly giving such extension to the preexisting laws. I can see no reason for a discrimination in this effect between acts regulating foreign commerce and the laws regulating intercourse with the Indian tribes."

This is found in the De Lima case.

The case of Cross *v.* Harrison exploited the policy of President Polk, of Tennessee, and his policy and the law as he understood it, and as the Democrats then, as now, contend it is or should be, and yet a bare majority of the present Supreme Court has overruled this case, and the Republicans repudiate both the law and the policy of Polk and all his successors—indeed, the fixed policy of this Republic heretofore. The Republicans have the law now to suit them—goods from Porto Rico to come into our ports free and those from the Philippine Islands taxed—and when I ask the gentleman from Pennsylvania [Mr. DALZELL] if this is the fixed policy of his party, he avoids the question. But we know it is.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAYNE. Debate on this amendment is exhausted.

Mr. NEWLANDS. I ask unanimous consent to have five minutes in which to speak.

The CHAIRMAN. The gentleman from Nevada asks unanimous consent that he may address the committee for five minutes. Is there objection?

Mr. PAYNE. I will not object to this, but I shall do so to any other request for a speech on this amendment.

The CHAIRMAN. The Chair hears no objection.

Mr. NEWLANDS. Mr. Chairman, I shall vote for the amendment offered by the gentleman from Tennessee, and in doing so I wish to state my reasons. I favor immediate action by the United States declaring that it holds the Philippine Islands only

in trust for the Filipino people, and that it is its purpose, when a stable government shall be organized there, to leave those islands to a government of their own people. Resolutions to that effect have been offered again and again in both Houses, and have failed of passage; and the question to-day on this bill is whether the Philippine Islands constitute foreign country or whether they are part of the United States. They have been determined by action of the courts to be part of the United States, and my view is there should be but one boundary to the Republic, and not two. In that boundary there should be free trade, and without that boundary impartial trade. Just as outside of that boundary I would oppose partial trade relations with different people, involving discontent and jealousy on the part of others, so inside of that boundary I object to anything like partial trade and favor absolute free trade.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee [Mr. RICHARDSON].

The question was taken; and on a division (demanded by Mr. RICHARDSON of Tennessee) there were—69 ayes and 67 noes.

Mr. PAYNE. Tellers, Mr. Chairman.

Tellers were ordered; and the Chair appointed Mr. PAYNE and Mr. RICHARDSON of Tennessee as tellers.

The question was again taken; and the tellers reported—95 ayes and 109 noes.

So the amendment was disagreed to.

Mr. PAYNE. Now, Mr. Chairman, I ask for a vote on my motion.

The CHAIRMAN. The question is on the motion of the gentleman from New York to recommend that the House nonconcur in Senate amendment numbered 1.

The motion was agreed to.

The CHAIRMAN. The Clerk will read the next amendment.

The Clerk read as follows:

On page 2, line 8, after the word "all," insert the word "foreign."

Mr. PAYNE. Mr. Chairman, I move to recommend nonconcurrence in the Senate amendment.

The motion was agreed to.

The Clerk read the next amendment, No. 3, as follows:

On page 2, line 9, after the word "archipelago," insert:

"And in addition to any tonnage dues or taxes now imposed by the government of the Philippine Islands upon all foreign vessels, except vessels of Spain owned by Spanish subjects engaged in traffic between the ports of the Philippine Archipelago."

Mr. PAYNE. Mr. Chairman, I move to recommend nonconcurrence in the Senate amendment.

The motion was agreed to.

The Clerk read the next amendment, No. 4, as follows:

On page 2, lines 11 and 12, strike out the words "otherwise provided by law" and insert the words "July 1, 1904."

Mr. PAYNE. Mr. Chairman, I move to recommend that the House nonconcur in the Senate amendment.

The motion was agreed to.

The Clerk read the next amendment, numbered 5, as follows:

On page 2, line 17, after the words "United States," insert:

"Or between ports in the Philippine Archipelago: *And provided further*, That the Philippine Commission shall be authorized and empowered to issue licenses to all vessels or other craft now engaged in lighterage or other exclusively harbor business; but after the passage of this act such licenses except as herein provided shall be issued only to vessels or other craft built in the Philippine Islands, or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands."

Mr. PAYNE. Mr. Chairman, I move to recommend that the House nonconcur in the Senate amendment.

The question was taken, and the motion was agreed to.

Mr. PAYNE. Mr. Chairman, I ask unanimous consent to nonconcur in amendments 6, 7, 8, 9, and 10. They all refer to the same section.

The CHAIRMAN. The gentleman from New York asks unanimous consent to nonconcur in amendments numbered 6, 7, 8, 9, and 10. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the next amendment, numbered 11, as follows:

On page 4, line 2, after the word "prescribed," insert:

"And all taxes paid upon such articles shipped to the Philippine Islands since November 15, 1901, under the decision of the Secretary of the Treasury of that date, shall be refunded to the parties who have paid the same, under such rules and regulations as the Secretary of the Treasury may prescribe, and a sum sufficient to make such payment is hereby appropriated, out of any money in the Treasury not otherwise appropriated."

Mr. PAYNE. Mr. Chairman, I move to recommend that the House nonconcur in the Senate amendment.

Mr. RICHARDSON of Tennessee. I would like to ask the gentleman from New York what objection there is to concurring in that amendment?

Mr. PAYNE. I would like to send the whole thing to conference. I do not see any particular objection to this amendment, but I want to examine it in connection with the Treasury officials and see whether it needs amendment or not.

Mr. RICHARDSON of Tennessee. Very well.

The question was taken; and the motion was agreed to.

The Clerk read the next amendment, numbered 12, as follows:

On page 4, line 3, strike out the word "imported."

Mr. PAYNE. Mr. Chairman, I move to recommend that the House nonconcur in the Senate amendment.

The motion was agreed to.

The Clerk read the next amendment, numbered 13, as follows:

On page 4, after line 9, insert:

"SEC. 7. That merchandise in bonded warehouse or otherwise in the custody and control of the officers of the customs, upon which duties have been paid, shall be entitled, on shipment to the Philippine Islands within three years from the date of the original arrival, to a return of the duties paid, less 1 per cent, and merchandise upon which duties have not been paid may be shipped without the payment of duties to the Philippine Islands within said period, under such rules and regulations as may be prescribed by the Secretary of the Treasury."

Mr. PAYNE. Mr. Chairman, I move that the committee recommend nonconcurrence in the Senate amendment.

The motion was agreed to.

The Clerk read the next amendment, numbered 14, as follows:

On page 4, after line 9, insert:

SEC. 8. That an appeal as respects all articles coming into the Philippine Archipelago from the United States, and all articles coming into the United States from the Philippine Archipelago, shall be allowed as provided in an act entitled "An act to simplify the laws in relation to the collection of revenues," approved on the 10th day of June, 1890 (26 Stat., 131), as amended by an act entitled "An act to provide for the Government and to encourage the industries of the United States," approved July 24, 1897 (30 Stat., 151).

Mr. PAYNE. Mr. Chairman, I move that the committee recommend that the House nonconcur in the Senate amendment.

The motion was agreed to.

The Clerk read the next amendment, numbered 15, as follows:

On page 4, after line 9, insert:

SEC. 9. That no person in the Philippine Islands shall, under the authority of the United States, be convicted of treason by any tribunal, civil or military, unless on the testimony of two witnesses to the same overt act, or on confession in open court: *Provided*, That there shall be no conviction or punishment under the authority of the United States by any tribunal, civil or military, of any mother or father for failing to give information against his or her child, or of any son or daughter for failing to give information against his or her mother or father, or of any husband for failing to give information against his wife, or of any wife for failing to give information against her husband.

Mr. PAYNE. Mr. Chairman, I move that the committee recommend nonconcurrence in this amendment.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I move that the committee recommend that the House concur in the Senate amendment with the amendment that I send to the Clerk's desk.

The Clerk read as follows:

Amend the Senate amendment 15 by striking out, on page 7 of the printed bill, in line 4, all after the word "military" and insert in place thereof "of any person for failing to give information against any other person."

Mr. WILLIAM W. KITCHIN. Mr. Chairman, as this Senate amendment stands, no person can be indicted or convicted for failing to give information against his son, or his daughter, or his wife, or her father, or her daughter, or her husband. Manifestly, it seems to me, the same general reasons for those exceptions ought to extend to brothers and sisters. It seems to me it is very dangerous for Congress to allow the conviction of any person for a mere failure to give information. I believe that this amendment undertakes to treat as treason the failure to give information. I have not before me the law adopted by the Philippine Commission, and I do not remember the specific acts that are made treasonable; but certainly this Congress ought never to permit a person to be convicted of treason unless there has been some overt act treasonable in itself. It seems to me that this section of the Constitution of the United States, which I shall read, is broad enough to go to the Philippines, even if the other provisions of the Constitution are held not to go there:

SEC. 3. Treason against the United States shall consist only in levying war against them or in adhering to their enemies—giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Now, if you consider the failure to give information an overt act, which appears unreasonable, it seems to me you might get a hundred witnesses against any man who has not opened his mouth, and, under a section of the laws of the Philippine Commission, might have him convicted of treason; because if this law of the Philippine Commission is allowed to stand, even limited by the Senate amendment, the failure to give information must be considered an overt act, in order to be in harmony with the Constitution.

It seems to me that the amendment I have proposed will be a safeguard to the law-abiding people of the Philippines, especially in these days when there is trouble and difficulty and insurrection there. Those people there who are men of peace should be entitled to the protection of this clause of the United States Constitution. I hope, therefore, that gentlemen on the other side of the House will stand with us to prevent the enactment of a law that will permit the failure to give information by a brother or sister against their brother to be treated as a treasonable act.

These are the reasons which, in my judgment, ought to support us in adopting this amendment.

Mr. PAYNE. Mr. Chairman, I hope the amendment will not prevail. Of course I have no objection to all of the amendment before the word "*Provided*," which is simply a recital of the provision of the Constitution of the United States. As to the other paragraph, I do not know—and I read over the Senate discussion—why it was put in or what there is in the laws of the Philippine Islands that requires any such provision. I do not for a moment suppose that it is declared to be an overt act of treason to fail to give information under the circumstances referred to in the amendment. But however that may be, I do know that as a general rule the laws of the Philippine Commission on the subject of sedition and treason are the laws of nearly every State of this Union, as well as the laws of the United States as embraced in the Revised Statutes. It seems to me that all it can be necessary to do in this bill in regard to this matter is to insert this clause of the Constitution and put it in action in the Philippine Islands.

Mr. WILLIAM W. KITCHIN. We can not hear the gentleman from New York over here.

Mr. PAYNE. Well, I am sorry the gentleman has not heard me, for I am just concluding my remarks. I hope the gentleman's amendment will not prevail, but that we shall get this whole matter into the conference, where we can examine the subject critically and report to the House. It will then be for the House to determine whether it will accept the judgment of the conferees.

Mr. GAINES of Tennessee. Mr. Chairman——

The CHAIRMAN. Debate is exhausted.

Mr. GAINES of Tennessee. Then I hope my friend from New York will let me ask him just one question.

Mr. PAYNE. I can not, as debate is exhausted.

Mr. GAINES of Tennessee. The gentleman spoke just now of the laws enacted by the Taft Commission. The gentleman knows how much I esteem Governor Taft and how much I esteem my neighbor, General Wright. But that Commission has passed a law which prohibits the people of that territory from even petitioning the Commission for a redress of grievances—from even petitioning the President of the United States or Congress for a redress of grievances. Does the gentleman approve such a law as that? Is that law repealed by this bill; and if not, why not?

Mr. PAYNE. The gentleman states that the Philippine Commission has passed such a law. I have not examined their laws.

Mr. GAINES of Tennessee. Does the gentleman approve such a provision?

Mr. PAYNE. I do know that the laws of that Commission on this subject have been examined and compared with the laws of the various States of the Union, including, I think, the gentleman's own State, and the Revised Statutes of the United States, and those laws of that Commission are fully as lenient toward treason as the laws of any State of the United States.

Mr. GAINES of Tennessee. There never has been in the State of Tennessee, and there never will be in that State, or, as I believe, in any other State, any provision which will undertake to deny or abridge the right of the people to petition the lawmaking power for a redress of grievances. Attorney-General Butler, many years ago, when the territory now the State of Arkansas was seeking statehood and other relief, passed on that question, and so did the Congress of the United States; and they held that the people of a Territory, regardless of their Territorial condition, have the inherent right to petition the lawmaking power. But this right has been denied in the Philippine Islands. The right of petition is one of the most valued and precious rights that have blessed the inhabitants of this Republic, and to deny the right is tyrannous, I care not by whom or where it is done.

The question being taken on the amendment of Mr. WILLIAM W. KITCHIN, there were—ayes 73, noes 81.

Mr. WILLIAM W. KITCHIN. I call for tellers.

Tellers were ordered; and Mr. PAYNE and Mr. WILLIAM W. KITCHIN were appointed.

The House again divided; and the tellers reported—ayes 86, noes 112.

So the amendment was rejected.

Mr. RICHARDSON of Tennessee. I move to concur in the last amendment—amendment No. 15—with the proviso which I send to the desk.

The Clerk read as follows:

Provided, That, subject to the provisions hereinafter set forth, the United States of America hereby relinquish all claim of sovereignty over and title to the archipelago known as the Philippine Islands.

That from and after the passage of this act said archipelago shall be foreign territory, and all goods entering the United States therefrom shall be subject to the same duties, customs, and imposts as are now, or may hereafter be, prescribed by law for goods entered from other foreign countries: *Provided*, That during the temporary occupation of said islands, as hereinafter provided, all trade between the same and the United States shall be free.

That the United States shall continue to occupy and govern said archipelago until the people thereof have established a stable government, and until sufficient guaranties have been obtained for the performance of our treaty obligations with Spain, for the safety of those inhabitants who have adhered to the United States, and for the maintenance and protection of all rights which have accrued under their authority.

That as soon as these results have been accomplished it is declared to be the purpose of the United States, which the President is directed to carry into effect, to withdraw from said islands and leave the government, control, and sovereignty thereof to the inhabitants of the same, retaining only such military, naval, and coaling stations as may be designated by the Government of the United States.

Mr. PAYNE. I make the point of order that the amendment is not germane.

The CHAIRMAN. The Chair sustains that point of order.

Mr. RICHARDSON of Tennessee. Although the Chair has already ruled, I think I can show that we have a right to attach the proviso to the bill.

The CHAIRMAN. The Chair thinks you would not have the right to attach a proviso of that character.

Mr. RICHARDSON of Tennessee. Very well.

Mr. PAYNE. Mr. Chairman, my motion was to nonconcur.

The CHAIRMAN. The gentleman from New York moves to nonconcur in the amendment of the Senate.

The motion was agreed to.

Mr. PAYNE. I move that the committee do now rise and report back to the House the bill and amendments with the recommendation that the House do nonconcur in the amendments.

The motion was agreed to.

The committee accordingly rose; and Mr. DALZELL having resumed the chair as Speaker pro tempore, Mr. HEPBURN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration sundry Senate amendments to House bill 5833, and had directed him to report them back with the recommendation of nonconcurrence.

Mr. PAYNE. I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any of the amendments? If not, the question is on the amendments in gross.

The amendments were nonconcurred in.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

Mr. PAYNE. I move that the House ask for a conference on the disagreement of the House to the Senate amendments.

The motion was agreed to, and the following conferees were appointed on the part of the House: Messrs. PAYNE, DALZELL, and RICHARDSON of Tennessee.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 2 o'clock and 5 minutes p. m.) the House adjourned until tomorrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for Bureau of Construction and Repair, and Marine Corps quarters—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of appropriation for the service of the District—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Interior in relation to the disposition of certain useless papers—to the Joint Committee on the Disposition of Useless Papers, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SMITH of Arizona, from the Committee on the Territories, to which was referred the bill of the House (H. R. 8736) ratifying the act of the Territorial legislature of Arizona approved March 2, 1901, providing a fund for the erection of additional buildings for the University of Arizona, reported the same without amendment, accompanied by a report (No. 599); which said bill and report were referred to the House Calendar.

Mr. SCOTT, from the Committee on Mines and Mining, to which was referred the bill of the House (H. R. 8735) to apply a portion of the proceeds of sale of public lands to the endowment

of schools or departments of mining and metallurgy, and so forth, reported the same with amendments, accompanied by a report (No. 604); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. JETT, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2557) for the relief of Henry L. McCalla, reported the same without amendment, accompanied by a report (No. 600); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Arizona, from the Committee on the Territories, to which was referred the bill of the House (H. R. 7034) for the relief of Navajo County, Ariz., reported the same without amendment, accompanied by a report (No. 601); which said bill and report were referred to the Private Calendar.

Mr. THOMAS of Iowa, from the Committee on Claims, to which was referred the bill of the House (H. R. 9597) for the relief of Thierman & Frost, reported the same with amendment, accompanied by a report (No. 602); which said bill and report were referred to the Private Calendar.

Mr. GOLDFOGLE, from the Committee on Claims, to which was referred the bill of the House (H. R. 1733) for the relief of John A. Mason, reported the same without amendment, accompanied by a report (No. 603); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 11495) granting an increase of pension to Mary A. Bailey; and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. CANDLER: A bill (H. R. 11842) to amend an act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890—to the Committee on the Judiciary.

By Mr. JONES of Washington (by request): A bill (H. R. 11843) granting the right of way for a railroad and telegraph line to the Columbia Valley Railroad Company across Vancouver Barracks and Military Reservation, the Three Tree Point Military Reservation, and the Scarborough Head Military Reservation, all in the State of Washington—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 11844) providing for right of way across Vancouver Military Reservation—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 11845) relating to grants of land to the Territory and State of Washington for school purposes—to the Committee on the Public Lands.

By Mr. HENRY C. SMITH: A bill (H. R. 11846) to provide for and create in the Department of Agriculture a bureau to be known as the Bureau of Public Roads—to the Committee on Agriculture.

By Mr. HUGHES: A bill (H. R. 11847) to authorize the erection of a monument at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians, October 10, 1774—to the Committee on the Library.

By Mr. SMITH of Arizona: A bill (H. R. 11848) granting right of way to the Williams and Cataract Canyon Railroad Company across the Supai Indian Reservation in Arizona—to the Committee on Indian Affairs.

By Mr. MERCER: A bill (H. R. 11849) to amend an act entitled "An act for the prevention of smoke in the District of Columbia, and for other purposes"—to the Committee on the District of Columbia.

By Mr. RODEY: A bill (H. R. 11892) to enable the people of New Mexico to form a constitution and State government and to be admitted into the Union on an equal footing with the original States—to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. ADAMS: A bill (H. R. 11850) granting an increase of pension to Susan A. Volkmar—to the Committee on Pensions.

By Mr. BRISTOW: A bill (H. R. 11851) granting a life-saving medal to Hugh F. Doherty—to the Committee on Interstate and Foreign Commerce.

By Mr. BROMWELL: A bill (H. R. 11852) granting an increase of pension to Philip H. Wyrich—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 11853) to correct the military record of Edward Grove—to the Committee on Military Affairs.

By Mr. CREAMER: A bill (H. R. 11854) granting a pension to Henry C. Perley—to the Committee on Invalid Pensions.

By Mr. GILLET of New York: A bill (H. R. 11855) granting an increase of pension to Joseph E. Malone—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 11856) granting an increase of pension to Andrew Melton—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 11857) granting an increase of pension to John T. Campbell—to the Committee on Invalid Pensions.

By Mr. JOHNSON: A bill (H. R. 11858) for the relief of William E. Anderson—to the Committee on Military Affairs.

By Mr. KERN: A bill (H. R. 11859) granting a pension to Mennea Meinhardt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11860) granting a pension to Martha H. Keller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11861) granting a pension to Elizabeth J. Ogden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11862) granting an increase of pension to Joseph Lively—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 11863) to muster Franklin V. Ayres—to the Committee on Military Affairs.

Also, a bill (H. R. 11864) granting an increase of pension to William E. Hill—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 11865) granting an increase of pension to John A. Robertson—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: A bill (H. R. 11866) for the relief of John C. Conroy, Company D, Nineteenth Regiment United States Infantry, for property lost at Fort Wayne (Mich.) United States Army post—to the Committee on Claims.

By Mr. NORTON: A bill (H. R. 11867) granting a pension to Alice Jenifer, widow of Samuel Jenifer—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 11868) for the relief of the estate of S. J. Stockard, late of Maury County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 11869) for the relief of the estate of Nathan Perry—to the Committee on War Claims.

Also, a bill (H. R. 11870) for the relief of P. H. Nelson—to the Committee on War Claims.

Also, a bill (H. R. 11871) for the relief of Jonathan Amis—to the Committee on War Claims.

Also, a bill (H. R. 11872) for the relief of the estate of Isaac Johnson, deceased—to the Committee on War Claims.

By Mr. POLK: A bill (H. R. 11873) to correct the military record of John Fenstemaker, of Whitehall, Pa.—to the Committee on Military Affairs.

Also, a bill (H. R. 11874) to correct the military record of John Wood—to the Committee on Military Affairs.

Also, a bill (H. R. 11875) granting a pension to Samuel B. Hench—to the Committee on Invalid Pensions.

By Mr. RUPPERT: A bill (H. R. 11876) for the relief of Theodore F. Northrop, late lieutenant, Second New York Volunteer Cavalry—to the Committee on Military Affairs.

By Mr. RUSSELL: A bill (H. R. 11877) granting a pension to Margaret Maria Hedge—to the Committee on Pensions.

By Mr. STEVENS of Minnesota: A bill (H. R. 11878) to correct the military record of Carl W. Albrecht—to the Committee on Military Affairs.

By Mr. SULZER: A bill (H. R. 11879) to correct military record of Michael Mullet—to the Committee on Military Affairs.

By Mr. THOMAS of North Carolina: A bill (H. R. 11880) for the relief of the estate of B. L. Robinson—to the Committee on War Claims.

By Mr. TOMPKINS of Ohio: A bill (H. R. 11881) granting an honorable discharge to James A. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 11882) granting an honorable discharge to John H. Littrell—to the Committee on Military Affairs.

Also, a bill (H. R. 11883) to correct the military record of Andrew J. Lyons—to the Committee on Military Affairs.

Also, a bill (H. R. 11884) granting an increase of pension to Lewis Spurgeon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11885) granting a pension to George S. Spurgeon—to the Committee on Pensions.

Also, a bill (H. R. 11886) granting an increase of pension to Charles H. Fishpaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11887) granting an increase of pension to C. H. Miller—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 11888) granting an increase of pension to John Hawker, late chaplain Twenty-ninth Michigan Volunteer Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11889) granting an increase of pension to Clifford Neff Fyffe—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 11890) granting an increase of pension to James Brown—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 11891) for the relief of Capt. James A. Hyde—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of Alfred Shibler Post, No. 119, Grand Army of the Republic, Department of Pennsylvania, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolutions of Mine Workers' Unions Nos. 248 and 1787, of Fayette, Pa.; No. 376, of Roscoe, Pa.; No. 154, of Washington, Pa., and No. 51, of Monongahela, Pa., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. ALEXANDER: Petition of Machinists' Union No. 480, and Stationary Firemen's Union No. 11, of Buffalo, N. Y., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Carpenters' Union No. 503, Lancaster, N. Y., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. BELL: Petition of Machinists' Union No. 255, of Colorado City, Colo., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs

By Mr. BOWERSOCK: Petition of the board of supervisors of Coconino County, Ariz., in opposition to legislation exempting the Santa Fe Railway Company from taxation in Arizona Territory—to the Committee on Pacific Railroads.

Also, resolution of Union Lodge No. 27, Kansas City, Kans., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. BROMWELL: Papers to accompany House bill 2207, granting a pension to Capt. Louis Hahn—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 11250, granting an increase of pension to Arthur L. Currie—to the Committee on Invalid Pensions.

By Mr. BULL: Petition of citizens of Newport, R. I., in favor of the reduction of Congressional representation in those States wherein the right of suffrage is abridged by constitutional enactment—to the Committee on the Census.

By Mr. BURGESS: Petition of citizens of Colorado County, Tex., asking Congress to take action with a view of stopping the war in South Africa—to the Committee on Foreign Affairs.

By Mr. CONNELL: Resolution of Order of Railway Conductors, No. 12, Scranton, Pa., for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Union No. 168, of Scranton, Pa., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

By Mr. DALZELL: Resolution of Coopers' International Union of Allegheny, Pa., and Lodge No. 45 of Amalgamated Association of Tin Workers, McKees Rocks, Pa., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. EMERSON: Petition of Iron Molders' Union No. 130, of Sandy Hill, N. Y., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

By Mr. ESCH: Resolution of Coopers' Union No 85, La Crosse, Wis., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Coopers' Union No. 85, of La Crosse, Wis., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. FITZGERALD: Petition of Charles Stoughton, for the building of the Harlem River and the Harlem Kills Canal—to the Committee on Rivers and Harbors.

By Mr. FOERDERER: Resolutions of Coopers' Union No. 9, Philadelphia, Pa., favoring the continued exclusion of Chinese laborers from the United States—to the Committee on Foreign Affairs.

Also, resolution of the Pennsylvania Shoe Manufacturers' Association, Philadelphia, Pa., favoring the creation of a department of commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolution of board of supervisors of Mohave County, Ariz., requesting Congress to fix a tax valuation on the property of the Santa Fe Railway Company throughout Arizona—to the Committee on Pacific Railroads.

Also, petition of executive committee of the Interstate Commerce Law Convention, for legislation amending the existing interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Coopers' Union No. 9, Philadelphia, Pa., favoring the passage of a law which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, petition of Merchants' Exchange of San Francisco, Cal., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of the Engineers' Club, of Philadelphia, Pa., in favor of the Appalachian National Park—to the Committee on the Public Lands.

By Mr. FOSS: Petition of Electrical Workers' Union No. 9, of Chicago, Ill., in opposition to Senate bills 2054 and 1644, relating to electric wiring in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GREEN of Pennsylvania: Resolution of Carpenters' Local Union No. 49, of Reading, Pa., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. GOOCH: Resolutions of Federation of Labor, Union No. 5; Journeymen Horseshoers' Union No. 111, of Newport, Ky., advocating the construction of war vessels in United States navy-yards—to the Committee on Naval Affairs.

By Mr. GRIFFITH: Petition of Wheel Makers' Union No. 50, of Aurora, Ind., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. HALL: Petition of Susan Mary Sharpe and others, of Tionesta, Pa., for an amendment to the National Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

By Mr. HASKINS: Petition of Granite Cutters' unions, of Waterbury and Barre, Vt., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Isaac Blake Post, No. 104, of West Charleston; of Waterson Post, No. 45, of Chelsea, and Leavenworth Post, No. 108, of Castleton, Department of Vermont, favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr. HILDEBRANT: Petition of Ogden Monthly Meeting of Friends, Ogden, Ohio, in relation to certain immoral practices in the Philippines—to the Committee on Insular Affairs.

Also, petition of E. W. Hager and others, of Cedarville, Ohio, for an amendment to the National Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

By Mr. HITT: Protest of International Brotherhood of Electrical Workers, of Chicago, Ill., against the passage of Senate bills 2054 and 1466, to regulate wiring in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HOLLIDAY: Petition of citizens of Terre Haute, Ind., and citizens of Burnett, Ind., favoring Chinese exclusion—to the Committee on Foreign Affairs.

By Mr. KEHOE: Petition of sundry citizens of Augusta, Ky., on immigration—to the Committee on Immigration and Naturalization.

By Mr. KETCHAM: Petitions of Bricklayers and Masons' Union No. 14, of Kingston; Trade and Labor Council and Painters' Union No. 155, of Poughkeepsie, N. Y., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of Marine Engineers' Beneficial Association No. 57, of Kingston, N. Y., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. KNAPP: Resolution of Posts 360 and 418, Department of New York, Grand Army of the Republic, favoring the construction of naval vessels at Government navy-yards—to the Committee on Naval Affairs.

By Mr. LINDSAY: Resolutions of Manufacturers' Association of New York, favoring amendments to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. LITTLEFIELD: Resolutions of citizens of Waldoboro, Hallowell, Hurricane, and North Jay, Me., favoring the reenactment of the Chinese-exclusion act, etc.—to the Committee on Foreign Affairs.

By Mr. McDERMOTT: Petition of Carpenters and Joiners' Union No. 731, of Jersey City, N. J., favoring reenactment of Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. MOODY of Massachusetts: Resolutions of citizens of

Boston and vicinity, favoring the passage of H. Res. 5—to the Committee on Rules.

By Mr. MORRIS: Petition of Federated Trades and Labor Assembly, of Duluth, Minn., favoring the continued exclusion of Chinese laborers from the United States—to the Committee on Foreign Affairs.

By Mr. OVERSTREET: Petition of Brotherhood of Locomotive Fireman, of Richmond, Ind., favoring House bill 11060, to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

By Mr. POLK: Resolution of the Merchants' Protective Association, of Shamokin, Pa., for the passage of amendments to strengthen interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolution of H. H. Hoagand Post, No. 170, of Catawissa, Pa., advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. ROBINSON of Indiana: Petition of Advance Grange of Freemont, Ind., against a subsidy to steamship lines—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Albert C. Alter, of Fort Wayne, Ind., in favor of House bill 10306, for the conversion of all forest reserves into game preserves—to the Committee on the Public Lands

By Mr. RUPPERT: Resolutions of Theatrical Union No. 1 and International Association of Machinists No. 15, of New York City, N. Y., advocating the reenactment of the law excluding Chinese from the United States and its insular possessions—to the Committee on Foreign Affairs.

By Mr. RUSSELL: Resolution of Carpenters' Union No. 97, of New Britain, Conn., for the building of war vessels in United States navy-yards—to the Committee on Naval Affairs.

By Mr. RYAN: Petition of Stationary Firemen's Union No. 11, of Buffalo, N. Y., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, protest of Electrical Workers' Union No. 3, of New York City, against the passage of Senate bills 2054 and 1466, to regulate wiring in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SHERMAN: Petition of citizens of Herkimer County, N. Y., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to Committee on the Judiciary.

Also, resolutions of Machinists' Union No. 425, of Utica, N. Y., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Machinists' Union No. 425, Utica, N. Y., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. STEWART of New York: Petition of Van Curler Lodge, No. 90, of Schenectady, N. Y., in favor of the reenactment of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. HENRY C. SMITH: Petition of Order of Railway Conductors, Wolverine Division, No. 182, of Jackson, Mich., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SPERRY: Resolution of Carpenters' Union No. 124, of Derby, Shelton, and Ansonia, Conn., favoring an educational test in the restriction of immigration—to the Committee on Foreign Affairs.

By Mr. SULZER: Petition of Lithographers' Protective and Beneficial Association, in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, resolution of New York Plate Printers' Union No. 5, for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also resolutions of District Lodge Union No. 15, Association of Machinists; Theatrical Protective Union No. 1; Plate Printers' Union No. 5; Association of Steam Fitters and Helpers, all of New York City, N. Y., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, petition of George I. Seabury, of National Association of Manufacturers, in favor of American merchant marine, a department of commerce, and an isthmian canal—to the Committee on Interstate and Foreign Commerce.

Also, petition of International Association of Machinists' Union No. 15, of New York, advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolution of Interstate Commerce Law Convention, St. Louis, Mo., for the passage of amendments to strengthen interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of Iowa: Resolution of United Brewery Workers' Union No. 178, of Sioux City, Iowa, for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, petition of United Brewery Workers' Union No. 178, of Sioux City, Iowa, for the building of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, petition of citizens of Paullina and Calhoun County, Iowa, for the passage of House bill 10295, for the suppression of train robbers—to the Committee on the Judiciary.

By Mr. THOMAS of North Carolina: Papers to accompany House bill for the relief of the estate of B. L. Robinson—to the Committee on War Claims.

By Mr. WOODS: Resolution of board of governors of the Commercial Club of Salt Lake City, Utah, for the establishment of a national department of mining, etc.—to the Committee on Mines and Mining.

Also, resolution of Sailors' Union of the Pacific, San Francisco, Cal., relative to seamen's clause in proposed bill for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

SENATE.

THURSDAY, *February 27, 1902.*

The Senate met at 11.45 o'clock a. m.

The Journal of the proceedings of Tuesday last was read and approved.

The Journal of yesterday's proceedings was read and approved.

PERSONAL EXPLANATION.

The PRESIDENT pro tempore. The Chair desires to say that on Monday last he requested the clerks not to call the names of the two Senators from South Carolina, they being by a resolution of the Senate in contempt of the body. On Tuesday he requested the clerks to read the names in the event there was a roll call. He did this not because he doubted in the least the propriety of the action he took on Monday. He did it because he recognized that it was a grave question, and he preferred to be in a position where, if it again arose, it could be by him submitted to the decision of the Senate and thus relieve the Chair from the responsibility.

The Chair on Tuesday morning noticed by the Journal that the Senator from Washington [Mr. TURNER] entered an appeal to one of his decisions. In the confusion in the Senate at the time and owing to the cloud of points of order that were raised and to the fact that the Senator from Washington gave the Chair no opportunity at the time to state the appeal to the Senate, but proceeded to address the body, he forgot entirely the appeal. He begs the pardon of the Senator from Washington for that forgetfulness, and wishes to assure him that if the Chair should deliberately refuse to entertain at any time, when it was properly made, an appeal, he never could pardon himself.

PROTEST OF SENATOR B. R. TILLMAN.

The PRESIDENT pro tempore. The senior Senator from South Carolina [Mr. TILLMAN] sent a note yesterday to the President of the Senate in which he asked that he might be heard on a question of the highest privilege. The Chair had informed the Senator from South Carolina that he could not recognize him until he had been relieved from the contempt declared by the Senate resolution. Thereupon the Senator, in his note, asked that the consent of the Senate might be obtained that he rise to such a question. While the Chair doubts the propriety of that request, he gives the Senator from South Carolina the benefit of the doubt and asks unanimous consent that at some other time, on tomorrow, he may be heard. Is there objection?

Mr. TURNER and Mr. BURROWS addressed the Chair.

The PRESIDENT pro tempore. The Senator from Washington.

Mr. TURNER. I think it is proper, since the President pro tempore has made this statement to the Senate, that I now take this opportunity to present to the Senate and ask to have spread upon the record the protest of the senior Senator from South Carolina on the action of the President pro tempore and to which the Chair has just referred. In this connection, I wish to say that I endeavored to present this protest at the time the action was taken to which the President pro tempore has referred, and was prevented from doing so by a question of order. Later on, after the voting had ceased on the bill then pending before the Senate, I endeavored again to present the protest and was taken off the floor, while endeavoring to do so, by a motion of the senior Senator from Massachusetts [Mr. HOAR] to proceed to the consideration of executive business. Since that time there have been two adjournments of the Senate soon after meeting, which have prevented me from performing this duty, and I now beg leave to perform it.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Washington that the protest may be printed in the RECORD?

Mr. BURROWS. Mr. President——

Mr. TURNER. No, Mr. President; I have consulted the precedents somewhat. I find that this practice of protests originated

in the House of Lords, and that it is laid down by the commentators upon parliamentary law that it is the uniform custom in the United States, which has been exemplified, I believe, in this body on more than one occasion, that any member shall have the right to present a written protest either when he thinks his rights have been invaded or when the Constitution or laws of the country have been invaded. I insist that it shall be spread upon the records of the Senate, just what I asked to be done.

The PRESIDENT pro tempore. The Chair is of the opinion that the Senator from Washington is right in his contention, and it will be printed in the RECORD as a protest. Is there objection to the request made by the Senator from South Carolina?

Mr. BURROWS. Mr. President, while there may be an occasion when I may make no objection to it, yet at this time I shall be obliged to object.

The PRESIDENT pro tempore. The Senate will receive a message from the President of the United States.

[The message from the President appears later in the proceedings.]

Mr. TURNER. I did not catch the sense of the remark made by the Senator from Michigan, but I am told by those around me that he has objected to the reception of the protest.

Mr. BURROWS. No.

The PRESIDENT pro tempore. No.

Mr. BURROWS. Not at all.

The PRESIDENT pro tempore. He has objected to the request of the Senator from South Carolina. The protest will be printed in the RECORD, and it will be spread on the Journal at the same time. That was the request of the Senator, the Chair thinks.

The protest is as follows:

The undersigned, holding a commission in this body from the sovereign State of South Carolina, as one of its Senators, and having been in the full and undisputed exercise of that high office for seven years last past, solemnly protests against the ruling of the Presiding Officer sustained by the vote of a majority of the Senate, depriving him of the right as such Senator to vote on the pending measure and to take part generally in the proceedings of the Senate, and he respectfully asks that this, his protest, may be spread on the Journals of the Senate.

The office of Senator of the United States is a high constitutional office. Section 3 of Article I of the Constitution declares:

> The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof for six years; and each Senator shall have one vote.

I respectfully insist that a right and duty is here conferred and imposed on each Senator, and that so long as he remains a member of the Senate he can not be deprived of that right and duty. He may be punished for disorderly behavior by a majority vote of the Senate, and he may be expelled from the Senate by a two-thirds vote. This is declared by the second clause of section 5, Article I, of the Constitution, but the right to punish for disorderly procedure can not proceed to the extent of depriving him of his voice and vote in this body unless and until the punishment against him shall have been adjudged to be one of expulsion. While it is true that the undersigned has been adjudged to be in contempt of the Senate for disorder committed in its presence on the last legislative day before this, an act committed in the heat of blood and which he regrets and has apologized for, that incident has passed and gone and he is now in his place as a Senator, desirous of proceeding in order and in accordance with the rules of the Senate in the performance of the high duties intrusted to him by the authority and under the seal of the State of South Carolina. The second section of Rule XIX of this body, which provides that a Senator called to order for transgressing the rules of the Senate shall sit down and not proceed without leave of the Senate, is a rule to secure the orderly conduct of debate, and its direction that a Senator called to order shall sit down and not proceed without leave of the Senate has relation to the debate then immediately progressing and nothing else.

Such has been its uniform construction and application, and the attempt now to stretch it so as to indefinitely disqualify Senators from performing their duties here, even to the extent of depriving them of the right to vote, is an invasion of the privilege of Senators and a grave breach of the constitutional right of each State to equal representation in this body. Under such a construction of that rule the majority may force a cloture in this body by simply declaring each member of the minority in contempt. Under such a construction, moreover, a minority may be transformed into a majority, if, taking advantage of the accidental absence of majority members, the minority, being temporarily in the majority, shall declare a sufficient number of majority members to be in contempt. The rule in question was never intended for such a purpose and ought not to be given a construction which can make such a result possible.

In making this protest the undersigned is not moved by considerations personal to himself. He is not restive under the just discipline of this body. He is ready to cheerfully accept such order as it may make for the vindication of its rights and its dignity. But until that order shall have been made, and until it shall have adjudged his expulsion, if the Senate thinks his offense merits that punishment, he can not silently permit his State to be deprived of its full constitutional representation on the floor of this Chamber, which is most notably exemplified in its right through its Senators to vote and speak upon every measure before it. All of which is respectfully submitted for the consideration of the Senate.

B. R. TILLMAN,
Senator from South Carolina.

Mr. HOAR. I think the protest should also be referred to the Committee on Privileges and Elections and be before them with the other matters to be disposed of. I make that request.

The PRESIDENT pro tempore. The Senator from Massachusetts asks that the protest be referred to the Committee on Privileges and Elections.

Mr. TURNER. If the protest be spread upon the Journal of the Senate, of course——

The PRESIDENT pro tempore. That has been ordered.

Mr. TURNER. I have no objection to the reference.

The PRESIDENT pro tempore. Without objection, the protest will be referred to the Committee on Privileges and Elections.

Mr. BACON. Mr. President, I have not looked into the precedents in this matter. Therefore, of course, I am in a position to be corrected by Senators. I hope the Chair will withhold the ruling that there is no objection. We may not be able to pass upon this matter right now.

It occurs to me, without having an opportunity to examine it, that the matter of protest is not one for the action of the body at all. It is a protest which is final in its character, so far as that particular document is concerned.

Mr. HOAR. The Senator from Georgia is not heard in this part of the Chamber.

Mr. BACON. I beg the Senator's pardon. I was simply saying that I have not had the opportunity to look into the precedents as to whether a protest which had been received by the body and spread upon its minutes was thereafter a matter for reference to a committee as if it were something which required further action.

I thought the time was so short now that we could not possibly look into that matter to-day, and I simply asked, without assuming to suggest a final conclusion on the subject, that the Chair withhold the announcement which he was about to make, and in fact had made, that there was no objection to the request for a reference. There may be none; I am not prepared to say that there will be any; but certainly it is a very important matter as a precedent as to whether a protest, after it has been received by the body and ordered to be spread both upon the Journal and in the CONGRESSIONAL RECORD, is a subject thereafter for reference as a bill or resolution would be, or any matter which required further action.

I repeat, Mr. President, in order that I may not be misunderstood, I have not had the opportunity to examine the question and I do not wish to express a final conclusion on the matter, but I think in view of the present emergency it ought to go over and be determined hereafter.

Mr. HOAR. Mr. President, it seems to me that the protest is in the nature of a petition, and that respect for it is manifested by any act which implies further respectful consideration. So the reference to a committee is not a matter of disrespect, but of high respect to the protest. Otherwise, though the occurrence of its presentation is spread upon the Journal, the Senate treats it with absolute silence and disregard. I suppose any document in the possession of the Senate, a petition, a bill, a resolution, or other document, may be referred to one of its committees for consideration. The resolutions of State legislatures are frequently so referred, though they are not petitions, and various protests of commercial bodies. Even essays are not infrequently presented here and printed as documents and then referred to committees.

I do not wish to make any point if the Senator from Georgia has grave doubts, but I suppose that to receive the protest with no further notice would be a mark of disrespect to the gentleman who has presented it.

Mr. BACON. I hope it may go over. That is all I ask now, Mr. President.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 21st instant approved and signed the following acts:

An act (S. 910) to extend the time for the completion of a bridge across the Missouri River; and

An act (S. 1165) to authorize the construction of a bridge over the Missouri River at or near the city of St. Joseph, Mo.

The message also announced that the President had on the 24th instant approved and signed the following acts:

An act (S. 73) to authorize the construction of a bridge across the Arkansas River near Fort Gibson, Ind. T.;

An act (S. 651) extending the time within which the Mississippi River, Hamburg and Western Railway Company is authorized to construct a bridge across the Bayou Bartholomew, in Arkansas;

An act (S. 1838) authorizing the Memphis, Helena and Louisiana Railway Company to construct and maintain a bridge across the Arkansas River, in the State of Arkansas; and

An act (S. 1839) authorizing the Memphis, Helena and Louisiana Railway Company to construct and maintain a bridge across the White River, in the State of Arkansas.

The message further announced that the President had on the 26th instant approved and signed the act (S. 650) granting to the White River Railway Company the right to construct, maintain, and operate a single-track railway across the lands of the United States in the south half of the southwest quarter of section 22, township 14 north, range 8 west, of the fifth principal meridian, in the county of Independence, in the State of Arkansas, reserved for use in connection with the construction of Lock No. 3, Upper White River, Arkansas.

MEMORIAL EXERCISES.

The PRESIDENT pro tempore. The House has notified the Senate that it is prepared to receive this body for the memorial exercises. What action will the Senate take in relation to the day? Will the Senate take a recess until 3 o'clock or adjourn?

Mr. HOAR. I move that when the Senate adjourns to-day it adjourn to meet at 12 o'clock to-morrow.

Mr. ALDRICH and Mr. HALE. Let us adjourn now.

The PRESIDENT pro tempore. The Senator from Massachusetts moves that when the Senate adjourns to-day it adjourn to meet at 12 o'clock to-morrow.

Mr. BACON. That is right.

The motion was agreed to.

Mr. HALE. I move that the Senate do now adjourn.

The motion was agreed to; and (at 12 o'clock meridian) the Senate adjourned until to-morrow, Friday, February 28, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 27, 1902.*

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

We bless Thee, Almighty God, that our nation will honor itself to-day in a memorial service to our late lamented and beloved President. May it teach us all the uncertainty of life and help us by good works to be prepared for that change which must come to us all. In the name of Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MEMORIAL OF WILLIAM M'KINLEY.

The SPEAKER. The Chair lays before the House the concurrent resolution governing our action to-day, which the Clerk will report.

The Clerk read as follows:

Whereas the melancholy event of the violent and tragic death of William McKinley, late President of the United States, having occurred during the recess of Congress, and the two Houses sharing in the general grief and desiring to manifest their sensibility upon the occasion of the public bereavement: Therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress will assemble in the Hall of the House of Representatives on a day and hour fixed and announced by the joint committee, to wit, Thursday, February 27, 1902, and that in the presence of the two Houses there assembled an address upon the life and character of William McKinley, late President of the United States, be pronounced by Hon. John Hay, and that the President of the Senate pro tempore and the Speaker of the House of Representatives be requested to invite the President and ex-President of the United States, ex-Vice-Presidents, the heads of the several Departments, the judges of the Supreme Court, the representatives of the foreign Governments, the governors of the several States, the Lieutenant-General of the Army, and the Admiral of the Navy, and such officers of the Army and Navy as have received the thanks of Congress who may then be at the seat of government, to be present on the occasion, and such others as may be suggested by the executive committee.

Resolved, That the President of the United States be requested to transmit a copy of these resolutions to Mrs. Ida S. McKinley, and to assure her of the profound sympathy of the two Houses of Congress for her deep personal affliction, and of their sincere condolence for the late national bereavement.

The following was the official programme of arrangements, prepared by the joint committee of the two Houses:

The Capitol will be closed on the morning of the 27th day of February, 1902, to all except members and officers of Congress.

At 10 o'clock the east door leading to the Rotunda will be opened to those to whom invitations have been extended under the joint resolution of Congress by the presiding officers of the two Houses, and to those holding tickets of admission to the galleries.

The Hall of the House of Representatives will be opened for the admission of Representatives and to those who have invitations, who will be conducted to the seats assigned to them, as follows:

The President and ex-President of the United States and special guests will be seated in front of the Speaker.

The Chief Justice and associate justices of the Supreme Court will occupy seats next to the President and ex-President and special guests, on the right of the Speaker.

The Cabinet officers, the Lieutenant-General of the Army, and the Admiral of the Navy, and the officers of the Army and Navy who, by name, have received the thanks of Congress, will occupy seats on the left of the Speaker.

The chief justices and judges of the Court of Claims and the chief justice and associate justices of the supreme court of the District of Columbia will occupy seats directly in the rear of the Supreme Court.

The diplomatic corps will occupy the front row of seats.

Ex-Vice-Presidents and Senators will occupy seats in the second, third, fourth, and fifth rows on east side of main aisle.

Representatives will occupy seats on west side of main aisle and in rear of the Senators on east side.

Commissioners of the District, governors of States and Territories, assistant heads of departments, and invited guests will occupy seats in rear of Representatives.

The executive gallery will be reserved exclusively for the families of the Supreme Court, and the families of the Cabinet, and the invited guests of the President. Tickets thereto will be delivered to the secretary to the President.

The diplomatic gallery will be reserved exclusively for the families of the members of the diplomatic corps. Tickets thereto will be delivered to the Secretary of State.

The reporters' gallery will be reserved exclusively for the use of the reporters for the press. Tickets thereto will be delivered to the press committee.

The official reporters of the Senate and of the House will occupy the reporters' desk in front of the Clerk's table.

The House of Representatives will be called to order by the Speaker at 12 o'clock.

The Marine Band will be in attendance.

The Senate will assemble at 12 o'clock, and immediately after prayer will proceed to the Hall of the House of Representatives.

The diplomatic corps will meet at half-past 11 o'clock in Representatives' lobby, and be conducted by the Sargeant-at-Arms of the House to the seats assigned them.

The President of the Senate will occupy the Speaker's chair.

The Speaker of the House will occupy a seat at the left of the President of the Senate.

The Chaplains of the Senate and of the House will occupy seats next the presiding officers of their respective Houses.

The chairmen of the joint committee of arrangements will occupy seats at the right and left of the orator, and next to them will be seated the Secretary of the Senate and the Clerk of the House.

The other officers of the Senate and of the House will occupy seats on the floor, at the right and the left of the Speaker's platform.

Prayer will be offered by the Rev. Henry N. Couden, D. D., Chaplain of the House of Representatives.

The presiding officer will then present the orator of the day.

The benediction will be pronounced by the Rev. W. H. Milburn, Chaplain of the Senate.

By reason of the limited capacity of the galleries the number of tickets is necessarily restricted, and will be distributed as follows:

To each Senator, Representative, and Delegate, 2 tickets.

No person will be admitted to the Capitol except on presentation of a ticket, which will be good only for the place indicated.

The Architect of the Capitol and the Sergeant-at-Arms of the Senate and the Doorkeeper of the House are charged with the execution of these arrangements.

J. B. FORAKER,
C. H. GROSVENOR,
Chairmen Joint Committee.

The Doorkeeper, Mr. WILLIAM J. GLENN, announced
The President of the United States and his Cabinet,
The President pro tempore and the Senate,
The Chief Justice and associate justices of the Supreme Court,
The Lieutenant-General of the Army,
The diplomatic corps,
His Royal Highness Prince Henry of Prussia,
And other invited guests.

The SPEAKER. In pursuance of arrangements made by the joint committee of Congress, the President pro tempore of the Senate will conduct the further proceedings of this joint meeting.

The PRESIDENT pro tempore of the Senate. The two Houses of Congress, with their invited guests, are assembled to pay a tribute to the memory of our late greatly loved and deeply lamented President, William McKinley. You will now unite in prayer with the Rev. Mr. COUDEN, Chaplain of the House of Representatives.

The Rev. HENRY N. COUDEN, D. D., Chaplain of the House of Representatives, offered the following prayer:

O Lord God and Father of us all, in whose all-encircling love we dwell, we lift up our hearts in gratitude to Thee for that wise and beneficent Providence which shaped and has guided the destiny of our nation through all the vicissitudes of the past, and for that long line of illustrious men who, susceptible to that heavenly influence, gave their minds and hearts to the nation's good, weaving their characters into its fibers, making it strong and great. We are here in memory of one of her noblest sons, to whom no greater tribute can be rendered, except a nation's tears, than this distinguished presence. We respect him because he respected his country. We love him because he loved her people. We honor him because he honored and revered her sacred institutions and poured out his heart's blood for them.

God help us to cherish his memory in our hearts and emulate his virtues that we may leave behind us a record well pleasing in

Thy sight. We thank Thee for his life, for his services as a soldier, a citizen, and a statesman; we thank Thee that his countrymen will build monuments in his memory, that historians will record his deeds, but above all we thank Thee for that monument more grand and imposing than the mind of man has yet conceived which he builded for himself and for that unwritten record which Heaven alone can reveal. Yea, we bless Thee for his public life and inestimable services, but we are not unmindful of the beautiful example of his private life—warm in his friendships; a dutiful son; an affectionate brother; a tender, loving husband, "with malice toward none and charity for all." A Christian, ever turning with faith and confidence to his God for strength and guidance; his life was clean, his work noble, his faith sublime, his death glorious. "Good-bye; good-bye, all. It is God's way; His will be done."

Tenderly care, we beseech Thee, O God our Father, for his companion in her widowhood, and bring her at last with him to dwell in Thy presence forever. Continue, we pray Thee, to care for us as a people, and bless all our righteous endeavors. Guide the lawmakers of our land that good government may more and more obtain. Let Thy blessing descend in full measure upon our President and all his counselors that the laws may be administered in justice and equity. Be a light and a guide to those who interpret and judge those laws. Bless our people everywhere, and keep us in peace with all the world. Let Thy kingdom come into all hearts, and Thy will be done in all lives, that the name of Our Father may be hallowed in all the earth, through Jesus Christ our Lord. Amen.

The PRESIDENT pro tempore of the Senate. It is now the agreeable duty of your presiding officer to present the Hon. John Hay, who has been selected by a committee of Congress to deliver the address on this occasion.

The Hon. John Hay then delivered the following address:

WILLIAM M'KINLEY.

For the third time the Congress of the United States are assembled to commemorate the life and the death of a President slain by the hand of an assassin. The attention of the future historian will be attracted to the features which reappear with startling sameness in all three of these awful crimes: the uselessness, the utter lack of consequence of the act; the obscurity, the insignificance of the criminal; the blamelessness—so far as in our sphere of existence the best of men may be held blameless—of the victim. Not one of our murdered Presidents had an enemy in the world; they were all of such preeminent purity of life that no pretext could be given for the attack of passional crime; they were all men of democratic instincts who could never have offended the most jealous advocates of equality; they were of kindly and generous nature, to whom wrong or injustice was impossible; of moderate fortune, whose slender means nobody could envy. They were men of austere virtue, of tender heart, of eminent abilities, which they had devoted with single minds to the good of the Republic. If ever men walked before God and man without blame, it was these three rulers of our people. The only temptation to attack their lives offered was their gentle radiance—to eyes hating the light that was offense enough.

The stupid uselessness of such an infamy affronts the common sense of the world. One can conceive how the death of a dictator may change the political conditions of an Empire; how the extinction of a narrowing line of kings may bring in an alien dynasty. But in a well-ordered Republic like ours, the ruler may fall, but the State feels no tremor. Our beloved and revered leader is gone—but the natural process of our laws provides us a successor, identical in purpose and ideals, nourished by the same teachings, inspired by the same principles, pledged by tender affection as well as by high loyalty to carry to completion the immense task committed to his hands, and to smite with iron severity every manifestation of that hideous crime which his mild predecessor, with his dying breath, forgave. The sayings of celestial wisdom have no date; the words that reach us, over two thousand years, out of the darkest hour of gloom the world has ever known, are true to the life to-day: "They know not what they do." The blow struck at our dear friend and ruler was as deadly as blind hate could make it; but the blow struck at anarchy was deadlier still.

What a world of insoluble problems such an event excites in the mind! Not merely in its personal, but in its public aspects, it presents a paradox not to be comprehended. Under a system of government so free and so impartial that we recognize its existence only by its benefactions; under a social order so purely democratic that classes can not exist in it, affording opportunities so universal that even conditions are as changing as the winds, where the laborer of to-day is the capitalist of to-morrow; under laws which are the result of ages of evolution, so uniform and so beneficent that the President has just the same rights and privileges as the artisan; we see the same hellish growth of hatred and murder which dogs equally the footsteps of benevolent monarchs and blood-stained despots. How many countries can join with us in the community of a kindred sorrow! I will not speak of those distant regions where assassination enters into the daily life of government. But among the nations bound to us by the ties of familiar intercourse—who can forget that wise and high-minded Autocrat who had earned the proud title of the Liberator? that enlightened and magnanimous citizen whom France still mourns? that brave and chivalrous King of Italy who only lived for his people? and, saddest of all, that lovely and sorrowing Empress, whose harmless life could hardly have excited the animosity of a demon. Against that devilish spirit nothing avails—neither virtue, nor patriotism, nor age nor youth, nor conscience nor pity. We can not even say that education is a sufficient safeguard against this baleful evil—for most of the wretches whose crimes have so shocked humanity in recent years are men not unlettered, who have gone from the common schools, through murder, to the scaffold.

Our minds can not discern the origin, nor conceive the extent of wickedness so perverse and so cruel; but this does not exempt us from the duty of trying to control and counteract it. We do not understand what electricity is; whence it comes or what its hidden properties may be. But we know it as a mighty force for good or evil—and so with the painful toil of years, men of learning and skill have labored to store and to subjugate it, to neutralize, and even to employ its destructive energies. This problem of anarchy is dark and intricate, but it ought to be within the compass of democratic government—although no sane mind can fathom the mysteries of these untracked and orbitless natures—to guard against their aberrations, to take away from them the hope of escape, the long luxury of scandalous days in court, the unwholesome sympathy of hysterical degenerates, and so by degrees to make the crime not worth committing, even to these abnormal and distorted souls.

It would be presumptuous for me in this presence to suggest the details of remedial legislation for a malady so malignant. That task may safely be left to the skill and patience of the National Congress, which have never been found unequal to any such emergency. The country believes that the memory of three murdered comrades of yours—all of whose voices still haunt these walls—will be a sufficient inspiration to enable you to solve even this abstruse and painful problem, which has dimmed so many pages of history with blood and with tears.

Before an audience less sympathetic than this, I should not dare to speak of that great career which we have met to commemorate. But we are all his friends, and friends do not criticise each other's words about an open grave. I thank you for the honor you have done me in inviting me here, and not less for the kind forbearance I know I shall have from you in my most inadequate efforts to speak of him worthily.

The life of William McKinley was, from his birth to his death, typically American. There is no environment, I should say, anywhere else in the world which could produce just such a character. He was born into that way of life which elsewhere is called the middle class, but which in this country is so nearly universal as to make of other classes an almost negligible quantity. He was neither rich nor poor, neither proud nor humble; he knew no hunger he was not sure of satisfying, no luxury which could enervate mind or body. His parents were sober, God-fearing people; intelligent and upright; without pretension and without humility. He grew up in the company of boys like himself; wholesome, honest, self-respecting. They looked down on nobody; they never felt it possible they could be looked down upon. Their houses were the homes of probity, piety, patriotism. They learned in the admirable school readers of fifty years ago the lessons of heroic and splendid life which have come down from the past. They read in their weekly newspapers the story of the world's progress, in which they were eager to take part, and of the sins and wrongs of civilization with which they burned to do battle. It was a serious and thoughtful time. The boys of that day felt dimly, but deeply, that days of sharp struggle and high achievement were before them. They looked at life with the wondering yet resolute eyes of a young esquire in his vigil of arms. They felt a time was coming when to them should be addressed the stern admonition of the Apostle, "Quit you like men; be strong."

It is not easy to give to those of a later generation any clear idea of that extraordinary spiritual awakening which passed over the country at the first red signal fires of the Civil War. It was not our earliest apocalypse; a hundred years before the nation had been revealed to itself, when after long discussion and much searching of heart the people of the colonies had resolved that to live without liberty was worse than to die, and had therefore wagered in the solemn game of war "their lives, their fortunes, and their sacred honor." In a stress of heat and labor unutterable, the country had been hammered and welded together; but thereafter for nearly a century there had been nothing in our life to touch the innermost fountain of feeling and devotion; we

had had rumors of wars—even wars we had had, not without sacrifices and glory—but nothing which went to the vital self-consciousness of the country, nothing which challenged the nation's right to live. But in 1860 the nation was going down into the Valley of Decision. The question which had been debated on thousands of platforms, which had been discussed in countless publications, which, thundered from innumerable pulpits, had caused in their congregations the bitter strife and dissension to which only cases of conscience can give rise, was everywhere pressing for solution. And not merely in the various channels of publicity was it alive and clamorous. About every fireside in the land, in the conversation of friends and neighbors, and, deeper still, in the secret of millions of human hearts, the battle of opinion was waging; and all men felt and saw—with more or less clearness—that an answer to the importunate question, Shall the nation live? was due, and not to be denied. And I do not mean that in the North alone there was this austere wrestling with conscience. In the South as well, below all the effervescence and excitement of a people perhaps more given to eloquent speech than we were, there was the profound agony of question and answer, the summons to decide whether honor and freedom did not call them to revolution and war. It is easy for partisanship to say that the one side was right and that the other was wrong. It is still easier for an indolent magnanimity to say that both were right. Perhaps in the wide view of ethics one is always right to follow his conscience, though it lead him to disaster and death. But history is inexorable. She takes no account of sentiment and intention; and in her cold and luminous eyes that side is right which fights in harmony with the stars in their courses. The men are right through whose efforts and struggles the world is helped onward, and humanity moves to a higher level and a brighter day.

The men who are living to-day and who were young in 1860 will never forget the glory and glamour that filled the earth and the sky when the long twilight of doubt and uncertainty was ending and the time of action had come. A speech by Abraham Lincoln was an event not only of high moral significance, but of far-reaching importance; the drilling of a militia company by Ellsworth attracted national attention; the fluttering of the flag in the clear sky drew tears from the eyes of young men. Patriotism, which had been a rhetorical expression, became a passionate emotion, in which instinct, logic, and feeling were fused. The country was worth saving; it could be saved only by fire; no sacrifice was too great; the young men of the country were ready for the sacrifice; come weal, come woe, they were ready.

At seventeen years of age William McKinley heard this summons of his country. He was the sort of youth to whom a military life in ordinary times would possess no attractions. His nature was far different from that of the ordinary soldier. He had other dreams of life, its prizes and pleasures, than that of marches and battles. But to his mind there was no choice or question. The banner floating in the morning breeze was the beckoning gesture of his country. The thrilling notes of the trumpet called *him*—him and none other—into the ranks. His portrait in his first uniform is familiar to you all—the short, stocky figure; the quiet, thoughtful face; the deep, dark eyes. It is the face of a lad who could not stay at home when he thought he was needed in the field. He was of the stuff of which good soldiers are made. Had he been ten years older he would have entered at the head of a company and come out at the head of a division. But he did what he could. He enlisted as a private; he learned to obey. His serious, sensible ways, his prompt, alert efficiency soon attracted the attention of his superiors. He was so faithful in little things they gave him more and more to do. He was untiring in camp and on the march; swift, cool, and fearless in fight. He left the army with field rank when the war ended, brevetted by President Lincoln for gallantry in battle.

In coming years when men seek to draw the moral of our great civil war nothing will seem to them so admirable in all the history of our two magnificent armies as the way in which the war came to a close. When the Confederate army saw the time had come, they acknowledged the pitiless logic of facts, and ceased fighting. When the army of the Union saw it was no longer needed, without a murmur or question, making no terms, asking no return, in the flush of victory and fullness of might, it laid down its arms and melted back into the mass of peaceful citizens. There is no event, since the nation was born, which has so proved its solid capacity for self-government. Both sections share equally in that crown of glory. They had held a debate of incomparable importance and had fought it out with equal energy. A conclusion had been reached—and it is to the everlasting honor of both sides that they each knew when the war was over, and the hour of a lasting peace had struck. We may admire the desperate daring of others who prefer annihilation to compromise, but the palm of common sense, and, I will say, of enlightened patriotism, belongs to the men like Grant and Lee, who knew when they had fought enough, for honor and for country.

William McKinley, one of that sensible million of men, gladly laid down his sword and betook himself to his books. He quickly made up the time lost in soldiering. He attacked his Blackstone as he would have done a hostile intrenchment; finding the range of a country law library too narrow, he went to the Albany Law School, where he worked energetically with brilliant success; was admitted to the bar and settled down to practice—a brevetted veteran of 24—in the quiet town of Canton, now and henceforward forever famous as the scene of his life and his place of sepulture. Here many blessings awaited him: high repute, professional success, and a domestic affection so pure, so devoted and stainless that future poets, seeking an ideal of Christian marriage, will find in it a theme worthy of their songs. This is a subject to which the lightest allusion seems profanation; but it is impossible to speak of William McKinley without remembering that no truer, tenderer knight to his chosen lady ever lived among mortal men. If to the spirits of the just made perfect is permitted the consciousness of earthly things, we may be sure that his faithful soul is now watching over that gentle sufferer who counts the long hours in their shattered home in the desolate splendor of his fame.

A man possessing the qualities with which nature had endowed McKinley seeks political activity as naturally as a growing plant seeks light and air. A wholesome ambition; a rare power of making friends and keeping them; a faith, which may be called religious, in his country and its institutions; and, flowing from this, a belief that a man could do no nobler work than to serve such a country—these were the elements in his character that drew him irresistibly into public life. He had from the beginning a remarkable equipment: a manner of singular grace and charm; a voice of ringing quality and great carrying power—vast as were the crowds that gathered about him, he reached their utmost fringe without apparent effort. He had an extraordinary power of marshaling and presenting significant facts, so as to bring conviction to the average mind. His range of reading was not wide; he read only what he might some day find useful, and what he read his memory held like brass. Those who knew him well in those early days can never forget the consummate skill and power with which he would select a few pointed facts, and, blow upon blow, would hammer them into the attention of great assemblages in Ohio, as Jael drove the nail into the head of the Canaanite captain. He was not often impassioned; he rarely resorted to the aid of wit or humor; yet I never saw his equal in controlling and convincing a popular audience by sheer appeal to their reason and intelligence. He did not flatter or cajole them, but there was an implied compliment in the serious and sober tone in which he addressed them. He seemed one of them; in heart and feeling he *was* one of them. Each workingman in a great crowd might say: That is the sort of man I would like to be, and under more favoring circumstances might have been. He had the divine gift of sympathy, which, though given only to the elect, makes all men their friends.

So it came naturally about that in 1876—the beginning of the second century of the Republic—he began, by an election to Congress, his political career. Thereafter for fourteen years this Chamber was his home. I use the word advisedly. Nowhere in the world was he so in harmony with his environment as here; nowhere else did his mind work with such full consciousness of its powers. The air of debate was native to him; here he drank delight of battle with his peers. In after days, when he drove by this stately pile, or when on rare occasions his duty called him here, he greeted his old haunts with the affectionate zest of a child of the house; during all the last ten years of his life, filled as they were with activity and glory, he never ceased to be homesick for this Hall. When he came to the Presidency, there was not a day when his Congressional service was not of use to him. Probably no other President has been in such full and cordial communion with Congress, if we may except Lincoln alone. McKinley knew the legislative body thoroughly, its composition, its methods, its habits of thought. He had the profoundest respect for its authority and an inflexible belief in the ultimate rectitude of its purposes. Our history shows how surely an Executive courts disaster and ruin by assuming an attitude of hostility or distrust to the Legislature; and, on the other hand, McKinley's frank and sincere trust and confidence in Congress were repaid by prompt and loyal support and cooperation. During his entire term of office this mutual trust and regard—so essential to the public welfare—was never shadowed by a single cloud.

He was a Republican. He could not be anything else. A Union soldier grafted upon a Clay Whig, he necessarily believed in the "American system"—in protection to home industries; in a strong, aggressive nationality; in a liberal construction of the Constitution. What any self-reliant nation might rightly do, he felt this nation had power to do, if required by the common welfare and not prohibited by our written charter.

Following the natural bent of his mind, he devoted himself to questions of finance and revenue, to the essentials of the national

housekeeping. He took high rank in the House from the beginning. His readiness in debate, his mastery of every subject he handled, the bright and amiable light he shed about him, and above all the unfailing courtesy and good will with which he treated friend and foe alike—one of the surest signatures of a nature born to great destinies—made his service in the House a pathway of unbroken success and brought him at last to the all-important post of Chairman of Ways and Means and leader of the majority. Of the famous revenue act which, in that capacity, he framed and carried through Congress, it is not my purpose here and now to speak. The embers of the controversy in the midst of which that law had its troubled being are yet too warm to be handled on a day like this. I may only say that it was never sufficiently tested to prove the praises of its friends or the criticism of its opponents. After a brief existence it passed away, for a time, in the storm that swept the Republicans out of power. McKinley also passed through a brief zone of shadow; his Congressional district having been rearranged for that purpose by a hostile legislature.

Some one has said it is easy to love our enemies; they help us so much more than our friends. The people whose malevolent skill had turned McKinley out of Congress deserved well of him and of the Republic. Never was Nemesis more swift and energetic. The Republicans of Ohio were saved the trouble of choosing a Governor—the other side had chosen one for them. A year after McKinley left Congress he was made Governor of Ohio, and two years later he was reelected, each time by majorities unhoped-for and overwhelming. He came to fill a space in the public eye which obscured a great portion of the field of vision. In two National Conventions, the Presidency seemed within his reach. But he had gone there in the interest of others and his honor forbade any dalliance with temptation. So his nay was nay—delivered with a tone and gesture there was no denying. His hour was not yet come.

There was, however, no long delay. He became, from year to year, the most prominent politician and orator in the country. Passionately devoted to the principles of his party, he was always ready to do anything, to go anywhere, to proclaim its ideas and to support its candidates. His face and his voice became familiar to millions of our people; and wherever they were seen and heard, men became his partisans. His face was cast in a classic mold; you see faces like it in antique marble in the galleries of the Vatican and in the portraits of the great cardinal-statesmen of Italy; his voice was the voice of the perfect orator—ringing, vibrating, tireless, persuading by its very sound, by its accent of sincere conviction. So prudent and so guarded were all his utterances, so lofty his courtesy, that he never embarrassed his friends, and never offended his opponents. For several months before the Republican National Convention met in 1896, it was evident to all who had eyes to see that Mr. McKinley was the only probable candidate of his party. Other names were mentioned, of the highest rank in ability, character, and popularity; they were supported by powerful combinations; but the nomination of McKinley as against the field was inevitable.

The campaign he made will be always memorable in our political annals. He and his friends had thought that the issue for the year was the distinctive and historic difference between the two parties on the subject of the tariff. To this wager of battle the discussions of the previous four years distinctly pointed. But no sooner had the two parties made their nominations than it became evident that the opposing candidate declined to accept the field of discussion chosen by the Republicans, and proposed to put forward as the main issue the free coinage of silver. McKinley at once accepted this challenge, and, taking the battle for protection as already won, went with energy into the discussion of the theories presented by his opponents. He had wisely concluded not to leave his home during the canvass, thus avoiding a proceeding which has always been of sinister augury in our politics; but from the front porch of his modest house in Canton he daily addressed the delegations which came from every part of the country to greet him in a series of speeches so strong, so varied, so pertinent, so full of facts briefly set forth, of theories embodied in a single phrase, that they formed the hourly text for the other speakers of his party, and give probably the most convincing proof we have of his surprising fertility of resource and flexibility of mind. All this was done without anxiety or strain. I remember a day I spent with him during that busy summer. He had made nineteen speeches the day before; that day he made many. But in the intervals of these addresses he sat in his study and talked, with nerves as quiet and a mind as free from care as if we had been spending a holiday at the seaside or among the hills.

When he came to the Presidency he confronted a situation of the utmost difficulty, which might well have appalled a man of less serene and tranquil self-confidence. There had been a state of profound commercial and industrial depression, from which his friends had said his election would relieve the country. Our relations with the outside world left much to be desired. The feeling between the Northern and Southern sections of the Union was lacking in the cordiality which was necessary to the welfare of both. Hawaii had asked for annexation and had been rejected by the preceding Administration. There was a state of things in the Caribbean which could not permanently endure. Our neighbor's house was on fire, and there were grave doubts as to our rights and duties in the premises. A man either weak or rash, either irresolute or headstrong, might have brought ruin on himself and incalculable harm to the country.

Again I crave the pardon of those who differ with me, if, against all my intentions, I happen to say a word which may seem to them unbefitting the place and hour. But I am here to give the opinion which his friends entertained of President McKinley, of course claiming no immunity from criticism in what I shall say. I believe, then, that the verdict of history will be that he met all these grave questions with perfect valor and incomparable ability; that in grappling with them he rose to the full height of a great occasion, in a manner which redounded to the lasting benefit of the country and to his own immortal honor.

The least desirable form of glory to a man of his habitual mood and temper—that of successful war—was nevertheless conferred upon him by uncontrollable events. He felt the conflict must come; he deplored its necessity; he strained almost to breaking his relations with his friends, in order, first—if it might be—to prevent and then to postpone it to the latest possible moment. But when the die was cast, he labored with the utmost energy and ardor, and with an intelligence in military matters which showed how much of the soldier still survived in the mature statesman to push forward the war to a decisive close. War was an anguish to him; he wanted it short and conclusive. His merciful zeal communicated itself to his subordinates, and the war, so long dreaded, whose consequences were so momentous, ended in a hundred days.

Mr. Stedman, the dean of our poets, has called him "Augmenter of the State." It is a noble title; if justly conferred, it ranks him among the few whose names may be placed definitely and forever in charge of the historic Muse. Under his rule Hawaii has come to us, and Tutuila; Porto Rico and the vast archipelago of the East. Cuba is free. Our position in the Caribbean is assured beyond the possibility of future question. The doctrine called by the name of Monroe, so long derided and denied by alien publicists, evokes now no challenge or contradiction when uttered to the world. It has become an international truism. Our sister republics to the south of us are convinced that we desire only their peace and prosperity. Europe knows that we cherish no dreams but those of world-wide commerce, the benefit of which shall be to all nations. The State is augmented, but it threatens no nation under heaven. As to those regions which have come under the shadow of our flag, the possibility of their being damaged by such a change of circumstances was in the view of McKinley a thing unthinkable. To believe that we could not administer them to their advantage, was to turn infidel to our American faith of more than a hundred years.

In dealing with foreign powers, he will take rank with the greatest of our diplomatists. It was a world of which he had little special knowledge before coming to the Presidency. But his marvelous adaptability was in nothing more remarkable than in the firm grasp he immediately displayed in international relations. In preparing for war and in the restoration of peace he was alike adroit, courteous, and far-sighted. When a sudden emergency declared itself, as in China, in a state of things of which our history furnished no precedent and international law no safe and certain precept, he hesitated not a moment to take the course marked out for him by considerations of humanity and the national interests. Even while the legations were fighting for their lives against bands of infuriated fanatics, he decided that we were at peace with China; and while that conclusion did not hinder him from taking the most energetic measures to rescue our imperiled citizens, it enabled him to maintain close and friendly relations with the wise and heroic viceroys of the south, whose resolute stand saved that ancient Empire from anarchy and spoliation. He disposed of every question as it arose with a promptness and clarity of vision that astonished his advisers, and he never had occasion to review a judgment or reverse a decision.

By patience, by firmness, by sheer reasonableness, he improved our understanding with all the great powers of the world, and rightly gained the blessing which belongs to the peacemakers.

But the achievements of the nation in war and diplomacy are thrown in the shade by the vast economical developments which took place during Mr. McKinley's Administration. Up to the time of his first election, the country was suffering from a long period of depression, the reasons of which I will not try to seek. But from the moment the ballots were counted that betokened his advent to power a great and momentous movement in advance declared itself along all the lines of industry and commerce. In

the very month of his inauguration steel rails began to be sold at $18 a ton—one of the most significant facts of modern times. It meant that American industries had adjusted themselves to the long depression—that through the power of the race to organize and combine, stimulated by the conditions then prevailing, and perhaps by the prospect of legislation favorable to industry, America had begun to undersell the rest of the world. The movement went on without ceasing. The President and his party kept the pledges of their platform and their canvass. The Dingley bill was speedily framed and set in operation. All industries responded to the new stimulus and American trade set out on its new crusade, not to conquer the world, but to trade with it on terms advantageous to all concerned. I will not weary you with statistics; but one or two words seem necessary to show how the acts of McKinley as President kept pace with his professions as candidate. His four years of administration were costly; we carried on a war which, though brief, was expensive. Although we borrowed two hundred millions and paid our own expenses, without asking for indemnity, the effective reduction of the debt now exceeds the total of the war bonds. We pay six millions less in interest than we did before the war and no bond of the United States yields the holder 2 per cent on its market value. So much for the Government credit; and we have five hundred and forty-six millions of gross gold in the Treasury.

But, coming to the development of our trade in the four McKinley years, we seem to be entering the realm of fable. In the last fiscal year our excess of exports over imports was $664,592,826. In the last four years it was $2,354,442,213. These figures are so stupendous that they mean little to a careless reader—but consider! The excess of exports over imports for the whole preceding period from 1790 to 1897—from Washington to McKinley—was only $356,808,822.

The most extravagant promises made by the sanguine McKinley advocates five years ago are left out of sight by these sober facts. The "debtor nation" has become the chief creditor nation. The financial center of the world, which required thousands of years to journey from the Euphrates to the Thames and the Seine, seems passing to the Hudson between daybreak and dark.

I will not waste your time by explaining that I do not invoke for any man the credit of this vast result. The captain can not claim that it is he who drives the mighty steamship over the tumbling billows of the trackless deep; but praise is justly due him if he has made the best of her tremendous powers, if he has read aright the currents of the sea and the lessons of the stars. And we should be ungrateful, if in this hour of prodigious prosperity we should fail to remember that William McKinley with sublime faith foresaw it, with indomitable courage labored for it, put his whole heart and mind into the work of bringing it about; that it was his voice which, in dark hours, rang out, heralding the coming light, as over the twilight waters of the Nile the mystic cry of Memnon announced the dawn to Egypt, waking from sleep.

Among the most agreeable incidents of the President's term of office were the two journeys he made to the South. The moral reunion of the sections—so long and so ardently desired by him—had been initiated by the Spanish war, when the veterans of both sides, and their sons, had marched shoulder to shoulder together under the same banner. The President in these journeys sought, with more than usual eloquence and pathos, to create a sentiment which should end forever the ancient feud. He was too good a politician to expect any results in the way of votes in his favor, and he accomplished none. But for all that the good seed did not fall on barren ground. In the warm and chivalrous hearts of that generous people, the echo of his cordial and brotherly words will linger long, and his name will be cherished in many a household where even yet the Lost Cause is worshiped.

Mr. McKinley was reelected by an overwhelming majority. There had been little doubt of the result among well-informed people; but when it was known, a profound feeling of relief and renewal of trust were evident among the leaders of capital and of industry, not only in this country, but everywhere. They felt that the immediate future was secure, and that trade and commerce might safely push forward in every field of effort and enterprise. He inspired universal confidence, which is the life-blood of the commercial system of the world. It began frequently to be said that such a state of things ought to continue; one after another, men of prominence said that the President was his own best successor. He paid little attention to these suggestions until they were repeated by some of his nearest friends. Then he saw that one of the most cherished traditions of our public life was in danger. The generation which has seen the prophecy of the Papal throne—*Non videbis annos Petri*—twice contradicted by the longevity of holy men was in peril of forgetting the unwritten law of our Republic: Thou shalt not exceed the years of Washington. The President saw it was time to speak, and in his characteristic manner he spoke, briefly, but enough. Where the lightning strikes there is no need of iteration. From that hour, no one dreamed of doubting his purpose of retiring at the end of his second term, and it will be long before another such lesson is required.

He felt that the harvest time was come, to garner in the fruits of so much planting and culture, and he was determined that nothing he might do or say should be liable to the reproach of a personal interest. Let us say frankly he was a party man; he believed the policies advocated by him and his friends counted for much in the country's progress and prosperity. He hoped in his second term to accomplish substantial results in the development and affirmation of those policies. I spent a day with him shortly before he started on his fateful journey to Buffalo. Never had I seen him higher in hope and patriotic confidence. He was as sure of the future of his country as the Psalmist who cried "Glorious things are spoken of thee, thou City of God." He was gratified to the heart that we had arranged a treaty which gave us a free hand in the Isthmus. In fancy he saw the canal already built and the argosies of the world passing through it in peace and amity. He saw in the immense evolution of American trade the fulfillment of all his dreams, the reward of all his labors. He was—I need not say—an ardent protectionist, never more sincere and devoted than during those last days of his life. He regarded reciprocity as the bulwark of protection—not a breach, but a fulfillment of the law. The treaties which for four years had been preparing under his personal supervision he regarded as ancillary to the general scheme. He was opposed to any revolutionary plan of change in the existing legislation; he was careful to point out that everything he had done was in faithful compliance with the law itself.

In that mood of high hope, of generous expectation, he went to Buffalo, and there, on the threshold of eternity, he delivered that memorable speech, worthy for its loftiness of tone, its blameless morality, its breadth of view, to be regarded as his testament to the nation. Through all his pride of country and his joy of its success, runs the note of solemn warning, as in Kipling's noble hymn, "Lest we forget."

> Our capacity to produce has developed so enormously and our products have so multiplied that the problem of more markets requires our urgent and immediate attention. Only a broad and enlightened policy will keep what we have. No other policy will get more. In these times of marvelous business energy and gain we ought to be looking to the future, strengthening the weak places in our industrial and commercial systems, that we may be ready for any storm or strain.
>
> By sensible trade arrangements which will not interrupt our home production we shall extend the outlets for our increasing surplus. A system which provides a mutual exchange of commodities is manifestly essential to the continued and healthful growth of our export trade. We must not repose in fancied security that we can forever sell everything and buy little or nothing. If such a thing were possible, it would not be best for us or for those with whom we deal. * * * Reciprocity is the natural outgrowth of our wonderful industrial development under the domestic policy now firmly established. * * * The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not.

I wish I had time to read the whole of this wise and weighty speech; nothing I might say could give such a picture of the President's mind and character. His years of apprenticeship had been served. He stood that day past master of the art of statesmanship. He had nothing more to ask of the people. He owed them nothing but truth and faithful service. His mind and heart were purged of the temptations which beset all men engaged in the struggle to survive. In view of the revelation of his nature vouchsafed to us that day, and the fate which impended over him, we can only say in deep affection and solemn awe, "Blessed are the pure in heart, for they shall see God." Even for that vision he was not unworthy.

He had not long to wait. The next day sped the bolt of doom, and for a week after—in an agony of dread broken by illusive glimpses of hope that our prayers might be answered—the nation waited for the end. Nothing in the glorious life that we saw gradually waning was more admirable and exemplary than its close. The gentle humanity of his words, when he saw his assailant in danger of summary vengeance, "Don't let them hurt him;" his chivalrous care that the news should be broken gently to his wife; the fine courtesy with which he apologized for the damage which his death would bring to the great Exhibition; and the heroic resignation of his final words, "It is God's way. His will, not ours, be done," were all the instinctive expressions of a nature so lofty and so pure that pride in its nobility at once softened and enhanced the nation's sense of loss. The Republic grieved over such a son—but is proud forever of having produced him. After all, in spite of its tragic ending, his life was extraordinarily happy. He had, all his days, troops of friends, the cheer of fame and fruitful labor; and he became at last—

> "On fortune's crowning slope,
> "The pillar of a people's hope,
> "The center of a world's desire."

He was fortunate even in his untimely death, for an event so tragical called the world imperatively to the immediate study of his life and character, and thus anticipated the sure praises of posterity.

Every young and growing people has to meet, at moments, the problems of its destiny. Whether the question comes, as in Thebes, from a sphinx, symbol of the hostile forces of omnipotent nature, who punishes with instant death our failure to understand her meaning; or whether it comes, as in Jerusalem, from the Lord of Hosts, who commands the building of His temple, it comes always with the warning that the past is past, and experience vain. "Your fathers, where are they? and the prophets, do they live forever?" The fathers are dead; the prophets are silent; the questions are new, and have no answer but in time.

When the horny outside case which protects the infancy of a chrysalis nation suddenly bursts, and, in a single abrupt shock, it finds itself floating on wings which had not existed before, whose strength it has never tested, among dangers it can not foresee and is without experience to measure, every motion is a problem, and every hesitation may be an error. The past gives no clue to the future. The fathers, where are they? and the prophets, do they live forever? We are ourselves the fathers! We are ourselves the prophets! The questions that are put to us we must answer without delay, without help—for the sphinx allows no one to pass.

At such moments we may be humbly grateful to have had leaders simple in mind, clear in vision—as far as human vision can safely extend—penetrating in knowledge of men, supple and flexible under the strains and pressures of society, instinct with the energy of new life and untried strength, cautious, calm, and, above all, gifted in a supreme degree with the most surely victorious of all political virtues—the genius of infinite patience.

The obvious elements which enter into the fame of a public man are few and by no means recondite. The man who fills a great station in a period of change, who leads his country successfully through a time of crisis; who, by his power of persuading and controlling others, has been able to command the best thought of his age, so as to leave his country in a moral or material condition in advance of where he found it—such a man's position in history is secure. If, in addition to this, his written or spoken words possess the subtle quality which carry them far and lodge them in men's hearts; and, more than all, if his utterances and actions, while informed with a lofty morality, are yet tinged with the glow of human sympathy, the fame of such a man will shine like a beacon through the mists of ages—an object of reverence, of imitation, and of love. It should be to us an occasion of solemn pride that in the three great crises of our history such a man was not denied us. The moral value to a nation of a renown such as Washington's and Lincoln's and McKinley's is beyond all computation. No loftier ideal can be held up to the emulation of ingenuous youth. With such examples we can not be wholly ignoble. Grateful as we may be for what they did, let us be still more grateful for what they were. While our daily being, our public policies, still feel the influence of their work, let us pray that in our spirits their lives may be voluble, calling us upward and onward.

There *is not one* of us but feels prouder of his native land because the august figure of Washington presided over its beginnings; no one but vows it a tenderer love because Lincoln poured out his blood for it; no one but must feel his devotion for his country renewed and kindled when he remembers how McKinley loved, revered, and served it, showed in his life how a citizen should live, and in his last hour taught us how a gentleman could die. [Prolonged applause.]

The PRESIDENT pro tempore of the Senate. Dr. MILBURN, Chaplain of the United States Senate, will now pronounce the benediction.

The Rev. W. H. MILBURN, D. D., Chaplain of the Senate, pronounced the benediction, as follows:

The grace of our Lord Jesus Christ, the love of God, and the fellowship of the Holy Ghost be with us all, now and ever. Amen.

The PRESIDENT pro tempore of the Senate. The purpose of the assembly having now been accomplished, it will be dissolved.

Thereupon the President and his Cabinet, the Senate, the Chief Justice and the associate justices of the Supreme Court, the diplomatic corps, and other invited guests retired.

The SPEAKER resumed the chair.

Mr. PAYNE. Mr. Speaker, as a further evidence of respect to the memory of the late President, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 1 o'clock and 41 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting an estimate of additional appropriation for "Contingent expenses, Executive Office"—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Andrew H. Reinhart against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Euromus H. Hoffman, administrator of estate of Susan Hoffman, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Samuel Avey et al., executors of estate of Jacob Avey, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Postmaster-General submitting an estimate of appropriation for printing and binding—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for transportation of destitute citizens from Alaska—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Navy, transmitting a petition from inhabitants of Guam relating to a permanent government—to the Committee on Insular Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SHERMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 1025) to promote the efficiency of the Revenue-Cutter Service, reported the same without amendment, accompanied by a report (No. 622); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CAPRON, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 593) for the establishment, control, operation, and maintenance of the Northern Branch of the National Home for Disabled Volunteer Soldiers at Hot Springs, in the State of South Dakota, reported the same without amendment, accompanied by a report (No. 623); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 2508) granting an increase of pension to Pauline Lowe Murphy, reported the same without amendment, accompanied by a report (No. 606); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3157) granting an increase of pension to Rhody Ann Bradshaw, reported the same with amendment, accompanied by a report (No. 607); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3204) granting an increase of pension to Mary T. Bruce, reported the same with amendment, accompanied by a report (No. 608); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 508) granting an increase of pension to Adelaide Worth Bagley, reported the same without amendment, accompanied by a report (No. 609); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2113) granting an increase of pension to Mary J. Clark, reported the same with amendments, accompanied by a report (No. 610); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2093) granting an increase of pension to Anna B. McCurley, reported the same with amendments, accompanied by a report (No. 611); which said bill and report were referred to the Private Calendar.

Mr. WHITE, from the Committee on Pensions, to which was

referred the bill of the House (H. R. 8007) granting an increase of pension to James W. Lewis, reported the same with amendment, accompanied by a report (No. 612); which said bill and report were referred to the Private Calendar.

Mr. BROMWELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8553) granting a pension to Joseph Tusinski, reported the same with amendments, accompanied by a report (No. 613); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10956) granting an increase of pension to Frances K. Morrison, reported the same with amendments, accompanied by a report (No. 614); which said bill and report were referred to the Private Calendar.

Mr. BOREING, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6713) granting a pension to Freeman R. E. Chanaberry, reported the same with amendments, accompanied by a report (No. 615); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6081) granting an increase of pension to Frances Taylor Anderson, reported the same with amendments, accompanied by a report (No. 616); which said bill and report were referred to the Private Calendar.

Mr. BOREING, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7755) granting a pension to Laura G. Weisenburger, reported the same with amendment, accompanied by a report (No. 617); which said bill and report were referred to the Private Calendar.

Mr. DE GRAFFENREID, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10132) granting an increase of pension to John Garner, reported the same with amendments, accompanied by a report (No. 618); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER (for Mr. WEEKS), from the Committee on Pensions, to which was referred the bill of the House (H. R. 3371) granting a pension to Elizabeth P. Searcy, reported the same with amendments, accompanied by a report (No. 619); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11144) granting an increase of pension to Anderson Howard, reported the same with amendments, accompanied by a report (No. 620); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER (for Mr. WEEKS), from the Committee on Pensions, to which was referred the bill of the House (H. R. 7731) granting an increase of pension to Richard Owen, reported the same with amendments, accompanied by a report (No. 621); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BARNEY: A bill (H. R. 11902) to establish a fish-hatching and fish station in Washington County, in the State of Wisconsin—to the Committee on the Merchant Marine and Fisheries.

By Mr. DAVIDSON: A bill (H. R. 11903) for the erection of a public building at Manitowoc, Wis.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 11904) to prevent the desecration of the American flag—to the Committee on the Judiciary.

Also, a bill (H. R. 11905) granting extra pay to certain officers and enlisted men of the United States Volunteers—to the Committee on War Claims.

By Mr. SOUTHARD: A resolution (H. Res. 145) providing for annual clerk and janitor for Committee on Coinage, Weights, and Measures—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. ADAMSON: A bill (H. R. 11893) granting an increase of pension to Mrs. Dennis, of Turin, Coweta County, Ga.—to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 11894) granting a pension to Hannah A. Timmons—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 11895) granting a pension to Thomas Holloway—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 11896) to correct the military record of George L. Ritman—to the Committee on Military Affairs.

By Mr. RIXEY: A bill (H. R. 11897) for the relief of George Gorham—to the Committee on War Claims.

Also, a bill (H. R. 11898) for the relief of Charles Clarkson—to the Committee on War Claims.

Also, a bill (H. R. 11899) for the relief of Jane L. Follin, widow of Joseph N. Follin—to the Committee on War Claims.

Also, a bill (H. R. 11900) for the relief of Jane D. Galleher, widow of T. H. Galleher—to the Committee on War Claims.

By Mr. FLYNN: A bill (H. R. 11901) ordering charge of desertion stricken from record and granting pension to John S. Jones—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROMWELL: Papers to accompany House bill 11852, granting a pension to Philip H. Wyrich—to the Committee on Invalid Pensions.

By Mr. CANNON: Papers to accompany House bill 11894, granting a pension to Hannah A. Timmons—to the Committee on Invalid Pensions.

By Mr. GREEN of Pennsylvania: Resolution of Typographical Union No. 86, of Reading, Pa., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. MORRELL: Resolution of Carpenters' Union No. 122, of Germantown, Pa., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, petition of executive committee of the Interstate Commerce Law Convention, for legislation amending the existing interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill 11896, to correct record of George L. Ritman—to the Committee on Military Affairs.

By Mr. RIXEY: Petition of citizens of Loudoun County, Va., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. WOODS: Petition of Carpenters and Joiners' Union No. 266, of Stockton, Cal., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

SENATE.

FRIDAY, *February 28, 1902.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PETTUS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

SENATORS FROM SOUTH CAROLINA.

Mr. BURROWS. Mr. President, I am directed by the Committee on Privileges and Elections to make the following report. By order of the Senate made on the 22d of February the altercation between the Senators from South Carolina, resulting in a personal encounter on the floor of the Senate, was referred to the Committee on Privileges and Elections, with direction to report "what action shall be taken by the Senate in regard thereto." In obedience to that order I am directed by the committee to report the following resolution.

The PRESIDENT pro tempore. The Senator from Michigan, from the Committee on Privileges and Elections, reports to the Senate a resolution which will be read.

The resolution was read, as follows:

Resolved, That it is the judgment of the Senate that the Senators from South Carolina, BENJAMIN R. TILLMAN and JOHN L. MCLAURIN, for disorderly behavior and flagrant violation of the rules of the Senate during the open session of the Senate, on the 22d day of February instant, deserve the censure of the Senate, and they are hereby so censured for their breach of the privileges and dignity of this body; and from and after the adoption of this resolution the order adjudging them in contempt of the Senate shall be no longer in force and effect.

Mr. BURROWS. Mr. President, I am also directed by the committee in support of the resolution to submit a report. I ought to say in this connection it is understood that those members of the committee who do not agree with the majority will have the opportunity to present their views, and that they may be printed with the report.

The PRESIDENT pro tempore. The Senator from Michigan, from the Committee on Privileges and Elections, submits a report. Does the Senator desire that it shall be read?

Mr. BURROWS. I ask that it be read.

The PRESIDENT pro tempore. The report will be read.

Mr. MCCOMAS. Before that is done, with the understanding

of the committee, I submit some views of two members of the committee, to be printed, under the agreement of the committee, with the report of the committee now offered.

Mr. GALLINGER. Mr. President, let those likewise be read.

Mr. BURROWS. There is no objection to that, of course.

The PRESIDENT pro tempore. The views of the minority will be received, there being no objection, and will be read subsequent to the reading of the report of the committee.

Mr. BLACKBURN. And also printed with the report.

The PRESIDENT pro tempore. They will be printed. The Secretary will read the report.

The Secretary proceeded to read the report, and read as follows:

The Committee on Privileges and Elections, in obedience to the following order of the Senate, viz:

"FEBRUARY 22, 1902.

"*Ordered* That the two Senators from the State of South Carolina be declared in contempt of the Senate on account of the altercation and personal encounter between them this day in open session, and that the matter be referred to the Committee on Privileges and Elections, with instructions to report what action shall be taken by the Senate in regard thereto"—

beg leave to report that they have considered the matter so referred to the committee and find that on the 22d day of February instant, while the Senate was in open session and engaged in the consideration of H. R. 5883, being a bill "temporarily to provide revenue for the Philippine Islands, and for other purposes," the Senators from the State of South Carolina became involved in a personal controversy, resulting in a serious breach of the privileges of the Senate.

The committee can not better present the circumstances leading up to the commission of the offense than by quoting from the official record the report of the proceedings.

The senior Senator from South Carolina, while addressing the Senate, in the course of his remarks said:

"But the Senator from Wisconsin yesterday took occasion to make a special plea of indictment and accusation against Mr. Bryan, the leader of the Democratic party in its last two national contests, because he had aided and possibly influenced enough votes to obtain the ratification of the treaty. I have already pointed out what might have happened after the ratification, which would have been entirely honorable and so high and noble and pure in comparison with what we have done that anyone who voted for that treaty, even my friend the Senator from Colorado [Mr. TELLER], who for a time was pretty badly tainted with imperialism and who has now got well and is sound and sane and in his right mind [laughter]——

"Mr. TELLER rose.

"Mr. TILLMAN. I hope the Senator will not take my little pleasantry as anything more than an attempt to relieve him of the accusation of my friend, yesterday, who convicted him of inconsistency.

"Mr. TELLER. I only want to say that if I ever was tainted in the slightest degree with imperialism I am glad to know that I have recovered from that condition.

"Mr. TILLMAN. But with all Mr. Bryan's influence—and it was very great, because it was recognized then that he would be the nominee of his party—he did not and could not persuade enough men here to give the necessary votes. After every man whom Mr. Bryan could influence had been influenced and counted, you still lacked votes, and you knew it. You know how you got them.

"Mr. SPOONER. How did we get them?

"Mr. TILLMAN. I say you know how you got them.

"Mr. SPOONER. I do not know how we got them. I do not know that any man voted for that treaty except in obedience to his convictions. Does the Senator know any different?

"Mr. TILLMAN. I only know that in a court the Senator would convict on circumstantial evidence some men.

"Mr. SPOONER. Does the Senator impeach any Senator? Let him name him. I do not impeach any Senator, nor do I know any ground for impeaching any.

"Mr. TILLMAN. I have reason to believe from the circumstantial evidence and from things that have been told to me in confidence by men on the other side that improper influences were used.

"Mr. SPOONER. Name the man. That is due to the country, and due to the man whom you suspect, and by innuendo charge. Who was it? Let him answer for himself if he is still a member of this body.

"Mr. TILLMAN. Whom do you mean? I can not name the man who gave me the information.

"Mr. SPOONER. Whoever you mean.

"Mr. TILLMAN. I can not give the name of the man who gave me the information, because he gave it to me in confidence.

"Mr. SPOONER. Oh, in confidence. A man who would impeach another in confidence is a coward. [Applause in the galleries.]

"Mr. TILLMAN. Cowardice in that case does not rest on my shoulders.

"Mr. SPOONER. The Senator turned to me. If the Senator knows of any member of this body who voted under corrupt influences for that treaty, name him.

"Mr. TILLMAN. I can not prove it.

"Mr. SPOONER. Well, I would not say it.

"Mr. TILLMAN. But I can prove this——

"Mr. SPOONER. I would not say it.

"Mr. TILLMAN. I can prove this: That the patronage of a State has been given to a Democrat who voted for the treaty.

"Mr. SPOONER. What State?

"Mr. TILLMAN. South Carolina.

"Mr. SPOONER. Fight it out with your colleague.

"Mr. TILLMAN. I am ready.

"Mr. SPOONER. Yes; I am ready and he is ready.

"Mr. TILLMAN. Let him——

"Mr. SPOONER. He is not here——

"Mr. TILLMAN. He has not shown his readiness.

"Mr. SPOONER. But he will be.

"The PRESIDENT pro tempore. The occupants of the galleries must remember that any marks of approbation or disapproval are not permitted under the rules of the Senate, and if there is a violation of the rule the Chair will be obliged to have the galleries cleared.

"Mr. TILLMAN. I will state that after having made a speech in this body two weeks before, replete with cogent arguments and eloquence, against the ratification of the treaty, and after having told us in confidence that he would not vote for it, he did; and since then he has been adopted by the Republican caucus and put upon committees as a member of that party, and has controlled the patronage in South Carolina. I did not expect to bring this in in this way, but I do not dodge or flinch from any responsibility anywhere. I simply know what I believe.

"Mr. SPOONER. You simply believe what you do not know.

"Mr. TILLMAN. And I have been told, as I told you in confidence, by men on that side of the transaction."

At the conclusion of the Senator's remarks the junior Senator from South Carolina, being recognized by the Chair, addressing the Senate, said:

"Mr. MCLAURIN of South Carolina. Mr. President, I rise to a question of personal privilege. During my absence a few moments ago from the Senate Chamber, in attendance upon the Committee on Indian Affairs, the gentleman who has just taken his seat, the Senator who has just taken his seat, said that improper influences had been used in changing the vote of somebody on the treaty, and then went on later and said that it applied to the Senator from South Carolina, who had been given the patronage in that State. I think I get the sense of the controversy.

"I desire to state, Mr. President—I would not use as strong language as I intend to had I not, soon after the Senate met, replied to these insinuations and said that they were untrue—I now say that that statement is a willful, malicious, and deliberate lie.

At the conclusion of the Senator's remarks the following note by the reporter appears in the RECORD:

"[At this point Mr. TILLMAN advanced to Mr. MCLAURIN of South Carolina, and the two Senators met in a personal encounter, when they were separated by Mr. Layton, the acting assistant doorkeeper, assisted by several Senators sitting near.]"

Further proceedings were had, as follows:

"Mr. GALLINGER. Mr. President, I ask that the doors be closed.

"The PRESIDENT pro tempore. The Senate will be in order. Senators will please resume their seats.

"Mr. PRITCHARD. Mr. President, if the Senator from South Carolina has concluded——

"Mr. MCLAURIN of South Carolina. Mr. President, I will now proceed with my remarks, which were so unceremoniously interrupted——

"Mr. TELLER. Mr. President, I call the Senator from South Carolina to order.

"Mr. MCLAURIN of South Carolina. Which one of the Senators?

"Mr. TELLER. This one, and the other one, too, for that matter.

"Mr. FORAKER. Mr. President, I move that the Senate go into executive session.

"The PRESIDENT pro tempore. The Senator from Ohio moves that the Senate proceed to the consideration of executive business.

"The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and twenty minutes the doors were reopened."

Thereupon the following proceedings were had:

"PROCEEDING FOR CONTEMPT.

"During the consideration of executive business, and while the doors were closed, the injunction and seal of secrecy was removed from the following proceedings:

"Mr. FORAKER submitted the following order:

"'*Ordered*, That the two Senators from the State of South Carolina be declared in contempt of the Senate on account of the altercation and personal encounter between them this day in open session, and that the matter be referred to the Committee on Privileges and Elections with instructions to report what action shall be taken by the Senate in regard thereto.'

"The Senate proceeded by unanimous consent to consider the said order.

"Pending debate,

"On motion by Mr. TELLER that the doors be opened,

"It was determined in the negative—yeas 18, nays 44.

"The yeas and nays being, on motion of Mr. LODGE, desired by one-fifth of the Senators present,

"Those who voted in the affirmative are: Messrs. Bacon, Bate, Berry, Blackburn, Carmack, Clay, Cockrell, Gibson, McEnery, Martin, Patterson, Rawlins, Simmons, Spooner, Taliaferro, Teller, Turner, and Wellington—18.

"Those who voted in the negative are: Messrs. Aldrich, Allison, Bard, Burnham, Burrows, Burton, Clark of Wyoming, Cullom, Deboe, Dietrich, Dillingham, Dolliver, Elkins, Fairbanks, Foraker, Foster of Washington, Frye, Gallinger, Gamble, Hanna, Hansbrough, Hawley, Hoar, Kean, Kearns, Kittredge, Lodge, McComas, McMillan, Mallory, Mason, Millard, Mitchell, Nelson, Perkins, Platt of Connecticut, Pritchard, Proctor, Quarles, Scott, Simon, Stewart, Warren, and Wetmore—44.

"So the motion of Mr. TELLER was not agreed to."

The PRESIDENT pro tempore. Is there objection to dispensing with the reading of the names?

Mr. TELLER. I wish to call the attention of the committee to an error which they have made in the point of the occurrence. I did call both the Senators from South Carolina to order, but not until after the collision. As it is stated there, I called them to order before the collision. After the collision, and the Senators had been separated, the junior Senator attempted to continue his remarks, and I called him, and, incidentally, the other Senator, to order, as stated.

Mr. HOAR. I hope the——

Mr. FORAKER. If the Senator will allow me, when he comes to look at the RECORD he will find that he is mistaken in the impression just received from it as it was read.

Mr. TELLER. I am not disputing as to the fact. I may be mistaken as to how the RECORD was made up.

Mr. FORAKER. The Senator is mistaken as to the note giving an account of the occurrence.

Mr. BURROWS. The matter is taken from the RECORD as it was published.

Mr. TELLER. It is an error then in making up the RECORD, when there was some excitement.

Mr. FORAKER. The difficulty about it may be due to the fact that the stenographer had no way of taking down the encounter except only descriptively.

Mr. HOAR. I hope the reading will proceed. This is a mere copy of the record that is now being read.

Mr. CULLOM. Let it all be read.

Mr. TELLER. I do not care to raise the question. I only thought it would be well to say this while the reading is going on, because there is a mistake at that point.

Mr. BURROWS. I trust the Senator will allow the reading to proceed.

Mr. TELLER. I do not object.

The PRESIDENT pro tempore. The reading will be resumed.

The Secretary resumed and concluded the reading of the report, as follows:

"On motion of Mr. FORAKER, and the same having been seconded,
"The Senate proceeded to the consideration of secret legislative business.
"On the question to agree to the order submitted by Mr. FORAKER,
"Mr. BACON demanded a division of the question; and
"On the question to agree to the first branch thereof, as follows:
"That the two Senators from the State of South Carolina be declared in contempt of the Senate on account of the altercation and personal encounter between them this day in open session—
"It was determined in the affirmative—yeas 61, nays 0.
"The yeas and nays being, on motion of Mr. HOAR, desired by one-fifth of the Senators present,
"Those who voted in the affirmative are: Messrs. Aldrich, Allison, Bacon, Bard, Bate, Blackburn, Burnham, Burrows, Burton, Carmack, Clark of Wyoming, Clay, Cockrell, Cullom, Deboe, Depew, Dietrich, Dillingham, Dolliver, Dubois, Elkins, Fairbanks, Foraker, Foster of Washington, Frye, Gallinger, Gamble, Gibson, Hanna, Hansbrough, Hawley, Hoar, Kean, Kearns, Kittredge, Lodge, McComas, McEnery, McMillan, Mallory, Martin, Millard, Mitchell, Nelson, Patterson, Perkins, Platt of Connecticut, Pritchard, Proctor, Quarles, Rawlins, Scott, Simmons, Simon, Spooner, Stewart, Tallaferro, Turner, Warren, Wellington, and Wetmore—61.
"None voted in the negative.
"So the first branch of the order was agreed to.
"The second branch of the order was then agreed to."

Subsequently the Senator from Kentucky, Mr. BLACKBURN, submitted the following motion:

"Mr. BLACKBURN. I move that the two Senators from South Carolina shall now be given the floor and be recognized by the Chair in order that they may in their own way proceed to purge themselves of the charge of contempt of which they have been adjudged guilty by the Senate.
"Mr. SPOONER and others. That is right.
"The PRESIDENT pro tempore. The question is on the motion of the Senator from Kentucky [Mr. BLACKBURN].
"The motion was agreed to."

Thereupon the senior Senator from South Carolina made the following statement:

"Mr. TILLMAN. Mr. President, I have always esteemed it a high honor and privilege to be a member of this body. I had never had any legislative experience when I came here, and my previous service as governor of South Carolina for four years had unfitted me in a measure to enter this august assembly with that dignity and regard—proper regard, I will say—for its traditions and habits and rules that is desirable.
"I have been here seven years. I have in that time learned to judge men with a little more catholicity of spirit than I did when I came here. I have found a great many people here in whose personal integrity and honor and regard for their obligations as gentlemen I have implicit confidence; but I have seen so much of partisanship, I have seen so much of what I consider slavish submission to party domination, that I confess I have felt somewhat at a loss how to judge men who in one aspect appeared to be so high and clean and honorable and in another appeared more or less despicable. I say this because of the fact that one of the Senators has seen fit to allude to some matters that occurred in the debate this morning.
"I now want to say that, so far as any action of mine has caused any Senator here, or the Senate as a body, or the people of the United States to feel that I have been derelict and have not shown that courtesy and proper observance of the rules of this body, I regret it; I apologize for it. I was ready to do that two minutes after I had acted; but under the provocation, which was known of all of you, I could not have acted otherwise than I did; and while I apologize to the Senate and am sorry that it has occurred, I have nothing more to say."

The junior Senator from South Carolina immediately followed and declared as follows:

"Mr. MCLAURIN of South Carolina. Mr. President, I did not realize that I was in contempt of the Senate, nor do I think now, if my words are read in the RECORD, that I was, but, at the same time, as the Senate has ruled that I am in contempt of this honorable body, I beg leave to apologize.
"I desire to say, Mr. President, that I have been very sorely and severely tried. I was in attendance on the Committee on Indian Affairs when I received a message from a friend in the Senate that my presence was needed here.
"The history of the vote on the Spanish treaty is known to all of you. There have been statements made in newspapers and insinuations that I had been influenced by improper motives in connection with my vote on that treaty. Knowing in my own soul, and knowing that God in heaven also knows that it was false, when I was told that it was centered down to me, I was so outraged by what I considered a most brutal assault upon my honor as a man, and especially in view of the fact that in the beginning of the session, after the action of my party associates, I made a most careful and deliberate statement explaining all these matters, I did not feel as a man that I could ever hold my head up again if I did not resent it in the place where it was delivered, in the strongest and most forcible terms that I could employ.
"With that, Mr. President, I am done, except I have this to say: If there is any more talk of that kind or any more——
"Mr. PATTERSON. I beg the Senator to refrain.
"Mr. MCLAURIN of South Carolina. I will refrain, Mr. President."

We thus present to the Senate the entire record bearing upon this unfortunate occurrence, and no examination or investigation by your committee could possibly throw any additional light upon the transaction, which occurred in open session and in the presence of the membership of this body. That the conduct of the two Senators was an infringement of the privileges of the Senate, a violation of its rules, and derogatory to its high character, tending to bring the body itself into public contempt, can not be questioned or denied. Indeed, the Senate by a unanimous vote has already placed on record its condemnation of the Senators by declaring both guilty of contempt.

The majority of the committee are of the opinion that the legal effect of adjudging these Senators in contempt of the Senate was to suspend their functions as Senators, and that such a punishment for disorderly behavior is clearly within the power of the Senate, but the conclusion they have reached makes it unnecessary to discuss this question.

The offenses committed by the two Senators were not, in the opinion of a majority of the committee, of equal gravity. The charge made by Mr. TILLMAN had been once before in the Senate specifically denied in parliamentary language by Mr. MCLAURIN. The offense charged against Mr. MCLAURIN was among the most reprehensible a Senator could commit. He could not ignore it or fail to refute it and hope to be longer respected as either a man or a Senator.

Mr. MCLAURIN did not commence the encounter, but only stood in his place at his desk, where he was speaking, and resisted the attack that was made upon him.

In other words, his offense was confined to the use of unparliamentary language, for which he had unusual provocation.

Nevertheless, his offense was a violation of the rules of the Senate of so serious a character that, in the opinion of the committee, it should be condemned.

In the case of Mr. TILLMAN the record shows that the altercation was commenced by the charge he made against Mr. MCLAURIN. Such a charge is inexcusable, except in connection with a resolution to investigate. Mr. TILLMAN not only made the charge without any avowal of a purpose to investigate, but also disclaiming knowledge of evidence to establish the offense; and this he did after the charge had been specifically and unqualifiedly denied by Mr. MCLAURIN.

Such a charge under any circumstances would be resented by any man worthy to be a Senator, but, made as it was in this instance, its offensiveness was greatly intensified, and the result must have been foreseen by Mr. TILLMAN if he took any thought, as he should, of the consequences of his statements. This feature of his offense, coupled with the fact that he also commenced the encounter by quitting his seat some distance away from Mr. MCLAURIN, and, rushing violently upon him, struck him in the face, makes the case one of such exceptional misbehavior that a majority of the committee are of the opinion that his offense was of much greater gravity than that of Mr. MCLAURIN.

The penalty of a censure by the Senate, in the nature of things, must vary in actual severity in proportion to the public sense of the gravity of the offense of which the offender has been adjudged guilty. Therefore, notwithstanding the fact that, in the opinion of a majority of the committee, there is a difference in the gravity of the offenses under consideration, your committee are of the opinion that public good and the dignity of the Senate will be alike best promoted and protected, so far as this particular case is concerned, by imposing upon each Senator, by formal vote, the censure of the Senate for the offense by him committed; and therefore the committee recommends the adoption of the following resolution:

"*Resolved*, That it is the judgment of the Senate that the Senators from South Carolina, BENJAMIN R. TILLMAN and JOHN L. MCLAURIN, for disorderly behavior and flagrant violation of the rules of the Senate during the open session of the Senate on the 22d day of February, instant, deserve the censure of the Senate, and they are hereby so censured for their breach of the privileges and dignity of this body, and from and after the adoption of this resolution the order adjudging them in contempt of the Senate shall be no longer in force and effect."

The PRESIDENT pro tempore. The Secretary will now read the views of the minority.

Mr. BURROWS. Mr. President, may I at this point make a correction in the report? I find upon examination that in taking from the RECORD what the Senator from Colorado [Mr. TELLER] said the clerk in putting it into the report inserted it in the wrong place, and it should be changed so that the note of the occurrence will come in after the speech of the junior Senator from South Carolina.

Mr. TELLER. The Senator will see that that correction is made?

Mr. BURROWS. Yes; if no objection be made to it.

The PRESIDENT pro tempore. Without objection, the report will be modified in that particular by the chairman of the committee.

Mr. BAILEY. On behalf of myself and four other members of the committee I present the following views, which I ask may be read following the report of the committee.

The PRESIDENT pro tempore. There was already an order of the Senate that the views of the minority presented by the Senator from Maryland [Mr. MCCOMAS] should be read.

Mr. MCCOMAS. I think it is proper that the views submitted by the Senator from Texas should be read next after the report.

The PRESIDENT pro tempore. The views will be read.

Mr. MCCOMAS. To be followed by the views of the minority signed by myself and the Senator from Indiana [Mr. BEVERIDGE].

The PRESIDENT pro tempore. The views of the minority submitted by the Senator from Texas will be read.

The Secretary read as follows:

We dissent from so much of the report of the committee as asserts the power of the Senate to suspend a Senator and thus deprive a State of its vote, and so much as describes the offenses of the Senators as of different gravity; but we approve the resolution reported.

J. W. BAILEY,
E. W. PETTUS,
JO. C. S. BLACKBURN,
FRED T. DUBOIS,
MURPHY J. FOSTER,
Members of the Committee on Privileges and Elections.

The PRESIDENT pro tempore. The views presented by the Senator from Maryland [Mr. MCCOMAS] will now be read.

The Secretary read as follows:

The undersigned minority of the committee agree with the statement of the facts given in the report of the majority, but disagree to the punishment proposed by the majority. The junior Senator from South Carolina is guilty of unparliamentary language. The senior Senator of South Carolina is guilty of physical violence. Neither in the statutes of any State nor in the common opinion of mankind are these two offenses the same.

If the Senate is to retain the respect of the country, it must retain its own self-respect. This can not be done by lightly passing over the grave offense it has suffered.

The lightest form of punishment is a reprimand or a censure. It is this latter which the majority of the committee proposes to inflict for two offenses differing in character and gravity.

The minority of the committee are of the opinion that this punishment is inadequate and that to ignore the difference between the offenses is unjust.

The minority of the committee is of opinion that the suspension of the two offending Senators from their Senatorial privileges heretofore inflicted should now be formally adjudged and continued for different periods of time.

And so the minority of the committee submit their views.

By the second clause of the fifth section of the first article of the Constitution "Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member."

On its face this clause means that by a majority vote each House may determine its rules and punish its members for disorderly behavior; but that to expel a member the concurrence of two-thirds is required.

Its history proves this to be the right construction. The Committee on Detail reported the clause thus: "Each House may determine the rules of its proceedings; may punish its members for disorderly behavior, and may expel a member." Madison thought that the power of expelling a member should not be left to a mere majority, and moved to insert the words "with the concurrence of two-thirds" between "may" and "expel." Gouverneur Morris thought the power ought to remain with a majority, but the convention adopted Madison's amendment, and thus the section as amended was approved. (Meig's Growth of the Constitution, 92.)

Story (1st Story on Const., sec. 837), emphasizing the necessity of each House having power to make the rules of its own proceedings, says that "this power would be nugatory unless it was coupled with a power to punish for disorderly behavior or disobedience to those rules. * * * The power to expel for very aggravated misconduct was also indispensable. * * * But such a power so summary * * * it was foreseen might be exerted for mere purposes of faction or party * * * and it has therefore been wisely guarded by the restriction that there shall be a concurrence of two-thirds of the members to justify an expulsion."

Since punishment for disorderly behavior may be inflicted by a majority vote in the Senate, what sorts of punishment may be imposed upon a Senator?

In Kilbourn *v.* Thompson, 103 U. S., 189, Justice Miller says: "We see no reason to doubt that this punishment may in a proper case be imprisonment, and that it may be for refusal to obey some rule on that subject made by the House for the preservation of order."

Later, in In re Chapman (166 U. S., 668), Chief Justice Fuller says of the Senate: "It necessarily possesses the inherent power of self-protection" (Ib., 671); "Congress could not divest itself or either of its Houses of the essential and inherent power to punish for contempt in cases to which the power of either House extended."

While the Supreme Court has said that it does not concede that the Houses of Congress possess the general power of punishing for contempt analogous to that exercised by courts of justice, it had admitted that there are cases in which the Houses of Congress have such power of punishing for contempt, and points out the source of this power.

In Kilbourn *v.* Thompson (103 U. S., 201) the court said: "We may perhaps find some aid * * * if we can find out its source, and fortunately in this there is no difficulty. For, while the framers of the Constitution did not adopt the law and custom of the English Parliament as a whole, they did incorporate such parts of it and with it such privileges of Parliament as they thought proper to be applied to the two houses of Congress."

Among these privileges, says the court, is the right to make rules and to punish members for disorderly behavior. The Senate has not like power with Parliament in punishing citizens for contempt, but it has like power with Parliament in punishing Senators for contempt or for any disorderly behavior or for certain like offenses. Like Parliament, it may imprison or expel a member for offenses. "The suspension of members from the service of the House is another form of punishment." (May's Parliamentary Practice, 53.) This author gives instances of suspension in the seventeenth century and shows the frequent suspension of members under a standing order of the House of Commons, passed February 23, 1880.

Says Cushing, section 280: "Members may also be suspended, by way of punishment, from their functions as such, either in whole or in part or for a limited time. This is a sentence of a milder character than expulsion." "During the suspension," says Cushing, section 627, "the electors are deprived of the services of their representative without power to supply his place, but th erights of the electors are no more infringed by this proceeding than by an exercise of the power to imprison."

The Senate may punish the Senators from South Carolina by fine, by reprimand, by imprisonment, by suspension by a majority vote, or by expulsion with the concurrence of two-thirds of its members.

The offense is well stated in the majority report. It is not grave enough to require expulsion. A reprimand would be too slight a punishment. The Senate by a yea-and-nay vote has unanimously resolved that the said Senators are in contempt. A reprimand is in effect only a more formal reiteration of that vote. It is not sufficiently severe upon consideration of the facts.

We agree that the junior Senator from South Carolina, JOHN L. MCLAURIN, should be suspended from his functions as Senator for five days, and that the senior Senator from South Carolina, BENJAMIN R. TILLMAN, be suspended from his functions as a Senator for twenty days, the time of suspension to be reckoned from the date of the adoption of such a resolution by the Senate.

As we have said, there is a grave difference between the offenses of the two Senators. This difference has not been overstated by the chairman and the members of the committee who agree with him upon this point.

The objection that no punishment should deprive a sovereign State of its votes in the Senate fails when we consider the rights of all the States, and above all the right and the duty of the Senate of the United States to punish adequately a grave offense.

L. E. MCCOMAS.
ALBERT J. BEVERIDGE.

I concur in all of the aforegoing views except as to the punishment of the junior Senator from South Carolina. It is my opinion that the punishment he has already suffered is adequate to his offense. I make no recommendation as to the punishment to be imposed on the senior Senator from South Carolina.

J. C. PRITCHARD.

The PRESIDENT pro tempore. The question is on the adoption of the resolution reported by the Committee on Privileges and Elections.

Mr. BACON. Mr. President, there is an omission, it seems to me, if I recollect correctly, in the narrative as made in the report of the committee which ought to be supplied by a statement now made upon the floor. Of course I do not undertake, or the Senate will not undertake, to amend the report in any way, but I think the fact I am now about to mention ought to be mentioned in this connection in order that it may furnish what I consider to be an important part of the history of this case.

Of course there was no record of what occurred in the secret session of the Senate. There is, however, a narrative of what were considered by the committee to be the salient and important occurrences in that secret session, and the particular fact which I think ought to go on record is this: Before the adoption of the order adjudging these two Senators in contempt, and, in fact, very soon after the Senate went into secret session, the senior Senator from South Carolina [Mr. TILLMAN], speaking through the Senator from Kentucky [Mr. BLACKBURN], stated to the Senate that he desired and intended, so soon as he had the opportunity, which would be furnished by the Senate again being in open session, to make acknowledgment to the Senate and to make his apology for what had occurred.

The junior Senator from South Carolina [Mr. MCLAURIN], speaking through myself, made the same announcement to the Senate, and in each instance it was stated on behalf of each of the Senators that that acknowledgment and that apology would be made by him without reference to the question whether or not the Senate adjudged them to be in contempt.

I think, Mr. President, that that is an important part of the history of this case, and I now state it in order that it may be included in the record.

The PRESIDENT pro tempore. The question before the Senate is on the adoption of the resolution.

Mr. GALLINGER. I ask for the yeas and nays.

Mr. TELLER. The question is, as I understand, on the resolution first read, Mr. President?

The PRESIDENT pro tempore. On the resolution first read.

Mr. TELLER. Let it be again read.

The PRESIDENT pro tempore. The resolution will be again read.

The Secretary read as follows:

Resolved, That it is the judgment of the Senate that the Senators from South Carolina, BENJAMIN R. TILLMAN and JOHN L. MCLAURIN, for disorderly behavior and flagrant violation of the rules of the Senate during the open session of the Senate, on the 22d day of February, instant, deserve the censure of the Senate, and they are hereby so censured for their breach of the privileges and dignity of this body; and from and after the adoption of this resolution the order adjudging them in contempt of the Senate shall be no longer in force and effect.

The PRESIDENT pro tempore. On the adoption of the resolution the Senator from New Hampshire [Mr. GALLINGER] demands the yeas and nays.

The yeas and nays were ordered.

Mr. GALLINGER. Mr. President, before the vote is taken, I simply want to make this observation. In some of our State legislatures a motion to substitute a minority for a majority report is allowable under the rules. I take it that under the rules of this body a report, so called, of a minority is simply the presentation of their views, and that a motion of that kind would not be in order here under our rules.

If such a motion could be made I should feel it my duty to move to substitute the minority for the majority report, because I believe the minority have recommended the precise kind of punishment that ought to be inflicted and that they have clearly differentiated between the offenses committed by these two Senators. Of course, not being able to make that motion and not being able to record my vote in favor of the views so clearly presented by the minority, I shall feel constrained to vote for the resolution which has been reported by the majority, although, to my mind, it does not inflict the proper kind of punishment upon these two Senators, considering the difference in the offenses which they committed.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. MCLAURIN of Mississippi (when his name was called). Mr. President, being related by kinship to one of the Senators from South Carolina, I ask to be excused from voting on this question.

The PRESIDENT pro tempore. Without objection on the part of the Senate, the Senator is excused.

Mr. MCLAURIN of South Carolina (when his name was called). Mr. President, for obvious reasons I refrain from voting on this question.

Mr. TILLMAN (when his name was called). Mr. President, among gentlemen an apology for an offense committed under heat of blood is usually considered sufficient.

The roll call was concluded.

Mr. QUARLES. I desire to announce that my colleague [Mr. SPOONER] is detained from the Senate by illness.

Mr. KEAN (after having voted in the affirmative). Mr. President, having heard the senior Senator from South Carolina [Mr. TILLMAN] again insult the Senate, I change my vote from "yea" to "nay."

The result was announced—yeas 54, nays 12; as follows:

YEAS—54.

Aldrich,	Cullom,	Hawley,	Pettus,
Allison,	Depew,	Hoar,	Platt, Conn.
Bacon,	Dillingham,	Kearns,	Quarles,
Bailey,	Dolliver,	Lodge,	Rawlins,
Bard,	Dubois,	McCumber,	Simmons,
Bate,	Elkins,	McEnery,	Stewart,
Berry,	Fairbanks,	McMillan,	Taliaferro,
Blackburn,	Foraker,	Mallory,	Teller,
Burrows,	Foster, La.	Martin,	Turner,
Carmack,	Frye,	Mitchell,	Vest,
Clark, Mont.	Gallinger,	Money,	Warren,
Clay,	Gibson,	Nelson,	Wetmore.
Cockrell,	Hansbrough,	Patterson,	
Culberson,	Harris,	Perkins,	

NAYS—12.

Beveridge,	Dietrich,	Kittredge,	Pritchard,
Clark, Wyo.	Foster, Wash.	McComas,	Proctor,
Deboe,	Kean,	Millard,	Scott.

NOT VOTING—22.

Burnham,	Hale,	McLaurin, S. C.	Simon,
Burton,	Hanna,	Mason,	Spooner,
Clapp,	Heitfeld,	Morgan,	Tillman,
Daniel,	Jones, Ark.	Penrose,	Wellington.
Dryden,	Jones, Nev.	Platt, N. Y.	
Gamble,	McLaurin, Miss.	Quay,	

So the resolution was agreed to.

Mr. PLATT of Connecticut. Mr. President——

Mr. BURROWS. Mr. President, I rise to a question of privilege. I ask that the words of the senior Senator from South Carolina [Mr. TILLMAN], which could not be heard in this part of the Chamber, be taken down.

The PRESIDENT pro tempore. The words spoken by the senior Senator from South Carolina will be read from the desk.

The Secretary read as follows:

Mr. TILLMAN (when his name was called). Mr. President, among gentlemen an apology for an offense committed under heat of blood is usually considered sufficient.

Mr. TILLMAN. Mr. President, the words uttered by me were not intended to be offensive, but if they are so considered, I very gladly withdraw them.

Mr. TELLER. The Senator from South Carolina was not called to order by anybody. I think we had better proceed regularly.

Mr. BURROWS. It was impossible to hear the Senator from South Carolina; and at the earliest opportunity, as soon as the roll call was completed and the result announced——

Mr. BERRY. The Senator from South Carolina has withdrawn the words.

Mr. BURROWS. I did ask that the words be taken down and read at the desk.

Mr. TELLER. Has the result been announced?

The PRESIDENT pro tempore. Yes; the result of the vote has been announced.

Mr. BURROWS. If the Senator from South Carolina has apologized for the words just used by him——

The PRESIDENT pro tempore. The Senator has withdrawn the remarks. Is there objection on the part of the Senate to the withdrawal? The Chair hears none.

Mr. DIETRICH. I object, Mr. President.

Mr. PLATT of Connecticut. Mr. President, I do not wish to interrupt the present proceedings, but I desire on a proper occasion to ask the indulgence of the Senate for a single moment to explain my vote on the resolution. If the proceedings which have intervened are not completed, I will waive my request for the present.

Mr. TELLER (to Mr. PLATT of Connecticut). Waive it now.

The PRESIDENT pro tempore. The proceedings are completed.

Mr. PLATT of Connecticut. Mr. President, I voted reluctantly for the resolution which has just been passed. I did so because except by the passage of the resolution I saw no way in which the Senate could inflict any punishment upon the Senators who were guilty of disorder and a breach of the privileges of the Senate. I do not regard the punishment sufficient. I think that the punishment should have deprived them for a limited time from participating in the proceedings of the Senate, and I think that some discrimination should have been made in the amount of punishment thus inflicted.

I merely wish to make this explanation of my vote.

Mr. DIETRICH subsequently said: Mr. President, I wish to explain my vote upon the resolution of censure against the Senators from South Carolina. The reason why I voted "nay" was because I did not believe the junior Senator should have been censured at all and that the senior Senator should have been more severely censured.

AMENDMENT OF THE RULES.

Mr. HOAR. I desire, in connection with the matter which has been pending, to propose an amendment to the rules. I should like to have it read and referred to the Committee on Rules.

The PRESIDENT pro tempore. The proposed amendment to the rules submitted by the Senator from Massachusetts [Mr. HOAR] will be read.

The proposed amendment to the rules was read, and referred to the Committee on Rules, as follows:

Resolved, That the following be adopted as an additional rule:

"No Senator in debate shall directly or indirectly, by any form of words, impute to another Senator any conduct or motive unworthy or unbecoming a Senator.

"No Senator in debate shall utter any reproach upon the character or history of any State of the Union."

It shall be the duty of the Chair to enforce the foregoing rule.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3107) to authorize the construction of a bridge over the Missouri River at or near the city of Kansas City, Mo.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 6300) to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis.;

A bill (H. R. 7933) providing for the commutation for town-site purposes of homestead entries in certain portions of Oklahoma;

A bill (H. R. 10372) to transfer to the Secretary of the Interior such supervision of the Government Hospital for the Insane, Freedmen's Hospital and Asylum, and the Washington Hospital for Foundlings as may have been conferred upon the board of charities of the District of Columbia under the act approved June 6, 1900, creating such board;

A bill (H. R. 11241) to amend an act entitled "An act to regulate in the District of Columbia the disposal of certain refuse, and for other purposes," approved January 25, 1898;

A bill (H. R. 11400) to amend an act entitled "An act in relation to taxes and tax sales in the District of Columbia," approved February 28, 1898;

A bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903;

A bill (H. R. 11474) for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States; and

A bill (H. R. 11611) to divide the State of Texas into four judicial districts.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PAYNE, Mr. DALZELL, and Mr. RICHARDSON of Tennessee managers at the conference on the part of the House.

The message also announced that the House had agreed to the concurrent resolution of the Senate to print 3,500 copies of the report of the Schley Court of Inquiry, with an amendment; in which it requested the concurrence of the Senate.

PERMANENT CENSUS OFFICE.

Mr. QUARLES. Mr. President, I desire to present the conference report on the permanent census bill, which I ask to have read.

The PRESIDENT pro tempore. The conference report submitted by the Senator from Wisconsin will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10308) to provide for a permanent Census Office, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 5, 9, 11, 17, 18, 20, 22, 27, 30, 32, and 34.

That the House recede from its disagreement to the amendments of the Senate numbered 7, 10, 19, 23, 24, 25, 26, 28, 29, 31, and 33, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: Strike out of the matter inserted by said amendment the word "Bureau" and insert in lieu thereof "Census Office;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 11, 12, 13, 14, 15, and 16, and agree to the same with an amendment as follows: Strike out all of the amended section and insert in lieu thereof the following:

"SEC. 5. That all employees of the Census Office at the date of the passage of this act, except unskilled laborers, may be appointed by the Director of the Census with the approval of the head of the department to which said Census Office is attached, and when so appointed shall be, and they are hereby, placed, without further examination, under the provisions of the civil-service act approved January 16, 1883, and the amendments thereto and the rules established thereunder; and persons who have served as soldiers in any war in which the United States may have been engaged, who have been honorably discharged from the service of the United States, and the widows of such soldiers, shall have preference in the matter of employment; and all new appointments to the permanent clerical force in the Census Office hereby created shall be made in accordance with the requirements of the civil-service act above referred to."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: Strike out all after the words "such classes," in line 4 of the matter inserted by said Senate amendment, and insert in lieu thereof the following: "and the Director of the Census is authorized and directed to collect statistics relating to all of the deaf, dumb, and blind, notwithstanding the restrictions and limitations contained in section 8 of said act entitled 'An act to provide for taking the Twelfth and subsequent censuses:' *Provided*, That in taking the census of said classes the inquiries shall be confined to the following four questions, namely: Name, age, sex, and post-office address;" and the Senate agree to the same.

J. V. QUARLES,
L. E. McCOMAS,
JAMES P. TALIAFERRO,
Managers on the part of the Senate.

A. J. HOPKINS,
CHARLES A. RUSSELL,
F. M. GRIFFITH,
Managers on the part of the House.

Mr. HAWLEY. That reading is of no practical use to anybody, by reason of the numbers used and the confusion in the Chamber. I ask that the vote on the conference report may be postponed until we can read the report in the RECORD in the morning.

Mr. QUARLES. Mr. President——

Mr. VEST. It is impossible to hear anything in this part of the Chamber.

The PRESIDENT pro tempore. Senators will please resume their seats and observe order.

Mr. QUARLES. Mr. President, I certainly hope that the distinguished Senator from Connecticut will not insist upon his suggestion.

Mr. HAWLEY. If the Senator will excuse me, does he suppose that there are 20 Senators here who know what is proposed to be done by that report?

Mr. QUARLES. I shall be very glad to explain it in a very few words.

Mr. HAWLEY. We shall not know any better then. Let us have an opportunity to read it. We can read it to-morrow morning in the RECORD, and study it.

Mr. QUARLES. I think, Mr. President, that is a very doubtful compliment to me. The amendments are very few, and I think I can make them entirely plain in a very few words.

I want to remind the Senate that if we can agree to this conference report now and get favorable action in the House the bill may be signed to-morrow. Of course, the significance of it is that there are 500 permanent employees of that force to be discharged to-morrow, and the pressure is very great upon me and everyone connected with it to have this bill passed to-day.

I certainly hope the Senator from Connecticut will permit me to inform him as to what the conference report means, as I will presently do, and I think I can make him understand it.

Mr. BEVERIDGE. What is the order of business now before the Senate, Mr. President?

The PRESIDENT pro tempore. The conference report on the permanent census bill is under consideration. Objection was made by the Senator from Connecticut [Mr. HAWLEY]; but a motion can be made to proceed with its consideration notwithstanding the objection.

Mr. QUARLES. I move that the Senate proceed with the consideration of the conference report notwithstanding the objection.

The PRESIDENT pro tempore. The Senator from Wisconsin moves that the Senate proceed with the consideration of the conference report.

The motion was agreed to.

Mr. CULLOM. I think the Senator from Wisconsin ought to state to Senators, in view of the desire on his part to take up the conference report immediately, that the bill is already printed with the amendments to it.

Mr. QUARLES. Yes.

Mr. CULLOM. And that Senators can procure copies of it, and see what is in the bill.

Mr. QUARLES. Yes.

Mr. President, after a strenuous and protracted struggle, the conferees have reached an agreement. The chief points of difference between the bill as it now stands and the bill as the Senate passed it are as follows:

As we passed the bill, the salary of the Director of the Census was left at $7,500. As the result of the conference, it now stands at $6,000. As we passed the bill, there was an assistant director provided for, with a salary of $4,000. Your conferees were compelled to yield and allow that feature to be stricken out of the bill in the interest of economy, so that that feature is eliminated. As we passed the bill the chief clerk was to have a salary of $2,800; under this report he will receive $2,500.

As the bill passed here there was a tenure of four years imposed upon the Director and assistant director and some of the chief statisticians. We yielded that provision for the reason that it appeared from an examination of the statute that in no other case of the appointment of a bureau chief has there been any limitation of time upon the appointment, and it was contended in the conference that the Census Bureau, being in a large measure a scientific bureau, ought not to be the first bureau to have a fixed tenure.

In addition to that, as the bill passed the Senate it was urged with great force that the four-year period would bring a change in the Director of the Census on the 1st day of July, 1910. That, of course, is the decennial year. The enumerators begin their work on the 1st day of June, and this change would take place on the 1st day of July, which, as you observe, is the very critical period in that enumeration. As the bill now stands the Director of the Census is removable at pleasure, just as all the other bureau chiefs are, so that any incoming President may remove him. Therefore we thought that feature was not substantial enough to warrant us in holding out longer, and we conceded that.

There are some other changes of phraseology. For instance, section 5 has been perfected. The amendment introduced by the Senator from New Hampshire [Mr. GALLINGER] in favor of the soldiers in any war was found to be too broad. That has been modified so as to apply to those who were honorably discharged from the United States service.

A few other changes of that kind, chiefly in phraseology, constitute all the changes that have been made in the bill since the Senate gave it its approval. I hope, therefore, the report may be concurred in.

Mr. CLAY. I hope the Senator from Wisconsin will allow me to ask him a question. The Senator well remembers that the Senate adopted an amendment to the House bill in regard to the collection and publication of the statistics relative to the cotton crop. I desire to ask the Senator whether or not any changes were made in that provision?

Mr. QUARLES. There was no change whatever made in that.

Mr. CLAY. The Senate amendment was then agreed to?

Mr. QUARLES. The Senate amendment was agreed to just as adopted by this body.

Mr. GALLINGER. If the Senator from Wisconsin will permit me, I think I caught from the reading of the report of the committee of conference that the amendment which I offered, and which was adopted by the Senate, regarding preference to soldiers and widows of soldiers is retained in the bill with a modification so that it will apply to honorably discharged soldiers and their widows?

Mr. QUARLES. Yes, sir.

Mr. GALLINGER. That is right.

The PRESIDENT pro tempore. The question is on agreeing to the report of the conference committee.

The report was agreed to.

PHILIPPINE TARIFF BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LODGE. I move that the Senate insist on its amendments disagreed to by the House of Representatives, and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. LODGE, Mr. ALLISON, and Mr. RAWLINS were appointed.

PROCEEDINGS OF SCHLEY COURT OF INQUIRY.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the concurrent resolution of the Senate providing for the printing of 3,500 copies of the proceedings of the Schley Court of Inquiry, which was, in line 4, after the word "Inquiry," to insert "together with the findings of the court, Admiral Dewey's opinion, Admiral Schley's appeal to the President, and the President's decision thereon, and," so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,500 copies of the proceedings of the Schley Court of Inquiry, together with the findings of the court, Admiral Dewey's opinion, Admiral Schley's appeal to the President, and the President's decision thereon, and of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 500 copies for the use of the Navy Department.

The PRESIDENT pro tempore. The resolution, with the amendment, will be referred to the Committee on Printing.

APPORTIONMENT OF DEPARTMENTAL EMPLOYEES.

The PRESIDENT pro tempore laid before the Senate a communication from the Civil Service Commission, transmitting, in response to a resolution of the 19th instant, a table showing the apportionment of appointments in the departmental service at Washington, D. C., from July 16, 1883, to January 1, 1902, the present apportionment being based upon the census of 1900, etc.; which was referred to the Committee on Civil Service and Retrenchment, and ordered to be printed.

SPECIAL POSTAL RATES.

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster-General, transmitting, in response to a resolution of the 4th instant, certain information relative to the construction placed by the Post-Office Department upon the existing law prescribing the postage for periodical publications like those published by churches, etc.; which, with the accompanying papers, was referred to the Committee on Post-Offices and Post-Roads and ordered to be printed.

OFFICE OF UNITED STATES TREASURER.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter

from the Treasurer of the United States requesting that a clause in the legislative appropriation bill providing for the salaried force in his office be amended by the insertion therein of "one machinist at $900," and that the number of clerks at $900 be reduced from 64 to 63; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

THE TRANSPORT SERVICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 21st ultimo, the number, name, and tonnage of Government transports, and certain other facts relating thereto; which, with the accompanying papers, was ordered to lie on the table, and be printed.

ISLAND OF GUAM.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting a petition from 32 inhabitants of the island of Guam, praying for the appointment of a commission to study the needs of the people of that island; which, with the accompanying paper, was referred to the Committee on Naval Affairs, and ordered to be printed.

CLERICAL SERVICE IN THE NAVY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting a petition signed by yeomen and others serving on board the U. S. S. *Michigan*, praying for the enactment of legislation to promote the efficiency of the clerical service in the Navy of the United States, etc.; which, with the accompanying paper, was referred to the Committee on Naval Affairs, and ordered to be printed.

USELESS PAPERS IN EXECUTIVE DEPARTMENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting schedules of papers, documents, etc., on the files of his Department not needed in the transaction of public business; which, with the accompanying papers, was referred to the Select Joint Committee on the Destruction of Useless Papers, and ordered to be printed.

JOHN H. ALPHIN.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of John H. Alphin *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

DANIEL E. KIMBALL.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Daniel E. Kimball *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MATTIE H. JARNAGIN.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Mattie H. Jarnagin *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MARGARET RAIFORD LOFTIN.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Margaret Raiford Loftin (nee Margaret Raiford), administratrix of the estate of Robert Raiford, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

HORACE RESLEY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Horace Resley *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MARGARET R. SHIPLEY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Margaret R. Shipley, administratrix of John Flower, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. PLATT of Connecticut presented a petition of sundry brewers of Connecticut, praying for a reduction of the war-revenue tax on beer; which was referred to the Committee on Finance.

Mr. CULLOM presented the petition of G. T. B. Davis and 61 other citizens of Chicago, Ill., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of Local Unions Nos. 114, 143, 182, 291, 4, 204, 174, and 476, of Jacksonville, Chicago, Cairo, Aurora, Coffeen, Joliet, and Pontiac, all of the American Federation of Labor, in the State of Illinois, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. PROCTOR presented a petition of George H. Phelps Post, No. 114, Department of Vermont, Grand Army of the Republic, of Albany, Vt., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of Typographical Union No. 402, of Barre; of Hardwick Branch of Granite Cutters' Union, of Hardwick, and of Tool Sharpeners' Union No. 2, of Barre, all of the American Federation of Labor, in the State of Vermont, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. HOAR presented petitions of sundry citizens of Springfield, Shelburne, North Brookfield, and Adams, all in the State of Massachusetts, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of J. W. Lawton Post, No. 85, Department of Massachusetts, Grand Army of the Republic, of Ware, and of the local unions of the American Federation of Labor of Watertown, North Adams, Brockton, and Lowell, all in the State of Massachusetts, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of sundry labor organizations of Fitchburg, Worcester, Lowell, Brockton, Springfield, North Adams, Newburyport, West Quincy, Holyoke, and Lawrence, all in the State of Massachusetts, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented the memorials of Harriet R. Shattuck, of Malden, and of Mary E. Merritt, of Boston, in the State of Massachusetts, remonstrating against the governmental regulation of vice in the island possessions of the United States; which were referred to the Committee on the Philippines.

He also presented a petition of sundry citizens of the United States, praying for a suspension of hostilities in the Philippine Islands pending a discussion of the situation between the Government and the Filipino leaders; which was referred to the Committee on the Philippines.

Mr. GALLINGER presented a petition of sundry citizens of Littleton, N. H., and a petition of the Merchants' Exchange of St. Louis, Mo., praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of the Granite Cutters' National Union, American Federation of Labor, of Milford, N. H., and a petition of the Granite Cutters' Union, American Federation of Labor, of Concord, N. H., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of Almon B. White Post, No. 55, Department of New Hampshire, Grand Army of the Republic, of Whitefield, N. H., and of Carlos Fletcher Post, No. 53, Department of New Hampshire, Grand Army of the Republic, of Columbia, N. H., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of the Woman's Christian Temperance Unions of North Hampton, Milford, Berlin, Hampton Falls, Laconia, East Rochester, East Colebrook, Newmarket, Candia, Concord, Franklin, Rumney, and Richmond, all in the State of New Hampshire, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. RAWLINS presented petitions of Ogden Lodge No. 127, International Association of Machinists, of Ogden, and of Typographical Union No. 236, of Ogden, in the State of Utah, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. BATE presented petitions of Coal Creek Council, No. 26, Junior Order United American Mechanics, of Coal Creek; of Trunk and Bag Workers' Local Union No. 9, of Knoxville; of

Typographical Union No. 20, of Nashville; of the Central Labor Union of Chattanooga, and 48 citizens of Scott County, all in the State of Tennessee, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. MALLORY presented the petition of John G. Ruge, secretary of the fish commissioners of Florida, praying that an appropriation be made for the erecting of a monument in the city of Washington to the memory of the late Prof. Spencer F. Baird; which was referred to the Committee on the Library.

He also presented a petition of the National Alliance of Theatrical Stage Employees' Union No. 60, of Pensacola, Fla., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of Local Union No. 605, Carpenters and Joiners' Union, of Jacksonville, Fla., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. PENROSE presented a petition of the Board of Trade, the select and common councils, and of sundry citizens of Erie, Pa., praying for the establishment of a naval training station for the Great Lakes on Presque Isle, on the north side of the harbor of Erie, in that State; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Grocers and Importers' Exchange of Philadelphia, Pa., praying for the establishment of a department of commerce; which was ordered to lie on the table.

He also presented petitions of 48 citizens of Auburn, 47 citizens of Rauschs, 46 citizens of North East, 48 citizens of West Alexander, 55 citizens of Coon Island, and of 46 citizens of Chandler Valley, all in the State of Pennsylvania, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of the Board of Trade of Philadelphia and of the Grocers and Importers' Exchange of Philadelphia, in the State of Pennsylvania, praying for the establishment of reciprocal trade relations with Cuba; which were referred to the Committee on Relations with Cuba.

He also presented petitions of the Brooklyn Branch, of Brooklyn, N. Y.; of the Providence Branch, of Providence, R. I.; of the Portland Branch, of Portland, Me., and of the Baltimore Branch, of Baltimore, Md., all of the Atlantic Coast Seamen's Union, praying for the enactment of legislation providing for the protection of American seamen from Chinese competition; which were referred to the Committee on Immigration.

He also presented a memorial of the congregation of the United Presbyterian Church of Sewickley, Pa., remonstrating against the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of the United Labor League of Western Pennsylvania, of Pittsburg, Pa., praying for the enactment of legislation providing for the licensing of electrical constructors and workers and for the regulation of electrical mining in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented petitions of 45 citizens of Tionesta; of 22 citizens of Steelton; of 48 citizens of Jeannette; of 32 citizens of Johnstown; of Local Union No. 1719, United Mine Workers of America, of Lansford; of Local Union No. 556, of Meadville; of Local Union No. 210, International Association of Machinists, of Wilkesbarre; of Cranberry Local Union, No. 1434, of Hazleton; of Lebanon Circle, No. 25, of Lebanon; of Elwood City Lodge, No. 5, of Elwood; of Boiler Makers' Local Union No. 17, of Chester; of Glass Bottle Blowers' Local Union No. 95, of Tarentum; of Local Union No. 1665, National Mine Workers of America, of Carbon; of the Central Labor Union of Meadville; of Barbers' Local Union No. 297, of Lansford; of Machinists' Local Union No. 217, of Philadelphia; of Local Union No. 548, United Mine Workers of America, of Buena Vista; of Federal Labor Union No. 7150, of Bradford; of Journeymen Plumbers' Local Union No. 207, of Bradford; of Local Union No. 115, of Pricedale; of Powder Makers' Local Union No. 8742, of Oliver's Mills; of Local Union No. 700, United Mine Workers of America, of Horton; of Journeymen Barbers' International Union No. 277, of Easton; of Carpenters' Local Union No. 492, of Reading; of Glass Bottle Blowers' Local Union No. 76, of Sharpsburg; of Cigar Makers' Local Union No. 489, of Souderton; of Chair Makers' National Lodge No. 1, of Braddock; of Team Drivers' Local Union No. 22, of Ashland; of Iron Molders' Union No. 370, of Reading; of Typographical Union No. 258, of Easton; of Tile Layers' Union No. 4, of Pittsburg; of Local Union No. 1315, of Roscoe; of Cigar Makers' International Union No. 257, of Lancaster; of Tin Plate Workers' Local Union No. 30, of Washington; of the Federated Trades Council of Reading; of the Central Trades Assembly of Washington; of Local Union No. 1687, United Mine Workers of America, of Leek; of Shirt Waist and Laundry Workers' Local Union No. 74, of Reading; of Local Union No. 844, United Mine Workers of America, of Carbondale; of Keystone Associated Shirt and Waist Cutters' Local Union No. 40, of Philadelphia; of Federal Union No. 9251, of Renovo; of Boiler Makers and Boiler Workers' Local Union No. 46, of Reading; of Glass Bottle Blowers' Local Union No. 83, of Butler; of John F. Ward Union, No. 9, Iron and Steel Workers, of Newcastle; United Brotherhood of Carpenters and Joiners' Local Union No. 500, of Butler; of the Central Labor Council of Franklin; of Journeymen Bakers' Local Union No. 150, of Reading; of Typographical Union No. 7, of Pittsburg; of the Central Labor Union of Hazleton; of Federal Labor Union No. 8139, of McSherrystown; of Cigar Makers' Local Union No. 232, of Sellersville; of Slate and Tile Roofers' Local Union No. 8926, of Reading; of Powder Workers' Local Union No. 8974, of Wapwallopen; of the Central Labor Union, of Lancaster; of Typographical Union No. 86, of Reading, and of the Philadelphia Board of Trade, of Philadelphia, all in the State of Pennsylvania, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Carpenters and Joiners' Local Union No. 556, of Meadville; of International Association of Machinists, Local Union No. 210, of Wilkesbarre; of Captain S. S. Marchand Post, No. 190, Department of Pennsylvania, Grand Army of the Republic; of Local Union No. 33, of New Kensington; of Iron Molders' Local Union No. 235, of Lehighton; of Colonel Croasdale Post, No. 256, Department of Pennsylvania, Grand Army of the Republic, of Riegelsville; of George Smith Post, No. 79, Department of Pennsylvania, Grand Army of the Republic, of Conshohocken; of Lieutenant H. C. Titman Post, No. 93, Department of Pennsylvania, Grand Army of the Republic, of Auburn Four Corners; of Allison Brothers Post, No. 144, Department of Pennsylvania, Grand Army of the Republic, of Port Carbon; of Carpenters' Local Union No. 492, of Reading; of Captain G. W. Ryan Post, No. 364, Department of Pennsylvania, Grand Army of the Republic, of Middleburg; of Carpenters' Local Union No. 501, of East Stroudsburg; of Glass Bottle Blowers' Local Union No. 4, of Philadelphia; of E. B. Young Post, No. 87, Department of Pennsylvania, Grand Army of the Republic, of Allentown; of Phelps Post, No. 124, Department of Pennsylvania, Grand Army of the Republic, of East Smithfield; of Swarts Post, No. 72, Department of Pennsylvania, Grand Army of the Republic, of New Albany; of General F. A. Rowley Post, No. 495, Department of Pennsylvania, Grand Army of the Republic, of Natrona; of C. W. Deming Post, No. 476, Department of Pennsylvania, Grand Army of the Republic, of Millertown; of Colonel John D. Musser Post, No. 66, Department of Pennsylvania, Grand Army of the Republic; of Order of Mallory Post, No. 285, Department of Pennsylvania, Grand Army of the Republic, of Sayre; of Powder Makers' Local Union No. 8742, American Federation of Labor, of Olivers Mills; of Retail Clerks' Local Union No. 469, American Federation of Labor, of Shenandoah; of Machinists' Local Union No. 327, American Federation of Labor, of Meadville; of regular muster of General Welsh Post, No. 118, Department of Pennsylvania, Grand Army of the Republic; of Journeymen Barbers' Local Union No. 278, of New Castle; of Iron Molders' Local Union No. 313, American Federation of Labor, of Chester; of Carpenters and Joiners' Local Union No. 102, American Federation of Labor, of Wilkesbarre, and of Lieutenant S. C. Potts Post, No. 62, Department of Pennsylvania, Grand Army of the Republic, of Altoona, all in the State of Pennsylvania, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of 59 citizens of Greenville, of 89 citizens of Bryn Mawe, of 48 citizens of Utica, of 40 citizens of Mohns Store, of 25 citizens of Robesonia, and of 136 citizens of Reading, all in the State of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. DEPEW presented a petition of sundry wholesale grocers, retail grocers, and importers of tea of New York City, praying for the repeal of the duty on tea; which was referred to the Committee on Finance.

He also presented petitions of Theatrical Protective Union No. 1, of New York City; of International Association of Machinists' Local Union No. 480, of Buffalo; of Stationary Firemen's Local Union No. 11, of Buffalo; of the Central Trades Labor Council of Rochester; of Journeymen Barbers' Local Union No. 148, of Newburgh; of Laborers' Protective Union No. 9619, of Elmira; of Stove Mounters and Steel Range Workers' Local Union No. 39, of Rochester; of International Steam Engineers' Local Union No. 71, of Rochester; of Typographical Union No. 233, of Niagara Falls; of Mailers' Local Union No. 19, of Utica; of Cigar Makers' Local Union No. 7, of Utica; of Painters' Local Union No. 155, of Poughkeepsie; of Pressmen's Local Union No. 57, of Bing-

hamton; of Blacksmiths' Local Union No. 202, of Elmira; of Cigar Makers' Local Union No. 429, of Niagara Falls; of Metal Polishers and Buffers' Local Union No. 57, of Elmira; of the Steam Fitters and Helpers' Union of New York City; of Cigar Makers' Local Union No. 81, of Peekskill; of Plate Printers' Local Union No. 5, of New York City; of Machinists' Local Union No. 93, of Rochester; of Garment Workers' Local Union No. 84, of Wappingers Falls; of the Pattern Makers' Association, of Seneca Falls; of Brotherhood of Boiler Makers' Local Union No. 162, of Seneca Falls; of Cigar Makers' Local Union No. 283, of Geneva; of United Metal Workers' Local Union No. 17, of Rochester; of Cigar Makers' Local Union No. 132, of Brooklyn; of Shirt Waist and Laundry Workers' Local Union No. 44, of Troy; of the Central Labor Union, of Binghamton; of Coopers' Local Union No. 48, of Niagara Falls; of Car Workers' Local Union No. 24, of Norwich; of Indurated Fiber Workers' Local Union No. 7185, of Lockport; of Cigar Makers' Local Union No. 84, of Saugerties; of Boot and Shoe Workers' Local Union No. 160, of Brooklyn; of the American Wire Weavers' Protective Association of New York City; of Coopers' International Union No. 33, of Buffalo; of Amalgamated Leather Workers' Union No. 2, of Olean; of Cigar Makers' Local Union No. 210, of Rome; of Carpenters' Local Union No. 532, of Elmira; of Painters, Decorators, and Paper Hangers' Local Union No. 367, of Seneca Falls; of Brick Layers and Masons' Local Union No. 14, of Kingston; of Journeymen Barbers' Local Union No. 156, of Binghamton; of Coopers' International Union No. 60, of Brooklyn; of the Central Trades and Labor Assembly of Syracuse, and of Brick Layers and Plasterers' Local Union No. 58, of Little Falls, all of the American Federation of Labor, in the State of New York, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Grand Army Posts Nos. 447, 391, 399, 332, 656, 322, 109, 81, 45, 22, 306, 488, 90, 326, 60, 476, 160, 271, 283, 78, 433, 209, 340, 44, 255, 279, 347, 74, 502, 418, 624, 564, and 360, all of the Department of New York, Grand Army of the Republic; of Local Unions Nos. 117, 242, 84, 489, 372, 124, 478, 7, 48, 134, 146, 546, 369, 289, 467, 305, 421, 8962, 7294, 238, 41, 78, and 381, all of the American Federation of Labor, in the State of New York, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. ELKINS presented a petition of sundry citizens of Wellsburg, W. Va., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Retail Grocers' Protective Association, of Wheeling, W. Va., praying for the enactment of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented petitions of sundry citizens of Marquess and Cataulia, in the State of West Virginia, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Bayard, and of Local Union 302, United Brotherhood of Carpenters and Joiners, of Huntington, in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of the Carpenters and Joiners' Local Union, of Parkersburg, W. Va., praying for the enactment of legislation regulating the immigration of illiterate persons; which was referred to the Committee on Immigration.

Mr. FOSTER of Washington presented a petition of Local Union No. 247, International Association of Machinists, of Fairhaven, Wash., and a petition of Ellsworth Post, No. 2, Department of Washington, Grand Army of the Republic, of Vancouver, Wash., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. WETMORE presented petitions of International Steam Engineers' Union No. 57, of Providence; of the Society of Engineers No. 616, of Providence, and of Typographical Union No. 212, of Pawtucket, all of the American Federation of Labor, in the State of Rhode Island, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FAIRBANKS presented the petitions of L. C. Davis and sundry other citizens of Bloomington; of John L. Fraley and sundry other citizens of Anderson; of Augusta Vedstiad, of Valparaiso; of W. L. Lacey and sundry other citizens of Muncie; of Louis H. Sieb and Albert Pahl, of Michigan City, all in the State of Indiana, remonstrating against the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of sundry citizens of North Manchester, Martinsburg, New Castle, Spiceland, Westville, Swayzee, and Washington, all in the State of Indiana, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Local Lodge No. 615, Brotherhood of Railroad Trainmen, of Bedford; of Division No. 289, Brotherhood of Locomotive Engineers, of Washington, and of Division No. 301, Order of Railway Conductors, of Seymour, all in the State of Indiana, praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented a petition of Company K, Second Infantry, Indiana National Guard, of Danville, and of Company H, Third Infantry, Indiana National Guard, of Warsaw, in the State of Indiana, praying for the enactment of legislation to increase the efficiency of the militia of the country; which were referred to the Committee on Military Affairs.

He also presented a petition of Cope & Cox, hardware merchants, of Plainfield, Ind., praying for the establishment of reciprocal trade relations with Cuba; which was referred to the Committee on Relations with Cuba.

He also presented a petition of the Commercial Club of Muncie, Ind., praying for the passage of the so-called Dunphy bill to provide for an increse in the compensation of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Indiana State Board of Commerce, of Indianapolis, Ind., praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented petitions of Unity Lodge, No. 7, Amalgamated Association of Iron, Steel, and Tin Workers, of Muncie; of Amalgamated Woodworkers' Local Union No. 155, of Indianapolis; of Cigar Makers' Local Union No. 62, of Richmond; of Green Bottle Blowers' Local Union No. 67, of Cicero; of Carriage and Wagon Workers' Local Union No. 71, of Lawrenceburg; of Team Drivers' Local Union No. 73, of Clinton; of Local Union No. 93, International Brotherhood of Stationary Firemen, of Hammond, and of Local Union No. 27, International Brotherhood of Stationary Fireman, of Terra Haute, all in the State of Indiana, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of George Ridlen Post, No. 275, of Scottsburg, of E. R. Hawn Post, No. 266, of Birdseye, of the Department of Indiana, Grand Army of the Republic, and of Laborers' Protective Union No. 7120, of Evansville, all in the State of Indiana, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Commiitee on Naval Affairs.

Mr. BURNHAM presented the petition of John W. Farr and 33 other citizens of Littleton, N. H., and the petition of R. A. Twitchell and 47 other citizens of Milan, N. H., praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Fletcher Post, No. 57, Department of New Hampshire, Grand Army of the Republic, of Colebrook; of Grant Post, No. 91, Department of New Hampshire, Grand Army of the Republic, of Bartlett, and of Brewery Workmen's Local Union No. 127, American Federation of Labor, of Portsmouth, all in the State of New Hampshire, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a petition of Granite Cutters' Local Union, American Federation of Labor, of Concord, N. H., and a petition of Freight Handlers' Protective Union No. 9335, American Federation of Labor, of Manchester, N. H., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of C. H. Knight and 15 other citizens of Peterboro; of the Woman's Christian Temperance unions of Whitefield, North Hampton, East Andover, Berlin, Hampton Falls, Greenville, Milford, East Colebrook, East Rochester, Candia, Laconia, Franklin, Newmarket, Concord, Alton, Claremont, Newport, Rumney, Seabrook, Richmond, Epping, North Charleston, Peterboro, Plymouth, Meredith, Wilton, and Tilton, all in the State of New Hampshire, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. GAMBLE presented the petition of Jonas Leyman, of Geddes, S. Dak., praying for the enactment of legislation to restrict indigent immigration; which was referred to the Committee on Immigration.

He also presented the petitions of E. J. Underwood and 47 other citizens of Willow Lakes; of William Sheelar and 90 other citizens of Webster; of Olaf Oleson and 47 other citizens of Valley

Springs; of C. T. McGilvra and 47 other citizens of Armour, and of H. A. Ramsdell, of Canova, all in the State of South Dakota, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. SCOTT presented a petition of Carpenters and Joiners' Local Union, of Parkersburg, W. Va., praying for the enactment of legislation regulating the immigration of illiterate persons; which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Bayard, W. Va., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of Butchers' Local Union No. 7, American Federation of Labor, of Wheeling, W. Va., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Wheeling and Wellsburg, W. Va., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of the Retail Grocers' Protective Association, of Wheeling, W. Va., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented a petition of sundry citizens of Marquess, W. Va., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. NELSON presented a petition of Bessemer Lodge, No. 559, Brotherhood of Locomotive Engineers, of Proctor Knott, Minn., praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy," and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Polk County, Minn., and a petition of sundry citizens of Lengby, Minn., praying for the enactment of legislation opening to homestead settlement the unallotted lands on the White Earth Indian Reservation in that State; which were referred to the Committee on Indian Affairs.

He also presented a petition of sundry citizens of Duluth, Minn., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of Local Unions Nos. 34, 98, 43, and 271, of Minneapolis, St. Paul, and Ortonville, all of the American Federation of Labor, in the State of Minnesota, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Local Unions Nos. 108, 112, and 11, of Winona, St. Paul, and Duluth, all of the American Federation of Labor, and of Workman Post, No. 31, Department of Minnesota, Grand Army of the Republic, of Little Falls, all in the State of Minnesota, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. QUARLES presented a petition of the officers of the National Guard of Wisconsin, praying for the enactment of legislation to increase the efficiency of the militia; which was referred to the Committee on Military Affairs.

He also presented a petition of the common council of Waukesha, Wis., praying that an appropriation of $50,000 be made for the erection of a Government building in that city; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Machinists' Local Union No. 173, American Federation of Labor, of Eau Claire, Wis., praying for the repeal of the so-called desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a petition of the Wood Workers' Local Union No. 70, American Federation of Labor, of Fond du Lac., Wis., praying for the enactment of legislation providing an educational test for immigrants; which was referred to the Committee on Immigration.

He also presented a petition of the Wisconsin State Agricultural Experimental Association and a petition of the Wisconsin State Horticultural Society, praying for the enactment of legislation to authorize the use of part of the proceeds of the sales of public lands for the establishment of agricultural and mechanical colleges and instruction in forestry; which were referred to the Committee on Public Lands.

He also presented petitions of Coopers' Local Union No. 30, of Milwaukee; of the Trades and Labor Council of Racine; of Machinists' Local Union No. 173, of Eau Claire, and of Machinists' Local Union No. 158, of Fond du Lac, all of the American Federation of Labor, in the State of Wisconsin, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Grand Army Posts, Nos. 2, 205, 25, 3, and 91, of Milwaukee, Chilton, Lodi, Barien, and Depere, all of the Department of Wisconsin, Grand Army of the Republic, and of the Federated Trades Council, American Federation of Labor, of Greenbay, in the State of Wisconsin, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. McCUMBER presented a petition of sundry citizens of North Dakota, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. DOLLIVER presented petitions of Local Unions Nos. 22, 172, 178, 126, 63, 251, 55, 92, 213, 90, 410, and 55, of Sioux City, Davenport, Ottumwa, Muscatine, Des Moines, and Clinton, all of the American Federation of Labor, in the State of Iowa, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a petition of Typographical Union No. 251, American Federation of Labor, of Muscatine, Iowa, praying for the enactment of legislation to regulate the employment of children in manufacturing establishments and workshops; which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Guttenberg, Iowa, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of the Trades and Labor Assembly, American Federation of Labor, of Des Moines, Iowa, and a petition of Division No. 410, Order of Railway Conductors, of Belle Plain, Iowa, praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented the affidavit of Archibald Jasper Powers, of Fort Madison, Iowa, praying that he be granted a pension; which was referred to the Committee on Pensions.

He also presented a petition of the Iowa State National Guards of Oskaloosa, Iowa, praying for the enactment of legislation to increase the efficiency of the militia of the United States; which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of St. Lucas, Iowa, and a petition of sundry citizens of Story City, Iowa, praying for the enactment of legislation providing for the election of United States Senators by the direct vote of the people; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Iowa Academy of Science and a petition of Typographical Union No. 251, American Federation of Labor, of Muscatine, Iowa, praying for the enactment of legislation providing for the construction of storage reservoirs to equalize the flow of streams for the irrigation of the arid lands of the West; which were ordered to lie on the table.

Mr. HANSBROUGH presented petitions of sundry citizens of Omemee and Forest River, in the State of North Dakota, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented the petition of J. H. Ryale and sundry other citizens of Adler, N. Dak., praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by the direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented petitions of sundry citizens of Hillsboro and Forest River, N. Dak., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. DILLINGHAM presented petitions of sundry citizens of Barnet, South Windham, and West Canaan, in the State of Vermont, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of 30 members of Mayflower Council, No. 7, Daughters of Liberty, of Norwich, Vt., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of Garment Workers' Local Union No. 32, American Federation of Labor, of Brattleboro, Vt., praying that an appropriation be made for the construction of irrigation reservoirs; which was ordered to lie on the table.

He also presented a petition of International Association of Machinists, Local Union No. 215, of Rutland, Vt., praying for the

repeal of the so-called desert-land law; which was referred to the Committee on Public Lands.

Mr. WARREN presented the petition of Laundry Workers' International Union No. 104, of Cheyenne, Wyo., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. DEBOE presented petitions of sundry chapters of the Daughters of the American Revolution of the United States, praying for the establishment of a University of the United States; which were referred to the Committee to Establish the University of the United States.

He also presented petitions of sundry citizens of Louisville, Ky., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. TELLER presented a petition of the Western Retail Implement and Vehicle Dealers' Association, of Kansas City, Mo., praying for the passage of the so-called parcels post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Cigar Makers' Local Union No. 306, American Federation of Labor, of Pueblo, Colo., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of sundry implement, vehicle, and hardware dealers of Kansas City, Mo., praying for the ratification of the French reciprocity treaty; which was referred to the Committee on Foreign Relations.

He also presented petitions of General Shields Post, No. 78, Department of Colorado, Grand Army of the Republic, of Newcastle; of E. M. Stanton Post, No. 37, Department of Colorado, Grand Army of the Republic, of Saleda; of Typographical Union No. 82, American Federation of Labor, of Colorado Springs, and of Electrical Workers' Local Union No. 12, American Federation of Labor, of Pueblo, all in the State of Colorado, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. COCKRELL presented a petition of the Trades and Labor Assembly, American Federation of Labor, of Hannibal, Mo., praying for the repeal of the so-called desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented petitions of the Merchants' Exchange of St. Louis, of W. S. Banta and sundry other citizens of Deepwater, of F. K. Thompson and sundry other citizens of Livingston County, and of Fred Holbert and sundry other citizens of St. Charles, all in the State of Missouri, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Grand Army posts Nos. 220 and 232, of Jenkins and Jamesport, Department of Missouri, Grand Army of the Republic; of Carpenters' Local Union No. 945, American Federation of Labor, of Jefferson, and of White Waiters' Local Union No. 19, American Federation of Labor, of Kansas City, all in the State of Missouri, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of local unions Nos. 36, 192, 1, 19, 23, 281, and 206, of Sedalia, St. Louis, Springfield, Kansas City, all of the American Federation of Labor, in the State of Missouri, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. CLARK of Montana presented a petition of the Lincoln Republican Club, of Anaconda, Mont., praying for the exclusion of Chinese labor from the United States, the Philippine Islands, and the island possessions of the United States; which was referred to the Committee on Immigration.

He also presented a petition of International Association of Machinists' Local Union No. 29, of Anaconda, Mont., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of International Association of Machinists' Local Union No. 29, of Anaconda, Mont., praying for the enactment of legislation providing for the exclusion of Chinese labor from the United States, etc.; which was referred to the Committee on Immigration.

Mr. CLAY presented a petition of Local Division No. 180, Order of Railway Conductors, of Atlanta, Ga., praying for the enactment of legislation to regulate the immigration of illiterate persons; which was referred to the Committee on Immigration.

He also presented a petition of the City Council of Savannah, Ga., praying for the establishment of a subtreasury of the United States at that place; which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Darien and McIntosh counties, Ga., remonstrating against the enactment of legislation providing for the opening of a canal connecting Clubb and Plantation creeks, in that State; which was referred to the Committee on Commerce.

Mr. MITCHELL presented the petition of Alexander McCauley, of St. Helens, Oreg., praying that he be granted an increase of pension; which was referred to the Committee on Pensions.

He also presented the petition of Normile, Fastabend & McGregor, of Astoria, Oreg., praying that they be granted compensation for losses sustained in the construction of the lock and dam on the Yamhill River, in Oregon, under contract with the United States made March 11, 1896; which was referred to the Committee on Claims.

He also presented petitions of Local Unions Nos. 167, 182, 87, and 6321, of Astoria and Portland, all of the American Federation of Labor, in the State of Oregon, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Coopers' Local Union No. 132, of Portland; of the Boiler Makers and Iron-Ship Builders' Local Union No. 72, of Portland, Oreg., all of the American Federation of Labor; of John F. Reynolds Post, No. 15, of Enterprise, and of J. W. Geary Post, No. 7, of Eugene, all of the Department of Oregon, Grand Army of the Republic, in the State of Oregon, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. PERKINS presented a petition of sundry citizens of Redlands, San Jose, Pasadena, and San Francisco, all in the State of California, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of Local Unions Nos. 9179, 9228, 9162, of San Francisco and San Diego, all of the American Federation of Labor, in the State of California, praying for the enactment of legislation providing for the construction of war vessels in the navy-yard at Mare Island, Cal.; which were referred to the Committee on Naval Affairs.

He also presented petitions of Local Unions Nos. 68, 8, 152, 162, 54, 8970, 410, and 148, of San Jose, San Francisco, Vallejo, Sacramento, and Oakland, all of the American Federation of Labor, in the State of California, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. MONEY presented the petition of C. C. Bardwell and sundry other citizens of Starkville, Miss., praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. FRYE presented the petitions of S. C. Jones and 46 other citizens of Oxford County, and of B. Frank Dennison and 45 other citizens of Freeport, in the State of Maine, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of the First Smoking Pipe Makers' Central Union, of New York City, of Boot and Shoe Workers' Local Union No. 225, of Auburn, Me., and of sundry citizens of Berwick and Phillips, in the State of Maine, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of the Board of Trade of Bangor, Me., praying for the adoption of certain amendments to the bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a petition of the Board of Supervisors of Coconino County, Ariz., remonstrating against the nonpayment of taxes by the Santa Fe Pacific Railroad in the Territories; which was referred to the Committee on Railroads.

He also presented a petition of the Chamber of Commerce of Boston, Mass., praying for the adoption of certain amendments to Senate bills 1791 and 1792 relating to bills of lading; which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. CULLOM, from the Committee on Foreign Relations, to whom were referred the following amendments, intended to be proposed to the diplomatic and consular appropriation bill, reported them severally without amendment, and moved that they be referred to the Committee on Appropriations, and printed; which was agreed to:

An amendment submitted by Mr. GALLINGER on the 17th instant, proposing to increase the salary of the United States consul at Saltillo, Mexico, from $1,000 to $1,500;

An amendment submitted by Mr. FORAKER on the 19th instant, providing for an increase in the allowance for clerk hire at the United States consulate at Edinburgh, Scotland, to $760 per annum;

An amendment submitted by Mr. FORAKER on the 19th instant, proposing to increase the salary of the United States consul at Turin, Italy, to $1,500;

An amendment submitted by Mr. FORAKER on the 19th instant, proposing to increase the salary of the United States consul at Mannheim, Germany, to $2,500 per annum;

An amendment submitted by Mr. FORAKER on the 19th instant, proposing to increase the salary of the United States consul at Cologne, Germany, to $2,500 per annum;

An amendment submitted by Mr. FORAKER on the 19th instant, proposing to increase the salary of the United States consul at Rosario, Argentina, to $2,500 per annum;

An amendment submitted by Mr. CLARK of Montana on the 11th instant, proposing to change the grade of the United States consulate at Belize, Honduras, from Class VI to Class V;

An amendment submitted by Mr. CLARK of Montana on the 11th instant, proposing to change the grade of the United States consulate at St. Helena, Island of St. Helena, from Class VI to Class V;

An amendment submitted by Mr. KEAN on the 12th instant, proposing to change the grade of the United States consulate at Geneva, Switzerland, from Class VI to Class V; and

An amendment submitted by Mr. GAMBLE on the 12th instant, proposing to increase the salary of the United States consul at Munich, Bavaria, to $3,000.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 2172) to provide for the payment of medical expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 4024) for the relief of G. G. Martin, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Naval Affairs, to whom was referred the bill (S. 5224) for the relief of Edward Kershner, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Commerce, to whom was referred the bill (S. 4096) to provide for a site for a depot for the Revenue-Cutter Service, reported it with an amendment, and submitted a report thereon.

He also, from the Committee on Pensions, to whom was referred the bill (S. 1254) granting an increase of pension to Samuel H. Melcher, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4095) granting an increase of pension to Charles C. Dudley;

A bill (S. 3910) granting an increase of pension to Robert S. Woodbury;

A bill (H. R. 969) granting a pension to Silas H. Cronk;

A bill (H. R. 668) granting an increase of pension to Henry N. Tracy;

A bill (H. R. 3412) granting an increase of pension to William H. Pierce;

A bill (H. R. 1808) granting an increase of pension to William M. Strope;

A bill (H. R. 2219) granting an increase of pension to Francis M. Gilman;

A bill (H. R. 8306) granting an increase of pension to Thomas W. Robinson;

A bill (H. R. 1852) granting an increase of pension to James A. Edmonds;

A bill (H. R. 3688) granting an increase of pension to John Gagan;

A bill (H. R. 8304) granting an increase of pension to Angeline Murray; and

A bill (H. R. 9670) granting an increase of pension to Aaron C. Badger.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 1796) for the relief of Hiram Cronk, reported it with an amendment to the title, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 3130) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. GIBSON, from the Committee on Pensions, to whom was referred the bill (H. R. 7237) granting an increase of pension to Eva H. McColley, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Public Lands, to whom was referred the bill (S. 3449) to establish an additional land office in the State of Montana, reported it with an amendment, and submitted a report thereon.

Mr. CLARK of Montana, from the Committee on the District of Columbia, to whom was referred the bill (S. 2337) for the extension of Le Droit avenue, and for other purposes, submitted an adverse report thereon, which was agreed to; and the bill was indefinitely postponed.

Mr. MALLORY, from the Committee on the District of Columbia, to whom was referred the bill (S. 3439) to amend an act entitled "An act to license billiard and pool tables in the District of Columbia, and for other purposes," reported it without amendment, and submitted a report thereon.

Mr. TURNER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3422) granting an increase of pension to James D. Elderkin;

A bill (H. R. 5959) granting an increase of pension to Francis Pearson, alias James F. Pearston; and

A bill (H. R. 898) granting an increase of pension to Alfred Bolton.

Mr. TURNER, from the Committee on Commerce, to whom was referred the bill (S. 257) to establish a light-house and fog-signal station at Mukilteo Point, near the city of Everett, State of Washington, reported it with an amendment, and submitted a report thereon.

Mr. DEBOE, from the Committee on Pensions, to whom was referred the bill (S. 2625) granting an increase of pension to Carlin Hamlin, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8541) granting an increase of pension to Mahlon C. Moores;

A bill (H. R. 2465) granting an increase of pension to James F. Charlesworth; and

A bill (H. R. 1280) granting a pension to Lizzie A. Campbell.

Mr. MCMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 3488) to authorize the Commissioners of the District of Columbia to appoint superintendents of chimney sweeps, to prescribe their duties, and for other purposes, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 3489) for the extension of Vermont avenue;

A bill (S. 2053) for the widening of Wisconsin avenue northwest from its intersection with High street and Thirty-seventh street to the District of Columbia boundary line; and

A bill (S. 3425) for the extension of Wyoming avenue from its present terminus on Eighteenth street northwest with its width of 80 feet to Champlain avenue.

Mr. GAMBLE, from the Committee on Indian Affairs, to whom was referred the bill (S. 3663) to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across, and establish stations on, the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes," by extending the time for the construction of said railway, reported it without amendment, and submitted a report thereon.

Mr. FOSTER of Washington (for Mr. PRITCHARD), from the Committee on Pensions, to whom was referred the bill (H. R. 5863) granting an increase of pension to Benjamin Brittingham, reported it with an amendment, and submitted a report thereon.

He also (for Mr. PRITCHARD), from the same committee, to whom was referred the bill (H. R. 8620) granting a pension to Thomas Hall, reported it without amendment, and submitted a report thereon.

Mr. ELKINS, from the Committee on Commerce, to whom was referred the bill (S. 297) for an examination of the property of the Little Kanawha River Navigation Company, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 4381) to authorize the Central Railway of West Virginia to build a bridge across the Monongahela River at or near Morgantown, in the State of West Virginia, reported it without amendment.

Mr. PENROSE, from the Committee on Naval Affairs, to whom was referred the bill (S. 1673) for the relief of the officers and crew of the U. S. S. *Charleston*, lost in the Philippines, November 2, 1899, reported it with an amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Pensions, to whom were

referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2225) granting an increase of pension to James Morris; and

A bill (H. R. 5218) granting an increase of pension to Joel Metz.

Mr. NELSON, from the Committee on Public Lands, to whom was referred the amendment submitted by himself on the 7th instant, proposing to appropriate $50,000 for completing the survey of the public lands in the State of Minnesota, intended to be proposed to the sundry civil appropriation bill, reported it without amendment, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 4003) to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinson's Island, in the county of Chatham, State of Georgia, reported it with amendments, and submitted a report thereon.

IMPROVEMENT OF EVERETT HARBOR, WASHINGTON.

Mr. TURNER. I am directed by the Committee on Commerce, to whom was referred the joint resolution (S. R. 56) providing for a modification in the adopted project for the improvement of Everett Harbor, Washington, to report it without amendment, and to ask for its immediate consideration.

The PRESIDENT pro tempore. The joint resolution will be read for the information of the Senate.

The joint resolution was read; and by unanimous consent the Senate proceeded to its consideration, as follows:

Resolved, etc., That in carrying on the work of improvement of Everett Harbor, Washington, authorized in the river and harbor act of March 3, 1899, the Secretary of War may, in his discretion, postpone the dredging and improvement of Old River, and may widen or deepen, or both widen and deepen, the harbor basin and channel through the tide flats, and take such steps as may seem to him desirable to protect and conserve the work as performed.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EMPLOYMENT OF STENOGRAPHERS.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. ALLISON on the 22d instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Appropriations be, and is hereby, authorized to employ a stenographer from time to time as may be necessary to report such testimony as may be taken by the committee or its subcommittees in connection with appropriation bills, and to have the same printed for its use, and that such stenographer be paid out of the contingent fund of the Senate.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. PROCTOR on the 24th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Agriculture and Forestry be, and is hereby, authorized to employ a stenographer to report hearings on bills coming before said committee, the expense thereof to be paid from the contingent fund of the Senate, and that the committee be authorized to have said hearings printed.

BILLS INTRODUCED.

Mr. COCKRELL introduced a bill (S. 4123) granting a pension to Eliza Gallaher; which was read by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Eliza Gallaher, widow of Dennis Gallaher, Company B, Thirty-fifth Regiment Indiana Volunteer Infantry, verified with War Department record and affidavits of Dr. E. H. Bounds, A. J. Kilian, G. F. Roderick, and George Spooner. I ask that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 4124) granting a pension to James O. Jones; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of James O. Jones for pension, with letter of Pension Office and affidavits of Dr. B. W. Hensler and of William Adams and of J. L. Bales. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 4125) granting an increase of pension to Joel S. Cooper; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Dr. Joel S. Cooper, assistant surgeon, One hundred and fifteenth Regiment Indiana Volunteer Infantry, for increase of pension from $24 to $50, with affidavits of Thomas H. Kemp, W. H. Colville, Dr. James N. Magoon, and R. B. Drake, together with military record and decision of the Secretary of the Interior on an appeal. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. PETTUS introduced a bill (S. 4126) for the relief of John W. Ledbetter; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4127) granting an increase of pension to Benjamin H. Penn (with an accompanying paper);

A bill (S. 4128) granting an increase of pension to Thomas Summers (with an accompanying paper);

A bill (S. 4129) granting a pension to Philip H. Carr (with an accompanying paper);

A bill (S. 4130) granting an increase of pension to John Nichols (with an accompanying paper);

A bill (S. 4131) granting a pension to John Smith (with accompanying papers);

A bill (S. 4132) granting an increase of pension to Charles G. Sanders;

A bill (S. 4133) granting a pension to Robert M. Tarrant (with an accompanying paper);

A bill (S. 4134) granting an increase of pension to Timothy Laughlin (with accompanying papers);

A bill (S. 4135) granting an increase of pension to Joseph Leonard (with accompanying papers); and

A bill (S. 4136) granting a pension to Caroline C. Kuhn (with accompanying papers).

Mr. CULLOM introduced a bill (S. 4137) to correct the military record of Benjamin F. Herrington; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4138) for the relief of Abraham Pope; which was read twice by its title and referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 4139) to diminish the number of appraisers at the ports of Philadelphia and Boston; which was read twice by its title.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Finance.

Mr. HOAR. A similar bill was passed by the Senate during the last Congress which had been referred to the Committee on Commerce.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Commerce.

Mr. HOAR introduced a bill (S. 4140) granting an increase of pension to James O'Neill; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 4141) granting an increase of pension to John Cook; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DOLLIVER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4142) granting a pension to William Mutall;

A bill (S. 4143) granting a pension to Mary C. Stone; and

A bill (S. 4144) granting an increase of pension to Daniel P. Andrus.

Mr. HARRIS introduced a bill (S. 4145) granting an increase of pension to Edward W. Bennett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 4146) granting a pension to Upton T. Smith; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4147) granting an increase of pension to Eli Davis; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4148) to grant certain lands to the city of Colorado Springs, Colo.; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FOSTER of Louisiana introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4149) for the relief of the estate of J. Aucoin, deceased;

A bill (S. 4150) for the relief of Auguste Alvarado;

A bill (S. 4151) for the relief of the estate of Hiram Anderson, deceased;

A bill (S. 4152) for the relief of Mrs. Marguerite Arnaud;

A bill (S. 4153) for the relief of Mrs. Mary J. Bondurant;

A bill (S. 4154) for the relief of Pierre Breaux;

A bill (S. 4155) for the relief of the estate of Louisa Breaux, deceased;

A bill (S. 4156) for the relief of Charles Broder;
A bill (S. 4157) for the relief of Louis Barron;
A bill (S. 4158) for the relief of the estate of Mary A. D. Badger, deceased;
A bill (S. 4159) for the relief of Natalie Bondreau;
A bill (S. 4160) for the relief of the estate of Louis Broussard, deceased;
A bill (S. 4161) for the relief of Joseph D. Broussard;
A bill (S. 4162) for the relief of James M. Schilling;
A bill (S. 4163) for the relief of the estate of Joseph Melancon, deceased;
A bill (S. 4164) for the relief of the estate of George Mitchelltree, deceased;
A bill (S. 4165) for the relief of the estate of J. Bienvenu Mollére, deceased;
A bill (S. 4166) for the relief of F. Héno Mollére;
A bill (S. 4167) for the relief of John Martinez;
A bill (S. 4168) for the relief of the estate of John Wesley Monette, deceased;
A bill (S. 4169) for the relief of Rose E. Neriault, legal representative of Mrs. Marie Louise Neriault, deceased, and Sylvain Neriault, deceased;
A bill (S. 4170) for the relief of Gustave Neriaux; and
A bill (S. 4171) for the relief of the estate of Joseph Devezin Olivier, deceased, and Celeste Olivier, deceased.

Mr. McLAURIN of Mississippi introduced a bill (S. 4172) for the relief of the heirs at law of Alexander P. Miller, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MALLORY introduced a bill (S. 4173) for the relief of George F. Ormsby; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 4174) to correct the military record of Job Jones (with an accompaning paper);
A bill (S. 4175) to correct the military record of George W. Stape (with accompanying papers);
A bill (S. 4176) to correct the military record of William E. Russell;
A bill (S. 4177) to correct the military record of Samuel Bailey (with an accompanying paper); and
A bill (S. 4178) to correct the military record of John W. Bender (with an accompanying paper).

Mr. PENROSE introduced a bill (S. 4179) to extend the time to redeem or make allowance for internal-revenue stamps, and to authorize the redemption of such stamps upon presentation of a certified copy of deed where the original deed is not obtainable, and being an amendment to an act entitled "An act authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps," approved May 12, 1900; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Finance.

He also introduced a bill (S. 4180) to provide for the purchase of a site and the erection of a public building thereon at Lebanon, in the State of Pennsylvania; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 4181) for the relief of Laura A. Wagner; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4182) granting a pension to Joseph Montgomery Todd;
A bill (S. 4183) granting an increase of pension to Oceana B. Irwin (with an accompanying paper);
A bill (S. 4184) granting a pension to Katharine Rains Paul;
A bill (S. 4185) granting a pension to Alice D. H. Krause;
A bill (S. 4186) granting a pension to James P. Snyder;
A bill (S. 4187) granting a pension to Emanuel F. Ditzler;
A bill (S. 4188) to restore to the pension roll Henry M. Stiffler;
A bill (S. 4189) granting an increase of pension to John J. Gangwere (with an accompanying paper);
A bill (S. 4190) granting a pension to Fredreca Seymore;
A bill (S. 4191) to restore to the pension roll Franklin Tyler (with an accompanying paper);
A bill (S. 4192) granting a pension to Jennie Jones;
A bill (S. 4193) granting a pension to Susannah Ryan;
A bill (S. 4194) granting a pension to Silas H. Cronk;
A bill (S. 4195) granting an increase of pension to Nicholas Carns (with accompanying papers);
A bill (S. 4196) granting an increase of pension to Algernan Tyrel Maupin; and
A bill (S. 4197) granting an increase of pension to Reuben M. Worthen.

Mr. DEPEW introduced a bill (S. 4198) for the relief of Theodore F. Northrop; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4199) granting an increase of pension to Isaiah V. Filkins; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4200) granting a pension to Anna M. Gregory; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 4201) to regulate the operation of street railways in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4202) to regulate the sale of intoxicating liquors in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FOSTER of Washington introduced a bill (S. 4203) for the relief of A. W. Curtis; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 4204) relating to grants of land to the Territory and State of Washington for school purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. ELKINS introduced a bill (S. 4205) granting a pension to Charles H. Dollman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4206) for the relief of John P. Fox;
A bill (S. 4207) for the relief of the heirs of John W. Warwick;
A bill (S. 4208) for the relief of J. B. Johnson; and
A bill (S. 4209) for the relief of the trustees of the Presbyterian Church at Petersburg, W. Va.

Mr. KEARNS introduced a bill (S. 4210) to provide for the rebuilding of Fort Douglas, Utah; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. QUARLES introduced a bill (S. 4211) granting an increase of pension to Asa Worden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4212) granting an increase of pension to Frederick Jacoby; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 4213) providing for certain officers of the Marine Corps, veterans of the civil war, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 4214) granting an increase of pension to John McDonald; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BERRY introduced a bill (S. 4215) for the relief of Jonathan Pigman, executor of Benjamin Pigman; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 4216) for the relief of Normile, Fastabend & McGregor; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4217) to confer jurisdiction on the Court of Claims to hear and determine the case of Manuelita Swope; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4218) granting an increase of pension to Alexander McCauley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 4219) granting a pension to May Saby; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

AMENDMENTS TO BILLS.

Mr. BARD submitted an amendment proposing to appropriate $6,100 to indemnify the American Surety Company of New York for such amount as it may be required to disburse by decree of the proper court, under two separate undertakings on appeal, as damages and costs assessed against and for the value of the use and occupation of real property occupied by the Mission Indians of California, in the suits entitled J. Downey Harvey, administrator, and others *v.* Allejandro Barker and others, and J. Downey Harvey, administrator, and others *v.* Jose Quevas and others, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PENROSE submitted an amendment intended to be proposed by him to the bill (S. 1883) to promote the efficiency of the

clerical service in the Navy of the United States; to organize a clerical corps of the Navy of the United States; to define its duties and to regulate its pay; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. DIETRICH (by request) submitted an amendment relative to second-class mail matter, intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. KITTREDGE submitted an amendment proposing to increase the total appropriation for the Indian school at Chamberlain, S. Dak., from $40,050 to $52,050 in order to provide new buildings and improvements at said school, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PLATT of Connecticut submitted an amendment proposing to increase the salary of the United States consul at Coburg, Germany, from $2,000 to $3,000, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. HANSBROUGH submitted an amendment proposing to appropriate $25,000 for improving the Red River of the North, Minnesota and North Dakota, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. I ask leave to give notice that at the conclusion of the consideration of the irrigation bill, which I understand is shortly to be taken up, I shall move the Senate to take up the bill (S. 3653) for the protection of the President of the United States, and for other purposes.

DAUGHTERS OF AMERICAN REVOLUTION.

Mr. HOAR submitted the following concurrent resolution; which, with the accompanying paper, was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 7,500 additional copies of Senate Document No. 164, third session Fifty-fifth Congress, being the report of the Daughters of the American Revolution for 1890-1897, together with the historical preface herewith, indorsed by the board of management of that society, of which 2,500 shall be for the use of the Senate and 5,000 for the use of the House of Representatives.

LUCY JANE BALL.

Mr. GALLINGER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Lucy Jane Ball, mother of J. J. G. Ball, late a messenger of the United States Senate, a sum equal to six months' salary at the rate he was receiving at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

POWERS OF SENATE.

Mr. PLATT of Connecticut submitted the following resolution; which was referred to the Committee on Privileges and Elections:

Resolved, That it is in the power of the Senate to punish a member for disorderly behavior by debarring such member from participation in the proceedings of the Senate.

CONVENTION OF INSTRUCTORS OF DEAF AND DUMB.

Mr. COCKRELL. I ask unanimous consent for the adoption of a resolution for a reprint of 500 copies of a certain document for the use of the institution here for the deaf and dumb. The cost will be less than $400.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That there be printed for the use of the members of the convention of American Instructors of the Deaf, bound in style similar to that of the last report of said convention, 600 copies of the Sixteenth Annual Report of the Proceedings of the Convention of American Instructors of the Deaf, being Senate Document No. 103, Fifty-seventh Congress, first session.

POWERS OF PRESIDING OFFICER OF THE SENATE.

Mr. TURNER. I offer a resolution which I ask may be read and placed on the table, to enable me to call it up on Monday next, after the conclusion of the morning business, and submit some remarks thereon.

The resolution was read, as follows:

Resolved, That it is not within the province of the presiding officer of the Senate to strike from the yea-and-nay roll the name of any Senator for any cause or to decline to permit any Senator to vote upon any motion, resolution, or bill pending before the Senate, or to prevent any Senator from proceeding in order and under the rules to debate or to perform the functions of a Senator in other respects as fully as any Senator can or may do, except under and to the extent permitted by Rule XIX of the Senate rules, or to control, to the exclusion of the right of the Senate to take order in the premises, a roll call upon any pending motion, resolution, or bill, or other proceeding in which a Senator or Senators have been denied the right to vote; and the Senate now expresses its sense upon the foregoing propositions to the end that a contrary course of conduct pursued in this body and appearing on the Journal and in the record of its proceedings may not constitute a precedent to be called in question in the future.

The PRESIDENT pro tempore. The resolution will be printed and lie on the table, subject to the call, if there be no objection, of the Senator from Washington.

HEARINGS ON CHINESE EXCLUSION.

Mr. PENROSE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Committee on Immigration 300 copies of the hearings before the committee on the Chinese-exclusion bills now pending in Congress, and that the same be indexed.

LANDS OF EASTERN OREGON LAND COMPANY.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to.

Resolved, That the Secretary of the Interior be, and he is hereby, directed to transmit to the Senate, at his earliest convenience, a copy of the report of Special Agent C. E. Loomis, recently submitted to the Commissioner of the General Land Office, in the matter of the claims of settlers upon lands of the Eastern Oregon Land Company, successors in interest of the Dalles Military Road Company, in Sherman County, Oreg., together with the evidence accompanying such report, and also copies of all claims of settlers to lands or for compensation for lands within the limits of the controversy between settlers and said Eastern Oregon Land Company.

CHARGES BY LONDON DOCK COMPANIES.

On motion of Mr. MARTIN, it was

Ordered, That Senate Document No. 96, Fifty-seventh Congress, first session, being a message from the President of the United States, transmitting a communication from the Secretary of State submitting a copy of a report made by Ambassador Joseph H. Choate relative to certain charges imposed by the London dock companies upon American flour and other American products, be reprinted.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (H. R. 10372) to transfer to the Secretary of the Interior such supervision of the Government Hospital for the Insane, Freedmen's Hospital and Asylum, and the Washington Hospital for Foundlings as may have been conferred upon the Board of Charities of the District of Columbia under the act approved June 6, 1900, creating such board;

A bill (H. R. 11241) to amend an act entitled "An act to regulate in the District of Columbia the disposal of certain refuse, and for other purposes," approved January 25, 1898;

A bill (H. R. 11400) to amend an act entitled "An act in relation to taxes and tax sales in the District of Columbia," approved February 28, 1898; and

A bill (H. R. 11474) for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States.

The bill (H. R. 6300) to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis., was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 7933) providing for the commutation for townsite purposes of homestead entries in certain portions of Oklahoma was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903, was read twice by its title, and referred to the Committee on Appropriations.

The bill (H. R. 11611) to divide the State of Texas into four judicial districts was read twice by its title, and referred to the Committee on the Judiciary.

PENSION APPROPRIATION BILL.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8581) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1903, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following:

"*And provided further*, That hereafter no pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in securing the introduction of a bill or the passage thereof through Congress granting pension or increase of pension; and any person who shall, directly or indirectly, contract for, demand, receive, or retain any compensation for such services shall be deemed guilty of an offense, and upon conviction thereof shall, for each and every such offense, be fined not exceeding $500, or imprisoned not exceeding two years, or both, in the discretion of the court."

And the Senate agree to the same.

J. H. GALLINGER,
J. C. PRITCHARD,
GEORGE TURNER,
Managers on the part of the Senate.

S. S. BARNEY,
H. C. VAN VOORHIS,
JOHN C. BELL,
Managers on the part of the House.

Mr. HOAR. Mr. President, when I first heard of the proposition to prohibit any compensation to agents or attorneys for this service it struck me that it was perhaps liable to one objection,

and that is that poor and illiterate applicants for special laws must have for the service of the Pension Committee a clear statement of their case and a clear statement of their proof, as they must have in the Pension Office, and that it was not reasonable to deprive them of that privilege, for which they can not always pay unless they get the pension.

But on further consideration I am satisfied that the judgment of the committee is entirely right, and that the evil of promoting such applications by agents who promote them merely to get paid for it and the evil of improper charges by certain people are so great that they ought to be stopped.

What I rose to say is that there ought to be in every State in the Union some provision, either by voluntary associations of soldiers or by State authority, by which such aid could be rendered without cost to the humble and needy applicants. There is such an office in my own State, and I hope there will be one, if there be not one, established everywhere.

Mr. HAWLEY. Mr. President, I have objections to the entire prohibition of counsel to be given by pension lawyers or attorneys. I think there are many poor men who will be entirely without a friend in this world if they are not allowed to get some good lawyer in the neighborhood to take up their cases. I have had a good deal of experience in this matter, and I know several pension agents of high character, men who can not be impeached and who could no more be unfaithful to a client than they could steal. I want a poor applicant to have a chance to go to one of those men and have his case intelligently and ably stated and courteously and firmly urged. I make this observation as the result of my experience, and it is a pretty large one in pension cases, as may be imagined.

The PRESIDENT pro tempore. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

PUBLIC BUILDING AT NEW ORLEANS, LA.

Mr. McENERY. I ask unanimous consent for the present consideration of the bill (S. 76) to provide for a public building at New Orleans, La.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other governmental offices in the city of New Orleans, La., the cost of the site and building, including vaults, heating and ventilating apparatus, elevators, and approaches, not to exceed $1,250,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the purchase of a site and the erection of a building thereon at New Orleans, State of Louisiana."

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 27th instant approved and signed the following acts:

An act (S. 194) granting a pension to Joseph W. Mulford;
An act (S. 232) granting a pension to Mary E. W. Morgan;
An act (S. 887) granting a pension to Sarah McCord;
An act (S. 890) granting a pension to Catharine Moore;
An act (S. 891) granting a pension to Lucinda W. Cavender;
An act (S. 1622) granting a pension to Theophilus Goodwin;
An act (S. 1805) granting a pension to Laura B. Wear;
An act (S. 2107) granting a pension to Matilda Armstrong;
An act (S. 2128) granting a pension to Jane Taylor;
An act (S. 2131) granting a pension to Caroline N. Allen:
An act (S. 2389) granting a pension to John E. Farrell;
An act (S. 2390) granting a pension to Nellie M. Emery;
An act (S. 193) granting an increase of pension to Richard W. Musgrove;
An act (S. 197) granting an increase of pension to John Chandler;
An act (S. 199) granting an increase of pension to Nathaniel Eaton;
An act (S. 200) granting an increase of pension to Eunice P. Detweiler;
An act (S. 526) granting an increase of pension to John McGrath;
An act (S. 568) granting an increase of pension to Henry Fisher;
An act (S. 692) granting an increase of pension to Daniel T. Rose;
An act (S. 888) granting an increase of pension to Mary Taylor;
An act (S. 889) granting an increase of pension to Charles F. Burger;
An act (S. 919) granting an increase of pension to Daniel C. Knowles;
An act (S. 920) granting an increase of pension to Frances M. Reilly;
An act (S. 1094) granting an increase of pension to Henry Gifford Dunbar;
An act (S. 1148) granting an increase of pension to Dennis Hannifin:
An act (S. 1167) granting an increase of pension to John Ferguson;
An act (S. 1267) granting an increase of pension to Susan F. Connit;
An act (S. 1329) granting an increase of pension to George W. Black;
An act (S. 1337) granting an increase of pension to Mary R. Miller;
An act (S. 1465) granting an increase of pension to George Fowler;
An act (S. 1610) granting an increase of pension to Napoleon B. Perkins;
An act (S. 1621) granting an increase of pension to David Pollock;
An act (S. 1783) granting an increase of pension to Henry B. Schroeder;
An act (S. 1977) granting an increase of pension to Harrison T. De Long;
An act (S. 2010) granting an increase of pension to Marcia M. Merritt;
An act (S. 2161) granting an increase of pension to A. Curtis Steever Carpenter;
An act (S. 2359) granting an increase of pension to Samuel Hymer;
An act (S. 2334) granting an increase of pension to Oscar Reed;
An act (S. 2392) granting an increase of pension to Elmer L. Stevens;
An act (S. 2484) granting an increase of pension to Loren S. Richardson;
An act (S. 2485) granting an increase of pension to Tempy French;
An act (S. 88) for the relief of parties for property taken from them by military forces of the United States; and
An act (S. 1020) for the relief of John Emerson.

RECLAMATION OF ARID LANDS.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3057) appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands.

Mr. HANSBROUGH. I ask that the formal reading of the bill may be dispensed with and that it may be read for amendment. I have several amendments to propose on behalf of the Committee on Public Lands.

The PRESIDENT pro tempore. The Senator from North Dakota asks that the formal reading of the bill be dispensed with, that it be read for amendment, and that committee amendments shall first receive action. Is there objection? The Chair hears none.

The Secretary proceeded to read the bill, and read to line 10 on page 3.

Mr. HANSBROUGH. In line 9, being the first line of section 3, after the word "Interior," I move to strike out the words "may, in his discretion" and to insert "shall, at the time of giving the public notice provided for in section 4 of this act;" so as to read:

That the Secretary of the Interior shall, at the time of giving the public notice provided for in section 4 of this act, withdraw from public entry the lands required for any irrigation works contemplated under the provisions of this act, etc.

The amendment was agreed to.

The reading of the bill was continued to line 23 on page 3.

Mr. HANSBROUGH. In line 23, after the word "practicable," I move to strike out the following words:

He may cause to be let contracts for the construction of the same, in whole or in part, providing the necessary funds therefor are available in the reclamation fund, and thereupon.

This is a committee amendment.

Mr. COCKRELL. Let it be read.

The Secretary read the amendment.

Mr. HANSBROUGH. I will state that this amendment will appear later in the same section. It is simply a transposition in the interest of the administration of the law, if the bill becomes a law.

The amendment was agreed to.

The reading was continued to line 14 on page 4.

Mr. HANSBROUGH, There is an amendment proposed by the committee in line 11.

The SECRETARY. In line 11, after the word "commence," stike out a period and insert a comma; strike out the capital "T" and insert a lower-case "t" in the next word, and strike out the word "shall" after the word "charges" and insert the word "to."

Mr. COCKRELL. In what line?

The PRESIDING OFFICER (Mr. PETTUS in the chair). In line 11, page 4.

Mr. HANSBROUGH. It is a mere change of punctuation.

The amendment was agreed to.

The next amendment was, in line 14, page 4, after the word "benefits," to insert:

After giving the public notice aforesaid the Secretary of the Interior shall cause to be let contracts for the construction of the necessary works in whole or in part, providing the funds therefor are available in the reclamation fund.

The amendment was agreed to.

The next amendment was, in section 4, page 4, line 14, to strike out the words "*Provided*, That" and capitalize the letter "i" in the word "in;" so as to read:

In all construction work eight hours shall constitute a day's work, and no Asiatic labor shall be employed thereon.

The amendment was agreed to.

The next amendment was, in section 5, page 4, line 19, after the word "reclaim," to strike out "such lands" and insert "at least one-half of the total area of his entry;" so as to read:

That the entryman upon lands to be irrigated by such works shall, in addition to compliance with the homestead laws, reclaim at least one-half of the total area of his entry for agricultural purposes, etc.

The amendment was agreed to.

The next amendment was, in section 5, on page 5, line 4, after the word "shall," to strike out the words "work a cancellation of the homestead entry and a forfeiture of all rights under this act" and to insert "render the entry subject to cancellation, with the forfeiture of all rights under this act, as well as of any moneys already paid thereon;" so as to read:

The annual installments shall be paid to the receiver of the local land office of the district in which the land is situated, and a failure to make any two payments when due shall render the entry subject to cancellation, with the forfeiture of all rights under this act, as well as of any moneys already paid thereon.

The amendment was agreed to.

The next amendment was, to insert, at the end of section 5, the following:

Registers and receivers shall be allowed the usual commissions on all moneys paid for lands entered under this act.

The amendment was agreed to.

The next amendment was, in section 6, page 5, line 15, after the words "operation of," to strike out "but not the title to," so as to read, "Then the management and operation of such irrigation works," etc.

The amendment was agreed to.

The next amendment was, after the word "works," in line 16, to strike out "excepting reservoirs and the work necessary for their protection and operation."

Mr. COCKRELL. Let us see how it would read if amended.

Mr. HANSBROUGH. The language which it is proposed to strike out will appear at the end of that section in a proviso which is proposed by the committee. If the Senator will allow the section to be read through that amendment will appear.

Mr. COCKRELL. Very well.

The amendment was agreed to.

The next amendment was, after the word "Interior," at the end of section 6, to insert the following proviso:

Provided, That the title to the reservoir and the works necessary for their protection and operation shall remain in the Government until otherwise provided by Congress.

The amendment was agreed to.

The Secretary resumed and concluded the reading of the bill.

Mr. COCKRELL. Mr. President, so many amendments have been made to the bill during its reading, which are not in print, but simply attached to the bill by slips, that, though I have a copy of the bill before me, I find it very difficult to understand it as it now is. I therefore suggest to the Senator that he ask for an order for the reprinting of the bill with the amendments which have been agreed to before we proceed further with it, unless he desires to address the Senate on it to-day.

Mr. CLARK of Wyoming. Mr. President——

Mr. HANSBROUGH. I understand the Senator from Wyoming [Mr. CLARK], who has just risen, desires to address the Senate on the bill, if the Senate is willing. I have a copy of the bill prepared with the proposed amendments, so that the Senator from Missouri may examine them. I hope we may be able to dispose of the bill to-day. The amendments are merely in the interest of better administration of the law. They have been suggested by the Commissioner of the General Land Office and the Secretary of the Interior.

Mr. COCKRELL. It is a bill that is very important, I admit, but I should like to see it in the form it is proposed to be finally placed before being called upon to vote on it. There are so many amendments that I was not able to keep up with them as the reading progressed. I do not want to prevent the consideration of the bill; but the Senator from Wyoming may proceed with his remarks. I think, however, the bill ought to be printed before we act on it, so that we can see exactly what it is.

Mr. BATE. Mr. President, there are some ten or fifteen amendments which have been proposed to the bill that it was impossible to understand from the reading as it progressed. I think the suggestion of the Senator from Missouri [Mr. COCKRELL] is a very proper one, and that we should have the bill reprinted with the amendments which have been agreed to, so that we may understand it before we are called upon to act upon it.

Mr. HANSBROUGH. I agree with the Senators. I think the bill should be reprinted with the proposed amendments. After the Senator from Wyoming concludes, I will consent, if Senators desire, that the bill shall go over without losing its place on the Calendar.

Mr. CLARK of Wyoming. Mr. President, I have no desire whatever to hasten ultimate action on this bill. I have, however, a few observations which I shall be glad to submit. The remarks I desire to present can be submitted at this time as well as later, because they pertain not to any particular portion of this bill, but to the general project of irrigation.

Mr. COCKRELL. This is the proper time, then.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. CLARK of Wyoming. Mr. President, for one I am heartily glad that the atmosphere of the Senate has been cleared of private quarrels. I am heartily glad that, after two or three days of public time absolutely wasted, we can come once more to the consideration of public business and to the consideration of those matters which affect the whole people, and which do not particularly affect the standing of any one or two members of this body.

The bill under consideration, Mr. President, is one, the importance of which, I think, is greatly underestimated. So far as I know, it cuts no special figure in the consideration of the Senate or of the House of Representatives or of the country, and yet it concerns a section of this country that covers one-third of our entire area. It considers the welfare of the people who represent 600,000,000 acres of the Government domain. It is a bill, in my notion, second only in the administration of our public lands and public-land laws to the homestead act which was passed forty years ago this very year.

I regret exceedingly that the discussion of this bill this afternoon should not have been intrusted to some Senator who is an expert on the matter of irrigation and the matter of arid lands. I believe, however, that perhaps in the consideration of this measure I can bring a more unbiased judgment than those to whom I have referred, because I have not one dollar or one acre in interest in any land that may be affected by this bill. I am only interested in the welfare of my State, in the welfare of the arid region of the Rocky Mountains, and, far beyond that, in the welfare of the people, the sons and daughters of the older States.

The bill presented now for the consideration of the Senate is one that has been devised in the wisdom, in the calm consideration, and in compromises, representing no individual views, but in the wisdom of all the representatives of thirteen States and three Territories represented in both Houses of Congress.

Whatever may be the views of any person on the general subject of irrigation by means of governmental aid or otherwise, no one can attribute to the present bill either indefinite statement of the object sought to be accomplished or evasion as to the means and methods to be employed. The bill is plain, clear, and precise on both these points, and hence is subject to and invites discussion and argument upon the general question and along the whole line. If the matter of national interest and aid is not constitutional or advisable, or if the plans as indicated in the bill are not proper and feasible, then the proposition should be voted down.

If the Congress of the United States has no power to assist in the reclamation of arid lands, then the subject should be dropped and the discussion which has been going on in and out of Congress and in public meetings and prints for so long should be closed and the lands left desert and bare, given up to the homes of the wolf and coyote, instead of to man and his settlements and homes forever; or be subject to reclamation at private hands only, a plan evidently impracticable, if not impossible, of accomplishment.

If, further, it is thought that the Congress shall be acting within its proper and legitimate functions in making more valuable to the Government its own property, settling with worthy American citizens its now waste places; but if it is not considered that the bill now presented will carry out this purpose, then also should

this bill be rejected and another drawn and enacted into law that will in a better way and in fuller measure meet the requirements of the case, and to the consideration of some of the features of each of these propositions I desire to invite the attention of the Senate, and I do so, fully conscious of the fact that I am no authority on irrigation matters as are many of the representatives from the arid and semiarid regions, but also knowing that there are many others in this Chamber and elsewhere as ill informed as myself but who are seeking a just and proper conclusion as to a matter that has been in the public eye for many years.

In round numbers there are 600,000,000 acres of Government land in the States and Territories sought to be affected by this bill, and from the best estimates obtainable from Government engineers and others there are from 5 to 10 per cent of these lands that can be reclaimed by a proper and comprehensive system of storage and distribution of waters. Has the Government the right to enter on such an undertaking? To my mind there can be no question as to the legal authority of the General Government not only to protect its own property but to increase the value thereof in any way which Congress in its wisdom may devise. Instances of the exercise of this power are numerous and recent, and these without question as to whether Congress has acted in the direct line of benefit to commerce or not and without reference to the question as to whether the power has been exercised over the country generally or has been local in its application.

Possibly the aid given to the establishment, repairs, and preservation of the levees on the lower Mississippi is as good an illustration of the exercise of this power as any. Millions of dollars have been taken from the public Treasury for this purpose, and rightly so, and no one complains or questions the authority, and yet there are few indeed who believe that the expenditure thus made is not more for the protection of private lands and interests than for the public purpose of aiding commerce. We all know that the object and purpose of this work is to keep the river within due bounds, to so control it in flood time that damage to adjacent lands, in large or small areas, shall be reduced to a minimum, and farms shall be protected and crops made safe by this expenditure of public money, raised by the general revenue laws of the country, when otherwise desolation would reign and the labor of private interests be as futile to reclaim the land and produce the crops, by reason of an overabundance of water, as are the same private efforts now impossible to reclaim and make productive the lands mentioned in this bill because of the lack of water.

The objections urged against the general proposition of governmental construction are many and along various lines. One believes that no action should be had because the Government might thus be committed to a system of improvements the cost of which would be not only indefinite but inconceivable, estimates, or pretended estimates, running into the hundreds of millions. Others are ostensibly in favor of the general idea of irrigation, yet are never satisfied with any general plan or any specific proposition. Others are apparently in favor of any scheme except the one under consideration at a particular time. Some, and I hope, indeed, they are few, are against any system or plan of irrigation, public or private, and against any settlement or plan of action that will bring under cultivation any land in addition to that now under the plow, for fear that the farmers in the more favored sections may be injured by an excess of production; and this is the oldest and most untenable of all objections to the pending bill.

The argument carried to its logical conclusion and applied to other phases of our national life would stagnate every business enterprise under our flag. The argument is made, and apparently with seriousness, that no more land should be opened to cultivation and production, because such action would be injurious in making greater production and competition in farm products, and consequently put increased burdens upon the farmers of the East and middle West. Such an argument, and at length, was made elsewhere and in another chamber within the present winter, and such an argument is made publicly and privately the land over. It is an argument, not of Americanism, not of broad-minded statesmanship, but, at this day, of narrow and selfish local and personal interest.

Even if the result should be as feared, still there is little or no excuse for a policy that would forever foster and enrich the farmers of an Eastern State while refusing a bare subsistence to the more hardy and progressive man who would conquer new spots within our great domain, and who would himself add to the riches of our common country, and by his labor and energy and enterprise make productive for the benefit of all those places now devoted to solitude alone. The idea of retarding the western zone of production is not new, and has been urged by wiser statesmen than those now advocating it. But forebodings and prophesies of even the wise fathers have come to naught. Who is there, who is now preaching this doctrine of nondevelopment, who would have the farms of the country stay on the east slope of the Alleghanies, as the wise ones of the colonial times advocated?

Who is not now glad that the great Mississippi Valley was settled and put under cultivation until it has in truth become the granary of the world? Who now would have our farm lands and settlements stop with the Missouri, or who would end our western development at the summit of the Rockies? And yet all these things were advocated by those wiser than many now declaiming against further development. And notwithstanding the enormous acreage and production since the first pioneer floated down the Ohio, every step of the way, every pushing of the frontier little or much, has resulted, not only in most marvelous increase in the general wealth of the nation, but an increase in the wealth, comfort, and happiness of the individual as well, both in the new settlements and in the older localities.

Isolation is no profitable policy in this country. Whatever is of advantage to one section does not harm another. On the contrary, every additional field put under cultivation, every foot of progress made, every mile the frontier is pushed, by so much are the nation and its citizens benefited. As said, the fears of the fathers in this direction have happily not been realized. Virginia and South Carolina sought to confine political power to the seaboard. Washington, while not seeking to retard development, wanted but one State settled at a time in the Northwest, and then in sequence from east to west. Jefferson would have had the northwestern part of his purchase traded to the Indians for other lands farther East and have the advance westward made only in compact form. Madison feared to see the population extend west of the Mississippi. And yet each and all of these in their day were mistaken in the effect which frontier development should have and has had upon the individual and upon the nation at large.

This onward march toward the West has given homes and independence to the citizen and stability to the nation. Every new farm opened up, every new field cultivated and made productive has proven an undisguised and unquestioned benefit and blessing, notwithstanding the fears of the fathers. There was with them a justification and excuse for their timidity; the experiment had not then been tried. The market for breadstuffs did not then lie at our very doors as it now does. The eaters did not then so far outnumber the producers as now. And yet the history of our settlement westward has been that the eastern settlements, States and cities, have been the first general beneficiaries of every new development toward the West.

And in view of all these facts, how is it that Americans of today can be found so shortsighted as to believe that new fields opened now will sterilize the old; that wealth produced in the arid region will take from that in the humid; that labor employed in the Rockies will displace that now employed east of the Mississippi? Nay! Nay! All development made, all wealth created, all labor employed in what are now waste places will not take from but add to the sum total of our individual wealth and our national aggrandizement. As it has been in the past so will it be in the future; as our States strive for increased production and measure their wealth and prosperity thereby so should the nation seek and carry out those policies that will add to our material production. And still, in spite of all these lessons of the past, those are found who still maintain the view indicated.

To my mind the present proposition for the immediate reclamation of these arid lands is the pressing of the poisoned chalice to the lips of the farming classes in this nation, which, if it kill them not, will at least for another generation leave them in either torpor or misery,

This was said in another place but recently. This, to my mind, is the short-sighted statesmanship that would well fit in with the policy of the trusts that is universally condemned, that "production must be cut down so that prices may be maintained or increased," taking no thought whatever for the necessities of the consumer; the shortsightedness that would pray for drought in Kansas, Nebraska, and the Dakotas in order that breadstuffs might reach a higher price for the farmers of Pennsylvania. Such, I do not think, is the spirit that animates our legislators, nor do I think such spirit will prevail in the consideration of this bill.

Mr. President, the above and kindred objections have been made over and over again in the press, in Congress, and in messages of the Executive, only in the end to be discountenanced and repudiated by the American people.

Presidents Pierce and Buchanan, in their learned and lengthy veto messages, the first refusing to give the Executive assent to a bill providing for the grant of certain public lands or the proceeds thereof to establish and support public institutions, and the second in his veto of the bill to grant to each State certain lands for the support of agricultural colleges and—save the mark!—afterwards in his veto of the homestead bill, strike at this matter pretty thoroughly from both the constitutional and the practical standpoint. Yet the Congress of the United States, representing clearly the will and authority of the people, have settled those matters well and forever. To read from these messages one would

think that the opponents of this and kindred irrigation plans had read and drawn their inspiration and arguments from those messages of forty-five years ago.

Mr. President, I will stop long enough to read an extract from the message of President Buchanan in 1860, in which he gives some of his reasons for placing the Executive veto upon the act of Congress which gave us the homestead act and settled up our magnificent domain. I want to read the argument the President used. He said in his veto message:

It is a common belief within their limits that the older States of the Confederacy do not derive their proportionate benefit from the public lands. This is not a just opinion. It is doubtful whether they could be rendered more beneficial to these States under any other system than that which at present exists. Their proceeds go into the common Treasury to accomplish the objects of the Government, and in this manner all the States are benefited in just proportion.

President Buchanan wanted to make certain that the older States should not be deprived of their rights in the heritage of the public lands. He said:

But to give this common inheritance away would deprive the old States of their just proportion of this revenue without holding out to any the least corresponding advantage. Whilst it is our common glory that the new States have become so prosperous and populous, there is no good reason why the old States should offer premiums to their own citizens to emigrate from them to the West. That land of promise presents in itself sufficient allurements to our young and enterprising citizens without any adventitious aid. The offer of free farms would probably have a powerful effect in encouraging emigration, especially from States like Illinois, Tennessee, and Kentucky, to the west of the Mississippi, and could not fail to reduce the price of property within their limits. An individual in States thus situated would not pay its fair value for land when by crossing the Mississippi he could go upon the public lands and obtain a farm almost without money and without price.

Mr. President, in the development of time the public-land system of the United States Government has grown to that sublime height when we want to say to every honest man, "You shall take home and lands without money and without price."

A writer of experience, an accomplished engineer officer of the United States Army, Colonel Chittenden, who has given much attention, professionally and otherwise, to irrigation and reservoir propositions, disposes of this mistaken and selfish objection in the North American Review in language whose force and clearness can not be improved upon; and I beg the indulgence of the Senate while I read for one moment from an article in the February number of that magazine. In an article entitled "Government Construction of Reservoirs" he meets this very objection of interference with private interests in the East. He says:

Government construction of reservoirs in the arid regions is opposed by the Eastern farmer on the ground that under such a policy he would be taxed in the interest of competitors in his own line of business.

I think that states the proposition as cogently as it could possibly be stated.

Of all the plausible economic fallacies that find lodgment in the public mind this has perhaps the feeblest foundation. It is like that other argument, which one hears nearly every day, that the invention of machinery restricts the field of labor. Although it has been proven over and over again that mechanical invention, by increasing wealth, has made possible the employment of labor on a scale that would be utterly impossible without it, still the advent of every new machine is condemned in many quarters as a new invasion of the rights of labor. So in the case here considered. The permanent establishment in the Western country of a large and vigorous population would stimulate markets of all kinds in the East far more than it would depress any by reason of competition.

Its agricultural products would be largely consumed at home, and it is absurd to talk of their entering the markets of the world in competition with products of the Central West, where nature has lavished her favors in a fertile soil and generous climate beyond almost any other portion of the globe. If, perchance, certain products can be raised on these irrigated lands of better quality than elsewhere, is not the country as a whole the gainer by having them raised there? Does anyone believe it would promote the general welfare to drive from the markets the fruits of southern California, or the potatoes and melons of Colorado? It is one of the chief advantages of this great nation, where no custom-houses restrict the free interchange of commodities between the States, that every community can enjoy what is best in every other community, and the whole country works together with a maximum of economy in promoting the public good. The agricultural interests of the East, and the narrow and provincial statesmanship which occasionally echoes their contention in this matter, should stand on higher ground. The upbuilding of the West will promote rather than injure their prosperity.

Mr. President, it would indeed seem that even a casual glance at the history and effect upon the country at large, both East and West, would dispose of this phase of the question in any unbiased mind, and with every man who is able to see beyond his own garden fence and who is able to realize that in the prosperity of the country at large is to be found the prosperity of the citizen of each section, and in the increase of wealth of the whole is to be found the increase in wealth of the individual. And now, Mr. President, let us consider for a moment to whose benefit this proposed legislation will accrue if this or a similar bill shall become a law.

I am fearful that a hasty conclusion has been reached in some sections. I am fearful lest the impression prevails that the improvements and works contemplated have a value purely local and of a benefit solely to those living within the arid States and Territories. I hope that a broader view will prevail, and that the national spirit so often appealed to by the West in consideration of Western affairs, appeals always so candidly considered by the East, and always in the end decided justly and on broad lines, will prevail in the consideration of this measure.

The work is national and the results as truly and broadly so. Of course, Wyoming is as desirous of increasing her material wealth, of making her lands to blossom and produce, and of populating her fields and cities as are the older States, but we hope and believe that the increase in wealth and opportunity which legislation of this sort will open up to our sparse population will be of equal benefit to those who shall come from your borders, to your boys and girls from the middle West when they turn their faces toward the setting sun in search of broader opportunities and larger success, as their fathers also turned their steps in the same direction but a few years ago; this splendid Western wave that created imperial Commonwealths in the Ohio and Mississippi valleys shall find its fellow rising to the mountain summits and beyond in the still farther West.

These infant States, planted by your hand and nurtured by your care, shall yet furnish the homes for your children as well as ours. The New England names and characteristics will be ingrained in the history and advancement of our mountain States as it has been ingrained in those of the prairie States. If the argument were true, and it is not, that the opening of the new farm means an abandonment of the old; that the farm opened up in Utah means the closing of one in Pennsylvania or New England; if, I say, this argument were sound, as it is not, yet I can not think that any in this Chamber is so wedded to the acre of the East that he would deny the acre of the West to his children, if the welfare, prosperity, and happiness of his boy or girl shall be increased by the change.

Our population is fast increasing. Opportunities for independent producing homes are not now too plenty. What shortsighted statesmanship not to open the avenues for development next to our hands. Conservatism is well, but conservatism never discovered our continent, built our cities, cut out our splendid farms, or gave us our present national standing and greatness. The spirit of advancement, of experiment, of courage has been the mainspring of our marvelous growth, prosperity, and happiness. Let us not stop now, when the opportunity offers without draft on our National Treasury, without injury to any other part of our nation, or to any individual citizen. Let us not stop, I entreat, but let us go on in our great strides. Let us not think that increase in the possible number of homes or in the wealth of our citizens is a danger to be avoided, but let us embrace the opportunity offered to-day; and in fifty years from now our children, secure in their new heritages wrested from adverse natural surroundings, in view of all the splendid results achieved, will wonder at our hesitation in making glad the desert places of our land, even as we to-day wonder at the hesitation of our fathers fifty years ago in opening up homes for the benefit of all.

Mr. President, in the consideration of this measure it should not be forgotten that as a landowner the Government itself will be the greatest beneficiary; millions of acres of its own domain will be taken from what might be termed its worthless securities and made its most valuable. The number of acres in Government ownership, compared to the number in present private ownership, that will be benefited must be 50 to 1 or more. The ownership of land in this region now worthless, or the best of it worth not to exceed $1.25 per acre, is something like 600,000,000 acres, as stated, divided among the States and Territories, from 5 to 10 per cent of which can be reclaimed.

In due process of time, under the operation of this bill, the gross increase of value of the land will be something enormous, every dollar of which will be paid and borne by the settler and home builder. The increased productiveness of the land will more than compensate him for the greatly increased price, and under the terms proposed he will be enabled to pay easily and without distress. I can conceive of no measure that could be formed that could work with greater or more equal advantage to both Government or purchaser. But it is urged that this increase in value and price does not in reality accrue to the Government, for the reason that the money derived from the sale of these lands goes into a fund for the building of other reservoirs and the reclamation of other lands; that the money does not go into the general Treasury for the payment of general indebtedness or of current expenses of the nation; but the fact here alone is true, while the conclusion is not warranted.

Every acre thus brought under water and irrigation augments the general wealth of the nation and increases its real assets. Such a line of reasoning would say that the farmer who uses the proceeds of his year's crops for the development and improvement of his farm has gained nothing by his year's endeavor and the product of his fields, and that his increased wealth is shown only by the additional figures in his bank account. But, after all, the increase for the nation lies not so much in the increased value of the land as in the men and women she puts thereon. They

become producers, adding to the tangible property of the nation, and consumers as well, taking of the products of the field in other portions of our common country, and of the output of the factory, the mine, and the loom.

Every additional family put upon a productive 80 or 160 acre farm becomes an additional consumer and builder up of our home market, for our manufactures, in exact proportion as his new opportunities give him additional means and advantages. The public lands are not now considered as they are in some countries, a means of direct revenue, but rather a means of building up sturdy, law-abiding communities of patriotic citizens, who, having local habitation and a home, shall constitute an unlimited bank account of patriotism upon which the nation can confidently rely and draw in time of national distress and peril, as was said in this Chamber nearly fifty years ago.

I can not refrain from reading a statement which was made in this Chamber when the homestead law was under consideration as to the object, as to the purposes, as to the result of the then proposed law. I desire to give credit where credit belongs. A Senator from Kansas, Mr. Pomeroy, in the course of his remarks upon the homestead bill, spoke as follows:

> Now, then, I ask, How can the public lands be used so as to best increase the wealth of the country and so be the better able to consume the imports of the country, as well, also, as to meet the taxes imposed by the Government?

And here follows the particular portion to which I wish to call particular attention. I fear we sometimes lose sight of these significant facts:

> And here let it be observed that the wealth of a nation does not consist in the money paid into its treasury, exacted, as it often is, from half-paid toiling millions, nor in an endless unoccupied public domain, running to waste with wild men and wild buffaloes. But wealth consists in flocks and herds, cultivated fields, in well-paid labor, and well-directed energy. The strength of a nation does not consist in the numbers or bravery of the men in her armies or navies, nor whether they are well or poorly led to the conflict, or not led at all. But real strength consists in being able to reproduce another army or navy when one is destroyed or captured, and in being able to sustain an unlimited force until the angel of peace descends to bless the land. Real strength consists in the hearts, the bones, the sinews of an independent, loyal, free yeomanry, who have the comforts of a home, the fear of a God, the love of mankind, and the inspiration of a good cause. Such an army will press gloriously onward to victory. The greatness of a nation does not consist in its high-sounding professions, in its lofty palaces, cathedrals, spires, and domes, ancient and honored names of the present or the past, living or dead. Men constitute the wealth, the strength, the greatness of a State.
>
> "High-minded men,
> * * * *
> Men who their duties know,
> But know their rights, and knowing, dare maintain."
>
> "The wealth, the strength, the greatness of a nation consists in the largest number proportionate to the whole of happy, contented, virtuous, and independent families it sustains. And I care not what other means of subsistence men may devise. The trades, the professions, the wits, the brains of a man may fail him, but the inspired truth will then even brighten with more complete effulgence, "that the earth abideth." With 160 acres of God's free earth under a man in his own right, and genial skies above him, he shall not want. For "seed time and harvest, summer and winter, day and night" shall not fail him till the heavens be no more.

I believe it to be the universal experience that whenever a matter of great public interest is brought to the attention of Congress, or any other legislative body, that some person, in his own proper interest, arises to combat the conclusions of those who have arrived at a satisfactory solution of the matter presented, and will never be contented unless his individual views be embodied in the final solution.

There is now extant a certain publication known as the "National Homemaker," purporting to be published at Washington, D. C., and to interpret the views of those who are the true friends of irrigation and the reclamation of the arid land. Nowhere within the covers of said publication is found the name of anyone who is responsible for the same, and from cover to cover it seems only to express the individual views of one or two persons upon this great subject of national aid.

It is a publication that, from a mechanical point of view, is unexcelled. So far as I am informed, it has no subscription list, represents no organized effort in behalf of irrigation, but in its editorials, illustrations, and general trend opposes the pending bill and everything that looks toward the reclamation of the public lands except as the same shall be accomplished through absolute and unqualified appropriation of public moneys to a national project. Whence the inspiration for the editorials comes or from what source the revenue is derived to sustain this publication I am unable at this time to state. It is far from me to ascribe to anyone the motive to defeat any and all irrigation propositions that may come before the Congress of the United States; but certainly to one acquainted with the conditions, or who has due consideration of the temper of the American Congress or of the belief of the various States which have joined in the consideration and development of the pending bill, it can but appear that the effect if not object of the publication and of the editorials mentioned is to either postpone indefinitely any action of Congress upon this question or to build up a bureau in the Government service for the individual remuneration or aggrandizement of certain ones opposing the theory and form of the present bill.

In the editorials and articles to which I shall presently call your attention complaint of the pending bill is made because, first, it promotes the vesting of title to immense tracts of land in individual and monopolistic holders; and second, that the control of waters after leaving the reservoirs shall be vested in the States and Territories through which such waters flow. I ask any unbiased Senator upon this floor to read carefully the provisions of the bill and proposed law with the amendments and find in any line or sentence of the same any avenue which is not safeguarded against the undue accumulation of public land in private hands. On the contrary, the purpose of the bill, the effect of the bill honestly administered, would be to make individual homes in small areas, and would most effectually prevent the accumulation of large holdings in the hands of speculators, cattle barons, or sheep kings. The power is absolutely left with the Secretary of the Interior to prescribe in each individual proposition the amount of land that shall be taken by any one person the head of a family.

I do not suppose that any law can be passed—that any plan can be devised—that will prevent the purchase of lands after the title has passed from the Government by individual owners. Congress has not deemed it wise to prevent the transfer of private lands into single ownership, nor could it be done if so desired; but it will not be urged, I imagine, against the beneficent provisions of the homestead law that the same should not have become a law for the reason that individual owners might not thereafter transfer their interest, to their own profit, into the hands of other parties. The present proposed law is far more stringent in its operation than was the homestead law passed by the Congress of the United States and approved by President Lincoln. The intention of the law is—and an honest intention—to provide homes upon the public domain for those now without homes, to relieve our congested centers of population, and to build up great commonwealths in the land, where now there is no inhabitant save the animal of the plains. If this is an unworthy object, then indeed should the advice of the opposers be followed, and then indeed should this nation cease from any attempt to build up the heritage which we have from the Almighty, and stop in the onward march which we have up to this time so gladly hailed.

The object of the learned editor referred to seems to be to build up a great Government bureau which shall have control of all the lands and waters in our arid regions. Upon this proposition the line of cleavage is very marked, and on this proposition every true friend of irrigation can well afford to align himself. The question of the conservation of waters is one of national importance; the question of reservoir sites and reservoir building is one that appeals to the Government as a matter of national import, but the question of State or Territorial control of waters after having been released from their bondage in the reservoirs which have been provided is a separate and distinct proposition. The waters in my own State rising within its area, bound, enter, or run through twenty different States and Territories of this Union; and the headwaters of the Columbia, of the Colorado, and of the Missouri, and thus incidentally of the Mississippi, are therein found. It is right that the General Government should control, should conserve, and should reservoir the headwaters of these streams. In this it is a national and not a State proposition. But in the distribution of these waters in Wyoming, Colorado, Montana, Idaho, Nebraska, Arizona, New Mexico, the Dakotas, and every other State or Territory west of the Mississippi River, it is right and proper that the various States and Territories should control in the distribution. The conditions in each and every State and Territory are different. What would be applicable in one locality is totally and absolutely inapplicable in another. The conditions that prevail at 7,000 feet of altitude are different from those that prevail at almost sea level. In each and every one of the States and Territories affected, after a long series of experiments, after a due consideration of conditions, there has arisen a set of men who are especially qualified to deal with local conditions.

Every one of these States and Territories has an accomplished and experienced corps of engineers who for years have devoted their energies and their learning to a solution of this problem of irrigation in their individual localities. To take from these experienced men, to take from the legislatures of the various States and Territories, the control of this question at the present time would be something little less than suicidal. They are the men qualified to deal with the question, the laws are written upon their statute books and read of all men, and in everyone of these States and Territories the laws have been passed that most diligently regard the rights of the settler and of the farmer, and most diligently and intelligently exclude the idea of monopolistic ownership of the public lands or control of the public waters.

It is said again by opponents of the bill that what we want are men and families and actual bona fide settlers; that what we do

not want is that large areas of public domain shall be taken from the settler and placed in the hands of the larger corporate interests; that is exactly what this bill guards with jealousy and is one of the ideas that the bill is designed to promote, and any statement to the contrary, any belief expressed, either in the National Homemaker or elsewhere, that such is not the object and purpose and ultimate result of the bill must come from some motive not in the best interests of the States and Territories to which it applies, or to the citizens of the United States in general who may now desire or who may hereafter desire to make their homes upon these lands.

The question is asked in this same publication, "What is the use of wasting any more precious time trying to unite the West?" The answer to that is that the West is already united from the Missouri River to the coast, from the British possessions to the Mexican line. Every State and every Territory united in recommending that this bill, as prepared by the committee and as recommended by the Committee on Public Lands, do pass and become a law.

Referring to those who framed this bill, who worked with care and patience and patriotism night after night, sinking their individual views, day after day working for the general good, the National Homemaker, in its issue of February, 1902, makes use of the following quotation from the San Francisco Chronicle:

> They pretend to be irrigationists in order that the friends of irrigation may seem to be divided. They should be incontinently thrust out and no longer be consulted in irrigation matters.

Who? The representatives of all the Western States and Territories. The men from all the States and Territories west of the Missouri River—the men who have been face to face with the irrigation proposition for twenty-five years—are to be incontinently thrust out and no longer to be consulted in irrigation matters. Then this publication says:

> Let them go into the opposition, where they belong.

This sentiment, Mr. President, in another direction, I heartily second. The friends of irrigation in the arid States, the friends of irrigation in the Territories subject to the jurisdiction of the United States, by compromise, by reason, by consultation, have arrived at a conclusion which is embodied in this bill, and the National Homemaker and National Irrigation, publications made alternately under the one or other name ostensibly in favor of irrigation, oppose alone the proposition. I quote to it and to the Senate the same as they quoted to us, from the San Francisco Chronicle:

> They pretend to be irrigationists in order that the friends of irrigation may seem to be divided. They should be incontinently thrust out and no longer consulted in irrigation matters. Let them go into the opposition, where they belong.

It is further claimed by the same authority that this bill ought not to be considered because it is presented by a section of the country that is directly interested, or will be, under the operation of the law. This is indeed a serious charge. The men who have prepared this bill, and the States that are interested directly in its operation, are men who for many years have lived in the arid regions—States which for many, many years have felt the burden of unimproved lands contributing nothing to the taxable value of the Commonwealths. These men have from early manhood until now studied the problems connected with water and land and the application of the one to the other. The ultimate conclusion from the argument is that these men and these States are not prepared to say what would be the best method of dealing with the question.

The argument is so ludicrous that it need but to be stated in order to be refuted. The inference is that those who have paid no especial attention to the subject are best qualified to judge as to the measure which ought to be introduced; that those who live under the summer rains and the smiles of Providence in this behalf are best qualified to judge as to the situation of those who are deprived of these beneficent influences. Following this argument to its conclusion, for Secretary of the Treasury we should have a man to direct the finances of this Government who has never had any contact with financial conditions; the great mercantile establishments should employ as buyers those who have no knowledge of commercial rules; the great railroads should employ as superintendents and general managers those who have been born and reared out of sight of the great transportation lines and know nothing of the needs or necessities of the present.

No; the argument will not do. The men best qualified to formulate a law of this sort—and it will not do to say that these men are thieves, that they have ulterior motives—the men best qualified to form a law of this sort are the men who for years have been brought into contract with the very propositions sought to be solved by this bill. The Senators and Representatives from the West gladly vote for the construction of battle ships, although nine out of ten of us know absolutely nothing of the special features that enter into their construction. The most that we can say is that in a general way, as a certain Secretary of the Navy years ago said, we understand "the derned things are hollow;" and yet we believe in the patriotism and in the wisdom of those who have knowledge of these matters, and we joyfully and cheerfully join with them in carrying on such projects, in voting money from the Treasury for such construction as to them shall seem proper and right.

While, in my judgment, an immediate return from the construction of irrigation works by the Government is not a thing of primary importance, it might be asserted in passing that probably no other public improvements, undertaken by any of the governments of the earth within the last one hundred years, have so immediately and successfully proven their worth and benefit as has the matter of the storage of waters and proper irrigation of desert lands. This matter is no experiment. If the United States shall embark in this enterprise, it will not by any means be the first government to forecast the future and take advantage of its present opportunities. Egypt, Spain, and India, each in due course, have become aware of the enormous benefits and the almost unbelievable returns from a thorough and comprehensive system of Government irrigation.

It has been the history of works of this sort, when carried on under Government supervision, that a proper reservoiring, storing, and damming of water has resulted in returns which year by year have made in each twelve months an increased production equal to the entire cost of the works. I cite from the report of the Treasury Department of December, 1901, as to the great canals of the world, which shows the extent, value, and cost of the irrigating system in India, together with the returns from said system. To anyone who is in doubt as to the magnificent results attained by the British Government in India I commend a careful perusal of this bulletin. It is sufficient for the present to cite only the following:

> Up to the year 1877-78 the capital outlay on completed canals had been £4,346,000. The area irrigated in that year was 1,461,000 acres. The value of the crops raised on it was estimated at £6,020,000, and it may safely be said that the wealth of the provinces was clearly increased by £3,000,000, so that three-fourths of the entire cost of the works was thus repaid to the Government in that single year.

Referring to another canal, the statement is made by Sir Henry Cunningham that—

> During the droughts of 1877-78 (corresponding years) their benefits were extended to 1,333,000 acres, the greater portion of which but for canal irrigation would have been absolutely barren. During this period the land irrigated by the two principal canals produced food grain to the amount of 300,000 tons and worth £2,000,000 and enough to keep 1,800,000 people for a year; while the nonfood products, sugars, dyes, spices, etc., were reckoned to be worth another million pounds. In other words, the value of the crops saved by the two canals in a single season was more than equal to the entire cost of the completed system.

Altogether there are in India, under the management and supervision of the British Government, some 36,000 miles of canals and other works, irrigating 14,000,000 acres, or more than 21,000 square miles. Although some of the canals have been financially unsuccessful and others were incomplete, the irrigation works of India, taken as a whole, yielded in 1891-92 a net return of 5½ per cent on their cost.

It will thus be seen that the British Government in our very recent times has carried forward to completion, and has now in successful operation, irrigation works, reservoirs, dams, and canals under state control. That by reason of this it has been able to very materially increase the wealth of the country, relieve famine-stricken districts, and in one year raised upon desert places enough to equal the entire cost of the system and, beyond all that, pay a return of 5 per cent on the money actually invested by the Government in the construction of these public works.

What England has done we can do, and if it is possible in our country to duplicate her success in the Far East it occurs to me that to an unbiased mind there should be no hesitation in applying our energies to that work and toward that result.

The principal object and purpose of this bill is to redeem the desert lands of our arid regions, give them life and vitality by the application of water, so that they may be made homes and permanent abiding places for the settler and his family. The theory is that the lands of the United States should be a trust estate, held for the benefit of the citizens, and so disposed of as to carry the greatest comfort and the maximum of happiness to the greatest number of people.

By some course of reasoning which is unintelligible to my mind, the conclusion has been reached, as stated by some of the opponents of the pending measure, that it is a bill to centralize large tracts of our present public domain in the hands of speculators and large owners of sheep and cattle, to the exclusion of the actual settler and farmer. If there is by the terms of the bill one thing above another that is most carefully guarded and hedged about, it is this very proposition.

It not only provides that these lands shall be subject to entry only under the homestead law, but it goes further than that and puts it within the power of the Secretary of the Interior, in such cases as he may deem proper, to limit even the operation of our

homestead act to such tracts of land as may be thought best fitted to fill the case and requirements of the actual settler, but in no case to exceed the amount of 160 acres to any entryman. If any greater safeguards can be thrown around this proposition than the bill already contains I am satisfied that the movers of the bill will gladly accept any amendment that may now or hereafter be offered that shall have the effect of more closely guarding the public lands in this particular.

We are all of us agreed on the proposition that this land should be held for the homesteader and the home maker, for, as was said in a discussion on the homestead bill in Congress in the year 1862, a great truth uttered then and as true now:

The fact can not be disguised that this system of small farms of a quarter section of land each will greatly promote the wealth, strength, and glory of the Republic, thus conducing to human happiness, near and remote, now and for all ages. The pioneer struggling amidst many discouragements upon the frontier prairies of the West comes nearer obeying the Divine injunction to "gain his bread by the sweat of his brow" than any other man. The men who have, from their circumstances and education, been inured to self-reliance, can safely volunteer as soldiers of civilization in its onward progress across this continent, from the great valleys of the Mississippi and Missouri to the shores on the Pacific.

The man who is able to put all he owns on earth in a canvas-covered wagon—wife, children, household goods, all—and move with slow pace into what has been called "the wilderness of the West," far out upon the frontier, beyond law and civilization, and there plant himself down upon a homestead for life, is doing a work for himself, his family, for civilization, his country, and his God that can never be fully known or its influence told until the final disclosure. Such soldiers of civilization are sentinels, standing as the advance guard on the outposts of civilization, and will yet be high on the page of the world's unwritten history, and will be sure to keep the watch fires of freedom burning conspicuously.

For these men and men of their kind, with their wives and children, we earnestly and confidently ask the Congress of the United States for its favorable vote upon this bill now under consideration.

Mr. WARREN. I understand that the Senator from North Dakota is willing to accede to the request that the irrigation bill be temporarily laid aside for printing, and I therefore ask that House bill 8587 may be taken up pursuant to a notice which I gave some days ago, in order that we may proceed with the reading, not expecting, however, that we shall get to a final vote to-day.

Mr. HOAR. I should like to know from the Senator what was the notice given some days ago.

Mr. WARREN. I gave notice when the bill was reported by the committee that I would improve the first opportunity during the consideration of the Philippine bill or the irrigation bill to call up the claims bill.

Mr. HOAR. I ask unanimous consent to make a statement, with the leave of the Senator.

The PRESIDING OFFICER. The Chair did not hear the request of the Senator from Wyoming.

Mr. WARREN. I asked consent to call up House bill 8587.

Mr. HOAR. Pending that matter, I ask unanimous consent to make a statement.

I also gave notice some time ago that I should ask the Senate at the earliest possible opportunity to take up the bill for the protection of the President of the United States, and I gave notice this morning that I should try to call it up immediately on the first opportunity. But under the circumstances, I do not think that I should resist the request of the Senator from Wyoming, as he had already given notice long before.

Mr. WARREN. I thank the Senator.

Mr. HOAR. So I wish merely to give notice now that at the first interval in the business of the Senate I shall make the attempt of which I speak.

The PRESIDENT pro tempore. The Senator from Wyoming asks that the pending bill be temporarily laid aside and printed.

Mr. PLATT of Connecticut. With the amendments?

Mr. COCKRELL. It is to be printed with the amendments.

The PRESIDENT pro tempore. The Senator from Wyoming asks that the bill be printed with the amendments which have been adopted. That order will be made in the absence of objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10308) to provide for a permanent Census Office.

OMNIBUS CLAIMS BILL.

The PRESIDENT pro tempore. The Senator from Wyoming asks that the bill known as the omnibus claims bill may be taken up for reading. Is there objection to the request of the Senator from Wyoming?

Mr. HOAR. Is it the purpose of the Senator when the bill has been read to proceed with its consideration?

Mr. WARREN. Not to proceed with its consideration further than, perhaps, to perfect the bill where a wrong name or initial was used, to add a few words in two or three places, and to strike from and to add to in correction of errors.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8587) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, which had been reported from the Committee on Claims with amendments.

Mr. COCKRELL. I suggest that the amendments be acted upon as they are reached in the reading of the bill.

Mr. WARREN. I will state that the entire House bill as it came here has been stricken out and then has been reproduced in the amendment with perhaps six or seven exceptions. I think it would be well to proceed with the reading of the amendment, which is practically the entire matter.

Mr. COCKRELL. Let the amendments as we come to them be taken up, and then we can go on and read the other part.

Mr. WARREN. It begins at about page 19, I think.

The PRESIDENT pro tempore. On page 20.

Mr. WARREN. Yes. That which is stricken out the clerks may be relieved from reading.

Mr. COCKRELL. Going down to line 10 on the first page?

The PRESIDENT pro tempore. Yes.

Mr. COCKRELL. Then if that amendment, which is to strike out, be agreed to, the balance of the amendment can be read.

The PRESIDENT pro tempore. The bill will be read as requested.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to his colleague?

Mr. WARREN. Certainly.

Mr. CLARK of Wyoming. I should like to ask the chairman of the committee if it is his intention to go on with this bill to a final vote?

Mr. WARREN. Not to-night. It is my desire to have it read and perfected.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from New Hampshire?

Mr. WARREN. For what purpose?

Mr. GALLINGER. I wish to make an inquiry.

Mr. WARREN. Certainly.

Mr. GALLINGER. Mr. President, before the reading proceeds, I wish to ask the Senator from Wyoming, the chairman of the Committee on Claims, upon what theory this bill has been constructed? What class of claims is included in it? What I mean is, whether the claims that have passed either one or both Houses of Congress, and those only, have been included?

Mr. WARREN. I will state very briefly for the information of the Senator from New Hampshire and of the Senate that the bill consists, first, of the so-called Bowman Act claims, amounting to some $460,000, which are selected findings of the Court of Claims and concerning which there can be no possible question of laches or disloyalty. Second, French spoliation claims, the findings of the Court of Claims up to recent date, less the so-called insurance claims and doubtful ones. Third, we have certain claims for construction of Government vessels during the civil war where the amounts claimed have been passed upon by naval boards appointed by the Government for that purpose. The remainder of the bill is made up of miscellaneous claims which have been passed by the Senate, some of them by the House, and some of them by both Houses.

I will say further, Mr. President, that it is not claimed that this bill represents all the Government owes and should pay of the claims against it. The aim of the committee has been to confine its selection to those to which the Senate has heretofore given its assent.

Mr. GALLINGER. I will ask the Senator a further question. So that if a claim has passed the Senate which has not been acted upon in the other House it should go in this bill at the amount that the Senate in its judgment thought was due to the claimant. Is that correct?

Mr. WARREN. It is the wish of the committee that it should go through at the amount which the committee have reported.

Mr. GALLINGER. If that amount does not correspond with the amount that the Senate thought was due when it passed the bill, what then?

Mr. WARREN. There is no claim in the bill for a larger amount than the Senate has already passed upon.

Mr. GALLINGER. But supposing the amount is smaller than the amount the Senate thought was due?

Mr. WARREN. The bill represents the judgment of the committee on such points. Of course, it will be for the Senate to determine.

The PRESIDENT pro tempore. The bill will be read

The Secretary proceeded to read the substitute reported by the Committee on Claims, to strike out all after line 9, on page 1, down to and including line 18, on page 20, and in lieu thereof to insert a substitute, and read as follows:

CLAIMS ALLOWED UNDER THE BOWMAN AND TUCKER ACTS BY THE COURT OF CLAIMS.

ALABAMA.

To Francis B. Appling, of Tuscaloosa County, $130.
To Hugh P. Bone, executor of Martha H. Bone, deceased, of Madison County, $2,544.
To Hugh H. Kirby, administrator of James Bundren, of Dekalb County, $980.
To the estate of James M. Campbell, deceased, late of Jackson County, $1,987, to be distributed as follows: To White B. Campbell, administrator of James Campbell, deceased, $375; to White B. Campbell, son of James Campbell, deceased, in his own right, $403; to Joseph D. Campbell, son of James Campbell, deceased, $403; to White B. Campbell, as administrator of James T. Campbell, son of Newton Campbell, deceased, and grandson of James Campbell, deceased, $403; and to John Holland, son of Sarah Campbell Holland, and grandson of James Campbell, deceased, $403.
To Adin I. Hurd, administrator of Robert M. Clark, deceased, of Lawrence County, $1,274.
To D. A. Yarbrough, administrator of James D. Coffman, deceased, of Limestone County, $1,263.
To William A. Cowles, administrator of George Cowles, deceased, of Montgomery, $4,722.37.
To John Hurst, of Colbert County, $300.
To James N. Maples, of Jackson County, $67.
To R. N. Terrell, administrator of William S. Mullins, deceased, of Marion County, $172.
To Charley Posey, of Lauderdale County, $177.
To the legal representatives of Archibald Rutherford, deceased, late of Jackson County, $1,508.
To Elijah Sides, of Walker County, $1,286.
To Adeline M. Willis, of Butler County, $2,137.
To Isaac Young, of Clay County, $375.
To Frederick Calhoun, $240.
To Sandy Calhoun, $155.
To Randall D. Berry, administrator de bonis non of Pleasant O. Grimes, $2,554.
To Miller Isbell, $162.80.
To Mary R. Jones, administratrix of Asa F. Allen, deceased, $1,735.
To Charles H. Price, administrator of Thomas J. Whyte, deceased, $605.
To Charles H. Price, administrator of Thomas J. White, deceased, $365.
To S. R. Corn, administrator of John Smith, deceased, $410.
To Mariah Wilson, of Jackson County, $309.

Mr. WARREN. Mr. President, the committee desire to correct an error by inserting, just before the word "Arkansas," on page 23, after line 12, the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Wyoming will be stated.

The SECRETARY. On page 23, after line 12, it is proposed to insert:

To George B. Caldwell, administrator of Marion Caldwell, deceased, $10,764.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Wyoming to the amendment of the committee.

The amendment to the amendment was agreed to.

The reading of the amendment of the committee was resumed at page 23, line 13, and continued to the end of line 21, on the same page, as follows:

ARKANSAS.

To Samuel F. Davidson, of Phillips County, $1,579.
To John R. Henderson, administrator of Michael C. Henderson, deceased, of Benton County, $677.
To Louis Bonlin, administrator of Charles Hogan, deceased, of Crawford County, $1,270.

Mr. WARREN. On page 23, line 19, I move to amend the amendment by striking out the name "Louis" and inserting "Lewis;" so as to read:

To Lewis Bonlin, administrator of Charles Hogan, deceased, of Crawford County, $1,270.

The amendment to the amendment was agreed to.

The reading of the amendment of the committee was resumed at line 22, on page 23, and continued to the end of line 11, on page 25, as follows:

To Richard T. Holleman, Ouachita County, $540.
To W. D. Rogers, administrator of Eliza Miller, deceased, of Drew County, $1,280.
To Martha A. Payne, administratrix of Samuel H. Payne, deceased, of Sebastian County, $755.
To Felix G. Smith, administrator of Sarah J. Smith, deceased, of Jefferson County, $580.
To S. S. Faulkner, administrator of John R. Williams, deceased, of Phillips County, $1,845.
To James K. McCurdy, administrator of Samuel McCurdy, deceased, of Crawford County, $229.
To Elizabeth J. Hampton, of Pulaski County, $480.
To Maria A. Horn, administratrix of John A. Horn, deceased, $145.
To Ernest Neill, administrator of Joseph H. Egner, deceased, $1,632.
To A. P. Rutherford, administrator of William Kountz, deceased, $885.
To Louis T. Penn, administrator of Thomas H. Penn, deceased, $1,873.
To Elias R. Core, $933.
To F. M. Holthoff, sole heir of Frank Holthoff, deceased, $325.

COLORADO.

To Nathan Tanner, of Sedgwick County, $120.

DISTRICT OF COLUMBIA.

To Catharine A. Talburtt, administratrix of George W. Talburtt, deceased, and administratrix de bonis non of Jane Woodruff, deceased, $9,100.
To Mary E. White, $5,280.

Mr. WARREN. After the name "Mary E. White," on page 25, line 10, I move to insert:

Administratrix of Archibald White, deceased, sole devisee of Harriet White, deceased.

The amendment to the amendment was agreed to.

The reading of the amendment of the committee was resumed at line 12, on page 25, and continued to line 13, on page 26, as follows:

FLORIDA.

To Martha L. Hendricks, of Clay County, $2,205.
To Egbert C. Sammis, administrator of John S. Sammis, deceased, of Duval County, $4,971.53.

GEORGIA.

To William Goddard, of Dekalb County, $241.
To Stanford Guyton, administrator of John Lewis, deceased, of Paulding County, $944.
To John W. Johnston, administrator of James Johnston, deceased, of Chattooga County, $785.
To Edward S. Nace, administrator of John M. Nace, deceased, of Fulton County, $265.
To M. D. Rountree, administrator of George T. Long, deceased, of Henry County, $1,049.
To W. J. Voils, administrator of Anthony Voils, deceased, of Walker County, $546.
To Sarah G. Gray, executrix of Ambrose W. Gray, deceased, $932.

Mr. WARREN. In line 12, on page 26, the initial "G" should be "C," so as to read "Sarah C. Gray." I move that amendment.

The amendment to the amendment was agreed to.

The reading of the amendment of the committee was resumed at line 14, on page 26, and continued to the end of line 19, on page 30, as follows:

To Martha Richards, administratrix of the estate of Sarah J. Keys, deceased, $511.
To J. T. Vaughan, administrator of the estate of Johnathan D. Vaughan, deceased, $1,715.

ILLINOIS.

To Charles H. Adams, $21,320.

KANSAS.

To John A. Huff, of Miami County, $150.

KENTUCKY.

To Catharine Metz, widow of Jacob Metz, deceased, of Scott County, $1,020.
To William F. Taylor, administrator of Cassandra S. Price, of Jessamine County, $832.
To Russellville and Logan County Agricultural and Mechanical Association of Logan County, $2,856.
To Marmaduke D. Hightower, $110.
To Mrs. Rolly Roher, $360.
To Pleasant P. Rountree, $551.
To Richard H. Shropshire, $1,131.

LOUISIANA.

To Celestine D. Carlin, administrator of Celestine T. Carlin, deceased, of St. Marys Parish, $7,138.
To Marie P. Evans, of East Baton Rouge Parish, $3,780.
To Marie Eliza Payne, of Rapides Parish, $237.
To Charles M. Wells, administrator of Martha L. Wells, deceased, of Rapides Parish, $9,600.
To Lastie Broussard, administrator of Augustine Broussard, deceased, $3,724.
To Mary E. Burgess, administratrix of the estate of Halcott T. Burgess, deceased, $2,000.
To Omer Bush, administrator of Philip Bush, deceased, $824.

MARYLAND.

To Jacob M. Adams, John Q. Adams, and Mary L. Adams, executors of Henry Adams, deceased, of Washington County, $205.
To Ernest L. Yourtee, administrator of Barton Boteler, deceased, of Washington County, $578.
To Raleigh Sherman, administrator of Jacob H. Grove, deceased, of Washington County, $1,891.
To Jacob Rohrback, administrator of the estate of Norman B. Harding, deceased, of Frederick County, $1,960.
To J. Clarence Lane, administrator of William H. Knode, deceased, of Washington County, $284.
To Sarah H. Lyddane, executrix of Stephen M. Lyddane, deceased, of Montgomery County, $712.
To Jacob Mann, of Baltimore, $890.
To Jacob A. Miller, of Washington County, $920.
To Buchanan Schley and William P. Miller, administrators of David R. Miller, deceased, of Washington County, $630.
To Henry A. Poffenberger, of Washington County, $491.
To Richard Poole, administrator of Frederick S. Poole, deceased, of Montgomery County, $512.
To Adam Shower, of Carroll County, $326.
To Henry O. Talbott, administrator of Sarah Talbott, deceased, of Montgomery County, $1,970.
To Thomas S. Thrasher, administrator of Robert K. Thrasher, deceased, of Frederick County, $229.
To Elie Wade, of Washington County, $347.
To Margaret E. T. West, Francis O. Green, and Edwin M. West, sole heirs of James T. West, deceased, of Montgomery County, $285.
To George H. L. Chrissinger, administrator of the estate of George Chrissinger, deceased, $160.
To Joseph L. Motter, executor of the estate of Isaac Motter, deceased, $1,200.
To John Mullican, $437.
To Elizabeth Norris, $205.75.
To Benjamin R. Poole, $825.
To Albert H. Suman, $125.
To Edward Wooton and John R. Williams, administrators of Jonathan B. Benson, deceased, $2,142.

Mr. WARREN. On line 17, page 30, I move to amend the amendment by changing the spelling of the name "Wooton" to "Wootton."

The amendment to the amendment was agreed to.

The reading of the amendment of the committee was resumed at line 20, on page 30, and continued to the end of line 23, as follows:

To Charles G. Biggs, administrator of Benjamin F. Rohrback, deceased, $302.
To Robert H. Boteler, $596.

Mr. WARREN. On page 30, after line 23, I move to insert an amendment which was overlooked. I send the amendment to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 30, after line 23, it is proposed to insert:

MASSACHUSETTS.

To Charles Foster, receiver of the Union Steamship Company, of Boston, $18,000.

The amendment to the amendment was agreed to.

The reading of the amendment of the committee was resumed at line 1, on page 31, and continued to the end of line 25, on page 41, as follows:

MISSISSIPPI.

To John Arthur, administrator of William Arthur, deceased, of Bolivar County, $2,385.
To Penelope Auzburn, of Newton County, $553.
To George M. Barber, of Hinds County, $375.
To E. L. Brien, administrator of John B. Blackburn, deceased, of Warren County, $1,440.
To Thomas V. Brady, of Marshall County, $275.
To William T. Ratliff, administrator of Alphonso V. Corson, deceased, of Hinds County, $704.
To Emma C. Worthy, administratrix of Thomas C. Clark, deceased, of Warren County, $2,543.
To Jane Cofer, administratrix of Lemuel Cofer, deceased, of Lafayette County, $675.
To Martha L. Dixon, of Hinds County, $1,815.
To James F. Robertson, surviving executor of Drury Robertson, deceased, of Lafayette County, $1,495.
To Hi Eastland, administrator of James J. Ritch, deceased, of Scott County, $254.
To Washington Weir, administrator of Levi B. Fields, of Adams County, $644.
To W. L. Head, administrator of Frances Hyland, deceased, of Warren County, $2,270.
To Robert A. McDermott, administrator of Patrick McDermott, deceased, of Marshall County, $710.
To John K. Nutt, administrator de bonis non of Haller Nutt, deceased, of Adams County, $89,999.88.
To W. A. Collier, administrator of Winifred Collier, deceased, $1,655.
To John Doyle, $240.
To C. L. Kidd and Mary O. King, executors of the estate of Thomas Kidd, deceased, $13,460.
To J. B. Roach, administrator of David J. Kenneday, $2,623.
To Lytle A. Rather, administrator of John Oswold, deceased, of Marshall County, $770.
To James C. Mundlen, administrator of Mahala J. Parks, deceased, of Lafayette County, $628.
To R. B. Rucker, administrator of John Raney, deceased, of Hinds County, $4,437.
To J. Q. Roberts, administrator of Henry M. Roberts, deceased, of Monroe County, $1,588.
To J. G. Leach, administrator of Eli Whitaker, deceased, of Marshall County, $1,525.
To J. B. McAlpin, administrator of John Willis, deceased, of Newton County, $331.
To Bettie Aldrich, administratrix of Thomas W. Wilson, deceased, of Washington County, $3,495.
To Mary Hughes, administratrix of Clarissa Young, deceased, of Claiborne County, $4,190.
To John Young, of Yalobusha County, $2,149.

MISSOURI.

To Joseph Engle, of Dallas County, $232.
To Orville P. Hawkins, administrator of Mary Harpool, deceased, of Taney County, $784.
To Edward W. James, of Phelps County, $990.
To Edward S. McCombs, administrator of John McCombs, deceased, of Newton County, $150.
To Hezekiah M. Martin, of Newton County, $315.
To Robert Moore, of Cass County, $450.
To James C. Wallace, administrator of Thomas J. Owen, deceased, of Chariton County, $720.
To Charles T. Wilson, administrator of Philip Mathews, deceased, of Barton County, $2,160.
To James Taylor, of Barry County, $142.
To Isaac G. Whitworth, of Iron County, $560.
To John M. Black, administrator of the estate of Thomas R. Hankins, deceased, $396.
To Mary Jane Pritchett, administratrix of the estate of William R. Pritchett, deceased, $200.

NORTH CAROLINA.

To Thomas Bullock, of Cumberland County, $457.
To H. H. Carrow, S. R. Carrow, and the heirs of Maggie U. Hill, deceased, of Wake County, $3,596.
To Isaac W. Lewis, of Craven County, $740.
To Hugh Murdock, of Carteret County, $274.
To Benjamin F. Parrott, of Lenoir County, $1,995.
To Kenneth R. Pendleton, of Perquimans County, $117.
To Arrington Purify, administrator of Thomas Purify, deceased, of Craven County, $353.
To William N. Rose, of Wayne County, $681.
To Martha Noggle, administratrix of Jacob Noggle, deceased, of Cherokee County, $105.
To Hardy Summerline, of Wayne County, $1,323.
To George W. Westcott, of Dare County, $496.
To Henry T. Coates, administrator of Thomas H. Coates, deceased, $2,616.
To William S. Fowlkes, administrator of the estate of Mial T. Long, deceased, $316.
To Gabriel L. Hardison, sole heir of Gabriel Hardison, deceased, $1,244.
To Joel C. Johnson, administrator of Richard W. Johnson, deceased, $1,968.
To McCalvin Johnson, administrator of Jehu C. Lamb, deceased, $475.
To James A. McDaniel, administrator of James Warters, deceased, $2,634.
To H. B. Parker, administrator of Epsie Jackson, deceased, $596.

OHIO.

To John Reid, of Cincinnati, $476.75.

SOUTH CAROLINA.

To Martha Cook, administratrix of William Cook, deceased, Beaufort County, the sum of $816.
To Robert H. Rue, administrator of the estate of Edward H. Alston, deceased, $325.

TENNESSEE.

To Josephine Anderson, executrix of Thomas Anderson, deceased, of Claiborne County, $759.
To Mathias App, of Shelby County, $225.
To James M. Beckett, of Washington County, $150.
To David L. Harris, administrator of Leah Bray, deceased, of Lincoln County, $750.
To John Beets, administrator of George W. Beets, deceased, of Grainger County, $190.
To Herbert Cossey, of Hardin County, $228.
To Elizabeth Curtis, administratrix of John Curtis, deceased, of Franklin County, $1,124.
To William M. Mayo, administrator of Zillah Hall, deceased, of Fayette County, $530.
To John R. Rison, administrator de bonis non of John W. Nance, deceased, of Henry County, $337.
To William H. Callender, executor of James C. Owen, deceased, of Williamson County, $986.
To David A. Cleage and L. W. Rose, administrators of David Cleage, deceased, of McMinn County, $1,735.
To James C. Campbell, administrator of William K. Campbell, deceased, of Sullivan County, $548.
To Daniel Carmichael, administrator of Hamilton Carmichael, deceased, of Hawkins County, $574.
To William Calgy, executor of Mary Calgy, deceased, of Sumner County, $1,283.
To A. A. Caldwell, administrator of Sarah McCampbell, deceased, of Jefferson County, $266.
To T. E. Davis, administrator of J. D. Davis, deceased, of Lake County, $462.
To William L. Dugger, of Hamilton County, $1,161.
To Watson J. Wade, administrator of Andrew J. Duncan, deceased, of Davidson County, $10,831.99.
To Mary A. Dame, administratrix of Harvey Dame, deceased, of Lawrence County, $460.
To James O. Earnest, of Greene County, $605.
To Pamella B. Finney, administratrix of T. C. Finney, deceased, of Shelby County, $6,900.
To William B. Fleeman, of Giles County, $225.
To John F. Haupt, of Knox County, $213.
To J. J. Hibbetts, executor of D. C. Hibbetts, deceased, of Wilson County, $705.
To Joseph Holt, of Wayne County, $162.
To W. D. Hume, executor of David P. Hume, deceased, of Jefferson County, $180.
To I. A. McSpadden, administrator of Cyrus A. Humphreys, deceased, of Monroe County, $565.
To Frances King, widow of Henry King, deceased, of McNair County, $395.
To Nancy B. Elrod, surviving executrix of James C. Elrod, deceased, of Rutherford County, $172.
To W. T. Lynch, administrator of Henderson Lynch, deceased, of Greene County, $495.
To Pleasant H. McBride, of Hardin County, $225.
To Alfred McKinney, of Hawkins County, $252.
To Sarah R. Maclin, for herself and as administratrix of Benjamin P. Maclin, deceased, of Shelby County, $965.
To William W. Milam, executor of A. J. Milam, deceased, of Davidson County, $5,290.
To Samuel J. Moore, of Hamblen County, $254.
To Sarah E. Norton, administratrix de bonis non of Stephen A. Norton, deceased, of Shelby County, $9,166.66.
To James S. Oakley, of Franklin County, $1,492.
To D. C. Edmonson, administrator of Matilda O'Neal, deceased, of Davidson County, $722.
To Benjamin F. Poston, of Montgomery County, $510.
To Benjamin F. Locke, administrator of W. P. Pewitt, deceased, of Tipton County, $150.
To John D. Reed, administrator of John P. C. Reed, deceased, of Giles County, $235.
To A. Thomas, administrator of B. F. Roberts, deceased, of Williamson County, $960.
To Lucy T. Robertson, of Davidson County, $85.
To Chesley Williams, executor of Daniel D. Russell, deceased, of Rutherford County, $439.
To William S. Rodgers, administrator of James M. Rodgers, deceased, of Hardeman County, $1,452.

Mr. McCOMAS. I call the attention of the chairman of the committee to the provision in the bill as it came from the House, beginning in line 23, on page 8, as follows:

To Henry R. Walton, administrator of John Walton, deceased, of Anne Arundel County, $5,703.

I have seen Mr. Walton and talked with him about this matter, and I find that there is clearly a confusion as to the finding of the Court of Claims. In one place it speaks of $10,500 and in another of $5,703, which is the correct amount.

The man is very old, about 80 years of age. By a mistake in copying the report of the Court of Claims he ought not to lose what he is clearly entitled to. I appeal to the chairman in behalf of this old man. A bill for his relief once passed the House and once before passed the Senate——

Mr. COCKRELL. What is it the Senator refers to? We can not understand him. Before we discuss the matter, let us know what it is we are discussing.

Mr. WARREN. I trust the Senator from Maryland will allow this matter to pass over until the reading of the amendment shall have been completed.

Mr. McCOMAS. I ask the chairman of the committee to accept the amendment to insert the words which are now printed on page 8, in line 23 of the bill, as it passed the House:

To Henry R. Walton, administrator of John Walton, deceased, of Anne Arundel County, $5,703.

Mr. HOAR. Where does the Senator want the amendment to come in?

Mr. McCOMAS. Under the head of "Maryland," but I do not care where it comes in; it is germane anywhere.

In that case I will say to the Senator from Missouri that there was a confusion in the printing of the findings of the Court of Claims. It apparently looked in one place as if the court had awarded ten or eleven thousand dollars, but what the court awarded, as a careful reading will show, was this sum of $5,703. This man Walton is a very old man, and unless he gets this money now he may never live to get it. The estate is clearly entitled to this money, and he has been here for years. That misprint in the findings of the court caused this omission, and nothing else. There is no objection to the claim in any way. I appeal to the chairman of the committee to accept the amendment. If not, I shall ask for a vote of the Senate upon the amendment.

Mr. COCKRELL. Where is that in the bill?

Mr. WARREN. It is not in this print of the bill, but it is one of the claims that the Senate committee cut out of the House bill. It is in the House portion, where it is marked out.

The PRESIDENT pro tempore. The Senate will understand that the amendment which is being read is not being agreed to, and will be open to amendment as in Committee of the Whole after the reading is completed.

Mr. COCKRELL. Then let the proposed amendment to the amendment be passed over.

Mr. WARREN. I was about to ask the Senator from Maryland to let the amendment go over and have it come up when the bill is under consideration for final passage.

The PRESIDENT pro tempore. All of the amendment which is being read will be subject to amendment as in Committee of the Whole after the reading of the amendment of the committee shall have been completed.

Mr. McCOMAS. Very well.

The Secretary resumed the reading of the amendment of the Committee on Claims at line 1 on page 42, and continued to the end of line 25 on page 46, as follows:

To J. D. Sanders, administrator of Isaiah Sweet, deceased, of McNairy County, $385.
To W. T. Smallman, administrator of David Smallman, deceased, of Hamblen County, $392.
To Jacob Schneider and Louis Seilaz and Moritz Neubert, executors of Charles Schneider, deceased, of Knox County, $560.
To Hiram L. Sloan, of Grainger County, $272.
To John W. Wright, of Hardin County, $125.
To William J. Webb, administrator of John Webb, deceased, of Cannon County, $396.
To J. E. Aldrich, administrator of the estate of Joseph A. Aldrich, deceased, $41.
To Lucretia H. Ashworth, sole heir of the estate of L. H. Grimes, deceased, $418.
To John Beal, $375.
To W. B. Caldwell, administrator of William O'Neil, deceased, $95.
To Jesse B. Derieux, administrator of Peter Derieux, deceased, $444.
To A. L. Dunlap, $245.
To Z. Toy Holman, administratrix of Clementina H. Holman, deceased, $4,556.
To T. J. Huckaba and M. S. Huckaba, sole heirs of Elizabeth Hensley, deceased, $160.
To Henry Hull, administrator of the estate of Isaac Hull, deceased, $640.
To John B. Klepper, $610.
To Marion Lewis, for himself as heir and as guardian of Lida Minta Lewis and Violet Lewis, the other heirs of Elizabeth Lewis, deceased, $125.
To Joseph W. Mays, administrator of Pinckney Halton, deceased, $1,040.
To Albert J. Milikien, $813.
To E. S. Ripley, executor of David S. Ripley, deceased, $167.
To E. A. Shipley, administrator of Samuel Hicks, deceased, $325.
To W. O. Gordon, administrator of the estate of Jack Frank, deceased, $170.
To W. A. Jacobs and J. F. Hickerson, administrators of Charles Hickerson, deceased, $165.
To Robert F. Smith, administrator of Francis J. Smith, deceased, $1,045.
To Americus V. Warr, executor of James Warr, deceased, $684.

VIRGINIA.

To the heirs at law of Henry C. Brawner, deceased, of Prince William County, $312.
To Nancy H. Beans and Rebecca H. Beans, executrices of Isaiah B. Beans, deceased, of Loudoun County, $1,280.
To George Brunk, of Rockingham County, $200.
To Solomon Beery, of Rockingham County, $100.
To J. B. Carwell, of Augusta County, $175.
To T. C. Culpeper, administrator of Josiah Culpeper, deceased, of Norfolk County, $720.
To John W. Fletcher, of Fauquier County, $231.
To Samuel W. Hough, administrator of William N. Hough, deceased, of Loudoun County, $440.
To Duncan James, of Fauquier County, $859.
To George W. Hott, administrator de bonis non cum testamento annexo of William Hughes, deceased, of Alexandria County, $5,171.
To J. J. D. Miller, administrator of John D. Miller, deceased, of Rockingham County, $354.
To R. L. Pritchard, John W. Rothgeb, and A. J. Huffman, copartners, doing business as R. L. Pritchard Company, of Page County, $3,227.37.
To James T. Quick, of Augusta County, $135.
To W. W. Smallwood, administrator of Benjamin Starkey, deceased, of Clarke County, $1,117.
To Peter Showalter, of Rockingham County, $225.
To the board of trustees of the Methodist Episcopal Church at Arlington, known as "Hunter's Chapel," $3,000.
To Charles L. Stewart, executor of Charles Stewart, $1,495.
To Mary Baker, $426.
To William H. Baker, executor of the estate of James Ginn, deceased, $1,382.
To Mary E. Burke, $402.
To John J. Christian, $715.
To Nathan Gardner, $857.
To Charles W. Heater, administrator of Caroline Heater, $5,480.
To David Rudy, $115.
To George W. Bowen, administrator of the estate of John W. Hawkins, deceased, $618.
To Aaron B. Hoffman, $719.
To Annie Palmatory, administratrix of John T. Palmatory, deceased, $1,465.
To Edward J. Taylor, administrator of Henry Clevenger, deceased, $565.
To the Winchester and Potomac Railroad Company, $30,340.

Mr. WARREN. I should like to have an item inserted at that point; a claim which was overlooked in making up the list.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Wyoming will be stated.

The SECRETARY. On page 46, after line 25, it is proposed to insert:

To Adel Virginia Spangler, administratrix de bonis non of the estate of Felix Robert, deceased, and in her own right, of Frederick County, $4,390.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Wyoming to the amendment of the committee.

The amendment to the amendment was agreed to.

The reading of the amendment of the committee was resumed at line 1, page 47, and continued to the end of line 17, on page 49, as follows:

WEST VIRGINIA.

To F. W. Brown, administrator of B. W. Herbert, deceased, of Jefferson County, $1,160.
To George W. Brown, of Jefferson County, $100.
To Trueman E. Cole, administrator of John W. Cole, deceased, of Taylor County, $1,366.
To Eli H. Crouch and H. C. Crouch, executors of Jonathan Crouch, deceased, of Randolph County, $6,559.
To John C. Woods, administrator of Crisman Conrad, deceased, of Braxton County, $207.
To Augustus S. Shaver, administrator of James Matthews, deceased, of Greenbrier County, $345.
To Woodford White, of Kanawha County, $180.
To George H. Small, of Berkeley County, $825.
To John W. Hall and James P. Hall, of Wirt County, $600.
To William F. Williams, administrator of James Williams, deceased, of Greenbrier County, $145.
To Tabitha Nicewaner, $121.
To J. K. P. Ott, executor of the estate of Barney Ott, deceased, $230.
To Henry E. Sanger, administrator of Henry Sanger, deceased, $131.
To Henry A. Snuffer, administrator of Cyrus Snuffer, deceased, $542.
To J. G. W. Tompkins and J. C. Brown, administrators of the estate of Rachel M. Tompkins, deceased, $3,393.
To T. H. Ward, administrator of William L. Ward, deceased, $2,870.

FRENCH SPOLIATION CLAIMS.

To pay the findings of the Court of Claims on the following claims for indemnity for spoliations by the French prior to July 30, 1801, under the act entitled "An act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st day of July, 1801:" *Provided*, That in all cases where the original sufferers were adjudicated bankrupts the awards shall be made on behalf of the next of kin instead of to assignees in bankruptcy, and the awards in the cases of individual claimants shall not be paid until the Court of Claims shall certify to the Secretary of the Treasury that the personal representatives on whose behalf the award is made represent the next of kin, and the courts which granted the administrations, respectively, shall have certified that the legal representatives have given adequate security for the legal disbursements of the awards, namely:

On the ship *Ganges*, Charles Langford, master, namely: James C. Hays, administrator de bonis non, etc., of Thomas Vermilyea, deceased, and executor of the last will and testament of Thomas Vermilyea Jarvis Christophers, deceased, $17,263.

On the brig *Sally*, Samuel Stacy, master, namely: William R. Hooper, administrator of Robert Hooper, jr., deceased, as surviving partner of the firm of Robert Hooper & Sons, $11,551.

Mr. HOAR. Mr. William R. Hooper, the administrator there named, was a near neighbor of mine and an old friend. He has been dead a good while. I can not find any provision in the bill applying to the French spoliation claims which warrants the payment, where the executor or administrator is dead, to the successor. I should like to have added here words to the effect that the payment should be made to the successor in the administration.

Mr. WARREN. I call the attention of the Senator to the provision on the last page of the bill, page 130.

Mr. HOAR. It reads:

But these provisions shall not apply to payments in the cases of the French spoliation claims, which shall be made as heretofore prescribed in this bill.

I have looked through the bill, and I think there are several of these cases. This one I know all about; but there are others where I suppose the same to be true, and either there should be an amendment as to each case or there should be a provision declaring that wherever an executor or administrator, either original or de bonis non, be dead or has relinquished his trust, the payment shall be made to his successor in such trust, who shall give proof of his right thereto to the Department, or something of that sort.

Mr. WARREN. I will say to the Senator that we have to follow pretty generally the findings of the court. If it may seem, on further reading of the bill, that the Senator is right—and I assume he is right—that there should be anything inserted to secure the proper payment, it will of course be inserted. I should be glad to have the Senator suggest the phraseology of such an amendment.

Mr. HOAR. Here is a poor family—I do not mean poor; but, though they are in a respectable position of life, a family without property—who are entitled to $11,551. If this bill passes, they will have to get an act of Congress at the next session in order to secure that money. That certainly is not right.

Mr. McCOMAS. If the Senator will allow me, it appears to me that on page 130, the last page of the bill, the purpose of the draftsman of that provision was to provide in respect of other claims that the administrators de bonis non and successors in the trust might receive payment, and then to exclude payment to the next of kin where original payment had been made, so that——

Mr. HOAR. But in the case of bankruptcy——

Mr. McCOMAS. The Senator will allow me to finish my statement.

Mr. HOAR. Certainly.

Mr. McCOMAS. So that the real purpose of the draftsman would, perhaps, be obtained if he had said in the last provision that as to the payment to the original claimant, who was adjudged a bankrupt in the French spoliation claims, this one provision shall not apply. Perhaps the Senator would not object to that.

Mr. HOAR. I do not like the phrase that payment shall be made to the legal representative. It seems that as to the legal representatives of the original claim or the executor or administrator, this particular provision shall not apply to payments in cases of French spoliation claims, "which shall be made as heretofore prescribed in this bill."

Mr. McCOMAS. If the amendment be made, in line 18 of this provision, in respect to original claims, "these provisions shall not apply"——

Mr. HOAR. Mr. President——

Mr. WARREN. I suggest to the Senator from Massachusetts——

Mr. HOAR. I was about to say that I will accept the suggestion of the Senator from Wyoming and let the matter go over if the Senate will afterwards consider it.

Mr. WARREN. I should be very glad indeed to have the judgment of the Senator from Massachusetts in relation to the matter. It is the intention of the committee to have this bill passed in such a manner that, without trouble or expense, the proper person may receive the amount to which he is entitled without delay. As that provision comes in at the very end of the bill, I ask that the discussion may be deferred for the present and that the reading may be proceeded with.

Mr. HOAR. But for that undertaking, of course I should have to move an amendment in every case where I know that state of facts exists. But the Senator says he will look out for it.

Mr. WARREN. I discover that the language is possibly ambiguous as to the proviso and limitation at the end of the bill.

The PRESIDENT pro tempore. The reading of the amendment will be resumed.

The Secretary resumed the reading of the amendment, and read as follows:

On the brig *Sally*, John Cruft, master, namely: William G. Perry, executor of Nicholas Gilman, deceased, $300.

On the ship *Raven*, Thomas Reilly, master: Sara Leaming, administratrix of Thomas Murgatroyd, $9,298.

On the ship *Columbia*, Samuel Lathrop, master, namely:

Charles Francis Adams, administrator of Peter Chardon Brooks, $3,500.

A. Lawrence Lowell, administrator of Nathaniel Fellowes, $1,500.

Mary L. Elliot and Charles A. Elliot, administrators of Benajah Leffingwell, $2,937.50.

George G. Sill, administrator of Hezekiah Kelly, $3,358.50.

Henry W. Blagge and Susan B. Samuels, administrators of Crowell Hatch, $1,000.

On the brig *Lady Walterstorff*, John Gutterson, master, namely:

Fredericka M. Kerr, administratrix of Robert McKean, $1,294.90.

Ephraim R. Ridgway, administrator of James Oldden, $588.

Joseph Sims, administrator of Joseph Sims, $2,100.

On the schooner *Margaretta*, Aaron Croll, master, namely:

Francis A. Lewis, administrator of Peter Blight, $490.

Manuel E. Griffith and Russell Thayer, administrators of Robert E. Griffith, surviving partner of Nicklin & Griffith, $490.

Craig D. Ritchie, administrator of Joseph Summerl, surviving partner of Summerl & Brown, $490.

W. W. Vasse, administrator of Ambrose Vasse, $588.

George W. Guthrie, administrator of Alexander Murray, surviving partner of Miller & Murray, $490.

Henry Pettit, administrator of Andrew Pettit, surviving partner of Pettit & Bayard, $490.

Charles Prager, administrator of Mark Prager, surviving partner of Prager & Co., $490.

George Mead, administrator of Thomas Ketland, surviving partner of Thomas and John Ketland, $588.

J. Bayard Henry, administrator of George Rundle and Thomas Leech, $490.

On the schooner *William and Mary*, Benjamin Hilton, master, namely:

James W. Emery, administrator of Thomas Manning, deceased, $5,282.

Charles Francis Adams, administrator of Peter C. Brooks, deceased, $2,500.

A. Lawrence Lowell, administrator of Nathaniel Fellowes, deceased, $1,000.

Henry W. Blagge and Susan B. Samuels, administrators of Crowell Hatch, deceased, $1,000.

William A. Hayes, second administrator of Nathaniel A. Haven, deceased, $100.

On the sloop *Sidney*, Jared Bartholomew, master, namely:

Charles A. Meigs, administrator of David Tomlinson, $910.

On the ship *Joanna*, Alexander Boggs, master, namely: Henry V. Lester, administrator of James Barr, deceased, as surviving partner of the firm of Stewart & Barr, $16,933.33: *Provided, however*, That it is shown to the satisfaction of the Court of Claims that said James Barr was the surviving partner of the firm of Stewart & Barr.

On the schooner *Delight*, Mark Hatch, jr., master, namely: Thomas E. Hale, administrator of Mark Hatch, deceased, $4,500: *Provided, however*, That it is shown to the satisfaction of the Court of Claims that the Mark Hatch herein was the identical Mark Hatch who was the owner of the said schooner *Delight*.

On the ship *Theresa*, Philip Brum, master, namely: George W. Lockwood, administrator of the estate of John A. Dubernat, deceased, $13,537.50: *Provided, however*, That the amount so appropriated shall not be paid until the Court of Claims shall certify to the Secretary of the Treasury that the administrator of said estate represents the next of kin of said John A. Dubernat, or, in event the court shall find there are no such next of kin and that there was a widow of said John A. Dubernat, then that said sum be paid to the personal representative of such widow for and on behalf of the next of kin of such widow.

On the sloop *Betsey*, Peleg Blankinship, master, namely: Peleg Blankinship, administrator of George Blankinship, deceased, $2,380.

On the schooner *Sophia*, Francis O'Meara, master, namely: Eliza J. Hieskell, administratrix of William Wilson, deceased, $11,213.

On the brig *Pilgrim*, John Thissel, master, namely:

Charles Francis Adams, administrator of Peter C. Brooks, $1,820.

A. Lawrence Lowell, administrator of Nathaniel Fellowes, $520.

Henry W. Blagge and Susan B. Samuels, administrators of Crowell Hatch, $520.

Robert Codman, administrator of William Gray, $1,560.

Henry H. Cole, administrator of Hale Hilton, $10,148.

On the schooner *Betsey*, Lemuel Moody, master, namely:

Charles K. Cobb, administrator of Matthew Cobb, $4,530.83.

George A. Thomas, administrator of William Widgery, $5,389.33.

On the schooner *St. Patrick*, Lemuel Bourne, master, namely: Emma G. Gallagher, administratrix of Thomas Stagg, jr., deceased, $2,230.

On the brigatine *Olive Branch*, John Edwards, jr., master, namely:

Josiah M. Crocker, administrator of George Taylor, deceased, $1,372.

William R. Colby, administrator of Elijah Sanderson, deceased, $1,372.

William R. Colby, administrator of Jacob Sanderson, deceased, $1,372.

William A. Bowditch, administrator of William Appleton, deceased, $1,372.

On the ship *Eunice*, Thomas Seal, master, namely:

Andrew Hawes, as administrator de bonis non of the estate of John Quinby, deceased, $11,938.

Henry B. Cabot, administrator of Jonathan Mason, jr., $500.

George G. King, administrator of James Scott, $400.

H. H. Hunnewell, executor of John Welles, $485.

Henry B. Cabot, administrator of Daniel D. Rogers, $500.

On the brig *Clio*, Richard M. Ball, master, namely:

John Stewart, administrator de bonis non estate of William P. Stewart, surviving partner of firm of David Stewart & Sons, $4,980.20.

On the schooner *Dolphin*, Thomas Gove, master, namely:

Andrew Lacy, administrator of John Gove, Ebenezer Gove, and Thomas Gove, $9,829.

On the schooner *Polly*, Benjamin Shillaber, master, namely:

Horatio P. Pierson, administrator of Abel Lawrence, deceased, $1,310.42.

James B. Curwen, administrator of John Collins, deceased, $1,310.42.

Albert P. Hovey, administrator of Amos Hovey, deceased, $1,310.42.

Charles Hall Adams, administrator of Henry Gardner, deceased, $1,310.43.

On the schooner *William and Joseph*, William Lander, master, namely:

William A. Lander, administrator of Peter Lander, deceased, $1,490.75.

George M. Whipple, administrator of John Norris, deceased, $2,624.21.

Francis C. Lowell, administrator of Benjamin Goodhue, $1,124.66.

Andrew Nichols, administrator of Joshua Ward, $2,624.22.

On the ship *Star*, John Burchmore, master, namely:

George M. Whipple, administrator of John Norris, deceased, $10,283.75.

Francis C. Lowell, administrator of Benjamin Goodhue, deceased, $5,047.25.

On the snow *Isabella*, James Helm, master, namely:

Ann Pennington Buchanan, administratrix of James Buchanan, deceased, survivor of the firm of Buchanan & Young, $3,472.

Ann Elizabeth Marshall, administratrix of William Robb, deceased, $6,164.96.

On the schooner *Little Will*, William Tallman, master, namely:

Jane G. Howard and Susan S. Hoffman, administratrixes de bonis non of the estate of Robert Gilmor, jr., surviving partner of the firm of Robert Gilmor & Sons, $875.

David Stewart, administrator of John Chalmers, sr., $764.16.

David Stewart, administrator of John Chalmers, jr., $764.16.

On the schooner *Orange*, John Holman, master, namely:

Charles E. Patten, administrator of James Fulton, deceased, $1,867.22.

Charles E. Patten, administrator of Thomas Patten, deceased, $933.51.

Charles E. Patten, administrator of Robert Patten, deceased, $1,867.22.

Francis Adams, administrator of Arthur Hunter, deceased, $1,867.22.

Frank Dabney, administrator of Samuel W. Pomeroy, deceased, $500.

A. Lawrence Lowell, administrator of Nathaniel Fellowes, deceased, $1,000.

Seth P. Snow, administrator of Crowell Hatch, deceased, $1,000.

On the sloop *Almena*, John Smith, master, namely:

John Allen, administrator of John Smith, deceased, $1,260.

Russell A. Young, administrator of Webster Brown, deceased, $1,260.

On the schooner *Adams*, Stephen Brown, master, namely:

Robert Codman, administrator of William Gray, jr., $1,500.

Charles F. Adams, administrator of Peter C. Brooks, $700.

Seth P. Snow, administrator of Crowell Hatch, $400.

Gorham Parsons Sargent, administrator of Fitz William Sargent, $598.45.

Joseph O. Proctor, administrator of Joseph Proctor, $1,613.66.

On the brig *Thetis*, William Peterkin, master, namely:

John Merwin Carrere and David Stewart, administrators of John Carrere, $6,728.67.

On the brig *Harriot*, Joseph Campbell, master, namely:

Jacob B. Sweitzer and David Stewart, administrators of John Holmes, $4,587.50.

On the sloop *Betsey*, Benjamin Rhodes, master, namely:

Rufus Waterman, administrator of Rufus Waterman, deceased, $720.24.

Edward H. Robinson, administrator of Richard Jackson, deceased, $990.24.

Thomas Brown, administrator of Zepaniah Brown, deceased, $990.24.

Mr. WARREN. In line 4, page 60, there should be an "h" after the letter "p" in the name "Zepaniah," so as to read "Zephaniah H. Brown."

The PRESIDENT pro tempore. That correction will be made.

The Secretary resumed the reading of the amendment, and read as follows:

On the brig *Union*, John Walker, master, namely:
Robert Codman, administrator of William Gray, jr., deceased, $1,500.
Theodore B. Moody, administrator of Joseph Moody, deceased, $1,790.
Stephen Thacher, administrator of Thacher Goddard, deceased, $2,840.
On the brig *Dove*, Joseph Tyler, master, namely:
Laurence H. H. Johnson, administrator of William Bartlet, deceased, $5,798.10.
On the brig *Hannah*, John Blakely, master, namely:
Susan Blagge Samuels, administratrix of John Blagge, deceased, $4,624.
On the sloop *Farmer*, George Kiler, master, namely:
Lucy Franklin Read McDonnell, executrix of George Pollock, surviving partner of Richard Yates and George Pollock, $1,518.64.
On the ship *Concord*, John Thompson, master, namely:
Francis A. Lewis, administrator of Peter Blight, $36,933.40.
Francis A. Lewis, administrator of John Miller, jr., $980.
George McCall, administrator of William McMurtrie, deceased, $588.
Arthington Gilpin, administrator of Joshua Gilpin, deceased, $490.
Russell Thayer and Manuel E. Griffith, administrators of Robert Egglesfield Griffith, surviving partner of Nicklin & Griffith, $980.
Francis R. Pemberton, administrator of John Clifford, surviving partner of Thomas and John Clifford, $784.
Isaac S. Smyth, administrator of Jacob Baker, surviving partner of Baker & Comegys, $784.
William D. Squires, administrator of Henry Pratt, surviving partner of Pratt & Kintzing, $980.
Robert W. Smith, administrator of Robert Smith, surviving partner of Robert Smith & Co., $980.
J. Lardner Howell, administrator of Samuel Howell, $980.
The Pennsylvania Company for Insurance, as administrator of Thomas M. Willing, surviving partner of Willing & Francis, $1,960.
Henry Pettit, administrator of Andrew Pettit, surviving partner of Pettit & Bayard, $784.
Henry Pettit, administrator of Charles Pettit, $588.
George W. Guthrie, administrator of Alexander Murray, surviving partner of Miller & Murray, $980.
John Lyman Cox and Howard Warts Page, administrators of James S. Cox, $784.
William Brooke-Rawle, administrator of Jesse Waln, $980.
Samuel Bell, administrator of John G. Wacksmuth, $980.
Atwood Smith, administrator of Daniel Smith, surviving partner of Gurney & Smith, $980.
J. Bayard Henry, administrator of John Leamy, $784.
Craig D. Ritchie, administrator of Joseph Summerl, surviving partner of Summerl & Brown, $980.
Crawford Dawes Henning, administrator of James Crawford, surviving partner of James Crawford & Co., $980.
George Harrison Fisher, administrator of Jacob Ridgway, $588.
Robert Oldden, administrator of John Oldden, $980.

Mr. WARREN. On page 60, line 8, I move to strike out "Robert Oldden" and insert "George Holmes."

The PRESIDING OFFICER (Mr. BURTON in the chair). Without objection that change will be made.

Mr. HOAR. I should like to call attention to an amendment which I have prepared in order that it may be printed and put in possession of the chairman. It refers to the matter just spoken of, and it may be well to put it in at this point. I move to add at the end of the bill, if it may be permitted, although I will not take it up now, the following:

Wherever under this bill it is provided that a payment be made to an executor or administrator, whether original or ancillary or de bonis non, and such executor or administrator is dead or no longer holds his office, the payment shall be made to the successor therein, his title to hold said office being established to the satisfaction of the Secretary of the Treasury.

I ask that the amendment may be printed and be pending.

The PRESIDING OFFICER. The amendment will lie on the table.

Mr. HOAR. Not lie on the table, but be pending as an amendment to the end of the bill.

The Secretary resumed the reading of the amendment, and read as follows:

Charles Prager, administrator of Mark Prager, jr., surviving partner of Pragers & Co., $980.
W. W. Vasse, surviving administrator of Ambrose Vasse, $980.
J. Bayard Henry, administrator of George Rundle and Thomas Leech, composing firm of Rundle & Leech, $980.
John C. Williams, administrator of Edward Dunant, $490.
Uselma C. Smith, administrator of William Jones, surviving partner of Jones & Clarke, $784.
D. Fitzhugh Savage, administrator of John Savage, $980.
Ephraim R. Ridgway, administrator of James Oldden, $980.
Richard Delafield, administrator of John Delafield, $853.10.
Julia Battersby, administratrix of John R. Desdoity, $426.55.
Benjamin M. Hartshorne and Charles N. Black, executors of Richard Hartshorne, surviving partner of Rhinelander & Hartshorne, $1,842.
Louisa J. Sebor, administratrix of Jacob Sebor, $980.
On the ship *Caroline*, Charles Treadwell, master, namely:
Woodbury Langdon, administrator of Daniel Cutter and Jacob Cutter, deceased, $12,217.39.
Woodward Emery, administrator of Thomas Manning, deceased, $150.
J. Hamilton Shapley, administrator of Edward Cutts, deceased, $100.
Frederick P. Jones, administrator of Martin Parry, deceased, $150.
George W. Haven, administrator of Moses Woodward, deceased, $100.
Stephen Decatur, administrator of Samuel Storer, deceased, $100.
Matilda M. Cutler, administratrix of Clement Storer, deceased, $100.
William A. Hayes, administrator of Nathaniel A. Haven, deceased, $400.
On the brig *Caroline*, Elihu Cotton, master, namely:
George E. Sill, administrator of Benjamin Williams, deceased, $4,559.66.
Elizabeth Francis, administratrix of John Brown, deceased, $1,000.
Thomas Brown, administrator of Zephaniah Brown, deceased, $200.
Christopher Dexter, administrator of Edward Dexter, deceased, $300.
W. Maxwell Green, administrator of Samuel W. Green, deceased, $200.
William B. Phillips, administrator of Moses Lippitt, deceased, $100.
William R. Talbot, administrator of Welcome Arnold, deceased, $500.
Alexander Duncan, administrator of Cyrus W. Butler, surviving partner of Samuel Butler & Son, $400.
On the sloop *Abigail*, Samuel Robinson, master, namely:
Charles K. Cobb, administrator estate of Matthew Coob, $2,297.74.
Sarah H. Southwick, administratrix estate of Samuel F. Hussey, $133.41.
Nathan Cleaves, administrator estate of Arthur McLellan, $1,246.25.
Nathan Cleaves, administrator estate of Robert Boyd, $88.94.
On the ship *Venus*, Robert Berrill, master, namely:
Andrew Lacey, administrator de bonis non of Peter Bryson, deceased, $5,687.50.
Andrew Lacey, administrator de bonis non of Robert Berrill, $5,687.50.
On the schooner *Olive*, George Smith, master, namely:
Charles Francis Adams, jr., as administrator of the estate of Peter Chardon Brooks, deceased, $3,500.
A. Lawrence Lowell, administrator of the estate of Nathaniel Fellowes, deceased, $800.
Arthur L. Huntington, administrator of the estate of George Smith, deceased, $467.52.
On the snow *Jenny*, Hugh Lyle, master, namely:
Ann Pennington Buchanan, administratrix of James Buchanan, surviving partner of the firm of Buchanan & Young, $4,405.50.
Anna E. Taylor and David Stewart, administratrix and administrator of Joseph Massey, surviving partner of the firm of Massey & James, $1,370.34.
Walter W. Preston, administrator of Frederick De la Porte, $5,233.
On the schooner *Rainbow*, Joseph Howland, master, namely: Gideon K. Howland, administrator of the estate of Joseph Howland, deceased, $538.75.
On the ship *Fox*, Coffin Whippey, master, namely:
Charles R. Price, administrator of Seth Russell, surviving partner of the firm of Seth Russell & Son, $7,024.62.
Daniel Ricketson, executor of Joseph Ricketson, surviving partner of the firm of Daniel Ricketson & Son, $3,512.32.
Eliot D. Stetson, administrator of Cornelius Howland, $3,512.31.
William J. Rotch, administrator of William Rotch, jr., surviving partner of William Rotch, jr., and Abraham Barker, $3,512.31.
William G. Taber, administrator of Benjamin Taber, $1,756.16.
Henry T. Handy, administrator of William Handy, $1,756.16.
On the brig *Betsey*, George R. Turner, master, namely:
Lucy S. Cushing, administratrix of Jacob Sheafe, deceased, $5,510.
Frank W. Rollins, administrator of George Turner, deceased, $2,080.
Charles W. Robinson, administrator of Reuben Shapley, deceased, $500.
George W. Haven, surviving executor of John Haven, deceased, $400.
Ann Fisher Satterwhaite, administratrix of James Sheafe, deceased, $450.
William A. Hayes, 2d, administrator of Nathaniel A. Haven, deceased, $400.
On the sloop *Scrub*, John Russell, master, namely:
George G. Sill, administrator of Benjamin Williams, to the sum of $940.33.
Elizabeth Francis, administratrix of John Brown, to the sum of $1,000.
Christopher Dexter, administrator of Edward Dexter, to the sum of $300.
W. Maxwell Green, administrator of Samuel W. Green, to the sum of $200.
William B. Phillips, administrator of Moses Lippett, to the sum of $100.
William R. Talbott, administrator of Welcome Arnold, to the sum of $500.
On the ship *Active*, Micajah Gardner, master, namely:
Henry B. Worth, administrator of Aaron Mitchell, $9,467.50.
Henry B. Worth, administrator of Jethro Mitchell, $13,727.50.
Henry B. Worth, administrator of Obed Mitchell, $13,727.50.
Gardner S. Lamson, administrator of Paul Gardner, $13,727.50.
On the schooner *Success*, Samuel Graves, jr., master, namely: Arthur L. Huntington, administrator of Samuel Hooper, deceased, $7,817.
On the brig *Hanna*, Samuel Cox, master, namely:
The Guarantee Trust and Safe Deposit Company, of Philadelphia, as administrator of William Robinson, jr., $5,220.
John A. Dougherty and Catharine McCourt, administrators of Louis Crousillat, $1,982.
Louis C. Vanuxem, administrator of James Vanuxem, representing the firm of Vanuxem & Clark, $980.
William D. Squires, administrator of Henry Pratt, surviving partner of Pratt & Kintzing, $588.
J. Bayard Henry, administrator of John Leamy, $784.
John Lyman Cox and Howard Wurts Page, administrators of James S. Cox, $588.
Craig D. Ritchie, administrator of Joseph Summerl, surviving partner of Summerl & Brown, $784.
Francis A. Lewis, administrator of Peter Blight, $980.
George W. Guthrie, administrator of Alexander Murray, surviving partner of Miller & Murray, $784.
Francis A. Lewis, administrator of John Miller, jr., $784.
Robert W. Smith, administrator of Robert Smith, surviving partner of Robert Smith & Co., $784.
The City of Philadelphia, administrator of Stephen Girard, $490.
C. D. Vasse, administrator of Ambrose Vasse, $980.
Charles Prager, administrator of Mark Prager, surviving partner of Prager & Co., $1,078.
J. Bayard Henry, administrator of George Rundle and Thomas Leech, composing the firm of Rundle & Leech, $980.
J. Bayard Henry, administrator of Charles Ross and John Simson, composing the firm of Ross & Simson, $784.
Sara Leaming, administratrix of Thomas Murgatroyd, representing the firm of Thomas Murgatroyd & Sons, $980.
Uselma C. Smith, administrator of William Jones, surviving partner of Jones & Clark, $784.
Henry Pettit, administrator of Andrew Pettit, surviving partner of Pettit & Bayard, $784.
On the ship *Rebecca*, George Nowell, master, namely: Samuel F. Coffin and Ida C. Lunt, administrators de bonis non of the estate of Samuel Coffin, deceased, $11,066.
On the schooner *Fox*, Samuel Stocking, master, namely:
Louisa J. Sebor, administratrix of Jacob Sebor, deceased, $490.
Thomas H. Stevens, administrator of Ebenezer Sage, deceased, $1,339.40.
Herbert L. Camp, administrator of Jozeb Stocking, deceased, $1,935.65.
On the brig *Dove*, Hezekiah Goodhue, master, namely:
Lawrence H. H. Johnson, administrator of William Bartlet, deceased, $32,822.
On the brig *North Carolina*, Richard West, master, namely:
Margaret Devereux, executrix of John Devereux, deceased, $2,379.
Margaret Devereux, administratrix of George Pollock, deceased, $7,094.
On the vessel schooner *Aurora*, William Smith, master, namely:
Virgilia B. Brooke, administratrix, etc., of estate of John Smith, jr., $3,750.
Anthony Groverman, administrator de bonis non of estate of Joseph Calman, surviving partner firm of Joseph Calman & Co., $294.

Rebecca R. Thompson and Elizabeth Y. Thompson, administratrices de bonis non, cum testamento annexo, of estate of Joseph Young, $294.
Mary Clara Johnson and David Stewart, administrators de bonis non of estate of Edward Johnson, $294.
Nathaniel Morton, administrator de bonis non of estate of Nathaniel Morton, surviving partner firm of Bedford & Morton, $294.
David Stewart, administrator de bonis non of estate of Conrad Eiselen, $294.
David Stewart, administrator de bonis non, cum testamento annexo, of estate of Paul Bentalou, $490.
William N. Marye, administrator of estate of Richard Gettings, surviving partner firm of Gettings & Smith, $294.

Mr. WARREN. In line 13, page 74, the name "Gettings" should be changed to "Gittings;" also where it occurs the second time in the same line.

The PRESIDING OFFICER. That change will be made.

The Secretary resumed the reading of the amendment, and read as follows:

Robert Shriver, administrator de bonis non of estate of Isaac Causten, $294.
David Stewart, administrator estate of George Sears, $294.
John W. Jenkins, administrator of estate of John Hillen, $294.
John C. Tilghman, administrator de bonis non estate of William Van Wyck, $380.
Cumberland D. Hollins, administrator de bonis non, cum testamento annexo, of estate of Cumberland Dugan, $490.
John P. Severs, administrator of estates of Robert and George McCandless, $294.
Edward Church Noyes, administrator of estate of James Clarke, $490.
On the vessel schooner *Four Sisters*, Timothy Wellman, master, namely:
Horace B. Sargeant, administrator of Daniel Sergeant, deceased, the sum of $200.
Robert Codman, administrator of William Gray, junior, deceased (subrogated to the rights of Wellman for detention and purchase of the vessel), the sum of $283.
George A. Veazie, junior, administrator of Timothy Wellman, deceased, the sum of $425.
Philo S. Shelton, administrator of Benjamin Homer, deceased, the sum of $200.
David G. Haskins, junior, administrator of David Greene, deceased, the sum of $400.
William P. Parker, administrator of William B. Parker, deceased, the sum of $365.08.
Henry B. George, administrator of Bradstreet Parker, deceased, the sum of $365.08.
William D. Pickman, executor of Dudley L. Pickman, deceased, the sum of $365.08.
William A. Lander, administrator of Pickering Dodge, deceased, the sum of $365.08.
Robert Stone, surviving executor of Robert Stone, jr., deceased, the sum of $730.17.
On the vessel schooner *Abagail*, John Perkins, master, namely:
Joseph T. Little, administrator of Doty Little, deceased, $1,615.67.
George M. Warren, administrator of Stover Perkins, deceased, $1,615.67.
Joseph T. Little, administrator of Otis Little, deceased, $1,615.66.
On the vessel *Good Intent*, Nathaniel Gladding, master, namely:
William Gladding, administrator de bonis non of Nathaniel Gladding, deceased, $316.66.
William O. Gladding, administrator de bonis non of Edward Church, deceased, $316.66.
O. L. Bosworth, administrator de bonis non of Henry Monroe, deceased, $316.66.
On the vessel sloop *Henrietta*, Samuel Wasson, master, namely:
Frederick St. John Lockwood, administrator of Henry Belden, deceased, $1,959.08.
Louisa J. Sebor, administratrix of Jacob Sebor, deceased, $490.
On the brig *William*, Edson Valentine, master, namely:
William L. Winslow, administrator of Luther Winslow, jr., $1,352.
William L. Winslow, administrator, etc., of Edson Valentine, $1,352.
David Greene Haskins, jr., administrator, etc., of David Greene, $827.86.
John W. Apthrop, administrator, etc., of Caleb Hopkins, $827.86.
Lawrence Bond, administrator, etc., of Nathan Bond, $413.93.
H. H. Hunnewell, administrator, etc., of John Welles, $331.14.
Augustus P. Loring, administrator, etc., of William Bordman, $331.14.
Seth P. Snow, administrator, etc., of Crowell Hatch, $413.93.
Frank Dabney, administrator, etc., of Samuel W. Pomeroy, $393.23.
Henry B. Cabot, administrator, etc., of Daniel D. Rogers, $413.93.
Edward I. Browne, administrator, etc., of Moses Brown, $331.14.
William P. Perkins, administrator, etc., of Thomas Perkins, $248.35.
William G. Perry, administrator, etc., of Nicholas Gilman, $165.57.
William L. Winslow, administrator of David Valentine, $413.93.
On the brig *Betsey*, Hezekiah Goodhue, master, namely:
Lawrence H. H. Johnson, administrator of William Bartlett, deceased, $1,771.
On the schooner *Betsey*, William Wyman, master, namely:
Samuel D. Wyman, administrator of William Wyman, deceased, $561.
Charles J. Higgins, administrator of Thomas E. Gage, deceased, $1,053.
Charles W. Dyar, administrator of Daniel Wild, deceased, $1,053.
Charles F. Adams, administrator of Peter C. Brooks, deceased, $300.
Seth P. Snow, administrator of Crowell Hatch, deceased, $300.
On the brig *Betsey*, William Hubbard, master, namely:
George L. Little, administrator of Adam McCullouch, deceased, $2,356.
Charles Francis Adams, administrator of Peter C. Brooks, deceased, $1,200.
A. Lawrence Lowell, administrator of Nathaniel Fellows, deceased, $500.
Seth P. Snow, administrator of Crowell Hatch, deceased, $700.
On the brig *Hannah*, William McNeil Watts, master, namely:
Robert Codman, administrator of William Gray, $1,000.
Charles E. Alexander, administrator of Jonathan Merry, $400.
James W. Oldin, administrator of Daniel Tilton, $8,226.61.
Seth P. Snow, administrator, etc., of Crowell Hatch, $1,000.
Charles F. Adams, administrator, etc., of Peter C. Brooks, $5,200.
A. Lawrence Lowell, administrator of Nathaniel Fellowes, $1,000.
George G. King, administrator, etc., of James Tisdale, $1,000.
James S. English, administrator, etc., of Thomas English, $400.
Francis M. Boutwell, administrator, etc., of Joseph Cordis, $500.
Nathan Matthews, jr., administrator, etc., of Daniel Sargent, $500.
Lawrence Bond, administrator, etc., of Nathan Bond, $500.
William G. Perry, executor, etc., of Nicholas Gilman, $1,000.
Augustus P. Loring, administrator, etc., of William H. Boardman, $400.
John W. Apthrop, administrator, etc., of William Foster, $500.
Hollis R. Bailey, administrator, etc., of Daniel Gilman, $500.
William I. Moore, administrator of John Brazer, $400.
Ann M. N. Crocker, administratrix, etc., of Joseph Howard, $300.
Alexander H. Ladd, administrator, etc., of Eliphalet Ladd, $600.
On the vessel schooner *Hope*, Thomas Johnston, jr., master, namely:
Lowell P. Haskell, administrator of Thomas Johnston, jr., deceased, $529.81.
Lowell P. Haskell, administrator of George Sproul, deceased, $529.80.
Lowell P. Haskell, administrator of William Sproul, deceased, $529.80.
On the vessel schooner *Bee*, Samuel Cazneau, master, namely:
Henry Parkman, administrator of John Lovett, $266.97.
Edward I. Brown, administrator of Israel Thorndike, $889.90.
Thomas N. Perkins, administrator of John C. Jones, $889.90.
William Ropes Trask, administrator of Thomas Amory, $889.90.
James C. Davis, administrator of Cornelius Durant, $889.90.
David G. Haskins, jr., administrator of David Greene, $889.90.
William G. Perry, administrator of Nicholas Gilman, $889.90.
H. Burr Crandall, administrator of Thomas Cushing, $355.96.
Arthur D. Hill, administrator of Benjamin Homer, $355.96.
Frank Dabney, administrator of Samuel Wyllys Pomeroy, $711.92.
William S. Carter, administrator of William Smith, $711.92.
Jonathan Bowdich, administrator of Benjamin Pickman, $444.95.
Henry B. Cabot, administrator of Daniel Denison Rogers, $444.95.
Seth P. Snow, administrator of Crowell Hatch, $370.15.
Nathan Matthews, administrator of Daniel Sargeant, $444.95.
Francis M. Boutwell, administrator of Benjamin Cobb, $444.95.
Francis M. Boutwell, administrator of John McLean, $800.91.
Chandler Robbins, administrator of Joseph Russell, $889.90.
George G. King, administrator of James Scott, $444.95.
Charles F. Adams, administrator of Peter Chardon Brooks, $740.90.
On the ship *Galen*, John Mackay, master, namely:
John T. Morse and others, executors of Eliakim Morse, deceased, $6,611.
James H. Fiske, administrator of Benjamin Eddy, deceased, $2,203.66.
Thomas B. Hall, assignee of Thomas Bartlett, $1,840.
Francis M. Boutwell, administrator of John and Mungo Mackay, deceased, $1,001.
Robert Codman, administrator of William Gray, deceased, $3,000.
Charles A. Welch, administrator of William Stackpole, deceased, $500.
William G. Perry, administrator of Nicholas Gilman, deceased, $750.
William Ropes Trask, administrator of Thomas Amory, deceased, $750.
Arthur T. Lyman, administrator of Theodore Lyman, deceased, $500.
Thomas N. Perkins, administrator of John C. Jones, deceased, $1,000.
Horatio H. Hunnewell, administrator of Arnold Welles, jr., deceased, $500.
George G. King, administrator of James Scott, deceased, $500.
On the schooner *Betsey*, Major F. Bowles, master, namely:
Christopher Dexter, administrator of Edward Dexter, deceased, $3,346.
On the vessel brig *Polly*, Henry Nicoll, master, namely:
Eliza J. Hieskell, administratrix of William Wilson, deceased, $4,077.25.

Mr. WARREN. In line 9, page 85, after the word "thousand," let the words "seven hundred" be inserted. They were dropped out in the printing.

The SECRETARY. After the word "thousand" in line 9, page 85, it is proposed to insert "seven hundred," so as to read "$4,777.25."

The amendment to the amendment was agreed to.

The Secretary resumed the reading of the amendment, and read as follows:

Charles Selden, administrator de bonis non of Isaac McPherson, deceased, $929.75.
On the brig *Dolphin*, Samuel Miller, master, namely:
Edward N. Dingley, administrator of the estate of William Nickels, deceased, $1,363.
Richard H. T. Taylor, administrator of David Otis, deceased, $1,578.
George B. Sawyer, administrator of Samuel Nickels, deceased, $1,578.
A. Lawrence Lowell, administrator of Nathaniel Fellows, deceased, $286.
On the schooner *Clarissa*, Benjamin Raynes, master, namely:
Edward O. Emerson, jr., administrator of Edward Emerson, jr., deceased, $1,140.
William A. Hayes, administrator de bonis non of Nathaniel Haven, deceased, $200.

Mr. WARREN. In line 7, page 86, let the initial "A." be inserted after the name "Nathaniel," so as to read "Nathaniel A. Haven."

The amendment to the amendment was agreed to.

The Secretary resumed the reading of the amendment, and read as follows:

On the brig *Sabbatus Neptune*, Samuel Moulton, master, namely:
Edward O. Emerson, administrator of Edward Emerson, jr., deceased, $4,774.
William A. Hayes, administrator de bonis non of Samuel Haven, deceased, $300.

Mr. WARREN. In line 13, page 86, I move to strike out the word "Samuel" and insert "Nathaniel A.," so as to read "Nathaniel A. Haven."

The amendment to the amendment was agreed to.

The Secretary resumed the reading of the amendment and read to line 3, page 95, as follows:

On the schooner *Esther*, William Hooper, master, namely:
Charles Francis Adams, administrator of Peter Chardon Brooks, deceased, $1,277.52.
David W. Lowe, administrator of Daniel Rogers, deceased, $6,022.14.
On the vessel schooner *Mary*, Tilley Wentworth, master, namely:
S. W. Rollins, administrator of Hiram Rollins, deceased, $1,063.33.
S. W. Rollins, administrator of Tilley Wentworth, deceased, $1,473.33.
George S. Frost, administrator of Andrew Rollins, deceased, $489.33.
Woodward Emery, administrator of Thomas Manning, deceased, $200.
George W. Haven, administrator of Moses Woodward, deceased, $100.
Stephen Decatur, administrator of Samuel Stover, deceased, $100.
Francis E. Langdon, administrator of Clement Stover, deceased, $200.
Josephine Richter, administratrix of John McClintock, deceased, $100.
On the schooner *Good Intent*, Hazard Powers, master, namely:
Raymond N. Parish, administrator of Joshua Raymond, deceased, $1,873.
Raymond N. Parish, administrator of Christopher Raymond, deceased, $998.
Augusta H. Williams, administratrix of Ezekiel Williams, deceased, $100.
John C. Parsons, administrator of John Caldwell, deceased, $250.
On the ship *Governor Bowdoin*, Daniel Oliver, master, namely:
Charles F. Adams, administrator of Peter C. Brooks, $1,100.

A. Lawrence Lowell, administrator of Nathaniel Fellowes, $2,000.
Frank Dabney, administrator of Samuel W. Pomeroy, $1,000.
David G. Haskins, administrator of David Greene, $1,200.
William G. Perry, executor of Nicholas Gilman, $1,910.
Arthur D. Hill, administrator of Benjamin Homer, $500.
H. Hollis Hunnewell, administrator of Arnold Welles, jr., $500.
John W. Athrop, administrator of Caleb Hopkins, $1,408.
George G. King, administrator of James Scott, $500.
William S. Carter, administrator of William Smith, $500.
H. Burr Crandall, administrator of Thomas Cushing, $500.
John W. Athrop, administrator of William Foster, $1,000.
Lawrence Bond, administrator of Nathan Bond, $500.
H. Holl's Hunnewell, administrator of Arnold Welles, $7,999.86.
H. Hollis Hunnewell, administrator, of Samuel Welles, $5,969.22.
H. Hollis Hunnewell, executor of John Welles, $2,985.14.
William P. Perkins, executor of Thomas Perkins, $2,926 14.
Frederick R. Sears, administrator of David Sears, $11,331.86.
Henry B. Cabot, administrator of Jonathan Mason, jr., $5,110.14.
Nathan Matthews, jr., administrator of Daniel Sargent, $1,000.
Robert Codman, administrator of William Gray, $3,000.
Henry B. Cabot, administrator of Daniel D. Rogers, $1,137.06.
On the vessel brig *Ranger*, John Flagg, master, namely:
Charles E. Batchelder, administrator of Thomas Sheafe, deceased, $3,880.
On the ship *Caroline*, Benjamin Glazier, master, namely:
A. P. Warrington, administrator of John Cowper, $420.
R. Manson Smith, administrator of Francis Smith, $420.
Gilbert R. Fox, administrator of Thomas Willock, $420.
John Newport Greene, administrator of Conway Whittle, $420.
Jeremiah Nelson, administrator of Jere Nelson, $200.
Franklin A. Wilson, administrator of John Pearson, $200.
Amos Noyes, administrator of Zebidee Cook, $250.
Amos Noyes, administrator of William Cook, $100.
Joseph W. Thompson, administrator of David Coffin, $200.
Joseph A. Titcomb, administrator of John Wells, $200.
Annie A. Kemble, administratrix of Edmund Kimball, $100.
Francis A. Jewett, administrator of James Prince, $583.33.
John N. Pike, administrator of John Pettingel, $300.
George G. King, administrator of James Scott, $500.
H. H. Hunnewell, administrator of Arnold Welles, $400.
H. H. Hunnewell, administrator of John Welles, $500.
Charles G. Davis, administrator of Isaac P. Davis, $300.
Lucy S. Cushing, administratrix of Jacob Sheafe, $300.
Edward O. Emerson, administrator of Edward Emerson, jr., $200.
Jane S. Gerrish, administratrix of Edward Toppan, $200.
Samuel L. Caldwell, administrator of Josiah Smith, $4,966.40.
On the vessel schooner *Three Friends*, Samuel Miller, master, namely:
Edward N. Dingley, administrator de bonis non, etc., of William Nickels, deceased, $1,369.
Isaac F. Thompson, administrator of Robert Thompson, deceased, $1,369.
David Chamberlain, administrator de bonis non of Samuel Miller, deceased, $1,369.
On the brig *Industry*, James Very, master, namely:
Henry C. Prentiss, administrator of the estate of Isaac White, deceased, $4,728.62.
Nathaniel Very, administrator of the estate of James Very, deceased, $1,057.67.
On the vessel brig *Sally*, Samuel Wells, master, namely:
George D. Sill, administrator de bonis non of Thomas Sanford, deceased, $6,780.37.
On the brig *Good Intent*, Oliver C. Blunt, master, namely:
Thomas Scott, administrator of the estate of Mark Simes, deceased, $2,020.
Frederick P. Jones, administrator of the estate of Martin Parry, deceased, $2,020.
On the schooner *Ariel*, John Compton, master, namely:
William Woodyear, administrator of the estate of Jeremiah Yellott, deceased, $2,017.
On the schooner *Polly*, Charles Ellms, master, namely:
Seth P. Snow, administrator of Crowell Hatch, deceased, $711.38.
Edward E. Ellms, administrator of William Vinal, jr., deceased, $375.21.
Edward E. Ellms, administrator of Lemuel Vinal, deceased, $375.23.
Edward E. Ellms, administrator of Charles Ellms, deceased, $168.45.
On the schooner *Hazard*, Thomas Childs, master, namely:
Lowell P. Haskell, administrator of Thomas Johnston, jr., deceased, $1,356.25.
Lowell P. Haskell, administrator of George Sproul, deceased, $1,520.25.
Lowell P. Haskell, administrator of William Sproul, deceased, $1,356.25.
Charles Francis Adams, jr., administrator of Peter C. Brooks, deceased, $600.
On the snow or brigantine *Eliza*, Ephraim Perkins, master, namely:
Theodore Moody, administrator of Joseph Moody, deceased, $828.
Robert Codman, administrator of William Gray, deceased, $6,000.
On the sloop *Cornelia*, Burr Thorp, master, namely:
Fenelon Hubbell, administrator of Richard Hubbell, deceased, $2,230.

Provided, however, That any French spoliation claim appropriated for in this act shall not be paid if held by assignment or owned by any insurance company.

Mr. WARREN. The committee wish to add the following amendment to the last clause read.

The PRESIDING OFFICER. The Senator from Wyoming offers a committee amendment, which will be stated.

The SECRETARY. Add at the end of line —, page 95, the following:

But this shall not apply to any claim of a class heretofore paid under the act approved March 3, 1891, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1891, and for prior years, and for other purposes."

The amendment to the amendment was agreed to.

The reading of the amendment reported by the Committee on Claims was continued to line 14 on page 98, as follows:

SELFRIDGE BOARD FINDINGS.

To the Allaire Works, of New York, the sum of $50,238.13, for work done and material furnished in the construction of the machinery, engine, and boilers of the United States double-ender gunboats *Mattabesett* and *Shamrock;* to the Atlantic Works the sum of $41,027.46, for work done and material furnished in the construction of the engines and boilers of the wooden double-enders *Sassacus* and *Osceola;* to Hannah E. Boardman, administratrix of William Boardman, deceased, surviving partner of the firm of Boardman, Hol brook & Co., of the Neptune Works, the sum of $40,663.61, for work done and material furnished in the construction of the machinery of the wooden double-enders *Chickopee* and *Tallapoosa;* to the personal representatives of James Brown, deceased, of the Novelty Iron Works, the sum of $35,832.04, for work done and material furnished in the construction of the machinery of the ironclad *Miantonomoh;* to the legal representatives of George M. Clapp, of the Washington Iron Works, the sum of $29,161.24, for work done and material furnished in the construction of the United States double-ender gunboat *Lenapee;* to Everett B. Curtis, administrator of John J. Curtis, deceased, surviving partner of the firm of Curtis & Tilden, the sum of $8,256.78, for work done and material furnished in the construction of the hulls of the United States double-enders *Massasoit* and *Osceola;* to the legal representatives of Paul Curtis, deceased, of Massachusetts, the sum of $4,128.39, for work done and material furnished in the construction of the hull of the United States double-ender gunboat *Chickopee;* to the Globe Works, of Boston, Mass., the sum of $59,577.99, for work done and material furnished in the construction of the machinery of the United States double-enders *Iosco* and *Massasoit;* to Larrabee & Allen, of Bath, Me., the sum of $11,708.97, for work done and material furnished in the construction of the United States double-ender gunboat *Iosco;* to the legal administrators of Daniel McLeod, deceased, of the South Brooklyn Works, the sum of $61,235.50, for work done and material furnished in the construction of the United States steamers *Metacomet* and *Mendota;* to Anna M. Mershon, administratrix of Daniel S. Mershon, deceased, the sum of $11,500, for work done and material furnished in the construction of the hull of the United States double-ender *Mingoe;* to the legal representatives of Neafie & Levy the sum of $22,434.50, for work done and material furnished in the construction of the engines and machinery for the United States double-ender gunboat *Pontiac;* to Sarah E. E. Perine, widow and administratrix of William Perine, deceased, the sum of $96,059.79, for work done and material furnished in the construction of the hulls and machinery of the iron tugboats *Maria* and *Triana;* to Poole & Hunt, of Baltimore, Md., the sum of $44,015.84, for work done and material furnished in the construction of the machinery of the wooden double-ender *Mackinaw;* to the legal representatives of Pusey, Jones & Co., of Wilmington, Del., the sum of $16,428.13, for work done and material furnished in the construction of the machinery of the wooden double-enders *Mingoe* and *Wyalusing* and of the hull and machinery of the iron tugboat *Pilgrim;* to George W. Quintard, of the Morgan Iron Works, the sum of $51,652.67, for work done and material furnished in the construction of the engines and boilers of the wooden double-enders *Chenango* and *Ascutney;* to William B. Reaney, surviving partner of the firm of Reaney, Son & Archbold, of Chester, Pa., the sum of $97,128.78, in excess of the contract price for work done and materials furnished in the construction of the iron double-enders, hull and machinery, *Suwanee, Wateree*, and *Shamokin*——

Mr. WARREN. In line 7, page 98, after the word "to," I move to insert the words "Kate Reaney Zeiss, administratrix of;" so as to read:

Kate Reaney Zeiss, administratrix of William B. Reaney, surviving partner of the firm of Reaney, Son & Archbold, of Chester, Pa., etc.

The amendment to the amendment was agreed to.

The reading was continued to line 10, on page 108, as follows:

to the legal representatives of John Roach, deceased, of the Etna Works, the sum of $61,752.51 for work done and material furnished in the construction of the United States double-ender gunboat *Peoria;* to George T. Sampson, surviving partner of the firm of A. & G. T. Sampson, of Boston, Mass., the sum of $4,015.38, for work done and material furnished in the construction of the hull of the United States double-ender *Mattabesett;* to Thomas Stack, surviving partner of Thomas Stack & Co., the sum of $16,351.36, for the excess of cost in the construction of the double-ender vessel *Metacomet;* to Hillman & Streaker, $5,041.22, for work done and materials furnished for the double-ender wooden-hull *Pontiac;* to J. Simonson, $16,441.81, for work done and materials furnished in the construction of the double-ender wooden-hull *Chenango;* to the contractors or their personal representatives, $113,543, for work done and machinery furnished on the hull and machinery of the iron double-ender *Mohongo;* to Gardner & Lake, $38,325.74, for work done and materials furnished in the construction of the wooden double-ender *Pawtuxet;* to J. J. Abrahams, $12,576.10, for work done and materials furnished in the construction of the double-ender wooden-hull *Eutaw;* to Harrison Loring, $63,715.41, for work done and materials furnished in the construction of the hull and machinery of the iron double-ender *Winnipec;* to James B. Eads, $59,613.04, for work done and materials furnished in the construction of the hull and machinery of the iron-clad propellers *Milwaukee* and *Winnebago;* being the amounts found to be due to each of the persons or companies named herein by the naval board convened by the Secretary of the Navy May 25, 1865, by virtue of a resolution adopted by the Senate of the United States, March 9, 1865, and called the Selfridge Board, which shall be in full discharge of all claims against the United States on account of the vessels upon which the board made their allowance as per their report, Senate Executive Document No. 18, first session of the Thirty-ninth Congress.

FOR CHURCHES AND SCHOOLS.

That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the following sums, the amount appropriated to be accepted in full satisfaction of each claim before payment is made:

To the trustees of the German Evangelical Church, at Martinsburg, W. Va., the sum of $2,500, on account of the destruction of their church building and its furniture on the 17th day of February, 1863, while the same was in the possession of a portion of the military forces of the United States, and through their carelessness.

To the trustees of the Methodist Episcopal Church of Martinsburg, W. Va., the sum of $1,850, for use and occupation of said church by the Federal troops from March, 1862, to April, 1865.

To Bishop Augustine Vandevyver, trustee of St. Joseph's Catholic Church, at Martinsburg, W. Va., the sum of $2,880, for the use and occupancy of said church by the Army of the United States during the war of the rebellion.

To the Cumberland Female College, of McMinnville, Tenn., the sum of $5,000, for the use, occupation, and consumption of its property for hospital and other army purposes during the late war of 1861 to 1865 by the military authority of the United States.

To Richmond College, located at Richmond, Va., the sum of $25,000, to reimburse said college for the occupation of its buildings and grounds by United States troops and officers for the period of eight months, said occupation commencing in April, 1865, and for injury to and destruction of the buildings, the apparatus, libraries, and other property of said college by said troops and officers: *Provided*, That no money be so paid except upon accounts of such occupation, injury, and destruction, and the damage caused thereby, duly verified and proven.

To Stewart College (now the Southwestern Presbyterian University), located at Clarksville, Tenn., not exceeding $25,019.96, for the use and occupation of the building and grounds and for consumption of materials, for injury to its buildings, apparatus, cabinets, and other property injured or destroyed by troops of the United States during the late war, or such sum below that

amount as the accounting officers of the Treasury Department, under direction of the Secretary, may find to be duly proven on account of such injury and destruction, use, occupation, and consumption of the building and grounds of said college.

To the person or persons authorized to represent the Catholic Church at Macon City, Mo., the sum of $725, and the acceptance of said sum paid under the provisions of this act shall be in full satisfaction of all claims of every kind and nature for the use and occupation of said church during the civil war.

That the Secretary of War be, and he is hereby, authorized and directed to cause to be investigated by the Quartermaster's Department of the United States Army the circumstances, character, and extent of the alleged use and occupation by the United States military authorities, for Government purposes, during the late war, of the college buildings and grounds of St. Charles College, in St. Charles County, Mo., the actual value of such use and occupation, and certify to the Secretary of the Treasury what amount, if any, is equitably due to said St. Charles College from the United States as the reasonable value of such use and occupation; and that the Secretary of the Treasury is hereby authorized and directed to pay to said St. Charles College, out of any money in the Treasury not otherwise appropriated, the amount, if any, so found to be due from the United States; and the acceptance by said St. Charles College of any sum paid under the provisions of this act shall be in full satisfaction of all claims of every kind and nature for said use and occupation, and all damages resulting therefrom.

STATE CLAIMS.

That the Secretary of the Treasury be, and he is hereby, directed to readjust, and pay, out of any money in the Treasury not otherwise appropriated, all claims of the States of Virginia, South Carolina, and the city of Baltimore for and on account of advances and expenditures made by said States and the city of Baltimore in the war of 1812 to 1815, with Great Britain; and in computing interest on said advances the Secretary of the Treasury shall apply the following rule, as applied by act of Congress to the claim of the State of Maryland, namely: Interest shall be calculated up to the time of any payment made. To this interest the payment shall be first applied, and if it exceeds the interest due the balance shall be applied to diminish the principal; if the payment fall short of the interest, the balance of interest shall not be added to the principal so as to produce interest. Second, interest shall be allowed on such sums only on which the State either paid interest or lost interest by the transfer of an interest-bearing fund, or for such length of time only as the State or city paid or lost interest aforesaid: *Provided*, That in the settlement of these claims any bonds or other evidences of debt of either of the said States or of said city of Baltimore held by the United States on any account whatever shall be credited as offsets to the United States, as of the dates, respectively, at which the accounts will be completely or most nearly balanced, and the balance found due on such date, after deducting the principal and interest on said bonds or other evidences of debt to such date, shall be paid to or by said States and city of Baltimore, and the said bonds or other evidences of debt shall be returned to the States issuing the same.

That the Secretary of the Treasury be, and he is hereby, authorized and directed to settle the mutual account, heretofore stated, between the United States and the State of Florida, under the authority of an act of Congress, according to the mode of stating the same, found near the foot of the third page of the letter of the Secretary submitting his report, dated December 16, 1889, published as Executive Document numbered 68, House of Representatives, Fifty-first Congress, first session, by continuing the computation of interest upon the principal on both sides to the date of settlement, and ascertaining the balance due the said State. And the Secretary of the Treasury is hereby authorized to surrender to the governor of the State of Florida the bonds of said State held by the United States which are included in such statement; and such sum of money is hereby appropriated as is necessary to pay to the State of Florida whatever balance is found due said State: *Provided*, That in further computing the said mutual account from the 1st day of January, 1890 (at which time it was stated by authority of an act of Congress), no greater rate of interest shall be allowed the State of Florida than said State has paid, is obligated to pay, or has lost in connection with said account.

To reimburse the State of Nevada for the assumption and payment of obligations incurred by the Territory of Nevada in advancing money in aid of the suppression of the rebellion in the civil war, the sum of $462,441.97, as found and reported to Congress by the Secretary of the Treasury January 20, 1900, in House Document No. 322, Fifty-sixth Congress, first session.

To pay the State of West Virginia the sum of $2,019.57, the same being the amount paid by the said State to certain officers of the One hundred and thirty-third Regiment West Virginia Militia for services rendered by them in the war of the rebellion, being the difference between $13 per month, received by them, and the amount they should have received as such officers.

To pay the State of Wyoming the sum of $7,780.44, this sum being the actual amount paid out by the Territory of Wyoming during the years 1884, 1885, and 1886 for expenses incurred in preserving the formation, natural curiosities, and objects of interest in the Yellowstone National Park through patrolling, policing, and governing after it was declared a national reservation and before United States troops were placed therein for its protection.

That the claims of the States of California and Oregon for moneys advanced in aid of the suppression of the rebellion in the civil war be, and the same are hereby, referred to the Secretary of the Treasury to investigate and report to Congress at its next session. He shall report specifically and in detail as to items, so far as practicable, the amount of money furnished, and also the amount assumed by said States in aid of the suppression of the rebellion of the civil war, together with such interest on the same as said States have actually paid, and what amounts, if any, have heretofore been paid said States by the United States on account of the suppression of the rebellion.

MISCELLANEOUS CLAIMS.

To Twyman O. Abbott, of Tacoma, State of Washington, his heirs or legal representatives, the sum of $5,867.75, in full and final settlement of his claim for damages sustained by reason of the breach of a certain contract for lease of a building and ground for post-office purposes.

To O. F. Adams, of North Carolina, the sum of $1,450, for services rendered the United States Government during the war of the rebellion.

To Fannie T. Allin, of Springfield, Mass., and Augusta M. Ladd, of Holyoke, Mass., respectively widow and daughter of the late Erskine S. Allin, $30,000, to be paid in equal parts, said Allin being the inventor of valuable improvements used in the manufacture of the Springfield breech-loading rifle musket, for which improvements letters patent No. 49959 were granted to him by the United States on the 19th day of September, 1865; and to the United States Regulation Firearms Company, a corporation incorporated under the laws of the State of New York, for the injury caused to, and damage sustained by, said corporation from and by the infringement by the United States of the letters patent aforesaid, which letters patent were assigned by the said Erskine S. Allin to the said United States Regulation Firearms Company on the 18th day of December, 1868.

Mr. WARREN. On page 108, line 2, after the second "and," I move to insert "$30,000 to be paid," so as to read:

And $30,000 to be paid to the United States Regulation Firearms Company, a corporation incorporated under the laws of the State of New York, etc.

The amendment to the amendment was agreed to.

The reading was continued to line 20 on page 109, as follows:

This appropriation to be in full payment and satisfaction to both of the aforesaid parties for and on account of any and all sales or other disposition heretofore made or that may hereafter be made by the United States of any arms in which the invention secured by said letters patent is used or embraced.

To the owners, or their legal representatives, of the vessel or bark *Arctic* the sum of $23,500, for the losses sustained by them in abandoning their business of whale catching, and the services rendered in rescuing 176 seamen in the Arctic Sea, the said money to be paid over to the owners of said bark, the *Arctic*, for the benefit of themselves and of such officers and crew as were engaged in that particular season, to wit, the summer of 1871, of the cruise in the Arctic Ocean, during which said rescue was made; and said moneys shall be distributed by the owners between themselves and said officers and crew in the proportion to their respective lays, and in the same manner as the ordinary earnings of said crew would have been distributed, the Secretary of the Treasury not to be bound to see to the application of said moneys by the owners.

To Avery D. Babcock, of Polk County, Oreg., and to Margaret I. Babcock, his wife, the sum of $2,000, to be equally divided between them, in payment of their claim against the Government of the United States for the use and occupation by the United States of their donation claim No. 58, in section 8, in township 6 south, range 7 west of the Willamette meridian, in the State of Oregon.

To the heirs of Lawrence D. Bailey, the sum of $200, erroneously paid by them on timber-culture cash entry 10045 for the southeast quarter of section 24, township 22 south, range 34 west, Garden City, Kans., on the 11th day of March, 1893.

Mr. WARREN. I desire to pass over for the present the claim mentioned in the paragraph beginning at line 21, making a payment to Elias E. Barnes. I wish that paragraph to be passed over until we take up the bill again.

The PRESIDING OFFICER. The paragraph will be read.

The Secretary read as follows:

To Elias E. Barnes, the sum of $3,457.26, in full of all claims and demands, the amount found due the said Elias E. Barnes by referees acting under appointment of the then Secretary of the Interior, and the said amount being the loss and damage sustained by said Elias E. Barnes by reason of the failure on the part of the United States to keep a contract made and entered into with him by the United States of America April 21, 1888, for putting in a concrete foundation for the Library building in the city of Washington.

The PRESIDING OFFICER. The paragraph will be passed over, in the absence of objection.

The reading of the amendment was continued to line 10, page 116, as follows:

To Emile M. Blum the sum of $5,000 for services as commissioner-general to the International Exposition at Barcelona, Spain, and to James M. Seymour, jr., the sum of $2,500 for services as assistant commissioner.

To John Breitling, of Nebraska, the sum of $738.25, for commissary stores furnished by him in the year 1862, at Clinton, in the State of Iowa, to United States troops then stationed at that place.

To Capt. Albert C. Brown, master of the schooner *Alexandra*, the sum of $1,000, in full compensation for fitting out his vessel and rescuing and transporting from the southwest end of the island of Kadiak, Alaska, to Wood Island, Alaska, the crew of the American schooner *C. G. White*, which was wrecked on said Kadiak Island April 13, 1895.

To Catherine Burns, of Annapolis, Md., the sum of $701.25, the amount due by the United States to her late husband, Louis Burns, deceased, for difference of pay and rations as mate on United States ship *Potomac* from April 4, 1871, to July 9, 1873, and heretofore allowed by the proper accounting officers of the Treasury Department, but not paid for want of an appropriation of money with which to pay the same.

To the heirs or legal representatives of Charles P. Culver, husband of the late Mrs. Catherine P. Culver, the sum of $504, as compensation for the translation from German of the House Miscellaneous Document No. 8, Forty-fifth Congress, third session, made by order of the chairman of the Committee on Coinage, Weights, and Measures.

To the heirs of Jacob R. Davis, the sum of $1,500, as full compensation for services by the said Jacob R. Davis, deceased, rendered as agent and judge of the Freedman's Bureau at Augusta, in the State of Georgia, from June 1, 1866, to June 1, 1867, inclusive.

To M. M. Defrees, of Indianapolis, Ind., the sum of $4,494.56, in full for the construction of a sewer known as "Pogues Run interception," on Hanna street, in the city of Indianapolis, adjacent to the lands of the United States known as the "Arsenal," said sum, under and by virtue of the laws of the State of Indiana, being a lien on said lands.

To James C. Drake the sum of $1,529.20, which sum was expended by said James C. Drake while acting as United States marshal in the State of Washington.

To Arthur L. Fish, of California, the sum of $8,305.38, that being the sum of money reported by Lieut. Col. G. H. Mendell, Corps of Engineers, and the engineer in charge of the work, made to the Chief of Engineers United States Army, to be due by the United States to said Arthur L. Fish, who was a surety on the bond of A. Boschke.

To George W. Graham the sum of $484.10, in full compensation for services and advances made as local agent of the solicitor of the Treasury at Harpers Ferry, W. Va., from July 2, 1878, to November 30, 1880, inclusive.

To John W. Kennedy, of Wheeling, W. Va., the sum of $1,500, for services rendered by him as counsel for the United States in the ejectment cause of Jacob B. Brown *v.* Daniel J. Young, in connection with the Government property at Harpers Ferry, W. Va., which said suit was lately pending in the circuit court of the United States at Parkersburg, W. Va.

To G. H. Kitson, or his legal representatives, the sum of $1,000, due said Kitson for money advanced to the Menominee tribe of Indians, of Wisconsin, out of any money due said tribe from the United States not otherwise appropriated.

To Mrs. Charlotte C. Leathers, executrix of Thomas P. Leathers, surviving partner of the firm of Holmes & Leathers, the sum of $12,910.35, being amount due them for transporting the United States mail on route No. 7402,

Mississippi, and on route No. 8165, Louisiana, for the months of April and May, 1861.

To H. B. Matteosian, M. D., late delegate of the United States to the International Sanitary Commission at Constantinople, out of any money in the Treasury not otherwise appropriated, the sum of $800 per annum for each year he was so employed at said post, namely, from November 18, 1874, to September 1, 1886.

To George L. Merrill, late a sergeant in Company E, Nineteenth Regiment of Maine Infantry Volunteers, out of any money in the Treasury not otherwise appropriated, the sum of $1,060, in compensation for loss of salary from December 28, 1863, at which date he was commissioned as a second lieutenant, for a period of thirteen months, during which he was awaiting assignment to duty.

To Virginia I. Mullan, of Annapolis, Md., the sum of $420.98, that being the amount of money due by the United States to her, as owner and holder of coupons numbered 3, 4, and 5, for interest from January 1, 1854, to September 1, 1856, on California Indian war bonds numbered 84, 183, and 194, for $500 each, and numbered 220, for $1,000, act of May 3, 1852, which coupons were heretofore filed by the First National Bank of Washington, D. C., in the Treasury Department for payment, but not paid for want of sufficient appropriation with which to pay the same, as recited in Senate Document No. 137, Fifty-fifth Congress, first session, and recommended by the Treasury Department for payment.

To John S. Neet, jr., late a private in Company C, Third Regiment Missouri State Militia Cavalry, afterwards Company L, Sixth Missouri State Militia Cavalry, the sum of $100, in full payment of the sum allowed him in October, 1878, by the Third Auditor of the Treasury Department.

To the New York, New Haven and Hartford Railroad Company, out of any moneys in the Treasury not otherwise appropriated, the sum of $4,440.20, in full satisfaction of all claims against the United States for the cost of necessary repairs on said company's pier 46, East River, New York City, and said company's car float No. 21, which was moored to the pier, damaged by the battle ship *Maine*, which came in collision with said pier and float, the same being in accord with the findings and report of a naval board duly appointed to investigate the collision and damages therefrom.

To Alphonso M. Potvin late of Colon, Republic of Colombia, $11,278.05, in full payment and satisfaction of all indebtedness of the United States of America to the said Alphonso M. Potvin arising from his purchase, on July 21, 1888, at public auction, of the then United States consul at Colon, of three houses located in that city belonging to the estate of Susannah Smith, who had previously died there intestate, the said houses being sold to said Potvin by the United States consular representative, who, being unable to protect title to same in the local courts of Colombia, caused a loss to said Potvin of all moneys paid by him for said property, as well as other losses and expenses, amounting to the sum aforesaid.

Mr. WARREN. I desire to move to strike out lines 10 to 15, inclusive, on page 116.

The SECRETARY. It is proposed to strike out all after line 9, on page 116, down to and including line 15, as follows:

To Clinton F. Pulsifer, of the State of Washington, the sum of $276.52, for surveys and resurveys of public lands, section and township lines, in township No. 14 north, range No. 9 west, Willamette base and meridian, duly accepted by the United States, but not heretofore paid for.

The amendment to the amendment was agreed to.

The reading of the amendment was resumed and continued to the end of line 5 on page 117, as follows:

To the administrator de bonis non of Charles M. Roberts, deceased, for royalties on pavement laid under Schillinger patent, $39,034.21.

To the administrator of the estate of Philip C. Rowe, of Massachusetts, the sum of $8,000, for the use of said Rowe's invention by the United States of an improvement in pistons for pumps by the Navy Department during the years between 1865 and 1882.

To the legal representatives of Gilman Sawtelle, Priest River, Idaho, for renumeration for damages done to his property by United States troops while camping on his ranch at Henrys Lake, Idaho, in 1877, the sum of $2,070.

Mr. ALLISON. I desire to ask the Senator from Wyoming if it would be convenient to him to have the reading of the amendment concluded to-morrow or on the next legislative day?

Mr. BATE. Let us get through. Only three or four pages of the bill remain unread.

Mr. ALLISON. There are 14 pages. I understand it is not expected that the bill will be passed to-night, and, therefore, the reading can be resumed and concluded when next we meet.

Mr. WARREN. I am very anxious, of course, to secure the full reading of the bill, but I appreciate the extreme patience of the Senate, and I do not wish to tax that patience beyond endurance. I am, therefore, willing to give way.

Mr. STEWART (to Mr. WARREN). Ask unanimous consent for its future consideration.

Mr. WARREN. I ask unanimous consent that the bill may be taken up immediately after the morning business to-morrow, and its reading completed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. WARREN. I give notice that I shall try to secure, if possible, the consideration of the bill at some time during the next legislative day.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Saturday, March 1, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 28, 1902.

APPOINTMENTS IN THE ARMY.

Medical officers of volunteers.

James B. Pascoe, of New York, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, February 19, 1902, vice McLean, resigned.

Edward A. Southall, of New York, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, February 20, 1902, vice Anderson, honorably discharged.

Joseph C. Garlington, of Georgia, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, February 26, 1902, vice Ames, appointed surgeon.

PROMOTIONS IN THE ARMY.

Medical Department.

Lieut. Col. Robert M. O'Reilly, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, February 14, 1902, vice Pope, deceased.

Maj. Edward B. Moseley, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, February 14, 1902, vice O'Reilly, promoted.

Capt. Benjamin L. Ten Eyck, assistant surgeon, to be surgeon with the rank of major, February 14, 1902, vice Moseley, promoted.

Corps of Engineers.

Second Lieut. Michael J. McDonough, Corps of Engineers, to be first lieutenant, April 30, 1901, vice Cavanaugh, promoted.

Second Lieut. Francis A. Pope, Corps of Engineers, to be first lieutenant, May 2, 1901, vice Jervey, promoted.

Second Lieut. Gilbert A. Youngberg, Corps of Engineers, to be first lieutenant, May 3, 1901, vice Howell, promoted.

Second Lieut. Paul Stanley Bond, Corps of Engineers (heretofore borne on the Army Register as Stanley Bond Hamilton, but under a decree of the supreme court of the county of New York, State of New York, authorized to assume his true name, as above indicated, on the 4th day of March proximo), to be first lieutenant, June 29, 1901, vice Wolf, retired from active service.

Second Lieut. William P. Stokey, Corps of Engineers, to be first lieutenant, December 12, 1901, vice Kutz, promoted.

RECEIVERS OF PUBLIC MONEYS.

John O'B. Scobey, of Olympia, Wash., to be receiver of public moneys at Olympia, Wash., his term of office having expired. (Reappointment.)

Harry J. Mowrey, of South Dakota, to be receiver of public moneys at Watertown, S. Dak., vice George W. Case, whose term will expire February 25, 1902.

James W. Ross, of Colorado, to be receiver of public moneys at Glenwood Springs, Colo., his term having expired. (Reappointment.)

Lloyd L. Carter, of California, to be receiver of public moneys at Redding, Cal., his term having expired. (Reappointment.)

Yancey C. Blalock, of Walla Walla, Wash., to be receiver of public moneys at Walla Walla, Wash., vice Thomas Mosgrove, whose term will expire March 31, 1902.

UNITED STATES MARSHAL.

George L. Siebrecht, of Texas, to be United States marshal for the western district of Texas. A reappointment, his term having expired January 9, 1902.

POSTMASTERS.

John R. Greenwood, to be postmaster at Stamps, in the county of Lafayette and State of Arkansas. Office became Presidential January 1, 1902.

Michael Delaney, to be postmaster at Waterville, in the county of Marshall and State of Kansas. Office became Presidential January 1, 1902.

George W. Schmeltzer, to be postmaster at Pine Grove, in the county of Schuylkill and State of Pennsylvania. Office became Presidential January 1, 1902.

John D. Abney, to be postmaster at Grand View, in the county of Johnson and State of Texas. Office became Presidential October 1, 1901.

Robert R. Hyland, to be postmaster at Round Rock, in the county of Williamson and State of Texas. Office became Presidential January 1, 1902.

James H. McClintock, to be postmaster at Phoenix, in the county of Maricopa and Territory of Arizona, in place of John C. Adams. Incumbent's commission expires March 4, 1902.

John P. Cox, to be postmaster at Fordyce, in the county of Dallas and State of Arkansas, in place of John P. Cox. Incumbent's commission expired February 16, 1902.

Henry H. Houghton, to be postmaster at Jonesboro, in the county of Craighead and State of Arkansas, in place of Henry H. Houghton. Incumbent's commission expired February 16, 1902.

Samuel I. Clark, to be postmaster at Helena, in the county of Phillips and State of Arkansas, in place of Samuel I. Clark. Incumbent's commission expired January 10, 1902.

John W. Howell, to be postmaster at Hot Springs, in the county of Garland and State of Arkansas, in place of John W. Howell. Incumbent's commission expired January 10, 1902.

James G. Brown, to be postmaster at Magnolia, in the county of Columbia and State of Arkansas, in place of James G. Brown. Incumbent's commission expired January 19, 1902.

William K. Baker, to be postmaster at Wynne, in the county of Cross and State of Arkansas, in place of William K. Baker. Incumbent's commission expired January 10, 1902.

Edward E. Eversole, to be postmaster at Monte Vista, in the county of Rio Grande and State of Colorado, in place of Edward E. Eversole. Incumbent's commission expired January 14, 1902.

Joseph H. Pierson, to be postmaster at Carrollton, in the county of Greene and State of Illinois, in place of Joseph H. Pierson. Incumbent's commission expired February 7, 1902.

Robert W. McKnight, to be postmaster at Girard, in the county of Macoupin and State of Illinois, in place of Robert W. McKnight. Incumbent's commission expired January 10, 1902.

Thomas A. Jewett, to be postmaster at Oregon, in the county of Ogle and State of Illinois, in place of Thomas A. Jewett. Incumbent's commission expired February 7, 1902.

Scott Cole, to be postmaster at Huntington, in the county of Huntington and State of Indiana, in place of Scott Cole. Incumbent's commission expired January 10, 1902.

James A. Cunningham, to be postmaster at Washington, in the county of Washington and State of Iowa, in place of James A. Cunningham. Incumbent's commission expired February 25, 1902.

William Norton, to be postmaster at Cottonwood Falls, in the county of Chase and State of Kansas, in place of William H. Holsinger. Incumbent's commission expired May 17, 1901.

Benjamin W. Hall, to be postmaster at Mount Sterling, in the county of Montgomery and State of Kentucky, in place of Benjamin W. Hall. Incumbent's commission expired January 10, 1902.

Richard J. Bawden, to be postmaster at Bessemer, in the county of Gogebic and State of Michigan, in place of Richard J. Bawden. Incumbent's commission expired July 5, 1901.

Thaddeus B. Bailey, to be postmaster at Manchester, in the county of Washtenaw and State of Michigan, in place of Thaddeus B. Bailey. Incumbent's commission expired January 10, 1902.

James M. Leverett, to be postmaster at Winona, in the county of Montgomery and State of Mississippi, in place of James M. Leverett. Incumbent's commission expired January 12, 1902.

Charles Strobach, to be postmaster at Rolla, in the county of Phelps and State of Missouri, in place of Charles Strobach. Incumbent's commission expired February 16, 1902.

R. Titus Coan, to be postmaster at Albion, in the county of Orleans and State of New York, in place of R. Titus Coan. Incumbent's commission expired February 8, 1902.

John D. Van Nostrand, to be postmaster at Flushing, in the county of Queens and State of New York, in place of John D. Van Nostrand. Incumbent's commission expired February 11, 1902.

James T. Larmouth, to be postmaster at Jamestown, in the county of Chautauqua and State of New York, in place of Emmett H. Bemus. Incumbent's commission expired February 7, 1902.

Hugh Barnhill, to be postmaster at Wellston, in the county of Jackson and State of Ohio, in place of Hugh Barnhill. Incumbent's commission expired January 12, 1902.

James C. Brown, to be postmaster at Bloomsburg, in the county of Columbia and State of Pennsylvania, in place of Orion B. Mellick. Incumbent's commission expired February 25, 1902.

Landrum Padgett, to be postmaster at Pelzer, in the county of Anderson and State of South Carolina, in the place of Landrum Padgett. Incumbent's commission expired May 6, 1900.

George T. Taylor, to be postmaster at Union City, in the county of Obion and State of Tennessee, in place of George T. Taylor. Incumbent's commission expired February 2, 1902.

Rosa Rose, to be postmaster at Abingdon, in the county of Washington and State of Virginia, in place of James W. McBroom. Incumbent's commission expired February 18, 1902.

Abram P. Funkhouser, to be postmaster at Harrisonburg, in the county of Rockingham and State of Virginia, in place of Abram P. Funkhouser. Incumbent's commission expired February 18, 1902.

Richard A. Hall, to be postmaster at Weston, in the county of Lewis and State of West Virginia, in place of Richard A. Hall. Incumbent's commission expired February 4, 1902.

James K. Hall, to be postmaster at Wheeling, in the county of Ohio and State of West Virginia, in place of George Wise. Incumbent's commission expired January 10, 1902.

Mabel R. Sharum, to be postmaster at Walnut Ridge, in the county of Lawrence and State of Arkansas, in place of Mont S. Sharum, deceased.

Elmer E. Rayburn, to be postmaster at Brooklyn, in the county of Poweshiek and State of Iowa, in place of Clarence S. Crain, resigned.

A. E. King, to be postmaster at Redwood Falls, in the county of Redwood and State of Minnesota, in place of George B. Hughes, removed.

Harry Swaney, to be postmaster at Gallatin, in the county of Sumner and State of Tennessee, in place of Samuel Howerth, resigned.

M. O. Gleason, to be postmaster at Hico, in the county of Hamilton and State of Texas, in place of C. S. Doubleday, resigned.

APPOINTMENTS IN THE ARMY.

Infantry Arm.

John B. Shuman, of Wisconsin, late second lieutenant, Forty-fifth Infantry, United States Volunteers, and second lieutenant, Twenty-eighth Infantry, United States Army, to be second lieutenant, United States Army, February 2, 1901, to fill an original vacancy.

Robert K. Spiller, of Virginia, late first lieutenant, Forty-second Infantry, United States Volunteers, and second lieutenant, Twenty-sixth Infantry, United States Army, to be second lieutenant, United States Army, February 2, 1901, to fill an original vacancy.

Medical Department.

John Leslie Shepard, of Illinois, contract surgeon, United States Army, to be assistant surgeon with the rank of first lieutenant, February 21, 1902, to fill an original vacancy.

PROMOTIONS IN THE ARMY.

Pay Department.

Maj. William H. Comegys, paymaster, to be deputy paymaster-general with the rank of lieutenant-colonel, February 20, 1902, vice McClure, retired from active service.

Capt. Herbert M. Lord, paymaster, to be paymaster with the rank of major, February 20, 1902, vice Comegys, promoted.

Artillery Corps.

Lieut. Col. Charles Morris, Artillery Corps, to be colonel, February 21, 1902, vice Guenther, appointed brigadier-general.

Maj. Asher C. Taylor, Artillery Corps, to be lieutenant-colonel, February 21, 1902, vice Morris, promoted.

Capt. George F. E. Harrison, Artillery Corps, to be major, February 21, 1902, vice Taylor, promoted.

Cavalry Arm.

Capt. Charles W. Taylor, Ninth Cavalry, to be major, February 22, 1902, vice Ellis, Thirteenth Cavalry, deceased.

First Lieut. John B. Christian, Ninth Cavalry, to be captain, February 22, 1902, vice Taylor, Ninth Cavalry, promoted.

UNITED STATES MARSHALS.

Myron H. McCord, of Arizona, to be United States marshal for the Territory of Arizona, who was appointed during the last recess of the Senate, vice William M. Griffith, term expired.

Hutson B. Saunders, of Maine, to be United States marshal for the district of Maine. A reappointment, his term having expired February 22, 1902.

Charles B. Hopkins, of Washington, to be United States marshal for the district of Washington, vice Clarence W. Ide, whose term expired June 30, 1901.

COLLECTOR OF CUSTOMS.

Clarence W. Ide, of Washington, to be collector of customs for the district of Puget Sound, in the State of Washington, to succeed F. D. Huestis, resigned.

REGISTERS OF LAND OFFICES.

Frank M. Swasey, of California, to be register of the land office at Redding, Cal., his term having expired. (Reappointment.)

George W. Stewart, of California, to be register of the land office at Visalia, Cal., his term having expired. (Reappointment.)

Joseph L. Mohundro, of Dayton, Wash., to be register of the land office at Walla Walla, Wash., vice John M. Hill, term expired.

APPOINTMENTS IN THE ARMY.

Cavalry Arm.

Hospital Steward Paul H. Weyrauch, United States Army, to be second lieutenant, February 2, 1901, to fill an original vacancy.

Artillery Corps.

Private Bruce Cotton, Twenty-fifth Company, Coast Artillery, to be second lieutenant, May 8, 1901, to fill an original vacancy.

WITHDRAWAL.

Executive nomination withdrawn February 28, 1902.

Jonas W. Mullen, to be postmaster at Charlotte, in the State of North Carolina.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 28, 1902.

SECRETARY OF EMBASSY.

George Barclay Rives, of New Jersey, to be third secretary of the embassy of the United States at Berlin.

DISTRICT JUDGE.

James P. Platt, of Connecticut, to be United States district judge for the district of Connecticut.

COLLECTOR OF CUSTOMS.

Thomas V. McAllister, of Mississippi, to be collector of customs for the district of Vicksburg, in the State of Mississippi.

APPOINTMENTS IN THE ARMY.

MEDICAL OFFICERS OF VOLUNTEERS.

James E. Mead, of Michigan, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, February 10, 1902.

Herbert M. McConathy, of Kentucky, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, February 12, 1902.

TO BE FIRST LIEUTENANTS.

Artillery Corps.

Clarence G. Bunker, of Minnesota, late captain, Thirteenth Minnesota Volunteers, September 23, 1901.

Hiram E. Mitchell, at large, late captain and assistant quartermaster, United States Volunteers, September 23, 1901.

Leonard T. Waldron, of New York, late first lieutenant, Twenty-eighth Infantry, United States Volunteers, September 23, 1901.

Philip Yost, of Ohio, late first lieutenant, Forty-seventh Infantry, United States Volunteers, September 23, 1901.

TO BE SECOND LIEUTENANTS.

Artillery Corps.

Joseph E. Myers, at large, February 4, 1902.

James M. Fulton, at large, January 24, 1902.

Le Roy C. Bunker, of California, late private, Company L, First California Volunteers, May 8, 1901.

John B. W. Corey, of Minnesota, late sergeant, Company B, Thirteenth Minnesota Volunteers, May 8, 1901.

William E. De Sombre, of Wisconsin, late corporal, Company E, Second Wisconsin Volunteers, July 1, 1901.

Ralph E. Herring, of Minnesota, late private, Company A, Thirteenth Minnesota Volunteers, July 1, 1901.

John Philbrick, of New Hampshire, late private, Company C, Twenty-sixth Infantry, United States Volunteers, July 1, 1901.

Rex Van Den Corput, of Georgia, late captain, Third United States Volunteer Infantry, August 22, 1901.

Laurin L. Lawson, at large, late first lieutenant, Thirty-ninth Infantry, United States Volunteers, August 22, 1901.

Infantry Arm.

Sergt. Sam P. Herren, Company H, Eighteenth Infantry, United States Army, to be second lieutenant, February 2, 1901.

Corpl. Otho E. Michaelis, Company H, Ninth Infantry, United States Army, to be second lieutenant, February 2, 1901.

Edwin P. Thompson, at large, to be second lieutenant, February 8, 1902.

James W. Everington, of Minnesota, to be second lieutenant, February 2, 1901.

Andrew J. Lindsay, of Missouri, to be second lieutenant, February 2, 1901.

Walter C. Short, of Illinois, to be second lieutenant, February 2, 1901.

Louis B. Chandler, at large, late second lieutenant, Forty-third Infantry, United States Volunteers, February 2, 1901.

Martin Novak, at large, late second lieutenant, Forty-second Infantry, United States Volunteers, February 2, 1901.

Sydney Smith, of Louisiana, late first lieutenant, Second United States Volunteer Infantry, February 2, 1901.

John W. Ward, of Arkansas, late first lieutenant, Thirty-third Infantry, United States Volunteers, February 2, 1901.

Cavalry Arm.

Edgar N. Coffey, of Mississippi, late first lieutenant, Thirty-third Infantry, United States Volunteers, February 2, 1901.

Raymond S. Enslow, of Kansas, late first lieutenant, Eleventh Cavalry, United States Volunteers, February 2, 1901.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

First Lieut. William D. Conrad, Twenty-third Infantry, to be captain, November 7, 1901.

First Lieut. Paul Giddings, Third Infantry, to be captain, November 8, 1901.

First Lieut. Edward S. Walton, Eighteenth Infantry, to be captain, November 11, 1901.

First Lieut. Alfred T. Smith, Twelfth Infantry, to be captain, December 17, 1901.

First Lieut. Bert H. Merchant, Eighth Infantry, to be captain, December 17, 1901.

First Lieut. Fred L. Munson, Ninth Infantry, to be captain, January 2, 1902.

First Lieut. Thomas M. Anderson, jr., Thirteenth Infantry, to be captain, January 11, 1902.

First Lieut. John E. Hunt, Twenty-fifth Infantry, to be captain, January 14, 1902.

First Lieut. Charles D. Roberts, Seventeenth Infantry, to be captain, January 31, 1902.

Cavalry Arm.

First Lieut. Le Roy Eltinge, Sixth Cavalry, to be captain, February 6, 1902.

POSTMASTERS.

William M. Hazzard, to be postmaster at Georgetown, in the county of Georgetown and State of South Carolina.

F. M. Brist, to be postmaster at Hammond, in the parish of Tangipahoa and State of Louisiana.

Mildred P. Tompkins, to be postmaster at Lutcher, in the parish of St. James and State of Louisiana.

Niels C. Poulsen, to be postmaster at Richfield, in the county of Sevier and State of Utah.

Eli C. Tolley, to be postmaster at Kenmare, in the county of Ward and State of North Dakota.

Frank L. Powell, to be postmaster at Lemoore, in the county of Kings and State of California.

Richard M. Ryan, to be postmaster at Gilroy, in the county of Santa Clara and State of California.

George B. Baer, to be postmaster at Cloverdale, in the county of Sonoma and State of California.

Austin Wiley, to be postmaster at Arcata, in the county of Humboldt and State of California.

Robert J. Nixon, to be postmaster at Yreka, in the county of Siskiyou and State of California.

Frank J. Payne, to be postmaster at Sutter Creek, in the county of Amador and State of California.

Allen B. Lemmon, to be postmaster at Santa Rosa, in the county of Sonoma and State of California.

Griffith J. Thomas, to be postmaster at Harvard, in the county of Clay and State of Nebraska.

Faustina M. Towle, to be postmaster at Gaylord, in the county of Otsego and State of Michigan.

Adrian Reynolds, to be postmaster at Sedan, in the county of Chautauqua and State of Kansas.

James P. Madsen, to be postmaster at Manti, in the county of Sanpete and State of Utah.

John C. Ardrey, to be postmaster at La Grande, in the county of Union and State of Oregon.

Byron S. Dayton, to be postmaster at Middletown, in the county of Orange and State of New York.

Richard Price, to be postmaster at Wonewoc, in the county of Juneau and State of Wisconsin.

Clayton H. Underhill, to be postmaster at Sharon, in the county of Walworth and State of Wisconsin.

James T. Webb, to be postmaster at Lancaster, in the county of Grant and State of Wisconsin.

Sherman F. Myers, to be postmaster at Anita, in the county of Cass and State of Iowa.

W. E. Cooper, to be postmaster at Las Animas, in the county of Bent and State of Colorado.

J. N. Newkirk, to be postmaster at San Diego, in the county of San Diego and State of California.

Samuel T. Moore, to be postmaster at Princeton, in the county of Caldwell and State of Kentucky.

Clarence Mathews, to be postmaster at Maysville, in the county of Mason and State of Kentucky.

Henry L. Chesley, to be postmaster at Sutherland, in the county of O'Brien and State of Iowa.

James H. Roberts, to be postmaster at Binghamton, in the county of Broome and State of New York.

Joseph C. Bartlett, to be postmaster at Lake City, in the county of Wabasha and State of Minnesota.

Jacob B. Coffman, to be postmaster at Russellville, in the county of Logan and State of Kentucky.

Frank W. James, to be postmaster at Naples, in the county of Ontario and State of New York.

William A. Boyd, to be postmaster at Mamaroneck, in the county of Westchester and State of New York.

Edwin B. Hard, to be postmaster at Cobleskill, in the county of Schoharie and State of New York.

John C. Williams, to be postmaster at South Milwaukee, in the county of Milwaukee and State of Wisconsin.

James R. Carley, to be postmaster at Hillsboro, in the county of Traill and State of North Dakota.

Prine Riggs, to be postmaster at Sodus, in the county of Wayne and State of New York.

George C. Reed, to be postmaster at Park Ridge, in the county of Bergen and State of New Jersey.

Job Thompson, to be postmaster at Townsend, in the county of Broadwater and State of Montana.

John A. Gilbreath, to be postmaster at Appleton City, in the county of St. Clair and State of Missouri.

Charles J. Purcell, to be postmaster at Newberry, in the county of Newberry and State of South Carolina.

Frank Wanser, to be postmaster at Vineland, in the county of Cumberland and State of New Jersey.

Thomas F. Austin, to be postmaster at Millville, in the county of Cumberland and State of New Jersey.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 28, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

SCHLEY COURT OF INQUIRY.

Mr. HEATWOLE. Mr. Speaker, I ask unanimous consent for the present consideration of a Senate concurrent resolution, with an amendment.

The SPEAKER. The gentleman from Minnesota, chairman of the Committee on Printing, asks unanimous consent for the present consideration of the resolution which the Clerk will read.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,500 copies of the proceedings of the Schley court of inquiry, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 500 copies for the use of the Navy Department.

With the following amendment, to wit:

After the word "inquiry," in the fourth line, insert "together with the findings of the court, Admiral Dewey's opinion, Admiral Schley's appeal to the President, and the President's decision thereon, and."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The resolution as amended was agreed to.

On motion of Mr. HEATWOLE, a motion to reconsider the vote by which the concurrent resolution as amended was agreed to was laid on the table.

LEAVE TO PRINT.

Mr. SMITH of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send up.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the present consideration of the resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That the Committee on Private Land Claims be, and is hereby, authorized to have printed such papers and documents as may be necessary for the business of said committee.

The SPEAKER. Is there objection? The Chair hears none.

Mr. RICHARDSON of Tennessee. I will not object; but I will state that this committee has never had this privilege extended to it before.

Mr. SMITH of Illinois. I will state to the gentleman from Tennessee that the Committee on Private Land Claims have considered very many bills, in the course of which we are having extended hearings; and for the benefit of members on the floor when the bills come up we desire to have the hearings preserved. We have got a number of bills, and some of them are very important.

Mr. RICHARDSON of Tennessee. The object is simply to print the hearings on those bills?

Mr. SMITH of Illinois. That is all. We do not expect to have anything printed except the hearings, of course.

Mr. RICHARDSON of Tennessee. I shall not interpose an objection to its consideration or interfere with its passage; but I doubt the propriety of giving the right to print and have bound documents, etc. However, as I say, I will not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

On motion of Mr. SMITH of Illinois, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

CONTESTED ELECTION CASE—MOSS V. RHEA.

Mr. MANN. Mr. Speaker, I desire to present a privileged report from Committee on Elections No. 1 in the contested election case of Moss against Rhea, and ask that the report be printed and that the resolutions be placed upon the House Calendar.

The SPEAKER. The gentleman from Illinois reports from the Committee on Elections No. 1 the following case, which the Clerk will report by its title.

The Clerk read as follows:

Case of J. MacKenzie Moss *v.* John S. Rhea, from the Third district of Kentucky.

The SPEAKER. The resolutions will be referred to the House Calendar, and under the rule the report will be printed.

Mr. MANN. The gentleman from Mississippi wishes to present the views of the minority.

The SPEAKER. The views of the minority will be printed, and go with the others on the Calendar.

Mr. FOX. A parliamentary inquiry, Mr. Speaker. I want to know if the resolutions recommended by the majority of the committee are pending at this time?

The SPEAKER. It goes to the Calendar, and, with the report of the majority, is ordered printed.

Mr. FOX. I will ask if it is now in order to present a substitute for the resolution recommended by the committee?

The SPEAKER. The question is not up for consideration at this time, and it will not be in order now. The views of the minority can be printed and have been ordered to be printed.

CONTESTED-ELECTION CASE OF N. B. SPEARS V. JOHN L. BURNETT.

Mr. POWERS of Maine. Mr. Speaker, I desire to present a privileged report from the Committee on Elections No. 1, in the case of Spears against Burnett, from the Seventh Congressional district of Alabama.

The SPEAKER. The gentleman from Maine, from the Committee on Elections No. 1, presents a report in the contested-election case, which the Clerk will report by its title.

The Clerk read as follows:

Case of N. B. Spears against John L. Burnett, from the Seventh Congressional district of the State of Alabama.

The SPEAKER. The case will be referred to the House Calendar, and under the rule the report will be printed.

ORDER OF BUSINESS.

Mr. SULLOWAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the consideration of bills on the Private Calendar, under the rule for to-day.

The SPEAKER. The gentleman from New Hampshire, the chairman of the Committee on Invalid Pensions, moves that the House resolve itself into Committee of the Whole House for the consideration of private bills under the special rule of the House.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. CAPRON in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of certain bills on the Private Calendar under the rule. The Clerk will report the first bill.

HARRY L. GRAHAM.

The first business on the Private Calendar was the bill (H. R. 6593) granting a pension to Harry L. Graham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harry L. Graham, late of Company G, Seventy-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "sixteen."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Harry L. Graham."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MOSES SMITH.

The next business on the Private Calendar was the bill (S. 1330) granting an increase of pension to Moses Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Moses Smith, late chaplain Eighth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ABRAM O. KINDY.

The next business on the Private Calendar was the bill (H. R. 2128) granting an increase of pension to Abram O. Kindy.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to increase the pension of Abram O. Kindy, late a private in Company K, Twelfth Regiment Michigan Infantry, from $12 to $72 per month.

With the following amendment recommended by the committee:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abram O. Kindy, late of Company K, Twelfth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

WILLIAM C. FLOWERS.

The next business on the Private Calendar was the bill (H. R. 3873) granting a pension to Dr. William P. Flowers.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dr. William C. Flowers, late an acting assistant surgeon in the United States Army, and pay him a pension at the rate of dollars per month.

With the following amendment recommended by the committee:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of William C. Flowers, late acting assistant surgeon, United States Army, and pay him a pension at the rate of $12 per month."

Amend title so as to read: "A bill granting a pension to William C. Flowers."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

LUCY M. HILL.

The next business on the Private Calendar was the bill (S. 119) granting an increase of pension to Lucy M. Hill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucy M. Hill, widow of Charles H. Hill, late of Company C, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

LEWIS P. KILLAM.

The next business on the Private Calendar was the bill (S. 254) granting an increase of pension to Lewis P. Killam.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis C. Killam, late of Company A, Twenty-fifth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

JAMES MANTACH.

The next business on the Private Calendar was the bill (H. R. 7320) granting an increase of pension to James Mantack.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Mantack, late of Company B, First Wisconsin Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

With the following amendments recommended by the committee:

In line 6 strike out the word "Mantack" and insert in lieu thereof the word "Mantach."

In the same line, before the word "Wisconsin," insert the word "Regiment."

In line 7, before the word "Heavy," insert the word "Volunteer."

In the same line strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to James Mantach."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

WILLIAM J. OVERMAN.

The next business on the Private Calendar was the bill (H. R. 6015) increasing the pension of William J. Overman.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of William J. Overman, late a member of Company A, Thirty-eighth Regiment of Indiana Volunteers, and pay him a pension of $24 per month in lieu of the pension he is now receiving.

With the following amendments recommended by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William J. Overman, late of Company A, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to William J. Overman."

Mr. GAINES of Tennessee. Mr. Chairman, I see that most of these bills, if not all, are for increasing pensions. I would like to ask the gentleman who reports the bill why he asks for this increase. I would like to hear some explanation.

Mr. SULLOWAY. I did not hear the gentleman's request.

Mr. GAINES of Tennessee. My query is this: Why does the gentleman report for an increase of pension in this case? All of these claims, so far, I believe, this morning have been for the increase of pensions. Now, this is an increase from $24 to $30. Why do you want to increase this pension?

Mr. SULLOWAY. This soldier is pensioned at $17 a month, and if the gentleman will look at the report he will find that examinations have been held, and the examining surgeons recommend that he be pensioned at a much larger sum.

Mr. GAINES of Tennessee. Why?

Mr. SULLOWAY. Because of his disabilities.

Mr. HOLLIDAY. My secretary, I will say to the gentleman from Tennessee, made a mistake in drafting this bill. I directed him to put it at $40, and he put it at only $24.

Mr. GAINES of Tennessee. Why does the bill call for $24? That is an increase.

Mr. SULLOWAY. The original bill calls for $24, but the amendment recommended by the committee is $30. He is rated for a gunshot wound of the wrist at $30.

Mr. GAINES of Tennessee. What are his physical disabilities?

Mr. SULLOWAY. Total wreck.

Mr. HOLLIDAY. A total wreck, and I know it of my own personal knowledge.

Mr. GAINES of Tennessee. Now, as I say, these bills are all for an increase of pension. What is the gentleman's idea about having a general law to pension soldiers of the civil war, instead of having from day to day these special bills to increase pensions? I would like to ask the gentleman why there is so much of that kind of legislation?

Mr. SULLOWAY. Simply because they do not get justice at the Pension Bureau.

Mr. GAINES of Tennessee. The gentleman arraigns the Pension Bureau.

Mr. SULLOWAY. Well, an injustice is done the soldier on the records at the Pension Bureau.

Mr. GAINES of Tennessee. Then, that rule applies to all the cases reported here this morning?

Mr. SULLOWAY. I do not remember whether all the cases that have been taken up this morning are for increase, but I think they are mostly for an increase.

Mr. GAINES of Tennessee. Mr. Chairman, I have had a very frank and satisfactory explanation from the gentleman from New Hampshire. I asked him why there are so many bills reported here for increase of pensions, and the gentleman from New Hampshire [Mr. SULLOWAY] frankly states that it is simply because "they do not get justice at the Pension Bureau." I want the House to understand fully this frank statement of the chairman who reports this bill and these other bills. I want the House to know how he says our pension laws are being administered at the Pension Bureau. He in effect says that Congress is appealed to to overrule the Pension Commissioner on the facts. The vital question is, Who is right, the Commissioner of Pensions or Congress?

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CATHERINE MEADE.

The next business on the Private Calendar was the bill (S. 1782) granting a pension to Catherine Meade.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catherine Meade, widow of William Meade, late of the Hospital Corps, United States Army, and pay her

a pension at the rate of $8 per month, and $2 per month additional on account of the minor child of said William Meade until she reaches the age of 16 years.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN S. RAULETT.

The next business on the Private Calendar was the bill (H. R. 1011) granting an increase of pension to John S. Ranlett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Ranlett, late of the United States Navy, and pay him a pension of $30 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of John S. Raulett, late of the U. S. S. *Florida*, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to John S. Raulett."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CAROLINE FITZSIMMONS.

The next business on the Private Calendar was the bill (H. R. 629) granting a pension to Caroline Fitzsimmons.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Caroline Fitzsimmons, widow of Paul J. Fitzsimmons, late of Company I, One hundred and sixty-fourth New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments, recommended by the Committee on Invalid Pensions, were read, as follows:

Strike out all of lines 7, 8, and 9 and insert in lieu thereof the following: "of Company I, One hundred and sixty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $8 per month, such pension, however, to cease and terminate upon proof that said soldier be still living."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRIETTE SALOMON.

The next business on the Private Calendar was the bill (S. 143) granting an increase of pension to Henriette Salomon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henriette Salomon, widow of Frederick Salomon, late brigadier-general, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

AQUILA WILEY.

The next business on the Private Calendar was the bill (H. R. 2240) granting an increase of pension to Aquila Wiley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension rolls, subject to the provisions and limitations of the pension law, the name of Aquila Wiley, late colonel of the Forty-first Ohio Volunteer Infantry, and pay him a pension at the rate of $100 per month; this act to take effect from its passage, and the pension hereby granted to be in lieu of that which he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Aquila Wiley, late colonel Forty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS YOUNG.

The next business on the Private Calendar was the bill (H. R. 3354) granting an increase of pension to Thomas Young.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Young, late of Company B, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the Committeee on Invalid Pensions was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WELLINGTON D. CURTIS.

The next business on the Private Calendar was the bill (S. 1029) granting an increase of pension to Wellington D. Curtis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Wellington D. Curtis, late of Company D, Twenty-third Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HORATIO N. WARREN.

The next business on the Private Calendar was the bill (H. R. 2120) granting a pension to Horatio N. Warren.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior place on the pension roll the name of Horatio N. Warren, formerly colonel of the One hundred and twenty-ninth Pennsylvania Volunteer Infantry, at the rate of $30 per month.

SEC. 2. That this act take effect immediately.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horatio N. Warren, late lieutenant-colonel One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Horatio N. Warren."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS SWAN.

The next business on the Private Calendar was the bill (H. R. 5145) granting an increase of pension to Thomas Swan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Swan, late musician, Eighty-fifth New York Volunteer Infantry, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The amendments recommended by the committee on Invalid Pensions were read, as follows:

In line 4 strike out the word "upon" and insert in lieu thereof the word "on."

In lines 6 and 7 strike out "musician, Eighty-fifth New York Volunteer Infantry," and insert in lieu thereof "chief bugler, Twelfth Regiment New York Volunteer Cavalry."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS BLISS.

The next business on the Private Calendar was the bill (H. R. 6918) granting an increase of pension to Thomas Bliss.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Bliss, late of Company G, One hundred and forty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS E. CLARK.

The next business on the Private Calendar was the bill (S. 659) granting a pension to Thomas E. Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas E. Clark, late of Company G, Sixth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

CORNELIUS SPRINGER.

The next business was the bill (H. R. 2391) granting an increase of pension to Cornelius Springer.

Mr. SULLOWAY. Mr. Chairman, I move to substitute Senate bill 2460, Calendar No. 326.

There being no objection, the order was so made.

The bill S. 2460 was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cornelius Springer, late of Company H, Eighteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was laid aside with a favorable recommendation.

By unanimous consent, on motion of Mr. LOUDENSLAGER, the corresponding House bill (H. R. 2391) was ordered to be reported to the House with the recommendation that it lie on the table.

ZIBA S. WOOD.

The next business on the Private Calendar was the bill (S. 2441) granting an increase of pension to Ziba S. Wood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ziba S. Wood, late of Company D, Eleventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the name "Woods" and insert in lieu thereof the name "Wood."

Also amend the title so as to read: "A bill granting an increase of pension to Ziba S. Wood."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CORNELIUS SPRINGER.

The next business on the Private Calendar was the bill (H. R. 2391) granting a pension to Cornelius Springer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Cornelius Springer, now drawing a pension of $12 per month under certificate No. 79482, and to pay to him a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cornelius Springer, late of Company H, Eighteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving."

Amend title so as to read: "A bill granting an increase of pension to Cornelius Springer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWARD S. DICKINSON.

The next business was the bill (H. R. 3180) granting a pension to Edward S. Dickinson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward S. Dickinson, late of Company B, Tenth Missouri Cavalry Volunteers, and pay him a pension at the rate of $30 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read and agreed to.

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Edward S. Dickinson, late of Company B, Tenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Edward S. Dickinson."

Mr. GAINES of Tennessee. I did not understand the reading of that bill by the Clerk. Does this bill propose to place this party on the pension roll again?

The CHAIRMAN. The Clerk will report the bill a second time.

The bill was again read.

The amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY E. S. HAYS.

The next business was the bill (H. R. 8631) granting a pension to Mary E. S. Hays.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. S. Hays, widow of David S. Hays, late surgeon, of the One hundred and tenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The following amendments recommended by the Committee on Invalid Pensions were read:

In line 6, after the word "surgeon," strike out the word "of."

In line 7 strike out the word "the."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twelve."

Mr. SULLOWAY. Mr. Chairman, in behalf of the committee I move that the word "twelve" be stricken out of line 9 and the word "twenty" be inserted instead.

The amendment was agreed to.

The committee amendment as amended was agreed to.

The other committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JACOB WEIDEL.

The next business was the bill (H. R. 8788) granting an increase of pension to Jacob Weidel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of Jacob Weidel, late captain Company K, Two hundred and ninth Regiment Pennsylvania Infantry, and pay him a pension of per month from and after the passage of this act in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Weidel, late of Company K, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DELIA E. SLOCUM.

The next business was the bill (H. R. 10165), granting a pension to Delia E. Slocum.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Delia E. Slocum, widow of Aaron C. Slocum, late captain of Company E, One hundred and fifteenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of the pension she is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all of lines 6, 7, 8, 9, and 10 and insert in lieu thereof the following: "of Delia E. Slocum, widow of Aaron C. Slocum, late first lieutenant, Company E, One hundred and fifteenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Delia E. Slocum."

Mr. BELL. Mr. Chairman, I should like to have the attention of the committee on this special bill, because it is one of the historical bills before the Pension Department, where absolute injustice has been done.

Without detaining the House at all, the report of the Committee on Invalid Pensions shows that the pension in this case ought to have been granted from 1881. It shows that this man died from wounds or disease, and therefore the applicant would have been entitled to $17 from 1881 up to the present time. It is proposed to give $17 a month from this time on to this widow, who is now 75 years old, who swears she has not a particle of property on earth.

The committee want to cut her down to $17. In correspondence with her friends she stated that she could get along comfortably on $20. I introduced the bill for $20. They have placed the amount at $17, because that is what she would get if she gets a pension at this time. I say that upon the showing of the committee itself the Department ought to have granted her a pension from 1881, which would have amounted by this time to about $5,000, and that she has not got. Now, I say she ought not to be cut below $20.

I want to say in this case this soldier served through the entire war. He was wounded near the spine, when he was a lieutenant. The proof shows that he died from that wound. The proof was so clear that if the man who shot him could have been tried for murder he would have been convicted of murder in the case. The Department, or some law officer of the Department, after the proof was beyond question, held up the pension because the soldier did not have a hospital record, and because the widow could not explain the reason why some vital statistical board over in New York said that he died from chronic diarrhea and from dropsy, the very things that would occur from the wound.

The man died from a gunshot wound, ten or twelve years ago, and we tried to get his wife a pension. I say the proof is beyond question. The board that examined Captain Slocum the first time showed that he had a wound near his spine at the time. The captain that was in the ranks with him swears that he was present when he was shot, that he relieved him from time to time because of the wound; but he was young and vigorous and never went to a hospital to be treated. The board of examiners declared they found the wound there; the man that attended him before his death declared that he died from the wound. I say $20,

considering the conditions in this case, is a mere paltry sum. The widow has lost, according to this report, nearly $5,000; she is now about 75 years old, and I hope this House will vote that she may have for the remainder of her days the paltry sum of $20.

Mr. SHAFROTH. This involves, as I understand, only a raise of $3?

Mr. BELL. Twenty dollars was the amount stated in the original bill. The committee, under its general rule, which is a good one, I admit, cuts it to $17.

Mr. KLEBERG. Will the gentleman permit me to ask him a question?

Mr. BELL. Certainly.

Mr. KLEBERG. Are you acquainted personally with the facts in this case?

Mr. BELL. I have examined every paper and read every affidavit.

Mr. KLEBERG. Do you state on your responsibility as a Representative that the facts are that way?

Mr. BELL. There is no question about it. The committee here admits that he died of the wound or disease.

Mr. KLEBERG. I just wanted to know if the gentleman knows the circumstances himself.

Mr. BELL. I want the committee to vote against the amendment which cuts the amount proposed to be given from $20 to $17. This widow is now 75 years old, and this merely proposes to give her $20.

Mr. GAINES of Tennessee. I desire to ask the gentleman a question. Is this an increase of an existing pension?

Mr. BELL. Yes.

Mr. GAINES of Tennessee. Why has it not been increased by the Bureau?

Mr. BELL. The reason they give me at the office——

Mr. GAINES of Tennessee. What office?

Mr. BELL. The office of the Commissioner of Pensions—is that they required Captain Slocum in his lifetime to make an explanation of a discrepancy in the statement of the captain of his company, who said he was present when he was shot near the spine. The board of examiners who examined him in 1881 said he had a wound back of the spine that was very bad and very painful, and some other evidence. The man who attended him up to the time he died swore point-blank that he died from that wound to the spine.

But the Pension Office said that a board of vital statistics in New York showed that he died from diarrhea and from dropsy—the very things that would develop from a spinal injury. This the wife must explain, and she can not explain, and there was no explanation. The law officer said the reason why they did not want to allow it was that they disallowed to Captain Slocum in his lifetime because he did not file some paper required to be filed within a specified time, otherwise he was to be stricken off the files. He did not file it within the time, and he was stricen off the files of the Pension Office.

Mr. GAINES of Tennessee. Then primarily the purpose of this bill is to overrule the judgment of the Pension Commissioner?

Mr. BELL. A clerk in the Department admits that the pension ought to have been allowed, but they say to allow the pension now would overrule a former Commissioner, who declined to allow the pension to the husband.

Mr. GAINES of Tennessee. Did the Commissioner of Pensions, who was charged with the consideration of these matters, refuse to give this relief, or did some subordinate do so?

Mr. BELL. A subordinate struck the case from the docket because they did not file a certain paper within a certain required time, and the soldier died before he filed it.

Mr. GAINES of Tennessee. Did you then appeal the case to the Commissioner?

Mr. BELL. No; but the Commissioner or the law officer of the Commissioner intimates that they would have allowed the pension to the widow, as her proof was sufficient, but it would overrule the decision of a former Pension Commissioner.

Mr. GAINES of Tennessee. Now, then, you appeal here against the judgment of the Pension Bureau because they struck it off for a technicality.

Mr. BELL. Because certain papers were not filed within the time required to be, and before they were filed the soldier died.

Mr. LATIMER. If this case was passed on by the Department, why there would be no necessity for this committee and this special bill.

Mr. GAINES of Tennessee. That is exactly what I was getting at. The gentleman from New Hampshire said a few moments ago that the reason why so many of these special bills were passed by Congress was because the claimants failed to "get justice before the Bureau of Pensions." Now, then, you are following that up with these special bills, and in that way you are overruling the judgment of the Pension Commissioner, who is credited with being a good business man and a good officer.

Mr. BELL. No; we do not overrule him in this case.

Mr. GAINES of Tennessee. You do not overrule him if this bill passes the Congress?

Mr. BELL. No.

Mr. GAINES of Tennessee. You have testimony now before the committee that you did not have in time?

Mr. BELL. No; as I said before, the friends of this woman wrote me to go and read this evidence, telling me what it was. I went and asked the law clerk to show me this evidence and he read it with me. He did so, and while he admitted that the case was proven for the widow, he said the fact that the husband's case had been dismissed, to allow this would virtually be overruling the decision of a former Pension Commissioner. That was the verbal reason he gave me. The man that decided her case formerly, however, did not put it on this ground, but, as I remember, because she did not explain the vital statistics in New York.

Mr. GAINES of Tennessee. Does the gentleman think that kind of an officer ought to be kept in that place?

Mr. BELL. I say that the decision in this case would disgrace a justice of the peace, because here is the evidence of the captain, who swears directly that he was present when this man was shot.

Mr. GAINES of Tennessee. In other words——

Mr. BELL. Wait a moment. He swears that he relieved him from time to time, but he did not go to the hospital because he was a young and vigorous fellow. The surgeon of the Army swears that he does not remember of the fellow being in the hospital, and it would be strange if he did; but he says that he knew Slocum so well that if Slocum told him he was shot he would know that he was shot. The board that first examined him declare that they found the wound there, and the physician that treated him until he died swears that he died of that wound.

And yet the record of the vital statistics over in New York that calls everything heart disease or diarrhea, without recourse to any evidence anywhere, they have been asked and asked over again to explain the discrepancy between all this legal testimony and the board of vital statistics in New York, and because the soldier's widow said that she could not give them a sufficient explanation, they have struck it from the files.

Mr. GAINES of Tennessee. I understood the gentleman from Colorado to say just now that this officer before whom this matter was tried said that the widow had made out her case?

Mr. BELL. He admitted to me verbally that she had.

Mr. GAINES of Tennessee. And because the husband had not made out his case, he refuses to give his wife relief.

Mr. BELL. No; he said that Commissioner Black made a rule that if certain things were not done in certain cases, within a fixed time, they should be stricken from the files, and to allow the widow a pension would be virtually overruling a former commissioner.

Mr. BROMWELL. I would like to ask the gentleman from Colorado a question.

Mr. BELL. Very well.

Mr. BROMWELL. Suppose the circumstances you have narrated in regard to the failure to give the husband a pension while living did not exist, what would the widow be entitled to under the law as the widow of that soldier?

Mr. BELL. Seventeen dollars, as he was shot while a lieutenant. He was afterwards raised to a captain, and I suppose he got a Captain's pay.

Mr. BROMWELL. She would have been entitled to $17 as the widow of a soldier providing all the circumstances you have stated had not existed and the soldier himself failed to get a pension?

Mr. BELL. He was entitled to that if the gunshot wound killed him; but if other things killed him he is entitled to more. I introduced the bill for a pension under his rank as captain, and I think it ought to be held to that.

Mr. BROMWELL. The gentleman is wrong in regard to the law. He was not a captain at the time he incurred the disability. He would have been entitled to $17. That is what the committee gives in this case. Now, I ask the gentleman whether the attempt to raise the pension to $20 is not an attempt to get back pension in this case, a thing this House never does on a private bill?

Mr. BELL. No; we can not give her a back pension because, according to the committee's own decision, she has lost nearly $5,000 that she was entitled to. They say that he died from injuries received in the service.

Mr. BROMWELL. Is not that a back pension that the gentleman is trying to recoup by giving her $3 a month more than the committee reports?

Mr. BELL. No; because the committee says that he died from injuries received in the service. He died a captain, and his widow ought to have a captain's pension.

Mr. BROMWELL. He did not receive his injuries as a captain. It is the rank he holds when he receives the injuries that controls.

Mr. BELL. They find that he died of a gunshot wound or other causes of service origin, and say that it is immaterial which killed him, as in either case this committee says that his death is traceable to injuries received in the service.

Mr. SULLOWAY. If the committee will pardon me a moment, I think I can state the facts of this case. The soldier was successively a second lieutenant, a first lieutenant, and a captain. The only disabilities that it is claimed he contracted in the service were contracted while he was a first lieutenant. If he died of those disabilities, as we find he did, the widow would be entitled to a pension of $17 a month, exactly what we have recommended. So far as I am aware there is no pretense that he contracted any disabilities whatever while he was a captain. Of course we never grant arrearages, which the gentleman speaks of. It seems to me the committee has reported just what ought to be done—the granting of a pension at $17.

Mr. GROSVENOR. Why did not the widow get that amount at the Pension Office?

Mr. SULLOWAY. The claim was rejected at the Pension Bureau on the ground that the disability was not of service origin.

The CHAIRMAN. The question is on the amendment of the gentleman from Colorado [Mr. BELL] to change the amount of the proposed pension from $17 to $20.

Mr. BELL. No, sir. The original bill proposes a pension of $20. The committee has recommended $17. I ask that the committee amendment be voted down.

The question being taken, the amendments reported by the committee were agreed to, there being ayes 47, noes 15.

The bill as amended was laid aside to be reported favorably to the House.

MYRON C. BURNSIDE.

The next business was the bill (H. R. 8782) granting an increase of pension to Myron C. Burnside.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Myron C. Burnside, late of Company E, Fortieth Regiment Wisconsin Infantry Volunteers, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read and agreed to, as follows:

In line 7 strike out the words "Infantry Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "twenty-four."

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE R. CHANEY.

The next business was the bill (H. R. 4172) granting an increase of pension to George R. Chaney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George R. Chaney, late of Company I, Third Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SILAS STOTTS.

The next business was the bill (H. R. 7105) granting an increase of pension to Silas Stotts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to grant an increase of pension to Silas Stotts (insane), late of Company H, Sixty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of the pension which he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Silas Stotts, late of Company H, Sixty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving, such pension to be paid to his duly constituted guardian."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PERRY H. ALEXANDER.

The next business was the bill (H. R. 7369) granting an increase of pension to Perry H. Alexander.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Perry H. Alexander, late of Company G, One hundred and fifteenth Ohio Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Ohio," insert the word "Regiment."

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENJAMIN G. SARGENT.

The next business was the bill (S. 1036) granting an increase of pension to Benjamin S. Sargent.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin G. Sargent, late of Company F, Fiftieth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN CRAIG.

The next business was the bill (H. R. 7424) granting an increase of pension to John Craig.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Craig, late lieutenant-colonel One hundred and forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARMON S. GATLIN.

The next business was the bill (H. R. 7148) granting a pension to Harmon S. Gatlin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to place upon the pension roll, subject otherwise to the provisions and limitations of the pension laws, the name of Harmon S. Gatlin, late of Company E, First Regiment of United States Florida Cavalry Volunteers, and pay him a pension at the rate of $24 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harmon S. Gatlin, late of Company E, First Regiment Florida Volunteer Cavalry, and pay him a pension at the rate of $16 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRED F. B. COFFIN.

The next business was the bill (S. 1923) granting an increase of pension to Fred F. B. Coffin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Fred F. B. Coffin, late captain Company K, Sixty-second Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JANE HALE.

The next business was the bill (H. R. 4153) granting a pension to Jane Hale.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane Hale, widow of Samuel Hale, deceased, late of Company M, Fifth Regiment Michigan Cavalry Volunteers, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Jane Hale, widow of Samuel Hale, late of Company M, Fifth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $8 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES W. ROATH.

The next business was the bill (H. R. 2436) granting an increase of pension to James W. Roath.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Roath, late of Company I, First Regiment Minnesota Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Heavy," insert the word "Volunteer."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH B. ARBAUGH.

The next business was the bill (H. R. 725) granting an increase of pension to Joseph B. Arbaugh.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph B. Arbaugh, of Mercer County, Ohio, late of Company K, Fortieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph B. Arbaugh, late of Company K, Fortieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Joseph B. Arbaugh."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY F. BENSON.

The next business was the bill (H. R. 1476) granting an increase of pension to Henry F. Benson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry F. Benson, late private, Company B, Twenty-third Regiment Missouri Infantry, and pay him a pension at the rate $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "private" and insert in lieu thereof the word "of."

In line 7, after the word "Missouri," insert the word "Volunteer."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ENOCH A. WHITE.

The next business was the bill (S. 1616) granting an increase of pension to Enoch A. White.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Enoch A. White, late of Company K, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN LAUGHLIN.

The next business was the bill (H. R. 2223) granting a pension to John Laughlin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of John Laughlin, late of Company G, Twenty-sixth Regiment Pennsylvania Volunteer Infantry, at the rate of $30 per month in lieu of the pension he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Laughlin, late of Company G, Twenty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to John Laughlin."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM B. MATNEY.

The next business was the bill (H. R. 3264) granting an increase of pension to William B. Matney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William B. Matney, late of Company C, Fifth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELMER J. STARKEY.

The next business was the bill (H. R. 3288) granting an increase of pension to Elmer J. Starkey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elmer J. Starkey, late of Company G, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN FISHER.

The next business was the bill (H. R. 1740) granting a pension to John Fisher.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Fisher, late of Company A, Fifty-first Regiment Enrolled Missouri State Militia, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

OTILLIA M. SMOOT.

The next business was the bill (H. R. 2770) for the relief of Otellia M. Smoot.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Otellia M. Smoot, widow of George W. Smoot, late mate in the United States Navy, and pay her a pension of $40 per month in lieu of the pension she is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Otillia M. Smoot, widow of George W. Smoot, late acting master's mate, United States Navy, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Otillia M. Smoot."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM EASTIN.

The next business was the bill (H. R. 5258) granting an increase of pension to William Eastin, of Louisburg, Kans.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Eastin, of Company D, Sixty-second Regiment Illinois Infantry Volunteers, and pay him a pension of $36 per month in lieu of the pension he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 7 and 8, and insert in lieu thereof the following: "Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to William Eastin."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MAHALE LITTON.

The next business was the bill (S. 1197) granting an increase of pension to Mahale Litton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Mahale Litton, mother of Philander D. Litton, late of Company G, Third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SUSAN P. CRANDALL.

The next business on the Private Calendar was the bill (H. R. 6435) granting a pension to Susan P. Crandall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan P. Crandall, widow of Henry B. Crandall, late of Company A, First Regiment Rhode Island Volunteer Light Artillery, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE M'DANIEL.

The next business on the Private Calendar was the bill (H. R. 2287) granting a pension to George McDaniel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George McDaniel, late of Company H, One hundred and forty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

In line 8, after the word "month," insert the following: "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to George McDaniel."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELVIRA L. WILKINS.

The next business on the Private Calendar was the bill (S. 2391) granting an increase of pension to Elvira L. Wilkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elvira L. Wilkins, widow of Carroll Wilkins, late of Company C, Fourth Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN B. KURTH.

The next business on the Private Calendar was the bill (H. R. 4468) granting an increase of pension to John B. Kurth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Kurth, late of Company I, First Regiment Kansas Mounted Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 7 strike out the word "Mounted" and insert in lieu thereof the word "Volunteer."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JACOB L. HANGER.

The next business on the Private Calendar was the bill (H. R. 3690) for the relief of Jacob L. Hanger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to remove the charge of desertion standing against Jacob L. Hanger as a private of Company C, Thirtieth Ohio Infantry, and issue to him an honorable discharge, showing him discharged December 1, 1862.

The bill was ordered to be laid aside with a favorable recommendation.

DICEY WOODALL.

The next business on the Private Calendar was the bill (H. R. 622) granting a pension to Dicey Woodall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject otherwise to the provisions and limitations of the pension laws, the name of Dicey Woodall, widow of William W. Woodall, late of Capt. John Padget's company of Florida Volunteers, Indian war, and pay her a pension at the rate of $8 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out the word "otherwise" in line 5.

Mr. LOUDENSLAGER. I move a further amendment which I will ask the Clerk to read.

The Clerk read as follows:

In line 8, after the word "Volunteers," insert the word "Florida."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY TATE.

The next business on the Private Calendar was the bill (H. R. 1380) for the relief of Mrs. Mary Tate.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Mary Tate, widow of Waddy Tate, who was a soldier in the war of 1812 (the said Mrs. Tate being now 88 years of age and totally blind), on the pension roll at the rate of $30 per month in lieu of the amount she now receives.

The amendments recommended by the Committee on Pensions were read, as follows:

Strike out all after the enacting clause and substitute therefor the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Tate, widow of Waddy Tate, late musician in Captain Poindexter's company, Virginia Volunteers, war of 1812, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALICE BOZEMAN.

The next business on the Private Calendar was the bill (H. R. 5712) granting a pension to Alice Bozeman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of Alice Bozeman, a totally blind daughter of Phineas L. Bozeman, late a member of Captain Lawler's Independent Company Illinois Volunteers, in the war with Mexico, and pay her a pension of $30 per month, subject to the provisions and limitations of the pension laws.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all after the enacting clause and substitute therefor the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice Bozeman, the helpless and dependent daughter of Phineas L. Bozeman, late of Captain Lawler's company, Illinois Mounted Volunteers, war with Mexico, and pay her a pension at the rate of $12 per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SARAH M. SMITH.

The next business on the Private Calendar was the bill (H. R. 10415) granting a pension to Sarah M. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah M. Smith, widow of Andrew J. Smith, late of Jack Hays's regiment, Texas Volunteer Infantry, war with Mexico, and pay her a pension at the rate of $8 per month.

The amendments recommended by the Committee on Pensions were read, as follows:

In line 6 strike out "Jack" and substitute therefore "Captain Smith's company;" and in line 7 change "Hays's" to "Hays'."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARIAH J. ANDERSON.

The next business on the Private Calendar was the bill (H. R. 6080) granting an increase of pension to Mariah J. Anderson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mariah J. Anderson, widow of John D. Anderson, soldier in Florida Indian war, 1836, and that she be paid a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "soldier in" and substitute therefor "late of Capt. Thomas J. Fripp's company, South Carolina Volunteers."

In lines 7 and 8 strike out "1836."

In line 8 strike out "that she be paid" and substitute therefor the words "pay her," and in the same line strike out "twenty-five" and insert in lieu thereof "sixteen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH M. FOLDS.

The next business on the Private Calendar was the bill (H. R. 2123) granting a pension to Mrs. Elizabeth Folds, of Butts County, Ga.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Elizabeth Folds, widow of Thomas Folds, late a member of Captain Wilson's Georgia Volunteers, in the Florida Indian war in 1836, and pay her a pension at the rate of $12 per month.

The amendments recommended by the Committee on Pensions were read, as follows:

Change the title so as to read: "A bill granting a pension to Elizabeth M. Folds."

In line 6 strike out "Mrs. Elizabeth" and substitute "Elizabeth M."

In lines 6 and 7 strike out "a member;" in line 7, after "Wilson's," insert "company," and in the same line strike out "in the."

In line 8 strike out "in 1836."

In line 9 strike out "twelve" and substitute therefor the word "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CATHERINE CONROY.

The next business on the Private Calendar was the bill (S. 2012) granting a pension to Catherine Conroy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catherine Conroy, widow of John Conroy, late of Company C, Fourth Regiment United States Infantry, and pay her a pension at the rate of $8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

NANCY E. HARDY.

The next business on the Private Calendar was the bill (H. R. 5553) granting a pension to Nancy E. Hardy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the act approved June 27, 1890, the name of Nancy E. Hardy, as widow of George H. Hardy, late of Company D, Twenty-first Regiment Massachusetts Volunteers, who was pensioned under certificate No. 77402.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy E. Hardy, widow of George H. Hardy, late of Company D, Twenty-first Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $8 per month, such pension to cease upon proof that the soldier is still living."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY E. KELLY.

The next business on the Private Calendar was the bill (H. R. 6029) granting a pension to Mary E. Kelly.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Kelly, widow of Isaac P. Kelly, late of Company H, Ninety-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH LOWDEN.

The next business on the Private Calendar was the bill (H. R. 7130) granting a pension to Elizabeth Lowden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the limitations and provisions of the pension laws, the name of Elizabeth Lowden, widow of Henry A. Lowden, late a corporal in Company G, Fifty-second Indiana Volunteer Infantry, at the rate of $17 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Lowden, the former widow of Henry A. Lowden, late of Company G, Fifty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN M. CORE.

The next business on the Private Calendar was the bill (S. 2000) granting a pension to John M. Core.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Core, late of Company I, Eleventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

MILTON A. EMBICK.

The next business on the Private Calendar was the bill (H. R. 6864) granting an increase of pension to Milton A. Embick.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Milton A. Embick, late of Company D, Two hundred and ninth Regiment of the Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of the pension that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "of the."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

In line 9 strike out the words "the pension."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DANIEL SCHRAM.

The next business on the Private Calendar was the bill (H. R. 5536) granting an increase of pension to Daniel Schram.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel Schram, late of Company B, Thirty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. SHAFFER.

The next business on the Private Calendar was the bill (H. R. 1129) granting an increase of pension to William H. Shaffer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Shaffer, late of Company K, Fifth Regiment Pennsylvania Volunteers, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Cavalry."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZA A. WRIGHT.

The next business on the Private Calendar was the bill (H. R. 8471) granting a pension to Eliza A. Wright.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza A. Wright, widow of James H. Wright, late captain of Company E, Eighty-seventh Illinois Volunteer Infantry, and to pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "captain."

In line 7 insert before the word "Illinois" the word "Regiment."

In line 8 strike out the word "to."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EZEKIEL J. ROBINSON.

The next business on the Private Calendar was the bill (H. R. 9696) granting a pension to Ezekiel J. Robinson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ezekiel J. Robinson, late of Company C, First Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "C" and insert in lieu thereof the letter "B."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "seventeen."

Mr. LLOYD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have received a communication from the Grand Army post of the town at which I live which I desire to read in my time.

SHELBYVILLE POST, NO. 102, DEPARTMENT OF MISSOURI,
GRAND ARMY OF THE REPUBLIC,
Shelbyville, Mo., February 7, 1902.

Hon. DAVID B. HENDERSON,
Speaker of House of Representatives, Washington, D. C.

SIR: Believing that the administration of H. Clay Evans, as Commissioner of Pensions, has nullified the pension laws, as passed by Congress, thereby denying pensions to thousands of claimants fully entitled thereto under such laws, we respectfully petition the House of Representatives to appoint a committee to investigate the administration of said Commissioner.

Signed on behalf of Post No. 102, Department of Missouri, Grand Army of the Republic.

H. C. FORMAN.
Commander.
W. C. McDOWELL,
Post Adjutant.

Mr. SULLOWAY. Mr. Chairman, I do not understand what the gentleman is reading, but from the gentleman's remarks he does not seem to be discussing the bill at all.

Mr. LLOYD. I am discussing my amendment.

Mr. SULLOWAY. What was your amendment?

Mr. LLOYD. It was to strike out the last word.

Mr. Chairman, I am not disposed to take up the time of the committee, and I will conclude my remarks inside of three minutes.

The CHAIRMAN. Does the Chair understand the gentleman from New Hampshire to make the point of order?

Mr. SULLOWAY. I withdraw that.

The CHAIRMAN. The gentleman from Missouri has the floor.

Mr. LLOYD. Mr. Chairman, I call attention to this matter because it is in line with others I have received, and it is simply to impress upon this body the feeling of the Grand Army with reference to the management of the Bureau of Pensions.

I also wish to call attention to another thing, which I have mentioned to various members of the Committee on Invalid Pensions, and that is with reference to pensioning the Missouri Enrolled Militia. I have lying on my desk a petition from 350 citizens of Lewis County, Mo., asking that the Missouri Enrolled Militia be given a pensionable status.

This militia rendered service to the United States during the civil war but was employed by the State of Missouri. Afterwards the State was reimbursed by the United States, and thereby the services of these individuals were recognized as services rendered to the United States Government in the war of the rebellion. I call the attention of the House to this petition thus publicly because it is worthy of the notice of this body and it should take cognizance of the fact that these individuals who have rendered this service to the Government are now being denied the rights that accrue to individuals who served in the regular service of the Army and recognized at this time as worthy of pensions in this body. There are bills now pending before the Committee on Invalid Pensions bearing directly upon the question. There is a bill pending before the committee giving to the Missouri Enrolled Militia a pensionable status, and I hope that that bill will be given proper consideration by that committee.

I withdraw the pro forma amendment.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JONAS M. M'COY.

The next business on the Private Calendar was the bill (S. 886) granting an increase of pension to Jonas M. McCoy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jonas M. McCoy, late of Company H, Ninth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM G. JOHNSON.

The next business on the Private Calendar was the bill (H. R. 3275) granting an increase of pension to William G. Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of Interior be, and he hereby is, authorized and directed to place the name of William G. Johnson, late of Company F, Sixteenth Michigan Infantry Volunteers, upon the pension roll, and to grant him a pension of $40 per month in lieu of any pension now granted.

The amendment recommended by the Committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William G. Johnson, late of Company F, Sixteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HINKLEY G. KNIGHTS.

The next business on the Private Calendar was the bill (H. R. 3241) granting an increase of pension to H. G. Knights.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and instructed to place the name of H. G. Knights, late a private of Company E, Thirty-second Iowa Volunteer Infantry, on the pension roll, and pay him a pension at the rate of $30 per month in lieu of the pension he is now receiving.

The amendment was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hinkley G. Knights, late of Company E, Thirty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

Amend title so as to read: "A bill granting an increase of pension to Hinkley G. Knights."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET BAKER.

The next business on the Private Calendar was the bill (H. R. 5102) granting a pension to Margaret Baker, formerly Maggie Ralston.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Baker, formerly Maggie Ralston, late army nurse, and pay her a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "army," insert the word "an."

In line 7 strike out the word "fifty" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LOUDENSLAGER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10308) to provide for a permanent Census Office.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. LODGE, Mr. ALLISON, and Mr. RAWLINS as the conferees on the part of the Senate.

MICHAEL FARRELL.

The committee resumed its session.

The next business on the Private Calendar was the bill (H. R. 1503) granting a pension to Michael Farrell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Farrell, late of Company K, Eighty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Michael Farrell."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MAHALA JANE KUHN.

The next business on the Private Calendar was the bill (H. R. 2167) granting a pension to Jane Kuhn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Jane Kuhn, invalid daughter of the late Solomon H. Kuhn, sergeant, Company A, Twenty-fourth Kentucky Volunteer Infantry, civil war, and pay her a pension of $12 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations

of the pension laws, the name of Mahala Jane Kuhn, the helpless and dependent daughter of Solomon H. Kuhn, late of Company A, Twenty-fourth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $12 per month."

Amend the title so as to read: "A bill granting a pension to Mahala Jane Kuhn."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANK SEAMAN.

The next business on the Private Calendar was the bill (H. R. 7771) granting an increase of pension to Frank Seaman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank Seaman, late of First Ohio Independent Battery, Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Frank Seaman, late of the First Independent Battery Ohio Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHRISTINE B. KNAPP.

The next business on the Private Calendar was the bill (H. R. 5982) granting an increase of pension to Christine B. Knapp.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Christine B. Knapp, widow of Arthur W. Knapp, late of Company C, Fifteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALFRED H. VAN VLIET.

The next business on the Private Calendar was the bill (H. R. 5413) for the relief of Alfred H. Van Vliet, late adjutant Eleventh Michigan Cavalry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred H. Van Vliet, late adjutant of the Eleventh Michigan Cavalry, and pay him a pension at the rate of dollars a month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred H. Van Vliet, late adjutant Eleventh Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving, such pension to be paid to his duly constituted guardian."

Amend the title so as to read: "A bill granting an increase of pension to Alfred H. Van Vliet."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES ARMSTRONG.

The next business on the Private Calendar was the bill (H. R. 1688) granting a pension to Charles Armstrong.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Armstrong, late of Company L, Third Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the words "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SUSAN H. STEVENS.

The next business on the Private Calendar was the bill (H. R. 311) granting a pension to Susan H. Stevens.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of $12 per month, the name of Susan H. Stevens, widow of Roland N. Stevens, late of Company K, Second Regiment New York Volunteer Cavalry.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan H. Stevens, widow of Roland N. Stevens, late of Company K, Second Regiment New York Volunteer Cavalry, and pay her a pension at the rate $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM S. DERBY.

The next business on the Private Calendar was the bill (H. R. 8180) granting a pension to William S. Derby.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William S. Derby, late of Company A, Sixty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SARA B. ANDREWS.

The next business on the Private Calendar was the bill (H. R. 9149) granting a pension to Sara B. Andrews.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Sara B. Andrews, widow of the late Gen. George Leonard Andrews, Second Massachusetts Infantry Volunteers, and pay her a pension of a month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sara B. Andrews, widow of George L. Andrews, late colonel Second Regiment Massachusetts Volunteer Infantry, and brigadier-general United States Volunteers, and pay her a pension at the rate of $30 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. MOORE.

The next business on the Private Calendar was the bill (H. R. 9821) granting an increase of pension to John W. Moore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Moore, late of Company K, Eightieth Ohio Volunteer Infantry, and Company A, One hundred and ninety-seventh Volunteer Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, 8, 9, and 10 and insert in lieu thereof the following: "of John W. Moore, late of Company K, Eightieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $8 per month and such higher rate of pension as he may hereafter show himself to be entitled under the present pension laws by reason of his disabilities or services as above stated, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension."

Amend title so as to read: "A bill granting a pension to John W. Moore."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN O'ROURKE.

The next business on the Private Calendar was the bill (H. R. 202) granting an increase of pension to John O'Rourke.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John O'Rourke, late of Company B, One hundred and tenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

RICHMOND L. BOOKER.

The next business on the Private Calendar was the bill (H. R. 2600) granting a pension to Richmond L. Booker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richmond L. Booker, late private, Company G, Third Maine Volunteer Infantry, and pay him a pension of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Richmond L. Booker, late of Company G, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend title so as to read: "A bill granting an increase of pension to Richmond L. Booker."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

REBECCA DOBBINS.

The next business on the Private Calendar was the bill (S. 700) granting a pension to Rebecca Dobbins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rebecca Dobbins, widow of Francis Dobbins, late of Company E, Sixty-eighth Regiment Kentucky Enrolled Militia, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

S. A. GRAVES.

The next business on the Private Calendar was the bill (H. R. 1743) granting a pension to S. A. Graves.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of S. A. Graves, late of Company B, Fifth Battery, and Company G, Tenth Regiment New York Heavy Artillery, and pay him a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Samuel M. Graves, late of Company G, Tenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension."

Amend the title so as to read: "A bill granting a pension to Samuel M. Graves."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LORENZO BLACKMAN.

The next business on the Private Calendar was the bill (H. R. 6687) granting an increase of pension to Lorenzo Blackman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Lorenzo Blackman, late of Company G, Seventy-second Ohio Infantry, at the rate of $24 per month in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lorenzo Blackman, late of Company G, Seventy-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM J. SIMMONS.

The next business on the Private Calendar was the bill (H. R. 2526) granting an increase of pension to William J. Simmons.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William J. Simmons, late of Company E, Thirty-seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

RICHARD A. LAWRENCE.

The next business on the Private Calendar was the bill (H. R. 1697) granting an increase of pension to Richard A. Lawrence.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard A. Lawrence, late of Company K, First Regiment New Hampshire Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM LARZALERE.

The next business on the Private Calendar was the bill (H. R. 10044) granting an increase of pension to William Larzalere, late of Companies F and D, Sixty-ninth Ohio Volunteer Infantry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Capt. William Larzalere, late of Companies F and D, Sixty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "William," strike out the word "Captain."

In same line, after the word "late," insert the word "captain."

Amend the title so as to read: "A bill granting an increase of pension to William Larzalere."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES W. THOMAS.

The next business was the bill (H. R. 1275) granting an increase of pension to Charles W. Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Thomas, late of Company G, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES A. SOMERVILLE.

The next business was the bill (H. R. 4260) to correct the military record of James A. Somerville.

The bill was read, as follows:

Be it enacted, etc., That the charge of desertion now standing against James A. Somerville, late of Company D, Fifth New Jersey Volunteer Infantry, on the records of the War Department be, and the same is, removed; and the Secretary of War is hereby directed to issue to said James A. Somerville an honorable discharge dated December 10, 1862: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

Mr. SLAYDEN. Mr. Chairman, I should like to have read the report of General Ainsworth's Bureau of the War Department on this case.

The Clerk proceeded to read the following report:

The Committee on Military Affairs, to whom was referred the bill (H. R. 4260) to correct the military record of James A. Somerville, report the same back to the House with the recommendation that it do pass.

A bill of similar character was reported in the second session of the Fifty-sixth Congress; and as the report on said bill seems to be very complete the same is hereby adopted and made a part of this report.

[House Report No. 2524, Fifty-sixth Congress, second session.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 7603) to correct the military record of James A. Somerville, report the same back to the House favorably with the recommendation that it do pass with the following amendment:

Strike out the last two lines of the bill and insert in lieu thereof the following: "dated December 10, 1862: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Lieutenant Somerville was sent to hospital from Fair Oaks in July, 1862. He was dismissed in December for absence without leave, although he was then in hospital at Newark, N. J., and so reported by the surgeons, who stated that he was not fit for active service. In February, 1863, he asked that the dismissal be revoked and that he be granted an honorable discharge. The military commission reported that he ought not to be restored to the service, and took no action. He was notified that he had no appeal.

Beyond all question he was dismissed while he was in hospital, without notice. No reason can be given for the dismissal, and he is entitled to an honorable discharge with the usual proviso.

We add the record in this case as an appendix.

Mr. SLAYDEN (before the reading of the report was concluded). Mr. Chairman, the Clerk has read all of the report that I care to have read; but I want to make a brief statement in connection with this case, using it as a text.

This, I will say, is one of the least bad of the nearly 2,000 bad cases of this class now before the committee of which I am an humble member. This man was absent without leave and continued absent without leave. That is exactly what constitutes the military crime of desertion. Every time this Congress instructs the Secretary of War to mutilate or change the records it instructs that officer to write a falsehood upon the face of those records; and in every instance, so far as I know, without any exception, the purpose of bills of this character, declaring a man an honorable soldier when he was a deserter, is to invade the Treasury by way of the Pension Bureau.

There are worse bills than this—much worse—before the committee. There was some doubt in my mind when this bill was considered by the committee as to the merits of this case—not much, but just enough to prevent me from submitting a minority report. I do not believe that this bill ought to pass. I do not believe that any man who has had his case properly investigated and reported against, as this man's case has been investigated and

reported against, is entitled to go upon the pension rolls of this Government. It is not jealousy for a good name which inspires these people; it is an anxiety to live upon the tax-payers of the country. And while I shall not interpose any objection to the House voting on this bill, I want to give notice that nearly 2,000 skulkers—men who did not do their duty during the war—are asking that they be given the same certificate of character and granted the same rights at the public treasury that are accorded men who performed honest and faithful service up to the termination of their term of enlistment.

Mr. THOMAS of Iowa. Mr. Chairman, I introduced this bill, and I believe it is a meritorious one, if there ever was a meritorious bill before this House for removing the charge of desertion. I desire to read briefly in my time an extract from the report of the Committee on Military Affairs relating to this bill, and then I may submit some further statements. The committee says, and I submit it is borne out by the evidence:

Lieutenant Somerville was sent to hospital from Fair Oaks in July, 1862. He was dismissed in December for absence without leave, although he was then in hospital at Newark, N. J., and so reported by the surgeons, who stated that he was not fit for active service. In February, 1863, he asked that the dismissal be revoked and that he be granted an honorable discharge. The military commission reported that he ought not to be restored to the service, and took no action. He was notified that he had no appeal.

Beyond all question he was dismissed while he was in hospital, without notice. No reason can be given for the dismissal, and he is entitled to an honorable discharge, with the usual proviso.

I submit also, Mr. Chairman, that the evidence fully sustains the report of this committee that this man was sent to the hospital, and that he remained there until after he was dishonorably discharged from the service by reason of his not answering at roll call. He was then in the hospital, and I submit that that charge, by reason of this fact, ought now to be removed.

Mr. SLAYDEN. I will ask the gentleman, with his permission, whether he does not think that a man who has been thought fit to bear the commission of the United States ought to have had intelligence enough to submit the certificate of the surgeon that he was absent by reason of physical disability?

Mr. THOMAS of Iowa. As I understand, the hospital records themselves show that fact, and I think that ought to be enough.

The question being taken, the bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

MICHAEL HAYES.

The next business was the bill (H. R. 6847) to correct the record of Michael Hayes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of Michael Hayes, late of Company H, Sixty-ninth New York Infantry Volunteers, and to grant him an honorable discharge from such organization and remove the charge of desertion standing against him as a member thereof: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of this act.

The bill was ordered to be laid aside with a favorable recommendation.

DAVID C. MAPLES.

The next business was the bill (H. R. 10682) granting an increase of pension to David C. Maples.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David C. Maples, late of Company H, Ninth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS F. WALTER.

The next business on the Private Calendar was the bill (H. R. 5761) granting a pension to Thomas F. Walter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas F. Walter, late first lieutenant Company A, Ninety-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas F. Walter, late first lieutenant Company A, Ninety-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $17 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SHADRACK I. CORBETT.

The next business on the Private Calendar was the bill (H. R. 4945) granting a pension to Shadrack I. Corbett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sadrack I. Corbett, late of Company D, Third Regiment of Tennessee Volunteer Cavalry, and pay him a pension at the rate of $24 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6 strike out the word "Sadrack" and insert in lieu thereof the word "Shadrack."

In line 7 strike out the word "of."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARION BARNES.

The next business on the Private Calendar was the bill (H. R. 7525) granting a pension to Marion Barnes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marion Barnes, widow of Warren P. Barnes, a member of the brigade band, Twenty-second Massachusetts Volunteer Infantry, from September 11, 1861, to August 11, 1862, and of the second brigade band, Corps d'Afrique, Eighty-first Regiment United States Colored Infantry, from November 23, 1863, to August 8, 1865, and pay her a pension of $8 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marion Barnes, widow of Warren P. Barnes, late musician Twenty-second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $8 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SAMUEL W. SKINNER.

The next business on the Private Calendar was the bill (H. R. 5543) to increase the pension of Samuel W. Skinner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Samuel W. Skinner, late surgeon, Fourth Connecticut Volunteer Infantry and First Connecticut Heavy Artillery, upon the pension roll, and pay him a pension at the rate of $50 per month in lieu of the pension he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel W. Skinner, late surgeon Fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Samuel W. Skinner."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM G. TAYLOR.

The next business on the Private Calendar was the bill (H. R. 6356) granting an increase of pension to W. G. Taylor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of W. G. Taylor, late of Company H, One hundred and third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $75 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6, before the word "Taylor," strike out the letters "W." and "G." and insert in lieu thereof the words "William G."

In line 8 strike out the words "seventy-five" and insert in lieu thereof the word "forty."

Amend the title so as to read: "A bill granting an increase of pension to William G. Taylor."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HUGH R. RICHARDSON.

The next business on the Private Calendar was the bill (S. 3106) granting an increase of pension to Hugh R. Richardson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hugh R. Richardson, late captain Company F, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

RUTH B. OSBORNE.

The next business on the Private Calendar was the bill (H. R. 4456) granting a pension to Ruth B. Osborne.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ruth B. Osborne, widow of Edwin S. Osborne, late major One hundred and forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $40 per month.

The amendments recommended by the Committee on Pensions were read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES R. AMBROSE.

The next business on the Private Calendar was the bill (H. R. 8707) granting an increase of pension to James R. Ambrose.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James R. Ambrose, late of Company A, Second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LAURA A. VAN WYE.

The next business on the Private Calendar was the bill (H. R. 9659) granting a pension to Laura A. Van Nye.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Laura A. Van Nye and pay her a pension at the rate of $30 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all of lines 6 and 7 and insert in lieu thereof the following: "of Laura A. Van Wye, the dependent and helpless daughter of John C. Van Wye, late of Company H, Seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month."

Amend the title so as to read: "A bill granting a pension to Laura A. Van Wye."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MOURSE R. ADAMS.

The next business on the Private Calendar was the bill (S. 9) granting an increase of pension to Mourse R. Adams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mourse R. Adams, late of Company A, Eighth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DANIEL THOMAS.

The next business on the Private Calendar was the bill (H. R. 10178) granting an increase of pension to Daniel Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel Thomas, seaman on board *Potomac*, *Lackawanna*, *North Carolina*, and *Sabine*, captain of the top, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "Daniel Thomas, late seaman U. S. S. *North Carolina*, *Potomac*, and *Sabine*, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY E. CHAPMAN.

The next business on the Private Calendar was the bill (H. R. 9296) granting a pension to Mary E. Chapman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Chapman, mother of deceased soldier, Lafayette Chapman, late private, Company F, Eighty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Mary E. Chapman, dependent mother of Lafayette Chapman, late of Company F, Eighty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROBERT L. ACKRIDGE.

The next business on the Private Calendar was the bill (H. R. 6023) granting an increase of pension to Robert L. Akridge, of the Thirty-third Kentucky Regiment, now a resident of Danbury, Conn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert L. Akridge, late of Company D, Thirty-third Regiment Kentucky Infantry Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now reciving.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "name of Robert L. Ackridge, late of Company D, Thirty-third Regiment Kentucky Volunteer Infantry, and Company K, Twenty-sixth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Robert L. Ackridge."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THEODORE F. COLLINS.

The next business on the Private Calendar was the bill (H. R. 611) granting a pension to Theodore F. Collins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theodore F. Collins, late of Company G, Forty-fourth Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Forty-fourth," insert the word "Regiment."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to Theodore F. Collins."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

RICHARD N. BLODGETT.

The next business on the Private Calendar was the bill (S. 196) granting an increase of pension to Richard N. Blodgett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard N. Blodgett, late of Company A, Sixth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ISABELLA COMPTON.

The next business on the Private Calendar was the bill (H. R. 2669) granting a pension to Isabella Compton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isabella Compton, widow of John F. Compton, late of Company E, Eleventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty" and insert in lieu thereof the word "seventeen."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH SEITHEN.

The next business on the Private Calendar was the bill (H. R. 5789) granting an increase of pension to Joseph Seithen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Seithen, late of Company B, Fourteenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

URIAH REAMS.

The next business on the Private Calendar was the bill (H. R. 7990) granting an increase of pension to Uriah Reams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Uriah Reams, late of Company G, Nineteenth Michigan Volunteer Infantry, and pay him a pension of $50 a month in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Uriah Reams, late of Company F, Twelfth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CYNTHIA M. RECORD.

The next business on the Private Calendar was the bill (S. 1611) granting a pension to Cynthia M. Record.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cynthia M. Record, helpless and dependent daughter of Lewis L. Record, late chaplain Twenty-third Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

BENJAMIN SHEARER.

The next business on the Private Calendar was the bill (H. R. 2192) granting a pension to Benjamin Shearer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin Shearer, late a private in Company E, Thirty-second Regiment Ohio Volunteer Infantry, and pay him a pension of $50 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Benjamin F. Shearer, late of Company E, Thirty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Benjamin F. Shearer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DENNIS DYER.

The next business on the Private Calendar was the bill (H. R. 3418) granting a pension to Dennis Dyer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dennis Dyer, late of Company K, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "seventeen."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALIDA PAYNE.

The next business on the Private Calendar was the bill (H. R. 10486) granting a pension to Alida Payne.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alida Payne, helpless daughter of John A. Payne, late of Company E, Thirty-ninth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 6, before the word "helpless," insert the word "the."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LUCINDA C. SCOTT.

The next business on the Private Calendar was the bill (S. 1145) granting an increase of pension to Lucinda C. Scott.

The bill was read, as follows:

Be it enacted etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucinda C. Scott, widow of John Scott, late of Company G, First Regiment New Hampshire Volunteer Cavalry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HERBERT A. BOOMHOWER.

The next business on the Private Calendar was the bill (H. R. 4821) granting an increase of pension to Herbert A. Boomhower.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Herbert A. Boomhower, Cambridge, Vt., late of Company D, First Regiment Vermont Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Cambridge, Vt."

In line 7, after the word "Vermont," insert the word "Volunteer."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDGAR A. STANLEY.

The next business on the Private Calendar was the bill (H. R. 9463) granting an increase of pension to Edgar A. Stanley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edgar A. Stanley, late of Company I, Nineteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the word "Nineteenth" and insert in lieu thereof "Fourth."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARTHA A. COUCH.

The next business on the Private Calendar was the bill (S. 2700) granting an increase of pension to Martha A. Couch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha A. Couch, widow of Calvin P. Couch, late of Company A, Fifth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FREDERICK M. HAHN.

The next business on the Private Calendar was the bill (H. R. 5109) granting an increase of pension to Frederick M. Hahn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick M. Hahn, late of Company H, Second Regiment of Cavalry, California Volunteers, and pay him a pension at the rate $50 per month in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick M. Hahn, late of Company H, Second Regiment California Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET M. BOYD.

The next business on the Private Calendar was the bill (H. R. 3352) granting an increase of pension to Margaret M. Boyd.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret M. Boyd, widow of Sempronious Hamilton Boyd, deceased, late a colonel of the Twenty-fourth Missouri Infantry, United States Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret M. Boyd, widow of Sempronius H.

Boyd, late colonel Twenty-fourth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SUSAN J. TAYLOR.

The next business on the Private Calendar was the bill (H. R. 1523) granting a pension to Susan J. Taylor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Susan J. Taylor, widow of Charles E. Taylor, late captain of Company I, Fourth Pennsylvania Cavalry, and pay her a pension at the rate of $50 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan J. Taylor, widow of Charles E. Taylor, late of Company I, Fourth Regiment Pennsylvania Volunter Cavalry, and pay her a pension at the rate of $30 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GOTTHARD KOERNER.

The next business on the Private Calendar was the bill (H. R. 1328) granting an increase of pension to Gotthard Koerner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gotthard Koerner, late of Company B, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM J. WALLACE.

The next business on the Private Calendar was the bill (H. R. 1325) granting an increase of pension to William J. Wallace.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William J. Wallace, late of Company D, Twenty-sixth Regiment Indiana Volunteer Infantry, war of the rebellion, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "war of the rebellion."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PAULINE LOWE MURPHY.

The next business on the Private Calendar was the bill (S. 2508) granting an increase of pension to Pauline Lowe Murphy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Pauline Lowe Murphy, widow of William L. Murphy, late captain, Thirty-ninth Regiment United States Volunteer Infantry, war with Spain, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving and $2 per month additional on account of the minor child of said William L. Murphy until she reaches the age of 16 years.

The bill was ordered to be laid aside with a favorable recommendation.

RHODY ANN BRADSHAW.

The next business on the Private Calendar was the bill (S. 3157) granting an increase of pension to Rhody Ann Bradshaw.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rhody Ann Bradshaw, widow of Benjamin Bradshaw, late of Capt. Lumsford Loving's company, Virginia Militia, war of 1812, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 9 strike out "twenty-five" and insert "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY T. BRUCE.

The next business on the Private Calendar was the bill (S. 3204) granting a pension to Mary T. Bruce.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary T. Bruce, widow of Amos J. Bruce, late first lieutenant, Twelfth Regiment United States Infantry, war of 1812, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 9, strike out the word "twenty-four" and insert "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation,

ADELAIDE WORTH BAGLEY.

The next business on the Private Calendar was the bill (S. 508) granting an increase of pension to Adelaide Worth Bagley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adelaide Worth Bagley, dependent mother of Worth Bagley, late ensign, United States Navy, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EPHRAIM H. GALLION.

Mr. CALDWELL. Mr. Chairman, I desire to call attention to a mistake in the Calendar by which House bill 3309, Calendar No. 299 has been passed. It was passed owing to a mistake in the Calendar. The Calendar says it was reported by Mr. JETT from the Committee on War Claims. Mr. JETT is not a member of the Committee on War Claims, and it should be Committee on Military Affairs. I ask that we recur to that number and correct the mistake.

The CHAIRMAN. The bill to which the gentleman refers is in order and the Clerk will report the bill.

The bill was read, as follows:

A bill (H. R. 3309) to remove charge of desertion against Ephraim H. Gallion.

Be it enacted, etc., That the Secretary af War be, and he is hereby, authorized and directed to remove the charge of desertion standing against Ephraim H. Gallion, late of Company B, Eleventh Regiment of Tennessee Cavalry: *Provided*, That no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act.

The bill was ordered to be laid aside with a favorable recommendation.

MARY J. CLARK.

The next business on the Private Calendar was the bill (H. R. 2113) granting an increase of pension to Mary J. Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized to place on the pension roll, subject to the provisions and limitations of the general pension laws, the name of Mary J. Clark, widow of William W. Clark, late of Captain Coleman's company, Georgia Mounted Volunteers, Creek war, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Creek," insert the word "Indian."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANNA B. M'CURLEY.

The next business on the Private Calendar was the bill (H. R. 2093) granting an increase of pension to Anna B. McCurley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna B. McCurley, widow of the late Commander Felix McCurley, United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "the late commander."

In line 7, after the word "McCurley," insert "late commander."

In line 8 strike out "fifty" and insert in lieu thereof the word "thirty-five," so as to fix the same rate of pension as that recommended by the committee in the Fifty-sixth Congress.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES W. LEWIS.

The next business on the Private Calendar was the bill (H. R. 8007) granting an increase of pension to James W. Lewis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Lewis, late of

Company K, First Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Amend by striking out the word "twenty-five" in line 8 and substituting therefor the word "sixteen."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH TUSINSKI.

The next business on the Private Calendar was the bill (H. R. 8553) granting a pension to Joseph Tusinski.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Tusinski, late a private in Company E, of the Fourteenth Regiment of Infantry, and to pay him a pension from and after the passage of this act.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "of the;" and in line 7 strike out "of" and insert in lieu thereof "United States Infantry."

Strike out the words "and to pay him a pension from and after the passage of this act," in lines 7 and 8.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANCES K. MORRISON.

The next business on the Private Calendar was the bill (H. R. 10956) granting an increase of pension to Frances K. Morrison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances K. Morrison, widow of John Morrison, jr., late of Troop A, Fourth Regiment United States Cavalry, and pay her a pension at the rate of $22 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "of Troop A" and substitute therefor "first lieutenant."

In line 8 strike out "twenty-two" and insert in lieu thereof the word "twenty;" and add to the end of the bill the words "and $2 per month additional on account of the minor child of said John Morrison, jr., until she reaches the age of 16 years."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE TUCKER.

The next business was the bill (H. R. 4927) granting a pension to George Tucker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of George Tucker, late a private of Company K, Third Regiment of Tennessee Volunteer Infantry, subject to the provisions and limitations of the pension laws, and pay him a pension at the rate of $12 a month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Tucker, late of Company K, Third Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $17 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BESSIE H. LESTER.

The next business was the bill (H. R. 1378) granting a pension to Mrs. Bessie H. Lester.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Bessie H. Lester, of Culpeper, Va., widow of the late Capt. Charles H. Lester, Eighth United States Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Bessie H. Lester, widow of Charles H. Lester, late lieutenant, Second Regiment United States Cavalry, and pay her a pension at the rate of $15 per month."

Amend title so as to read: "A bill granting an increase of pension to Bessie H. Lester."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NELLIE BARTLETT.

The next business was the bill (S. 195) granting a pension to Nellie Bartlett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nellie Bartlett, widow of Eli V. Bartlett, jr., late of Company L, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $8 per month, and $2 per month additional on account of each of the minor children of the said Eli V. Bartlett, jr., until they reach the age of 16 years.

The bill was ordered to be laid aside with a favorable recommendation.

ETTA SCOTT MITCHELL.

The next business was the bill (S. 1931) granting an increase of pension to Etta Scott Mitchell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Etta Scott Mitchell, widow of David D. Mitchell, late captain, Fifteenth Regiment United States Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving, and $2 per month additional on account of the minor child of said David D. Mitchell until she reaches the age of 16 years.

The amendment reported by the committee was read, as follows:

Strike out all after the word "receiving" in line 9.

Mr. SMITH of Kentucky. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "thirty," in line eight, insert "five," so as to read "at the rate of $35 per month."

Mr. SMITH of Kentucky. Mr. Chairman, I hope that this amendment will be agreed to. This lady is the widow of Capt. David C. Mitchell, who was killed in the Philippine Islands. He had served in the Army since 1876, I believe, according to the statement of the report. He had by promotion reached the regular rank of captain; but during the Spanish war he served as a major, and was promoted to the position of lieutenant-colonel.

But of course when the war was over he resumed his original position as captain. In a sudden, unexpected attack by hidden foes at Mavitac, in the Philippine Islands, he was killed while at the head of his company, leading and encouraging them in a very fierce engagement. General MacArthur says of that engagement in which this gallant soldier lost his life:

Thirty-three per cent is a profoundly impressive loss, and indicates stubbornness of fight, fearless leadership of officers, and splendid fortitude of men.

I believe that this Congress ought to give to this good woman a pension of $35. I know nothing about her financial condition. I believe the report says, in substance, that she has little or nothing. I think that this Committee of the Whole can well afford to vote her the additional $5 proposed by my amendment.

Mr. LOUDENSLAGER. Mr. Chairman, I trust the Committee of the Whole will not agree to this amendment. This is a bill which has come over to us from the Senate. The matter was considered by the Senate committee. The beneficiary named in the bill has made repeated calls upon that committee and on the committee of the House. The Senate committee reported the bill, in conformity with their action in several cases of like nature, at $30 a month; and in that form the Senate passed the bill. We took it into consideration and recommended that it be passed at the same amount that we have recommended in several similar cases. Captain Mitchell was no doubt a gallant officer; but there were other gallant officers of our Army and Navy who were engaged in that war, and who were killed in action; and widows of officers of the same rank as this woman's husband—captain—are receiving only $30 a month.

In my judgment it would be an act of gross injustice to confer an additional favor upon this beneficiary when the House on other occasions has given to the widows of officers similar in rank to Captain Mitchell the amount reported in this bill. I trust the Committee of the Whole will be consistent with its previous action, will support the recommendation of the committee, and vote down the amendment now proposed.

Mr. RYAN. Has the House ever departed from the custom of giving only $30 in cases of this kind?

Mr. LOUDENSLAGER. No; not recently.

Mr. RYAN. That is not the question. Has it ever done so?

Mr. LOUDENSLAGER. It has in the past. In some previous years there has not been a consistent line of action on this subject. I might add that the proposed amendment is in contravention of the rule of the Senate. In my judgment the only operation of it would be to deprive this beneficiary of the $30 a month for some time, because the Senate committee would not recede from its action, so that the only object, perhaps, to be secured by a favorable action upon this amendment would be to deprive the beneficiary of the $30 a month now offered to her in this bill.

Mr. SMITH of Kentucky. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. LOUDENSLAGER. Yes.

Mr. SMITH of Kentucky. I would like to ask the gentleman if he knows whether or not Congress has not granted a pension to the widow of Capt. Allen Capron, who occupied the same rank, at the rate of $35 a month?

Mr. LOUDENSLAGER. Not this Congress.

Mr. SMITH of Kentucky. The reason I ask the gentleman is that I do not know, I frankly state, whether that is the case; but I am informed that the widow of Capt. Allen Capron, who served not more than one-third of the time in the Army that Captain Mitchell did, is allowed a pension of $35 a month, and she has no child dependent upon her.

Mr. LOUDENSLAGER. I would say that I think I answered that question a moment ago when I said in the previous Congress there was no consecutive line of action in regard to it. Recently there has been.

Mr. SMITH of Kentucky. I think that is true.

Mr. LOUDENSLAGER. I say in the last Congress.

Mr. SMITH of Kentucky. Yes; I say this committee can very well afford it, and so far as the Senate end of the matter is concerned, I want to assure my friend from New Jersey that this good woman and her friends would be very willing to take the chances on the Senate committee action.

Mr. LOUDENSLAGER. I want to say, in reply to the question interposed by the gentleman in regard to Mrs. Capron's matter, inasmuch as he has called the matter up, that she lost not only a husband in that engagement but also lost a son; so that she was doubly deprived.

Mr. SMITH of Kentucky. I do not see that that makes any difference.

Mr. SIMS. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. LOUDENSLAGER. Yes.

Mr. SIMS. What is the regular rate allowed by the Bureau for this woman's pension?

Mr. LOUDENSLAGER. Twenty dollars.

Mr. SIMS. That is what she is entitled to under the general law?

Mr. LOUDENSLAGER. Yes.

Mr. SIMS. What is the reason it has been brought in here to increase it by private act?

Mr. LOUDENSLAGER. There is really no reason. I may say, in reply to the gentleman's question, that after the close of the civil war widows in her condition, whose husbands occupied that rank, drew for years $8 a month. Now, those that are deprived of their husbands under this rank at the present time, under the general law, are drawing $20 a month, 250 per cent more, and when they come to Congress for an increase in these pensions, in my judgment, there is very little merit in it.

Mr. SIMS, I want to ask the gentleman why either the Senate or the House has reported the increase of $10, and what was the ground upon which the committee thinks it should be increased at all?

Mr. LOUDENSLAGER. There is practically, in my judgment, no good reason, and the only one that the committee can assign and give to this House is because of the pleadings of those people—that their husbands have died on the field of battle and that they have nothing wherewith to support themselves.

Mr. SIMS. I want to ask you further this question: If this bill should pass, even as reported, is there any reason why by private act every other widow who is receiving a pension of $20 should not also have her pension increased by private act?

Mr. LOUDENSLAGER In my judgment we do an act of injustice against all the others when we pass these bills.

Mr. SIMS. Now, Mr. Chairman, I wish to be recognized for a few minutes.

The CHAIRMAN. The gentleman from Tennessee.

Mr. SIMS. There is nothing I regret more than to oppose the request of my distinguished friend from Kentucky [Mr. SMITH] who proposes this amendment. There is certainly no reason why I should feel unkindly toward the beneficiary, but I have urged upon this House ever since I have been in it that it is the duty of Congress to oppose the increases of pensions upon the floor by way of amendment over and above that reported by the committee, unless it can be shown that the committee has discriminated unfairly, that they have not given the same amount of pension that is usual and customary under the same facts.

Now, I oppose this increase of $5. Its result will be to immediately call for hundreds of private bills of the same character. Immediately upon its passage I have no doubt that a widow somewhere in my district will write to me asking to have her pension increased by my introducing a private act for that purpose. The other day I spent thirty-five minutes in argument on this floor trying to point out to the House just what this kind of legislation leads to. Now, before the Committee on Invalid Pensions there are to-day 4,960 bills; before the Committee on Pensions there are 712 bills; a total of 5,672 private bills before these two committees. The majority of them are for increases.

I showed in my argument the other day that the increases that were made in the last session of the Fifty-sixth Congress amounted to 200 per cent over the amount they would have received under the general law. You are building a fire under you. It is an entire mistake to increase by amendments in this House. I said then, and I repeat it here, if a bill has been reported too low, then ask to have it recommitted and make your fight before the committee. If these committees do not adopt some general rule, and if we do not uphold them in it, this country will be swamped by these private pension bills.

This is a very modest increase, and I do not oppose it on the ground of the amount, but to be consistent I must oppose it. I hope that the gentleman from Kentucky [Mr. SMITH] will ask that it be recommitted to the committee and make his argument there.

I had the honor to serve on the Pensions Committee for one term. I do not know what new material there is in it now, but I know the chairman is still on the committee, and I never served on a committee that seemed to be more just, that seemed to want to treat all alike more than that committee did. If there has been discrimination in the past, that is no reason why we should to-day continue it. I have opposed it in season and out, and I think it is my duty, on the floor of this House, to continue to do so. Not on account of the amount but for the sake of the precedent I hope we will stop increasing pensions upon this floor in response to appeals by popular members while we are under the spell of their oratory.

The CHAIRMAN. The question is upon the amendment of the gentleman from Kentucky [Mr. SMITH], to amend the bill by adding the word "five" after the word "thirty," making the sum $35 per month.

The question being taken, on a division (demanded by Mr. SMITH of Kentucky), there were—ayes 23, noes 31.

Accordingly the amendment was rejected.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE H. MORTON.

The next business on the Private Calendar was the bill (S. 2098) granting a pension to George H. Morton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George H. Morton, late of Company H, First Regiment United States Cavalry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

LURA B. ROGERS.

The next business on the Private Calendar was the bill (S. 1355) granting a pension to Lura B. Rogers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lura B. Rogers, widow of Benjamin A. Rogers, late captain Company M, Second Regiment South Carolina Volunteer Infantry, war with Spain, and pay her a pension at the rate of $30 per month.

The bill was ordered to be laid aside with a favorable recommendation.

MICHAEL TYNAN.

The next business on the Private Calendar was the bill (H. R. 7846) granting a pension to Michael Tynan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Tynan, late of Company K, First Regiment United States Dragoons, and pay him a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out "twelve" and insert "eight."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMPSON B. MOORE.

The next business on the Private Calendar was the bill (H. R. 1485) granting an increase of pension to Thompson B. Moore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thompson B. Moore, late private in Company C, Second Regiment Missouri Mounted Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "Company C" and insert "Captain Barbee's company.'
In line 7, after the word "Infantry," insert "war with Mexico."
In line 8 strike out "twenty-five" and substitute therefor "sixteen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARIA LOUISA MICHIE.

The next business on the Private Calendar was the bill (H. R. 7364) granting an increase ef pension to Maria Louisa Michie.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maria Louisa Michie, widow of Prof. Peter S. Michie, of the United States Military Academy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

Correct typographical error in line 3 in word "hereby," and also in word "authorized" in lines 3 and 4.
In line 6 strike out the word "Professor."
In line 7 strike out "of the United States" and substitute therefor "late professor at;" and in the same line, after the word "Academy," insert "assimilated to rank of colonel, United States Army."
In line 8 strike out the word "fifty" and insert "forty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN S. LEWIS.

The next business was the bill (H. R. 9397) granting a pension to J. S. Lewis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of J. S. Lewis, father of John M. Lewis, late private, Company L, Third United States Infantry, war with Spain, and pay him a pension at the rate of $12 per month.

The following amendment recommended by the committee was read:

Amend the title so as to read: "Granting a pension to John S. Lewis;" also, in line 6, substitute the name "John" for the initial "J."

Mr. LOUDENSLAGER. I offer a further committee amendment.

The CHAIRMAN. The gentleman from New Jersey offers a committee amendment, which the Clerk will report:

The Clerk read as follows:

In line 7, after the word "third," insert the word "Regiment."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

HESTER THOMAS.

The next business on the Private Calendar was the bill (H. R. 8292) granting a pension to Hester Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hester Thomas, widow of William A. Thomas, late of Company C, Twenty-second Regiment United States Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES H. HAWLEY.

The next business on the Private Calendar was the bill (S. 336) to grant an honorable discharge from the military service to Charles H. Hawley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to revoke the order dismissing Charles H. Hawley from the service as a second lieutenant of the Sixteenth Regiment of Connecticut Volunteer Infantry, and to issue a certificate of honorable discharge for him, to date from the 25th day of January, 1863, and that said Hawley shall hereafter be held and considered to have been honorably discharged from the military service of the United States on said date: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE K. BOWEN.

The next business on the Private Calendar was the bill (S. 608) for the relief of George K. Bowen.

The bill was read, as follows:

Be it enacted, etc., That the President be, and hereby is, authorized and empowered to revoke and set aside Special Orders, No. 147, paragraph 57, War Department, Adjutant-General's Office, dated March 27, 1865, dismissing George K. Bowen, lieutenant-colonel One hundred and eighty-eighth Regiment Pennsylvania Volunteers, and to cause to be issued to him an honorable discharge as of date [illegible] *Provided*, That no bounty, pay, or allowance shall accrue.

The bill was ordered to be laid aside with a favorable recommendation.

EMANUEL KLAUSER.

The next business on the Private Calendar was the bill (H. R. 3762) for the relief of Emanuel Klauser.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to remove the charge of mutiny against Emanuel Klauser, late corporal of Company H, Fifty-fourth Illinois Volunteer Infantry, and grant said Emanuel Klauser an honorable discharge to date from the 1st day of April, 1865.

The amendment recommended by the committee was read, as follows:

Add the following proviso:
"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES W. HOWELL.

The next business on the Private Calendar was the bill (S. 24) for the relief of James W. Howell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to revoke and set aside General Orders, No. 10, Headquarters United States Forces, Pine Bluff, Ark., July 31, 1865, issued by G. M. Mitchell, colonel commanding, approving the proceedings, findings, and sentence of the general court-martial in the case of James W. Howell, of Company H, Fifty-fourth Regiment Illinois Infantry Volunteers, and then to issue to said Howell an honorable discharge as of date July 31, 1865.

The amendment recommended by the committee was read, as follows:

Add, after line 12, the following proviso:
"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

C. R. DICKSON.

The next business on the Private Calendar was the bill (H. R 3278) to correct the military record of C. R. Dickson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he hereby is, authorized and directed to correct the military record of C. R. Dickson, late private, Company D, First Georgia Regiment United States Volunteers, and issue to him an honorable discharge.

The bill was ordered to be laid aside with a favorable recommendation.

SAMUEL WELCH.

The next business on the Private Calendar was the bill (H. R. 6467) granting an honorable discharge to Samuel Welch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of and grant an honorable discharge to Samuel Welch, late private, Company F, Third Wisconsin Volunteer Cavalry, and now a resident of Delton, Wis.: *Provided*, That no pay or allowances shall become due or payable by reason of the passage of this act.

Mr. SLAYDEN. Mr. Chairman, I want to call the attention of the committee to the proposition contained in this bill, and to do so more clearly I will read from the report of General Ainsworth, which is a part of the report.

It is shown by the records that Samuel Welch was enrolled December 13, 1861, and mustered into service January 31, 1862, to date from January 4, 1862, as a private in Company F, Third Wisconsin Cavalry Volunteers, to serve three years. He appears to have served faithfully until July 20, 1862, when he deserted at Fort Scott, Kans., never thereafter returning to his command, which remained in service until March 11, 1865.

Now, to condone that offense attention is called to the fact that he enlisted in another regiment and served until mustered out. No allusion is made to the fact that he might have done this for the purpose of securing a bounty. There is no question that this man was a deserter. Desertion is an inexcusable crime. Under such circumstances I shall oppose the passage of this bill, and if it is passed it must be done by a vote of the House.

Mr. LOUDENSLAGER. Mr. Chairman, I ask unanimous consent that the bill be laid aside without prejudice.

The CHAIRMAN. Without objection, this bill will be laid aside without prejudice. The Chair hears no objection.

JOHN GLASS.

The next business on the Private Calendar was the bill (S. 1358) to remove the charge of desertion from the naval record of John Glass.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to remove the charge of desertion now standing against the record of John Glass, late a first-class boy on board the U. S. S. *Moose*, and to issue to him an honorable discharge from the service.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY L. M'CALLA.

The next business on the Private Calendar was the bill (H. R. 2557) for the relief of Henry L. McCalla.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of dishonorable dismissal against Henry L. McCalla, late captain of Company G, Thirty-first Regiment Indiana Volunteers, and grant him an honorable discharge.

Mr. SMITH of Kentucky. Mr. Chairman, I desire to ask for some information. I observe the Clerk skipped two or three bills before this bill.

The CHAIRMAN. Will the gentleman state the number on the Calendar?

Mr. SMITH of Kentucky. Four hundred and fifty-four was one of them that was missed.

The CHAIRMAN. The Chair will state to the gentleman from Kentucky that those bills can not come up in committee under this rule.

Mr. SMITH of Kentucky. That is the point I wanted to make inquiry about.

The bill was ordered to be laid aside with a favorable recommendation.

FREEMAN R. E. CHANABERRY.

The next business was the bill (H. R. 6713) granting a pension to Freeman R. E. Chanaberry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Freeman R. E. Chanaberry, late of Company K, Knoxville Dragoons, Tennessee Volunteers, Mexican war, and pay him a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

Change the title so as to read: "A bill granting an increase of pension to Freeman R. E. Chanaberry."

In lines 6 and 7 strike out "Knoxville Dragoons," and after those words insert "First Regiment."

In line 7 change "Volunteers" to "Volunteer;" and in the same line strike out the word "Mexican" and insert in lieu thereof "Cavalry;" also in same line, after the word "war," insert "with Mexico."

In line 8 strike out the word "fifty" and substitute therefor the word "twenty."

Add at the end of the bill the words "in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANCES TAYLOR ANDERSON.

The next business was the bill (H. R. 6081) granting an increase of pension to Frances Taylor Anderson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances Taylor Anderson, widow of Robert H. Anderson, captain Company A, Ninth Infantry, who died of pneumonia in Manila, P. I., November 7, 1901, and that she be paid a pension at the rate of $50 per month in lieu of that she is now receiving, and $2 per month additional for each of her minor children, Sarah Clitz Anderson and Catherine Regina Anderson, until they shall respectively arrive at the age of 16 years.

The amendments recommended by the committee were read and agreed to as follows:

Substitute the initial "T." for the Christian name "Taylor" in the title and in the body of the bill.

Strike out all in the bill after the words "Robert H. Anderson," in line 6, and substitute therefor the following: "late captain, Ninth Regiment United States Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving, and $2 per month additional on account of the minor children of the said Robert H. Anderson until they reach the age of 16 years."

The bill as amended was ordered to be laid aside with a favorable recommendation.

LAURA G. WEISENBURGER.

The next business was the bill (H. R. 7755) granting a pension to Laura G. Weisenburger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pensions laws, the name of Laura G. Weisenburger, widow of Maj. John J. Weisenburger, late major of First Washington Regiment of Volunteers, and pay her a pension at the rate of $75 per month.

The amendment recommended by the committee was read, as follows:

Strike out all in the bill after the words "Laura G. Weisenburger," in line 6, and substitute therefor the following: "widow of John J. Weisenburger, late major, First Regiment Washington Volunteer Infantry, war with Spain, and pay her a pension at the rate of $25 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN GARNER.

The next business was the bill (H. R. 10132) to increase the pension of John Garner:

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Garner, late a soldier in the Creek war of 1836, the Seminole war of 1837, and the Cherokee war of 1838, and to pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Amend the title so as to read: "A bill granting an increase of pension to John Garner."

Strike out all in the bill after the word "Garner," in line 6, to and including the word "thirty-eight," in line 9, and substitute therefor the words "late of Captain Reid's, Story's, and Hamilton's companiss of Georgia Volunteers, Creek and Florida Indian wars."

In line 9 strike out the word "to."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH P. SEARCY.

The next business was the bill (H. R. 3371) granting a pension to Elizabeth P. Searcy.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of $30 per month, subject to the provisions and limitations of the pension laws, the name of Elizabeth P. Searcy, widow of John Searcy, late a second lieutenant in Powell's battalion, Missouri Mounted Volunteers, Mexican war.

The amendments recommended by the committee were read, as follows:

Change the title so as to read: "A bill granting an increase of pension to Elizabeth P. Searcy."

Strike out all in the bill after the word "roll," in line 4, and substitute therefor the following: "subject to the provisions and limitations of the pension laws, the name of Elizabeth P. Searcy, widow of John M. Searcy, late second lieutenant, Company E, Powell's battalion, Missouri Mounted Volunteers, war with Mexico, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANDERSON HOWARD.

The next business was the bill (H. R. 11144) granting an increase of pension to Anderson Howard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anderson Howard, Company D, Palmetto Regiment, South Carolina Volunteer Infantry, Mexican war, and pay him a pension of $20 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

After the words "Anderson Howard," in line 6, insert "late of."

In line 7 strike out "Mexican war" and substitute therefor "war with Mexico."

In line 8, after the word "pension," insert "at the rate."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MINNIE E. KING.

The next business was the bill (S. 3424) granting an increase of pension to Minnie E. King.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Minnie E. King, widow of Charles A. E. King, late lieutenant, United States Navy, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving, and $2 per month additional on account of the minor child of said Charles A. E. King until he reaches the age of 16 years.

The bill was ordered to be laid aside with a favorable recommendation.

RICHARD OWENS.

The next business was the bill (H. R. 7731) granting an increase of pension to Richard Owen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard Owen, late of Company A, Tremont's Battalion California Volunteers, Mexican war, and pay him a pension at the rate of $36 a month in lieu of the pension he is now receiving.

The amendments recommended by the committee were read, as follows:

Change the spelling of claimant's surname in the title and in the body of the bill to "Owens."

In line 7 strike out "Mexican war" and substitute therefor "war with Mexico."

In line 8 strike out "thirty-six" and substitute therefor "sixteen," and in the same line strike out "the pension" and substitute therefor "that.'

In line 8 change "a month" to "per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH COWGILL.

Mr. STEELE. I ask unanimous consent to take up now for consideration the bill (H. R. 9848) granting an increase of pension to Joseph Cowgill. This bill was recommitted to the Committee on Invalid Pensions, and that committee has agreed on certain amendments.

The CHAIRMAN. Has the bill been reported back since it was recommitted?

Mr. STEELE. It has not. It was recommitted by request, and I ask to have it restored to its place on the Calendar.

The CHAIRMAN. Under the parliamentary condition stated by the gentleman, the bill must first come up in the House before it can be taken up in Committee of the Whole.

Mr. STEELE. I am asking unanimous consent.

The CHAIRMAN. In the opinion of the Chair the bill can not be considered at this time.

Mr. SULLOWAY. I move that the committee now rise and report to the House the bills which have been passed, with their respective amendments.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CAPRON reported that the Committee of the Whole on the Private Calendar had had under consideration sundry bills of the Senate and the House, respectively, and had directed him to report back the same favorably, some with and some without amendments, and with the recommendation that the bills be passed by the House in the form recommended by the Committee of the Whole.

Mr. HOPKINS. Mr. Speaker, it will be agreeable to the gentlemen in charge of the bills to allow the House to take up the conference report, if the Chair has no objection.

The SPEAKER. Does the chairman ask for the previous question upon these bills reported?

Mr. SULLOWAY. Yes; I desire to have it considered as ordered.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent that the previous question be considered as ordered upon the several bills and amendments to their passage. Is there objection? [After a pause.] The Chair hears none. Does the Chair understand the gentleman from New Hampshire to yield the floor to the gentleman from Illinois?

Mr. SULLOWAY. Yes.

The SPEAKER. The gentleman has a right to call up the conference report.

PERMANENT CENSUS BUREAU.

Mr. HOPKINS. Mr. Speaker, I desire to call up the conference report on House bill 10308. I ask that the statement of the House conferees may be read in lieu of the report. The statement covers the question fully.

The SPEAKER. The gentleman from Illinois, chairman of the present committee of the Census, calls up the conference report on the bill establishing a permanent Census Bureau, asking that the statement be read instead of the report.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10308) to provide for a permanent Census Office, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 5, 9, 11, 17, 18, 20, 22, 27, 30, 32, and 34.

That the House recede from its disagreement to the amendments numbered 7, 10, 19, 23, 24, 25, 26, 28, 29, 31, and 33, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000;" and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: Strike out of the matter inserted by said amendment the word "Bureau" and insert in lieu thereof "Census Office;" and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,500;" and the Senate agree to the same.

Amendments numbered 11–16: That the House recedes from its disagreement to the amendments of the Senate numbered 11, 12, 13, 14, 15, and 16, and agree to the same with an amendment as follows: Strike out all of the amended section and insert in lieu thereof the following:

"Section 5. That all employees of the Census Office, at the date of the passage of this act, except unskilled laborers, may be appointed by the Director of the Census with the approval of the head of the Department to which said Census Office is attached, and when so appointed shall be and they are hereby placed, without further examination, under the provisions of the civil-service act approved January 16, 1883, and the amendments thereto and the rules established thereunder; and persons who have served as soldiers in any war in which the United States may have been engaged, who have been honorably discharged from the service of the United States, and the widows of such soldiers, shall have preference in the matter of employment; and all new appointments to the permanent clerical force in the Census Office hereby created shall be made in accordance with the requirements of the civil-service act above referred to."

And the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: Strike out all after the words "such classes," in line 4 of the matter inserted by said Senate amendment, and insert in lieu thereof the following: "and the Director of the Census is authorized and directed to collect statistics relating to all of the deaf, dumb, and blind, notwithstanding the restrictions and limitations contained in section 8 of said act entitled 'An act to provide for taking the Twelfth and subsequent censuses:' *Provided*, That in taking the census of said classes the inquiries shall be confined to the following four questions, namely: Name, age, sex, and post-office address;" and the Senate agree to the same.

A. J. HOPKINS,
CHARLES A. RUSSELL,
F. M. GRIFFITH,
Managers on the part of the House.

J. V. QUARLES,
L. E. McCOMAS,
JAS. P. TALIAFERRO,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House submit the following statement showing the effect of the agreement reached by the conferees on the disagreeing amendments of the two Houses to the bill (H. R. 10308) to provide for a permanent Census Office.

The Census Office, created by the bill as agreed upon by the conferees, is made a permanent office in the Department of the Interior. The Director of the Census will hold his office at the pleasure of the President, and his salary has been fixed at $6,000 per annum. The bill as it originally passed the House provided that the salary of the Director should be $5,000 a year. The Senate amended the bill, fixing his salary at $7,500. The conferees have agreed upon a compensation of $6,000 per annum for the Director, that being the amount provided for in the census act of March 3, 1899.

The House bill provided for 3 chief statisticians, at $2,500 each; also 3 chiefs of division, at $1,800 each. The Senate increased the number of chief statisticians and chiefs of division to 4 of each class, so as to provide for the 4 general divisions of the Census Office, and to this arrangement the House conferees have agreed.

The salary of the chief clerk of the Census Office was fixed by the House at $2,000 per annum. The Senate proposed to increase his salary to $2,800. The compensation agreed upon by the conferees is $2,500, which is, perhaps, a reasonable compensation for such an office when comparison is had with the amounts paid similar officers of the Government bureaus.

The number of employees of the lower grades, fixed by the House, remains unchanged.

Section 5 of the proposed bill provides for the appointment of the present employees of the Census Office by the Director of the Census, with the approval of the head of the department to which said office is attached. The conferees examined a number of the decisions of the Supreme Court of the United States and found that the chief officer of a bureau attached to an executive department is not the "head of a department" within the meaning of Article II, section 2, of the Constitution so as to authorize Congress to vest in him the power of appointment. (United States *v.* Germaine, 99 U. S., 508.) It is proper, however, to provide that the chiefs of bureaus shall make the appointments with the approval of the head of the executive department. (United States *v.* Hartwell 6 Wallace, 385.) It is believed that the section submitted by the conferees will effect the wishes of the members of the House.

The special work to be done by the Census Office after July 1, 1902, remains the same as provided in the bill as it passed the House, except that reports on cotton ginning are to be made weekly, and that the inquiries concerning the deaf, dumb, and blind shall be restricted to four matters, namely, name, age, sex, and post-office address. This last restriction is, however, the same as that contained in one of the amendatory acts passed by Congress a year or more ago.

The Senate inserted an amendment providing for an assistant director of census at a salary of $4,000 per annum, a position created by the act of March 3, 1899. The conferees reached the conclusion that inasmuch as the census force will be materially reduced after July 1, 1902, and as 4 chief statisticians and a chief clerk are provided for at $2,500 each, that it would be unnecessary to continue the office of assistant director.

The statement given below shows the changes made by the Senate in the executive staff and the result of the conferees' agreement:

House bill.		*Senate amendments.*	
Director	$5,000	Director	$7,500
Chief clerk	2,000	Assistant director	4,000
3 chief statisticians	7,500	Chief clerk	2,800
3 chiefs of divisions	5,400	4 chief statisticians	10,000
		4 chiefs of divisions	7,200
Total	19,900	Total	31,500
Total House bill			19,900
Increase proposed by Senate			11,600

AGREEMENT.

Director	$6,000
Chief clerk	2,500
4 chief statisticians	10,000
4 chiefs division	7,200
Total	25,700
House bill	19,900
Increase over House bill	5,800

A clause was inserted by the Senate, and agreed to by the House conferees, which provides that the printing division of the Census Office shall be abolished July 1, 1902. This arrangement is in entire accord with the views of the Census Committee at the time the bill was submitted to the House. The House bill failed to state at what time the printing division was to be abolished, and it was thought wise to insert the provision referred to.

In conclusion the conferees on the part of the House desire to state that the bill finally agreed upon and now reported to the House is substantially the same as the one passed by the House January 30, 1902.

A. J. HOPKINS,
CHARLES A. RUSSELL,
F. M. GRIFFITH,
Managers on the part of the House.

Mr. HOPKINS. Mr. Speaker, the statement presented by the conferees on the part of the House so fully covers all of the items of disagreement between the two bodies that I take it it will be unnecessary for me to make any further statement. The bill is practically the same as it passed the House.

Mr. BURLESON. I would like to ask the gentleman from Illinois if the conferees made any change in the amendments offered by the Senate, with reference to taking these cotton statistics?

Mr. HOPKINS. No, sir; the conferees adopted the Senate amendment as it was prepared in the Senate and as it passed that body.

Mr. BURLESON. That is satisfactory.

Mr. RICHARDSON of Tennessee. I desire so ask the gentleman if this conference report is signed by all of the conferees?

Mr. HOPKINS. Yes; of both the Senate and the House.

Mr. RICHARDSON of Tennessee. Unanimously agreed to?

Mr. HOPKINS. Yes.

The question being taken on agreeing to the conference report, it was agreed to.

On motion of Mr. HOPKINS, a motion to reconsider the last vote was laid on the table.

ADJOURNMENT UNTIL MONDAY.

Mr. PAYNE. I move that when the House adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

PENSION BILLS PASSED.

The following House bills, reported from the Committee of the Whole without amendments, were severally considered, ordered to be engrossed and read a third time, read a third time, and passed:

H. R. 3288. A bill granting an increase of pension to Elmer J. Starkey;

H. R. 6435. A bill granting a pension to Susan P. Crandall;

H. R. 5536. A bill granting an increase of pension to Daniel Schram;

H. R. 8180. A bill granting an increase of pension to William S. Derby;

H. R. 282. A bill granting an increase of pension to John O'Rourke;

H. R. 2526. A bill granting an increase of pension to William J. Simmons;

H. R. 1275. A bill granting an increase of pension to Charles W. Thomas;

H. R. 4260. A bill to correct the military record of James A. Somerville;

H. R. 6847. A bill to correct the record of Michael Hays;

H. R. 10692. A bill granting an increase of pension to David C. Maples;

H. R. 8707. A bill granting an increase of pension to James R. Ambrose;

H. R. 8292. A bill granting a pension to Hester Thomas;

H. R. 3278. A bill to correct military record of C. R. Dickson;

H. R. 2557. A bill for the relief of Henry L. McCalla; and

H. R. 3309. A bill to remove charge of desertion against Ephraim H. Gallion.

The following House bills with amendments, favorably reported from the Committee of the Whole House, were severally considered, the amendments agreed to, the bills as amended ordered to be engrossed, and read a third time; and they were accordingly read the third time, and passed:

H. R. 6593. A bill granting a pension to Harry L. Graham (title amended);

H. R. 2128. A bill granting an increase of pension to Abram O. Kindy;

H. R. 3873. A bill granting a pension to Dr. William C. Flowers (title amended);

H. R. 7320. A bill granting an increase of pension to James Montack (title amended);

H. R. 6016. A bill granting an increase of pension to William J. Overman (title amended);

H. R. 1011. A bill granting an increase of pension to John S. Ranlett (title amended);

H. R. 629. A bill granting a pension to Caroline Fitzsimmons;

H. R. 2240. A bill granting an increase of pension to Aquila Wiley;

H. R. 3354. A bill granting an increase of pension to Thomas Young;

H. R. 2120. A bill granting a pension to Horatio N. Warren (title amended);

H. R. 5145. A bill granting an increase of pension to Thomas Swan;

H. R. 6918. A bill granting an increase of pension to Thomas Bliss;

H. R. 3180. A bill granting a pension to Edward S. Dickinson (title amended);

H. R. 8631. A bill granting a pension to Mary E. S. Hays;

H. R. 8788. A bill granting an increase of pension to Jacob Weidel;

H. R. 10165. A bill granting a pension to Delia E. Slocum (title amended);

H. R. 8782. A bill granting an increase of pension to Myron C. Burnside;

H. R. 4172. A bill granting an increase of pension to George R. Chaney;

H. R. 7105. A bill granting an increase of pension to Silas Stotts;

H. R. 7369. A bill granting an increase of pension to Perry H. Alexander;

H. R. 7424. A bill granting an increase of pension to John Craig;

H. R. 7148. A bill granting a pension to Harmon S. Gatlin;

H. R. 4153. A bill granting a pension to Jane Hale;

H. R. 2436. A bill granting an increase of pension to James W. Roath;

H. R. 725. A bill granting an increase of pension to Joseph B. Arbaugh;

H. R. 1476. A bill granting an increase of pension to Henry F. Benson;

H. R. 2223. A bill granting a pension to John Laughlin (title amended);

H. R. 3264. A bill granting an increase of pension to William B. Matney;

H. R. 1740. A bill granting a pension to John Fisher;

H. R. 2770. A bill for the relief of Otellia M. Smoot (title amended);

H. R. 5258. A bill granting an increase of pension to William Eastin, of Louisburg, Kans. (title amended);

H. R. 2287. A bill granting a pension to George McDaniel (title amended);

H. R. 4468. A bill granting an increase of pension to John B. Kurth;

H. R. 3690. A bill for the relief of Jacob L. Hanger;

H. R. 622. A bill granting a pension to Dicey Woodall;

H. R. 1380. A bill for the relief of Mrs. Mary Tate (title amended);

H. R. 5712. A bill granting a pension to Alice Bozeman;

H. R. 10415. A bill granting a pension to Sarah M. Smith;

H. R. 6080. A bill granting an increase of pension to Mariah J. Anderson (title amended);

H. R. 2123. A bill granting a pension to Mrs. Elizabeth Folds, of Butts County, Ga. (title amended);

H. R. 5553. A bill granting a pension to Nancy E. Hardy;

H. R. 6029. A bill granting a pension to Mary E. Kelly;

H. R. 7130. A bill granting a pension to Elizabeth Lowden;

H. R. 6864. A bill granting an increase of pension to Milton A. Embick;

H. R. 1129. A bill granting an increase of pension to William H. Shaffer;

H. R. 8471. A bill granting a pension to Eliza A. Wright;

H. R. 9696. A bill granting a pension to Ezekiel J. Robinson;

H. R. 3275. A bill granting an increase of pension to William G. Johnson;

H. R. 3241. A bill granting an increase of pension to H. G. Knights (title amended);

H. R. 5102. A bill granting a pension to Margaret Baker, formerly Maggie Ralston;

H. R. 1503. A bill granting a pension to Michael Farrell (title amended);

H. R. 2167. A bill granting a pension to Jane Kuhn (title amended);

H. R. 7771. A bill granting an increase of pension to Frank Seaman;

H. R. 5982. A bill granting an increase of pension to Christine B. Knapp;

H. R. 5413. A bill for the relief of Alfred H. Van Vliet, late adjutant, Eleventh Michigan Cavalry (title amended);

H. R. 1688. A bill granting an increase of pension to Charles Armstrong;

H. R. 311. A bill granting a pension to Susan H. Stevens;

H. R. 9149. A bill granting a pension to Sara B. Andrews;

H. R. 9821. A bill granting an increase of pension to John W. Moore (title amended);

H. R. 2600. A bill granting a pension to Richmond L. Booker (title amended);

H. R. 1743. A bill granting a pension to S. A. Graves (title amended);

H. R. 6687. A bill granting an increase of pension to Lorenzo Blackman;

H. R. 1697. A bill granting an increase of pension to Richard A. Lawrence;

H. R. 10044. A bill granting an increase of pension to Capt.

William Larzalere, late of companies F and D, Sixty-ninth Ohio Volunteer Infantry (title amended);

H. R. 5761. A bill granting a pension to Thomas F. Walter;

H. R. 4945. A bill granting a pension to Shadrack I. Corbett;

H. R. 7525. A bill granting a pension to Marion Barnes;

H. R. 5543. A bill granting an increase of pension to Samuel W. Skinner (title amended);

H. R. 6356. A bill granting an increase of pension to W. G. Taylor (title amended);

H. R. 4456. A bill granting a pension to Ruth B. Osborne;

H. R. 9659. A bill granting a pension to Laura A. Van Nye (title amended);

H. R. 10178. A bill granting an increase of pension to Daniel Thomas;

H. R. 9296. A bill granting a pension to Mary E. Chapman;

H. R. 6023. A bill granting an increase of pension to Robert L. Akridge, of the Thirty-third Kentucky Regiment, now a resident of Danbury, Conn. (title amended);

H. R. 611. A bill granting a pension to Theodore F. Collins (title amended);

H. R. 2669. A bill granting a pension to Isabella Compton;

H. R. 5789. A bill granting an increase of pension to Joseph Seithen;

H. R. 7990. A bill granting an increase of pension to Uriah Reams;

H. R. 2192. A bill granting a pension to Benjamin Shearer (title amended);

H. R. 3418. A bill granting a pension to Dennis Dyer;

H. R. 10486. A bill granting a pension to Alida Payne;

H. R. 4821. A bill granting an increase of pension to Herbert A. Boomhower;

H. R. 9463. A bill granting an increase of pension to Edgar A. Stanley;

H. R. 5109. A bill granting an increase of pension to Frederick M. Hahn;

H. R. 3352. A bill granting an increase of pension to Margaret M. Boyd;

H. R. 1523. A bill granting a pension to Susan J. Taylor;

H. R. 1328. A bill granting an increase of pension to Gotthard Koerner;

H. R. 1325. A bill granting an increase of pension to William J. Wallace;

H. R. 4927. A bill granting a pension to George Tucker;

H. R. 1378. A bill granting an increase of pension to Mrs. Bessie H. Lester (title amended);

H. R. 7846. A bill granting a pension to Michael Tynan;

H. R. 1485. A bill granting an increase of pension to Thompson B. Moore;

H. R. 7364. A bill granting an increase of pension to Maria Louisa Michie;

H. R. 9397. A bill granting a pension to J. S. Lewis (title amended);

H. R. 3762. A bill for the relief of Emanuel Klauser;

H. R. 2113. A bill granting an increase of pension to Mary J. Clark;

H. R. 2093. A bill granting an increase of pension to Anna B. McCurley;

H. R. 8007. A bill granting an increase of pension to James W. Lewis;

H. R. 8553. A bill granting a pension to Joseph Tusinski;

H. R. 10956. A bill granting an increase of pension to Frances K. Morrison;

H. R. 6713. A bill granting a pension to Freeman R. E. Chanaberry (title amended);

H. R. 6081. A bill granting an increase of pension to Frances Taylor Anderson (title amended);

H. R. 7755. A bill granting a pension to Laura G. Weisenburger;

H. R. 10132. A bill granting an increase of pension to John Garner (title amended);

H. R. 3371. A bill granting a pension to Elizabeth P. Searcy (title amended);

H. R. 11144. A bill granting an increase of pension to Anderson Howard; and

H. R. 7731. A bill granting an increase of pension to Richard Owen (title amended).

The following Senate bills, reported from the Committee of the Whole without amendment, were severally considered, ordered to a third reading, read a third time, and passed:

S. 1330. An act granting an increase of pension to Moses Smith;

S. 198. An act granting an increase of pension to Lucy M. Hill;

S. 254. An act granting an increase of pension to Lewis C. Killam;

S. 1782. An act granting a pension to Catherine Meade;

S. 143. An act granting an increase of pension to Henrietta Salomon;

S. 1029. An act granting an increase of pension to Wellington D. Curtis;

S. 659. An act granting a pension to Thomas E. Clark;

S. 2460. An act granting an increase of pension to Cornelius Springer;

S. 2441. An act granting an increase of pension to Zeba S. Wood;

S. 1036. An act granting an increase of pension to Benjamin G. Sargent;

S. 1923. An act granting an increase of pension to Fred F. B. Coffin;

S. 1616. An act granting an increase of pension to Enoch A. White;

S. 1197. An act granting an increase of pension to Mahale Litton;

S. 2391. An act granting an increase of pension to Elvira L. Wilkins;

S. 2012. An act granting a pension to Catherine Conroy;

S. 2000. An act granting a pension to John M. Core;

S. 886. An act granting an increase of pension to Jonas M. McCoy;

S. 700. An act granting a pension to Rebecca Dobbins;

S. 3106. An act granting an increase of pension to Hugh R. Richardson;

S. 9. An act granting an increase of pension to Mourse R. Adams;

S. 196. An act granting an increase of pension to Richard N. Blodgett;

S. 1611. An act granting a pension to Cynthia M. Record;

S. 1145. An act granting an increase of pension to Lucinda C. Scott;

S. 2700. An act granting an increase of pension to Martha A. Couch;

S. 195. An act granting a pension to Nellie Bartlett;

S. 2098. An act granting a pension to George H. Morton;

S. 1355. An act granting a pension to Lura B. Rogers;

S. 336. An act to grant honorable discharge from military record of Charles H. Hawley;

S. 608. An act for the relief of George K. Bowen;

S. 1258. An act to remove charge of desertion from the naval record of John Glass;

S. 2508. An act granting an increase of pension to Pauline Lowe Murphy;

S. 508. An act granting an increase of pension to Adelaide Worth Bagley; and

S. 3424. An act granting an increase of pension to Minnie E. King.

The following Senate bills, with amendments, favorably reported from the Committee of the Whole House, were severally considered, the amendments agreed to, the bills as amended ordered to a third reading, and they were accordingly read the third time, and passed:

S. 1931. An act granting an increase of pension to Etta Scott Mitchell;

S. 24. An act for the relief of James W. Howell;

S. 3157. An act granting an increase of pension to Rhody Ann Bradshaw; and

S. 3204. An act granting an increase of pension to Mary T. Bruce.

The bill (H. R. 2391) granting a pension to Cornelius Springer, reported from the Committee of the Whole House with the recommendation that it lie on the table, was accordingly laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On February 21, 1902:

H. R. 11470. An act making an appropriation for clearing the Potomac River of ice; and

H. J. Res. 131. Joint resolution authorizing the transfer to the Library of Congress of the library of State reports, etc.

On February 26, 1902:

H. R. 10780. An act to transfer the county of Carroll from the northwestern division of the northern district of Georgia to the northern district of Georgia of the United States district and circuit courts, and for other purposes; and

H. J. Res. 88. Joint resolution authorizing the Commissioner of Internal Reveue to return bank checks, drafts, certificates of deposit, and other orders for the payment of money, having imprinted stamps thereon, to the owners thereof, and for other purposes.

On February 27, 1902:

H. R. 1017. An act granting a pension to Mary Tripp;

H. R. 2412. An act granting a pension to Helen L. Pepper;

H. R. 2528. An act granting a pension to Helen M. Evans;
H. R. 3230. An act granting a pension to Catherine Pflueger;
H. R. 4037. An act granting a pension to Julia Maher;
H. R. 6926. An act granting a pension to Mabel H. Lazear;
H. R. 286. An act granting an increase of pension to Lawrentus Lane;
H. R. 287. An act granting an increase of pension to Leighton J. Folsom;
H. R. 815. An act granting an increase of pension to Henry S. Comer;
H. R. 1285. An act granting an increase of pension to Cyrus Odell;
H. R. 1374. An act granting an increase of pension to James Willard.
H. R. 1728. An act granting an increase of pension to George W. Thompson;
H. R. 2193. An act granting an increase of pension to David A. Ireland;
H. R. 2265. An act granting an increase of pension to Martin V. Hathaway;
H. R. 2321. An act granting an increase of pension to Joseph R. Martin;
H. R. 2416. An act granting an increase of pension to John B. Wilcox;
H. R. 2429. An act granting an increase of pension to John C. Morrison;
H. R. 2455. An act granting an increase of pension to George W. McClure;
H. R. 2484. An act granting an increase of pension to Jeremiah Evans;
H. R. 2502. An act granting an increase of pension to Ambrose Burton;
H. R. 2607. An act granting an increase of pension to Uriah S. Karmany;
H. R. 2617. An act granting an increase of pension to John Rapple;
H. R. 2628. An act granting an increase of pension to Andrew Mulholland;
H. R. 3024. An act granting an increase of pension to Thomas V. Stran;
H. R. 3184. An act granting an increase of pension to David Petee;
H. R. 3240. An act granting an increase of pension to Joseph Church;
H. R. 3413. An act granting an increase of pension to Jedediah S. Vallet;
H. R. 3300. An act granting an increase of pension to George B. Boyd;
H. R. 3511. An act granting an increase of pension to Mary C. Newcomb;
H. R. 4182. An act granting an increase of pension to David Cupps;
H. R. 4208. An act granting an increase of pension to Susan M. Pardee;
H. R. 4268. An act granting an increase of pension to James B. Woodward;
H. R. 5002. An act granting an increase of pension to Thomas H. McConnaughey;
H. R. 5108. An act granting an increase of pension to Elisha B. Taylor, alias Elisha T. Bisbee;
H. R. 5147. An act granting an increase of pension to Theodore Lane;
H. R. 5149. An act granting an increase of pension to Charles E. Bachelder;
H. R. 5162. An act granting an increase of pension to Andrew H. Gifford;
H. R. 5169. An act granting an increase of pension to Hiram S. Kingsley;
H. R. 5259. An act granting an increase of pension to Gustav Schwartz;
H. R. 5753. An act granting an increase of pension to Emil Frank;
H. R. 5860. An act granting an increase of pension to Edward B. Scott;
H. R. 6459. An act granting an increase of pension to Mary F. Hooper;
H. R. 6465. An act granting an increase of pension to Samuel Bristow;
H. R. 6684. An act granting an increase of pension to Marshall Bachelder;
H. R. 6720. An act granting an increase of pension to George Patterson;
H. R. 7408. An act granting an increase of pension to Levi Cross;
H. R. 9312. An act granting an increase of pension to Kate Virginia Dewey Cushing;
H. R. 2983. An act to amend an act entitled "An act granting an increase of pension to Francis M. Thompson," approved March 3, 1901;
H. R. 2620. An act granting a pension to Jennie A. McKinley;
H. R. 3229. An act granting a pension to Katherine R. A. Ogden;
H. R. 1200. An act granting an increase of pension to Oliver P. Goodwin;
H. R. 1324. An act granting an increase of pension to Charles N. Lee;
H. R. 1484. An act granting an increase of pension to Robert M. Scott;
H. R. 3266. An act granting an increase of pension to James Smith;
H. R. 6453. An act granting an increase of pension to Ida R. Siegfried;
H. R. 7343. An act granting an increase of pension to Martha V. Keenan; and
H. R. 8652. An act granting an increase of pension to Virginia Terrill.

On February 28, 1902:

H. R. 4842. An act for the relief of the trustees of Carson and Newman College, at Jefferson City, Tenn.

JOSEPH COWGILL.

Mr. STEELE. Mr. Speaker, I ask unanimous consent for the present consideration of House bill 9848, for the relief of Joseph Cowgill. It is a bill that was recommitted to the committee for a correction.

The SPEAKER pro tempore (Mr. LACEY). The gentleman from Indiana asks unanimous consent that the committee be discharged from further consideration of the following bill, and that it be considered in the House. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Cowgill, late of First Indiana Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

Mr. SIMS. Can we not have a report on the bill?

Mr. STEELE. The bill was recommitted to the Committee on Invalid Pensions for correction. The correction has been made, and while the committee have not reported the bill they have agreed to the amendment suggested, making it $30 instead of $40.

Mr. SIMS. It is reduced instead of increased.

Mr. STEELE. Mr. Speaker, the bill was for $40 per month, and the committee amendment is for $30 per month. The bill was recommitted because a mistake had been made. The committee have agreed upon $30 a month. Therefore I move to amend by making it $30 a month in lieu of the amount in the bill.

The SPEAKER pro tempore. Without objection this correction will be made, and the amendment suggested by the gentleman from Indiana will be agreed to.

There was no objection.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. SULLOWAY, a motion to reconsider the several votes by which the various bills were passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows:

To Mr. SHALLENBERGER, for ten days, on account of important business.

To Mr. SCARBOROUGH, for ten days, on account of important business.

ST. ANDREWS LODGE, OF CYNTHIANA, KY.

By unanimous consent, on motion of Mr. KEHOE, leave was granted to withdraw from the files of the House the papers in the case of St. Andrew's Lodge, of Cynthiana, Ky., Forty-seventh Congress, no adverse report having been made thereon.

And then, on motion of Mr. SULLOWAY (at 3 o'clock and 17 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Levi M. Hummer, administrator of estate of Benjamin A. Hummer, *v.* The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting

an estimate of appropriation for civil establishment at the naval station at Cavite, P. I.—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11409) to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia, reported the same without amendment, accompanied by a report (No. 629); which said bill and report were referred to the House Calendar.

Mr. JOY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 9524) to authorize the Missouri and Meramec Water Company to take water from the Missouri River, and to construct a dam or other device for that purpose, reported the same with amendments, accompanied by a report (No. 631); which said bill and report were referred to the House Calendar.

Mr. SWANSON, from the Committee on the Post-Office and Post-Roads, to which was referred the bill of the House (H. R. 11728) to classify the rural free-delivery service and fix the compensation to employees thereof, pursuant to authority heretofore granted, submitted the views of the minority of said committee (Report No. 597, part 2); which views were ordered to be printed and referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. OTEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 807) for the relief of F. R. Lauson, reported the same with amendments, accompanied by a report (No. 626); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6443) for the relief of Patrick Nolan, reported the same without amendment, accompanied by a report (No. 627); which said bill and report were referred to the Private Calendar.

Mr. STORM, from the Committee on Claims, to which was referred the bill of the House (H. R. 11591) for relief of Stanley & Patterson, and to authorize a pay director of the United States Navy to issue a duplicate check, reported the same without amendment, accompanied by a report (No. 628); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the House (H. R. 1114) for the relief of the heirs of Aaron Van Camp and Virginius P. Chapin, reported the same with amendments, accompanied by a report (No. 630); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 3424) granting an increase of pension to Minnie E. King, reported the same without amendment, accompanied by a report (No. 632); which said bill and report were ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 11753) granting a pension to Albert D. C. Walker—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11787) granting a pension to John J. Manner—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. McDERMOTT: A bill (H. R. 11906) for the purchase of a site and the erection thereon of a public building at Jersey City, N. J.—to the Committee on Public Buildings and Grounds.

By Mr. JENKINS: A bill (H. R. 11907) to regulate the operation of street railways in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 11908) to regulate the sale of intoxicating liquors in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SMALL: A bill (H. R. 11909) to acquire a new site for the court-house and post-office at Elizabeth City, N. C.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 11910) to increase the limit of cost for the purchase of a site and the erection of a public building thereon at Elizabeth City, N. C.—to the Committee on Public Buildings and Grounds.

By Mr. GROW: A bill (H. R. 11911) to encourage the establishment of homes in the States and Territories for teaching articulate speech and vocal language to deaf children before they are of school age, so as to fit them at school age to enter the public schools provided for hearing children—to the Committee on Education.

By Mr. JOY (by request): A bill (H. R. 11912) to regulate judicial process in the United States courts of Missouri—to the Committee on the Judiciary.

By Mr. LITTLE: A bill (H. R. 11913) to define who are and who are not fellow-servants of persons, corporations, and companies, and defining the defense of said corporations, persons, and companies on account thereof—to the Committee on the Judiciary.

By Mr. SHACKLEFORD: A bill (H. R. 11952) granting an increase of pension to soldiers of the Mexican war—to the Committee on Pensions.

By Mr. DOUGLAS: A bill (H. R. 11986) to provide for ocean mail and freight service between United States and foreign ports; to furnish promptly the necessary vessels for the relief of our foreign commerce, cruisers for the common defense, seamen for Government requirements, and to encourage shipbuilding in the United States—to the Committee on the Merchant Marine and Fisheries.

By Mr. CUSHMAN: A bill (H. R. 11987) relating to transportation of dutiable merchandise at subports of Tacoma and Seattle, State of Washington—to the Committee on Ways and Means.

By Mr. McRAE: A bill (H. R. 11988) to amend an act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890—to the Committee on the Judiciary.

By Mr. WILLIAMS of Illinois: A resolution (H. Res. 149) ordering an investigation of the Pension Bureau—to the Committee on Rules.

By Mr. FITZGERALD: A joint resolution (H. J. Res. 159) restoring the United States steamship *Vermont* to the Navy Register, and making an appropriation to place her in proper repair—to the Committee on Naval Affairs.

By Mr. MEYER of Louisiana: A joint resolution (H. J. Res. 160) to pay Rear-Admirals Schley and Sampson highest compensation of rear-admirals on the active list—to the Committee on War Claims.

By Mr. BELL: Memorial of Colorado legislature expressing sympathy for the Boers—to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. ALEXANDER: A bill (H. R. 11914) to remove the charge of dishonorable dismissal from the military record of Charles E. Lockwood—to the Committee on Military Affairs.

By Mr. BROWNLOW: A bill (H. R. 11915) to correct the military record of Samuel Presley—to the Committee on Military Affairs.

By Mr. BOUTELL: A bill (H. R. 11916) granting an increase of pension to Andrew B. Spurling—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 11917) granting a pension to John Maley—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 11918) removing the charge of desertion from the naval record of Patrick Naddy—to the Committee on Naval Affairs.

Also, a bill (H. R. 11919) granting an honorable discharge to Philip Dugan—to the Committee on Naval Affairs.

By Mr. GREEN of Pennsylvania: A bill (H. R. 11920) granting an increase of pension to George W. Wertz—to the Committee on Invalid Pensions.

By Mr. HENDERSON: A bill (H. R. 11921) granting an increase of pension to George W. De Graw—to the Committee on Invalid Pensions.

By Mr. JACKSON of Kansas: A bill (H. R. 11922) granting an increase of pension to Henry C. Dabbs—to the Committee on Invalid Pensions.

By Mr. JOY: A bill (H. R. 11923) for the relief of Edward McCloud—to the Committee on Military Affairs.

By Mr. KLEBERG: A bill (H. R. 11924) granting an increase of pension to Lewis H. Delong—to the Committee on Pensions.

By Mr. LIVINGSTON: A bill (H. R. 11925) granting a pension to Mary E. Rice—to the Committee on Invalid Pensions.

By Mr. LONG: A bill (H. R. 11926) granting a pension to Sarah M. Nettleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11927) granting an increase of pension to Florence M. Metz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11928) granting a pension to Margaret M. Hathaway—to the Committee on Invalid Pensions.

By Mr. McCLELLAN: A bill (H. R. 11929) for the relief of Charles Y. Squier, late second lieutenant Company L Ninth New York Heavy Artillery Volunteers—to the Committee on Military Affairs.

By Mr. MOON: A bill (H. R. 11930) for the relief of Julia Blount Thacker, Amanda Catherine Johnson, John Clark Rowden, and Samuel Echols Rowden, the only heirs at law of Isaac Curry Rowden and Sarah E. Rowden, of Wauhatchie, Tenn.—to the Committee on War Claims.

By Mr. MORGAN: A bill (H. R. 11931) granting a pension to Ellen S. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11932) granting an increase of pension to Jonathan Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11933) for the relief of William Abbott—to the Committee on War Claims.

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 11934) granting an increase of pension to Condy Manelius—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11935) granting a pension to Benjamin F. Lessig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11936) to remove charge of desertion from the military record of John J. Muldowney—to the Committee on Military Affairs.

Also, a bill (H. R. 11937) authorizing and directing the payment to Mrs. George Dalton, of Pottsville, Pa., the sum of $300, together with the interest thereon, that was paid by the late George Dalton to avoid the draft in 1864—to the Committee on War Claims.

By Mr. POLK: A bill (H. R. 11938) granting an increase of pension to Jacob Renner—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 11939) for the relief of the estate of Mary E. Binns, deceased—to the Committee on War Claims.

By Mr. RUPPERT: A bill (H. R. 11940) granting an increase of pension to Anna F. Rhoades—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 11941) granting a pension to Wilhelmina Siefert, widow of John Siefert—to the Committee on Invalid Pensions.

By Mr. SELBY: A bill (H. R. 11942) granting an increase of pension to John R. Hoover—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 11943) granting a pension to Christian Kloeppel—to the Committee on Pensions.

Also, a bill (H. R. 11944) granting a pension to P. B. Pulley, of Dallas County, Mo.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11945) granting a pension to Alexander A. Simpson, of Miller County, Mo.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11946) granting a pension to Thomas S. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11947) granting a pension to John W. Gibson, of Pulaski County, Mo.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11948) granting a pension to William F. Tinsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11949) granting a pension to Franklin Otis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11950) granting a pension to W. B. Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11951) granting an increase of pension to Aaron Sternes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11953) granting an increase of pension to William H. Riggin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11954) granting an increase of pension to David K. Steel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11955) granting an increase of pension to Richard L. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11956) granting an increase of pension to Benjamin F. Shattuck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11957) granting an increase of pension to Andrew M. Crouch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11958) granting an increase of pension to Henry H. Windes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11959) granting an increase of pension to Seth Hubbard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11960) granting an increase of pension to Samuel K. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11961) for the relief of Reinhart Brenneiren—to the Committee on War Claims.

Also, a bill (H. R. 11962) for the relief of James H. Wilson—to the Committee on War Claims.

Also, a bill (H. R. 11963) for the relief of James D. Livesay, administrator of John W. Livesay, deceased—to the Committee on War Claims.

Also, a bill (H. R. 11964) for the relief of John W. Brooks—to the Committee on War Claims.

Also, a bill (H. R. 11965) for the relief of John W. Brooks—to the Committee on War Claims.

Also, a bill (H. R. 11966) to correct the military record of William R. Miller, and so forth—to the Committee on Military Affairs.

Also, a bill (H. R. 11967) to correct the military record of Cicero Jordan, and so forth—to the Committee on Military Affairs.

Also, a bill (H. R. 11968) to correct the military record of Henry Shull, and so forth—to the Committee on Military Affairs.

Also, a bill (H. R. 11969) to correct the military record of William W. Carter, and so forth—to the Committee on Military Affairs.

Also, a bill (H. R. 11970) to amend the record of Company G, Sixteenth Regiment Missouri Cavalry, by including the name of Morgan L. Atchley therein, with the date of his enlistment and the date of his discharge, and so forth—to the Committee on Military Affairs.

Also, a bill (H. R. 11971) to amend and correct the record of Company C, Ninth Regiment Missouri State Militia, by including the name of Alfred H. Tipton therein, with the date of his enlistment and discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 11972) to amend and correct the records of Company E, Hickory County Battalion, attached to Osage County (Mo.) Home Guards, by including the name of John R. C. Tucker therein, with the dates of his enlistment and discharge, and so forth—to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 11973) granting an increase of pension to Michael Howe—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 11974) granting an increase of pension to Samuel Woodworth—to the Committee on Invalid Pensions.

By Mr. WEEKS: A bill (H. R. 11975) to correct the military record of William Colereck, captain, First Michigan Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 11976) granting a pension to Lucy M. Ferman, who served as a matron and nurse in military hospitals during the civil war—to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 11977) granting a pension to Sidney Cable, widow of Coonrod Cable—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11978) to pay Elijah Patrick, of Salyersville, Ky., for two years' service in the late war as captain of a company of volunteers, and granting him a pension—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 11979) granting an increase of pension to William W. Anderson—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 11980) granting an increase of pension to Charles H. Roberts—to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 11981) granting a pension to Emily D. Parcell—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 11982) for the relief of Joseph B. McClintock—to the Committee on War Claims.

By Mr. MINOR: A bill (H. R. 11983) granting an increase of pension to Ida M. Russell—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 11984) granting a pension to Charles H. Light—to the Committee on Invalid Pensions.

By Mr. BELL: A bill (H. R. 11985) to grant certain lands to the city of Colorado Springs, Colo.—to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petitions of Mine Workers' Unions No. 1015, of McDonald, and No. 1263, of Monongahela, Pa., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. ALEXANDER: Petition of J. F. Bingham Lodge, No. 155, Brotherhood of Locomotive Firemen, of New York City, N. Y., favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. BABCOCK: Resolution of Order of Railway Conductors,

Division No. 68, of Baraboo, Wis., for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Post No. 106, Grand Army of the Republic, of Desoto, Wis., favoring the building of naval vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. BATES: Papers to accompany House bill No. 11984, granting a pension to Charles H. Light—to the Committee on Invalid Pensions.

By Mr. BELL: Resolutions of the Order of Railroad Conductors, Division No. 63, of Durango, Colo., favoring an educational test for immigrants—to the Committee on Immigration and Naturalization.

By Mr. BELLAMY: Resolutions of American Federation of Labor, Union No. 239, of Rocky Mount, N. C., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. BURKE of South Dakota: Papers to accompany House bill 11391, granting a pension to Francis M. Burke—to the Committee on Pensions.

By Mr. BURKETT: Resolution of Order of Railway Conductors, Blue Valley Division, No. 343, of Fairbury, Nebr., for an amendment to the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. CALDWELL: Resolution of Railway Conductors, Division No. 206, and Machinists' Union No. 157, of Springfield, Ill., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of International Brotherhood of Stationary Firemen, of Springfield, Ill., favoring more strict immigration laws—to the Committee on Immigration and Naturalization.

Also, memorial of Blue Mound Post, No. 347, Grand Army of the Republic, Department of Illinois, for investigation of the administration of the Bureau of Pensions—to the Committee on Pensions.

By Mr. CANNON: Resolution of Typographical Union No. 230, of Danville, Ill., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 230, of Danville, Ill., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. CASSEL: Resolutions of Bakers and Confectioners' Union No. 132 and of Iron Workers' Union No. 9261, of Lancaster, Pa., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Bakers and Confectioners' Union No. 132, of Lancaster, Pa., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Bakers and Confectioners' Union No. 132, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. CONRY: Resolution of Boston (Mass.) Chamber of Commerce, against the passage of House bill 4424, relating to the so-called "London clause," Harter Act—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Boston Plate Printers' Union No. 3, Boston, Mass., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. CURRIER: Resolution of Fletcher Post, No. 57, Grand Army of the Republic, of Colebrook, N. H., favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Granite Cutters' Union, of Concord, N. H., favoring exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

Also, petitions of the Woman's Christian Temperance Unions of South Acworth, Richmond, New Market, Rumney, Seabrook, Franklin, Concord, Contoocook, Claremont, Alton, Newport, Candia, Laconia, Colebrook, East Rochester, Greenville, Hampton Falls, and Henniker, N. H., praying for the enactment of a law against polygamy—to the Committee on the Judiciary.

By Mr. EDWARDS: Resolutions of Machinists' Union No. 29, of Anaconda, Mont., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, resolution of Machinists' Union No. 29, of Anaconda, Mont., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. EMERSON: Papers to accompany House bill 11981, granting a pension to Emily D. Parcell—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolution of Wisconsin Dairymen's Convention, in relation to the passage of the oleomargarine bill, and also in support of House bill 8735, favoring the sale of public lands for the maintenance of agricultural and mechanical colleges—to the Committee on Mines and Mining.

By Mr. FITZGERALD: Petition of A. Zerega's Sons, of Brooklyn, N. Y., opposing a reduction of duty, by reciprocity treaties, on macaroni, spaghetti, and kindred products—to the Committee on Ways and Means.

Also, resolutions of Manufacturers' Association of New York, favoring House bill 8337, for the amendment of the interstate-commerce acts—to the Committee on Interstate and Foreign Commerce.

Also, resolution of District Lodge No. 15, Association of Machinists, favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

Also, papers to accompany House bill 11918, relating to the correction of the military record of Patrick Naddy—to the Committee on Military Affairs.

By Mr. FOSTER of Vermont: Papers to accompany House bill 11070, for the removal of the charge of desertion from the military record of David Carpenter—to the Committee on Military Affairs.

By Mr. GILL: Resolutions of the United Presbyterian Church, Methodist Episcopal Church, Synod of Ohio of the Presbyterian Church, and citizens of the Sixteenth Congressional district of Ohio, praying for the enactment of a law against polygamy—to the Committee on the Judiciary.

By Mr. GORDON: Petitions of Kyle Post, No. 41, of Wapakoneta, Ohio, and of Post No. 445, Grand Army of the Republic, of Versailles, Ohio, and of Central Trades Council of Sidney, Ohio, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, petition of Post No. 319, Grand Army of the Republic, of Ohio, for the appointment of a committee to investigate the administration of the Pension Commissioner—to the Committee on Rules.

Also, petition of Valley City Federal Union, No. 8649, of Sidney, Ohio, for repeal of desert-land act and commutation clause of homestead act, and for appropriation for irrigation surveys—to the Committee on the Public Lands.

Also, paper to accompany House bill 11493, granting a pension to Mrs. Mary A. Lipps—to the Committee on Invalid Pensions.

By Mr. GREENE of Massachusetts: Resolutions of the Boston Chamber of Commerce, urging amendments to House bill 9059, relative to foreign imports and exports—to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Pennsylvania: Resolution of Carpenters' Union No. 492, American Federation of Labor, of Reading, Pa., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, petition of residents of Reading, Pa., favoring an amendment to the Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

Also, resolutions of the Amalgamated Association of Iron and Steel Workers, Union No. 25, of Reading, Pa., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Slate and Tile Workers' Union No. 8926, of Reading, Pa., asking the passage of a Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, papers to accompany House bill 11920, for the relief of George W. Wirtz—to the Committee on Invalid Pensions.

By Mr. HARKINS: Resolution of George H. Phelps Post, No. 114, Grand Army of the Republic, of Albany, Vt., favoring the construction of naval vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Tool Sharpeners' Branch No. 2 and Typographical Union No. 402, of Barre, Vt., favoring the enactment of a law excluding the Chinese from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. HAUGEN: Petition of L. H. Pammell and others, of Ames, Iowa, relating to forestry reserves and the consolidation of forestry work of the Department of Agriculture—to the Committee on Agriculture.

By Mr. HEMENWAY: Resolution of Tobacco Workers' Union No. 78, of Newburg, Ind., for an amendment to the immigration laws—to the Committee on Immigration and Naturalization.

Also resolution of Mine Workers' Union No. 821, of Boonville, Ind., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of Building Trades Council of Evansville, Ind., favoring Government ownership of Pacific cable—to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY of Connecticut: Resolution of Central Union of Hartford, Conn., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. HILDEBRANT: Petition of Strong Post, No. 118, Grand Army of the Republic, Department of Ohio, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. HOWELL: Petition of residents of Basking Ridge,

N. J., urging an amendment to the Constitution to prohibit polygamy—to the Committee on the Judiciary.

Also, petition of Hollywood Council, Junior Order United American Mechanics, of Long Branch, N. J., favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. JACKSON of Kansas: Resolution of Kansas State Society of Labor and Industry, urging the enactment of certain land legislation—to the Committee on the Public Lands.

Also, resolutions of Retail Clerks' Union No. 421, Parsons, Kans., advocating the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Union No. 75, Stationary Engineers, Coffeyville, Kans., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, papers to accompany House bill 3752, granting a pension to John E. Pickard—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 3755, for the relief of Lawson Williams—to the Committee an Invalid Pensions.

Also, papers to accompany House bill 11922, granting a pension to Henry C. Dabbs—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: Petition of Puget Sound Tugboat Company and others, of Seattle, Wash., asking for amendment to sections 4139 and 4314 of the Revised Statutes—to the Committee on the Merchant Marine and Fisheries.

By Mr. KAHN: Resolution of Brotherhood of Teamsters, Union No. 85, San Francisco, Cal., and Vallejo Lodge, No. 168, Boiler Makers and Iron-ship Builders, protesting against amendment of exclusion laws as proposed by the San Francisco Chamber of Commerce and Merchants' Exchange—to the Committee on Foreign Affairs.

Also, resolutions of Labor Council of San Francisco, Cal., favoring the admission of certain classes of Chinese—to the Committee on Foreign Affairs.

Also, resolutions of Amalgamated Woodworkers' Union No. 152 and Ship and Marine Blacksmiths' Association No. 168, of San Francisco, Cal., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Pacific Coast Marine Firemen's Association, Theatrical Employees' Union No. 16, Ship and Marine Blacksmiths' Association No. 168, Amalgamated Engineers' Association No. 609, Carpet Mechanics' Association No. 52, Sailors' Union of the Pacific, Engineers' Union No. 64, and City Front Federation, all of San Francisco, Cal., favoring section 39 of House bill 9330, for protection to American sailors, firemen, etc., against Chinese crews—to the Committee on Foreign Affairs.

By Mr. KNAPP: Resolution of Hannibal Post, No. 447, Grand Army of the Republic, of Hannibal, N. Y., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

By Mr. LACEY: Petition of the Iowa Academy of Science, Ames, Iowa, favoring a national park reservation in Minnesota—to the Committee on the Public Lands.

By Mr. LANHAM: Resolutions of Reilly Division, No. 427, of Yoakum, and Garfield Division, No. 219, of Marshall, Brotherhood of Locomotive Engineers, of Texas, favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

Also, resolution of Geyser City Lodge, No. 539, Waco, Tex.; Lone Star Lodge, No. 70, Longview, Tex., Brotherhood of Locomotive Firemen, in support of Senate bill 1118, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. LASSITER: Petition of John J. Mitchell, of Dinwiddie County, Va., for reference of war claim to Court of Claims—to the Committee on War Claims.

By Mr. LITTLE: Petition of L. S. Slawson, William Matthews, and others of Scott County, Ark., asking for an amendment to pension laws—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: Petition of Boot and Shoe Workers' Union No. 225, of Auburn, Me., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. LLOYD: Petition of Shelbyville Post, No. 102, Grand Army of the Republic, Department of Missouri, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. LONG: Petition of Lewis Post, No. 294, Grand Army of the Republic, Department of Kansas, favoring an investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. LOUDENSLAGER: Petition of Cigar Makers' Union No. 230 and Glass Workers' Union No. 7, of Millville, N. J., and Central Trades and Labor Union of Bridgeton, N. J., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, petition of Central Trades and Labor Union of Bridgeton, N. J., advocating the construction of war vessels in United States navy-yards—to the Committee on Naval Affairs.

Also, petitions of Potters' Union No. 50, of Camden, N. J., and American Flint Glass Workers' Union No. 7, of Millville, N. J., favoring the passage of a law which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. MANN: Petition of citizens of Chicago, Ill., favoring continuance of statistics relating to marriage and divorce—to the Select Committee on the Census.

Also, resolution of Lake Seamen's Union of Chicago, Ill., in opposition to the change of name of the United States Marine-Hospital Service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Lake Seamen's Union of Chicago, Ill., protesting against the passage of House bills 9685 and 7185—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the International Union of Steam Engineers, Union No. 85, of Chicago, Ill., in relation to the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Carpenters' Union No. 181 and Glass Workers' Association No. 4, of Chicago, Ill., in favor of restricting immigration—to the Committee on Immigration and Naturalization.

By Mr. MILLER: Petition of citizens of Waverly, Kans., favoring the adoption of an antipolygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. MOON: Papers to accompany House bill for the relief of Julia Blount Thacker, Amanda Catharine Johnson, John Clark Rowden, and Samuel Echals Rowden, only heirs at law of Isaac Curry Rowden and Sarah E. Rowden, of Hamilton County, Tenn.—to the Committee on War Claims.

By Mr. MORGAN: Paper to accompany House bill 11933, for the relief of William Abbott—to the Committee on War Claims.

Also, paper to accompany House bill 11931, for the relief of Ellen S. Allen—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Pennsylvania: Resolutions of Cigar Makers' Union No. 104, of Pottsville, Pa., favoring exclusion of the Chinese from the United States and their insular possessions—to the Committee on Foreign Affairs.

Also, resolution of Cigar Makers' Union No. 104, of Pottsville, Pa., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of the Engineers' Club, of Philadelphia, Pa., in favor of the Appalachian National Park—to the Committee on the Public Lands.

By Mr. POLK: Resolution of Federal Labor Union 9452, American Federation of Labor, of Lopez, Pa., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. RAY of New York: Petition of Iron Molders' Union of Binghamton, N. Y., favoring restriction of undesirable immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Carpenters' Union No. 233, Barbers' Union No. 156, of Binghamton, N. Y., and Cigar Makers' Union No. 121, of Ithaca, N. Y., favoring the exclusion of the Chinese—to the Committee on Foreign Affairs.

Also, petition of Bingham Lodge of Locomotive Firemen, New York City, Locomotive Firemen and Railroad Trainmen of Albany, Schenectady, East Sycamore, and Hornellsville, N. Y., and Division No. 378, Railway Conductors, of Washington, D. C., favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of Advance Grange, of Fremont, Ind., against the passage of a measure to reduce the duty on sugar—to the Committee on Ways and Means.

Also, resolution of Sheet Metal Workers' Union No. 156, of Fort Wayne, Ind., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. RUPPERT: Resolution of the board of education of New York City, urging an amendment to House bill 7640, relating to additional appointments to the United States Naval Academy—to the Committee on Naval Affairs.

By Mr. RUSSELL: Resolution of Iron Molders' Union No. 126, of Norwich, Conn., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. SHACKLEFORD: Paper to accompany House bill 11958, for the relief of Henry H. Windes—to the Committee on Invalid Pensions.

By Mr. SHALLENBERGER: Protest of A. F. Johnson and 11 other merchants of Bladen, Nebr., against the enactment of House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SHERMAN: Resolution of Bricklayers and Masons' Union No. 58, of Little Falls, N. Y., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. SNOOK: Resolution of Lithographers' International Beneficial Association No. 19, in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, petition of the Synod of Kansas, of the United Presbyterian Church, in opposition to liquor saloons and against the repeal of the anticanteen law—to the Committee on Military Affairs.

Also, petition of Piano and Organ Workers' Union No. 24, of Van Wert, Ohio, for the reenactment of the Chinese-exclusion law and favoring an educational test in the restriction of immigration—to the Committee on Foreign Affairs.

Also, resolution of the Kansas State Society of Labor and Industry, asking for the enactment of certain land legislation—to the Committee on the Public Lands.

Also, resolution of the city council of Atchison, Kans., in opposition to the construction by the Government of a Pacific cable—to the Committee on Interstate and Foreign Commerce.

By Mr. SPERRY: Resolution of Mansfield Post, No. 53, Grand Army of the Republic, Middletown, Conn., for the building of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. STEPHENS of Texas: Papers to accompany House bill 7075, granting a pension to C. A. Brighton—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 9302, granting a pension to W. J. and Mary J. Stewart—to the Committee on Pensions.

Also, papers to accompany House bill 11838, for the relief of Bianca L. Bell—to the Committee on the Public Lands.

Also, petitions of numerous citizens of Marlow, Ind. T., requesting the passage of House bill 11807, to open up land in Comanche County, Okla.—to the Committee on the Public Lands.

Also, papers to accompany House bill 10789, providing for alloting lands to the Chippewa Indians—to the Committee on Indian Affairs.

By Mr. THOMAS of Iowa: Resolution of Brotherhood of Locomotive Firemen of Clinton, and Railroad Trainmen of Cedar Rapids, Iowa, favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolutions of Steam Engineers' Union No. 22, of Sioux City, Iowa, favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Steam Engineers' Union No. 22, and Machinists' Union No. 178, Federation of Labor, of Sioux City, Iowa, favoring the construction of naval vessels at Government navy-yards—to the Committee on Naval Affairs.

By Mr. VAN VOORHIS: Petition of certain citizens of Wade, Washington County, Ohio, and resolutions adopted by the Brotherhood of Leather Workers on Horse Goods No. 55, of Marietta, Ohio, and Guernsey Valley Trade and Labor Assembly, of Cambridge, Ohio, favoring the passage of a law restricting immigration—to the Committee on Immigration and Naturalization.

Also, resolutions adopted by Subordinate Association No. 19 of the Lithographers' International Protective and Beneficial Association, Coshocton, Ohio, protesting against the passage of House bill 5777, to amend the law relating to copyright—to the Committee on Patents.

By Mr. WADSWORTH: Resolution of Niagara Frontier Union, No. 24, Tonawanda, N. Y., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolution of Lock City Lodge, No. 439, International Association of Machinists, Lockport, N. Y., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. WARNOCK: Petition of sundry veterans of the civil war, for pension legislation—to the Committee on Invalid Pensions.

Also, petition of R. W. Murphy and others, of Urbana City and Champaign County, Ohio, favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

By Mr. WOODS: Resolution of Team Drivers' International Union No. 85, of San Francisco, Cal., favoring House bill 9330, to exclude Chinese from competition with American workers—to the Committee on Foreign Affairs.

By Mr. WRIGHT: Resolutions of Amalgamated Sheet Metal Workers' Union No. 163, of Sayre, Pa., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. ZENOR: Petition of Russell Post, No. 354, of West Fork, Grand Army of the Republic, Department of Indiana, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolutions of Cigar Makers' Union No. 1902, of New Albany, Ind., in regard to immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Machinists' Union No. 192, of New Albany, Ind., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, papers to accompany House bill 3025, for the relief of Elizabeth McLain—to the Committee on Invalid Pensions.

SENATE.

SATURDAY, *March 1, 1902.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CLAY, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

SPECIAL POSTAL RATES.

The PRESIDENT pro tempore. A day or two since the Postmaster-General sent a communication with a large number of papers in response to the resolution touching certain periodical publications. It was referred to the Committee on Post-Offices and Post-Roads and, with the accompanying papers, ordered to be printed. On examination the Chair finds that the printing of the large number of charts would be very expensive and that there were also a large number of papers that were copyrighted. If there be no objection, he will regard that order as reconsidered and will require the printing only of the communication of the Postmaster-General, which is ample. If there be no objection, that order will be made.

BRIG HAPPY RETURN.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law and of the opinion of the court filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Happy Return*, Ezekiel Durfey, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

DANIEL B. KIMBALL AND JOHN ALPHIN.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Daniel B. Kimball and John Alphin *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. BERRY presented a petition of sundry citizens of Stuttgart, Ark., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. CLARK of Wyoming presented a petition of sundry citizens of Big Horn, Wyo., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. FOSTER of Washington presented a memorial of the Sailors' Union, of Seattle, Wash., remonstrating against the unrestricted immigration of Chinese merchants and other Chinese of mercantile pursuits; which was referred to the Committee on Immigration.

He also presented a petition of the Sailors' Union of Seattle Wash., praying for the reenactment of the Chinese-exclusion law which was referred to the Committee on Immigration.

Mr. HALE presented a petition of Oldtown Division, No. 11 Order of Railroad Telegraphers, of Gardiner, Me., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of restraining orders and injunctions in certain cases; which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Portland Me., praying for the enactment of legislation authorizing the President of the United States to appoint a commission to study and make full report upon the commercial and industrial conditions of China and Japan; which was referred to the Committee on Commerce.

He also presented a petition of the Board of Trade of Bangor, Me., praying for the enactment of legislation to establish a uniform system of bankruptcy throughout the United States; which was referred to the Committee on the Judiciary.

He also presented a petition of Columbus Lodge, No. 401, International Association of Machinists, of Brooklyn, N. Y., praying for the enactment of legislation authorizing the construction of

war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Phillips, Berwick, Freeport, Canton, and East Dixfield; of the Granite Cutters' National Union, of Hallowell; of Boot and Shoe Workers' Local Union No. 225, of Auburn, and of Paving Cutters' Local Union No. 10, of Hurricane, all of the American Federation of Labor, in the State of Maine, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. KEAN presented a petition of the Board of Trade of Newark, N. J., praying for the enactment of legislation to perfect the gold standard of the country; which was referred to the Committee on Finance.

He also presented a petition of Jersey Central Division, No. 307, Order of Railway Conductors of America, of Elizabeth, N. J., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented a memorial of Mullica Hill Grange, No. 51, Patrons of Husbandry, of Mullica Hill, N. J., remonstrating against the enactment of legislation providing for the irrigation of the arid lands of the West; which was ordered to lie on the table.

He also presented a petition of City Circle, No. 44, Brotherhood of the Union, of Trenton, N. J., praying for the enactment of legislation providing for the purchase of the Valley Forge encampment ground to be used as a national park; which was referred to the Committee on Military Affairs.

He also presented a petition of the New Jersey State Society of the Sons of the American Revolution, praying for the enactment of legislation to prohibit the desecration of the American flag; which was referred to the Committee on the Judiciary.

He also presented a petition of the New Jersey State Society of the Sons of the American Revolution, praying for the enactment of legislation providing for the erection of a suitable monument to mark the battlefield of Princeton, N. J.; which was referred to the Committee on the Library.

He also presented a petition of Metal Polishers, Buffers, and Platers' Local Union No. 44, American Federation of Labor, of Newark, N. J., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented the memorials of L. S. Sningle, of Orange; of Mrs. Emily H. Atkinson, of Moorestown; of Rev. C. L. Goodrich, of Plainfield, and of Rev. W. E. Honeyman, of Plainfield, all in the State of New Jersey, remonstrating against the management and control of vice by the board of health of Manila, P. I.; which were referred to the Committee on the Philippines.

He also presented petitions of Steam and Hot-Water Fitters' Association No. 40, of Newark; of the Cigar Makers' International Union No. 230, of Millville; of the Central Trade and Labor Council of Bridgeton, all of the American Federation of Labor; of Local Council No. 214, of Arlington; of Somerset Council, No. 104, of Plainfield, and of Sunset Council, No. 34, of Chatham, all of the Junior Order of United American Mechanics, in the State of New Jersey, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a memorial of the International Brotherhood of Electrical Workers, No. 3, of New York City, remonstrating against the enactment of legislation providing for the licensing of electrical constructors and workers and for the regulation of electrical wiring in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HOAR presented a petition of the Chamber of Commerce of Boston, Mass., praying for the adoption of certain amendments to Senate bills 1791 and 1792, relating to bills of lading; which was referred to the Committee on Commerce.

He also presented the petition of E. E. Hildreth, of Harvard, Mass., praying for the enactment of legislation to abolish the regulation of vice in our island possessions; which was referred to the Committee on the Philippines.

He also presented petitions of the Granite Cutters' National Union of Milford; of Boot and Shoe Workers' Local Union No. 40, of Milford; of Boot and Shoe Workers' Local Union No. 36, of Brockton, and of Carpenters and Joiners' Local Union No. 794, of Leominster, all of the American Federation of Labor, in the State of Massachusetts, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of Carpenters and Joiners' Local Union No. 780, American Federation of Labor, of Massachusetts, and a petition of Boot and Shoe Workers' Local Union No. 36, American Federation of Labor, of Brockton, Mass., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Worcester, Mass., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

Mr. TELLER. I present a memorial of the legislature of Colorado, asking that the good offices of the Government of the United States be offered for the reestablishment of peace in the Transvaal country. I suppose it ought to be inserted in the RECORD and referred to the Committee on Foreign Relations. I should like to state that I believe this memorial received the unanimous vote of the Colorado legislature.

The memorial was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

House resolution No. 10.

Whereas the traditions of our nation and the sentiments of our people, from the inception of our Government, have been most ardently in favor of any and all people struggling for liberty—as evidenced by our active sympathy, earnestly expressed in the cases of Poland, Hungary, Greece, and the South American republics; and

Whereas the present efforts of the South African Boer for the right of self-government enlist the sympathy of the leading nations of the world for their heroism and self-sacrifice and form a noble counterpart to our own endeavors of a century and a quarter ago for the same glorious object; and

Whereas the policy adopted with reference to the Boer women and children, whereby the latter are being pratically exterminated, is so pitiable that their condition appeals to the humanity of the world at large and constrains us to solemnly protest, in the name of Colorado, against such a policy which can be but an abiding sorrow amongst all civilized peoples for generations to come; and

Whereas the history of Great Britain has, in many ways been glorious and beneficial in its influence on mankind because of the justice, humanity, and mercy practiced by the English people, it seems that the cruelty now prevailing in South Africa must inevitaby detract from this noble heritage and breed distrust and alienation in the minds of people who have been and desire to be England's friends:

Therefore, in view of the critical situation and in the name of that justice, humanity, and mercy of which England has furnished the world so many noble examples, and in the name of millions of God's people who prize liberty, we appeal to our National Administration at Washington to tender the good offices of our Government in any dignified and consistent manner that will be conducive to peace between the South African republics and Great Britain, to the end that the British Government may be induced and persuaded to change its present policy and tender such terms of peace as will be alike honorable to itself and acceptable to the Boers and not inconsistent with their aspiration for liberty. And be it

Further resolved, That a copy of these resolutions, duly signed by the governor and attested by the secretary of state, be forwarded to the President of the United States and to the Senators and Representativeas in Congress from this State.

B. J. O'CONNELL,
Chairman of the Committee.
B. F. MONTGOMERY,
Speaker of the House.
WILLIAM J. HAMILTON,
Clerk of the House.

Approved this 20th day of February, A. D. 1902, at 9.20 o'clock a. m.

JAMES B. ORMAN,
Governor of the State.
[SEAL.]
DAVID A. MILLS,
Secretary of State.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Newfields, N. H., and a petition of the Woman's Christian Temperance Union of East Andover, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of Columbus Lodge, No. 401, International Association of Machinists, of Brooklyn, N. Y., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. FRYE presented a petition of the Merchants' Exchange and Board of Trade of Portland, Me., praying for the appointment of a commission to study the trade conditions in China; which was referred to the Committee on Commerce.

He also presented a petition of Oldtown Division, No. 11, Order of Railroad Telegraphers, of Gardiner, Me., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented the petition of A. F. Allen and 15 other citizens of East Dixfield, Me., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Merrill Post, No. 137, Department of Maine, Grand Army of the Republic, of Richmond, Me., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of Local Branch of Granite Cutters' Union, of Vinalhaven, Me., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a memorial of Columbus Lodge, No. 401, International Association of Machinists, of Brooklyn, N. Y., remonstrating against any extension of the present leave of absence to Government employees in navy-yards and arsenals; which was referred to the Committee on Naval Affairs.

He also presented a petition of Columbus Lodge, No. 401, International Association of Machinists, of Brooklyn, N. Y., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a memorial of sundry merchants, producers, and manufacturers of Manila, P. I., remonstrating against the imposition of a proposed prohibitive tariff on products of the Philippines; which was referred to the Committee on the Philippines.

CALIFORNIA STATE CLAIMS.

Mr. PERKINS. I present the affidavit of Hon. Truman Reeves, treasurer of the State of California, setting forth the amounts of money paid by that State between July 1, 1889, and January 1, 1902, as interest on money borrowed by that State by the sale of bonds issued under provisions of the acts of the State legislature, approved April 27, 1863, and April 4, 1864. I move that the affidavit be printed as a document, and referred to the Committee on Claims.

The motion was agreed to.

CREEK INDIAN LANDS.

Mr. COCKRELL. I ask unanimous consent to have a letter from the Secretary of the Interior, addressed to me, in regard to the Creek Indian lands, printed. I am getting a great many letters in regard to it, and it contains information that will be valuable to the public generally. I ask that it may be printed as a document. It consists of only two pages and it will cover merely one sheet.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri? The Chair hears none, and it is so ordered.

REPORTS OF COMMITTEES.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2046) granting an increase of pension to Thomas E. Sauls;

A bill (H. R. 3747) granting an increase of pension to William R. Underwood;

A bill (H. R. 6869) granting a pension to M. Callie Glover;

A bill (H. R. 8954) granting an increase of pension to Alfred N. Mosier; and

A bill (S. 3390) granting an increase of pension to Charles Allen.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 2379) granting an increase of pension to George W. Evans; and

A bill (S. 2976) granting an increase of pension to Edward Thompson.

Mr. BARD, from the Committee on Fisheries, to whom was referred the bill (S. 3989) to establish a fish-cultural station at or near the town of Mammoth Spring, in the State of Arkansas, reported it with an amendment, and submitted a report thereon.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 4748) authorizing the President of the United States to nominate Lieut. Commander R. M. G. Brown, now on the retired list, to be a commander on the retired list, reported it without amendment, and submitted a report thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. PRITCHARD introduced a bill (S. 4220) to amend section 4883 of the Revised Statutes, relating to the signing of letters patent for inventions; which was read twice by its title, and referred to the Committee on Patents.

He also (by request) introduced a bill (S. 4221) authorizing the Commissioners of the District of Columbia to extinguish a portion of an alley in square 189; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. ALDRICH introduced a bill (S. 4222) authorizing the appointment of John Russell Bartlett, a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. CULLOM introduced a bill (S. 4223) granting an increase of pension to John Rencher; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4224) granting an increase of pension to Benjamin F. Brockett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4225) fixing the date of the restoration to rank of Capt. Tenodor Ten Eyck; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MARTIN introduced a bill (S. 4226) to authorize the acquisition of certain parcels of real estate embraced in square No. 324 of the city of Washington to provide an eligible site for a mail bag and mail lock and repair shop; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BERRY introduced a bill (S. 4227) for the relief of J. C. Karr; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4228) for the relief of the estate of Houston Hixon;

A bill (S. 4229) for the relief of P. H. Nelson (with an accompanying paper);

A bill (S. 4230) for the relief of the estate of Nathan Perry (with an accompanying paper);

A bill (S. 4231) for the relief of the estate of Jonathan Amis (with an accompanying paper);

A bill (S. 4232) for the relief of the estate of A. K. Stewart, deceased (with an accompanying paper);

A bill (S. 4233) for the relief of William W. Small (with an accompanying paper);

A bill (S. 4234) for the relief of the estate of Hugh Brison (with an accompanying paper);

A bill (S. 4235) for the relief of Moab S. Smith or of the estate of said Moab S. Smith (with an accompanying paper);

A bill (S. 4236) for the relief of the estate of Mrs. Z. R. Tacker (with an accompanying paper); and

A bill (S. 4237) for the relief of the estate of Mrs. M. T. Ballentine, deceased (with an accompanying paper).

Mr. KITTREDGE introduced a bill (S. 4238) granting an increase of pension to Philo F. Englesby; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4239) granting an increase of pension to Oscar H. Prink; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 4240) granting a pension to Calvin N. Perkins; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4241) granting a pension to Eliza Houghton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER of Louisiana introduced a bill (S. 4242) for the relief of St. James Episcopal Church, of Rapides Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4243) for the relief of Kate T. McCulloch, estate of Mary Tucker McFarland, deceased, and estate of Nathan Trotter, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. CLAY introduced a bill (S. 4244) for the relief of the estate of William I. Way; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4245) for the relief of the heirs of Norman McDuffie; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 4246) to authorize the President to appoint Gen. A. S. Daggett to the grade of major-general in the United States Army on the retired list; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a joint resolution (S. R. 61) for the relief of Robert L. Lindsay; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CLAPP introduced a joint resolution (S. R. 62) to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota;* which was read twice by its title, and referred to the Committee on Naval Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. TELLER submitted an amendment authorizing the Secretary of the Interior to permit the use of the right of way through the allotted lands of the Southern Ute Indians in Colorado for irrigating ditches, etc., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PRITCHARD submitted an amendment proposing to increase the salary of the consul-general at Panama, Colombia, to

$5,000, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

IMITATION DAIRY PRODUCTS.

On motion of Mr. PROCTOR, it was

Ordered, That the hearings had upon the bill (H. R. 9206) relating to oleomargarine and other imitation dairy products, be printed as a document, and that 500 additional copies be printed for the use of the Senate.

ESTATE OF MORGAN C. HAMILTON.

Mr. CULBERSON. I present, by request, a resolution to be referred to the Committee on Privileges and Elections. In addition to what is implied by introducing the resolution by request, I desire to state that on my present understanding I am opposed to its passage; but I do not feel that I ought to decline to introduce it for the consideration of the committee and of the Senate.

The PRESIDENT pro tempore. The Senator from Texas, by request, presents a resolution; which will be read.

The resolution was read, and referred to the Committee on Privileges and Elections, as follows:

Resolved, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to Robert A. Smith, surviving executor of Morgan C. Hamilton, deceased, late a Senator from the State of Texas, $5,356.16, due him as a Senator of the United States from the 4th of March, 1869, to the 30th of March, 1870, to be paid from the miscellaneous items of the contingent fund of the Senate.

DOCUMENTS FOR SECRETARY'S OFFICE.

Mr. McMILLAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Superintendent of Documents be, and he hereby is, authorized and directed to issue to the Secretary of the United States Senate such Government publications as the Secretary of the Senate may find from time to time to be necessary for the use of his office.

POWERS OF PRESIDING OFFICER OF THE SENATE.

Mr. TURNER. Mr. President, yesterday I introduced a Senate resolution which I asked might lie on the table with a view of calling it up and submitting some remarks upon it on Monday. The Senator from Connecticut [Mr. PLATT] introduced a resolution applying, to some extent, to the same subject-matter, and had it referred to the Committee on Privileges and Elections. I have considered the matter since that time, and I have thought it best to ask that the resolution submitted by me be also referred to the Committee on Privileges and Elections.

The PRESIDENT pro tempore. Without objection, the resolution offered yesterday by the Senator from Washington will be referred to the Committee on Privileges and Elections.

Mr. TURNER. I wish to make a little further statement, Mr. President.

The Presiding Officer of this body, the present occupant of the chair, on last Thursday made a statement to the Senate concerning certain occurrences in the body that had taken place on the Monday previous, and at that time and in that statement took occasion to do me the high honor to apologize to me for having failed to put to the Senate an appeal from a decision of the Chair which I had claimed as a part of those proceedings.

The Senate at that time was about to proceed to the House of Representatives to join in the memorial services there, and that fact, together with an indisposition on my part to obtrude my personality on the Senate, prevented me at that moment from making acknowledgment of that very kindly and courteous act of the Presiding Officer.

I wish now to express to that officer and to the Senate my deep sensibility at that act, and to say that while I appreciate it very highly, it was wholly unnecessary from a personal point of view. I felt quite sure then, as I do now, that the Presiding Officer would feel disposed at all times to accord to me not only any right which I may have as a Senator, but any privilege or courtesy that his kindness might prompt one Senator to extend to another.

I am pleased to have the opportunity to make this acknowledgment in connection with the resolution which I have presented, because while it points at the action of the Presiding Officer and is in effect a declaration that that action was an excess of power, I wish that officer and the Senate to understand that the resolution was not drawn in any spirit of hostility to that officer. I am sure that there is nobody on this floor who has a higher personal regard for the distinguished Senator from Maine, who usually presides with so much fairness and so much ability over the proceedings of the Senate, than I have, or who would be less disposed to do any act which might offend in any way the sensibilities of a Senator.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. To what order does the Senator rise?

Mr. HALE. I did not know the Senator from Washington was through. We could not hear on this side what the Senator was saying.

PROTEST OF SENATOR B. R. TILLMAN.

The PRESIDENT pro tempore. Day before yesterday, when the Senator from Washington [Mr. TURNER] presented a protest which was spread on the Journal, the Senator from Massachusetts [Mr. HOAR] moved that it be referred to the Committee on Privileges and Elections, and the reference was declared; but the Senator from Georgia [Mr. BACON] interposed and asked that it might still be regarded as an open question. The Chair sees by the Journal that it was regarded as an open question, and nothing has been done with that motion.

Mr. BACON. In view of what has occurred, I desire to say a word on the question of the reference of the protest. While it may not now be material in this particular case, it is of some materiality as a matter of precedent.

Since the action to which the Chair has referred I have looked a little into the question, and, while I find no direct precedent, I think the general principles which should control us are as I shall now state. Where a protest relates exclusively to an act which has passed and has been concluded, and when it has been received by the Senate and spread upon the Journal, no motion to refer would be in order, because that is a finality. Nothing remains in such case to be done and there is no question to refer. Prior, however, to receiving the protest, it is in order to refer it, if there is any allegation that the protest is scandalous or disrespectful or untruthful. The Senate in that way would determine before spreading it upon the Journal whether it should be received.

Another class of protests, however, relate to acts which are continuing, and in those cases of course there is something remaining to be done. The act complained of is to be continued or abandoned. In such a case an order of reference is proper. In this particular case I now note what I had not an opportunity previously to note, because the protest was only presented and had not then been read, that the protest by the senior Senator from South Carolina was against a continuing order, and I think that in consequence the motion to refer is in order. I only make this statement now in view of the fact that I interrupted the proceedings when the motion to refer was made, and it is due to myself that I state the reasons and conclusions at which I arrived.

The PRESIDENT pro tempore. Then, without objection, the motion made by the Senator from Massachusetts [Mr. HOAR] will be regarded as agreed to, and the reference will be made.

OMNIBUS CLAIMS BILL.

Mr. BERRY. If morning business is over, I should like to ask unanimous consent to have a bill which was reported this morning passed.

The PRESIDENT pro tempore. The Chair, under the unanimous consent given yesterday, must lay before the Senate the bill known as the omnibus claims bill.

Mr. BERRY. Then I will not ask the Senate to interfere with the regular order. I did not know that a special arrangement of that kind had been made.

The PRESIDENT pro tempore. The Chair lays House bill 8587 before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8587) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act.

The PRESIDENT pro tempore. The Secretary will continue the reading of the amendment reported by the Committee on Claims as a substitute for the bill after line 9 on page 1.

The Secretary resumed the reading of the amendment at line 6, on page 117, and concluded the reading, as follows:

To William A. Starkweather, of the State of Oregon, the sum of $2,170, being the amount paid by him to Owen Wade for clerk hire in the United States land office at Oregon City while the said Starkweather was register of said land office.

To T. and A. Walsh, of New York City, $823.55, for materials lost and damages sustained on account of an accident which occurred August 8, 1896, to the caisson of dry dock No. 2 at the navy-yard, Brooklyn, N. Y., as estimated and determined by a board of officers of the Navy directed to investigate and report thereupon, the board having found that the damages were not due to any negligence on the part of Messrs. T. and A. Walsh.

To Winslow Warren, of Boston, Mass., the sum of $500, for services rendered by him under order of the circuit court of the United States for the district of Massachusetts.

To George W. Weston, late postmaster of Exeter, N. H., the sum of $281.21, said amount being the balance due said George W. Weston for moneys deposited in the National Granite State Bank, of Exeter, N. H., during the month of July, 1893, and immediately preceding the failure of the said National Granite State Bank.

FOR INVESTIGATION AND SETTLEMENT.

That the Secretary of the Treasury be, and he hereby is, directed to pay to Joseph W. Carmack, late of Company A, Sixth Missouri Cavalry, out of any money in the Treasury not otherwise appropriated, the pay and allowances of a first sergeant of cavalry from the 1st day of May, 1862, to the 30th day of September, 1862, less any pay received by him during such period.

That the Secretary of the Treasury is hereby authorized and directed to reimburse the survivors of the officers and crew of the U. S. revenue cutter *Gallatin*, wrecked off the coast of Massachusetts on the 6th day of January, 1892, for losses sustained by them, respectively, in the wreck of said

vessel; and there is hereby appropriated a sum sufficient for carrying out the purposes of this act: *Provided*, That the Secretary of the Treasury, in determining the amount of such losses, shall in all cases require a schedule and sworn statement of loss, and that no allowance shall be made for any property except that which was useful, necessary, and proper for said officers and crew while engaged in the Government service on board such revenue cutter; that if any survivor of said wreck entitled to the benefit of this act shall have died before receiving the reimbursement herein provided for, then such sum, when duly ascertained, shall be paid to his widow, if one survive him, and if not, then to his minor children, if any there be; and the benefit of this act is further extended to the surviving widow or minor children of any officer or member of the crew of said revenue cutter *Gallatin* whose life was lost at the time of such wreck, and in this case the Secretary of the Treasury may dispense with the sworn statement provided for in this act.

That the accounting officers of the Treasury Department be, and hereby are, authorized and directed to pay to Ezra S. Havens, late captain of Company G, Eighteenth Regiment Missouri Volunteer Infantry, the pay and allowances of a captain of infantry in the late volunteer service from the 11th day of March, 1862, to the 2d day of February, 1863.

To the legal representatives of John H. Jones, formerly of Alliance, Ohio, deceased, and the legal representatives of Thomas D. Harris, formerly of Pittsburg, Pa., deceased, formerly partners engaged in the manufacture of iron at Loudon, Tenn., under the firm name of Jones & Harris, such amount as may be found due them on account of rolling mill, stock, manufactured iron, and other property captured from said firm by the Confederate forces and afterwards recaptured by the Army of the United States and converted to the use thereof; and the Secretary of War is hereby authorized and directed to ascertain what part of such property actually came into the possession of and was consumed or used by the United States or under the military authorities thereof and what part thereof was returned to the said Jones & Harris, and the value of what was so received, taken, and used, and what was returned, and what amount or balance is justly due on account thereof; and the amount when so ascertained and paid to the legal representatives of John H. Jones and Thomas D. Harris shall be in full satisfaction of this claim.

That the proper accounting officers be, and they are hereby, directed to settle and adjust to Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean, all back pay and emoluments that would have been due and payable to the said Nathaniel H. McLean as a major from July 23, 1864, to the date of his reinstatement, March 3, 1875, and that the amount found due by said adjustment is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

That the Secretary of the Treasury be, and he is hereby, directed to refund to the Merchants and Miners' Transportation Company, of Baltimore, Md., out of any money in the Treasury not otherwise appropriated, the amount of the earnings by the steamships *Ben de Ford* and *S. R. Spaulding* deducted from the purchase money thereof at the time said vessels were taken possession of by the United States; that in addition thereto there shall be refunded to the said company, and in the manner aforesaid, the difference between the market value of said steamships when sold at public sale by the United States and the arbitrary valuation paid at the time of said seizure and enforced purchase.

That the Secretary of the Treasury, through the accounting officers of the Treasury Department, is hereby authorized and directed to audit and pay, out of any money in the Treasury not otherwise appropriated, the claim of George A. Orr as acting assistant provost-marshal at Mount Vernon, Mo., from May 28, 1863, to January 30, 1864, at the rate of $100 per month for his services, and such sum for legitimate expenses during said period as may be shown and found to have been actually expended by him in the lawful discharge of his duties and necessary for the public service.

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons, or their legal representatives, respectively, such amounts as shall be shown to the satisfaction of the Commissioner of Internal Revenue to have been paid by them, or by the firms they respectively represent, as tax on distilled spirits in excess of the quantity withdrawn by them from warehouse: *Provided*, That the amount paid to each shall not exceed the sums hereinafter stated, that is to say:

To George F. Roberts, administrator of the estate of William B. Thayer, deceased, surviving partner of Thayer Brothers, the sum of $10,790.32; to Silas Q. Howe, surviving partner of William T. Pate & Co., the sum of $19,662.19; to Henry W. Smith, surviving partner of T. & J. W. Gaff & Co., the sum of $14,062.50, the said payments being a refund of taxes exacted and paid on distilled spirits in excess of the quantity withdrawn by them from the United States bonded warehouse between July 1 and December 31, 1864.

FOR REFERENCE TO COURT OF ADMIRALTY.

That the claim against the United States of the Brooklyn Ferry Company, of New York, a corporation organized and existing under the laws of the State of New York, with its principal place of business in the borough of Brooklyn, city of New York, owner of the ferryboat *New York*, for damages caused by collision between the said ferryboat and the United States steamer *Dolphin*, in the East River, near Brooklyn, on the 1st day of August, 1899, may be sued for by the said ferry company in the United States district court for the eastern district of New York, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such a suit and to enter a judgment or decree for the amount of such damages, if any shall be found to be due, against the United States in favor of the said ferry company, upon the same principles and measure of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney-General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney-General to cause the United States attorney in such district to appear for and defend the United States: *Provided further*, That should damages be found to be due the said ferry company, the amount of a final decree therefor shall be paid out of any money in the United States Treasury not otherwise appropriated.

That the claim of the owners of the British steamship *Foscolia*, sunk by collision with the United States steamship *Columbia* on the evening of May 28, 1898, near Fire Island light-ship, for and on account of the loss of said vessel and cargo, may be submitted to the United States district court for the southern district of New York, under and in compliance with the rules of said court sitting as a court of admiralty; and said court shall have jurisdiction to hear and determine and to render judgment thereupon: *Provided, however*, That the investigation of said claim shall be made upon the following basis: First, the said court shall find the facts attending the loss of the said steamship *Foscolia* and her cargo; and, second, if it shall appear that the responsibility therefor rests with the United States steamship *Columbia*, the court shall then ascertain and determine the amounts which should be paid to the owners, respectively, of the *Foscolia* and her cargo, in order to reimburse them for the losses so sustained, and shall render a decree accordingly: *Provided further*, That the amounts of the losses sustained by the master, officers, and crew of the *Foscolia* may be included in such decree.

SEC. 2. That should such decree be rendered in favor of the owners of the *Foscolia* and her cargo, the amount thereof may be paid out of any money in the Treasury not otherwise appropriated.

FOR REFERENCE TO COURT OF CLAIMS.

That the claim of Anna M. Colman, widow and sole legatee of Charles D. Colman, deceased, against the United States, on account of the seizure by the United States of certain moneys and securities in St. Louis, Mo., about February, 1865, held by the bailee as a special deposit theretofore made by said Charles D. Colman, be, and is hereby, referred to the Court of Claims; and jurisdiction is hereby vested in said court to hear and determine said cause and to render judgment for such amount as the court may find due the claimant, with the right of appeal to both parties; and the statute of limitations shall not apply to the right of recovery by said claimant.

That full jurisdiction is hereby conferred upon the Court of Claims to hear and determine the claim of the personal representatives of William Kiskadden, deceased, against the United States, for $21,000, growing out of the alleged destruction of and damage to 128 head of horses and mules, 32 wagons, and 64 sets of harness belonging to the said William Kiskadden, resulting from the use of said teams under a contract made by the Government to the said William Kiskadden to transport the First Regiment of Colorado Volunteers from the city of Denver, Colorado Territory, to Fort Union, Territory of New Mexico, between the 22d day of February, 1862, and the 28th day of March, 1862, notwithstanding the lapse of time since such alleged destruction and damage. That upon petition being filed in said court, in accordance with the rules of said court, within six months from the passage of this act, by the personal representatives of said William Kiskadden, the court is authorized and directed to determine the merits of said claim, and to render judgment for the sum, if any, found due the personal representatives of said William Kiskadden, because of such destruction and damage to said horses, mules, wagons, and harness, with right to either party to appeal to the United States Supreme Court; and in the trial of said cause the affidavits on file in the War Department shall be received as competent evidence, and the finding of a board of survey (supervisors) convened at Camp Slaugh, March 14, 1862, that 36 of said animals, worn out and broken down from severe driving and want of forage, were abandoned before reaching Fort Union, if such finding be shown, shall be deemed and taken to be prima facie proof of the fact of such abandonment and loss: *Provided*, That in case judgment shall be rendered against the United States, the Secretary of the Treasury shall be, and he is hereby, authorized and directed to pay the personal representatives of said William Kiskadden whatever sum shall be adjudged by the court to be due, out of any money in the Treasury not otherwise appropriated.

That the legal representatives of Chauncey M. Lockwood be, and they are hereby, authorized to commence their suit in the Court of Claims of the United States for extra mail service on route numbered 16,637, extending from Salt Lake City, Utah, to The Dalles, Oreg.; and the Court of Claims shall have jurisdiction to adjudicate the same upon the basis of justice and equity, and to render a final judgment therein for the value of such extra mail service performed as aforesaid; and from any judgment that may be rendered in said cause either party thereto may appeal to the Supreme Court of the United States; and the bar of the statute of limitations shall not avail in such cases.

That jurisdiction is hereby conferred on the Court of Claims to hear and determine the claim of Rinaldo P. Smith, of Baltimore, Md., against the Government of the United States on account of the sale, purchase, or occupation by the Government, through its internal-revenue office or others, of certain real estate of one George J. Stephens, in Greene County, Va., upon which the late firm of Smith, Ellett & Co., now represented by Rinaldo P. Smith, had a prior lien, and the right of the Government to plead the statute of limitations in bar of said claim is hereby waived: *Provided*, That said claimant file his petition within sixty days from the passage of this act in said Court of Claims, either at law or in equity as he may deem the rights of his case shall require; and the Government shall, upon notice served according to the rules and practice of said court, appear and defend against said suit, and the same shall proceed to final hearing and judgment, with the right of appeal to the Supreme Court of the United States by either party, as provided by law.

COURT OF CLAIMS FOR LIGHT DRAFTS.

That the claims for further compensation for the construction of the ironclad monitors *Shawnee*, *Modoc*, *Suncook*, *Yazoo*, *Casco*, *Sandusky*, *Marietta*, *Waxsaw*, and *Canonicus*, and of the turrets of the ironclad monitors *Monadnock* and *Agamenticus*, may be submitted severally by the contractors or their legal representatives within one year after the passage of this act to the Court of Claims, under and in compliance with the rules and regulations of said court, and said court shall have jurisdiction to hear and determine and render judgment upon the same: *Provided, however*, That the investigation of said claims shall be made upon the following basis: The court shall ascertain and allow the additional cost which was necessarily incurred by the contractors for building the ironclad monitors *Shawnee*, *Modoc*, *Suncook*, *Yazoo*, *Casco*, *Sandusky*, *Marietta*, *Waxsaw*, and *Canonicus*, and of the turrets of the ironclad monitors *Monadnock* and *Agamenticus*, in the completion of the same, by reason of any changes or alterations in the plans and specifications required, and delays in the prosecution of the work: *Provided further*, That such additional cost in completing and such changes or alterations in the plans and specifications required and delays in the prosecution of the work were occasioned by the Government of the United States; but no allowance for any advance in the price of labor or material shall be considered unless such advance could not have been avoided by the exercise of ordinary prudence and diligence on the part of the contractors: *And provided further*, That the compensation fixed by the contractors and the Government for specific alterations in advance of such alterations shall be conclusive as to the compensation to be made therefor: *Provided*, That such alterations, when made, complied with the specifications of the same as furnished by the Government aforesaid: *And provided further*, That all moneys paid to said contractors by the Government over and above the original contract price for the building of said vessels shall be deducted from any amounts allowed by said court by reason of the matters hereinbefore stated: *And provided further*, That if any such changes caused less work and expense to the contractors than the original plans and specifications, a corresponding deduction shall be made from the contract price, and the amount thereof shall be deducted from any allowance which may be made by said court to said claimants.

LIMITATION.

In case of the death of any claimant, or death or discharge of any executor or administrator of any claimant herein named, then payment of such claim as herein provided shall be made to the legal representatives: *Provided*, That where a claimant is dead the administrator, executor, or legal representative shall file a certified copy of his bond, which bond must be at least equal in amount to the sum hereby appropriated: *And provided further*, That in all cases where the original claimants were adjudicated bankrupts the payments shall be made to the next of kin instead of to assignees in bankruptcy; but these provisions shall not apply to payments in the cases of the French spoliation claims, which shall be made as heretofore prescribed in this bill.

Mr. WARREN. I ask to have the matter which I send to the desk added at the end of the amendment.

The PRESIDENT pro tempore. The amendment to the amendment will be read.

The SECRETARY. It is proposed to add at the end of the amendment:

Wherever under this bill it is provided that a payment be made to an executor or administrator, whether original or ancillary or de bonis non, and such executor or administrator is dead or no longer holds his office, the payment shall be made to the successor therein, his title to hold such office being established to the satisfaction of the Secretary of the Treasury.

The amendment to the amendment was agreed to.

Mr. WARREN. I ask the clerks to turn to the amendment at page 109, beginning at line 21, the paragraph which was passed over.

The PRESIDENT pro tempore. The paragraph of the amendment which was passed over will be read.

The Secretary read as follows:

To Elias E. Barnes, the sum of $3,457.26, in full of all claims and demands, the amount found due the said Elias E. Barnes by referees acting under appointment of the then Secretary of the Interior, and the said amount being the loss and damage sustained by said Elias E. Barnes by reason of the failure on the part of the United States to keep a contract made and entered into with him by the United States of America April 21, 1888, for putting in a concrete foundation for the Library building in the city of Washington.

Mr. WARREN. In lines 21 and 22, being the first and second lines of the paragraph, I move to strike out "$3,457.26" and to insert in lieu thereof "$14,548.25."

The amendment to the amendment was agreed to.

Mr. WARREN. On page 118, after line 6, I move to insert the amendment to the amendment which I send to the desk. It was left out through a misunderstanding.

The SECRETARY. On page 118, after line 6, insert:

To the heirs of W. T. Scott and to William Umdenstock, of Harrison County, Tex., or to their heirs or legal representatives, the sum of $2,750 each, that being the amount erroneously paid by W. T. Scott and William Umdenstock severally into the Treasury of the United States on the 17th day of September, 1881, in compromise of a judgment recovered against them as sureties on the official bond of Davis B. Bonfoey, late collector of internal revenue for the fourth district of Texas, in the circuit court of the United States for the western district of Texas on the 11th day of December, 1873, in a cause numbered 1037, wherein the United States were plaintiffs and W. T. Scott and others defendants; and the sum of $5,500 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and made immediately available for said purpose.

The amendment to the amendment was agreed to.

Mr. WARREN. On page 65, line 8, in the name "George E. Sill," I move to strike out "E" and insert "G;" so as to read "George G. Sill."

The amendment to the amendment was agreed to.

Mr. WARREN. On page 93, line 2, I move to make the same correction in the same name, striking out the initial "E" and inserting "G;" so as to read "George G. Sill."

The amendment to the amendment was agreed to.

Mr. WARREN. That completes the corrections of the amendment which the committee desired to have made.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the Committee on Claims as amended.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

Mr. PLATT of Connecticut. Mr. President, yesterday when the amendment was being read the Senator from Massachusetts [Mr. HOAR] called attention to some cases where the payment was made to an administrator by name and the administrator might have died. Has there been any correction made on that point?

Mr. WARREN. I presume the Senator was not in the Chamber when I sent that amendment to the desk. If the Senator would like, it can be read again. It is the amendment that I placed at the end of the amendment.

Mr. PLATT of Connecticut. I was inquiring whether that had been fixed.

Mr. WARREN. It has been fixed.

Mr. PLATT of Connecticut. I know two or three cases where claims had been reported in favor of administrators and the administrators died before the claims had been paid. I wanted to know whether that change had been made.

Mr. WARREN. That amendment to the amendment has been adopted.

Mr. BATE. That same amendment was agreed upon by the committee, and it was acted on by the Senate a few minutes ago.

The PRESIDENT pro tempore. It has been disposed of. Are there further amendments to the amendment as in Committee of the Whole?

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time. The bill was read the third time, and passed.

The title was amended so as to read: "A bill for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes."

PROTECTION OF THE PRESIDENT.

Mr. GALLINGER. Mr. President, I ask unanimous consent that thirty minutes be now given to the consideration of unobjected pension bills on the Calendar and bills to correct the record of soldiers.

Mr. HOAR. I ask the Senator from New Hampshire to permit me, in pursuance of the notice I gave yesterday, to move to take up Senate bill 3653, and I will then yield for the half hour.

Mr. GALLINGER. I shall be pleased to do so.

Mr. HOAR. I move to take up the bill.

The PRESIDENT pro tempore. The Senator from Massachusetts moves to proceed to the consideration of the bill, which will be read by its title.

The SECRETARY. A bill (S. 3653) for the protection of the President of the United States, and for other purposes.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Massachusetts to proceed to the consideration of the bill.

The motion was agreed to.

Mr. HOAR. I now ask unanimous consent that this bill be temporarily laid aside for thirty minutes for the purpose suggested by the Senator from New Hampshire.

Mr. BACON. I understood the Senator to move that we go to the Calendar. I did not know that any unanimous consent was asked to take up that bill.

Mr. HOAR. It was not unanimous consent that was asked, but the ordinary motion was made.

The PRESIDENT pro tempore. The motion was made.

Mr. HOAR. In the ordinary form.

Mr. BACON. I do not think Senators on this side heard the motion or knew of it. I did not.

Mr. HOAR. Does the Senator from Georgia object to taking up the bill?

Mr. BACON. I do. I object to taking it up for this simple reason, and no other. It is certainly a most important matter and Senators on this side of the Chamber outside of those of us who serve on the Judiciary Committee have had no time to look into it whatever, and I am quite sure that they are not prepared to proceed with the consideration of the bill.

Mr. HOAR. Mr. President, I do not wish to press a bill unduly in opposition to such a suggestion by my honorable friend from Georgia, but this bill has been reported for several weeks. At the time I reported it I gave notice that I would move to take it up early, and I gave like notice yesterday or the day before. I do not believe there will be a time when the Senate will be any better prepared to take it up than now, but I do not want to press it unduly.

Mr. PLATT of Connecticut. The very importance of the measure furnishes the reason for its consideration.

Mr. HOAR. Yes; it is very important.

Mr. BACON. The Senator will pardon me. Of course we recognize the fact that this bill is a measure of importance and one which challenges the attention of the country. It is bound to be considered at an early date.

Mr. HOAR. Perhaps since the bill has been taken up the Senator will allow it to resume its place at the end of the half hour. I wish to make a very few remarks upon it, not over five or ten minutes, but if after that no Senator is ready to proceed with the discussion, I shall not force it further.

Mr. BACON. I have no objection to that course, provided the Senator will recognize the same rule——

Mr. HOAR. I will not force a vote on it.

Mr. BACON. So that ample time is given for the discussion of it. That is all I desire.

Mr. HOAR. Very well.

CONSIDERATION OF PENSION BILLS, ETC.

The PRESIDENT pro tempore. The Senator from New Hampshire [Mr. GALLINGER] asks unanimous consent that thirty minutes be given to the consideration of unobjected pension cases and bills for the correction of military records. Is there objection? The Chair hears none, and the order is made.

Mr. HALE. Will the Senator from New Hampshire yield to me for a moment?

Mr. GALLINGER. I yield to the Senator from Maine and to other Senators who have morning business to transact.

PROCEEDINGS OF SCHLEY COURT OF INQUIRY.

Mr. HALE. I ask unanimous consent for a reconsideration of the vote by which on yesterday the amendment of the House of Representatives to the concurrent resolution of the Senate providing for printing the proceedings of the Schley Court of Inquiry were referred to the Committee on Printing, and then that the matter lie on the table.

The PRESIDENT pro tempore. The Senator from Maine asks that the action of yesterday by which the resolution in relation to the printing of the proceedings of the Schley Court of Inquiry was

referred to the Committee on Printing be reconsidered. Is there objection? The Chair hears none. Now, what does the Senator desire?

Mr. HALE. Let the resolution and the amendments lie on the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DESECRATION OF THE AMERICAN FLAG.

Mr. BURROWS. I move that there be printed as a document the hearings before the Committee on Military Affairs touching the bills to prohibit the desecration of the American flag, and that 500 extra copies be printed for the use of the committee. The hearings were not long, and it will make only a small document.

The motion was reduced to the form of an order, and agreed to, as follows:

Ordered, That the hearings had before the Committee on Military Affairs upon the bills (S. 226, S. 229, S. 596, S. 1220, and S. 2504) to prevent the desecration of the American flag, be printed as a document, and that 500 additional copies be printed for the use of the Committee on Military Affairs.

SENATORS FROM SOUTH CAROLINA.

On motion of Mr. HOAR, it was

Ordered, That the report of the Committee on Privileges and Elections (No. 574) presented in the Senate on Friday, February 28, 1902, relative to the altercation and personal encounter between the Senators from South Carolina during the open session of the Senate on the 22d day of February instant, including the views of the minority on the committee and of certain other members, and all the proceedings in the Senate had thereon, be printed as a Senate document.

JOSHUA H. BUCKINGHAM.

The PRESIDENT pro tempore. The first bill on the Calendar under the order of the Senate will be announced.

The bill (H. R. 1198) granting a pension to Josiah H. Buckingham was announced as first in order; and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Pensions with an amendment, in line 5, after the words "name of," to strike out "Josiah" and insert "Joshua;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joshua H. Buckingham, late of Company C, Twenty-fifth Regiment Missouri Volunteer Infantry, and to pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Joshua H. Buckingham."

AARON M. APPLEGATE.

The bill (H. R. 7623) granting a pension to Aaron M. Applegate was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Aaron M. Applegate, late pilot U. S. S. *Baltic*, of the Mississippi Marine Brigade, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH O. FIELDS.

The bill (H. R. 2561) granting a pension to Sarah O. Fields was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah O. Fields, former wife of Pleasant Fields, late of Company A, Sixty-seventh Regiment Indiana Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGIE JOSEPHINE WALCOTT.

The bill (S. 2287) granting an increase of pension to Georgie Josephine Walcott was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments; in line 7, before the word "Infantry," to insert "Regiment United States;" in line 8, before the word "and," to strike out "United States Army," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Georgie Josephine Walcott, widow of William H. Walcott, late captain, Seventeenth Regiment United States Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

Mr. GALLINGER. Mr. President, I offer a further amendment to that bill. I move that the words which I send to the desk be inserted at the end of the bill.

The PRESIDENT pro tempore. The Secretary will read the amendment.

The SECRETARY. At the end of the bill it is proposed to insert:

Provided, That in the event of the death of the invalid and dependent son of said Georgie Josephine Walcott the pension of the beneficiary under this bill shall be reduced to the rate of $30 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEROY S. SMITH.

The bill (S. 3187) granting an increase of pension to Leroy S. Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Leroy S. Smith, late of Company A, Sixth Regiment New York Volunteer Cavalry, and first lieutenant Company G, Fourteenth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY SWEENEY.

The bill (S. 3660) granting a pension to Mary Sweeney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Sweeney, widow of Christopher Sweeney, late of Company G, Twentieth Regiment Illinois Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PENROSE W. REAGAN.

The bill (H. R. 1939) granting an increase of pension to Penrose W. Reagan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Volunteer," to insert "Reserve;" and in the same line, before the word "Infantry," to strike out "Reserve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Penrose W. Reagan, late of Company K, Fourth Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SARAH BOWERS.

The bill (H. R. 428) granting a pension to Sarah Bowers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twelve" and insert "eight;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Bowers, widow of Joseph R. Bowers, late captain Company F, Third Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of $8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MARY V. WALKER.

The bill (S. 3577) granting an increase of pension to Mary V. Walker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Company," to strike out the letter "C" and insert "H," and in line 9, before the word "dollars," to strike out "twenty-five" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary V. Walker, widow of William H. Walker, late captain Company H, Twentieth Regiment Massachusetts Volunteer Infantry, and pay her a pension of $20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY WOLCOTT KILBURN.

The bill (S. 3585) granting an increase of pension to Mary Wolcott Kilburn was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Wolcott Kilburn, widow of Charles L. Kilburn, late colonel and assistant commissary-general of subsistence, United States Army, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM EUGAS.

The bill (H. R. 4115) granting an increase of pension to William Eugas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Eugas, late of Company F, Fiftieth Regiment Missouri Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADELAIDE G. HATCH.

The bill (S. 3320) granting an increase of pension to Adelaide G. Hatch was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adelaide G. Hatch, widow of John P. Hatch, late colonel Second Regiment United States Cavalry and brigadier-general United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCES GURLEY ELDERKIN.

The bill (S. 3743) granting an increase of pension to Frances Gurley Elderkin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "colonel," to insert "and assistant commissary-general of subsistence;" and in line 9, before the word "dollars," to strike out "fifty" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances Gurley Elderkin, widow of William Anthony Elderkin, late colonel and assistant commissary-general of subsistence, United States Army, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TORGUS HARALDSON.

The bill (S. 1264) granting an increase of pension to Torgus Haraldson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Torgus Haraldson, late of Company E, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDIA STEWART.

The bill (S. 3021) granting a pension to India Stewart was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "and," to insert "war with Spain," and in line 9, before the word "dollars," to strike out "forty-eight" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of India Stewart, mother of John S. Stewart, late captain Company A, First Regiment Colorado Volunteer Infantry, war with Spain, and pay her a pension at the rate of $20 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM HOAG.

The bill (S. 2327) granting an increase of pension to William Hoag was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Hoag, late of Company F, First Regiment New York Volunteer Marine Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET DUNN.

The bill (S. 2938) granting an increase of pension to Margaret Dunn was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Dunn, widow of Joseph Dunn, late of Battery E, Third Regiment United States Artillery, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES J. CLARK.

The bill (S. 3612) to remove the charge of desertion from the military record of Charles J. Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of Charles Josiah Clark, deceased, late of Company B, Fortieth Ohio Infanty Volunteers, and insert in lieu thereof that he was absent without leave from the 16th day of December, 1862, until the 31st day of August, 1863, and grant him an honorable discharge.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LOUISE WARD.

The bill (S. 2082) granting an increase of pension to Louise Ward was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of the" and insert "captain," and in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louise Ward, widow of George S. L. Ward, late captain, Twenty-second Regiment United States Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WRIGHT H. AUCHMOODY.

The bill (H. R. 5957) granting an increase of pension to Wright H. Auchmoody was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wright H. Auchmoody, late of Company I, Fifty-sixth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER CONNELL.

The bill (S. 1881) to correct the military record of Peter Connell was considered as in Committee of the Whole. It directs the

Secretary of War to remove the charge of desertion now appearing on the records on file in the War Department against Peter Connell, late a private of Company E, One hundred and first Regiment Pennsylvania Infantry Volunteers, and to grant him an honorable discharge as of May 31, 1862.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARTHA R. OSBOURN.

The Senate resumed the consideration of the bill (S. 2802) granting a pension to Martha R. Osbourn.

The PRESIDENT pro tempore. The amendments to this bill have already been agreed to. The question now is simply on the engrossment, third reading, and passage of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FREDERICK E. ROGERS.

The bill (S. 3704) granting an increase of pension to Frederick E. Rogers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name Frederick E. Rogers, late of Company D, Thirteenth Regiment Massachusetts Volunteer Infantry, and second lieutenant Company A, Fifty-fourth Regiment Massachusetts (colored) Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

Mr. GALLINGER. I move to amend the amendment of the committee by inserting what I send to the desk.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. It is proposed to amend the amendment of the committee in line 10, before the word "dollars," by striking out "twenty-four" and inserting "thirty."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

G. G. MARTIN.

The bill (S. 4124) for the relief of G. G. Martin was considered as in Committee of the Whole. It directs the Secretary of War to issue to G. G. Martin, late lieutenant-colonel First United States Colored Troops, an honorable discharge as of the date he left the service.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES C. DUDLEY.

The bill (S. 4095) granting an increase of pension to Charles C. Dudley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles C. Dudley, late of Company D, Sixth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT S. WOODBURY.

The bill (S. 3910) granting an increase of pension to Robert S. Woodbury was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert S. Woodbury, late of Company L, First Regiment New Hampshire Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SILAS H. CRONK.

The bill (H. R. 969) granting a pension to Silas H. Cronk was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Silas H. Cronk, late of Company B, One hundred and fiftieth Regiment New York Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY N. TRACY.

The bill (H. R. 668) granting an increase of pension to Henry N. Tracy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry N. Tracy, late of Company F, Ninth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. PIERCE.

The bill (H. R. 3412) granting an increase of pension to William H. Pierce was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Pierce, late of Company G, Second Regiment Rhode Island Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM M. STROPE.

The bill (H. R. 1808) granting an increase of pension to William M. Strope was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William M. Strope, late of Company L, Seventh Regiment New York Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HIRAM CRONK.

The bill (H. R. 1796) for the relief of Hiram Cronk was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hiram Cronk, late of Capt. Edmund Fuller's company, New York Volunteers, war of 1812, and to pay him a pension of $25 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Hiram Cronk."

FRANCIS M. GILMAN.

The bill (H. R. 2219) granting an increase of pension to Francis M. Gilman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis M. Gilman, late musician of the Fourth Regiment Maine Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS W. ROBINSON.

The bill (H. R. 8306) granting an increase of pension to Thomas W. Robinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas W. Robinson, late of Company G, Sixth Regiment Iowa Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. EDMONDS.

The bill (H. R. 1852) granting an increase of pension to James A. Edmonds was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Edmonds, late of Company H, Eighth Regiment New York Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN GAGAN.

The bill (H. R. 3688) granting an increase of pension to John Gagan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Gagan, late of Company B, Twenty-eighth Regiment Connecticut Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANGELINE MURRAY.

The bill (H. R. 8304) granting an increase of pension to Angeline Murray was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Angeline Murray, widow of John B. Murray, late colonel One hundred and forty-eighth Regiment New York Volunteer Infantry, and to pay her a pension of $30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AARON C. BADGER.

The bill (H. R. 9670) granting an increase of pension to Aaron C. Badger was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Aaron C. Badger, late of Company A, Fifteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EVA H. M'COLLEY.

The bill (H. R. 7237) granting an increase of pension to Eva H. McColley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eva H. McColley, widow of Jacob M. McColley, late of Company B, Thirty-third Regiment Iowa Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES D. ELDERKIN.

The bill (H. R. 3422) granting an increase of pension to James D. Elderkin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James D. Elderkin, late fife major, Fifth Regiment Michigan Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CARLIN HAMLIN.

The bill (S. 2625) granting an increase of pension to Carlin Hamlin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Carlin Hamlin, late of Company I, Sixty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MAHLON C. MOORES.

The bill (H. R. 8541) granting an increase of pension to Mahlon C. Moores was considered as in Committee of the Whole. It proposes to place on the pension roll the name Mahlon C. Moores, late first lieutenant Company H, One hundred and eightieth Regiment Ohio Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

Mr. GALLINGER. I move the amendment which I send to the desk.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. It is proposed, in line 8, before the word "dollars," to strike out the word "forty" and insert "twenty-five."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JAMES F. CHARLESWORTH.

The bill (H. R. 2465) granting an increase of pension to James F. Charlesworth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James F. Charlesworth, late lieutenant-colonel Twenty-fifth Regiment Ohio Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIZZIE A. CAMPBELL.

The bill (H. R. 1280) granting a pension to Lizzie A. Campbell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lizzie A. Campbell, widow of Thomas D. Campbell, late of Company K, One hundred and eighty-fifth Regiment Ohio Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS PEARSON.

The bill (H. R. 5959) granting an increase of pension to Francis Pearson, alias James F. Pearston, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis Pearson, alias James F. Pearston, late of Company E, Third Regiment Michigan Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED BOLTON.

The bill (H. R. 898) granting an increase of pension to Alfred Bolton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred Bolton, late of Company C, Twenty-first Regiment Michigan Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GALLINGER subsequently said: I move to reconsider the vote by which the Senate passed the bill (H. R. 898) granting an increase of pension to Alfred Bolton.

The motion to reconsider was agreed to.

Mr. GALLINGER. Inasmuch as the soldier has died since the bill passed the House of Representatives, I move that it be indefinitely postponed.

The motion was agreed to.

BENJAMIN BRITTINGHAM.

The bill (H. R. 5863) granting an increase of pension to Benjamin Brittingham was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin Brittingham, late of Company K, One hundred and seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

THOMAS HALL.

The bill (H. R. 8620) granting a pension to Thomas Hall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Hall, late of Company F, Second Regiment Louisiana Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES MORRIS.

The bill (H. R. 2225) granting an increase of pension to James Morris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Morris, late of Company H, Twenty-sixth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOEL METZ.

The bill (H. R. 5218) granting an increase of pension to Joel Metz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joel Metz, late of Company E, Sixth Regiment Pennsylvania Reserve Volunteer Infantry, and to pay him a pension of $30 per mouth in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD KERSHNER.

Mr. GALLINGER. Mr. President, that concludes the pension Calendar. There is another bill that does not quite come under the order technically. It is Order of Business 555, being the bill (H. R. 5224) for the relief of Edward Kershner. I ask unanimous consent to have that bill now considered.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent for the present consideration of the bill named by him.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President to appoint Edward Kershner as medical director in the Navy on the retired list.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIEUT. COMMANDER R. M. G. BROWN.

Mr. HALE. I ask unanimous consent for the present consideration of a bill of like import reported this morning from the Committee on Naval Affairs.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent for the present consideration of a bill the title of which will be stated.

The SECRETARY. A bill (H. R. 4748) authorizing the President of the United States to nominate Lieut. Commander R. M. G. Brown, now on the retired list, to be a commander on the retired list.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President to nominate to the Senate Lieut. Commander R. M. G. Brown, now on the retired list, to be a commander on the retired list.

Mr. COCKRELL. On what ground is the bill based?

Mr. HALE. This is one of those cases where the officer failed only by a few days in his retirement of coming under the general law, and, as we have done in several other cases, we give him the benefit of it. He only lacked a few days of being within the prescribed time.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIGHT-HOUSES AT THE MOUTH OF BOSTON HABBOR.

Mr. LODGE. I ask unanimous consent for the present consideration of the bill (S. 3865) to establish light-houses at the mouth of Boston Harbor to mark the entrance to the new Broad Sound Channel. It is a very short bill and is important to Boston Harbor.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent for the present consideration of a bill which will be read in full to the Senate for its information.

The bill was read, as follows:

Be it enacted, etc., That there shall be established by the Secretary of the Treasury a first-order light and fog signal at the Northeast Grave, on a granite tower, built in the most substantial and secure manner and of sufficient height to allow the lantern a focal plane of 100 feet above high water, to mark the entrance to the new Broad Sound Channel, Boston Harbor, at a cost not to exceed $188,000; for the establishment of two range lights on Lovells Island, at the mouth of Boston Harbor, the rear light to be of the fourth order, on a tower about 45 feet above high water, and the front light to be of the fifth order, on a tower about 25 feet above high water, at a cost not to exceed $10,000; and for the establishment of two range lights on Spectacle Island, mouth of Boston Harbor, the rear light to be of the fourth order, upon a tower about 55 feet above high water, and the front light to be of the fifth order, upon a tower about 30 feet above high water, at a cost not to exceed $13,000, the entire appropriation for the five lights above mentioned not to exceed the sum of $211,000.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. Let a part of the report in that case be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the following report, submitted by Mr. MCMILLAN, February 20, 1902:

The Committee on Commerce, to whom was referred the bill (S. 3865) to establish light-houses at the mouth of Boston Harbor to mark the entrance to the new Broad Sound Channel, having considered the same, report thereon with a recommendation that it pass.

The bill has the approval of the Treasury Department, as will appear by the following letters:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, February 18, 1902.

SIR: This Department has the honor to acknowledge the receipt of a letter from your committee, dated February 15, 1902, inclosing for suggestions a copy of S. 3865, authorizing the establishment of light-houses at the mouth of Boston Harbor to mark the new Broad Sound Channel.

The Department in reply begs to state that in a letter of February 10, 1902, a copy of which is inclosed, it informed the Speaker of the House of Representatives of the need for the establishment of a light and fog-signal station on the Northeast Grave, and also of the need for range lights on Lovells Island and Spectacle Island in Boston Harbor, and asked that the required appropriations, aggregating $211,000, be made for that purpose.

This Department therefore has the honor, at the instance of the Light-House Board, to recommend the passage of the bill in question.

Respectfully,

L. M. SHAW, *Secretary.*

The CHAIRMAN OF THE COMMITTEE ON COMMERCE,
United States Senate.

[House Document No. 381, Fifty-seventh Congress, first session.]

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, February 10, 1902.

SIR: This Department has the honor to state, at the instance of the Light-House Board, that the new 30-foot channel now being dredged from the sea to President Roads in Boston Harbor is so far completed that it will probably be ready for use in the fall of this year.

This channel at the Broad Sound entrance to Boston Harbor is to be 1,200 feet wide and 30 feet deep at low water, and, in conjunction with a proposed continuation of the dredging from President Roads to Boston and a proposed auxiliary channel 25 feet deep, will constitute the most important approach to Boston Harbor.

Vessels entering the harbor by either of these channels must approach the very dangerous ledges forming in part the barrier which shelters Boston Harbor from the sea. Some dangerous ledges, however, are scattered considerably seaward from that barrier. In approaching this vicinity vessels must have sure guidance to avoid disaster, and having made in safety the close approach to the channel, they must again have proper guidance into the channel and through it among the ledges, with which its entrance and the entire vicinity are studded.

Until this new 30-foot channel is lighted so that its approach can be made with safety by large vessels, its usefulness to the important commercial interests, for which it has been obtained at large cost, will be greatly hampered.

The Light-House Board, at its session on February 3, 1902, considered the question of providing proper aids to navigation for this channel, when it was decided that the establishment of the following-named lights is demanded to efficiently protect the vast commerce of this important harbor:

1. A first-order light and fog signal at the Northeast Grave, on a granite tower, built in the most substantial and secure manner, and of sufficient height to allow the lantern a focal plane of 100 feet above high water. The establishment of this light station at the Northeast Grave is deemed indispensable, its proposed location being on the ledge of that name, situated near the sea end of the channel, where a light is required to indicate to incoming vessels the channel entrance. The site is exposed to the heavy sea waves, making it requisite that the light should be not less than 100 feet high, to protect the delicate lense apparatus from the dashing spray. To do this a tower of that height is required to be erected on the solid rock foundation, for which it is estimated that an appropriation of $188,000 will be needed.

2. That two range lights be established on Lovells Island, the rear light to be of the fourth order, on a tower about 45 feet above high water, and the front light to be of the fifth order, on a tower about 25 feet above high water. The establishment of these range lights is necessary in order that the incoming vessel, after passing the Northeast Grave, may have absolute and sure guidance into the channel and through it to the angle which it makes preparatory to running into President Roads. It is estimated that this light station can be established at a cost not to exceed $10,000.

3. That two range lights be established on Spectacle Island, the rear light to be of the fourth order, upon a tower about 55 feet above high water, and the front light to be of the fifth order, upon a tower 30 feet above high water. This range will indicate to a vessel the turn which it must take to follow the channel into President Roads, and is deemed absolutely essential to the complete project of lighting efficiently the Broad Sound entrance to Boston Harbor. The board estimates that $13,000 will be needed to establish this light station.

The board urgently recommends that legislative action be had as soon as practicable looking to the establishment of these three light stations for Boston Harbor. This Department, for the reasons stated, concurs with the board in deeming these light stations urgently necessary to the great commerce which in a brief time will be utilizing the Broad Sound entrance, and therefore has the honor to ask that the appropriations needed for the establishment of them be made, as follows:

Light and fog-signal station on the Northeast Grave	$188,000
Range lights on Lovells Island	10,000
Range lights on Spectacle Island	13,000

Respectfully,

L. M. SHAW, *Secretary.*

The PRESIDENT PRO TEMPORE UNITED STATES SENATE.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROCEEDINGS OF SCHLEY COURT OF INQUIRY.

Mr. HALE. I ask that the Chair lay before the Senate the concurrent resolution from which the Committee on Printing was discharged this morning, and then I will move an amendment to the amendment of the House.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the concurrent resolution of the Senate providing for the printing of 3,500 copies of the proceedings of the Schley Court of Inquiry, which was, in line 4, after the word "Inquiry," to insert "together with the findings of the court, Admiral Dewey's opinion, Admiral Schley's appeal to the President, and the President's decision thereon, and;" so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,500 copies of the proceedings of the Schley Court of Inquiry, together with the findings of the court, Admiral Dewey's opinion, Admiral Schley's appeal to the President, and the President's decision thereon, and of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 500 copies for the use of the Navy Department.

Mr. HALE. After the word "Inquiry," in the fourth line of the resolution, I move as a substitute for the amendment of the House of Representatives to insert the words:

together with all papers officially before the President, with Admiral Schley's appeal and the President's action thereon, and.

So that the document may contain the entire proceeding.

Mr. COCKRELL. That will have to come in as an amendment to the House amendment.

Mr. HALE. I move it as an amendment to the House amendment; then it will have to go back to the House.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. In the fourth line of the concurrent resolution as amended by the House, after the word "Inquiry," it is proposed to insert as a substitute for the amendment of the House:

together with all papers officially before the President, with Admiral Schley's appeal and the President's action thereon, and.

Mr. HALE. That brings the matter down to the present time.

Mr. COCKRELL. Let the resolution as proposed to be amended be read.

The Secretary read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,500 copies of the proceedings of the Schley Court of Inquiry, together with all papers officially before the President, with Admiral Schley's appeal and the President's action thereon, and of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 500 copies for the use of the Navy Department.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Maine in lieu of the amendment of the House.

The amendment was agreed to.

FISH-CULTURAL STATION AT MAMMOTH SPRING, ARK.

Mr. BERRY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Arkansas?

Mr. HOAR. For what purpose?

Mr. BERRY. I want to pass a bill.

Mr. HOAR. Does the Senator want to pass it himself, or have the Senate pass it?

Mr. BERRY. I want to ask the unanimous consent of the Senate to pass it.

Mr. HOAR. Very well; I will not object to that.

Mr. BERRY. I ask unanimous consent for the present consideration of the bill (S. 3989) to establish a fish-cultural station at or near the town of Mammoth Spring, in the State of Arkansas, reported this morning by the Senator from California [Mr. BARD].

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Fisheries with an amendment, to insert at the end of the bill the following proviso:

Provided, That suitable grounds can be procured at such place at a rea so - able price to the Government.

So as to make the bill read:

Be it enacted, etc., That the sum of $25,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the establishment of a fish-cultural station at or near the town of Mammoth Spring, in the State of Arkansas, including purchase of site, construction of buildings and ponds, and equipment, at a point to be selected by the United States Commissioner of Fish and Fisheries: *Provided*, That suitable grounds can be procured at such place at a reasonable price to the Government.

The amendment was agreed to.

Mr. HOAR. Will the Senator from Arkansas kindly state under what constitutional provision he vindicates the power of the National Government to pass this bill?

Mr. BERRY. I do not know what is the purpose of the Senator from Massachusetts this morning in regard to this bill. I take it it is a pleasantry. I am not disposed to go into the constitutional question to enlighten the Senator from Massachusetts in regard to this or any other bill. I simply ask unanimous consent that the bill be passed. If the Senator desires to object to it, of course I can not complain. I do not wish to discuss it.

Mr. HOAR. I have not doubted that we have the constitutional power to pass this bill, but I have been encountered with various constitutional arguments, very able and powerful, I think from my honorable friend the Senator from Arkansas, earnestly insisting on a different and much narrower construction of the Constitution. I had the honor to ask the Senator from a State bordering upon his, who proposed a like bill, if he would state under what constitutional power it was to be passed, and he very courteously answered, "Not at this time."

I should like to know whether my honorable friend from Arkansas thinks this bill constitutional; and if so, why? He is a great constitutional lawyer and authority, and I should like to hear his view, whether I shall agree with him or not.

Mr. BERRY. I decline to enlighten the Senator in regard to it.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SCHOOL LANDS IN NEBRASKA.

Mr. DIETRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. HOAR. Certainly.

Mr. DIETRICH. I ask unanimous consent for the immediate consideration of the bill (S. 2442) confirming title to the State of Nebraska of certain selected indemnity school lands.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to confirm to the State of Nebraska title to all those certain tracts of land in the O'Neill, Nebr., land district, aggregating 2,228.09 acres, heretofore selected by the State as indemnity for granted school lands, which selections were approved by the Secretary of the Interior May 22, 1897, in list No. 1, and duly certified to the State of Nebraska by the Commissioner of the General Land Office, but which certification was on May 5, 1899, declared by the Secretary of the Interior to be null and void and ineffectual to convey to the State any right or title. But the State of Nebraska shall not hereafter be entitled to further indemnity for the specific losses accruing to the State in lieu of which the selections were made.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROTECTION OF THE PRESIDENT.

The PRESIDENT pro tempore. The Chair lays before the Senate the bill (S. 3653) for the protection of the President of the United States, which will be read.

The bill was read and considered as in Committee of the Whole, as follows:

Be it enacted, etc., That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, willfully kill or cause the death of the President or Vice-President of the United States, or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws, or who shall willfully cause the death of the sovereign or chief magistrate of any foreign country, shall be punished with death.

SEC. 2. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, attempt to commit either of the offenses mentioned in the foregoing section shall be punished with death.

SEC. 3. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, instigate, advise, or counsel the killing of the President or Vice-President of the United States or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws, or shall conspire with any other person to accomplish the same, or who shall instigate, advise, or counsel the killing of the sovereign or chief magistrate of any foreign country, or shall conspire with any other person to accomplish the same, shall be punished by imprisonment not exceeding twenty years.

SEC. 4. That any person who has conspired as aforesaid may be indicted and convicted separately, although the other party or parties to the conspiracy are not indicted or convicted.

SEC. 5. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, by spoken words, or by written or printed words, uttered or published, threaten to kill or advise or instigate another to kill the President or Vice-President of the United States, or any officer thereof upon whom the powers and duties of the office of President of the United States may devolve under the Constitution and laws, shall be punished by imprisonment not exceeding ten years.

SEC. 6. That any person who shall willfully and knowingly aid in the escape from punishment of any person guilty of either of the offenses mentioned in the foregoing sections shall be deemed an accomplice after the fact, and shall be punished as if a principal, although the other party or parties to said offense shall not be indicted or convicted.

SEC. 7. That the Secretary of War is authorized and directed to select and detail from the Regular Army a sufficient number of officers and men to guard and protect the person of the President of the United States without any unnecessary display.

And the Secretary of War is authorized and directed to make special rules and regulation as to dress, arms, and equipment and duties of said guard, and shall publish only such parts of said rules and regulations as he may deem proper.

That the additional expenses of such guard so detailed shall be paid out of the Treasury, on accounts to be certified by the Secretary of War to the Secretary of the Treasury.

Mr. HOAR. Mr. President, it is not my purpose to enter into any extended discussion of this measure. It is a matter which will be clearly understood, I think, by the simple reading of the bill.

The bill is confined in its purpose to the punishment of the killing or counseling the killing of such officers as are essential to the continuance of the Government of the United States. If the President or Vice-President, or any person under the law or Constitution entitled to succeed to the office of President, be slain, there is an interruption in the actual executive power of the country for the time being until the new successor is qualified, or, if not that, there is a removal of one of the constitutional securities for the uninterrupted succession of executive power.

So it seemed to the committee, or at least to those who favor the bill, that there was a clear power and duty of Congress, and while the offense of killing the President, like killing any other citizen, is undoubtedly punishable in the local jurisdiction in the States and Territories, yet for many obvious reasons it seems proper that it should be a matter of Federal authority, as the offense is against Federal authority.

Then the bill comprehends also the slaying or attempting to slay the sovereign or chief magistrate of any foreign country. The Constitution authorizes the Congress to punish offenses against the law of nations, and I suppose it is not necessary to cite authorities or to argue that such a crime against the chief magistrate, whoever he may be, of any foreign country is an offense against the law of nations.

Now, that is the whole of the bill in substance except section 7. Section 7, I suppose it is no breach of propriety to say, was originally suggested by the Senator from Alabama [Mr. PETTUS], and while I understand he may not approve of the preceding sections of the bill, yet as section 7 was inserted at his suggestion I should prefer to have him, if he is willing, state the reasons rather than to undertake to state them myself further than to say that I think all careful observers must agree that the detective corps on which we trust for such things certainly has not accomplished its purpose in three important cases.

Neither of the crimes which deprived the country of a President of the United States would have happened, in my judgment, if there had been sufficient police precaution. Lincoln was slain by a person who approached the entrance of the private box where he was seated at the theater. There should have been security provided by that force which would have prevented the approach of such a person who was not known to them.

In the case of President Garfield the crime took place at a depot, the President's purpose of going there being well known, and it was committed by a person who came up close behind him in a crowd, without any interruption or oversight. And of the more recent tragedy the same thing is true.

I do not understand that it is the purpose of any member of the committee to have our President go about with a military display, or what are called guards, but the desire is to have some officer of the Government, who has at his command a sufficient number of able officers and trustworthy men, take the responsibility which now either is not taken at all or is taken by the head of a secret-service force. It seems to me the Secretary of War will

always have at his command a much more efficient force for that purpose and that his responsibility will be a great addition to the security of the President. Of course, no security in the future will ever be absolute. It never has been in the past.

Mr. PETTUS. Mr. President, I had not expected to make any remarks in reference to this bill at the present time, but at the request of the senior Senator from Massachusetts [Mr. HOAR] I will explain my view of one section of the bill as well as I can thus unprepared.

I do not agree to the bill as it is framed. There are provisions in it that I do not care to notice at this time which I could not approve, because I thought they did not sufficiently qualify the offense which they were intended to punish. There is one provision in the bill which provides for a military guard for the President of the United States, and I believe that that provision ought to be enacted into law.

Mr. President, we have now a statute authorizing the Secretary of the Treasury to employ a secret-service force; in other words, a corps of detectives. I do not know the exact use that is made of the secret service, but the law provides how they shall be used, and the law in no respect, so far as I can observe, authorizes their employment for the protection of the person of the President.

I am informed in a general way, without knowing exactly how I got the information, that the secret-service force is employed on occasions to guard the person of the President of the United States. I have a very decided objection to that employment. I think a great nation like this ought to protect the person of its Executive in any reasonable way; but I am convinced in my own mind, from what I have read of the three great disasters that have come upon this country in the death of three of its Presidents, that if there had been at that time a military guard of ordinary proportions whose duty it was to guard the person of the President of the United States, neither one of those Presidents would have been killed on the occasions when they were killed.

The President of the United States is of too much importance to the nation to be intrusted to the guard of any secret service in the world. A secret service is not composed of the kind of men to whom ought to be intrusted such an important duty. We all know that their ordinary duty is to hunt up and detect and bring to punishment men who have been guilty of offenses against the Government. That is their ordinary duty; that is the duty contemplated by the law which creates them. Men in that employment do not, as a general rule, belong to the class of citizens to whom ought to be intrusted the duty to guard the life of the President of the United States.

Just think of it! The great man Lincoln was killed looking on at a performance at the theater in a box—not out in the open, but in a box. The felon who took his life entered unobstructed and unchallenged in the rear of the box. Now, do you not all know that if an officer of the Army, intrusted with a guard such as the Secretary of War would choose to detail, had been there that officer's reputation for life would have depended upon his action on such an occasion. If he had allowed a man unknown to him to go into that box and assassinate the President of the United States, he would have been tabooed forever as a man unworthy to be trusted in the command of soldiers. When you employ a man who has not that sort of a reputation to lose, or if he has, it is in an entirely different sphere, you can not expect that eternal vigilance which ought to be observed by such a guard.

So when the President was killed at the depot in this city; that never could have happened if a military guard had been there, intrusted to the command of a vigilant officer. I do not say that you can guard the President of the United States from calamities in all cases. That is impossible. At a long distance he might possibly be destroyed.

When the last calamity occurred at Buffalo, Mr. President, as I have heard it described and seen it reported in the papers, the President stood in the reception hall. Men advanced in double file to shake hands with or to bow to him. Those to whom was intrusted the duty of guarding the President were on the left, to the right of the column that moved up to greet him, and the man who did the infamous act was on the left of that procession. Nobody saw anything peculiar about him. Those who ought to have guarded the President were on the right, and in every one of these cases, you can not call up a single blow that was struck for the life of the President of the United States except the one made by the negro in Buffalo. That is the only blow that was struck in defense.

Mr. President, I do not choose to elaborate what I have to say. The President of the United States ought to be guarded by those whom we trust to do the fighting for the nation—by the cultivated officers, whose reputation is dearer than life and who would exercise eternal vigilance without any pause at any moment.

This bill also provides in that connection that this shall not be a matter of display. I do not want the President guarded so as to make any unnecessary military display, The bill gives the authority to the Secretary of War to make rules and regulations as to the duty of this guard and as to their dress and their armament. I am sure this bill ought to be passed so far as that provision is concerned. We ought not to trust the life of the President of the United States, the man so important to the orderly conduct of the affairs of the Government, to the keeping of what we call the secret-service force. It ought to be intrusted to the military, and trusted to a man who would be himself eternally disgraced if he were guilty of any neglect in that regard.

Mr. HOAR. Unless some other Senator desires to address the Senate on the pending bill, I consider myself bound by what I said when it was taken up, not to press its further discussion this afternoon. If there is no objection, I should like to have it stand, to be taken up after the conclusion of the irrigation bill. I will give notice that after to-day, if there be no objection, I will take occasion to call it up at the earliest possible time, before we get into the consideration of appropriation bills and other bills that take a great while, in order to dispose of this bill.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator from Massachusetts can make that motion after the irrigation bill is disposed of.

RECLAMATION OF ARID LANDS.

Mr. HANSBROUGH. Mr. President, I move that the Senate proceed to the consideration of Senate bill 3057.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3057) appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands.

The PRESIDING OFFICER. If there be no further amendment to be proposed as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. COCKRELL. Mr. President, I should like to have the chairman of the Committee on Public Lands make some explanation of the general scope of the bill and what effect it will have upon the provisions heretofore made for agricultural colleges.

Mr. HANSBROUGH. I think the best explanation that can be made of the whole bill is contained in the report which was submitted to the Senate a few weeks ago, and I will ask that the report be laid before the Senate and read.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. COCKRELL. There is a report here.

Mr. CULLOM. I hope this measure will be explained and discussed somewhat before final action is taken.

Mr. HANSBROUGH. I have sent the report to the desk.

The PRESIDING OFFICER. Does the Senator from Missouri wish to have the report read?

Mr. COCKRELL. I do. I asked for an explanation from the chairman, and he has submitted the report as the best explanation.

Mr. HANSBROUGH. I desire to have the report read as I think it covers the entire measure.

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary proceeded to read the report submitted by Mr. HANSBROUGH from the Committee on Public Lands January 28, 1902, and read as follows:

The Committee on Public Lands, to whom was referred the bill (S. 3057) appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands, submit the following report:

The bill appropriates the proceeds from the sales of public lands, amounting on the average for the past two years to nearly $3,000,000 annually, and creates a reclamation fund; from which fund the Secretary of the Interior is authorized to make payment for necessary examinations and surveys and to construct irrigation works for the reclamation of the arid and semiarid lands in the States and Territories named in the bill. The cost of such works is to be assessed against the lands benefited, and collections made in ten annual installments, the moneys thus paid going into the reclamation fund. By this method the fund will constantly be replenished, making irrigation practically a self-sustaining enterprise and, according to estimates by the Geological Survey, ultimately putting money into the Treasury.

It also provides that the cost of operation and maintenance of reservoirs and irrigation works shall be paid from the irrigation fund, but when payments are made on the major portion of the lands irrigated under any project, the management and operation of all works, except reservoirs and the works necessary for their operation and protection, shall pass to the owners of the land, to be maintained at their expense under rules prescribed by the Secretary.

Authority is given for the withdrawal from public entry of such lands as are required for reservoirs and canal sites, and the Secretary is directed to restore to public entry any of the lands which are not required for the purposes for which they were withdrawn.

The bill provides that the Secretary shall give the limit of area per entry in each of the irrigation projects undertaken under the provisions of the bill, the minimum area being 40 acres and the maximum 160 acres. The fact is recognized that in some portions of the country 40 acres is sufficient for the support of the average-sized family; as, for instance, in California, Arizona, and New Mexico, where fruit and vegetables are the chief products grown on irrigated lands. In more northerly climes, however, where grain and forage for stock are grown, 160 acres would be necessary for the support of a family.

Provision is also made for the extension of water rights to lands in private ownership upon such terms as may, in the judgment of the Secretary, be deemed just and equitable; no right to the use of water, however, shall be sold for lands in private ownership to tracts exceeding 160 acres to any one person, and no such water right shall permanently attach to the land until all payments are made for such rights.

In addition to compliance with the homestead laws, which in part are made applicable to the lands affected by the provisions of this bill, the entryman shall reclaim such lands for agricultural purposes, and shall pay all charges before receiving patent.

The commutation clause of the homestead laws is not made applicable to lands entered under this act, the object being to prevent speculation.

By section 8 it will appear that there is to be no interference with State or Territorial laws on the subject of irrigation, and the right to the use of water is made appurtenant to the lands irrigated, beneficial use being the basis, the measure, and the limit of the right.

It will be recalled that under the act of May 17, 1900, known as the free-homestead law, a provision was inserted to the effect that in case the receipts from the sale of public lands should be insufficient for the support of agricultural colleges in the several States and Territories, the deficiency should be provided directly from the Treasury. A like provision has been inserted in the pending measure.

Provision is also made for full and complete reports at the beginning of each session of Congress, such reports to give in detail all the facts relative to the question of the location of lands which can be irrigated and the cost of all contemplated works, and the cost of works in process of construction and those which have been completed.

Mr. HANSBROUGH. I do not believe that it will be necessary to read the remainder of the report, as it is quite a lengthy document, which has been furnished by the Geological Survey. It goes into the question of irrigation quite extensively without touching upon the provisions of the bill.

I call the attention of the Senator from Missouri [Mr. COCKRELL] to the part of the report pertaining to agricultural colleges, in which it is stated that we have inserted in the bill a provision similar to that in the free-homestead act, providing that if the receipts from the sales of public lands are not sufficient to meet the payments for agricultural colleges, then the payments shall be made out of the Treasury of the United States.

Mr. COCKRELL. Please read that provision.

Mr. HANSBROUGH. The report reads as follows:

It will be recalled that under the act——

Mr. COCKRELL. But the bill itself. Read the clause which makes that provision.

Mr. HANSBROUGH. It is the proviso in section 1, and is as follows:

Provided, That in case the receipts from the sale and disposal of public lands other than those realized from the sale and disposal of lands referred to in this section are insufficient to meet the requirements for the support of agricultural colleges in the several States and Territories, under the act of August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862," the deficiency, if any, in the sum necessary for the support of the said colleges shall be provided for from any moneys in the Treasury not otherwise appropriated.

Mr. COCKRELL. Taking out the States which are named here, how mu h will be realized from the remaining public lands?

Mr. HANSBROUGH. About $600,000 last year.

Mr. COCKRELL. After excluding the States named herein?

Mr. HANSBROUGH. After excluding the States and Territories named in the bill.

Mr. COCKRELL. The bill authorizes the taking of not less than 40 nor more than 160 acres of land. I wish to know how much land a family can properly cultivate by irrigation? Would it be possible for any family to take up and utilize 160 acres and irrigate it all?

Mr. HANSBROUGH. Oh, undoubtedly, if it is devoted to alfalfa and other kinds of hay or stock, and that is the principal product of irrigated lands in the West. Undoubtedly a family would occupy 160 acres and cultivate it all very easily.

Mr. COCKRELL. And irrigate it all?

Mr. HANSBROUGH. And irrigate it all.

Mr. TELLER. I will answer the Senator by saying that a great many farms of 160 acres, and a great many even larger, are cultivated where irrigation is the only way of cultivating it.

Mr. COCKRELL. But can a family do it?

Mr. TELLER. Yes.

Mr. COCKRELL. A man may hire labor and cultivate it?

Mr. TELLER. A good farmer with two or three boys—as many farmers have—can cultivate 160 acres just as well there as can be done in Illinois. It does require some extra work, of course, for two months to irrigate the land, but every farmer will manage to do that. I have known farmers to commence irrigating at 3 o'clock in the morning and keep at it all the day. They irrigate the crop only twice, as a rule, during the season, and it is not so very laborious.

Mr. PLATT of Connecticut. May I ask what was the amount of land which was set apart by Brigham Young for a family in Utah when he introduced irrigation?

Mr. TELLER. I am not able to answer that question. He had so large a family, I do not know that that is material to the bill before the Senate.

Mr. PLATT of Connecticut. No; but I had the impression that the land which he set apart for a family was 22 acres, or something like that quantity.

Mr. STEWART. It was 20 acres in the beginning of the settlement. They had to raise all sorts of crops to support themselves. They were not raising alfalfa alone, as far as raising cattle was concerned, but they were not in the cattle business further than raising stock which ran at large. They had a good range there. They raised all that a family required on 20 acres. He said they could do better than they did with a larger amount of land.

Mr. PLATT of Connecticut. They made very great progress on those small holdings.

Mr. STEWART. They made progress, but afterwards they acquired larger holdings. A good many of the Mormons have quite large tracts of land now. They are cultivating land on a larger scale, and this is particularly the case where they are raising grain and alfalfa and stock. They can now cultivate a good deal of land, but they were then poor people, who had to support themselves. Each family had to raise all its supplies—bread, and meat, and vegetables. The land was cultivated by hand, and in that way it became a very prosperous community under those adverse circumstances.

Mr. CULLOM. May I ask the Senator from Nevada a question?

Mr. STEWART. Certainly.

Mr. CULLOM. I see the bill provides that all moneys received from the sale and disposal of public lands in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming shall be disposed of, as I suppose, for irrigation purposes. Has the Senator any idea as to how much public land will be included in all the States and Territories which have been named?

Mr. STEWART. Not accurately. There are, I think, about 600,000,000 acres of vacant land, but a very small part of that will be sold in small quantities. A great deal of it consists in mountain ranges and waste land. It is not waste land, but it could not be irrigated.

Mr. CULLOM. Has the Senator any idea how much public land is left in this country, without going to the Philippines, after this is set aside?

Mr. STEWART. I suppose if it is all sold and applied to this purpose it will reclaim from 75,000,000 to 100,000,000 acres of land. It will do more than that. It will utilize for grazing purposes the hills that are too far from water now to be used. It will make a new base of supplies for water. There are many places where water is so far distant that the land can not be used even for grazing purposes. This will make a new base of supply for water, and it will make the grazing lands that will be left and that can not be irrigated much more valuable.

Mr. CULLOM. How many acres of land does the Senator estimate will be reclaimed?

Mr. STEWART. There are probably 75,000,000 or 100,000,000 acres that can be reclaimed. Perhaps the Senator from North Dakota can figure it more accurately.

Mr. CULLOM. What I want to get at is how much we will pay for this irrigation and how much we are going to get back for the benefit of the country in reclaimed land.

Mr. STEWART. That I can answer in a vague way.

Mr. CULLOM. I should like to know about that.

Mr. STEWART. If you get such a population as that country is susceptible of sustaining you will get back some very large States; you will get back a great deal of wealth; you will add vastly to the wealth and power of this country. At least two-fifths of the area of the United States needs irrigation in order to produce good crops, and when that is done, wherever you have had irrigation you can raise much more than you can on a like amount of land in the most fertile part of the United States, because you can calculate on an excellent crop each year on irrigated land, and in the southern portions of the country you can calculate on two crops. It does not take the same amount of land in irrigated countries to sustain a population that is required in a country where there is rainfall.

Now, government aid for irrigation is not a new thing. It has been carried on for the last thirty years in India on a very large scale. Hundreds of millions have been expended there to very great advantage. The irrigation of ancient times was carried on by government. It is nearly all beyond the reach of private individuals. Egypt was once the greatest granary of the world. A large part of the Sahara Desert was once a portion of that granary. They had an immense population. Recent excavations along the Nile have disclosed the ancient masonry of their aqueducts that surpassed in quality anything that can now be done. The Geographical Society of London spent a large amount of money to continue the excavation. Then, in looking over the Greek authorities we have found a description of the aqueducts that once turned the water on the Sahara Desert, and they dated their construction two thousand years previous to that time.

All of the early countries of which we have any history lived by irrigation. They first went on the desert, and it was only in comparatively recent times that civilized men cultivated lands relying on rainfall. Northern Europe remained until the last one thousand or fifteen hundred years comparatively a savage country. Civilization had not extended there. It was around the Mediterranean and the desert of Western Asia and in Africa, in those warm countries where they could irrigate the land, and there the population existed which formed the history of the world.

If we could estimate it, I should not be surprised to learn that three-fifths at least—it may be four-fifths—of the human race have subsisted on agriculture procured by irrigation. Latterly they have gone into the rainfall country and utilized the land there, and many of the desert countries have been abandoned. In Babylon and all through there where vast empires and dense population existed the remains of the system of irrigation are found.

I do not suppose that there is any part of the world's surface that is more healthful, more promising, and better calculated to produce habitations for men, and vigorous men, than the two-fifths of the United States which depends, and must depend, on irrigation to prosecute agriculture. It will benefit the country and increase our exports vastly. It will supply the people with food. It will supply them with homes and allow the growth of the country to go on.

We do many things to promote the general good, to promote commerce. We spend a vast amount of money to improve rivers and harbors. What good does it do? How do you get it back? You get it back in your increased commerce. You get it back in increased employment. You get it back in the increased wealth of the country. Here is a vast store of wealth, almost incomprehensible if irrigation can be carried on. It can not be carried on further by private enterprise to any great extent. Private enterprise has already diverted the waters where it can be easily done. It has diverted the water along the streams, but if this scheme is to be prosecuted there must be governmental aid, as has been given by other countries. We must have the water stored.

Again, if the water could be stored many other useful purposes could be gained. I do not want to say it in an offensive way, but you have gone on under the pretext of improving the navigation of the Mississippi River. Everyone knows that the appropriations do not help the navigation any. That is not what is wanted. It is to prevent the flooding of the land. It is to aid the farmer. It is to aid the development of that country. In your last river and harbor bill you appropriated $10,000,000 for that purpose, and very properly too, because here are vast States that would be ruined without it. I have no doubt that the purpose aimed at would be better secured by building reservoirs in the mountains and making lakes there. It is only a few inches of the water at the top that comes down and makes the high floods. If that can be kept back there will be only ordinary floods. High banks would not be necessary.

As it is now you have to build the banks higher and higher, and we do not know what may happen. Disaster may ultimately overtake us if we get the banks so high that they would break and drown the population, as is the case in China. They build up the banks there until the population is decimated sometimes by a single flood; millions of people lose their lives.

Make lakes in the mountains. Have great dams up there, where you can build reservoirs. If you spent $10,000,000 on the headwaters of the Missouri and made lakes there to keep back the flood waters you would accomplish more in preserving the farms below than all your expenditures along that line. There is no doubt about it. Engineers who have examined it will tell you so. I have talked with many who have investigated it, and they all came to that conclusion.

There are abundant valleys in the mountains high up. They are not useful for much else, but they will make fine lakes and keep back the water. Then the water can be drawn off and it will reclaim a vast amount of land on the foothills of the Rocky Mountains extending to within 100 miles of the Missouri River.

Half of Nebraska and more than half of Kansas need irrigation. Their value would be more than doubled if they had it, and if the water was stored and kept back there would be an abundant supply for the purpose.

This is a great proposition, and I hope that the bill will pass. It may not be perfect. It may not be the best thing to do, but it will be a start. The revenues may not be very great at first, but they will be sufficient. It will probably be best that it should not produce a larger amount of money than can be used at first. But I have no doubt that if the bill is passed it will be a step that will lead on to vast results. Our exports in the last six years have exceeded our imports by three thousand millions. If we had this two-fifths more of good agricultural country brought in we could increase the exports by 10 per cent, and the agricultural area of the country would be increased to that extent. If we could do that by this legislation it would add immensely to our other resources.

Then, besides, this arid country is not valuable for agriculture alone. In this region there are minerals of all descriptions—coal, iron, lead, copper, gold, and silver, and all that. If it were inhabited it would increase the product of your mines vastly, because it would give supplies to the mines and mining could be done more cheaply. Each industry will help the other, and you will build up great States. I do not think there is anyone who would regret that the State of Colorado should be equal in population to Illinois. It is capable of being so. Neither do I think that anyone would regret that Wyoming should be equal to Indiana. I think it has the resources to obtain that end.

As much as has been said against Nevada, that State may at some time be heard from. It has many beautiful valleys. They are situated at a distance from transportation now, but there is nothing more beautiful than many of the valleys of Nevada, nor more productive. There are many of them, and in the aggregate they constitute a large area. I am happy to be able to state that within the last year there has been the discovery of mines all over the State, particularly in Nye County. The discoveries at Tonopah and Ray, in Nye County, promise to surpass any discoveries in the last three years anywhere.

Mr. HOAR. Gold?

Mr. STEWART. Yes, gold. We do not despise gold. We are willing that money should be printed on gold. We are not ignorant at all of the fact that money can be printed on gold as well as silver or paper. We do not believe that the intrinsic quality of our money determines the amount exactly. We do not agree with the intrinsic theory, but we believe that we need more money, and we are getting it there.

I suppose my friend from Massachusetts would think that it is legislation that has made good times in the last six years. Legislation may have had something to do with it, but there have been $1,400,000,000 or $1,500,000,000 of new gold produced. That has supplied the demand. We simply needed more money and we have it now. I am sorry that some of my friends who contended that the country needed more money, and contended with me that we must have silver in order to get more money, did not recognize that the output of the world had determined otherwise, instead of relying on the law to create money. We thought it was useless to destroy one of them. It produced falling prices for twenty years. We have not gotten over that yet, but we were not so foolish as to hang on to that issue after the progress of the country had taken it away from us.

Mr. HOAR. Mr. President, I would have the Senator know that I had no ulterior purpose or purpose of sarcasm or in suggesting anything except I did not hear what the Senator said. He said they had discovered mines that were among the best in the world, and I simply asked, "Of gold?" I can see how the Senator might have supposed I made a jest.

Mr. STEWART. I accept the apology.

Mr. HOAR. I did not make any apology. I make the statement of fact. I had no such purpose.

Mr. STEWART. I had no idea but the Senator had the best purpose, as he always has.

Mr. HOAR. I had no purpose of suggesting what the Senator just said in reply, but I did not hear what the Senator said.

Mr. STEWART. I said that we discovered in Nevada in the last year mines that promised to exceed any discoveries in the last twenty years in any country. The prospects are better. Take, for example, Tonopah. It was discovered not a year ago—about ten months ago—and it was leased and given to a number of men who had windlasses worked by hand. Then it was sold to a company in Philadelphia for $350,000. The lessees ran it until the 1st of last January, and they have taken out, it is estimated, over $7,000,000 just in one little place. During that time they have extended the discoveries for some 15 or 20 miles. It is an immense mineral belt. It is both silver and gold. I did not mention silver for the purpose of raising the silver question at this time, but we have to take it along with the others.

I did not rise for the purpose of making a speech, for I do not want to delay the passage of this bill.

Mr. CULLOM. I merely wish to say that I made the inquiry simply for information, knowing that the Senator could give it, and without any purpose of opposing the bill.

Mr. STEWART. I hope not.

Mr. CULLOM. I am ready to vote on the question.

Mr. CARMACK. I should like to ask the Senator a question before he sits down.

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Tennessee?

Mr. STEWART. Certainly.

Mr. CARMACK. I wish to ask the Senator if any estimate has ever been made of the population that could be sustained on the land not now subject to cultivation if it could be irrigated?

Mr. STEWART. I do not think any estimate has been made. Probably no accurate estimate can be made. But if you bring under cultivation the fertile lands that may be cultivated by irrigation in this very healthful climate—the best climate in the world—together with the mineral resources and everything which goes to make a great and populous country, by the use of agricultural lands in connection with the other advantages, I think the population might be increased many millions—perhaps twenty, thirty, or even forty millions. Nobody can tell how many people could live there. We know it is true that in desert countries which had been irrigated the population was more dense than anywhere else. We have all the evidence that it will be the same in that region.

There is nothing to destroy human life there. There is no malaria, no damp climate, nor anything that tends to shorten human life. In that high altitude, with the advantages of health and vigor and with the abundant resources of the country, agricultural and mineral, we have reason to believe, and I have no doubt, that the population will increase very largely. You can not tell how much, of course, but in the near future if this scheme of irrigation is adopted the increase will be very great.

I believe, from the tone of the press, that the people of the East are waking up to the importance of the accomplishment of these great results. They are not biased or sectional when they talk about it. That feeling does not exist. They are willing to take hold anywhere, as is shown by their history, for the purpose of aiding in these enterprises which not only increase wealth, but increase population and increase the grandeur and power of this Republic. I think that is the universal sentiment. I believe that legislation in this direction will do very much to accomplish the object that we all desire to attain.

Mr. TILLMAN. Mr. President, I have watched every item of expenditure for rivers and harbors. It is pretty well understood that very many improvements on rivers at least are largely useless. The railroads have practically supplanted water transportation. There are numberless instances in which we have spent and are spending millions of dollars to secure something that is never used. Therefore when the people in the West come forward here and ask Congress to give them consideration by beginning a scheme of internal improvement looking largely to enabling those States to obtain citizens, I must confess it appeals to me as a practical statesmanlike method of spending money and one far more worthy of consideration and respect than some of the expenditures for rivers, for instance.

Of course, our large harbors, where the commerce of the world coming across the ocean enters, have been improved, and need to be improved, and such improvements are very valuable; but, as compared with the expenditures for rivers, I think this project merits very careful consideration and encouragement. I believe the Western people, and the people in the States which we consider as arid, and which are sparsely populated and will remain so, are right in coming here and asking the attention and assistance of Congress to the absolute necessity of the National Government taking some steps looking to their betterment or to enabling them to get people. Private citizens can not go into a desert and enter into the large enterprises of building reservoirs and cutting canals in order to put water on land. We in the East, who get our water from the Almighty by reason of our climatic conditions, do not sympathize with those people as we should. We are getting too much water in some parts of the country, as we see by the telegraphic dispatches that inundations and devastations of certain areas in our different States are threatened.

The only thing which I see in this proposition that probably is strange is that instead of coming directly to the Treasury and asking a specific appropriation for annual improvement along this line, as we are making continuing contracts for improving rivers and harbors, we come here and merely limit these people to a fund that is somewhat nebulous and will certainly prove inadequate. I think the people of the East—and I live in a State in the East where we get plenty of rain ordinarily—should go at this in a broader and more statesmanlike way, and instead of using the money that is to be derived from these sales, which, as I said, will be uncertain in amount, and the amount is going to be inadequate, we should go at it by a direct appropriation.

Mr. HANSBROUGH. Will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. TILLMAN. With pleasure.

Mr. HANSBROUGH. I desire to state to the Senator that the friends of irrigation have been before Congress repeatedly asking for a direct appropriation.

Mr. TILLMAN. Oh, I understand that. I have in mind a remarkable instance of the way in which a river and harbor bill for the East and for the South and for the Pacific slope was done to death here last year by a man from the sagebrush country, who felt outraged that the just demands of that great interior plateau were ignored. I sympathized with him, and I was rather amused, although I lost some beef in that pot.

I am only expressing these views here by reason of the fact that there are in the South large areas not of public land, but land that is practically worthless, which has too much water. If we could divide it out and give your people our surplus, then you would have all the water you need and we could work the land by getting rid of the excessive quantity of water with which we are distressed, which practically bars us from cultivating those areas.

I would much prefer, as a practical man desiring to get value received for money I vote here, to enter upon a scheme of internal improvements that would really be of some use instead of spending $10,000,000 or $20,000,000 to first dredge out a canal and then pump water into it, as our friend Carter said last winter was being done in some places.

Mr. BERRY. Which statement was not true.

Mr. TILLMAN. Well, not altogether true, but still it was so far in the direction of truth that I am afraid my friend will get into the trouble I was in recently if he does not be more parliamentary. [Laughter.]

But I say, instead of doing those things or even doing anything approximating them, it would appear to me to be wiser to have schemes of internal improvement meet the conscientious approval of the men charged with spending the public money instead of entering into a combination, as you might call it, by which the different sections interested would go on the old doctrine of "you tickle me and I will tickle you." "You let my job through and I will let your job through." I honestly declare it my belief that as legislators, charged with the expenditure of public taxes, we have been derelict, and will continue to be derelict until we quit throwing money into rivers that will never have a boat on them, and put it into such schemes as will relieve the Southern States of the excess of water in some of their swamps which can not now be cultivated or used or sold by reason of the fact that they need canals to let the water run away, and in this other plan of reserving or preserving or erecting reservoirs to retain the little water that God lets drop there for use upon land that would be rendered valuable if they could get water for farming purposes.

I see very clearly that after this scheme begins, or has been commenced, rather, for a scheme does not begin of itself, the money will be so inadequate that our friends from the sagebrush States, as one of our distinguished statesmen once called them—I believe he said they were very good as Territories but very undesirable as States—will come to us in a year or two, or five or six years, and say, "We have done nothing; we can not accomplish anything; we have not got money enough." I will be prepared, if I am here at that time, to say, "That is very true; and I believe you ought to have it by a direct appropriation instead of wasting it in this other way."

I may in time ask them to help us get rid of some of the water that we have by digging canals there upon some conditions of improvement to the interest of private parties by having them pay a percentage. I believe we have an arrangement here by which those who already own lands which will be improved by these canals shall pay some percentage or make some return to the Government, have we not?

Mr. HANSBROUGH. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. TILLMAN. Let me finish my sentence.

Mr. HANSBROUGH. Certainly.

Mr. TILLMAN. I say I may in time, not in a logrolling scheme, but in an honest effort to do something in behalf of an honest expenditure of money, or rather an expenditure—it is unparliamentary to say any expenditure here is not honest, because all acts of Congress are supposed to be passed for the public welfare, and I withdraw that [laughter]—but I think that the time will come when we of the South and the West, which could not unite on silver—at least the marriage bonds were divorced very soon, as we have seen our friend here bragging about gold—will have to join forces in endeavoring to secure drainage for the swamps of the South and a proper expenditure of money for irrigation in the West.

Mr. HANSBROUGH and Mr. STEWART addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. STEWART. Let me suggest——

The PRESIDING OFFICER. The Chair has recognized the Senator from North Dakota.

Mr. STEWART. I simply want to say——

Mr. HANSBROUGH. I was the first to break in on the Senator from South Carolina.

Mr. STEWART. I wish to say that we were divorced not by law, but by the death of the issue.

Mr. HANSBROUGH. Very well. I simply wanted to remark that it is not the purpose of the framers of this bill and the friends of irrigation to come back to Congress for more money.

Mr. TILLMAN. If the Senator will permit me, I am not insinuating that it is the purpose now. I am merely expressing my opinion that the time will come when he will be compelled to come to Congress for more money out of the general fund, and not depend on this source. As I understand the situation, the sales of public lands within given areas now are small, and the amount received is pitiable and contemptible compared with the immense amount that would be necessary for this purpose. In other words, you will have to repair your irrigation canals, and then if you are going to sell that land, instead of opening it up to homestead, you would have to fix a price that would be so high that the average poor man could not buy it. I do not see how the scheme is going to effect any practical results with the amount of money you will have coming into your reclamation fund by this bill.

I absolve the Senator and his colleagues of any such purpose whatever, because I know they are very modest in their desires now, because they have been shut out in the cold so long that they are really only anxious to begin to get the wedge in, to get the nose of the camel into the tent, but they will get the whole body in after a while, and I think they ought to get it in.

Mr. HANSBROUGH. Now I hope the Senator will allow me to proceed.

Mr. TILLMAN. Certainly.

Mr. HANSBROUGH. What I have been trying to say, Mr. President, is that the purpose of this bill is to open up certain areas in the Western country to settlement under the homestead laws. There are provisions in the bill under which entrymen will pay the full amount of the cost of all the irrigation works. So this is intended at least to be a self-sustaining proposition. Those who have studied it believe that in the course of ten or twelve or fifteen years the amount of money derived from the sale of public lands under the operation of the bill will be much greater than it has ever been in the history of the country and that we shall get enough money out of the sale of public lands to go on and ultimately irrigate the arid West.

Mr. BERRY. Mr. President, it is not my purpose to discuss the pending bill. I was on the committee which reported it, but I did not vote to report it, and I do not expect to vote for it in the Senate. As I said, I do not intend to discuss it.

I should not have risen except that I did not want the statement made by the Senator from South Carolina [Mr. TILLMAN] in regard to rivers and harbors and the practice with reference to them to go without being challenged. In my judgment there is no money expended by this Government that has done so much good for so many people as the money that is expended for rivers and harbors. I want to say, furthermore, that in many sections of the country the improvement of rivers is the only restraint that we have on exorbitant charges by railroads, and in that way those improvements have been of immense benefit to every section of the country.

In addition to this, I wish to say that I do not agree with the Senator's idea that the improvement of great harbors is of more importance than the river improvements. I believe that the people living along those rivers are entitled to the same rights and the same protection as the States which lie along the coast of the Atlantic or the Pacific; and that the amount of money that is given to them they are as much entitled to and it is as much to their benefit as in the case of any of the great seacoast towns in proportion to the amount that is expended. The benefit is not as great, because the population is not as great; but I repeat, that in proportion to the amount that is expended upon those rivers, there is as much benefit to a proportionate number of people as the amount expended for the harbors or for any of the other great works of the country.

I have heard it stated again and again that appropriations have been made for rivers which were useless, and extreme expressions have been used in regard to them. I do not think that a river and harbor bill, either the last one which was defeated or any other bill which has been reported since I have been here, is justly subject to any such criticism. There may be individual instances in this great country and in these great appropriations where all the benefits hoped for do not come. That I admit. But when Senators speak about the little creeks that are being improved without any benefit, I notice that they always select those creeks in some other State besides the one in which they live. My recollection now is—I say it all in good humor—that when the last river and harbor bill was pending in the Senate, I do not remember any Senator on this floor who was more insistent and urgent for an appropriation than the Senator from South Carolina for the Pedee River, I think it was, down in South Carolina, and for many more of them which he got into the bill.

I say this in good humor. I have sat on this floor, and especially at the close of the last Congress, when I and the other members of the Committee on Commerce had no opportunity to reply in regard to these statements about the rivers and harbors. It is unjust to the committee; it is unjust to Congress, and I repeat that no bill is more carefully examined and more earnestly looked after than the river and harbor bill. While there may be a few instances where appropriations should not be made—and I admit that there have been such instances—it has never been done by logrolling. There has never been any proposition since I have been a member of that committee, nor do I think that the chairman or any other member of the committee would submit to any proposition, which looked like logrolling in regard to this matter. I believe the river and harbor bill to be one of the most important bills and of more benefit to this country than any other measure.

I thought I ought to make this statement. Otherwise the statement which was made is calculated, as I think, if believed by a majority of the Senate, to do immense injury to the people of the Southern States, from one of which I come.

Mr. TILLMAN. Mr. President, I thought almost everyone here understood that my remarks were in a large part humorous. I had no purpose or intention of reflecting in the slightest upon the Committee on Commerce or its chairman or to cast any stone whatever at them. I believe they have done their full duty as they saw it as public servants, and that they have only earned the gratitude of the country by resisting the importunities of men like myself who have gone to that committee to get their share, as they claimed, or thought they ought to get it. I do not believe that the committee has ever logrolled or allowed anybody else to logroll.

But neither the Senator from Arkansas nor any other Senator on that committee—I do not happen to be on it—will deny that they are importuned and begged almost beyond endurance by different men from different States trying to get this project in and that project in and the other project in, many of which we all know are only designed to curb the railroads. We could curb the railroads in another way. It is not necessary that we shall spend ten, twenty, fifty, or one hundred million dollars in improving rivers which are nearly dry and upon which no steamboat ever travels after they are improved in order to enable cities to receive competitive water rates. It is the use of the rivers after they are improved and made available for the transportation of freight that I speak of. We all know that the steamers on our inland rivers are practically confined to a very small percentage of our tonnage and that the amount of commerce they carry is very small.

Take the Mississippi, for instance. There is your great inland sea with its thousands of miles of water transportation. It enables the cities on its banks and on the banks of its tributaries to obtain from the railroads a concession, and is there as a perpetual menace to monopoly and to rates of transportation which would practically put those people at the mercy of the railroads. But Congress can protect those cities by making the railroads give reasonable and proper rates in another way; and if we neglect our duty in one direction by refusing to give the Interstate Commerce Commission proper power or due power to fix rates that are just and reasonable and bar them out from being anything in the way of assistance to the country, it is not an excuse for spending millions of dollars on rivers that are never used and never will be used.

This is a practical proposition. The Southern people need assistance and help; and I am sure I am not going to go back on my own country, because I have just proposed a practical expenditure of money that will be of real benefit to us—that we should dig some canals there and get rid of the surplus water rather than dig out rivers that are never used after we dredge them or after we put in the improvements which would deepen them.

There is the Savannah River, for instance, which runs between Georgia and South Carolina. It has had hundreds of thousands of dollars spent on it, and there is not a steamer that runs on it from Augusta to Savannah. It only gives the city of Augusta transportation by competitive water rates, and the railroads——

Mr. BACON. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Georgia?

Mr. TILLMAN. Yes, sir.

Mr. BACON. The Senator will permit me to say that while he lives very near to Augusta, nearer than I do, perhaps, I am quite sure he is mistaken in the breadth of that statement.

Mr. TILLMAN. The observation may be a little broad. They do run up some boats from Savannah to reach regions in the interior which are a considerable distance from railroads; but I am speaking of the commerce of the city of Augusta. It comes to the city in railroad cars, and the water transportation between Augusta and the Atlantic Ocean is practically nothing—I mean the amount of freight carried. I am only illustrating.

Mr. BACON. Mr. President——

Mr. TILLMAN. Oh, I am going to help you get any money

for any Georgia river you can, and I am going to ask you to help me to get some for the little creeks and hollows and wallows down in my State when a new river and harbor bill comes up.

I am afraid I have put myself in bad odor with one member of that committee; but I want to apologize and withdraw any insinuations that he could be induced by any possible means to let a scheme pass which did not commend itself to his judgment as being a worthy one. I know there is no member of that committee (and I know all of them) who would lend himself to any jobbery there. I am only speaking about the general proposition and the policy of the Senate in sitting here and doing nothing to make the railroads give reasonable rates while they turn around and spend an immense amount of money to make the railroads give reasonable rates. Why should we go about making railroads do justice to the country and be reasonable in their charges in this way, by spending ten or twenty million dollars or such a matter as that every year to dig out creeks and rivers that are never used? That is the proposition, and it is a matter of practical business to which I ask the attention of Senators.

My few remarks have been made at random. I had not been thinking about this subject at all. I just happened in here when the matter was being discussed, and as I had been rather—well——

Mr. BERRY. Closed up.

Mr. TILLMAN. Closed up. I had been in a condition of innocuous desuetude for some days and I thought you might want to hear from me again. [Laughter.]

Mr. BACON. Mr. President, I shall not follow the Senator in this discussion, but I want to say this, that the Savannah River of which he speaks and has used as an illustration is not of the class described by him. It is——

Mr. TILLMAN. Mr. President——

Mr. BACON. I beg the Senator to pardon me for a moment. It is true that the large bulk of the commerce of Augusta is carried by rail, but it is also true that if the occasion demanded it all of the commerce could be carried on the river, and there are boats constantly running on the river which do carry a portion of that commerce.

It so happened at one time, when the railroads were destroyed, immediately after the civil war, and when there was no interior communication by means of rail from the seaboard westward, that the entire commerce of the State of Georgia north of the middle line went up the Savannah River by boat, and was distributed from Augusta. The river since then has been very largely improved, and the fact that there is little commerce upon it is not due to the allegation of the Senator that it is of this inferior class, but simply because it is more convenient to use the railroads. Nevertheless it is a very important river, capable of an important function.

Mr. TILLMAN. Mr. President, lest my own constituents who live along the banks of that stream might imagine that I have been casting reflections or throwing stones at the Savannah River, I want to tell the Senator from Georgia that I know very well that it is a very large stream. It is some 500 miles long, and from Augusta to Savannah, some 250 miles by water, it is capable of being navigated by boats, the draft of which I do not know, but I know it is capable of furnishing an outlet for a large commerce. I was only speaking of that as an illustration of the fact that after we improve these streams—and we have improved them only in order to curb the rapacity of railroads—they are not used except as a lever to force the railroads to give competitive water rates, and I contend that we could give the cities competitive water rates, even where they are not on water, if we would extend the powers of the Interstate Commerce Commission and enable it to judge what is proper for the railroads to charge for traffic.

Mr. HOAR. Mr. President, I wanted at some time while the bill was pending to say a sentence or two about it, independent of the other question which has been lately discussed.

I should like to say a few words in regard to the suggestion that water communication is of little importance compared with the railroads, especially if they are subject to the power of regulation. Somehow or other the great cities and towns are still on the waterways. There is no indication that that great law of human habitation and business has yet lost its efficiency. There are some important exceptions. The town wherein I dwell is one where we have a city 125,000 inhabitants, which has grown up as if it were a Western city, without any water; but in general, the city is planted and always has been planted and always will be planted where there is water for purposes of commerce.

Now, it is true that the comparative and I do not know but it is true that the absolute use of the river has diminished and that the railroad has taken its place. I suppose there are several bridges across the Mississippi River, each one of which carries more freight than the whole river carries; but it is a natural, perfect, and irresistible check upon the railroads, not the creation of human laws and not subject to the imperfection in working of human laws.

Until a very recent time, when the communication by the lakes and the canals from the West to the Atlantic froze up, the railroad rates advanced, and in the spring, when the lakes and the harbors and the waterways thawed out, down went the railroad rates. It commenced with the most northerly of the lines, and later on the New York Central, and then the Pennsylvania, and then the Baltimore and Ohio, and so on. I do not believe it would be possible, in the nature of things, but for that limit upon railroad rates to-day, that any human legislative power could make the railroads charge what would be regarded by the great part of the mercantile and commercial public as reasonable rates.

There are great powers in legislation, but you have never yet succeeded in having a permanent, sure, and absolute regulation of the great imperial powers of capital by legislative enactment. It is a clumsy, imperfect instrument. You can not in two legislative bodies have a fair and reasonable consideration of proper railroad rates either for short distances or for long distances. That great power can never be safely intrusted to a single commission. So I think the policy of improving our waterways and having them as a final resource of commerce, always open and always ready, ought to be continued.

I should like to say one word about this talk as to logrolling, which I have heard ever since I have known anything about such things. We see it repeated in the papers, in essays in magazines, and hear it in both of the legislative Chambers. It is said that one State gets what it needs or what it wants by a bargain with some other State that it shall have what it wants.

Mr. President, in my humble opinion, having studied this matter as carefully as I have studied any subject, there is not the slightest foundation for that charge. The fact is that the Corps of Engineers, an impartial body of purely scientific men, not representing and not very thoroughly understanding mere commercial problems, report to us that the necessities of foreign and interstate commerce demand large appropriations, and the Committee on Commerce of the Senate, and the corresponding committee of the other branch, find they can not annually expend more than a fifth or a tenth of the amount which could be profitably expended for those purposes if we had unlimited revenues at our command, and in general they deny five projects where they grant one.

Mr. PLATT of Connecticut. Or cut down the amounts.

Mr. HOAR. Or largely cut down the amount, as my friend the Senator from Connecticut suggests, and spread over ten years a work which ought to be accomplished in one or two.

Now, under those circumstances it is perfectly reasonable and proper and just that what is done should not be done in one State or section, but should be apportioned in different parts of the country. Suppose you have a city in New Jersey, Mr. President [Mr. KEAN in the chair], where there are three wards, making different populations and communities, as we have a city in Massachusetts, like the city of Cambridge, and you have to build twelve new schoolhouses by reason of the loss of the old ones, or some sudden growth or some change in the proper scheme of construction, and you could not in any one year build but three. Would anybody call it logrolling to have those three wards insist that those three schoolhouses should be divided equally among the different parts of the town?

Now, that is all the logrolling there is in general, and in the nature of things there can not be any considerable amount of fraudulent or extravagant or unreasonable scheming got into a river and harbor bill. Why not? Because every time you put an unjust or an unreasonable scheme into that bill you have to deny some reasonable and just demand which has been indorsed by the Corps of Engineers. Therefore you make, as an enemy of your proposition, and ready to denounce you when you put in such an item, every one of a hundred honest projects which some Senator or Representative has at heart, and you make every honest project in the country the opponent of your measure and standing ready to condemn you.

Now, we had a very interesting example of that in the famous river and harbor bill of 1883, which was vetoed by President Arthur. It amounted in all to $18,000,000, and of that sum $12,000,000, I think, was for the improvement of the Mississippi River. It was eleven or twelve million dollars; I do no know but $13,000,000. The Senator from Maine can correct me, but it is not important. It was for a project which the President had, by a special message, urged upon the favorable consideration of Congress. So the general river and harbor bill amounted to only five or six million dollars, and the Senate voted to sustain that expenditure of five or six millions, over the President's veto, and there went a storm of foolish and ridiculous popular excitement over the whole country on account of the five or six million dollars expenditure. The President in his veto message, talking about logrolling, said that the effect of logrolling was that the more improper and corrupt the scheme the more votes it got.

At the next session of Congress one House or the other asked

the War Department to specify of that five or six million dollars the items which the President thought were not fairly warranted by the exigencies of interstate or international commerce, and the Secretary of War replied, stating either in his reply or afterwards, at least publicly, that his statement was made by direction of the President; and out of that entire bill against which that charge had been made there was, all told, somewhat less than $100,000, if I recollect aright, of measures which were alleged by the Executive who vetoed the bill to be unreasonable and improper or extravagant. And on that this wretched cry of logrolling and corruption in that case had sufficed, encouraged by the press and encouraged by some voices in one or the other Houses of Congress, to drive nearly a third of the members of the House of Representatives, I think, from their seats.

My own State had no interest in that river and harbor bill. Her demands were the demands of a great ocean port. When Boston or New York harbor asks for an improvement, it is an improvement which is to get an obstacle out of the way of the products which go to Europe from the great tier of States from New England to Washington, and which obstructs what they are to receive as well as what they are to sell. So nobody seriously and permanently resists our demands. These local improvements, which in the aggregate are as important, do not especially concern us; but of course the great Atlantic ports like Galveston, or Savannah, or Charleston, or New York, or Philadelphia do concern us, because every coastwise voyage which has Boston for one end has one of those ports for the other.

We have no special interest in the matter of irrigation, but as Americans we have in it a vast interest. There is a great space on the earth's surface nearly waste and barren now, which by reasonable and moderate expenditure can be converted into a fertile and blooming garden and can blossom as the rose. I have no doubt there are on this continent lands largely useless now, on which under proper development and with proper human agencies ten and perhaps scores and perhaps hundreds of millions of human beings are within a century or less to be located in happy American homes, and I for one, as a New England man, as a Massachusetts man, and as a lover of my country, welcome the inauguration of the policy which is to bring that to pass.

Mr. BACON. Mr. President, I wish to add one word, not entering upon the discussion of the bill at length. As there has been some expression by Senators as to those who would support and those who would not support the bill, I desire to state that I have heretofore in the Senate given my support to measures of this kind, looking to the inauguration of this very important work. How far we can go in safety of course the future must determine as we progress, but as one who has several times crossed the great arid plains of the West and who has here and there seen the oasis which has sprung up where they have had through irrigation the advantage of water, I am most earnestly impressed with the fact that the proposition involves a great deal for this country.

While I do not concede what has in substance been said by my friend from South Carolina, that it is a question of reciprocal benefit between the States on the seaboard and those in the interior, a balancing of appropriations, as it were, it is true in a large measure that that is a consideration which, within reasonable limitations, should not be lost sight of. It is of the utmost importance that the rivers and harbors of this country should be properly improved, and there is a very large part of the country which can not get the benefit from such benefactions of the Government made to accomplish this end. States so situated contribute their part, and it is certainly, in my judgment, a proper thing for us at least to do that which they now ask, the undertaking of a sufficient enterprise in this matter to give the information by practical experiment, which shall be a guide to us in the future in determining how far we can proceed in this effort to reclaim this vast area of country.

Mr. President, I have a grand realization of the great work which can be devolved upon the American people in the development of our own resources within our own borders, and I desire above all things in this connection that our eyes shall be withdrawn from vain enterprises and undertakings outside of our sphere, and that our attention and our efforts and our resources may be devoted to the development and the building up of this great country which, when developed and when built up in its almost limitless proportions, will be so vast as compared to that which we now enjoy as to be difficult of realization. The reclamation of these arid lands will be almost like adding a new continent to our domain—a vast expanse opened for the employment of the energies and the activities of our people. With these lands reclaimed we will have a country capable of maintaining between the Atlantic and Pacific three or four hundred millions of people. The wealth which would be added to the nation is beyond calculation. Better that we spend our hundreds of millions of dollars in the creation of this new world within our borders than squander it beyond the seas.

Mr. President, on the subject of rivers and harbors, as in the discussion to-day we have somewhat mixed up these two questions, statements have been made here as to the great benefit to the country and the great importance to us of their development and improvement. We all of us are largely influenced in our views on these matters by the developments in our own localities, and I have in mind now my own State.

We have two principal seaports, Savannah and Brunswick, and it is a fact that without the appropriations which have been made by the United States for the development of those two harbors they would to-day be practically sealed to the commerce of the world.

The city of Savannah before the development of Galveston was the second cotton port in the United States. It is now, I believe, the third. It is now and has been for a number of years the largest naval-stores port in all the world—not simply in the United States, but in all the world. And yet if it were not for the appropriations made through the recommendations of our Commerce Committee and through those of the Rivers and Harbors Committee of the House, by which the Savannah River has been deepened, that commerce would to-day be dead, because it would be impossible for the great ships of the world to come into the harbor of Savannah to secure this vast commerce and distribute it over the world.

Take the case of Brunswick. By a fortuitous circumstance, which it is not necessary for me to describe, beginning in a small way, but gradually increasing, the bar of Brunswick became so formidable as to practically close the harbor and in effect wipe Brunswick off the map as a seaport. I think it had filled up to such an extent that ships drawing over 14 or 15 feet of water could not enter the harbor. It was approximately that; possibly a little more than that, but not much more. By the appropriations, it is true peculiar in their method in that particular instance, and I will not stop to describe them, but through the opportunities given by the appropriations of this Government, contingent appropriations in that case, there is now over 24 feet of water on the bar, and great ships of deep draft are enabled to enter the harbor of Brunswick and carry on the commerce by which, among other important articles of export, in large degree the yellow-pine lumber of the State of Georgia—and the product of Georgia is a very large part of all of it—is shipped from that port to all parts of the world.

I do not intend by anything I say to take issue with the proposition advanced that there are frequently cases, probably some in every bill, in which there are appropriations to impracticable streams that ought not to be made; but, as suggested by the Senator from Massachusetts, comparatively they are very small in amount, and the great commerce of this country, not only the commerce of the seaports but of the sections of country which are tributary to the seaports, is dependent upon the fact that the United States Government does that which the States can not do. The States have not the money necessary for these great works. The United States Government enables by its appropriations the preservation and the development of these harbors to an extent which makes it practicable for the great commerce of the country, not only between its different ports but with all the world, to be carried on.

I do not know, Mr. President, to what extent the question of appropriation for the arid lands may ultimately be carried, but if it be true, as I understand it is, that a very large proportion of the benefit which is to come from this measure will be to lands which are now the property of the United States Government, and which will thus be increased in value to a very great extent, there is certainly still another reason, outside of those which have been mentioned this morning at least, why we should devote a liberal proportion of the revenues of the Government for that purpose.

I shall be more than gratified by the result, even if it does not for the present have any other effect than the single one I first mentioned. If we can withdraw our attention from that which I believe will not be of profit to us and center it upon that which will be of infinite profit and advantage to us in this immense area, awaiting our touch to wake it from sleep, it will be sufficient compensation in my mind for the appropriation which is asked. If we have millions to spare, either out of the sales of public lands or out of other funds, it is better that we devote the money to the improvement and the reclamation of our own country, limitless as it is in its promise and in its vast possibilities, than that we should squander it in distant lands among an alien people.

Mr. TELLER. Mr. President, the friends of this bill do not regard it as a local measure. The application of the money will be local, it is true, but the land will be open to the people of all parts of the United States. It is almost certain that they will be occupied by persons who are not now residents of those States or Territories. A majority of the land, I have no doubt, will be absorbed by the people who do not now reside within the limits of the arid region. So we do not think it is local. The whole people of the United States are to be benefited in this particular, and

we believe there will be a greater and more universal disposition of these benefits than could come from almost anything else the Government could do.

We people of the Northwest have had practically nothing of immediate benefit in the appropriations made for many years for rivers and harbors. We have had the general benefit, the good to the whole country, and that is all. Yet, Mr. President, I will venture to say that there has never been a river and harbor bill for twenty-five years that has not received practically the unanimous support of the representatives from the arid States. Of course there was an exception at the last session, where a Western Senator came in here and defeated the bill. That was an exception. Not only that, but all the appropriations for coast defenses and for improvements of that character for the protection of the country and for the creation of a navy to protect the Atlantic and Pacific cities of the country have always received practically the united support of the Northwest.

We do not appeal, however, to Senators to give to this measure support because we have done that, for that was only our duty, as we saw it, to the country at large. I merely wanted to impress upon the Senate that we are not asking for local benefit and local advantage, but a benefit and advantage that are open to every citizen of the United States in every part of it. We believe that the Government has never expended a dollar that will do as much good as the money that will be spent on these arid lands in the way of providing water for their cultivation.

In addition to that, Mr. President, the United States is a great landowner. The United States owns millions and millions of acres in these States which have been withdrawn from the taxing power of the State, and the State can never tax them unless we violate our compact with the General Government or they shall be capable of individual ownership. For that reason, if for no other, the General Government, it seems to me, ought to take some hand in this great work.

All we ask is that the Government shall do what most of the States, at least, are unable to do without great embarrassment to themselves; that the Government shall furnish the money and build the reservoirs and sell the land and attach the expense to the land, if they so desire, and thus get rid of the land that the Government can never sell unless it does take some such step, or unless the State should take such measures and do what we hope the Government will under this bill eventually do.

Now, Mr. President, as to the proposition that we are coming back here for more money. If we come back here for more money, it will be because we have demonstrated that this is a good method for the Government of the United States to expend its money. I am sure it ought not to be any objection if we should come back here ten years from now and say, and say it in a way that will convince our legislative bodies that "this work, so far as it has gone, has been a valuable work, and we ask you to increase it."

The Legislature of this nation is not likely to do that unless the Government gets an equivalent, either in the return of its money or, what is infinitely better, in the creation of communities of healthy American citizens on land of their own, which everybody knows makes the best community in the world, and the only safe community for a Republic like ours.

Mr. GALLINGER. Mr. President, I represent in part a little State that has only 12 miles of seacoast, and hence gets little out of the appropriations for rivers and harbors; but, in common with the other representatives from New Hampshire in both Houses of Congress, we have voted always for appropriations for the development of our harbors and the rivers of the country. Our votes have always been recorded, as I recall it, in behalf of the so-called river and harbor bill.

On two or three former occasions, if I remember correctly, I have voted in favor of a direct appropriation from the Treasury of the United States for the purpose of starting an irrigation scheme in this country to reclaim the arid and semiarid regions of the West.

So, Mr. President, I am glad of an opportunity to say a word in behalf of this bill, which proposes to use the proceeds from the sale of public lands for irrigation purposes. I have held to the view heretofore that it was a proper scheme for the Government to engage in, and I shall be very happy indeed to record my vote in favor of the measure that is now under consideration.

Mr. President, even from a selfish standpoint, or from selfish considerations, I should give my vote in favor of this bill. We are engaged in New England largely in manufactures, and we are seeking new markets for our manufactured goods. I feel sure that every thoughtful New England man will agree that when the arid region of our country is reclaimed, and American families and American homes are established on these lands, it will open a new market for the manufactured goods of New England. Possibly our people have not to any very considerable extent considered that view of the subject, which to my mind would be a controlling reason, if I had no other reason, for voting for the bill that is now before the Senate.

I do not wish, Mr. President, to delay the vote on this bill. As I understand, no serious opposition has yet developed against it, and I will content myself with the simple further declaration that it is to me a pleasure to be permitted to vote for a bill that the Senators representing the great Western States have agreed upon, and that I think it so safeguarded that it will do no harm to any section of our country, and which can not fail to result in the greatest possible advantage to the people of the United States.

Mr. PATTERSON. Mr. President, the people out in our section of the country have no particular interest, directly I mean, in rivers and harbors. It is gratifying, however, to discover that when the river and harbor question is broached there is harmony from one side of this Chamber to the other, and those of us who live in the arid West will not disturb that harmony, for I feel that for the high purposes the senior Senator from Massachusetts [Mr. HOAR] expressed, there is not one of us, recognizing the tremendous benefits of free and unimpeded navigation in the rivers of the country, but will vote for any well-considered and properly constructed river and harbor bill.

There was one time when I thought that Colorado would be directly interested in the river and harbor bill. It was a great many years ago, twenty-eight years ago, I believe, when I first went to Denver. Private enterprise had constructed a canal about 2 miles long, from some lakes in the neighborhood of Denver to the boundaries of the city, and then private enterprise constructed a steamer about 60 feet long, a stern-wheeler, and they put upon it an engine that had been used in the running of a thrashing machine. It was small, but it was perfectly marvelous to see the crowds that wended their way to this new naval enterprise upon the part of some folks in our city to take advantage of a ride on the turbid waters of the canal. I think that upon Sundays no less than four or five thousand people would pay their 25 cents to get upon that miniature steamer and, with the man at the bow with a long pole to keep its nose from running into the banks upon either side, ride to the lakes and return.

It was about that time, Mr. President, that Congress passed an act making Denver a port of entry. So you can see that with the two enterprises we had reason to hope that at some future day Denver would rival perhaps Chicago, or Savannah, or Galveston, or New Orleans as a real Simon Pure port of entry. But a storm came, the banks were washed away, and the hopes of all Colorado vanished.

It is time to leave that subject, if I will reach the bill at all, to suggest a few thoughts that are in my mind with reference to this particular measure. To my mind, a bill of this kind is a great pacificator. It is a great civilizer. Any measure that in a legitimate way will furnish an outlet from the great congested cities of the country to the agricultural regions is of a vast substantial benefit to the country from a social and an economic standpoint.

In the early days before I had given particular thought to subjects of this kind I used to hear men discuss the tremendous benefits that the boundless West conferred upon the country. When hard times came, when great manufacturing industries shut down, when great numbers of people were idle and there was danger of great social disturbances in the great cities, instead of meeting for the purpose of concocting trouble, attracted by the possibility or the certainty of a home in the West, they would manage to buy a wagon and a team; they would load their family and their household goods upon the wagon, and they would tread out to the West. The great West relieved the great cities of their superabundance of population.

One of the greatest evils that threatens this country to-day, in my opinion, Mr. President, is that by reason of the absorption of the inhabited and cultivable portion of the public lands this outlet to the surplus population of the great cities is just about closed. I have been impressed with this view of the question, that the addition of a new county of agricultural lands to this country is better than a regiment of soldiers for the purpose of preserving the peace. The addition of a new State, practically uninhabited, is better than a standing army. I am inclined to believe that one reason why this country got along for nearly a century with the small standing army that met its wants was the fact that the great West was open to the surplus of the population of the great cities, and the idle were not forced to meet, either in secret or in public, for the purpose of devising new and devious ways to secure for themselves and their families a livelihood.

The danger to this country is going to come, Mr. President, when the homes in the country are foreclosed to the people, when the tendency will be toward the centers of civilization, and there will be no room on the outskirts. I do not desire to enlarge upon that thought.

There are, say, 75,000,000 or 100,000,000 acres of agricultural lands that to-day can not be used, that do not supply any inducement to those who live in cities; that, so far as they are concerned, form a terra incognita. If these lands, by any reasonable process, can be transformed into lands in which and over which and

through which the plow may be dragged with profit, from which bountiful crops may be harvested, upon which a large and prosperous population can be supported, a transformation of such lands to the purposes that I have suggested puts off for many and many a day and many and many a year one of the most serious social and economic questions with which the thinkers and the statesmen of this great country of ours will be confronted.

These lands have paid for themselves over and over again. The price that was paid for the lands that came to this country through the Louisiana purchase, and later through the treaty of Guadalupe Hidalgo, has been put back into the Treasury time and time again in actual cash. So there is no mere financial loss to the country. There can be none. All that is asked now is that the lands that remain, which may not be utilized by the farmer, which can not be occupied as homes, may be made into farming lands and made into homes out of the proceeds of these very lands.

I believe, Mr. President, that the proposed law is so framed as that the fund that it produces will be a constantly accumulating fund. It is altogether improbable in my mind that those who live in the arid country will in later years be coming to Congress and asking for more appropriations for the reclamation of these lands. Under the operations of the bill, if it is honestly and fairly administered, I believe that when the last acre is reclaimed there will be more money in the fund than there will be at any time during the first five years of its operation.

So I care not from what standpoint this measure is viewed, it is a wise measure; it is a humane measure; and from the standpoint of the benefit to the whole country it is a patriotic measure; and I am glad to realize the unanimity with which members on both sides of the Chamber support the measure. It will be cheerful tidings indeed to the people of the arid region of the country who feel, whether justly or not, that they have been taxed unfairly and immoderately for public enterprises in other sections of the country, that their needs are recognized by practically a unanimous vote of the Senate of the United States and they are to be supplied with no stinted hand.

Mr. RAWLINS. Mr. President, I have spent my life in the arid regions, and during that time I have witnessed the reclamation of arid lands by the process of irrigation. So far these lands have been reclaimed without any aid from the Treasury of the Federal Government. The homes and the cities which have been built up have been built through the energy and the enterprise of the people who have there sought their homes.

I have looked over the provisions of this bill, although I had no share in its preparation, because I felt that those who were looking after it were competent to intelligently deal with this question. From a constitutional standpoint and from an economic point of view, it seems to me that the bill is entirely free from objection. It has been the policy of this Government under its homestead laws to donate the public lands in any of the States in which there have existed public lands to people who might go upon them and establish their homes there. That is practically what this bill proposes to do. They are lands belonging to the Government of the United States. They are worthless without irrigation. The Government, instead of donating the lands to people who seek to establish their homes upon them, makes provision for the supply of the water, without which the lands are valueless.

Then the bill provides for the return to the fund known as the reclamation fund of contributions by the home seekers, so that the fund may, perhaps, be perpetual, and that the land belonging to the Government shall be made valuable where it is now worthless. It would seem to me that that is not only a rational scheme, but one which would commend itself to every man wherever he might live in this land of ours. Mr. President, this is a public purpose. It is a national enterprise. The building of homes upon lands now belonging to the Government in juxtaposition with our public lands, also the property of the nation, tends to add to the value of the lands which may not be disposed of under this particular scheme.

It is often remarked that this is but the beginning; that we, in the arid-land States, will be knocking at the doors of Congress for more and more appropriations as the years roll by. Mr. President, this does not seem to me, in the brief consideration which I have given to the subject of the bill, to involve any gigantic schemes or any tremendous expenditure of money. Take my own State. There are 50,000,000 acres of land within its boundaries. Most of those lands are mountainous and can not be reclaimed by irrigation. A very large proportion of those lands are so situated that by no scheme of irrigation can they be reclaimed. Perhaps when we have made the final estimate of all the lands that might be benefited under the provisions of this bill they will not exceed 100,000 or 200,000 acres in my own State.

Passing from my State to the State of Idaho, the possibility of reclaiming arid lands there under the provisions of the bill I think are much greater than they are in my own State. Still when a careful estimate is made of lands which will actually be reclaimed under the provisions of the bill, a few hundred thousand acres will cover the aggregate. My judgment is that 10,000,000 acres of land will be the limit of the quantity of land which can be reclaimed under the provisions of this bill.

Now, Mr. President, the success of this measure will depend upon its intelligent administration. Very large discretion is committed, and I think necessarily committed, to the Secretary of the Interior. If it is wisely administered it will be of great benefit. It will be an economical disposition of public funds. If it is unwisely administered it may meet with the condemnation of people in the very States to which it is to apply. For instance, I can imagine a Secretary who might decide upon projects which were impracticable, in reference to lands which can not be reclaimed, who might attempt to carry on a scheme of irrigation which would not only be a waste of the public funds but would be disapproved by the people who desire their reclamation by some reasonable method. I have no reason, and we have no reason, to assume that any such mistake will be made in the administration of this bill. I sincerely hope there will not be.

Mr. President, I invite attention to the fact that in 1889, I think it was, Congress authorized the Geological Survey to make selection of reservoir sites and in connection with that certain quantities of land were to be reserved for purposes of irrigation. Under the provisions of that act numerous reservoir sites were selected, and large tracts of land were reserved from public entry. In 1892, after these reservoirs had been made under the provisions of that law, it was found that instead of promoting the settlement of the West, it obstructed its settlement. The Government having reserved those lands and shut out individuals who would seek to reclaim them by private enterprise and private expenditure, refusing to make the expenditure on its own account out of the National Treasury, these sites, suitable to reservoirs and land susceptible of reclamation were in a state of enforced idleness, so to speak, and in 1892 Congress found it necessary to repeal that law and restore those lands to the public domain and make them subject to entry under the public-land laws of the United States.

Mr. President, if this measure is to prove successful, the utmost care will be necessary on the part of the officials who are to administer it. If they go out without due consideration and make selection of reservoir sites and reserve large tracts of land which will not any longer be open to entry except under the provisions of this bill, and then stop short and delay for years and years, the execution of the enterprise, instead of promoting the development and settlement of the West, it will be greatly retarded. If those who administer this bill go into the West and select certain localities where with great propriety the provisions of this bill may be carried into execution, and shall proceed promptly and efficiently to carry out the work to a successful conclusion, it will be a great stimulus and will be a great advantage. There are perhaps one or two localities in my State alone to which this bill can have application.

The Senators from the East say they perhaps have no very direct interest in this matter. I know there are certain States in the West enumerated in the bill which can not be benefited to any very great extent under the specific provisions herein contained. Yet it ought to pass.

Now, with respect to the establishment of reservoirs, there are very few cases in which a reservoir can be established and successfully maintained. Those who have devoted much time to the consideration of the question of reservoirs and their maintenance well recognize this fact. They are built in narrow gorges, the extent of which is very limited. The reservoirs fill up with silt and sand and wash, which are permitted to flow into the reservoirs, and it is but a short time until they are filled up. The expense of maintaining them will be greater than the cost of their original construction.

Mr. PATTERSON. I think the Senator from Utah is mistaken as to the places in which reservoirs may be constructed. The criticism that he makes upon reservoirs constructed in mountains is not altogether without substance, but reservoirs more vast in extent and impounding an immensely greater volume of water may be constructed out on the plains; reservoirs which, by reason of the topography of the ground, at very little expense may be made absolutely safe.

Mr. RAWLINS. I was approaching that. The only object I have in the remarks I am making is to throw out some suggestions which I think may be valuable if they are considered in the administration of this measure. I am entirely in favor of it and shall cast my vote for it.

There are many cases, as I was about to say when I was interrupted by the Senator from Colorado, where reservoirs can be maintained. For instance, in my State there is a reservoir, a lake now, 5 miles in width and 15 or 20 miles in length. The

water is raised by means of dams to an elevation called high-water mark. From that it is drawn down as the water is needed, some 5 or 6 feet, the water being drawn away by five or six different canals; and it is of the utmost utility to the valley in which is situated the city of Salt Lake.

In the northern part of my State and the borders of Idaho there is what is known as Bear Lake, by which flows the Bear River. There is a case where a reservoir may be established of the utmost value, which will lead to the reclamation of a considerable area of land now worthless; and, doubtless, in every State such places may be found. I simply desire to allude to the situation and to point to the fact that if this measure is intelligently administered it will be a success and will result in great benefit and no detriment to the public welfare of the country.

Mr. President, no project ought to be undertaken until it is considered and until they have determined to proceed with it to its completion as promptly as it is possible in the nature of the work for that to be done. When the structure is completed under the bill it is to be turned over to the regulation of the laws of the State in which the work is located. The people who get the benefit of it pay for the advantage which they receive by turning into this reclamation fund the amount of the expenditure necessary for its completion. When that is done the account is balanced up between the Government and the individuals who receive the benefit of this beneficent expenditure.

Many places in Idaho, doubtless in Wyoming, Colorado, and in other States mentioned here will be greatly benefited under the provisions of this bill. On the other hand, if some agent, having little regard to his responsibility, is designated to select those sites, and they are selected without due consideration as to their practicability, and private enterprise is shut out, and those who would make settlements and by their own energy and expenditure establish homes are prevented from doing so, and the Government then delays the execution of this work, instead of its being a public benefit, it will be greatly to the disadvantage of the States in which that thing should occur.

Mr. President, this is all I desire to say. If this project is completed, it will not, in my judgment, involve a very great expenditure on the part of the Federal Government. If wisely administered, it will be of great advantage, and I shall cheerfully give my vote in its favor.

Mr. CLAY. Mr. President, the last river and harbor bill carried about $50,000,000. In glancing through that bill I find there are nine or ten States which did not receive a dollar. I see that Colorado is one of those States; Idaho is another; Montana is another; Nebraska did not receive anything, and South Dakota received only $52,000; North Dakota did not receive anything; neither did Utah, and Wyoming received only a small amount.

Mr. CLARK of Wyoming. What amount, may I ask the Senator?

Mr. CLAY. I think $100,000.

Mr. CLARK of Wyoming. It was struck out.

Mr. CLAY. Anyhow, the States that are to be the particular beneficiaries of this legislation practically received nothing in the last river and harbor bill.

The people of my State, directly speaking, are not interested in the subject of irrigation, but as a Senator, representing in part a Southern State, I am glad to give my vote and aid to those States in reclaiming these lands and preparing them for homes for citizens in the future. As a matter of justice, we ought to do it, and I am glad to see a unanimous sentiment on this side of the Chamber in favor of it. I am aware of the fact that we are now anxious to vote, and I will not take the time of the Senate further in giving the reasons why I am in favor of this legislation.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROMOTION OF COMMERCE.

Mr. FRYE. I move that the Senate proceed to the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. CLAY. I desire to ask the Senator from Maine if it is his intention to take up the bill and press it until we come to a vote on it. I am anxious to be present when the bill is discussed——

Mr. FRYE. I do not suppose that to-day——

Mr. CLAY. I mean continuously, until it is disposed of?

Mr. FRYE. Yes; continuously, except yielding at times for appropriation bills and measures of that kind.

Mr. CLAY. I am compelled to be absent in Georgia part of next week and I am very anxious to be present when the measure is discussed. Does the Senator intend to press it Monday, Tuesday, and Wednesday?

Mr. FRYE. Yes, unless appropriation bills come in. I understand there are two appropriation bills that are likely to come in, and then this measure will be temporarily laid aside, if there be no objection, to permit the appropriation bills to be considered.

Mr. BACON. I suppose, anyhow, the Senator from Maine will give Senators who are not ready a reasonable time for debate, and will not insist on a vote——

Mr. ALDRICH. Mr. President, this question is not debatable.

The PRESIDING OFFICER. The Chair so understands.

Mr. CLAY. I am sure, at least I think I am, that there is no disposition on this side of the Chamber—there certainly is not so far as I have heard—to do anything in the world except to present arguments a reasonable length of time, and after we get through discussing it, vote.

Mr. FRYE. I simply desire to have it retain its place as the unfinished business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine to proceed to the consideration of the bill indicated by him.

Mr. CULLOM. When the bill is before the Senate, I desire to move an executive session.

Mr. BACON. I hope the Senator from Illinois will allow me to offer an amendment.

Mr. FRYE. Has the motion been declared carried?

The PRESIDING OFFICER. It has not been.

Mr. HOAR. I should like, as other Senators have been permitted to make a suggestion, to say that I desire at some early opportunity, when the shipping bill is not actually pressing, to call up the bill for the protection of the President of the United States, which has been read and partly discussed to-day.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine to proceed to the consideration of the bill indicated by him.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 9) granting an increase of pension to Mourse R. Adams;

A bill (S. 143) granting an increase of pension to Henriette Salomon;

A bill (S. 195) granting a pension to Nellie Bartlett;

A bill (S. 196) granting an increase of pension to Richard N. Blodgett;

A bill (S. 198) granting an increase of pension to Lucy M. Hill;

A bill (S. 254) granting an increase of pension to Lewis C. Killam;

A bill (S. 336) to grant an honorable discharge from the military service to Charles H. Hawley;

A bill (S. 508) granting an increase of pension to Adelaide Worth Bagley;

A bill (S. 608) for the relief of George K. Bowen;

A bill (S. 659) granting a pension to Thomas E. Clark;

A bill (S. 700) granting a pension to Rebecca Dobbins;

A bill (S. 886) granting an increase of pension to James M. McCoy;

A bill (S. 1029) granting an increase of pension to Wellington D. Curtis;

A bill (S. 1036) granting an increase of pension to Benjamin G. Sargent;

A bill (S. 1145) granting an increase of pension to Lucinda C. Scott;

A bill (S. 1197) granting an increase of pension to Mahale Litton;

A bill (S. 1258) to remove the charge of desertion from the naval record of John Glass;

A bill (S. 1330) granting an increase of pension to Moses Smith;

A bill (S. 1355) granting a pension to Lura B. Rogers;

A bill (S. 1611) granting a pension to Cynthia M. Record;

A bill (S. 1616) granting an increase of pension to Enoch A. White;

A bill (S. 1782) granting a pension to Catherine Meade;

A bill (S. 1923) granting an increase of pension to Fred F. B. Coffin;

A bill (S. 2000) granting a pension to John M. Core;

A bill (S. 2012) granting a pension to Catherine Conroy;

A bill (S. 2098) granting a pension to George H. Morton;

A bill (S. 2391) granting an increase of pension to Elvira L. Wilkins;

A bill (S. 2441) granting an increase of pension to Ziba S. Wood;

A bill (S. 2460) granting an increase of pension to Cornelius Springer;

A bill (S. 2508) granting an increase of pension to Pauline Lowe Murphy;
A bill (S. 2700) granting an increase of pension to Martha A. Couch;
A bill (S. 3106) granting an increase of pension to Hugh R. Richardson; and
A bill (S. 3424) granting an increase of pension to Minnie E. King.

The message also announced that the House had passed, with amendments, the following bills; in which it requested the concurrence of the Senate:

A bill (S. 24) for the relief of James W. Howell;
A bill (S. 1931) granting an increase of pension to Etta Scott Mitchell;
A bill (S. 3157) granting an increase of pension to Rhody Ann Bradshaw; and
A bill (S. 3204) granting an increase of pension to Mary T. Bruce.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 282) granting an increase of pension to John O'Rourke;
A bill (H. R. 311) granting a pension to Susan H. Stevens;
A bill (H. R. 611) granting an increase of pension to Theodore F. Collins;
A bill (H. R. 622) granting a pension to Dicey Woodall;
A bill (H. R. 628) granting a pension to Caroline Fitzsimmons;
A bill (H. R. 725) granting an increase of pension to Joseph B. Arbaugh;
A bill (H. R. 1011) granting an increase of pension to John S. Raulett;
A bill (H. R. 1129) granting an increase of pension to William H. Shaffer;
A bill (H. R. 1275) granting an increase of pension to Charles W. Thomas;
A bill (H. R. 1325) granting an increase of pension to William J. Wallace;
A bill (H. R. 1328) granting an increase of pension to Gotthard Koerner;
A bill (H. R. 1378) granting an increase of pension to Bessie H. Lester;
A bill (H. R. 1380) granting an increase of pension to Mary Tate;
A bill (H. R. 1476) granting an increase of pension to Henry F. Benson;
A bill (H. R. 1485) granting an increase of pension to Thompson B. Moore;
A bill (H. R. 1503) granting an increase of pension to Michael Farrell;
A bill (H. R. 1523) granting a pension to Susan J. Taylor;
A bill (H. R. 1688) granting an increase of pension to Charles Armstrong;
A bill (H. R. 1697) granting an increase of pension to Richard A. Lawrence;
A bill (H. R. 1740) granting a pension to John Fisher;
A bill (H. R. 1743) granting a pension to Samuel M. Graves;
A bill (H. R. 2093) granting an increase of pension to Anna B. McCurley;
A bill (H. R. 2113) granting an increase of pension to Mary J. Clark;
A bill (H. R. 2120) granting an increase of pension to Horatio N. Warren;
A bill (H. R. 2123) granting a pension to Elizabeth M. Folds;
A bill (H. R. 2128) granting an increase of pension to Abram O. Kindy;
A bill (H. R. 2167) granting a pension to Mahala Jane Kuhn;
A bill (H. R. 2192) granting an increase of pension to Benjamin F. Shearer;
A bill (H. R. 2223) granting an increase of pension to John Laughlin;
A bill (H. R. 2240) granting an increase of pension to Aquila Wiley;
A bill (H. R. 2287) granting an increase of pension to George McDaniel;
A bill (H. R. 2436) granting an increase of pension to James W. Roath;
A bill (H. R. 2526) granting an increase of pension to William J. Simmons;
A bill (H. R. 2557) for the relief of Henry L. McCalla;
A bill (H. R. 2600) granting an increase of pension to Richmond L. Booker,
A bill (H. R. 2669) granting a pension to Isabella Compton;
A bill (H. R. 2770) granting an increase of pension to Otillia M. Smoot;
A bill (H. R. 3180) granting an increase of pension to Edward S. Dickinson;
A bill (H. R. 3241) granting an increase of pension to Hinkley G. Knights;
A bill (H. R. 3264) granting an increase of pension to William B. Matney;
A bill (H. R. 3275) granting an increase of pension to William G. Johnson;
A bill (H. R. 3278) to correct the military record of C. R. Dickson;
A bill (H. R. 3288) granting an increase of pension to Elmer J. Starkey;
A bill (H. R. 3309) to remove the charge of desertion against Ephraim H. Gallion;
A bill (H. R. 3352) granting an increase of pension to Margaret M. Boyd;
A bill (H. R. 3354) granting an increase of pension to Thomas Young;
A bill (H. R. 3371) granting an increase of pension to Elizabeth P. Searcy;
A bill (H. R. 3418) granting a pension to Dennis Dyer;
A bill (H. R. 3690) for the relief of Jacob L. Hanger;
A bill (H. R. 3762) for the relief of Emanuel Klauser;
A bill (H. R. 3873) granting a pension to William C. Flowers;
A bill (H. R. 4153) granting a pension to Jane Hale;
A bill (H. R. 4172) granting an increase of pension to George R. Chaney;
A bill (H. R. 4260) to correct the military record of James A. Somerville;
A bill (H. R. 4456) granting a pension to Ruth B. Osborne;
A bill (H. R. 4468) granting an increase of pension to John B. Kurth;
A bill (H. R. 4821) granting an increase of pension to Herbert A. Boomhower;
A bill (H. R. 4927) granting a pension to George Tucker;
A bill (H. R. 4945) granting a pension to Shadrack I. Corbett;
A bill (H. R. 5102) granting a pension to Margaret Baker, formerly Maggie Ralston;
A bill (H. R. 5109) granting an increase of pension to Frederick M. Hahn;
A bill (H. R. 5145) granting an increase of pension to Thomas Swan;
A bill (H. R. 5258) granting an increase of pension to William Eastin;
A bill (H. R. 5413) granting an increase of pension to Alfred H. Van Vliet;
A bill (H. R. 5536) granting an increase of pension to Daniel Schram;
A bill (H. R. 5543) granting an increase of pension to Samuel W. Skinner;
A bill (H. R. 5553) granting a pension to Nancy E. Hardy;
A bill (H. R. 5712) granting a pension to Alice Bozeman;
A bill (H. R. 5761) granting a pension to Thomas F. Walter;
A bill (H. R. 5789) granting an increase of pension to Joseph Seithen;
A bill (H. R. 5982) granting an increase of pension to Christine B. Knapp;
A bill (H. R. 6016) granting an increase of pension to William J. Overman;
A bill (H. R. 6023) granting an increase of pension to Robert L. Ackridge;
A bill (H. R. 6029) granting a pension to Mary E. Kelly;
A bill (H. R. 6080) granting an increase of pension to Mariah J. Anderson;
A bill (H. R. 6081) granting an increase of pension to Frances T. Anderson;
A bill (H. R. 6356) granting an increase of pension to William G. Taylor;
A bill (H. R. 6435) granting a pension to Susan P. Crandall;
A bill (H. R. 6593) granting an increase of pension to Harry L. Graham;
A bill (H. R. 6687) granting an increase of pension to Lorenzo Blackman;
A bill (H. R. 6713) granting an increase of pension to Freeman R. E. Chanaberry;
A bill (H. R. 6847) to correct the military record of Michael Hayes;
A bill (H. R. 6864) granting an increase of pension to Milton A. Embick;
A bill (H. R. 6918) granting an increase of pension to Thomas Bliss;
A bill (H. R. 7105) granting an increase of pension to Silas Stotts;
A bill (H. R. 7130) granting a pension to Elizabeth Lowden;
A bill (H. R. 7148) granting a pension to Harmon S. Gatlin;
A bill (H. R. 7320) granting an increase of pension to James Mantach;
A bill (H. R. 7364) granting an increase of pension to Maria Louisa Michie;

A bill (H. R. 7369) granting an increase of pension to Perry H. Alexander;
A bill (H. R. 7424) granting an increase of pension to John Craig;
A bill (H. R. 7525) granting a pension to Marion Barnes;
A bill (H. R. 7731) granting an increase of pension to Richard Owens;
A bill (H. R. 7755) granting a pension to Laura G. Weisenburger;
A bill (H. R. 7771) granting an increase of pension to Frank Seaman;
A bill (H. R. 7846) granting a pension to Michael Tynan;
A bill (H. R. 7990) granting an increase of pension to Uriah Reams;
A bill (H. R. 8007) granting an increase of pension to James W. Lewis;
A bill (H. R. 8180) granting an increase of pension to William S. Derby;
A bill (H. R. 8292) granting a pension to Hester Thomas;
A bill (H. R. 8471) granting a pension to Eliza A. Wright;
A bill (H. R. 8553) granting a pension to Joseph Tusinski;
A bill (H. R. 8631) granting a pension to Mary E. S. Hays;
A bill (H. R. 8707) granting an increase of pension to James R. Ambrose;
A bill (H. R. 8782) granting an increase of pension to Myron C. Burnside;
A bill (H. R. 8788) granting an increase of pension to Jacob Weidel;
A bill (H. R. 9149) granting a pension to Sara B. Andrews;
A bill (H. R. 9296) granting a pension to Mary E. Chapman;
A bill (H. R. 9397) granting a pension to John S. Lewis;
A bill (H. R. 9463) granting an increase of pension to Edgar A. Stanley;
A bill (H. R. 9659) granting a pension to Laura A. Van Wye;
A bill (H. R. 9696) granting a pension to Ezekiel J. Robinson;
A bill (H. R. 9821) granting a pension to John W. Moore;
A bill (H. R. 9848) granting an increase of pension to Joseph Cowgill;
A bill (H. R. 10044) granting an increase of pension to William Larzalere;
A bill (H. R. 10132) granting an increase of pension to John Garner;
A bill (H. R. 10165) granting an increase of pension to Delia E. Slocum;
A bill (H. R. 10178) granting an increase of pension to Daniel Thomas;
A bill (R. R. 10415) granting a pension to Sarah M. Smith;
A bill (H. R. 10486) granting a pension to Alida Payne;
A bill (H. R. 10692) granting an increase of pension to David C. Maples;
A bill (H. R. 10956) granting an increase of pension to Frances K. Morrison; and
A bill (H. R. 11144) granting an increase of pension to Anderson Howard.

[The foregoing House pension bills were subsequently read twice by their titles and referred to the Committee on Pensions.]

PHILIPPINE TARIFF BILL.

Mr. LODGE submitted the following report:

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 6, 7, 8, 9, 10, 11, 12, and 13; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows:

Strike out of the matter inserted by said amendment the word "exportation" and insert in lieu thereof "shipment;" strike out the word "now" in line 15 of the matter inserted by said amendment; after the word "duty" in the matter inserted by said amendment insert "under the provisions of this act;" and strike out in line 16 of the matter inserted by said amendment the word "exported" and insert "coming;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows:

Strike out all of the amendment after the word "further," in line 2 of the matter inserted, and insert in lieu thereof the following: "That the Philippine Commission shall be authorized and empowered to issue licenses to engage in lighterage or other exclusively harbor business, to vessels or other craft actually engaged in such business at the date of the passage of this act, and to vessels or other craft built in the Philippine Islands or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows:

Strike out all of the section and insert in lieu thereof a new section, as follows: "That the provisions of the act entitled 'An act to simplify the laws in relation to the collection of revenues,' approved June 10, 1890, as amended by an act entitled 'An act to provide revenue for the Government and to encourage the industries of the United States,' approved July 24, 1897, shall apply to all articles coming in to the United States from the Philippine Archipelago;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows:

Strike out all the matter inserted by said amendment after the word "court," in line 5; and the Senate agree to the same.

H. C. LODGE,
W. B. ALLISON,
Managers on the part of the Senate.
SERENO E. PAYNE,
JOHN DALZELL,
Managers on the part of the House.

Mr. HOAR. What are the amendments of the Senate that are agreed to? I should like some general knowledge about it.

Mr. LODGE. The House has agreed substantially to every amendment of the Senate. The sections that have been read in full are mere changes of phraseology and not of purport. The only changes that are more than verbal are the omission of the latter half of the amendment to the treason and sedition laws and the recession by the Senate from the amendment in regard to adding the United States tonnage tax to the local tonnage tax.

Mr. HOAR. What does my colleague mean by the "latter half of the amendment to the treason and sedition laws?"

Mr. LODGE. It was offered by my colleague as a second amendment, but it appears in the bill as one amendment; that is, the witnesses and the modification of the clause relating to the misprision of treason.

Mr. HOAR. But the provision about what shall constitute treason is retained?

Mr. LODGE. It is retained. The part about witnesses is retained.

Mr. HOAR. I may as well take this occasion to call attention to what I understand to be the fact.

I understand that the then President, Mr. McKinley, on the 7th of April, 1900, addressed to the president of the Philippine Commission a letter of instruction which is given in the annual report of the Secretary of War for the fiscal year ending June 30, 1900. I can not find that those instructions have ever been repealed, modified, or in any way weakened in their force and effect by any authority of our Administration in Washington, and among them is this:

At the same time the Commission should bear in mind, and the people of the islands should be made plainly to understand, that there are certain great principles of government which have been made the basis of our governmental system, which we deem essential to the rule of law and the maintenance of individual freedom, and of which they have, unfortunately, been denied the experience possessed by us; that there are also certain practical rules of government which we have found to be essential to the preservation of these great principles of liberty and law, and that these principles and these rules of government must be established and maintained in their islands for the sake of their liberty and happiness, however much they may conflict with the customs or laws of procedure with which they are familiar.

It is evident that the most enlightened thought of the Philippine Islands fully appreciates the importance of these principles and rules, and they will inevitably within a short time command universal assent. Upon every division and branch of the government of the Philippines, therefore, must be imposed these inviolable rules:

That no person shall be deprived of life, liberty, or property without due process of law.

I skip some others which are found generally in our amendments to the Constitution.

That no law shall be passed abridging the freedom of speech or of the press or of the rights of the people to peaceably assemble and petition the government for a redress of grievances.

I hope when the investigating committee make their report we will learn by what authority that provision has been flagrantly and flatly denied, as appears from the report as to the treason and sedition law which so far is in flat conflict with it.

I should not consent, without a strenuous resistance, to the adoption of this report if the law in regard to treason—what makes the substance of treason, requiring an overt act—which was placed there by the Senate with absolute unanimity, had been stricken out by the House.

In regard to the other part of that law making mothers punishable if they do not inform against their sons and making sons punishable if they do not inform against their mothers, and so on, I have no doubt whatever that practically, whatever stands on the statute book, it never would be enforced. Those of the gentlemen of the Commission whom I know or know about, and for whom I have high respect, would never practically see that anybody was punished under that rule under those circumstances; and I have no doubt if they had thought of it they would have been willing enough to put it into their law.

They took their law, by inadvertence, from an ancient law of ours which was leveled at the offense of betraying the country to a foreign foe—an offense for which mothers would denounce their sons and wives would quit their husbands—one of the most odious and infamous offenses known to mankind, and their only mistake was in that particular that they were not careful when they undertook to apply old laws to new conditions. It is one of the things which shows the impossibility of foreign rule over an alien people being exercised without carelessness, even by the most humane and well-meaning men.

I should like to say, because my vote the other day has been the subject of some criticism, that I understand this bill to be a mere provision as to the regulations and conditions upon which

vessels and cargoes from this country shall enter the ports of the Philippine Islands from other countries and on what condition vessels and cargoes from the Philippine Islands shall come into this country. I do not understand that it involves the principle of an assertion of a permanent political power, and it does not deal, one way or the other, with the political action which has been taken out there under our authority.

It is a necessity arising out of the fact of mere possession that the power so in possession shall declare on what terms ships and cargoes may come in.

I do not wish to be understood in supporting this bill to have in the least abandoned or departed from what I consider the true principles of constitutional liberty, which in my humble way I have asserted heretofore.

Mr. LODGE. It is a temporary measure.

Mr. HOAR. It is a temporary necessity growing out of our position, just as it is to regulate a camp wherever you have one.

The PRESIDENT pro tempore. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

PROTECTION OF THE PRESIDENT.

Mr. BACON. I present certain amendments which I propose at the proper time to offer to the bill (S. 3653) for the protection of the President of the United States, and for other purposes. I ask that they may now be read and printed.

The PRESIDENT pro tempore. The Senator from Georgia proposes amendments to the bill which was under consideration this morning, which at his request will be read.

The Secretary read the amendments, which appear later in the proceedings.

Mr. BACON. The bill was read at length during the present session, and I now ask that the bill may be printed in connection with my amendments in order that Senators may see the bill and the amendments together.

Mr. HOAR. I hope my honorable friend the Senator from Georgia will be ready, say after next Monday, if an opportunity should come, to have the bill taken up for consideration. It is a very important bill and should not be delayed a great while. I have not pressed it to-day, in deference to the Senator's desire, and I shall not press it on Monday unless he is ready; but after Monday I shall feel it my duty to press it when a convenient opportunity comes.

Mr. BACON. The Senator will probably remember what was said in regard to that matter when he moved to take up the bill——

Mr. HOAR. Yes.

Mr. BACON. That there would be ample opportunity for debate.

Mr. HOAR. Yes.

Mr. BACON. I do not suppose there will be any disposition to ask for any more time than is requisite for that purpose.

The PRESIDENT pro tempore. Will the Senator from Georgia please repeat his request?

Mr. BACON. I stated that the bill had already been read at length to-day, and I asked that the original bill might be printed in the RECORD in connection with the amendments which I propose.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Georgia? The Chair hears none, and it is so ordered.

The bill referred to is as follows:

A bill (S. 3653) for the protection of the President of the United States, and for other purposes.

Be it enacted, etc., That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, willfully kill or cause the death of the President or Vice-President of the United States, or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws, or who shall willfully cause the death of the sovereign or chief magistrate of any foreign country, shall be punished with death.

SEC. 2. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, attempt to commit either of the offenses mentioned in the foregoing section shall be punished with death.

SEC. 3. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, instigate, advise, or counsel the killing of the President or Vice-President of the United States, or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws, or shall conspire with any other person to accomplish the same, or who shall instigate, advise, or counsel the killing of the sovereign or chief magistrate of any foreign country, or shall conspire with any other person to accomplish the same, shall be punished by imprisonment not exceeding twenty years.

SEC. 4. That any person who has conspired as aforesaid may be indicted and convicted separately, although the other party or parties to the conspiracy are not indicted or convicted.

SEC. 5. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, by spoken words, or by written or printed words, uttered or published, threaten to kill or advise or instigate another to kill the President or Vice-President of the United States, or any officer thereof upon whom the powers and duties of the office of President of the United States may devolve under the Constitution and laws, shall be punished by imprisonment not exceeding ten years.

SEC. 6. That any person who shall willfully and knowingly aid in the escape from punishment of any person guilty of either of the offenses mentioned in the foregoing sections shall be deemed an accomplice after the fact, and shall be punished as if a principal, although the other party or parties to said offense shall not be indicted or convicted.

SEC. 7. That the Secretary of War is authorized and directed to select and detail from the Regular Army a sufficient number of officers and men to guard and protect the person of the President of the United States without any unnecessary display.

And the Secretary of War is authorized and directed to make special rules and regulations as to dress, arms, and equipment and duties of said guard, and shall publish only such parts of said rules and regulations as he may deem proper.

That the additional expenses of such guard so detailed shall be paid out of the Treasury, on accounts to be certified by the Secretary of War to the Secretary of the Treasury.

The amendments intended to be offered by Mr. BACON to the foregoing bill are as follows:

After the words "United States," in the first section, in line 6, page 1, of the bill, insert the following words:

"Because of his official position, or for the purpose of destroying the Government or impairing the execution of its constitutional powers."

Amend further by striking out from the first section the following words: "Or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws."

Amend by inserting after the word "shall," in the third section, in the first line, page 2, the words "for the reason or for the purpose hereinbefore specified."

Amend section 3 by striking out the words "or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws."

Amend section 5 by inserting after the word "shall," in the fifteenth line, page 2, the words "for the reason or for the purpose hereinbefore specified."

Strike out from section 5 "or any officer thereof upon whom the powers and duties of the office of President of the United States may devolve under the Constitution and laws."

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 2557) for the relief of Henry L. McCalla;

A bill (H. R. 3278) to correct the military record of C. R. Dickson;

A bill (H. R. 3309) to remove the charge of desertion against Ephraim H. Gallion;

A bill (H. R. 3690) for the relief of Jacob L. Hanger;

A bill (H. R. 3762) for the relief of Emanuel Klauser;

A bill (H. R. 4260) to correct the military record of James A. Somerville; and

A bill (H. R. 6847) to correct the military record of Michael Hayes.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, March 3, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 1, 1902.

COLLECTOR OF CUSTOMS.

Benjamin B. Brown, of Pennsylvania, to be collector of customs for the district of Erie, in the State of Pennsylvania. (Reappointment.)

PROMOTION IN THE NAVY.

Lieut. John H. Gibbons, to be a lieutenant-commander in the Navy, from the 9th day of February, 1902, vice Lieut. Commander John B. Bernadou, an additional number in grade.

APPOINTMENT, BY TRANSFER, IN THE ARMY.

Second Lieut. Jairus A. Moore, from the Infantry Arm to the Artillery Corps, with rank from July 25, 1900.

APPOINTMENTS IN THE ARMY—TO BE SECOND LIEUTENANTS.

Cavalry Arm.

George W. Biegler, of Indiana, late captain, Twenty-eighth Infantry, United States Volunteers, February 2, 1901, to fill an original vacancy.

Artillery Corps.

Harry W. McCauley, at large, late corporal, Company E, First Colorado Volunteers, July 1, 1901, to fill an original vacancy.

William R. McGill, of Pennsylvania, late quartermaster-sergeant, Company L, Forty-first Infantry, United States Volunteers, July 1, 1901, to fill an original vacancy.

Robert J. Arnold, at large, late first lieutenant, Twenty-ninth Infantry, United States Volunteers, August 22, 1901, to fill an original vacancy.

Albert H. Stevens, of the District of Columbia, late second lieutenant, Thirty-first Infantry, United States Volunteers, August 22, 1901, to fill an original vacancy.

Charles E. N. Howard, at large, late second lieutenant, Forty-

fifth Infantry, United States Volunteers, August 22, 1901, to fill an original vacancy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 1, 1902.

SURVEYOR-GENERAL OF WYOMING.

Alpheus P. Hanson, of Wyoming, to be surveyor-general of Wyoming.

POSTMASTERS.

James Ruane, to be postmaster at Slayton, in the county of Murray and State of Minnesota.

Harry S. Tripp, to be postmaster at Spencer, in the county of Worcester and State of Massachusetts.

August Schneider, to be postmaster at Weston, in the county of Platte and State of Missouri.

William C. Gaston, to be postmaster at Keytesville, in the county of Chariton and State of Missouri.

Joseph H. Handel, to be postmaster at King City, in the county of Gentry and State of Missouri.

John W. Garwood, to be postmaster at Monticello, in the county of Jefferson and State of Florida.

David L. Clinton, to be postmaster at Clintonville, in the county of New Haven and State of Connecticut.

John Peters, to be postmaster at Albion, in the county of Boone and State of Nebraska.

E. T. Roland, to be postmaster at Eldon, in the county of Wapello and State of Iowa.

James A. Rose, to be postmaster at Chickasha, in the Chickasaw Nation, Ind. T.

Mitchell G. Hall, to be postmaster at Cordele, in the county of Dooly and State of Georgia.

Ludlow F. Petty, to be postmaster at Shelbyville, in the county of Shelby and State of Kentucky.

Milton A. McCord, to be postmaster at Newton, in the county of Jasper and State of Iowa.

L. E. Hulse, to be postmaster at Keota, in the county of Keokuk and State of Iowa.

Arthur P. Wright, to be postmaster at East Pepperell, in the county of Middlesex and State of Massachusetts.

Joseph M. Hollywood, to be postmaster at Brockton, in the county of Plymouth and State of Massachusetts.

Arthur Bliss, to be postmaster at Andover, in the county of Essex and State of Massachusetts.

Walter N. Beal, to be postmaster at Rockland, in the county of Plymouth and State of Massachusetts.

Dexter Grose, to be postmaster at North Abington, in the county of Plymouth and State of Massachusetts.

John F. Freese, to be postmaster at East Walpole, in the county of Norfolk and State of Massachusetts.

F. J. Allen, to be postmaster at East Point, in the county of Fulton and State of Georgia.

Eben B. Trask, to be postmaster at Plant City, in the county of Hillsboro and State of Florida.

Serbertrum E. Bliss, to be postmaster at South HadleyFalls, in the county of Hampshire and State of Massachusetts.

D. W. Rathbun, to be postmaster at Marion, in the county of Linn and State of Iowa.

Max V. Robinson, to be postmaster at Fairfax, in the county of Atchison and State of Missouri.

Hans Keiser, to be postmaster at Elgin, in the county of Fayette and State of Iowa.

Walter H. Andrews, to be postmaster at Lexington, in the county of Dawson and State of Nebraska.

F. W. Barnhart, to be postmaster at Hartington, in the county of Cedar and State of Nebraska.

Frank W. Wake, to be postmaster at Genoa, in the county of Nance and State of Nebraska.

John W. Cass, to be postmaster at Woonsocket, in the county of Providence and State of Rhode Island.

S. E. Nimmons, to be postmaster at Plymouth, in the county of Richland and State of Ohio.

Charles S. Dunn, to be postmaster at Lockland, in the county of Hamilton and State of Ohio.

Peter Fugelso, to be postmaster at Minot, in the county of Ward and State of North Dakota.

Thomas F. Seehorn, to be postmaster at Lenoir, in the county of Caldwell and State of North Carolina.

A. M. Hughes, to be postmaster at Columbia, in the county of Maury and State of Tennessee.

James K. Hall, to be postmaster at Wheeling, in the county of Ohio and State of West Virginia.

Dan Peaslee Webster, to be postmaster at Brattleboro, in the county of Windham and State of Vermont.

William A. Pamplin, to be postmaster at Fayetteville, in the county of Lincoln and State of Tennessee.

SENATE.

MONDAY, *March 3, 1902.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

DEPARTMENTAL EMPLOYEES.

The PRESIDENT pro tempore laid before the Senate the following communication from the Postmaster-General; which was read, and, with the accompanying papers, ordered to be printed and referred to the Committee on Post-Offices and Post-Roads:

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., February 28, 1902.

SIR: My attention has been called to the resolution of the Senate, dated February 25, 1901, requesting a statement showing "the age of each and every employee in their respective departments, bureaus, and offices, in the District of Columbia and elsewhere, receiving an annual salary or a per diem compensation and continuously employed, and the salary or compensation per annum or per diem of each employee, the number of employees that have been in service ten years or under, and the number in service for every period of years in excess thereof, as eleven, twelve, thirteen, etc., in numerical order."

I have the honor to state that it was found impossible to compile the data desired regarding the postal service without seriously interfering with the dispatch of the public business. The amount of labor required to fully comply with the requirements of the resolution will be appreciated after an examination of the Official Register of the United States, 1899. The first volume, which contains lists of all the employees of all the Departments, exclusive of the postal service, consists of 1,561 pages. Volume 2, which contains lists only of the Post-Office Department and the postal service, consists of 1,567 pages.

I inclose herewith a statement giving the information desired as to the departmental service, including rural free-delivery employees, in Washington.

Very respectfully,

H. C. PAYNE,
Postmaster-General.

The PRESIDENT OF THE SENATE.

CHARLES C. BURKE.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Charles C. Burke, administrator of Elizabeth Burke, deceased; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 10308) to provide for a permanent Census Office; and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. DILLINGHAM presented petitions of George H. Phelps Post, No. 114, of Albany; of J. J. Hale Post, No. 66, of Ripton, and of Isaac Blake Post, No. 104, of West Charleston, all of the Department of Vermont, Grand Army of the Republic, in the State of Vermont, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a petition of Typographical Union No. 402, American Federation of Labor, of Barre, Vt., praying for the enactment of legislation restricting the immigration of illiterate persons, which was referred to the Committee on Immigration.

He also presented petitions of the Granite Cutters' Local Union, of Northfield, of Tool Sharpeners' Local Union No. 2, of Barre, and of Hardwick Branch of the Granite Cutters' Local Union, of Hardwick, all in the State of Vermont, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. HARRIS presented a petition of sundry citizens of Waverly, Kans., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Kirwin, Page, Conway Springs, Lucas, Odin, South Mound, Cunningham, Hoxie, Osborne, Pontiac, Peabody, Hartford, Michigan Valley, Lawrence, Kipp, Oskaloosa, Marysville, Mulvane, Hutchinson, Union, Cedarvale, Stockton, Detroit, Victor, Wilson, Moundridge, Lehigh, Bridgeport, Centralia, Dover, Sego, Olsburg, Potter, Coffeyville, Claflin, Durham, McCracken, Hoyt, Augusta, Norway, Ransom, and Clifton, all in the State of Kansas, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. BEVERIDGE presented a petition of Center Grange, Patrons of Husbandry, of Crown Point, Ind., praying for the repeal

of the duty on Cuban sugar, and also for the enactment of legislation providing for the election of United States Senators by direct vote of the people; which was referred to the Committee on Relations with Cuba.

He also presented a petition of the Commercial Club, of Muncie, Ind., praying for the enactment of legislation to increase the salaries of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of Rev. J. Cumming Smith and 24 other citizens of Indianapolis, Ind., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of International Association of Machinists, Local Union No. 468, of Kokomo; of National Association of Operative Potters, Local Union No. 2, of Evansville; of Laborers Protective Union No. 7120, of Evansville, all of the American Federation of Labor; of Grand Army Posts Nos. 520, 133, 206, 42, 275, 139, and 584, of Oakland City, Noblesville, Fulton, Rich Mountain, Lebanon, Scottsburg, Folsomville, and Pittsburg, all of the Department of Indiana, Grand Army of the Republic, in the State of Indiana, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented the petitions of Homer Martin and 86 other citizens of Washington County, of W. J. Banks and 50 other citizens of Kosciusko County, of A. W. Bowman and 196 other citizens of North Manchester, of L. D. Pierce and 46 other citizens of Martinsburg, and John L. Pence and 49 other citizens of Swayzee, all in the State of Indiana, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented the memorials of John L. Fraley and 65 other citizens of Anderson; of G. M. Whitaker and 21 other citizens of Bloomington; of Louis H. Lieb, of Michigan City; of of W. C. Bush and 22 other citizens of Michigan City, and of August Vedsted, of Valparaiso, all in the State of Indiana, remonstrating against the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of John H. Hutson and 96 other citizens of Hartford City, of Alfred Connett and 48 other citizens of Burnett, and of Eli A. Sykes and 42 other citizens of Terre Haute; of Steam Fitters and Helpers' Local Association No. 48, of Indianapolis; of the Iron Molders' Union of Richmond; of the Carpenters' District Council of Indianapolis; of Cigar Makers' Local Union No. 204, of New Albany; of the Rock City Lodge, of Wabash; of Unity Lodge, No. 7, of Muncie; of Cigar Makers' Local Union No. 62, of Richmond; of Cigar-Makers' Local Union No. 134, of Laporte; of International Association of Car Workers, Local Union No. 28, of Terre Haute; of Carpenters and Joiners' Union No. 281, of Indianapolis; of International Association of Machinists, Local Union No. 16. of Kokomo; of Enterprise Union, No. 1, of Elwood; of Invincible Lodge, No. 150, of Huntington; of Typographical Union No. 412, of Kokomo; of the Central Labor Union of Indianapolis, and of Broom Makers' Local Union No. 17, of Indianapolis, all of the American Federation of Labor, in the State of Indiana, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. DRYDEN presented a petition of Cigar Makers' Local Union No. 427, American Federation of Labor, of Rahway, N. J., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of Federal Labor Union, No. 7211, American Federation of Labor, of Dover, N. J., praying for the repeal of the so-called desert-land act, the commutation clause of the homestead act, etc.; which was referred to the Committee on Public Lands.

He also presented a petition of Hiawatha Council, No. 110, Junior Order of United American Mechanics, of East Millstone, N. J., praying for the enactment of legislation to suppress anarchy; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Salem, Orange, and Mickleton, all in the State of New Jersey, praying for the enactment of legislation to prohibit the regulations of vice in the Philippine Islands; which were referred to the Committee on the Philippines.

He also presented a petition of Independent Council, No. 131, Daughters of Liberty, of New Gretna, N. J., praying for the reenactment of the Chinese-exclusion law, for the restriction of immigration, and for the imposition of a severe penalty for attempt on the life of the President, Vice-President, and members of the Cabinet, etc.; which was referred to the Committee on Immigration.

He also presented petitions of Councils Nos. 34, 67, 267, 238, 234, 93, 145, 31, 53, 266, 60, 15, 52, 154, 69, 70, 56, 144, 187, 133, 206, 255, 191, 259, 63, 224, 189, 185, 196, 270, 91, 227, 176, 172, 144, 16, 59, 126, 141, 105, 88, 96, 47, 42, 24, 39, 271, 32, 165, 277, 123, 115, 215, 171, 167, 218, 23, 162, 190, 106, 217, 275, 72, 200, 222, 194, 261, 112, 94, 219, 131, 65, 30, 252, 103, 225, 177, 48, 25, 228, 17, 19, 175, 116, 87, 206, 35, 110, 204, 257, 260, 169, 63, 147, 121, 66, 158, 276, 248, 97, 11, 13, 58, 273, 54, 124, 92, 182, 95, 179, 251, 272, 232, 152, 279, 181, 198, 236, 137, 45, 8, 55, 98, 104, 262, 201, 119, 214, 223, 33, 249, 159, 161, 148, 221, 184, 79, and 117, all of the Junior Order of United American Mechanics, in the State of New Jersey, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Keene, N. H., and a petition of the Woman's Christian Temperance Union of Haverhill, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of the legislature of Minnesota, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. MCMILLAN presented a memorial of sundry citizens of Grand Haven, Mich., remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of the Michigan Association of Breeders of Improved Live Stock, praying for the enactment of legislation providing for the stamping of fabrics purporting to be made of wool; which was referred to the Committee on Manufactures.

He also presented petitions of Carpenters' Local Union No. 297, of Kalamazoo; of Local Union No. 75, Amalgamated Sheet Metal Workers, of Kalamazoo; of the Trade and Labor Council of Kalamazoo; of Steam Engineers' Local Union No. 28, of Saginaw; of Iron Molders' Local Union No. 321, of Saginaw; of the Saginaw and Bay City Pattern Makers' Association; of Local Union No. 302, Marine Cooks' Association, of Detroit; of Stove Mounters' Local Union No. 1, of Detroit; of Federal Labor Union No. 9067, of Adrian; of Local Lodge No. 98, International Association of Machinists, of Bay City; of the Trades and Labor Council of Hancock and Houghton; of Cooper Lodge, No. 114, International Association of Machinists, of Owosso; of the Lake Seamen's Union of Marine City, and of Painters, Decorators, and Paper Hangers' Local Union No. 312, of Kalamazoo, all in the State of Michigan, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of John A. Logan Post, No. 1, Department of Michigan, Grand Army of the Republic; of the Michigan State Soldiers' Home, and of Lodge No. 82, International Association of Machinists, of Detroit, all in the State of Michigan, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. GAMBLE presented a petition of McArthur Post, No. 25, Grand Army of the Republic, Department of South Dakota, of Woonsocket, S. Dak., praying that an investigation be made into the present administration of the Pension Office; which was referred to the Committee on Pensions.

Mr. LODGE presented a petition of 23 citizens of Boston, Mass., praying for the enactment of legislation providing for the protection of the wild game of the country; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented petitions of the Massachusetts Fish and Game Association, of the Gun Club of Haverhill, and of the Anglers' Club of Westfield, all in the State of Massachusetts, praying that an appropriation be made for the erection of a monument in the city of Washington to the memory of the late Prof. Spencer F. Baird; which were referred to the Committee on the Library.

Mr. BURROWS presented a petition of sundry citizens of Albion and Detroit, in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Grand Haven, Holton, Williamstown, Reading, Chesterfield, Willis, Traverse City, Lake Odessa, Ida, Cadillac, Moline, Vicksburg, New Holland, Hilliards, and Grand Rapids, all in the State of Michigan, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Carpenters and Joiners' Local Union No. 297, of Kalamazoo; of Amalgamated Society of Engineers' Local Union No. 600, of Port Huron; of Federal Labor Union No. 9057, of Adrian; of the Pattern Makers' Association of Saginaw and Bay City; of the Trades and Labor Council of Houghton; of Tile Layers' Local Union No. 7, of Detroit; of

Steam Engineers' Valley City Union, No. 28, of Saginaw; of International Association of Machinists' Local Union No. 114, of Owosso; of Stove Mounters' Local Union No. 1, of Detroit; of Iron Molders' Local Union No. 321, of Saginaw; of the Trades and Labor Council of Kalamazoo; of Painters, Decorators, and Paper Hangers' Local Union No. 312, of Kalamazoo; of Amalgamated Sheet Metal Workers' Local Union No. 78, of Kalamazoo; of Upholsterers' Local Union No. 26, of Grand Rapids; of Photo-Engravers' Local Union No. 12, of Detroit; of Cigar Makers' Local Union No. 314, of Jackson; of Cigar Makers' Local Union No. 208, of Kalamazoo; of Shirt Waist and Laundry Workers' Local Union No. 25, of Saginaw; of Retail Clerks' Local Union No. 59, of Kalamazoo, and of Typographical Union No. 21, of Detroit, all of the American Federation of Labor, in the State of Michigan, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Carpenters and Joiners' Local Union No. 651, of Jackson; of International Machinists' Local Union No. 82, of Detroit, and of International Machinists' Local Union No. 385, of Ionia, all of the American Federation of Labor; of Grand Army Posts Nos. 402, 425, 135, 110, and 1, of Akron, Freeland, Centerville, Hudson, and Soldiers' Home, all of the Department of Michigan, Grand Army of the Republic, in the State of Michigan, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. HANSBROUGH presented the petitions of P. J. Beltz and sundry other citizens of Buxton, and of J. J. Taylor and sundry other citizens of Sandown, in the State of North Dakota, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Cigar Makers' Local Union No. 331, of Grand Forks, N. Dak., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. NELSON presented a petition of the legislature of Minnesota, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. CARMACK presented petitions of sundry citizens of Coal Creek, Greenville, and Scott County, all in the State of Tennessee, praying for the enactment of legislation restricting immigration; which were referred to the Committee on Immigration.

Mr. FAIRBANKS presented the petitions of M. O. Shipley, of North Judson; of W. A. Reichard, of North Judson, and of O. D. Oniatt, of South Bend, all in the State of Indiana, praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented the petitions of Jarry J. Matthews and sundry other citizens of Brunswick; of Benedict Macy, of Westfield; of S. W. Sutton, of Malott Park; of Burnell Smith, of Mongo; of N. R. Spaulding and sundry other citizens of Monroeville; of William R. Williams, of Economy; of W. J. Banks and sundry other citizens of Warsaw; of A. N. Rhodes, of Newcastle; of G. P. Newsom, of West Lafayette; of M. L. Hungate, of Salem; of G. M. Years and sundry other citizens of Amboy; of A. H. Bates and sundry other citizens of Arcola; of John Walker and sundry other citizens of Newcastle; of the Huntington County Farmers' Institute, of Huntington; of Silas Holloway and sundry other citizens of North Manchester, and of Thomas P. Baynes and sundry other citizens of Salem, all in the State of Indiana, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Broom Makers' Local Union No. 77, of Newcastle, and of Local Division No. 289, Brotherhood of Locomotive Engineers, of Washington, all in the State of Indiana, praying for the enactment of legislation to restrict immigration; which were referred to the Committee on Immigration.

He also presented petitions of Company G, Third Regiment Infantry, of Columbia City; of Company C, Third Infantry, of Lagrange, and of Company F, Second Infantry, of Winchester, all of the State National Guards, in the State of Indiana, praying for the enactment of legislation to increase the efficiency of the militia of the country; which were referred to the Committee on Military Affairs.

He also presented the petitions of Charles M. Ratcliff and sundry other citizens of Fairmount, and of B. W. Hollenbeck, of Westville, in the State of Indiana, praying for the enactment of legislation providing for the protection of the birds and wild animals of the country; which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented the petition of Rev. J. Cumming Smith and sundry other citizens of Indianapolis, Ind., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of Shiloh Field Post, No. 198, of Elkhart; of Martin Rutter Post, No. 584, of Pittsburg, and of Stone River Post, No. 65, of Frankfort, all of the Department of Indiana, Grand Army of the Republic, in the State of Indiana, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Federal Labor Union No. 7513, of Petersburg; of Coopers' Local Union No. 25, of Indianapolis; of J. D. Maloy and sundry other citizens of Terre Haute; of Alfred Connett and sundry other citizens of Burnett; of Local Union No. 1244, United Mine Workers of America, of Boonville; of Garment Workers' Local Union No. 2, of Muncie; of Carriage and Wagon Workers' Local Union No. 50, of Aurora; of Wheel Makers' Local Union No. 50, of Aurora; of Cigar Makers' Local Union No. 204, of New Albany; of the Central Labor Union, of Indianapolis; of International Brotherhood of Electrical Workers, Local Union No. 10, of Indianapolis; of Local Union No. 821, United Mine Workers of America, of Boonville; of the Muncie Trades Council, of Muncie; of Typographical Union No. 412, of Kokomo, and of Delaware Council, No. 4, Junior Order of United American Mechanics, of Muncie, all in the State of Indiana, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. PATTERSON presented a petition of the congregation of the Cumberland Presbyterian Church of Sterling, Colo., and a petition of the congregation of the Methodist Episcopal Church of Sterling, Colo., praying for the adoption of an amendment to the Constitution to prohibit polygamy, and also for the suppression of vice in the Philippines; which were referred to the Committee on the Judiciary.

He also presented a petition of Abraham Lincoln Post, No. 4, Grand Army of the Republic, Department of Colorado, of Denver, Colo., and a petition of Local Union No. 12, International Brotherhood of Electrical Workers, of Pueblo, Colo., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Carpenters' Local Union No. 55, of Denver; of Theatrical Stage Employees' Union No. 7, of Denver; of the National Alliance of Theatrical Stage Employees' Union No. 62, of Colorado Springs; of Cigar Makers' Local Union No. 306, of Pueblo; of Shirt Waist and Laundry Workers' Local Union No. 84, of Pueblo, and of Bakers' Local Union No. 26, of Denver, all in the State of Colorado, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. SPOONER presented a petition of Marine Council No. 1, of Milwaukee, Wis., praying for the adoption of an amendment to section 7 of the Revised Statutes relating to the employment of merchant seamen; which was referred to the Committee on Commerce.

He also presented a petition of the Lake Seamen's Union of Milwaukee, Wis., praying for the adoption of the so-called seamen's clause in the immigration bill, granting protection to American seamen; which was referred to the Committee on Commerce.

He also presented a memorial of James Comerford Post, No. 68, Department of Wisconsin, Grand Army of the Republic, of Chippewa Falls, Wis., remonstrating against the unjust discrimination in the granting of pensions, and also against the proposed appropriation for the purchase of a sword to be presented to Admiral Schley; which was referred to the Committee on Pensions.

He also presented the petition of W. R. Hill and sundry other citizens of Wonewoc, Wis., praying for the enactment of a graded pension law; which was referred to the Committee on Pensions.

He also presented petitions of Brotherhood of Carpenters and Joiners' Local Union No. 314, of Madison; of Marine Council No. 1, of Milwaukee, and of Wood Workers' Local Union No. 70, of Fond du Lac, all in the State of Wisconsin, praying for the enactment of legislation restricting the immigration of illiterate persons; which were referred to the Committee on Immigration.

He also presented the petition of William J. James and 15 other citizens of Bayfield, Wis., praying for the continuance of the present anti-canteen law; which was referred to the Committee on Military Affairs.

He also presented petitions of Cigar Makers' Local Union No. 25, of Milwaukee; of Coopers' Local Union No. 35, of Milwaukee; of Marine Council No. 1, of Milwaukee; of Fountain City Lodge, No. 158, International Association of Machinists, of Fond du Lac; of Local Lodge No. 173, International Association of Machinists, of Eau Claire; of the Trades and Labor Council of Racine; of Cigar Makers' Local Union No. 329, of Fond du Lac; of Boot and Shoe Workers' Local Union No. 284, of Janesville; of the Federated

Trades Council of Milwaukee; of Local Lodge No. 34, International Association of Machinists, of Kenosha; of Boot and Shoe Workers' Local Union No. 282, of Neenah; of Typographical Union No. 147, American Federation of Labor, of Ashland, and of Amalgamated Sheet Metal Workers' Union No. 24, of Milwaukee, all in the State of Wisconsin, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Philo C. Buckman Post, No. 153, of Stoughton; of Harrison Post, No. 91, of Depere; of Wood County Post, No. 22, of Grand Rapids; of Henry C. Isbel Post, No. 178, of Birnamwood; of Custer Post, No. 72, of Rock Elm, all of the Department of Wisconsin, Grand Army of the Republic; of Federated Trades Council No. 2, of Green Bay; of Lodge No. 34, Independent Association of Machinists, of Kenosha; of Coopers' Local Union No. 85, of La Crosse; of International Longshoremen's Local Union No. 96, of Kenosha; of the Trades and Labor Council, of La Crosse; of Carpenters and Joiners' Local Union No. 161, of Kenosha; of Iron Molders' Local Union No. 302, of Beloit; of Typographical Union No. 147, of Ashland; of Journeymen Barbers' International Union No. 139, of West Superior; of Local Union No. 375, Retail Clerks' International Protective Association, of Marinette; of Carpenters' Local Union No. 657, of Sheboygan; of Brotherhood of Locomotive Engineers' Local Union No. 297, of Green Bay; of Brotherhood of Carpenters and Joiners' Local Union No. 314, of Madison, and of Winnebago Machinists' Local Union No. 451, of Oshkosh, of the American Federation of Labor, all in the State of Wisconsin, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a memorial of the Board of Trade of La Crosse, Wis., remonstrating against the proposed opening to settlement of the Leach Lake Chippewa Reservation, in the State of Minnesota; which was referred to the Committee on Indian Affairs.

Mr. FRYE presented a petition of the Granite Cutters' National Union of Portland, Me., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented the petition of S. M. Bean and 40 other citizens of West Minot, Me., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of the American Chamber of Commerce of Manila, P. I., praying that coolie labor may be allowed to enter those islands under such restrictions and laws as the Philippine Commission may enact; which was referred to the Committee on the Philippines.

REPORTS OF COMMITTEES.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (S. 880) granting an increase of pension to Emory S. Foster, reported it with amendments, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3297) to correct the military record of William T. Pratt, reported it with an amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3694) granting a pension to Benjamin Wylie; and

A bill (H. R. 4035) granting an increase of pension to Elias Longman.

Mr. SCOTT, from the Committee on Military Affairs, to whom was referred the bill (H. R. 1381) for the relief of J. V. Davis, reported it without amendment, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (S. 3849) granting an increase of pension to Benjamin F. H. Luce, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 3515) granting a pension to Mary A. House, reported it with amendments, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 11) granting a pension to William Burns, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referrd the bill (S. 1685) providing for the adjudication by the Court of Claims and Supreme Court of pension claims involving difficult or important questions of law, as a means of establishing judicial precedents for the guidance of the Secretary of the Interior and the Commissioner of Pensions, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 4021) granting a pension to Sarah Frances Taft;

A bill (S. 1872) granting an increase of pension to Abbie George;

A bill (S. 6) granting a pension to Charles H. Stone; and

A bill (S. 13) granting an increase of pension to George Daniels.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2768) granting an increase of pension to John G. Hutchinson;

A bill (S. 3514) granting an increase of pension to Leander Parmelee;

A bill (S. 4086) granting a pension to Charles W. Foster;

A bill (S. 3650) granting a pension to Sarah A. Carter;

A bill (S. 4111) granting an increase of pension to Abner J. Pettee;

A bill (S. 1095) granting an increase of pension to Mary Morgan; and

A bill (S. 4022) granting an increase of pension to Annie E. Brown.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4827) granting an increase of pension to Charles H. Baker;

A bill (H. R. 1018) granting an increase of pension to George C. Leighton;

A bill (H. R. 1350) granting an increase of pension to Joseph W. Grant;

A bill (H. R. 6515) granting an increase of pension to Carleton A. Trundy; and

A bill (H. R. 7907) granting an increase of pension to Alice M. Ballou.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 2079) granting an increase of pension to William Wheeler; and

A bill (H. R. 6014) granting an increase of pension to William Rheuby.

Mr. DEBOE, from the Committee on Pensions, to whom was referred the bill (S. 3995) granting a pension to Susan E. Clark, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2175) granting an increase of pension to Kephart Wallace; and

A bill (H. R. 5160) granting an increase of pension to James Harper.

Mr. CULBERSON, from the Committee on the Judiciary, to whom was referred the bill (H. R. 11611) to divide the State of Texas into four judicial districts, reported it without amendment.

Mr. TALIAFERRO, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6861) granting an increase of pension to Joseph K. Ashby;

A bill (S. 3916) granting an increase of pension to John S. Mitchell; and

A bill (H. R. 9220) granting an increase of pension to John S. Hunter.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (S. 3378) granting a pension to Sarah Anna Harris, reported it with amendments, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (H. R. 4488) granting an increase of pension to Selden E. Whitcher, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 1979) granting a pension to Samuel M. Howard;

A bill (S. 1982) granting a pension to Eugene J. Oulman;

A bill (1924) granting an increase of pension to Thomas Fenerau; and

A bill (S. 2006) granting an increase of pension to James Lehen.

Mr. PATTERSON, from the Committee on Pensions, to whom was referred the bill (S. 2329) granting an increase of pension to Peter Bittman, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the

bill (S. 3252) granting an increase of pension to Jesse W. Bice, reported it with amendments, and submitted a report thereon.

COURT AT CATLETTSBURG, KY.

Mr. BLACKBURN. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 10070) establishing a United States court at Catlettsburg, in the eastern district of Kentucky, to report it favorably without amendment, and I desire to ask unanimous consent for its consideration at this time.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COURTS IN INDIAN TERRITORY.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 3267) to change the boundaries between the southern and central judicial districts of the Indian Territory, to report it favorably without amendment, and I ask for its immediate consideration. It is very brief and a very plain case.

The PRESIDENT pro tempore. The bill will be read to the Senate for its information.

The Secretary read the bill.

Mr. CULLOM. I am not sufficiently familiar with the conditions in the Indian Territory to know from the reading of the bill whether it provides for an additional district for a judge who does not seem to have any district, but holds court all over the Territory.

Mr. HOAR. There is a little strip on the boundaries of these two districts. It is rather a populous strip for that region. The people have to cross the Washita River, where at certain seasons of the year it is not fordable, or go around 120 or 130 miles by rail through Texas. The bill annexes them to the district on the other side, where they get a 30 or 40 mile communication direct by rail. The bill is recommended by both judges, that is, one judge writes that he approves it and the other does not see any objection, and by the Attorney-General's Department. A similar bill has passed the House upon a full report stating these facts. That is all there is to it.

Mr. CULLOM. The only point is that I have understood there was to be a bill providing for another judicial district there.

Mr. HOAR. This is not it.

Mr. CULLOM. I supposed that probably that was the purpose of this bill. I know nothing of it.

Mr. HOAR. The bill has the unanimous approval of the Judiciary Committee, the Attorney-General, and both judges. All the people there want it and there is no opposition to it.

Mr. BURTON. May I ask the chairman of the Judiciary Committee a question?

Mr. HOAR. Certainly.

Mr. BURTON. It bears upon the question raised by the Senator from Illinois. Would this bill in any way conflict with the making of a new judicial district in the Indian Territory?

Mr. HOAR. Not the least in the world.

Mr. BURTON. Nor the appointment of a commissioner?

Mr. HOAR. Not at all. It is down at the south part of the Indian Territory. There is a little corner. One of the districts takes in the northeast and the other the west and northwest. To get to Ardmore, the place of holding the court, they have to cross the Washita River, and they sometimes have to wait for weeks and months before they can get there. They go by teams. They can not get to the place of holding court in any other way unless they go around through the State of Texas, more than a hundred miles travel by rail. This little strip is by the bill annexed to another district, where they will have railroad communication.

Mr. BATE. It seems to be a private colloquy that is going on upon the other side of the Chamber. We can not hear on this side what is said.

Mr. HOAR. The bill does not affect in the least the question about a new district in any form, shape, or manner.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MINIMUM PUNISHMENT IN INDIAN TERRITORY.

Mr. HOAR. I am also directed by the Committee on the Judiciary, to whom was referred the bill (S. 3512) concerning minimum punishment in certain cases arising in the Indian Territory, to report it favorably with an amendment, and I ask for its present consideration.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. HALE. Mr. President——

Mr. HOAR. Let me make a statement.

Mr. HALE. I wish to ask only one question. The added discretion, as I understood the Clerk to read, is in the court and is not in the direction of additional punishment, but in the direction of making the punishment smaller than the Arkansas law. There is no doubt about that, is there?

Mr. HOAR. That is all. That is clear.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment of the Committee on the Judiciary was, in line 10, to strike out the word "prescribe" and insert "impose;" so as to make the bill read:

Be it enacted, etc., That section 33 of the act of Congress of May 3, 1890, entitled "An act * * * to enlarge the jurisdiction of the United States courts in the Indian Territory, and for other purposes," is hereby amended by adding the following proviso:

"*Provided*, That in all cases where punishment prescribed by the laws of Arkansas is adopted by said section, the court shall not be compelled thereby to impose the minimum punishment established therein, but may in its discretion impose a less punishment by way of fine or imprisonment, or both, as justice shall seem to require."

The amendment was agreed to.

Mr. HOAR. I wish to make one statement in a single sentence. The Indian Territory penal code, in the section referred to, adopts the law of Arkansas, and the law of Arkansas makes the punishment for certain cases of larceny and some others a five years' imprisonment, and no less. The Attorney-General wrote a communication to me to the effect that there were difficulties in getting convictions by reason of that severity, and a great many applications, perfectly well founded, for pardon because of the undue severity of the punishment. Therefore we reported this bill.

It is in accordance with the action of the Senate in every case since I have been here, where its attention has been called to the matter, and in accordance with the uniform policy of the committee, that there shall be no minimum punishment except in some very extraordinary cases of crime, but that ordinarily the court shall have power in its discretion to impose a less penalty. So, in fact, the court, after this bill passes, instead of being compelled to sentence everybody who commits a certain larceny to at least five years' imprisonment, may use its discretion.

Mr. COCKRELL. Let the bill go through.

The bill was reported to the Senate as amended.

Mr. BERRY. Mr. President, one moment. My attention has just been called by the Senator from Maine to a statement which he understoood to be that all larceny is punished by five years' imprisonment in Arkansas.

Mr. HOAR. I did not say that. I said that certain cases of larceny are so punished.

Mr. BERRY. Horse stealing.

Mr. HOAR. Horse stealing is the chief case.

Mr. HALE. I did not hear that.

Mr. HOAR. The bill goes further than to apply to horse stealing, and says that in every case under that code where there is an absolute minimum punishment the court shall not be bound to inflict so much, but may inflict less at its discretion. It is in accord with the universal policy of the legislation of the United States in such matters.

Mr. BERRY. Mr. President, I have no interest in the matter except to have the statement made correctly. The laws of Arkansas punish horse stealing with five years' imprisonment. I think that was repealed, however, at the last session of the legislature. For ordinary grand larceny, twelve months is, I think, the minimum punishment.

Mr. PLATT of Connecticut. The punishment for horse stealing is imprisonment for not less than five years nor more than fifteen years.

Mr. BERRY. That was the old law. I think the last legislature amended it.

Mr. HOAR. That is the old law; so that the United States is doing just what Arkansas has done. The old law is what we have modified.

The PRESIDENT pro tempore. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LUCY JANE BALL.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by himself on the 28th ultimo, reported it

without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Lucy Jane Ball, mother of J. J. G. Ball, late a messenger of the United States Senate, a sum equal to six months' salary at the rate he was receiving at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

Mr. GALLINGER subsequently said: At the session of to-day a resolution was passed for the payment to Lucy Jane Ball of six months' salary of J. J. G. Ball, late a messenger in the Senate. It should be the widow instead of the mother. I ask that the vote by which the resolution was passed may be reconsidered for the purpose of amending the resolution in the way I have suggested.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The question is on the motion of the Senator from New Hampshire [Mr. GALLINGER] to reconsider the vote by which the resolution referred to by him was passed.

The motion was agreed to.

Mr. GALLINGER. I now move to amend the resolution by striking out the word "mother" after the name "Lucy Jane Ball" and inserting "widow."

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4247) granting an increase of pension to Levi A. Nugent (with an accompanying paper);

A bill (S. 4248) granting a pension to Emily H. Knapp (with accompanying papers);

A bill (S. 4249) granting an increase of pension to Sylvester C. Bishop (with an accompanying paper);

A bill (S. 4250) granting an increase of pension to Jasper H. Robison (with an accompanying paper); and

A bill (S. 4251) granting an increase of pension to William C. Banta (with accompanying papers).

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4252) for the payment of Porter, Harrison & Fishback for legal services; and

A bill (S. 4253) for the relief of Capt. Robert E. Bryant (with an accompanying paper).

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4254) granting an increase of pension to Peter Fisher;

A bill (S. 4255) granting an increase of pension to John C. Crimins;

A bill (S. 4256) granting an increase of pension to Henry W. Edens; and

A bill (S. 4257) granting an increase of pension to Creat H. Daugherty.

Mr. McMILLAN introduced a bill (S. 4258) granting a pension to Helen McArthur; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4259) granting a pension to Julia Rowland Mizner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4260) for the relief of Sarah E. Haskell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4261) to provide for printing, and binding in cloth, additional copies of the first edition of Government documents and publications for distribution to the designated depository libraries, in lieu of the sheep-bound copies of the document edition, so called, now supplied to said libraries; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Printing.

Mr. COCKRELL introduced a bill (S. 4262) granting a pension to Daniel L. Mallicoat; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Daniel L. Mallicoat, together with affidavits of J. R. Marsh and H. B. Suber, letter from the Pension Office, and the military record of the claimant as captain of Company N, Greene County Regiment Missouri Home Guards, and now 83 years old. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 4263) to remove the charge of desertion from the naval record of Reuben E. Lawrence; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Reuben E. Lawrence for the removal of the charge of desertion from his naval record. I move that the bill and accompanying paper be referred to the Committee on Naval Affairs.

The motion was agreed to.

Mr. HARRIS introduced a bill (S. 4264) providing that the statutes of limitations of the several States shall apply as a defense to actions brought in any courts for the recovery of lands patented under the treaty of May 10, 1854, between the United States of America and the Shawnee tribe of Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 4265) granting an increase of pension to Sarah M. Hadley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PETTUS (for Mr. MORGAN) introduced a bill (S. 4266) for the relief of the estate of Sidney F. Tate, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (for Mr. MORGAN) introduced a bill (S. 4267) for the relief of James H. Young, Benjamin F. Young, and F. A. Young; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4268) for the relief of the estate of Elkana J. Sullivan, deceased;

A bill (S. 4269) for the relief of the estate of P. W. Key, deceased; and

A bill (S. 4270) for the relief of the estate of James A. Yearger, deceased.

Mr. SIMMONS (by request) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4271) for the relief of T. H. B. Myers, surviving partner of John Myers & Son;

A bill (S. 4272) for the relief of the estate of Frederick J. Jones, deceased;

A bill (S. 4273) for the relief of John I. Rowland; and

A bill (S. 4274) for the relief of William C. Staples.

Mr. SIMMONS introduced a bill (S. 4275) authorizing the Secretary of War to furnish copies of certain muster rolls upon the request of the governor of any State; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PATTERSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4276) granting a pension to John E. Force (with accompanying papers);

A bill (S. 4277) granting an increase of pension to Joseph Smutz (with an accompanying paper);

A bill (S. 4278) granting a pension to George McKinney (with an accompanying paper);

A bill (S. 4279) granting an increase of pension to Jacques Lapp (with an accompanying paper); and

A bill (S. 4280) granting an increase of pension to John W. Dague (with an accompanying paper).

Mr. FOSTER of Louisiana introduced a bill (S. 4281) for the relief of Isaac Bloom; which was read twice by its title, and referred to Committee on Claims.

Mr. LODGE introduced a bill (S. 4282) granting a pension to James Dunn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. NELSON (for Mr. CLAPP) introduced a bill (S. 4283) to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of Lake Superior and the Mississippi, and making appropriation for the same; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (for Mr. CLAPP) introduced a bill (S. 4284) to amend an act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (by request) introduced a bill (S. 4285) to amend section 2 of the act of June 27, 1890, as amended by the act of May 9, 1900; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 4286) for the relief of Joseph A. Jennings; which was read twice by its title, and referred to the Committee on Claims.

Mr. DILLINGHAM introduced a bill (S. 4287) granting an increase of pension to David N. Tolles; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HANNA introduced a bill (S. 4288) to correct the military

record of Jacob Eckert; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4289) to correct the military record of Lorenzo A. Anson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4290) granting a pension to Isaac Dobbins (with an accompanying paper);

A bill (S. 4291) granting a pension to Richard H. Cutter (with accompanying papers);

A bill (S. 4292) granting a pension to Sarah Dew (with accompanying papers);

A bill (S. 4293) granting an increase of pension to Elizabeth C. Vincent (with an accompanying paper);

A bill (S. 4294) granting a pension to Franklin E. Summers;

A bill (S. 4295) granting a pension to Hicks Wamsley (with an accompanying paper);

A bill (S. 4296) granting a pension to Andrew Ady;

A bill (S. 4297) granting an increase of pension to Dudley A. Kimball;

A bill (S. 4298) granting an increase of pension to Thomas A. Nisewanner (with accompanying papers);

A bill (S. 4299) granting an increase of pension to Melissa Hamilton (with an accompanying paper); and

A bill (S. 4300) granting an increase of pension to Ann Comins.

Mr. SPOONER introduced a bill (S. 4301) granting an increase of pension to Charles Beattie; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 4302) for the protection of game in the district of Alaska, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

Mr. FORAKER introduced a bill (S. 4303) authorizing the President to commission Louis H. Thompson a first lieutenant and assistant surgeon in the United States Army, that he may be retired as such; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 4304) granting a pension to John S. Nelson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 4305) granting an increase of pension to Daniel G. Towle; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. McMILLAN introduced a joint resolution (S. R. 63) to authorize the Secretary of Agriculture, the commissioner of public buildings and grounds, and the superintendent of the Botanic Garden to donate surplus potted plants for use in the public schools of the District of Columbia; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENTS TO INDIAN APPROPRIATION BILL.

Mr. BARD submitted an amendment proposing to appropriate $900 for one clerk for the Mission-Tule Indian Agency, Cal., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also submitted an amendment proposing to grant 640 acres of land to the State of California in lieu of section 16, township 7 south, range 8 east, San Bernardino meridian, California, said section 16 then to become a part of the reservation heretofore set apart for the use and occupancy of the Torres band of Mission Indians, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. NELSON (for Mr. CLAPP) submitted an amendment authorizing the Secretary of the Treasury to pay to the Chippewa Indians of Minnesota, under such regulations as he may prescribe, the money now to their credit in the Treasury of the United States derived from stumpage on dead-and-down timber cut on ceded Indian lands under the act of June 7, 1897, intended to be proposed by him to the Indian appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Indian Affairs.

Mr. MITCHELL submitted an amendment providing for the allotment, under the provisions of the act approved February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians of various reservations and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," to each child born of a recognized member of any of the tribes of Indians located on the Klamath Reservation, in Oregon, since the completion of allotments to said tribes, 80 acres of agricultural or 160 acres of grazing land within the reservation of said tribes, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

VONNIE K. TURNER.

Mr. HEITFELD (for Mr. TURNER) submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Vonnie K. Turner, widow of Walter P. Turner, late a laborer of the United States Senate, a sum equal to six months' salary at the rate he was receiving at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on February 28, approved and signed the act (S. 1143) granting an increase of pension to Charles L. Sweatt.

The message also announced that the President had, on the 1st instant, approved and signed the act (S. 1573) to authorize Commander James M. Miller, United States Navy, Surg. Oliver D. Norton, United States Navy, and Mr. Edwin V. Morgan, formerly secretary of the legation of the United States at Seoul, Korea, to accept presents tendered to them by His Majesty the Emperor of Germany.

JAMES W. HOWELL.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 24) for the relief of James W. Howell, which was, in line 12, after the words "eighteen hundred and sixty-five," to insert the following proviso:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

Mr. COCKRELL. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

RHODY ANN BRADSHAW.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3157) granting an increase of pension to Rhody Ann Bradshaw, which was in line 9, before the word "dollars," to strike out "twenty-five" and insert "twenty."

Mr. GALLINGER. I move that the Senate agree to the amendment made by the House of Representatives.

The motion was agreed to.

MARY T. BRUCE.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3204) granting an increase of pension to Mary T. Bruce, which was in line 9, before the word "dollars," to strike out "twenty-four" and insert "twenty."

Mr. GALLINGER. I move that the Senate agree to the amendment of the House.

The motion was agreed to.

ETTA SCOTT MITCHELL.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1931) granting an increase of pension to Etta Scott Mitchell; which was in line 9, to strike out all after "receiving" down to and including "years" in line 11.

Mr. GALLINGER. I move that the Senate agree to the amendment of the House.

The motion was agreed to.

WILLIAM S. DERBY.

The bill (H. R. 8180) granting an increase of pension to William S. Derby was read twice by its title.

Mr. GALLINGER. Mr. President, the Senate has passed a bill in identical terms with that bill, carrying the same rate of pension, and I ask unanimous consent that the House bill may be put upon its passage.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William S. Derby, late of Company A, Sixty-first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GALLINGER. I think perhaps the Senate bill ought to be recalled from the House, and I make that motion.

The PRESIDENT pro tempore. It has not gone to the House.

Mr. GALLINGER. Then I ask that it may be reconsidered and indefinitely postponed.

The PRESIDENT pro tempore. The vote by which the bill

(S. 2815) granting an increase of pension to William S. Derby was passed will be reconsidered, without objection, and the bill indefinitely postponed.

MARINE HOSPITAL AT SAVANNAH, GA.

Mr. CLAY. Mr. President, I am compelled to leave the Senate after Thursday for a few days, and I ask unanimous consent to call up the bill (S. 1545) to establish a marine hospital at Savannah, Ga., and put it on its passage. It will not lead to any debate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury is hereby authorized and directed to purchase land adjoining that which was purchased by the United States to be used for United States courts, post-office, and other purposes at Savannah, Ga., and subsequently abandoned for such use, provided cession of jurisdiction from the State of Georgia satisfactory to him can be secured, or to exchange such land now owned by the United States for other land in said city satisfactory to him, and to erect thereon buildings suitable for a marine hospital: *Provided*, That the limit of cost shall not exceed $200,000 inclusive of the site, or $175,000 exclusive of the site.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAVID H. LEWIS.

Mr. HARRIS. I ask unanimous consent for the present consideration of the bill (S. 688) for the relief of David H. Lewis. It is a little private relief bill that will not occupy more than five minutes' time.

The Secretary read the bill; and, by unanimons consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to David H. Lewis, of Lawrence, Kans., the sum of $1,000 for personal injuries sustained in a railroad wreck at Elmdale, Kans., on the 15th of October, 1887, while acting as a substitute postal clerk in the Railway Mail Service of the United States and in the line of duty.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and was read the third time.

Mr. HOAR. I should like to know upon what theory the bill is based. Is it understood that the United States is liable for compensation to every person who, being in Government service as a railway postal clerk or otherwise, is injured while in the line of his duty?

Mr. HARRIS. What is the question of the Senator?

Mr. HOAR. The question I put is, What is the principle on which the bill is based? Is it claimed——

Mr. HARRIS. I can answer the question in a moment. It is the custom of the Department to pay a railway postal clerk a year's salary when he has been injured and absolutely incapacitated for any further service. This man was acting regularly as a substitute. The Department is therefore unable to pay him, but it is exactly in the same line with the cases allowed.

Mr. HOAR. Mr. President, if that be the ground on which the bill is put, I am glad to have the statement go into the RECORD. I was afraid that it was undertaking to establish a principle of some obligation on the part of the United States.

Mr. HARRIS. Not at all. It is simply following out the general precedent, except that this man was a substitute with authority instead of a regular employee.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

The bill was passed.

CONSIDERATION OF THE CALENDAR.

Mr. GALLINGER. Mr. President——

Mr. HALE. Before the Senator from New Hampshire goes on, I rise to a question of the order of business.

The PRESIDENT pro tempore. The Senator from Maine.

Mr. HALE. Is the remainder of the morning hour mortgaged for the consideration of any particular bill?

The President pro tempore. The Calendar under Rule VIII is the regular order until 2 o'clock.

Mr. HALE. I was going to ask that we proceed with its consideration. After the Senator from New Hampshire [Mr. GALLINGER] is through, I ask that we take up the Calendar and proceed with it in regular order under the five-minute rule.

The PRESIDENT pro tempore. The Chair will recognize the Senator from Maine [Mr. HALE] as soon as the bill to be called up by the Senator from New Hampshire [Mr. GALLINGER] is disposed of.

ALLEN V. REED.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 192) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President, by and with the advice and consent of the Senate, to appoint Allen V. Reed, now a captain on the retired list of the Navy, to be a rear-admiral on the retired list of the Navy, with the rank and pay of that office, the appointment to date from the 22d day of November, 1898.

Mr. COCKRELL. Does the bill carry arrears until the time named in it?

Mr. GALLINGER. Until November 22, 1898—about three years.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WASHINGTON STATE SOLDIERS AND SAILORS' HOME.

Mr. HALE. Now let us go on with the Calendar in regular order.

The PRESIDENT pro tempore. The Senator from Maine demands the regular order, which is the consideration of the Calendar under Rule VIII. The first bill on the Calendar will be stated.

The bill (S. 1912) granting to the State of Washington 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Washington State Soldiers and Sailors' Home was announced as first in order.

Mr. HALE. There are some Senators who want that bill to go over. Let it go over for the present.

The PRESIDENT pro tempore. Retaining its place?

Mr. HALE. Yes; retaining its place on the Calendar.

The PRESIDENT pro tempore. That order will be made, in the absence of objection.

JOSEPH W. PARISH.

The bill (S. 475) to refer the claim of Joseph W. Parish to the Secretary of the Treasury for examination and payment of any balance found due was considered as in Committee of the Whole. It directs the Secretary of the Treasury to make full and complete examination into the claim of Joseph W. Parish against the United States for balance alleged to be due him by virtue of a contract made by J. W. Parish & Co. with Henry Johnson, a medical storekeeper, acting on behalf of the United States, which contract bears date March 5, 1863, and provides that said J. W. Parish & Co. should furnish to the United States for the use of the Medical Department of the Army the whole amount of ice required to be consumed at Memphis and Nashville, Tenn.; St. Louis, Mo., and Cairo, Ill., during the remainder of the year 1863; that the Secretary shall determine and ascertain the full amount which should have been paid said J. W. Parish & Co. if the contract had been carried out in full, without change or default made by either of the parties thereto, under the rule of the measure of damages laid down by the Supreme Court of the United States in the case of United States against Behan (110 U. S. Rep., p. 338), and in accordance with the evidence in the case collected by the United States Court of Claims, and after determining the full amount thus due J. W. Parish & Co., under the contract and rule of law aforesaid, to deduct therefrom all payments which have been made to J. W. Parish & Co. or to Joseph W. Parish, whether in pursuance of judgments of the court or direct appropriation by Congress or otherwise, stating what balance, if any, is due under the rule and evidence prescribed herein, and to pay the balance to said Joseph W. Parish, the present owner of the claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FLORA A. DARLING.

The bill (S. 1902) for the relief of Flora A. Darling was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Mrs. Flora A. Darling $5,683 in full satisfaction of all claims growing out of her arrest, imprisonment, and the seizure of her property by military authority at the city of New Orleans, in January, 1864, while on a flag-of-truce boat under protection of a safe conduct given her by Maj. Gen. N. P. Banks, then commanding the Department of the Gulf.

Mr. LODGE. What is the amount named in the bill, Mr. President?

The PRESIDENT pro tempore. Five thousand six hundred and eighty-three dollars.

Mr. LODGE. As the Senator in charge of that bill is absent——

Mr. CLAY. Mr. President, I understand there is no opposition to the bill. It was unanimously passed by the committee, and it has been favorably reported two or three times both in the House of Representatives and in the Senate.

Mr. LODGE. Very well; if the Senator from Georgia knows about the claim I have no objection.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN W. GUMMO.

The bill (S. 2237) for the relief of John W. Gummo was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to John W. Gummo, late of Company F, Twelfth Regiment Pennsylvania Volunteer Cavalry, $190, that being the balance of bounty due him for services rendered the Government during the war of the rebellion.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLARA H. FULFORD.

The bill (S. 916) for the relief of Clara H. Fulford was considered as in Committee of the Whole. It instructs the Secretary of the Treasury to redeem, in favor of Mrs. Clara H. Fulford, widow of D. Fulford, two bonds of the United States, of the denominations of $50 and $50, and known as five-twenties, the bonds having been destroyed by fire on the 9th of July, 1872, and to pay to Mrs. Clara H. Fulford, widow of D. Fulford, the amount of the bonds, together with accrued interest from July 1, 1872, to the date of the maturity of the said bonds; and provides that Mrs. Clara H. Fulford shall also execute and file with the Secretary of the Treasury a bond with sufficient sureties, to be approved by the Secretary of the Treasury, in the penalty of $300, conditioned to save harmless the United States from loss or liability on account of the said bonds or the interest accrued thereon.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HARLOW L. STREET.

The bill (S. 942) for the relief of Harlow L. Street was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 7, after the words "volunteers, a," to strike out "captain and commissary of subsistence" and insert "first lieutenant of cavalry;" so as to make the bill read:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, appoint Harlow L. Street, late a first lieutenant, First United States Cavalry, and captain and commissary of subsistence of volunteers, a first lieutenant of cavalry in the Army of the United States, and, when so appointed, he shall be placed on the retired list of officers of the Army.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OUACHITA RIVER BRIDGE, ARKANSAS.

The bill (S. 3261) authorizing the Eldorado and Bastrop Railway Company to construct and maintain a bridge across the Ouachita River, in the State of Arkansas, was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, in section 3, on page 3, line 19, after the word "rivers," to insert the word "or;" so as to read:

Provided, That nothing in this act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers or to exempt said bridge from the operation of the same.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HEIRS OF W. T. SCOTT AND OTHERS.

The bill (S. 678) for the relief of W. T. Scott and others was considered as in Committee of the Whole. It directs the Treasurer of the United States to refund to the heirs of W. T. Scott and to William Umdenstock, of Harrison County, Tex., or to their heirs or legal representatives, $2,750 each, that being the amount erroneously paid by W. T. Scott and William Umdenstock severally into the Treasury of the United States on the 17th of September, 1881, in compromise of a judgment recovered against them as sureties on the official bond of Davis B. Bonfoey, late collector of internal revenue for the fourth district of Texas, in the circuit court of the United States for the western district of Texas on the 11th of December, 1873, in a cause No. 1037, wherein the United States were plaintiffs and W. T. Scott and others defendants, and appropriates $5,500, to be made immediately available for that purpose.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RICHMOND COLLEGE.

The bill (S. 1516) for the relief of Richmond College, located at Richmond, Va., was announced as next in order.

Mr. MARTIN. That bill has passed the Senate as a clause in the omnibus claims bill. I think it had better stay on the Calendar for the present.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The bill will be temporarily passed over, retaining its place.

PUBLIC BUILDING IN RENO, NEV.

The bill (S. 162) for the erection of a public building in Reno, Nev., was considered as in Committee of the Whole. It directs the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Reno, State of Nevada, the cost of the site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed $70,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LABORATORY FOR GAS INSPECTORS IN THE DISTRICT.

The bill (H. R. 8336) to amend section 3 of chapter 480 of the laws of the United States, approved June 23, 1874, was considered as in Committee of the Whole. It proposes to amend section 3 of chapter 480 of the laws of the United States, approved June 23, 1874, so that it shall read:

SEC. 3. That a laboratory shall be provided and fitted up by the Washington Gaslight Company, subject to the approval of the inspector, in the central part of the city of Washington, at a distance as near as may be of 2,000 feet from any gas works, and furnished with suitable apparatus for the transaction of the business of the inspector and assistant inspector for which it is intended; and the laboratory shall be kept open on all business days between the hours of 9 o'clock in the forenoon and 4 o'clock in the afternoon: *Provided*, That the cost of fitting up said laboratory shall be paid for by each gas company in the District of Columbia in proportion to their sale of gas for the year 1873.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT GRAND FORKS, N. DAK.

The bill (S. 598) to provide for the erection of a public building in the city of Grand Forks, N. Dak., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other governmental offices in the city of Grand Forks and State of North Dakota, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, not to exceed the sum of $180,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall within thirty days after such examination make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the purchase of a site and the erection of a public building thereon at Grand Forks, in the State of North Dakota."

SPECIAL-IMPROVEMENT ASSESSMENTS IN THE DISTRICT.

The bill (S. 3364) to authorize the apportionment of assessments for special improvements, etc., in the District of Columbia was considered as in Committee of the Whole. It authorizes the

Commissioners of the District of Columbia to apportion all unpaid assessments for special improvements levied by the board of public works, or which have been or shall hereafter be levied by them, and all unpaid assessments which have been or shall hereafter be levied for benefits arising from the extension, widening, or opening of streets, avenues, or alleys, or the taking of private property for other public purposes, where the lots or parts of lots upon which such assessments were or may be levied have been or shall be subdivided, so that each lot in such subdivisions shall only be assessed for and chargeable with such proportion of such assessments as in the judgment of said Commissioners is equitably chargeable thereto, and that the several portions of any assessments so apportioned shall have the same force and effect as the original assessment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOT 1, SQUARE 1113, IN WASHINGTON CITY.

The bill (H. R. 3740) to confirm title to lot 1, square 1113, in Washington, D. C., was considered as in Committee of the Whole. It authorizes the Secretary of the Interior to release and quitclaim to Johanna C. Block, her heirs and assigns forever, all the right, title, and interest, whether legal or equitable, of the United States of America in and to all that lot or parcel of ground situated in the city of Washington, D. C., and known on the ground plan of the city as lot No. 1, in square 1113, upon the payment by her of such a sum as the Secretary of the Interior shall deem just and equitable; but that she pay to the proper officer of the District of Columbia all taxes heretofore assessed against the property, both general and special, now unpaid and standing against said property.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REDEMPTION OF CERTAIN INTERNAL-REVENUE STAMPS.

Mr. ALDRICH. When the Calendar was last under consideration the bill (H. R. 6570) to amend the act of May 12, 1900, authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps was passed over at the suggestion of the Senator from Connecticut [Mr. PLATT]. The Senator is now ready to have the bill proceeded with, and I ask unanimous consent that it may be taken up.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance with amendments, in line 7, page 1, after the word "excepting," to insert "unused;" in line 10, after the "act," to strike out "*Provided further*, That any such stamps erroneously attached and canceled may be redeemed at any time within two years after the affixing and cancellation of the same;" in line 5, page 2, after the word "excepting," to insert "unused," and in line 9, page 2, to strike out "*Provided, further*, That any such stamps erroneously attached and canceled may be redeemed at any time within two years after the affixing and cancellation of the same;" so as to make the bill read:

Be it enacted, etc., That the act entitled "An act authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps," approved May 12, 1900, be amended by adding to the second proviso the following: "Excepting unused documentary and proprietary stamps issued under the act of June 13, 1898, which stamps may be redeemed upon presentation within two years after the passage of this act," so that said proviso shall read as follows: "*Provided further*, That no claim for the redemption of or allowance for stamps shall be allowed unless presented within two years after the purchase of said stamps from the Government, excepting unused documentary and proprietary stamps issued under the act of June 13, 1898, which stamps may be redeemed upon presentation within two years after the passage of this act."

The amendments were agreed to.

Mr. COCKRELL. What is the difference between unused and uncanceled stamps? I see the committee have stricken out the proviso with regard to stamps erroneously attached and canceled, and that they use the word "unused." Does that apply to all unused stamps?

Mr. ALDRICH. It does; that is, the extension of the statute of limitations applies to all unused stamps. The act of 1900 provided that those stamps might be redeemed within two years after their purchase. This bill, if it is amended as the committee suggests, will authorize the redemption of those stamps within two years from its passage.

Mr. COCKRELL. Will it cover stamps that were erroneously attached and canceled? Why not let them come in?

Mr. ALDRICH. The committee were of the impression that the two years they have now is sufficient for the purpose of redemption of stamps of that kind. They have two years from the time of their purchase.

Mr. COCKRELL. Yes; but I know a case or two from Missouri where the two years have expired. They were in controversy with the local officer in regard to it and did not know but that their application was made in time, until it was finally decided by the Secretary of the Treasury; and I do not see why, when there is no question of fraud or anything of that kind, those stamps should not be redeemed just the same as the unused ones.

Mr. ALDRICH. In the opinion of the committee the limitation which now exists is sufficient for all that class of cases. If there are exceptions it is better that they shall be taken care of by special acts rather than to open the door, which would be very wide and lead to very deleterious results to the Government, in the opinion of the committee.

Mr. COCKRELL. I do not see how it could lead to any deleterious results simply to give the Secretary of the Treasury power to audit and determine the whole question.

Mr. ALDRICH. Because there is a large class of claims of a nature somewhat analogous to those suggested by the Senator from Missouri to which this bill ought not to apply, in the opinion of the committee.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

GEORGE W. KING.

The bill (S. 2966) for the relief of George W. King was considered as in Committee of the Whole. It proposes that certain property heretofore purchased by and conveyed to George W. King, of Washington, D. C., be relieved and exempted from the operation of the act to restrict the ownership of real estate in the Territories to American citizens and to remit all forfeitures incurred by force of that act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SONS OF THE AMERICAN REVOLUTION OF PENNSYLVANIA.

Mr. SCOTT. I should like to ask unanimous consent to call up——

Mr. LODGE. Regular order!

Mr. SCOTT. Hear my explanation. If it is not satisfactory I will not insist on my request. I ask unanimous consent that the Senate proceed to the consideration of the joint resolution (H. J. Res. 106) authorizing the Secretary of War to loan to the Pennsylvania Society of the Sons of the American Revolution certain Revolutionary trophies at Allegheny Arsenal, Pittsburg, Pa. They are moving the supplies away from there, and the society asks to have these old relics allotted to them.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REDEMPTION OF CERTAIN OUTSTANDING DISTRICT CERTIFICATES.

The bill (S. 3243) to redeem certain outstanding certificates of the board of audit of the District of Columbia, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ACCEPTANCE OF DECORATIONS.

The joint resolution (S. R. 31) to authorize Capt. N. M. Brooks, Superintendent of Foreign Mails, Post-Office Department, to accept decorations from the Emperor of Germany, and from the Governments of Liberia and Venezuela, was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The bill (S. 3621) to authorize John A. Ockerson, Caspar S. Crowninshield, and Miss Anna Tolman Smith to accept decorations tendered to them by the Government of the French Republic, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

POST-OFFICE BUILDING AT MEMPHIS, TENN.

The bill (S. 2982) to extend and enlarge the post-office building at Memphis, Tenn., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Buildings and Grounds with an amendment in line 4, after the word "exceed" to strike out "300" and insert "250;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause the post-office building at Memphis, Tenn., to be extended and enlarged at a total cost to the United States of not to exceed $250,000, including all necessary changes in and alterations and repairs of the present building, and of the heating and plumbing systems therein, which may be incident to the extension and enlargement of said building.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EASTERN STAR HOME FOR THE DISTRICT OF COLUMBIA.

The bill (H. R. 2678) to incorporate the Eastern Star Home for the District of Columbia was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE MILITARY ESTABLISHMENT.

The bill (S. 3327) in amendment of sections 22 and 26 of an act approved February 2, 1901, entitled "An act to increase the efficiency of the permanent military establishment of the United States," was announced as the next business in order on the Calendar.

Mr. PROCTOR. Let the bill go over, retaining its place on the Calendar.

Mr. COCKRELL. Retaining the same place that it now has on the Calendar.

The PRESIDING OFFICER. The bill will be passed over, retaining its place on the Calendar.

GEORGE W. GRAHAM.

The bill (S. 2213) for the relief of George W. Graham was announced as the next business in order on the Calendar.

Mr. WARREN. Let the bill be passed over. It is included in the omnibus bill.

Mr. COCKRELL. Is it included in the omnibus bill?

Mr. WARREN. It is.

The PRESIDING OFFICER. The bill will be passed over, retaining its place on the Calendar.

ADJUDICATION OF CERTAIN CLAIMS.

The bill (S. 3083) providing for the adjudication of certain claims by the Court of Claims was considered as in Committee of the Whole. It proposes to confer jurisdiction on the Court of Claims to hear, try, determine, and render judgment as in an original suit, with right of appeal as in other cases, the claims of J. F. Bailey & Co., H. E. Collins & Co., and others, for refund of import duties paid by them in excess of the duties imposed by law on steel blooms imported by them during the years 1879, to 1882, both years inclusive.

Mr. BATE. I wish to ask the Senator from Wyoming a question in regard to the bill. Are these claims, by the pending bill, to be paid on the judgment of the Court of Claims without coming to the Congress afterwards?

Mr. WARREN. The bill so provides.

Mr. BATE. It is an exception to the ordinary rule.

Mr. WARREN. Not in cases of this kind. If the Senator will read the report he will see that these differ quite materially from the claims which we send down for findings of fact. We have all the facts.

Mr. BATE. An immense amount of money is involved in this case, and it takes a different course from what is ordinarily pursued.

Mr. WARREN. The amount of money is not so large as would seem from the number of names. The case to me is a very clear one. These parties paid 45 per cent when they should have paid 30, and the United States courts have so decided since. The bill merely seeks to send the claims to the Court of Claims, and if that court shall sustain the contention that these parties overpaid this much and had not proper recourse, and finds good reasons why, the court shall bring in a judgment for the amount.

Mr. BATE. And the bill authorizes the money to be paid without the matter coming back to Congress at all?

Mr. WARREN. Yes, sir.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AARON VAN CAMP AND VIRGINIUS P. CHAPIN.

The bill (S. 342) for the relief of the heirs of Aaron Van Camp and Virginius P. Chapin was considered as in Committee of the Whole. It refers to the Court of Claims the claim of Aaron Van Camp and Virginius P. Chapin against the United States, to hear and determine the question of the liability of the United States for the losses found by the court in its sixth finding of fact, with jurisdiction to hear and determine the same upon the principles of law and equity and in compliance with the rules and regulations of the court.

Mr. COCKRELL. There ought to be some provision in the bill requiring the suit to be brought within a reasonable time.

Mr. McCUMBER. I suppose when the matter is referred to the Court of Claims there is no necessity for further action.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read a third time, and passed.

WILLIAM A. COWLES.

The bill (S. 1680) for the relief of William A. Cowles, administrator of the estate of George Cowles, deceased, was announced as next in order.

Mr. McCUMBER. That claim is in the omnibus claims bill, as I understand, and it may be passed over.

The PRESIDING OFFICER. The bill will be passed over, retaining its place on the Calendar.

PENSIONS TO SOLDIERS AND DEPENDENT RELATIVES.

The next business on the Calendar was the joint resolution (S. R. 8) construing the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents."

Mr. BURROWS. Let the joint resolution be passed over for the present, retaining its place.

The PRESIDING OFFICER. The joint resolution will be passed over, retaining its place on the Calendar.

PUBLIC BUILDING AT GREEN BAY, WIS.

The bill (S. 1266) for the erection of a public building at Green Bay, Wis., was considered as in Committee of the Whole. It directs the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Green Bay and State of Wisconsin, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of $150,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROTECTION OF THE PRESIDENT.

The bill (S. 3653) for the protection of the President of the United States, and for other purposes, was announced as next in order on the Calendar.

The PRESIDING OFFICER. The patron of the bill is not present. What is the pleasure of the Senate?

Mr. RAWLINS. Let it be passed over.

The PRESIDING OFFICER. The bill will be passed over temporarily, retaining its place on the Calendar.

CHARLES HURRLE.

The bill (S. 2122) for the relief of Charles Hurrle was announced as next in order.

The PRESIDING OFFICER. The Chair will state that a House bill came to the Senate, I think on Saturday, of the same tenor as the Senate bill.

Mr. COCKRELL. In the same language?

The PRESIDING OFFICER. So the Chair understands.

Mr. COCKRELL. I ask then that the House bill be taken up and considered.

The PRESIDING OFFICER. The House bill is before the Committee on Claims. The Chair suggests that the Senate bill be temporarily passed over.

Mr. COCKRELL. Let it be temporarily passed over then.

The PRESIDING OFFICER. If there be no objection, such will be considered as the action of the Senate.

JAMES G. FIELD.

The bill (S. 1321) to restore to the active list of the Navy the name of James G. Field was considered as in Committee of the Whole.

The bill was reported from the Committee on Naval Affairs with amendments, in line 5, to strike out the word "restore" and insert the word "appoint," and in line 7, in the parenthesis, to strike out the word "relative" before the word "rank;" so as to make the bill read:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint James G. Field, assistant surgeon, United States Navy, retired, to the active list of the Navy as a surgeon (with rank of lieutenant) not in line of promotion.

The amendments were agree to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DEPOSITIONS BEFORE NAVAL COURTS.

The bill (S. 1103) to authorize the use of depositions before naval courts in certain cases was considered as in Committee of the Whole. It provides that the depositions of witnesses stationed or residing at such a distance from the place at which a naval court is ordered to sit, or who are under orders and about to go to such a distance that it is not practicable to secure their

personal attendance without incurring great expense or serious loss of time, if taken on reasonable notice to the opposite party and duly authenticated, may be put in evidence before such court in case not capital.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL COURTS-MARTIAL.

The bill (S. 1102) to provide for the convening of general courts-martial at remote stations was considered as in Committee of the Whole. It provides that the commandant of any naval station beyond the continental limits of the United States may, by express authority of the President, be empowered to convene general courts-martial for the trial of persons under his command.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT OGDEN, UTAH.

The bill (S. 151) to provide for the purchase of a site and for the erection of a building thereon at Ogden, in the State of Utah, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, on page 2, line 2, after the word "hundred," to strike out the words "and fifty;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States court, post-office, and other offices in the city of Ogden, in the State of Utah. Such site shall contain at least 40,000 square feet of ground. That the cost of such site and building, including the vaults, heating and ventilating apparatus, elevators, and approaches, complete, shall not exceed the sum of $200,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROOFS AND FEES IN ENTRIES OF PUBLIC LAND.

The bill (H. R. 202) to amend section 2294 of the Revised Statutes of the United States was considered as in Committee of the Whole. It proposes to amend section 2294 of the Revised Statutes of the United States so as to read:

SEC. 2294. That hereafter all affidavits, proofs, and oaths of any kind whatsoever required to be made by applicants and entrymen under the homestead, preemption, timber-culture, desert-land, and timber and stone acts may, in addition to those now authorized to take such affidavits, proofs, and oaths, be made before any United States commissioner or commissioner of the court exercising Federal jurisdiction in the territory or before the judge or clerk of any court of record in the land district in which the lands are situated: *Provided*, That in case the affidavits, proofs, and oaths hereinbefore mentioned be taken out of the county in which the land is located the applicant must show by affidavit, satisfactory to the Commissioner of the General Land Office, that it was taken before the nearest or most accessible officer qualified to take said affidavits, proofs, and oaths in the land districts in which the lands applied for are located; but such showing by affidavit need not be made in making final proof if the proof be taken in the town or city where the newspaper is published in which the final proof notice is printed. The proof, affidavit, and oath, when so made and duly subscribed, shall have the same force and effect as if made before the register and receiver, when transmitted to them with the fees and commissions allowed and required by law. That if any witnesses making such proof, or any applicant making such affidavit or oath, shall knowingly, willfully, or corruptly swear falsely to any material matter contained in said proofs, affidavits, or oaths he shall be deemed guilty of perjury, and shall be liable to the same pains and penalties as if he had sworn falsely before the register. That the fees for entries and for final proofs, when made before any other officer than the register and receiver, shall be as follows:

For each affidavit, 25 cents.

For each deposition of claimant or witness, when not prepared by the officer, 25 cents.

For each deposition of claimant or witness, prepared by the officer, $1.

Any officer demanding or receiving a greater sum for such service shall be guilty of a misdemeanor, and upon conviction shall be punished for each offense by a fine not exceeding $100.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PROMOTION OF COMMERCE.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, being Senate bill 1348.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries, which had been reported from the Committee on Commerce with amendments.

Mr. FRYE. I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall receive first consideration.

The PRESIDING OFFICER. If no objection be made, such will be considered the sense of the Senate.

Mr. HANNA. Mr. President, I suggest the absence of a quorum.

Mr. PETTUS. Mr. President——

The PRESIDING OFFICER. The Chair will state to the Senator from Alabama that the absence of a quorum has been suggested, and it becomes the duty of the Chair to direct the Secretary to call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dolliver,	Harris,	Patterson,
Allison,	Dryden,	Hawley,	Perkins,
Bacon,	Elkins,	Heitfeld,	Pettus,
Bard,	Fairbanks,	Hoar,	Scott,
Bate,	Foraker,	McCumber,	Simmons,
Berry,	Foster, La.	McLaurin, Miss.	Spooner,
Beveridge,	Foster, Wash.	McLaurin, S. C.	Taliaferro,
Burnham,	Frye,	McMillan,	Teller,
Burrows,	Gallinger,	Mallory,	Vest,
Carmack,	Gibson,	Martin,	Warren,
Clay,	Hale,	Mitchell,	Wetmore.
Cockrell,	Hanna,	Money,	
Dillingham,	Hansbrough,	Nelson,	

The PRESIDING OFFICER. Fifty Senators having answered to their names, a quorum is present.

Mr. PETTUS. Mr. President, before the Presiding Officer announced the general agreement I was on the floor addressing the Chair for the purpose of asking that the agreement be qualified to the effect that no amendment adopted on this call should prejudice any amendment to the contrary hereafter offered.

The PRESIDING OFFICER. The Chair understands that the bill as in Committee of the Whole will be open to amendment at any time, and later when in the Senate it will be open to amendment.

Mr. FRYE. I shall have no objection to any amendment of that kind. The amendments of the committee are very immaterial. They are clerical errors as a rule. Let the Secretary read the bill.

The PRESIDING OFFICER. The Secretary will read the bill.

Mr. CLAY. I understood the Senator from Maine to state, and I understand it to be the rule, that it will be in order at any time before the bill is voted on to offer new amendments to the bill.

Mr. FRYE. I shall certainly make no objection on account of any parliamentary rule to any amendment that may be offered.

Mr. CLAY. Then it is understood that in agreeing to the request of the Senator from Maine it is with the understanding that any Senator who may desire to offer an amendment before the bill shall come to a final vote shall be entitled to that privilege.

The PRESIDING OFFICER. The Chair understands that the request made by the Senator from Maine will not prejudice any motion to amend at any time, at any stage of the bill, whether in Committee of the Whole or in the Senate.

Mr. CLAY. And made for any purpose.

The PRESIDING OFFICER. Or made for any purpose. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Commerce was in section 2, page 3, line 3, to strike out the word "steel," before "screw," and in line 4, after the word "steamships," to insert the words "of iron or steel;" so as to read:

SEC. 2. That section 3 of the act aforesaid be, and the same is hereby, amended to read:

"SEC. 3. That the vessels employed in the mail service under the provisions of this act shall be American-built steamships, owned and officered by American citizens, in conformity with the existing laws, or so owned and officered and registered according to law; and upon each departure from the United States the following proportion of the crew shall be citizens of the United States, to wit: During the first two years of such contract for carrying the mails, one-fourth thereof; during the next three succeeding years, one-third thereof, and during the remaining time of the continuance of such contract, at least one-half thereof; and shall be constructed after the latest and most approved types, with all the modern improvements and appliances for ocean steamers. They shall be screw steamships of iron or steel, and divided into the following classes according to gross registered tonnage and capacity to maintain at sea in ordinary weather the following speeds:

The amendment was agreed to.

The next amendment was, in section 4, on page 6, line 1, after the word "Postmaster-General," to strike out:

Provided further, That no steamships so employed and so paid for carrying the United States mail shall receive any other bounty or subsidy from the Treasury of the United States.

Mr. FRYE. That provision occurs in another place in the bill.

The amendment was agreed to.

The next amendment of the Committee on Commerce was, in section 6, on page 7, line 8, after the words "one thousand," to strike out "five hundred;" so as to make the clause read:

(b) On each entry, not exceeding 16 entries in any one fiscal year, and for a period of five years from the date of registration of a vessel of over 1,000 gross registered tons, which shall be completed and registered after the passage of this act, one-fourth of 1 cent per gross registered ton for each 100 nautical miles sailed, in addition to the compensation provided in paragraph (a).

The amendment was agreed to.

The next amendment was, in section 7, on page 8, line 8, in

subdivision (e), after the article "A," to strike out "barge, canal boat, or;" so as to make the clause read:

(e) A vessel without motive power of its own, or a tugboat, or a vessel engaged in wrecking.

Mr. FRYE. I am not exactly satisfied with that amendment proposed in subdivision (e): "A barge, canal boat, or vessel without motive power of its own." There are some few barges which have small masts and small sails sufficient to keep their heads to the wind to provide for safety in case the tug breaks loose from them that might be counted to a certain extent "motive power of its own." I do not think there was any intention on the part of anybody to allow such barges to come in under this subsidy provision, and therefore I move to strike out subdivision (e), as it stands in the bill, and to insert as a substitute for it what I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Maine to the amendment of the committee will be stated.

The SECRETARY. It is proposed to strike out subdivision (e) and in lieu thereof to insert:

(e) A barge, canal boat, or vessel proceeding from port to port in tow, or a tugboat or a vessel engaged in wrecking.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed and concluded.

Mr. FRYE. Mr. President, it seems to me that the policy of protection has been beneficent in our country. I have no doubt that to-day industrially we have really no peer. Nearly every industry has been protected, has flourished, and is flourishing. One, and from a national point of view more important than any other, has for fifty years been without protection, compelled to compete with rivals protected. The logical result follows. With a seacoast of 10,000 miles, equipped with splendid harbors, with forests boundless, with iron and coal enough for the world, with sagacious, enterprising business men, with capital in great abundance, with skilled laborers, with a constantly increasing foreign commerce, we have permitted our rivals, our inferiors in almost all these regards, to seize upon the pathways of the great ocean to our almost utter exclusion.

Our foreign commerce last year amounted to two billion and a little over three hundred million dollars. We carried 8 and two-tenths per cent of it. Our exports last year amounted to $1,487,000,000. We carried 6 per cent of it under the American flag.

I saw a report made by the secretary of the Produce Exchange of New York a while ago—I have forgotten the year to which it applied—in which he showed that 55,764,000 bushels of grain were shipped that year from the port of New York to foreign ports and not a bushel on an American vessel.

I saw by a letter a while ago from our consul at Bergen, the principal port of Norway, that a little vessel, the *Hamilton Fish*, accidentally, I think, happened into that port, and the consul imposed certain fines and taxes which had several years before been repealed by Congress. His attention was called to it and he remitted the money. In the letter remitting it he says, "The fact that I have been consul here for fifteen years and that this is the only American vessel I have seen may be some excuse for my ignorance of the law."

Last year we reached the climax of our decadence. If you will examine the Report of Commerce and Navigation, you will find that there did not enter or clear a single American vessel from Germany, or Russia, or Sweden, or Norway, or Denmark, or the Netherlands, or Austria-Hungary, or Italy, or Greece, or Turkey; that 1 cleared from Belgium in ballast, 1 from Spain in ballast, and 2 from France, 1 of them in ballast.

Mr. President, it seems to me that that picture ought to humiliate and mortify beyond expression any patriotic citizen of the United States who glories in the power and prosperity of his country. It is not alone humiliating, it is absolutely dangerous. Suppose there is a European war; suppose Great Britain and Germany come to a conflict of arms; suppose those nations demand all the transports they can find, gathering them in from all over these lines that are now crossing and recrossing the Atlantic and Pacific, who is going to carry then your $1,487,000,000 of exports? Who is going to pay the increased war premiums on the insurance of the cargoes that are carried, if carried at all?

I say, Mr. President, in my opinion, the farmers, the manufacturers, and the wage workers of the United States would pay a penalty nearly, if not quite, equal to that paid by either of the contending parties. Now, what is the cause of this condition of things? There is only one—American wages. That is all there is to it. Nothing else has caused the condition of things which now exists. American wages increase the cost of our ships for the foreign trade at least 25 per cent.

I am as well aware as any other Senator can be that in the furnishing of raw materials to-day very likely we can supply them as cheaply as they can be supplied anywhere in the world; but the raw materials only furnish one half the cost of the ship; the construction of the ship is the other half. In that construction we pay the men who do the work twice the wages that are paid on the Clyde to-day; more than twice the wages that are paid in any German shipyard, and a good deal more than are paid in the shipyards of Norway. Our vessels to-day cost at least 25 per cent more than do those in any other country in the world.

Mr. Baker, of the American Transport Company, made a contract for eight ships abroad and six ships in American shipyards. He said he made that contract for ships in American shipyards because he believed that Congress was to do something for American shipping, and he wanted to try the experiment. He wrote a letter to the Commissioner of Navigation, in which he gave the cost of the ships he had contracted for abroad and the cost of those contracted for here. If you will examine that letter you will find from 20 to 25 per cent difference. That difference is illustrated over and over again wherever you can institute a comparison, and always with the same result.

But the question of wages on shipboard is infinitely more important than the additional cost of the ship. Take, for instance, the three ships, the *St. Louis*, the *Oceanic*, and the *Kaiser Wilhelm der Grosse*. The monthly wages on the *St. Louis*—leaving out the master—for the master is not included in any of these comparisons, and there is more difference in the pay of the masters of American ships than there is in the pay of any other officers—the monthly wages on the *St. Louis* amount to $11,305; on the *Oceanic*, $9,890; on the *Kaiser Wilhelm der Grosse*, $7,715; but the *Oceanic* is a larger and faster ship than the *St. Louis*, and carries 47 more men; the *Kaiser Wilhelm der Grosse* is still larger, and carries 120 more men. Now, if you reduce the *Kaiser Wilhelm der Grosse* to the same size and speed as the *St. Louis*, and reduce the *Oceanic* to the same size and speed and the same number of men with the *St. Louis*, you will find that the German ship is running monthly on wages and food alone for one-half what it costs the *St. Louis*, and that the British ship has the advantage over the American ship of one-third.

Now, take the Pacific Mail Steamship Line. On the *City of Sydney* the monthly pay roll amounts to $3,675, while on a corresponding ship under the Chilean flag it is $1,480—more than twice greater on the American ship. Take the Pacific Mail steamship *Peru*, with monthly wages of $3,835, and the corresponding ship under the Chilean flag, with monthly wages of $1,726. Take the American ship *Cherokee*, sailing from New York to Santo Domingo, and the year's wages are $16,620, while on the British ship *Cricket*, of the same size, they are $10.219. Take the German ship *Sonnigsberg*, about the same size, and they amount to $7,500, less than one-half of the *Cherokee*. Take the Dutch ship *Teutonic*, and they amount to $6,643, in place of $16,620 on the *Cherokee*. Take the Norwegian ship *Fortuna*, and they amount to $6,128, instead of $16,620 on the *Cherokee*.

There is the story—not quite the whole story, but very nearly the whole of it. Any Senator can see that no American ship can by any possibility run in competition with those ships.

There is another thing to be reckoned with in considering this question. Of all the steamships in the world of 14 knots and upward, 80 per cent are subsidized by the countries whose flags they carry; of those of 16 knots and upward, all but six are heavily subsidized by the countries whose flags they carry.

Every Senator here knows that Great Britain commenced subsidizing over fifty years ago. He knows that Great Britain has persisted in it from the time it commenced down to now, never with a single cessation. Great Britain is reasonably wise in matters of that kind. Great Britain paid last year in postal subsidies, in admiralty subventions, and in retainers for sailors, a little over $6,000,000. France paid last year in admiralty subventions, retainers of sailors, bounty construction, and postal subsidies over $7,000,000. Germany, commencing only a short time ago to reach out into the markets of the world, paid over $2,000,000 last year, and has just established two lines to the East, heavily subsidized. Austria-Hungary paid $1,724,000. Spain paid to one single line $1,629,000. I think that has been reduced a little, but I could not succeed in finding out how much since she lost her colonies. Japan, a country which within a few years has sprung into life as one of the great countries of the world, paid last year $3,492,000, and the United States paid $998,000.

Now the question for us, it seems to me, is, Are we to submit to this humiliating and wretched condition of things? There is one reason beyond pride in country which I wish to suggest just at this moment. These nations have paid those postal subsidies for the purpose of establishing mail lines from their great commercial ports to the commercial ports of the world. For what purpose? For purposes of trade, and for nothing else.

Trade can not precede the mail. The mail must precede the trade—and they paid over $25,000,000 last year for postal subsidies for one single purpose, and that was to put themselves in a

position to dispose of their surplus products in the markets of the world.

Mr. President, there is not a nation on this earth that needs markets for surplus products more than does the United States of America. The year before Mr. McKinley became President of the United States our exports amounted to $882,000,000. Last year they amounted to $1,487,000,000, nearly double. The year before Mr. McKinley became President of the United States our exports of manufactured products amounted to $228,000,000. Last year they amounted to $412,000,000, nearly double. And that increase of product is to go on year by year, year by year. Suppose you do not find markets for your increased product. Suppose you find yourself with a surplus on hand which you can not sell. Then stagnation; capital without profit, wage-workers without pay.

Is there anyone who for a single moment would dream that it is profitable for us in endeavoring to find those markets to seek them through our enemies in trade? Suppose there is a merchant *in the city*. Would you dream that that merchant for a moment would think of hiring the commercial agent of a rival house to find markets for his goods? Is there a Senator who doubts that an American ship, commanded by intelligent, active, earnest, interested American officers, is a better instrument for the distribution of our products abroad and for the finding of those markets than a German ship, officered by Germans, Germany being the dangerous rival of the United States of America in all this business for the next twenty-five years?

What can we do? What ought we to do? Some of our friends on the other side, and there is an amendment to that effect, think that free ships constitute the remedy; and yet the same Senators who say that free ships are the remedy insist that we can build ships just as cheaply as they can be built anywhere else. Then what would be the benefit of free ships? If, on the other hand, our contention is right, that ships cost 25 per cent more here than they do abroad, then what would free ships do? They would close every shipyard in the United States against ever building any ships for the foreign trade. There would be your standstill. They would be confined to building coastwise vessels alone.

I notice that Mr. Baker, the president of the American Transport Line, building the ships in the United States of which I spoke a few moments ago, a week or two ago had a letter in the New York Times, and he informed the public in that letter that he was building some ships here; and in the same letter he said that if Congress did not encourage American shipping he could not run those ships under the American flag and should not; that he would be obliged to put them under a foreign flag.

I assert without fear of contradiction that you can not find an intelligent man in the United States of America who will put his money into a foreign ship and have it admitted to American register to-day and then undertake to sail it in competition with the vessels that I have described here, with their wages.

Some have suggested bounties, but they are clearly repugnant to the Constitution and in violation of 24 treaties. I think that contention has practically been given up.

Some suggest discriminating duties because they worked well in the early days of the Republic. But to avail ourselves of discriminating duties we must abrogate, and abrogate ruthlessly, 34 commercial treaties with all the nations in the world. These nations of the world are to-day looking jealously at us, and it is said, I do not know whether true or not, that they are studying the problem how on earth they can stop us from getting into foreign markets. Do you not suppose if we should abrogate all those 34 treaties they would take it as an excuse, and would it not be a good excuse, for retaliation? In the early days there was no chance for retaliation. You had no exports. They were all imports. When France only a few years ago undertook to put on a discriminating duty, even we here, through President Grant proposed to retaliate, and other nations proposed to retaliate, and France at once withdrew from the position which she occupied.

In my opinion—and I can not help thinking it is entirely unselfish, because I do not own a single cent's interest in a ship in the whole world, nor any stock in any ship corporation in the world, nor do I ever expect to. I did a few years ago own an interest in a schooner. I had not heard from the ship for some time, and I saw that the value of schooners had gone up some, and I wrote the agent to sell immediately. He wrote me that she had run on the rocks three years before and was a total loss, without insurance.

That ended my connection with ship property. I say I do not consider it selfish when I say that in my opinion there is only one way in which you can accomplish anything in the direction suggested, and that is by paying out of the Treasury of the United States annually a sum of money which shall be equal to the difference between operating and carrying on of trade in foreign ships and carrying it on in our own ships. You do it in every single industry in this country. You have done it for years. The Republican party has stood by the idea of protection and encouragement ever since it has been a party in power. How can the Republican party excuse itself for leaving entirely unprotected an industry here as important as any of them, and why should the word "subsidy" terrify the people of this country, especially United States Senators? It is only another name for protection.

Now, in my judgment, we should do what other nations have done; first, provide for the United States mail from our commercial ports to the commercial ports of the world.

In 1891, after spending a long while in considering a bill—at least six months—in the consideration of which I sent all over the country for experts, because it was absolutely necessary to adjust rates and classifications so that encouragement sufficient should be given to establish mail routes, the Committee on Commerce authorized me to report to the Senate a postal subsidy bill. I did. It was discussed in the Senate. It was passed without amendment. It had four classes of ships—four different rates of pay.

It came back from the House on the last day and in almost the last hour of the session, amended by reducing the rates one-third. It was too late for a conference. Under the advice of friends the bill was accepted. It was a dead failure. We succeeded in getting one new line under it, but only by admitting two foreign-built ships to American registry through an agreement that the American line would build two more here. That line received a contract under that law, and it never has made one single cent of profit from the day it took the contract up to the present on its four ships. On the contrary, if it had remained under a foreign flag and the other two ships had been built in a foreign country and had gone under a foreign flag, that company, with those four ships, would have been $136,000 better off every year than it has been under the postal contract of 1891. No other line was built. There was no other competition.

I had every reason to believe if that bill passed the House as it passed the Senate there would be a line to Brazil; that there would be at least two lines on the Pacific Ocean, and one or two lines on the northern Atlantic. It failed utterly to produce any of those lines. It saved one or two small lines from bankruptcy.

Mr. MITCHELL. Will the Senator from Maine allow me to ask him a question?

Mr. FRYE. Certainly.

Mr. MITCHELL. How did that bill as it passed the Senate, so far as that phase of the case is concerned, compare with the present bill?

Mr. FRYE. I will reach that point before I get through, if the Senator will pardon me for not answering the inquiry now.

Now, the experience of ten years and over has clearly proved that the rates of that act in respect to the higher-powered ships are insufficient. In the bill which is now before the Senate you are simply asked to put them back practically where they were when that bill passed the Senate. That is all.

So far as the postal subsidy law is concerned, section 1 of the existing law is amended only in these particulars: It changes the word "empowered" to "directed." The friends of this bill did not propose that the Postmaster-General should be at liberty to make contracts with foreign ships for carrying the United States mail if he desired to do so. They proposed to direct him to make his advertisements and issue his proposals in accordance with the purpose.

The maximum limit of the contract period in existing law is ten years. That has been changed in this bill to fifteen years. It has been changed because Germany in her last two contracts has made them for fifteen years and France in her great contract has made it for fifteen years. Great Britain generally makes it for ten years, but in one or two cases makes it annually.

Then the words are inserted "having regard to the national defense." As the law itself showed that it had regard to the national defense, it was thought better to put in the words. You will see that it leaves the Postmaster-General at entire liberty to reject any bid whatever if he does not consider it reasonable. It also leaves him to make a contract for a period of time anywhere from five to fifteen years. He is not obliged, notwithstanding we have changed the maximum to fifteen, to make the contract for fifteen years. Those are all the changes made in that section.

Section 2 of the old law I have before me. That requires him, and it has not been changed, to give notice in the daily papers of Boston, New York, Philadelphia, Baltimore, New Orleans, Charleston, Norfolk, Savannah, Galveston, and Mobile, and when the proposed service is to be on the Pacific Ocean in San Francisco, Tacoma, and Portland. It goes on to say how he shall describe the routes and what requirements will be made. That is the law to-day, and it has not been changed. It is what you do with respect to star routes and what you do in the coastwise service.

Under section 3 of the existing law there are four classes: 8,000-ton steamships, 20 knots; 5,000-ton steamships, 16 knots; 2,500-ton steamships, 14 knots; wooden steamers, 12 knots, and paddle-wheel steamers can be used on anything below 16 knots, according to existing law.

Now, that classification was not scientific, and for this reason: Take a 16-knot ship, and she will take 48 men to handle her coal. She will require about 140 tons of coal a day. Each man is able to handle 3 tons of coal. That is the basis on which they figure when they hire the crew. But take a 20-knot ship, and she requires twice as much coal, and more, too, and twice as many men.

Therefore the committee believed that to make a scientific classification you should recognize the very great difference in cost as you increase the power knot by knot. So in this bill instead of four classes the committee have made seven classes, knot by knot, and they have cut out entirely side-wheel steamers, because no longer would a side-wheel steamer be regarded as fit for carrying the United States mail, across the ocean at any rate. It might do for carrying the mail on some of the shorter routes, and under the general subsidy law the Postmaster-General is given the right to have them carry the mail for nothing where there are no provisions for regular mail lines. They have taken out also the 1,000-ton steamships. They, of course, have gone by.

Section 4 is simply amended by inserting "fourth and fifth classes," which it is necessary to insert because there is nothing of the kind in the existing law.

Section 5 relates to the compensation, and you have heard as to the compensation as provided for in this bill. It commences with 20 knots and upward and goes down to and includes the 14-knot steamship.

In adjusting these rates I endeavored to have them so fixed that, take them as a whole, they would not be quite so high as those contained in the bill which passed the Senate, but in the higher-powered vessels would be a little higher, as a matter of course, than in the existing law, because the existing law in that regard has proved itself a failure.

Mr. ALLISON. Can the Senator now state how this compensation will compare for the same class of work with that in the bill which we considered during the last session of Congress?

Mr. FRYE. The compensation is less than it was in that bill, and taking the general subsidy law and all the probable expenditures of the Government under this bill, the amount will not in the next five years be two-thirds of what it would have been under that bill.

Mr. MONEY. Six million dollars?

Mr. FRYE. In the next five years it would not probably be $6,000,000.

Mr. TELLER. Every year?

Mr. FRYE. Yes. That is, you would not reach $6,000,000 in five years, probably.

Mr. HANNA. You would not reach half of it.

Mr. FRYE. I will come to that before I get through.

Now, there is another change here which I regard as somewhat important in the interest of the American people. The existing law establishes rates only in relation to the power—that is, as to the speed. This bill establishes rates as to gross tonnage and speed. Now, what is that for? That is to encourage the largest possible ship. What for? To produce the lowest possible freight.

Now, the requirements of the old law are of course retained in this bill. Sections 6 and 7 of the existing law are as follows:

SEC. 6. That upon each of said vessels the United States shall be entitled to have transported free of charge a mail messenger, whose duty it shall be to receive, sort, take in charge, and deliver the mails to and from the United States, and who shall be provided with suitable room for the accommodation of himself and the mails.

SEC. 7. That officers of the United States Navy may volunteer for service on said mail vessels, and, when accepted by the contractor or contractors, may be assigned to such duty by the Secretary of the Navy whenever, in his opinion, such assignment can be made without detriment to the service, and while in said employment they shall receive furlough pay from the Government and such other compensation from the contractor or contractors as may be agreed upon by the parties: *Provided*, That they shall only be required to perform such duties as appertain to the merchant service.

Section 8 is the existing law, simply amended by using the word "such" instead of "that said," and also by adding, after the word "seamanship" the words "or engineering." It requires them to take one apprentice for every thousand tons, and to educate them and train them, not only in seamanship, but in engineering, as engineering now is getting to be about as important as seamanship. Then it provides that such steamers shall be taken by the United States as transports, etc.

Now, those are all of the changes that are made in the existing law in relation to the postal subsidy. If under this bill the Postmaster-General could contract for an 8,000-ton ship as he could under the old one at 20 knots an hour, the rate in this bill would be about 30 cents less than under the existing law. For 10,000 tons, about 30 cents more, because, as I said a moment ago, we provided in this bill that the rate shall not depend upon power alone, but upon gross tonnage as well. So as you increase your gross tonnage you increase of course the amount of money to be paid.

There are certain contracts which can not be affected by this bill at all. For instance, take the contract with the American Line. It expires, I believe, in 1905.

Mr. ALLISON. Can it be renewed?

Mr. FRYE. No.

Mr. CLAY. I desire to ask the Senator whether it is not true that whenever the contract does expire, then the provisions of this bill will apply, of course?

Mr. FRYE. Undoubtedly.

Mr. CLAY. The Senator simply means that where any contracts have already been executed they will stand under the existing law, and so soon as they expire then the new law will apply to them.

Mr. FRYE. If they succeed in getting the contract.

Mr. CLAY. So I understand.

Mr. FRYE. They must do that. The payments of the United States to steamship companies for the transportation of ocean mails during the fiscal year ended June 30, 1901, were $1,826,046, divided as follows (Report of the Superintendent of Mails, p. 10):

	American steamers.	Foreign steamers.
Trans-Atlantic	$528,537	$465,807
Trans-Pacific	264,180	50,707
Miscellaneous	457,664	59,151
Total	1,250,381	575,665

For the current fiscal year the estimates of expenditures for the same purpose are:

Contracts under act of 1891	$1,448,968
American vessels not under contract	234,909
Total American vessels	1,683,877
Foreign vessels	633,233
Total	2,317,110

The contracts covered in the foregoing estimates in the order of their magnitude are:

1. American Line, 52 trips, New York-Southampton	$757,328
2. Oceanic (Spreckles), 17 trips, San Francisco-Australia	283,203
3. New York and Cuba Mail, 52 trips, New York-Habana-Mexico	130,104
4. Admiral Line, 104 trips, Boston, Philadelphia, Jamaica	123,569
5. Red D, 36 trips, New York-Venezuela	81,288
6. New York and Cuba Mail, 52 trips, New York-Habana	73,467
Total	1,448,968

This bill does not affect any of those contracts. The contract with the American Line will expire in 1905, October 11. It might be affected in this way: If the Postmaster-General should decide to do what I sincerely hope he will provide for—a semi-weekly mail instead of weekly mail—if these gentlemen became successful bidders on the proposals issued by the Postmaster-General, it would increase the subsidy paid to them quite largely.

The contract with the Spreckles Line will not expire until October 31, 1910, and of course no change will be made there unless the Postmaster-General should determine to double the service. The contract with the Admiral Line expires December 31, 1909. The contract with the Red D Line, I understand, was renewed last month. It expired February 28, the last day of the month, and I understand it has just been renewed. It will be good for ten years, and will not be affected.

The contracts with the New York and Cuba Mail Steamship Company for the mail service to Habana and to Mexico will expire on October 31, 1902, and should the bill become a law these are the only existing contracts to be renewed in the near future.

Now, if this bill should become a law, what do I hope will be the result?

Mr. ALDRICH. Before the Senator passes from that point, would it interrupt him to ask him what the Government would have to pay next year to existing lines for carrying the mails if the bill should go into effect at once?

Mr. FRYE. Does the Senator mean for lines that run under contract?

Mr. ALDRICH. Yes, sir.

Mr. FRYE. Did I give it there?

Mr. ALDRICH. I do not think the Senator stated what the additional cost would be to the Government. I think the Senator did not state that amount.

Mr. HANNA. For the same service?

Mr. ALDRICH. For the same service.

Mr. FRYE. Contracts under the act of 1891 amounted to $1,448,000.

Mr. ALDRICH. What would it cost under this bill for the same service next year?

Mr. FRYE. That I can not tell, because there is such a great variety of vessels employed in the service. They can not be changed the next year, the Senator sees.

Mr. CLAY. I will ask the Senator from Maine to permit me a question.

Mr. FRYE. Certainly.

Mr. CLAY. Is it not true that for the large steamers with a

high speed the price will be increased about 32 per cent in comparison with the existing law for carrying the mails? I think you will find in the report of the majority of the committee and in the tables of the Commissioner of Navigation the exact amount that it will be increased.

Mr. FRYE. Below 16 knots there could not be any increase over the present law. Indeed, the price would be lower than the present law. The lower-powered vessels received more than it was necessary to pay. Higher-powered vessels did not receive so much as was necessary. Quite a number of contracts made with the low-powered classes have been made for considerable less than the maximum amount named in the existing law.

Here is an illustration: Under the present law a 20-knot steamer of 8,000 tons is entitled to $4 per statute mile, while under this bill such a vessel would be entitled to $3.20—that is, 80 cents less. Of course, the Postmaster-General would not accept for a mail route from New York to Southampton a vessel of less than 10,000 tons under any circumstances. I suppose they would go over that.

Mr. HANNA. Is that a 20-knot ship?

Mr. FRYE. Yes; a 20-knot ship. Under the existing law he had a right to take an 8,000-ton ship of 20 knots, but he did have 10,000-ton ships. The *St. Louis* is 11,629 tons. If he took an 8,000-ton ship under the present bill it would be 80 cents less per hundred miles than under the existing law. A 10,000-ton steamer of that speed is now under the law entitled to $4, while under this bill it would receive $4.70. The *St. Louis*, 11,629 gross tons, for example, is now paid at the rate of $14,564 per voyage, while under this bill the maximum allowance would be $19,881.

Broadly speaking, all the mail steamers, 14 knots or over, of 7,000 tons or over, may be paid at higher rates than under the present law, except 20-knot steamers under 10,000 tons. Steamers of 4,000, 5,000, and 6,000 tons are to be paid at rates not differing greatly from those payable under the present law.

Generally the rates proposed by the bill are lower than those contemplated in the bill which passed the Senate in 1891, with occasional exceptions of steamers of much greater tonnage and speed than had then been built. The changes are based on the demonstrated fact that the act of 1891, as amended by the House, did not provide high enough rates for the higher, larger, and faster steamers; that the rates for large steamers of lower speed are insufficient, and that the rates for smaller and slower steamers are higher than necessary.

Mr. VEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Missouri?

Mr. FRYE. With pleasure.

Mr. VEST. I wish to ask the Senator, with his permission, if the report of the majority of the committee and the annual report of the Commissioner of Navigation do not estimate that the effect of this bill will be to increase the subsidy annually from nine hundred and ninety-odd thousand dollars—nearly $1,000,000—to $4,700,000?

Mr. FRYE. If it did not increase it to that extent in time, the Senator from Missouri would never find me advocating the bill.

Mr. VEST. Then the Senator says it does?

Mr. FRYE. Certainly it would if successful.

Mr. VEST. Then in order to get rid of all this, what I may call, with great respect, circumlocution, I ask the Senator if that is not the estimate, that $4,700,000 is the minimum, being three hundred and odd thousand dollars more than the subsidy now paid by Great Britain?

Mr. FRYE. I was going to show that without any circumlocution at all.

Mr. VEST. That is what I want.

Mr. FRYE. I was beginning to show that when the Senator interrupted me. I was saying what I was hoping would be accomplished by this bill.

Mr. TELLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Colorado?

Mr. FRYE. Certainly.

Mr. TELLER. I wish the Senator would tell us exactly how this calculation is made, whether it is made upon the number of ships now in existence and likely to take the benefit of this act, or do you calculate upon some new ships? How is that?

Mr. FRYE. That I will come to before I get through. What I expect to accomplish by this bill is, first, a fortnightly service from San Francisco, by way of Honolulu, to Yokohama, Nagasaki, Shanghai, and Hongkong, with connections to Manila, about 625 miles distant. In time, if not at the outset, the steamers should be 18-knot steamers of about 12,000 tons, superior in speed and tonnage to the best steamers on the Asiatic routes of the Peninsula and Oriental, Canadian Pacific, North German Lloyd, Messageries Maritimes, or Nippon Yusen companies. The service would employ constantly five steamers, and a sixth would be necessary in reserve. They would cost $12,000,000 at least. The distance for the round voyage is approximately 15,000 miles, including the detour to Hawaii each way. The maximum per voyage under the bill would be $41,400 or, for a fortnightly service, $1,076,400 a year.

Next, a fortnightly service, alternating with the first one, from Puget Sound ports directly to Japan, Shanghai, and Hongkong, connecting with Manila. The steamers should be of the same size, 12,000 gross tons, as on route A; but as the omission of Honolulu will lead to a saving of over 1,000 miles each way, such steamers may be of 17 knots and yet maintain a joint schedule with line A. The distance for this round voyage is approximately 12,600 miles, and the maximum per voyage would be $31,752, or for the fortnightly service a year $825,552. The effectual performance of this contract would require six steamers, costing about $11,000,000 to build. There would be an expenditure of $23,000,000 in American shipyards and wages paid to American workmen.

Next, a fortnightly service from San Francisco, by way of Honolulu and Pago Pago, to Australia. The present contract with the Oceanic (Spreckels) Company provides for 17 voyages, and 9 additional voyages by similar vessels would involve an additional expense of $150,000, or, for the fortnightly service, $433,000. It would require two additional steamers.

The total amount involved in the three propositions is $2,335,000 per annum.

Mr. ALDRICH. All new?

Mr. FRYE. All new; a weekly mail service to Hawaii; a weekly mail service to the Philippines; a weekly mail service to Japan, China, and Hongkong; a fortnightly mail service to our Samoan possessions, and a fortnightly mail service to New Zealand and Australia.

The American ocean mail system for the United States outlined will render the United States as independent as is Great Britain of all foreign powers for mail connections with the principal ports of the commercial world. The new routes proposed, together with the routes now in existence through contracts under the act of 1891, which are not for some years subject to modification, with the maximum cost of each, may be thus summarized:

Semiweekly to Jamaica, $123,569; semiweekly to Habana, $73,000; weekly to Mexico, $130,000; semiweekly to Southampton—that is what I hope to accomplish, if this bill becomes a law, instead of a weekly service—semiweekly to Southampton, $1,713,000.

Mr. MONEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Mississippi?

Mr. FRYE. Certainly.

Mr. MONEY. Will the Senator from Maine be good enough to say how many steamers leave the port of New York alone for Southampton and Liverpool every day?

Mr. FRYE. I have not the slightest idea.

Mr. MONEY. It is a good deal over one?

Mr. FRYE. I do not know.

Mr. MONEY. I would further ask, then, why subsidize lines where we have more than one steamer a day leaving port for that very port?

Mr. FRYE. I want an American ship to leave it.

Mr. MONEY. But all this steamship business is for the promotion of American commerce. That we recognize as important. In fact, the only object of this part of the bill is to recompense the ship for conveying the commerce of the world. Then what benefit do we do our trade and commerce to delay it a day or two in order to get it through an American ship? Will the Senator explain that?

Mr. FRYE. I should not exactly like to explain that at this moment. I would rather go on with my statement now.

Mr. MONEY. I am sorry to have interrupted the Senator. I presumed he was prepared on that line.

Mr. FRYE. Once in ten days to Venezuela, $81,000, and fortnightly to Brazil (that I had not mentioned before), $243,000. That is on the Atlantic, and the total expense on the Atlantic would be $2,365,400.

Pacific Ocean.

Weekly to Manila Weekly to Japan, China, Hongkong Weekly to Hawaii		$1,901,952
Fortnightly to Pago Pago Fortnightly to Australia		433,000
Pacific total		2,334,952
Making in all for postal subsidies		4,700,352

Mr. CLAY. Will the Senator tell us how much we pay now under existing law? I thought I had the figures.

Mr. FRYE. One million four hundred thousand dollars; in that neighborhood.

Mr. CLAY. One million four hundred thousand dollars?

Mr. FRYE. That is my recollection.

Mr. ALDRICH. One million four hundred thousand dollars for an entirely different service, I will say.

Mr. TELLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Colorado?

Mr. FRYE. With pleasure.

Mr. TELLER. I do not want to interrupt the Senator, but before he gets through I want to get clearly in my mind how much new shipping it is proposed to get, say, on the Asiatic Sea, under this bill; and I should like to know how much we shall get on the Atlantic. Whether we are to have new ships or whether we are to subsidize those already in existence is what I am trying to get at.

Mr. FRYE. The only line where there could be increased service would be the Spreckels line east to Australia. All the rest would be necessarily new ships. I propose to mention a little further along what will be done. I stated that the ships which would be required to be built in American shipyards would amount to $24,000,000 in value.

Mr. TELLER. For the Asiatic trade?

Mr. FRYE. For the Asiatic trade. That did not include the line to Brazil nor the semiweekly from New York to Southampton. If you made it semiweekly, five more ships from New York to Southampton would have to be put on. They would probably cost a couple of million dollars apiece. We require them to be of 20 knots and all that sort of thing. In the South American trade it would probably take four ships, and they would cost, perhaps, $1,000,000 apiece.

Now, it must be remembered that the sum paid for the transportation of mails by sea last year was $1,921,839. Nearly $2,000,000 was paid last year for the transportation of our mails. Other items for the service mentioned by the Superintendent of Foreign Mails bring the total up to $2,062,537. The amount of postage collected in this service is estimated at $3,005,323, making a profit on the foreign service last year of $942,786.

Assuming the American system outlined above to have been in force at a maximum cost of $4.700,000, or practically $2,800,000 greater than the amount actually paid for the transportation of mails by sea last year, and assuming receipts from postage to have been the same, say $3,000,000 a year, our ocean mail service, instead of a profit of $942,786, would show a deficit against the Government of $1,800,000.

Great Britain's loss in carrying the mails under her postal system is a little over $2,000,000; ours would be $1,800,000. Now, that is providing you have all the routes that I have been talking about, and then further providing that every route is let at the maximum price. But on the Pacific Ocean there is going to be a very sharp competition when the Postmaster-General issues his proposals there for ships. There are men standing ready to make their bids, and I have no doubt at all that it will be less than the maximum cost on the Pacific Ocean. We have enormous advantages there that we do not have on the Atlantic Ocean.

I believe this is all I have to say at the present moment about the postal subsidy part of the bill. I wish to say, however, speaking about a deficit of, say, $1,800,000, and this cost of $4,700,000, of course next year there would not be any of it. We could not build a ship next year; so that there would be no increase at all. It would undoubtedly take three years, and possibly four or five years, to build the ships necessary to receive the $4,700,000. I presume it could not be done under four years, because every one of the ships has to be built; and there would be an expenditure of between $30,000,000 and $40,000,000 in our shipyards in building them.

So as far as next year is concerned, no one need worry about paying anything out under this postal subsidy bill.

Next is Title II, the general subsidy. Now, that does not need much explanation from me. Every Senator knows what a general subsidy is, and I believe that this bill is so drafted that anybody on earth on reading it can understand it. I do not think there is anything that can not be understood readily.

The bill provides for a general subsidy of 1 cent per ton every hundred miles. The bill at the last session provided 1¼ cents for the first 1,500 miles and 1 cent for the distance sailed beyond. It has all the provisions that were contained in the other bill in relation to what it should carry and all that sort of thing, and about apprentices, and about use by the United States in time of war, and all of the provisions——

Mr. DOLLIVER. Not to disturb the Senator, I find a little difficulty in interpreting lines 23, 24, and 25, at the bottom of page 6, the description of the ships that are contemplated by the act.

Mr. FRYE (reading):

> And being at the time of entry engaged in the foreign trade of the United States, which shall be entered in the United States from a foreign port or from any port in the Philippine Islands, compensation as hereinafter provided.

Mr. DOLLIVER. Yes, sir.

Mr. FRYE. That simply provides that the ships shall be American-registered vessels, American-built vessels. Under the old bill there was a large number of foreign vessels.

Mr. DOLLIVER. It seems to be provided for above, that they shall be duly registered by citizens of the United States. This seems to be an additional description.

Mr. FRYE. They could not receive a subsidy unless at the time they were engaged in carrying goods from foreign countries. That is all that that means. If they were coasting they could not receive any subsidy. They must be engaged at the time the subsidy is paid in carrying American products to foreign lands.

The exclusions in this bill are the same as they were in the bill at the last session, practically. The cost of the general subsidy of course can not be made exact, but you can arrive at it pretty nearly. The Commissioner of Navigation took all the ships engaged in the foreign carrying trade for the year 1900, and in his annual report for that year gave all of the voyages which they made. Then to ascertain what would be paid the next year, for instance under this bill if it became a law, he figured out this subsidy on all of those voyages, and it amounted, in round numbers, to $1,000,000. But, as the report of the Postmaster-General shows, that $1,000,000 should be credited with $213,000, which was paid for carrying the United States mail, because this bill provides that it shall be carried for nothing outside of the regular contract mail line. So it would leave it about $800,000.

Then the question of course came up as to what increase would be likely to be made. You increase sailing ships 40,000 tons in a year. That is a very large amount. Even with all my optimism it is more than I should dare to hope for. But suppose you increase sailing ships 40,000 tons next year. They would receive $100,000 as a subsidy under this general subsidy bill, and that is all.

I ought to mention one thing here. In order to afford some encouragement to build new ships there is a provision in the bill that ships built hereafter, after this becomes a law, might, for five years, receive a quarter of a cent extra. Now, take the quarter of a cent extra and build the 40,000 tons of sailing ships and it would cost you $100,000 a year. Suppose you constructed 200,000 tons of steamships next year, which is a very large amount—more than our shipyards can take care of at present.

Mr. HANNA. Very much more.

Mr. FRYE. But suppose you built 200,000 tons next year, it would only increase your subsidy $1,300,000, allowing that each steamship will make 50,000 miles a year, and the world's experience shows that no steamship can make more than that. Allow that she makes 50,000 miles a year, your subsidy for the 200,000 tons would be $1,300,000, and the next year 200,000 tons would be $1,300,000 more, and you would be spending about $40,000,000 in American shipyards in the two years.

Now, suppose you enact this bill into a law and you accomplish what I am suggesting may be accomplished—all of these lines on the Pacific, a line to South America, a semiweekly line from New York to Southampton, 40,000 tons of sailing vessels built next year, 200,000 tons of steamships built next year—you have in the entire expenditure $4,700,000, $1,300,000 added is $6,000,000, and $100,000 added is $6,100,000, the most that can by possibility be reached within the next five years. You have, to offset it, the carrying of the mails of the United States, for which the Government receives $3,000,000, so that you would practically in five years just about cut in two the expenses of the Government for this purpose.

Mr. HANNA. The mails would increase.

Mr. FRYE. The mails would increase, and all that sort of thing. There is no doubt about that. That does not seem to me to be a very serious proposition to the United States Senate, which in fifteen minutes' time will vote to build a warship that costs $5,000,000; it does not seem to me to be a very serious thing for a legislative body that will pass a river and harbor bill, as it ought to, carrying $50,000,000.

I want to call your attention to another thing. There was previously complaint made that in the bill which was before Congress at the last session provision was made for the making of contracts which lasted thirty years, and Senators figured that it would cost anywhere from $500,000,000 to $1,000,000,000 to meet those contracts. This bill provides for no contracts. The only contracts are postal subsidy contracts in the general subsidy law, and the Congress of the United States can repeal it at the very next session if it pleases. It is left entirely in the power of Congress to deal with this general subsidy as it pleases. If it works well, as I hope it may, I know that Congress will not repeal it; if it works badly, I know that Congress ought to repeal it or amend it. It is in the power of Congress to do either without any contracts to bind us in any possible direction.

Mr. VEST. Will the Senator allow me to ask him a question?

Mr. FRYE. Certainly.

Mr. VEST. What additional guaranty is there in the provision

of the bill that Congress can at any time repeal this act? Can any Congress bind a subsequent Congress in such fashion as to make it mandatory and entirely obligatory that legislation shall continue?

Mr. FRYE. Senators on that side, in discussing the bill which was before Congress at the last session, very clearly held to the opinion that there were contracts therein provided for which very likely Congress might repeal, but that the United States would be liable in the Court of Claims for violating a contract which it had made.

Mr. VEST. That is a new proposition to me. I engaged in the debate on the bill to which the Senator refers, in the Fifty-sixth Congress, and as it was originally introduced there was a distinct limitation that the subsidy should never exceed $9,000,000 a year for twenty years. Afterwards, during the stress of debate and opposition—that opposition coming principally from the Senator from Rhode Island [Mr. ALDRICH]—the amount of subsidy was reduced, and my recollection is that we reduced the time from twenty to fifteen years, making the total amount, according to my calculation, $135,000,000 instead of $180,000,000.

I will ask the Senator from Maine if, under this bill, there is any limitation at all upon the general subject, unless you call it a limitation that a subsequent Congress may repeal the act, or, as the Senator suggests, amend it. I have never before heard the suggestion that the Court of Claims could take cognizance of such a matter. If the Congress of the United States at any time sees proper to repeal any act, it does not make the Government liable in the Court of Claims. That is a constitutional power which can not be taken away; otherwise, under that assertion of power, one Congress could legislate for all eternity, and no subsequent Congress could repeal its action.

Mr. FORAKER. Will the Senator from Missouri allow me to ask him a question?

Mr. VEST. Certainly.

Mr. FORAKER. I understood that by the last bill, the one to which the Senator from Maine [Mr. FRYE] has referred, we were undertaking to authorize the Secretary of the Treasury to enter into contracts. Certainly it is within the power of the Congress to authorize a representative of the Government to bind the Government by contractual obligations. One Congress can not, of course, bind a subsequent Congress not to repeal an act, but if the Congress authorizes a representative of the Government to make a contract on behalf of the Government, and a subsequent Congress sees fit to repeal the act under which the contract has been made, that contract remains binding, I suppose, until its full performance. That is all that I understood the Senator from Maine to refer to.

Mr. FRYE. That is all I did say.

Mr. VEST. With the permission of the Senator from Maine, I will say that the Senators from Maine and Ohio know very well that the subsidy in the bill before the Fifty-sixth Congress did not rest entirely on contract. If I had brought to the United States a foreign-built vessel which I had purchased with my money in England, and put it under American registry, had that bill become a law I should have received one-half the subsidy without any contract; and if, after the passage of that bill, an American citizen should build a ship and put it under American registry no contract with the Secretary of the Treasury was necessary in order to receive the subsidy. There was no postal contract provided for in the bill of the last Congress. This feature now comes here for the first time since 1891. I refer to the postal subsidy. There was no contract about it. It was just simply a naked, bald subsidy. A foreign-built ship brought here under American registry would have received one-half, and if built in this country it would have received for a number of years the full subsidy.

Mr. FRYE. The Senator from Missouri is entirely mistaken; but I do not care to go into that subject now.

Mr. VEST. Very well.

Mr. ALLISON. Mr. President, I think that is rather an important question to have settled now. As I understood the projected bill in the last Congress authorized and directed the Secretary of the Treasury to make contracts, but he could not make contracts except for a stipulated period. A foreign vessel admitted to our registry, as I understood it, could not receive subsidy unless its owners entered into a contract with the Secretary of the Treasury, and by its provisions the bill was practically to expire in thirty years.

Mr. CLAY. In twenty years.

Mr. ALLISON. Well, I will say twenty years; but, of course, a contract could be made within ten years from the passage of the act, and when that contract was made it might last for twenty years. Therefore I say that by the terms of that law the subsidy in its general operation could continue for thirty years and no longer. So I am compelled to disagree with the Senator from Missouri [Mr. VEST] in the statement that that provision of the law had no limitation. As I understand, this bill has a limitation with respect to contracts for mail service; but there is no limitation respecting the second clause of the bill, and I understand the Senator from Maine in charge of the bill to say that, because of the provision that the next Congress can repeal it, there is no obligation, moral or otherwise, resting upon the Government of the United States which will compel it to continue a contract for any particular period—that is to say, a shipbuilder who constructs a ship in view of this second proposition constructs it knowing at the time that the same authority which provides that subsidy can repeal it next year if it so chooses, and that the subsidy will only continue for a year if Congress shall at the expiration of that period change the law. If the bill does not clearly express that idea, I hope the Senator from Maine will propose apt words to do it.

Mr. FRYE. Certainly; the bill does it now.

Mr. DOLLIVER. I should like to inquire whether foreign-built ships can get the benefit of this subsidy at all?

Mr. FRYE. They can not, any of them.

Mr. DOLLIVER. I should like to know, also, whether ships which take the benefit of the postal subvention may also for the same voyages participate in the general subsidy?

Mr. FRYE. Not at all. The general provision in section 13 is:

> That a vessel shall not be entitled to compensation under two or more titles of this act at the same time.

That is on page 11. Section 14 contains this provision:

> That a vessel which has at any time received compensation pursuant to any of the provisions of this act shall not be sold, except by the consent of the Secretary of the Treasury, to a citizen or subject of a foreign power, under penalty of forfeiture.

Various provisions in this bill refer to the Postmaster-General, the Secretary of the Navy, and the Secretary of the Treasury, and therefore this last provision is made in section 15:

> That the President of the United States shall from time to time cause to be made, by the proper heads of departments, regulations for the due execution of the provisions of this act.

The Senators who have been occupying my place on the floor for the last ten or fifteen minutes have done it a great deal better and more creditably than I could, and therefore I was very glad to have them do it.

I do not know of anything more that it is necessary for me to say at the present time, but I sincerely hope that Senators who desire to speak in opposition to this bill will do so at as early a day as possible. I should like to have it disposed of.

Mr. HARRIS. Will the Senator from Maine permit me to ask a question?

Mr. FRYE. Certainly.

Mr. HARRIS. By the provisions of the former bill, under an amendment, I think, it was required as to the tonnage subsidy that a ship should be required to carry at least 50 per cent cargo?

Mr. FRYE. Yes.

Mr. HARRIS. Is there any provision of that kind in this bill?

Mr. FRYE. No; the committee came to the conclusion that that was contrary to the Constitution and could not be put in; that it was indirectly a bounty, and in violation of 24 treaties. Very strong legal arguments were presented to the committee in that regard. Another thing, we put no limitation upon the amount which might be expended in one year. That was not put in, because Congress will have the matter in its own hands at any time.

Mr. BACON. Will the Senator from Maine permit me to ask a question?

Mr. FRYE. Certainly.

Mr. BACON. I understood the Senator to give us his estimate of the amount of work that would be done in American shipyards in the next and succeeding years. I want to ask the Senator for information—I presume he has it to give in this particular as well as in others—what is the truth with reference to the present occupation of the shipyards of this country in the construction of ships? Is it true that they are full of orders; or if not, to what extent are they employed?

Mr. FRYE. It is not true that they are full of orders. I do not say that of my own knowledge. I say it because I happened to see a letter written by Mr. Baker, of the American Transport Company, to the New York Times, perhaps about a week ago, in which he alluded to that very question as to what extent the yards were occupied, and he stated that they were not fully occupied at the present time.

Mr. BACON. The Senator, I understand, then, has no information of a detailed character, and he is acting simply upon the statements contained in one letter?

Mr. FRYE. That is all.

Mr. BACON. Has not the Senator frequently seen, within the past six or eight months—or several times, at any rate—publications in the newspapers giving most glowing accounts of the vast amount of work that our shipyards are now doing?

Mr. FRYE. I saw in the press this remarkable statement,

that Mr. Furness, one of the great shipbuilders of Great Britain, had been over here for the last two months, and that he had made contracts for the construction of eight steamships in the United States yards, to be taken over to Great Britain; and the newspapers exultingly cried, "What is there in this talk about ships costing more here than they do abroad?" I immediately made inquiry, and I found that Mr. Furness had been over here and he had made contracts for the building of eight steamships over there. So I do not take much stock in what I hear regarding these matters.

Mr. CLAY. The Senator is perfectly familiar with this subject. I understood the Senator to state that the higher wages paid to American workmen is the great point in favor of the passage of this bill; that wages are higher in the United States than in foreign countries. I should like to ask him, is there any law now on our statute books requiring American shipowners, operating ships in foreign trade, to use American seamen as against foreign seamen? Is it not true that on our ships on the Pacific coast trading with China and Japan the very cheapest Chinese labor is used, and that about 72 per cent of the crews are comprised of Chinamen?

Mr. FRYE. There is no law now which requires American sailors to be employed on a ship. The law requires the officers, the watch officers, the engineers, and assistant engineers to be American citizens, but there is no requirement that the others shall be. In this bill, however, there is a requirement that one-fourth the first year shall be Americans, the next year one-third, and the next year one-half.

Mr. CLAY. Right there I will ask the Senator, is it not true that a careful examination of the wages paid on ships operated by foreigners with the wages paid on ships operated by American citizens under our flag shows that about 30 per cent of the crews receive the same wages? Is it not also true that an American shipowner under the provisions of this bill could employ Americans to constitute one-fourth of his crew, simply employing that class of sailors who receive the same pay here that they received abroad, then for the remainder of the crew employ foreigners? Consequently there would be no increase of wages under the provisions of the bill by the employment of Americans to constitute one-fourth of the crew.

Mr. FRYE. I am afraid the Senator never went to sea. You get common sailors; let a dozen Americans receive $30 a month, and a dozen Portuguese receive $20, and you would have a howling time on shipboard very shortly, I tell you. It is an absolute impossibility. It can not be done. Mr. Hill, who is building those two big ships at New London, speaking about the wages of the men on those two ships—I was there the other day—and he told me he was paying $1.75 a day for the commonest laborer. You can hire a common laborer on the Clyde and in Germany for 75 cents a day. It is all nonsense to say that an American ship can employ a sailor at any less than American wages. It can not be done, and the illustrations which I read here—and they are taken from the pay rolls—prove conclusively that it can not be done.

Mr. CLAY. Does the Senator mean to say when we hire Chinamen to work the ships between our Pacific coast and China and Japan, that we pay those Chinamen the same wages for the class of work they perform as we pay to American seamen?

Mr. FRYE. I do not know of any ship of that kind.

Mr. CLAY. I will state to the Senator that a few days ago, in the hearings before the Committee on Immigration, a captain in charge of a ship there, speaking against the passage of the Chinese-exclusion act, pointed out the fact that they used almost exclusively Chinese labor.

Mr. FRYE. Was that a sailing ship?

Mr. CLAY. Yes, sir.

Mr. FRYE. I think very likely on sailing ships when they get over there they might employ Chinamen or anybody else.

Mr. CLAY. The captain went on to state that they employed Chinamen because they were sober, and because they received less wages than American seamen received.

Mr. HANNA. Was that an American ship?

Mr. CLAY. I think it was.

Mr. HANNA. I should like to take issue with that statement, and I should like to have the facts, if we are going to have this discussion, go into the RECORD. I should like to have the statement that was made and the name of that ship.

Mr. CLAY. I think I can furnish it. I will say to the Senator from Ohio that the statement was taken down at the time, and I know I was impressed by it. I for one could not understand why, if we used foreign labor in operating American ships, we could not compete with foreign ships using the same labor. I think I can produce the statement. I am sure I can.

Mr. HANNA. I do not know of any American ship engaged in the foreign trade on the Pacific Ocean except the Pacific Mail Steamship Company. Does the Senator know that they employ Chinese labor?

Mr. CLAY. I do not.

Mr. HANNA. That is the only steamship line on the Pacific Ocean in the foreign trade.

Mr. CLAY. I am informed that they do employ Chinese labor.

Mr. HANNA. I will ask the Senator from Georgia if he knows that?

Mr. CLAY. I do not.

Mr. FRYE. There is no law to prevent them from employing that kind of labor if they want to. Here is a law that will interfere with it if anything will; but the regular lines of steamships that we are talking about now do not change their crews every time they come in and go out; they retain the same crews practically year after year.

Mr. BACON. I will state to the Senator from Ohio that the Pacific Mail Steamship Company does employ Chinamen almost exclusively.

Mr. FRYE. There is no law to prevent that.

Mr. BACON. I do not know anything about the wages, but the Senator from Indiana [Mr. BEVERIDGE] knows the fact, as everybody does who has crossed the Pacific.

Mr. HANNA. I should like to ask the Senator from Georgia in what capacity are those Chinese employed and what proportion of the crew is composed of Chinamen?

Mr. BACON. I did not count them, but I should say that, with the exception of the officers and the petty officers of the ship—and not all of them either; excluding those, although there were some Chinese among what I would call the petty officers, but I will not include any of them—outside of the officers and petty officers, I should say there was not one man in fifty on the ship on which I crossed, who was not either a Chinamen or a Japanese—not one in fifty, I believe. My distinguished friend on my right will know as to that.

Mr. CLAY. I will say that that statement corresponds with the statement of the captain of the ship who testified before the Committee on Immigration.

Mr. FRYE. Mr. President, I yield the floor.

Mr. ELKINS. Mr. President, I simply want to state that it is in the testimony, reduced to writing, before the Committee on Commerce that the wages on American ships is uniformly higher than the wages paid on like ships of other countries. For instance, take an American ship bound from New York to Australia, take an English ship, and take a Norwegian ship. The wages paid to seamen on the American ship is at least 30 per cent higher; and even then the Norwegian will not ship on an American vessel. That statement is in evidence before the Committee on Commerce, of which the Senator from Georgia [Mr. CLAY] is a member. It was taken down in the investigation of this question at the last session. The wages paid on Norwegian ships are about 50 per cent of those paid on American ships.

Mr. CLAY. Does the Senator mean the investigation during this session of Congress?

Mr. ELKINS. No; at the last session. I produce that as one of the reasons why the expense of operating an American ship is much greater than operating a foreign ship. As to the question of Chinese labor, I shall not enter into that.

Mr. MALLORY. I should like to ask the Senator from West Virginia a question relative to that point.

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Florida?

Mr. ELKINS. Certainly.

Mr. MALLORY. I should like to ask the Senator from West Virginia if the statement he refers to related to all ships or merely to steamships engaged in any particular line?

Mr. ELKINS. The question was asked directly by me as to an American ship going to Australia, a Norwegian ship, and an English ship, and the answer was, that even when the food was better and the pay was better on the American ship the preference of the Norwegians and the English was for their own ships.

Mr. MALLORY. Ordinarily, on the American sailing ship——

Mr. ELKINS. This was a steamship, and the testimony was taken before the Committee on Commerce.

Mr. MALLORY. The Senator confines it to steamships?

Mr. ELKINS. Yes, sir.

Mr. MALLORY. I think it is a fact that the masters, engineers, and mates of American steamships receive higher wages than the corresponding officers on foreign ships, but when you come to the ordinary seamen, I think you will find that there is no difference whatever in the wages.

Mr. ELKINS. The Norwegians prefer their own ships.

Mr. MALLORY. The wages of the seamen are the same whether they be Norwegians, Swedes, or anybody else. It depends entirely upon the port from which they sail. But when you refer to the officers, I think it is a fact that an American captain gets considerably more than an English captain, an English captain gets considerably more than a French captain, and the French captain gets more than the Italian, Swede, or Norwegian.

Mr. ELKINS. The wages of Americans are 32 per cent more. That is in evidence before the Committee on Commerce, which has been reduced to print.

Mr. VEST. Mr. President, is it proposed to go on with this debate to-night? I have no set speech to make upon this question——

The PRESIDING OFFICER. The Chair understands the bill is before the Senate, as in Committee of the Whole, for consideration, and open to amendment or for remarks.

Mr. VEST. Mr. President——

Mr. FRYE. I hope the Senator from Missouri will be permitted to select his own time to make his speech.

Mr. VEST. As I have said, I have no set speech to make, but I simply want to deny some propositions advanced by my friend from Maine [Mr. FRYE]. I can go on and do so this afternoon or in the morning.

Mr. SPOONER. Which do you prefer?

Mr. VEST. It is now after 4 o'clock, and I presume there is some business to be done in executive session. If the Senator in charge of the bill is willing, I shall move that the Senate proceed to the consideration of executive business.

Mr. CLAY. Will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. VEST. I yield.

Mr. CLAY. Mr. President, I stated to the Senate a few minutes ago that a captain in charge of a ship on the Pacific coast had testified before the Committee on Immigration that Chinese labor was used almost exclusively in our trade with China. I thought I was correct, but I sent and secured a copy of the testimony, from which I read the following:

Senator CLAY. Have you any idea about the per cent of foreigners in the crews employed by the shipping interests on the Pacific? Can you give a rough estimate of the percentage of the foreigners in the crews?

The CHAIRMAN. You mean outside of the Chinese?

Mr. SEABURY. Do you mean on my particular ship?

Senator CLAY. I mean on all ships.

Mr. SEABURY. Take the Pacific Coast Company's ships. An American firm runs from San Francisco to San Diego and from there away up to Alaska and away up to the Klondike. They ship white crews. I do not know whether they are Americans or not. The ships that go south of San Francisco are in ports every day; and if the sailors do anything that they should not do, they can put them ashore at any port.

Senator CLAY. Have you any idea about the percentage of Chinese in those crews?

Mr. SEABURY. We do not have any Chinese on any ships up and down the coast, only from China.

Senator CLAY. Well, from Hongkong?

Mr. SEABURY. There are only three American ships that can go in the Pacific Mail from San Francisco, and about two-thirds of their crews are Chinese. It is not two-thirds. There are about 100 to 105 Chinese, and the rest of the 164 are white.

Senator CLAY. Is there any material difference in the wages of a crew of foreigners and Americans?

Mr. SEABURY. We give the same to the foreigners that we do to the Americans. There is a difference in laborers.

Senator CLAY. About what is that difference? Have you any idea?

Mr. SEABURY. The Chinese we pay $15 a month and find them.

Representative KAHN. That is Mexican?

Mr. SEABURY. That is Mexican.

Representative KAHN. Seven dollars and a half.

Mr. SEABURY. Seven Mexican dollars and a half, and we feed them. In their own waters the Chinese Merchants' Company, two large lines there, pay them $12 and they find themselves. We pay them $3 more than they do and feed them. On the coast line I think it is $30 or $35. I can not tell you exactly.

Senator CLAY. What do you pay Americans?

Mr. SEABURY. When we did get them?

Senator CLAY. Yes, sir.

Mr. SEABURY. Whatever the going wages is. I do not know. I suppose this gentleman [pointing to Mr. Furuseth] would know more about that.

Mr. FURUSETH. It would be $30 on steamers carrying white men to China, I should think.

I thought I was correct in my statement.

Mr. HARRIS. Will the Senator from Georgia give the name of the witness?

Mr. CLAY. The name of the witness is Captain Seabury.

Mr. HANNA. Is he a captain in the Pacific Mail line?

Mr. CLAY. Yes, sir; he was.

Mr. HANNA. The Pacific Mail?

Mr. CLAY. Yes, sir.

Mr. BACON. I will state to the Senator that the captain whose name has just been read was captain of the steamship *China*, and has just been transferred and put in command of the new ship *Korea*.

I wish to state that Captain Seabury I know personally, and in view of his statement as to the proportion I was manifestly wrong in saying one in fifty. My statement was simply an estimate gathered from general observation in seeing men coming and going. There were doubtless many I never saw at all. I have no doubt that Captain Seabury's estimate of two-thirds is correct, and that my estimate was too high.

EXECUTIVE SESSION.

Mr. VEST. I renew the motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eighteen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 4, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 3, 1902.

POSTMASTERS.

T. C. Bouldin, to be postmaster at Azusa, in the county of Los Angeles and State of California, in place of Eva A. Clapp. Incumbent's commission expired February 11, 1902.

Wright H. Peck, to be postmaster at Lompoc, in the county of Santa Barbara and State of California, in place of Wright H. Peck. Incumbent's commission expired February 25, 1902.

E J. Maguire, to be postmaster at Santa Barbara, in the county of Santa Barbara and State of California, in place of Orlando W. Maulsby. Incumbent's commission expired February 22, 1902.

William N. Anderson, to be postmaster at San Rafael, in the county of Marin and State of California, in place of William N. Anderson. Incumbent's commission expired January 10, 1902.

L. F. Webster, to be postmaster at Ventura, in the county of Ventura and State of California, in place of Charles D. Bonestel. Incumbent's commission expired February 11, 1902.

James A. Howarth, to be postmaster at New Haven, in the county of New Haven and State of Connecticut, in place of James A. Howarth. Incumbent's commission expires March 9, 1902.

William H. Shaw, to be postmaster at Canton, in the county of Fulton and State of Illinois, in place of William H. Shaw. Incumbent's commission expired February 23, 1902.

Francis M. Love, to be postmaster at Lewistown, in the county of Fulton and State of Illinois, in place of Francis M. Love. Incumbent's commission expired February 23, 1902.

Thomas Diller, to be postmaster at Sterling, in the county of Whiteside and State of Illinois, in place of Thomas Diller. Incumbent's commission expires March 21, 1902.

John G. Seitz, to be postmaster at Upper Alton, in the county of Madison and State of Illinois, in place of Harry A. Marsh. Incumbent's commission expired January 10, 1902.

David L. Elliott, to be postmaster at Warren, in the county of Huntington and State of Indiana, in place of David L. Elliott. Incumbent's commission expired January 10, 1902.

Henry J. Muhs, to be postmaster at Akron, in the county of Plymouth and State of Iowa, in place of Henry J. Muhs. Incumbent's commission expired January 10, 1902.

Daniel M. Anderson, to be postmaster at Albia, in the county of Monroe and State of Iowa, in place of Daniel M. Anderson. Incumbent's commission expired January 10, 1902.

Eugene C. Haynes, to be postmaster at Centerville, in the county of Appanoose and State of Iowa, in place of Eugene C. Haynes. Incumbent's commission expired January 17, 1902.

Fred W. Browne, to be postmaster at Belle Plaine, in the county of Benton and State of Iowa, in place of Fred W. Browne. Incumbent's commission expired January 10, 1902.

Theodore H. Haecker, to be postmaster at Hampton, in the county of Franklin and State of Iowa, in place of Theodore H. Haecker. Incumbent's commission expired January 10, 1902.

Asaph Buck, to be postmaster at Keokuk, in the county of Lee and State of Iowa, in place of Asaph Buck. Incumbent's commission expired January 17, 1902.

Josiah D. McVay, to be postmaster at Lake City, in the county of Calhoun and State of Iowa, in place of Josiah D. McVay. Incumbent's commission expired February 25, 1902.

Thomas W. Summersides, to be postmaster at Manchester, in the county of Delaware and State of Iowa, in place of Thomas W. Summersides. Incumbent's commission expired February 11, 1902.

Daniel E. Pond, to be postmaster at Monticello, in the county of Jones and State of Iowa, in place of Daniel E. Pond. Incumbent's commission expired January 10, 1902.

Charles M. Marshall, to be postmaster at Moulton, in the county of Appanoose and State of Iowa, in place of Charles M. Marshall. Incumbent's commission expired January 10, 1902.

Henry A. Perrin, to be postmaster at Monroe, in the county of Jasper and State of Iowa, in place of Henry A. Perrin. Incumbent's commission expired January 10, 1902.

Alfred W. Lee, to be postmaster at Ottumwa, in the county of Wapello and State of Iowa, in place of Alfred W. Lee. Incumbent's commission expired February 7, 1902.

Charles J. Adams, to be postmaster at Reinbeck, in the county of Grundy and State of Iowa, in place of Charles J. Adams. Incumbent's commission expired January 10, 1902.

Ephraim G. Swift, to be postmaster at State Center, in the county of Marshall and State of Iowa, in place of Ephraim G. Swift. Incumbent's commission expired January 10, 1902.

John R. Smull, jr., to be postmaster at Stuart, in the county of Guthrie and State of Iowa, in place of John R. Smull, jr. Incumbent's commission expired February 25, 1902.

William D. Lee, to be postmaster at Toledo, in the county of Tama and State of Iowa, in place of William D. Lee. Incumbent's commission expired February 25, 1902.

Daniel T. Bower, to be postmaster at Traer, in the county of Tama and State of Iowa, in place of Daniel T. Bower. Incumbent's commission expired February 25, 1902.

William C. Perdue, to be postmaster at Beloit, in the county of Mitchell and State of Kansas, in place of William C. Perdue. Incumbent's commission expired February 22, 1902.

John McPherson, to be postmaster at Blue Rapids, in the county of Marshall and State of Kansas, in place of John McPherson. Incumbent's commission expired February 11, 1902.

Nathan B. Needham, to be postmaster at Clifton, in the county of Washington and State of Kansas, in place of Nathan B. Needham. Incumbent's commission expired February 22, 1902.

Frank C. Scott, to be postmaster at Valley Falls, in the county of Jefferson and State of Kansas, in place of Ernest P. Karr. Incumbent's commission expired February 22, 1902.

Alexander Salomon, to be postmaster at Plaquemine, in the parish of Iberville and State of Louisiana, in place of Alexander Salomon. Incumbent's commission expired January 12, 1902.

Samuel F. Davis, to be postmaster at South Paris, in the county of Oxford and State of Maine, in place of Samuel F. Davis. Incumbent's commission expired February 18, 1902.

Edwin M. Wheelock, to be postmaster at Hopedale, in the county of Worcester and State of Massachusetts, in place of Edwin M. Wheelock. Incumbent's commission expired January 10, 1902.

George E. Hilton, to be postmaster at Fremont, in the county of Newaygo and State of Michigan, in place of George E. Hilton. Incumbent's commission expired February 25, 1902.

Fred A. Hutty, to be postmaster at Grand Haven, in the county of Ottawa and State of Michigan, in place of Fred A. Hutty. Incumbent's commission expired February 16, 1902.

Hugh B. Laing, to be postmaster at Gladstone, in the county of Delta and State of Michigan, in place of Hugh B. Laing. Incumbent's commission expired February 18, 1902.

Richard B. Lang, to be postmaster at Houghton, in the county of Houghton and State of Michigan, in place of Richard B. Lang. Incumbent's commission expired February 25, 1902.

Willard Harwood, to be postmaster at Imlay City, in the county of Lapeer and State of Michigan, in place of George W. Jones. Incumbent's commission expired February 16, 1902.

Kimbal R. Smith, to be postmaster at Ionia, in the county of Ionia and State of Michigan, in place of Kimbal R. Smith. Incumbent's commission expired February 16, 1902.

Ramsay Arthur, to be postmaster at Schoolcraft, in the county of Kalamazoo and State of Michigan, in place of Ramsay Arthur. Incumbent's commission expired May 26, 1901.

John A. Henry, to be postmaster at Janesville, in the county of Waseca and State of Minnesota, in place of John A. Henry. Incumbent's commission expired July 19, 1901.

John T. Hammar, to be postmaster at Madison, in the county of Lac qui Parle and State of Minnesota, in place of John T. Hammar. Incumbent's commission expired January 10, 1902.

Alvin Goodson, to be postmaster at Carrollton, in the county of Carroll and State of Missouri, in place of Alvin Goodson. Incumbent's commission expired February 16, 1902.

Alden Lyle, to be postmaster at Golden City, in the county of Barton and State of Missouri, in place of Alden Lyle. Incumbent's commission expired February 18, 1902.

David B. Hobson, to be postmaster at Willow Springs, in the county of Howell and State of Missouri, in place of David B. Hobson. Incumbent's commission expired January 12, 1902.

Percy A. Brundage, to be postmaster at Tecumseh, in the county of Johnson and State of Nebraska, in place of Percy A. Brundage, Incumbent's commission expired January 14, 1902.

Chester A. Burt, to be postmaster at Helmetta, in the county of Middlesex and State of New Jersey, in place of Chester A. Burt. Incumbent's commission expired July 21, 1901.

Charles S. Robinson, to be postmaster at Princeton, in the county of Mercer and State of New Jersey, in place of Charles S. Robinson. Incumbent's commission expired February 15, 1902.

Robert M. Skillen, to be postmaster at Akron, in the county of Erie and State of New York, in place of Robert M. Skillen. Incumbent's commission expired February 22, 1902.

William C. Froehley, to be postmaster at Hamburg, in the county of Erie and State of New York, in place of William C. Froehley. Incumbent's commission expired February 23, 1902.

J. G. Walser, to be postmaster at Lexington, in the county of Davidson and State of North Carolina, in place of David F. Conrad. Incumbent's commission expired February 18, 1902.

John R. Gow, to be postmaster at Bellaire, in the county of Belmont and State of Ohio, in place of John R. Gow. Incumbent's commission expired February 25, 1902.

Clark Collins, to be postmaster at Connellsville, in the county of Fayette and State of Pennsylvania, in place of Clark Collins. Incumbent's commission expired January 14, 1902.

William H. Underwood, to be postmaster at Washington, in the county of Washington and State of Pennsylvania, in place of William H. Underwood. Incumbent's commission expired February 25, 1902.

Calvin K. Neff, to be postmaster at Groton, in the county of Brown and State of South Dakota, in place of Kenneth McKenzie. Incumbent's commission expired February 11, 1902.

Robert A. Patton, to be postmaster at South Pittsburg, in the county of Marion and State of Tennessee, in place of Robert A. Patton. Incumbent's commission expired February 23, 1902.

David A. Perrin, to be postmaster at White River Junction, in the county of Windsor and State of Vermont, in place of David A. Perrin. Incumbent's commission expired February 25, 1902.

M. A. Jackson, to be postmaster at Lewisburg, in the county of Greenbrier and State of West Virginia, in place of Thomas H. Pare. Incumbent's commission expired February 4, 1902.

John C. Outhwaite, to be postmaster at De Pere, in the county of Brown and State of Wisconsin, in place of John C. Outhwaite. Incumbent's commission expired February 15, 1902.

Elisha W. Keyes, to be postmaster at Madison, in the county of Dane and State of Wisconsin, in place of Elisha W. Keyes. Incumbent's commission expired February 15, 1902.

William F. Gruetzmacher, to be postmaster at Watertown, in the county of Jefferson and State of Wisconsin, in place of William F. Gruetzmacher. Incumbent's commission expired February 15, 1902.

John H. Bruce, to be postmaster at Weiser, in the county of Washington and State of Idaho, in place of Wesley W. Pritchett, resigned.

James W. Prouty, to be postmaster at Roseville, in the county of Warren and State of Illinois, in place of W. T. Gossett, removed.

George L. Lusk, to be postmaster at West Bay City, in the county of Bay and State of Michigan, in place of Daisy A. Cone, resigned.

Henry C. McCracken, to be postmaster at Bolivar, in the county of Polk and State of Missouri, in place of Joseph B. Upton, deceased.

Charles P. Harder, to be postmaster at Danville, in the county of Montour and State of Pennsylvania, in place of Thomas J. Price, removed.

R. E. Troutman, to be postmaster at Jacksonville, in the county of Cherokee and State of Texas, in place of Columbus Emanuel, removed.

Albert S. J. McRae, to be postmaster at McRae, in the county of Telfair and State of Georgia. Office became Presidential January 1, 1902.

Frank Smiley, to be postmaster at Matthews, in the county of Grant and State of Indiana. Office became Presidential January 1, 1902.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 3, 1902.

CHIEF JUSTICE OF ARIZONA.

Edward Kent, of Colorado, to be chief justice of the supreme court of the Territory of Arizona.

BOARD OF VISITORS TO NAVAL OBSERVATORY.

Charles A. Young, a citizen of Princeton, N. J., for a term of three years; Ormond Stone, a citizen of Charlottesville, Va., for a term of three years, and Charles F. Chandler, a citizen of New York City, N. Y., for a term of two years.

MARSHALS.

Charles B. Hopkins, of Washington, to be United States marshal for the district of Washington.

Hutson B. Saunders, of Maine, to be United States marshal for the district of Maine.

APPOINTMENT IN THE NAVY.

Rev. Bower Reynolds Patrick, a citizen of Minnesota, to be a chaplain the Navy.

PROMOTIONS IN THE NAVY.

Capt. Philip H. Cooper, to be a rear-admiral in the Navy, from the 9th day of February, 1902.

Capt. George H. Wadleigh, to be a rear-admiral in the Navy, from the 9th day of February, 1902.

Lieut. Commander Charles W. Bartlett, to be a commander in the Navy, from the 9th day of October, 1901.

Lieut. (Junior Grade) Fritz L. Sandoz, to be a lieutenant in the Navy, from the 9th day of October, 1901.

Lieut. (Junior Grade) Frank Lyon, to be a lieutenant in the Navy, from the 17th day of December, 1901.

Lieut. (Junior Grade) John McC. Luby, to be a lieutenant in the Navy, from the 17th day of December, 1901.

Lieut. (Junior Grade) Arthur G. Kavanagh, to be a lieutenant in the Navy, from the 27th day of December, 1901.

Lieut. (Junior Grade) Carlton F. Snow, to be a lieutenant in the Navy, from the 28th day of December, 1901.

Lieut. (Junior Grade) Henry T. Baker, to be a lieutenant in the Navy, from the 15th day of January, 1902.

POSTMASTERS.

Charles Strobach, to be postmaster at Rolla, in the county of Phelps and State of Missouri.

William Norton, to be postmaster at Cottonwood Falls, in the county of Chase and State of Kansas.

James A. Cunningham, to be postmaster at Washington, in the county of Washington and State of Iowa.

Charles F. Rankin, to be postmaster at Brewton, in the county of Escambia and State of Alabama.

Henry H. Smith, to be postmaster at Worcester, in the county of Otsego and State of New York.

Maurice Deering, jr., to be postmaster at Marysville, in the county of Lewis and Clarke and State of Montana.

Elmer E. Rayburn, to be postmaster at Brooklyn, in the county of Poweshiek and State of Iowa.

Richard A. Hall, to be postmaster at Weston, in the county of Lewis and State of West Virginia.

Albert S. Dickinson, to be postmaster at Waitsburg, in the county of Wallawalla and State of Washington.

George N. Lamphere, to be postmaster at Palouse, in the county of Whitman and State of Washington.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 3, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Friday, February 28, was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. HENRY of Mississippi, indefinitely, on account of important business.

RURAL FREE-DELIVERY SERVICE.

On motion of Mr. LOUD, the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation of employees thereof, with Mr. GILLETT of Massachusetts in the chair.

Mr. LOUD. Mr. Chairman, I ask that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from California asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. LOUD. Mr. Chairman, I yield to the gentleman from Virginia [Mr. SWANSON].

Mr. SWANSON. Mr. Chairman, when it was agreed that this bill should be taken up for consideration to-day, it was also understood that the time should be equally divided between those who favor and those who oppose the passage of the pending bill.

I want to submit a proposition that the gentleman from California control the time in favor of the bill, and as I filed the minority report, that I may control the time on behalf of those who oppose the passage of the bill. I think, possibly, by that arrangement the time can be more equitably and evenly divided among the different persons who have views to express upon this question.

The CHAIRMAN. Does the gentleman from Virginia suggest any length of time for the general debate?

Mr. SWANSON. We have no desire for any conclusion of the debate.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that the time for general debate be divided between the opponents of the bill and those in favor of it, and that the gentleman from California control the time in favor of the bill and the gentleman from Virginia the time in opposition to it. Is there objection?

There was no objection.

ENROLLED BILL SIGNED.

The committee informally rose; and the Speaker having resumed the chair, Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

An act (H. R. 10308) to provide for a permanent Census Office.

RURAL FREE-DELIVERY SERVICE.

The committee resumed its session.

Mr. LOUD. Mr. Chairman, the House is now approaching a question, of course not comparable in importance with a question of ways and means of government, or the question of the government of the Philippine Islands, or the policy of a party, but yet I believe it is approaching a question which, perhaps unfortunately—and I lay due emphasis upon the word "unfortunately"—affects individual members, and according to the views of the average individual member affects him far more greatly than any question which will come before this House at this session of Congress. I believe myself that it is the most important question that will come before this Congress, or the next, or the next.

From a financial standpoint, this House, I believe, to-day will determine whether this service shall cost us a possible $60,000,000 a year or a possible $20,000,000 a year, and I think I am not asking too much of the House when I ask that it give this question that close, high public consideration which I believe it deserves, because as you determine it here to-day, so it must be determined for all time, come weal or come woe.

Up to this time the rural free-delivery service has been a political question. Many members of this House have for the first time tasted the sweets of public patronage. Many members of this House have built up around them a political wall which they think has aided them and will continue to aid them in future elections to this body.

It will aid you for a time, but the public official soon loses what gratitude he may have had at first, and becomes the poor, downtrodden, poorly paid Government official, under no obligation to any man under the sun. Do not let us lose sight of the fact that generally a public official, from the head of Cabinet down to the man who cleans the cuspidors, believes that he is not paid what his services are worth. Even some members of Congress believe that they are poorly paid. So that sentiment permeates the Government service from the head to the foot. Hence gratitude can have no lodgment in the heart of the Government official.

If the House will pardon me, I will briefly discuss the early history of this service. It has been before Congress in one way or another for many years. When I first came into these Halls we appropriated money for rural service, and it was experimented with in villages and in towns. That service was not a success, or at least it was discontinued.

We appropriated a small sum of money from year to year, but never until Mr. Wilson, then Postmaster-General, took up this subject was it ever given serious practical consideration. Mr. Wilson was well known during his lifetime to many members of this House; as honest, sincere, true, and faithful a man as ever served in the House of Representatives. Differing with me on many political questions, yet no man who has ever been here has been closer than he and I were upon questions outside of those regarded as political.

Some men besides Mr. Wilson have claimed that they were the fathers of the rural free-delivery service. I sometimes think that if Mr. Wilson's spirit hovers around this House, he must feel like offering up a prayer of thankfulness, when he sees the condition to which the rural free-delivery service has now come or contemplates the system as projected, that he is not here to conduct it and that it has passed from his hands forever. In the latter part of 1895 and through the winter of 1896 Postmaster-General Wilson was in consultation with all persons familiar or who should be familiar with a service of this character, endeavoring to gain information as to the practicability of inaugurating an experimental rural free-delivery service.

Many times I have spent hours in his room discussing the question, he gaining the information from the outside as to the probable cost on a basis of practicability, as at that time that was one of the principal questions of consideration. Mr. Wilson became satisfied, and so assured me, that this service could be inaugurated and continued, that carriers could be employed and glad to get the position at a salary of $300 a year. I combated that myself for a long time, not being in possession of information. Mr. Wilson said he had made research, satisfying him that, in view of the fact that the service covered the country where there were farmers with plenty of horses and plenty of boys, they would be glad, for $300 a year, to go out for four and not exceeding five hours in the middle of the day for this sum. As we all know, farmers' hours are sun to sun in the summer and in the winter from 5 a. m. until 6 or 7 at night, and for a boy, $300 earned by devoting a portion of a day to the work, not more than a third of it, would be such an income as they would be glad to secure.

The carrier service was instituted at $300 per annum. The gentleman from Illinois [Mr. CANNON] has oftentimes warned

this House regarding the probable future cost. He has been laughed at in the past; but now, using the vernacular of the street, "We are up against it." We paid $300 for some time. We never heard complaint. I don't think the Post-Office Department ever heard any complaint so long as $300 a year was paid as the salary. The Department came into the hands of the Republican party. A great organization was and is being built up in the Rural Free-Delivery Bureau.

This Bureau has grown up by your sanction to be the most extravagant Bureau, not only in this Government but any other government, that was ever organized; so that in a service so extended, and in which men were receiving $2,500 to $3,000 a year in comparatively small executive capacities, $300 for a carrier surely looked small. It was increased to $400, and in a short time, complaints coming in, it was increased to $500, and it is now increased to $600. The press, when a discussion was had on the urgent deficiency bill, sent out all over the country the information that "CANNON and LOUD opposed the increase of salary to the rural carrier."

A gentleman wrote me a letter the other day from a Western State, and took an occasion at the close to say—and, by the way, he was a rural carrier—

the names of LOUD and CANNON will be remembered with hate, scorn, and derision so long as men continue to breathe in this free atmosphere.

[Laughter.]

Well, neither LOUD nor CANNON opposed the increased salary. But I took occasion to say then, as I say again, if you are to continue the service such as is outlined by this extravagant bureau, then you must pay from $850 to $1,000 a year in salaries, reckoning on the basis that it costs from $150 a year in some sections to possibly $250 in others for a horse, the wear and tear of the wagon, and the care of the animal.

The Post-Office Department informs us that there will be in five years 40,000—I say 50,000—carriers in the service. The prophecy was made only two years ago by the head of this service that it would not cost us more than $15,000,000 a year. Now, if there will be 40,000 carriers, and the salary is $850, it will cost us $42,000,000 a year, and if it be $1,000, it will cost us $50,000,000 a year, and that does not include the appropriations for the supervisory support and departmental support which are contained in the legislative appropriation bill, making the total $850,000, with what we are carrying in our bill.

Mr. ALEXANDER. Will the gentleman permit a question?

Mr. LOUD. Certainly.

Mr. ALEXANDER. Was the gentleman from California deceived when they estimated the expenditure at $15,000,000?

Mr. LOUD. Well, I want to say to the gentleman from New York that I had no more conception of what this service was to cost when we inaugurated these $300 salaries than I had of hereafter; not a bit. I have read the Bible and I have heard people preach, and the latter are very positive about the hereafter.

Mr. HENRY C. SMITH. May I ask the gentleman one question?

Mr. LOUD. Certainly.

Mr. HENRY C. SMITH. Does this proposed bill decrease any salaries excepting the carriers, and if so, which?

Mr. LOUD. When we get to the bill that will be a matter that will come up more properly under the five-minute rule. I will say that there are some salaries provided for here outside of the carriers. We do not decrease the salaries of the carriers. We do submit to you in every case lower salaries than are made in the estimate of the Post-Office Department, but for the carriers we do not.

Mr. SIMS. Will the gentleman from California allow me a question?

Mr. LOUD. Certainly.

Mr. SIMS. Would it be more unreasonable to take the rural free-delivery carriers, who have to go 25 miles or more in the mud and give them $1,000, than to pay the carriers in the city who have the pavements of the streets to walk upon? I mean in the line of what we may expect?

Mr. LOUD. That is a question that can not be answered properly offhand. There are conditions which I will reach a little later on, when I hope to discuss that question. The time consumed in the delivery is of course one of the considerations. It was assumed at first that these men might build up a profitable business, but the Post-Office Department have begun to prevent the carrier from doing anything else. They have absolutely prohibited him doing certain things, and there is no doubt in the world but that they propose to prohibit him from doing anything else but carry mail. If they do, if they prohibit a man doing anything else, and uniform him and discipline him, as they say, then you must pay him at least $1,000 a year, and I would advocate it myself, because I believe in paying a man a fair salary for a fair amount of work. Now, I hope to touch upon all these questions, if I have the time, before I get through.

The Post-Office Committee is charged with the responsibility of making recommendations to you regarding the Post-Office expenditures. They have no personal interest; it is a duty devolving upon them, and they must execute it. You all know how things are done on all committees. Subcommittees are appointed in our committee as well as in the Appropriation Committee. We began on the consideration of this question, as we regarded it as one of the most important questions that we should deal with, in the early part of December. Letters began to come in, petitions began to come in, asking for an increase of salary to $650, $700, $750, $800, and $850. At the very threshold we were confronted with these petitions.

Members of the House spoke to me, evidently had spoken to other members of the committee, giving us the benefit of their views as to what they thought these carriers should receive. Some members of the House thought it should be as low as $600. Most of them thought it should be $750, and others $800 and $850. The subcommittee endeavored to see if it was not possible to so fix the compensation of these rural-delivery carriers that it should not hereafter come home to trouble us.

Now, I am going to be perfectly frank with the House. I can give my own views and the views of my subcommittee and the whole committee, so far as I am able to understand them. Perhaps I am willing to be a little more frank than some other people are. The question of salaries is one of the most aggravating questions that confronts this body. There are no Government officials but who want an increase of salary. They have been here as long as I have been here, and they will probably be here as long as anyone remains here. They come to our homes; they go to our friends; they importune; they plead; they threaten. Yes; they threaten. Perhaps they do not threaten as much in my vicinity now as they did at one time. I mean that they do not threaten openly. But in 1896 they did threaten me openly.

While our Democratic friends on this side of the House did not have much respect for the Democratic Administration then, let me say that the Democratic Administration said to me, as they said to others: "Show us the man who threatens to defeat a Congressman because he has not advocated an increase of salary, and we will have his head before the rise of the sun." Do I believe an American citizen has the right to criticise a public official? Yes. I do not believe, however, that a Government employee has the right to threaten the legislative body when it fails to do his behest. I know most of you think that I am getting on dangerous ground. You would if you were there. But I will say this, that when I can not come to Congress and say and do what I want to, I can stay at home in peace and quiet, and I shall not want for my breakfast, either. [Laughter.]

Mr. LANDIS. Will the gentleman from California yield to me for a question?

Mr. LOUD. I will.

Mr. LANDIS. I would like to ask the gentleman if he heard any more of the threatenings after the Administration set its foot down?

Mr. LOUD. Well, that is a story that does not interest this House. Yes; and the carrier who delivered the mail at my office, who is friendly with me, importuned everybody in my district to vote against me. He had not wisdom enough to see that I had friends in the district; and they came to me by dozens and reported that this man was not even telling the truth, that he said I was trying to cut down their salaries, and had been since I had been here. Now, that is a position that these carriers will take. They will not take a fair position and say that you are opposed to an increase, but they will tell the people that you are trying to cut them down.

This young gentleman one morning was caught in a restaurant, with his feet on the table, reading a paper and charging the Government for his time. He was summoned to appear. I was the first man he came to. He said, "LOUD, I have a family of five children; won't you intercede for me?" I said, "You have been to every man in my district asking him to vote against me." "Yes," he said, "I have." That man is now a carrier. I asked the Department here at Washington to forgive him, and he is now in the service.

Those things are still going on and will continue. I have in my possession many letters, one of which I referred to here a short time ago.

Mr. OVERSTREET. The gentleman spoke of threats by Government employees. Does he know whether or not such threats were general, or were they confined to the gentleman's district?

Mr. LOUD. Oh, I do not know. I can not speak of matters outside my own district.

Mr. OVERSTREET. Exactly.

Mr. LOUD. I think, however, that human nature is a great deal the same, in Indiana as in California.

Mr. OVERSTREET. I have never heard of any such threats in Indiana.

Mr. LOUD. Well, I do not know how the gentleman stands on these salary bills. I do not think Government employees threaten anybody that is for them. I am against these applications; if the gentleman is in favor of them there is no occasion for any threats in his case. But let me say, Californians are a great deal like Indianians. We have a great many people out there from Indiana, and, indeed, from all parts of the United States.

Now, then, I come back to the question I was discussing. The committee was striving to fix an adequate rate of salary. We found these conditions confronting us: Routes vary in length from 18 miles to 38 miles. Hardly any two routes are similar. Some routes are on level, macadamized roads, where one horse can haul a buggy very conveniently. Other routes—in the Western country, for instance—are over dirt roads, where it takes two horses to haul a buggy with a man in it.

We found that the routes are in some instances over a level country; in other instances over a mountainous country. We worked some time trying to regulate this matter upon the mileage basis; we almost arrived at a conclusion, and then we discovered that inequality would exist just as much on a mileage basis as upon a salary basis, because we found that upon one route there might be 400 people, while on another route of the same length there might be 1,500 or 1,800 people; so that, after all, mileage meant nothing.

Mr. LIVINGSTON. Will the gentleman tell us how this inequality can be corrected under the contract system? If it can not be corrected by the committee or by this House, how can it be corrected by a contractor?

Mr. LOUD. If the gentleman will possess his soul in patience for a moment——

Mr. LIVINGSTON. I will be patient.

Mr. LOUD. I want to say that nothing I may say can for a moment lead me to believe that the gentleman will ever follow what I advocate.

Mr. LIVINGSTON. I certainly will not.

Mr. LOUD. There is no doubt of that.

Now, there has been no secrecy about this matter. The committee, particularly myself, discussed this proposition with probably more members of the House than we have ever discussed any other proposition before. I discussed it with at least 100 members of the House. I did not discuss it with the gentleman from Georgia, because I knew it would be a waste of time.

Mr. LIVINGSTON. You were right; and I think you will find it a waste of time with others, too.

Mr. LOUD. I did discuss it with some gentlemen from whom I had some hopes of getting light; but that never entered my mind regarding the gentleman from Georgia.

Mr. LIVINGSTON. Much obliged.

Mr. LOUD. I know, or think I know, something about the motives that influence these matters. I looked over some of the papers that we have in our committee room; and there are some others, permit me to say, outside of the gentleman from Georgia to whom my remarks would apply—gentlemen who, we thought, might have too much love for certain people to exercise that freedom of action which should be exercised by every member of this House.

After going over this ground, as I have suggested, we thought of the contract system—the system which we proposed in this bill. I can not tell how another man's mind revolves. Men who have been in this House with me know that it is as natural for me to oppose as it is to breathe. I never approach a question that every objection does not present itself to me first. And I approached this question from that standpoint. When the matter was first suggested I raised every objection that could possibly enter my mind. But those objections have been resolved one after another.

Now, members of this House are as apt to be misled regarding the merits of the question as are men outside. I saw a letter the other day from an ex-Postmaster-General agonizing—metaphorically speaking, shedding tears of blood—in anticipation of the day when the rural-delivery service shall be put under contract. That gentleman wrote to the Postmaster-General protesting against this system. "Why," said he, "we shall see again the Brady star-route contract frauds—corruption on every hand." I suppose the House knows something about the "Brady star-route contract frauds."

Under the system then prevailing a man could take 8,000, 10,000, or 15,000 contracts, and the Post-Office Department claimed that it had the power to increase the compensation after the contract was entered into. It was assumed that the Second Assistant Postmaster-General, Mr. Brady, "stood in" with the contractors, so that John Doe, who had bid for a certain route at, we will say, $5,000, could, after receiving the contract, be allowed extra compensation, increasing his pay to $10,000 or $15,000. Five thousand dollars or $10,000 or $15,000 might not have been much to a contractor for a single route, but if he had 10,000 or 15,000 routes the item was quite a respectable sum—at least enough to divide with somebody else.

Now, imagine this case: The ex-Postmaster-General anticipating this great fraud, where a man can take but one contract and must perform that service himself, corrupting the Post-Office Department or corrupting the head of that division and dividing this enormous sum of three or four or five hundred dollars a year that he may get for the use of a horse and for his own service with that Department. It almost makes you weep, does it not?—corruption all around you. The difficulty is that gentlemen outside of this House and some on the floor have not investigated this question. When the subcommittee finally took up the question of contracts, having substantially satisfied their minds that it was practical, that as good, if not a better, service could be performed under it, they then sought to place around it such safeguards as would amply protect it, so that we could have as good, if not a better, service under contract or under agreement than we have under a flat salary.

Mr. LANDIS. Will the gentleman from California read that part of the bill that provides that the bidder must do the service himself? I fail to find that in the bill.

Mr. GRIGGS. Why, it is there.

Mr. LOUD—

The service shall be awarded to the lowest bidder, who shall furnish evidence satisfactory to the Postmaster-General that such bidder is a legal and actual resident of the district or territory in which the proposed service is to be performed——

Mr. GILBERT. What does that mean—"district or territory?"

Mr. LANDIS. I do not see anything there that provides that the bidder must perform the service himself.

Mr. LOUD. One moment; wait till I get through—

that he is a reliable and trusthworthy person, of good moral character, able to read and write, and having sufficient intelligence and ability to properly perform the service, and who shall tender sufficient guaranties that he will personally perform acceptable service.

Mr. GILBERT. Will the gentleman please interpret what is meant by "district or territory?"

Mr. LOUD. One moment. I will give you all ample opportunity if I have time. I will repeat, "and having sufficient intelligence and ability to properly perform the service, and who shall tender sufficient guaranties that he will personally perform acceptable service."

Why, we have spent three months over this thing, almost day and night.

Mr. WARNER. Will the gentleman permit me?

Mr. LOUD. Yes.

Mr. WARNER. Can you tell us about how many rural free-delivery carriers there are now in the United States?

Mr. LOUD. About 7,000.

Mr. WARNER. About how many of those carriers have purchased wagons especially made for the service, and horses, at their own expense?

Mr. LOUD. That is something I do not know.

Mr. WARNER. You propose to throw those on their hands, after they have bought them on the promise of permanent employment.

Mr. LOUD. That is just where the gentleman shows that he has not even read the bill, Mr. Chairman, and I hope the House will at least do the Post-Office Committee the courtesy to read the bill, if they do not listen to the debate.

Mr. BOUTELL. Before they ask questions.

Mr. LOUD. Yes. The gentleman fails to read and still he criticises and assumes a condition to exist that does not exist. Now, I want to say in perfect candor that I believe that every man outside of those interested——

Mr. GILBERT. Will the gentleman permit me to ask him a question at this point?

Mr. LOUD. I shall endeavor to answer the questions put by the gentleman [Mr. GILBERT] a short time ago before I pass to what I was about to say. The gentleman asked me to define "district or territory." Well, the district in this case clearly applies to the rural-delivery district, because that is all that we are dealing with. I do not think any man could construe it to mean anything else than the district, and the word "territory" was added as an amendment.

Mr. GILBERT. I do not want to be captious, for I am rather in favor of the bill, and I think I will vote for it; but I would like to say that out of Shelbyville, Ky., there are five or six routes running. Now, supposing a man there puts in a bid, does he reside within the district?

Mr. LOUD. I should say that if he lives where the route started from that he lived on the route—in the territory.

Mr. GILBERT. Suppose he is out in the country, halfway between two routes?

Mr. LOUD. If he lives halfway between two routes, he lives

in the territory where he receives his mail. That would be his territory—his district.

Mr. LATIMER. Then your interpretation would be that if there were four or five routes going out from a town one man would have a right to bid on all the routes, if he lived in that town?

Mr. LOUD. No, sir; because he could not take but one.

Mr. LATIMER. If he failed on one, would he still be permitted to bid on all of the routes?

Mr. LOUD. I do not think so.

Mr. CRUMPACKER. Will the gentleman permit a suggestion on the interpretation of "district or territory?" It seems to me that means the district or territory that is served by the carrier. In cities and towns, I understand, the rural carrier performs no service, so that a resident of a city or town, particularly if it already has free service, would not be eligible as a contractor if that interpretation is to be given it. I think probably that is the proper interpretation.

Mr. LOUD. I think that is a very small matter and one of the things we may more properly discuss when the bill is up under the five-minute rule. It is a very small matter, I will say, one way or the other.

Mr. GARDNER of Michigan. Will the gentleman permit me to ask a question?

Mr. LOUD. Certainly.

Mr. GARDNER of Michigan. On this very point, raised by the gentleman from Illinois, who has not read the bill, I would like to say that I have read the bill and the report with care, but I am confused in doing so. The bill says, on lines 16, 17, and 18, referring to tenure of service, referring to carriers:

> Shall continue * * * until such time as the Postmaster-General shall advertise for proposals and make awards for the several routes on which such carriers are now employed.

That is in the bill. The report says, in the second paragraph:

> Under this measure all rural free-delivery carriers in the service on the 30th day of June, 1902, may be continued in the service at a salary not exceeding $900 per annum, but after that date such additional carriers as may be added to the service shall be designated pursuant to an advertisement inviting competitive bidding.

Now, to me there is a contradiction between the report of the committee and the letter of the law as framed in the bill.

Mr. LOUD. Now, let me ask the committee once more if they will not refrain from asking questions at this time about the technical meaning of a phrase in the bill, which properly comes up and will come up under the five-minute debate.

Lawyers differ about phraseology. Laymen seldom do. They look at the English language and soon discover what meaning the words were intended to convey.

I am perfectly willing to answer questions upon the general merits of the proposition; but until we get to the five-minute debate I prefer not to be interrupted by questions of this character.

Mr. GRAFF. May I ask the gentleman a question in connection with the general policy of the bill?

Mr. LOUD. Certainly.

Mr. GRAFF. There is nothing in the bill which places a limitation upon the maximum amount at which the bid may be let, is there?

Mr. LOUD. Oh, no.

Mr. GRAFF. If the bill provides no limitation of the maximum amount at which a route may be let at any particular locality, what answer has the chairman to the question as to what protection there is for the Government from collusion in the different localities where these bids are made, and where there is no considerable competition?

Mr. LOUD. Is that the gentleman's question?

Mr. GRAFF. Yes. I understand the bill is drawn with a view to a lower rate and to economy.

Mr. LOUD. Now, let me say to the gentleman that that is not the greatest motive that impelled the committee.

You can not fix a maximum rate under contract, because to-day some routes are worth $800 or $900 a year and some are not worth more than $300, owing to the varying conditions of the country.

Now, so far as collusion is concerned, I should assume that the gentleman thinks this the first time we had ever had a service of this kind in contemplation. We have had the contract system for many years.

Mr. GRAFF. But that contract system is simply for the carrying of the mail from the post-office to the depot, is it not?

Mr. LOUD. No; quite the contrary. I know that many gentlemen have said that. Even the late Postmaster-General, in a letter that I hope to refer to later—which, if anyone reads it I think he will see that the same mind produced it that has produced all that has been published over the country upon this subject—assumes to say that the star-route contractor carried only closed pouches; hence he should not necessarily be supposed to be competent to carry and deliver mail from house to house.

Let me say to this House that every star-route contract let a year ago, going into operation on the 1st of last July, in the first section, which embraced New England, New York, Pennsylvania, Maryland, West Virginia, and Virginia, every single star-route contract obligated the contractor to deliver and collect mail from every resident on his route, and he is doing it to-day.

Mr. GRAFF. Yes, but in those cases there was no limitation as to the number of contracts which any one person might obtain.

Mr. LOUD. Oh, yes, there was. The gentleman is mistaken again there. The Post-Office Department, under regulation, not under law, but assuming that they had the power, have compelled the contractor to live on the route.

Mr. GAINES of Tennessee. Is that in the free rural service?

Mr. LOUD. That is in the star-route service.

Now, I want the House to understand that the Post-Office Committee have given this matter a great deal of consideration, and I hope the House will give us the same consideration. This matter has been before the House for thirty or forty days, and yet gentlemen on the floor of the House are unfamiliar with the bill, or with the present law.

Mr. GRAFF. Does the gentleman mean to say that these recent contracts—and I want to say to the gentleman that I am somewhat familiar with them—contain a provision that the star-route carrier can deliver and collect mail?

Mr. LOUD. Not that he can, but that he must.

Mr. GRAFF. You say it is obligatory?

Mr. LOUD. That is his contract; yes.

Mr. BATES. Not to collect mail?

Mr. LOUD. To collect mail. I stand by what I said at first, to deliver and collect mail, and to do everything——

Mr. GRAFF rose.

Mr. LOUD. One moment, now. Let me finish this sentence. He contracts to do everything that the rural carrier does to-day, except register mail, which the rural carriers do not do to any extent, and to issue money orders, which they do not do but in a very small degree.

Mr. GRAFF. Now——

Mr. LOUD. Now, one moment. Let us keep cool about this.

Mr. GRAFF. I notice you have been very calm.

Mr. LOUD (continuing). It will be hot enough for you in three or four years from now. Let us all keep cool now. It will be hot enough for every one of you three or four years from now.

Mr. GRAFF. I want to ask the gentleman how many of these contracts exist. There are comparatively few of them?

Mr. LOUD. Some eight thousand in the first district, some eleven thousand, I think, in the fourth district.

Mr. GRAFF. In what States?

Mr. LOUD. The States included in the first district are New England, New York, Pennsylvania, Maryland, and the two Virginias.

Mr. GRAFF. Where they are operating under these contracts?

Mr. LOUD. Yes.

Mr. GRAFF. And collecting the mail?

Mr. LOUD. And collecting the mail.

Mr. HENRY of Connecticut. Is it not a fact that as the Department construes the law the letter must be handed to the carrier and not collected from the box?

Mr. LOUD. That is true; but so far as the man is concerned, what is the difference as to his responsibility, whether the letter is handed to him or collected from a box. The letter carrier must take it from the box if it happens to be in the free rural delivery service, but if it is on a star route they do not have to take it out of the box. But they say the star-route man can not be trusted to carry the mail. He does carry it now. He has to be responsible for the carrying of the mail; but he is not a trustworthy man if he is to collect it from the hands of a man.

Mr. GAINES of Tennessee. It is in a mail pouch and locked, over the star routes?

Mr. LOUD. No, it is not. How can it be locked up when the man is to deliver it?

Mr. GAINES of Tennessee. He had to deliver it at the post-office on the star routes in my part of the country until we put in the rural free-delivery system.

Mr. LOUD. I think the gentleman has evidently just come in.

Mr. GAINES of Tennessee. No, I have not. I was here when you started, but I could not hear what you said, and I have come nearer so as to hear you.

Mr. LOUD. Then it is clearly useless for me to continue, because if I can not enlighten as bright a mind as the gentleman has I can not expect to make myself understood by anybody.

Mr. GAINES of Tennessee. There were so many gentlemen talking here that I could not hear you.

Mr. LOUD. Now, let me finish a sentence I began ten minutes ago. I do not believe there is a man outside of those interested—I mean those in the Government service, the rural carriers and some postmaster that probably appointed them, and some special agents who think their responsibility would be less,

and some other men who have some responsibility and apprehend that they can not get any more if this service is put under contract—that there is not a man in the country who will investigate this question as long and as carefully as the Post-Office Committee have but will come to the same conclusion that the Post-Office Committee come to.

The question has been fully discussed, and I do not think I am betraying any confidence of the Post-Office Committee when I say we went so far as to have a roll call in order to find out how every man stood. One member of that committee, when the measure was up for consideration, voted against it. Since that time one gentleman, who was busy over in a neighboring State at that time, has joined with the other gentleman. So that on the Post-Office Committee, with 17 Members and 1 Delegate, there are 15 members heartily for this and 2 gentlemen opposed to it.

Mr. GRAFF. How many members of your committee are outside of cities?

Mr. LOUD. Well, let us see. I think I have a list of the gentlemen. Mr. KETCHAM, the gentleman from New York, he is outside of a city—I will mention the names without referring to the States—well, I think nine-tenths of them.

Mr. GRAFF. Nine-tenths.

Mr. LOUD. Mr. SMITH of Illinois, Mr. GARDNER of New Jersey, my colleague [Mr. BINGHAM], Mr. SPERRY, Mr. BROMWELL, he is country and city; Mr. BINGHAM is from a city. Mr. CROMER, I do not know whether he is from a city or not; Mr. HEDGE, Mr. SIBLEY, Mr. BOUTELL.

Mr. COWHERD. I have two agricultural counties.

Mr. LOUD. Mr. BOUTELL is from a city; Mr. SWANSON, Mr. MOON, Mr. GRIGGS, Mr. LITTLE, Mr. COWHERD. I think the latter is from a city.

Mr. COWHERD. I have two agricultural counties as well, and rural free delivery all over one of them.

Mr. LOUD. I do not think there are but three city men.

Mr. GAINES of Tennessee. Will the gentleman allow me to ask him a question or two?

Mr. GRAFF. I would like to ask the gentleman how he expects to secure lower rates by reason of this competitive system of bidding than what now obtain?

Mr. LOUD. I have not stated that we would.

Mr. GRAFF. Then why are you advocating the measure?

Mr. LOUD. Because I think we will ultimately secure lower rates. I think if this service could be continued at $600 that there would not be much incentive to change it; but you can not do it. I do not know at what you will fix the salaries if you do not adopt this system. Under the salary system you will find one man covering 30 or 35 miles, delivering to 1,500 or 1,800 people, while another man will cover 18 or 20 miles and deliver to four or five hundred people, one man doing eight hours' work and another man four for the same salary.

Mr. SPERRY. Will the gentleman from California permit me to interrupt him?

Mr. LOUD. Certainly.

Mr. SPERRY. I want to say to the gentleman from California that when this bill which is now under consideration was up in the Post-Office Committee I reserved the right to act as my own judgment might dictate when it came upon the floor of the House for consideration. That I believe the chairman of the committee will not object to.

Mr. LOUD. Oh, Mr. Chairman, the gentleman from Connecticut, like every other gentleman, has the right at all times to do what his conscience dictates or anything else dictates. I simply state that on the roll call every member present voted for it except the gentleman from Virginia [Mr. SWANSON], and the gentleman from Connecticut was present.

Mr. SPERRY. Which bill does the gentleman refer to?

Mr. LOUD. I refer to the system now under consideration.

Mr. SPERRY. I distinctly stated that I reserved the right to act as I saw fit.

Mr. LOUD. Did the gentleman from Connecticut vote for this contract provision in the appropriation bill or not?

Mr. SPERRY. Very likely I might have.

Mr. LOUD. That is all I was talking about. I would not lay any stress on it except that——

Mr. SPERRY. I did not know what it was leading up to. [Laughter.]

Mr. LOUD. The gentleman from Connecticut voted for it after a full discussion, and his name is on record showing that fact.

Mr. GRAFF. He has changed his mind.

Mr. LOUD. No; he did not know. [Laughter.] He has reserved to himself the right to do as his conscience may ultimately dictate, and that is proper. He did not know when he voted for it what the bill was.

Mr. SPERRY. I knew, but I did not know what it was leading up to, and when I found out what it was leading to, I reserved the right to oppose the bill. [Laughter.]

Mr. LOUD. I do not know what the gentleman from Connecticut refers to when he says "what it was leading up to."

Mr. GRAFF. He is referring to the gentleman's speech; he has changed his mind. [Laughter.]

Mr. SPERRY. You can lead a horse to the trough, but you can not make him drink.

Mr. LOUD. Well, we led the gentleman from Connecticut up and made him drink once. [Laughter.] Now, if the committee will pardon me, I will take up the minority report of the committee.

Mr. GAINES of Tennessee. Before the gentleman comes to that, I wish he would answer a question.

Mr. LOUD. Very well.

Mr. GAINES of Tennessee. I wish the gentleman would explain how it is that the star-route service in some localities is now doing what the rural free-delivery service is doing, delivering mail near the highways and at the front gates of the citizens of the country? How is it that the star-route service operating today is doing that service? The star-route service in my country is a stage service, and they no not go off the pike; they do not go off the highway.

Mr. LOUD. Neither does the rural free-delivery carrier.

Mr. GAINES of Tennessee. Why, yes he does.

Mr. LOUD. Then he disobeys his instructions. The instructions are absolute that each person receiving the mail must erect a box on the road so that the carrier shall not be compelled to dismount either to put mail into the box or to take it out.

Mr. GAINES of Tennessee. But he delivers letters near the highways and byways that heretofore no mail was ever delivered in.

Mr. LOUD. But he only goes along the route, along the highway.

Mr. GAINES of Tennessee. Of course; but he delivers mail along by the front gate and he takes letters out of the boxes. The star-route service does not do that, or didn't do it before we had the rural free-delivery service. If the star-route service can do that, and does it effectively, I would like to hear the gentleman state the facts about it.

Mr. LOUD. If it is a fact that they do it, then it is a fact, and it does not need any further statement or explanation.

Mr. GAINES of Tennessee. Does the gentleman mean to say that it will be practicable for the stage to go a quarter or half a mile off from the route to deliver the mail?

Mr. LOUD. No; neither can the rural free-delivery carrier.

Mr. GAINES of Tennessee. No; because there is a box in front of every man's house that obtains the route, but before that service we had no such attention as that. I do not know which way I am going to vote on this proposition. I want to get all the light I can.

Mr. LOUD. Now I will take up the minority report, which I suppose presents the argument of the two gentlemen who have signed it—a report written I do not know by whom—whether the gentleman from Virginia [Mr. SWANSON] or the gentleman from Indiana [Mr. CROMER]. It bears the mark of a newspaper man. I might think perhaps the gentleman from Indiana drew it; but as it begins "Mr. SWANSON, from the Committee on the Post-Office and Post-Roads," I must assume that the gentleman from Virginia wrote it. At least he indorses the report. On the first page of the report I read:

> It should be noted that if the present status of the service is continued the Department will not be barred from offering the routes to those who will bid the lowest. We are satisfied that the Department will be willing to make experiments in different sections of the country—

I suppose the gentleman speaks on behalf of the Department. This service was organized in 1896, and yet up to 1902 they have never tried the contract service. I suppose the gentleman speaks by the card and for the Department when he says:

> We are satisfied that the Department will be willing to make experiments in different sections of the country to ascertain whether this contract system has in it the merits claimed for it by its advocates.

I should like to ask why, in God's name, they have not experimented a little during the last six years?

Mr. SWANSON. The gentleman has rural delivery in his district. Has he ever asked that the contract system be tried there?

Mr. LOUD. I have not.

Mr. SWANSON. We say that before the system is applied generally, some experiments should be made in different sections of the country to see whether it is a success or not.

Mr. LOUD. You are evidently speaking for the Department in the report, because you speak with such confidence. You say, "We are satisfied."

Mr. SWANSON. We thought the Department would be willing to experiment before putting the system in operation throughout the country.

[Here the hammer fell.]

Mr. BOUTELL. I ask unanimous consent that the gentleman be allowed to conclude his remarks.

The CHAIRMAN. The gentleman from California has control of the time and can proceed as long as he wishes.

Mr. LOUD. I might assume—I do not think it is a great stretch of the imagination—that this report emanates from the greatest literary bureau under the pay of the United States Government that ever saw the light of day—a bureau which has at its head a literary man with a salary of $3,000 a year. When I asked his chief what the forte of this gentleman was, he said, "His forte is in drawing reports not executive." Yet he is an assistant superintendent who is supposed to have executive ability, which his chief says he has not, but that he is a great writer. [Laughter.]

A MEMBER. Who is the man?

Mr. GRAFF. Will not the gentleman from California give us some reasons why he thinks this system would be a success? He has not done so yet.

Mr. LOUD. I will try to do so; I thought I had already done so partially. At any rate, I have approached the question.

Mr. GRAFF. You have started to do so several times.

Mr. LOUD. I have started, yes; but the gentleman probably knows how hard it is to make a connected argument when interrupted every minute.

Mr. GRAFF. Yes; I have had that experience with the gentleman from California himself. [Laughter.]

Mr. LOUD. Then you know what it is.

The minority report continues:

Under the present system a carrier is practically a traveling postmaster.

I want you to listen to this.

He collects mail, he distributes mail, he registers letters.

He does not register letters. He gives a receipt for a letter, which he takes to the post-office and the postmaster registers.

He sells stamps; he accepts money for the purchase of money orders.

Now, that is true. He gives receipts for letters or packages to be registered; he gives receipts for money to buy money orders; and when he receives the registers or obtains the money order he takes back the receipt for the registered letter or he takes back the money order.

During the last year there were 51,428 letters and packages registered in this service, and there were 4,301 rural delivery carriers. On that basis these carriers registered 12 letters or packages, or 1 apiece in each month. Probably there were not 4,301 carriers for the whole year. But let us double that number, and let us assume that last year the rural carrier registered 2 letters a month. He must be, of course, a man of great qualifications and sterling ability to give 2 receipts a month for registered letters. Could a star-route contractor be a man of sufficient honesty and integrity to perform that work?

The policy the Government has always pursued in the selection of employees requiring special personal fitness is to fix a specific salary and then try to get the best person for that salary. We can see no reason why there should be a departure in this respect in the selection of rural carriers. We do not see why rural carriers should be discriminated against—why a different ruling should be applied to them from that applied to all other employees in other branches of the postal service.

This brings me to the question which a gentleman here has asked. And the same question has been asked in the public press: Why not put the city carrier under contract? Well, that question does not confront us, even if it were worthy of discussion.

But the question is raised here in this report, "Why not apply the contract system to other employees?" Now, I will tell you. There is not an employee in the postal service, outside of the contractor, who does not perform a stipulated number of hours of service each day. He does not perform a stipulated amount of work, but he works a stipulated number of hours. He works by the hour. The rural carrier covers a given number of miles. It may be 14; it may be 40; it may be over a level road, as I have said before; it may be over a hilly or a mountainous road; he may deliver to three or four hundred people, or he may deliver to 2,000 people.

Mr. GRAFF. What is the average?

Mr. LOUD. The average is much less than I thought it was. I think it is less than 22 miles, taking the whole number. Now, then, for that reason, in view of the varying conditions, a salary is not equitable. In view of the varying conditions, a contract, and a contract alone, can meet the conditions, because then we assume we shall pay for each and every route what it is worth. A gentleman some time ago made a suggestion about collusion. We have now 37,000 contract routes, in round numbers, some eight or nine thousand of them mail-messenger service, the contract for which, I think, would fit this service more properly than the contracts that surround the star-route service.

There an agreement is entered into. It is a contract, yes. An agreement is entered into with John Doe to perform a certain service, and he makes his proposition, reserving the right to throw up his contract or agreement upon thirty days' notice, the Government reserving the right to cancel it on their part upon thirty days' notice. Argument has been made and will be made that when the winter time came, under that provision, the contractor would throw up his route. Well, now, this provision we have here does not limit it to that character of contract.

The Department, under this provision, could contract for a year, or a less term, if it saw fit, and we must assume that men who will bid for this work are men of ordinary common sense, and they will bid a sum for which they think they can profitably perform the work. That is, a man looks the situation over and says to himself, "For a year I can make four or five or six or seven or eight hundred dollars out of this work." Now, when the winter time comes he is not going to throw up that job because there happens to be two or three, or possibly four, weeks of bad weather. Of course, if he has taken the contract for less than he can perform it for, he need not wait until winter, but the Department there, as they have now, would have ample and absolute control over the system. Now, then, we provide that a man must be able to read and write, as we now provide for a mail messenger, because he has to fill out his agreement himself and sign it.

As to this rural delivery carrier, now under the classified service as he is by the order of the President, what is he? Incidentally he is an employee of the Government. Incidentally, I say, and put great emphasis upon it; incidentally an employee of the Government, and the Department is seeking to make him a permanent employee; and if you make him that, as I said before, you have got to pay him what a permanent employee of the service is worth. I say that the rural carrier, up to this moment, has been encouraged to deliver, at the same time he delivers a letter, a package, a yard of calico, a dozen eggs, or a sack of potatoes for the merchants in the town who have sent these things out to their customers.

The idea that a man who works for the Government only incidentally shall be a civil-service regular Government employee is ridiculous. We have encouraged them to do this thing. Why not let them do it in the future and take into consideration how much they can make outside so long as they perform their contract to deliver letters, to give receipts for registered letters, to give receipts for money, and to collect the mail just the same as has been done since the inauguration of the star-route service by the contractors for the individual and charging him for it. I do not know how many of you are familiar with riding on stage coaches. I have ridden a great deal in my time throughout the West, and it has been the universal custom, not for the star-route contractor himself, but for the man whom he hires to drive the horses and deliver the mail, and who probably is not of as high a grade as the contractor himself, to deliver mail and collect it for at least the last thirty or forty years, to my own personal knowledge.

Mr. SIMS. I should like to make a statement about the star-route service in our own country. This thing has occurred often: Men would bid for a route, not with reference to what it was worth for carrying the mail, but with the idea that they could make so much by carrying packages and passengers. They received the contracts and gave bond for four years. The package and passenger service did not pay what they thought it would, and they would throw up the contract, and the bondsmen would have to suffer. That has often occurred, within my knowledge, in my State. This is not antagonizing this idea at all, but it is something to be considered.

Mr. LOUD. All the antagonism, I think, that has ever been raised against the star-route service has come from the objection against the man who sublets the contract. There were four or five men in the country, under that system, who bid in all of the star routes.

Mr. SIMS. These were all subcontractors who got into this trouble.

Mr. LOUD. On some of the contracts they would make money and on some of them they would lose money, but they had their agents go over the country making representations to certain people, endeavoring to persuade them to take subcontracts. I believe they have made representations in some cases that have induced some men to take these contracts for less than they could be performed in a proper manner; but nothing of that kind can possibly attach to this, because we deal directly with the man himself, and before he can be awarded the contract he must be a man fitted to perform the work.

The gentleman from Virginia [Mr. SWANSON] in his minority report says:

We insist that it is perfectly practicable to establish routes requiring about eight hours' service of the rural carrier and that his compensation can be fixed on short routes in proportion to the time it takes him to complete his work.

Now the gentleman tells us what we can do. It never has been done. If Congress fixes the salary of rural carriers at $1,000 a year, not alone the man who has a 38-mile route will get the thousand dollars, but the man who has a 12-mile route will get it. It

is the tendency of the times, and if the gentleman himself were in executive command he could not prevent it. The tendency is to compare the lowest with the highest. The tendency is to break down rather than to elevate.

Mr. GRAFF. Would it not be better to fix the compensation according to the time occupied, or which ought to be occupied, in the performance of the work?

Mr. LOUD. Well, if you fix the time——

Mr. GRAFF. And to make the compensation so much per hour.

Mr. LOUD. If you make the compensation so much per hour, you encourage your man to put in his whole day. The rural carrier is a good deal the same as you or myself. If we received so much an hour here for our work we would put in a full day, would we not?

Mr. GRAFF. Yes; but could not the Government make an examination into the different routes and determine on the time necessary to perform the work on that particular route?

Mr. LOUD. It would simply be the judgment of one man against that of another. It is impossible.

Mr. GRAFF. There must be some judgment exercised somewhere.

Mr. LOUD. It is impossible to fix that accurately.

Mr. GRAFF. It does not seem to me this House is very competent to exercise the judgment. That is the difficulty in the matter.

Mr. LOUD. Under this system we would not exercise any judgment. Each man would exercise his own judgment, and he is the proper man to exercise it. A man born and brought up in a country knows what it is worth to carry the mail there. I say, without fear of successful contradiction, that under the contract system you will pay every man what the service is worth, and you will have as good if not a better service than you have to-day.

Mr. PEARRE. I should like to ask the gentleman a question.

Mr. LOUD. Yes.

Mr. PEARRE. Does every carrier in the rural service now get $500 a year?

Mr. LOUD. I am not saying that they do.

Mr. PEARRE. Does not the gentleman know that they do not?

Mr. LOUD. If you will allow me to answer the question in my own way, I will do so. If I can not, I will not answer it at all. I know that there are a number of star-route contractors, men who have contracts for carrying the mail under the star-route system, who are rural-delivery carriers.

Strange as that may appear, it is a fact. I have one in my district, a man who is a star-route contractor and rural-delivery carrier. When the Government paid the carriers $300 a year they paid these men $200 a year, and when they increased the salaries they increased the star-route men on a percentage, not up to $400, but up to $300, or in a percentage ratio. I know there are several of these cases throughout the country.

Mr. PEARRE. Those are not the men to whom I am referring. The men to whom I refer are not star-route men at all. They are simply rural-delivery carriers, and one of those of whom I speak is paid $400 and another $500, and I know others are paid $350.

Mr. HILL. Will the gentleman allow a question?

Mr. LOUD. Yes.

Mr. HILL. In my district we have half routes, with the carrier getting half pay.

Mr. LOUD. I do not know but what that exists. I hope it does. I hope they are not paying men for 8 miles as much as they are paying for 40 miles.

Mr. PEARRE. And yet the gentleman says that the Department does not discriminate.

Mr. LOUD. But I do say, gentlemen, that at least 97½ per cent of the carriers are paid exactly the same, regardless of the amount of work they do.

Now, our friends enter their objections in the minority report, and they are serious:

Again, under the contract system it would be difficult to get changes in established routes.

Why, what would we have under the present system? We have a contract, the terms of which are constantly flexible. That is, where a man undertakes a contract of 30 miles in length, to deliver to so many post-offices, if they shall add a post-office to it, or add an additional mile, they make a proposition to him—and he is not bound by it—to pay him a proportionate increase, or if they take off, to pay him a proportionate decrease; and he has the option to throw up his contract—the Government giving thirty days' notice—or take the price that is made. So there is no difficulty about that. It would be more flexible than the system you have now, because you can not change the latter after you have once established a route until you have sent an agent there to examine and to consult the wishes and desires of a great many people.

Every time a route was changed, increased, or curtailed for the accommodation of the patrons or in the interest of good service it would be necessary, under this bill, to relet the contract.

I say, no; absolutely no. The gentleman who wrote this report here, I think, did not know any more about the contract service, which has been in existence for years, than he does know of "hereafter," and I do not refer to the gentleman from Virginia. [Laughter.]

The friends of the contractor—

Now, here we are—

The friends of the contractor, fearing that he would not be the lowest bidder under the reletting, would antagonize any change in the route for the accommodation of the people or in the adjustment of established routes when new service would be added.

Well, now, the contractors—and there are 37,000 of them in this country—never bother me. If their routes have been curtailed or expanded, as they have and as they are being every day, they never have bothered me. The man who, on his own responsibility, having the intelligence of the average citizen, enters into an agreement to do a certain thing does not need the sympathy of anybody else, and if perchance he asks for it he does not get it.

The bill also leaves to the discretion of the Department the determining of the trustworthiness and character of the bidders.

Well, I would like to know to whom the trustworthiness and the character of the carriers is left now, if it is not to the Post-Office Department.

Whenever an unacceptable carrier would be the lowest bidder, complaint would be lodged with the Department, and interminable conflicts and scandals ensue. Every community would have dissensions over the worthiness or unworthiness of the various bidders, which they would seek to ventilate before the Department, and insist upon the Department passing upon them.

You would not have anything of that kind with the men who want to be carriers, and to be included in the Government employ regularly, but if it is a contractor we would have great sympathy for him at once.

Which they would seek to ventilate before the Department and insist upon the Department passing upon them. Every Representative—

Now he gets sympathetic for us; he is so much interested in us—

Every Representative in Congress would be besieged to take a hand one way or the other in these conflicts.

I would like to know where there is a member of Congress today who is going to vote against this proposition that is not most earnest and willing to take a hand in the distribution of the present plunder, so called. It would not be a hand, my friend; it would be both arms up to the shoulders. [Laughter.]

Every Representative in Congress would be besieged to take a hand one way or the other in these conflicts. The only escape the Department would have from such a deplorable system would be to strictly adhere to awarding a contract to the lowest bidder. It is easily seen that if this course should be pursued, a very unacceptable and inefficient class of employees would be secured.

Oh, I congratulate my friends who are getting old. You will not have to bother with this.

Mr. GROW. I am not getting old.

Mr. LOUD. I did not refer to the gentleman from Pennsylvania.

Mr. GROW. All right.

Mr. LOUD (reading)—

The bill also gives the Postmaster-General the power to reject any or all bids.

Well, he has that power now—the power that he has over these 37,000 contracts, and a power that he must have in order to break up the very collusion that my friend from Illinois suggests. Why, when the Post-Office Department adopted this new system of requiring the star-route contractor to live on the routes, when they called for bids on the first section, they sent out their entire inspection force, 21 of them, to examine and determine whether the conditions had been complied with, as they always do. If there is any collusion, they easily discover it, and the Postmaster-General has power to reject any and all bids.

This provision would be a standing inducement to political partisans in all sections of the country to bring all the pressure possible to bear on their Representatives in Congress.

Think of it. This power to reject any and all bids which they have had for years, they say, will be a standing inducement to political partisans in all sections of the country to bring all the pressure possible to bear on their Representatives in Congress to have the Department reject bids where their political friends had been unsuccessful.

The author of this knows something about the contention for place. He knows the contention that has gone on for places as rural free-delivery carriers, and he can not see but that it must be necessarily carried into the contract system; but no, it tends to purify. It would relieve the Congressman from pressure and put this business upon a business basis where the individual stands upon his own responsibility and could not and would not

come to you or me to seek to help him, because he stands in the sunlight as a noble creation depending upon himself and his own exertions and not lying down upon the member of Congress to take care of him in the future.

Then the report goes on to discuss the question, which I have spoken of before, of their pay under the contract. The report reads:

> In the winter months, during inclement weather, when the roads are bad and the work of delivering the mail is very disagreeable, there would be many abandonments of contract and new contractors could not be secured except at exorbitant prices.

That is to say, if they had a good job for ten or twelve months under their contract, and there came a week or two of bad weather, they would throw up the job. Why, during this winter there has been as much as a week during which the rural free-delivery carrier did not deliver a mail in some sections.

The report goes on to say:

> Again, we are not satisfied that this would result in any saving of money to the Government. The star-route service, let under the new rules requiring the contractor to live along the line of his route, has resulted in a large increase of expense, many of the new routes costing the Government more than the carriers under the present rural free-delivery service.

That is a question I do not care to discuss. I have my opinion that we will get it for one-half. We will get it throughout the country for less than $600 a route. In some sections of the country it will be more and some sections less. There are many parts of this country where $600 for a horse and cart is a great deal of money, and there are some parts of the country where it is not.

Take it in New England and through the northern tier of States, Illinois, Indiana, etc., where horse hire is high and wages are high, $600 to do the work would not be ample. But you take it south of what we used to term "Mason and Dixon's line," and $600 is good compensation for this work. I do not care to discuss what it will cost. I believe it will cost less per route than it costs under $600 per route to-day. But you can not keep this at $600 if you fix it, you can not keep it at $700, and you can not keep it at $800, you can not keep it at $900; you may keep it at $1,000.

Mr. WATSON. Will the gentleman allow me a question?

Mr. LOUD. Yes.

Mr. WATSON. Suppose this question of salary were not assumed by Congress at all; that is, Congress should not assume jurisdiction of the salary, but permit it to remain discretionary with the Post-Office Department, and let that Department wrestle with it; could not they deal with it without being subject to the political influence of the country, notwithstanding the great number of rural free-delivery carriers?

Mr. LOUD. We have had an illustration of that right here this winter. This is an experimental service. There is no salary fixed, but we appropriate a sum of money. It was known in a general way that they were receiving $500 a year. My friend the gentleman from Connecticut [Mr. HILL] got up on the floor and offered an amendment increasing the amount of a deficiency appropriation, and that is all he did. The Department asked for a deficiency of $225,000, and through the efforts of my friend from Connecticut that was increased to about $500,000. He took occasion to suggest that the rules of the House prohibited us from fixing the salary, but he hoped that the more generous body at the north end of the Capitol, not always controlled by its rules, would see the wisdom of fixing the salary.

Now, the body at the other end of the Capitol struck the appropriation out, but in conference it went back in. No salary is fixed, but the Department increased it $100 just the same. No; you can not stem it; you can not silence the demand. I do not think I am going too far when I say that in the rural districts, in three years from now, there will not be a man who can be elected to Congress, or even to the United States Senate, unless he shall accede to the demands that these people make.

They are already organizing a national association; they have not held the national meeting yet, but they have the State organizations. The carriers of the State of Illinois ask for $850. I do not know what is asked for in the State of Indiana. I think I know something about the views of the average legislator. I think that there has not been a day for four years, or for ten years, but that if this body were confronted with various bills here for the increase of salaries of postal employees they would not have voted for them by quite a large majority; and yet many of them, permit me to say, in their consciences believe that some of them are getting all the salary they ought to get.

I say they wield a power in the great cities of the country to-day nearly sufficient to defeat any man for Congress who does not advocate their measures. And they are human, just the same as you or I. If Congress should increase our salaries to $10,000 a year, we would take the money; and most of us, if we had the courage, would vote for the increase. I say it is nothing but cowardice which prevents us from so voting. You may sit and talk with the average member—and that means the majority of the House of Representatives and the Senate—and he will, with great earnestness, tell you that $5,000 a year is not an adequate salary for a member of the House or the Senate.

Now, why do we not increase the salary? Because we are afraid. That is all—we are afraid. We might just as well acknowledge the fact as try to hide behind any pretense to the contrary. I think I am not affected that way. This is one of the best jobs I ever had in my life. I can live on $5,000 a year, and live well. I believe that my constituents could get many men better than I am for the same amount of money. I know that there are men in both Houses of Congress who have had large law practice or have had great business interests. There are men at the other end of the Capitol who can make a million dollars a year; and I have no doubt they are worth a million dollars a year as business men. But as legislators, no.

Now, we might as well look this question right in the face. The rural carrier politically will have the influence of at least 20 city carriers. Why? Because he has a small territory. He does not deliver mail on the average to more than 100 families. If he is married, as he will be some time, he is related by ties of blood to 20 or 25 per cent of the people there. The people on that route have known him as a boy and as a young man.

They have known him as a good young man, and he has a nice family growing up around him. They sympathize with him, and when it comes to a question of the salary to be fixed for rural carriers, each community, so far as that question is concerned, knows only its own carrier. They sympathize with him; they would like to see him get a large salary, and they will urge you and urge me to vote such a salary, and human as they are they will demand it. And while you are down here attending to your Congressional duties, as I hope you always do during the preliminary contests, some other who can promise more than you can will undermine you.

These are facts. There is no one here who can deny them. I know that many men here will argue that we are great and strong and are never controlled by local considerations; that we at all times vote for what is best, not for ourselves and our districts, but for the whole country—laying great stress upon "the whole."

A gentleman was asked in a legislative body when a bill was up the other day whether he thought it was constitutional, and he declined to answer. Evidently he had argued that this legislation was unconstitutional; but when it was for his district, constitutional or not, it must go. Yet evidently the same man, put upon his honor on a question of this kind, would say, "I always vote for the good of the whole country, and never consider my own locality."

Mr. WATSON. May I ask the gentleman a question for information?

Mr. LOUD. Certainly.

Mr. WATSON. Is the salary of the railway mail clerks at present discretionary with the Department, or is it fixed by statute?

Mr. LOUD. The maximum is fixed.

Mr. WATSON. By statute?

Mr. LOUD. We fix the maximum of the different classes—class 5, $1,400; class 4, $1,200; class 3, $1,000.

Mr. WATSON. The amount of salary actually paid is discretionary with the Department?

Mr. LOUD. The minimum salary is discretionary; yet the Department always pays the maximum, provided the necessary amount of money is appropriated.

Mr. WATSON. Does the same rule apply to the city carriers?

Mr. LOUD. The salary of the city carriers is fixed by law—$600 the first year in cities of more than 75,000 population, $800 the second year, and $1,000 the third year. There is no discretion in the Department on that question.

Whether the Department would use the amount appropriated for a given service or not is well illustrated in the case of the Southern mail subsidy. The gentleman is no doubt familiar with that. We have for a number of years appropriated $196,000 as a subsidy for the transportation of the mails from New York to New Orleans. We have in connection with that appropriation put on a provision which we thought would control any man's conscience—that this money can not be used unless it appears to the Postmaster-General that such expenditure is for the benefit of the service.

What do the Department officials say? They say they have protested against this appropriation; they have refrained from asking it, but that as Congress under these circumstances has continued to appropriate the money, specifying where it could be used, they have no discretion, and they use it—as the Department always will use all the money it gets. There is no doubt about that. The more money a department uses the greater it becomes. And that is the trouble with this rural delivery division, to which I want to call the attention of the House again.

This rural-delivery service has grown up within two or three years. We have appropriated $275,000 for it in the legislative bill. That does not include even the salary of the chief. It does

include that of the subchief, to whom I have referred—the chief of the literary bureau—but not the real chief, the "big Injun."

The division of the Second Assistant Postmaster-General, a branch of the Government organized for years, having 37,000 contracts to let or supervise, 11,000 railway mail clerks, all of the mail-messenger service, the ocean steamship service, the coast steamboat service; a branch of the Government distributing about $60,000,000 a year, or about one-half of the expenditures of the Post-Office Department, is managed by the expenditure of $185,000 a year, including the salary of the Second Assistant Postmaster-General.

Perhaps you grasp the magnitude of this great bureau that has been built up under your nose here without legislation. The chief clerk of the Second Assistant Postmaster-General—I think one of the most able men in that Department—receives $2,100 a year, and the committee refused to increase that amount. Yet some assistant superintendent here—I understand it was one H. Conquest Clark, who is a great writer—gets $3,000 a year; Mr. Somebody Else, $2,750 a year; Mr. Somebody Else, who supervises the civil-service end bureau in there—they have got a little civil-service bureau there—$2,500 a year, and big salaries all the way down the line.

Now, when I first brought this subject of contract up, I naturally went to the man at the head of the division, Mr. Machen, to discuss this question with him. I spent an evening with him. He raised no objections to it. I will not say that he advocated it; he seemed to advocate it. Oftentimes we have been in positions where someone seemed to consent, yet did not consent. I have an idea that, when that gentleman went to his home and reflected, he said to himself, "contracts, contracts, contracts—second assistant's department, second assistant's department, second assistant's department—no, no; it would take away from MY bureau, detract from it, while we are building up the greatest thing in the universe." And he is but human.

With the first assistant I did the same. I spent a whole Sunday with him at his invitation, and went over this question from start to finish. He raised every objection that appeared to his mind, which I met. When we separated he said, "This seems to be the solution of this question; I will think it over further." Yet within forty-eight hours he came before our committee—and his testimony is published—and said that he did not think that they could have as good discipline, and that is all. He did not know anything about contract service. Mr. Machen knows nothing about contract service.

The practicability of it could only be determined by men who were familiar with it, but after forty-eight hours' consultation with the agents which the First Assistant told me he had had the thought perhaps entered his mind that the First Assistant's Department might not be so great a Bureau; perhaps the Second Assistant may get it. Then he opposed it. And he is but human. Every man at the head of a department wants to make that division as great as he can.

Mr. GRAFF. Does not the gentleman from California think it is very unfair to attribute to all of these employees of the Post-Office Department motives of that sort? Is it not a good deal more reasonable to suppose that they were actuated by what they believed to be the best interests of the service and of the country, than to take the position that they opposed a policy of this sort because they thought it might result in the shrinking of their importance?

Mr. LOUD. Why, yes, yes, yes, with the average man; with the Government official, no; with some Government officials, three times no. I am willing to give every man the benefit of honest motives and conviction, but after I shall, at your invitation, have spent a whole day with you over a question which is either right or wrong in the abstract, leaving out details, and I shall tell you before I leave you that every obstacle is removed, that I am for it, you can bet your life, Brother GRAFF, I will be for it until Gabriel blows his horn. [Applause and laughter.] I never make up my mind——

Mr. GRAFF. I believe you would, if you changed your mind.

Mr. LOUD. I will never make up my mind until I have investigated every objection to it, and when once made up I shall stand by it. No man is fit to be at the head of any great division that makes up his mind before he has investigated, or having investigated and made up his mind, does not stand there.

Mr. GRAFF. What does the Department advocate in place of this?

Mr. LOUD. The First Assistant's department—well, I will not say the First Assistant's department, for the First Assistant Postmaster-General has tendered his resignation. I hope this service has not been the cause of it. I sometimes fear it, but I hope not. He has tendered his resignation. The head of this bureau wants to continue the service as now in operation.

He said he could hold them at $600 if he had the power, yet he told me within thirty days that whatever action Congress might take the Post-Office Department would not increase the salaries above $500; that if Congress appropriated an additional amount in the deficiency bill—and I will stand by my words—that they would simply use it for the extension of the service and leave Congress to deal with this question.

Mr. WATSON. You mean, now, that Mr. Machen said that to you?

Mr. LOUD. Yes; Mr. Machen.

Mr. WATSON. Is it a fact that Mr. Machen himself afterwards regulated this salary and increased it to $600?

Mr. LOUD. I do not know. He spoke for the Department. Presumably he regulated it. I do not know.

Mr. WATSON. Is it not a fact that he increased the salary?

Mr. LOUD. I do not know. He seemed to speak for the Department. Up to the incoming of the present Postmaster-General he has been the Bureau absolutely, and has had introduced a bill to make him the fifth assistant postmaster-general—not to make him that, but to create the office—with greater power than was ever vested in any assistant in any department in our Government, giving the holder of the office absolute power, above the Postmaster-General, to perform acts himself.

The bill did not name Mr. Machen, but it was his hope—as he expressed it to you and to me, and to many others—to build up a great division, a rural-delivery division with the city-delivery division; and under the law they shall have the absolute power now, if this bill shall pass, to extend the delivery to the towns. There is not a lawyer in the world who can controvert it.

The law to-day prohibits the delivery of mail outside a town of 10,000 population or $10,000 receipts, and I assume that at any time, if the point of order was raised against the rural free-delivery service, any man occupying that chair, having due regard for the law—because there is an absolute prohibition—must hold that in view of the law prohibiting delivery of mail outside of cities of that size it could not, without legislation, be delivered outside of those limits.

Now, if you provide for rural legislation you provide for delivery not only in the country but in every town, village, and hamlet and every foot of territory in the United States. You did not think that. You opposed some proposition last year put upon the appropriation bill looking toward village delivery. When you get rural delivery established by law you have got village delivery.

Mr. GRAFF. Is it not true that the gentleman from California is opposed to the rural-delivery system, anyhow?

Mr. LOUD. Emphatically I am not. I am not vain, but I assume that rural delivery would not have been started under Mr. Wilson's administration if I had not advocated it. I do not claim much for myself. I loved Mr. Wilson and he loved me. I honored him and he honored me. I trusted him and he trusted me.

I advised him, and if he were alive to-day he would tell you so. He went all over the field, considered it practically, and decided that at a salary of $300 a year, which he believed was enough, it could be done within a reasonable figure, and on my recommendation it was established. I do not want any credit for it. The last Postmaster-General seemed willing to accept the credit of being the father of it, and I am perfectly willing it should rest there.

I have advocated rural delivery from the start, worked for it, planned for it, and used my influence and best endeavors toward its establishment. And to-day I am struggling for the continuation of the system upon lines which I believe to be right and which I feel ultimately must be adopted.

Mr. LATIMER. Will the gentleman allow a question just there?

Mr. LOUD. Certainly.

Mr. LATIMER. I want to ask if you are opposed to free delivery in cities and towns of less than 10,000—in other words, between the cities and the country?

Mr. LOUD. Oh, no.

Mr. LATIMER. Then this bill, as I understand it, will permit free delivery in cities and towns of less than 10,000?

Mr. LOUD. There is no doubt about it. The present law prohibits that beyond certain limitations. This provides for delivery in rural districts, provides for rural delivery.

Mr. LATIMER. I want delivery in the small towns.

Mr. LOUD. Surely a town of three or four thousand is a rural town.

Mr. WILLIAMS of Mississippi. The gentleman contends that the language "in rural districts" would include towns under 10,000.

Mr. LOUD. Yes; because you repeal, at least by implication, the prohibition which at present exists.

Mr. SWANSON. That was repealed when rural delivery was first commenced.

Mr. LOUD. Rural delivery has heretofore been simply experimental, running from year to year. This year we are confronted with the proposition that we must legislate or else appropriate by law some $8,000,000 to be expended in the Post-Office Department as they see fit, and I think they have expended it a little too extravagantly in the days gone by.

Mr. WILLIAMS of Mississippi. Has not this appropriation been protected from the point of order by the fact that it was experimental?

Mr. LOUD. I do not think so. I do not believe you have a right even to experiment upon an appropriation bill with what is prohibited by statute. Of course I have, perhaps, pretty strong views upon this. I may not be in accord with other men in the House, but I do not believe that on an appropriation bill you have a right to do, even for one day, a thing that it is prohibited by law.

Mr. SWANSON. Has it not been held that after you make an appropriation in one appropriation bill, which runs for one year, being for something in existence, then it is in order?

Mr. LOUD. Oh, yes; for "a public work already in progress." That ruling was first made to cover either river and harbor work or a public building; but it has been extended and carried to this subsidy going south, which has been considered "a public work already in progress;" but a public work already in progress is not specifically prohibited by law as village delivery is. But let me say, so far as my view goes, that subsidy to the South is absolutely prohibited by law, because the law fixes the maximum rate that may be paid, and Congress can not change that maximum even for an hour without changing existing law.

Mr. WILLIAMS of Mississippi. I wish the gentleman would change the words "subsidy to the South." I think the most of it goes to the Pennsylvania Railroad.

Mr. LOUD. No. The Pennsylvania Railroad only gets about $28,000.

Mr. LATIMER. I should like to ask the gentleman one further question in regard to free delivery in towns; if, in your judgment, the delivery in the small towns that have not free delivery now will be under the contract system?

Mr. LOUD. Will be?

Mr. LATIMER. Yes.

Mr. LOUD. Why, yes.

Mr. LATIMER. If this bill passes?

Mr. LOUD. Why, yes.

Mr. LATIMER. Then why discriminate between the larger towns and the smaller towns in free delivery?

Mr. LOUD. When you get to a town of sufficient size you can prescribe the number of hours for each man to work. We will assume that in a city of 10,000, which is the minimum, there would be a sufficient amount of work for three or four carriers to perform the service——

Mr. LATIMER. Why can not the same arrangement be made in a town of 5,000 population?

Mr. LOUD. I do not think you would have more than one carrier in a town of that size.

Mr. CANNON. How about a hundred?

Mr. LOUD. Or in one, two, or three.

Mr. HILL. Will the gentleman permit me to ask him a question?

Mr. LOUD. Certainly.

Mr. HILL. I have heard the gentleman denounce the rural free-delivery bureau as the most extravagant bureau, not only of this country, but of any other. Can the gentleman state whether this extravagance is due to an unnecessary number of employees or to the extravagant payment to necessary employees?

Mr. LOUD. Well, it has been pretty hard for me to determine. I will say——

Mr. HILL, The gentleman's statement was sweeping, without any restriction.

Mr. LOUD. Do not get excited. When you interrupt to ask a question, you must give me an opportunity to answer.

Mr. HILL. All right.

Mr. LOUD. I will answer it the best I can. We are paying too large salaries in some places. The main question is extravagance in supervision. I am not talking about the carrier himself.

Mr. HILL. I understand.

Mr. LOUD. I say, when you pay a salary of $3,000 for an assistant somebody, whatever you may call him, it is too much——

Mr. HILL. Very well; what about the rest of the force?

Mr. LOUD (continuing). When there is a man performing more important duties for $2,100 a year.

Mr. HILL. Is the rest of the force paid extravagantly?

Mr. LOUD. I will venture to say that the rural free-delivery clerical service in Washington is paid 25 to 30 per cent more than they would have received had they regularly entered the service as civil-service employees. Men who are getting $1,200, $1,400, and $1,500 a year, if they had entered by the regular door would have been getting $800 and $900 and $1,000.

Mr. HILL. Does the gentleman think the force is larger than it should be?

Mr. LOUD. I do not know. I am quite positive that that Department is doing a great deal of work that is wholly unnecessary.

Mr. HILL. Then it must have unnecessary employees.

Mr. LOUD. You can form your own conclusion as well as I.

Mr. HILL. I would like to ask the gentleman how they got there—by what force or influence unnecessary employees were put upon them?

Mr. LOUD. I do not think they have been forced upon them. I think they were glad to get them.

Mr. HILL. I am not asking the gentleman because I have any of these appointments. I asked him if there are any in that Department by his recommendation?

Mr. LOUD. Well, I have.

Mr. HILL. I presume the gentleman has quite a number. I thought he would know all about this.

Mr. LOUD. I did not urge it; it was offered. I was asked to put him there.

Mr. HILL. The gentleman speaks in the singular number. Is his patronage limited to one?

Mr. LOUD. It is.

Mr. PEARRE. The gentleman, then, did yield to temptation?

Mr. LOUD. Permit me to say, I have prayed all my life, "Lead us not into temptation," and I hope to keep out of it; but I want to say this, that there is not a man, woman, or child in the Government service through my influence but is subject to discipline and subject to the same rules and regulations that every other one in the service is, and I have no interest in them.

Mr. BLACKBURN. Will the gentleman yield to a question?

Mr. LOUD. Certainly; I yield to the gentleman.

Mr. BLACKBURN. My question is this: Under the present system of bidding on mail routes, the star routes in this country, if he puts these under contract, will it be upon the same grounds in the free delivery as it is in carrying the mail?

Mr. LOUD. We do not propose to submit it on the same ground. I hope the gentleman will read the bill.

Mr. BLACKBURN. I have read the bill.

Mr. LOUD. The grounds are outlined in the bill.

Mr. BLACKBURN. Does the gentleman from California think it will be more efficient under his bill than to pay a salary of $600?

Mr. LOUD. I do. I think it will be more efficient than to pay $600, because $600 is not enough for some routes. I say, in some sections of the country where it costs $250 to keep a horse—and the gentleman from Connecticut [Mr. HILL] says it costs three hundred in his district—it only leaves a man $300 or $350 a year, and a man can not perform the service as expected for that amount of money. So I believe that under the contract system you would get a better service than under the payment of the salary.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. LOUD. I thought the Chair decided that I had time in which to close.

The CHAIRMAN. The Chair deemed it his duty to notify the gentleman when the hour had expired.

Mr. LOUD. I understood I had unanimous consent to close.

The CHAIRMAN. The gentleman from California controls the time on his side and he can yield to himself.

Mr. LOUD. I thought I had unanimous consent given me to conclude, but if not I will yield to myself without the intervention of the Chair. [Laughter.] I was about to close with a sentence when I was interrupted, ten or fifteen minutes ago, that it was but human nature that the head of a great division, involving as it does the city delivery service, the rural delivery service, and the town and village service, should have sufficient pride in it to want the service to remain under him absolutely undisturbed.

Mr. WATSON. Will the gentleman permit me to ask him a question?

Mr. LOUD. Yes.

Mr. WATSON. I believe it is a fact that at present the rural free-delivery system is not self-sustaining?

Mr. LOUD. It can not be.

Mr. WATSON. Does the gentleman think that under his system proposed in this bill it will be made self-sustaining?

Mr. LOUD. I do not.

Mr. WATSON. The gentleman thinks it could be managed at less expenditure, however?

Mr. LOUD. I think so. I think it will cost ultimately a great deal less, because, as I have suggested, I do not believe it in the power of Congress, or in the power of the Administration, to keep the salary at $600, or $700, or $800. There are some sections of the country where it is worth more than that, and on a salary

basis, you must pay the lowest man what you pay the highest; you can not help that.

Now, in closing up this minority report, they include an extract from an editorial that appeared in the Philadelphia Press, a paper edited by the late Postmaster-General. He says here:

> Where mail is transported in bulk the efficiency of the service does not depend upon the individual efficiency of the employee, but on the solvency of the contractor.

He is referring to the contract system, yet it is the man who has been and is now performing just the same service as the rural carrier, and evidently he did not know it. I do not for a moment assume that Mr. Smith wrote this editorial. If you read a thousand recent editorials throughout the country, exercising your best judgment, you would think they came from the same source, the same as they did on the "Loud bill," where prepared editorials were sent out and published, as you know.

The men publishing the country newspapers were agonizing over the "Loud bill" because they thought their business would be destroyed; and yet the Post-Office Department has enforced more stringent regulations than the "Loud bill" carried, and the country publisher is still issuing his weekly edition and expressing his views undisturbed to the people of the country. The gentleman sought to criticise the service in a comparison, yet evidently did not know anything about the service he was comparing it with.

This editorial further says:

> Where mail is handled individually, efficiency is a question of the character of the individual employee handling the mail, and character can not be guaranteed by contract.

That is very true. I had just as soon, however, take a man's character if guaranteed by my friend from Indiana or my friend from Iowa as though it was guaranteed by my friend from California or by my friend from Pennsylvania. In your case you put up five hundred or a thousand dollars that his character is good and that he will perform the service, and in the other case the gentleman recommends him and has no responsibility.

Now, I say we have a civil service. I have no personal interest in this matter; I have cities in my district and I have country in my district. It does not affect me materially one way or the other. I have an interest only in the future integrity of the individual members of the House. I hope that in the future every man that may come to this body will come wholly untrammeled by any influence whatever. That is the only interest I or the committee can possibly have.

We have given the matter about three months' consideration. We have given it our best thought and have no interest in it, but are satisfied, as I say, by 15 to 2—and I think the 15, in intelligence and integrity and honesty, will compare with the 2—that this will give us as good a service as any other service can possibly be; will remove it from the field of politics and put it upon a business basis; and we believe that ultimately it will save to this country an expenditure of $20,000,000 or $25,000,000 a year.

There is no doubt that we can get good men. Why, sir, the Second Assistant Postmaster-General has only 21 assistant superintendents for the whole service. This infant bureau carries now in our appropriation bill 135 or 140 supervisors. One hundred and thirty-five or 140 men ought surely to be able to supervise 8,000 carriers as well as 21 men can supervise 37,000.

Mr. LANDIS. The gentleman does not mean supervisors, I presume; he means inspectors and agents.

Mr. LOUD. I use the term "supervisors" not in the technical sense. I mean agents and inspectors.

Mr. LANDIS. And their work is to institute this service?

Mr. LOUD. Not all of it.

Mr. HOLLIDAY. Will the gentleman allow me to ask him this question: If a large number of men are now employed who ought not to be employed, or if the salaries are larger than they ought to be—if there are abuses of this kind, I ask the gentleman why his committee does not bring in a bill to regulate those matters without affecting the rural carriers at all. Such a measure could receive the support of the whole House. Why not bring in a bill to reduce the salaries which are excessive and to do away with any superfluous number of employees? Why could not the abuse be corrected in that way by a separate bill?

Mr. LOUD. I suppose it could be, but that is one of the smallest abuses. I hope the gentleman is willing to permit a committee charged with the responsibility to at least make suggestions to the House—to at least give the House the benefit of their investigations. The House is not obliged to take the recommendations of the committee; there is no compulsion about it, my friend, not a bit. Is the gentleman afraid to have this matter considered in the House that he should suggest that we do something else without allowing the present measure to come up? This is a matter worthy the consideration even of my distinguished friend who has just interrupted me.

Now, the minority of the committee wind up their report by citing some star routes—why I do not know, unless it be to show that under the star-route system this service would cost more. In selecting routes as illustrations of the working of the star-route system, the minority of the committee has gone into a section of Pennsylvania where the service is most expensive—why?

When I brought this particular matter to the attention of the Second Assistant Postmaster-General, he said: "Why, where did that information come from? It is not public information. The correction of mileage is not even in our advertisements. The report contains information not necessarily secret, but to which no one but my most trusted clerks have access."

Now, the average per mile in the first section, which is an expensive section, is 5.27 cents a mile. The average of the routes that the gentleman has selected is 7.52 cents a mile. Now, why did he choose those particular locations as illustrations? Did he want to be fair? He has taken routes of 1 mile, a mile and a half, and 2 miles long to show that this service would be more expensive under the contract system than under the salary system; and he takes such routes as these, the route from Pine Flats to Garmans Mills, stopping at some other places. In that case the carrier leaves at half past 7 o'clock in the morning and gets back at half past 4 o'clock in the afternoon. You must remember that these star-route contracts are regulated as to time.

The next case the gentleman takes is a route on which the carrier leaves at 6 o'clock in the morning and arrives back at half past 7 o'clock in the evening, the time occupied being thirteen hours and a half; and the Government pays $650 a year. The gentleman from Virginia wants to compare that service with the service of the man who can perform his work and go about his business at the expiration of four hours.

This is simply a sample which I took for the purpose of showing in the first place that the gentleman has not been fair even on the question of expense, which he considers the least important item because he has put it last, and I am willing to so consider it.

Mr. SWANSON. Does the gentleman say that under the contract system he believes the service could be done for less than $600 a year?

Mr. LOUD. I do not.

Mr. SWANSON. I understood the gentleman to say so.

Mr. LOUD. I can not speak as to that. In some cases the service might cost less than $600 and in other cases more.

Mr. SWANSON. I thought the gentleman had given such investigation to this subject as to have reached a conclusion.

Mr. LOUD. That is a matter about which no man could speak definitely. I am not a prophet.

Mr. SWANSON. What is the gentleman's judgment? My judgment is that the service can not be done for less than $600.

Mr. LOUD. The gentleman in his report undertakes to show by comparison that the service will cost more under the contract system, but he has not been fair. That is all I am undertaking to show now. I will put in the RECORD the details as to these routes which the gentleman has taken by way of illustration. I am undertaking to show that the gentleman has not even been ingenious, because he has picked out the most expensive routes there are in the service. Here are the particulars of the routes which the gentleman has taken as illustrations:

INDIANA COUNTY, PA.

11217 From Pineflats, by Grisemore, Martintown, and Grip, to Garmans Mills, 9.50 miles and back, six times a week.
Leave Pineflats daily, except Sunday, at 7.30 a. m.;
Arrive at Garmans Mills by 10.40 a. m.;
Leave Garmans Mills daily, except Sunday, at 12.50 p. m.;
Arrive at Pineflats by 4.30 p. m.
Contractor's annual pay, $498.75.

INDIANA COUNTY, PA.

11223 From Strongstown, by Nolo, Suncliff, Rico, and Brush Valley, to Indiana, 18.50 miles and back, six times a week.
Leave Strongstown daily, except Sunday, at 6 a. m.;
Arrive at Indiana by 12 m.;
Leave Indiana daily, except Sunday, at 1 p. m.;
Arrive at Strongstown by 7.30 p. m.
Annual pay, $650.

INDIANA COUNTY, PA.

11225 From West Lebanon, by Parkwood and Tannery, to Indiana, 12.50 miles and back, six times a week.
Leave West Lebanon daily, except Sunday, at 7 a. m.;
Arrive at Indiana by 12 m.;
Leave Indiana daily, except Sunday, at 1 p. m.;
Arrive at West Lebanon by 6 p. m.
Annual pay, $680.

FAYETTE COUNTY, PA.

11113 From White, by Freed, Wooddale, and Wanda, to Scottdale, 9 miles and back, six times a week.
Leave White daily, except Sunday, at 9.20 a. m.;
Arrive at Scottdale by 12.40 p. m.;
Leave Scottdale daily, except Sunday, at 1.30 p. m.;
Arrive at White by 5.10 p. m.
Annual pay, $499.

INDIANA COUNTY, PA.

11211 From Indiana, by Creekside, Chambersville, Davis, Plumville, and Denton, to Smicksburg, 21.50 miles and back, six times a week.
Leave Indiana daily, except Sunday, on arrival of mail train, but not later than 9.40 a. m.;
Arrive at Smicksburg in 8 hours;
Leave Smicksburg daily, except Sunday, at 7 a. m.;
Arrive at Indiana by 3 p. m.
Annual pay, $1,050.

GREENE COUNTY, PA.

11118 From Bristoria, by Holbrook and Rogersville, to Waynesburg, 16 miles and back, six times a week.
Leave Bristoria daily, except Sunday, at 5.30 a. m.;
Arrive at Waynesburg by 11 a. m.;
Leave Waynesburg daily, except Sunday, at 1 p. m.;
Arrive at Rogersville by 3.15 p. m.;
Leave Rogersville daily, except Sunday, at 3.25 p. m.;
Arrive at Bristoria by 6.30 p. m.
Annual pay, $668.

GREENE COUNTY AND WASHINGTON COUNTY.

11122 From Carmichaels, by Rices Landing, Millsboro, and Frederickstown, to West Brownsville, 18 miles and back, six times a week.
Leave Carmichaels daily, except Sunday, at 6 a. m.;
Arrive at West Brownsville by 12 m.;
Leave West Brownsville daily, except Sunday, at 12.30 p. m.;
Arrive at Carmichaels by 7 p. m.
Annual pay, $744.

GREENE COUNTY.

11132 From New Freeport, by Nettlehill, Whitecottage, and Woodruff, to Holbrook, 11 miles and back, six times a week.
Leave Nettlehill daily, except Sunday, at 5.30 a. m.;
Arrive at Holbrook by 8 a. m.;
Leave Holbrook daily, except Sunday, on receipt of mail from Waynesburg, but not later than 4.30 p. m.;
Arrive at Nettlehill in 2½ hours.
Leave Nettlehill daily, except Sunday, on receipt of mail from Waynesburg, via Holbrook;
Arrive at New Freeport in 1½ hours;
Leave New Freeport daily, except Sunday, on receipt of mail from Littleton, W. Va., but not later than 5 p. m.;
Arrive at Nettlehill in 1½ hours.
Annual pay, $546.86.

ALLEGHENY AND BEAVER COUNTIES.

11173 From Bayne, by Wallrose, to Baden, 10 miles and back, six times a week.
Leave Bayne daily, except Sunday, at 7 a. m.;
Arrive at Baden by 11 a. m.;
Leave Baden daily, except Sunday, at 11.30 a. m.;
Arrive at Bayne by 3.30 p. m.
Annual pay, $600.

ARMSTRONG AND CLARION COUNTIES.

11237 From Goheenville, by Putneyville and Oakland, to New Bethlehem, 12 miles and back, six times a week.
Leave Goheenville daily, except Sunday, at 5.30 a. m.;
Arrive at New Bethlehem by 10 a. m.;
Leave New Bethlehem daily, except Sunday, at 12.30 p. m.;
Arrive at Goheenville by 5 p. m.
Annual pay, $500.

ARMSTRONG COUNTY, PA.

11240 From Kittanning, by Weskit, Centerhill (n. o.), and McHaddon, to Slatelick, returning by McVill and North Buffalo to Kittanning, 20 miles, equal to 10 miles and back, six times a week.
Leave Kittanning daily, except Sunday, on receipt of mail from train 13, but not later than 9.30 a. m.;
Arrive at Slatelick in 3½ hours;
Leave Slatelick daily, except Sunday, one-half hour after arrival;
Arrive at Kittanning in 4½ hours.
Annual pay, $525.

GREENE COUNTY, PA.

11128 From Greensboro, by Mapletown, Whiteley, and Fordyce, to Waynesburg, 21 miles and back, six times a week.
Leave Greensboro daily, except Sunday, at 6 a. m.;
Arrive at Waynesburg by 12.30 p. m.;
Leave Waynesburg daily, except Sunday, at 1 p. m.;
Arrive at Greensboro by 8.10 p. m.
Annual pay, $794.

GREENE COUNTY, PA., AND MONONGALIA COUNTY, W. VA.

11116 From Brave, by Blacksville (W. Va.), Spraggs, and Gump, to Waynesburg, 18 miles and back, six times a week.
Leave Brave daily, except Sunday, at 6.30 a. m.;
Arrive at Waynesburg at 12.30 p. m.;
Leave Waynesburg daily, except Sunday, at 1.15 p. m.;
Arrive at Brave by 7.45 p. m.
Annual pay, $698.

GREENE COUNTY, PA., AND MARSHALL COUNTY, W. VA.

11117 From Bristoria, by Higbee, Aleppo, and Bigtree, to Cameron (W. Va.) 13.50 miles and back, six times a week.
Leave Bristoria daily, except Sunday, at 6 a m;
Arrive at Cameron by 11 a m;
Leave Cameron daily, except Sunday, at 1 p m;
Arrive at Bristoria by 6 p m.
Annual pay, $716.

ARMSTRONG AND CLARION COUNTIES, PA.

11245 From Sherrett to Redbank Furnace, 4 miles and back, six times a week.
Leave Sherrett daily, except Sunday, at 7.45 a m;
Arrive at Redbank Furnace by 9.30 a m;
Leave Redbank Furnace daily, except Sunday, at 11 a m;
Arrive at Sherrett by 12.45 p m.
Annual pay, $245.

ARMSTRONG COUNTY, PA.

11247 From Springchurch to Mateer, 3 miles and back, six times a week.
Leave Springchurch daily, except Sunday, at 11.30 a. m.;
Arrive at Mateer by 12.30 p. m.;
Leave Mateer daily, except Sunday, at 12.45 p. m.;
Arrive at Springchurch by 1.45 p. m.
Annual pay, $150.

BUTLER COUNTY, PA.

11250 From Argentine to Hilliards, 2 miles and back, six times a week.
Leave Argentine daily, except Sunday, at 4 p. m.;
Arrive at Hilliards by 4.45 p. m.;
Leave Hilliards daily, except Sunday, at 5 p. m.;
Arrive at Argentine by 5.45 p. m.
Annual pay, $120.

BUTLER COUNTY, PA.

11256 From Fenelton to Coyleville, 1.25 miles and back, six times a week.
Leave Fenelton daily, except Sunday, at 11.30 a. m.;
Arrive at Coyleville by 12.15 p. m.;
Leave Coyleville daily, except Sunday, at 12.45 p. m.;
Arrive at Fenelton by 1.30 p. m.
Annual pay, $139.

BUTLER COUNTY, PA.

11271 From North Oakland to Greer, 1.25 miles and back, six times a week.
Leave North Oakland daily, except Sunday, at 1.45 p. m.;
Arrive at Greer by 2.15 p. m.;
Leave Greer daily, except Sunday, on arrival of mail train, but not later than 3 p. m.;
Arrive at North Oakland in 30 minutes.
Annual pay, $100.

BUTLER COUNTY, PA.

11275 From Rattigan to Chicora, 4.50 miles and back, six times a week.
Leave Rattigan daily, except Sunday, at 8.10 a. m.;
Arrive at Chicora by 10 a. m.;
Leave Chicora daily, except Sunday, at 11 a. m.;
Arrive at Rattigan by 12.50 p. m.
Annual pay, $234.

BUTLER COUNTY, PA.

11278 From Saxonburg to Jefferson Center, 2 miles and back, six times a week.
Leave Saxonburg daily, except Sunday, at 11.30 a. m.;
Arrive at Jefferson Center by 12.15 p. m.;
Leave Jefferson Center daily, except Sunday, at 12.45 p. m.;
Arrive at Saxonburg by 1.30 p. m.
Annual pay, $100.

Star-route service in Pennsylvania.

Route number.	Length.[a]	Round trips a week.	Annual travel.	Annual pay.	Cost per mile of travel.
	Miles.		*Miles.*		*Cents.*
11113	9	6	5,616	$499.00	8.88
116	18	6	11,232	698.00	6.21
117	13.50	6	8,424	716.00	8.49
118	16	6	9,984	668.00	6.68
122	18	6	11,232	744.00	6.62
128	21	6	13,104	794.00	6.05
132	11	6	6,864	546.86	7.96
173	10	6	6,240	600.00	9.61
211	21.50	6	13,416	1,050.00	7.82
217	9.50	6	5,928	498.75	8.41
223	18.50	6	11,544	650.00	5.63
225	12.50	6	7,800	680.00	8.71
237	12	6	7,488	500.00	6.67
240	10	6	6,240	525.00	8.41
245	4	6	2,496	245.00	9.81
247	3	6	1,872	150.00	8.01
250	2	6	1,248	120.00	9.61
256	1.25	6	780	139.00	17.80
271	1.25	6	780	100.00	12.82
275	4.50	6	2,808	234.00	8.33
278	2	6	1,248	100.00	8.00
Total			136,344	10,257.61	7.52

[a] The carrier travels this distance twice each round trip.

Pennsylvania:		
Routes	number	1,258
Annual travel	miles	6,058,819.52
Annual pay		$345,189.95
Cost per mile traveled	cents	5.69
First contract section, Maine to West Virginia:		
Routes	number	5,642
Annual travel	miles	29,333,133.44
Annual pay		$1,548,077.64½
Cost per mile traveled	cents	5.27
Fourth contract section, West of Mississippi River:		
Routes	number	5,160
Annual travel	miles	42,493,153.60
Annual pay		$2,616,495.88½
Cost per mile traveled	cents	6.15
Rural free-delivery rate of $600 a year for 23 miles each week day	cents	8.30

Advertised September 16, 1901, as awarded to date.

Mr. WILLIAMS of Mississippi. Let me ask the gentleman this question: We did, at one time, get this mail delivered for $300?

Mr. LOUD. Yes, sir.

Mr. WILLIAMS of Mississippi. And later for $400?

Mr. LOUD. Yes.

Mr. WILLIAMS of Mississippi. And still later at $500?

Mr. LOUD. Yes, sir.

Mr. WILLIAMS of Mississippi. Then is it not reasonable to suppose that if we should put out this service by contract some of the same men who once did the work for $300 or $400 would still be living and would be willing to perform the service at similar figures?

Mr. LOUD. I hope so; and there is another thing about this, when they lay out these rural routes—another question that has escaped me—they can lay out 20 or 21 or 22 or 23 mile routes

here and there, and it always leaves bunches or sections of country that can not be served 5 or 6 or 7 miles in length. Always.

These people must forever be denied unless you can have a rural carrier there at seven or eight hundred dollars a year. That section of the country, which is a large section of this country, can not be supplied unless the man be paid the maximum salary, but under the contract system if it is 2 miles or 3 or 4 or 5 or 6 or 10 miles, whatever it may be, there are plenty of young men who would bid $100 or $150 or $200 a year, jump on a horse's back, and go and deliver the mail, or go on foot and deliver it.

Mr. BUTLER. Will the gentleman from California permit me to ask him a question right here?

Mr. LOUD. Right here or at no other place.

Mr. BUTLER. If the gentleman objects to my asking the question here I shall do it later.

Mr. LOUD. Go ahead.

Mr. BUTLER. I understood him to make a statement that there are pieces of territory not likely to be served where the routes would run perhaps 6 or 8 or 10 miles unless the maximum salary was paid. Did I so understand the gentleman?

Mr. LOUD. Substantially.

Mr. BUTLER. Does the gentleman know that in the United States there are very many routes running from 8 to 10 or 12 or 15 miles where the salaries do not exceed $300?

Mr. LOUD. I did not know it, but I will accept the gentleman's statement for it, if he says so.

Mr. BUTLER. The record from the Department shows, Mr. Chairman, there are from 40 to 60 such routes.

Mr. LOUD. That is a good many among 8,000.

Mr. SIMS. I want to ask the gentleman from California what effect this bill will have upon carriers already in, as to the term of service they will continue to have?

Mr. LOUD. I will state that the bill provides that carriers who would be in the service on the 1st day of July may be continued at a salary not exceeding $600.

Mr. SIMS. Indefinitely?

Mr. LOUD. Indefinitely.

Mr. SIMS. I want to ask this: Do not you think it would be well to put a limitation on that?

Mr. LOUD. Personally I should say not. I have no serious objection to putting a limitation on, but I am perfectly willing to leave that to the discretion of the Postmaster-General. I have discussed this question with some of the postal officials, and they make these suggestions, that there would be no desire to immediately disturb these carriers, not within six months, probably, or within a year. If $600, in their opinion, was just and equitable compensation the men will continue and will be permitted to continue indefinitely. If, however, it is apparent that it was not worth more than $250 or $350, in a reasonable time, in the discretion of the Post-Office Department, they would dismiss him and permit him to bid for it with other people.

Mr. SIMS. To be perfectly fair, would it not be right that people should have a right to bid for these routes that will in a reasonable time, as well as others, be let?

Mr. LOUD. I think they would, ultimately, within a reasonable time. I have no serious objection to the limitation of time, but I can see objections on both sides.

Mr. SIMS. I had heard that an amendment was going to be offered by the committee of that character and I wanted to know.

Mr. LOUD. Well, the committee will offer no amendment to this bill that I know anything about.

Mr. GAINES of Tennessee. I would like to ask if the rural system has not recently been put under what is known as civil-service law?

Mr. LOUD. I think so.

Mr. GAINES of Tennessee. Will not that divorce it as much as anything else from politics?

Mr. LOUD. I started to make a statement here about what a member of the House told me, and I have heard, in fact, several gentlemen state it, I suggested, as an argument in behalf of this bill, and I have used every argument I know, appealing to one gentleman with one argument and to another with another argument, and he raised objection to it. I said, "There is no more patronage in this question for you." He said, "Why, we will make the appointments just the same." I said, "How?" and I hope the gentleman up at the White House may hear my voice. "We have been promised."

The promise has gone forth that the members of this House in their districts shall control the patronage hereafter as in the past.

Mr. WILLIAMS of Mississippi. Notwithstanding the civil-service application?

Mr. LOUD. Notwithstanding the civil service. Why, the civil service is in this bureau itself.

Mr. GAINES of Tennessee. Does the gentleman know of anyone to whom that promise has been made?

Mr. LANDIS. Will the gentleman give the name of the person to whom he refers?

Mr. LOUD. I will not; but it is true.

Mr. WATSON. When the gentleman says that the civil service is in this bureau now, what does he mean?

Mr. LOUD. I mean they have a chief of this civil-service division in the rural-delivery division. They have clerks there—a chief.

Mr. GAINES of Tennessee. I would say to my friend from California that no such promise or intimation of promise has ever been made to me.

Mr. WATSON. They have a clerk, appointed how?

Mr. LOUD. The same as other clerks are.

I desire to beg the pardon of the House for taking up as much time as I have. I know that this House will give this question an honest, fair consideration, taking all things into consideration, particularly the fact that it protects carriers that have been appointed—and that is a serious question with a great many people, to protect the people they have in.

We saw that illustrated when we had the census legislation here, even by men who condemned the civil service since civil service began—anxious advocates of putting their own under the blanket. So if there are any such, if there are any members who want to keep the men who are in, we have provided for them, and we think we have met every objection that possibly can be raised, and the committee can assure you, I know, and they speak through me, that after all this investigation you will have under this system an absolute and safe delivery service outside of politics. You will not get any patronage, but you will hold what you have got. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LAWRENCE having taken taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had passed bills and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. R. 56. Joint resolution providing for a modification in the adopted project for the improvement of Everett Harbor, Washington;

S. 2287. An act granting an increase of pension to Georgie Josephine Walcott;

S. 3187. An act granting an increase of pension to Leroy S. Smith;

S. 3660. An act granting a pension to Mary Sweeney;

S. 3577. An act granting an increase of pension to Mary V. Walker;

S. 3585. An act granting an increase of pension to Mary Wolcott Kilburn;

S. 3320. An act granting an increase of pension to Adelaide G. Hatch;

S. 3743. An act granting an increase of pension to Frances Gurley Elderkin;

S. 1264. An act granting an increase of pension to Torgus Haraldson;

S. 3021. An act granting a pension to India Stewart;

S. 2327. An act granting an increase of pension to William Hoag;

S. 4024. An act for the relief of G. G. Martin;

S. 2938. An act granting an increase of pension to Margaret Dunn;

S. 3612. An act to remove the charge of desertion from the military record of Charles J. Clark;

S. 2082. An act granting an increase of pension to Louise Ward;

S. 1881. An act to correct the military record of Peter Connell;

S. 2802. An act granting a pension to Martha R. Osbourn;

S. 3704. An act granting an increase of pension to Frederick E. Rogers;

S. 4124. An act for the relief of G. G. Martin;

S. 4095. An act granting an increase of pension to Charles C. Dudley;

S. 3910. An act granting an increase of pension to Robert S. Woodbury;

S. 2625. An act granting an increase of pension to Carlin Hamlin;

S. 3865. An act to establish light-houses at the mouth of Boston Harbor to mark the entrance to the new Broad Sound Channel;

S. 3989. An act to establish a fish-culture station at or near the town of Mammoth Spring, in the State of Arkansas;

S. 2442. An act confirming title to the State of Nebraska of certain selected indemnity school lands;

S. 3057. An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands; and

S. 76. An act to provide for the purchase of a site and the erection of a public building thereon at New Orleans, State of Louisiana.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to Senate concurrent resolution No. 12, with an amendment, in which the concurrence of the House was requested:

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 24. An act for the relief of James W. Howell;

S. 1931. An act granting an increase of pension to Etta Scott Mitchell;

S. 3157. An act granting an increase of pension to Rhody Ann Bradshaw; and

S. 3204. An act granting an increase of pension to Mary T. Bruce.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to a bill of the following title:

H. R. 8581. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1903, and for other purposes.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 2815) granting an increase of pension to William S. Derby.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 4748. An act authorizing the President of the United States to nominate Lieut. Commander R. M. G. Brown, now on the retired list, to be a commander on the retired list;

H. R. 5224. An act for the relief of Edward Kershner;

H. R. 5218. An act granting an increase of pension to Joel Metz;

H. R. 2225. An act granting an increase of pension to James Morris;

H. R. 5959. An act granting an increase of pension to Francis Pearson, alias James F. Pearston;

H. R. 1280. An act granting a pension to Lizzie A. Campbell;

H. R. 2465. An act granting an increase of pension to James E. Charlesworth;

H. R. 3422. An act granting an increase of pension to James D. Elderkin;

H. R. 7237. An act granting an increase of pension to Eva H. McColley;

H. R. 9670. An act granting an increase of pension to Aaron C. Badger;

H. R. 8304. An act granting an increase of pension to Angeline Murray;

H. R. 3688. An act granting an increase of pension to John Gagan;

H. R. 1852. An act granting an increase of pension to James A. Edmonds;

H. R. 8306. An act granting an increase of pension to Thomas W. Robinson;

H. R. 2219. An act granting an increase of pension to Francis M. Gilman;

H. R. 1808. An act granting an increase of pension to William M. Strope;

H. R. 3412. An act granting an increase of pension to William H. Pierce;

H. R. 668. An act granting an increase of pension to Henry N. Tracy;

H. R. 969. An act granting a pension to Silas H. Cronk;

H. R. 5957. An act granting an increase of pension to Wright H. Auchmoody;

H. J. Res. 106. Joint resolution authorizing the Secretary of War to loan to the Pennsylvania Society of the Sons of the American Revolution certain Revolutionary trophies at Allegheny Arsenal, Pittsburg, Pa.;

H. R. 8620. An act granting a pension to Thomas Hall;

H. R. 9670. An act granting an increase of pension to Aaron C. Badger;

H. R. 4115. An act granting an increase of pension to William Engas;

H. R. 2561. An act granting a pension to Sarah O. Fields;

H. R. 7623. An act granting a pension to Aaron M. Applegate;

H. R. 2678. An act to incorporate the Eastern Star Home for the District of Columbia;

H. R. 202. An act to amend section 2294 of the Revised Statutes;

H. R. 3740. An act to confirm the title to lot 1, square 1113, in Washington, D. C.;

H. R. 8180. An act granting an increase of pension to William S. Derby;

H. R. 8336. An act to amend section 3 of chapter 480 of the laws of the United States, approved June 23, 1874; and

H. R. 10070. An act establishing a United States court at Catlettsburg, in the eastern district of Kentucky.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House is requested:

H. R. 5863. An act granting an increase of pension to Benjamin Brittingham;

H. R. 8541. An act granting an increase of pension to Mahlon C. Moores;

H. R. 428. An act granting a pension to Sarah Bowers;

H. R. 1939. An act granting an increase of pension to Penrose W. Reagan;

H. R. 1198. An act granting a pension to Josiah H. Buckingham; and

H. R. 1796. An act for the relief of Hiram Cronk.

RURAL FREE-DELIVERY SERVICE.

The committee resumed its session.

Mr. SWANSON. Mr. Chairman, I want to congratulate this committee on hearing from the chairman of the Committee on the Post-Office and Post-Roads such an exhaustive and such a forcible presentation of the case from his standpoint. I have served with the chairman of that committee, I believe, for ten years in Congress, and I desire to bear testimony to his knowledge of post-office matters, to his patriotism, to his courage, and his desire to do what is to the best interests of this country, as he conceives it. It has always been with a great deal of reluctance that I have differed with him in postal matters, but when this question was first presented to me as a member of the subcommittee, and as a member of that important committee, I could never get the consent of my mind as to the wisdom of the proposition that he proposes.

Now, I want to ask this committee to discuss this matter this afternoon dispassionately, calmly, quietly, and sensibly as to what is to the best interest of this country and to the best interests of the rural-delivery service. I am one, sir, who believes that the rural-delivery service is one of the most important services that has ever been started by this Government. I believe it has in it great blessings, and great blessings to all rural communities. I believe it will increase the value of farm lands; I believe it will increase the pleasure of country life; I believe it will prevent the great congestion of our population in the cities, which is one of the perils of our institutions and one of the great dangers of civilization to-day.

Consequently I want to discuss this service entirely from the standpoint of what is to the best interests of the rural communities affected alone by the service. Now, I recognize that it will cost a great deal of money to deliver the mail to and from all the rural communities, but I am here to say after investigation, after study on this committee for ten years, I believe if an effective and efficient rural-delivery service is put into effect in this country it will be but a short time when the rural-delivery service will more than pay for itself.

Now, to make it pay for itself you must have a really effective service. Put 400 people on a route. Pay $600 a year, and it is only a tax of a dollar and a half per year and everybody served on that route. If you will subtract from it the compensation paid to fourth-class postmasters, the compensation paid star-route service outside of rural-delivery service to-day—and that will do away with this expense when it is perfect—the expense will not be over 75 cents per capita for the population served. Now, to make the rural-delivery service pay for itself it must be effective, it must be the best service that can be rendered, and unless you do that you will get no return, you will get no increase of letters, you will have no increase of receipts.

Therefore, I believe the thing for this House, as I, as a member of the committee, discussed, is, What is the most effective system to pursue in order to make the rural-delivery service efficient? There was a great deal of criticism, when it was first inaugurated, about delivering mail in the city five and six and seven times a day, and when it was proposed there was a complaint made that it would bankrupt the Government, and yet the delivery of the mails in the cities from two to five times a day, instead of costing the Government money, has so increased the receipts of the post-office that the increased facilities in delivering and collecting mails has more than paid for itself.

When a man goes to a large city to-day, instead of sending for a messenger and paying him 25 cents, he writes a letter and puts it into the post-office, and it is delivered in a few hours. Consequently efficient service has paid in the cities; and I stand here to say that efficient service will pay in the country, and when this system has been perfected in its development I believe it is but a few years before the rural-delivery system will so increase the receipts of the Government to more than pay for itself.

The deficit of the Post-Office Department for this year, notwithstanding it has had a larger expenditure for the rural-free delivery, is less than for a number of years, and so the only issue between other members of this committee and myself is as to what will give the most efficient and effective service to the country. Now, that is what we want to attain, and when you attain that, mark me, you will attain a service that will abolish the star routes and some of the post-offices, and when it develops it will pay *for itself*. Consequently I can not get the consent of my mind to make at this time so radical a change in the Post-Office Department. This rural-delivery service has developed wonderfully in the last three or four years. That it has now developed is proven by the fact that there is a great and increasing demand for its extension and for its development.

Now, what does this bill propose? It proposes a radical change in the entire system without making the least experiment with reference to it and without the consent or sanction of the Department which is administering it. Now listen. In the present law there is no prohibition on the Post-Office Department to try an experiment with this contract system. I have been told by members of the Department that they intend to make an experiment where it is possible.

Mr. Chairman, what I was endeavoring to impress upon this committee was this: That this service has been in existence three or four years, and only for two years to any remarkable or very large extent. It is now in its developing, perfecting, and evoluting age. I want to say I do not believe there is a service, not even in the delivery of the cities, that has gotten the approval and support of the country as has the rural free-delivery service since it has been established. I can not get the consent of my mind to endanger this system by marking out one way in which it must be conducted in the future. When this system was first inaugurated it was sought to be diverted into a star-route system. Permission was sought to be given to the Second Assistant Postmaster-General to divert it and make it a star-route system, with permission to deliver the mail between one post-office and another.

Now, I want to say that if this bill does not pass the Department is not debarred from experiment during the coming year, and testing as to whether the contract system is or is not a success. As I have said, the Department says that it is willing and intends to make an experiment in any section, in any district, or in any route that anybody desires. I was willing, as a member of this committee, that any specific sum of money be appropriated to help make the experiment of the contract system, and if it should develop what is claimed by its advocates, then, when Congress convenes next session, if the experiment had been successful and the test had proven good, the Department would have an opportunity and Congress would have an opportunity to extend it and make it peremptory and positive.

Mr. RICHARDSON of Tennessee. Would not the civil-service law have to be repealed?

Mr. SWANSON. Congress has the power to repeal the civil service. The President has power to repeal the civil service.

Mr. RICHARDSON of Tennessee. You mean to say that the civil-service law, or whatever it is, would have to be modified before you could get this system inaugurated?

Mr. SWANSON. I do not believe that. I think they could get an efficient service and fix an eligible list and let those eligibles bid for the contract under the present law, and the Department could make the experiment of creating an eligible list and having it fixed out of the political power of the Post-Office Department, and then let the men on the eligible list bid. But if this experiment is adopted, and if this bill pass and it proves a death blow, if it should prove to be injurious or ruinous to the rural delivery, the Department has no discretion but to follow it, even if the service is destroyed before Congress convenes again.

Has not that been the experience, and has not that been the disposition that Congress has displayed on all matters as important as this, that before it made such an important departure as this to see whether it is a success, and if it is a success, then extend it and not destroy the system, but try the experiment? I told the chairman of the committee that I thought it was wise and I would consent that a specific sum of money should be appropriated to test and try the contract system and see if, as the friends claim, it would be a success, and if so, then Congress in the future should adopt it.

Mr. COWHERD. May I ask the gentleman a question?

Mr. SWANSON. Yes.

Mr. COWHERD. The gentleman says he would be willing to try the contract system provided the present system could be kept running along. I want to ask him if, under this bill—a provision in paragraph 4 of the bill—it is not provided to continne the present system so that the contract would apply only to the new service?

Mr. SWANSON. Now, I want to show you the fallacy of this bill, the lack of business sense in its preparation. What are the routes that could be put up to the lowest bidder? They are the routes at present established. They have run for a year, or some time; it is known the length of time and the hours it will take to make the delivery on them. The Department keeps the time in which the carrier goes to office and when he comes back, and if there are any routes that ought to be let and can be safely let to a contractor it is the route that the people know the time it will take to cover the present route; and yet the very routes the men could form a judgment about—could form an estimate as to the service they would have to perform in that contract—are the very routes you refuse to let go and be offered to bidders.

Mr. BROMWELL. Will the gentleman yield to me for a question?

Mr. SWANSON. Yes.

Mr. BROMWELL. The gentleman says the bill is drawn in an unbusiness-like way.

Mr. SWANSON. A portion of it.

Mr. BROMWELL. Is not the gentleman from Virginia a member of the committee?

Mr. SWANSON. I am.

Mr. BROMWELL. While the bill was under consideration, did the gentleman put in an appearance and take any part in the proceedings or attempt in any way whatever to give us the benefit of his wisdom?

Mr. SWANSON. I want to say that when the committee met I voted against the provision because I believed it was wise and proper for the friends of free rural delivery to give it an opportunity to be developed and evoluted before putting it in a straitjacket, and that the wisdom and sense of the committee would have been shown if they had waited until the system had grown and developed before trying to put it into a straitjacket. I want to say further that when the vote was taken I voted against it. I want to say further that when the committee met that I was a member of the Committee on Post-Offices and Post-Roads, I was a member of the Ways and Means Committee that had charge of the war-revenue act and the Philippine tariff bill, the Cuban reciprocity question, and all the time that I had to give, day and night, was given to those two committees.

Mr. BROMWELL. Will the gentleman answer my question, whether he was present at any time and offered any advice or suggestion as to the preparation of this bill? He says he was there at the final vote on it.

Mr. SWANSON. I knew nothing about the bill until I received the notice that the committee were going to meet at 11 o'clock, and I could not attend on account of a conference with the gentleman from Tennessee [Mr. RICHARDSON] and the gentleman from New York [Mr. MCCLELLAN] and other Democrats as to the Cuban reciprocity question. I knew nothing about the bill being severed from the appropriation bill until I received notice to be there at 11 o'clock.

Mr. LIVINGSTON. You were not one of the one hundred that was consulted. [Laughter.]

Mr. BROMWELL. Did not the gentleman get notice of the fact?

Mr. SWANSON. I received a notice, but the next morning I had a session or a conference with the gentleman from Tennessee [Mr. RICHARDSON] and the gentleman from New York [Mr. MCCLELLAN] and others.

Mr. THAYER. Will the gentleman from Virginia allow me a question?

Mr. SWANSON. Yes.

Mr. THAYER. Is not the Committee on the Post-Office and Post-Roads like the ordinary committees of this House, where the Republicans fashion their own bill and the Democrats can take them or leave them, as they see fit?

Mr. SWANSON. I do not believe the Committee on the Post-Office and Post-Roads has ever had before them a bill on which they divided by party lines.

Mr. BROMWELL. I hope the gentleman from Massachusetts is answered.

Mr. SWANSON. I think that committee has as little of partisan feeling as any committee of this House.

Mr. THAYER. I am glad that there is one committee of that kind in the House.

Mr. SWANSON. I want to do exact justice by that committee, and I say that I believe it is run on business principles as nearly as any committee can be run.

Mr. LIVINGSTON. I want to ask the gentleman from Virginia

why not put the city carriers on the same basis as the rural free-delivery carriers?

Mr. SWANSON. I am coming to that in a moment.

Mr. GAINES of Tennessee. The gentleman from Georgia just alluded to a consultation with 100 persons. I would like to ask what that means?

Mr. SWANSON. I do not know anything about the consultation. I want to say that the first time the proposition was submitted to me I took the ground that I believed that it would result in an inefficient service for the rural delivery; it would result in a loss of service, a loss of money to the Government by the contract system, and I objected to it from start to finish. And since I have heard the discussion of this question by the chairman of our committee, I have been more convinced than ever that my position was right.

The position I took was that the only method you can adopt to make the rural free-delivery service pay is to make it efficient. Now, let us inquire which is the better system to make the service efficient—the contract system or the salary system? The theory always pursued by this Government heretofore has been, where personal fitness was required, to fix a salary and then secure the services of the best men that can be got for that salary. I know that human nature can not execute theories perfectly, but that is the theory on which we have proceeded. Now, let us apply that principle to the rural-delivery carriers—the same principle that has been applied in other branches of the public service.

Let us see whether personal fitness is or is not an element to be considered in the selection of rural-delivery carriers. What does the rural-delivery carrier do? There is a vast difference between a star-route carrier and a rural-delivery carrier. The star-route contractor takes a contract for carrying the mail in bulk between two specified points—office A and office B. That mail is locked up; the carrier does not handle it. He neither collects the mail nor distributes it, except that recently there has been a star-route service under which mails are delivered at boxes along the road between the two offices.

But the chairman of our committee has failed entirely to tell you that this is a personal service; that mail can not be thus delivered by the star-route contractor except upon written request from the man who is to be served, the carrier being thus made an agent, not of the Government, but of the individual who requests that his mail may be so delivered.

Mr. LIVINGSTON. And that request has to be in writing?

Mr. SWANSON. Yes, it must be in writing.

Now, let us see what the rural-delivery carrier does. He collects letters; he must take mail matter which the people along the route may give him. People, of course, are most jealous as to who collects their mail; and the mail thus collected is distributed by the rural carrier, not in bulk. He sells postage stamps, and he cancels the stamps.

The chairman of the committee says that the rural carrier does not register letters; but he does give a receipt for a letter which is to be registered, and that receipt is just as effective as the receipt of the postmaster for a registered letter. He receives money for the purchase of money orders. I would like the chairman of the committee to tell me of a single duty performed by the postmaster which the rural carrier is not obliged to perform under the present system, except the issuing of money orders. And it will be but a short time before the rural-delivery carrier will be authorized to issue money orders.

Now, then, if it requires as much personal fitness to be a rural-delivery carrier as it does to be a postmaster, why do you not put your postmasterships up to the lowest bidder and let the man who will agree to do the service for the least money perform the duties of the office?

Let me go a step further. I want to tell you that the rural-delivery carriers have more personal service to render than the city carriers. A city carrier does not sell stamps; he does not receive money for money orders; he does not receive registered letters; he simply receives the mail and delivers it at the houses of the people. If personal fitness, personal aptitude, personal efficiency are required to make a man an effective city carrier it certainly requires more to make a man an effective rural-delivery carrier.

Now, these city carriers in the collection of the mail simply go to boxes and take out the mail which has been deposited there. They do not do any clerical duty. Yet they are employed upon salaries. Now, why should the rural communities be discriminated against? Why should they be subjected to competitive bidding and possibly low salaries?

If the contract system here proposed is right in one case, it is right in all. Let the gentleman from California come in here with a bill carrying out this principle in all the departments of the Government. Shall we give fish to one and stone to another? Shall we discriminate among the various employees of this Government, adopting no method of justice except to strike down the rural-delivery carrier?

Mr. LIVINGSTON. Will the gentlemen allow me to suggest that this bill provides for giving the rural service not to the lowest and best bidder, but to the lowest bidder?

Mr. SWANSON. I am coming to that point in a moment.

Mr. LIVINGSTON. The lowest bidder may be perfectly irresponsible.

Mr. SWANSON. Now, I want every friend of the rural-delivery service to weigh well this matter before voting upon the pending bill. If the star-route system should be applied to the rural-delivery service and that service should prove to be inefficient and destructive to the best interests of the Government and the community, this system must continue until the matter can be brought to the attention of Congress and a change be authorized by law.

Now, I want to say there has not been as much complaint against the rural-delivery service, that has been in force only three or four years, as there has been against the star-route service, which has been in force since the time of Benjamin Franklin and has had every opportunity to perfect itself. I have heard less complaint and less criticism of the present rural-delivery service than has been directed against the star-route service, which has been in effect in this Government for a hundred years and has had every chance for development and for evolution.

We are told that it is going to get us out of politics, and they come and try to get the Democratic votes on this side of the Chamber under that plea. We are told that it will go to the lowest bidder, that a Democrat can bid as well as a Republican, and that consequently there can not be any politics in it, and then in the next breath they turn around and tell you it is not going to the lowest bidder because that would get men least competent, with the least industry and the poorest cart and the poorest mule and the slowest service therefor. We are then told that the Postmaster-General must be satisfied of the efficiency, the capacity, the trustworthiness, and the competency of the man before he shall appoint him.

Mr. THAYER. I should like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. SWANSON. Yes.

Mr. THAYER. I should like to ask whether he knows of any remonstrance having been presented to Congress or to any committee in opposition to the now present theory of rural free delivery, or whether any persons have appeared presenting objection to the scheme as now carried out and asking that it be changed to a star-route service?

Mr. SWANSON. I have not heard a single complaint before the committee. There has not been a complaint made, so far as I am aware, by a single man who has been served with the service, and I know of no demand that has been made except by the members of this committee. If there is any other demand, I have not been able to hear of it, know of it, or see it.

Mr. SPERRY. There has been none.

Mr. SWANSON. Now, as I was saying, take the bill. They do not give it to the lowest contractor. After a dozen people have bid what is the method of procedure under this bill? Twelve men have bid for it. Every one of those twelve has got to prove to the satisfaction of the Postmaster-General that he is trustworthy, that he is capable, that he is competent, that he will render satisfactory service under the provisions of this bill before the award can be made.

Mr. GILBERT. Will the gentleman yield?

Mr. SWANSON. In a moment. The minute that these claims are filed before the Department at once complaints, clamors, and charges will begin against the lowest bidder on the part of the community served. Who passes on that? The Postmaster-General. When there are dissensions in your district between eight or ten applicants for a place and the questions of trustworthiness, of character, of efficiency and competency, of literacy or illiteracy are involved, before the appointment can be made you will be solicited by the various applicants and their friends to take a hand, and you will be embroiled in this fight before the Post-Office Department.

Instead of taking it out of politics, instead of making it nonpartisan, instead of getting rid of the present friction in connection with it, this bill will but multiply it, will produce dissension, complaints, and charges against the various applicants in the different districts through all portions of this country.

Mr. GILBERT. Now, here is my objection to the gentleman's proposition: A Democratic Congressman in Kentucky within the last ten days has recommended five Democrats to carry the mails. They have undergone the civil-service examination required by the inspector and all five of them have been turned down, and five carriers have been selected who were indorsed by the Republican postmaster in that Democratic district. Now, is it possible that they were all more competent than the five Democrats?

Mr. SWANSON. Was that since the 1st of February?
Mr. KLUTTZ. Did they pass the civil-service examination?
Mr. GILBERT. Yes; and this occurred in Kentucky. Now, I want to know if your proposition will not result in the establishment of a Republican machine in Democratic parts of the country?
Mr. SWANSON. If that condition of affairs exists, it is not bettered by this bill. The present Postmaster-General, under the provisions of this bill, before a man can be appointed would have to pass upon the trustworthiness, the character, the capacity, and competency of that man, as much as the nonpartisan board.
Mr. GILBERT. But there were 30 applicants, and 5 of the 30 passed the examination, about half Republicans and half Democrats; and all of those selected are Republicans, and all of those that are rejected are Democrats.
Mr. SWANSON. I would say, under the circumstances, that the civil-service examination was a farce and a humbug.
Mr. CLARK. And it is everywhere else, too.
Mr. WILLIAMS of Mississippi. That is just what we think it is.
Mr. SWANSON. I would say it was in that case, because the Democrats of that district were as competent as the Republicans. But I would like to know how the gentleman is going to prevent that, unless you give it entirely to the lowest bidder who is responsible, and stand on that. The chairman of the committee says he is not going to stand on that, that he is not willing to do it, and he admits that it will produce an inefficient service. It leaves the Postmaster-General instead of the civil-service board to pass upon the capacity, character, and trustworthiness of these applicants. It puts a double test.
Mr. MADDOX rose.
Mr. SWANSON. Wait a minute. It puts a double test, both of character and of price. I say you can not have a double test of that kind and leave it to a political power without having partisanship in it.
Mr. THAYER. I should like to ask the gentleman a question.
Mr. SWANSON. I yield to the gentleman from Georgia [Mr. MADDOX].
Mr. MADDOX. In this contract do they not reserve the right now to select any or all or to reject any or all, and to give it to the party that they see fit?
Mr. SWANSON. I say under this bill the Postmaster-General is given more power to exercise partisanship and control it for the benefit of the Republican party, if he so wills, than he has under the civil-service rules promulgated since the 1st of February.
Mr. CLARK. How can he make it under the rules when he appoints all Republicans now?
Mr. SWANSON. That was before the 1st of February.
Mr. CLARK. It will go on that way until the day of judgment.
Mr. SWANSON. I should like to know whether that route was established before the 1st of February or since the 1st of February. I have stated what the rules are. I do not know whether they execute them or not.
Mr. GRIGGS. Has the Republican party changed since the 1st of February?
Mr. SWANSON. The Republican party has not changed, but you propose to give it more power than it had prior to the 1st of February by indorsing this bill. You say you are not willing to give this entire power and control where I propose to have it put. Under this bill more power is given than was possessed by them on the 1st of February.
Now, Mr. Chairman, I want to say this, that under the present law—I do not know whether it is going to be executed or not—the rules put into effect the 1st of February, if executed, if carried out in spirit, I do not see how partisanship can enter into this service. The board must be composed of two Democrats and two Republicans and one person who has no politics as the fifth member of the board. It is specifically stated that no political indorsement will be received; that the politics of a man can not be inquired into; that they shall simply test the efficiency and capacity by an examination to determine whether he can register letters, whether he can read properly, whether he can write the address of letters properly, and then, under the rules, the party who is recommended by the patrons of the route shall have the preference.
Mr. ROBINSON of Indiana. I should like to ask the gentleman a question.
Mr. SWANSON. In a minute.
Now, it seems to me I had rather trust this Administration to carry out its own rules, its own regulations, its own laws that it promulgated on the 1st of February, that makes this thing nonpartisan, than to come in here and vote for a bill which leaves the matter entirely and absolutely with the Postmaster-General to appoint every carrier that he sees proper.
If I have got to take the chances in my district, if I have got to take the chances with my people, I would rather take them under the new rules and regulations promulgated the 1st of February than under the provisions of this bill, which makes the Postmaster-General absolute master of the situation.
Mr. ROBINSON of Indiana. I suppose the newspaper reports from different parts of the country have not escaped the gentleman's attention, wherein it is said that the rural free-delivery service is in some sense used as a political machine. Now, I ask the gentleman if he is not proceeding upon the theory that the present system of civil service recently applied to it entirely divorces it from partisan use and eliminates the question of its being a political machine?
Mr. SWANSON. I will say that if the rules promulgated the 1st of February for the rural-delivery service are executed in spirit and in justice it will cease to be a political or partisan machine, and I stand here to say that if this bill is passed it gives the Postmaster-General more power than he possesses under the new rule.
Mr. ROBINSON of Indiana. I will say to the gentleman from Virginia, as he is an able and observing member of the Post-Office Committee, that I should like to have him state how the law operates now. Take it in the Northern States, for instance, first, how does it operate there? And it has been charged that in the Southern States there is partisanship under the present system, an appointment of Democratic carriers by Democratic members.
Mr. SWANSON. I want to be perfectly frank with the House and I will say that under the system before the 1st of February they permitted me to name half of the carriers, and they were Democrats, and half of those named were Republicans.
Mr. ROBINSON of Indiana. Is that the general system throughout the South?
Mr. SWANSON. I understood that that was the system throughout the South. I do not know whether it is true or not.
Mr. KLUTTZ. It is so in North Carolina.
Mr. SWANSON. I was permitted to name half of the carriers in my district.
Mr. SHACKLEFORD. Do you know whether it was developed in the committee that it was not made a matter of politics?
Mr. SWANSON. I understood when the rural-delivery system was started that it was to be nonpolitical and nonpartisan. As to whether it has been or not, I do not know.
Mr. SHACKLEFORD. You are on that committee. Have you made any investigation?
Mr. SWANSON. I have made no investigation. I think it would be the duty of the gentleman from Missouri to investigate for himself.
Mr. SHACKLEFORD. But I am not on the committee and you are.
Mr. LLOYD. Will the gentleman permit me an interruption?
Mr. SWANSON. Certainly.
Mr. LLOYD. I wish to say in this connection for the benefit of the gentleman that in Missouri no Democrat has been permitted under the present system to name the carriers—any part of the carriers. In a few instances two or three have been permitted to name two or three carriers.
Mr. SWANSON. I want to say this, Mr. Chairman, that when this system was originated it was intended that the appointments should be made as they were in the Census Office; that they should be divided between the two parties. I want to say that, if it was not done that way, I do not believe it was done right, and ought not to have been done. But what I want to tell the gentleman from Missouri is, that under the new rules and regulations it can not be the least political. I want to say, after examining the new rules and regulations promulgated on the 1st of February—of course I can not say whether the Department will or will not execute them—the whole system goes out of politics. If they are not executed, then it stays in politics, but you have the Civil Service Commission to supervise it and you to enforce them.
Mr. WILLIAMS of Mississippi. Does not the gentleman know that the Civil Service Commission has nothing in the world to do with it?
Mr. SWANSON. I know it has.
Mr. WILLIAMS of Mississippi. It is a separate examining board of the Post-Office Department.
Mr. SWANSON. It is controlled by the central board, and that board is appointed by the Civil Service Commission. The central board passes on the examinations.
Mr. WILLIAMS of Mississippi. It is a board within the Post-Office Department.
Mr. SWANSON. But appointed by the Civil Service Commission.
Mr. WILLIAMS of Mississippi. On the recommendation of the superintendent.
Mr. CLARK. Is not this the reason of the difference that is meted out to the Southern Democrats and what may be called the border State and Northern Democrats—that the Republican machine over here does not believe there is any possibility of electing Congressmen or Representatives down South, while they

hope to take our districts from us? Is not that the milk in the cocoanut?

Mr. SWANSON. There may be something in that.

Mr. WILLIAMS of Illinois. And get Southern men to help them.

Mr. SWANSON. I spurn that imputation. I pretend to be as honorable as you. I want to say that the Southern Democrat is as much a Democrat as you.

Mr. WILLIAMS of Illinois. Let me say to the gentleman—and it is only fair—that I was not making any reflection upon you. I make it upon the Administration; and I say that it is evident that they are not proceeding on the same principle toward Democrats in the close districts in the North as they are toward the Democrats in the large Democratic districts of the South. I did not make a reflection upon the gentleman from Virginia. I am making it upon the Administration, and if the gentleman desires to defend the Administration against that assault, I am willing for him to make the attempt. [Applause.]

Mr. SWANSON. I have no desire——

Mr. WILLIAMS of Illinois. I am making no reflection on you.

Mr. SWANSON. I wish to say in response that you want to explain to the Democrats of Illinois how you can vote for a proposition that gives the very Department that you are now criticising the right to pass upon the character, capacity, and appointments of every Democrat in your district.

Mr. WILLIAMS of Illinois. I am ready to do so if you give me the opportunity.

Mr. SWANSON. I will do so.

Mr. WILLIAMS of Illinois. When you undertake to say that the Postmaster-General—and I speak without much consideration of this bill, for I knew nothing of it until I came in—when you say that the Postmaster-General has no power to stop this, when the committee or the Department or the Postmaster-General or the man responsible for the advertising of these bids, and who approves them—how long could he continue to practice politics in the award of contracts until it would be exposed and investigated? Do you tell me that it is a case like that where a man gets into office, where they simply get into office upon the recommendation of a member of Congress, that there is the legal responsibility in that that there is in the forms of a contract?

Mr. WILLIAMS of Mississippi. The star routes are not in politics.

Mr. WILLIAMS of Illinois. If the gentleman from Virginia has yielded to me to go ahead and make my explanation, I will be glad to do it now, but it will take considerable time. If he has not, I will take my own time, as I hope to get it, and show the gentleman that the political machine he is helping them to install is one which any party will feel the effects of in years to come, I care not under whose administration it may be, whether under a Democratic or Republican.

Mr. SWANSON. Mr. Chairman, I would not defend the Postmaster-General to the extent the gentleman from Illinois has. He says he is willing to leave all of this to the Postmaster-General, who is intrusted with the discharge of this matter.

Mr. WILLIAMS of Illinois. The gentleman must not misstate me.

Mr. SWANSON. The gentleman from Illinois said that the Postmaster-General under this bill would have absolute control of this matter; absolute control to decide whether a man was competent, capable, or not. He says he is willing to give him that power, and that he would probably discharge it. I say I am not willing to do it. I say further that I would rather leave it to the Civil Service Commission, which certainly makes a pretense of being nonpartisan, and the Post-Office Department does not.

Mr. WILLIAMS of Mississippi. Will the gentleman allow me a question right there?

Mr. SWANSON. Yes.

Mr. WILLIAMS of Mississippi. Is it not true that the contract system, wherever the star-route service is now inaugurated, leaves to the Government the right to reject any and all bids, and is it not true that the star-route system has never been used for partisan or political purposes?

Mr. SWANSON. Is the gentleman through?

Mr. WILLIAMS of Mississippi. And will the gentleman indicate the difference between the law now controlling the contracts of the star-route system——

Mr. SWANSON. You have asked two questions, now make the third.

Mr. WILLIAMS of Mississippi. It is all one question. Assuming that the two questions are to be answered in the affirmative, will the gentleman from Virginia state the difference between awarding the contract under the free rural delivery service, and awarding a contract to the star-route carriers so as to show this House where one could be used politically and the other not?

Mr. SWANSON. I will.

Mr. MADDOX. Will the gentleman from Virginia allow me a suggestion right there? Did you ever know a man in the star-route service that had sense enough to influence anybody in politics? [Laughter.]

Mr. SWANSON. Never. Now, Mr. Chairman, this question resolves itself into this, where I want to get the debate, because I want to discuss this in a businesslike way. You have either got to leave the Postmaster-General absolute control of the matter, and give him the power to make it a political machine, reject any and all bids upon his own partisanship, or you have got to leave it to the lowest bidder who is responsible and can give bond.

Mr. WILLIAM W. KITCHIN. If the gentleman from Virginia will allow me, I suppose the gentleman has already stated that under an honest enforcement of the regulations now in force in the Department, especially if they have fair and competent inspectors, it would be impossible to use this rural free-delivery system for partisan advantage. Now, would not the gentleman and the friends of the present system be willing to enact those provisions in the law rather than to have the system damaged by a contract system?

Mr. SWANSON. I have alluded to the fact that if the present rules and regulations promulgated are executed in spirit, if not violated, if there is at least an execution in half the spirit, it will be a removal from politics. I take this position, that you have got to leave it to the Postmaster-General to make it a political machine when he passes on the character, capacity, and competency, and involving every Congressman in it, or you are bound to leave it to the lowest responsible bidder and get that kind of a service. Now, which are you going to do? I am not willing to leave it to the Postmaster-General to increase his power and make it a vast political machine, subject to his whim and his caprice. If he has got the power to break down the service, if he has the power to drag down the rules and regulations promulgated by the President, he will do it more, and ten times more, when this bill passes and he is given absolute power.

Mr. WILLIAMS of Illinois. Up to how recently has the Administration had the complete control and selection without reference to the civil service?

Mr. SWANSON. Since the 1st of February.

Mr. WILLIAMS of Illinois. They had the power then to use politics?

Mr. SWANSON. That is right.

Mr. WILLIAMS of Illinois. I will ask, if this is a fair question, how many carriers the gentleman has in his district?

Mr. SWANSON. I do not know the exact number, but I suppose 30 or 40.

Mr. WILLIAMS of Illinois. How many appointed on your recommendation?

Mr. SWANSON. I was told they should be divided half and half between the two parties, and I suppose they were.

Mr. WILLIAMS of Illinois. Were the others appointed against your protest?

Mr. SWANSON. Half were named mostly by the Democratic chairmen, and the others by the Republicans.

Mr. WILLIAMS of Illinois. How were the 15 appointed whom you did not recommend?

Mr. SWANSON. They were recommended by the Republican chairmen.

Mr. WILLIAMS of Illinois. Then the appointees were divided equally between the two parties?

Mr. SWANSON. Divided about equally.

Mr. WILLIAMS of Illinois. That is not the rule which has been followed in my district.

Mr. SWANSON. I think it has been the rule in most of the Southern States.

Mr. KLUTTZ. That was the rule in North Carolina.

Mr. WILLIAMS of Mississippi. It has been the rule wherever there is practically no Republican party.

Mr. GAINES of Tennessee. I have understood that the appointee must be petitioned for by the people who are to be served.

Mr. SWANSON. I wish gentlemen to understand this matter correctly. Let them read the rules and regulations requiring a nonpartisan board appointed by the Civil Service Commission.

Mr. SHACKLEFORD. Has such a board been appointed?

Mr. SWANSON. I think so.

Mr. SHACKLEFORD. Does the gentleman know any of the members of the board?

Mr. SWANSON. I know that one of them was appointed from my district. The members were divided half and half between the Democrats and the Republicans.

A MEMBER. Was the appointee to whom the gentleman refers his own secretary?

Mr. SWANSON. He was up to the 1st of last November. There is nothing in this matter which I wish to keep from the House.

Mr. WILLIAMS of Illinois. What effect will the civil-service system have upon this question in your district?

Mr. SWANSON. Under the civil-service rule those now in the service will be kept in, and under this bill it is proposed to keep them all in. There is no difference in that respect. If there are 25 Republicans in this service in the gentleman's district to-day, the bill of the gentleman from California [Mr. LOUD] will keep them there.

Mr. LIVINGSTON. Comparing the present system with the system which will prevail under the operation of this bill, what advantage will the one offer over the other for the manipulation of the Congressmen of the district?

Mr. SWANSON. I was going to discuss that.

Mr. LIVINGSTON. I want the gentleman to do so.

Mr. SWANSON. There has been an effort to make Democratic members believe that if this bill passes we are going to get this matter out of politics. I say that there is but one way that you can get this question out of politics. If you will put this service under precisely the same regulations as the star-route service, you can get the question out of politics; because under the star-routes service the contract is given to the lowest responsible bidder, regardless of the question whether he can read or write and regardless of his personal fitness otherwise.

Mr. WILLIAMS of Mississippi. But under the star-route system the Postmaster-General can reject any and all bids.

Mr. SWANSON. Only where the bidder is irresponsible.

Mr. WILLIAMS of Mississippi. But the Postmaster-General is the judge of that.

Mr. SWANSON. The star-route service does not require trustworthiness; it does not require the contractor to be able to read or write; does not make any inquiry whether the contractor is a good or a bad man. The only test ever made in the star-route service is, Is the man able to deliver the mail in bulk from one office to another, and is he a responsible bidder, and can he give a good bond?

If you are willing to put the rural-delivery service on that basis—to require only what is required under the star-route service—in that way you can get this question out of politics.

Mr. GRIGGS. I understood the gentleman to say that under the star-route service the only requirement is that the bidder shall be able to deliver the mail in bulk.

Mr. SWANSON. That is right. He must be a responsible bidder for that service.

Mr. GRIGGS. Then that is the only test made?

Mr. SWANSON. The only one I ever heard of the Department making.

Mr. GRIGGS. The test prescribed under this proposed law is that he shall be able to deliver the mail satisfactorily to the individual?

Mr. SWANSON. No, sir; the bidder must satisfy the Postmaster-General that he is trustworthy. The gentleman has not read the bill.

Mr. GRIGGS. I understood the gentleman to say that the service must be satisfactory to the patrons of the route.

Mr. SWANSON. I beg the gentleman's pardon; I said the Postmaster-General. Now listen to the language of the bill:

Who shall furnish evidence satisfactory to the Postmaster-General——

Mr. GRIGGS. What must the bidder do under the star-route system?

Mr. SWANSON. All that is required of him is that he shall be the lowest bidder, and then upon his giving bond he gets the contract.

Mr. CLARK. If the law should add to the qualifications of the mail carrier under the star-route system the further requirement that he shall be able to read and write, would not the matter be then so fixed as to be taken absolutely out of the domain of politics?

Mr. SWANSON. Not at all.

Mr. CLARK. Why not?

Mr. SWANSON. I will tell you.

Mr. CLARK. As many Democrats can read and write as Republicans, and more, too, down in my district. [Laughter.]

Mr. SWANSON. I will tell you why. Will you permit me now?

Mr. CLARK. Yes.

Mr. SWANSON. You say this bill will take it out of politics more than the present civil-service regulations, promulgated on the 1st of February.

Mr. CLARK. That is what I say.

Mr. SWANSON. Now, let us see. Under this bill the Postmaster-General passes on the question as to whether a man can read or write; he passes on his trustworthiness, on his character, and on his capacity. He is given full scope to exercise his political preference. Under the civil-service rules or regulations a board appointed by the Civil Service Commission passes on precisely the same question.

Mr. CLARK. Why do you not answer the question that I ask you?

Mr. SWANSON. I do. I say the only difference between you and me is that I would prefer that the Civil Service Commission pass on that question of trustworthiness and of character and of qualification rather than the Postmaster-General.

Mr. CLARK. I know; but why do you not answer the question that I ask you—that if it is added to the qualification of a star-route carrier that he shall be able to read and write, if that would not take it entirely out of the domain of politics?

Mr. SWANSON. I say it would not take it out of the domain of politics, because under this bill you would have to satisfy the Postmaster-General, whoever was appointed, that he was a man of good character and trustworthiness and had these various elements of character; you would have to go before him, and evidence has got to be furnished him; you have got to file evidence before him.

Mr. NORTON. The gentleman says that the only way to remove this matter from politics is to put it on the same basis as the star-route service. Does that gentleman know that under the star-route service the greatest frauds occurred that have ever been perpetrated in this country?

Mr. SWANSON. That is right, Mr. Chairman. I say there is no way to take it out of politics except to put it under civil-service rule, as the new rules provide, or put it up to the lowest responsible bidder and leave no discretion about it whatever.

Mr. WILLIAMS of Mississippi. It is put up to the lowest bidder.

Mr. SWANSON. It is not. You must not have read the bill.

Mr. WILLIAMS of Mississippi. I have.

Mr. SWANSON. The bill leaves it entirely to the satisfaction of the Postmaster-General, and if he wants——

Mr. WILLIAMS of Mississippi. Who is to judge of the responsibility except the Postmaster-General? And it limits it by confining the responsibility to certain specific things. It is better than if it used the broad language of responsibility.

Mr. SWANSON. You make the Postmaster-General the judge of character, the judge of trustworthiness, the judge of everything that comes before him. Let me ask you this question——

Mr. WILLIAMS of Mississippi. Are not character and trustworthiness a part of responsibility?

Mr. SWANSON. No.

Mr. WILLIAMS of Mississippi. They are not? Oh, I thought they were.

Mr. SWANSON. Responsibility arises where a man gives a bond that he will do a certain duty. But you let the Postmaster-General go into the test of personal fitness, he has to pass on the question of personal fitness. I say I had rather have the personal fitness tried by the Civil Service Commission, that pretends to be out of politics, than by a Republican Postmaster-General. Now, Mr. Chairman, let us go further——

Mr. HILL. The Postmaster-General under this bill not only has the power to prescribe his fitness, but it is within his power to make regulations as to substitute carriers, so that by a series of straw bids one man can take the entire contracts for the United States.

Mr. SWANSON. Possibly that is true. Now, Mr. Chairman, let us go further. Now, put it down to the lowest bidder and say that is going to be the result.

Mr. GRIGGS. Will my friend permit a question right there?

Mr. SWANSON. I will.

Mr. GRIGGS. I understood my friend from Connecticut to say that by some sort or series of bids, secondary bids, some hocus-pocus, one way or another, one man could finally secure the contract for the entire United States. Is that it?

Mr. HILL. That is precisely the case. If the gentleman will explain the language of this clause on page 3:

Provided, That no person shall be awarded a contract for more than one route under this paragraph"——

Mr. GRIGGS. What page is that?

Mr. HILL. Page 3. Why don't you say "under this bill?"

Mr. CLARK. If that is all the trouble there is, why don't you offer an amendment making it "the bill?"

Mr. HILL. That is only the beginning of the trouble. It is rotten all the way through.

Mr. SWANSON. I ask for the floor, Mr. Chairman. Mr. Chairman, I ask for the floor.

Mr. GRIGGS. Will my friend from Virginia permit me one more statement?

Mr. SWANSON. I have taken more time now than I wanted to. Now, Mr. Chairman——

Mr. GRIGGS. Will my friend from Virginia permit me?

Mr. SWANSON. Mr. Chairman, I can not yield any more. I have been very liberal in yielding. I want to conclude. The gentleman has his own time.

Mr. GRIGGS. I will give some of my time to the gentleman.

Mr. SWANSON. I will hear the gentleman's question.

Mr. GRIGGS. I understood the gentleman from Connecticut [Mr. HILL] to ask you the question that I just put a moment ago, to which you assented?

Mr. SWANSON. Under that provision about a substitute——

Mr. GRIGGS. Yes; that under this bill a contract for the entire service in the United States could be awarded to one man. Is that true?

Mr. SWANSON. I do not know, unless it could be under the substitute provision. I have not read that carefully. You and the gentleman from Connecticut can decide that for yourselves.

Mr. GRIGGS. You assented to it?

Mr. SWANSON. I do not know. I have not read it. I am not deciding between you and the gentleman from Connecticut. [Laughter.] I want gentlemen on this side who favor this bill to see the position in which they put themselves. Here is what the Postmaster-General has promulgated, and here is what the President, who controls the Postmaster-General, has promulgated for governing this service since February. Now listen. Here are the rules promulgated by the President, and the Postmaster-General, to whom you are willing to trust this matter:

> Under no circumstances must political or religious affiliations of applicants be considered, nor can political indorsements be received or entertained. The merit of the applicant and the good of the service alone must be considered in submitting recommendations.

Now, that is the rule that went into effect the 1st of February. If the Postmaster-General can be trusted to pass on the character and capacity of contractors—as this bill provides—it seems to me he ought to be trusted to execute his own rules and regulations which he has promulgated in a nonpartisan way.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. SWANSON. Yes.

Mr. SLAYDEN. Did not the gentleman from Kentucky [Mr. GILBERT] call your attention a moment ago to a specific instance in which these rules that you state have been promulgated were violated?

Mr. SWANSON. If he will violate his own rules and regulations, that he has issued and that the President has issued, he will violate the rules when it comes to the question of contractors, and you increase his power more effectively and more efficiently by this bill.

Mr. SLAYDEN. If he will violate his own rules within thirty days after they are promulgated, what will he do when a political campaign is on?

Mr. BURLESON. I suggest to the gentleman that he get the date when this incident in Kentucky occurred.

Mr. WILLIAMS of Mississippi. He said the applicants stood the examination; and they had no examination to stand before the 1st of February.

Mr. SWANSON. I know nothing of that case. But I say to these gentlemen on this side who think that they are taking this question out of politics by supporting this bill that they are mistaken, and they will find, if they will read the provisions of this bill, that they are simply increasing the power for partisan politics.

Now, if it goes to the lowest responsible bidder, you will have an inefficient service, because the man who has less to do, the man who has less address, the man who has less energy, the man who has the poorest cart and the sorriest mule, can bid less than the man can who is willing to give better service, and consequently he will get the job. It will be just as it is in the star-route service. Everybody knows there is a general complaint about the inefficiency of the star-route service, as to the character of the carts, mules, horses, and the persons who render the service. Whenever the roads are muddy and slow, and traveling is difficult, everybody knows that frequently the mail does not reach the post-office under the star-route system. It is deficient.

Mr. GAINES of Tennessee. What objection has the gentleman from Virginia to making these rules a part of the statute?

Mr. SWANSON. None in the world. I should be glad to have them.

Mr. GAINES of Tennessee. Why don't you offer that sort of an amendment?

Mr. SWANSON. They have been promulgated, and are the existing rules. The rules of the Civil Service Commission are law until repealed, and there is a doubt as to whether the President had the right to repeal them.

Mr. GAINES of Tennessee. But these are mere rules. Will the gentleman offer them as an amendment?

Mr. SWANSON. I have no objection.

Mr. GAINES of Tennessee. And put in a penalty for disobeying the law.

Mr. BURLESON. As I understand it, the appointments made in the district of Kentucky are in the district represented by Mr. TRIMBLE. He can give the facts as to whether they were made before the 1st of February or not.

Mr. GILBERT. As I understand it, no examinations were had. The recommendations were made. As there is some misapprehension as to the statement I made a while ago, since then I have had an interview with my colleague [Mr. TRIMBLE]. Before the 1st of February he recommended 5 mail carriers, and since the 1st of February the 5 Democrats have been turned down, and 5 Republicans have been designated upon the recommendation of the Republican postmaster. The examinations were not had, but the recommendations were before the 1st of February in both instances, and 5 Democrats were rejected and 5 Republicans were selected.

Mr. SWANSON. I would state to the gentleman under those circumstances I would refer this case to the Civil Service Commission, which has charge of the matter, naming the parties, stating the facts, and bringing it before the Civil Service Commission. This country ought to know whether these rules are to be executed or are a mere pretense, and we will see if these rules are to be executed. All I ask is for any man to read these rules, and I am satisfied that if they are executed in spirit there can be no partisanship, as there ought not to be in the rural free-delivery service of this country, and as it was understood that there would not be when the service was first started.

I want to say that if the gentleman from Kentucky will give the Civil Service Commission the names of the gentlemen appointed and file his complaint the Civil Service Commission can make an investigation and see whether these rules are effective or whether they are mere pretense——

Mr. HILL. If the gentleman from Virginia will permit me, I will state I received information yesterday of the appointment of two carriers in my district, both Democrats.

Mr. SWANSON. Now, Mr. Chairman, I will proceed to discuss my objection to this bill. If you pass it you will leave to the Department finally to test the character and capacity of the men who are to carry the mail, and it makes it more partisan and less satisfactory; and if you leave it to the Civil Service Commission it leaves it nonpartisan and out of politics. If we leave it entirely to the lowest bidder who is responsible and able to give bond, it lessens the character, the capacity, and efficiency. If it is left entirely to the lowest bidder, I believe it will destroy the efficiency of the service.

The man who is the least competent, the least capable, who has got the poorest address, the poorest cart, the least equipped to perform the service, is the man who can bid to do it for the least. Consequently, I say, whichever horn of the dilemma you take, you are either bound to increase the politics and partisanship in it by passing this bill or compelled to decrease the efficiency of the service by giving it to the lowest bidder. Now, Mr. Chairman——

Mr. GAINES of Tennessee. Put these rules into the RECORD, so that we can read them.

Mr. SWANSON. I will.

Now, Mr. Chairman, where is the great complaint about the efficiency of this service. There has been complaint from Missouri, from Tennessee, and from some other States about its being used for partisan and political purposes. All of these complaints that I have heard do not apply to the efficiency or desirability of the service, but to the partisan appointment of carriers. All this occurred before it was put under civil service. I say you can get no benefit from the conditions that confront you by any such bill as this. I would rather take my chances under the Civil Service Commission or appeal to the Civil Service Commission, for if they have violated any of the regulations since the 1st of February, they will right them.

Mr. GAINES of Tennessee. What Civil Service Commission is it?

Mr. SWANSON. The present Civil Service Commission.

Mr. GAINES of Tennessee. Is there a new Commission that has charge of it?

Mr. SWANSON. No; it is the present Civil Service Commission.

Mr. GAINES of Tennessee. Well, is not there a new board to pass upon this?

Mr. SWANSON. They have a board under them known as the central board, but the Civil Service Commission has absolute control of this board and appoints it, I understand, and you may appeal to the Commission.

Now, let us see the objections to and the reasons for this bill. The gentleman from California [Mr. LOUD] said that one reason for this bill is because it is impossible to fix the proper compensation for the rural carrier on account of the difference and great diversity in the routes. Let us see whether that is true or not. Let us see if you can not fix the basis of pay of rural carriers as well as of the city carriers. The route can be established; they keep the time-table, the time when a man starts and when he gets back, and they can form an average at the end of the year of the time that is taken to carry the mail on this specific route.

If it takes only six hours they can enlarge it until it takes eight.

They can fix the route so it will take about eight hours as well as they can fix the route in the city. It is just as practicable to fix the time tables for a carrier in the country under the system that has been developed and evoluted and perfect it as it is in the city. It can be fixed in proportion to the time taken to render the service. For instance, if it takes eight hours and the pay of the man is $600—take it on a route that has only taken four hours—they could pay him $300. You can fix the route, as the Department is doing to-day, in proportion to the time taken.

It would seem to me that on that basis it can be fixed just as well and just as effectively as it can be fixed where the carrier is in the city. Now, Mr. Chairman, I have detained this committee much longer than I expected. I am satisfied that if you will get an effective rural free-delivery service, one that can be developed and evoluted, one that can carry the mail to all the people in this country that want it, in three or four years that service is going to pay for itself.

As I said, if 400 people in the country are served to-day, if you subtract from it the star-route service that is abolished and the post-offices that are abolished the tax would not be 75 cents per capita on the people served. The increased letters at 2 cents apiece, which a man would use on account of the increased efficiency on account of the daily service, brought to his door, would more than pay for this. That has been the experience from the delivery in the cities, and I am satisfied it is going to be the experience of the delivery in the country.

Take another view of it. Under this bill, at any time after a man has contracted to deliver the mail he can throw it up in thirty days by notifying the Government, and the Government has to re-let it again to the highest bidder. Every fellow that has got no job and simply wants a makeshift, simply wants employment for a few months, can afford to underbid his neighbor and get it and then throw it up. He can take the job in good weather, and after he has had it three months or gets something else to do he can serve notice on the Government that he wishes to surrender the job, and it must be re-let. Under this condition, in the time of snows and hail and the winter winds, when the work is disagreeable, there will be many who will surrender jobs.

Mr. LIVINGSTON. And the rural people have got to go without their mail.

Mr. SWANSON. Yes; and that is the very time that they want it, when snows and inclement weather comes. Think of it, letting this great service to people for no specific length of time, and of permitting rules which would allow a contractor to give thirty days' notice, when he anticipates bad months, and quit. The Weather Bureau prophecy of bad weather during winter would be followed by many resignations.

Mr. SIMS. Does the gentleman think that any carrier would be justified in quitting his job on a notice from the Weather Bureau? [Laughter.]

Mr. SWANSON. Well, he might have some hesitancy about it.

Mr. WILLIAMS of Mississippi. Does the carrier give a bond?

Mr. SWANSON. He gives a bond, but this bill allows him to resign in thirty days.

Mr. COWHERD. Can not the rural-delivery carrier resign now?

Mr. SWANSON. They can at once appoint a man——

Mr. COWHERD. Is there not a provision in this bill under which the Postmaster-General can arrange for a substitute?

Mr. GAINES of Tennessee. There is always a substitute carrier.

Mr. SWANSON. Yes; the law provides for a substitute carrier. If such rules exist, the Postmaster-General can give thirty days' notice, and in that way, if he wishes, get rid of any Democratic carrier who may be appointed under this bill.

Mr. SIMS. If this bill should be passed, ought there not to be a reletting upon routes where this service is already established? Ought not the service there, as elsewhere, be given out upon contract?

Mr. SWANSON. I say that if there is any reason for putting any route under the contract system, it is better that the rule should be applied on routes already established than on new ones. Yet under this bill it is provided that the service may be continued upon such routes, and at the same time it is provided that upon new routes, where one does not know the number of hours required for the service, or anything about the number of horses necessary to do the work, it is provided that in these cases the service shall be put up to the lowest bidder.

Mr. WILLIAMS of Mississippi. The gentleman has said that these carriers may resign at any time. Will he point out the clause of the bill under which that may be done?

Mr. SWANSON. Under the general law I suppose, and I so understood from the remarks of the chairman of the committee whom I never knew to make a mistake in regard to a matter of that kind.

Mr. WILLIAMS of Mississippi. I find nothing of that character in the bill.

Mr. LOUD. I simply said that the bidder could make a contract for a year or for such a time as might be agreed upon.

Mr. WILLIAMS of Mississippi. In other words, a man could contract for less than a year's service; but he could not resign during the term for which he had contracted without liability on his bond.

Mr. LOUD. Oh, no.

Mr. WILLIAMS of Mississippi. I thought not.

Mr. SWANSON. The proposition as I have understood is that on thirty days' notice either the contractor or the Government could cancel the contract. I supposed that was the intention of the bill. The report of the majority so states.

Mr. GAINES of Tennessee. I hope my friend will take up those civil-service rules which he started to read a few moments ago and explain their operation. They are new, and we may want to make them a part of this bill to-morrow.

Mr. SWANSON. I will put them in the RECORD.

Mr. GAINES of Tennessee. Can not the gentleman explain them to the House now?

Mr. SWANSON. Any member of the House can obtain a copy of those rules at the Department.

Now, Mr. Chairman, another difficulty about this bill is that every time that you want to extend a route, every time that you wish to increase the service so as to include persons not before included, the contract will have to be re-let. The contractor would have no assurance that he would again receive the contract under a reletting. He would always have an uncertain tenure. His friends would be more or less opposed to any extension of the service, as it might cause him to lose his job. Consequently there would be a retardation of the development and operation of this service.

Mr. CLARK. Is it not a fact with regard to the existing star-route service that the Government has a perfect right to make a change whenever it pleases?

Mr. SWANSON. That is so.

Mr. CLARK. Then could the rural carriers be placed in any worse fix than that in which the star-route carriers are liable to be placed?

Mr. SWANSON. If we want to put the rural-mail delivery upon the same basis as the star-route service, the gentleman is right. But I do not wish to make the rural-delivery service an exact counterpart of the star-route service. I want to make it better.

Mr. CLARK. One other question. The gentleman says, as I understand, that the routes already established are those which should especially be subjected to this bidding, because, except on an established route, no one could tell the actual amount of service to be rendered. Does not the gentleman believe that any citizen living along a given route could take up a piece of paper and a lead pencil and in thirty minutes cipher out the amount of service and how much ought to be paid?

Mr. SWANSON. He could not. His time would often depend upon the number of letters to be registered, the number of money orders to be purchased, and other irregular work by the carrier, etc. A contractor on a star route wants to get through as quickly as possible and render as little service as possible, carrying as few letters as possible, selling as few money orders as possible. He would not feel under any obligations to be specially pleasant or accommodating to the patrons of the route. But when, under the existing system, a man undertakes this rural-delivery service he feels a responsibility resting upon him to make that service effective and satisfactory to his patrons. He is anxious to be pleasant and accommodating.

I am satisfied that in this way there is an important difference between a contractor and a salaried carrier. I want to appeal to the friends of the free rural-delivery service who are satisfied that this service is a success, who are satisfied that it has benefited the Government and benefited its patrons, let us stand by it and let it develop and let it evolute, and I believe that in less than five years that service will more than pay what it costs this Government in increased receipts. It will benefit country life. I see no reason why rural-delivery service should be put up to competitive bids, so as to get inefficient and incompetent service. It is entitled to as efficient and competent service as is had in any other department of this Government.

Mr. SMITH of Kentucky. I would like to ask the gentleman one question before he sits down. It is this: Assuming that the Administration is going to select men who agree with it in politics as carriers, can the gentleman see a distinction between having a carrier at a good round sum per annum, out of which he could make a nice contribution to a campaign fund, and having a carrier who has gotten his contract under a competitive bid that would prevent him from making such a contribution?

Mr. SWANSON. I would say that if he got it under a competitive bid in which he was not the lowest bidder, but on account of the Postmaster-General saying that he was of better character and was more trustworthy than the lowest bidder, as this bill permits, he would feel under more obligations than he would if he was an appointed and salaried carrier.

Mr. KLUTTZ. The Postmaster-General could select men who could give that service.

Mr. SIMS. I want to show this, the way that they have been doing it in Tennessee. The First and Second districts are represented by Republicans. In the First there are 104; in the Second, 43; in the Third, 6; in the Fourth, none; in the Fifth, 20; in the Sixth, 19; in the Seventh, 28; in the Eighth, none; in the Ninth, 5, and the Tenth, 1. Now, what kind of an administration is that which treats these districts in that way under the present law?

Mr. SWANSON. I think it is very unfair and unjust and inequitable, but I think when you pass this bill you give them a power still greater to do that. I would like to know how this bill is going to change that.

Mr. KLUTTZ. Those routes were established under the old regulations before the 1st of February.

Mr. SWANSON. I would like to ask the gentleman how does this bill change that and prevent the Department from exercising that same discrimination?

Mr. SIMS. Does the gentleman think he could make it any worse by any bill?

Mr. PADGETT. Must not that depend very largely upon the number of petitions sent out?

Mr. SIMS. In the Fourth district there were five and not one established, and in the Eighth district there were eighteen petitions and but one established.

Mr. SWANSON. The position I take is that this bill does not prevent in one iota any such administration of the law. You simply increase it, and I say it is wise for people who want to take it out of politics, who want to make it nonpartisan, who want to make it serve the people, to give the new rules under civil service a fair show. [Applause.]

I believe this bill will be destructive of an efficient and good rural-delivery service. The Department will be unable to discipline contractors as well as they can carriers appointed and salaried. It will prevent its development and growth. It will, by reducing its efficiency, prevent its becoming self-sustaining. I am unwilling to make so radical a change on conjecture and experiment. I reserve the balance of my time. [Applause.]

Mr. PAYNE. Mr. Chairman, I would say to the gentleman from California [Mr. LOUD] that I would like at this time to bring up the conference report on the Philippine tariff bill, if he has no objection to the committee rising at this time.

Mr. LOUD. I will make that motion.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GILLETT of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation of employees thereof, and had come to no resolution thereon.

PHILIPPINE TARIFF BILL.

Mr. PAYNE. Mr. Speaker, I desire to call up the conference report, and I ask unanimous consent to dispense with the reading of the report and that the statement be read in its stead.

The SPEAKER. The gentleman from New York asks unanimous consent to dispense with the reading of the report and that the statement be read. Without objection, this course will be pursued. The Chair hears none. The Clerk will read the statement.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 6, 7, 8, 9, 10, 11, 12, and 13, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Strike out of the matter inserted by said amendment the word "exportation" and insert in lieu thereof "shipment;" strike out the word "now" in line 15 of the matter inserted by said amendment; after the word "duty," in the matter inserted by said amendment, insert "under the provisions of this act," and strike out, in line 16 of the matter inserted by said amendment, the word "exported" and insert "coming;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: Strike out all of the amendment after the word "further," in line 2 of the matter inserted, and insert in lieu thereof the following: "That the Philippine Commission shall be authorized and empowered to issue licenses to engage in lighterage or other exclusive harbor business to vessels or other craft actually engaged in such business at the date of the passage of this act, and to vessels or other craft built in the Philippine Islands or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: Strike out all the section and insert in lieu thereof a new section, as follows: "That the provisions of the act entitled 'An act to simplify the laws in relation to the collection of revenues,' approved June 10, 1890, as amended by an act entitled 'An act to provide for the government and to encourage the industries of the United States,' approved July 24, 1897, shall apply to all articles coming into the United States from the Philippine Archipelago;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the word "court," in line 5; and the Senate agree to the same.

SERENO E. PAYNE,
JOHN DALZELL,
Managers on the part of the House.

H. C. LODGE,
W. B. ALLISON,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

Statement of the managers on the part of the House of the conference on the disagreeing vote of the two Houses on the amendments of the Senate to H. R. 5833.

The managers on the part of the House agree to amendment No. 1, with certain changes in the phraseology in order to make it conform to the decision of the Supreme Court in the insular cases.

Amendment No. 2 limits the imposition of tonnage taxes to foreign vessels instead of all vessels, including those of the United States; and the House agrees to the same.

The Senate recedes from its disagreement to amendment No. 3; and the House agrees to the same.

Amendment No. 4 fixes the time of the suspension of the navigation laws in reference to vessels engaging in the coastwise trade between the Philippine Islands and the United States, and limits it to July 1, 1904.

Amendment No. 5 relates to vessels and other craft engaging in lighterage in the Philippine Islands. The House agrees to a substitute for said amendment, which authorizes the Philippine Commission to issue licenses to all vessels engaged in lighterage and harbor business on the passage of the act, and also to vessels of the Philippine Islands and of the United States.

Amendments Nos. 6, 7, 8, and 9 relate merely to the phraseology and do not alter substantially the House bill; and the House recedes from its disagreement and agrees to the same.

Amendment No. 10 inserts the word "foreign" before vessels, the same as amendment No. 2; and the House agrees to the same.

Amendment No. 11 provides for the refund of internal-revenue taxes collected on articles shipped to the Philippine Islands after November 15, 1901, and appropriates money for the payment thereof; and the House agrees to the same.

Amendment No. 12 is an immaterial change in the phraseology.

Amendment No. 13 authorizes a return of duties, less 1 per cent, paid upon goods, which are in bonded warehouses, to be shipped to the Philippine Islands; and the House agrees to the same.

Amendment No. 14 is a new section, and the conferees struck out the matter inserted by the Senate and substituted a new section therefor, extending all the provisions of the administrative laws to goods coming from the Philippine Islands to the United States.

The House agrees to amendment No. 15, striking out the proviso.

SERENO E. PAYNE,
JOHN DALZELL,
Managers on the part of the House.

Mr. PAYNE. Mr. Speaker, I would ask the gentleman from Tennessee [Mr. RICHARDSON] if any debate is desired on that side of the House?

Mr. RICHARDSON of Tennessee. Yes; we want a little time to debate it.

Mr. PAYNE. How much time does the gentleman want?

Mr. RICHARDSON of Tennessee. How much time does the gentleman purpose giving on the bill for debate?

Mr. PAYNE. So far as I am concerned, I want about five minutes.

Mr. RICHARDSON of Tennessee. There are several gentlemen here who desire to be heard, and I could not agree now to fix the limit of debate.

Mr. PAYNE. Well, then, Mr. Speaker, I think I will keep control of the time. I want to say a word.

Up to the time of the assembling of Congress the Government had been collecting, on goods coming from the Philippine Archipelago into the United States, the full Dingley rates. On the 2d of December the Supreme Court handed down a decision that under the Dingley law we were not entitled to collect any duties on goods coming into the United States from those islands.

In the meantime the Philippine Commission had passed a general tariff bill for goods coming into the Philippine Islands and also imposing certain export duties on goods shipped from these islands. It seemed important to the Committee on Ways and Means, as soon as it was organized, to report a bill to the House to preserve, as far as possible, the status quo which had existed before the decision of the Supreme Court and also to turn into the Philippine treasury all of the collections made on goods coming from the islands into the United States. Such a bill was reported, and passed the House on the 17th of December, just before the holiday recess.

About that time the report of the Philippine Commission had been received and was put into the hands of the printer. I think I said, in answer to a question of some gentleman on the other side, that I had seen that report. That was true, and I supposed I had read all that was said in that report upon the tariff question.

What I had then read was sent to me under a separate cover. It related only to the tariff imposed upon goods coming into the Philippine Islands, and did not relate to those goods coming from the islands into the United States; and I did not then know that the Philippine Commission had recommended that there be a rebate of the duties on the goods coming from the Philippine Islands; so that while I was acting entirely in good faith, and while I had seen the report, I had not read that part of it.

Subsequently that report was received and went to the Senate, and on the recommendation of that report the Senate made a rebate of 25 per cent of the duties on goods coming from the Philippine Islands, and also abolished the export duty on goods coming from those islands to the United States, both of which provisions are included in amendment No. 1; and with some verbal amendments, making changes in the phraseology, we have agreed to that amendment.

It was fortunate, I think, that the House passed the bill on the 17th of December, as I was informed that but for the passage of that bill some parties in the United States had arranged for the formation of a syndicate to bring in a shipload of tobacco while it could come in here free; but because of the promptness of the action of the House, and looking for something like that same promptness in the Senate, they did not think it well to make the venture; so that very few goods have come in up to this time. I am anxious that this bill may become a law as soon as possible, in order that the tariff may affect whatever goods come through, in order that the insular treasury may get the benefit of those duties.

As to the other amendments of the Senate, one of them provides that the tonnage taxes which we had imposed should apply only to foreign vessels engaged in the trade between the Philippine Islands and the United States. They also limit the time for the suspension of our coastwise navigation laws to the 1st of July, 1904, to which provision the House agrees.

They also attempted to give the right of appeal in cases arising under the tariff on goods coming from the Philippine Islands to the United States, and we have adopted a substitute for that which applies all the administrative laws to the subject of goods coming from the Philippine Islands to the United States.

In addition to that the Senate passed a section which had no reference whatever to the tariff or to revenue or anything else in the bill. In the first place, they enacted a portion of the Constitution of the United States, and we did not object to their putting that in this bill. That provision was—

> That no person in the Philippine Islands shall, under the authority of the United States, be convicted of treason by any tribunal, civil or military, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

To that portion of the amendment the House conferees have agreed, and it is contained in the report. They also added a proviso:

> *Provided*, That there shall be no conviction or punishment under the authority of the United States by any tribunal, civil or military, of any mother or father for failing to give information against his or her child, or of any son or daughter for failing to give information against his or her mother or father, or of any husband failing to give information against his wife, or of any wife for failing to give information against her husband.

We did not see the necessity of that amendment and did not agree to it, and the Senate has receded from it. The Senate has adopted the conference report. That is all I wish to say at this time, and I will yield to the gentleman——

Mr. UNDERWOOD. I would like to ask the gentleman if the practical effect of the adoption of this conference report is to establish a tariff between the Philippine Islands and the United States of 75 per cent of the Dingley rates?

Mr. PAYNE. Yes; on goods coming from there here.

Now I will yield to the gentleman from Tennessee thirty minutes, if he desires it.

Mr. RICHARDSON of Tennessee. I would rather take the floor in my own right in opposition to the bill.

Mr. PAYNE. I think I will control the floor, Mr. Speaker.

Mr. RICHARDSON of Tennessee. I do not think we ought to be called upon to pass this bill in such haste. This is a bill of considerable importance, and it ought to be discussed, it seems to me.

Mr. PAYNE. The gentleman seems to forget that this bill passed about two months ago, and it is only here on the amendments of the Senate.

Mr. RICHARDSON of Tennessee. I have not forgotten that. Why not let it go over until to-morrow and pass it then?

Mr. PAYNE. I do not think there is any difficulty about passing it to-night. I will yield thirty minutes to the gentleman.

Mr. RICHARDSON of Tennessee. I do not see how there could be any objection to that. We had only two days' debate upon this matter.

Mr. PAYNE. The gentleman ought to remember that this is only a temporary measure. Does the gentleman desire the thirty minutes?

Mr. RICHARDSON of Tennessee. I have some demands for time. I do not think they can be heard within thirty minutes.

Mr. PAYNE. I yield the gentleman thirty minutes.

Mr. RICHARDSON of Tennessee. I do not think we can present our opposition to this bill in thirty minutes. I think we ought to have an hour, although we may not use all of it. There is one gentleman who desired to speak on the conference report who was called away this afternoon and will not be back, the gentleman from Virginia [Mr. JONES].

Mr. PAYNE. I will yield thirty minutes to the gentleman, if he desires it.

Mr. RICHARDSON of Tennessee. And one other gentleman who was to have spoken is not here, or is not in his seat. We are taken by surprise by taking this bill up this afternoon.

Mr. PAYNE. I can not yield the gentleman more than thirty minutes. If he does not want to take it, why——

Mr. RICHARDSON of Tennessee. It is absolutely impossible to discuss this bill with two or three gentlemen in thirty minutes. I will not take the floor, occupy one-third of the time, and then yield to other gentlemen. If we can only have thirty minutes, why, you may call the roll on the bill.

Mr. PAYNE. Mr. Speaker, I move the previous question, then.

The question was taken on ordering the previous question; and the Speaker announced that the noes appeared to have it.

Mr. PAYNE. Division, Mr. Speaker.

The House divided; and there were—ayes 73, noes 62.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Tennessee makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and forty-seven gentlemen present; not a quorum.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. PAYNE. Division.

The House divided; and there were—ayes 67, noes 81.

So the House refused to adjourn.

Mr. RICHARDSON of Tennessee. Now, Mr. Speaker, I ask for tellers on the demand for the previous question.

The SPEAKER. The Chair is of opinion that that is not in order.

Mr. RICHARDSON of Tennessee. There is no quorum present. That forces the call of the roll under the rules.

The SPEAKER. Under the special rule applying to such cases, the yeas and nays will be ordered.

Mr. CANNON. Before you commence the call, I would like to appeal to the gentleman from New York and the gentleman from Tennessee and the House.

Mr. RICHARDSON of Tennessee. I demand the regular order. I think there is nothing in order but the call.

Mr. CANNON. I was trying to reach unanimous consent.

Mr. RICHARDSON of Tennessee. The gentleman should have been in if he has any lecture to deliver.

Mr. CANNON. There is no lecture about it.

The SPEAKER. Gentlemen will be in order, and the Clerk will call the roll.

The question was taken, and there were—yeas 105, nays 84, answering "present" 10, not voting 157; as follows:

YEAS—105.

Acheson,	Fletcher,	Lacey,	Schirm,
Aplin,	Fordney,	Landis,	Scott,
Barney,	Foster, Vt.	Long,	Shelden,
Bartholdt,	Gardner, Mich.	Loud,	Sherman,
Bishop,	Gardner, N. J.	McCall,	Showalter,
Blackburn,	Gillet, N. Y.	McCleary,	Skiles,
Boutell,	Gillett, Mass.	Marshall,	Smith, Ill.
Brick,	Graff,	Mercer,	Smith, Wm. Alden
Bromwell,	Greene, Mass.	Miller,	Southard,
Brown,	Grosvenor,	Minor,	Sperry,
Burk, Pa.	Grow,	Moody, Mass.	Steele,
Butler, Pa.	Haskins,	Moody, N. C.	Stevens, Minn.
Calderhead,	Heatwole,	Moody, Oreg.	Stewart, N. Y.
Cannon,	Hedge,	Morgan,	Sutherland,
Cassel,	Hemenway,	Mudd,	Tawney,
Cooney,	Henry, Conn.	Naphen,	Tirrell,
Corliss,	Hepburn,	Olmsted,	Tompkins, N. Y.
Cousins,	Hildebrant,	Overstreet,	Tongue,
Cromer,	Hill,	Patterson, Pa.	Van Voorhis,
Currier,	Hitt,	Payne,	Vreeland,
Dalzell,	Holliday,	Pearre, Md.	Wachter,
Darragh,	Hopkins,	Perkins,	Warnock,
Dick,	Howell,	Ray, N. Y.	Weeks,
Draper,	Hughes,	Reeves,	Woods.
Driscoll,	Jack,	Roberts,	
Esch,	Jones, Wash.	Rumple,	
Evans,	Kahn,	Russell,	

NAYS—84.

Allen, Ky.	Finley,	Little,	Selby,
Ball, Tex.	Fitzgerald,	Lloyd,	Shackleford,
Bankhead,	Fleming,	McClellan,	Shafroth,
Bell,	Gaines, Tenn.	McCulloch,	Sims,
Brantley,	Gilbert,	McLain,	Slayden,
Broussard,	Gooch,	McRae,	Small,
Burleson,	Gordon,	Maddox,	Smith, Ky.
Burnett,	Griggs,	Miers, Ind.	Stark,
Candler,	Hooker,	Mondell,	Swanson,
Cassingham,	Howard,	Moon,	Talbert,
Clark,	Jackson, Kans.	Padgett,	Tate,
Cochran,	Johnson,	Pou,	Thayer,
Conry,	Kehoe,	Randell, Tex.	Thomas, N. C.
Coombs,	Kitchin, Claude	Ransdell, La.	Thompson,
Cooper, Tex.	Kitchin, Wm. W.	Rhea, Va.	Underwood,
Cowherd,	Kleberg,	Richardson, Ala.	White,
Davey, La.	Kluttz,	Richardson, Tenn.	Williams, Ill.
De Graffenreid,	Lamb,	Robb,	Williams, Miss.
Dinsmore,	Lassiter,	Robertson, La.	Wilson,
Elliott,	Latimer,	Robinson, Ind.	Wooten,
Feely,	Lever,	Salmon,	Zenor.

ANSWERED "PRESENT"—10.

Adamson,	Deemer,	Meyer, La.	Trimble.
Burkett,	Mahon,	Smith, H. C.	
Crumpacker,	Mann,	Sparkman,	

NOT VOTING—157.

Adams,	Dayton,	Kyle,	Reeder,
Alexander,	De Armond,	Lanham,	Reid,
Allen, Me.	Dougherty,	Lawrence,	Rhea, Ky.
Babcock,	Douglas,	Lessler,	Rixey,
Ball, Del.	Dovener,	Lester,	Robinson, Nebr.
Bartlett,	Eddy,	Lewis, Ga.	Rucker,
Bates,	Edwards,	Lewis, Pa.	Ruppert,
Beidler,	Emerson,	Lindsay,	Ryan,
Bellamy,	Flood,	Littauer,	Scarborough,
Belmont,	Foerderer,	Littlefield,	Shallenberger,
Benton,	Foss,	Livingston,	Shattuc,
Bingham,	Foster, Ill.	Loudenslager,	Sheppard,
Blakeney,	Fowler,	Lovering,	Sibley,
Boreing,	Fox,	McAndrews,	Smith, Iowa
Bowersock,	Gaines, W. Va.	McDermott,	Smith, S. W.
Bowie,	Gibson,	McLachlan,	Snodgrass,
Breazeale,	Gill,	Mahoney,	Snook,
Bristow,	Glenn,	Martin,	Southwick,
Brownlow,	Goldfogle,	Maynard,	Spight,
Brundidge,	Graham,	Metcalf,	Stephens, Tex.
Bull,	Green, Pa.	Mickey,	Stewart, N. J.
Burgess,	Griffith,	Morrell,	Storm,
Burke, S. Dak.	Hall,	Morris,	Sulloway,
Burleigh,	Hamilton,	Mutchler,	Sulzer,
Burton,	Hanbury,	Needham,	Tayler, Ohio
Butler, Mo.	Haugen,	Neville,	Taylor, Ala.
Caldwell,	Hay,	Nevin,	Thomas, Iowa
Capron,	Henry, Miss.	Newlands,	Tompkins, Ohio
Clayton,	Henry, Tex.	Norton,	Vandiver,
Connell,	Hull,	Otey,	Wadsworth,
Conner,	Irwin,	Otjen,	Wanger,
Cooper, Wis.	Jackson, Md.	Palmer,	Warner,
Creamer,	Jenkins,	Parker,	Watson,
Crowley,	Jett,	Patterson, Tenn.	Wheeler,
Cummings,	Jones, Va.	Pierce, Tenn.	Wiley,
Curtis,	Joy,	Polk,	Wright,
Cushman,	Kern,	Powers, Me.	Young.
Dahle,	Ketcham,	Powers, Mass.	
Davidson,	Knapp,	Prince,	
Davis, Fla.	Knox,	Pugsley,	

So the previous question was ordered.

The following pairs were announced:

For this day:

Mr. SIBLEY with Mr. SPIGHT.

Mr. SULLOWAY with Mr. PATTERSON of Tennessee.

Mr. WADSWORTH with Mr. STEPHENS of Texas.

Mr. WARNER with Mr. WILEY.

Mr. ALEXANDER with Mr. SCARBOROUGH.

Mr. POWERS of Massachusetts with Mr. RYAN.

Mr. REEDER with Mr. RUCKER.

Mr. POWERS of Maine with Mr. RHEA of Kentucky.

Mr. PALMER with Mr. PUGSLEY.

Mr. OTJEN with Mr. NEWLANDS.

Mr. DAHLE with Mr. NEVILLE.

Mr. MORRIS with Mr. NORTON.

Mr. LOVERING with Mr. MCANDREWS.

Mr. MONDELL with Mr. MAYNARD.

Mr. MARTIN with Mr. MAHONEY.

Mr. GILL with Mr. GLENN.

Mr. GRAHAM with Mr. HAY.

Mr. HAMILTON with Mr. HENRY of Texas.

Mr. HANBURY with Mr. KERN.

Mr. MCLACHLAN with Mr. MCDERMOTT.

Mr. HAUGEN with Mr. LANHAM.

Mr. LEWIS of Pennsylvania with Mr. LINDSAY.

Mr. LITTLEFIELD with Mr. LIVINGSTON.

Mr. LAWRENCE with Mr. LEWIS of Georgia.

Mr. IRWIN with Mr. GOOCH.

Mr. KYLE with Mr. LESTER.

Mr. GIBSON with Mr. GOLDFOGLE.

Mr. FOSS with Mr. FLOOD.

Mr. DOVENER with Mr. RIXEY.

Mr. DAVIDSON with Mr. FOX.

Mr. CURTIS with Mr. CREAMER.

Mr. NEEDHAM with Mr. REID.

Mr. CUSHMAN with Mr. EDWARDS.

Mr. LOUDENSLAGER with Mr. DAVIS.

Mr. STEWART of New Jersey with Mr. BELLAMY.

Mr. JENKINS with Mr. HENRY of Mississippi.

Mr. YOUNG with Mr. BENTON.

Mr. BABCOCK with Mr. CUMMINGS.

Mr. EMERSON with Mr. BREAZEALE.

Mr. KNOX with Mr. DE ARMOND.

Mr. CAPRON with Mr. MICKEY.

Mr. KNAPP with Mr. BURGESS.

Mr. JOY with Mr. BRUNDIDGE.

Mr. BRISTOW with Mr. BRANTLEY.

Mr. BATES with Mr. BOWIE.

Mr. FOWLER with Mr. BARTLETT.

Mr. BALL with Mr. ROBINSON of Nebraska.

Mr. BURLEIGH with Mr. MUTCHLER.

Mr. CONNER with Mr. CLAYTON.

Mr. CONNELL with Mr. CALDWELL.

Mr. COOPER of Wisconsin with Mr. CONRY.

Mr. THOMAS of Iowa with Mr. BUTLER of Missouri.

On this vote:

Mr. MANN with Mr. JETT.

Mr. LITTAUER with Mr. RUPPERT.

Until further notice:

Mr. SOUTHWICK with Mr. SULZER.

Mr. BROWNLOW with Mr. PIERCE.

Mr. HULL with Mr. COONEY.

Mr. DEEMER with Mr. POLK.

Mr. DOUGLAS with Mr. VANDIVER.

Mr. KETCHAM with Mr. SNODGRASS.

Mr. LESSLER with Mr. DOUGHERTY.

Mr. GROSVENOR with Mr. SNOOK.

Mr. HENRY C. SMITH with Mr. TAYLOR of Alabama.

Mr. CRUMPACKER with Mr. JONES of Virginia.

Mr. PRINCE with Mr. GRIFFITH.

Mr. BEIDLER with Mr. FOSTER of Illinois.

Mr. EDDY with Mr. SHEPPARD.

Mr. REEVES with Mr. BANKHEAD.

Mr. BURKETT with Mr. SHALLENBERGER.

Mr. BURTON with Mr. SPARKMAN.

Mr. ADAMS with Mr. WOOTEN.

For the session:

Mr. MAHON with Mr. OTEY.

Mr. WANGER with Mr. ADAMSON.

Mr. BOREING with Mr. TRIMBLE.

Mr. WRIGHT with Mr. HALL.

Mr. MORRELL with Mr. GREEN of Pennsylvania.

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. METCALF with Mr. WHEELER.

Mr. BULL with Mr. CROWLEY.

For one week:

Mr. BOWERSOCK with Mr. BELMONT.

The result of the vote was then announced as above recorded.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

LEAVE OF ABSENCE.

Pending the motion, the Speaker laid before the House the following personal requests for leave of absence; which, by unanimous consent, were granted:

To Mr. GIBSON, indefinitely, on account of important business.

To Mr. GAINES of West Virginia, for three days, on account of important business.

To Mr. EMERSON, indefinitely, on account of important business.

To Mr. OTJEN, for three days, on account of important business.

WILLIAM S. DERBY.

The SPEAKER laid before the House the following resolution of the Senate; which was agreed to:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 2815) granting an increase of pension to William S. Derby.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3107. An act to authorize the construction of a bridge over the Missouri River at or near the city of Kansas City, Mo.;

S. 1258. An act to remove the charge of desertion from the naval record of John Glass;

S. 1197. An act granting an increase of pension to Mahale Litton;

S. 1145. An act granting an increase of pension to Lucinda C. Scott;

S. 1036. An act granting an increase of pension to Benjamin G. Sargent;

S. 1029. An act granting an increase of pension to Wellington D. Curtis;
S. 886. An act granting an increase of pension to Jonas M. McCoy;
S. 700. An act granting a pension to Rebecca Dobbins;
S. 608. An act for the relief of George K. Brown;
S. 659. An act granting a pension to Thomas E. Clark;
S. 508. An act granting an increase of pension to Adelaide Worth Bagley;
S. 254. An act granting an increase of pension to Lewis C. Killam;
S. 198. An act granting an increase of pension to Lucy M. Hill;
S. 196. An act granting an increase of pension to Richard N. Blodgett;
S. 195. An act granting a pension to Nellie Bartlett;
S. 9. An act granting an increase of pension to Mourse R. Adams;
S. 143. An act granting an increase of pension to Henriette Salomon;
S. 1330. An act granting an increase of pension to Moses Smith;
S. 1611. An act granting a pension to Cynthia M. Record;
S. 1616. An act granting an increase of pension to Enoch A. White;
S. 1782. An act granting a pension to Catharine Meade;
S. 336. An act to grant an honorable discharge from the military service to Charles H. Hawley;
S. 1923. An act granting an increase of pension to Fred F. B. Coffin;
S. 2000. An act granting a pension to John M. Core;
S. 2012. An act granting a pension to Catharine Conroy;
S. 2098. An act granting a pension to George H. Morton;
S. 3424. An act granting an increase of pension to Minnie E. King;
S. 2441. An act granting an increase of pension to Ziba S. Wood;
S. 2391. An act granting an increase of pension to Elvira L. Wilkins;
S. 2508. An act granting an increase of pension to Pauline Lowe;
S. 2700. An act granting an increase of pension to Martha A. Couch;
S. 3106. An act granting an increase of pension to Hugh R. Richardson;
S. 2460. An act granting an increase of pension to Cornelius Springer; and
S. 1355. An act granting a pension to Lura B. Rogers.

CHANGE OF REFERENCE.

By unanimous consent, the following change of reference was made: House Document No. 414, letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriations for the Bureau of Construction and Repair and Marine Corps quarters; also, House Document No. 424, a letter from the Acting Secretary of the Treasury, transmitting a copy of the communications from the Secretary of the Navy submitting an estimate of appropriations for naval station at Cavite, P. I., from the Committee on Appropriations to the Committee on Naval Affairs.

The motion of Mr. PAYNE was then agreed to; and accordingly (at 5 o'clock) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for support of Mountain Branch of the National Home for Disabled Volunteer Soldiers—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, recommending the placing of fire escapes on the United States appraisers' warehouse building in New York City—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a reply to the House in relation to transfers of ownership of real estate in Cuba to nonresidents since the date of American occupation—to the Committee on Insular Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Quartermaster-General of the Army, papers relating to the claim of Maj. J. B. Bellinger—to the Committee on Military Affairs, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John T. Cunningham against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *Happy Return*, Ezekiel Durfey, master, against the United States—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. PEARRE, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 10154) to tax certain institutions for water mains and special improvements in the District of Columbia, and for other purposes, reported the same without amendment, accompanied by a report (No. 733); which said bill and report were referred to the House Calendar.

Mr. COOMBS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 2445) to provide for the establishment of a light and fog-signal station on one of the Mile Rocks, San Francisco Bay, California, reported the same without amendment, accompanied by a report (No. 734); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 2449) to establish a fog signal at Fort Winfield Scott, Fort Point, California, reported the same without amendment, accompanied by a report (No. 735); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TOMPKINS of Ohio, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 9673) for the establishment of a light-house and fog signal station on State Ledge, Boston Harbor, reported the same with amendments, accompanied by a report (No. 738); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 9059) to amend an act entitled "An act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property," reported the same without amendment, accompanied by a report (No. 739); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11052) for the relief of Nelson Johnson, reported the same with amendment, accompanied by a report (No. 634); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2767) granting an increase of pension to Albert D. Scovell, reported the same without amendment, accompanied by a report (No. 635); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9999) granting an increase of pension to George W. Gwinn, reported the same with amendments, accompanied by a report (No. 636); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2440) granting an increase of pension to William D. Smith, reported the same with amendments, accompanied by a report (No. 637); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8061) granting a pension to Hannibal C. St. Clair, reported the same with amendment, accompanied by a report (No. 638); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11025) granting a pension to Mary A. Carlile, reported the same without amendment, accompanied by a report (No. 639); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1696) granting an increase of pension to Frederick A. Condon, reported the same with amendment, accompanied by a report (No. 640); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 658) granting an increase of pension to John H. Jack, reported the same with amendments, accompanied by a report (No. 641); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1802) granting an increase of pension to Cornelia E. Wright, reported the same without amendment, accompanied by a report (No. 642); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2661) granting an increase of pension to Oswald Ahlstedt, reported the same without amendment, accompanied by a report (No. 643); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6760) granting a pension to Susan House, reported the same with amendments, accompanied by a report (No. 644); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8921) granting an increase of pension Jesse C. Rhodabeck, reported the same with amendment, acccompanied by a report (No. 645); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1479) granting an increase of pension to Michael Marnane, reported the same with amendments, accompanied by a report (No. 646); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10091) granting a pension to Blanche Duffy, reported the same without amendment, accompanied by a report (No. 647); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8679) granting a pension to William J. Jones, reported the same with amendment, accompanied by a report (No. 648); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9593) granting a pension to Elizabeth Rickey, reported the same with amendment, accompanied by a report (No. 649); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1724) granting an increase of pension to Daniel F. Thompson, reported the same with amendment, accompanied by a report (No. 650); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7811) granting a pension to Mary King, reported the same with amendment, accompanied by a report (No. 651); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10193) granting an increase of pension to John Hollister, reported the same with amendment, accompanied by a report (No. 652); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1913) granting an increase of pension to Caroline Mischler, reported the same without amendment, accompanied by a report (No. 653); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2781) granting an increase of pension to Patrick Lee, reported the same with amendment, accompanied by a report (No. 654); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10841) granting an increase of pension to Margaret Hoefer, reported the same without amendment, accompanied by a report (No. 655); which said bill and report were referred to the Private Calendar:

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9926) granting an increase of pension to James F. Patton, reported the same with amendments, accompanied by a report (No. 656); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1940) granting a pension to Frances Fuller Victor, reported the same without amendment, accompanied by a report (No. 657); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7782) granting an increase of pension to Thomas P. Smith, reported the same with amendment, accompanied by a report (No. 658); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1015) granting an increase of pension to Israel A. Benner, reported the same without amendment, accompanied by a report (No. 659); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2768) granting an increase of pension to Nathan H. Metcalf, reported the same with amendment, accompanied by a report (No. 660); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8415) granting a pension to Mary L. Dibert, reported the same with amendment, accompanied by a report (No. 661); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8781) granting a pension to Mary E. Holbrook, reported the same with amendment, accompanied by a report (No. 662); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1636) granting an increase of pension to James Austin, reported the same with amendment, accompanied by a report (No. 663); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1146) granting a pension to Adela S. Webster, reported the same without amendment, accompanied by a report (No. 664); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3427) granting an increase of pension to Sarah E. Allen, reported the same with amendment, accompanied by a report (No. 665); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6481) granting an increase of pension to Millen McMillen, reported the same without amendment, accompanied by a report (No. 666); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1086) granting an increase of pension to Francis W. Pool, reported the same with amendment, accompanied by a report (No. 667); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2613) granting an increase of pension to Thomas H. H. Gibbs, reported the same with amendments, accompanied by a report (No. 668); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6895) granting an increase of pension to Richard P. Nichauls, reported the same with amendments, accompanied by a report (No. 669); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7239) granting an increase of pension to William Christian, reported the same with amendment, accompanied by a report (No. 670); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 809) granting an increase of pension to J. P. Burchfield, reported the same with amendments, accompanied by a report (No. 671); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9178) granting an increase of pension to John M. Howe, reported the same without amendment, accompanied by a report (No. 672); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 918) granting a pension to Charles Misner, reported the same with amendments, accompanied by a report (No. 673); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to

which was referred the bill of the House (H. R. 3514) granting a pension to Anna Maria Ziegenfuss, reported the same with amendments, accompanied by a report (No. 674); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9625) granting a pension to Elizabeth L. Becket, widow of John Becket, late a private in Company K, Eighty-sixth Ohio Volunteer Infantry, reported the same with amendments, accompanied by a report (No. 675); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2701) granting a pension to Thomas G. Foster, reported the same without amendment, accompanied by a report (No. 676); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9413) granting a pension to Mary E. Holden, widow of John W. Holden, reported the same with amendments, accompanied by a report (No. 677); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9301) granting a pension to Barbara McDonald, reported the same with amendments, accompanied by a report (No. 678); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7149) granting an increase of pension to Ephraim D. Dorman, reported the same with amendment, accompanied by a report (No. 679); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6107) granting a pension to Elijah E. Harvey, reported the same with amendments, accompanied by a report (No. 680); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5910) granting an increase of pension to Reuben Wellman, reported the same with amendment, accompanied by a report (No. 681); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1164) granting an increase of pension to Lewis W. Moore, reported the same without amendment, accompanied by a report (No. 682); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2008) granting an increase of pension to Peter C. Monfort, reported the same without amendment, accompanied by a report (No. 683); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 335) granting an increase of pension to Joseph H. Barnum, reported the same without amendment, accompanied by a report (No. 684); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9986) granting an increase of pension to James Moore, reported the same with amendment, accompanied by a report (No. 685); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9928) granting an increase of pension to Benjamin E. Styles, reported the same with amendments, accompanied by a report (No. 686); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3859) granting a pension to James D. Johnson, reported the same with amendments, accompanied by a report (No. 687); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10289) granting a pension to Eliza Stewart, reported the same with amendment, accompanied by a report (No. 688); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10117) granting a pension to Sallie Lowe, reported the same with amendment, accompanied by a report (No. 689); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2303) granting an increase of pension to Noah F. Chafee, reported the same without amendment, accompanied by a report (No. 690); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1694) granting an increase of pension to Henry Ball, reported the same with amendment, accompanied by a report (No. 691); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10143) granting a pension to Anna Roderka, reported the same with amendments, accompanied by a report (No. 692); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 351) granting an increase of pension to Robert Carpenter, reported the same with amendments, accompanied by a report (No. 693); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4993) granting a pension to Mary Shelton Huston, reported the same with amendment, accompanied by a report (No. 694); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3884) granting a pension to Erastus C. Moderwell, reported the same with amendments, accompanied by a report (No. 695); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2468) granting an increase of pension to Horatio N. Francis, reported the same without amendment, accompanied by a report (No. 696); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 671) granting an increase of pension to Orra H. Heath, reported the same without amendment, accompanied by a report (No. 697); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3260) granting a pension to Jacob Golden, reported the same without amendment, accompanied by a report (No. 698); which said bill and report were referred to to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 699) granting an increase of pension to Robert Miller, reported the same with amendment, accompanied by a report (No. 699); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3022) granting a pension to David B. Salts, reported the same with amendments, accompanied by a report (No. 700); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11375) granting a pension to Charles F. Merrill, reported the same with amendments, accompanied by a report (No. 701); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1641) granting an increase of pension to Frank J. Clark, reported the same without amendment, accompanied by a report (No. 702); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10411) granting an increase of pension to Mrs. I. M. Singley, reported the same with amendments, accompanied by a report (No. 703); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9621) granting an increase of pension to Andrew Y. Transue, reported the same with amendments, accompanied by a report (No. 704); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10141) granting an increase of pension to William R. Armstrong, reported the same without amendment, accompanied by a report (No. 705); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10957) granting an increase of pension to Mary E. Stockings, reported the same with amendments, accompanied by a report (No. 706); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11125) granting an increase of pension to John S. Campbell, reported the same without amendment, accompanied by a report (No. 707); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions,

to which was referred the bill of the House (H. R. 5101) granting a pension to Benjamin Contal, reported the same with amendment, accompanied by a report (No. 708); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5254) granting an increase of pension to Enos G. Budd, reported the same with amendment, accompanied by a report (No. 709); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6037) granting an increase of pension to William C. Holcomb, reported the same with amendments, accompanied by a report (No. 710); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7250) granting an increase of pension to Margaret Hendry, reported the same with amendment, accompanied by a report (No. 711); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2241) granting an increase of pension to Dorothy S. White, reported the same with amendments, accompanied by a report (No. 712); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2919) granting a pension to Christiana Steiger, reported the same with amendments, accompanied by a report (No. 713); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4116) for the relief of William Berry, reported the same with amendments, accompanied by a report (No. 714); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2547) granting an increase of pension to Isaac H. Crim, reported the same with amendment, accompanied by a report (No. 715); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2440) granting an increase of pension to John W. Gregg, reported the same without amendment, accompanied by a report (No. 716); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1938) granting an increase of pension to Helen V. Rorer, reported the same with amendment, accompanied by a report (No. 717); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1090) granting a pension to James E. Bates, reported the same without amendment, accompanied by a report (No. 718); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1714) granting an increase of pension to Levi H. Winslow, reported the same without amendment, accompanied by a report (No. 719); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2981) granting an increase of pension to Thomas Findley, reported the same with amendment, accompanied by a report (No. 720); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6466) granting a pension to Josephine M. Dustin, reported the same without amendment, accompanied by a report (No. 721); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11381) granting an increase of pension to Abraham N. Bradfield, reported the same with amendment, accompanied by a report (No. 722); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 669) granting an increase of pension to Richard C. Smith, reported the same without amendment, accompanied by a report (No. 723); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 283) granting an increase of pension to Robert M. McCollough, reported the same with amendments, accompanied by a report (No. 724); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11124) granting an increase of pension to Mary Scott, reported the same with amendment, accompanied by a report (No. 725); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4167) to increase the pension of Nathan W. Snee, reported the same with amendments, accompanied by a report (No. 726); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10906) granting a pension to John W. Meade, reported the same without amendment, accompanied by a report (No. 727); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5110) granting an increase of pension to William H. Dixon, reported the same with amendment, accompanied by a report (No. 728); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4089) granting a pension to Ada L. McFarland, reported the same with amendment, accompanied by a report (No. 729); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7529) granting an increase of pension to Philip Atwood, reported the same without amendment, accompanied by a report (No. 730); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 713) granting a pension to Frances E. Stebbins, reported the same without amendment, accompanied by a report (No. 731); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5190) granting an increase of pension to Alvin J. Hartzell, reported the same with amendment, accompanied by a report (No. 732); which said bill and report were referred to the Private Calendar.

Mr. SALMON, from the Committee on Claims, to which was referred the bill of the House (H. R. 5756) for the relief of the officers and crew of the United States steamship *Charleston*, lost in the Philippine Islands, November 2, 1899, reported the same with amendment, accompanied by a report (No. 736); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the House (H. R. 5113) for the relief of William R. Wheaton and Charles H. Chamberlain, of California, reported the same without amendment, accompanied by a report (No. 737); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the House (H. R. 6652) for the relief of George Rushburger, reported the same without amendment, accompanied by a report (No. 740); which said bill and report were referred to the Private Calendar.

Mr. ROBERTS, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 6649) for the relief of Julius A. Kaiser, reported the same without amendment, accompanied by a report (No. 741); which said bill and report were referred to the Private Calendar.

Mr. TRIMBLE, from the Committee on Claims, to which was referred the bill of the House (H. R. 11273) to pay F. Y. Ramsay, heir at law and distributee of the late Joseph Ramsay, $430.42 for balance due the said Joseph Ramsay as collector of customs and superintendent of lights in the district of Plymouth, N. C., reported the same without amendment, accompanied by a report (No. 742); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 5216) granting an increase of pension to Daniel Nagle—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6005) granting a pension to James A. Chalfant—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6688) granting an increase of pension to Charles Hubbs—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8958) for the payment to Andrew J. Stewart, jr., of a balance due him for surveying public lands in the State of Utah—Committee on the Public Lands discharged, and referred to the Committee on Claims.

A bill (H. R. 9247) granting a pension to Christianna Rogers—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11249) granting a pension to Katharine Rains Paul—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11821) for the relief of Nina W. Halsey, widow of Capt. Irving Halsey, of Company C, Fifth Ohio Cavalry—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 7266) for the relief of William E. Sheppard—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 9250) for the relief of Charles M. Price—Committee on War Claims discharged, and referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SMITH of Iowa: A bill (H. R. 11989) for the erection of a public building at Atlantic, Iowa—to the Committee on Public Buildings and Grounds.

By Mr. KNAPP: A bill (H. R. 11990) providing for repairs to and enlargement of the Government building at Watertown, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. FOSTER of Vermont: A bill (H. R. 11991) to make $10 per month the minimum amount of pensions paid by the Government—to the Committee on Invalid Pensions.

By Mr. SMITH of Arizona: A bill (H. R. 11992) to enable the people of Arizona to form a constitution and State government and to be admitted into the Union on an equal footing with the original States—to the Committee on the Territories.

By Mr. JENKINS: A bill (H. R. 11993) to provide for the removal of overhead telegraph and telephone wires in the city of Washington, for the construction of conduits in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. BABCOCK: A bill (H. R. 11994) to amend an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes"—to the Committee on the District of Columbia.

By Mr. RODEY: A bill (H. R. 11995) to enable the people of New Mexico to form a constitution and State government and to be admitted into the Union on an equal footing with the original States—to the Committee on the Territories.

By Mr. LOUDENSLAGER: A bill (H. R. 11996) providing for the repair and rebuilding of the road from Harrisonville, N. J., to the post of Fort Mott, N. J., and the national cemetery at Finns Point, N. J.—to the Committee on Military Affairs.

By Mr. POWERS of Maine: A bill (H. R. 11997) granting to the Hawaii Ditch Company, Limited, the right of way over public lands in the districts of North and South Kohala, in the island of Hawaii, for the purposes of constructing and maintaining ditches or canals and the necessary reservoirs, dams, and the like, for irrigation and domestic purposes in said districts—to the Committee on the Territories,

By Mr. SMITH of Arizona: A bill (H. R. 11998) granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve—to the Committee on the Public Lands.

By Mr. GORDON: A bill (H. R. 11999) to grant certain lands to the State of Ohio—to the Committee on the Public Lands.

By Mr. CUSHMAN: A bill (H. R. 12000) to establish a lighthouse and a fog-signal at Muckiltea Point, State of Washington—to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 12001) to refund the cotton tax to the States wherein collected—to the Committee on War Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 12002) to amend section 4386 of the Revised Statutes of the United States, striking out "twenty-eight consecutive hours" and "twenty-eight hours" and inserting "forty consecutive hours" and "forty hours"—to the Committee on Interstate and Foreign Commerce.

By Mr. RODEY: A bill (H. R. 12003) to enable the county of Luna, in the Territory of New Mexico, to create certain indebtedness, and for other purposes—to the Committee on the Territories.

By Mr. BOWERSOCK: A bill (H. R. 12004) providing that the statutes of limitations of the several States shall apply as a defense to actions brought for the recovery of lands patented under the treaty of May 10, 1854, between the United States of America and the Shawnee tribe of Indians—to the Committee on Indian Affairs.

By Mr. OVERSTREET: A bill (H. R. 12083) providing for clerks of the United States circuit courts of appeals to make return to the Attorney-General of the United States of all the fees and emoluments of their offices, respectively—to the Committee on the Judiciary.

By Mr. SWANSON: A bill (H. R. 12084) to authorize the acquisition of certain parcels of real estate embraced in square No. 324 of the city of Washington, to provide an eligible site for a mail-bag and mail-lock and repair shop—to the Committee on Public Buildings and Grounds.

By Mr. WACHTER: A bill (H. R. 12085) providing for the completion of a light and fog-signal station in the Patapsco River, Md.—to the Committee on Interstate and Foreign Commerce.

By Mr. MUDD: A bill (H. R. 12086) to extend the time for the construction of the East Washington Heights Traction Railroad Company—to the Committee on the District of Columbia.

By Mr. KNAPP: A resolution (H. Res. 150) that there be paid out of the contingent fund of the House to Charles E. Glynn, for services for ten days as secretary to Albert D. Shaw, late member of Congress from the Twenty-fourth district of New York, the sum of $35.70, said service being rendered from February 1 to February 10, 1901, inclusive—to the Committee on Accounts.

By Mr. HEPBURN: A resolution (H. Res. 151) that Tuesday, 18th of March, the House shall consider Senate bill 1025, relative to the Revenue-Cutter Service—to the Committee on Rules.

By Mr. SHAFROTH: Memorial of Colorado State legislature for mediation in war between Great Britain and the South African Republics—to the Committee on Foreign Affairs.

By Mr. GAINES of Tennessee: Memorial requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States, which amendment shall provide for the election of United States Senators by direct vote of the people—to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BULL: A bill (H. R. 12005) granting a pension to Martha A. Clark—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 12006) granting an increase of pension to Alexander T. Dickson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12007) granting an increase of pension to Myron B. Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12008) granting an increase of pension to Charles D. Coyle—to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 12009) granting an increase of pension to George Baker—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 12010) for the relief of John Smith, of Arkansas—to the Committee on Military Affairs.

Also, a bill (H. R. 12011) granting an increase of pension to James C. Smith—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 12012) granting an increase of pension to Walter C. Tuttle—to the Committee on Invalid Pensions.

By Mr. COUSINS: A bill (H. R. 12013) granting an increase of pension to David L. Jones—to the Committee on Invalid Pensions.

By Mr. DAYTON (by request): A bill (H. R. 12014) for the relief of the estate of William M. Morrison, deceased—to the Committee on Claims.

By Mr. FOSTER of Vermont: A bill (H. R. 12015) granting an increase of pension to E. T. Daniels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12016) granting an increase of pension to George J. Wilson—to the Committee on Invalid Pensions.

By Mr. GILBERT: A bill (H. R. 12017) for the relief of Smith R. Mershon—to the Committee on Claims.

By Mr. GROSVENOR: A bill (H. R. 12018) granting a pension to Malinda J. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12019) granting an increase of pension to William Lowe—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 12020) for the relief of Charles D. Wright—to the Committee on Claims.

Also, a bill (H. R. 12021) granting an increase of pension to Anson Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12022) granting a pension to Mary J. Waugh—to the Committee on Invalid Pensions.

By Mr. HEATWOLE: A bill (H. R. 12023) granting an increase of pension to Lewis Townsend—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12024) granting an increase of pension to James C. Hanes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12025) granting an increase of pension to Solomon B. Umphrey—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 12026) granting an increase of pension to Bailey W. Small—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 12027) granting an increase of pension to Moses Hull—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 12028) granting an increase of pension to Henry C. Helphinstine, a veteran of the Mexican war—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12029) for the relief of Jeremiah Cracraft—to the Committee on Military Affairs.

Also, a bill (H. R. 12030) for the benefit of Lucy C. Lee, E. S. Lee, John G. Lee, Fannie Lee, Maria C. Frazee, and the heirs of Mary Acsah Colburn, heirs of Edward P. and Jane T. Lee—to the Committee on War Claims.

Also, a bill (H. R. 12031) for the relief of Gordon McCormick—to the Committee on Military Affairs.

By Mr. WILLIAM W. KITCHIN: A bill (H. R. 12032) granting a pension to W. A. Haffer—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 12033) granting a pension to Louie E. Read, crippled daughter of Alexander W. Read, deceased—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 12034) to correct the military record of Frank Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 12035) granting an increase of pension to Walter Barbery—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 12036) granting a pension to Charity Durgin, daughter of Samuel Durgin—to the Committee on Pensions.

By Mr. LONG: A bill (H. R. 12037) granting a pension to Martha J. Banks—to the Committee on Invalid Pensions.

By Mr. MARSHALL: A bill (H. R. 12038) granting an increase of pension to Thomas Lovell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12039) granting an increase of pension to Nelson Brown—to the Committee on Invalid Pensions.

By Mr. MOODY of North Carolina: A bill (H. R. 12040) for the relief of Harriet C. Livingston—to the Committee on Claims.

Also, a bill (H. R. 12041) granting a pension to Claude E. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12042) granting a pension to James W. Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12043) granting a pension to B. W. Bond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12044) granting an increase of pension to Eunice E. Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12045) granting a pension to James A. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12046) granting a pension to Catherine Hill—to the Committee on Pensions.

Also, a bill (H. R. 12047) granting an increase of pension to Jackson L. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12048) granting a pension to Posey Adams—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: A bill (H. R. 12049) for the relief of Joseph S. Levers, late of Company A, Ninetieth Regiment Pennsylvania Infantry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 12050) for the relief of George Dougherty, late a member of Company A, Sixth Regiment Pennsylvania Cavalry, and Company A, Second Regiment Provisional Cavalry Pennsylvania Volunteers—to the Committee on Military Affairs.

By Mr. NEVILLE: A bill (H. R. 12051) granting a pension to James D. Johnston—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 12052) granting an increase of pension to Franklin T. Miller—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 12053) to remove the charge of desertion against W. A. Kilburn—to the Committee on Military Affairs.

By Mr. PAYNE: A bill (H. R. 12054) granting a pension to Elizabeth A. Burrill—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 12055) granting an increase of pension to Cyrus Hurd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12056) granting an increase of pension to Warren C. Plummer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12057) to remove the charge of desertion against William O. Rollins—to the Committee on Military Affairs.

By Mr. REID: A bill (H. R. 12058) to remove the charge of desertion from the military record of David A. Nichols—to the Committee on Military Affairs.

Also, a bill (H. R. 12059) to correct the military record of Isaac Thompson—to the Committee on Military Affairs.

By Mr. SCHIRM: A bill (H. R. 12060) granting a pension to Mary A. Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12061) to remove the charge of desertion from the record of John McKuhn—to the Committee on Military Affairs.

Also, a bill (H. R. 12062) to remove the charge of desertion from the record of Henry K. Kline—to the Committee on Military Affairs.

Also, a bill (H. R. 12063) to remove the charge of desertion from the record of Orville French—to the Committee on Military Affairs.

By Mr. SHERMAN: A bill (H. R. 12064) for the relief of Lebbeus H. Rogers and the administrators of William B. Moses, deceased—to the Committee on Claims.

By Mr. SHOWALTER: A bill (H. R. 12065) granting an increase of pension to Henry C. Blazney—to the Committee on Invalid Pensions.

By Mr. SKILES: A bill (H. R. 12066) to amend the military record of Joseph Swischer—to the Committee on Military Affairs.

Also, a bill (H. R. 12067) to amend the military record of William Winans—to the Committee on Military Affairs.

Also, a bill (H. R. 12068) granting a pension to Susanah Pitts—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 12069) granting an increase of pension to John N. Mathews—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 12070) granting an increase of pension to Louis P. Anschutz—to the Committee on Invalid Pensions.

By Mr. SOUTHWICK: A bill (H. R. 12071) for the relief of Thomas C. Ellison—to the Committee on Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 12072) for the relief of James E. McCauley—to the Committee on Military Affairs.

By Mr. TRIMBLE: A bill (H. R. 12073) granting an increase of pension to Ellen Walsh, widow of John Walsh, late private, Company D, Fifth Regiment Kentucky Volunteer Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12074) granting an increase of pension to Albert Costigan—to the Committee on Pensions.

Also, a bill (H. R. 12075) for the relief of Jacob Swigert, ex-deputy collector seventh Kentucky district—to the Committee on Claims.

By Mr. VAN VOORHIS: A bill (H. R. 12076) for the relief of James McElroy—to the Committee on Military Affairs.

By Mr. YOUNG: A bill (H. R. 12077) for the relief of William Congdon—to the Committee on Military Affairs.

By Mr. WACHTER: A bill (H. R. 12078) granting a pension to Myers Uhlfelder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12079) for the relief of the representatives of the late Henry Barnes, for the property taken in 1862 for the use of the Army of the United States—to the Committee on War Claims.

Also, a bill (H. R. 12080) granting a pension to Edward Wiegand—to the Committee on Pensions.

By Mr. WHITE: A bill (H. R. 12081) placing on the muster rolls of the United States Army the First Regiment Kentucky Capital Guards—to the Committee on Military Affairs.

By Mr. MOODY of North Carolina: A bill (H. R. 12082) granting a pension to Thomas L. Holland—to the Committee on Invalid Pensions.

By Mr. MOODY of Massachusetts: A bill (H. R. 12087) to correct the military record of Benjamin C. Welch—to the Committee on Military Affairs.

By Mr. RICHARDSON of Alabama: A bill (H. R. 12088) for the relief of James H. Young, Benjamin F. Young, and F. A. Young, of Jackson County, Ala.—to the Committee on War Claims.

By Mr. ROBERTS: A bill (H. R. 12089) granting an increase of pension to Thomas F. Rowley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12090) granting a pension to Arvilla N. Stocker—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Iron Molders' Union No. 368, of Connellsville, and Carpenters' Union No. 571, of Carnegie, Pa., for restriction of immigration, etc.—to the Committee on Immigration and Naturalization.

Also, petition of Coal Miners' Union No. 1826, Canonsburg, Pa., to exclude Chinese laborers—to the Committee on Foreign Affairs.

Also, paper to accompany House bill 11311, granting a pension to A. J. Hertzog, California, Pa.—to the Committee on Pensions.

By Mr. ALEXANDER: Resolutions of Buffalo Division, No. 2, Order of Railway Conductors, and of Tile Layers' Union No. 5, of Buffalo, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Cigar Makers' Union No. 2, of Buffalo;

Division No. 2, Order of Railway Conductors, of Buffalo, N. Y., and of Team Drivers' International Union No. 15, of North Tonawanda, N. Y., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of East Buffalo Lodge, No. 417, Brotherhood of Railroad Trainmen; of Neversink Division, No. 52, Order of Railroad Conductors, Port Jervis, N. Y.; of F. H. Phillips Lodge, No. 37, Brotherhood of Railroad Trainmen, of Albany, N. Y.; Lodge No. 210, Brotherhood of Locomotive Firemen, of Schenectady, N. Y.; Lodge No. 169, of Hornellsville, N. Y., and of Sherman Lodge, No. 143, Brotherhood of Railroad Trainmen, of East Syracuse, N. Y., favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. BABCOCK: Resolutions of Baraboo Division, No. 176, Brotherhood of Locomotive Engineers, of Baraboo, Wis., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Milwaukee Millers' Association, favoring the passage of House bill 8059, relating to the London clause in bills of lading—to the Committee on Interstate and Foreign Commerce.

By Mr. BATES: Petition of 106 comrades of Rear-Admiral Henry F. Picking Naval Garrison, No. 4, Erie, Pa., favoring the enactment of House bill 7486, to promote the efficiency of the clerical service in the Navy, etc.—to the Committee on Naval Affairs.

Also, papers to accompany House bill granting a pension to Alexander T. Dickson—to the Committee on Invalid Pensions.

Also, resolutions of Order of Railroad Conductors, No. 32, of Meadville, and No. 64, of Erie, Pa., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Central Labor Union of Meadville and International Longshoremen's Union No. 125, of Erie, Pa., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. BOWERSOCK: Protest of rural free-delivery carriers at Winfield, Kans., against adoption of the contract system in connection with rural free delivery—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Carpenters' Union No. 458, Lawrence, Kans., favoring an educational test in the restriction of immigration—to the Committee on Foreign Affairs.

Also, letter of bankers in the State of Vermont, in relation to transportation of silver coin—to the Committee on Banking and Currency.

Also, resolutions of the Bar Association of the State of Kansas, favoring a psycho-physical laboratory in the Department of the Interior—to the Committee on Appropriations.

Also, resolution of the Kansas State Society of Labor and Industry, asking for the enactment of certain land legislation—to the Committee on the Public Lands.

By Mr. BROMWELL: Resolution of Home Federal Labor Union, No. 6697; Order of Railway Conductors No. 107; Carpenters' Union No. 676; Pattern Makers' Association; Glass Workers' Association; Central Labor Council; David Fisher, and other citizens, all of Cincinnati, Ohio, favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. BROWN: Resolution of the Wisconsin Dairymen's Association, expressing satisfaction with the passage of the anti-oleomargarine bill, urging favorable consideration of the Grosvenor mining bill, etc.—to the Committee on Mines and Mining.

By Mr. BULL: Resolutions of Engineers' Union No. 616, Stereotypers' Union No. 53, International Machinists' Union No. 147, and Steam Engineers' Union No. 47, all of Providence, R. I., and Granite Cutters' Union No. 2, of Newport, R. I., favoring the exclusion of the Chinese—to the Committee on Foreign Affairs.

By Mr. BURKE of South Dakota: Petition of McArthur Post, No. 25, Grand Army of the Republic, Department of South Dakota, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. CANNON: Resolution of International Brick and Stone Masons' Union of Joliet, Ill., for an amendment to the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. CAPRON: Resolutions of Typographical Union No. 212, of Pawtucket, R. I., Steam Engineers' Union No. 57, Stereotypers' Union No. 53, and Society of Engineers, Union No. 616, of Providence, R. I., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. CASSINGHAM: Resolution of New Guilford (Ohio) Farmers' Institute, favoring the enactment of a law regulating the manufacture, importation, and sale of "shoddy"—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Fort Laurens Post, No. 648, Grand Army of the Republic, of Bolivar, Ohio, urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, resolutions of Dennison (Ohio) Division, No. 278, Order of Railway Conductors, favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. COOPER of Wisconsin: Resolutions of Marine Council of the Port of Milwaukee, Wis., protesting against the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Marine Council of Milwaukee, Wis., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Marine Council of Milwaukee, Wis., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of International Longshoremen's Union No. 96, of Kenosha, Wis., and Kenosha Lodge, No. 34, International Association of Machinists, of Kenosha, Wis., and Sutphen Post, No. 41, of Evansville, Wis., Grand Army of the Republic, favoring the building of vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. CORLISS: Resolutions of Stove Mounters' Union, Carriage and Wagon Workers' Union, and other labor organizations of Detroit, Mich., relating to Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolution of Detroit Lodge, No. 82, International Association of Machinists, Detroit, Mich., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Detroit Division, No. 1, Locomotive Engineers; Tile Layers' Union, and Carriage and Wagon Workers' Union, all of Detroit, Mich., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. COUSINS: Petitions of citizens of Walker and vicinity, Iowa, protesting against contract system of free delivery—to the Committee on the Post-Office and Post-Roads.

Also, protest of Retail Grocers' Association of Cedar Rapids, Iowa, against the enactment of House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Allied Printing Trades Council of Cedar Rapids, Iowa, for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Tailors' Union No. 160, of Cedar Rapids, Iowa, in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. CRUMPACKER: Petitions of Morocco Post, No. 111, and Rensselaer Post, No. 84, Grand Army of the Republic, Department of Indiana, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, petitions of International Brotherhood of Stationary Firemen; Cigar Makers' Union No. 335, of Hammond, and Cigar Makers' Union No. 134, of Laporte, Ind., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petitions of Order of Railroad Telegraphers and International Brotherhood of Stationary Firemen, of Hammond, Ind., for restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

By Mr. CUMMINGS: Petitions of District Lodge, International Association of Machinists, of New York City, and Theatrical Protective Union No. 1, of New York, in favor of the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. DALZELL: Petition of Storekeepers and Gaugers' Association of Philadelphia, Pa., in regard to granting leave of absence to storekeepers and gaugers—to the Committee on Ways and Means.

Also, resolutions of Amalgamated Association of Street Railway Employees, of Pittsburg; Chain Makers' National Union of Pittsburg, Pa., and sundry citizens of Pittsburg, Pa., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

By Mr. DARRAGH: Resolution of General Wood Post, No. 164, Grand Army of the Republic, of Morley, Mich., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Union No. 797, United Brotherhood of Carpenters and Joiners, of Charlevoix, Mich., favoring restriction of immigration of persons, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

By Mr. DRAPER: Resolution of Western New York Horticultural Society, protesting against projects for irrigating any portion of the public domain at the public expense—to the Committee on Irrigation of Arid Lands.

By Mr. EDWARDS: Resolutions of Montana State Trades and Labor Council and Lincoln Republican Club of Anaconda, Mont., asking passage of an exclusion law that will apply to Asiatic labor generally—to the Committee on Foreign Affairs.

By Mr. ESCH: Resolution of Milwaukee Millers' Association in favor of the passage of Senate bills 1791 and 1792 and House bills 4424 and 9059, amending the so-called Harter Act—to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Petition of the board of education of New York, favoring the amendment of House bill 7640 so as to include the nautical school of the city of New York—to the Committee on Naval Affairs.

Also, petition of Western New York Horticultural Society, against Government irrigation projects at public expense—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Columbus Lodge, No. 401, Association of Machinists, in favor of the exclusion of Chinese laborers—to the Committtee on Foreign Affairs.

By Mr. GILL: Petitions of the United Presbyterian Church, First Presbyterian Church, and Methodist Episcopal Church of Cadiz, Ohio, and citizens of Bridgeport, Ohio, praying for the enactment of a law against polygamy—to the Committee on the Judiciary.

Also, petition of the United Presbyterian Church and Methodist Episcopal Church of Cadiz, Ohio, for the passage of a bill abolishing legalized vice and the American saloon in the Philippines—to the Committee on Insular Affairs.

By Mr. GORDON: Petition of Fair Post, No. 322, Grand Army of the Republic, of Spencerville, Ohio, and of Reed Post, No. 572, Grand Army of the Republic, of Palestine, Ohio, requesting an investigation of the administration of the Pension Bureau—to the Committee on Rules.

Also, evidence to accompany House bill 9719, granting a pension to Sally Ann Harner—to the Committee on Invalid Pensions.

Also, petition of Western Council, No. 340, Junior Order United American Mechanics, of Sidney, Ohio, favoring the passage of Senate bill 1891—to the Committee on Immigration and Naturalization.

Also, petition of Lodge No. 200, Brotherhood of Railroad Trainmen, of Lima, Ohio, favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, petition of citizens of New Weston, Ohio, and of Pressmen's Union No. 12, of Dayton, Ohio, favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Post No. 372, Grand Army of the Republic, of Neptune, Ohio, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. GREENE of Massachusetts: Resolution of Journeymen Plumbers' Union of Fall River, Mass., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. GROSVENOR: Resolution of Carpenters and Joiners' Union No. 650, Pomeroy, Ohio, advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Carpenters' Union No. 650, of Pomeroy, Ohio, favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

Also, petition of Carpenters' Union No. 650, of Pomeroy, Ohio, and Boiler Makers and Machinists' Union No. 902, of Chillicothe, Ohio, urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, petition of citizens of Piqua, Ohio, to amend the act of March 2, 1899—to the Committee on Military Affairs.

Also, petition of citizens of Nelsonville, Ohio, for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. HANBURY: Resolution of Manufacturers' Association of New York and petition of executive committee of the Interstate Commerce Law Convention, for legislation amending the existing interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Interstate Commerce Law Convention, St. Louis, Mo., for the passage of amendments to strengthen the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, petition of A. Zerega's Sons, against certain reductions of tariff in proposed new reciprocity with France—to the Committee on Ways and Means.

Also, resolutions of Coopers' International Union No. 60, of Brooklyn, and Association of Machinists No. 15, of New York, in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Frank Head Post, No. 16, Grand Army of the Republic, Department of New York, and Association of Machinists No. 15, of New York, for the building of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. HASKINS: Resolution of Reed and Rattan Workers' Union No. 8693, Brattleboro, Vt., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. HENRY of Connecticut: Resolution of Connecticut Pomological Society, relative to appropriation for Division of Pomology—to the Committee on Agriculture.

By Mr. HILL: Petition of the Lake Torpedo-Boat Company, of Bridgeport, Conn., concerning submarine boats—to the Committee on Naval Affairs.

Also, resolution of Bridgeport Typographical Union No. 252, of Bridgeport, Conn., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, resolution of Bridgeport Typographical Union No. 252, favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Roxbury Branch National Granite Cutters' Union, Roxbury, Mass., and Typographical Union No. 252, of Bridgeport, Conn., in favor of the reenactment of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. HITT: Petition of Bricklayers and Masons' International Union, Rockford, Ill., and Carpenters and Joiners' Union, of Dixon, Ill., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Carpenters' Union No. 790, Dixon, Ill., advocating the construction of war vessels in United States navy-yards—to the Committee on Naval Affairs.

By Mr. JACKSON of Kansas: Resolution of the Industrial Council of Pittsburg, Kans., in relation to the reclamation and irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, papers to accompany House bill 3756, granting an increase of pension to James C. G. Smith—to the Committee on Invalid Pensions.

Also, resolution of the Kansas Bar Association, of Topeka, Kans., for the establishment of a laboratory in the Interior Department—to the Committee on Appropriations.

By Mr. JOY: Petitions of Electrotypers' Union No. 26, Box Makers and Sawyers' Union No. 149, Boiler Makers' Union No. 27, and Electrical Workers' Union, all of St. Louis, Mo., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Iron Molders' Union No. 10, of St. Louis, Mo., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. KAHN: Resolutions of Labor Council of San Francisco, Cal., and of International Union of Steam Engineers No. 70, of Brazil, Ind., favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Division No. 115, Order of Railway Conductors, of San Francisco, Cal., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Chamber of Commerce of San Francisco, urging the construction of a light-house on Karquines Strait, California, and for a light and fog-signal station at Point Buchon, California—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Chamber of Commerce of San Francisco, favoring the adoption of the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

Also, resolutions of the Chamber of Commerce of San Francisco, favoring a reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the San Francisco Labor Council, advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. KEHOE: Petition of sundry citizens of Vanceburg, Ky., in regard to immigration laws—to the Committee on Immigration and Naturalization.

By Mr. WILLIAM W. KITCHIN: Paper to accompany House bill 12032, granting a pension to W. A. Hopper—to the Committee on Invalid Pensions.

By Mr. KNAPP: Papers to accompany House bill 11990, providing for repairs to and enlargement of the Government building at Watertown—to the Committee on Public Buildings and Grounds.

By Mr. KNOX: Resolution of Bakers' Union No. 168, Lawrence, Mass., and Mattress Makers' Union No. 61, of Lowell, Mass., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. LACEY: Petition of Painters' Union of Ottumwa, Iowa, favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

Also, resolution of Star Division, No. 31, Order of Railway Conductors, Ottumwa, Iowa, for the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LAMB: Petition of citizen of Richmond, Va., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. LANHAM: Resolutions of Wheeler Lodge, Cleburne, Tex., Brotherhood of Railroad Trainmen, and of Brotherhood of

Locomotive Engineers, at a meeting in Denison, Tex., and Spangler Lodge, Brotherhood of Railroad Trainmen, at San Antonio, Tex., and citizens of Yoakum, Tex., in support of Senate bill 1118 and House bill 1060, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. LLOYD: Petition of 350 citizens of Lewis County, Mo., asking that the Missouri Enrolled Militia be given a pensionable status—to the Committee on Invalid Pensions.

Also, resolution of Carpenters' Union No. 48, of Kirksville, Mo., relative to the construction of vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr. LITTLEFIELD: Resolutions of Pleasant River Division, No. 440, Brotherhood of Locomotive Engineers, Henderson, Me., in regard to immigration—to the Committee on Immigration and Naturalization.

Also, petition of Granite Cutters' Union, Vinalhaven, Me., and citizens of Phillips, Me., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. LITTAUER: Paper to accompany House bill 12035, granting an increase of pension to Walter Barbery—to the Committee on Invalid Pensions.

Also, petition of General P. H. Sheridan Post, No. 630, Grand Army of the Republic, Department of New York, for investigation of administration of Bureau of Pensions—to the Committee on Invalid Pensions.

By Mr. LONG: Resolution of the Kansas State Society of Labor and Industry, asking for the enactment of certain land legislation—to the Committee on the Public Lands.

Also, resolution of the city council of Atchison, Kans., in opposition to the construction by the Government of a Pacific cable—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Synod of Kansas of the United Presbyterian Church, in opposition to liquor saloons and against the repeal of the anticanteen law—to the Committee on Military Affairs.

Also, petition of Florence M. Metz, for increase of pension, to accompany House bill 11927—to the Committee on Invalid Pensions.

By Mr. LOUD: Resolution of the Merchants' Exchange, San Francisco, Cal., relative to the construction of a Pacific cable—to the Committee on Interstate and Foreign Commerce.

By Mr. MAHONEY: Memorial of International Brotherhood of Electrical Workers No. 9, of Chicago, Ill., protesting against Senate bills 2054 and 1466, which create a department of electricity in the District of Columbia and provide for the licensing of electrical wirers—to the Committee on the District of Columbia.

Also, resolution of Carpenters' Union No. 181, Chicago, Ill., favoring exclusion of undesirable immigrants—to the Committee on Immigration and Naturalization.

By Mr. MARSHALL: Petition of citizens of Forest River, N. Dak., for an amendment to the National Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

Also, resolution of Division No. 178, Order of Railway Conductors, favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. McANDREWS: Petition of International Brotherhood of Electrical Workers No. 9, Chicago, Ill., urging the defeat of Senate bills 2054 and 1466, to regulate wiring in the District of Columbia—to the Committee on the District of Columbia.

By Mr. McCALL: Petition of the Women's Educational Association of Boston, Mass., in favor of a measure to establish cheap library post—to the Committee on the Library.

Also, resolutions of Plate Printers' Union No. 3, of Boston, Mass., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. MOODY of Massachusetts: Resolutions of Plate Printers' Union No. 3, Boston, Mass., advocating the exclusion of Chinese—to the Committee on Foreign Affairs.

Also, resolutions of Plumbers' Union of Gloucester, Mass., favoring the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers' Union No. 27, Haverhill, Mass., advocating the exclusion of the Chinese—to the Committee on Foreign Affairs.

Also, petition of S. Marshall Reed and other citizens of Massachusetts, favoring H. R. 10306, for the protection of game birds and animals—to the Committee on Agriculture.

Also, petition of Typographical Union No. 423, of Newburyport, Mass., for exclusion of Chinese—to the Committee on Foreign Affairs.

Also, resolutions of Typographical Union No. 423 and Carpenters' Union No. 924, of Newburyport, Mass., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MOODY of North Carolina: Paper to accompany House bill 12042, granting a pension to James W. Graham; paper to accompany House bill 12082, granting a pension to Thomas L. Holland; paper to accompany House bill 12043, granting a pension to B. W. Bond—to the Committee on Invalid Pensions.

By Mr. MOODY of Oregon: Petition of citizens of the county of Malheur, Oreg., against leasing of public lands, etc.—to the Committee on the Public Lands.

Also, resolutions of Astoria Central Labor Council, Barbers' Union No. 167, and Fishermen's Protective Union No. 6321, Astoria, Oreg., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Shipbuilders' Union No. 72, of Portland, Oreg., and Reynolds Post, No. 15, Department of Oregon, Grand Army of the Republic, advocating the construction of war vessels in United States navy-yards—to the Committee on Naval Affairs.

By Mr. MOON: Resolution of Central Labor Union of Chattanooga, Tenn., favoring the enactment of a law excluding Chinese laborers from the United States—to the Committee on Foreign Affairs.

By Mr. MORRELL: Petition of the board of supervisors of Coconino County, Ariz., in opposition to legislation exempting the Santa Fe Railway Company from taxation in Arizona Territory—to the Committee on Pacific Railroads.

Also, resolution of United Garment Workers of America, in favor of House bill for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. NAPHEN: Resolutions of Granite Cutters' unions of Quincy and West Quincy, Mass., favoring the enactment of a law excluding the Chinese without limitation from this country—to the Committee on Foreign Affairs.

Also, resolutions of Carpenters' District Council of Boston, Mass., favoring the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. NEVILLE: Papers to accompany House bill 5174, granting a pension to H. T. Crocket—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: Petitions of certain chapters of the Brotherhood of Locomotive Firemen, favoring House bill 9678, to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolution of Central Labor Union of Indianapolis, Ind., favoring the repeal of the desert-land act, etc.—to the Committee on the Public Lands.

Also, resolution of Central Labor Union and Mosaic Tilemakers' Union, of Indianapolis, Ind., favoring House bill 9330, to exclude Chinese from competition with American workers—to the Committee on Foreign Affairs.

Also, petition of Rev. Cumming Smith and 23 other citizens of Indianapolis, Ind., for amendment to the National Constitution relating to polygamy—to the Committee on the Judiciary.

By Mr. PADGETT: Paper to accompany House bill 12053, for the relief of W. A. Kilburn—to the Committee on Military Affairs.

By Mr. PATTERSON of Pennsylvania: Resolution of Bricklayers, Masons, and Plasterers' Union No. 47, Pottsville, Pa., favoring the continued exclusion of Chinese laborers from the United States—to the Committee on Foreign Affairs.

Also, affidavits and papers to accompany House bill 11453, granting a pension to Catharine Freeman—to the Committee on Invalid Pensions.

By Mr. PAYNE: Resolution of Walworth Grange, No. 289, Patrons of Husbandry, in opposition to the irrigation of any portion of the public domain at the public expense—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Iron Molders' Union No. 109, of Geneva, N. Y., in regard to immigration—to the Committee on Immigration and Naturalization.

By Mr. RAY of New York: Resolution of Neversink Division, No. 52, Conductors' Union, of Port Jervis, N. Y., favoring reenactment of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of citizens of Plymouth, Chenango County, N. Y., favoring an antipolygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, resolution of Neversink Division, No. 52, Conductors' Union, of Port Jervis, N. Y., favoring the anti-injunction bill—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of David F. Allen, of Frankfort, Ind., in favor of bills granting certain relief to ex-officers of the civil war—to the Committee on Invalid Pensions.

Also, petition of Indiana National Guard, Company C, Third Infantry, Lagrange, Ind., for the passage of House bill 9972—to the Committee on the Militia.

By Mr. RODEY: Resolution of Montezuma Division, No. 70, Order Railway Conductors, of East Las Vegas, N. Mex., favoring an educational restriction to immigration—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Resolution of Millhands' Union No. 132, Buffalo, N. Y., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SCHIRM: Resolution of Lithographers' International

Beneficial Association No. 18, Baltimore, Md., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. SIBLEY. Petition of the Journeymen Barbers' International Union No. 124, of Bradford, Pa., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petitions of Journeymen Tailors' Union of America No. 57, of Franklin, Pa., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Erie Branch of Pattern Makers, of Molders' Union No. 220, and of Journeymen Tailors' Union of America No. 57, of Franklin, Pa., favoring the prohibition of immigrants other than wives and children who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of International Journeymen Barbers' Union No. 124, and Oil and Gas Well Workers' Union, Local No. 37, of Bradford, Pa., and of International Brotherhood Oil and Gas Well Workers' Union No. 54, of Gifford, Pa., favoring the prohibition of immigrants other than wives and children who can not read—to the Committee on Immigration and Naturalization.

By Mr. SKILES: Petitions of the Woman's Christian Temperance Union, First Congregational Church, H. S. Connor, and other citizens of Norwalk, Ohio, for the passage of a bill to prohibit prostitution in the Philippines—to the Committee on Insular Affairs.

Also, resolutions of Wood Workers' Union No. 179, of Mansfield, Ohio; Bakers' Union No. 128, Lorain, Ohio, and Deer Lick Division, No. 292, Order of Railway Conductors, Chicago, Ill., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Machinists' Union No. 84, Mount Vernon, Ohio, favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolution of Bakers' Union No. 128, of Lorain, Ohio, favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, paper to accompany House bill 12066, to amend the military record of Joseph Swisher—to the Committee on Military Affairs.

By Mr. SMALL: Resolution of Boiler Makers' Union of Rocky Mount, N. C., advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. SNOOK: Papers to accompany House bill 12070, granting an increase of pension to Louis P. Anschuts—to the Committee on Invalid Pensions.

By Mr. SPERRY: Resolution of Carpenters' Union No. 127, of Derby, Conn., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. STARK: Resolution of Blue Valley Division, No. 343, Fairbury, Nebr., Order of Railway Conductors, and E. W. Hayes Division, No. 397, Beatrice, Nebr., Brotherhood of Locomotive Engineers, favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition (in the German language) of J. Benjamin and 21 others, and petition of John D. Ryan and 17 others, citizens of Wahoo, Nebr., asking that the United States offer its good offices to end the war between England and the Boer Republic—to the Committee on Foreign Affairs.

By Mr. STEELE: Petition of C. C. Lyons and others, citizens of Fairmount and Marion, Ind., in favor of the enactment of the Lacey bill for the protection of game animals—to the Committee on Agriculture.

Also, resolutions of Cigar Makers' Union No. 402, of Quakertown, Pa., and of International Association of Machinists No. 150, of Huntington, Ind., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Carpenters and Joiners' Union No. 598, of Wabash, Ind., and of Iron Molders' Union No. 357, of Montpelier, Ind., favoring an educational test for admission of immigrants—to the Committee on Immigration and Naturalization.

By Mr. SUTHERLAND: Petitions of Leather Workers' Union No. 78, of Salt Lake City, and Broom Makers' Union No. 38, of Ogden, Utah, for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Commercial Club of Salt Lake City, and Ogden Lodge, No. 127, Ogden, Utah, International Association of Machinists, for the building of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, petitions of citizens of Millville, Utah, asking for an amendment to the Constitution defining legal marriage—to the Committee on the Judiciary.

Also, resolutions of Ogden Lodge, No. 127; Typographical Union No. 236, of Ogden; Tailors' Union No. 59, and Cigar Makers' Union No. 224, of Salt Lake City, Utah, advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of various labor organizations of Salt Lake City and Ogden, Utah, favoring the construction of naval vessels at Government navy-yards—to the Committee on Naval Affairs.

By Mr. THAYER: Petition of Amalgamated Sheet Metal Workers' Union No. 184, Steam Engineers' Union No. 78, Worcester, Mass.; Granite Cutters' National Union, of Milford, Mass.; Plate Printers' Union No. 3, of Boston, and Painters and Decorators' Union No, 419, of Spencer, Mass., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. THOMAS of Iowa: Resolution of Division No. 268, Order of Railroad Conductors, Marion, Iowa; Brotherhood of Railroad Trainmen of Waterloo, Iowa, favoring bill to limit power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolution of Division No. 216, Order of Railroad Conductors, of Ottumwa, Iowa, advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of Mansfield Post, No. 159, Grand Army of the Republic, Department of Iowa, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. VANDIVER: Petition of Andy Smith Post, No. 243, Grand Army of the Republic, Department of Missouri, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. VAN VOORHIS: Papers to accompany House bill relating to the correction of the military record of James McElroy—to the Committee on Military Affairs.

Also, petitions of citizens of Macksburg and Marietta, Ohio, and Typographical Union of Cambridge, Ohio, favoring restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Typographical Union No. 199, of Zanesville, Ohio; United Garment Workers' Union No. 152, Marietta, Ohio, and Union No. 21, Cambridge, Ohio—favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. WANGER: Petition of Iron and Steel Workers' Union No. 9249, for the enactment of House bill 9330, concerning the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. WARNOCK: Petition of Bert Smith and other citizens of Champaign County, Ohio, favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, paper to accompany House bill 11931, for the relief of Lucinda Read, mother of helpless child of Alexander W. Read, deceased—to the Committee on Invalid Pensions.

By Mr. WEEKS: Petition of Lake Seamen's Union of Marine City, Mich., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Lake Seamen's Union of Marine City, Mich., in opposition to the change of name of the United States Marine-Hospital Service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Lake Seamen's Union of Marine City, Mich., protesting against the passage of House bills 9685 and 7185—to the Committee on the Merchant Marine and Fisheries.

By Mr. WILEY: Petition of Division No. 98, Order of Railway Conductors, Montgomery, Ala., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. WILLIAMS of Illinois: Petition of J. G. Brill Post, No. 594, and Enfield Post, No. 178, Grand Army of the Republic, Department of Illinois, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. WOODS: Resolutions of San Francisco Labor Council and Sacramento Typographical Union, No. 46, favoring the extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of the Riverside Fruit Exchange, Riverside, Cal., favoring an amendment to House bill 10845, governing the importation of trees, etc.—to the Committee on Agriculture.

By Mr. ZENOR: Petition of Mrs. Kate Shuck, Emma Baxley, Mrs. Maggie Thomas, and 60 others, of Corydon, Ind., favoring an amendment to the Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

SENATE.

TUESDAY, *March 4, 1902.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SCOTT, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

WITHDRAWAL OF PUBLIC LANDS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of January 23, 1902, a letter from the Commissioner of the General Land Office, inclosing a list of lands withdrawn by order of the Commissioner of the General Land

Office and stating the causes for which such withdrawals were made; which, with the accompanying papers, was referred to the Committee on Public Lands, and ordered to be printed.

EXCISE BOARD OF DISTRICT OF COLUMBIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting a report of the operations of the excise board of the District of Columbia for the license year ending October 31, 1901; which, with the accompanying paper, was referred to the Committee on the District of Columbia, and ordered to be printed.

SCHOONER BETSEY AND LUCY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims, set out in the findings by the court relating to the vessel schooner *Betsey and Lucy*, Joseph Crown, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

SENATORS FROM IOWA.

The PRESIDENT pro tempore presented the credentials of WILLIAM B. ALLISON, chosen by the legislature of the State of Iowa a Senator from that State for the term beginning March 4, 1903; which were read, and ordered to be filed.

The PRESIDENT pro tempore presented the credentials of JONATHAN P. DOLLIVER, chosen by the legislature of the State of Iowa a Senator from that State for the remainder of the term beginning March 4, 1901; which were read, and ordered to be filed.

Mr. STEWART. Mr. President——

Mr. PETTUS. I desire to inquire whether it is not necessary for the newly elected Senator to be sworn.

The PRESIDENT pro tempore. The Chair is of opinion that it will be necessary whenever he comes in. The junior Senator from Iowa is not in the Chamber at present.

Mr. DOLLIVER was subsequently escorted to the Vice-President's desk by Mr. ALLISON, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

PETITIONS AND MEMORIALS.

Mr. BURTON presented petitions of sundry citizens of Centralia, Humboldt, Topeka, Sego, Dover, Detroit, Victor, Olsburg, Lehigh, Cedarvale, Bridgeport, Moundridge, Wilson, Marysville, Ransom, Coffeyville, Durham, Claflin, McCracken, Hoyt, Lucas, Conway Springs, Peabody, Michigan Valley, Odin, Pontiac, Hartford, Page, Kirwin, Tecumseh, Mound City, Day, Hutchinson, Industry, Oskaloosa, Gaylord, Lawrence, Osborne, Augusta, Denmark, McPherson, Abilene, Hillsboro, Downs, Rosehill, Manchester, and Clifton, all in the State of Kansas, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. SCOTT presented petitions of sundry citizens of Whiteday, St. Albans, Reedy, and Davis, all in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of sundry citizens of Spring Gap, Wadestown, and Antioch, all in the State of West Virginia, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. QUARLES presented a memorial of sundry citizens of Bayfield, Wis., remonstrating against the repeal of the anticanteen law; which was referred to the Committee on Military Affairs.

He also presented a petition of the Board of Trade of La Crosse, Wis., praying for the enactment of legislation providing for the establishment of a national park in the Leech Lake Indian Reservation, in the State of Minnesota; which was referred to the Committee on Indian Affairs.

He also presented petitions of Cigar Makers' Local Union No. 182, of Madison; of Boot and Shoe Workers' Local Union No. 284, of Janesville; of Cigar Makers' Local Union No. 329, of Fond du Lac; of Coopers' Local Union No. 46, of West Superior; of Cigar Makers' Local Union No. 25, of Milwaukee; of Marine Council No. 1, of Milwaukee, and of the Federated Trades Council of Milwaukee, all of the American Federation of Labor, in the State of Wisconsin, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of the Trades and Labor Council of Racine; of Machinists' Local Union No. 451, of Oshkosh; of Carpenters' Local Union No. 657, of Sheboygan; of Retail Clerks' Protective Union No. 375, of Marinette, all of the American Federation of Labor, and of Henry C. Jebel Post, No. 175, Department of Wisconsin, Grand Army of the Republic, of Birnamwood, all in the State of Wisconsin, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. GAMBLE presented the petitions of E. G. Johnson and 50 other citizens of Hartford, of Oscar Gusarson and 58 other citizens of Brandon, and of V. A. Wood and 50 other citizens of Dell Rapids, all in the State of South Dakota, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. HOAR presented petitions of Bricklayers' Local Union No. 12, of Lynn; of Journeymen Plumbers' Local Union No. 92, of Fitchburg; of Journeymen Bakers and Confectioners' Local Union No. 182, of Lynn, and of Stone Masons' Local Union No. 29, of Worcester, all in the State of Massachusetts, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of Journeymen Barbers' Local Union No. 238, American Federation of Labor, of Brockton, Mass., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. MCCUMBER presented the petition of P. J. Beltz and sundry other citizens of Buxton, N. Dak., praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of the North Dakota Retail Grocers and General Merchants' Convention, praying for the adoption of a penny postage system; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FAIRBANKS presented the petitions of Theodore Sorg and sundry other citizens of Fort Wayne; of William R. Williams and sundry other citizens of Economy; of Peter Soller, of Shelbyville; of A. A. J. Pickens and sundry other citizens of Chambersburg; of Zach Taylor and sundry other citizens of Washington; of Herman Kresel and sundry other citizens of Westville; of M. E. Lindenman and sundry other citizens of Mishawaka; of A. L. Miller and sundry other citizens of Thayer; of F. A. Arend, of Osgood; of A. Worley and sundry other citizens of Palmyra; of the Farmersburg Cooperative Creamery and sundry citizens of Farmersburg; of O. R. Werking and sundry other citizens of Hagerstown; of Joseph Berg and sundry other citizens of Klaasville; of George Bachtel and sundry other citizens of Wakrusa; of the Cumberland Cooperative Creamery Company and sundry citizens of Cumberland; of John Stipp and sundry other citizens of Clear Creek; of Jason W. Newby and sundry other citizens of Spiceland; of T. R. Tucker and sundry other citizens of Salem; of L. Caplan and sundry other citizens of Salamoniac; of H. E. Van Norman and sundry other citizens of Lafayette, and John Hall and sundry other citizens of Lucerne, all in the State of Indiana; of the Milk Shippers' Union, of Chicago, Ill., and of the legislature of the State of Minnesota, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. CARMACK. I present a joint resolution of the legislature of Tennessee, favoring the election of United States Senators by popular vote. I ask that the joint resolution be printed in the RECORD, and referred to the Committee on Privileges and Elections.

The joint resolution was referred to the Committee on Privileges and Elections, and ordered to be printed in the RECORD, as follows:

Senate joint resolution No. 40.

Whereas a large number of State legislatures have at various times adopted memorials and resolutions in favor of election of United States Senators by popular vote; and

Whereas the National House of Representatives has on four separate occasions, within recent years, adopted resolutions in favor of this proposed change in the method of electing United States Senators, which was not adopted by the Senate; and

Whereas Article V of the Constitution of the United States provides that Congress, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, and believing there is a general desire upon the part of the citizens of the State of Tennessee that the United States Senators should be elected by a direct vote of the people: Therefore, be it

Resolved by the senate, the house concurring, That the general assembly of the State of Tennessee favors the adoption of an amendment to the Constitution which shall provide for the election of United States Senators by popular vote, and joins with other States of the Union in respectfully requesting that a convention be called for the purpose of proposing an amendment to the Constitution of the United States, as provided in article 5 of the said Constitution, which amendment shall provide for a change in the present method of electing United States Senators, so that they can be chosen in each State by a direct vote of the people.

Resolved, That a copy of this resolution and application to Congress for the calling of a convention be sent to the secretary of state of each State of the United States, and that a similar copy be sent to the President of the United States Senate and to the Speaker of the House of Representatives.

Adopted March 20, 1901.

NEWTON H. WHITE,
Speaker of the Senate.

E. B. WILSON,
Speaker of the House.

Approved, March 27, 1901.

BENTON MCMILLIN, *Governor.*

THE STATE OF TENNESSEE,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Tennessee, ss:

I, John W. Morton, secretary of state of the State of Tennessee, do hereby certify that the foregoing is a full, true, and correct copy of senate joint resolution No. 40, of the fifty-second legislature of the State of Tennessee.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Tennessee. Done at Nashville, the capital, this 18th day of April, A. D. 1901.

[SEAL.] JOHN W. MORTON,
Secretary of State.

Mr. WARREN presented a petition of Local Division No. 128, Order of Railway Conductors, of Cheyenne, Wyo., praying for the enactment of legislation providing an educational test for the restriction of immigration to this country; which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Lusk, Wyo., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. PENROSE presented petitions of 47 citizens of Springsboro, 26 citizens of Wescosville, 47 citizens of Balfour, 46 citizens of Sassamansville, 46 citizens of Conneautville, 47 citizens of Bedford, 63 citizens of Font, 45 citizens of Kittanning, 41 citizens of Sturtevant, 47 citizens of Moscow, 23 citizens of Hayes Grove, 44 citizens of Mount Chestnut, 45 citizens of Eldred, 29 citizens of Doe Run, 41 citizens of Pomeroy, 47 citizens of Keister, 48 citizens of Spring Forge, 12 citizens of New Sheffield, 47 citizens of Sparta, 46 citizens of Doylestown, 46 citizens of Niantic, and 113 citizens of Mastersonville, all in the State of Pennsylvania, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Carpenters and Joiners' Local Union No. 409, of Erie; of Bakers and Confectioners' Local Union No. 132, of Lancaster; of Machinists' Local Union No. 16, of Harrisburg; of Federal Local Union No. 167, of Meadville, all of the American Federation of Labor, and of John A. Weiner's Post, No. 429, Department of Pennsylvania, Grand Army of the Republic, of Lebanon, all in the State of Pennsylvania, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Covode, Barnesboro, and Pittsburg, all in the State of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of the Bricklayers and Masons' Local Union No. 16, of York; of the Cigar Makers' Local Union No. 108, of Lock Haven; of the Journeymen Barbers' Local Union No. 241, of Scranton; of the Cork Makers' International Union No. 52, of Philadelphia; of Coopers' Local Union No. 9, of Philadelphia; of Local Union No. 169, of McAdoo; of Local Union No. 376, of Roscoe; of Plate Printers' Local Union No. 1, of Philadelphia; of Local Union No. 248, of Fayette; of Local Union No. 1787, of Fayette; of Leather Workers' Union No. 32, of Fremont; of the Iron and Steel Workers' Local Union No. 9249, of Pottstown; of Newspaper Writers' Local Union No. 11, of Philadelphia; of Coal Miners' Local Union No. 1826, of Canonsburg; of Local Union No. 1572, of Lansford; of Amalgamated Sheet Metal Workers' Local Union No. 146, of Easton; of Local Union No. 761, of Webster; of Cigar Makers' International Union No. 104, of Pottsville; of Bakers and Confectioners' Local Union No. 132, of Lancaster; of Typographical Union No. 77, of Erie; of Paving Cutters' Local Union No. 7, of Gray Station; of American Tin Workers' Local Union No. 10, of New Kensington; of Local Union No. 1262, of Monongahela; of Boiler Makers' Local Union No. 147, of Reading; of Retail Clerks' Local Union No. 61, of Easton; of Iron and Steel Workers' Local Union No. 8610, of Lebanon; of Local Union No. 51, of Monongahela; of Cigar Makers' Local Union No. 295, of Scranton; of Bricklayers, Masons, and Plasterers' Local Union No. 47, of Pottsville; of International Association of Machinists, Local Union No. 159, of Philadelphia; of Journeymen Barbers' Local Union No. 198, of Meadville; of Local Union No. 91, of Oil City, all of the American Federation of Labor; of 21 citizens of Hellertown, 50 citizens of Johnstown, 43 citizens of Kutztown, and 27 citizens of Bradys Bend, all in the State of Pennsylvania; of Typographical Union No. 36, of Oakland; of Ship and Machine Blacksmiths' Local Union No. 168, of San Francisco; of Local Union No. 148, of Vallejo; of the Iron Ship Builders' Union of Vallejo; of the Federated Trades Council of San Jose; of Cigar Makers' Local Union No. 225, of Los Angeles, and of Local Union No. 64, of San Francisco, all of the American Federation of Labor, in the State of California; of the Journeymen Barbers' Union No. 215, American Federation of Labor, of Omaha, Nebr.; of the Lake Seamen's Union, International Seamen's Union, of Marine City, Mich.; of the Lake Seamen's Union, International Seamen's Union, of Cleveland, Ohio; of the Lake Seamen's Union, International Seamen's Union, of Milwaukee, Wis.; of the Tonawanda Branch of the Lake Seamen's Union, International Seamen's Union, of New York City; of the Pacific Coast Marine Firemen's Union, International Seamen's Union, of San Francisco, Cal.; of the Seamen's Union, International Seamen's Union, of Toledo, Ohio, and of the Lake Seamen's Union, International Seamen's Union, of Ashtabula, Ohio, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. HANNA presented petitions of 48 citizens of Utica; 96 citizens of Cleveland; 60 citizens of Monroeville; 18 citizens of Gustavus; 97 citizens of Creston; 16 citizens of College Hill; 157 citizens of Northfield; 19 citizens of Gustavus; 196 citizens of Savannah; 110 citizens of Wellsville; 57 citizens of College Hill; 293 citizens of Liberty and Blanchard; 35 citizens of Delhi; 116 citizens of Franklin; 20 citizens of Wellsville; 36 citizens of Bridgeport; 21 citizens of Greenville; 30 citizens of Zanesville; 20 citizens of Oxford; 36 citizens of Duncan Falls; 110 citizens of Zanesville; 25 citizens of Cincinnati; 130 citizens of Franklin; 94 citizens of Bridgeport; 104 citizens of Zanesville; 20 citizens of Greenville; 10 citizens of Oxford; 52 citizens of Duncan Falls; 19 citizens of Humboldt, Fruitdale, and Greenfield; 22 citizens of South Salem, Harpers, and Lyndon; 21 citizens of Cincinnati; 20 citizens of Gravel Bank; 41 citizens of Zanesville; 19 citizens of Oxford; 24 citizens of Kingsville; 23 citizens of Madisonville; 127 citizens of St. Marys; 25 citizens of Cincinnati; 90 citizens of Youngstown; 43 citizens of Lorain; 32 citizens of Wooster; 44 citizens of Burghill; 42 citizens of Vernon and Burghill; 10 citizens of Cincinnati; 35 citizens of St. Marys; of the Woman's Missionary Society of Jamestown; of the Woman's Christian Temperance Union of Edenton; of the National Christian Endeavor Convention, of Cincinnati; the Epworth League of the Third Avenue Methodist Episcopal Church, of Columbus; the Christian Endeavor Society of the Broad Street Presbyterian Church, of Columbus; the Presbyterian ministry of Dayton; the Federation of Young Peoples' Societies of Columbus; the Young Peoples' Society of Christian Endeavor of the South Congregational Church, of Columbus; of the congregations of the Presbyterian Church of New Concord; the First Presbyterian Church of Wooster; the Westminster Presbyterian Church, of Wooster; the Olivet Presbyterian Church, of Columbus; the First Presbyterian Church of Kingsman; the Fifth Avenue Presbyterian Church, the Grace United Brethren Church, the Memorial English Lutheran Church, and the First Christian Church, of Columbus, and of the United Presbyterian Church, the Methodist Episcopal Church, the First Presbyterian Church, and the United Presbyterian Church, of Cadiz, all of the State of Ohio, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of Amalgamated Union of Wood Workers No. 134, of Piqua; of Sole Fasteners' Union No. 218, of Cincinnati; of International Broom Makers' Union No. 4, of Hamilton; of Carriage and Wagon Workers' Union No. 16, of Columbus; of Machinists' Union No. 80, of Newark; of Typographical Union No. 199, of Zanesville; of Iron, Steel, and Tin Workers' Union No. 31, of Cleveland; of Cigar Makers' Union No. 152, of Youngstown; of Watch Engravers' International Association No. 3, of Canton; of Chain Makers' Union No. 4, of Columbus; of Wood Workers' Union No. 134, of Piqua; of Press Assistants' Union No. 17, of Cincinnati; of Carriage and Wagon Workers' Union No. 70, of Toledo; of Steam Fitters' Union No. 261, of Lorain; of United Brotherhood of Carpenters No. 557, of Toledo; of Iron Molders' Union No. 151, of Bellaire; of Typographical Union No. 5, of Columbus; of Pressfeeders' Union No. 10, of Zanesville; of Painters' Union No. 102, of Cleveland; of Iron, Steel, and Tin Workers' Union, Cataract Lodge, No. 2, of Cleveland; of Federal Labor Union No. 8811, of Sandusky; of Iron, Steel, and Tin Workers' Union, Lewis Avon Lodge, No. 34, of Martins Ferry; of Journeymen Tailors' Union No. 166, of Toledo; of Hoisters and Engineers Association of Longshoremen's Union No. 132, of Cleveland; of Longshoremen's Union No. 173, of Sandusky; of Retail Clerks' Union No. 12, of Columbus; of Carpenters' Union No. 2, of Cincinnati; of Clothing Cutters and Trimmers' Union No. 100, of Cincinnati; of Cigar Makers' Union No. 96, of Akron; of Stationary Engineers' Union No. 10, of Toledo; of Cigar Makers' Union No. 86, of Mansfield; of Plumbers' Union No. 97, of Springfield; of Electrical Workers' Union No. 118, of Dayton; of Pattern Makers' Association, of Cincinnati; of Pattern Makers' League, of Dayton; of Iron Molders' Union No. 143, of Mount Vernon; of Beer Bottlers' Union No. 147, of Columbus; of Carpenters' Union No. 11, of Cleveland; of Longshoremen's Union No. 154, of Conneaut; of United Brotherhood of Carpenters No. 61, of Columbus; of Boiler Makers' Union No. 259, of Lima; of

Longshoremen's Union No. 99, of Ashtabula; of Boot and Shoe Workers' Union No. 268, of Harshman; of Carriage Trimmers' Union No. 38, of Cincinnati; of Boiler Makers' Union No. 135, of Chillicothe; of International Machinists' Union No. 233, of Cleveland; of Central Labor Union of Bowling Green; of Iron Molders' Union No. 98, of Columbus; of Bartenders' Union No. 216, of Toledo; of Central Labor Union of Toledo; of Electrical Workers' Union No. 178, of Canton; of Trades and Labor Assembly of Sandusky; of Dish Makers' Union No. 29, of East Liverpool; of Iron Molders' Union No. 328, of Crestline; of Trades and Labor Assembly, of Columbus; of Painters and Decorators' Union No. 189, of Zanesville; of Bartenders' Union No. 108, of Cleveland; of Iron Molders' Union No. 72, of Springfield; of Clay Makers' Union No. 21, of East Liverpool; of Brewery Workers' Union No. 45, of Springfield; of Screw Makers' Union No. 23, of Dayton; of Machinists' Union No. 225, of Dayton; of Electrical Workers' Union No. 170, of Findlay; of Journeymen Barbers' Union No. 263, of Sandusky; of Painters' Union No. 165, of East Liverpool; of American Federation of Labor No. 8649, of Sidney; of Iron Molders' Union No. 27, of Cleveland; of Longshoremens' Union No. 77, of Cleveland; of Photo-Engravers' Union No. 13, of Cincinnati; of Boot and Shoe Workers' Union No. 68, of Cincinnati; of Painters, Paper Hangers and Decorators' Union No. 248, of Columbus; of Printing Pressmen's Union No. 55, of Toledo; of Boot and Shoe Cutters' Union No. 210, of Cincinnati; of Boot and Shoe Workers' Union No. 241, of Columbus; of Oil Workers' Union No. 1, of Bowling Green; of Longshoremens' Union No. 102, of Ashtabula; of Coopers' Union No. 34, of Toledo; of Team Drivers' Union No. 124, of Springfield; of Trades and Labor Council of East Palestine; of Central Trades and Labor Council of Zanesville; of Carriage Painters' Union No. 41, of Cincinnati; of the Central Labor Union of Ashtabula; of Columbus Musicians' Protective Association No. 103, of Columbus; of Iron Molders' Union No. 250, of Massillon; of Painters, Paperhangers and Decorators' Union No. 206, of Canton; of Iron, Steel and Tin Workers' Union No. 15, of Ironton; of International Association of Machinists, Lincoln Lodge, No. 307, of Cincinnati; of Iron Lodge No. 60, of Youngstown; of Potters' Union No. 7, of Tiffin; of Blacksmiths' Union No. 207, of Chillicothe; of Garment Makers' Union No. 121, of Cincinnati; of Ship Builders' Union No. 5, of Cleveland; of Electrical Workers' Union No. 39, of Cleveland; of Amalgamated Association of Iron and Steel Workers Union No. 25, of Piqua; of Kilnmen's Union No. 9, of East Liverpool; of the American Federation of Labor Union of Salem; of Nutmakers' Union No. 9251, of Cleveland; of Hodcarriers' Union No. 8931, of Chillicothe; of Machinists' Union No. 200, of Youngstown; of Machinists' Union No. 148, of Springfield; of Kilndrawers' Union No. 17, of East Liverpool; of Plumbers' Union No. 252, of Massillon; of Iron Molders' Union No. 61, of Salem; of Blast Furnace Workers' Union No. 8872, of Girard; of Painters and Paper Hangers' Union No. 318, of Massillon; of Dish Makers' Union No. 29, of East Liverpool; of the Central Labor Union of Canton; of Potters' Union No. 12, of East Liverpool; of Beer Drivers' Union No. 87, of Toledo; of Beer Drivers' Union No. 204, of Youngstown; of Cigar Makers' Union No. 79, of Sandusky; of Steam Engineers' Union No. 18, of Cincinnati; of Coopers' Union No. 59, of Cincinnati; of Stereotypers' Union No. 14, of Columbus; of Potters' Union No. 24, of Wellsville; of Iron, Steel and Tin Workers' Union No. 3, of Dennison; of Plumbers' Union No. 148, of Zanesville; of Laundry Workers' Union No. 1, of Toledo; of Brewery Workers' Union No. 162, of Newark; of Musicians' Union No. 111, of Canton; of Leather Workers' Union No. 34, of Columbus; of Boiler Makers' Union No. 85, of Toledo; of Pattern Makers' Association of Youngstown; of Massillon Trades and Labor Assembly, of Massillon; of Brewery Workmen's Union No. 251, of Cleveland; of Ship Carpenters' Union No. 6976, American Federation of Labor, and Neilson Union No. 38, of Youngstown; of Potters' Union No. 4, of East Liverpool; of Cigar Makers' Union No. 137, of Massillon; of Tin Plate Workers' Union No. 23, of Lisbon; of Teamsters' Union No. 253, of Youngstown; of Machinists' Union No. 200, of Youngstown; of Carpenters and Joiners' Union No. 294, of East Palestine; of Machinists' Union No. 83, of Cleveland; of Pattern Makers' Union of Youngstown; of American Federation Local Union No. 71, of East Liverpool; of Directory Workers' Union No. 9014, of Cincinnati; of Brewers' Union No. 138, of Youngstown; of Clay Workers' Union No. 21, of East Liverpool; of Federal Union No. 8547, of Massillon; of Hod Carriers' Union No. 8803, of East Liverpool; of Retail Clerks' Union No. 281, of Lisbon; of Dippers' Union No. 18, of East Liverpool; of Retail Clerks' Union No. 235, of Massillon; of Boiler Makers' Union No. 49, of Youngstown; of Barbers' Union No. 221, of Portsmouth; of Retail Clerks' Union No. 12, of Columbus; of Operative Potters' Union No. 20, of Steubenville; of Coopers' Union No. 11, of Sandusky; of Screw Makers' Union No. 2, of Toledo; of Carpenters' District Councils Nos. 2, 209, 327, 628, 664, 667, 676, 703, and 854, of Cincinnati; of Operative Trades and Labor Council of Hamilton; of Longshoremen's Union No. 167, of Huron; of Carpenters' Union No. 576, of Cincinnati; of Iron Molders' Union, No. 352, of Bucyrus; of Brotherhood of Leather Workers of Marietta; of Coopers' Union No. 6, of Toledo; of National Brotherhood of Operative Potters' Union No. 31, of East Palestine; of International Association of Machinists' Union No. 407, of Canton; of German American Typographical Union No. 2, of Cincinnati; of Journeymen Tailors' Union No. 155, of Cincinnati; of Brewers' Union No. 46, of Canton; of Stationary Firemen's Union No. 2, of Toledo; of Musicians' Union No. 24, of Akron; of Trades and Labor Assembly of Findlay; of Retail Clerks' Union No. 260, of Uhrichsville; of Federal Labor Union No. 6876, of Chillicothe; of Local Union No. 98, of Conneaut; of Longshoremen's Union No. 117, of Conneaut; of Firemen's Union No. 52, of Cleveland; of Barbers' Union No. 132, of Hamilton; of Gas Well Workers' Union No. 5, of Hammansburg; of Bakers' Union No. 122, of Akron; of Operative Potters' Union No. 38, of Cincinnati; all of the American Federation of Labor; of Rank Post, No. 534, of Gnadenhutten; of A. L. Brown Post, No. 162, of Chillicothe; of Grand Army Post No. 212, of Marlboro; of Grand Army Post No. 150, of Addison; of Grand Army Post No. 98, of Urbana; of Grand Army Post No. 28, of Geneva; of Grand Army Post No. 21, of Mt. Vernon; of Grand Army Post No. 796, of Sycamore; of Grand Army Post No. 210, of Higginsport; of J. C. McCoy Post, No. 1, of Columbus; of Grand Army Post No. 72, of Martins Ferry; of Grand Army Post No. 638, of Cincinnati; of Grand Army Post No. 158, of Piqua; of Grand Army Post No. 71, of Newark; of Grand Army Post No. 172, of Marietta; of Grand Army Post No. 246, of Carroll; of Grand Army Post No. 125; of Grand Army Post No. 717, of Cygnet; of Grand Army Post No. 628, of Norwalk, all of the Department of Ohio, Grand Army of the Republic, in the State of Ohio; of resolutions adopted by the legislature of California, January 26, 1899, and of the Trades and Labor Council, American Federation of Labor, of Vallejo, Cal., praying that some of the new battleships to be appropriated for may be built in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. FRYE presented the petition of Joe Porter and 40 other citizens of Oklahoma Territory, praying that P County of the Cherokee Outlet, in that Territory, be restored; which was referred to the Committee on Territories.

REPORTS OF COMMITTEES.

Mr. BURTON, from the Committee on Public Lands, to whom was referred the bill (H. R. 7933) providing for the commutation for town-site purposes of homestead entries in certain portions of Oklahoma, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Pensions, to whom was referred the bill (S. 1285) granting an increase of pension to Elizabeth Steele, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 5247) granting an increase of pension to Richard Fristoe, reported it without amendment, and submitted a report thereon.

Mr. HEITFELD, from the Committee on Public Lands, to whom was referred the bill (S. 3800) to grant certain lands to the State of Idaho, reported it without amendment, and submitted a report thereon.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (H. R. 718) to correct the military record of James L. Proctor, reported it without amendment, and submitted a report thereon.

Mr. PLATT of Connecticut, from the Committee on Finance, to whom was referred the bill (S. 2393) for the relief of James B. Sargent, reported it with amendments, and submitted a report thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 2291) for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia, reported it with an amendment, and submitted a report thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. MALLORY introduced a bill (S. 4306) for the relief of Edward Haines, John Haugland, Wallace L. Reed, W. D. Davis, Martin Monson, Johann Bottjer, and the legal representatives of J. P. Ferwerda, deceased; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MARTIN introduced a bill (S. 4307) for the relief of the estate of Robert J. Glass, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BAILEY introduced a bill (S. 4308) for the relief of Katie A. Nolan; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 4309) to amend section 4386 of the Revised Statutes of the United States, striking out "twenty-eight consecutive hours" and "twenty-eight hours" and inserting "forty consecutive hours" and "forty hours;" which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 4310) for the relief of Calvin T. Hazelwood; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4311) to make Port Arthur, Tex., a port of entry; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4312) granting an increase of pension to Amanda J. Frybarger;

A bill (S. 4313) granting an increase of pension to Sarah E. Jean; and

A bill (S. 4314) granting an increase of pension to Jeremiah Davis.

Mr. CLARK of Montana introduced a bill (S. 4315) granting an increase of pension to William N. Jackson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4316) for the relief of Dr. Charles B. Miller; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BATE introduced a bill (S. 4317) for the relief of John M. Lea; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. PATTERSON introduced a bill (S. 4318) for the relief of Manuel A. Fernandez and other heirs of Miguel Fernandez, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PENROSE introduced a bill (S. 4319) granting an increase of pension to Helen G. Heiner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4320) authorizing the appointment of Harry G. Cavenaugh, major, United States Army, retired, to the active list of the Army; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 4321) granting an increase of pension to Zuinglius C. Gowen; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 4322) granting an increase of pension to Robert S. Moore; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4323) granting an increase of pension to Stella B. Moore; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BAILEY introduced a joint resolution (S. R. 64) authorizing the Secretary of War to loan tents to the Texas Reunion Association; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO BILLS.

Mr. PROCTOR submitted an amendment proposing to increase the salary of the United States consul at Auckland, New Zealand, from $2,000 per annum to $2,500 per annum, intending to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. MARTIN submitted an amendment, intended to be proposed by him to the bill (H. R. 3641) for the allowance of certain claims for property taken for military purposes within the United States during the war with Spain, reported by the Secretary of War in accordance with the requirements of an item contained in the sundry civil appropriation act approved June 6, 1900, authorizing and directing the Secretary of War to investigate just claims against the United States for private property taken and used in the military service within the limits of the United States, and so forth; which was referred to the Committee on Claims, and ordered to be printed.

Mr. PETTUS submitted an amendment proposing to appropriate $6,438.21 to pay Thomas F. Richardville or his personal representatives for advances made and services rendered as delegate and representative of the Western Miami tribe of Indians, from March 31, 1890, to March 31, 1899, both inclusive, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PROCTOR submitted an amendment proposing to increase the salary of the consul-general at Halifax, Nova Scotia, from $3,500 to $4,000, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

He also submitted an amendment proposing to increase the salary of the consul at Moscow, Russia, from $1,500 to $2,000, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. LODGE submitted an amendment proposing to appropriate $2,000 to pay the salary of a consul at Puerto Cortez, Honduras, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

He also submitted an amendment proposing to appropriate $2,500 to pay the salary of the consul at Lourenço Marquez, South Africa, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

EFFICIENCY OF THE MILITIA.

On motion of Mr. COCKRELL, it was

Ordered, That 500 copies of public act No. 30, to increase the efficiency of the permanent military establishment of the United States, be printed for the use of the Senate.

CHRISTIAN ASSOCIATION BUILDINGS.

Mr. PROCTOR. I ask unanimous consent for the consideration of Senate bill 3129, a bill of a few words and a matter of charity.

Mr. HALE. After the Senator from Vermont is through with this matter I hope we may do what we did yesterday, the wisdom of which was proved by the great progress which we made with the Calendar. I hope that we may go to the Calendar and take the bills in order, and we shall very nearly get through with it by the end of the morning hour to-day. I do not make the point now, but I shall do so after the Senator has called up this bill.

The PRESIDENT pro tempore. The Senator from Vermont asks for the present consideration of a bill which will be read.

The Secretary read the bill (S. 3129) for the authorization of the erection of buildings by the International Committee of Young Men's Christian Associations on military reservations of the United States, which had been reported from the Committee on Military Affairs with an amendment.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. HOAR. I should like to reserve objection until the amendment has been read, if I may. I will wait until that has been dealt with.

The PRESIDENT pro tempore. The proposed amendment will be read.

The amendment was read, which was, in line 4, after the word "permission," to insert "by revocable license;" so as to make the bill read:

Be it enacted, etc., That authority is hereby given to the Secretary of War to grant permission by revocable license to the International Committee of Young Men's Christian Associations of North America to erect and maintain, on the military reservations within the United States or its island possessions, such buildings as their work for the promotion of the social, physical, intellectual, and moral welfare of the garrisons may require, under such regulations as the Secretary of War may impose.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. HOAR. Mr. President, I think this presents a pretty serious question. Of course no man can fail to be eagerly desirous that such work as these associations propose shall be encouraged; but we have had some rather unpleasant experiences when yielding to that motive in permitting any Christian sect to have peculiar opportunities for its own charitable and religious work on public grounds.

For instance, General Grant, with that great kindness of heart and desire for the public advantage which always animated him, granted to the different religious organizations the function of teaching Indian schools, and the result was that after we had gone on several years we were obliged to abandon that policy by reason, I will not say of the jealousies, but the discontents which prevailed among different Christian sects.

Now, is the Young Men's Christian Association an association which admits all religious persons of any faith, or all Christian persons, I will say? For instance, does it admit Catholics?

Mr. PROCTOR. It does, I understand.

Mr. HOAR. Does it admit Unitarians?

Mr. PROCTOR. It is not denominational at all. It admits everybody. It is for the benefit of the soldiers generally.

Mr. HOAR. I have been told, perhaps without authority, that its constitution prohibits any person from having a share in its management except what are known as members of evangelical churches. If that be true, I should still make no objection to the bill, if it is expected that any other association of Christian bodies shall be permitted to do the same thing.

Mr. PROCTOR. Mr. President, other religious bodies have been permitted for a great many years to do this same thing. There are Catholic churches on military reservations, all by revocable rights, just as this proposes, and in some cases the licenses have been revoked to the extent that the location has been changed where the ground was required for military purposes. I see no possible harm in it. It is especially used for the social and physical features. They conduct no religious services whatever.

Mr. HOAR. I do not object to that, of course.

Mr. PROCTOR. It is, one might say, an innocent amusement hall for the benefit of the soldiers. It is entirely under the control of the Secretary of War at any time, and is revocable by license.

Mr. HOAR. I was thinking of moving to insert the words "or to any other religious association that he may approve," but on the statement of my honorable friend, which we all, of course, would trust, that it is not intended to make this an exclusive privilege——

Mr. PROCTOR. Not at all.

Mr. HOAR. But other bodies reasonably equipped and reasonably certain to carry out the work would be likely to have the same privilege——

Mr. PROCTOR. They have had it for years.

Mr. HOAR. I will not interpose.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

Mr. HALE. I presume the Senator will have no objection after the words "authority is hereby given to the Secretary of War" to insert "in his discretion." I presume he will exercise it, but it may be claimed that the act does not give that authority.

Mr. PROCTOR. There is no objection to that amendment whatever.

Mr. HALE. I think that helps it.

The PRESIDENT pro tempore. The amendment of the committee will first be stated.

The SECRETARY. In line 4, after the word "permission," insert the words "by revocable license."

The amendment was agreed to.

The PRESIDENT pro tempore. The Senator from Maine offers an amendment, which will be read.

The SECRETARY. In line 3, after the word "War," insert "in his discretion."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STATISTICS OF TRADE.

Mr. HALE. Now, let the Secretary announce the first bill on the Calendar.

The PRESIDENT pro tempore. The Calendar, under Rule VIII, is in order. The occupant of the chair asks that a bill which has been passed over at his request, being Senate bill 2479, be considered, it having been understood that where bills were passed over at any time they could be called up.

Mr. CARMACK. What was the request of the Senator from Maine?

Mr. HALE. That we proceed with the Calendar. The first Calendar number is 376.

The PRESIDENT pro tempore. This bill was passed over at a former time, without prejudice.

Mr. HALE. There is no objection to going back to it.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2479) to facilitate the procurement of statistics of trade between the United States and noncontiguous territory over which it exercises control, which had been reported from the Committee on Commerce with amendments.

The PRESIDENT pro tempore. The Committee on Commerce instructed the occupant of the Chair to offer an amendment to come in at the end of the bill. The amendment will be read:

The SECRETARY. It is proposed to add at the end of the bill the following proviso:

Provided, That this law shall not apply in the Philippine Islands during such time as the collectors of customs of those islands are under the jurisdiction of the War Department.

The amendment was agreed to.

The PRESIDENT pro tempore. The amendments of the Committee on Commerce will be stated in their order.

The SECRETARY. On page 2, line 1, strike out the word "other" and insert in lieu "its other noncontiguous," so as to read:

That the provisions of sections 4197 to 4200, inclusive, of the Revised Statutes of the United States, requiring statements of quantity and value of goods carried by vessels clearing from the United States to foreign ports, shall be extended to and govern, under such regulations as the Secretary of the Treasury shall prescribe, in the trade between the United States and Hawaii, Porto Rico, Alaska, the Philippine Islands, Guam, and its other noncontiguous territory.

The amendment was agreed to.

The next amendment was, after the word "territory," in line 1, page 2, to strike out the words "not contiguous to the United States which is or shall be controlled by the United States."

The amendment was agreed to.

Mr. TELLER. I wish to inquire what bill this is. I have just come into the Chamber from committee work.

The PRESIDENT pro tempore. It is a bill to obtain custom-house statistics in outlying territories, desired by the Statistical Bureau.

Mr. TELLER. What committee does it come from.

The PRESIDENT pro tempore. The Committee on Commerce.

Mr. BACON. What was that amendment, if I may be pardoned for asking?

The SECRETARY. On page 2, lines 1, 2, and 3, strike out after the word "territory" the following:

Not contiguous to the United States which is or shall be controlled by the United States.

Mr. BACON. That is not the amendment I refer to. It is the prior amendment, in reference to the Philippines.

The PRESIDENT pro tempore. The amendment will be again read.

The SECRETARY. Add at the end of the bill the following proviso:

Provided, That this law shall not apply in the Philippine Islands during such time as the collectors of customs of those islands are under the jurisdiction of the War Department.

The PRESIDENT pro tempore. The War Department is gathering the statistics now and communicating them to the Treasury Department.

Mr. BACON. The provision is made on the ground that it is unnecessary?

The PRESIDENT pro tempore. Yes, sir. The next amendment of the Committee on Commerce will be stated.

The SECRETARY. In line 5 strike out the word "the," in the center of the line, and insert "other parts of the;" so as to read:

and shall also govern in the trade conducted between said island and territory, and in shipments from said islands or territory to other parts of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to facilitate the procurement of statistics of trade between the United States and its noncontiguous territory."

ALPHONSO M. POTVIN.

The bill (S. 918) for the relief of Alphonso M. Potvin was announced as next in order on the Calendar.

Mr. WARREN. I ask that that may be passed over, as it is included in the claims bill.

The PRESIDENT pro tempore. Without prejudice?

Mr. WARREN. Without prejudice.

The PRESIDENT pro tempore. The bill will be passed over.

MILLE LAC CHIPPEWA INDIANS.

Mr. NELSON. The other day the bill (S. 590) for the relief of the Mille Lac Chippewa Indians, in the State of Minnesota, went over at the request of the Senator from Connecticut [Mr. PLATT]. I ask unanimous consent that it may be taken up now. It is a local bill and the Senator from Connecticut, at whose request it went over, is now here.

The Senate as in Committee of the Whole proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment.

Mr. COCKRELL. I should like to ask the Senator in charge of the bill what is to become of the land upon which the Indian improvements are now and which are to be paid for? Who will get the benefit of those improvements?

Mr. NELSON. Unfortunately these lands have already been taken by homestead settlers, and the Indians are remaining there without any title at all. They are squatters. They lost the land years ago, and this is to give them pay for their improvements and remove them to the White Earth Reservation.

Mr. COCKRELL. And to donate the improvements to the settlers?

Mr. NELSON. The settlers have already homestead entries on the lands.

Mr. COCKRELL. Do they get the improvements? Do they go and settle upon the lands where the Indians had their buildings and improvements upon them?

Mr. NELSON. The settlers took homesteads there, and the Indians remained squatting on the land. They had made improvements before that time.

Mr. COCKRELL. Do I understand that the settlers went and made homesteads on the land where the Indians were occupying them, with buildings upon them?

Mr. NELSON. Yes; and those homesteads have been approved by the Land Office.

Mr. COCKRELL. Were they Indian lands before?

Mr. NELSON. No; they were supposed to be Indian lands, but they were not. By an old treaty, in 1867, they were ceded to the United States absolutely, but with one condition, that the Indians could remain and occupy the lands as long as they were well-behaved.

The PRESIDENT pro tempore. The amendment will be stated.

The amendment was in section 2, on page 2, line 4, before the word "thousand," to strike out "twenty-five" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and empowered, through such agent or agents as he may appoint therefor, to cause to be investigated, examined, and appraised all the improvements made by the Mille Lac Indians, or any of them, upon the lands occupied by them on said Mille Lac Indian Reservation in the State of Minnesota. And when such investigation, examination, and appraisal has been approved and allowed by the Secretary of the Interior, he is hereby authorized and directed to pay to said Indians, upon the condition of their removing from said Mille Lac Reservation, the amount of the compensation appraised and allowed, as aforesaid.

SEC. 2. That the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the amount appraised and allowed to said Indians under the provisions of the foregoing section.

SEC. 3. That the said Indians, upon removing from said Mille Lac Reservation, shall be permitted to take up their residence and obtain allotments in severalty, either on the White Earth Reservation or on any of the ceded Indian reservations in the State of Minnesota on which allotments are made to Indians.

Mr. ALLISON. I think the Senator from Minnesota ought to state some reason why the amount is doubled.

Mr. NELSON. That is the recommendation of the Committee on Indian Affairs. The bill was originally for $25,000, but the committee thought that was not sufficient and that a larger margin was needed. I am not responsible for the amendment of the committee; they recommended it. It was their opinion, after consulting the Indian authorities, that the amount should be increased to $50,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STATUS OF BILLS PASSED OVER.

Mr. HOAR. Mr. President, I rise to a parliamentary inquiry. I understand that bills which are passed over without prejudice may be called up by a Senator at any time when the Calendar is under consideration.

The PRESIDENT pro tempore. The Chair so understands.

JERONEMUS S. UNDERHILL.

The bill (S. 208) for the relief of Jeronemus S. Underhill was announced as next in order.

Mr. WARREN. I ask that the bill be passed over for the time being.

The PRESIDENT pro tempore. It will be passed over without prejudice.

TREASURY SETTLEMENTS.

The bill (S. 2604) to pay certain Treasury settlements was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay the following Treasury settlements:

To the Magnolia Fire and Marine Insurance Company of Cincinnati, Charles Hofer, receiver, for amount paid to owners of steamer *Neptune*, $2,333.33 (No. 432; settlement 5318 of 1885).

To Charles Hofer, receiver of the Magnolia Fire and Marine Insurance Company of Cincinnati, for moneys paid to the owners of the steamer *Forest Queen*, $3,000 (Nos. 430 and 432; settlement 5363 of 1885).

To Henry M. Cist, receiver of the City Insurance Company of Cincinnati, for money paid to owners of same steamer, $3,000 (same settlement as last named).

For sums paid upon the loss of the steamer *Forest Queen*, namely: To the National Insurance Company of Cincinnati, $3,000; to the American Insurance Company of Cincinnati, $4,000; to Joseph W. Wayne, assignee of the Central Insurance Company of Cincinnati, $3,000 (Nos. 423, 438, and 431, settlement 5088 of 1884).

To the American Insurance Company of Cincinnati, for amount paid to the owners of the steamer *Neptune*, $4,667 (No. 428, settlement 5085 of 1884).

Mr. ALLISON. I will ask the Senator from Wyoming, the chairman of the Committee on Claims, to explain these Treasury settlements. I do not quite understand why they have not been paid before and what they relate to.

Mr. WARREN. There is a long report, and, perhaps, it will be necessary to read portions of the report.

A similar bill, I may state, has passed this body and the other House a number of times, but I am not relying upon that.

The matter occurred in this way. Certain steamboats, previously insured by insurance companies in Cincinnati, Ohio, were impressed into the military service, and were lost while in the service under circumstances which rendered the Government liable for their full value under the statutes relating to them. Upon presentation of the claims of the owners of the boats, and upon satisfactory evidence of the liability of the Government and the value of the boats, the Auditor and Comptroller deducted from the value so found the amount which had been previously paid to the owners by the insurance companies under the policies of insurance. Subsequently the insurance companies filed claims, claiming that they were entitled to be subrogated to the rights of the owners of the steamboats for that portion of the value of the boats which the accounting officers had deducted in settlement with the owners.

It further appears that the Attorney-General had given an opinion (Opinions of the Attorney-General, vol. 13, p. 182) that insurance companies were entitled to be subrogated to the rights of the owners of steamboats lost in the military service when the companies had paid the insurance on the boats so lost. He refers in his opinion to several decisions of the Supreme Court in support of his position. Under this opinion and decisions of the courts the accounting officers made the awards in favor of the claims embraced in the pending bill, and they were reported to Congress. The papers are all here, and, if necessary, parts of them may be read.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHAUNCEY M. LOCKWOOD.

The bill (S. 925) for the relief of the legal representatives of Chauncey M. Lockwood was announced as next in order.

Mr. WARREN. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

PUBLIC BUILDING AT DURHAM, N. C.

The bill (S. 2897) providing for the erection of a public building in the city of Durham, N. C., was considered as in Committee of the Whole. It proposes to appropriate $100,000 to enable the Secretary of the Treasury to purchase or acquire by condemnation proceedings a site for a building to be erected thereon, and to cause to be erected at the city of Durham, N. C., a suitable building for the use and accommodation of the United States courts, revenue office, post-office, and other Government offices in that city, with fireproof vaults extending to each story.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

G. H. SOWDER.

The bill (S. 1928) for the relief of G. H. Sowder was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to G. H. Sowder, of Pineville, Bell County, Ky., administrator of the estate of B. H. Sowder, deceased, failing mail contractor, $567.77, the amount due to the estate of B. H. Sowder, as shown by the records of the Auditor's Office for the Post-Office Department.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LARABEE & ALLEN.

The bill (S. 1024) for the relief of Larabee & Allen was announced as next in order.

Mr. WARREN. I ask that that bill may be passed over without prejudice.

Mr. COCKRELL. I should like to ask if that bill has also been included in the omnibus claims bill?

Mr. WARREN. This bill and the other bills I have asked to have passed over are in the omnibus claims bill, and therefore I should like to have them passed over for the present.

Mr. COCKRELL. I should like to have that fact stated so that we can ascertain why it is that they are passed over.

Mr. WARREN. I will state, while on my feet, that that is true of every bill I have asked to have passed over this morning.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

ASSAY OFFICE AT PROVO CITY, UTAH.

The bill (S. 150) for the establishment of an assay office at Provo City, Utah, was announced as next in order.

Mr. ALLISON. Let that bill go over without prejudice, Mr. President.

Mr. RAWLINS. What was the request of the Senator from Iowa, Mr. President?

The PRESIDENT pro tempore. The Senator from Iowa asks that the bill may be passed over for the present without prejudice.

Mr. RAWLINS. I hope the Senator from Iowa will let that bill go through.

Mr. ALLISON. My attention has not been called to the bill. Bills for the establishment of assay offices are usually referred to

the Committee on Finance, which has jurisdiction of the subject. I should like to look into the bill.

Mr. RAWLINS. I hope the Senator will not object to the bill.

Mr. ALLISON. As I say, my attention had not been called to this bill until this morning, and I desire an opportunity to examine it.

Mr. RAWLINS. The Senator from Rhode Island [Mr. ALDRICH], who is chairman of the Committee on Finance, called attention to that matter, and, upon investigation, I think he has no desire to insist that the bill shall be referred to the Committee on Finance. It was referred to the Committee on Mines and Mining, probably through inadvertence, and that committee reported it favorably.

Mr. ALLISON. I ask that the bill may be passed over without prejudice. I do not know, after examination, that I shall have any objection to it.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

LEONARD L. DIETRICK.

The bill (S. 306) for the relief of Leonard L. Dietrick was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Leonard L. Dietrick, late first lieutenant, Thirty-fourth Infantry, United States Volunteers, $120, said sum having been United States funds stolen from his safe at Penaranda, Nueva Ecija, P. I., at some time between December 3, 1900, and December 24, 1900, while he was acting commissary officer, and which sum Leonard L. Dietrick repaid to the proper officer of the United States from his own private funds.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF CHARLES M. ROBERTS, DECEASED.

The bill (S. 172) for the relief of the estate of Charles M. Roberts, deceased, was announced as next order.

Mr. WARREN. I ask that that bill may be passed over, as it is in the omnibus claims bill.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

ADDITIONAL CIRCUIT JUDGE IN SEVENTH JUDICIAL CIRCUIT.

The bill (S. 3220) providing an additional circuit judge in the seventh judicial circuit was announced as next in order.

Mr. CULLOM. That bill really, as I understand, provides for a district judge, and not for a circuit judge. I therefore ask that it be passed over without prejudice, in the hope that the Judiciary Committee may change the bill before its consideration.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

ESTATE OF ELI AYERS, DECEASED.

The bill (S. 877) to quiet the titles of certain lands in the State of Mississippi, and for the relief of the estate of Eli Ayers, deceased, was announced as next in order.

Mr. PLATT of Connecticut. Let that bill be passed over, Mr. President.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

SALVADOR COSTA.

The bill (S. 2731) for the relief of Salvador Costa was considered as in Committee of the Whole. It proposes to refer the claim of Salvador Costa to the Court of Claims and vests jurisdiction in the court to hear and determine the same, and directs that all the papers, proofs, evidence, and documents pertaining thereto on the files of the Senate be transmitted to the court to be used at the trial of the cause, in conjunction with such other testimony and proof as may be produced at the hearing. And if the court shall find that Salvador Costa is justly entitled to recover anything for his sloop *Mary Lawrence*, or for the use thereof, then it shall render judgment in favor of the claimant for such amount as in the opinion of the court he is fully, fairly, and equitably entitled to, but without interest upon his claim; but no statute of limitation shall apply to the right of recovery by the claimant, and each party shall have the right of appeal to the Supreme Court of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MISSION INDIANS OF CALIFORNIA.

The bill (S. 3536) for the relief of certain Mission Indians of California, and for other purposes, was announced as next in order.

Mr. BARD. I ask that that bill be passed over without prejudice.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

NATIONAL CEMETERY NEAR PENSACOLA, FLA.

The bill (S. 458) making an appropriation for completing the construction of the road to the national cemetery near Pensacola, Fla., was considered as in Committee of the Whole. It appropriates $32,000 for the purpose of completing the construction of the roadway from Pensacola, Fla., to the national cemetery near that city, to be expended under the direction of the Secretary of War.

Mr. LODGE. I should like to ask where this railroad is to run?

Mr. MALLORY. It is not a railroad; it is a carriage road.

Mr. LODGE. I thought the bill was read "railway."

Mr. MALLORY and Mr. BATE. No; a roadway.

Mr. LODGE. I thought it was read "railway."

Mr. MALLORY. No.

Mr. BATE. It is for the completion of the construction of a road to the national cemetery near Pensacola, Fla. It was reported by the Committee on Military Affairs unanimously.

Mr. LODGE. Very well. I have no objection to the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DAVID M'MURTRIE GREGG.

The bill (S. 1879) authorizing the appointment and retirement of David McMurtrie Gregg as a captain in the United States Army was considered as in Committee of the Whole. It proposes that in view of the long and faithful services of David McMurtrie Gregg, brevet major-general of the United States Volunteers, before and during the late war of the rebellion, especially for gallant conduct at the battle of Gettysburg, and his participation and gallant conduct in forty or more battles and engagements, as shown by the records of the War Department, the President be authorized to nominate and, by and with the consent of the Senate, to appoint him to the position of captain in the Army of the United States, and to place him on the retired list as of that grade, the retired list being increased in number to that extent; and suspends all laws and parts of laws in conflict herewith for this purpose only; but from and after the passage of this act no pension shall be paid to David McMurtrie Gregg, nor shall any compensation be paid him for any period prior to his appointment under this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEGAL REPRESENTATIVES OF CHAUNCEY M. LOCKWOOD.

Mr. MITCHELL. Mr. President, I have just come into the Senate Chamber, and I ask whether the bill (S. 925) for the relief of the legal representatives of Chauncey M. Lockwood has been passed?

The PRESIDENT pro tempore. The bill was passed over without prejudice.

Mr. MITCHELL. I ask that the bill may be now considered.

Mr. WARREN. I will say to the Senator from Oregon that my only reason for asking that the bill be passed over was that it was included in the omnibus claims bill. I do not know that there is any objection to passing it either here or in the other House, but the claims bill has already passed the Senate.

Mr. MITCHELL. That is disposed of?

Mr. WARREN. Yes; and I thought it would be better to let the bill remain on the Calendar for the present.

Mr. MITCHELL. Perhaps that will be better.

ELIZABETH MUHLEMAN.

The bill (S. 2216) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased, was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased, $5,000, in full compensation for the death of Samuel A. Muhleman on February 14, 1898, caused by injury received on the 9th day of June 1893, while employed as a clerk in the Record and Pension Office, War Department, while located in Ford's Theater at the time of its collapse.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LINCOLN W. TIBBETTS.

The bill (S. 2037) for the relief of Lincoln W. Tibbetts was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay $15,000 to Lincoln W. Tibbetts, of Portland, Me., in full settlement and satisfaction of his claim for losses sustained by him in bringing back to New York the cargo of the brig *Tornado*, consisting of 8,000 kegs of gunpowder, shipped by the brig *Tornado* from the port to New Orleans in December, 1860, of which he was master and managing owner, whereby the powder was prevented from falling into the hands of the authorities of the seceding States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed

CHARLES HURRLE.

Mr. WARREN. The Senate passed over yesterday the bill (S. 2122) for the relief of Charles Hurrle. A similar bill has passed the House of Representatives and been referred to the Committee on Claims. I now wish to report that bill and substitute it for the Senate bill.

Mr. COCKRELL. Oh, no. You want to have the House bill passed and have the Senate bill postponed indefinitely.

Mr. WARREN. I say, I want to have the House bill passed in lieu of the Senate bill now on the Calendar.

Mr. COCKRELL. That is right.

Mr. WARREN. I now report from the Committee on Claims the bill (H. R. 7035) for the relief of Charles Hurrle, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay Charles Hurrle, late of Troop E, Sixth United States Cavalry, for extra duty as post interpreter at Fort Apache, Ariz., from October 29, 1879, to May 4, 1881, inclusive, at the rate of 50 cents per day, and from May 5, 1881, to June 30, 1881, inclusive, at the rate of $75 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Order of Business 466, being the bill (S. 2122) for the relief of Charles Hurrle, will be postponed indefinitely, in the absence of objection. The Chair hears none, and that order is made.

MONONGAHELA RIVER BRIDGE.

The bill (H. R. 5801) to authorize the St. Clair Terminal Railroad Company to construct and maintain a bridge across the Monongahela River was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

L. A. NOYES.

The bill (S. 3546) for the relief of L. A. Noyes was considered as in Committee of the Whole. It provides for the payment of $1,819 to L. A. Noyes for services rendered as acting assistant Treasury agent at the island of St. George, Alaska, from August 1, 1886, to May 30, 1887, inclusive.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

G. B. BRACKETT.

The bill (S. 4012) to authorize G. B. Brackett, Pomologist Department of Agriculture, to accept the decoration tendered to him by the Government of the French Republic was considered as in Committee of the Whole. It authorizes G. B. Brackett, Pomologist Department of Agriculture, to accept the decoration of the Ordre du Merite Agricole, tendered to him through the Department of State of the United States by the Government of the French Republic.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REORGANIZATION OF THE CONSULAR SERVICE.

The bill (S. 1618) to provide for the reorganization of the consular service of the United States was announced as next in order.

The PRESIDENT pro tempore. That bill will be passed over without prejudice.

LIGHT AND FOG SIGNAL AT CRISPS POINT, LAKE SUPERIOR.

The bill (S. 3491) providing for a light and fog-signal station on or near Crisps Point, Lake Superior, Michigan, was considered as in Committee of the Whole. It provides for the establishment of a light and fog-signal station on or near Crisps Point, Lake Superior, Michigan, at an expense of not exceeding $18,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT-HOUSE AT OYSTER BAYOU, LOUISIANA.

The bill (S. 3312) for the establishment of a light-house at the mouth of Oyster Bayou, near the Louisiana coast, in the Gulf of Mexico, was considered as in Committee of the Whole. It proposes to appropriate not exceeding $5,000 for the establishment at the mouth of Oyster Bayou, near the Louisiana coast, in the Gulf of Mexico, of a light-house.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT STATION ON BLUFF SHOAL, NORTH CAROLINA.

The bill (H. R. 199) for the establishment of a light station on Bluff Shoal, Pamlico Sound, North Carolina, was considered as in Committee of the Whole. The bill was reported from the Committee on Commerce with an amendment, to strike out all after the enacting clause and insert:

That the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes," approved March 3, 1901, be, and the same is hereby, amended by striking out the words "Northwest Point Royal Shoal light station, North Carolina: For rebuilding this light-house, $30,000," and inserting in place thereof the following:

"For rebuilding the light-house now at Northwest Point Royal Shoal, North Carolina, at a point on or near Bluff Shoal, Pamlico Sound, North Carolina, $30,000."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to amend an act entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes,' approved March 3, 1901."

PORT OF ENTRY AT GREAT FALLS, MONT.

The bill (S. 3746) to amend section 2593 of the Revised Statutes, relating to ports of entry, was considered as in Committee of the Whole. It proposes to amend section 2593, Revised Statutes, so as to read as follows:

SEC. 2593. There shall be in the States of Montana and Idaho one collection district, as follows:

The district of Montana and Idaho to comprise the States of Montana and Idaho, and the port of entry shall be Great Falls, Mont.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LINDLEY C. KENT AND JOSEPH JENKINS.

The bill (S. 905) for the relief of Lindley C. Kent and Joseph Jenkins, as the sureties of Frank A. Webb, was considered as in Committee of the Whole. It proposes that Lindley C. Kent and Joseph Jenkins, sureties upon the bond of Frank A. Webb for the faithful performance of his contract for the construction, erection, and delivery of buildings for the new Port Penn light station, Delaware (Fourth light-house district), having by failure on the part of said Webb been obliged to complete the contract themselves for said Webb, but at their own expense, and having by such unexpected failure of the contractor not only been put to great extra cost in such work, but also been by the terms of the contract subjected to a very heavy penalty for delayed completion of the work, due to Webb's failure and not to any fault of their own, a penalty far in excess of the actual extra expense thereby caused to the United States, be released from so much of the penalty as is in excess of the actual extra expense to the United States by reason of the delays; and directs the engineer of the Fourth light-house district to pay to Lindley C. Kent and Joseph Jenkins the unpaid balance of the full amount of the contract, less the aforesaid actual extra expense to the United States by reason of the delays; but payment shall not be made until the engineer is satisfied that all materials used and all labor employed in the construction of the buildings have been duly paid for.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RASMUSSEN & STREHLOW.

The bill (H. R. 5106) for the relief of Rasmussen & Strehlow was considered as in Committee of the Whole. It proposes to appropriate $15,000 for the relief of Rasmussen & Strehlow, contractors on Government work, on account of damages done to the main Government building at the Pan-American Exposition grounds by the cyclonic storm of September 12, 1900.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. KITTREDGE, February 20, 1902, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 5106) for the relief of Rasmussen & Strehlow, beg leave to submit the following report and recommend that said bill be passed:

On the 12th day of September, 1900, a cyclonic storm materially damaged the main building at the Pan-American Exposition grounds at Buffalo, N. Y. Rasmussen & Strehlow were the contractors for the construction of this building, authorized by the Government to be constructed in accordance with the plans and specifications made by the Supervising Architect of the Treasury, or under his direction. The construction provided for a building of a very temporary character and because of this fact was unable to resist the storm above mentioned. The contractors were unable to secure insurance against wind storms or cyclones while the building was in an unfinished state, and it is clearly established that the damage was not on account of any carelessness of the contractors. The contractors immediately notified the Supervising Architect of the Treasury of the loss, and such officer immediately sent representatives from his office, who made careful estimates of the cost of replacing the damaged portions and fixed the damage at the sum of $15,000. The allowance of this claim is recommended by the Supervising Architect, approved by the Secretary of the Treasury.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIGHT-KEEPER'S DWELLING AT CALUMET HARBOR, ILLINOIS.

The bill (H. R. 7675) to construct a light-house keeper's dwelling at Calumet Harbor was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, in line 6, after the word "dollars," to insert:

And to carry out the provisions of this act the amount of $7,500 appropriated by the act approved July 1, 1898, to establish a light station at or near the north Government pier at South Milwaukee, Lake Michigan, Wisconsin, is hereby made available.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to have constructed a light-house keeper's dwelling at Calumet Harbor, Lake Michigan, Illinois, at a cost not to exceed the sum of $7,500. And to carry out the provisions of this act the amount of $7,500 appropriated by the act approved July 1, 1898, to establish a light station at or near the north Government pier at South Milwaukee, Lake Michigan, Wisconsin, is hereby available.

Mr. ALLISON. Does that bill merely provide for the construction of a dwelling for a light-house keeper, or does it include other things? I did not quite gather the full intent from the reading.

The PRESIDENT pro tempore. It provides for the construction of a keeper's dwelling.

Mr. COCKRELL. Let the report be read.

Mr. ALLISON. A dwelling for a light-house keeper, I think, ought to be built for a less sum than $7,500; and I move to strike out "$7,500" and insert "$3,500."

Mr. ELKINS. Has that bill been reported by the Committee on Commerce?

The PRESIDENT pro tempore. It has been.

Mr. ELKINS. It seems to me that we ought to follow the recommendations of the Secretary of the Treasury in this matter. The Senator from Michigan [Mr. MCMILLAN] who reported the bill is not in the Chamber, but I will send for him.

Mr. BURROWS. The Senator from Illinois [Mr. MASON] reported the bill.

Mr. ALLISON. Mr. President, I only know that as a rule $3,500 is quite an adequate sum for a light-house keeper's dwelling.

Mr. ELKINS. I was thinking of another bill, if the Senator from Iowa will pardon me.

Mr. ALLISON. Certainly.

Mr. ELKINS. And that is the only reason why I interrupted. I was thinking of another bill relating to Michigan.

Mr. ALLISON. If this includes nothing but a dwelling, it seems to me $7,500 is a larger sum than is necessary.

Mr. ELKINS. It is. I agree with the Senator from Iowa. I do not remember this bill. I was thinking of one reported by the senior Senator from Michigan [Mr. MCMILLAN], but it did not contain an appropriation for that sum—$7,500.

The PRESIDENT pro tempore. Will the Senator from Iowa allow the report to be read?

Mr. ALLISON. Certainly.

The Secretary read the report submitted by Mr. MCMILLAN, from the Committee on Commerce, February 20, 1902, as follows:

The Committee on Commerce, to whom was referred the bill (H. R. 7675) to construct a light-house keeper's dwelling at Calumet Harbor, report the same back to the Senate with an amendment and recommend the passage of the bill as amended.

The act as it passed the House carries no appropriation, and there is an urgent need for the construction of a keeper's dwelling at Calumet Pierhead, Lake Michigan, Illinois. By the act approved July 1, 1898, $7,500 was appropriated to establish a light station at or near the north Government pier at South Milwaukee, Lake Michigan, Wisconsin. The Light-House Board reports that there is no apparent necessity for establishing such a light at South Milwaukee, and advises that the $7,500 appropriated for that purpose be used for the light-house keeper's dwelling at Calumet Harbor. The bill has been amended accordingly.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, January 11, 1902.

SIR: This Department has the honor to acknowledge the receipt of a letter from your committee, dated January 8, 1902, inclosing for suggestions a copy of H. R. bill No. 7675, providing for a light-keeper's dwelling at Calumet Harbor, Lake Michigan, Illinois.

In reply, the Department begs to state that the matter was referred to the Light-House Board, which reports that the following clipping from page 152 of its annual report for 1901 renews the recommendations made in its annual reports for 1899 and 1900, that $7,500 be appropriated for the erection of a suitable dwelling for the keepers of this station.

"'*Calumet Pierhead, Lake Michigan, Illinois.*—Minor repairs were made.

"'The Board in its annual report for 1899 stated that—

"'The dwelling is in a deplorable condition, unfit for human habitation. It is estimated that a new dwelling can be built for $7,500, and recommendation is made that an appropriation of that amount be made therefor.'

"The following recommendation made in the Board's annual report for 1900 is renewed:

"'The Board now recommends that authority be obtained from Congress to use the $7,500 appropriated by the act approved on July 1, 1898, for establishing a light station at or near the north Government pier at South Milwaukee, Lake Michigan, Wisconsin, to establish a keeper's dwelling at Calumet Pierhead, as the necessity for establishing a light at South Milwaukee is not now apparent, and the need of a keeper's dwelling at Calumet Pierhead is greater than ever before.'

"The dwelling is much worse than ever before. It is urgently recommended that an appropriation be made of the $7,500 needed to make these quarters habitable."

The Department concurs with the Board in this recommendation.

Respectfully,

L. J. GAGE, *Secretary.*

The CHAIRMAN COMMITTEE ON COMMERCE,
United States Senate.

Mr. ALLISON. That does not change my opinion at all. Seven thousand five hundred dollars is a larger sum than I have heard of being appropriated for a keeper's dwelling.

Mr. ELKINS. Let the bill lie over.

Mr. COCKRELL. I suppose it was just convenient to use this $7,500, because it had been appropriated for a light-house at a certain point where there was no earthly necessity for it. The authorities refused to expend it there, as there was no necessity for a light-house at the place designated, and it is now proposed to turn it over, all of it in a body, for the dwelling at this place.

Mr. ELKINS. That is a large-sized reflection on the committee. I ask that the bill lie over.

Mr. BATE. Pardon me. Can not the purpose be reached by saying that so much of the sum heretofore appropriated as may be necessary may be used for this purpose, without saying the whole amount?

Mr. ELKINS. "So much as may be necessary."

Mr. ALLISON. This is a House bill——

Mr. COCKRELL. I am not reflecting upon the committee. It is the committee reflecting upon itself.

Mr. ELKINS. You have been interpreting it.

Mr. COCKRELL. I have been reading what the committee has reported about its own action.

Mr. ELKINS. I do not remember this bill, but at the same time it is very strongly recommended by the Treasury Department. However, I agree with the Senator from Iowa that it is a large sum for a keeper's dwelling.

The PRESIDENT pro tempore. The Senator from Iowa [Mr. ALLISON] moves an amendment to strike out "$7,500" and insert "$3,500." Without objection, the amendment will be agreed to. Will not another amendment be required?

Mr. BATE. I understand the original act made an appropriation of a specific sum. There ought to be something said in this bill, it seems to me, to show the sum to be appropriated. Seven thousand five hundred dollars was appropriated heretofore.

Mr. ALLISON. "Of the sum heretofore appropriated, $3,500 may be used for this purpose." That is my idea. I do not see why this sum is reappropriated when it has not been used for the purpose for which it was appropriated. Why should we not appropriate directly enough money to build the dwelling?

Mr. COCKRELL. That is the better way.

Mr. ALLISON. That would seem to me to be the way to do it, but still I do not want to interfere too much.

The PRESIDENT pro tempore. In line 6 of the amendment, after the word "act," the insertion of the words "so much of" would fix it.

Mr. COCKRELL. That would not do, because it would still leave the $7,500 in line 6:

At a cost not to exceed the sum of $7,500.

Strike out "$7,500" and insert "$3,500," and then you have no trouble.

The PRESIDENT pro tempore. Then disagree to the other amendment?

Mr. COCKRELL. Yes, and disagree to the other amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In line 6 it is proposed to strike out "seven" and insert "three;" so as to read "$3,500."

The amendment was agreed to.

Mr. COCKRELL. Then disagree to the committee amendment.

The PRESIDENT pro tempore. If there be no objection, the amendment reported by the committee will be disagreed to.

The Chair hears none.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

LIFE-SAVING STATION AT BOGUE INLET, NORTH CAROLINA,

The bill (H. R. 61) to authorize the establishment of a life-saving station at or near Bogue Inlet, North Carolina, was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report in the case be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. CLAY, from the Committee on Commerce, February 20, 1902, as follows:

The Committee on Commerce, to whom was referred the bill (H. R. 61) to authorize the establishing of a life-saving station at or near Bogue Inlet, North Carolina, beg leave to submit the following report and recommend that said bill do pass without amendment:

The report of the Secretary of the Treasury and the report of the General Superintendent of the Life-Saving Service are hereto attached.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, January 15, 1902.

SIR: I have the honor to acknowledge the receipt of your letter of the 26th ultimo, transmitting House bill No. 61, to authorize the establishment of a life-saving station at or near Bogue Inlet, North Carolina, and asking for suggestions touching the merits of the bill and the propriety of its passage.

In reply I have to state that the matter was referred to the General Superintendent of the Life-Saving Service for report, which has been received and is herewith transmitted with my concurrence.

Respectfully,

L. J. GAGE,
Secretary.

CHAIRMAN COMMITTEE ON
INTERSTATE AND FOREIGN COMMERCE,
House of Representatives, Washington, D. C.

TREASURY DEPARTMENT,
OFFICE OF GENERAL SUPERINTENDENT OF
LIFE-SAVING SERVICE,
Washington, January 15, 1902.

SIR: I have the honor to acknowledge the receipt from you, for report, of a letter from the Committee on Interstate and Foreign Commerce, transmitting House bill 61, Fifty-seventh Congress, first session, to authorize the establishment of a life-saving station at or near Bogue Inlet, North Carolina, and asking for suggestions touching the merits of the bill and the propriety of its passage.

Under date of February 11, 1901, in compliance with a like request, I made a report to you on a bill from the same committee, of like import, H. R. 4480, Fifty-sixth Congress, first session, in which I said:

"In reply I would respectfully say that Bogue Inlet lies between Cape Lookout and Cape Fear, which points include Onslow Bay. There is a life-saving station at the point of each cape, but there is none on the coast lying between them, a distance of about 100 miles. Bogue Inlet lies about 35 miles to the westward of Cape Lookout. Considerable commerce passes in and out of the inlet, and quite a number of disasters have occurred in its immediate neighborhood, involving losses which the presence of a life-saving station would have either averted or materially lessened.

"Besides the question of affording protection to the commerce above referred to should also be considered the liability of vessels passing the Lookout or the Frying Pan Shoals through stress of weather and ocean currents, to get into the bight of the bay and so fall in with the land and its dangers, as occurred in two instances during the last fiscal year, when the schooners *Carrie L. Davis* and *Thomas L. James*, the former bound from Savannah to Philadelphia and the latter from Savannah to Rondout, N. Y., went ashore at Bogue Inlet, one being totally wrecked, suffering the loss of both vessel and cargo, amounting to $26,000, and the other the loss of the entire cargo and damage to the vessel, amounting in all to $7,000.

"An officer of the service who was recently in the vicinity of Bogue Inlet informs me that he learned that the commerce passing through the inlet had largely increased of late and is likely to still further increase.

"In view of the foregoing, the establishment of the life-saving station contemplated by the bill would seem to be desirable."

This report was transmitted to the committee, with your concurrence, on the same day, and I beg that the report on the bill, as above set forth, be made my report on the bill under consideration.

Respectfully,

S. I. KIMBALL,
General Superintendent.

THE SECRETARY OF THE TREASURY.

Mr. CLAY. Mr. President, I made a favorable report on this bill by the consent of the Committee on Commerce. The bill, I will say to the Senator from Missouri, was introduced by the junior Senator from North Carolina [Mr. SIMMONS], and received the unanimous report of the Committee on Commerce. I presume there will be no objection to it. If there is, I will ask that the bill may go over temporarily until the junior Senator from North Carolina returns to the Chamber.

Mr. COCKRELL. I want the admirable report written by the Senator from Georgia spread upon the RECORD to justify my silence in letting the bill go through.

Mr. CLAY. Let the bill go through, Mr. President.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INDIANS OF THE CROW RESERVATION, MONT.

The bill (S. 2979) to ratify an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect, was considered as in Committee of the Whole.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The bill has been reported from the Committee on Indian Affairs with amendments. There are no amendments in the bill but in the original agreement.

Mr. PLATT of Connecticut. The agreement is, I think, incorporated into the bill, so that any amendments to the agreement are really amendments to the bill, if I am not mistaken.

The PRESIDING OFFICER. Then the Secretary will read the first amendment of the committee.

The SECRETARY. On page 3, at the bottom, the lines are unnumbered—add the following paragraph:

Additional amounts may be expended for cattle from time to time at the request of the Indians under the direction of the Secretary of the Interior.

The amendment was agreed to.

The SECRETARY. On page 4, line 1, strike out "1901" and insert "1902," so as to make the additional proviso read:

Provided further, That during the year 1902 all cattle owned at that time in common by the Crow tribe of Indians shall be divided equally between said Indians, share and share alike to every man, woman, and child having rights upon the Crow Reservation.

The amendment was agreed to.

The SECRETARY. In the second line of the second paragraph on page 4 strike out "2-year-old jackasses" and insert "stallions," so as to make the paragraph read:

Fifteen thousand dollars shall be spent in the purchase of stallions, the same to be placed upon the Crow Reservation for the benefit of the Crow Indians.

The amendment was agreed to.

The SECRETARY. In the first line of the fifth paragraph, on page 4, before the word "thousand," strike out "Twenty-five" and insert "One hundred;" so as to make the paragraph read:

One hundred thousand dollars, or as much thereof as may be necessary, shall be expended by the Secretary of the Interior in the erection, purchase, and repair of such school buildings as he may deem necessary.

The amendment was agreed to.

The SECRETARY. On page 5, strike out the whole of the second paragraph, in the following words:

Ten thousand dollars shall be expended under direction of the Secretary of the Interior, in addition to any sum now on hand for that purpose, in the construction of two gristmills, one on Prior Creek and one on Big Horn; said mills having been provided for in the third section of the treaty [agreement] of 1890.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and it was read the third time.

Mr. PLATT of Connecticut. Mr. President, I do not rise to oppose this bill in particular, but I wish to suggest to the Senate that it seems to me inadvisable to continue the purchase of Indian lands, paying large amounts therefor, and then to open them to homestead settlement.

This policy is a sequel of the free-homes bill, so called. If that policy is to be continued, if the Government is to extinguish all of the Indian titles to reservations not needed for allotments, paying the Indians what they may be able to agree with them for, sometimes more and sometimes less, as the Indians are willing to negotiate, it will result in paying for Indian lands in the near future a great many millions of dollars, probably $100,000,000.

I have always felt that where we open these lands by purchasing them of the Indians we ought to require people who settle upon them to pay enough money to reimburse the Government.

These lands we pay about $1.09 an acre for on an average. There are lands here which will be open to settlement that will be worth $20 and $25 an acre. It certainly would be no hardship to require settlers to reimburse the Government.

But I suppose it is useless for me to make any suggestions on this point. I merely wished to call the attention of the Senate to this policy and to the amount of money which in the near future is to be expended for this purpose.

This is only one of numerous agreements which are now pending, and I suppose that they will all pass and the Government will give to the settlers the lands for which the Indians are paid.

Mr. STEWART. Mr. President, I simply wish to remark that the lands embraced in this treaty are very valuable, and that they are worth more than the Government is paying for them. I am not discussing what is to be done with them, but this treaty is a very proper one to be made.

Mr. PLATT of Connecticut. Oh, certainly; if the policy is to be pursued I agree that the amount paid for these lands is not an extravagant one in view of their value.

Mr. COCKRELL. Mr. President, I wish simply to remind the Senator from Connecticut and the Senate itself that what is now occurring and what the Senator has stated would occur were plainly stated by me when the first free-homes bill came up here in the Senate, and I spoke against it. It was, in my judgment, a wrong measure, and it is wrong to-day. We have no more right to take the people's money and buy Indian lands and give them to homesteaders than we would have to take that money and buy farms for citizens to make them homes.

Whenever the time comes and I can get a chance I shall vote to carry out the opposition I first made to the measure. I think it is an outrage upon the taxpayers of the United States that they should be called upon to buy land for the benefit of those who are the most fortunate in getting on the land first. You have no more right to give homesteads in such cases than you have to go and buy lands in Illinois, Ohio, or Maine and give them out to homesteaders.

The PRESIDING OFFICER. Shall the bill pass?

The bill was passed.

CONGRESSES OF NAVIGATION.

The bill (S. 3651) appropriating the sum of $3,000 a year for the support and maintenance of the permanent international commission of the congresses of navigation, and for other purposes, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HENRY D. HALL.

The bill (S. 1568) to restore Henry D. Hall to the Revenue-Cutter Service was considered as in Committee of the Whole. It authorizes the President to commission Henry D. Hall, late captain in the United States Revenue-Cutter Service, a captain on the permanent waiting orders list of said service, with the pay of

that grade provided by law for officers on permanent waiting orders.

Mr. COCKRELL. Let the report be read in that case.

PROMOTION OF COMMERCE.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which is Senate bill 1348.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce and to encourage the deep-sea fisheries.

Mr. CLAY. Mr. President, I desire to call the attention of the junior Senator from Maine [Mr. FRYE] to the fact that the junior Senator from Missouri [Mr. VEST] expected to speak to-day, but I understand that he does not wish to go on now, and there is no one on our side of the Chamber who desires to speak to-day. We will be ready to go on to-morrow and then continue the debate until we reach a vote. I trust that the junior Senator from Maine in charge of the bill will consent that the further consideration of the bill shall be postponed until to-morrow. I am quite sure that the debate will not consume any great length of time on this side of the Chamber.

Mr. FRYE. I certainly should not do anything that would compel the Senator from Missouri to speak, as he proposed to do, to-day. I myself can occupy a short time.

Mr. CLAY. Well, sir, that is agreeable.

Mr. FRYE. I suppose all Senators have my experience in this regard, that when they undertake to speak on any important question without manuscript they say some things they wish they had not, but they leave unsaid a great many things they wish they had said. Now, I should like to add an appendix to what I had to say yesterday.

I know some Senators on the other side in opposition to this bill will be likely to remind me that I said the bill pending in the last Congress and which we were not permitted to vote upon was as perfect a bill for its purpose as was ever drafted, and they may be surprised to find me now advocating another bill which is entirely different from the one then before the Senate. I have not changed my opinion at all. I believe now that for the purpose designed there never was a better bill than the one of the last session. I believe that it would have restored the mercantile marine more quickly to its proper position on the ocean than any other bill I have ever seen. But I was compelled to recognize the fact that among the friends of the restoration of the marine there were serious objections to some provisions of that bill.

Mr. BACON. The Senator does not think that the friends of the restoration of the marine were confined to those who favored the passage of that bill?

Mr. FRYE. I am afraid they were not all friends of the bill.

Mr. BACON. They might differ as to what would accomplish the purpose, but they were certainly all the friends of that restoration, although differing as to what would constitute the proper means.

Mr. FRYE. The conduct of Senators in opposition indicated clearly that they were in favor——

Mr. BACON. In favor of restoration? They certainly are.

Mr. FRYE. I undertook to draft a bill which should obviate the objections raised by those who were friendly to it. I think I have succeeded, for I do not know how any Senator who favors the restoration of the merchant marine by aid from the Treasury can object to any portion of the bill which is now under consideration.

I wish to correct another misunderstanding, which from the press I see is entertained by some, that fast ships, such as would be required for the carrying of United States mails, are not valuable for the carrying of farm products. As a matter of fact, under the returns of the shippers on the vessels on the American Line, each one of those ships from January, 1900, down to now, or down to six months ago, carried annually a little over $4,000,000 worth of farm products, largely in concentrated form, like canned goods, butter, cheese, lard, also hams, bacon, smoked fish, also all kinds of fresh meats, also every kind of perishable article, also fruits of every kind, until, as I said, each year each ship carried over $4,000,000 worth.

Now, take a 10-knot freight ship of 10,000 tons tonnage. Load her with wheat—12,000 tons wheat, at a value of 75 cents a bushel. She could not make more than eight voyages in a year. Allow her the same freight—12,000 tons of wheat—for each one of the eight voyages and she would carry in that year $2,888,000 in value of farm product, $1,000,000 and almost $200,000 less than any one of these fast ships carried of farm product.

There is another thing I neglected to say anything about, and that was in relation to the bounties to fisheries. Of course, every Senator understands the purpose of that bounty. It is to train and educate sailors for the Navy when we have need of sailors. I assert, without any fear of contradiction, that the fishermen of the United States have furnished a larger proportion of sailors in every war we have ever had than any other industry whatever. It is perfectly well known that General Knox made a most complimentary speech to the fishermen of Marblehead for the glorious conduct they had displayed in the war of the Revolution, and it has been true in every war, from the beginning down to now, that fishermen have been the heaviest contributors to our Navy. Germany recognizes this as a training place for sailors by the bounty. Great Britain does the same. France does the same.

As the bounty will amount to only about a couple hundred thousand dollars a year, I think that no one can seriously object to it. There have been bounties on fishermen from the beginning of the Government down to now, with the exception of a very few years before the war and with the exception of all the years since the war. The bounty was repealed at the close of the war.

Now, I desire to put in as illustrations (and I only put in a very few cases because I put them in as illustrations) what some of our consuls abroad say in relation especially to the influence of American shipping on increasing exportation.

Mr. BACON. Will the Senator permit me to ask him a question entirely for information?

Mr. FRYE. Certainly.

Mr. BACON. What is the number of sailors now engaged in this deep-sea fishing, and what is the number which the Senator anticipates under the operation of this bill?

Mr. FRYE. I can not answer intelligently either question. In the report that matter is taken up. All the fisheries are given in the report, but I have not myself looked at that portion of it since it was brought to the attention of the Senate.

In the chamber of shipping of the United Kingdom Colonel Ropner, member of Parliament and president, said:

Regarding the question of subsidies to shipping, it had become more evident that the United States would probably ere long pass a bill giving large subsidies to its shipping. The result would be a rapid extension of the United States' mercantile navy, which would come into keen competition with our own unsubsidized ships, and it would require all the watchfulness, energy and enterprise of our ship owners to maintain the proud position now occupied by our mercantile fleet.

AMERICAN TONNAGE IN HULL.

This is from our American consul at Hull in a report made to the State Department:

When we look over the figures and tables, and the returns generally, and note the large number of ships, representing millions in tonnage, that arrived at this port during 1899, it becomes a painful duty to record the arrival and departure of one little bark of 492 tons American register. Such was the *Rebecca Crowell*, that cleared from this port in December, 1899.

There was a time, not so far back, either, when, I am informed by old mariners here, the arrival of an American ship in Hull was regarded as a stirring event in shipping circles. These were the days of the clipper ships that proudly carried the American flag to the ports of the world. The United States in those days could boast of a merchant marine with a respectable carrying capacity of its own.

I doubt whether I could choose a more opportune moment than the present to refer to one of the lost opportunities directly chargeable to our inadequate facilities in this respect. The loss lies with the coal men of the United States. Had we been prepared to meet the demands of the markets on this side with a prompt supply of coal, I venture to say hundreds of thousands of tons would have found their way not only to continental ports but to English ports as well. I was repeatedly called on by parties interested in American coal mines for information concerning colliers, charters, etc., and the possibility of engaging carrying capacity on this coast for services at American ports.

Then here is one from Consul Strickland. He says:

I see scores of European steamers coming and going, loading and discharging almost every week, but during a residence of more than twenty years in this country I have never yet seen an American merchant steamer in African waters.

* * * * * * *

Tens of thousands of tons of goods, with which Americans could successfully compete if they had steamers of their own, are being distributed here; but in the midst of all this activity no one could tell from appearances that such a country as the United States exists.

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The American-African steamship lines should be subsidized to an extent which would maintain them against competition and inevitable hostility of foreign lines, for European governments, merchants, manufacturers, and shipowners are in accord on the subject of keeping Americans away from "this richest of countries, which they hope to enjoy for ages." If the desired action is taken speedily, it may quickly change the value of United States trade with Africa from the present poor ratio of 5 per cent to 15 or 20 per cent of the whole.

Mr. CARMACK. He is consul where?

Mr. FRYE. He is consul at Gorée-Dakar, on the west coast of Africa.

Here is an extract from the report of our consul-general in Brazil:

Our import trade with Brazil can never be developed fully as long as our merchandise has to seek foreign bottoms. There ought to be a line of modern steamers between New York and the principal ports of Brazil and the River Plate. If such a line were so organized as to inspire the Rio and Santos coffee shippers with confidence in its regularity and permanency, there would be no lack of return freights. During the year 1900-1901 4,689,276 bags of coffee were sent from Rio and Santos to the United States, and during the current year the coffee export from Brazil to the United States will undoubtedly exceed 6,000,000 bags. At 35 cents per bag the freight will amount to over

$2,000,000. From Para 10,000 tons of rubber were shipped to the United States last year. All this freight ought to have reached our country under the American flag. Brazil imports over 500,000 tons of coal per year. The larger part of this quantity would be furnished by the United States if we had our own steamers. The following is an alphabetical list of articles of the freights, etc.

Now, here is a report from the British consul at Marseilles:

American coal imports at Marseilles have increased very rapidly during the past three years. Rising suddenly to 118,491 tons imported during 1900, the coal imported from the United States during the first nine months of 1901 has reached the fair total of nearly 175,000 tons. It is estimated that the total import for the present year will exceed 200,000 tons. In my opinion, this American competition will only become dangerous to British coal if (1) high prices continue at home, and (2) if the American shipping interest succeeds in securing the passing of the bounty bill in 1902. In that case, I fear that the American coal owners will get the hoped-for chance of capturing the Mediterranean coal trade.

Further along the consul says:

I hold, therefore, that for the present American competition in coal is not a very serious matter. But now let us look a little further ahead and consider what must inevitably happen if Americans succeed in passing their shipping bounty bill. With 2s. 6d. per ton in their favor, and with high prices ruling at home, American competition will become a very serious matter indeed. American coals now offered at 1s. 6d. per ton below competing qualities of British are, in the opinion of Americans, quite able to stand a further reduction, if that be necessary, to meet any further fall in British prices. They do not believe that prices in Great Britain will ever come down below American output prices, but if they do the shipping bounty bill will by that time have enabled them to become masters of the situation.

With the passing of the bill the very thorough preparations that have been made for the past two years by the Baltimore and Ohio and other leading companies in the United States, with a view to ultimately monopolizing the Mediterranean coal trade, will have matured sufficiently to permit of their starting operations on a large scale. The main features of the American scheme are to reduce costs by owning their land transport and their ships; to increase the tonnage; reduce costs of manipulation by labor-saving machinery; to extend their operations all over the Mediterranean, and, via the Suez Canal, to the Philippines; to pick up return freights at every available port; to create large depots, and offer a large volume of business. The investigations have been carried out with true American foresight and thoroughness by responsible representatives of leading companies.

Mr. President, I wish to say a few words especially to the Republicans in the Senate. This bill is a logical response to the demand and the principle of the Republican party. President Arthur, in his first message to Congress, December 6, 1881, said:

The substitution of iron for wood and of steam for sail have wrought great revolutions in the carrying trade of the world; but these changes could not have been averse to America if we had given to our navigation interests a portion of the aid and protection which have been so wisely bestowed upon our manufactures. I commend the whole subject to the wisdom of Congress, with the suggestion that no question of greater magnitude or farther-reaching importance can engage their attention.

In his next annual message of December 4, 1882, he said:

The Secretary (Navy) forcibly depicts the intimate connection and interdependence of the Navy and the commercial marine, and invites attention to the continued decadence of the latter and the corresponding transfer of our growing commerce to foreign bottoms.

This subject is one of the utmost importance to the national welfare. Methods of reviving American shipbuilding and restoring the United States flag in the ocean carrying trade should receive the immediate attention of Congress. We have mechanical skill and abundant material for the manufacture of modern iron steamships in fair competition with our commercial rivals. Our disadvantage in building ships is the greater cost of labor, and in sailing them higher taxes and greater interest on capital, while the ocean highways are already monopolized by our formidable competitors. These obstacles should in some way be overcome, and for our rapid communication with foreign lands we should not continue to depend wholly upon vessels built in the yards of other countries and sailing under foreign flags. With no United States steamers on the principal ocean lines or in any foreign ports our facilities for extending our commerce are greatly restricted, while the nations which build and sail the ships and carry the mails and passengers obtain thereby conspicuous advantages in increasing their trade.

President Harrison, whom I regard as one of the ablest Presidents this country ever had—and he came from the middle West—in his message of December 3, 1889, said:

There is nothing more justly humiliating to the national pride and nothing more hurtful to the national prosperity than the inferiority of our merchant marine compared with that of other nations whose general resources, wealth, and seacoast lines do not suggest any reason for their supremacy on the sea. It was not always so, and our people are agreed, I think, that it shall not continue to be so. It is not possible in this communication to discuss the causes of the decay of our shipping interests or the differing methods by which it is proposed to restore them. The statement of a few well-authenticated facts and some general suggestions as to legislation is all that is practicable. That the great steamship lines sailing under the flags of England, France, Germany, Spain, and Italy, and engaged in foreign commerce, were promoted and have since been and now are liberally aided by grants of public money in one form or another is generally known. That the American lines of steamships have been abandoned by us to an unequal contest with the aided lines of other nations until they have been withdrawn, or in the few cases where they are still maintained are subject to serious disadvantages, is matter of common knowledge.

The present situation is such that travelers and merchandise find Liverpool often a necessary intermediate port between New York and some of the South American capitals. The fact that some of the delegates from South American States to the conference of American nations now in session at Washington reached our shores by reversing that line of travel is very conclusive of the need of such a conference and very suggestive as to the first and most necessary step in the direction of fuller and more beneficial intercourse with nations that are now our neighbors upon the lines of latitude, but not upon the lines of established commercial intercourse.

I recommend that such appropriations be made for ocean mail service in American steamships between our ports and those of Central and South America, China, Japan, and the important islands in both of the great oceans as will be liberally remunerative for the service rendered and as will encourage the establishment and in some fair degree equalize the chances of American steamship lines in the competitions which they must meet. That the American states lying south of us will cordially cooperate in establishing and maintaining such lines of steamships to their principal ports, I do not doubt.

We should also make provision for a naval reserve, to consist of such merchant ships of American construction and of a specified tonnage and speed as the owners will consent to place at the use of the Government in case of need as armed cruisers. England has adopted this policy, and as a result can now upon necessity at once place upon her naval list some of the fastest steamships in the world. A proper supervision of the construction of such vessels would make their conversion into effective ships of war very easy.

I am an advocate of economy in our national expenditures, but it is a misuse of terms to make this word describe a policy that withholds an expenditure for the purpose of extending our foreign commerce. The enlargement and improvement of our merchant marine, the development of a sufficient body of trained American seamen, the promotion of rapid and regular mail communication between the ports of other countries and our own, and the adaptation of large and swift American merchant steamships to naval uses in time of war are public purposes of the highest concern. The enlarged participation of our people in the carrying trade, the new and increased markets that will be opened for the products of our farms and factories, and the fuller and better employment of our mechanics which will result from a liberal promotion of our foreign commerce insure the widest possible diffusion of benefit to all the States and to all our people. Everything is most propitious for the present inauguration of a liberal and progressive policy upon this subject, and we should enter upon it with promptness and decision.

The legislation which I have suggested, it is sincerely believed, will promote the peace and honor of our country and the prosperity and security of the people. I invoke the diligent and serious attention of Congress to the consideration of these and such other measures as may be presented having the same great end in view.

Mr. McKinley, in his message at the commencement of the first session of the Fifty-sixth Congress, said:

The value of an American merchant marine to the extension of our commercial trade and the strengthening of our power upon the sea invites the immediate action of the Congress. Our national development will be one-sided and unsatisfactory so long as the remarkable growth of our inland industries remains unaccompanied by progress on the seas. There is no lack of constitutional authority for legislation which shall give to the country maritime strength commensurate with its industrial achievements and with its rank among the nations of the earth.

* * * * * * *

Last year American vessels transported a smaller share of our exports and imports than during any former year in all our history, and the measure of our dependence upon foreign shipping was painfully manifested to our people. Without any choice of our own, but from necessity, the departments of the Government charged with military and naval operations in the East and West Indies had to obtain from foreign flags merchant vessels essential for those operations.

The other great nations have not hesitated to adopt the required means to develop their shipping as a factor in national defense and as one of the surest and speediest means of obtaining for their producers a share in foreign markets. Like vigilance and effort on our part can not fail to improve our situation, which is regarded with humiliation at home and with surprise abroad. Even the seeming sacrifices, which at the beginning may be involved, will be offset later by more than equivalent gains.

The expense is as nothing compared to the advantage to be achieved. The reestablishment of our merchant marine involves in a large measure our continued industrial progress and the extension of our commercial triumphs. I am satisfied the judgment of the country favors the policy of aid to our merchant marine, which will broaden our commerce and markets and upbuild our sea-carrying capacity for the products of agriculture and manufacture; which, with the increase of our Navy, mean more work and wages to our countrymen, as well as a safeguard to American interests in every part of the world.

President McKinley also directed the attention of Congress to this subject in other of his messages, and in the last speech he ever made, the one at Buffalo on September 8, 1901, which proved to be his farewell address to the American people, he said:

Then, too, we have inadequate steamship service. New lines of steamers have already been put in commission between the Pacific coast ports of the United States and those on the western coasts of Mexico and Central and South America. These should be followed up with direct steamship lines between the eastern coast of the United States and South American ports. One of the needs of the times are direct commercial lines from our vast fields of production to the fields of consumption that we have but barely touched. Next in advantage to having the thing to sell is to have the conveyance to carry it to the buyer. We must encourage our merchant marine. We must have more ships. They must be under the American flag, built and manned and owned by Americans. These will not only be profitable in a commercial sense; they will be messengers of peace and amity wherever they go.

Then President Roosevelt, in his message to the first session of the Fifty-seventh Congress, said:

The condition of the American merchant marine is such as to call for immediate remedial action by the Congress. It is discreditable to us as a nation that our merchant marine should be utterly insignificant in comparison to that of other nations which we overtop in other forms of business. We should not longer submit to conditions under which only a trifling portion of our great commerce is carried in our own ships. To remedy this state of things would not merely serve to build up our shipping interests, but it would also result in benefit to all who are interested in the permanent establishment of a wider market for American products and would provide an auxiliary force for the Navy. Ships work for their own countries just as railroads work for their terminal points. Shipping lines, if established to the principal countries with which we have dealings, would be of political as well as commercial benefit. From every standpoint it is unwise for the United States to continue to rely upon the ships of competing nations for the distribution of our goods. It should be made advantageous to carry American goods in American-built ships.

At present American shipping is under certain great disadvantages when put in competition with the shipping of foreign countries. Many of the fast foreign steamships at a speed of 14 knots or above are subsidized, and all our ships—sailing vessels and steamers alike, cargo carriers of slow speed and mail carriers of high speed—have to meet the fact that the original cost of building American ships is greater than is the case abroad; that the wages paid American officers and seamen are very much higher than those paid the officers and seamen of foreign competing countries, and that the standard of living on our ships is far superior to the standard of living on the ships of our commercial rivals.

Our Government should take such action as will remedy these inequalities The American merchant marine should be restored to the ocean.

Secretaries of the Navy, Secretaries of the Treasury, and Postmasters-General in their annual reports have again and again in very earnest and strong words called attention to the necessity of the restoration of the merchant marine.

I notice that Mr. Wilson, the Secretary of Agriculture, in an interview, in which I see he afterwards said he was correctly reported, took very strong, vigorous, and earnest ground in the interest of the farmers of the United States for the restoration of the merchant marine.

Mr. President, as a matter of course I should not, if it were in my power, undertake to inconvenience in the slightest degree the Senator from Missouri [Mr. VEST], and I am entirely willing that this bill may for the present be laid aside, unless there is some Senator who is ready to speak upon it. If there is no Senator ready to speak, the bill can be laid aside, retaining its place as the unfinished business; and I shall hope in the course of the day to-morrow to get an agreement as to the time when we shall vote on the bill. I think I shall be able to do so.

Mr. CLAY. Mr. President, I desire to give notice that to-morrow at 2 o'clock, when the pending bill is taken up, I shall address the Senate for a short while against its passage.

Mr. HOAR. Mr. President, I had desired to move to take up——

Mr. FRYE. I suggest that the Senator ask unanimous consent to temporarily lay aside the pending bill.

Mr. HOAR. I desire to ask unanimous consent that the shipping bill be temporarily laid aside, and that we take up the bill in regard to attempts against the life of the President of the United States.

The PRESIDING OFFICER. Without objection the unfinished business will be temporarily laid aside.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. Mr. President, as one member of the Committee on the Judiciary, I have been endeavoring to get up for several days the bill (S. 3653) for the protection of the President of the United States, and for other purposes, but it has been suggested to me that there are a good many Senators who regard that bill as a matter of very grave interest, and that while it is not likely there will be a long debate upon it, yet there are Senators who perhaps would like to be present when the bill is considered. I do not feel under the circumstances like pressing the bill at this hour in the afternoon, but I ask that it may be made the next order of business after the disposition of the shipping bill.

Mr. ALLISON. Mr. President——

Mr. HOAR. Subject, of course, to appropriation bills.

Mr. ALLISON. I do not wish at this time to assent to any special order beyond the shipping bill. I understood the Senator from Massachusetts [Mr. HOAR] the other day to suggest that he would ask to proceed with the consideration of the bill for the protection of the President of the United States when an opportunity should occur, pending the discussion of the measure which has been under consideration. I have no objection to that, but the discussion on the pending bill may last for a week or two, and something else may intervene that may be important.

Mr. HOAR. I am told that the debate on the bill will be very brief. I do not make the request on my own motion, but perhaps out of overdeference to other Senators, certainly to one other Senator. So far as I am concerned, I should like to take up the bill now and go on with it.

Mr. ALLISON. I hope the Senator will do so.

Mr. BACON. Mr. President, I desire to say, in response to the suggestion of the Senator from Massachusetts [Mr. HOAR], and also in response to what has been said by the Senator from Iowa [Mr. ALLISON], that there is no disposition on this side of the Chamber, so far as I know, for a prolonged debate on the bill, or on the other side of the Chamber, so far as I am informed. At the same time it is a matter of very grave importance, and whatever bill is passed ought to be very carefully considered and very carefully perfected. The suggestion I took the liberty of making to the Senator from Massachusetts, and in pursuance of which he made the request this morning, was that it is a bill of such importance that it is entitled to continuous consideration, and that it ought not to be taken up at intervals in a disjointed manner and discussed in such a way as not to give it that careful and concentrated attention to which I think it is entitled.

I said further to the Senator from Massachusetts that the taking up of the bill at odd times is rather the course of proceeding when Senators are disposed to make set speeches and desire an opportunity to deliver them. We have no desire of that kind so far as I know. We ought to consider the question carefully; and I am satisfied Senators on the other side of the Chamber are impressed with an equal desire in that regard; but that it was, I thought, very much more in harmony with the dignity and importance of the bill that it should be given a place regularly upon the Calendar as the unfinished business.

I should be very glad, in view of the fact that I have been responsible in a measure for the course which the Senator from Massachusetts has this morning asked should be taken, if the Senator from Iowa would not object to the request, the Senator from Massachusetts stating that the consent agreement would be subject to the prior right of appropriation bills. I am sure the debate will not be a long one, but it ought to be a careful one; and it was with that view that I made the suggestion to the Senator from Massachusetts.

Mr. ALLISON. Mr. President, at this moment I do not wish to mortgage, as it were, the time of the Senate beyond the consideration of the shipping bill; that is, I do not wish to participate in agreeing to such an arrangement as is proposed, while an objection will prevent it.

Mr. HOAR. Mr. President——

Mr. ALLISON. I am willing that later on this matter may be disposed of, but we do not know now and no one can tell now how long the bill which has been pending will be considered.

Mr. BACON. It will be a very short time, I am sure.

Mr. ALLISON. Very well. When we get an adjustment about that bill, we shall determine what we will do next. Therefore, I interpose my objection for the moment. That is all.

Mr. HOAR. I hope to be able to secure an agreement to get a vote on this bill at a certain time.

Mr. BACON. I presume that probably to-morrow or next day, from what the Senator from Maine [Mr. FRYE] said, there may be an agreement in regard to the subsidy bill.

Mr. HOAR. Mr. President, if we lived in the time of Methuselah——

Mr. HALE. Which we do not.

Mr. HOAR. When we had eight hundred or a thousand years of life apiece, and the population of the world for whom we had to legislate was very small, we could get along on the theory suggested by my honorable friend from Georgia [Mr. BACON]; but we can not do business in that way in the American Senate. We have, as it is, measures enough, if they were thoroughly debated and considered, to take ten years, and if every time a Senator was not ready we should postpone a measure, we should never be able to complete our business. We have to deal in one year with a vast amount of business; and we have to go on the ground that when a measure, especially a measure that has been discussed in public for a long time, has been prepared by a committee, and has been put on the Calendar, we must all of us be ready for it when it comes up; when its chance comes, the chance must be taken, or the measure gets lost. It is like Opportunity, who is said to have one lock on his forehead, and if you do not seize that lock in front, but let him go by, you can not get hold of his bald head from behind.

Now, I wish to give notice that I shall move to take up the bill for the protection of the President of the United States when the shipping bill is disposed of, and, if it is not previously disposed of, on Thursday morning, in the morning hour, I shall move to take it up immediately after the routine morning business and endeavor to get it passed before 2 o'clock, and if it is not passed before 2 o'clock I shall move that it be taken up every morning until it is passed.

Mr. MCLAURIN of Mississippi. Mr. President, I do not know whether this is the proper time to offer them or not, but I have some amendments that I desire to offer to the bill that has just been mentioned, the bill (S. 3653) for the protection of the President of the United States, and for other purposes, when it shall be under consideration. I ask that the amendments I now offer may be printed and lie on the table.

The PRESIDENT pro tempore. That order will be made, in the absence of objection.

TEXAS JUDICIAL DISTRICTS.

Mr. CULBERSON. Mr. President, as there seems to be nothing of importance now being considered by the Senate, or nothing more important than the bill upon which I desire action, I ask unanimous consent for the present consideration of House bill 11611.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent for the present consideration of a bill the title of which will be stated.

The SECRETARY. A bill (H. R. 11611) to divide the State of Texas into four judicial districts.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. CULLOM. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 10847) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1903, and

for other purposes, to report it with amendments, and to submit a report thereon. I give notice that I shall call up the bill for consideration to-morrow after the routine morning business.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5883) temporarily to provide revenue for the Philippine Islands, and for other purposes.

The message also returned to the Senate, in compliance with its request, the bill (S. 2815) granting an increase of pension to William S. Derby.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 9) granting an increase of pension to Mourse R. Adams;

A bill (S. 143) granting an increase of pension to Henriette Salomon;

A bill (S. 195) granting a pension to Nellie Bartlett;

A bill (S. 196) granting an increase of pension to Richard N. Blodgett;

A bill (S. 198) granting an increase of pension to Lucy M. Hill;

A bill (S. 254) granting an increase of pension to Lewis C. Kilman;

A bill (S. 336) to grant an honorable discharge from the military service to Charles H. Hawley;

A bill (S. 508) granting an increase of pension to Adelaide Worth Bagley;

A bill (S. 608) for the relief of George K. Bowen;

A bill (S. 659) granting a pension to Thomas E. Clark;

A bill (S. 700) granting a pension to Rebecca Dobbins;

A bill (S. 886) granting an increase of pension to James M. McCoy;

A bill (S. 1029) granting an increase of pension to Wellington D. Curtis;

A bill (S. 1036) granting an increase of pension to Benjamin G. Sargent;

A bill (S. 1145) granting an increase of pension to Lucinda C. Scott;

A bill (S. 1197) granting an increase of pension to Mahale Litton;

A bill (S. 1258) to remove the charge of desertion from the naval record of John Glass;

A bill (S. 1330) granting an increase of pension to Moses Smith;

A bill (S. 1355) granting a pension to Lura B. Rogers;

A bill (S. 1611) granting a pension to Cynthia M. Record;

A bill (S. 1616) granting an increase of pension to Enoch A. White;

A bill (S. 1782) granting a pension to Catherine Meade;

A bill (S. 1923) granting an increase of pension to Fred F. B. Coffin;

A bill (S. 2000) granting a pension to John M. Core;

A bill (S. 2012) granting a pension to Catherine Conroy;

A bill (S. 2098) granting a pension to George H. Morton;

A bill (S. 2391) granting an increase of pension to Elvira L. Wilkins;

A bill (S. 2441) granting an increase of pension to Ziba S. Wood;

A bill (S. 2460) granting an increase of pension to Cornelius Springer;

A bill (S. 2508) granting an increase of pension to Pauline Lowe Murphy;

A bill (S. 2700) granting an increase of pension to Martha A. Couch;

A bill (S. 3106) granting an increase of pension to Hugh R. Richardson;

A bill (S. 3107) to authorize the construction of a bridge over the Missouri River at or near the city of Kansas City, Mo.; and

A bill (S. 3424) granting an increase of pension to Minnie E. King.

EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened, and (at 3 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 5, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 4, 1902.

POSTMASTER.

Charles H. Boody, to be postmaster at Hart, in the county of Oceana and State of Michigan, in place of Charles A. Gurney. Incumbent's commission expired February 25, 1902.

APPOINTMENT IN THE ARMY.

Cavalry Arm.

Christian A. Bach, at large, late first lieutenant, Thirty-sixth Infantry, United States Volunteers (now second lieutenant Twentieth Infantry, United States Army) to be first lieutanant, February 2, 1901, to fill an original vacancy.

APPOINTMENTS AS MEDICAL OFFICER OF VOLUNTEERS.

Joseph L. Sanford, of Virginia, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, March 1, 1902, vice Thomas, resigned.

Edward T. Gibson, of Minnesota, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, February 28, 1902, vice Hexamer, honorably discharged.

WITHDRAWAL.

Executive nomination withdrawn March 4, 1902.

Harry H. Seckler, of Kansas, which was submitted to the Senate February 10, 1902, for appointment as second lieutenant in the Artillery Corps, United States Army.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 4, 1902.

COLLECTOR OF CUSTOMS.

Benjamin B. Brown, of Pennsylvania, to be collector of customs for the district of Erie, in the State of Pennsylvania.

MARSHAL.

George L. Siebrecht, of Texas, to be United States marshal for the western district of Texas.

REGISTER OF LAND OFFICE.

Frank D. Hobbs, of Utah, to be register of the land office at Salt Lake City, Utah.

PROMOTION IN THE ARMY.

Second Lieut. Jairus A. Moore, from the Infantry Arm to the Artillery Corps, with rank from July 25, 1900.

APPOINTMENTS IN THE ARMY.

TO BE SECOND LIEUTENANTS.

Cavalry Arm.

George W. Biegler, of Indiana, late captain, Twenty-eighth Infantry, United States Volunteers, February 2, 1901.

Hospital Steward Paul H. Weyrauch, United States Army, to be second lieutenant, February 2, 1901.

Artillery Corps.

Harry W. McCauley, at large, late corporal, Company E, First Colorado Volunteers, July 1, 1901.

William R. McGill, of Pennsylvania, late quartermaster-sergeant, Company L, Forty-first Infantry, United States Volunteers, July 1, 1901.

Robert J. Arnold, at large, late first lieutenant, Twenty-ninth Infantry, United States Volunteers, August 22, 1901.

Albert H. Stevens, of the District of Columbia, late second lieutenant, Thirty-first Infantry, United States Volunteers, August 22, 1901.

Charles E. N. Howard, at large, late second lieutenant, Forty-fifth Infantry, United States Volunteers, August 22, 1901.

Private Bruce Cotton, Twenty-fifth Company, Coast Artillery, to be second lieutenant, May 8, 1901.

Infantry Arm.

John B. Shuman, of Wisconsin, late second lieutenant, Forty-fifth Infantry, United States Volunteers, and second lieutenant, Twenty-eighth Infantry, United States Army, to be second lieutenant, United States Army, February 2, 1901.

Robert K. Spiller, of Virginia, late first lieutenant, Forty-second Infantry, United States Volunteers, and second lieutenant, Twenty-sixth Infantry, United States Army, to be second lieutenant, United States Army, February 2, 1901.

MEDICAL DEPARTMENT.

John Leslie Shepard, of Illinois, contract surgeon, United States Army, to be assistant surgeon with the rank of first lieutenant, February 21, 1902.

Joseph C. Garlington, of Georgia, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, February 26, 1902.

Edward A. Southall, of New York, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, February 20, 1902.

James B. Pascoe, of New York, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, February 19, 1902.

PROMOTIONS IN THE ARMY.

MEDICAL DEPARTMENT.

Lieut. Col. Robert M. O'Reilly, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, February 14, 1902.

Maj. Edward B. Moseley, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, February 14, 1902.

Capt. Benjamin L. Ten Eyck, assistant surgeon, to be surgeon with the rank of major, February 14, 1902.

CORPS OF ENGINEERS.

Second Lieut. Michael J. McDonough, Corps of Engineers, to be first lieutenant, April 30, 1901.

Second Lieut. Francis A. Pope, Corps of Engineers, to be first lieutenant, May 2, 1901.

Second Lieut. Gilbert A. Youngberg, Corps of Engineers, to be first lieutenant, May 3, 1901.

Second Lieut. Paul Stanley Bond, Corps of Engineers (heretofore borne on the Army Register as Stanley Bond Hamilton, but under a decree of the supreme court of the county of New York, State of New York, authorized to assume his true name, as above indicated, on the 4th day of March proximo), to be first lieutenant, June 29, 1901.

Second Lieut. William P. Stokey, Corps of Engineers, to be first lieutenant, December 12, 1901.

CAVALRY ARM.

Capt. Charles W. Taylor, Ninth Cavalry, to be major, February 22, 1902.

First Lieut. John B. Christian, Ninth Cavalry, to be captain, February 22, 1902.

PAY DEPARTMENT.

Maj. William H. Comegys, paymaster, to be deputy paymaster-general, with the rank of lieutenant-colonel, February 20, 1902.

Capt. Herbert M. Lord, paymaster, to be paymaster, with the rank of major, February 20, 1902.

ARTILLERY CORPS.

Lieut. Col. Charles Morris, Artillery Corps, to be colonel, February 21, 1902.

Maj. Asher C. Taylor, Artillery Corps, to be lieutenant-colonel, February 21, 1902.

Capt. George F. E. Harrison, Artillery Corps, to be major, February 21, 1902.

POSTMASTERS.

Berry McGee, to be postmaster at Italy, in the county of Ellis and State of Texas.

Harry C. Butler, to be postmaster at Anson, in the county of Jones and State of Texas.

Frank F. Crowe, to be postmaster at Montevallo, in the county of Shelby and State of Alabama.

Samuel G. Dewell, to be postmaster at Pierre, in the county of Hughes and State of South Dakota.

Clarkson D. Overman, to be postmaster at Fairmount, in the county of Grant and State of Indiana.

Andrew J. Prince, to be postmaster at Pratt City, in the county of Jefferson and State of Alabama.

Charles T. Holtzman, to be postmaster at Luray, in the county of Page and State of Virginia.

N. Clifford Nichols, to be postmaster at Leesburg, in the county of Loudoun and State of Virginia.

Harry A. Griffin, to be postmaster at Galveston, in the county of Galveston and State of Texas.

Alexander Clohan, to be postmaster at Martinsburg, in the county of Berkeley and State of West Virginia.

Alonzo E. Linch, to be postmaster at Moundsville, in the county of Marshall and State of West Virginia.

William L. Mustard, to be postmaster at Pocahontas, in the county of Tazewell and State of Virginia.

M. O. Gleason, to be postmaster at Hico, in the county of Hamilton and State of Texas.

Robert R. Hyland, to be postmaster at Round Rock, in the county of Williamson and State of Texas.

John D. Abney, to be postmaster at Grand View, in the county of Johnson and State of Texas.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 4, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

PHILIPPINE TARIFF BILL.

The SPEAKER. The unfinished business now coming before the House is the conference report on House bill 5833, known as the Philippine tariff bill. The question is on agreeing to the report.

The question having been put—

The SPEAKER. The noes appear to have it.

Mr. PAYNE. I call for a division.

The question being again taken, there were—ayes 66, noes 65.

Mr. RICHARDSON of Tennessee. I ask for tellers.

Mr. PAYNE. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 139, nays 110, answered "present" 16, not voting 91; as follows:

YEAS—139.

Acheson,	Dalzell,	Kahn,	Reeder,
Adams,	Darragh,	Knox,	Reeves,
Alexander,	Davidson,	Kyle,	Roberts,
Allen, Me.	Dayton,	Lacey,	Rumple,
Ball, Del.	Douglas,	Landis,	Russell,
Barney,	Draper,	Lawrence,	Scott,
Bartholdt,	Driscoll,	Lessler,	Shattuc,
Bates,	Esch,	Lewis, Pa.	Shelden,
Beidler,	Evans,	Littauer,	Showalter,
Bishop,	Fletcher,	Long,	Sibley,
Blakeney,	Foerderer,	Loud,	Skiles,
Boutell,	Fordney,	Lovering,	Smith, Iowa
Bowersock,	Foss,	Marshall,	Smith, H. C.
Brick,	Foster, Vt.	Mercer,	Smith, Wm. Alden
Bristow,	Gardner, Mich.	Minor,	Southard,
Bromwell,	Gardner, N. J.	Mondell,	Sperry,
Brown,	Gillet, N. Y.	Moody, Mass.	Steele,
Burk, Pa.	Graff,	Moody, N. C.	Stevens, Minn.
Burke, S. Dak.	Greene, Mass.	Moody, Oreg.	Storm,
Burleigh,	Hamilton,	Morgan,	Sulloway,
Butler, Pa.	Haskins,	Morris,	Sutherland,
Calderhead,	Hedge,	Mudd,	Tawney,
Cannon,	Hemenway,	Needham,	Thomas, Iowa
Capron,	Henry, Conn.	Nevin,	Tirrell,
Cassel,	Hepburn,	Olmsted,	Tompkins, N. Y.
Connell,	Hildebrant,	Overstreet,	Tompkins, Ohio
Conner,	Hill,	Palmer,	Van Voorhis,
Coombs,	Hitt,	Parker,	Wachter,
Cooper, Wis.	Holliday,	Patterson, Pa.	Wanger,
Corliss,	Howell,	Payne,	Warner,
Cousins,	Hughes,	Pearre,	Warnock,
Cromer,	Jack,	Perkins,	Watson,
Currier,	Jenkins,	Powers, Me.	Weeks,
Curtis,	Jones, Wash.	Powers, Mass.	Woods.
Cushman,	Joy,	Ray, N. Y.	

NAYS—110.

Adamson,	Feely,	Lindsay,	Robb,
Allen, Ky.	Finley,	Little,	Robertson, La.
Ball, Tex.	Fitzgerald,	Littlefield,	Robinson, Ind.
Bankhead,	Fleming,	Livingston,	Rucker,
Bell,	Foster, Ill.	Lloyd,	Ruppert,
Bowie,	Fox,	McCall,	Salmon,
Brantley,	Gilbert,	McClellan,	Selby,
Broussard,	Gordon,	McCulloch,	Shackleford,
Brundidge,	Griggs,	McLain,	Shafroth,
Burgess,	Hay,	McRae,	Sims,
Burleson,	Heatwole,	Maddox,	Slayden,
Burnett,	Henry, Tex.	Maynard,	Small,
Caldwell,	Hooker,	Meyer, La.	Smith, Ky.
Candler,	Howard,	Miers, Ind.	Stark,
Cassingham,	Jackson, Kans.	Moon,	Tate,
Clark,	Johnson,	Mutchler,	Taylor, Ala.
Clayton,	Kehoe,	Naphen,	Thayer,
Conry,	Kern,	Padgett,	Thomas, N. C.
Cooper, Tex.	Kitchin, Claude	Patterson, Tenn.	Thompson,
Cowherd,	Kitchin, Wm. W.	Pou,	Underwood,
Creamer,	Kleberg,	Pugsley,	White,
Cummings,	Kluttz,	Randell, Tex.	Wiley,
Davey, La.	Lanham,	Ransdell, La.	Williams, Ill.
Davis, Fla.	Lassiter,	Rhea, Ky.	Williams, Miss.
De Armond,	Latimer,	Rhea, Va.	Wilson,
De Graffenreid,	Lester,	Richardson, Ala.	Zenor.
Dinsmore,	Lever,	Richardson, Tenn.	
Elliott,	Lewis, Ga.	Rixey,	

ANSWERED "PRESENT"—16.

Bartlett,	Crumpacker,	Ketcham,	Snook,
Benton,	Deemer,	Mahon,	Swanson,
Brownlow,	Gooch,	Mann,	Trimble,
Burkett,	Green, Pa.	Prince,	Wheeler.

NOT VOTING—91.

Aplin,	Cochran,	Fowler,	Grow,
Babcock,	Cooney,	Gaines, Tenn.	Hall,
Bellamy,	Crowley,	Gaines, W. Va.	Hanbury,
Belmont,	Dahle,	Gibson,	Haugen,
Bingham,	Dick,	Gill,	Henry, Miss.
Blackburn,	Dougherty,	Gillett, Mass.	Hopkins,
Boreing,	Dovener,	Glenn,	Hull,
Breazeale,	Eddy,	Goldfogle,	Irwin,
Bull,	Edwards,	Graham,	Jackson, Md.
Burton,	Emerson,	Griffith,	Jett,
Butler, Mo.	Flood,	Grosvenor,	Jones, Va.

Knapp,	Morrell,	Schirm,	Stewart, N. Y.
Lamb,	Neville,	Shallenberger,	Sulzer,
Loudenslager,	Newlands,	Sheppard,	Talbert,
McAndrews,	Norton,	Sherman,	Tayler, Ohio
McCleary,	Otey,	Smith, Ill.	Tongue,
McDermott,	Otjen,	Smith, S. W.	Vandiver,
McLachlan,	Pierce,	Snodgrass,	Vreeland,
Mahoney,	Polk,	Southwick,	Wadsworth,
Martin,	Reid,	Sparkman,	Wooten,
Metcalf,	Robinson, Nebr.	Spight,	Wright,
Mickey,	Ryan,	Stephens, Tex.	Young.
Miller,	Scarborough,	Stewart, N. J.	

So the conference report was agreed to.

The following pairs were announced:

For the session:

Mr. MORRELL with Mr. GREEN of Pennsylvania.

Mr. WRIGHT with Mr. HALL.

Mr. BOREING with Mr. TRIMBLE.

Mr. MAHON with Mr. OTEY.

Mr. BULL with Mr. CROWLEY.

Mr. METCALF with Mr. WHEELER.

Until further notice:

Mr. KETCHAM with Mr. SNODGRASS.

Mr. GROSVENOR with Mr. SNOOK.

Mr. CRUMPACKER with Mr. JONES of Virginia.

Mr. PRINCE with Mr. GRIFFITH.

Mr. DEEMER with Mr. POLK.

Mr. BURTON with Mr. SPARKMAN.

Mr. HULL with Mr. COONEY.

Mr. BROWNLOW with Mr. PIERCE.

Mr. SOUTHWICK with Mr. SULZER.

Mr. BURKETT with Mr. SHALLENBERGER.

Mr. EDDY with Mr. SHEPPARD.

Mr. HANBURY with Mr. WOOTEN.

For this day:

Mr. OTJEN with Mr. NEVILLE.

Mr. MILLER with Mr. RYAN.

Mr. APLIN with Mr. SCARBOROUGH.

Mr. STEWART of New York with Mr. TALBERT.

Mr. MARTIN with Mr. MAHONEY.

Mr. SAMUEL W. SMITH with Mr. GAINES of Tennessee.

Mr. SMITH of Illinois with Mr. LAMB.

Mr. MCCLEARY with Mr. EDWARDS.

Mr. JACKSON of Maryland with Mr. VANDIVER.

Mr. HOPKINS with Mr. MCANDREWS.

Mr. BLACKBURN with Mr. FLOOD.

Mr. GILL with Mr. GLENN.

Mr. WADSWORTH with Mr. COCHRAN.

Mr. MCLACHLAN with Mr. MCDERMOTT.

Mr. VREELAND with Mr. BUTLER of Missouri.

Mr. DOVENER with Mr. NEWLANDS.

Mr. DICK with Mr. SPIGHT.

Mr. IRWIN with Mr. GOOCH.

Mr. YOUNG with Mr. BENTON.

Mr. GIBSON with Mr. GOLDFOGLE.

Mr. STEWART of New Jersey with Mr. BELLAMY.

Mr. EMERSON with Mr. BREAZEALE.

Mr. GRAHAM with Mr. DOUGHERTY.

Mr. LOUDENSLAGER with Mr. MICKEY.

Mr. SCHIRM with Mr. REID.

Mr. BINGHAM with Mr. STEPHENS of Texas.

Mr. KNAPP with Mr. ROBINSON of Nebraska.

Mr. FOWLER with Mr. HENRY of Mississippi.

Mr. SHERMAN with Mr. BELMONT.

Mr. BABCOCK with Mr. SWANSON.

On this vote:

Mr. HAUGEN with Mr. NORTON.

Mr. MANN with Mr. JETT.

Mr. GROW with Mr. BARTLETT.

Mr. BENTON. Mr. Speaker, I am informed that Mr. YOUNG of Pennsylvania, with whom I am paired, is not here. Therefore I desire to withdraw my vote and be recorded "present."

Mr. SWANSON. I have voted "no;" but I find I am paired with the gentleman from Wisconsin, Mr. BABCOCK, who is at home ill. If he were present, he would vote "aye" and I should vote "no."

Mr. WHEELER. I desire to withdraw my vote and be marked "present," as I am paired with the gentleman from California, Mr. METCALF.

Mr. GOOCH. I find I am paired with my colleague, Mr. IRWIN, and therefore desire to withdraw my vote and be marked "present."

The result of the vote was announced as above stated.

Mr. PAYNE moved to reconsider the vote just taken, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVE OF ABSENCE.

Mr. STEPHENS of Texas, by unanimous consent, obtained leave of absence indefinitely, on account of important business.

PENSION APPROPRIATION BILL.

Mr. BARNEY. Mr. Speaker, I desire to call up for consideration the report of the conferees on the disagreeing vote of the two Houses on the pension appropriation bill. I ask unanimous consent that the reading of the report be dispensed with, and that the statement of the House conferees be read.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. BARNEY]? The Chair hears none. [A pause.] The statement of the House conferees does not appear to be at the desk with the report.

Mr. BARNEY. Both papers were on the Speaker's table yesterday. I ask, then, that the report be read, and the reading of the statement be dispensed with.

Mr. RICHARDSON of Tennessee. Is there no statement accompanying the report of the conferees?

The SPEAKER. The statement can not be found at present. The gentleman from Wisconsin asks unanimous consent—it can only be done in that way—to read the report instead of the statement.

Mr. RICHARDSON of Tennessee. I insist that the statement should be on hand and on file, Mr. Speaker. The rules require the statement.

The SPEAKER. The Chair suggests to the gentleman from Wisconsin that he withdraw his report until the statement can be found. It was on the desk last night.

Mr. BARNEY. Very well. I shall do so.

Mr. LOUD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole on the state of the Union for the further consideration of House bill 11728.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union, Mr. GILLETT of Massachusetts in the chair, and resumed the further consideration of House bill 11728.

RURAL FREE-DELIVERY SERVICE.

Mr. SWANSON. Mr. Chairman, I would like to know how much time has been consumed, pro and con, in the debate on this bill.

The CHAIRMAN. Two hours and twenty-five minutes on behalf of the majority of the committee and one hour and thirty minutes on behalf of the minority.

Mr. SWANSON. I desire to yield twenty minutes to the gentleman from Indiana [Mr. LANDIS].

Mr. LANDIS. Mr. Chairman, I am loath to oppose a report brought before the House by so large a majority of the Committee on Post-Offices and Post-Roads, but I feel that I can not subscribe to that report and to any degree whatever represent the people who honored me with a seat in this House. We are told that all but two members of that committee signed the majority report. I believe the chairman of the committee himself will confess that the chief activity, however, in behalf of the majority report has come from the chairman of the committee.

I was somewhat impressed with the statement made by the distinguished gentleman from California [Mr. LOUD] as to the labor that the committee had put upon this question, the worry this subject had given them, how they had considered it during the day and far into the night, and it occurred to me that after all that attention, all that worry, all that trouble, all that labor, a committee composed of 17 members ought to have been able to bring forth a better child than this—a child that belongs to a family—the contract family—that has brought more shame and more discredit upon this nation than all of the other national families combined.

Contract service! I never hear that word "contract" mentioned in this connection that I do not think of convict-contract labor, but to the credit of convict-contract labor be it said that that is let to the highest bidder. This is let to the lowest bidder. Cheap! cheap! I insist that the brand of cheapness be not placed upon this promising service. Almost a unanimous report, and with nothing more promising than this! I fear the members of the committee—courteous, graceful, accommodating gentlemen—have fallen victims to the genial smile and sunny disposition of my friend from California. [Laughter.] I am afraid he has hypnotized the members of that committee.

I do know, Mr. Chairman, that there is no excuse for this bill; I do know, Mr. Chairman, that there is no demand for this bill. This service was instituted a little over four years ago. To-day, I am told, there are well on to 10,000 rural free-delivery carriers in this nation, and I believe that no service—no experimental service—ever instituted by this Government has so completely vindicated the judgment and the expectations of its sponsors. No service ever instituted has spoken so eloquently for itself.

To-day it is nominally still an experimental service, but every member of this House knows that to-day it is an absolute fixture; every member of this House knows that to-day it is an absolute

fact. And, more than that, we all know that millions of people this day in this Republic are extending their hands to this House beseeching us to give them the blessings of this service; but just now, after this service has vindicated its right to life, this proposition, looking to a complete revolution of the service, is brought in here. I say a complete revolution of the service, because the carriers make up the service, and if you revolutionize the methods of selecting these carriers, of paying these carriers, and controlling these carriers, you revolutionize this service. There is no excuse whatever for this bill. The service has been a success from the hour the experiment was begun. It has gone on winning friends by leaps and bounds, and I believe to-day has a warmer place in the affections of those it comes in contact with than any other service in the Government.

I do not believe that there is any demand for this bill. I do not believe that there is a single member of the Post-Office Committee who has received a single letter from a single constituent asking for the passage of this bill. I do not believe there is a member of this House who has received a letter from a single constituent asking for the passage of this bill.

I believe that this child was born in the mind and in the imagination of the distinguished gentleman from California, and I believe that the support he received from the members of that committee was simply a perfunctory support—simply a nominal support; and I feel satisfied in my own mind that if the matter were dropped this very hour no tears would be shed by any other member of that committee than the gentleman himself.

There is no excuse for the bill, no demand for the bill, but there are reasons for the bill.

The first reason is that the members of the committee—most conspicuously the gentleman from California—are afraid that these carriers will organize and overawe Congress. Poor Congress! They are about to overawe and intimidate the members of this body. My friend from California [Mr. LOUD] bore down very heavily on that proposition, and after he had hammered it into the members of this House with all the force and energy of his nature he undid it all by giving a little incident that had come under his own observation in his own district. He stated that a city carrier who had been delivering mail in his Congressional district, because the distinguished gentleman from California had not interested himself in securing him an increase of salary, had gone along that route and worked up a feeling against him.

So far, so good; but the gentleman went on and stated that he complained to the Department, and the Department came in and served notice on that carrier that if it heard of any further continuance of that work, he would be discharged; and the sequel to it all was that a few weeks later this carrier came to the gentleman's office and on his knees begged him to see that he was not discharged.

Mr. LOUD. I know the gentleman wants to be fair, but he misstates the case. Evidently he did not hear or read what I said.

Mr. LANDIS. I always want to be fair.

Mr. LOUD. I made no complaint to the Department; neither did I say or intimate anything of the kind.

Mr. LANDIS. The Department took it up, did it not?

Mr. LOUD. The Department took it up months before, on their own responsibility.

Mr. LANDIS. How did the Department know it?

Mr. LOUD. Know what?

Mr. LANDIS. Know that this carrier had made these threats?

Mr. LOUD. Why, it was not this particular case that they were looking out for, but they had men all over the country——

Mr. LANDIS. They had men all over the country looking for members of Congress who were about to be intimidated! [Laughter.]

Mr. LOUD. No; looking after the carriers, and they have them now.

Mr. LANDIS. And they could have them under this rural free-delivery carrier system.

Mr. LOUD. I have no doubt about it.

Mr. LANDIS. And they would protect members of Congress in the same way, would they not?

Mr. LOUD. Well, I do not think they have ever protected the gentleman who is on the floor at present.

Mr. LITTLEFIELD. He has not needed any protection.

Mr. LANDIS. I have not needed any protection.

Mr. LOUD. No; because you have always been ready to obey whatever they require.

Mr. LANDIS. No; but I will say to the gentleman from California that I have opposed the proposition to place the carrier in Indiana in my district on the same plane as to wages as the gentleman from California places the Chinaman who works in California. [Applause.] Chinese labor in California is rated at $1 a day.

Mr. LOUD. The gentleman had better confine himself to Indiana.

Mr. LANDIS. My distinguished friend from California would put the carrier's wages at $1 a day. I will not subscribe to that.

Mr. THAYER. They do not get a dollar a day with us.

Mr. LANDIS. They would not get a dollar a day under the $300 per annum proposition. They would get less than a dollar a day, and furnish a wagon and two horses and board themselves and furnish their own smoking tobacco. [Laughter.] I say that when the gentleman related that little incident he answered the objection by reciting that the Department served notice on that carrier that they would remove him if he continued that practice, and a few weeks later, on his bended knee, he appealed to the gentleman from California to save his position for him.

Mr. LOUD. The gentleman's statement, of course, is metaphorical.

Mr. LANDIS. And true to his large heart and generous instincts, the gentleman from California saved the carrier.

Mr. LOUD. Of course, the gentleman means that he was on his bended knee, metaphorically.

Mr. LANDIS. Metaphorically speaking.

Mr. LOUD. You were not present, of course.

Mr. LANDIS. If my friend from California will pursue that subject, he will probably remember the fact that for fifteen years the city carriers have been attempting to have their salaries raised to $1,200 per annum, and year after year they have sent in their petitions. I presume they have sent their threats to some members of this House; but their salaries have not been increased. My distinguished friend from California knows that there has been a concerted move on the part of the railway mail clerks of this Republic during the last five or six years to have a reclassification bill pass this House.

They have bombarded us with letters; they have sent delegates to us to see us at our homes. Up to a few weeks ago this continuous, concerted pressure had reached such a point as to alarm members of this House; piled up their mail so that some of them had to employ special secretaries. A notice came from the White House to these gentlemen informing them that if any one of them attempted to bring influence to bear looking toward the enactment of any special legislation in which they were interested they would lose their positions, and since that order was issued I doubt whether a member of this House has received a letter from any member of that organization.

Mr. LOUD. If the gentleman cares to examine that, the committee has some petitions and letters.

Mr. LANDIS. They were sent before the order was issued.

Mr. LOUD. They came to us a few days ago.

Mr. LANDIS. You probably did not see them before.

Mr. LOUD. I do see practically everything that comes to that committee.

Mr. LANDIS. I have not received any. I received hundreds of them before the order was issued. An order like that would operate in the same way with the rural free-delivery carriers if there were any necessity for it. My friend from California——

Mr. GAINES of Tennessee. Will the gentleman allow me to ask him a question?

Mr. LANDIS. Certainly; with pleasure.

Mr. GAINES of Tennessee. Does my friend from Indiana think the President or anybody else in this country should shut off the people of this country from writing to their public servants or bar them of the ancient right to petition?

Mr. LANDIS. That has nothing to do with this question.

Mr. GAINES of Tennessee. I think it has.

Mr. LANDIS. Not at all. If my friend will bring in something relevant, I will give it due consideration.

I will say this, Mr. Chairman, that I feel that if any considerable number of employees in any particular branch of this Government establishes an organization to bring influence to bear upon this Congress to increase their salaries, it is proper that the President should give them notice that it would be cause for removal. [Applause.] And I would say this, while speaking on this organization of the railway mail clerks, that I feel the Committee on Post-Offices and Post-Roads could with a good deal better grace have given attention to the prayers and petitions that they have received from those people than to go out of the way and try to revolutionize a system to which there is now no objection.

I believe the railway mail clerks have justice on their side. I believe that they have grievances that this Congress should give attention. I believe that there are inequalities in the salaries of railway mail clerks that Congress should correct. I do not believe that there is any class of men in this country who are doing as much work for as little pay as the railway mail clerks. And the same thing is true of clerks in post-offices.

My friend from California spoke with some emphasis of the part that he had played in instituting this service originally. He

stated that he was largely responsible for it. He intimated that he would be willing to blush and plead guilty if anyone should say he was its "papa!" [Laughter.] He said that he had agreed to christen the child on the basis that it would require no more than $300 a year for its support.

Three hundred dollars a year for a free rural-delivery carrier, covering a route 25 miles in length, furnishing his own horse—two of them, generally—furnishing his own wagon. Three hundred dollars a year! With no legal holiday; no annual leave; no sick leave. Three hundred days of continuous service, furnishing two horses and a wagon, for $300; and yet the gentleman from California brings in a bill each year providing for the payment of $240 for the mail carrier who drives a cart in the small city.

Mr. LOUD. The Post-Office Committee do not bring in anything of the kind, neither have the Post-Office Committee fixed the salary of the rural carriers.

Mr. LANDIS. The gentleman has never in any way called attention of Congress to the allowance made to the cart man in the small town, claiming it to be exorbitant.

Mr. LOUD. The Post-Office Committee, permit me to say, brings in a lump sum for carrying the mail for the Post-Office Department, and they have no knowledge of what is paid.

Mr. LANDIS. The Post-Office Committee certainly has some sort of jurisdiction.

Mr. LOUD. None whatever.

Mr. LANDIS. Well, you ought to have

Mr. LOUD. The gentleman is getting into deep water when he gets into post-office matters. [Laughter.]

Mr. LANDIS. The gentleman from California, who has given such specific attention to the workings of the Post-Office Department, ought to give some attention to these other matters and be consistent. The great committee over which the gentleman presides has sanctioned the allowance of $240 for a cart and horse in a small city and yet insists that $300 a year is enough for the salary of the rural free-delivery carrier who furnishes two horses and a cart.

Mr. LOUD. That may be ingenuous, but it is not the fact.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SWANSON. I yield the gentleman fifteen minutes more.

Mr. LANDIS. I do not want it understood that I think the allowance made the city carrier is too much. It is not too much; but I can not understand how the gentleman from California can reconcile his generous treatment of the city carrier with his proposed niggardly treatment of the rural carrier. He sanctions a salary of $850 for the city carrier and in addition an allowance of $240 for horse and cart. At the same time he insists that the rural carrier furnish two horses and a wagon and perform carrier service on a route 25 miles in length all for $300.

Mr. LOUD. What horse and cart is the gentleman referring to?

Mr. LANDIS. To the horse and cart for a carrier in a town like Kokomo, Ind. The carrier gets a salary of $850 and an allowance of $240 for cart and horse.

Mr. LOUD. The Government furnishes him with a horse and cart?

Mr. LANDIS. The Government allows him $240 for the horse and cart.

Mr. LOUD. They may make the allowance or they may furnish it to him.

Mr. LANDIS. Why would not it be right for the Government to furnish the rural free-delivery carrier with a horse and cart or its equivalent, $240, besides the salary?

Mr. LOUD. Perhaps it would.

Mr. LANDIS. But not with the sanction of the gentleman from California.

Mr. LOUD. The gentleman from Indiana is mistaken.

Mr. LANDIS. Well, the gentleman from California started out on a basis of $300 a year for a rural free-delivery carrier.

Mr. LOUD. Permit me to say that neither the gentleman from California, nor the Post-Office Committee, nor the House of Representatives have ever up to the present moment had anything to do with fixing the salary of the rural free-delivery carrier.

Mr. LANDIS. I know; but you would only allow such a small appropriation that the Department could not pay more.

Mr. LOUD. We have given them all they asked for and more, too.

Mr. LANDIS. There is not a member on the floor of the House when this proposed appropriation was up that did not receive the impression that the proposed appropriation did not receive the enthusiastic indorsement of the gentleman from California.

Mr. LOUD. What does the gentleman refer to?

Mr. LANDIS. I am referring to the appropriations made for free-delivery service.

Mr. LOUD. When?

Mr. LANDIS. On former occasions when the Post-Office bill was up before the House.

Mr. LOUD. The gentleman is mistaken, and I defy him to find a word or a remark of mine showing that I was opposed to any appropriation.

Mr. LANDIS. I think the gentleman gave that impression from what he stated yesterday.

Mr. LOUD. Had not the gentleman from Indiana better rely on the RECORD instead of on his memory?

Mr. LANDIS. No; on the proposed increase last month the gentleman from California opposed it.

Mr. LOUD. The gentleman from California did not oppose what the Department asked for. The Post-Office Committee has given all that the Department has asked for.

Mr. LANDIS. With all due consideration for the gentleman from California, I will say that his manner in handling this question on the floor of the House has not left any other impression on the minds of the members than that he was not heartily in sympathy with this service. I do not think any better evidence of that need be produced than the statements made yesterday to the effect that if this service could be carried on as originally proprosed, on the basis of $300, it would have been all right.

But it is not a $300 service. It is not a cheap service, it is not a niggardly service; or it will not be when Congress gets through with this bill. It will not be a cheap service. The members of this House will insist that the boy from the country who carries this mail over a stretch of 25 miles, furnishing two horses and a wagon, is at least equal to the boy in the town who drives a cart over about one-third of the distance and does not work any longer.

Mr. LOUD. Then he ought to have $1,100, the gentleman says?

Mr. LANDIS. No; I don't think so, but I will tell the gentleman what I would give him.

Mr. LOUD. If he is worth as much or more, he ought to be paid as much.

Mr. LANDIS. He is worth as much.

Mr. LOUD. How much does your man get that you have alluded to?

Mr. LANDIS. Eight hundred and forty dollars plus $240.

Mr. LOUD. How much is that? [Laughter.]

Mr. LANDIS. Almost $1,100.

Mr. LOUD. Well, you say these men are worth as much or more; why should not they have it?

Mr. LANDIS. I would give it to them, I think.

Mr. LOUD. Then the gentleman is in favor of $1,100?

Mr. LANDIS. I would pay the carriers from $600 to $1,100, according to the routes over which they carry. And I do not think that a competent superintendent or a competent inspector or a competent agent would have any difficulty in deciding about what the salary should be. They do not seem to have any difficulty in deciding that question now in the cities. Some of these carriers receive as low salaries as $300 a year.

Mr. LOUD. The law fixes the salaries paid in the cities. I do not suppose the gentleman is aware that the Department has no discretion whatever in that matter.

Mr. LANDIS. A law could be passed that would enable the Postmaster-General to fix these salaries.

Mr. LOUD. But with the city carrier the law fixes the salary.

Mr. LANDIS. And the law could fix the salary of the rural free-delivery carrier.

Mr. LOUD. Of course.

Mr. LANDIS. And we make the law.

Mr. LOUD. But the gentleman is making a comparison, and saying that we could do so and so in the cities. I say we can not.

Mr. LANDIS. We could change the law if we wanted to. A law once passed can be changed.

Mr. LOUD. You can not change it.

Mr. LANDIS. Congress can.

Mr. LOUD. Would you advocate the change?

Mr. LANDIS. I would want the question fully presented, and then I would, in my wisdom and discretion, decide it.

Mr. LOUD. You know so much about the matter that you ought to be able to decide it now.

Mr. LANDIS. If, after laboring, as the gentleman from California has done, for months, I did not know anything more about this proposition than he seems to know, I would——

Mr. LOUD. "The gentleman from California" evidently knows what he wants and the "gentleman from Indiana" does not.

Mr. LANDIS. I do not think "the gentleman from California" knows what he wants. He knows what the people want, and true to his instinct he is against what they want.

Mr. SHACKLEFORD. You say you are in favor of paying these "boys" $1,100 a year?

Mr. LANDIS. I am, if they earn it.

Mr. SHACKLEFORD. Now, I want to ask you whether you do not know that such a salary would be in excess of the annual income of the farmers to whom this mail is carried and who in

the last extremity must pay these taxes for both the city carrier and the country carrier?

Mr. LANDIS. I do not know what the annual income of the farmers is in your district; but the annual income of a large number of farmers in my district who receive their mail by the rural free delivery exceeds $1,100 a year.

Mr. SHACKLEFORD. More of them receive an annual income below that sum than above it.

Mr. LANDIS. That may be true, but I say I would pay these carriers exactly what they earn—no more and no less.

Mr. SHACKLEFORD. And you would saddle the expense upon the farmer, as you always do, and then talk about the "boy" in the country.

Mr. LANDIS. I would not saddle it upon the farmer at all. The cost of this service is paid out of the National Treasury. Let me ask the gentleman from Missouri whether he has heard of any farmer complaining——

Mr. SHACKLEFORD. Yes, sir.

Mr. LANDIS. Because of excessive compensation paid these carriers?

Mr. SHACKLEFORD. I have heard the farmers complain all the time that the expense of this and all other services is taxed upon them; that the tax eaters are getting more than their share, while the taxpayers are getting less and less.

Mr. LANDIS. I did not grant permission for the gentleman to inject his campaign speech into my remarks.

I shall insist, Mr. Chairman, that the rural free-delivery carrier who furnishes two horses and a cart, who boards the horses and looks after the repair of the cart, is entitled to just as good a salary as the carrier who delivers the mail in the cities; I shall insist that Congress should legislate so that this salary shall be fixed in accordance with the service rendered, and I insist that the people who are the beneficiaries of this service will be satisfied with nothing less. This service is a farmers' service, and the farmers are satisfied with it as it is. The only complaint they make is that it is not extended with sufficient rapidity. They do not want it changed to a contract service. They do not think there is extravagance in this service. I have heard complaints from the country as to the extravagant prices paid for carrying the mails on the railroads.

Big prices are paid for that service, and the gentleman from California seems glad; at least, I have heard no objection from him. Big prices are paid to the steamboats for mail transportation, and the gentleman seems glad; at least, I have heard no objection from him. Big prices have been paid for years to the original star-route contractors; and I have heard no objection from the distinguished gentleman from California. Members of that committee also seem to be glad (at least, they take no exceptions) on account of the niggardly pay given to the men who actually carry the star-route mail and the men who carry letters along the rural free-delivery routes. The subcontractor on the star route and the man who carries the rural route seem to have no place in the affections of this Post-Office Committee.

I remember, three years ago, going from a little town in my district to a place 15 miles distant. I rode with an old soldier who carried the star route. He carried it every day, and he told me that his compensation was $90 a year. He furnished his own horse, he furnished his own wagon, he fed his horse, and he looked after the repairs of the wagon, and the original contractor, I was told afterwards, received $400 for the carrying of that route. I would like to see the Committee on Post-Offices and Post-Roads to-day come to the rescue of these men rather than propose a revolution of this service to which no one is taking any exceptions.

Mr. COWHERD. I would like to suggest to the gentleman from Indiana that we have already rescued those men.

Mr. LANDIS. I heard that some time ago, and yet my friend from Bridgeport tells me that a route was let just a short time ago out of the town in which he lives, where this rescue was not in evidence.

Mr. COWHERD. I will state that it is the purpose of the Department to provide that the carrier must live along the route.

Mr. LANDIS. Yes, the carrier must live along the route, but I insist that some other person who lives along the route—the fellow who has a few thousand dollars, who has made it possibly taking chattel mortgages on horses and cows belonging to poor families—he lives along the route, too, and he will bid in this route, and then he will sublet it to some poor devil who can eke out a miserable existence carrying the route. Living along the route does not solve this problem. In order to solve it the provision must be that the man who bids in the route must not only live along the route but carry the route. This evil in star-route contracts has not been corrected.

Mr. Chairman, I have possibly spoken longer than I should on this question, and disconnectedly, because of the interruptions of the gentleman from California [laughter], but I feel that the House would make a great mistake in revolutionizing this service. As far as I am individually concerned, I would prefer to see this service abolished altogether. I do not want the brand of cheapness placed upon it. Put it up to the lowest bidder, and the lowest bidder will get it, and that will mean a cheap service, and a cheap service will soon breed complaints, and the complaints will come to the Committee on the Post-Office and Post-Roads, and the Committee on the Post-Office and Post-Roads will at the proper time dump those complaints in on this House and say that this system is not feasible and that it ought to be abolished.

I do not believe in discrediting this system in that way. It is going now as we want it to go—we friends of the service—and it is making friends every day. The farmer is happy when he learns that he is to have the service. I have heard no good reason, and I know there is no demand, for a change in the service. I think the gentleman from Virginia [Mr. SWANSON] touched the right spot yesterday when he stated that if for no other reason this service should be continued because it would tend to popularize country life.

The tendency now is from the country to the city. The boys are leaving the farm. They are leaving the farm, and why? Because it is lonesome on the farm, because it is monotonous on the farm, and they are going to the city where it is true a great many of them reach ultimately positions of distinction and a great many of them become hewers of wood and drawers of water. I would give the farmer a daily mail at his door. I would make it possible for every farmer to receive a daily paper throughout the length and breadth of this Republic, if such a thing were practicable. Let him receive the magazines just as soon as they are received in the town; make it possible for him to keep in touch with the daily market just as the man does in the town.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LANDIS. Mr. Chairman, I would like just a few moments more.

Mr. SWANSON. I yield the gentleman five minutes more.

Mr. LANDIS. I would do this, Mr. Chairman, in order to check this tendency from the country to the city, and I would do it notwithstanding the fact that it costs money. Of course it costs money. I want it to cost money. I do not know of anything that is good that we get in this Republic that does not cost money.

Of course, there are complaints when we spend money. We hear complaints when the proposition is made to improve the rivers and harbors; but it comes from those who do not seem to appreciate that our commerce in this Republic has developed almost miraculously. We hear these same complaints when a great appropriation comes in here providing for millions for public buildings—complaints made by "little Americans," who do not seem to appreciate the fact that vast stretches of country which fifty years ago were desolate and waste have become peopled by millions of Americans, whose hope and ambition has blossomed into cities, and that Columbia pays a premium in the shape of a public building.

We heard complaints made here just after the blowing up of the *Maine* in opposition to a war with Spain because it would cost money and because it would increase the pension roll. We had that war, it did cost money, and it will possibly increase the pension roll; but this country vindicated its honor, this nation vindicated its right to live among the family of nations, and by that war this nation was elevated to a position from which a year ago our President dictated terms to the monarchies of the world.

Cost! Of course this service will cost. Everything you have in this Republic that is worth having costs. I want this rural route service to cost more each year, because then I will know that it is increasing, and scattering its blessings over a wider area. But I want nothing cheap about it. I do not want the word "contract" associated with it.

I do not know how long I will belong to this House, but as long as I am here and see this appropriation brought in for rural free delivery, every time I hear the item read, I will think of the American farmer sitting in his own home, in front of his own hearthstone in the evening, dividing with his wife and children the joys and comforts that come from a daily mail, the greatest blessing the American home can have from the American Government. [Applause.]

Mr. SWANSON. I yield twenty-five minutes to the gentleman from Georgia [Mr. MADDOX].

Mr. MADDOX. Mr. Chairman, in the first place I desire to say that I have the utmost confidence in the chairman of this Committee on the Post-Office and Post-Roads and in the members of that committee. I have the greatest respect for the independence of the chairman of that committee, and especially have I the greatest respect for my colleague from Georgia [Mr. GRIGGS] who is on that committee. It was with the utmost reluctance that on this occasion I have found myself compelled to differ with their conclusions. Ordinarily we are necessarily controlled by the reports of the committees on these bills that are brought before the House for

our consideration, but on this question that is before us to-day it seems to me that every member of Congress ought to be as well posted as the committee.

Now, I may confess that when this question was first suggested I was heartily in favor of some reformation along this line; but after mature deliberation on this subject, I have come to the conclusion that we have commenced our reform at the wrong place. If there are any people in this country more than others who ought to receive our consideration, they are the people who live in the rural districts. They have submitted to all sorts of taxation. They have submitted to all sorts of hardships, uncomplaining at all times. They have no lobby here to represent them in this Capitol. They have no paid attorney to represent their interests here, but they must rely upon their Representatives in this Congress to do them justice.

Now, as I say, after I carefully considered this matter, with my prejudices, I may say, all in the other direction, I was forced after deliberate conclusion that if we pass this bill we do a wrong to the people who reside in the rural districts of the United States. If we want to begin reform, gentlemen, there are other places where we can begin with a great deal more credit to ourselves and to the country. Some of these I want to call to your attention this morning.

I want, in the first place, to begin with the origin of the rural free-delivery service. It began by appropriating $10,000 in 1894, in the Fifty-third Congress—a Democratic Congress. In 1895, $10,000 was appropriated; in 1896, $10,000; in 1897, $40,000; in 1898, $150,000; in 1899, $450,000; in 1900, $1,750,000, and in 1901, in the last Congress, $3,500,000 was appropriated for this service.

Now, let me call your attention to another fact. As I say, if it is our purpose to begin a reform in this service, I propose to point out to this assembly to-day that there is another body that we can reach with more force and more reason than these people whom you expect to reach by this bill. Now, listen to this: There are 17,789 carriers in the city free-delivery service, at a cost of $16,140,450, with additional expenses which carries the amount to $18,745,450.

Now, mark you, we have appropriated $3,500,000 for the rural carrier service. For city delivery alone we have appropriated $18,750,000, which amount is necessary for the purpose of delivering the mail to the people who liye in cities.

Now, my friends, let me call your attention to another fact. I want to say that it takes a better man in every respect to make a successful rural carrier than it does to make a successful city carrier. A city carrier simply delivers the mail that is given to him on his route, or he goes to the boxes and takes up that mail and turns it in at the post-office.

A rural carrier not only delivers the mail along his route, but he is required to sell postage stamps, to register letters, to sell post-office orders, and, in fact, everything that the postmaster does himself. So it requires a better class of men to fill the position of rural carrier than it does the position of city carrier.

Now, what is required of a city carrier? Of course, every man who applies for the position of a carrier in a city has to undergo an examination at the post-office by a set of men who are authorized to make this examination. So far as my experience goes, there are at least 20 men who stand examinations for every position that is to be filled. Now, why should not the Post-Office Committee come in and say that the position of city carriers should be submitted to contract? Here are 20 eligible men, who have proven themselves to be perfectly eligible by examination. They are competent to carry the mails through the city. Why not say to these 20? "We will give it to the man who will take it for the least money." They are equal in every respect, morally, physically, socially, and otherwise, except, perhaps, there is a difference in the marks made in their examination.

Now, I present for your consideration this fact. There are 17,000 of them, at a cost of over $18,000,000 to this Government, and yet there are 10 men who have qualified themselves for the position where there is one position to let. Is it not just as feasible, just as reasonable, that these men should bid for this work—these 10, these 20, these 25, who make themselves eligible as city carriers—and submit their bids and say that "we will take this position for $500 instead of $800?"

But gentlemen have said the difficulty about rural routes is that some men carry a route of 18 miles, some a route of 10 miles, some a route of 20 miles, and some carry one of 25 miles, and that we can not regulate this matter. Let me call your attention to the report of the Postmaster-General in regard to the city delivery. This is the very latest report from the Postmaster-General. My idea is to present to the House how they regulate the carriers in the city delivery, and to impress upon you, if I can, why it is they may not just as well regulate the salary of the carrier of the rural delivery on the same basis. Now listen to this. Fourteen hundred carriers receive for their services $600 for city delivery, 707 carriers $800, 6,317 carriers $850, 9,365 carriers $1,000.

Now, gentlemen, does it not occur to you that they grade these carriers in this Department according to the service they render? Is it impossible for the Post-Office Committee to frame a bill by which these routes can be graded? In other words, where a man carries a route 14 miles, or 25 miles, or 20 miles his case may be regulated somewhat in the same manner and in the same form as the salary of city carriers.

Now, I want to call attention further to this matter. There are other people who are interested in the postal service. I have called your attention to 17,000 city carriers in this country who are delivering mail at salaries, ranging from $600 up to $1,000 a year.

Now, listen to this: There are 9,182 postal clerks employed under the Government. They cost the Government $7,675,436.72. How are these people appointed? They are required to pass an examination—which is proper. No gentleman will deny that, considering the importance of their service; and yet at the same time there are ten men for every position open for appointment who are eligible and make themselves eligible by examination for appointment that the Government has to give. Why does not the Government let these places by contract? Is it not just as easy and reasonable?

But it is said by the chairman of this committee that we can not arrange this matter, because some routes are longer than others; some men deserve more than others. Let us see how the Post-Office Department manages this postal service; I have told you about the city carriers. There are 1,292 clerks of Class A at $1,400; there are 1,824 at $1,200; 4,255 at $1,000; 2,358 not exceeding (the law says) $900; there are 680 of these clerks that do not exceed $800. Have they not found a way to regulate the service of these gentlemen on the railroads?

Now, let us take this into consideration. It is a plain business proposition, gentlemen. Take the railway mail clerks. They are examined by a civil-service board; they are required to come up to a certain percentage. I say now, and I believe it can not be successfully contradicted, that for every place we have to give in the railway-postal service, of the men who handle the mails in this country, that there are at least ten men who make themselves eligible for every position in that service. Now, is it not just as reasonable that we shall advertise this work, and say to these men, "Which one of you will take this for the least amount of money?"

Is not the same proposition applicable to the city delivery? When we examine these clerks or carriers for city delivery, in many instances there are 25 applicants for every vacancy existing. Why not say to them, "you shall be employed by contract, which one of you will carry this mail for the least amount?" But, my friends, that is not the idea; that is not the object of the Government, and it ought not to be. Under the civil service in this country, if it is properly and honestly administered, the idea is to give it to the men who are best qualified to fill these positions.

Then, I ask, in the name of God, why should we draw the line when it comes to serving our country constituency, the very mudsill of this great Republic of ours? Must we say to the people who live in our rural districts, "You are to be served by contract and by inferior men, and will take it for the least sum, and all the requirement that is necessary to deliver the mail is that you can read and write, that you have got a good moral character, and if you do not want to carry the contract longer than thirty days you can throw it up?"

Now, my friends, that is all wrong; that will not do. Let me tell you something. Of all the people on God Almighty's earth that ought to receive the consideration of this Congress of the United States it is those people who live in the rural districts of this country. They have submitted to all sorts of exaction, all sorts of taxation, and there is no man in the hearing of my voice who does not know that in the hour of trouble in this country they are our safeguard and our support and the great conservative element in this country at all times and on all occasions. [Applause.]

Then, why should we begin this question of reform upon the people who have never received anything at the hands of the United States Congress, when we could more appropriately begin elsewhere?

Now, I want to say that I do not believe I have been fairly treated by the people at the Post-Office Department. I believe in a large measure, before the civil service was applied, that they had been using this service to advance political purposes; but is the Department to blame? Is it not the fault of the members of this House? But I do not believe it can be done now. I believe that when the President of the United States put this service under the civil-service law he meant what he said, and he will see that the law is enforced; and that is an answer to all the questions that have been submitted by the other gentlemen who have spoken upon this measure in relation to this service being used for political purposes.

Mr. FLEMING. I wish to say to the gentleman right here, if he will allow me, for his own gratification, that I am authorized by the chairman of the Civil Service Commission to say that the case cited by the gentleman from Kentucky yesterday, where five Republicans and no Democrats were put into the department in Kentucky, that it was done before the 1st of February, when this order went into effect.

Mr. BURLESON. Now, if the gentleman from Georgia will permit me, right on that point, I have a letter here from the superintendent of the rural delivery service in relation to the appointments which it was said yesterday were made contrary to the civil-service law in the Seventh Congressional district in Kentucky. I will read from it:

The cases referred to are the routes established at Georgetown, Scott County, Ky., on March 1, this year. The investigation by the special agent was made early in December, his report being dated December 12, 1901. You understand that the civil-service rules went into effect on February 1, 1902. At the time the Georgetown, Ky., investigations were made the civil-service rules were not in effect and the selections were made under the practice in vogue before February 1. No examination whatever was held, either civil service or otherwise. The selections were left entirely to the judgment and discretion of the special agent who was on the ground.

After the special agent had made his report, the Representative from that district submitted a letter to this office requesting that all of the appointees suggested by the special agent be dropped from the service and certain persons whom he suggested be appointed. It was explained to him personally that the men named by the agent were bonded at the time of the investigation and were selected in good faith and that the Department could not see its way clear to disapprove the recommendation of the special agent unless he (the Representative) could show that the nominees were not fit to perform service or were men of bad character.

In reply to your further inquiry, I have to say that since the inauguration of the civil-service rules, February 1, no appointment either to fill vacancy or for original service has been made not in strict accordance with the rules. It is true that many carriers who were selected and bonded in December, some as far back as November, will not begin operations until March, some as late as April. All men selected prior to February 1 and sworn in before that date are entitled to appointment.

Very respectfully,

A. W. MACHEN,
General Superintendent.

That is a complete answer to the charges made here yesterday with reference to the Kentucky cases.

Mr. MADDOX. That only emphasizes, Mr. Chairman, what I said before.

Mr. LANDIS. Will the gentleman allow me a statement?

Mr. MADDOX. Yes.

Mr. LANDIS. While on that point I would like to say that I was very much impressed by the statement made by the gentleman from California here yesterday, to the effect that the superintendent of the rural delivery had stated to a member of this House that, notwithstanding the fact that this service has been placed in the classified service, he would see that the Republican members of Congress would control the appointments. I took it up to the superintendent this morning, and he authorized me to state that the report that he had said anything of that kind was untrue.

Mr. LOUD. I regret to be compelled to correct the gentleman from Indiana all the time, but permit me to say that the gentleman from California made no such statement.

Mr. LANDIS. I certainly understood the gentleman so.

Mr. LOUD. The gentleman from Indiana is mistaken. I said that such promises had been made.

Mr. MADDOX. Now, Mr. Chairman, I want to submit a few more remarks. I say that from an examination of these figures it seems to me that if the Post-Office Committee wanted to begin a reform, there is wide room to begin somewhere else other than upon our country constituents.

I want to call your attention to the fact that, taking the city-delivery system and the postal clerks upon the train, it forms an army of about 28,000 men, while the rural free-delivery system has about six thousand and some odd men. And while the city-delivery and the railroad-delivery people are extracting from the Treasury about $28,000,000 a year, the rural-delivery service is getting about $3,500,000 a year; and yet these gentlemen become alarmed about the rural free-delivery carriers, and fear they will upset the whole Government. I have heard it said that perhaps the railroads of this country are charging two or three times as much as they ought to charge for transporting the mails. Would not that be a good place to begin "reform?"

Now, Mr. Chairman, we have begun a system of extending the mails to our rural constituencies, and we ought to carry to them the daily mails in every homestead, however remote.

[Here the hammer fell.]

Mr. SWANSON. How much more time does the gentleman from Georgia want?

Mr. MADDOX. Five minutes.

Mr. SWANSON. I take pleasure in yielding the gentleman five minutes more; he is making such a good speech. He may have ten minutes if he wishes.

The CHAIRMAN. The gentleman from Georgia is entitled to ten minutes more.

Mr. MADDOX. What I desired to say, Mr. Chairman, was this: I believe we have begun the reform in this matter at the wrong place. In the first place, so far as I know or have ever heard, no complaint has come up from the people in reference to this rural free-delivery system. This cry of "reform" seems to have originated absolutely in the Committee on the Post-Office and Post-Roads. Now, if the people do not complain—if nobody complains—why is it that gentlemen begin to curtail the privileges and the rights of these people who live in the country?

But perhaps some gentleman will say in behalf of the committee, "We do not propose to do that; we propose to let out this service by contract." I want to say to this House that recently down in Alabama, under this contract system, a gentleman took a contract to deliver the mails over a 6-mile route, which passed over a river, for $143. After he took the contract he discovered that his ferriage across the river would amount to $150 a year, leaving him $7 in debt. This simply illustrates how far the contract system will go.

Now, I want to say that of all the things upon God Almighty's earth that I want to rid my people of in the Seventh district of Georgia is this infernal contract system of delivering the mails. [Applause.] Of all the disgraceful, damnable things that undertake to represent the United States, this service, in many instances, is the worst. [Renewed applause.] And I speak with a knowledge of conditions that prevail to a large extent in my country.

Now, suppose you submit this matter to contract; suppose the work of delivering the mails by rural carriers over certain routes be given out to the lowest bidder. Under this bill you require that the man who undertakes this service shall be able to read and write and be of good character, etc. Well, unfortunately, down in my county we have lots of negroes who can read and write, and I want to say for their benefit that some of them are of good character and can read and write. Yet they are objectionable to the people as rural carriers. You people on the other side of the House can not understand this question. We must work out this problem for ourselves. You can not help us. You can injure us much by imposing the negro upon the people as rural carriers. This proposition opens up the race question, and for that reason, if for no other, I would stand here and oppose this bill as long as I can speak.

Mr. SHAFROTH. Will the gentleman yield for a question?

Mr. MADDOX. Yes; for a dozen of them.

Mr. SHAFROTH. Do the colored people in the South get contracts under the star-route system?

Mr. BARTLETT. Yes, some do; take subcontracts at least.

Mr. MADDOX. I am glad the gentleman has asked that question. I answer, that in certain parts of the South you can hardly start out on a country road, north, south, east, or west, that you do not see a negro from 15 to 23 years old, half clothed, driving a one-eyed mule, or perhaps with the United States mail bag on his shoulder; and he represents the United States mail service under the star-route system. [Applause.] Is that a sufficient answer to the gentleman? I say that this system is the most disgraceful and damnable business that the Government ever engaged in.

Mr. SHAFROTH. In any part of the South that I have ever visited I have never seen such conditions.

Mr. MADDOX. Why, my friend, you never—you certainly never visited the rural districts. As I have had occasion to say heretofore in this House, if you start out in the rural sections of the South, and especially in that part of the country in which I live, the most miserable and dilapidated conveyance that you meet in the road is a vehicle devoted to carrying the United States mail at 50 cents a day, or some other small sum, the man paying his own expenses.

Mr. SMITH of Kentucky. I understood the gentleman from Georgia to say that the colored people in his section are educated and are of good character. Now, if that be the fact as to the colored man in the South, what is to preclude him from getting these contracts under the present civil-service regulations provided with reference to the rural free delivery?

Mr. MADDOX. Well, I will tell you. As far as I am concerned, in my district, I will take care of that.

Mr. SMITH of Kentucky. That is what I want to get at. I want to know whether the civil service is to be a civil service or whether other influences are to come in and control apart from the civil service.

Mr. MADDOX. The rule says the patrons shall select.

Mr. SMITH of Kentucky. Yes; I have read the rules, and I propose to have something to say about the rules before this discussion is over. Of all the miserable farces that ever was gotten up in the way of a civil-service examination this is unparalleled.

Mr. GAINES of Tennessee. Will the gentleman tell us why the system is defective?

Mr. SMITH of Kentucky. I will tell you.

Mr. MADDOX. Mr. Chairman, I believe I have the floor. I want to read this in answer to the gentleman's inquiry:

The examination as conducted by the special agent or the route inspector shall require only such scholastic ability as may be necessary to enable the

applicant to read and write, and shall consist of answering a series of personal questions in the applicant's own handwriting, relating, among other things, to his physical condition, his previous experience, training, and occupation, the length of his residence in the community, and his ability to furnish the necessary equipment and to provide a suitable substitute in cases of emergency; the reading of 25 addressed envelopes or cards, and such other practical tests as will demonstrate the competitor's ability to actually perform the work required. The examination shall further consist of a careful inquiry and report by the special agent or the route inspector as to each competitor's acquaintance with the patrons of the route and the extent to which he has their confidence, his general characteristics, suitability, and fitness for the position.

Does that answer the gentleman's question?

Mr. SMITH of Kentucky. I will show you.

Mr. MADDOX (reading):

And the extent to which he has their confidence.

Mr. SMITH of Kentucky. I will show you how much it answers later on.

Mr. MADDOX (reading):

His general characteristics, suitability, and fitness for the position, and his character and reputation; and in any case where the examiner has doubt as to the competitor's character or reputation, he shall not only make inquiry of the persons given as references in the application, but also consult two or more prominent citizens not mentioned by the applicant.

Now, compare these rules with the system of awarding the contracts to the lowest bidder, and there is no avoiding the conclusion as to which will result in the selection of superior carriers.

Provided, That when selection is to be made for the initial appointment of a carrier on a newly established route, one of the persons nominated by the petitioners will be selected, if in other respects his qualifications are equal to those of the other eligibles; and when a selection is to be made for filling a vacancy in an established route, the person who may have been serving as substitute carrier on the route will be selected, if in other respects his qualifications are equal to those of the other eligibles.

Mr. Chairman, I have shown that the contract system can be made entirely applicable to the postal clerks and to the city carriers, who form an army of 28,000 people, at a cost to the Government of $28,420,000 per annum, who have a close organization and are constantly appealing to Congress for increased salaries, yet they cause no apprehension to the Committee on Post-Office and Roads. If they can be controlled by the orders of the civil service or the Post-Office Department, why apprehend danger from the rural carriers? I have another serious objection to this bill which would cause me to vote against it if I had no other. According to the report of the committee this bill, if it becomes a law, is only intended to put those routes under the contract system that are established after this law goes into effect. This is manifestly wrong and unjust. Some sections of the country are already lined with this service, which will have the benefit of the salaried system, whilst down in my country only a few routes are in operation. My people will be inflicted with the cheap service, perhaps with but little improvement on the star-route service now in vogue down there. My constituents pay the taxes demanded of them by the Government and are entitled to as good service as any other portion of this Union, and as long as I have voice or vote I shall contend for it.

Mr. Chairman, the expenses of this Government are enormous. We are paying the most extravagant amount for pensions ever known. My constituents pay their share of this vast sum. We have spent but recently nearly $1,000,000,000 for war and imperialism. My constituents have contributed their share. In fact, they help to pay all the vast appropriations that are assessed upon the people, and scarcely ever get a dollar of benefit from these appropriations in return; and even now, when reckless extravagance is the order of the day, it does look strange that a fit of economy should strike the Committee on the Post-Office and Post-Roads, and, while all this wild and reckless expenditure of money is going on, that they should reach and commence a retrenchment in the rural-delivery service, crippling that great institution which promises so much good for the people who live in the rural districts, who have heretofore paid taxes all the time and received no benefit from them. Mr. Chairman, I have always stood for economy in governmental affairs, but we have begun to retrench in the wrong place. I hope this bill will not pass.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. ALLEN of Maine having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 1545. An act to establish a marine hospital at Savannah, Ga.;

S. 688. An act for the relief of David H. Lewis;

S. 192. An act authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy;

S. 475. An act to refer the claim of Joseph W. Parish to the Secretary of the Treasury for examination and payment of any balance found due;

S. 1902. An act for the relief of Flora A. Darling;

S. 2237. An act for the relief of John W. Gummo;

S. 916. An act for the relief of Clara H. Fulford;

S. 942. An act for the relief of Harlow L. Street;

S. 3261. An act authorizing the Eldorado and Bastrop Railway Company to construct and maintain a bridge across the Ouachita River, in the State of Arkansas;

S. 678. An act for the relief of W. T. Scott and others;

S. 162. An act for the erection of a public building in Reno, Nev.;

S. 598. An act to provide for the erection of a public building in the city of Grand Forks, N. Dak.;

S. 3364. An act to authorize the apportionment of assessments for special improvements, etc., in the District of Columbia;

S. 2966. An act for the relief of George W. King;

S. 3243. An act to redeem certain outstanding certificates of the board of audit of the District of Columbia;

S. R. 31. Joint resolution to authorize Capt. N. M. Brooks, Superintendent of Foreign Mails, Post-Office Department, to accept decorations from the Emperor of Germany and from the Governments of Liberia and Venezuela;

S. 2982. An act to extend and enlarge the post-office building at Memphis, Tenn.;

S. 3083. An act providing for the adjudication of certain claims by the Court of Claims;

S. 342. An act for the relief of the heirs of Aaron Van Camp and Virginius P. Chapin;

S. 1266. An act for the erection of a public building at Green Bay, Wis.;

S. 1321. An act to restore to the active list of the Navy the name of James G. Field;

S. 1103. An act to authorize the use of depositions before naval courts in certain cases;

S. 1102. An act to provide for the convening of general courts-martial at remote stations;

S. 151. An act to provide for the purchase of a site and the erection of a public building thereon at Ogden, inthe State of Utah;

S. 3267. An act to change the boundaries between the southern and central judicial districts of the Indian Territory;

S. 3512. An act concerning minimum punishment in certain cases arising in the Indian Territory;

S. 3621. An act to authorize John A. Ockerson, Caspar S. Crowninshield, and Miss Anna Tolman Smith to accept decorations tendered to them by the Government of the French Republic; and

S. 598. An act to provide for the purchase of a site and the erection of a public building thereon at Grand Forks, in the State of North Dakota.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11611. An act to divide the State of Texas into four judicial districts;

H. R. 61. An act to authorize the establishment of a life-saving station at or near Bogue Inlet, North Carolina;

H. R. 5106. An act for the relief of Rasmussen & Strehlow;

H. R. 5801. An act to authorize the St. Clair Terminal Railroad Company to construct and maintain a bridge across the Monongahela River; and

H. R. 7035. An act for the relief of Charles Hurrle.

RURAL FREE-DELIVERY SERVICE.

The committee resumed its session.

Mr. LOUD. I yield ten minutes to the gentleman from Kentucky [Mr. SMITH].

Mr. SMITH of Kentucky. Mr. Chairman, I shall devote my attention to the question to which the gentleman from Georgia [Mr. MADDOX] addressed himself in the latter part of his remarks. I want to show what kind of a civil-service regulation this is under which these rural free-delivery carriers are appointed. The first thing to which I call attention is that under these rules every special agent and every route agent is made an auxiliary to this central board of examiners.

They establish what they call a central board under the Civil Service Commission, and they make every special agent and every route inspector an auxiliary to this central board. Now, the rule says that the special agent, after investigating the feasibility of establishing the route petitioned for, shall, in his capacity as a representative of the Commission, conduct the examination of all applicants for the position of carrier.

Now, that is to say, that your civil-service examination for these positions is made by special agents and by route inspectors. And who are they and what qualifications have they to make these examinations? It may be a man who himself can scarcely read or write that, under this regulation, is sent down into my country or into yours to hold an examination for the position of rural free carrier. That is the kind of an examination you have for these men, not the kind that the railway mail postal clerks pass, not the kind that the internal-revenue applicants pass to get positions in these branches of public service, but an examination held by a man who has been appointed to this place on account of his partisan zeal.

Mr. GAINES of Tennessee. Would my friend put in a partisan enemy if he had the appointing power?

Mr. SMITH of Kentucky. I am not saying what I would do, but I am saying what takes place under these rules and regulations, or what may take place under them.

Now, let us see about the examination.

SEC. 7. The special agent or route inspector shall personally conduct the examinations, and must be constantly present.

The peculiar character and unusual scope of the examination and inquiries are given in section 9, which reads:

9. The examination as conducted by the special agent or the route inspector shall require only such scholastic ability as may be necessary to enable the applicant to read and write, and shall consist of answering a series of personal questions in the applicant's own handwriting, relating, among other things, to his physical condition, his previous experience, training, and occupation, the length of his residence in the community, and his ability to furnish the necessary equipment and to provide a suitable substitute in cases of emergency; the reading of 25 addressed envelopes or cards; and such other practical tests as will demonstrate the competitor's ability to actually perform the work required.

But it does not end there.

The examination shall further consist—

Of what?

of a careful inquiry and report by the special agent.

You do not stop with the examination of the applicant as to his scholastic qualifications. You do not stop with a practical test of his ability to write and to read addressed envelopes, but you commission your special agent and your route inspector to institute a private inquiry into this man's character, and so forth.

This says:

The examination shall further consist of a careful "inquiry and report by the special agent or the route inspector as to each competitor's acquaintance with the patrons of the route and the extent to which he has their confidence, his general characteristics, suitability, and fitness for the position, and his character and reputation."

That is, you commission him to go out and inquire about all of these things, and this man makes his own report. If he is a partisan and takes up the case of a man who is on the other side of the fence politically from him, he colors his report so as to turn that man down and put in a political friend. They will do it in ninety-nine cases out of every hundred. He submits his report, and if he has doubt——

Mr. SHACKLEFORD. Do you think there is any danger of their doing that down in this country where the Republicans have no show?

Mr. SMITH of Kentucky. No; I do not.

Mr. SHACKLEFORD. Where the Republicans elect their men by contested elections, instead of by fixing up political machines.

Mr. BARTLETT. What country does the gentleman refer to? So far as the part of the country that I know anything about is concerned, that is not a correct statement.

Mr. SMITH of Kentucky (reading)—

and in any case where the examiner has doubt as to the competitor's character or reputation he shall not only make inquiry of the persons given as references in the application, but also consult two or more prominent citizens not mentioned by the applicant.

Yes, you do not confine him to the persons given as references, but you say to him he may also inquire of two more persons—two more prominent persons—not mentioned as references by the applicant. Now, who is going to judge? Suppose he is a Democrat?

Mr. GAINES of Tennessee. Why, no man is appointed to these places unless the people petition for him.

Mr. SMITH of Kentucky. I say the gentleman is wholly uninformed upon that question.

Mr. GAINES of Tennessee. I hold in my hand the blank form of petition to prove that.

Mr. SMITH of Kentucky. I understand. Just wait for an instant.

Mr. GAINES of Tennessee. I hope the gentleman will not be so positive in his statement as that.

Mr. SMITH of Kentucky. If I do not cover the point, then ask me a question at the conclusion of my remarks. Now, he is authorized to inquire of two persons outside of the references given—two prominent persons. Suppose your agent, or route inspector, is a Democrat; he wants to get the Democratic carrier appointed; he makes inquiry of the referees.

Now, he is not satisfied, or at least he pretends not to be, and he goes out and he hunts up two prominent Democrats, and he inquires of them as to the standing, character, and reputation of the Republican applicant for the carrier's position. They say he is not of equal character with the Democratic applicant. That Democratic route agent or inspector makes a report more favorable to the Democratic applicant than he does to the Republican applicant. That report is a part, sir, of the documents that the central board are governed by in making the eligible list. They not only take the examination that the applicant has passed, but they take into consideration likewise the report made by the special agent or route inspector. Now, am I right about that?

Section 10 says:

That after the examination the special agent or the route inspector shall at once forward all the papers to the central board, including a report of the result of his inquiries and observations.

Yes; he has to submit a report of his "inquiries and his observations." He is turned loose to say whatever he pleases as among these various applicants. I am here to say that there will be men in my party, there will be men in your party, that will be willing to color their reports by reason of their political partisanship; there ever has been and always will be.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Kentucky. I should like to have a few minutes more.

Mr. LOUD. I will yield the gentleman five minutes, or ten, if he wants it. How much do you want?

Mr. SMITH of Kentucky. Ten minutes.

Mr. LOUD. I yield ten minutes to the gentleman.

The CHAIRMAN. The gentleman from Kentucky is recognized for ten minutes.

Mr. SMITH of Kentucky. It says that he shall forward all the papers to the central board of examination—

including a report of the result of his inquiries and his observations concerning the competitors, and his recommendations as to those best qualified.

This route agent, not the Civil Service Commission, not the central board, the route agent has to submit his recommendation concerning these competitors, in which he is to recommend the one which he thinks is best qualified.

Mr. BARTLETT. Will the gentleman allow me a question?

Mr. SMITH of Kentucky. In a few minutes.

Upon receiving the papers of an examination, the central board of examiners shall proceed to rate the same, the rating to be determined by a careful consideration of the qualifications of the competitors, as shown by all the papers submitted by the special agent or the route inspector.

Yes; by all the papers. They are not confined to the scholastic examination made; they are not confined to the recommendations as to character or reputation, but the central board is likewise to consider the recommendation of this route agent; and in nine cases out of ten I am prepared to predict that the route agent's recommendation will control the central board. Further, I want to say to this House—I believe I have demonstrated the fact—that this civil-service examination provided for by this Department is unlike any civil-service examination ever provided under any law of the United States or under any rules or regulations of the Civil-Service Commission.

You simply turn these special agents and route inspectors out to select the carriers upon the free-delivery routes of the United States, and their recommendations control in 99 out of 100 cases. Now, the gentleman from Tennessee a while ago referred to the fact that the patrons would control. But what does this rule say? The rule says:

That when selection is to be made for the initial appointment of a carrier on a newly established route, one of the persons nominated by the petitioners will be selected if in other respects his qualifications are equal to those of the other eligibles.

Mr. GAINES of Tennessee. "Nominated by the petitioners?"

Mr. SMITH of Kentucky. Yes, sir.

Mr. GAINES of Tennessee. How else do you want them nominated?

Mr. SMITH of Kentucky. Wait a moment.

If in other respects his qualifications are equal to those of the other eligibles.

If your special agent or route inspector has so reported on the examination and his investigation as to place others higher up in the eligible list than the man nominated by the patrons on the route, the latter inevitably fails under this regulation of the Department. I am perfectly willing to say, Mr. Chairman, that whatever system you may adopt for the appointment of these carriers, that politics is going to control in the main, whether the one party or the other is in power. I am candid enough to say I believe that. In this matter I am seeking to help frame such a law as I believe will get the best service for the people of the United States at the least expenditure of money.

I would be willing to see written into the law a provision that would do away with this alleged civil-service examination and permit the people along these routes to nominate their preference for carrier and require that the Department shall be bound by that nomination. I am willing to write it into the law that that shall be the rule governing this matter. I believe it will come nearer taking it out of politics than any other provision that can be adopted, unless it is the contract system.

Mr. SIMS. May I interrupt the gentleman?

Mr. SMITH of Kentucky. Yes.

Mr. SIMS. Can you tell me whether any colored men are now serving as letter carriers in the cities?

Mr. SMITH of Kentucky. I am unable to answer that question. There is not a city in the district from which I come. I represent an agricultural district. I am in favor of the extension

of this service, but in extending it I do not wish to build up the greatest political machine that has ever been constructed since the foundation of the American Republic. I am unwilling to give my voice and support to any law that I believe will build up an organization of that kind for your party or for mine.

Now, Mr. Chairman, with these few remarks, I close what I have to say.

Mr. GAINES of Tennessee. Before the gentleman concludes I want him to yield to me.

Mr. SMITH of Kentucky. Certainly.

Mr. GAINES of Tennessee. The gentleman stated a few minutes ago that the people, as petitioners, had nothing to do with the selection of the carrier. Now I want to show to the gentleman by this official paper itself that he is mistaken. Here is a blank used by the Department headed "Applicants for position of carrier." On the left-hand side there is a column for the "names of the applicants," and on the opposite side a column for the names of those "by whom they are proposed," that is, the people or petitioners. In this left-hand column a thousand—any number—could petition for the appointment for A, B, C, and D.

Mr. SMITH of Kentucky. I thought I made that proposition plain. The rule concerning that is this: In the appointment of these men, that man will be selected who is petitioned for by the patrons, if, in other respects, his qualifications are equal to those of the other eligibles.

Mr. GAINES of Tennessee. Does the gentleman think the majority of the people would petition for a man who could not read or write, or who was a man of bad character?

Mr. SMITH of Kentucky. The gentleman from Tennessee seems to misapprehend the subject entirely. The eligible list is made up by the central board of examination on the recommendation made by the route agent, who holds the examination and sends in the papers to the board, with his own recommendation accompanying the papers. The central board then rates these men on this report of his, and, of course, he colors his report so as to give his partisan friends a higher rating than he does for those of the opposite party. So that when it comes to filling the vacancy the petitioners' choice can not be regarded if of different politics to the inspector, because there is a man rated higher than the man they have petitioned for.

Mr. GAINES of Tennessee. But suppose two men had each a maximum rating on everything, and more people petitioned for one than the other; which would the central board appoint?

Mr. SMITH of Kentucky. Under this rule, of course, if they are all of the same class, why, it may be possible that the man recommended by the people would obtain it, but there never will be such a state of facts. If my friend from Tennessee has not observed enough in politics to know that regardless of whether it is our party or whether it is the other party we can work under circumstances of that kind so as to favor our own partisan friends, then he has served his time very poorly.

Mr. GAINES of Tennessee. The gentleman is too good a lawyer to say that he does not know that where discretion is lodged in an officer, as in all these cases, even the star-route cases, when he exercises that discretion, that is the end of it, and it is the end of it whether he is a Democratic or whether he is a Republican who decides the case.

Mr. SMITH of Kentucky. But under this system they would or might build up an eligible list based upon the rating that the inspector or agent recommends to secure partisan advantages at the expense of the public service.

Mr. GAINES of Tennessee. And that is referred to this central board of five?

Mr. SMITH of Kentucky. They are merely mechanical in their work.

Mr. GAINES of Tennessee. Oh, if the board is of no account, if the members have no sense, honesty, or integrity——

Mr. SMITH of Kentucky. I did not say that; but the rules and regulations under which they work confine them to the papers and reports returned by the route inspector, and they can not consider anything else.

Mr. GAINES of Tennessee. They can pass upon it, and as I am officially informed, reversed one of his rulings or selections.

Mr. SMITH of Kentucky. They have no authority whatever to disregard anything that the special agent or the route inspector returns to them.

Mr. GAINES of Tennessee. Not to "disregard" it, but consider all the papers and the report of the officer and affirm or reverse his opinion from which there is an appeal to the Civil Service Commission.

Mr. SMITH of Kentucky. No, sir; they are to consider that.

Now, I am somewhat astonished at the position of my friend from Virginia [Mr. SWANSON], who is unwilling, he says, to leave it discretionary, under this proposed act, with the Postmaster-General to pass upon the character and reputation of these contractors; yet he is willing on the other hand, under the civil-service rules established by this Department, to leave it to the local route inspector to pass upon the character and reputation of these men. So far as I am concerned, I would prefer to leave the determination upon their character and reputation with the Postmaster-General.

[Here the hammer fell.]

Mr. LOUD. I yield to the gentleman from New Jersey [Mr. GARDNER] one hour or such part thereof as he may desire to occupy.

Mr. GARDNER of New Jersey. Mr. Chairman, if the provision of this bill which is being discussed—for it is noticeable that in all the talk about the bill but a single feature has been alluded to—shall be productive of no other results than the debate which it has developed—the presenting to the House, and, I hope, to the country, a view of the future vastness of this growing service which men are justly eulogizing here, and none think more highly of it than I do, and the conditions which we are not merely anticipating but foresee, and the problems which they must raise for solution—then no bill which has been before this House at this session, and none, I apprehend, which may come before it, will perform a better or more timely service to the country.

The figures of speech indulged in by the gentleman from Indiana [Mr. LANDIS] are not mere oratory. Mr. Chairman, they are, I apprehend, expressive, with the accuracy of a vision of that which is to come. The people of this country will construe—aye, they have construed—rural free delivery to mean something more than this 20-mile-route arrangement that we now have and are talking about. They have construed, and they are going to compel Congress to construe, rural free delivery to mean a universal free delivery of the mail to practically every family in the United States, and they are right. There is not a man on this floor or elsewhere who has given any consideration to this subject, especially if he has been in contact with the people, who has not understood that to be the condition, the temper, and irresistible demand of the rural and suburban people.

Now, we are, to use the phrase, "up against" one of the greatest internal problems in both a financial and political sense that the people of this country have for many years, if ever, met. In my judgment it is an understatement of the facts to say that in the near future this system means the service of 30,000,000 people by 60,000 carriers at an expense of more than $100,000,000 a year, if the service goes on under present conditions. At least this bill is not premature if it compels this House to think upon the subject. This is the hour to take into consideration the really serious questions of the plans and the methods by which you are in the future to conduct that vast service and the economies connected with it. The gentleman from Indiana, when he talks about a salary of $1,000 a year and horses and wagons, only draws the picture which is drawn elsewhere, and in high quarters and among some carriers. That, sir, is what is coming if things go on under present conditions.

Mr. LANDIS. Will the gentleman yield for a question?

Mr. GARDNER of New Jersey. Certainly.

Mr. LANDIS. If that compensation is not right, are you in favor of reducing the compensation of the city carriers accordingly?

Mr. GARDNER of New Jersey. I will come to that in time. It has nothing to do with this question. We are now dealing with a separate subject—something comparatively new—something that is about to develop into proportions never contemplated by anybody up to the present time—something that is going to cost more than the present expenses of the Post-Office Department. Now is the time to consider it, and not resort to the old subterfuge resorted to alike by enthusiasts and demagogues, which is to walk around the circle and say, "I do not see any more reason for cutting at one place than another." But the gentleman's question is an admission of the correctness of my statement.

Mr. LANDIS. My simple question is, whether the farmer, living in the country, away from the post-office, shall be granted the same advantages enjoyed by the man who lives in town. There is nothing "separate" or distinct about it. The simple question is, whether you will concede to the farmer what the farmer is willing to concede to you.

Mr. GARDNER of New Jersey. Have you finished your speech?

Mr. LANDIS. I have said all I care to say at this time.

Mr. GARDNER of New Jersey. Now, the statement made by the gentleman, absurd as it is, is no more absurd than most of the arguments in opposition to this bill. The salary of carriers at $1,000, with thousands of farmers willing to do the work at little if any more than half the figure, and with the Government wagon painted a fancy color and a gentleman in uniform with brass buttons and a horse bought of a jockey at a high price, which the farmer knows was a swindle and sees go to pieces under ordinary

work, is not a part of the vision that delights the farmers' eyes and has nothing to do with the efficiency of the service.

Mr. LANDIS. If that is the basis on which the gentleman makes his speech——

Mr. GARDNER of New Jersey. Why, it is perfect folly to talk about these carriers—to imagine that they are the rural population of the country. They are not the populace. Under this system, when matured, they will be 1 per cent of the voting population of the country, enough to carry Indiana one way or the other decidedly; but I am not discussing that phase of the question. The salaried officer, 1 to 500, is not the people. This carrier who is to drive across the country in a painted wagon that is the delight of the farm girl in your vision, who shall wheel up to the farmer's door in the rig that I have described, and in a uniform with polished buttons, to deliver a letter, will still not constitute the rural population, and he will not bear very much relation or resemblance to it in its industrial pursuits.

I do not know why people should get under what my friend calls a state of mental strabismus on this question; but these gentlemen who talk about the carrier in a Government wagon, on a salary, in a service giving an annual job to the jockeys to furnish 30,000 horses, imagine they are doing something for the rural population of the country. The farmer has not asked that his mail be delivered in that way. He is a business man. He knows the value to him of having his mail come to his door, and he knows a great deal better than the gentleman from Indiana [Mr. LANDIS] and these other high-salary enthusiasts the value of performing that service. He knows that he is a part of the tax-paying force of the country, and you are not going to make him happy nor are you going to flatter him by parading robbery or waste before him twice a day.

Mr. LANDIS. Now, just a minute.

The CHAIRMAN. Does the gentleman yield?

Mr. GARDNER of New Jersey. Yes.

Mr. LANDIS. That being true, does that not absolutely dispose of the alarm of the gentleman from California [Mr. LOUD], who is afraid that the carrier will organize the country, and thus overawe Congress?

Mr. GARDNER of New Jersey. It has nothing to do with it.

Mr. LANDIS. It is an absolute answer; and it is an absolute answer to another proposition.

Mr. GARDNER of New Jersey. The gentleman's logic seems to have gone on a furlough to-day. [Laughter.]

Mr. LANDIS. . Oh, no; not at all.

Mr. GARDNER of New Jersey. The kind of a rig that this official is to drive, who pays for it, and the salary that he is to receive has no relation whatever to his numerical proportion to the voting population nor to his political influence. I will be perfectly frank with the gentleman and say that I think the more painted wagons you put him on, and the more Government horses the jockeys ring in that go down under his driving, and the more of like tomfoolery you surround him with the less political influence he will have on the agricultural element of the country. I am a little way with you on that.

Mr. LANDIS. It is his wagon and his horse. The Government surrounds him with nothing.

Mr. GARDNER of New Jersey. It is neither his wagon nor his horse under the scheme as contemplated, nor under the speech of the gentleman from Indiana.

Mr. LANDIS. Oh, I beg your pardon.

Mr. BARTLETT. He buys it and pays for it.

Mr. LANDIS. I simply insist on the service going on as it is now.

Mr. GARDNER of New Jersey. I ask the question, Why should the Government furnish the horse and all that? I know and you know that when you raise these carriers' salaries to the figure you are talking about, to correspond with the salaries of city carriers, these rural gentlemen with mighty influences behind them can come down here, with the service organized and grown, more of a political power than they are now, and the service seems now to be dangerous, to be a master on this floor. I know that gentlemen will ask then, "Why are you discriminating against the countryman to the extent of the cost of his horse and his wagon?" and say he is as much entitled to be furnished with both as the fellow who has to deliver mail with wagons in the city, and the House will say, "Amen; the countryman is entitled to as much as the city man," and the horse jockies will send up a chorus of amens that will make you think that you are as happy as a revival.

Mr. LIVINGSTON. Will the gentleman permit a suggestion?

Mr. GARDNER of New Jersey. Yes.

Mr. LIVINGSTON. The rural carriers will be young men, inexperienced, and not ring men. As to the political phase of this question, what will be the comparison between the present fourth-class postmaster, who controls politics in the district, and these rural carriers?

Mr. GARDNER of New Jersey. Well, Mr. Chairman, if the gentleman's question imports anything, it is a plaint that the fourth-class postmasters exercise a political influence.

Mr. LIVINGSTON. They exercise a wonderful influence in your district.

Mr. GARDNER of New Jersey. First, they do not have 3 per cent of the opportunity to exercise political influence now that the carriers will have; they do not go through the country and come in contact with the people in the same way. Secondly, however, if they are a disturbing political influence to-day, in cahoots with rural carriers as their messengers to go through the country and do their work, they will become infinitely more dangerous to the gentleman.

Mr. LITTLEFIELD. And the horse jockeys, too?

Mr. GARDNER of New Jersey. Yes; and the horse jockeys will be with them.

Mr. LIVINGSTON. Under the star-route system now all the rural people in the country come to the fourth-class post-offices.

Mr. GARDNER of New Jersey. Yes.

Mr. LIVINGSTON. There the postmaster can manipulate politics.

Mr. GARDNER of New Jersey. Oh, yes; the people come to the post-office when they do not send their children. They all come at or about one time, upon the arrival of the mails, and as soon as they get their letters and papers they go away. I do not know how it is down in your country, but up in mine during the busy season—six months of the year, at any rate—the farmer does not have time, if he had the inclination, to sit around the post-office. We work.

Mr. HENRY C. SMITH. Mr. Chairman, will the gentleman yield for an inquiry?

Mr. GARDNER of New Jersey. Yes.

Mr. HENRY C. SMITH. Have you been dealing with horse traders, or have you been to see David Harum? [Laughter.]

Mr. GARDNER of New Jersey. Mr. Chairman, this may be something to laugh about, but I lived in that serious phase of national life when I saw this horse business constitute one of the important items in the accounts of the Treasury of the United States. Now, what have gentlemen said against this bill? I do not think, sir, that it is worth while to argue the affirmative of it much longer. As to this particular provision in this bill, if it was not here, and if that was not the specific proposition before us I would talk in the most general terms. I say that if we do not shut our eyes, willfully determined not to see and to understand, then we shall know that this service in the near future means just what I have said, a service to 30,000,000 of people with 60,000 carriers, and more than one-half of that 30,000,000 people will be served by teams, which, with the civil service organization going on as it is now, with the whooping sentiment behind it of the eloquent gentleman from Indiana and his type, the Government will be as sure to furnish those teams as the Capitol is to stand here or Congress to meet.

Now, what do gentlemen interpose against it? Some weep over the old Brady star-route frauds, a system that has been buried so long that the moss on its headstone is already long.

Mr. HILL. And the resurrection come.

Mr. HENRY C. SMITH. And resurrection come.

Mr. GARDNER of New Jersey. Mr. Chairman, the gentleman who says this is a resurrection, whether he comes from Connecticut or Michigan, whether he knows all about the money question or all about the beet-sugar question, is away behind time and has no knowledge of this bill. [Laughter and applause.]

Mr. LITTLEFIELD. But suppose history is to repeat itself?

Mr. GARDNER of New Jersey. It may, under like conditions, but there is no fraud under the star-route law as it now exists requiring the bidder to reside on his route and personally perform the service.

Mr. LANDIS. It does not require that.

Mr. GARDNER of New Jersey. None such will arise under this bill. Oh, but it is a contract system, and a contractor is a member of a family; the gentleman does not know its origin; he does not have possession of the family tree. Brother LITTLEFIELD—pardon me, the gentleman from Maine—a legal light, would know that. Oh, it has brought discredit to the nation; and gentlemen get down low and bring up the ancient conditions buried with the Brady frauds. Why we might well believe here to-day that our ships built under contract would not float, that the harbors dug out by contract would not bear vessels upon their bosoms, and contract guns would not shoot; that our Navy must now logically be at the bottom of Manila Bay if there was not something of it left to go down at Santiago.

A MEMBER. Or the loop.

Mr. GARDNER of New Jersey. That is perfectly absurd, Mr. Chairman. I do not want to use harsh language; but I say the experience that was had on the star-route contracts cause the elimination of every scandal from the system. Gentlemen say that the interpretation of this bill is not that the bidder who

secures the contract must personally perform the service. The report says that is the construction. If there is any doubt about it, do not spend a day or two in caviling; amend it by a phrase.

Mr. MAHON. Will the gentleman allow me to ask him a question?

Mr. GARDNER of New Jersey. Yes, sir.

Mr. MAHON. As this contract system is such a good thing to have, why not put all the post-offices under the contract system, and save $10,000,000?

Mr. GARDNER of New Jersey. It would be possible, and if that were done, the gentleman from Georgia would not lose his cause of complaint.

Mr. MAHON. Why not amend your bill and put it that way?

Mr. GARDNER of New Jersey. That is the old cry—break your circle somewhere else.

Mr. GARDNER of Michigan. Will the gentleman allow me to ask him a question?

Mr. GARDNER of New Jersey. Certainly.

Mr. GARDNER of Michigan. Why not put the city carriers under contract also?

Mr. GARDNER of New Jersey. The gentleman asks what objection there is to putting city carriers under contract. I am going to make some reply to that question, although I think it is an unfair and irrelevant method of argument which is followed in interrogations here, of asking why something else can not be done than that which is proposed to be done and which is generally absolutely another thing.

First, the city carrier lives in a massed population, composed of residential and business sections. The weight of mail in the different sections varies materially at different parts of the year, and the carrier under the contract system fixing the route to which the carrier must adhere, without transfer, from year's end to year's end, would involve the employment of more carriers, which would, if the service shall be precisely the same, result in increased cost. Secondly, it would involve the necessity of higher bids. It could be done; but that question does not arise in this case now.

Mr. GARDNER of Michigan. Rural routes are being changed constantly and adjusted. Experience shows that a new route that was traveled a month ago is not traveled to-day precisely the same.

Mr. LITTLEFIELD. Do not they have some congestion some part of the year?

Mr. GARDNER of New Jersey. The people live in the same place year in and year out. It is not the rural population that travels. It is not they who go to Newport or to Europe or elsewhere in the summer. There is a change in the city, and there is an increase of business about Christmas tide, for instance.

Mr. LITTLEFIELD. Christmas affects the country just the same.

Mr. GARDNER of New Jersey. If it affects the country it affects the people in the same spot.

But, now, Mr. Chairman, without pursuing that, I find that I had left the subject of the probable future cost of this service too soon. The gentleman has led me to recall it.

Now, if gentlemen will look at the last paragraph on page 2 of the minority report they will see that this report clearly contemplates, if this system shall be continued, the eight-hour system. It is legitimate to call attention to that as on the question of cost. I am an eight-hour man; there is no disguise about that. But here is a separate matter, a matter which, gentlemen say, has passed the experimental stage. I think the people are bound to have it, but it is just coming up to the serious point of the experiment. You keep this form of the service, cover it into the Post-Office Department civil service, where it will go or has gone, bring it under all the laws and regulations of the Department, and as sure as time passes it means a material shortening of all the routes, or it means a substitute system which shall materially increase the expense of the rural-delivery system.

Again, in arguing against this bill, gentlemen have suddenly become alarmed lest the American citizen is incompetent to take care of himself in a business way; lest he can not be trusted to bid on a contract for carrying mail, the weight of which can be easily estimated and never amounts to more than a driving load over a given territory daily. They are afraid that it will be taken too cheap and the service will become disreputable. The gentleman from Virginia [Mr. SWANSON] dwelt upon that—left and returned to that phase of the subject time after time—until it must be true, since he has been connected with this minority report. He has dwelt upon that feature until he can not look out yonder to the landscape of his native State but he sees climbing the hill a one-eyed mule, with one ear lopping more than the other, both fore knees sprung, but one sprung a little more than the other, a spavin on one hind leg and a knuckle on the other; a cart with different sized wheels, with a soap box for a body, and with the tires wound on with rope yarn, and exclaims, "Oh, see, ye prophets; this is what I am saving my beloved country from!" [Laughter.]

Now, Mr. Chairman, I can not speak for the South; I can not speak for the West, but I have faith in the intelligence of the people of all sections. I can speak for the agricultural districts of New Jersey, and I say that responsible men there—responsible men, I repeat—under the provisions of this bill are not going to bid for these contracts below what they can perform the service for, or, if they should, they will perform their contracts for a year and will not do it again. But what does the committee, what does the Department say? Pardon me for referring to the Department, for almost every argument I have heard on this floor, every statement set out in the minority report, are but an echo of what has been heard there. In one paragraph they tell us incompetent and worthless men are going to bid and get the contract at less than they can do the work for.

The language of the gentleman from Virginia [Mr. SWANSON] is something like this: The man with the poorest horse or mule, with the poorest cart and the poorest address, the least competent to do the service, is going to get the contract because he is going to do it cheap. But when the chairman of the committee had urged upon the members of the House and urged generally that this service was going to reach an enormous figure, and that a cheaper, but a good and reliable, way should be found for doing it, it was necessary to counteract the argument of cheapness, and lo and behold, on the last page of this report there is a table which says that the statement on page 2 is a lie and the conclusions are false, because there under the bidding system on the star routes, under the law that requires men to live upon the route, the rates have gone up until they are costing more than they are paying the rural letter carriers.

Now, both statements can not be true. Both premises can not be true as a basis for drawing conclusions. The gentlemen opposing the bill may take their choice as to which side of their own contradiction they will eventually adopt; but the House should require them to make a selection and confess whether it is the last page or the second page that misleads.

Now, this question seems to be, in my judgment, a more gigantic thing than the public or this House has yet realized at all. It is the problem, I repeat, of, in the near future, serving 30,000,000 people by 60,000 carriers, at a cost for the system of more than $100,000,000. It means through the rural country where the men are householders, taking the household to represent five people and a carrier to serve 100 families, which he does not, because that would put five families to the mile, and they can not get that number on any road among large farms; but even with that liberal calculation it means 1 per cent of the voting population.

If the fellow has a wife, she will count one for that purpose; that means 2 per cent. If he has a couple of brothers, that means four. And thus the force is augmented with the entire relationship. Gentlemen may pooh-pooh it as they like, but I say it becomes a power great enough to turn the State of New York, for instance, heavily one way or the other.

But leave that out if you like. Realize, as you must realize, that the day is coming when something must be done. Realize, as you must realize, that the sooner you do it the easier it can be done, and that the longer it goes on, with this service growing at the rate it does, the more difficult the question becomes to deal with. Why, sir, there is not a man now speaking with authority who will tell you he expects to see this Administration close with less than 35,000 of these carriers. If the power that has been manifested through the press, and is now made manifest on this floor, shall multiply in proportion to the increased appropriations required until it is four times as great as now, there is some ground for apprehension that it will be irresistible except in time of a real crisis demanding action so imperative that the House will act because fear is overcome by fright.

So I leave off, as I began, by saying that if the discussion of this proposition serves no other purpose than to call the attention of Congress and of as much of the country as will pay attention to it to the gigantic proportions to which this problem is growing and the rapidity with which it is getting there, and the early date at which it is going to arise in all its force and all its size, it will have performed a great service.

Is there a man here who is willing to contemplate a bureau of the Post-Office Department (no matter what bureau) with an office force adequate to the management of the business of 60,000 carriers—with those 60,000 carriers in the field—with the civil service in force making its organized demands for increase of salaries and expenditures on the one hand, and to be agents of that power which civil service never restrains and never can restrain—the Government? Laugh at it, if you please; belittle it, if you please, today, but either as a business problem, a financial problem, or a political problem, the day is coming, and coming soon, when you will belittle it in neither of the three forms.

Mr. WATSON. Will the gentleman allow me a question?

Mr. GARDNER of New Jersey. Certainly.

Mr. WATSON. You are opposed to rural free delivery, as I understand?

Mr. GARDNER of New Jersey. I want to make it possible for rural free delivery to live. I claim a very full share of the credit and responsibility for the system.

Mr. WATSON. You are not in favor of restricting it to the regions where we already have it? You are in favor of extending it universally?

Mr. GARDNER of New Jersey. Yes; I want it extended all over the country; and it is going there; you can not restrain it if you would.

Mr. WATSON. I do not want to restrain it.

Mr. HENRY C. SMITH. The gentleman from New Jersey wants it to live without sustenance.

Mr. WATSON. The gentleman from New Jersey seems to be *complaining* because of the immense proportions which he says this institution is yet to attain. How does he propose to restrict or limit it, if the rural free delivery is to be universally extended?

Mr. GARDNER of New Jersey. This bill does not restrict it. I would not restrict. I want it put upon a business and lasting basis.

Mr. WATSON. How? We shall have just as many carriers under this bill as under the present system, shall we not?

Mr. GARDNER of New Jersey. They will be contract carriers; they will not be a part of a bureau of the Government, a part of the civil service, in office for life, part of a political machine, part of a salary-demanding horse-demanding force.

Mr. GAINES of Tennessee. Can the gentleman from New Jersey tell this committee how many local post-offices have been discontinued as a result of inaugurating the rural free-delivery service?

Mr. GARDNER of New Jersey. No; I have not the figures.

Mr. GAINES of Tennessee. Have not a great many of those offices been done away with because under the rural-delivery system one man can do the work formerly done by 25 or 30 postmasters?

Mr. GARDNER of New Jersey. There may have been some; but generally the rural people, where I have had experience, insist upon retaining their local post-offices, if possible.

Mr. GAINES of Tennessee. Do you know how many have been succeeded by the rural carrier?

Mr. GARDNER of New Jersey. I do not know how many have been abolished.

Mr. GAINES of Tennessee. I speak of my own neighborhood. There were 18 or 19 post-offices, the business of which is now done by 2 or 3 rural carriers.

Mr. COWHERD. I can give the gentleman the exact figures if he wants them. There have been 1,226 fourth-class post-offices abolished during the last fiscal year, and the saving by their abolition has been a little less than $80,000.

Mr. GARDNER of New Jersey. Well, then, as a general proposition eight carriers have abolished one fourth-class post-office.

Mr. GAINES of Tennessee. There have been a great many more post-offices abolished than there have been carriers appointed.

Mr. COWHERD. Oh, no.

Mr. GARDNER of New Jersey. There are 8,000 rural carriers, and there have been 1,200 fourth-class post-offices abolished.

Mr. GAINES of Tennessee. One rural carrier will do the work of three or four post-offices, will he not?

Mr. GARDNER of New Jersey. The gentleman from Missouri [Mr. COWHERD] has given us the correct figures.

Mr. GAINES of Tennessee. I do not admit that he is correct. I think he is correct generally, but I think I am generally correct, too.

Mr. COWHERD. I will show that I am correct.

Mr. GAINES of Tennessee. Of course the gentleman thinks he is correct. Generally he is, and usually I am correct, and I think in this instance I am.

Mr. GARDNER of New Jersey. If the gentleman from Tennessee believes that the rural free-delivery system has abolished more than 8,000 fourth-class postmasters, he is believing easily and erroneously, as a great many gentlemen do, things that they bring up against this bill.

Mr. GAINES of Tennessee. Just a moment right there. I have received a little information on that point. My colleague [Mr. BROWNLOW] states that in his district alone, in one county, 60 postmasters have been done away with and 30 carriers have been appointed to take their place. That is a pretty good ratio.

Mr. GARDNER of New Jersey. That is entirely exceptional.

Mr. GAINES of Tennessee. That may be an exceptional case, but it is the same way all through my country.

Mr. GARDNER of New Jersey. Now, Mr. Chairman, I will conclude in two minutes. I want to speak with the fullest respect of every source of opposition to this bill. If there have been any two arguments yet presented by the opposition which are consistent with each other, then I have failed to comprehend them, and that is my fault. Many argue with emphasis that this is going to make the service too cheap. On the other side they present a table to show that the plan adopted in this bill, as applied to star routes, has increased the cost. They argue that the same system might as well be applied to city carriers, and then proceed to set up facts which themselves present difficulties which do not arise in the case of the rural free-delivery route. They argue apparently—and that is the argument of the gentleman from Indiana—that the more salary you pay the rural carrier and the more horses and wagons you give him the better service you are giving to the farmer. As I have said, uniforms, Government horses, and red wagons are not service, and there is nobody on the continent better able to judge of that than the farmer himself.

Some have argued that this system under which the contracts can be thrown up in thirty days will bring in a lot of bidders for a short term, and that they will not keep the contract over the winter when the weather is inclement. Others argue that the farmer is out of business during the winter and will be a low bidder for the contract in October, when there is nothing to do on the farm, but that he will throw it up in May. And so on from the beginning to the end. I say again if there are any two reasons urged against this bill that are not contradictory and which do not in a large measure answer each other, then I have been too thick of comprehension to perceive them.

Mr. BLACKBURN. Will the gentleman yield for a question?

Mr. GARDNER of New Jersey. Yes.

Mr. BLACKBURN. I want to ask the gentleman if it is not a fact that the inefficiency of the star-route system in this country, owing to the subletting of contracts, has given a great incentive to the rural free-delivery system in this country, and if the star-route service is not absolutely inefficient under the present system of subcontracting and subletting?

Mr. GARDNER of New Jersey. First, Mr. Chairman, I do not understand that there is at present any subletting of contracts.

Mr. BLACKBURN. On the star routes of this country?

Mr. GARDNER of New Jersey. No. Secondly, it is not contemplated by this bill that there shall be any subletting of contracts, and I have said before that if anybody doubts the construction of the bill on that point, it requires but a phrase to banish the doubt.

Mr. BLACKBURN. The gentleman knows it is done, does he not?

Mr. GARDNER of New Jersey. No; my understanding is that the contracts are let to-day to the people who reside on the route and perform the service.

Mr. BLACKBURN. Does the gentleman not know that contracts are sublet frequently, and that the postmasters, owing to the inefficiency of the contractors, have had to supply carriers themselves?

Mr. GARDNER of New Jersey. That used to be.

Mr. BLACKBURN. I know it exists now.

Mr. GARDNER of New Jersey. Right on that point, Mr. Chairman, because the arguments presented in opposition to this bill have been very unfair, gentlemen bring forward instances, one after another, of the distances that stage coaches travel on the star route and the amount of pay which they get for carrying the mail, and they exhibit those as ridiculous instances of how low men will bid under a competitive service.

The main fact in such cases, which has been concealed here by every speaker, is that in all those cases of inadequate compensation as it appears on the surface, these carriers are stage drivers who run a stage from the railroad station to a place off the railroad, and the carrying of the mail is the mere incidental carrying of a bag which weighs less than a passenger, and in so far as they are concerned, the question can fairly be computed on the basis of a passenger each way every day in the year. It is a mere auxiliary, something additional to their regular business. Now, that is the fact about the cases of these low bids in the star-route service. The people who make the low bids are not mail carriers in the sense urged here, as though that was the exclusive business in which they were engaged, and as though they made that bid as their compensation for going daily over that route. They are going over the route daily anyhow.

Mr. PEARRE. I want to ask the gentleman whether this prohibition against subcontracting has not been put in force only since the establishment of the rural free delivery, and have not all the improvements in the star-route system, if there have been any improvements made, been made since the inauguration of the rural free-delivery system?

Mr. GARDNER of New Jersey. I do not know. From the form of the gentleman's question, I infer that the gentleman has joined the ranks of those enthusiasts who believe that the thing which they advocate drags all other good in its train. It seems to me that argument is of the same kind as the statistics which show that the price of wheat has regulated the price of everything else on earth from the beginning.

Mr. SCOTT. Will the gentleman permit a question?

Mr. GARDNER of New Jersey. If the star route has been improved, if the abuses that grew up under the system have been stopped within a date that covers the existence of the rural-delivery service, that is no more an argument that there is a connection between that fact and the influence of the rural free-delivery service than the fact that the Marconi system has been discovered during the gentleman's lifetime is proof that he is the source of that discovery.

Mr. PEARRE. I do not want to make a speech in the center of the gentleman's speech, but I think the connection can be very readily traced, and it can be traced in this way, that these improvements and corrections of the abuses of the star-route system have been made by those gentlemen who, seeing the great improvement in the public service from the rural free-delivery system, have made this improvement for the purpose of saving their own old-time and inefficient star-route system. That is the connection between the two.

Mr. GARDNER of New Jersey. If it be true that the gentlemen who are to administer the contract system under this provision, under this or some future bill, have already had such experience and made such a successful demonstration, would not they be the better able to execute its provisions?

Mr. LOUD. If the gentleman will allow me, some six years ago, and each year succeeding, the Post-Office Department asked for legislation to do what they have ultimately done. So before rural delivery was established the Post-Office Department asked Congress to legislate so they could inaugurate the very system that ultimately they did inaugurate.

Mr. PEARRE. In what respect?

Mr. LOUD. Why, to confine the bidder to the route.

Mr. LANDIS. But they do not require him to perform the service.

Mr. PEARRE. Did they also ask that the carrier be required on the star route to collect and deliver the mail, which has only been required here, according to the Second Assistant Postmaster-General, within a year?

Mr. LOUD. The gentleman is mistaken about that. Two or three years ago, I think it was three years ago, that was done in the State of South Carolina.

Mr. PEARRE. That was put into effect by the order of the Second Assistant Postmaster-General.

Mr. LOUD. It was done in South Carolina three years ago.

Mr. PEARRE. But this is since the inauguration of the rural free delivery.

Mr. LOUD. Why, three years ago there was such a little of this free rural delivery that it could scarcely be found with a microscopic eye.

Mr. PEARRE. When was it put into the District?

Mr. LOUD. A year ago.

Mr. GAINES of Tennessee. If the gentleman will permit me, I have the figures here, and there are just a few of them I would like to read.

Mr. GARDNER of New Jersey. If only a few, I yield to the gentleman.

Mr. GAINES of Tennessee. I have turned now to the Post-Office report, the last issued, and find of the star routes discontinued there are 1,031, of the fourth-class postmasters 1,777, making a total of 2,808, showing that my friend from Missouri is wrong in the figures that he gave.

Mr. LOUD. Oh, no; you are putting the star routes and the postmasters together.

Mr. GAINES of Tennessee. Why, of course; star routes discontinued 1,038, and fourth-class postmasters 1,777.

Mr. LOUD. The question of star routes discontinued has never been referred to by the gentleman from Kentucky.

Mr. GAINES of Tennessee. Here we have the official report, which shows that 1,777 postmasters had cost $120,221.43 and the star routes $173,404.41.

Mr. COWHERD. I will say to my friend that what I said was that 1,226 were discontinued during the year.

Mr. GAINES of Tennessee. This was for the fiscal year ending last June.

Mr. LOUD. Year by year for twenty years past a thousand fourth-class postmasters have been discontinued every year.

Mr. LATIMER. With the permission of the gentleman, I want to ask the chairman of the Committee on the Post-Office and Post-Roads, who stated that the Department had asked the legislation looking to requiring the carrier to live on the route, if, as chairman of the committee, he ever made any effort to get the legislation in accordance with the desire of the Department on that line?

Mr. LOUD. I do not know what that has to do with the gentleman's speech, but I will say that I did not.

Mr. LATIMER. I understand that the Department is opposed to this contract system, and that there are many members of this House who would like to have free delivery that they have in towns of 10,000 population. There is a discrimination now against those smaller towns, because we have free delivery in cities of 10,000 population, or 10,000 receipts, and in the country we have rural delivery, and these towns are discriminated against. Now, we have an effort made to put the carrier under the contract system and leave the city carrier to receive a salary. What I want to ask is, if this committee is in the interest of economy—that is the object of this bill—why spend $17,000,000 on the city carriers on a salary system? I see nothing about economy in that, and yet they want to apply that to the rural districts, where there is only seven millions spent out of fourteen millions in the cities. If economy is what you want, if we are to have a better service by the contract system, why not let that out, and come in here with a bill that will reach this question all along the line, and let us have economy in a just and direct way.

Mr. GARDNER of New Jersey. That speech has been made several times, Mr. Chairman.

A MEMBER. But it has not been answered.

Mr. GARDNER of New Jersey. It has been answered. City delivery is not growing in anything like such a ratio as is rural-delivery matter.

Mr. LATIMER. If the gentleman will permit me right there, if it is wrong in the country, why is it not wrong in the city? If the principle is wrong, why not correct it?

Mr. GARDNER of New Jersey. Mr. Chairman, I have stated to-day, as clearly as I could, the difficulties that would beset the contract system in the cities, but independent of all that, here is a system in its youth, aye, comparatively in its infancy, of 8,000 carriers, and we have seen that it means in the near future 30,000 carriers and a correspondingly large bureau. If I stood here now advocating a bill such as the gentleman suggests, those in favor of the city carriers could ask with many-fold more emphasis, "Why do you not start right in the new and growing system instead of first stopping and trying to reform the matter which has about got its growth, which will not augment its evils, if there be evils, and on which you could save less money if you abolished it entirely than the other will grow into in a single year?" That would be an answer. Gentlemen come in here and fairly howl, "If you are going to do something, why do you discriminate against the country? Why do you assault the rural-mail service?" If that is not nonsense, I beg to be excused. When did a proposition to reform the service or change a system and put it on a better basis and substitute a better system become an attack or a discrimination against that service?

Gentlemen seem to think that any legislation is a discrimination against this service—just as the gentleman from Indiana seems to think, and he voices the sentiment of all of them—until the rural carriers are raised to the salary basis of the city carrier, plus the Government horse and wagon, they are discriminated against. I am not here, Mr. Chairman, to draw any comparisons between the rural and the city carrier in their respective positions of hardship or labor, the cost of living, or the intelligence required of them. I am going to say, after having given some study to that subject, that if you will hang on the wall the picture of the rural carrier, with his horse and wagon, or of the star-route carrier, with his horse and wagon, covered in to shut out the storms and the sun, and the horse to do the pulling, it would make a very comfortable looking picture compared with that of the city carrier, who in sun or rain or snow, and in the hot days of the summer, is loaded with his sack and trudging from door to door.

There is another element, as I have intimated, that should come into this. I speak not against it as a principle, but as a fair element of expense to be calculated. Just as sure as this service goes on as it is now you are going to have what the gentleman from Indiana demands. You can not restrain it. You will have salaries equivalent to city carriers, plus the Government horse and wagon, plus the hours of service by law, plus the leave and sick leave, plus a substitute system, matters that will make the estimate of one hundred millions a year grossly inadequate. In this estimate, and in this only, have I belittled the system. [Applause.]

Mr. SWANSON. I now yield thirty minutes to the gentleman from Connecticut [Mr. HILL].

Mr. HILL. Mr. Chairman, I listened with regret to the chairman of the committee yesterday when he stated that the rural free-delivery system of this Government, of which he claimed to be the father, had been continued thus far as a purely political organization, and that this was an effort to take it out of that class. I have followed that gentleman in voting, without inquiry as a rule, for the past seven years, in accordance with the reports of his committee, which he presented to this House. I regret that that statement will lead me in the future to examine more carefully the reports which he presents here. The gentleman says he was the father of this system.

Mr. LOUD. I beg the pardon of the gentleman from Connecticut. I did not say anything of the kind.

Mr. HILL. Well, I understood him to say that he was willing to be the father, and he can take his choice. Three or four weeks ago I presented an amendment to the deficiency bill, increasing the salary of the rural free-delivery carriers, believing that it is not large enough. I then said to the chairman of this committee that I saw no way to overcome the inequalities which I saw existed in the service except by putting it on the contract system.

I had not investigated the subject; I had not studied it for myself, and I did not at that time see any way by which the inequalities of the service could be corrected except by putting it on the contract system. Even the gentleman from California himself admitted that the compensation then given was too small. As a result I have given a little study to the question to try and satisfy myself whether it was better to continue this service on a salary basis or put it on the contract system, and I think I have followed up somewhat the method of investigation pursued by this committee, or by the officers of the Department of the United States Government, by which for six years they have been satisfied to have it continue upon a salary basis.

I remember distinctly that seven years ago, I think it was, the chairman of the Committee on the Post-Office and Post-Roads sat right where the gentleman from Mississippi now sits, and I went to him and begged and pleaded with him that he would allow me to introduce an amendment to the appropriation bill giving $50,000 for the continuance of the experimental rural free-delivery service, and he declined. If he was the father of the system, he certainly repudiated his child seven years ago.

Since that time other gentlemen have had charge of that service. Among them, Hon. Charles Emory Smith, who has helped to build it up, and, in my judgment, has had quite as much to do with it, perhaps, as the gentleman from California. And there is Hon. Perry Heath. Both of those gentlemen claim to have had something to do with this service, and both to-day unqualifiedly indorse the salary system. Go even back of that.

Hon. Thomas L. James, who was Postmaster-General some years ago, has not thought it undignified on his part to come out in an interview in the New York papers declaring unqualifiedly in favor of the salaried system. So that men of intelligence—and I include in this category the members of this committee—have thought it wise to continue the salaried system and to report year after year to Congress that it was the best that could be devised. If it was not so, I submit they should at least have used their intelligence to report a better one long before this. They have gone on under this salaried system until now, when we have 8,000 carriers, something suddenly comes up which leads them to recommend a change in the whole system.

Now, what was the consideration that prompted these gentlemen to make the original report in favor of a salaried system and to continue indorsing their system until this time. I knew there must be a good excuse or a good reason for their action, and I have been looking around to find what it is. I hold in my hand a document entitled "Rural free-delivery service in European countries." It is signed by Hon. E. F. LOUD, and in it he takes up the rural free-delivery service as carried on in all the countries of Europe.

At the time this system was inaugurated in this country, the chairman of the Post-Office Committee applied to the Post-Office Department and asked them to apply to the State Department to ascertain through the diplomatic representatives of the United States in the various countries of Europe how the system was carried on there. This was not a new experiment in Europe, as with us. This document, signed by Mr. LOUD himself, or rather prepared in response to inquiries by him and with his name attached to it, gives the experience of nearly all the countries of Europe in reference to this matter; and I propose very briefly to cite from this document some of that experience.

Allow me to say, by way of preliminary, that there is not a country in the world, so far as this document shows, where this work is carried on under the contract system. Every country without exception has a salaried service. Now let me show how they do it. Let us take first England; and I want to say that this statement practically commits itself to the point that to every house in Great Britain, or at least in England, the mail is carried; so that the system is universal. The compensation there for a carrier—and remember this is after fifty years' experience, not an experience, like ours, of three years, a new experience—but after fifty years of continuous experience this is the result of the system as carried on in England.

According to this statement, a carrier without a horse receives a compensation of $234, traveling 15 to 18 miles a day. If he travels 18 to 25 miles day, as he does here, he gets a horse allowance of $208. In addition to that he gets what is called a service pay as the years go on, giving to each carrier a stripe on his arm for certain additional years of service.

The average of that compensation—I do not speak of the highest figures—is $39 a year. He also has an allowance of $5.25 a year for shoes or boots and a uniform allowance, which I have estimated as fairly as possible at $20 a year. He has two weeks of holiday regularly, with his pay continued, which at the compensation received there would equal $9. He has a sick leave, and at the end of his term of service he is pensioned for life.

Now, this compensation, as I have figured it in England, where wages are not as high as in this country, amounts to $515 a year; and he can have sick leave, if his physician certifies to actual sickness, 25 per cent of his time, with continuance of his pay—making $515 a year, with a pension for life at the end of his service.

Mr. LOUD. Will the gentleman tell us how he arrives at that amount of $39?

Mr. HILL. I have figured it item by item.

Mr. LOUD. Is it not $39 salary and the rest expenses?

Mr. HILL. Oh, no; not at all. I am amazed that a document which the gentleman has himself signed and which is issued as a public document to this country should not be understood by the gentleman.

Mr. LOUD. I do not think I ever signed the document.

Mr. HILL. Well, the gentleman's name is here, E. F. LOUD, and it is addressed to the Postmaster-General, Washington, D. C.

Mr. LOUD. Not that report.

Mr. HILL. The gentleman says he does not think he ever signed the document. It is dated "Committee on the Post-Office and Post-Roads, House of Representatives of the United States, Washington, D. C., January 5, 1898," signed E. F. LOUD, and addressed to the honorable Postmaster-General at Washington. The answer is made from the Office of the Postmaster-General, January 7, 1898, signed James A. Gary, Postmaster-General, and addressed to the Hon. E. F. LOUD, chairman of the Committee on the Post-Office and Post-Roads. Now, I will pass from England to France.

Mr. LOUD. Will the gentleman yield for a moment?

Mr. HILL. Yes.

Mr. LOUD. The gentleman wants to be fair?

Mr. HILL. Yes.

Mr. LOUD. Of course the chairman of the committee asks the Department for this information, but so far as the furnishing of the information is concerned, it is not true that I furnished the information or that I signed the document containing the information. We asked for the information and it was furnished by the Department.

Mr. HILL. It was transmitted to you, was it not?

Mr. LOUD. Oh, yes.

Mr. HILL. It was made an official document by the committee, was it not?

Mr. LOUD. That is true, but I did not sign it or make the report.

Mr. HILL. I am reading an official document of the United States Government, for which the gentleman has acknowledged himself to be responsible.

Mr. LOUD. Oh, no; not for the document itself. I have nothing whatever to do with that.

Mr. HILL. I do not think the gentleman questions the facts as submitted by the ambassadors of the United States to these countries.

Mr. LOUD. Permit me to say that I asked for that information. As to the information itself I am not responsible for it, did not gather it, knew nothing about it, and never signed it.

Mr. HILL. Well, for the information which I have given thus far, Mr. Chairman, I will hold the American ambassador at London responsible. He gives it under date of December 15, 1897.

Now I will move across the channel from England to France and will give the information conveyed by the Hon. Horace Porter, United States ambassador to Paris.

Mr. LOUD. I want to say to the gentleman that the information is all right.

Mr. HILL. In France they have had rural free delivery for seventy years, or had had at the time this document was issued. They had 18,300 carriers. They paid originally 7¼ centimes per kilometer for three hundred and sixty-five days in the year. It was a mileage system.

It was not under contract to the lowest bidder at all, but the terms were fixed by the Government, the man selected, and, as I figure it out, his compensation was $198.56 per year on a distance walked of about 10 kilometers. Then they had extra pay for continuous service of $25. They have an allowance for clothing and shoes of $20, and they have a horse allowance where the route is longer than the ordinary distance which a man can walk in a given time. That horse allowance is $80, making a total in that country of $350.

Now, here comes a singular thing in this French report, and I am going to read it verbatim:

Payment by kilometer appears at first sight most equitable. As to the service actually done, this system has been subject to a great deal of adverse criticism and to numerous complaints from those affected by it, especially

that it does not take into consideration the length of service or the quality of the work done.

In order to remedy these objections in a manner within the resources at its disposition, the administration has sought in what way it could substitute for the present system a fixed salary, based exclusively on the length of service.

Now, that was a little nearer to the contract system than England comes, because it was a mileage system, and the Government raised the point that it does not take into consideration the quality of the work done:

It has just prepared the following plan, which it was decided would be useful to try in some departments, because of the complexity of the questions which it is necessary to bring up during the periods of transition:

The payment to the postmen of a fixed amount of 600 francs for the beginners, and to old employees a salary going up from 700 francs to 1,100 francs by stages of 50 francs.

The experiment exists at the present time. If it gives the good results expected from it, the system will be extended to other departments as quickly as the appropriations will allow.

So that the very thing that the United States Government proposes to reverse, the French Government, after seventy years of experience, have adopted, namely, a fixed salary. We propose to leave that system and to go on to a contract basis. That is the conclusion of the French Government after seventy years' service.

Now let me take Germany.

Mr. LATIMER. France pays how much?

Mr. HILL. Three hundred and fifty dollars and a pension and some other allowances which I have not had time to figure out carefully. Now, take Germany. In that country the appointed carriers of the rural districts receive a fixed salary of from 700 to 900 marks per annum, and aside from this there is an allowance for rent of about 100 marks, making $238 per year, and then the carrier, as an additional income, receives the delivery rate for all packages of over 2½ kilograms. The delivery is partly on foot and partly by conveyance.

For furnishing the horse the carrier of the rural district receives an amount which corresponds with the cost for procuring the same. The wagon is furnished and kept in order by the postal authorities. After twelve years, if the carrier has given satisfaction in every respect, he is appointed for life. In case of efficiency he is promoted to the position of lower-grade officials, who receive better compensation.

In Austria there is no fixed compensation, but the carrier's wages are subject to agreement between him and the postmaster. The average amount paid to rural carriers by the post-office department is $121.80 per annum. The average daily service is seven hours; the average distance traveled by each carrier, about 10 miles per day. This service is performed on foot.

Take Belgium. The amount paid to the carrier there is $200 to $220. Each carrier travels an average distance on foot of 16 miles per day, and the carriers have fees for postal-bank business carried on by the Government, and they also receive pensions.

In Switzerland they average $234 per year, but now a better scale of wages is being prepared. Clothing is furnished them. All the travel is on foot.

Now, Mr. Chairman, after these years of trial and experience good men have been employed, the service found to be acceptable, and the people want it continued, when suddenly a rejected and repudiated system is to be resurrected. I say rejected and repudiated even as it is to-day. I want to quote from the Second Assistant Postmaster-General's report in regard to the star-route system as to 1900 and 1901, page 207:

Last February an examination of the records developed the fact that in the previous five months there had been reported to the Department failures on the part of speculative contractors to perform the service, of such a serious nature as to necessitate the employment of temporary service aggregating 891, on an average of 178 failures per month. The failures during the past year have averaged 220 per month, and in one month alone they were as high as 700. These have resulted in a serious injury to the public service and in an immense amount of work for the Department. We try to have the postmasters fully instructed—

Mr. LATIMER. That is the old contract system.

Mr. HILL. This is last February, a year ago.

We try to have the postmasters fully instructed in advance in regard to the employment of temporary service whenever such failures occur, but it sometimes happens that postmasters either do not understand their duties or are unable to secure a carrier in the emergency and the mails are not carried, or if a carrier can be obtained it is not always practicable to secure one who will run upon the prescribed schedule, and the result is that connections are broken and mails delayed.

The gentleman says that this is the old system. It is as it is to-day.

Mr. LATIMER. I meant to say under the contract system.

Mr. HILL. Gentlemen, I have heard it repeated half a dozen times on this floor that they have got a new system of bidding for star routes. Well, here is a report from one that was bid on under the new system in my district, or the district in which I live. Now, under the new system I say here as a business man that I could take every contract in the Fourth Congressional district under the terms of this bill, which this committee have put in, if I only had the consent of the Postmaster-General, for that stipulation that no one shall take but one contract is entirely abrogated and overruled by the provision for the use of substitutes under terms and regulations prescribed by the Postmaster-General.

I have a letter here which I will read, though it is out of the place where I intended to read it. When I took up this subject I not only investigated it myself, but went to those who knew more about it than I did, and, in my judgment—and I mean no disrespect to this committee in saying so—I think know more about it than they do of the actual working—that is, the postmasters in my district. I wrote to each of them and said to them: "Will you kindly express to me your opinion as to whether it is advisable to conduct the rural free-delivery system as formerly or by a contract system, and give me your reasons for your opinion?"

I received replies from most of them. I received 10 replies from the postmasters of 10 Presidential offices. Nine out of 10 say it would destroy the efficiency of the service. One says—and he gives his reasons for it, and fully as good reasons as I have heard stated to-day, and I will lend the gentlemen of the committee those reasons so that they can make a better argument here. But 9 out of 10 of them conclude that the present system should go. I will read you what this one says as to the star-route contractor having to live on the route:

W. B. Catchings, of Washington, is the real contractor to-day here. He bid in Orrin Oakley's name, and bid so low that he was more than $400 below the lowest local man. He hoped to get some cripple or incompetent to take the route off his hands for less than his bid, and would probably have done so if I had not filled the papers full. * * * I had an intimation—

I will state to the gentleman that this is from two sources in my own district. Now, here is what he says:

I had an intimation when he was here last year that there would be an attempt made to get control of the rurals, and it seems he knew what he was talking about. It will be a great pity if all the scandal of the past must be repeated in this service, and I sincerely hope that it will not become a law.

If it was left for local men, I do not believe that there would be any saving under the contract system. With the professionals coming in I do not doubt but they will cut the price down. There are always plenty of incompetents who can be hired, and presumably they will fix up a nice system of bonds, so that some friend of the poor devil who has a dollar and who is sorry for him will be held up for him. On the one question of money I presume there would be a saving, but they might give up the service and then they could save it all.

There is no possible question but what, under the present system, the service will be incomparably better than it could possibly be under contract, for the discipline which they are under and the requirements of the Post-Office Department which they must fulfill, as compared to the service of a man hired by a contractor because he is cheap, does not seem to need much argument. It just makes a man who is interested in the service, and who hopes to see it attain a high state of perfection, very, very tired.

Now, there are two reasons that have been advanced why this change should be made. One is that we will thereby avoid political control which will be exercised by the army of carriers. I do not believe there is half the danger of political control being exercised by an army of carriers that there is of political control being exercised by a gang, or company, or a large number of favored political contractors. That system is absolutely open under the terms of this bill, and would be utilized in that way.

I believe the Republican party has no right to vote to put this Administration into a position where the lowest bidder must be rejected or where it is possible that the lowest bidder can be rejected and favored political contracts can be issued for 60,000 carriers, as the gentleman from New Jersey says. I think that he is entirely mistaken as to the number, and I will show that he is later. The second reason is that this work could not be done efficiently, and the inequalities of the service be overcome under the salary system. I supposed so, too, until I went into the matter and examined it.

I am going to show you that I think it can be done efficiently. Why? When the matter was up on the deficiency bill a little while ago I made the statement, which my good friend from Chicago called my attention to, that I thought the contract system would be the best thing and the only system under which the work could be done, and I made it to the chairman of the committee, in the smoking room, and he replied to me that the tabulated figures I had presented were not worth the paper upon which they were written; and his statement was that where I had shown that it had cost in Fairfield County $382 to keep two horses and maintain the equipment for a year, the city delivery-wagon service was carried on at a uniform price of $225 all over the United States.

Mr. LOUD. Oh, the gentleman from Connecticut is not exactly fair.

Mr. HILL. Let me say that whether I am fair or not, the gentleman chooses now to contradict that statement because we have reached another stage in the proceedings. I came straight from the lobby, and was called on to make my remarks, and I repeated it then and there, and I said what I am going to read, because I thought it would be better to anticipate him before he made his statement on the floor. I accepted his statement as absolutely correct, for it was made to me in the presence of half a dozen

gentlemen, and I came back onto the floor in order to anticipate him, and I made a statement like this:

Now, I know very well that the chairman of the Committee on the Post-Office and Post-Roads [Mr. LOUD] will reply to what I have said, and will state that all over the United States—

The gentleman even went further than that. He stated that in the city of Bridgeport, in the district where I reside, the United States Government was maintaining under contract a horse service at $225 a year. I will show in a moment that that is not correct—

the Government is now employing horses, wagons, and harness under contract, all ready for a Government employee to step on the box in the morning at 7 o'clock and use it during the eight hours of work in the city deliveries and return it at night, and that the whole thing is kept and maintained, feed of the horse, care of the horse, repairs, and depreciation, for $225 a year, and that this showing of mine makes it appear that it costs about $80 to do that thing, leaving but 38 cents a day or $118 a year for the rural free-delivery carrier.

Now, I accepted as Gospel truth what the gentleman from California said, as I have accepted everything that has come from the chairman of the committee for the last seven years; as I was not able to investigate very much at that time, I accepted that statement.

The next day or so the postmaster from Bridgeport happened to be here, and I said to him: "You are employing your delivery-wagon service at $225 a year?" He said, "Oh, no; $300 a year." And then I turned my steps down to the Post-Office Department in order to see if I could acquire any information; and, gentlemen, I have got some accurate information on this subject, and I propose to give it to you. I say now that the best way in which this service can be maintained, in my judgment, is to pay a uniform salary to the men, with a horse allowance adjusted to the varying localities of the country, precisely as it is done in Europe.

Let us see what the horse allowance is. We had a statement that it was uniform all over the United States of $225 a year. The highest place in the United States is in the gentleman's own district of San Francisco, where it is $373.69, within $8 of the figures that I gave two weeks ago, the figures that the gentleman from California said were not worth the paper they were written on.

Mr. LOUD. Oh, the gentleman from Connecticut is mistaken about that.

Mr. HILL. If I am mistaken, the Post-Office Department is mistaken.

Mr. LOUD. Then they are mistaken.

Mr. HILL. Very well.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. HILL. May I have a little more time?

Mr. SWANSON. I yield the gentleman ten minutes more.

Mr. HILL. I will try to get through in that time.

I think these figures must be interesting to members of the House, referring as they do to different parts of the United States. Now, I am going to make a suggestion, in reply to the remark of my good friend from Chicago [Mr. BOUTELL], a member of this committee, that nobody has proposed a way in which this thing shall be done.

I say the only fair way is to continue the present system for another year. We have no right to take a new administration of the Post-Office Department, with the Postmaster-General, Mr. Payne, in office for only a few weeks, and dump upon him a system which we know in the beginning is doomed to defeat. The Postmaster-General is one of the best organizers, one of the best executive men in the United States to-day.

Is it not wiser, is it not better, is it not fairer to ourselves and him that we should make this appropriation just as we have done, to be expended in the coming year at his discretion, as it was expended last year in the discretion of his predecessor, and let him, during the year, work out his plans and submit the result to this House of Representatives at our next session? Let him carefully work out this proposition presented here. If he wants to experiment with a contract system, he can do it under the appropriation made. There is no need of any increase in order that he may make experiments.

Let him make whatever experiment he chooses. Let him, so far as the country in general is concerned, go on with the salary system. Let him select a few districts and try there the contract system if he wishes to do so, and let him give us next winter the result of his experiment. My suggestion to the Department would be that it fix a uniform salary. I am not going to undertake to say what it should be. I am not a believer in high salaries in one sense of the word.

I disagree on this point with my friend from Indiana [Mr. LANDIS]. I do not believe it would be wise to pay these men high salaries. I think this service is different from the city carrier service. I would put these employees at the bottom of the classification of the postal service; because, in the first place, they do not render a day's work; the work covers only five or six hours daily at the most. I would place the rural carrier service at the bottom, and from there I would increase the pay accordingly.

I would permit the employees to be promoted from this service to the position of postal clerks and from the position of postal clerks to city carriers and from city carriers to the Railway Mail Service. I would have a uniform civil-service system right straight through, covering the whole country. We have got to come to that. We may put off the day of judgment in this country, but we are getting to be too big a country with too many employees to have these things subject to political control or political patronage.

I do not want such a thing. To induce me to vote for this proposition the promise has been held out to me that if I vote for it I can have the naming of the men in my district who will operate under this contract system. My reply was that that consideration was indeed the strongest argument in favor of voting the other way. I do not know the names of the carriers in my district. I had two appointed there yesterday, and I am informed they are both Democrats. I am glad Democrats are in that service if they are deserving men and will perform the service faithfully.

As I have said, I would have this service carried on under a uniform salary, with an adjusted allowance for horse hire and wagon service according to the country in which the service is to be performed.

Now, let me show how it will affect the districts of various gentlemen here. I will give the allowance paid to-day by the Post-Office Department for 1,479 carriers, scattered all over the United States for wagon, harness, horse, equipment, everything ready for the carrier to enter upon his eight-hour service. I give the amount allowed for a good horse, used every day—not necessarily the same horse every day. This horse may be furnished by the carrier if he wishes to do so. I propose to read the allowance made in all the States of the Union for this character of service.

In Alabama the average is $200; in Arkansas the average is $215.62; in California the average (omitting San Francisco) is $268.58; for San Francisco the average is $373.78, the highest amount anywhere in the United States between the oceans; in Colorado the average is $245; in Connecticut, $269; in Delaware (covering only the city of Wilmington, because this service does not exist anywhere else in that State), $300; in Washington, $300; in Jacksonville, Fla. (the only service in that State being at that city), $250; in Georgia, $206.58; in Illinois (outside of Chicago), $217; in Chicago, $300; in Indiana, $216.60, that includes Indianapolis, where the expense is higher than the average; in Iowa, $216.64; in Kansas, $220; in Kentucky, $241.66; in Louisiana, $178.85; in Maine, $250; in Maryland, $250; in Massachusetts, $280.74; in Michigan (outside of Detroit), $216.66; in Detroit, $300; in Minnesota (outside of Minneapolis and St. Paul), $200; in Minneapolis and St. Paul, $300; in Mississippi, $150; in Missouri (outside of St. Louis), $188.12; in St. Louis, $300; in Montana, $300; in Nebraska, $236; in New Hampshire, $250; in New Jersey, $252.12; New Mexico, $300; New York, $264.94; North Carolina, $183.33; Ohio, $241.35; Oklahoma, $200; Oregon, $225; Pennsylvania, $243.50; Porto Rico, $250; Rhode Island, $312.50; South Carolina, $266.67 (simply because this service exists only in the city of Charleston, and of course the rates are higher in the larger cities); South Dakota, $191.66; Tennessee, $218; Texas, $162.51; Utah, $250; Vermont, $291.66; Virginia, $230; Washington, $262.50; West Virginia, $225, and Wisconsin, $229.67; making a minimum of $150 in Mississippi to a maximum of $373.78 in San Francisco.

Now, gentlemen, I do not believe there has been any corruption in the United States Post-Office Department in paying these various sums for horse-hire allowance in these different communities scattered throughout the United States. I believe that the allowance has been adjusted according to the cost of horses, fixed by the post-office inspectors fairly and equitably, and the Post-Office Committee have at least recognized it by the fact that they have appropriated $650,000 for the coming year in the bill on which we are going to vote this week or next. So I think we are permitted to say that we have at least their tacit approval, if they have investigated the business. I do not know whether they have or not. At any rate, they recommend the appropriation.

So, taking that method, by uniform salaries throughout the United States, and giving the Post-Office Department a year in which to adjust the horse-hire allowance on an equitable basis, according to the portion of the country in which the service is rendered, I believe we can have a rural free-delivery system of which the United States Government will be proud and every voter and every citizen will be proud—just as proud as they are in Europe, where every man has his mail carried to his door.

Now, I heard something about 60,000 carriers. To me that is absurd. We have 17,000 carriers now, with an appropriation of $17,000,000 for city delivery service. We have got about 8,000 carriers in the rural service, and I am informed at the Post-Office

Department that the 17,000 city carriers are supplying 35,000,000 people with mail. With 15,000 rural carriers we will supply 20,000,000 people. That takes 55,000,000 people out of our population and leaves the balance in the small towns between the rural delivery and the city delivery. Of course, that is coming, too.

They are not going to conset to go to the post-office and get their mail when they see the mail carried to people living in the city on one side and to the farmers on the farms on the other side of them. It is all coming in. There are 20,000,000 more people to serve. It will take 10,000 more carriers to serve them, I am told, which makes 25,000 rural carriers all told, and at $600 a year or at $700, if you choose, it will cost $15,000,000 to carry on this service.

Now, that is not as much to-day for 45,000,000 people outside of the cities as we were paying for 35,000,000 people inside the cities; and, as a matter of fact, if the convenience and accommodation of the people of the United States was the first thing under consideration, it is easier for the people in the cities to go to the post-office and get their mail than it is for the people in the country, and the man in the country ought to have his mail delivered in preference to the man in the city.

For twenty-five years in business, while living within the limits of a city delivery, I refused to have my business letters delivered to me by carrier, and only allowed letters to my residence to be so delivered. That is the way it is in a city, but the country will take it up, and if you will stand by this appropriation and strike out this contract service we will have a cheaper service under the administration of Henry C. Payne a year from now, and one of which you will be proud, and you will be ashamed of it if you vote to change your system. [Applause.]

Mr. LOUD. I yield thirty minutes to the gentleman from Mississippi [Mr. WILLIAMS].

The CHAIRMAN. The gentleman from Mississippi [Mr. WILLIAMS] is recognized for thirty minutes.

Mr. WILLIAMS of Mississippi. Mr. Chairman, if I thought that the passage of this bill would in the slightest degree detract from the efficiency of the rural free-delivery service of the country, or would in any way cripple it as an agency for rendering the people in the country happier, more contented, less isolated in their conditions of life, I should not for one moment support it.

No consideration of economy, no consideration of a partisan character would lead me to support it. In that connection I may be allowed to say a few words somewhat personal to myself. I ran for Congress as far back as 1892, upon a platform, self-enunciated in large part, one plank of which was rural free delivery. A great many friends whose confidence in me otherwise was perfect, thought at that time—the subject being so entirely new to them and I running against a Populist—that I must be just throwing out "something better" than the "subtreasury," in order to overturn the Populist, to out-Herod and out-bid him.

I tried to explain to the people at home how the system could possibly be inaugurated, and how it was not a dream, but could become actual and a part of the permanent post-office system of the United States. After I came to Washington there was an appropriation. It was not secured by me, although the first rough draft of the resolution was drawn by me and I voted for it to try the experiment. Under Mr. Cleveland's Administration, in the beginning of his second term, the Postmaster-General, Mr. Bissell, and the President were both very much opposed to trying the experiment, so much so that they did not try it. It was subsequently made mandatory, and even then it was not tried.

When Mr. Wilson was made Postmaster-General, one day at the Post-Office Department—he having sent for me—he said he wanted to talk to me about this "free-delivery craze," as it was called. He said that the President thought it was merely a scheme to "farm the farmer," and he said, "Williams, I would like to know what you think. Don't you think that there is a great deal of demagogy and politics in it?" I said, "Undoubtedly there is. There are a great many people who are advocating it simply because they think that it will catch votes; but, Mr. Wilson, the thing is practical, because a thing which has been done can be done again. I have seen the system in operation elsewhere and it can be operated here. Not only that, but down in the swamp country of Mississippi, where the distances between residences are enormous, where the plantation receives the mail for everybody upon it, I have seen a system developed which consists in this, that the carrier has a key to a box at the plantation door, the plantation manager or proprietor has another key, and orders are given by the planters to the postmaster to deliver all their mail, except money mail, to the star-route carrier, and the carrier is specially paid by the planters a certain amount of money per month, and he receives the mail and puts it in the plantation box and takes out such mail as has been put in the plantation box in the meantime."

Mr. Wilson asked me if I would go home and write him a letter. I wrote him a long letter, which I presume is on file in the Post-Office Department now, telling him how I thought the system could be inaugurated. It was inaugurated upon a better system than the one suggested by me. My system was crude in comparison with the one which is in operation now, which is better in every respect.

I have mentioned this not in the line in which things are so often mentioned, of pretending to be the father of something that is of benefit to the public, but to show, if I can, to the minds of the members here present, that if I thought any legislation upon this subject would affect its efficiency, I for one would not support that legislation no matter what other considerations might lead me to incline toward it.

Now, Mr. Chairman, I do not think there ought to be any heat about this discussion. I can not account for heat being infused into this discussion except upon the principle that some gentlemen must have some patronage interests behind the bill which are, in their opinion, affected; because I can not see otherwise how a man could become personally heated by a discussion of a mere business proposition.

I shall advocate this bill because I think that if it is passed this service will go on with equal efficiency or more efficiency; because I think it will be more economical; because I think it will be less partisan. I shall advocate it as an American, believing in a cheaper and better service. I shall advocate it as a Democrat, because I believe that the present system can be used, and possibly has been used, although of that I am not certain—but I am certain that it can be used if anybody chooses to use it—for partisan and political purposes.

I am certain that the opportunity and temptation so to use it exists even now under this curious "civil-service" system of appointment of carriers inaugurated since the 1st of February. This I shall demonstrate later on.

Now, Mr. Chairman, as to the efficiency. I say, notwithstanding the criticisms that have been made on the star-route contract service of this country, that it has been the most economically administered and, in proportion to its magnitude and cost, the most efficient agency of this Government almost from the beginning down to now. Certainly, after the early star-route scandals were brought to light and the repetition of them was prevented by legislation, I have never heard any objection to the star-route contract system except the objections growing out of the fact that a great number of routes could be bid in by one person, an absentee, or by a syndicate or corporation and farmed out to ignorant people as subcontractors; and every member of Congress knows how that is done.

Some great company would bid in thousands of routes, and then they would send a shrewd agent among the people, who would go around until he found some simple and ignorant man who would be simple enough to take the route at less than it would cost him to carry the mail. From that there was cause of complaint. Subcontractors would fail to draw up the contracts properly or fail to put them in writing, and to forward them to Washington, where they could be filed for their protection and thereby the subcontractor would frequently lose their pay.

But that has been corrected in connection with the star routes, Mr. Chairman, and its possibility has been prevented in this bill, thoroughly and absolutely, with regard to the contracts which will grow up here. Corrected how? Why, in the first place, it is provided in this bill that nobody shall be a contractor for any route unless he lives on the route district.

In the second place it is provided that nobody shall have but one route, and must himself, in person, do the work. When we follow these provisions up a little further we appreciate their import; we know that when a man lives in the route district he has upon him all at once the eyes of that community for whom he carries the mail. They are all acquainted with him, they are acquainted with his father, with his mother, with his sister, and with his entire family, his environments, and know all about his associations, so that if he is an unfit man to carry the mails, from moral or business inaptitude or mentally, these people will be able to know it and, knowing it, will make their knowledge known here.

Under the old system one man could make many contracts, while, of course, the people living along the routes where the mails were carried from one post-office to the other knew nothing about the character of the contractor, and it was not necessary that anything should be known about the character of the subcontractor except that he was physically able to carry the mail, or had a horse and wagon that could carry it.

Some gentleman said that a great many of the contractors down South were negroes. I have never known of any negro who was a contractor on a mail route, but I have known of many cases where poor, simple, illiterate negroes, easily imposed upon by the persuasion of some shrewd route agent, were subcontractors to carry the mail, and I myself have tried to help a good many of them to get their pay since I have been in Washington—pay out

of which they were cheated and swindled by the great syndicates that had taken these routes. That has been amended as to the star-route system, and that possibility is provided against in this bill.

Now, gentlemen, I said that this was a business matter. We do not propose that the rural free-delivery system shall stop. Why, to listen to the gentleman from Indiana [Mr. LANDIS] this morning, and to listen to the gentleman from Virginia [Mr. SWANSON] yesterday, you would imagine absolutely that if we admitted the mail to be taken out of a box and put into a box upon rural free-delivery route by people employed by contract, instead of the people employed on salaries, that all the boys and girls of the country would get up in about a week's time and live in New York, because contract-employed carriers were going to destroy the possibility of the inhabitant of the country districts maintaining their communication with civilization, and keeping their eyes upon the march and progress of human events in the country in which they existed.

I have no doubt the greatest curse of country life is isolation, and that will be relieved to a great extent by rural free delivery that gives to the countryman, his wife, and daughter his daily paper, his weekly illustrated paper, his monthly magazine, his price list, his market report, his weather report at his gate, rather than have him to take a horse and a man out of the crop and send from 3 to 6 miles to get the mail, especially as having that to do he will send only one or two days in the week, even if the mail is delivered at the office every day. I maintain that there is not a scintilla of force in the argument that because the mail is carried by contract therefore the service will be destroyed. There is no reason, in my mind, to believe that it will be even crippled or its efficiency will be in the slightest degree lessened.

Now, how about the second point? Will it be more or less economical? I say it will be more economical, for several reasons. In the first place, because every member of Congress knows that here lately people have begun to learn that any man can get a job at $500 or $600 a year by instituting a free-delivery route, being naturally selected as carrier. Therefore we find that men think that all they have to do is to go to work with kinspeople and neighbors to get up a petition for a route, and that, too, in many cases, where a route ought not to be.

If you adopt this other system, then there will be left the only motive that ought to exist, namely, the public motive of getting needed service for the people living along the line. Wherever the business is sufficient they will still get up the petitions and still the routes will be established, and if it is not needed, then it will not be solicited nor established, so that the system will come gradually, and in proportion as it comes gradually it can be better administered.

Now, then, further as to the question of economy. It will be more economical, for this reason: Because the service can be adjusted to the standard of wages of the locality in which the service is performed. Now, if you will take certain districts of my own State, a man can carry the mail on a mail route there on a sandy road better in wet weather than in dry weather, in a country where all the necessaries of life are very cheap, where nature herself almost feeds the people, and where she furnishes the fuel nearly all the year, and where everything is cheaper by nearly 50 per cent than exactly the same service could be conducted in the new State of Washington, let us say, and still leave the carrier exactly the same profit.

Now, one of my colleagues from the South says that that was one of his objections to this very system, that our people carrying the mail in certain parts of our country would be paid less than those in the Northwest or on the Pacific slope or west among the Rocky Mountains. If our man makes the same profit, that is all he cares about or, at any rate, ought to demand. Gentlemen, we do not represent the carriers alone; we represent the people of the United States who pay the taxes into the United States Treasury.

And, by the way, Mr. Chairman, I have no patience with these toplofty airs of millionairedom with which men cry, "Cheap, cheap, cheap!" and deride cheapness when they are referring to the cheapness which keeps money in the people's pockets, and very often they are the very first people to be "cheap" when they can thereby keep money in their own pockets. [Laughter and applause]. It is the duty of a Representative to save money for the people; it is his duty, of course, to have an efficient service, but it is equally his duty to have that efficient service at the lowest possible cost to the people who pay for it.

A Representative ought never to be generous. He can not be generous, because a man can not be generous with that which is not his own. The duty of a Representative is to be just. He does not occupy the position which I do in my private business, when I may give a man $20 if I feel like it, or when a contractor has done work well for me I may add 20 per cent as a gratuity of appreciation for the efficiency of his service. The Representative stands rather in the attitude of an administrator or a guardian, and he ought to hold himself down to the bare legalities—doing the best he can for his ward and estate.

Now, then, I say that this mail in a great part of the country, in nearly all parts of the country, can be carried cheaper under the contract system than it is now being carried under the salaried system. The fact that men eagerly sought and competed for the places at $400 and $500 and now get $600 proves that. I go further than that, however, and say this, that if any gentleman differs with me upon that proposition, here is a position about which he can not differ with me, namely, that it can be carried cheaper under the contract system than it will ultimately be carried under the salaried system, for the annual salary is certain to be annually increased for many years. Then I come to the consideration of our attitude toward the question as politicians and as Representatives upon this floor, most of us desiring to continue to be Representatives.

Gentlemen, if this system is perfected there will be in the United States, according to my rough and crude calculation, somewhere between 70,000 and 100,000 mail routes, and these men will be my constituents and your constituents, and we will have upon an average from 10 to 15 of them in every county in the United States—down in my part of the country, at least—and more than that in the larger counties, and more than that in the more thickly settled countries, because where the population is denser the routes will have to be shorter in order to serve the clientele along them.

Do you imagine for one minute when these gentlemen come up and say $500 is not sufficient, $600 is what they want, and when the House of Representatives votes $600 is what they need and ought to have, that this is an isolated case? Do you imagine that when they come back next year and say $700 is what they want, you are not going to vote that $700 is what they need and ought to have?

Do you not know, gentlemen, that they will go on, and do you not know that they ought to go on, until equality has been established between the pay given to them in the country and the pay to the city carriers in the cities? Do you not know that when they both get together and want more at the end of that time they are going to get it? The gentleman from California [Mr. LOUD] said the other day that there was not a member of this House strong enough when the system grows to a perfect condition to stand up against these men, saying, impliedly, whether they say it expressly or not, "We demand a larger salary; and if you do not vote it, you must get out."

I think he is right. I have a further objection to that contingency, and that is that when the Representative addressed in this manner is a demagogue, when he is a man who makes politics his living, is a professional politician, when he is willing to sacrifice everything to remain in power, that man will surrender. And when he happens to be a gentleman, when he happens to think there is a duty due from him to the people and to the public Treasury—and a great many Representatives are that way—then that Representative will go by the board, so that we will have a process of natural selection of the unfit in these halls. That will take place in the march of events, and not the natural selection of the fit.

Mr. MADDOX. Will the gentleman allow me a question?

Mr. WILLIAMS of Mississippi. Yes.

Mr. MADDOX. I want to say that I am in accord with my friend on the question of economy. But why should we begin with the rural carriers? Why not begin with the postal clerks in the city delivery also?

Mr. WILLIAMS of Mississippi. Well, that is a question which I can not answer except by simply saying that this is the opportunity to begin. If the gentlemen of the House will furnish me an opportunity to begin on anybody else, speaking for myself, I will begin; but when a little girl is told not to eat any candy that day, because candy injures her health, and has frequently been told that too many sweet potatoes would injure her health, and the box of confectionery is before her, and she asks her mother why not begin on the sweet potatoes which are absent, instead of the candy which is present, the mother is apt to reply: "Never mind discussing the sweet potatoes, child; the candy is here. Let us talk about that." [Laughter.]

Mr. SCOTT. I should be glad to have the gentleman state his objections to the continuation of the present system.

Mr. WILLIAMS of Mississippi. I am going to do that—I have been trying to do it to some extent. When I say that the proposed system would be, in my mind, more economical and less partisan than the existing system, I thereby, to some extent, express my objection to the existing system, namely, that it furnishes too much opportunity for partisan manipulation, and that it costs too much and will ultimately, when it becomes universal, cost a great deal too much. It will cost somewhere between $70,000,000 and $90,000,000 a year. I think it ought to cost a great deal less.

Now, I want to go on with the line of my remarks. A friend of mine on the Democratic side, the gentleman from Virginia [Mr. SWANSON], criticised this bill because of the discretion which

it leaves with the Postmaster-General. I want to read what the bill proposes, and then I want to read the existing regulations, and I shall seek to establish the fact that the opportunity for partisan and political administration under the present rules and regulations, ever since the 1st of February and now, is ten times greater than it could possibly be under this bill.

In this connection I wish to say in the very first place—and this is partially in answer to the gentleman from Kansas—I want to say that I have never heard it even urged or claimed—not even alleged, much less proven—that the star-route contract system was ever attempted to be used for political purposes. Yet under that system there is, and there must be, in all cases a discretion left with somebody—in that case with the Postmaster-General—because the contractor must furnish "a sufficient guaranty"—I believe that is the exact language of the law—"sufficient guaranties of his ability to perform the duty."

Of course the Postmaster-General is to be the ultimate judge of that; he has that discretion; and if he dared, he might use that discretion in such a way as to violate the spirit of the law in order that political benefits might accrue. But the difference is this: He is at the head of a great Department.

He may be a bitter partisan, he may be altogether unscrupulous, but he is in a position where he has a certain degree of pride; he dares not expose himself in such a way that a mere child can prove an obvious, plain, palpable dereliction of duty and neglect of the spirit of the law. But when you come to some little four-penny underling, protected from you and me and from effective criticism by his obscurity and his irresponsibility—anxious to stay in place by pleasing, not you or me or the country, but the "powers that be," that are just above him—he can afford to violate the spirit of the law for the purpose of accomplishing partisan aims.

Now I want to read one paragraph of this bill, because it is the soul of the bill. There is nothing else in it of importance except paragraph 4, which was put in for the purpose of persuading gentleman who have hedged themselves in with a line of skirmishers for the purpose of renomination or reelection that their line of skirmishers will remain. That is what the fourth paragraph on page 3 of the bill means—that the men now in shall stay in.

But let me refer to the proviso at the end of the first paragraph—the soul of this bill—on page 3:

Provided, That no person shall be awarded a contract for more than one route under this paragraph.

Yesterday the gentleman from Connecticut [Mr. HILL], when interrupting the gentleman from Virginia [Mr. SWANSON], said, if I understood him, that there were "snakes" in this proviso, because it did not use the language "under this bill" instead of the words "under this paragraph." Now, I take it for granted that the friends of this bill are perfectly willing to strike out the word "paragraph" and insert the word "bill" if any gentleman desires it. But the gentleman from Connecticut wanted to know why the word "paragraph" had been inserted.

That question is easily answered, because the paragraph to which that proviso is attached is the only paragraph in the bill which has anything to do with the contract system. Now, let me read the whole paragraph:

First. That before any person shall be designated to carry the mail on any mail rural free-delivery route, the Postmaster-General shall cause an advertisement to be posted for not less than ten days, in a conspicuous place accessible to the public, in the post-office from which the mail is to be carried, inviting proposals, in such form as he may prescribe, for the service to be performed.

The service shall be awarded to the lowest bidder—

Some gentlemen argue that if you give it to the lowest bidder you give it to the worst bidder necessarily; that he is the least efficient, and that he is "cheap, cheap, cheap." Oh, what a horror we have of cheapness when it is somebody's else money we are spending. Then this language follows:

who shall furnish evidence to the Postmaster-General that such bidder is—

Several things which I will read in a moment. Other gentlemen take that up and they say, "If it was the lowest bidder, and if it stopped there, your bill might be all right;" but it goes on to say that you shall furnish evidence of certain things "satisfactory to the Postmaster-General," and therefore it gives him a discretion to be partisan and unfair in what he is doing. It gives him discretion to determine what things? Are they improper things, are they wrong things, are they unnecessary things? Not a whit of it. Let me read them.

First:

That such competitor is a legal and actual resident of the district or territory in which the proposed service is performed.

Why, do you suppose that the most unscrupulous ward heeler that ever accidentally mounted to a Cabinet position would dare while there rule, for partisan purposes, in the face of a neighborhood who knew the person, that a man was not a resident when he was, or was a resident when he was not?

Second:

That he is a reliable and trustworthy person, of good, moral character.

Well, he ought to be that, and somebody ought to determine it. Somebody has got to determine it, because this man is brought into business relations with the people in the community. Who would you rather have determine it, the Postmaster-General, who is not mixed up in local bickerings, not protected by his obscurity and irresponsibility from criticism, or some little post-route inspector, who is protected by obscurity and who is frequently affected by local considerations?

Third:

Able to read and write.

Well, he must be able to read and write to be of any service.

Fourth:

And having sufficient intelligence properly to perform the service.

And fifth:

Who shall tender sufficient guaranties that he will personally perform acceptable service.

That last and fifth condition is the language of the Revised Statutes in connection with star-route contracts, and it has never been abused in letting them out, and I take it for granted this will not be.

Ah, but the gentleman from Virginia [Mr. SWANSON] said yesterday that these people under this bill could make an agreement to carry this mail for a year, and then "when the inclement weather of the winter and the bad roads came on they could 'lay down,'" as he expressed it, and somebody else must be employed by the Government as a substitute at a higher salary for the winter months, and then those who had done the "laying down" would come back the next summer and take it up again at the annual pay for the summer months.

One objection to that is that it supposes that the other party to the contract—the Postmaster-General—is a miserable fool, an amazing idiot, to let it be done. The second objection to it is that there is not a line in the bill and nothing in the system, and, furthermore, nothing in existing law, that justifies the assertion that when a man has taken a contract to carry mail for a year or for any other stated period of time to be prescribed by the Postmaster-General, and has given bond to do his work, that he could "lay down" on the contract, as they call it, and not leave his bondsman responsible upon the bond for his dereliction and nonfeasance of duty under the contract.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WILLIAMS of Mississippi. I have some few things that I would rather say before I sit down.

Mr. LOUD. I yield to the gentleman ten minutes more.

The CHAIRMAN. The gentleman from Mississippi is recognized for ten minutes additional.

Mr. SWANSON. I should like to state to the gentleman that my assertion that on thirty days' notice the Government could dispense with the services of the contractor, and that the contractor could give thirty days' notice to the Government, was embodied in the report of the chairman of this committee [Mr. LOUD], who stated that that could be done to get rid of its being a perpetual contract. Now, the gentleman from California [Mr. LOUD] was the father of this bill, and I thought he knew something about it.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I am willing to accept the statement of the gentleman from Virginia and do accept it, but that does not change my proposition. It merely shifts the error one degree further removed. It seems now from what he has said that this error was that of the gentleman from California and not that of the gentleman from Virginia. I say that there is not in this bill one line or precept and that there is not in the Revised Statutes—that is, in the present existing law—one line or precept which enables that to be done, and I do not care who made the mistake, whether it was the gentleman from California or the gentleman from Virginia.

Mr. SWANSON. Now will the gentleman permit me?

Mr. WILLIAMS of Mississippi. Well, yes.

Mr. SWANSON. You are driven to this conclusion, either that there must be an indefinite contract, with a limit of time that the contractor must execute, or that the Government or the contractor must have the right to get rid of it. Now, which position do you advocate?

Mr. WILLIAMS of Mississippi. If I could be driven to an alternative between two absurdities by the willingness of the gentleman from Virginia to drive me, I would find myself there, no doubt; but I am driven by neither.

Mr. SWANSON. The absurdity is in the bill.

Mr. WILLIAMS of Mississippi. The absurdity is not in the bill. The bill provides that—

Before any person shall be designated to carry any mail on any mail rural free-delivery route the Postmaster-General shall cause an advertisement to be posted for not less than ten days—

And so forth—

in such form as he may prescribe, inviting proposals for the service to be performed.

Of course the time is a part of "the service to be performed," and would be in the advertisement and would be in the contract. It is simply absurd to say——

Mr. SWANSON. Wait a moment.

Mr. WILLIAMS of Mississippi. But let me get through with my answer.

Mr. SWANSON. I yielded courteously to the gentleman yesterday.

Mr. WILLIAMS of Mississippi. I will yield if you will wait till I get through with my answer.

Mr. SWANSON. I will wait.

Mr. WILLIAMS of Mississippi, Now, it is absurd to say that I am driven to the conclusion that the time must be "indefinite." What I am driven to is only this, that the term to be fixed is in the discretion of the Post-Office Department. That they may make contracts for one year, and that they may make contracts for six months, and that they may make contracts for three months is undoubtedly true; but that they could make a contract for an indefinite period, or that they would have to make a contract for an indefinite period is an absurdity.

Mr. SWANSON. Will the gentleman permit me?

Mr. WILLIAMS of Mississippi. Yes.

Mr. SWANSON. You have been speaking about the partisanship of this bill, the partisan way in which it has been executed by the Post-Office Department.

Mr. WILLIAMS of Mississippi. Yes; that it is alleged to have been executed. I have no knowledge of my own that it has been so executed.

Mr. SWANSON. Well, now, as I understand, you are willing to give the Postmaster-General power, and he has power, to make a contract for thirty days, ten days, five days, one day, two years, five years, or twenty years, as he sees proper.

Mr. WILLIAMS of Mississippi. He can not, I suppose, make a contract for more than a year, because he can not exceed the time for the appropriation; but, go ahead.

Mr. SWANSON. Then for one year, and you change carriers every year. Now, you think the Democrats are getting rid of partisanship—getting rid of the power of the Postmaster-General for partisan purposes—when you consent to a bill that would give him the right to enter into a contract for five days, where a Democrat contracted, at any time.

Mr. WILLIAMS of Mississippi. Mr. Chairman, it seems I have to be very extended in my remarks to be understood. While the Postmaster-General can give out a contract for three months or for six months or for a year, he can also give out a contract for a year, to be continued longer under certain conditions—that is, to go into operation for another year if mutually satisfactory.

In other words, I take it for granted that the Post-Office Department will give its contracts here just as it does under the star-route system, and I am perfectly willing to trust the Post-Office Department to fix the time during which the contract can run. In fact, I would rather do that than to undertake to fix it myself, as a minority in a body consisting of a majority of the other party, or to make them perpetual under even a genuine civil-service law, much less under this transparent counterfeit of civil service under which the system is now being operated.

Mr. SWANSON. Under star routes they have the lettings for four years.

Mr. WILLIAMS of Mississippi. If they do, they can do it under this system, and they can still do it, because there is no limitation upon the time; but that is a totally different thing from saying that the contract must be indefinite.

Mr. HILL. If the gentleman will permit me, I took the trouble to go to the Post-Office Department and see the Second Assistant Postmaster-General, who has charge of the contract system, and asked his explanation of the language of this bill. I may have been mistaken, but the impression that I received in the interview with him upon this subject was that the provision of this bill implied a contract without any limitation, continuing at will, but terminable at the option of either party on thirty days' notice.

Mr. WILLIAMS of Mississippi. On the termination of the first period.

Mr. HILL. Terminable at the option of either party at the end of thirty days' notice, but continuing, by consent of both parties, without limit.

Mr. WILLIAMS of Mississippi. I think certainly the gentleman must have been mistaken if he means that the first period prescribed in the contract did not have to be terminated.

Mr. HILL. That is the impression I received in that interview.

Mr. WILLIAMS of Mississippi. Undoubtedly that would be a most absurd policy, Mr. Chairman, to have such a system of contracts carried out by the Government. I do not think that there could be such a system. There is a difference in these contracts and those of the star routes, to some extent, and it would require the Postmaster-General to be more definite than that for rural free delivery, or we would have a very foolish system.

I take it that a Republican Postmaster-General or any Postmaster-General would have common sense, and that he would not do such a simple thing as to draw up a contract which would enable the contractor to get paid on an annual average and then throw up the contract during the bad part of the year, without responsibility on his bond, and resume it again at the annual rate during the summer period of good roads. I hope he is not afflicted with such "midsummer madness." We have been told what the discretion of the Postmaster-General was under this bill. What is the discretion vested in underlings under the present system as now operated?

Gentlemen, to this I want your careful attention—and I ask especially the careful attention of gentlemen on this side of the House, and I ask especially that candid, fair, and conservative consideration, for which the gentleman from Virginia is celebrated—to the breadth of discretion under this system, and to the character of the people in whom it is vested.

It says "when the route inspector is advised of a vacancy" advertisements shall be issued, and that he shall receive the names of persons desiring to enter the examination; and in the next clause it states that the route inspector is in his capacity a representative of the commission. In the next clause he is to examine as to the ability of applicants to do the work, and then—I read from the "Instructions to route inspectors relating to the examination of applicants for the position of rural letter carriers." The gentleman from Virginia [Mr. SWANSON] gave me this. He quoted very briefly and very select parts of it yesterday.

4. Each applicant will be given a blank application, which he will fill out with pen and ink in the presence of the route inspector.

5. Each applicant, separate and apart from the other applicants, will be required to read twenty-five addressed envelopes or cards. The route inspector will carefully note every error made by the applicant and the time he takes in the test.

6. Each applicant will be required to fill out a blank registry receipt and a blank receipt for money for the purchase of a money order.

Then, mind you, after that examination had taken place the natural conclusion would be that the man who did the best upon a competitive examination would have the route. Oh, no; the so-called examination is nothing but the preamble to the "instructions." I will not read all that follows. I will read this, the eighth clause:

8. Applications of persons under 17 or over 55 years of age will not be considered, except in cases of honorably discharged United States soldiers and sailors of the civil war or of the Spanish-American war—

Does it stop there? No—

who are physically able to perform the service.

Who is to determine this physical ability? We will find out a little later that there is a little "discretion" in this system.

"Physically able to perform the service." If the agent did not like the shade of my politics he might say that I did not look like I was strong enough, and he might deny me the position, and he might say that my friend from Missouri, Mr. CHAMP CLARK, was a bigger man, and he liked his shade of politics better, and he would be given the route, because he was right physically as well as the right color in politics.

Next, the applicant would be required, under the ninth clause, to show that he possesses "the necessary equipment for the service," namely, a suitable horse and wagon or cart. Route inspectors are to be the judges of whether the horse or cart is suitable. The gentleman from Ohio [Mr. GROSVENOR] said some things the other day that were intended to be comical and funny; and they were; but they had a great deal of sense in them. I tell you when it comes to a civil-service examination for rural free-delivery carriers it is much more important to examine the horse than it is the man, because almost any sort of a man will do, but it takes a pretty good horse. [Laughter.]

Now, it goes on and states that a man can not be appointed if he has not the "necessary equipment" unless he "can satisfy the inspector." It was this word "satisfy" or "satisfaction" in connection with the Postmaster-General's "can satisfy the inspector" which so disquieted the gentleman from Virginia. He might be the tool of a party or the tool of a neighborhood, or he might want to punish one Congressman for not being in accord with the bureau's ideas or reward another because he is; but unless the applicant can satisfy the route inspector that he will be able to furnish this equipment—having it not—he will not receive the appointment. Don't you understand? Here is a breadth of "discretion," which he might use in a partisan way.

Understand, I do not say that he necessarily would, but I say on a proposition of that sort that the probability of that sort of a man with that sort of discretion abusing it would be infinitely greater than the probability of the Postmaster-General abusing

the discretion which is left to him in this language of the pending bill: "The service shall be awarded to the lowest bidder who shall furnish evidence satisfactory to the Postmaster-General," etc.

But let me go on. In the twelfth clause it says:

After an examination has been held the route inspector—

Now, mark you—

will carefully observe the general characteristics of the candidates or applicants—

Great heavens! A man may have a prejudice against red hair because it shows Irish blood and a lack of republican principles, for all I know. [Laughter.] "Taking special notice of health and physical conditions." An expert physician he must be if he knows how to do it well! And—

in submitting his report state which one in his judgment should be selected.

Think of that! Which one should, in his judgment, be selected. Is it any wonder that in the Kentucky district, referred to by Mr. GILBERT, 10 Democratic applicants were not appointed and all 5 of the Republican applicants were appointed? I suppose they all passed the examination, although I believe they did not hold an examination in that particular case. I do not want to be incorrect about it.

Suppose they had held over. Suppose my friend from Indiana [Mr. STEELE] was there, one of the most lovable men in the world, but one of the most violent partisans, and suppose ten Democrats had passed the examination and five Republicans, and there were four places to fill, I will bet this year's hat against my last decennial's socks that my friend from Indiana would have put in the Republicans. [Laughter.]

Mr. STEELE. And how would it be with my friend the gentleman from Mississippi?

Mr. WILLIAMS of Mississippi. I am afraid that I would have put in five of the Democrats. [Renewed laughter.] And then, by way of a stump speech in the belly of the thing, we have this clause—after giving all this power and discretion to the inspector they put this in to satisfy the high-minded and the fair-minded:

Under no circumstances must political or religious affiliations of applicants be considered, nor must political indorsements be received or entertained.

[Laughter.]

No wonder the gentleman from California tells us that he has been told by members of the House when he has assured them that their patronage would be lost, that they could not get any more hereafter under the civil service, "Oh, yes; they could; they were promised," and I reckon maybe they thought they could get more. No reason why they should not under these "instructions." It may be that they were mistaken. I am willing to suppose that they are; but at any rate they are looking for it, in spite of this stump speech, in the belly of the "instructions."

Now, here is another one, clause 13:

In recommending a selection from among the applicants who were able to fill out the necessary blanks, route inspectors will give preference to those who by long and constant residence in the community are well acquainted with the patrons of the route, hold their confidence, possess the necessary equipment, and are prepared in cases of emergency to furnish a suitable substitute.

Now, the gentleman from Illinois [Mr. BOUTELL], the gentleman from Colorado [Mr. SHAFROTH], and I are all three residents, but this little inspector down there, protected by his obscurity, has the right to pass upon which one of us excels the other in our degree of residency. Oh, my friend from Virginia, talk about discretion in the Postmaster-General! Here is a discretion lodged in a little post-office inspector, to state which one of several fellows he thinks excels the other in degree of residency; and, moreover, more indefinite still, which one best, or most nearly, "holds the confidence of the patrons of the route." [Laughter.]

If you want to get at popularity of the applicants, why not get it in another way? Why not prepare the way by providing that the names of the residents along the route should be taken down and that they should meet and determine as to the popularity of the candidates? They are the proper parties to determine who shares their "confidence." It is not a post-office inspector.

He could not hurt me in my district, and he could not hurt you in your district, by building up a Republican machine against us, because they could not find anybody down there to build up with, and these people are not trying to do foolish things; but I imagine that if they got into a close Congressional district like the district of my friend from Illinois [Mr. WILLIAMS], or got to "monkeying with the buzz saw" in the district of my friend from Missouri [Mr. CLARK], they might find it possible to adjudge that their friends did not "hold the confidence of the patrons" of the routes, and that furthermore they were not fitted by the longest and most constant residence to attend to the thing.

Possess the necessary equipment and are prepared in cases of emergency to furnish a suitable substitute.

My heavens! This officer is not only to determine whether the candidate most nearly possesses "the confidence of the persons on the route," whether he properly comes up in physical "characteristics," and in moral character, and in everything else, but whether he is most fitted to select a substitute. [Laughter.]

Now, my friends, this is a business proposition; let us talk about it as such. I would never have gone into this question but for the fact that other gentlemen have tried to make so much out of it. I really do not think it is necessary to assume that this discretion is going to be very much misused either way by the Postmaster-General, certainly not; but I do think, and I believe every fair-minded man will agree with me, that this discretion is much more apt to be misused by a department underling than by department chief, who has his reputation to keep up.

Reputation is a great thing. You all remember the Confederate soldier at Chickamauga whom my friend from Missouri told about, who, while a battle was progressing, saw one of these hedge-row rabbits running as fast as she could. With a look of envy, the man straightened himself up, bared his breast once more to the bullets, made a man of himself, and said, "Run! Mollie Cotton-tail; if I had no more reputation to save than you, I would run, too." [Laughter.] Many a man is honest because he is in such a high position that the light is upon him—that all men see him—and he has too much pride in his character or reputation or position to do a thing which, perhaps, if he were in a more obscure position, he might do.

My Republican friends, when I speak of the capability of the present Administration to be used as a partisan machine I am afraid that with some of you I may be hurting the bill of the gentleman from California, which I am undertaking to advocate. But I am speaking to you as fair-minded men, because it is possible, although in your opinion not very probable, that in the not remote future we may be in control of the destinies of the Union and we may be running this machine. Frankly, I have no more confidence—not a particle more—in the impartiality and the non-partisanship of a post-office inspector under a Democratic Administration than I would have in such an officer under a Republican Administration.

I say it is better for the service to have the contract system. It is better for the service, because there will be equal if not greater efficiency. I believe the efficiency will be greater, and I will tell you why, because at present the men who are carriers are in their positions by reason of political influence, and if any of them does not do his work in the right way and is about to be "bounced" the Department knows that should he be bounced there will be by morning at least one Representative and two Senators down upon the backs of the Department officials trying to get the man back.

But if he is a contractor, if he has just given bond for the faithful performance of the work, he is nobody's man particularly. He has not any political "pull." He can not badger and worry the life out of the Department official in order to be kept in whether he be inefficient or not. Hence I say the service will be even more efficient. I say, also, it will be more economical. I have told why. It will be less partisan. The opportunities of partisanship will be lessened.

The system here proposed will be better for the service, and I say it will be better for you and me in the future, because we do not want to build up this immense army of salaried officials to worry us by importunities into doing one of two things—either refusing that which we would gladly grant as far as the parties themselves, our friends, and neighbors are concerned, or, on the other hand, doing that which we ought not, as sworn representatives of the American people, to do; that is, casting our votes and our influence to secure a salary greater than the service itself calls for.

I append to my remarks the document to which I have referred.

INSTRUCTIONS TO ROUTE INSPECTORS RELATING TO THE EXAMINATION OF APPLICANTS FOR THE POSITION OF RURAL LETTER CARRIER.

On February 1, 1902, the order of the President classifying rural letter carriers will become effective. After that day vacancies occurring in the force of carriers will be filled in accordance with rules of the Civil Service Commission.

The following special rules are prepared for the guidance of route inspectors, who will be detailed to conduct examinations where vacancies exist:

1. A letter carrier who resigns will not be permitted to discontinue service until his successor is appointed and qualifies.

2. In the case of the death or removal of carriers postmasters will be instructed to employ the substitute carrier, and if there is none, any suitable person, until the regular examination can be held.

3. When the route inspector is advised of a vacancy by the Department, he will proceed to the post-office as quickly as possible, notifying the postmaster by wire, if necessary, of the day he will reach there, and instructing him to notify applicants to be on hand to take the prescribed examination.

4. Each applicant will be given a blank application, which he will fill out with pen and ink in the presence of the route inspector.

5. Each applicant, separate and apart from the other applicants, will be required to read 25 addressed envelopes or cards. The route inspector will carefully note every error made by the applicant and the time he takes in the test.

6. Each applicant will be required to fill out a blank registry receipt and a blank receipt for money for the purchase of a money order.

7. Applications of badly crippled or deformed persons will not be considered. This will include persons who are totally deaf or blind, who have one arm or one leg, etc.

8. Applications of persons under 17 or over 55 years of age will not be considered, except in the case of honorably-discharged soldiers or sailors of the civil war or Spanish war who are physically able to perform service.

9. Applications of persons will not be considered who have not the necessary equipment for the service—namely, horse and wagon or cart—unless applicant can satisfy the route inspector that he will be able to supply such equipment in case he receives the appointment.

10. The applications of women will be received, but a woman should not be recommended for appointment as regular carrier unless, in the judgment of the route inspector, local conditions and circumstances are such as to make the recommendation desirable and for the best interests of the service.

11. Applicants must reside directly on or within the territory to be supplied by the route where the vacancy exists.

12. After an examination has been held the route inspector will carefully observe the general characteristics of the candidates or applicants, taking special notice of health and physical conditions, and in submitting his report state which, in his judgment, should be selected. Under no circumstances must political or religious affiliations of applicants be considered, nor must political indorsements be received or entertained. The merit of the applicant and the good of the service alone must be considered in submitting a recommendation.

13. In recommending a selection from among the applicants who were able to fill out the necessary blanks, route inspectors will give preference to those who, by long and constant residence in the community, are well acquainted with the patrons of the route, hold their confidence, possess the necessary equipment, and are prepared in cases of an emergency to furnish a suitable substitute.

NOTE.—Section 1754, Revised Statutes: Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty shall be preferred for appointment to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices.

14. In filling a vacancy the substitute carrier, competing in the examination with other applicants, everything else being equal, should be given preference.

15. When a route inspector has doubts about an applicant's character or reputation, he should not only make inquiry of two or three persons given as references in the application, but also consult two or more prominent citizens not mentioned by the applicant.

16. A rural letter carrier will be required to furnish a suitable substitute who will be required to give bond in the same amount as the carrier—namely, $500. With the separation of the regular carrier from the service the substitute also will be dropped, but will be permitted to take the examination in competition with other applicants for the position if he can meet the requirements of rules 7, 8, 9, and 11.

The central board of examiners will carefully review all recommendations for the selection of carriers in connection with the applications and written and card-reading tests submitted therewith. Route inspectors must therefore bear in mind that their recommendations will not necessarily control; they are, however, desired by the central board of examiners as a guide or aid in its consideration of the examination papers.

General Superintendent.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I thank the House for its kindly attention. [Applause.]

Mr. LOUD. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GILLETT of Massachusetts reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation to employees thereof, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 5224. An act for the relief of Edward Kershner;

H. R. 4748. An act authorizing the President of the United States to nominate Lieut. Commander R. M. G. Brown, now on the retired list, to be a commander on the retired list;

H. R. 969. An act granting a pension to Silas H. Cronk;

H. R. 1280. An act granting a pension to Lizzie A. Campbell;

H. R. 8620. An act granting a pension to Thomas Hall;

H. R. 2561. An act granting a pension to Sarah O. Fields;

H. R. 7623. An act granting a pension to Aaron M. Applegate;

H. R. 9670. An act granting an increase of pension to Aaron C. Badger;

H. R. 2225. An act granting an increase of pension to James Morris;

H. R. 3688. An act granting an increase of pension to John Gagan;

H. R. 2465. An act granting an increase of pension to James F. Charlesworth;

H. R. 5959. An act granting an increase of pension to Francis Pearson, alias James F. Pearston;

H. R. 8306. An act granting an increase of pension to Thomas W. Robinson;

H. R. 668. An act granting an increase of pension to Henry N. Tracy;

H. R. 3422. An act granting an increase of pension to James D. Elderkin;

H. R. 2412. An act granting an increase of pension to William H. Pierce;

H. R. 1852. An act granting an increase of pension to James A. Edmonds;

H. R. 8304. An act granting an increase of pension to Angline Murray;

H. R. 1808. An act granting an increase of pension to William M. Strope;

H. R. 5218. An act granting an increase of pension to Joel Metz;

H. R. 2219. An act granting an increase of pension to Francis M. Gilman;

H. R. 5957. An act granting an increase of pension to Wright H. Auchmoody;

H. R. 4115. An act granting an increase of pension to William Eugas;

H. R. 7237. An act granting an increase of pension to Eva H. McColley;

H. R. 202. An act to amend section 2294 of the Revised Statutes of the United States;

H. R. 2678. An act to incorporate the Eastern Star Home for the District of Columbia;

H. R. 8336. An act to amend section 3 of chapter 480 of the laws of the United States approved June 23, 1874;

H. R. 3740. An act to confirm title to lot 1, square 1113, in Washington, D. C.; and

H. J. Res. 106. Joint resolution authorizing the Secretary of War to loan to the Pennsylvania Society of the Sons of the American Revolution certain Revolutionary trophies at Allegheny Arsenal, Pittsburg, Pa.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 24. An act for the relief of James W. Howell;

S. 1931. An act granting an increase of pension to Etta Scott Mitchell;

S. 3204. An act granting an increase of pension to Mary T. Bruce; and

S. 3157. An act granting an increase of pension to Rhody Ann Bradshaw.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 6570) to amend the act of May 12, 1900, authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps; in which the concurrence of the House was requested.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 2977. An act authorizing the Missouri and Meramee Water Company to take water from the Missouri River and to construct and maintain a dam or other devices for that purpose.

HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2 of Rule XXIV, House bill (H. R. 6570) entitled "An act to amend the act of May 12, 1900, authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps (with Senate amendments), was taken from the Speaker's table and referred to the Committee on Ways and Means.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bill of the following title:

H. R. 10308. An act to provide for a permanent census office.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3187. An act granting an increase of pension to Leroy S. Smith—to the Committee on Invalid Pensions.

S. 3660. An act granting a pension to Mary Sweeney—to the Committee on Invalid Pensions.

S. 3577. An act granting an increase of pension to Mary V. Walker—to the Committee on Invalid Pensions.

S. 3704. An act granting an increase of pension to Frederick E. Rogers—to the Committee on Invalid Pensions.

S. 76. An act to provide for the purchase of a site and the erection of a public building thereon at New Orleans, State of Louisiana—to the Committee on Public Buildings and Grounds.

S. 3910. An act granting an increase of pension to Robert S. Woodbury—to the Committee on Invalid Pensions.

S. 4024. An act for the relief of G. G. Martin—to the Committee on Military Affairs.

S. R. 56. Joint resolution providing for a modification in the adopted project for the improvement of Everett Harbor, Washington—to the Committee on Rivers and Harbors.

S. 3021. An act granting a pension to India Stewart—to the Committee on Pensions.

S. 3612. An act to remove the charge of desertion from the military record of Charles J. Clark—to the Committee on Military Affairs.

S. 1881. An act to correct the military record of Peter Connell—to the Committee on Invalid Pensions.

S. 2802. An act granting a pension to Martha R. Osbourn—to the Committee on Invalid Pensions.

S. 4095. An act granting an increase of pension to Charles C. Dudley—to the Committee on Invalid Pensions.

S. 2625. An act granting an increase of pension to Carlin Hamlin—to the Committee on Invalid Pensions.

S. 3865. An act to establish light-houses at the mouth of Boston Harbor to mark the entrance to the new Broad Sound Channel—to the Committee on Interstate and Foreign Commerce.

S. 3939. An act to establish a fish-culture station at or near the town of Mammoth Spring, in the State of Arkansas—to the Committee on the Merchant Marine and Fisheries.

S. 2442. An act confirming title to the State of Nebraska of certain selected indemnity school lands—to the Committee on the Public Lands.

S. 3057. An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

Mr. LOUD. I move that the House adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred, as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for the Government Hospital for the Insane—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for education in Alaska—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of appropriation for streets—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Betsey and Lucy*, Joseph Crown, master, against the United States—to the Committee on Claims, and ordered to be printed.

A letter from the president of the Board of Commissioners of the District of Columbia, transmitting report of operations of the excise board for the year ending October 31, 1901—to the Committee on District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11306) to extend the time for the construction of a bridge across the Mississippi River at Burlington, Iowa, reported the same without amendment, accompanied by a report (No. 743); which said bill and report were referred to the House Calendar.

Mr. COOMBS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 2447) to provide for the construction of a light-ship for Blunts Reef, Pacific Ocean, off Cape Mendocino, California, reported the same without amendment, accompanied by a report (No. 744); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 2446) to establish a light and fog signal at a point on Karquines Strait, California, opposite that now occupied by the Selby Smelting Works, reported the same without amendment, accompanied by a report (No. 745); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 2450) to establish a fog bell and lens lantern on the southeastern end of Southampton Shoal, San Francisco Bay, California, reported the same without amendment, accompanied by a report (No. 746); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JOY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11719) to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River," reported the same without amendment, accompanied by a report (No. 748); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KYLE, from the Committee on War Claims, to which was referred the bill of the House (H. R. 11565) for the relief of George B. Caldwell, administrator of Hamlin Caldwell, deceased, reported the same without amendment, accompanied by a report (No. 747); which said bill and report were referred to the Private Calendar.

Mr. KEHOE, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2097) for the relief of the heirs of S. H. Hill, deceased, reported the same without amendment, accompanied by a report (No. 749); which said bill and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1234) for the relief of the late Capt. Daniel C. Trewhitt, of Chattanooga, Tenn., reported the same without amendment, accompanied by a report (No. 750); which said bill and report were referred to the Private Calendar.

Mr. CALDWELL, from the Committee on War Claims, to which was referred the bill of the House (H. R. 7120) for the relief of Joseph Swisher, reported the same with amendments, accompanied by a report (No. 751); which said bill and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1493) for the relief of the heirs of William Heryford, deceased, reported the same without amendment, accompanied by a report (No. 752); which said bill and report were referred to the Private Calendar.

Mr. HENRY C. SMITH, from the Committee on War Claims, to which was referred the resolution of the House (H. Res. 152) for the relief of Victoria, Ella, and Frank Wasson, heirs of Richard F. Wasson, reported the same without amendment, accompanied by a report (No. 753); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the resolution of the House (H. Res. 153) for the relief of the heirs of Benjamin Lillard, reported the same without amendment, accompanied by a report (No. 754); which said resolution and report were referred to the Private Calendar.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. NEEDHAM: A bill (H. R. 12091) to grant to the State of California the right to select indemnity in lieu of certain described lands, and for other purposes—to the Committee on Indian Affairs.

By Mr. STEVENS of Minnesota: A bill (H. R. 12092) to provide for a national park commission—to the Committee on Military Affairs.

By Mr. CLAUDE KITCHIN: A bill (H. R. 12093) to authorize the construction of a bridge across the Neuse River at or near Kinston, N. C.—to the Committee on Interstate and Foreign Commerce.

By Mr. HANBURY: A bill (H. R. 12094) to amend an act entitled "An act to prevent obstructive and injurious deposits within the harbor and adjacent waters of New York City, by dumping or otherwise, and to punish and prevent such offenses"—to the Committee on Rivers and Harbors.

By Mr. REEVES: A bill (H. R. 12095) to amend section 4883 of the Revised Statutes, relating to the signing of letters patent for inventions—to the Committee on Patents.

By Mr. SPARKMAN: A bill (H. R. 12096) providing for the erection of a public building at the city of Ocala, Fla., and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. PAYNE: A bill (H. R. 12097) to amend the internal-revenue laws in regard to storekeepers and gaugers—to the Committee on Ways and Means.

By Mr. LACEY: A bill (H. R. 12098) to amend section 1 of the

act of Congress approved May 14, 1898, entitled "An act extending the homestead laws and providing for a right of way for railroads in the district of Alaska"—to the Committee on the Public Lands.

By Mr. MUDD: A bill (H. R. 12099) for the relief of certain officers of the Marine Corps of the United States Navy—to the Committee on Naval Affairs.

By Mr. CANNON (by request): A bill (H. R. 12100) for making a grant of alternate sections of the public lands in the Territory of Alaska to aid in the construction of a certain railroad in said Territory, and for other purposes—to the Committee on the Public Lands.

By Mr. LACEY: A bill (H. R. 12117) to extend to Alaska the provisions of the act of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada, and Washington Territory," and acts amendatory thereof—to the Committee on the Public Lands.

By Mr. LANHAM: A joint resolution (H. J. Res. 161) authorizing the Secretary of War to loan tents to the Texas Reunion Association—to the Committee on Military Affairs.

By Mr. WACHTER: A resolution (H. Res. 154) authorizing the chairman of the Committee on Enrolled Bills to appoint an additional clerk, who shall be paid, out of the contingent fund of the House, $6 per day during the remainder of the present session—to the Committee on Accounts.

By Mr. GAINES of Tennessee: Memorial relative to the Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

Also, memorial requesting Congress to call a convention for the purpose of an amendment to the Constitution of the United States, which amendment shall provide for the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, memorial in favor of election of United States Senators by popular vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BARTLETT: A bill (H. R. 12101) granting a pension to William E. Gray—to the Committee on Pensions.

By Mr. BLAKENEY: A bill (H. R. 12102) to remove the charge of desertion from George W. Keeny—to the Committee on Military Affairs.

By Mr. BRICK: A bill (H. R. 12103) granting an increase of pension to Henry Hale—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 12104) for the relief of Mary Keith and Benny Keith—to the Committee on the Public Lands.

By Mr. DRAPER: A bill (H. R. 12105) granting a pension to Annie P. Pinney—to the Committee on Invalid Pensions.

By Mr. FEELY: A bill (H. R. 12106) to remove the order of dismissal from the military record of Melville N. Goodrich—to the Committee on Military Affairs.

Also, a bill (H. R. 12107) granting an increase of pension to Benjamin T. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12108) granting an increase of pension to Jane Buckley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12109) granting an increase of pension to Frederick Benefeldt—to the Committee on Invalid Pensions.

By Mr. GILBERT: A bill (H. R. 12110) granting a pension to Amy Griffey—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 12111) granting an increase of pension to W. M. Gaunt—to the Committee on Invalid Pensions.

By Mr. HANBURY: A bill (H. R. 12112) granting an increase of pension to Henrietta A. Buell—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 12113) granting an increase of pension to Benjamin R. Little—to the Committee on Invalid Pensions.

By Mr. HUGHES: A bill (H. R. 12114) granting a pension to C. E. Vest—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: A bill (H. R. 12115) granting a pension to Chester E. Wadsworth—to the Committee on Pensions.

By Mr. WILLIAM W. KITCHIN: A bill (H. R. 12116) granting a pension to W. A. Hopper—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 12118) for the relief of Citizens' Bank of Louisiana, in the city of New Orleans—to the Committee on Claims.

Also, a bill (H. R. 12119) to grant an honorable discharge to Otto M. Tennison—to the Committee on Military Affairs.

By Mr. MIERS of Indiana: A bill (H. R. 12120) granting an increase of pension to Allen K. Lane—to the Committee on Invalid Pensions.

By Mr. NORTON: A bill (H. R. 12121) granting an increase of pension to Christopher Terflinger—to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 12122) granting an honorable discharge to E. A. Niven—to the Committee on Military Affairs.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 12123) for the relief of the estate of George W. Dyson, deceased, late of Washington Parish, La.—to the Committee on War Claims.

By Mr. SHATTUC: A bill (H. R. 12124) granting an increase of pension to V. B. Clark, of Company E, Thirty-ninth Ohio Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. SHOWALTER: A bill (H. R. 12125) to correct the military record of Perry Childs, late of Company I, Fifty-seventh Pennsylvania Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 12126) granting a pension to Samuel B. Wilson—to the Committee on Invalid Pensions.

By Mr. WANGER: A bill (H. R. 12127) to recognize the military services of George R. Burnett, late first lieutenant, Ninth United States Cavalry—to the Committee on Military Affairs.

By Mr. WARNOCK: A bill (H. R. 12128) granting an increase of pension to Mary E. Bell, formerly Hartly, matron, Medical Department, United States Volunteers—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 12129) granting a pension to Minnie M. Rice—to the Committee on Invalid Pensions.

By Mr. WOODS: A bill (H. R. 12130) granting a pension to Christopher S. Stevens—to the Committee on Pensions.

By Mr. YOUNG: A bill (H. R. 12131) to restore to the pension roll Franklin Tyler—to the Committee on Pensions.

By Mr. JACKSON of Kansas: A bill (H. R. 12132) for the relief of Allen C. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12133) to remove charge of desertion against Thomas Todd—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 12134) granting a pension to John F. Yeargin—to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 12135) granting an honorable discharge to Galen E. Green—to the Committee on Military Affairs.

By Mr. DE GRAFFENREID: A bill (H. R. 12136) granting an increase of pension to Stephen May—to the Committee on Pensions.

By Mr. MUDD: A bill (H. R. 12137) granting an increase of pension to James Grissinger—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Saginaw Post, No. 38, Department of Michigan, Grand Army of the Republic, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. ACHESON: Petition of the United Labor League of Western Pennsylvania, in opposition to Senate bills 2054 and 1644, relating to electric wiring in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of Jerry Jones Post, No. 541, of Smithfield, Pa., Grand Army of the Republic, Department of Pennsylvania, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolutions of Bricklayers' Union No. 11, of Washington, Pa.; Union No. 80, of Coraopolis, and Mine Workers' Union No. 132, of Pricedale, Pa., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

By Mr. ADAMS: Petition of Retail Merchants' Association of Philadelphia, Pa., in opposition to House bill 9352—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Pennsylvania Shoe Manufacturers' Association, of Philadelphia, favoring the establishment of a department of commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. BALL of Delaware: Petitions of citizens of Delmar and Dover, Del., and Shipbuilders' Union No. 59, of Wilmington, Del., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Shipbuilders' Union No. 59, of Wilmington, Del., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. BARTLETT: Resolution of Bricklayers and Masons' Union No. 4, of Macon, Ga., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BELL: Resolution of Tile Layers' Union of Denver, Colo., and Switchmen's Union of Pueblo, Colo., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Saguache Stock Growers' Association, of Saguache, Colo., against the oleomargarine bill—to the Committee on Agriculture.

Also, resolution of Lithographers' Union of Denver, Colo., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, resolutions of a mass meeting of people of Denver, Colo., asking that the United States offer its good offices to end the war between England and the Boer Republic—to the Committee on Foreign Affairs.

By Mr. BRICK: Resolution of Cathcart Post, of Bristol, Ind., and Post No. 206, of Fulton, Ind., advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolution of Indianapolis Division, No. 11, Brotherhood of Locomotive Engineers, of Indianapolis, Ind., in support of Senate bill 1118 and House bill 1060, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

Also, resolution of Cigar Makers' Union No. 221, South Bend, Ind., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of John Hill Division, Elkhart, Ind., Locomotive Engineers, and Carpenters' Union No. 413, of South Bend, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. BROMWELL: Resolutions of Amalgamated Glass Workers' Association No. 9, Cincinnati, Ohio, in relation to the right of petition of employees of the Government—to the Committee on the Post-Office and Post-Roads.

Also, petition of Carpenters' Union No. 676, Cincinnati, Ohio, advocating the construction of war vessels in United States navy-yards—to the Committee on Naval Affairs.

By Mr. BURKETT: Petition of National Association of Retail Grocers, in favor of pure-food legislation as given in House bill 9352—to the Committee on Interstate and Foreign Commerce.

By Mr. CALDERHEAD: Petition of Joe Porter, J. W. Bishop, and J. H. Autrobus, committee, asking the restoration of P County, now known as Woods County, Okla.—to the Committee on the Territories.

Also, resolutions of National Association of Agricultural Implement and Vehicle Manufacturers, Chicago, Ill., and citizens of Hanover, Kans., against House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of National Association of Retail Grocers, St. Louis, Mo., in favor of the passage of House bill 9352, known as the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Kansas State Society of Labor and Industry, asking that the desert-land laws be amended—to the Committee on the Public Lands.

Also, resolution of Eggleston Post, No. 244, Wichita, Kans., favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. CANNON: Resolution of Carpenters and Joiners' Union No. 496, of Kankakee, Ill., in regard to immigration—to the Committee on Immigration and Naturalization.

By Mr. CASSINGHAM: Resolution of Typographical Union No. 364, Coshocton, Ohio, favoring the prohibition of immigrants other than wives and children who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of Typographical Union No. 364 and Federation of Labor Council No. 8170, of Coshocton, Ohio, advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. CONNELL: Resolutions of Cigar Makers' Union of Scranton, Pa., in regard to immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Cigar Makers' Union No. 295 and United Mine Workers' Union No. 1428, of Scranton, Pa., and Building Trades Council of St. Louis, Mo., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolution of the Illinois Manufacturers' Association, for extension of trade between United States and Cuba—to the Committee on Ways and Means.

Also, resolution of the National Building Trades Council of America, asking for the enactment of certain land legislation—to the Committee on the Public Lands.

By Mr. DINSMORE: Papers to accompany House bill relating to the correction of the military record of Lafayette Mason, of Crawford County, Kans.—to the Committee on Military Affairs.

By Mr. DRAPER: Petition of Joe Porter, J. W. Bishop, and J. H. Autrobus, committee, asking for the restoration of P County, in Oklahoma—to the Committee on the Territories.

Also, resolution of Division No. 171, Order of Railroad Conductors, of Mechanicsville, N. Y., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. FEELY: Petition of the Lake Seamen's Union, opposing the passage of House bill No. 7189, to change the name of the United States Marine-Hospital Service to that of "United States Health Service"—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Lake Seamen's Union, in opposition to the reenactment of section 4599 of chapter 7 of the Revised Statutes of the United States—to the Committee on the Merchant Marine and Fisheries.

Also, petitions of the Wood Workers' Union No. 1; Steel and Copper Plate Printers No. 4; Carpenters' Union No. 13, and Packing Trades Councils, all of Chicago, Ill., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. FITZGERALD: Petition of the board of supervisors of Coconino County, Ariz., in opposition to legislation exempting the Santa Fe Railway Company from taxation in Arizona Territory—to the Committee on Pacific Railroads.

Also, resolution of Columbus Lodge, No. 401, Brooklyn, N. Y., Association of Machinists, protesting against further extension of leave of absence to employees of navy-yards and arsenals—to the Committee on Naval Affairs.

By Mr. GILL: Resolutions of the Methodist Episcopal Church, United Presbyterian Church, and First Presbyterian Church, all of Cadiz, Ohio, for the passage of the Gillett-Lodge bill, favoring the exclusion of intoxicants from all countries inhabited chiefly by native races—to the Committee on Alcoholic Liquor Traffic.

Also, petition of citizens of Carrollton and New Harrisburg, Ohio, for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

Also, petitions of Lewis Avon Union, No. 34, and Union No. 56, of Martins Ferry, Ohio, asking for reenacment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. GORDON: Resolution of Lima Division, No. 299, Order of Railroad Conductors, of Lima, Ohio, advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. HANBURY: Resolution of board of education of the city of New York, urging that House bill 7640 be so amended as to include the city of New York—to the Committee on Naval Affairs.

Also, resolution of Columbus Lodge, No. 401, Association of Machinists, Brooklyn, N. Y., for the eight-hour law—to the Committee on Labor.

Also, resolutions of Columbus Lodge, No. 401, Association of Machinists, Brooklyn, N. Y., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, resolution of Columbus Lodge, No. 401, Association of Machinists, Brooklyn, N. Y., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Columbus Lodge, No. 401, Association of Machinists, Brooklyn, N. Y., protesting against the further enactment of law to extend leave of absence to Government employees in the navy-yards—to the Committee on Naval Affairs.

By Mr. JACK: Petitions of citizens of Covode and vicinity, Pennsylvania, asking for an amendment to the Constitution defining legal marriage—to the Committee on the Judiciary.

Also, resolutions of Tin Workers' Union No. 10, of New Kensington; Bartenders' Union No. 275, of Monessa, Pa., and citizens of Punxsutawney, Pa., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. JACKSON of Kansas: Paper to accompany House bill 11676, granting a pension to Mrs. W. E. Bridges—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12132, granting a pension to Allen C. Davis—to the Committee on Invalid Pensions.

By Mr. KEHOE: Resolutions of Joseph Heiser Post, No, 13, Grand Army of the Republic, of Maysville, Ky., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

By Mr. KETCHAM: Resolutions of Bricklayers and Masons' Union No. 44, Poughkeepsie, N. Y., relating to Chinese exclusion—to the Committee on Foreign Affairs.

Also, petitions of Carpenters' Unions of Poughkeepsie and Kingston, N. Y., favoring restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

By Mr. LANHAM: Papers to accompany House bill 2785, for the relief of Elijah Crudgington—to the Committee on Military Affairs.

By Mr. LINDSAY: Resolution of International Association of

Machinists, Columbus Lodge, No. 401, Brooklyn, N. Y., advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolution of Columbus Lodge, No. 401, Association of Machinists, Brooklyn, N. Y., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. LITTAUER: Papers to accompany House bill 11437, granting a pension to Maria Olmstead—to the Committee on Invalid Pensions.

By Mr. MANN: Petition of Electrical Workers of Chicago, Ill., protesting against the passage of Senate bills 2054 and 1644—to the Committee on the District of Columbia.

By Mr. MIERS of Indiana: Resolution of Glass Blowers' Association No. 90, of Loogootee, Ind., favoring the enactment of a law excluding the Chinese without limitation from this country—to the Committee on Foreign Affairs.

By Mr. MORRELL: Petition of Kensington Lodge, No. 113, Brotherhood of Railway Trainmen, of Philadelphia, Pa., favoring the prohibition of immigrants, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

By Mr. NAPHEN: Resolutions of Lodge No. 108, Association of Machinists, Quincy, Mass., and Plate Printers' Union No. 3, of Boston, Mass., asking passage of an exclusion law that will apply to Asiatic labor generally—to the Committee on Foreign Affairs.

Also, resolutions of the Boston Chamber of Commerce, against the passage of House bill relating to the so-called "London clause," Harter Act—to the Committee on Interstate and Foreign Commerce.

By Mr. NORTON: Resolution of Marion Lodge, No. 466, Brotherhood of Railroad Trainmen, of Marion, Ohio, in support of Senate bill 1118, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

Also, resolution of Bricklayers and Masons' Union No. 19, Fremont, Ohio, advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Bricklayers and Masons' Union of Fremont, Ohio, for an amendment to the immigration laws—to the Committee on Immigration and Naturalization.

Also, papers to accompany House bill 12121, granting an increase of pension to Christopher Terflinger—to the Committee on Invalid Pensions.

By Mr. PALMER: Petitions of George Wier and others and May D. Strong and others, of Pittston, Pa., favoring an anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petitions of Retail Clerks' Union No. 486, of Kingston, Pa., and Order of Railroad Telegraphers No. 67, of Wilkesbarre, Pa., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, petition of H. F. Weeks and others, of Pittston, Pa., asking for the repeal of the war tax on malt liquors—to the Committee on Ways and Means.

Also, petition of Union No. 1397, of Hazleton, Pa., and Central Labor Union of Wilkesbarre, Pa., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. PATTERSON of Pennsylvania: Resolution of United Mine Workers' Union No. 169, of McAdoo, Pa., in favor of the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. PAYNE: Papers to accompany House bill 12054, for the relief of Elizabeth Burrill—to the Committee on Invalid Pensions.

By Mr. PRINCE: Petition of Harriet T. Miller and 52 others, of Geneseo, Ill., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

By Mr. PUGSLEY: Papers to accompany House bill 11831, granting an increase of pension to John W. Acker—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 9948, granting a pension to Sarah Frances Taft—to the Committee on Invalid Pensions.

Also, resolution of Bronx Borough Council of Brotherhood of Carpenters and Joiners, for restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Brotherhood of Railway Trainmen, of Albany, N. Y., favoring the bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

By Mr. RICHARDSON of Tennessee: Paper to accompany House bill for the relief of Nancy P. White—to the Committee on Invalid Pensions.

By Mr. RIXEY: Petition of William Hutchinson, of Alexandria, Va., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBINSON of Indiana: Petition of Cigar Makers' Union No. 37, of Fort Wayne, Ind., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, petition of Post No. 47, Grand Army of the Republic, Department of Tennessee, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. RUMPLE: Resolution of Cigar Makers' Union No. 172, of Davenport, Iowa, in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Cigar Makers' Union No. 172, of Davenport, Iowa, for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RUPPERT: Resolution of Piano and Organ Workers' Union No. 15, favoring the prohibition of immigrants, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

By Mr. SCOTT: Petition of the Industrial Council of Pittsburg, Kans., favoring irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. SHATTUC: Papers to accompany House bill No. 8896, granting a pension to George W. Lloyd—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12124, granting an increase of pension to V. B. Clark—to the Committee on Invalid Pensions.

By Mr. SHERMAN: Petition of the New York State Board of Pharmacy, Middle Branch, for amendments to House bill 7189, to increase the efficiency of the Marine-Hospital Service—to the Committee on Interstate and Foreign Commerce.

By Mr. SHOWALTER: Paper to accompany House bill 12066, to amend the military record of Perry Childs—to the Committee on Military Affairs.

By Mr. SAMUEL W. SMITH: Petitions of Federal Labor Union and Cigar Makers' Union of Lansing, Mich.; Broom Makers' Union and Carpenters' Union of Flint, Mich., and 75 citizens, favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. SPERRY: Petition of Journeymen Barbers' Union No. 215, of New Haven, Conn., favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. STEVENS of Minnesota: Resolutions of St. Paul Trade Councils, Printers' Union, etc., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Cigar Makers' Union No. 50, St. Paul, Minn., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of the St. Paul Trades and Labor Assembly, asking for the enactment of certain land legislation—to the Committee on the Public Lands.

By Mr. SLAYDEN: Petition of Alamo Lodge, No. 138, Switchmen's Union, San Antonio, Tex., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SUTHERLAND: Resolution of board of governors of the Commercial Club of Salt Lake City, Utah, for the establishment of a national department of mining, etc.—to the Committee on Mines and Mining.

By Mr. SULLOWAY: Resolution of Bottlers and Drivers' Union of Portsmouth, N. H., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petitions of the Woman's Christian Temperance Unions of Hinsdale, Haverhill, Newfields, Henniker, North Hampton, Whitefield, East Andover, Hampton Falls, Milford, Laconia, and Berlin, N. H., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

By Mr. WADSWORTH: Resolution of Barbers' International Union No. 177 and Brick and Stone Masons' Union No. 15, of Lockport, N. Y., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Brick and Stone Masons' Union No. 15, of Lockport, N. Y., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. WARNOCK: Papers to accompany House bill 12128, granting a pension to Mary E. Bell—to the Committee on Invalid Pensions.

By Mr. WARNER: Petition of the Alaska Chamber of Commerce, of Juneau, Alaska, for further legislation for the district of Alaska—to the Committee on Revision of the Laws.

By Mr. WILLIAMS of Illinois: Petition of James Mayes Post, No. 480, Grand Army of the Republic, Department of Illinois, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, paper to accompany House bill 12129, for the relief of Minnie M. Rice—to the Committee on Invalid Pensions.

By Mr. WILSON: Resolution of Columbus Lodge, No. 401,

Brooklyn, N. Y., opposing further leave of absence for navy-yard employees—to the Committee on Naval Affairs.

Also, petition of Columbus Lodge, No. 401, Association of Machinists, Brooklyn, N. Y., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. WOODS: Petition of Brewery Workmen's Union No. 6, of Sacramento, Cal., favoring the Chinese-exclusion act—to the Committee on Fereign Affairs.

By Mr. WRIGHT: Resolution of Boiler Makers' Lodge No. 147, Susquehanna, Pa., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. YOUNG: Petition of Newspaper Writers' Union No. 11, of Philadelphia, Pa., favoring the prohibition of immigrants, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

SENATE.

WEDNESDAY, *March 5, 1902.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SCOTT, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. It is approved.

DIRECTOR OF THE UNITED STATES NAVAL OBSERVATORY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy submitting an estimate of appropriation for salary of a director of the United States Naval Observatory, $5,000; which, with the accompanying paper, was referred to the Committee on Naval Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a petition of sundry business firms of Minneapolis, Minn., praying for the retention of the present tax on bucket shops; which was referred to the Committee on Finance.

He also presented petitions of Flour Mill Employees' Local Union No. 8661, of Minneapolis; of Hoisting Engineers' Local Union No. 86, of Minneapolis; of Upholsterers' Local Union No. 23, of Minneapolis; of Steam Engineers' Local Union No. 36, of St. Paul, and of the Bricklayers' Local Union No. 3, of Duluth, all of the American Federation of Labor in the State of Minnesota, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. DOLLIVER presented a petition of sundry citizens of Cherokee, Iowa, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Machinists' Local Union No. 269, American Federation of Labor, of Ottumwa, Iowa, and a petition of Julien Lodge, No. 379, International Association of Machinists, of Dubuque, Iowa, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a petition of the Key City Lodge, No. 106, Brotherhood of Locomotive Firemen, of Dubuque, Iowa, and a petition of Local Union No. 851, United Mine Workers of America, of Marquisville, Iowa, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Zearing, Iowa, praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Waiters' Alliance No. 223, of Des Moines; of Painters' Local Union No. 246, of Des Moines; of Typographical Union No. 68, of Keokuk; of Local Union No. 916, of Hiteman, and of Typographical Union No. 1180, of Des Moines, all of the American Federation of Labor, and of Local Division No. 268, Order of Railroad Conductors, of Marion, all in the State of Iowa, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. GAMBLE presented the petition of F. P. Melvin and 47 other citizens of Avon, S. Dak., and the petition of Charles Heming and 47 other citizens of Spencer, S. Dak., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. SCOTT presented a petition of sundry citizens of Bruceton Mills, W. Va., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Gormania and Stewartstown and of Local Union No 8, American Federation of Labor, of Clarksburg, all in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. DILLINGHAM presented a petition of sundry citizens of Healdville, Vt., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented petitions of Waterson Post, No. 45, of Chelsea, and of A. E. Leavenworth Post, No. 108, of Castleboro, Department of Vermont, Grand Army of the Republic; of Granite Cutters' National Union, of Montpelier; of United Garment Workers' Local Union No. 78, of Newport; of Carpenters and Joiners' Local Union No. 590, of Rutland, and of Painters' Local Union No. 311, of Montpelier, of the American Federation of Labor, all in the State of Vermont, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a petition of Farragut Post, No. 4, Department of California and Nevada, Grand Army of the Republic, of Vallejo, Cal., praying that veterans be given preference in the employment of laborers and mechanics in the navy-yards and arsenals of the country; which was referred to the Committee on Naval Affairs.

Mr. CLARK of Montana presented a petition of 107 citizens of Butte, Mont., praying for the enactment of legislation providing an educational test for immigrants and the exclusion and deportation of alien anarchists, and also for the extension of the Chinese-exclusion act; which was referred to the Committee on Immigration.

Mr. DRYDEN presented petitions of Councils Nos. 114, 244, 81, 77, 85, 209, 242, 264, and 180, of Greenville, Bloomfield, Newmarket, Matawan, Oakhurst, Midvale, Liberty Corner, Hoboken, and Newark, all of the Junior Order of United American Mechanics, in the State of New Jersey, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. KEAN presented a petition of sundry citizens of Lambertsville, N. J., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented the memorial of Miss M. G. Sexton, president of the Woman's Suffrage Association of the State of New Jersey, remonstrating against the management and control of vice by the board of health of Manila, P. I.; which was referred to the Committee on the Philippines.

He also presented a petition of Local Division No. 307, Order of Railway Conductors, of Somerville, N. J., and a petition of Defender Division, No. 312, Order of Railway Conductors, of Weehawken, N. J., praying for the passage of the so-called Foraker-Corliss bill, to amend the safety-appliance law; which were referred to the Committee on Interstate Commerce.

He also presented a petition of Laborers' Protective Union No. 8049, American Federation of Labor, of Long Branch, N. J., and a petition of the National Brewers' Local Union No. 26, American Federation of Labor, of Trenton, N. J., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Haddenfield, Jersey City, and Basking Ridge, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of Defender Division, No. 312, Order of Railway Conductors, of Weehawken; of International Association of Machinists, Local Union No. 188, of Paterson; of Granite Workers' Local Union No. 91, of Morristown; of Brewers' Local Union No. 26, of Trenton; of Typographical Union No. 235, of Rahway; of the Central Labor Union of Hudson County; of Piano and Organ Makers' International Union No. 32, of Jersey City, and Bricklayers, Masons, and Plasterers' Local Union No. 33, of Atlantic City, all of the American Federation of Labor; of Lumberton Council, No. 13, of Lumberton; of Warren Council, No. 16, of Washington; of Local Council No. 49, of Tabernacle, and of Hollywood Council, No. 29, of Long Branch, all of the Junior Order of United American Mechanics, and of 22 citizens of New Jersey, all in the State of New Jersey, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. CULLOM presented petitions of Steam Engineers' Local

Union No. 85, of Chicago; of Bartenders' Local Union No. 251, of Centralia; of Iron Molders' Local Union No. 304, of Galesburg; of Brotherhood of Painters and Decorators' Local Union No. 124, of Centralia; of Boot and Shoe Workers' Local Union No. 124, of Centralia; of Miners' Tool Workers' Local Union No. 9063, of Centralia; of Brotherhood of Painters and Decorators' Local Union of Galesburg, and of Cigar Makers' Local Union No. 247, all in the State of Illinois, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FORAKER presented petitions of Marion Grange, No. 302, of Delphos; of Buckeye Grange, No. 117, of Navarre; of Farmers' Institute, of Lucas County, and of Pomona Grange, No. 48, of Ira, all of the Patrons of Husbandry, in the State of Ohio, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of 20 citizens of Harrisburg, 41 citizens of Carrollton, of the congregations of the Methodist Episcopal Church of Cadiz, of the First Presbyterian Church of Cadiz, the United Presbyterian Church of Cadiz, the Olivet Presbyterian Church of Columbus, and of the Christian Endeavor Society of the Fifth Avenue Presbyterian Church of Columbus, all in the State of Ohio, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of West Union Association, No. 396, Patrons of Industry, of Chandlersville, and of the Ohio State Grange, Patrons of Husbandry, of Tippecanoe City, in the State of Ohio, praying for the enactment of legislation providing for the election of United States Senators by direct vote of the people; which were referred to the Committee on Privileges and Elections.

He also presented petitions of the congregations of the United Presbyterian Church, the First Presbyterian Church, and the Methodist Episcopal Church, of Cadiz, in the State of Ohio, praying for the enactment of legislation to prohibit the official regulation of vice and of the liquor traffic in the Philippine Islands; which were referred to the Committee on the Philippines.

He also presented petitions of Lodge No. 84, International Association of Allied Metal Mechanics, of Zanesville, and of Typographical Union No. 3, of Cincinnati, in the State of Ohio, praying for the enactment of legislation to restrict immigration; which were referred to the Committee on Immigration.

He also presented petitions of Journeymen Bakers and Confectioners' International Union of Cleveland; of Mutual Lodge, No. 225, International Association of Machinists, of Dayton; of Local Union No. 628, United Brotherhood of Carpenters and Joiners, of Cincinnati; of Carpenters and Joiners' Local Union No. 245, of Cambridge; of the Central Labor Union, of Youngstown; of Toledo Lodge, No. 105, International Association of Machinists, of Toledo, and of Amalgamated Wood Workers' Local Union No. 130, of Toledo; all of the American Federation of Labor, in the State of Ohio, praying for the repeal of the so-called desert-land act; which were referred to the Committee on Public Lands.

He also presented petitions of American Sheet Metal Workers' Local Union No. 148, of Bellaire; of Amalgamated Association of Iron, Steel, and Tin Workers' Local Union No. 50, of Columbus; of Amalgamated Wood Workers' Local Union No. 36, of Dayton; of Shirt Waist and Laundry Workers' Local Union No. 93, of Findlay; of Amalgamated Association of Iron, Steel, and Tin Workers' Local Union No. 36, of Girard; of Cloth Hat and Cap Makers' Local Union No. 9181, of Columbus; of National Brotherhood of Operative Potters' Local Union No. 7, of Tiffin; of Stock Inspectors, Gaugers, and Keepers' Local Union No. 39, of Dayton; of Local Union No. 96, Cigar Makers' International Union of America, of Akron; of Local Union No. 173, Cigar Makers' International Union of America, of Zanesville; of Local Union No. 27, Glass Bottle Blowers' Association, of Reading; of United Mine Workers' of America, District 6, of Mineral City; of Cigar Makers' Local Union No. 48, of Toledo; of Blacksmiths' Local Union No. 207, of Chillicothe; of Lewis Avon Local Union, No. 34, of Martins Ferry; of Chain Makers' Local Union No. 14, of Zanesville; of Electrical Workers' Local Union No. 97, of Mount Vernon; of Laundry Workers' Local Union No. 1, of Toledo; of Cigar Makers' Local Union No. 35 of Dayton; of Carpenters' Local Union No. 356, of Marietta; of Team Drivers' Local Union No. 326, of Ashtabula; of Piano and Organ Workers' Local Union No. 7, of Cincinnati; of Machinists' Local Union No. 55, of Columbus; of Cigar Makers' Local Union No. 86, of Mansfield; of North Baltimore Local Union No. 43, of North Baltimore; of Clay Makers' Local Union No. 21, of East Liverpool; of Lake Seamen's Local Union of Cleveland; of Carriage and Wagon Workers' Local No. 23, of Cincinnati; of Brotherhood of Boiler Makers and Iron Ship Builders' Local Union No. 135, of Chillicothe; of the Central Trades and Labor Council of Zanesville; of the Labor Council of Ironton; of the Trades and Labor Council of Chillicothe; of Trades and Labor Assembly of Columbus; of the Trades and Labor Assembly of Marietta; of Independent Association of Machinists, Mutual Lodge, No. 225, of Dayton, and of Iron Lodge, No. 60, of Youngstown, all of the American Federation of Labor; of A. G. Wileman Post, No. 212, of Marlboro; of Thoburn Post, No. 72, of Martins Ferry; of Welker Post, No. 266, of Arlington; of Hecker Post, No. 638, of Cincinnati; of James Young Post, No. 376, of Burbank, of the Department of Ohio, Grand Army of the Republic; of 35 citizens of Antiquity; 35 citizens of South Charleston; 50 citizens of Montgomery County; 30 citizens of Westwood, Cincinnati, and of 101 citizens of Harrison, all in the State of Ohio, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Mitchel Post, No. 58, of Piqua; of Roberts Post, No. 6721, of Poplar; of Quiggle Post, No. 289, of Swanton; of Lew Fellen Post, No. 194, of Ray; of Ricketts Post, No. 246, of Carroll; of Scioto Post, No. 287, of Harrisonville; of L. M. Tullis Post, No. 123, of Rogers; of J. P. Fyffe Post, No. 210, of Higginsport, all of the Department of Ohio, Grand Army of the Republic; of Retail Clerks' Local Union No. 236, of Massillon; of Amalgamated Association of Tin, Steel, and Tin Plate Workers' Local Union No. 45, of Dresden; of Journeymen Plumbers and Steam Fitters' Local Union No. 87, of Youngstown; of Carpenters and Joiners' Local Union No. 525, of Coshocton; of Local Union No. 221, of Portsmouth; of Lodge No. 55, International Association of Machinists, of Columbus; of Lodge No. 407, International Association of Machinists, of Canton; of Local Union No. 344, International Association of Machinists, of Galion; of National Brotherhood of Operative Potters, Local Union No. 16, of East Liverpool; of Federal Labor Union No. 6876, of Chillicothe; of North Baltimore Local Union, No. 43, of North Baltimore; of Clay Makers' Local Union No. 21, of East Liverpool; of Watch Case Engravers' Local Union No. 3, of Canton; of Coopers' Local Union No. 71, of East Liverpool; of Federal Labor Union No. 8547, of Massillon; of Journeymen Tailors' Local Union No. 155, of Cincinnati; of Boiler Makers and Iron Ship Builders' Local Union No. 49, of Youngstown; of Brewers' Local Union No. 146, of Canton; of Metal Polishers' Local Union No. 48, of Middletown; of Machinists' Local Union No. 225, of Dayton; of Brewers' Local Union No. 138, of Youngstown; of Retail Clerks' Local Union No, 281, of Lisbon; of Hod Carriers' Local Union No. 8803, of East Liverpool; of Musicians' Local Union No. 24, of Akron; of Journeymen Plumbers' Local Union No. 55, of Cleveland; of Carriage Drivers' Local Union No. 270, of Cincinnati; of Typographical Union No. 63, of Toledo; of Local Union No. 98, of Conneaut; of Local Union No. 10, of Massillon, and of National Brotherhood of Boiler Makers and Iron Ship Builders' Local Union No. 18, of Springfield, all of the American Federation of Labor, in the State of Ohio, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. TELLER presented petitions of the congregations of the Cumberland Presbyterian Church and the Methodist Episcopal Church of Sterling, Colo., praying for the adoption of an amendment to the Constitution to prohibit polygamy, and also for the enactment of legislation restricting vice and the sale of intoxicating liquors in the Philippine Islands; which were referred to the Committee on the Judiciary.

He also presented petitions of Engineers' Local Union No. 1, of Denver; of McAllister Local Union, No. 21, of Pueblo; of Bakers' Local Union No. 26, of Denver, and of Ceramic, Mosaic, and Encaustic Tile Layers' Local Union No. 28, of Denver, all in the State of Colorado, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Larimer County, Colo., praying for the retention of the present duty on raw sugars; which was referred to the Committee on Finance.

He also presented resolutions adopted at a meeting of sundry citizens of Denver, Colo., expressing sympathy for the people of the South African Republic and the Orange Free State; which were referred to the Committee on Foreign Relations.

Mr. ELKINS presented petitions of sundry citizens of Antioch, Wadestown, and Springgap, all in the State of West Virginia, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of the board of directors of the West Virginia State penitentiary, of Moundsville, W. Va., praying for the enactment of legislation to restrict the interstate transportation of prison-made products; which was referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Davis, Reedy, St. Albans, Tyrconnell Mines, and Whiteday, all in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. McCOMAS presented a petition of sundry citizens of Baltimore, Md., praying for the repeal of the stamp-tax law on wines; which was referred to the Committee on Finance.

He also presented a memorial of the Lithographers' International Protective and Beneficial Association, of Baltimore, Md., remonstrating against the enactment of legislation providing for the printing of lithographs from plates or drawings on stone, made within the United States or from transfers made therefrom; which was referred to the Committee on Patents.

He also presented a petition of Altamont Lodge, No. 448, Brotherhood of Locomotive Firemen, of Cumberland, Md., and a petition of Tom Wolfkill Division, No. 437, Brotherhood of Locomotive Engineers, of Cumberland, Md., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented petitions of Journeymen Horseshoers' Local Union No. 2, of Baltimore; of Potomac Lodge No. 2, of Cumberland; of the Independent Trades Council, of Cumberland, and of Iron Molders' Local Union No. 19, of Baltimore, all of the American Federation of Labor, in the State of Maryland, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a memorial of sundry citizens of Baltimore, Md., remonstrating against the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented petitions of Local Division No. 337, Order of Railway Conductors of America, of Baltimore; of Glass Bottle Blowers' Local Union No. 9, of Baltimore; of Granite Cutters' Local Union, of Granite, and of Pants Makers' Local Union No. 114, of Baltimore, all of the American Federation of Labor; of sundry citizens of Baltimore, Williamsport, and Caroline County, all in the State of Maryland, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. HOAR presented a petition of sundry citizens of Enfield, Mass., and a petition of sundry citizens of Southampton, Mass., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Alanson Hamilton Post No. 160, Department of Massachusetts, Grand Army of the Republic, of West Brookfield, Mass., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of Bricklayers and Masons' Local Union No. 4, American Federation of Labor, of Northampton, Mass., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. GALLINGER presented a petition of sundry citizens of Francestown, N. H., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Hinsdale, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Granite Cutters' Local Union, American Federation of Labor, of Redstone, N. H., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of the Merchants' Exchange and Board of Trade of Portland, Me., praying for the enactment of legislation providing for the appointment of a commission to study trade conditions in China and Japan; which was referred to the Committee on Commerce.

Mr. TILLMAN presented a petition of Palmetto Division, No. 208, Order of Railway Conductors, of Charleston, S. C., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. FRYE presented petitions of the Granite Cutters' Local Union, of St. George, Me., and of Local Division No. 2, Order of Railroad Telegraphers, of St. Louis, Mo., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

HALL OF RECORDS.

Mr. FAIRBANKS. Mr. President, I present a communication from the Secretary of the Treasury, and ask that it be printed as a Senate document. It is with reference to the construction of a hall of records in the District of Columbia. The letter of the Secretary goes into the history of efforts made for the construction of such a building, and shows the urgent necessity of it.

I have heretofore on one or two occasions directed the attention of the Senate to this very important matter. I know nothing connected with the public service that is more necessary and more urgent than this very subject of a hall of records. The letter of the Secretary of the Treasury and the accompanying papers are comparatively brief. It is a subject upon which Congress should be well advised, and I ask that the communication and accompanying papers may be printed as a Senate document.

The PRESIDENT pro tempore. Is there objection to the request made by the Senator from Indiana? The Chair hears none, and it is the order of the Senate.

REPORTS OF COMMITTEES.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 167) for the relief of John L. Smithmeyer and Paul J. Pelz, reported it without amendment, and submitted a report thereon.

Mr. MARTIN, from the Committee on Claims, to whom was referred the bill (H. R. 9280) for the relief of Hugh C. Preston, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Claims, to whom was referred the bill (S. 1475) for the relief of Jean Louis Legare, of the Dominion of Canada, reported it without amendment, and submitted a report thereon.

Mr. CULLOM. I am directed by the Committee on Foreign Relations, to whom was referred the bill (S. 223) to remodel the consular service of the United States, to report it back and ask that the committee be discharged from its further consideration for the reason that a similar bill has been considered by the Committee on Foreign Relations and reported to the Senate.

The PRESIDENT pro tempore. The bill will be indefinitely postponed.

Mr. CULLOM, from the Committee on Foreign Relations, to whom was referred the amendment submitted by Mr. PROCTOR on the 4th instant, proposing to make the salary of the consul at Moscow, Russia, $2,000, intended to be proposed by him to the diplomatic and consular appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon;

A bill (H. R. 9383) granting a pension to Narcissa Tait; and

A bill (H. R. 597) granting a pension to Adella C. Chandler.

Mr. TELLER, from the Committee on Claims, to whom was referred the bill (S. 1308) for the relief of Mrs. Julia L. Hall, reported it without amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 1809) to remove the charge of desertion now standing against Charles G. Brigham, reported it with an amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (H. R. 7997) granting an increase of pension to Henry Burns, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8493) granting a pension to Harry H. Sieg, reported it with an amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 7432) granting a pension to Charles A. Sheafe, reported it without amendment, and submitted a report thereon.

Mr. WARREN. I am directed by the Committee on Claims, to whom was referred the bill (S. 91) for the relief of the trustees of Carson-Newman College, at Mossycreek, Tenn., to report it adversely, and I ask that it be indefinitely postponed. A similar bill has already passed.

The PRESIDENT pro tempore. The bill will be indefinitely postponed.

Mr. BATE. May I ask why the bill is to be indefinitely postponed?

Mr. WARREN. A similar bill has already passed and become a law.

Mr. BATE. Oh, yes; I understand. That is satisfactory.

WILLIAM C. MARR.

Mr. WARREN. I am directed by the Committee on Claims, to whom was referred the bill (H. R. 3830) for the relief of William C. Marr, to report it favorably without amendment. As the bill has but six lines, carries but $25, is payment for labor to a poor man who needs it, and is a House bill, I ask for its immediate consideration.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

It proposes to pay to William C. Marr, of Popham Beach, Sagadahoc County, Me., $25, for his services as first assistant keeper of Seguin Island light, Maine, during the month of July, A. D. 1866.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ESTATES OF ELAM D. TALBOTT AND CARTER B. BUTLER.

Mr. WARREN, from the Committee on Claims, to whom were referred the bill (S. 2780) for the relief of the estate of Elam D. Talbott, deceased, and the bill (S. 3870) to refer the war claim of the estate of Carter B. Butler, deceased, to the Court of Claims, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bills (S. 2780) and (S. 3870) entitled "A bill for the relief of the estate of Elam D. Talbott, deceased," and "A bill to refer the war claim of the estate of Carter B. Butler, deceased, to the Court of Claims," now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887; and the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

COLUMBIA BRIDGE, PENNSYLVANIA.

Mr. KEAN, from the Committee on Claims, to whom was referred the bill (S. 2797) for the relief of the legal owners of the Columbia bridge, at Columbia, Pa., reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 2797) entitled "A bill for the relief of the legal owners of the Columbia bridge, at Columbia, Pa.," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

BILLS INTRODUCED.

Mr. BERRY introduced a bill (S. 4324) to correct the military record of John W. Bruce; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 4325) for the relief of Erastus S. Joslyn; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. ELKINS introduced a bill (S. 4326) granting a pension to N. A. Mann; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4327) granting a pension to John Canty; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4328) for the relief of the late Andrew S. Core; which was read twice by its title, and referred to the Committee on Claims.

Mr. MONEY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4329) for the relief of the estate of Charlotte G. Robertson, deceased;

A bill (S. 4330) for the relief of B. V. McGuffee, sr.; and

A bill (S. 4331) for the relief of the estate of Thomas Jarrell, deceased.

Mr. COCKRELL introduced a bill (S. 4332) granting an increase of pension to Mary Heddleson; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for increase of pension of Mary Heddleson, widow of John M. Heddleson, Company B, Third Regiment Kentucky Volunteers, Mexican war, with affidavit of L. W. Putnam and J. W. Cox and of Dr. E. E. Gilmore. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. KEAN introduced a bill (S. 4333) providing for the repair and rebuilding of the road from Harrisonville, N. J., to the post at Fort Mott, N. J., and the National Cemetery at Finns Point, N. J.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McCOMAS introduced a bill (S. 4334) for the relief of Samuel B. Marts; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4335) granting an increase of pension to John Brown; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 4336) for the relief of certain officers of the Marine Corps of the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HOAR introduced a bill (S. 4337) granting an increase of pension to Elizabeth Thompson; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO BILLS.

Mr. NELSON submitted an amendment providing for the payment to Theodore B. Beaulieu of $200.14, with interest at the rate of 5 per cent per annum from October 22, 1880, to date of payment, in settlement of his claim as assistant miller in the Government gristmill on the White Earth Indian Reservation, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes; which was referred to the Committee on the Philippines, and ordered to be printed.

IRRIGATION INVESTIGATIONS IN CALIFORNIA.

Mr. PERKINS submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,200 additional copies of the bulletin entitled "Irrigation Investigations in California, Bulletin No. 100, United States Department of Agriculture, Office of Experiment Stations, 1901," of which 3,000 copies shall be for the use of the Department of Agriculture and 200 copies for the use of the Senate.

COMPILATION OF LAWS AGAINST TREASON, SEDITION, ETC.

Mr. FORAKER. I submit a resolution, and ask for its immediate consideration.

The resolution was read, as follows:

Resolved, That 6,000 copies of Senate Document No. 173, first session Fifty-seventh Congress, being a compilation of laws against treason, sedition, etc., be printed, with corrections, of which 2,000 copies shall be for the use of the Senate, 3,000 for the House of Representatives, and 1,000 for the War Department.

The PRESIDENT pro tempore. Has the Senator from Ohio any idea of the cost?

Mr. FORAKER. Only $118, as estimated by the Printer.

The resolution was considered by unanimous consent, and agreed to.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. CULLOM. I ask the Senate to proceed to the consideration of the bill (H. R. 10847) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1903, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. CULLOM. I ask that the formal reading of the bill be dispensed with, and that as the Secretary reads the bill the committee amendments may be considered.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall first receive consideration. Is there objection? The Chair hears none, and it is so ordered. The bill will be read.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the subhead "Senate," on page 2, line 16, after the word "dollars," to strike out "chief clerk and financial clerk at $3,000 each" and insert "chief clerk, $3,250; financial clerk, $3,000;" in line 20, before the word "dollars," to strike out "five hundred" and insert "seven hundred and fifty;" in line 24, before the word "dollars," to strike out "five hundred and ninety-two" and insert "seven hundred and fifty;" on page 3, line 2, before the word "librarian," to strike out "assistant financial clerk, and reading clerk, at $2,400 each" and insert "reading clerk, $2,500; assistant financial clerk, $2,400;" in line 9, after the word "thousand," to strike out $102.40" and insert "$220;" in line 16, before "laborers," to strike out "five" and insert "six;" and in line 17, after the word "all," to strike out "$67,674.40" and insert "$69,586;" so as to make the clause read:

Office of Secretary: For Secretary of the Senate, including compensation as disbursing officer of the contingent fund of the Senate, $5,000, and for compensation as disbursing officer of salaries of Senators, $396; hire of horse and wagon for the Secretary's office, $700; chief clerk, $3,250; financial clerk, $3,000, and $750 additional for the financial clerk while the office is held by the present incumbent; principal clerk, minute and journal clerk, and enrolling clerk, at $2,750 each; reading clerk, $2,500; assistant financial clerk, $2,400; librarian, $2,220, and $280 additional while the office is held by the present incumbent; assistant librarian, $1,800; messenger, acting as assistant librarian, $1,600; 6 clerks, at $2,220 each; 5 clerks, at $2,100 each; keeper of stationery, $2,220; assistant keeper of stationery, $1,800; assistant in stationery room, $1,000, and $200 additional while the office is held by the present incumbent; 2 messengers, at $1,440 each; assistant messenger, $1,200; 6 laborers, at $720 each; in all, $69,586.

The amendment was agreed to.

The next amendment was, on page 5, line 25, after the word "Indians," to insert "improvement of the Mississippi River and its tributaries," and in line 7, before the word "dollars," to strike out "twenty-two thousand three hundred and twenty" and insert

"twenty-four thousand five hundred and forty;" so as to make the clause read:

Clerks and messengers to committees: For clerk of printing records, $2,220; clerk to the Committee on Appropriations, $3,000; assistant clerk, $2,220; messenger, to be appointed by the committee, $1,440; clerk and stenographer to the Committee on Finance, $2,500; messenger, $1,440; clerk to the Committee on Claims, $2,220; assistant clerk, $1,440; messenger, $1,440; clerk to the Committee on Commerce, $2,220; assistant clerk, $1,440; clerk to the Committee on Pensions, $2,220; 2 assistant clerks, at $1,440 each; messenger, $1,440; clerk to the Committee on the Judiciary, $2,220; messenger, $1,440; clerk to the Committee on Military Affairs, $2,220; assistant clerk, $1,440; messenger, $1,440; clerk to the Committee on Post-Offices and Post-Roads, $2,220; messenger, $1,440; clerk to the Committee on the District of Columbia, $2,220; messenger, $1,440; clerk to the Committee on Foreign Relations, $2,220; messenger, $1,440; clerk to the Committee on Engrossed Bills, $2,220; messenger, $1,440; clerk to the Joint Committee on the Library, $2,220; clerks to the committees on Naval Affairs, Census, Public Lands, Indian Affairs, to Audit and Control the Contingent Expenses of the Senate, Public Buildings and Grounds, Agriculture and Forestry, Education and Labor, Territories, Interstate Commerce, Public Health and National Quarantine, Private Land Claims, Patents, Coast Defenses, Privileges and Elections, Additional Accommodations for the Library of Congress, Rules, Civil Service and Retrenchment, Enrolled Bills, Geological Survey, Railroads, Pacific Railroads, Pacific Islands and Porto Rico, Philippines, Relations with Cuba, Interoceanic Canals, Transportation and Sale of Meat Products, Five Civilized Tribes of Indians, Improvement of the Mississippi River and its Tributaries, and clerk to conference minority of the Senate, at $2,220 each; clerks to the committees on Woman Suffrage, and Mines and Mining, at $2,100 each; in all, $124,540.

The amendment was agreed to.

The next amendment was, on page 6, line 8, to reduce the number of clerks to committees of the Senate from 21 to 20, and in line 10, to reduce the total appropriation of salaries for clerks to committees of the Senate from $37,800 to $36,000.

The amendment was agreed to.

The next amendment was, on page 6, line 21, after the word "each," to strike out "assistant messenger on the floor of the Senate, $1,440," and insert "2 assistant messengers on the floor of the Senate, at $1,440 each;" in line 25, after the word "room," to insert "to be selected by the official reporters;" on page 7, line 12, before the word "dollars," to strike out "six hundred" and insert "seven hundred and twenty;" in line 13, after the word "each," to insert "24 laborers, at $900 each;" in line 14, before the word "laborers," to strike out "fifty-three" and insert "twenty-nine," and in line 20, before the word "dollars," to strike out "forty-seven thousand nine hundred and four" and insert "fifty-three thousand seven hundred and eighty-four;" so as to make the clause read:

Office of Sergeant-at Arms and Doorkeeper: For Sergeant-at-Arms and Dookeeper, $4,500; horse and wagon for his use, $420, or so much thereof as may be necessary; for clerk to Sergeant-at-Arms, $2,000; assistant doorkeeper, $2,592; acting assistant doorkeeper, $2,592; 3 messengers, acting as assistant doorkeepers, at $1,800 each; 47 messengers, at $1,440 each; 2 assistant messengers on the floor of the Senate, at $1,440 each; messenger to official reporters' room, to be selected by the official reporters, $1,440; messenger in charge of storeroom, $1,440; upholsterer and locksmith, $1,440; 2 carpenters to assist him, at $960 each; skilled laborer, $1,000; 2 janitors, at $900 each; laborer in charge of private passage, $840; 2 female attendants in charge of ladies' retiring room, at $720 each; 2 telephone operators, at $720 each; telephone page, $900; press gallery page, $720; 4 laborers, at $840 each; 24 laborers, at $900 each; 29 laborers, at $720 each; 16 pages for the Senate Chamber, at the rate of $2.50 per day each during the session, $4,840; in all, $153,784.

The amendment was agreed to.

The next amendment was, on page 9, in line 15, in the items for contingent expenses of the Senate, to increase the appropriation for fuel, oil, and cotton waste, and advertising for the heating apparatus, exclusive of labor, from $15,000 to $20,000.

The amendment was agreed to.

The next amendment was, on page 9, line 23, to increase the appropriation for miscellaneous items, exclusive of labor, from $50,000 to $100,000.

The amendment was agreed to.

The next amendment was, on page 10, line 2, to reduce the appropriation for miscellaneous items on account of the Maltby Building from $16,840 to $16,040.

The amendment was agreed to.

The next amendment was, on page 14, line 9, before the word "shall," to strike out "Architect of the Capitol" and insert "Superintendent of the Capitol Building and Grounds;" and in line 15, after the word "the," to strike out "Architect" and insert "said Superintendent;" so as to make the clause read:

Hereafter the Superintendent of the Capitol Building and Grounds shall supervise and direct the care and repair of all furniture in the Hall, cloakrooms, lobby, committee rooms, and offices of the House, and all furniture hereafter required for the House of Representatives or for any of its committee rooms or offices shall be procured on designs and specifications made or approved by the said Superintendent.

The amendment was agreed to.

The next amendment was, in the items for House of Representatives, on page 15, line 5, after the word "Harbors," to insert "Revision of the Laws," and in line 22, before the word "thousand," to strike out "seventy-six" and insert "seventy-eight;" so as to make the clause read:

Clerks and messengers to committees: For clerk to the Committee on Ways and Means, $3,000; assistant clerk and stenographer, $2,000; messenger, $1,200; janitor, $720; clerk to the Committee on Appropriations, $3,000; assistant clerk and stenographer, $2,000; messenger and assistant clerk $1,200; janitor, $720; clerks to Committees on Accounts, Agriculture, Banking and Currency, Claims, District of Columbia, Elections, Foreign Affairs, Interstate and Foreign Commerce, Indian Affairs, Insular Affairs, Invalid Pensions, Judiciary, Merchant Marine and Fisheries, Military Affairs, Naval Affairs, Pensions, Post-Office and Post-Roads, Printing, Public Buildings and Grounds, Public Lands, Rivers and Harbors, Revision of the Laws, War Claims, and clerk to continue Digest of Claims under resolution of March 7, 1888, at $2,000 each; and for assistant clerk to the Committee on War Claims, $1,200; for janitors for rooms of the Committee on Accounts, Agriculture, Banking and Currency, Claims, District of Columbia, Elections, Foreign Affairs, Interstate and Foreign Commerce, Indian Affairs, Insular Affairs, Invalid Pensions, Judiciary, Merchant Marine and Fisheries, Military Affairs, Naval Affairs, Post-Office and Post-Roads, Pensions, Printing, Public Buildings and Grounds, Public Lands, Rivers and Harbors, and War Claims, at $720 each, and said janitors shall be appointed by the chairmen respectively of said committees and shall perform all of the duties heretofore required of messengers detailed to said committees by the Doorkeeper; in all, $78,880.

The amendment was agreed to.

The next amendment was, on page 16, line 3, to reduce the number of clerks to committees in the House of Representatives from 16 to 15, and in line 5, to reduce the appropriation for salaries of clerks to committees in the House of Representatives from $11,616 to $10,890.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Public Printer," on page 22, line 23, after the word "dollars," to strike out "two clerks of class 4" and insert "clerk in charge of CONGRESSIONAL RECORD at Capitol, $2,000; clerk of class 4;" and on page 23, line 2, before the word "hundred," to strike out "four" and insert "six;" so as to make the clause read:

For Public Printer, $4,500; chief clerk, $2,750; clerk in charge of CONGRESSIONAL RECORD at Capitol, $2,000; clerk of class 4; 2 clerks of class 3; 1 clerk of class 2; in all, $15,650.

The amendment was agreed to.

The next amendment was, under the subhead "Library of Congress," on page 23, line 22, before the word "dollars," to strike out "two hundred and fifty" and insert "five hundred," and on page 24, line 4, before the word "dollars," to strike out "five hundred and thirty" and insert "seven hundred and eighty;" so as to make the clause read:

Order (purchasing): For chief of division, $2,500; 1 assistant, $1,500; 1 assistant, $1,200; 3 assistants, at $900 each; 2 assistants, at $720 each; 2 assistants, at $600 each; 1 assistant, $520; and 2 messenger boys, at $360 each; in all, $11,780.

The amendment was agreed to.

The next amendment was, on page 24, line 24, in the items for Library of Congress, before the word "hundred," to strike out "two" and insert "five," and on page 25, line 3, before the word "hundred" to strike out "five" and insert "eight;" so as to make the clause read:

Bibliography: For chief of division, $2,500; 1 assistant, $1,500; 2 assistants, at $900 each; 1 assistant, $720; and 1 messenger boy, $360; in all, $6,880.

The amendment was agreed to.

The next amendment was, on page 26, line 9, in the items for Library of Congress, before the word "hundred," to strike out "two" and insert "five," and in line 12, before the word "hundred," to strike out "two" and insert "five;" so as to make the clause read:

Documents: For chief of division, $3,000; 1 assistant, $1,500; 1 assistant, $720; 1 messenger, $360; in all, $5,580.

The amendment was agreed to.

The next amendment was, on page 26, line 14, in the items for Library of Congress, before the word "hundred," to strike out "two" and insert "five," and in line 17, before the word "hundred," to strike out "four" and insert "seven;" so as to make the clause read:

Manuscript: For chief of division, $3,000; 1 assistant, $1,500; 1 assistant, $900; 1 messenger boy, $360; in all, $5,760.

The amendment was agreed to.

The next amendment was, on page 26, line 20, before the word "hundred," to strike out "two" and insert "five;" and in line 23, before the word "hundred," to strike out "five" and insert "eight;" so as to make the clause read:

Maps and charts: For chief of division, $2,500; 1 assistant, $1,500; 2 assistants, at $900 each; 1 assistant, $720; 1 messenger boy, $360; in all, $6,880.

The amendment was agreed to.

The next amendment was, on page 26, line 25, before the word "dollars," to strike out "one thousand five hundred" and insert "two thousand;" on page 27, line 1, before the word "hundred," to strike out "two" and insert "five;" and in line 4, before the word "hundred," to strike out "five thousand five" and insert "six thousand three;" so as to make the clause read:

Music: For chief of division, $2,000; 1 assistant, $1,500; 1 assistant, $1,000; 2 assistants, at $720 each; 1 messenger boy, $360; in all, $3,300.

The amendment was agreed to.

The next amendment was, on page 27, line 5, after the word "dollars," to insert "one assistant, $1,500;" in line 7, before the word "assistants," to strike out "three" and insert "two;" and

in line 8, after the word "thousand," to insert "six hundred;" so as to make the clause read:

Prints: For chief of division, $2,000; 1 assistant, $1,500; 2 assistants, at $900 each; 1 messenger, $960; in all, $5,660.

The amendment was agreed to.

The next amendment was, on page 27, line 11, before the word "hundred," to strike out "two" and insert "five;" and in line 14, before the word "and," to strike out "three thousand seven hundred" and insert "four thousand;" so as to make the clause read:

Smithsonian deposit: For custodian, $1,500; 1 assistant, $1,500; 1 messenger, $720; one messenger boy, $360; in all, $4,080.

The amendment was agreed to.

The next amendment was, on page 28, line 1, before the word "hundred," to strike out "two" and insert "five," and in line 2, before the word "hundred," to strike out "four" and insert "seven;" so as to make the clause read:

Law Library: For custodian, $2,500; 2 assistants, at $1,400 each; 1 messenger, $900; 1 assistant for evening service, $1,500; in all, $7,700.

The amendment was agreed to.

The next amendment was, on page 29, line 2, after the word "Librarian," to strike out "ten thousand dollars;" so as to make the clause read:

To enable the Library of Congress to be kept open for reference use from 2 until 10 o'clock post meridian on Sundays, $10,000, or so much thereof as may be necessary, for the extra services of employees and the services of additional employees under the Librarian.

The amendment was agreed to.

The next amendment was, on page 29, line 7, before the word "thousand," to strike out "sixty" and insert "one hundred," and in line 8, after the word "dollars," to insert "to continue available until expended;" so as to make the clause read:

Increase of Library of Congress: For purchase of books for the Library, and for freight, commissions, and traveling expenses incidental to the acquisition of books by purchase, gift, or exchange, $100,000, to continue available until expended.

The amendment was agreed to.

The next amendment was, on page 29, line 11, after the word "dollars," to insert "to continue available until expended;" so as to make the clause read:

For purchase of books and for periodicals for the law library, under the direction of the Chief Justice, $3,000, to continue available until expended.

The amendment was agreed to.

The next amendment was, on page 29, line 20, after the word "dollars," to insert "to continue available until expended;" so as to make the clause read:

For miscellaneous periodicals and newspapers, $5,000, to continue available until expended.

The amendment was agreed to.

The next amendment was, on page 29, line 21, to increase the total appropriation for the Library of Congress from $71,300 to $111,300.

The amendment was agreed to.

The next amendment was, on page 31, line 10, to increase the appropriation for fuel, lights, repairs, miscellaneous supplies, etc., for the Library building and grounds from $27,500 to $30,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of State," on page 34, line 10, before the word "dollars," to strike out "two hundred and fifty" and insert "four hundred;" in the same line, before the word "dollars," to insert "three private secretaries, one to each Assistant Secretary, at $1,800 each;" in line 12, before the word "clerks," to strike out "ten" and insert "twelve;" in line 13, before the word "clerks," to strike out "four" and insert "six;" in line 16, after the word "each," to insert "chief messenger, $1,000;" in line 17, before the word "messengers," to strike out "three" and insert "two;" and in line 22, before the word "dollars," to strike out "fifty-two thousand four hundred and ninety" and insert "sixty-five thousand;" so as to make the clause read:

For compensation of the Secretary of State, $8,000; Assistant Secretary, $4,500; Second and Third Assistant Secretaries, at $4,500 each; chief clerk, $3,000; assistant solicitor of the Department of State, to be appointed by the Secretary of State, $2,500; law clerk, to be selected and appointed by the Secretary of State, to edit the laws of Congress and perform such other duties as he may require of him, $2,500; 7 chiefs of bureaus and 2 translators, at $2,100 each; additional to Chief of Bureau of Accounts as disbursing clerk, $200; private secretary to the Secretary, $2,400; 3 private secretaries, one to each Assistant Secretary, at $1,800 each; 12 clerks of class 4; 6 clerks of class 3; 12 clerks of class 2; 25 clerks of class 1, one of whom is to be a telegraph operator; 5 clerks, at $1,000 each; 10 clerks, at $900 each; chief messenger, $1,000; 2 messengers; 15 assistant messengers; packer, $720; and for temporary typewriters and stenographers, to be selected by the Secretary, $2,000; in all, $165,000.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," on page 35, line 16, before the word "dollars," to strike out "two hundred and fifty" and insert "four hundred;" and, in line 24, before the word "dollars," to strike out "forty-three thousand nine hundred and thirty" and insert "forty-four thousand and eighty;" so as to make the clause read:

Office of the Secretary: For compensation of the Secretary of the Treasury, $8,000; 3 Assistant Secretaries of the Treasury, at $4,500 each; clerk to the Secretary, $2,400; stenographer, $1,800; 3 private secretaries, one to each Assistant Secretary, at $1,800 each; Government actuary, under control of the Treasury, $2,000; 1 clerk of class 2; 2 clerks of class 1; 1 clerk, $1,000; 4 messengers; 3 assistant messengers, and 1 laborer; in all $44,080.

The amendment was agreed to.

The next amendment was, on page 36, line 16, to increase the appropriation for telephone operator and assistant telegraph operator in the office of chief clerk and superintendent of the Treasury Department from $1,000 to $1,200; and on page 37, line 17, to increase the total appropriation for the office of chief clerk and superintendent, Treasury Department, from $180,960 to $181,160.

The amendment was agreed to.

The next amendment was, on page 40, line 1, before the word "dollars," to insert "four hundred;" in line 5, after the word "thousand," to insert "four hundred;" and in line 6, after the word "dollars," to insert the following proviso:

Provided, That First Lieut. David H. Jarvis, Revenue-Cutter Service, be authorized to accept the appointment of collector of customs for the district of Alaska, to which he has been nominated and confirmed, and to qualify thereunder, and that by so doing he shall not vacate his commission as an officer in the Revenue-Cutter Service, but shall not receive his salary as such while serving as collector of customs in and for the district named.

So as to make the clause read:

Division of Revenue-Cutter Service: For assistant chief of division, $2,400; 1 clerk of class 4; 4 clerks of class 3; 2 clerks of class 2; 3 clerks of class 1; 2 clerks, at $1,000 each; 2 clerks, at $900 each, and 1 laborer; in all, $21,460: *Provided*, That First Lieut. David H. Jarvis, Revenue-Cutter Service, be authorized to accept the appointment of collector of customs for the district of Alaska, to which he has been nominated and confirmed, and to qualify thereunder, and that by so doing he shall not vacate his commission as an officer in the Revenue-Cutter Service, but shall not receive his salary as such while serving as collector of customs in and for the district named.

The amendment was agreed to.

The next amendment was, on page 41, line 23, after the word "four," to strike out "1 clerk of class 2" and insert "2 clerks of class 2;" in line 24, before the word "of," to strike out "2 clerks" and insert "1 clerk," and in line 25, before the word "hundred," to strike out "four" and insert "six;" so as to make the clause read:

Offices of disbursing clerks: For 2 disbursing clerks, at $2,500 each; 2 clerks of class 4; 2 clerks of class 2; 1 clerk of class 1; 1 clerk, $1,000; in all, $13,600.

The amendment was agreed to.

The next amendment was, on page 45, line 8, before the word "clerks," to strike out "two" and insert "four;" in the same line, before the word "clerks," to strike out "six" and insert "eight," and in line 13, before the word "hundred," to strike out "sixty-eight thousand nine" and insert "seventy-five thousand three;" so as to make the clause read:

Office of Auditor for Navy Department: For Auditor, $4,000; Deputy Auditor, $2,500; law clerk, $2,000; 3 chiefs of division, at $2,000 each; 4 clerks of class 4; 10 clerks of class 3; 8 clerks of class 2; 11 clerks of class 1; 6 clerks, at $1,000 each; 4 clerks, at $900 each; 1 clerk, $800; 1 messenger; 1 assistant messenger; and 2 laborers; in all, $75,380.

The amendment was agreed to.

The next amendment was, on page 46, line 22, before the word "hundred," to strike out "two" and insert "four;" on page 47, line 3, before the word "male," to strike out "ninety" and insert "twenty-five;" in line 4, after the word "each," to insert "sixty-five skilled laborers at $660 each;" and in line 7, before the word "hundred," to strike out "one," and insert "three;" so as to make the clause read:

Office of Auditor for Post-Office Department: For Auditor, $4,000; 2 Deputy Auditors, at $2,500 each; chief clerk, $2,000; law clerk, $2,000; 7 chiefs of division, at $2,000 each; 28 clerks of class 4; additional to 1 clerk as disbursing clerk, $400; 60 clerks of class 3; 81 clerks of class 2; 103 clerks of class 1; 87 clerks, at $1,000 each; skilled laborer, $1,000; 71 clerks, at $900 each; 25 skilled laborers, at $720 each; 6 messengers; 12 assistant messengers; 25 male laborers, at $660 each; 65 skilled laborers, at $660 each; 3 female laborers, at $660 each; and 15 charwomen; in all, $659,360.

The amendment was agreed to.

The next amendment was, on page 47, line 17, before the word "dollars," to insert "two hundred and fifty;" on page 48, line 2, before the word "clerks," to strike out "sixty-four" and insert "sixty-three;" in line 11, after the word "dollars," to insert "machinist, $900;" and in line 14, before the word "dollars," to strike out "eighty-two thousand nine hundred and sixty" and insert "eighty-three thousand two hundred and ten;" so as to make the clause read:

Office of the Treasurer: For Treasurer of the United States, $6,000; Assistant Treasurer, $3,600; Deputy Assistant Treasurer, $3,200; cashier, $3,600; assistant cashier, $3,000; chief clerk, $2,500; 7 chiefs of division, at $2,500 each; assistant chief of division, $2,250; vault clerk, $2,500; principal bookkeeper, $2,500; assistant bookkeeper, $2,100; 2 tellers, at $2,500 each; 2 assistant tellers, at $2,250 each; clerk for the Treasurer, $1,800; 25 clerks of class 4; 17 clerks of class 3; 14 clerks of class 2; coin clerk, $1,400; 29 clerks of class 1; 17 clerks, at $1,000 each; 63 clerks, at $900 each; 50 expert counters, at $720 each; 9 clerks, at $700 each; mail messenger, $840; 7 messengers; 6 assistant messengers; 30 laborers; 9 charwomen; 12 pressmen, at $1,400 each; 24 separators, at $660 each; 17 feeders, at $660 each; compositor and pressman, $1,400; machinist, $900; in all, $383,210.

The amendment was agreed to.

The next amendment was, on page 51, line 21, to increase the number of clerks of class 3 in the office of the Commissioner of Internal Revenue from 23 to 24; and in line 25, to increase the appropriation for the office of the Commissioner of Internal Revenue from $264,140 to $265,740.

The amendment was agreed to.

The next amendment was, on page 52, line 8, after the word "dollars," to insert "accountant, $2,000;" in line 9, before the word "of," to strike out "two clerks" and insert "one clerk;" and in line 19, before the word "and," to strike out "thirty-nine thousand eight hundred" and insert "forty thousand;" so as to make the clause read:

Light-House Board: For chief clerk, $2,400; accountant, $2,000; 1 clerk of class 4; 2 clerks of class 3; 2 clerks of class 2; 4 clerks of class 1; 2 clerks, at $1,000 each; 10 clerks, at $900 each; 1 clerk, $840; 1 clerk, $720; 2 assistant messengers; laborer; assistant civil engineer, $2,400; draftsman, $1,800; draftsman, $1,560; draftsman, $1,440; draftsman, $1,200; in all, $40,060.

The amendment was agreed to.

The next amendment was, on page 53, line 17, to increase the appropriation for the salary of the accountant in the office of the Director of the Bureau of Engraving and Printing from $2,000 to $2,250; and in line 21, to increase the total appropriation for the office of the Director of the Bureau of Engraving and Printing from $18,200 to $18,450.

The amendment was agreed to.

The next amendment was, on page 54, line 6, to increase the number of clerks of class 1 in the Bureau of Statistics from 10 to 12; in line 7, to increase the number of clerks at $1,000 each from 8 to 10; and in line 11, to increase the total appropriation for the Bureau of Statistics from $58,350 to $62,750.

The amendment was agreed to.

The next amendment was, on page 56, line 10, to increase the appropriation for freight on bullion and coin, by registered mail or otherwise, in the office of the Director of the Mint, from $75,000 to $100,000.

The amendment was agreed to.

The next amendment was, on page 57, line 3, before the word "thousand," to strike out "four" and insert "five;" in line 4, before the word "clerks," to strike out "four" and insert "five;" in line 5, before the word "clerks," to strike out "three" and insert "five;" in the same line, before the word "clerks," where it occurs the second time, to strike out "four" and insert "five;" in line 8, before the word "clerks," to strike out "hospital steward employed as chemist, $1,200; six" and insert "three;" and in line 11, before the word "and," to strike out "thirty-six thousand three hundred" and insert "thirty-nine thousand;" so as to make the clause read:

Office of Supervising Surgeon-General Marine-Hospital Service: For Supervising Surgeon-General, $5,000; chief clerk, $2,000; 2 clerks of class 4; 5 clerks of class 3; 5 clerks of class 2; 5 clerks of class 1; clerk and translator, $1,200; 3 clerks, at $900 each; 1 messenger; 5 laborers, at $540 each; in all $39,040, the same to be paid from the permanent appropriations for the Marine-Hospital Service.

The amendment was agreed to.

The next amendment was, on page 57, line 24, before the word "dollars," to strike out "five hundred" and insert "two hundred and fifty;" on page 58, line 8, before the word "dollars," to strike out "fourteen thousand and sixty" and insert "thirteen thousand eight hundred and ten;" and in line 10, after the words "Federal Reporter," to insert:

And also the cost of those volumes already purchased, and to be purchased during the fiscal year 1902, not to exceed $275.

So as to make the clause read:

Bureau of Immigration: For Commissioner-General of Immigration, $4,000; chief clerk, $2,250; confidential clerk, $1,200; statistician and stenographer, with power to act as immigrant inspector, $1,800; 1 supervising immigrant inspector, to be attached to this Bureau in Washington for special work outside, $1,600; 1 messenger; 1 assistant messenger; 1 clerk of class 2; in all, $13,810, which, together with other expenses of regulating immigration, including the cost of the Federal Reporter, and also the cost of those volumes already purchased, and to be purchased during the fiscal year 1902, not to exceed $275, shall be paid from the permanent appropriation for expenses regulating immigration.

The amendment was agreed to.

The next amendment was, on page 58, line 23, to increase the appropriation for postage required to prepay matter addressed to Postal-Union countries, and for postage for the Treasury Department, from $1,500 to $2,000.

The amendment was agreed to.

The next amendment was, on page 59, line 13, to increase the appropriation for freight, expressage, telegraph, and telephone service in the Treasury Department from $7,000 to $9,000.

The amendment was agreed to.

The next amendment was, on page 59, line 23, to increase the appropriation for the purchase of file holders and file cases in the Treasury Department from $3,000 to $4,000.

The amendment was agreed to.

The next amendment was, under the subhead "Collecting Internal Revenue," on page 62, line 5, before the word "additional," to strike out "ten," and insert "twenty;" so as to make the clause read:

For continuing the additional clerks and other employees in the office of the Commissioner of Internal Revenue and for salaries and expenses of increased force of deputy collectors rendered necessary by the act of June 13, 1898, providing for war expenditures, and for other purposes, and for salaries and expenses of 20 additional agents provided for in section 8, and the 20 additional clerks and agents provided for in section 47 of said act of June 13, 1898, $550,000.

The amendment was agreed to.

The next amendment was, on page 64, line 11, before the word "clerks," to strike out "fifteen" and insert "twenty;" in the same line, after the word "each," to insert "detective and hallman, $1,100;" and in line 16, after the word" all," to strike out "forty-six thousand" and insert "fifty-three thousand one hundred;" so as to make the clause read:

Office of assistant treasurer at Chicago: For assistant treasurer, $5,000; cashier, $2,500; vault clerk, $1,800; paying teller, $1,800; assistant paying teller, $1,500; assorting teller, $1,800; receiving teller, $1,700; clerk, $1,600; bookkeeper, $1,500; three coin, coupon, and currency clerks, at $1,500 each; 20 clerks, at $1,200 each; detective and hallman, $1,100; messenger, $840; stenographer, $720; janitor, $600; and 3 watchmen, at $720 each; in all $53,120.

The amendment was agreed to.

The next amendment was, on page 68, line 8, after the word "dollars," to insert "assorting teller, $1,800;" in line 12, before the word "clerks," to strike out "two" and insert "three;" in line 14, before the word "day," to strike out "two" and insert "three," and in line 18, before the word "hundred," to strike out "twenty-eight thousand four" and insert "thirty-two thousand three;" so as to make the clause read:

Office of assistant treasurer at St. Louis: For assistant treasurer, $4,500; cashier and chief clerk, $2,500; first teller, $2,000; second teller, $1,800; third teller, $1,600; fourth teller, $1,200; assorting teller, $1,800; coin teller, $1,200; bookkeeper, $1,500; 3 assistant bookkeepers and 3 clerks, at $1,200 each; assistant coin teller, stenographer and typewriter, and messenger, at $1,000 each; 3 day watchmen and coin counters, at $900 each; night watchman, $720; and janitor, $600; in all, $32,820.

The amendment was agreed to.

The next amendment was, under the head of "Mints and assay offices," on page 69, line 19, before the word dollars, to strike out "one thousand five hundred" and insert "two thousand;" in the same line, after the word "dollars," to strike out "assistant assayer, at $1,250," and insert "assistant assayer, and 1 clerk, at $1,500 each," and in line 22, before the word "dollars," to strike out "two thousand seven hundred and fifty" and insert "five thousand;" so as to make the clause read:

Mint at Carson, Nev.: For assayer in charge, who shall also perform the duties of melter, $2,000; assistant assayer, and 1 clerk, at $1,500 each; in all, $5,000.

The amendment was agreed to.

The next amendment was, on page 69, line 23, to increase the appropriation for wages of workmen and watchmen at mint at Carson, Nev., from $2,000 to $5,600.

The amendment was agreed to.

The next amendment was, on page 70, line 1, to increase the appropriation for incidental and contingent expenses of the mint at Carson, Nev., from $1,000 to $2,200.

The amendment was agreed to.

The next amendment was, on page 74, line 2, after the word "dollars," to insert "melter, $1,800," and in line 5, before the word "hundred," to strike out "five thousand four" and insert "seven thousand two;" so as to make the clause read:

Assay office at Helena, Mont.: For assayer in charge, $2,250; melter, $1,800; chief clerk, $1,800; clerk, $1,400; in all, $7,250.

The amendment was agreed to.

The next amendment was, on page 76, line 15, to increase the appropriation for contingent expenses for the Territory of Arizona from $500 to $1,000.

The amendment was agreed to.

The next amendment was, on page 77, line 5, to increase the appropriation for contingent expenses of the Territory of New Mexico from $500 to $1,000.

The amendment was agreed to.

The next amendment was, in the appropriation for legislative expenses of Oklahoma, on page 78, line 12, after the word "building," to insert "or any other public building," and in line 16, after the word "districts," to insert "according to population as near as may be;" so as to make the clause read:

That the legislative assembly shall not consider any proposition or pass any bill to remove the seat of government of said Territory from its present location: *Provided further*, That said legislative assembly shall not make any appropriation or enter into any contract for a capitol building or any other public building: *And provided further*, That the governor shall appoint a commission of three persons, not more than two of whom shall belong to the same political party, who shall reapportion the Territory into legislative and council districts according to population as near as may be prior to the next Territorial election, and the sum of $1,000 is hereby appropriated to pay the salaries of the commission and necessary expenses.

The amendment was agreed to.

The next amendment was, under the head of "War Department," on page 79, line 20, to increase the appropriation for the

salary of the clerk to the Secretary of War from $2,250 to $2,400, and on page 80, line 13, to increase the total appropriation for office of the Secretary of War, from $104,400 to $104,550.

The amendment was agreed to.

The next amendment was, on page 83, line 6, after the word "dollars," to insert "electrical engineer, $1,800," and in line 11, before the word "hundred," to strike out "fifty-seven thousand five" and insert "fifty-nine thousand three;" so as to make the clause read:

Office of the Quartermaster-General: For chief clerk, $2,000; 11 clerks of class 4; 9 clerks of class 3; 23 clerks of class 2; 39 clerks of class 1; 8 clerks, at $1,000 each; 6 skilled typewriters, at $1,000 each; female messenger, $480; 4 messengers; 9 assistant messengers; 2 laborers; experienced builder and mechanic, $2,500; draftsman, $1,800; assistant draftsman, $1,600; 2 assistant draftsmen, at $1,400 each; civil engineer, $1,800; assistant civil engineer, $1,200; electrical engineer, $1,800; 2 inspectors of supplies for the Army, at $2,500 each, to be selected and appointed by the Secretary of War; in all, $159,340.

The amendment was agreed to.

The next amendment was, on page 86, line 12, before the word "hundred," to strike out "five" and insert "one," and in line 16, before the word "hundred," to strike out "seven" and insert "three;" so as to make the clause read:

For rent of buildings for use of the War Department as follows: For medical dispensary, Surgeon-General's Office, $1,000; for Paymaster-General's and Ordnance offices, $2,100; for depot quartermaster's office, $3,000; for War Department (Lemon Building), $6,000; for Record and Pension Office, $3,200; in all, $15,300.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," on page 90, line 21, to increase the salary of clerk to the Secretary of the Navy from $2,250 to $2,400; and on page 91, line 4, to increase the total appropriation for the office of the Secretary of the Navy from $49,460 to $49,610.

The amendment was agreed to.

The next amendment was, on page 94, line 24, before the word "dollars," to insert "five hundred;" so as to make the clause read:

Contingent expenses of branch offices at Boston, New York, Philadelphia, Baltimore, Norfolk, Savannah, New Orleans, San Francisco, Portland (Oreg.), Portland (Me.), Chicago, Cleveland, Port Townsend, Buffalo, Duluth, Sault Ste. Marie, and Galveston, including furniture, fuel, lights, rent and care of offices, car fare and ferriage in visiting merchant vessels, freight and express charges, telegrams, and other necessary expenses incurred in collecting the latest information for the Pilot Chart, and for other purposes for which the offices were established, $30,500.

The amendment was agreed to.

The next amendment was, on page 96, after line 8, to insert:

For preparation of the Astronomische Gesellschaft Catalogue of the Zone of Stars —13° 50′ to —18° 10′, observed at the Naval Observatory principally in 1894 and 1895, $4,000.

The amendment was agreed to.

The next amendment was, on page 97, line 23, to increase the salary of assistant draftsman in the Bureau of Steam Engineering, Navy Department, from $1,000 to $1,200, and on page 98, line 2, to increase the total appropriation for the Bureau of Steam Engineering, Navy Department, from $12,540 to $12,740.

The amendment was agreed to.

The next amendment was, on page 98, line 23, after the word "dollars," to insert "one clerk of class four," and on page 99, line 4, before the word "hundred," to strike out "ten thousand six" and insert "twelve thousand four;" so as to make the clause read:

Bureau of Medicine and Surgery: For chief clerk, $2,000; 1 clerk of class 4; 1 clerk of class 3; 1 clerk of class 2; 1 clerk of class 1; 1 clerk, $1,000; 2 copyists, at $840 each; 1 laborer; janitor, $600, and 1 laborer, $480 (for Naval Dispensary); in all, $12,420.

The amendment was agreed to.

The next amendment was, on page 99, line 21, after the words "Navy Department," to insert "three thousand dollars;" so as to make the clause read:

For the rental of additional rooms or buildings in the city of Washington required for the transaction of the business of the Navy Department, $3,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 100, line 20, after the word "Interior," to strike out "for the fiscal year 1903;" on page 101, line 10, before the word "dollars," to insert "two hundred and fifty;" in line 11, after the word "clerk," to insert "additional to disbursing clerk, $250;" in line 14, before the word "dollars," to strike out "two hundred and fifty" and insert "four hundred," and on page 102, line 13, before the word "dollars," to strike out "fourteen thousand four hundred and ten" and insert "eighteen thousand and sixty;" so as to make the clause read:

Office of the Secretary: For compensation of the Secretary of the Interior, $8,000; First Assistant Secretary, $4,500, and for additional compensation while the office is held by the present incumbent, $1,500; Assistant Secretary, $4,000; chief clerk, $2,500, and $500 additional as superintendent of the Patent Office building and other buildings of the Department of the Interior; additional to 1 member of Board of Pension Appeals, acting as chief of the board, $500; 9 members of a Board of Pension Appeals, to be appointed by the Secretary of the Interior, at $2,000 each; for 20 additional members of the Board of Pension Appeals, to be selected and appointed by the Secretary of the Interior, at $2,000 each; 3 additional members of said Board of Pension Appeals, to be appointed by the Secretary of the Interior and to be selected from the force of the Pension Office, at $2,000 each; special land inspector, connected with the administration of the public-land service, to be appointed by the Secretary of the Interior and to be subject to his direction, $2,500; 4 special inspectors, Department of the Interior, to be appointed by the Secretary of the Interior and to be subject to his direction, at $2,500 each; clerk in charge of documents, $2,000; custodian, who shall give bond in such sum as the Secretary of the Interior may determine, $2,000; 7 clerks, chiefs of divisions, at $2,250 each, one of whom shall be disbursing clerk; additional to disbursing clerk, $250; 4 clerks, at $2,000 each; private secretary to the Secretary of the Interior, $2,400; * * * in all, $318,060.

The amendment was agreed to.

The next amendment was, on page 103, line 22, to increase the number of special inspectors, Department of the Interior, from two to four, and on page 104, line 2, to increase the appropriation for per diem in lieu of subsistence of special inspectors, Department of the Interior, from $4,000 to $8,000.

The amendment was agreed to.

The next amendment was, on page 107, line 2, after the word "each," to insert "one clerk, $1,200;" in line 3, after the word "and," to strike out "two clerks" and insert "one clerk," and in line 8, before the word "hundred," to strike out "three" and insert "five;" so as to make the clause read:

Indian Office: For the Commissioner of Indian Affairs, $5,000; Assistant Commissioner, who shall also perform the duties of chief clerk, $3,000; financial clerk, $2,000; chief of division, $2,000; principal bookkeeper, $1,800; 5 clerks of class 4; 15 clerks of class 3; draftsman, $1,600; draftsman, $1,500; architect, $1,500; stenographer, $1,600; stenographer, $1,400; 11 clerks of class 2; 26 clerks of class 1; 14 clerks, at $1,000 each; 1 clerk, $1,200; 1 stenographer and 1 clerk to superintendent of Indian schools, at $1,000 each; 17 copyists; 1 messenger; 4 assistant messengers; 3 laborers; messenger boy, $360; and 4 charwomen; in all, $140,520.

The amendment was agreed to.

The next amendment was, on page 110, line 4, to increase the number of principal examiners in the Patent Office from 36 to 39; in line 6, to increase the number of first assistant examiners, at $1,800 each, from 38 to 42; in line 7, to increase the number of second assistant examiners, at $1,600 each, from 42 to 50; in line 9, to increase the number of third assistant examiners, at $1,400 each, from 51 to 61; in line 10, to increase the number of fourth assistant examiners, at $1,200 each, from 60 to 70; in line 16, to increase the number of clerks of class 4 from 5 to 7; in line 18, to increase the number of clerks of class 3 from 6 to 7; and on page 111, line 8, to increase the total appropriation for the Patent Office from $777,000 to $835,700.

The amendment was agreed to.

The next amendment was, on page 111, line 12, to increase the appropriation for purchase of professional and scientific books and expenses of transporting publications of patents issued by the Patent Office to foreign governments from $2,000 to $3,000.

The amendment was agreed to.

The next amendment was, in the appropriation for the Bureau of Education, on page 113, line 2, before the word "hundred," to strike out "four" and insert "six;" in line 4, before the word "clerks," to strike out "two" and insert "five;" in line 5, before the word "copyists," to strike out "seven" and insert "four;" in line 8, before the word "laborers," to strike out "two" and insert "three;" in line 9, after the word "dollars," to strike out "and one laborer, $360;" and in line 12, before the word "dollars," to strike out "one hundred and twenty" and insert "seven hundred and forty;" so as to read:

Specialist in educational system, $1,600; 2 clerks of class 4; 2 clerks of class 3; 4 clerks of class 2; 7 clerks of class 1; 5 clerks, at $1,000 each; 4 copyists; 2 copyists, at $800 each; copyist, $720; skilled laborer, $840; 1 assistant messenger; 2 laborers; 3 laborers, at $480 each; laborer, $400; in all, $54,740.

The amendment was agreed to.

The next amendment was, on page 114, line 4, after the word "dollars," to insert "chief electrical engineer, $2,400;" in line 13, before the word "laborers," to strike out "five" and insert "seven;" and in line 19, before the word "dollars," to strike out "eighteen thousand eight hundred and four" and insert "twenty-two thousand five hundred and twenty-four;" so as to make the clause read:

Office of the Superintendent of the Capitol Building and Grounds: For Superintendent of the Capitol Building and Grounds, $4,500; chief clerk, $2,000; chief electrical engineer, $2,400; draftsman, $1,800; 1 clerk, $1,200; stenographer and typewriter, $1,200; compensation to disbursing clerk, $1,000; 1 messenger; person in charge of the heating of the Supreme Court and central portion of the Capitol, $864; laborer in charge of water-closets in central portion of the Capitol, $360; 7 laborers for cleaning Rotunda, corridors, Dome, and old library portion of Capitol, at $360 each; 2 laborers in charge of public closets of the House of Representatives and in the terrace, at $720 each; in all, $22,524.

The amendment was agreed to.

The next amendment was, on page 115, after line 11, to strike out:

All books in the library of the Department of the Interior not of a professional and technical character and essential, in the judgment of the Secretary of the Interior, to the transaction of the business of the Department shall, on or before the 1st day of July, 1902, be turned over to the Free Public Library of the District of Columbia for general use as a part of said library: *Provided*, That upon examination by the Librarian of Congress any

of such books not required by the Secretary of the Interior as herein provided found to be valuable for the collection of the Library of Congress shall be turned over to that institution.

The amendment was agreed to.

The next amendment was, on page 116, line 4, before the word "thousand," to strike out "four" and insert "six;" and in line 6, before the word "thousand," to strike out "fifty-one" and insert "fifty-three;" so as to make the clause read:

For rent of buildings for the Department of the Interior, namely: For the Bureau of Education, $4,000; Geological Survey, $27,200; additional rooms for the engraving and printing divisions of the Geological Survey, $1,200; storage of documents, $2,000; Civil Service Commission, $6,000; Patent Office model exhibit, $13,000; in all, $53,400.

The amendment was agreed to.

The next amendment was, on page 116, after line 11, to strike out:

Hereafter no expenses chargeable to the Government shall be incurred by surveyors-general in the conduct of their offices except upon specific previous authorization by the Commissioner of the General Land Office.

The amendment was agreed to.

The next amendment was, on page 118, line 15, to increase the appropriation for the salaries of clerks in the office of the surveyor-general of Louisiana from $7,000 to $9,400, and in line 17, to increase the total appropriation for the office of the surveyor-general of Louisiana from $8,800 to $11,200.

The amendment was agreed to.

The next amendment was, under the head of "Post-Office Department," on page 122, line 1, to reduce the appropriation for the salary of private secretary to the Postmaster-General from $2,500 to $2,400, and in line 10, to increase the total appropriation for the office of the Postmaster-General from $33,870 to $34,020.

The amendment was agreed to.

The next amendment was, on page 123, line 1, after the word "dollars," to insert "superintendent of rural free-delivery service, $3,000;" in line 12, before the word "clerks," to strike out "twenty-two" and insert "twenty-three;" in line 13, before the word "clerks," to strike out "forty-three" and insert "forty-five;" in line 14, before the word "clerks," to strike out "forty-five" and insert "forty-eight;" in line 15, before the word "clerks," to strike out "forty" and insert "forty-six," and in line 19, before the word "hundred," to strike out "seventy-five thousand five" and insert "ninety thousand seven;" so as to make the clause read:

Office First Assistant Postmaster-General: For First Assistant Postmaster-General, $4,000; chief clerk, $2,500; Superintendent of the Money-Order System, $3,000; chief clerk Money-Order System, $2,000; general superintendent free-delivery system, $3,500; superintendent of city delivery service, $3,000; superintendent of rural free-delivery service, $3,000; Superintendent of the Dead-Letter Office, $2,500; 1 clerk of class 4, who shall be chief clerk of the Dead-Letter Office; general superintendent of salaries and allowances, $3,500; assistant superintendent of salaries and allowances, $2,000; superintendent of post-office supplies, $2,250; assistant superintendent of post-office supplies, $1,800; chief of the correspondence division, $2,000; 10 clerks of class 4; 21 clerks of class 3; 23 clerks of class 2; 45 clerks of class 1; 48 clerks, at $1,000 each; 46 clerks, at $900 each; 8 assistant messengers; 27 laborers; 2 pages, at $360 each; and 5 female laborers, at $480 each; in all, $230,750.

The amendment was agreed to.

The next amendment was, on page 124, line 3, after the word "service," to insert "Supervisor, $2,750;" in line 4, before the word "of," to strike out "Chief" and insert "chief," and in line 14, before the word "dollars," to strike out "sixty-nine thousand two hundred and ninety" and insert "seventy-two thousand and forty;" so as to make the clause read:

For rural free-delivery service: Supervisor, $2,750; chief of board of examiners of rural carriers, $2,250; 3 clerks of class 4; 6 clerks of class 3; 25 clerks of class 2; 40 clerks of class 1; 50 clerks, at $1,000 each; 115 clerks, at $900 each; 3 messengers; 10 assistant messengers; 5 laborers; 1 female laborer, $540; 3 female laborers, at $500 each; 2 charwomen; in all, $272,040.

The amendment was agreed to.

The next amendment was, on page 125, line 6, to increase the total appropriation for the office of Second Assistant Postmaster-General from $184,820 to $185,220.

The amendment was agreed to.

The next amendment was, on page 127, line 25, in the appropriation for the office of disbursing clerk, after the word "electricians," to strike out "one at $1,200 and one at $1,000" and insert "at $1,200 each;" so as to make the clause read:

Two assistant electricians, at $1,200 each.

The amendment was agreed to.

The next amendment was to increase the appropriation for the office of disbursing clerk from $93,480 to $93,680.

The amendment was agreed to.

The next amendment was, on page 129, line 8, before the word "dollars," to insert "five hundred," and in line 10, before the word "thousand," to strike out "three" and insert "six;" so as to make the clause read:

For furniture, including $1,500 for the office of the Auditor for the Post-Office Department, $3,000.

The amendment was agreed to.

The next amendment was, on page 129, line 15, after the word "thousand," to insert "five hundred," and in line 16, before the word "dollars," to strike out "fifteen thousand five hundred" and insert "nineteen thousand;" so as to read:

For miscellaneous items, including $2,500 for the office of the Auditor for the Post-Office Department, $19,000, etc.

The amendment was agreed to.

The next amendment was, on page 130, line 2, to increase the appropriation for rent of a suitable building for the storage of post-office supplies from $4,000 to $9,000.

The amendment was agreed to.

The next amendment was, on page 130, after line 2, to insert:

For rent of a suitable building for storage of the files of the Post-Office Department, $3,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 131, line 17, before the word "dollars," to strike out "two hundred and fifty" and insert "four hundred;" so as to read:

Private secretary to the Attorney-General, $2,400.

The amendment was agreed to.

The next amendment was, on page 132, line 3, before the word "copyists," to strike out "ten" and insert "eleven;" and in the same line, after the word "copyists," to strike out "one messenger" and insert "one chief messenger, $1,000;" so as to read:

Eleven copyists; one chief messenger, $1,000.

The amendment was agreed to.

The next amendment was, on page 132, line 9, to increase the total appropriation for the office of the Attorney-General from $178,920 to $180,130.

The amendment was agreed to.

The next amendment was, on page 132, line 12, to increase the appropriation for contingent expenses of the Department of Justice from $750 to $1,000.

The amendment was agreed to.

The next amendment was, on page 132, line 15, to increase the appropriation for books for law library of the Department of Justice from $1,750 to $2,500.

The amendment was agreed to.

The next amendment was, on page 132, line 20, to increase the appropriation for stationery for the Department of Justice from $2,500 to $2,600.

The amendment was agreed to.

The next amendment was, under the head of "Department of Labor," on page 133, line 23, after the word "charwomen," to insert "four special agents, at $1,800 each;" in line 25, before the word "special," to strike out "eight" and insert "six;" and on page 134, line 3, before the word "thousand," to strike out "five" and insert "nine;" so as to make the clause read:

For compensation of the Commissioner of Labor, $5,000; chief clerk, $2,500; disbursing clerk, $2,000; 4 statistical experts, at $2,000 each; 4 clerks of class 4; 5 clerks of class 3; 6 clerks of class 2; 12 clerks of class 1; 10 clerks, at $1,000 each; 2 copyists; 1 messenger; 1 assistant messenger; 3 watchmen; 4 laborers; 3 charwomen; 4 special agents, at $1,800 each; 6 special agents, at $1,600 each; 10 special agents, at $1,400 each; 4 special agents, at $1,200 each; in all, $109,980.

The amendment was agreed to.

The next amendment was, on page 134, line 16, before the word "dollars," to strike out "sixty-two thousand five hundred" and insert "sixty-seven thousand seven hundred and eighty;" so as to make the clause read:

For per diem in lieu of subsistence of special agents and employees while traveling on duty away from home and outside of the District of Columbia, at a rate not to exceed $3 per day, and for their transportation, and for employment of experts and temporary assistance, and for traveling expenses of officers and employees, and for the purchase of reports and materials for the reports and bulletin of the Department of Labor, and for subvention to "International Association for Labour Legislation," and necessary expenses connected with representation of United States Government therein, $67,780.

The amendment was agreed to.

The next amendment was, under the head of "Judicial," on page 139, line 21, to increase the appropriation for the salary of the assistant clerk in the Court of Claims from "$2,000" to $2,500; and on page 140, line 3, to increase the total appropriation for the Court of Claims from $45,040 to $45,540.

The amendment was agreed to.

The next amendment was, on page 140, line 5, after the word "auditors," to insert "and additional stenographers when deemed necessary;" so as to make the clause read:

To defray the cost of the employment of auditors and additional stenographers when deemed necessary, in the Court of Claims, to be disbursed under the direction of the court, $8,000.

The amendment was agreed to.

The next amendment was, on page 141, after line 5, to strike out section 3, in the following words:

That the term of temporary service of such additional clerks and other employees rendered necessary because of increased work incident to the war with Spain, and under the act of June 13, 1898, providing for war expenditures, and for other purposes, appointed in the various departments of the Government, shall be extended for the term of one year from June 13, 1902, without compliance with the conditions prescribed by the act entitled "An

act to regulate and improve the civil service," approved January 16, 1883, provided they are otherwise competent: *Provided*, That the President may at any time during the fiscal year 1903, transfer all of such additional clerks and other employees herein referred to to the classified service.

And in lieu thereof to insert:

That the additional clerks on the temporary rolls and other employees rendered necessary because of increased work incident to the war with Spain, and under the act of June 13, 1898, providing for war expenditures and for other purposes, heretofore appointed and who are now employed in the several departments of the Government are hereby transferred to the classified service as of their present grade or rate of compensation, respectively, and shall be continued in the several departments where now employed, without further examination, subject, however, to transfer, promotion, or removal the same as other clerks and employees in the classified service.

The amendment was agreed to.

The next amendment was in section 4, on page 142, line 10, before the word "incapacitated," to strike out "incompetent or" and insert "permanently;" so as to make the clause read:

SEC. 4. That the appropriations herein made for the officers, clerks, and persons employed in the public service shall not be available for the compensation of any persons permanently incapacitated for performing such service.

The amendment was agreed to.

The Secretary resumed and concluded the reading of the bill.

Mr. CULLOM. I was requested by the member of the House having charge of the bill in that body to ask the Senate to make an amendment. On page 12, line 15, after the word "thousand," I move to strike out "two" and insert "five;" and after the word "hundred," to strike out the words "and fifty;" so as to read:

Enrolling clerk, $2,500.

The amendment was agreed to.

Mr. CULLOM. This amendment also was written by the member, and I was asked to have it made. On page 14, line 3, after the word "therein," I move to strike out "six" and insert "seven;" so as to read:

Laborer to clean Statuary Hall and watch statuary therein, $760.

The amendment was agreed to.

Mr. CULLOM. The two amendments just made will require a change in the totals.

On page 13, line 17, before the word "dollars," I move to strike out "five hundred and sixty," and insert "eight hundred and ten;" so as to read "$90,810."

The amendment was agreed to.

Mr. CULLOM. On page 14, line 7, before the word "hundred," I move to strike out "one" and insert "two;" so as to read "$26,240."

The amendment was agreed to.

Mr. BACON. Mr. President, this is an important bill. Is the Senator through with the amendments?

Mr. CULLOM. I desire to ask that the regular order, which comes up at 2 o'clock, be laid aside. I am through, as a matter of fact, and there may be no occasion for laying aside the regular order.

Mr. BACON. If the Senator is through with the amendments, before a vote is taken, as it is an important bill, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON in the chair). The Senator from Georgia suggests the absence of a quorum. The roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Deboe,	Kean,	Perkins,
Bacon,	Depew,	Kearns,	Pettus,
Bard,	Dillingham,	Lodge,	Platt, Conn.
Bate,	Dolliver,	McComas,	Proctor,
Berry,	Elkins,	McCumber,	Scott,
Beveridge,	Fairbanks,	McLaurin, Miss.	Spooner,
Burnham,	Foraker,	McMillan,	Stewart,
Burrows,	Foster, Wash.	Martin,	Teller,
Burton,	Frye,	Millard,	Tillman,
Clark, Mont.	Gallinger,	Mitchell,	Warren,
Clay,	Hale,	Money,	Wetmore.
Cockrell,	Hanna,	Nelson,	
Cullom,	Heitfeld,	Patterson,	

The PRESIDENT pro tempore. Fifty Senators have responded to their names. There is a quorum present. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. CULLOM. I ask that the unfinished business be laid aside for the time being without losing its place, that the appropriation bill may be completed.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the unfinished business be temporarily laid aside in order that the Senate may proceed with the consideration of the appropriation bill. Is there objection?

Mr. COCKRELL. Mr. President, one moment. The Senator from Georgia is not here.

Mr. BERRY. He is here.

Mr. CLAY. I am perfectly willing that the unfinished business shall be informally laid aside for this purpose. I have no objection to the request of the Senator from Illinois.

Mr. COCKRELL. I referred to the senior Senator from Georgia [Mr. BACON].

Mr. CULLOM. I said to the Senator from Georgia this morning that whenever he desired the floor this morning, I would give way.

Mr. BERRY. I do not think the senior Senator from Georgia wants to speak on the appropriation bill.

Mr. CULLOM. It will not be five minutes before the appropriation bill will be concluded, but I will take whatever course the Senator from Georgia prefers.

The PRESIDENT pro tempore. The Chair hears no objection, and the appropriation bill is before the Senate as in Committee of the Whole and still open to amendment. If there be no further amendments, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. Is there any objection to taking a vote on concurring in the amendments in gross? The Chair hears none.

The amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

COMMUTATION FOR TOWN-SITE PURPOSES IN OKLAHOMA.

The PRESIDENT pro tempore. The unfinished business is before the Senate.

Mr. BURTON. Mr. President, I wish to ask the Senator from Georgia to be so kind as to permit me to call up for consideration a short bill that is on the Calendar.

Mr. CLAY. I yield, if it will not lead to any debate.

Mr. BURTON. It will not lead to any debate. It is a House bill.

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Kansas?

Mr. CLAY. I yield.

Mr. BURTON. I ask the Senate to proceed to the consideration of the bill (H. R. 7933) providing for the commutation for town-site purposes of homestead entries in certain portions of Oklahoma.

The PRESIDENT pro tempore. The bill will be read to the Senate for its information.

The Secretary read the bill, as follows:

Be it enacted, etc., That that portion of section 22 of the act approved May 2, 1890, entitled "An act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States court in the Indian Territory, and for other purposes," providing for the commutation for town-site purposes of homestead entries in certain instances, be, and the same is hereby, made applicable to the lands in the Territory of Oklahoma ceded to the United States by the Wichita and affiliated bands of Indians and the Comanche, Kiowa, and Apache tribes of Indians, under agreements, respectively, ratified by the acts of Congress of March 2, 1895, and June 6, 1900.

Mr. BEVERIDGE. Is that a House bill?

The PRESIDENT pro tempore. It is a House bill.

Mr. BEVERIDGE. It was not referred to any committee?

The PRESIDENT pro tempore. It has been reported by a committee of the Senate.

Mr. BEVERIDGE. What committee?

Mr. COCKRELL. The Committee on Public Lands.

The PRESIDENT pro tempore. The Committee on Public Lands. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 2977) authorizing the Missouri and Meramec Water Company to take water from the Missouri River and to construct and maintain a dam or other devices for that purpose.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 1796) for the relief of Hiram Cronk;

A bill (H. R. 1939) granting an increase of pension to Penrose W. Reagan; and

A bill (H. R. 5863) granting an increase of pension to Benjamin Brittingham.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8581) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1903, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6570) to amend the act of May 12, 1900, authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PAYNE, Mr. DALZELL, and Mr. RICHARDSON of Tennessee managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 24) for the relief of James W. Howell;

A bill (S. 1931) granting an increase of pension to Etta Scott Mitchell;

A bill (S. 3157) granting an increase of pension to Rhody Ann Bradshaw;

A bill (S. 3204) granting an increase of pension to Mary T. Bruce;

A bill (H. R. 202) to amend section 2294 of the Revised Statutes of the United States;

A bill (H. R. 668) granting an increase of pension to Henry N. Tracy;

A bill (H. R. 969) granting a pension to Silas H. Cronk;

A bill (H. R. 1280) granting a pension to Lizzie A. Campbell;

A bill (H. R. 1808) granting an increase of pension to William M. Strope;

A bill (H. R. 1852) granting an increase of pension to James A. Edmonds;

A bill (H. R. 2219) granting an increase of pension to Francis M. Gilman;

A bill (H. R. 2225) granting an increase of pension to James Morris;

A bill (H. R. 2465) granting an increase of pension to James F. Charlesworth;

A bill (H. R. 2561) granting a pension to Sarah O. Fields;

A bill (H. R. 2678) to incorporate the Eastern Star Home for the District of Columbia;

A bill (H. R. 3412) granting an increase of pension to William H. Pierce;

A bill (H. R. 3422) granting an increase of pension to James D. Elderkin;

A bill (H. R. 3688) granting an increase of pension to John Gagan;

A bill (H. R. 3740) to confirm title to lot 1, square 1113, in Washington, D. C.;

A bill (H. R. 4115) granting an increase of pension to William Eugas;

A bill (H. R. 4748) authorizing the President of the United States to nominate Lieut. Commander R. M. G. Brown, now on the retired list, to be a commander on the retired list;

A bill (H. R. 5218) granting an increase of pension to Joel Metz;

A bill (H. R. 5224) for the relief of Edward Kershner;

A bill (H. R. 5957) granting an increase of pension to Wright H. Auchmoody;

A bill (H. R. 5959) granting an increase of pension to Francis Pearson, alias James F. Pearston;

A bill (H. R. 7237) granting an increase of pension to Eva H. McColley;

A bill (H. R. 7623) granting a pension to Aaron M. Applegate;

A bill (H. R. 8304) granting an increase of pension to Angeline Murray;

A bill (H. R. 8306) granting an increase of pension to Thomas W. Robinson;

A bill (H. R. 8336) to amend section 3 of chapter 480 of the laws of the United States, approved June 23, 1874;

A bill (H. R. 8620) granting a pension to Thomas Hall;

A bill (H. R. 9670) granting an increase of pension to Aaron C. Badger; and

A joint resolution (H. J. Res. 106) authorizing the Secretary of War to loan to the Pennsylvania Society of the Sons of the American Revolution certain Revolutionary trophies at Allegheny Arsenal, Pittsburg, Pa.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. CLAY. Mr. President, the bill now before us professes to be a bill to provide for ocean mail service, the common defense, to promote commerce, and to encourage deep-sea fisheries. It is but just to say that while the bill received a favorable report from the Committee on Commerce the minority of the committee voted unanimously against a favorable report.

The high character and standing of the distinguished chairman of the Committee on Commerce, the author of the bill, will lead many Senators to give their approval and assent to the measure without making that critical examination which such important legislation deserves. Without regard to party lines, the distinguished chairman, who presides with marked ability and perfect impartiality over the deliberations of this body, is beloved and highly esteemed by the committee from which this bill receives a favorable report. The criticisms which I shall apply to the measure are intended in no wise as a reflection upon his ability or integrity. We belong to different schools of politics; view many economic and public questions from a different standpoint. Such discussion ought to be conducted free from abuse and misrepresentations, and this course I shall pursue, using alone during this entire debate the weapons of truth and logic, that the country may reach an intelligent conclusion as to the merits of this new legislation.

It is my purpose to analyze the bill, keeping in view my subject, disconnected with any other matter, and to present to the Senate the serious objections which I entertain against its passage. I shall not consume any unnecessary time, neither shall I indulge in extravagant and unnecessary criticism, but shall express my mature convictions, based upon the most rigid investigation. I have given to every section of the bill careful study, and the conclusions which I have reached I believe will stand the test of legitimate, impartial, and intelligent criticism. I now address myself to that provision of the bill which proposes to amend the present law relating to the ocean mail service between the United States and foreign ports.

Before doing so I will say that I favor legislation that will give the United States a foreign mail service equal if not superior to England, Germany, France, or any other foreign country; such a mail service as will be adequate to the interest and demands of the American people. I am unwilling for the commercial or any other interest of my country to be retarded for the want of a foreign mail service, but, at the same time, such postal service should be procured for a just and reasonable price, based on sound business principles, disconnected with any subsidy scheme. I am unwilling to give my vote for any measure making exorbitant appropriations ostensibly for postal purposes when, in fact, a large part of the price paid for carrying the mail is intended as a gratuity to shipowners, to aid them to carry on their private business.

The line of argument I wish now to pursue is to point out the changes in the foreign mail service if this bill shall become a law. In October, 1891, Congress passed a law to provide ocean mail service between the United States and foreign ports. This act authorizes the Postmaster-General to enter into contracts for a term of not less than five nor more than ten years with American citizens for the carrying of mail on American steamers between the ports of the United States and such ports in foreign countries as in his judgment would best subserve the postal interests of the United States, and provides that the contracts shall be made with the lowest responsible bidder for the performance of the service, and gives the Postmaster-General the right to reject all bids not in his opinion reasonable, and divides ships into four classes to be used for foreign mail purposes.

The first-class shall have a speed equal to 480 miles per day, and with a tonnage capacity of 8,000 tons; the second-class, a speed equal to 384 miles per day, and with a gross registered tonnage of not less than 5,000 tons; the third-class shall be capable of maintaining a speed of 336 miles per day, and of a gross registered tonnage of not less than 2,500 tons; and the fourth-class shall be capable of maintaining a speed of 288 miles per day, and of a gross registered tonnage of not less than 1,500 tons.

The rate of compensation paid to such steamers, under the act of 1891, for carrying our foreign mail will be found in the fifth section of the act, and it is as follows: The first-class ships above described shall receive not exceeding $4 per mile; second-class, not exceeding $2 per mile; third-class, not exceeding $1 per mile, and fourth-class, not exceeding 66⅔ cents per mile; and these ships are paid for each outward voyage by the shortest practicable route and for the actual number of miles required by the Postmaster-General to be traveled on each outward-bound voyage. I will ask that the act of 1891 be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, the act referred to by the Senator from Georgia will be inserted in the RECORD. [See Appendix A.]

Mr. CLAY. Mr. President, under the provisions of this special act and the general law making provision for our foreign mail service we spent for the fiscal year ending June 30, 1901, $1,826,026, divided as follows: Trans-Atlantic, $528,537; trans-Pacific, $264,180; miscellaneous, $547,664; to foreign steamers, $575,665. These

respective amounts include the entire expenditures for our foreign mail service for the last fiscal year. For the current fiscal year the estimates of expenditures for the same service, under existing law, amount to $2,313,110.

Under the act of 1891 the Postmaster-General has already executed contracts with several lines for the carrying of foreign mail. We have a contract with the American Line which will expire in 1905; this line operates between New York and Southampton; also a contract with the Oceanic Line, which operates between San Francisco and Australia, which will not expire until October 31, 1910; also a contract with the Admiral Line, between Boston, Philadelphia, and Jamaica, which expires December 31, 1909; a contract with the Red D Line between New York and Venezuela, which will expire February 28, 1902; and contracts with the New York and Cuban Mail Steamship Company to Habana and Mexico, which expired October 31, 1902. These contracts for carrying our mail were easily made in pursuance of the act of 1891, which we are trying to amend, and the compensation agreed upon was readily accepted by the shipowners. This leads me to believe that our foreign mail can be conveyed to the ports of the world at the rates fixed by the law now in existence.

We have had no complaint from the Postmaster-General that the rate was too low, and that if other lines were necessary to complete our foreign mail service such lines could not be established and operated for the prices fixed by the present law. Now, what changes will take place in the act of 1891 should the present bill pass? There are two changes I desire to note: First, what classes of ships will be employed in the foreign mail service in the event the measure we are now considering shall become a law, and, second, especially, what prices will we pay for our foreign mail service in comparison with the prices we now pay? What increased expenditures will necessarily follow by reason of this legislation?

What additional expense will follow in our foreign mail service when the provisions of this bill shall be put in operation? While the present law provides for four classes of ships to be used in the foreign mail service, the amendments which we are now considering provide for seven classes: First class, with a tonnage capacity of 10,000 tons and a speed equal to 480 miles per day; second class, with the same tonnage capacity and a speed equal to 456 miles per day; third class, with a speed of 432 miles per day; fourth class, with a speed of 408 miles per day; fifth class, with a speed of 384 miles per day; sixth class, with a speed of 360 miles per day, each with a tonnage capacity of 5,000 tons; and the seventh, with a speed equal to 336 miles per day, with a capacity of 2,000 tons.

These are the ships the Postmaster-General will be authorized and directed to employ for foreign mail purposes when this bill shall receive the sanction of the law-making power; and instead of paying so much per mile for carrying our foreign mail in the future we will pay so much per gross ton for ships used for that purpose, regardless of the freight they carry and for what other purposes they may be used. Such a ship may sail across the ocean with nothing except the mail; the compensation will be the same. The proposed bill, instead of providing $4, $3, $2, and $1 per mile to the different classes of ships carrying foreign mail, provides compensation per gross registered ton, as follows: First-class ships, as above described, 2.7 cents per gross registered ton for each hundred nautical miles sailed from the port of clearance to the port of entry; second class, 2.5 cents; third class, 2.3 cents; fourth class, 2.1 cents; fifth class, 1.9 cents; sixth class, 1.7 cents; seventh class, 1.5 cents.

This bill does not provide compensation in proportion to the work performed or the mail carried. The object and purpose is not to provide steamers purely for mail purposes, fixing the compensation on just and reasonable lines in proportion to the services performed, but really to give a certain amount to shipowners for commercial purposes and to build up a certain line and class of business at the expense of the public Treasury under the cover and guise of postal services. Disconnected with such purpose no party, as a business proposition, would pay the prices fixed by this bill for foreign mail contracts. No effort was made to show to the Committee on Commerce that there was any necessity for increased pay in carrying our foreign mail.

It is surprising to me that such a radical and expensive modification of our postal laws relating to ocean foreign mail service should be made without the Postmaster-General being called before the committee to point out the reasons for such a change, and at the same time to make estimates of the increased cost of this new service. I have said that under the bill we are now considering the expenditures for carrying our foreign mail would be largely increased, that swift steamers employed for mail purposes would be much more expensive than if the same steamers were used under the act of 1891.

Now, why do I make this statement? There can be no dispute of this proposition; all that is necessary to point out the difference of expenditures arising under the act of 1891 and the present bill is simply to make the calculation, and this difference can be ascertained to the cent. The calculations on this line, made by the Commissioner of Navigation, are substantially correct. Under the act of 1891 a first-class ship carrying foreign mail from New York to Southampton would receive $14,564; the same ship used for mail purposes at the rate of compensation fixed in the present bill would receive $19,881; this would apply to either the *St. Louis* or the *St. Paul*. Both of these are 21-knot ships.

Now take either the *Philadelphia* or *New York*. Both of these are 20-knot ships, and under the act of 1891 we would pay to each of these ships per trip for carrying the mail from New York to Southampton $14,556, and under the bill now before us we would pay for the same services $18,238, an increase of $3,674 per trip. We now pay for carrying the mail from San Francisco to Australia to a ship with a speed of 17 knots $16,659 per trip. Under the bill we are now discussing, for the same services we would pay $19,020, an increase of $2,361. Where we now pay $1,247 per trip for mail services from New York to Mexico, under the present bill we would pay $2,503 per trip, an increase of $1,256.

This bill contemplates establishing many new lines, so the majority of the committee tell us—a fortnightly mail service from San Francisco via Honolulu to Yokohama, Shanghai, and Hongkong, with connections to Manila. The distance for this round voyage would be, approximately, 15,000 miles. The rates fixed for such a voyage, under the provisions of the bill now before us, would be $41,400 per trip, equal to $1,076,400 per year. Such a mail route established and put in operation under existing law would cost not exceeding $30,000 per trip, a difference of $11,400. The majority also tell us that under the provisions of this bill a fortnightly mail service will be established from Puget Sound directly to Japan, Shanghai, and Hongkong, connecting with Manila.

The distance of such a voyage will be approximately 12,600 miles, and the maximum per voyage will be equal to $31,752 every trip made. Such a service, put in operation under the act of 1891, would cost per round trip not exceeding $25,000, a difference of more than $6,000 per trip. This new legislation contemplates a fortnightly mail service from San Francisco, via Honolulu, to Australia, and the whole amount involved in these propositions will be equal to $2,235,000. This vast amount will be spent for mail services to establish trans-Pacific mail lines.

The majority of the committee say to us that the new routes proposed, together with the routes now in existence through contracts under the act of 1891, may be thus summarized: Semiweekly mail to Jamaica, $123,569; semiweekly mail to Habana, $73,476; weekly mail to Mexico, $130,104; semiweekly mail to Southampton, $1,713,863; once in ten days to Venezuela, $81,288; fortnightly to Brazil, $243,100, making the total Atlantic service cost $2,365,400; weekly mail to Manila, Japan, China, Hongkong, and Hawaii, $1,901,952; fortnightly to Pago Pago and fortnightly to Australia, $433,000, making the total cost of the service $4,700,352, as against $1,826,046 consumed in the foreign mail service during the last fiscal year.

These lines make no provision for an American mail service via Colon and Panama to the west coast of South America and to the Central American States. There exists now, under the act of 1891, a semiweekly mail service to Jamaica and Habana, a weekly service to Mexico, a weekly service to Southampton, and a service once every ten days to Venezuela. We have a weekly service with British Honduras, Guatemala, and the Republic of Honduras, and a weekly service with Costa Rica and Nicaragua. Mails for the northern ports of Brazil were dispatched 48 times last year, and the mails for Brazil generally were dispatched 53 times by steamers sailing from New York during the last fiscal year. The inference drawn from the majority report that no mail routes now exist to Brazil is not borne out by the report of the Superintendent of Foreign Mails.

By means of steamers sailing four times a month from San Francisco and once or twice a month from Tacoma or Seattle, mails for Japan and China have been dispatched not less than six times a month. These mails have included articles for the Philippines, but mails for the Philippines have also been dispatched by naval vessels and by steamers chartered for military services which sailed from San Francisco for Manila in the interval between the sailings of the regular mail steamers during the year. Correspondence by Japan and China has also been forwarded by Vancouver, and mail for the Australasian colonies has been dispatched from San Francisco once every three weeks. Most of the steamers en route for Japan and China usually call at Honolulu, so that there are not less than seven opportunities a month for communication by mail for Hawaii. So, Mr. President, it will be seen that the foreign mail under the act of 1891 has been ample and efficient.

Mr. ALDRICH. Will it interrupt the Senator if I ask him a question right there?

Mr. CLAY. Not at all.

Mr. ALDRICH. Are all the steamers which have been alluded to by the Senator in the statement he has just made receiving pay under the act of 1891?

Mr. CLAY. I think not.

To give a correct idea of the foreign mail service under existing law, I ask to have inserted in the RECORD, at the close of my remarks, pages 744, 745, and down to "Casualties," on page 746 of the report of the Postmaster-General for the year 1901, giving a description of the foreign mail service during that time. [See Appendix B.]

Mr. ALDRICH. Mr. President, I am not going to ask the Senator from Georgia any other question except a simple one, and that is, Are the steamers to which the Senator has alluded that are carrying the mails American-built steamers or steamers flying the American flag?

Mr. CLAY. I did not say that they were American steamers, but we are getting the mails carried, while the majority of the committee insist that we are not. We are carrying the mails by the different mail lines to which I have just alluded, and I desire to say to the Senator that I have derived my information from the report of the Superintendent of Foreign Mails.

Mr. ALDRICH. I was not doubting the amount of mail carried, but I desired the Senate to understand that the mails were not being carried on American vessels.

Mr. CLAY. I am not able to say how much of the mail is carried by foreign steamships and how much by American steamships. That question I have not investigated; but that the mail is carried as I have described I have not a doubt, because the Postmaster-General himself says so in his report.

This description will give a proper comparison of the routes and services to be performed under the act of 1891 and the present bill. But, Mr. President, I desire to adhere to the line of argument I was pursuing in giving the cost of the service under this bill in comparison with the present law. This difference can be more forcibly illustrated by giving the amounts per mile that ships would receive for carrying foreign mail under the law of 1891 and the amount ships would receive for the same service under the provisions of this bill. First, take ships with a capacity of 10,000 tons: The 20-knot ship under the act of 1891 would receive $4 per mile, and under the proposed bill the same ship would receive $4.70 per mile. The 19-knot ship under the law of 1891 would receive $2 per mile; the same ship under the proposed bill would receive $4.36 per mile.

A ship with a speed of 16, 17, and 18 knots, under the act of 1891, each would receive $2 per mile, while an 18-knot ship, under the bill of 1901, would receive $4 per mile; a 17-knot ship, $3.65 per mile; a 16-knot ship, $3.30 per mile; a 15-knot ship, $2.96, and a 14-knot ship, $2.61 per mile. Now, take ships with a tonnage capacity of 9,000 tons. Under the proposed bill, a 19-knot ship would receive $3.60 per mile; an 18-knot ship, $3.60 per mile; a 17-knot ship, $3.29 per mile; a 16-knot ship, $2.97 per mile; a 15-knot ship, $2.66 per mile; a 14-knot ship, $2.35 per mile; while under the act of 1891, which we are now proposing to amend, ships with speed as above specified would only receive $2 per mile for carrying foreign mail, except the 14 and 15 knot ships, and each of these would receive $1 per mile, and 13 and 12 knot ships would receive 66⅔ cents per mile.

Practically the same results will be obtained with ships ranging from 8,000 to 5,000 tons. Take ships with a tonnage capacity of 7,000 tons carrying our foreign mails. Under existing law, the five classes known as 20, 19, 18, 17, and 16 knots, would each receive $2 per mile; under this bill the first three classes would each receive $2.80 per mile, an increase of 80 cents per mile over the act of 1891. I think these figures will be found to be exactly correct.

Mr. HANNA. May I ask the Senator where he obtains his figures?

Mr. CLAY. I took the report of the Committee on Commerce and I took the report of the Commissioner of Navigation, and worked them out. I think you will find that my figures will tally with those contained in the report of the Commissioner of Navigation.

Thus far I have been dealing with ships used in carrying foreign mails, with a tonnage capacity of from 5,000 to 10,000 tons and ranging in speed from 12 to 20 knots; and it will be seen that the pay of this class of ships for carrying foreign mails would be greatly increased by the pending bill in comparison with the law we are endeavoring to amend. Thus far in the discussion of this question I have not dealt with ships with a tonnage capacity below 4,000 tons.

A critical examination of the bill points out the fact that when you reach ships with a tonnage capacity below 3,000 tons for carrying foreign mails a different result will be reached in regard to the expenses arising in comparison with the law of 1891. Ships with a capacity of 3,000 tons under the bill before us would receive 78 cents per mile for carrying foreign mail, and the same ships under the act of 1891 would receive $1 per mile. Ships with a capacity of 2,000 tons under the present bill would receive 52 cents per mile for carrying foreign mail, while under the law of 1891 such ships would receive 67 cents per mile. There will be no material decrease except ships with a tonnage capacity ranging from 3,000 to 2,000 tons, and a very few of this class of ships will be used for carrying our foreign mails.

I am not surprised that the majority of the committee admit in their report that the increased expenditures for carrying foreign mails will amount to nearly $3,000,000—more than double the expense of the last fiscal year. That is not correct. It is not more than double the expense. The expense last year was about $1,800,000. It can not be justified by any information thus far presented to the committee or the Senate. Mr. President, I do not desire to be misunderstood. I am not opposed to an ocean mail service for the United States. I favor such service and want to see our ocean mail service equal, if not superior, to that of Great Britain, France, Germany, or any other foreign power.

If we desire to establish new routes, involving an expenditure of $3,000,000 for postal services, facts should have been presented to justify such expenditure. The Postmaster-General should have submitted an elaborate report pointing out the routes he desired to establish, putting the Senate in possession of all the information he could obtain bearing upon such routes, together with an itemized statement of expense necessarily following. It is surprising to me that the majority of the committee should have made a favorable report for such additional annual expenditure without data and information to justify the same. If you will take the annual report of the Postmaster-General, you will nowhere find that he has made any recommendation to Congress favoring such legislation, and nowhere can the majority of the committee point out, either in his annual report or from anyone's testimony, that this additional expenditure is necessary.

The Superintendent of Foreign Mails certainly ought to have information that would be valuable to the Senate in regard to the bill now before us. He ought to be able to point out wherein the present law is inefficient, and if there be any valid reason for such increased pay in the foreign-mail service and for the establishment of these new expensive routes by reason of his long experience he ought to be able to present with clearness and force the reason for such change; but the majority of the committee, in hot haste, made a favorable report to the Senate without even calling this officer before them to give his views.

When we employ railroads to carry to every section of our great country the mails, we do not make such contracts to confer any special favor upon railroads, we pay them a certain sum of money for carrying our domestic mails, for services performed in proportion to the amount carried. We owe it to the people to see that these contracts are just and reasonable, and when we employ steamships to carry our foreign mails such employment should be made in good faith, disconnected with any subsidy scheme, paying to the shipowners a fair and reasonable price in proportion to the services performed, and not with the view and purpose of subsidizing the shipping interests under the guise of carrying foreign mails.

If the party in power desire to subsidize such private interests at the expense of the people of the United States, then let them have the courage to do it openly, to go into the public Treasury and take the money collected by taxation from the people and donate it to the shipowners. Call it by its proper name, "subsidy," and not pay for carrying foreign mails, when in fact such expenditures are made for no such purpose, but really as a part of a great subsidy scheme, and then attempt to cover up such a scheme from public disclosure by declaring that such a vast sum is needed for postal purposes.

I hold in my hand the report of the Postmaster-General, which contains the report of the Superintendent of Foreign Mails, showing the weight of mail dispatched by sea to foreign countries, the expenditures made during the last fiscal year, and the amount necessary and required for the fiscal year of 1903. This estimate sets forth the sea transportation of the mails, including foreign-closed mails, the railway transit across the Isthmus of Panama, the cost of maintaining the United States postal agency at Shanghai, and contingencies, including casualties, $2,455,000; for the expense of maintaining 18 sea post-offices on steamers plying between New York, Southampton, Bremen, and Hamburg, $50,000; for the transfer service in New York Harbor to and from transfer boats, $38,000; for balances due foreign countries, $160,000; making a total of $2,702,000.

Mr. HARRIS. Will it interrupt the Senator for me to ask him a question, as he seems to have a great mastery of this subject?

Mr. CLAY. I yield to the Senator.

Mr. HARRIS. I should like to know whether there is any provision for competition in letting the mail contracts which are provided for in this bill?

Mr. CLAY. The mail contracts will be entirely in the hands of the Postmaster-General. He is to advertise for them and exercise his discretion. He can reject any of the bids that he may desire to reject and accept such bids as he may desire to accept. The whole matter is left entirely in the hands of the Postmaster-General. That is my understanding.

I was going on to say that the total amount asked for by the Superintendent of Foreign Mails and by the Postmaster-General amounts to less than $2,500,000.

Mr. HANNA. May I ask the Senator a question?

The PRESIDING OFFICER (Mr. BURTON in the chair). Does the Senator from Georgia yield to the Senator from Ohio?

Mr. CLAY. With pleasure.

Mr. HANNA. It is prompted by the question of the Senator from Kansas. Is it not a fact that all mail contracts are let in that way, and that the Postmaster-General is the final arbiter of those contracts?

Mr. CLAY. I think the Senator from Ohio is correct. My understanding is that under the act of 1891, as far as that is concerned, the foreign mail service is left to the Postmaster-General of the United States in regard to the contracts that he makes, and it is a matter in his discretion.

Mr. HANNA. The point I wanted to bring out is simply that there is nothing in this bill that establishes any different precedents from those always observed in the letting of mail contracts.

Mr. CLAY. I have not said so.

Mr. HANNA. I was answering over your shoulder the question of the Senator from Kansas.

Mr. CLAY. The foregoing estimate comes from the report of the Postal Department of our Government, and is the total sum recommended by the Postal Department for carrying our foreign mails for the fiscal year ending June 30, 1903, and this report includes the percentage of increase of the items of business for the next fiscal year over the last fiscal year and provides for an efficient service for the South American Republics, and with this report staring us in the face, without giving a single reason for such action, we have more than doubled previous expenditures, except the majority of the committee tell us that Great Britain, Germany, and France and other foreign powers pay large sums for carrying foreign mails, hence we should do likewise.

Mr. MITCHELL. May I ask the Senator a question?

The PRESIDING OFFICER. Will the Senator from Georgia yield to the Senator from Oregon?

Mr. CLAY. With pleasure.

Mr. MITCHELL. I may have misunderstood the Senator, but I understood him a moment ago to state that the whole matter of letting these contracts is under the control of the Postmaster-General and that he would have the power to reject any and all bids. I had the impression from what the Senator said that he thought the Postmaster-General might reject the lowest bid and take one higher.

Now, is it not a fact that the power of the Postmaster-General is limited by this first section so that if he lets a contract at all he is compelled to let it to the lowest responsible bidder, but if he rejects the lowest bid——

Mr. CLAY. He advertises in the different newspapers, and the cities where he shall advertise are specified, for bids for carrying the foreign mails, and he advertises for the lowest bidder. However, when he goes over the bids, if, in his opinion, the lowest bid ought not to be accepted, my understanding is that he can reject it, and that has been the law, I think, all the while.

Mr. MITCHELL. He can reject the lowest bid provided he thinks the bid is unreasonable; but he has no power, I take it, under this bill to reject the lowest bid and take a higher one.

Mr. CLAY. I differ with the Senator from Oregon. I think that under the postal laws of the United States, under the act of 1891——

Mr. MITCHELL. I call the attention of the Senator to the language of the first section. It says:

> The mail service on such lines to be equitably distributed among the Atlantic, Mexican Gulf, and Pacific ports. Said contracts shall be made with the lowest responsible bidder for the performance of said service on each route, and the Postmaster-General shall have the right to reject all bids not in his opinion reasonable for the attaining of the purposes named.

That is to say, if the lowest bid is one that, in his judgment, is not reasonable, he may reject it, but he can not reject it, I take it, and let the contract to a bid that is higher.

Mr. CLAY. The Postmaster-General is authorized to exercise a discretion. My understanding is he has the right to exercise his discretion in accepting such other bids as he may think best for the Government. He may accept or reject the lowest bid——

Mr. MITCHELL. Right there, if the Senator will allow me just a moment, is where I differ with the Senator, because I think there is an absolute limit upon his power by compelling him to let the contract, if he lets it at all, to the lowest bidder. But he may set aside the lowest bidder because, in his judgment, it may be unreasonable.

Mr. CLAY. I am quite sure the Senator will find that on this point of view he is mistaken.

Mr. HARRIS. Mr. President——

The PRESIDING OFFICER. Will the Senator from Georgia yield to the Senator from Kansas?

Mr. CLAY. Certainly.

Mr. HARRIS. Just a moment. What I can not understand is how there are specific provisions for the payment of so much per mile for carrying the mail, and yet how that can be reconciled with competition and letting contracts to the lowest bidder.

Mr. MCLAURIN of Mississippi. Will the Senator from Georgia allow me?

Mr. HARRIS. If the Senator from Georgia will explain that, I shall be much obliged to him.

The PRESIDING OFFICER. Will the Senator from Georgia yield to the Senator from Mississippi?

Mr. CLAY. With pleasure.

Mr. MCLAURIN of Mississippi. I wish to suggest, in answer to what was said by the Senator from Oregon, that the bill does not require the Postmaster-General to let a contract to the lowest bidder, but to the lowest responsible bidder, and the Postmaster-General is, in his discretion, to say who is responsible and who is not responsible. He may come to the conclusion that a man who is the lowest bidder is not a responsible bidder and give the contract to one who bids higher than he.

Mr. CLAY. The Senator from Kansas [Mr. HARRIS] asked me a question which ought to be answered. I ought to be able to answer it, and I think I can do so. He asked how can there be any competition if the bill fixes so much per mile or so much per gross registered ton for carrying the mail, and then why have any bids at all so far as the lowest bidder is concerned. The Senator from Kansas would be correct, but the rates are not arbitrary. The bill fixes these amounts at the maximum. The amounts that I have set forth here in my speech are the maximum amounts fixed by the law. If it can be obtained cheaper, then they are authorized to obtain it cheaper. He is directed to advertise for cheaper rates, but can not go beyond the limits fixed in the bill.

Mr. HARRIS. If there is a maximum amount fixed, will it not be generally understood among the mail carriers, and will they not inevitably make their bids correspond to the maximum amount which they can get?

Mr. CLAY. Unquestionably. I have never seen that fail. You will always find that to be the case. Fix the maximum rates, no bids will be made for less than these rates.

They forget, however, to tell us the difference between our Government and her outlying possessions and those of Great Britain. Great Britain has dependencies in almost every quarter of the globe, her dependencies amount to more than 350,000,000 people and are scattered everywhere, and she has always been anxious to enlarge rather than abridge her possessions.

England, including Wales, Scotland, and Ireland, has a population of 38,000,000 people. India alone, one of her dependencies, has a population of 287,000,000. The East India possessions extend over a territory larger than Europe without Russia. The entire population of the Empire at present will reach 390,000,000 of souls, with an area of 11,335,806 square miles, with a population nearly five times that of ours and with an area that more than trebles ours. She could not afford to deny communication with those sent abroad with her army or to those of her subjects sent abroad to establish houses of merchandise and commerce in her various dependencies. She is an Empire, a kingly government, seeking to extend her power and dominions and to build up great estates, not a republic. The Governments of Europe have had little regard for the welfare of the masses.

I sincerely hope we may never arrive at that period when we are willing to forsake that spirit of justice and equality which has characterized our Republic in the past and follow in the footsteps of the monarchs of Europe. Simply to state that Great Britain pays more than $4,500,000 for carrying foreign mails, and that we must do likewise, is no argument in favor of the passage of this bill.

I have before me a statement received from the Commissioner of Navigation which I will ask to insert in the RECORD at the close of my remarks. This statement gives the weight of the foreign mail of Great Britain and her dependencies for the last fiscal year. These figures are taken from the report of the British postmaster-general, and give the weight of letters and postal cards and other articles exchanged by the United Kingdom with foreign countries and British colonies, based on the results of the latest statistics taken under the provision of the Universal Postal Convention; and what do we find from this report of the British postmaster-general?

Now, let us see how much we pay in comparison with England for the purpose of carrying our foreign mail. England has more weight. Her foreign mails weigh more than three times what our

foreign mails weigh. The total weight of letters and postal cards dispatched to and from Great Britain, commonly called foreign mail, for the last fiscal year amounted to 3,073,800 pounds. The total weight of the circulars, books, patterns, and newspapers was 20,970,300 pounds, making the total weight of the foreign mail of Great Britain for twelve calendar months 24,044,100 pounds, and she paid for carrying this amount of foreign mail $4,500,000.

Now, let us make an examination and see what was the weight of the foreign mail of the United States during the last fiscal year. This information is furnished us by the Superintendent of Foreign Mails in the report of the Postmaster General: Letters and postal cards, 1,086,448 pounds; other articles, 8,112,405 pounds, making the total weight of our foreign mail during the last fiscal year 9,198,853 pounds; consequently it will be seen that the weight of Great Britain's foreign mail was nearly three times greater than ours.

Yet we pay $2,000,000 annually for carrying our foreign mail, while Great Britain pays about $4,500,000. It will thus appear that the foreign mail service of Great Britain, in proportion to the weight of her foreign mail, is cheaper than the foreign mail service of the United States. Germany only paid $1,825,651 for her foreign mail service, less than the United States paid. An examination of the present foreign mail service of Germany will show that for the last half dozen years she has obtained her foreign mail service for less than we pay under the present law. I have been unable to procure any figures from the French Government giving the total amount of the foreign mail service of France; hence I can not make the comparison as to France.

Mail pay or mail subsidy and general subsidy rest on entirely different principles. Mail subsidy can be justified only on the basis of value received by the Government in the carrying of our mails and, properly speaking, is not a subsidy. If the Government pays more than a reasonable price, and does not receive value for what it pays, it can not be justified, and the payment must be regarded as a mere bonus. The general subsidy is a pure bonus without any returns or benefit to the Government; it is a pure gift from the public Treasury to the shipowners.

I am forcibly struck with an editorial published in the New York Evening Post of January 14, 1902, analyzing the present bill. This editorial refers to the fact that the act of 1891 was preeminently in the interest of the American Line, and the amendments now before Congress, by means of that concealment of special gifts under technical provisions which was such a feature under the former subsidy bill, is still more directly a gift to that line. This editorial so clearly sets forth the objections which I entertain against the mail features of this bill I ask that it be read and inserted at this point as a part of my remarks.

[The Evening Post, New York, Tuesday, January 14, 1902.]

SENATOR FRYE'S POSTAL SUBSIDY.

The new ship-subsidy bill, which has been introduced by Senator FRYE, is made up of two entirely distinct parts, the first relating to mail subsidy and the second to general subsidy. These are not only kept entirely distinct in the provisions of the bill, but they rest on entirely different principles. The mail subsidy, if justifiable, can be given only on the basis of value received by the Government in the carrying of the mails. If the Government does not receive value for what it pays, the system has no justification, and the payment must be regarded as a mere bonus. It is not difficult in this case to pass on the question of value received. The present bill, so far as it relates to mail subsidies, merely amends the postal-subsidy act of 1901 by increasing the compensation to vessels and altering their classification.

The act of 1891 was preeminently in the interest of the American Line, and the amendment now before Congress, by means of that concealment of special gifts under technical provisions which was such a feature of the former subsidy bill, is still more directly a gift to that line. The limit of the tonnage of the vessels of the first class, which are to receive the highest subsidy, has been apparently so fixed as to exclude every American vessel afloat except the four ships of the American Line. During the last fiscal year of the Post-Office Department the American Line carried about 71,000,000 grams of letters and 641,000,000 grams of printed matter, for which the Government, under the act of 1891, paid it $528,536. During the same year the Cunard Line carried almost twice this weight of letters (137,000,000 grams) and 835,000,000 grams of printed matter, but received for the service only $213,103; and the White Star Line, which carried about 62,000,000 grams of letters and 326,000,000 grams of printed matter, received but $91,591—that is, the Government is now paying to the American Line for an irregular service a rate about three times higher than it pays for service by other lines carrying the same mails, and this on a theory of "value received."

More than this, a most unfortunate question is suggested by the figures of the Post-Office foreign mail department, which demands an explanation. Under the act of 1891 the compensation fixed was $4 a mile "by the shortest practicable route for each outward-bound voyage." It is a matter of the commonest knowledge that in estimating miles at sea the nautical mile is the uniform standard. The length of routes and the speed of ships are as invariably measured by nautical miles as land distances are measured by statute miles. It would be as incorrect and misleading to estimate the distance between New York and Southampton in land miles as to estimate the distance between New York and Philadelphia in nautical miles. Any estimates based on such a departure from the standards of distance would invite inquiry as to some special purpose to be served.

It appears, however, from the official reports of the Department that for 36 voyages made in the last year the American Line ships received an average of $14,681 per trip. At the rate fixed by the statute this means that the line has been collecting from the Government by estimating the distance from New York to Southampton at 3,670 miles, which exceeds by over 500 miles the actual length of the route in nautical miles, and is just about equal to its length in land miles. If this method of applying the land unit to nautical measurement has been followed, the loss to the Government and the gain to the line has been about $100,000 a year, and it is quite in order for the public to demand from the postal authorities a prompt and full explanation of the matter.

With these actual operations of the act of 1891 in mind, it is interesting to note that the amendment which the present bill makes does not require any faster or better or more efficient service, nor does it in any way look to the further protection of the interests of those who are concerned in the prompt carrying of the mails. It merely provides for an increase in the compensation, which, as Senator FRYE, the sponsor for the bill, estimates, will make the amount paid about one-third larger than at present. The real situation of this mail contract and the real intention of the proposed amendment require so much examination of the official figures and analysis of the technical provisions of the bill that probably comparatively few, even in Congress, appreciate the plan of the bill. But when analyzed and sifted the real situation is that the Government is now paying the American Line, under the act of 1891, at a rate about three times as high as the market rate for carrying the mails, and that this amendment does not in any way attempt to improve the service, but only increases the compensation.

There may be circumstances where a subsidy will serve to create a new mail route, and so open to commerce, as well as to the mails, a means of communication which it did not formerly have and which could not exist without a subsidy. A bill which should provide for subsidy only on new mail routes might accomplish a useful purpose, but to increase the already exorbitant rate paid for an existing service over a route where we now have ample facilities confers no benefits on the taxpayer, and is merely a Government contribution to the dividends of the favored line.

Mr. President, I do not desire to consume unnecessary time in discussing the mail features of this bill, and I will now proceed to present my objections to the subsidy feature of the measure disconnected with the foreign mail service.

Now, let us see what are the provisions of this bill. I do not intend to discuss anything except the bill which we have before us now. I have been so trained in my life as a lawyer that I am compelled to confine my remarks to the subject that I am discussing. Sometimes in the Senate we can discuss a hundred things in the same day, but I can not do it. Consequently I must come to the subject which we are now considering.

Let us see what are the provisions of Title II, headed "General subsidy." Section 6 provides that after the 1st of July the Secretary of the Treasury is directed to pay out of any money in the Treasury not otherwise appropriated to the owner or owners of any vessel of the United States duly registered by a citizen or citizens of the United States, including any corporation created under the laws of the United States or any of the States thereof, and being at the time of entry engaged in the foreign trade of the United States, which shall be entered in the United States from a foreign port or from any port in the Philippine Islands, compensation, as follows:

On each entry, not exceeding sixteen entries in any fiscal year of a sail or steam vessel, 1 cent per gross registered ton for each nautical mile sailed, and one-fourth of 1 per cent gross registered ton additional for ships built and registered after the passage of this act, this additional compensation to last for a period of five years.

The majority of the committee tell us that this sum must be taken from the public Treasury and given to the owners of ships engaged in our foreign trade in order to enable American shipowners to carry freights as cheaply as foreign shipowners; that Great Britain, Germany, France, Norway, and other foreign powers now take their ships, come to our ports, and carry our corn, wheat, lumber, cotton, and farm products to foreign markets at a freight rate so low that American citizens can not take their ships and compete with such foreign competition, and that the subsidy, taken from the public Treasury under the provisions of this bill and given to the American shipowners, is to equalize the difference in the cost of construction and operation of American and foreign built ships. The majority say we pay foreigners for transportation because they can carry our products more cheaply than American shipowners; that European capitalists have been willing to take a less interest on their money, and, consequently, have invested in ships to be engaged in foreign commerce.

If this be true our export trade has certainly not suffered because of the lower freight rates. If a foreign shipowner will carry to the markets of the world in his ship for less than an American, it is in the interest of the exportation of American products that we should let the foreigner carry them, and so gain advantage of as cheap freight rates as possible. The American farmer and producer, in sending to foreign markets the products of the farm, certainly will not complain because freight rates have been exceedingly low. The growth of our export trade has been phenomenal. The Statistical Abstract of the Treasury Department shows a most gratifying state of facts as to our export trade. In 1868 they were $7.29 per capita; 1882, $13.97 per capita; 1892, $15.61 per capita; 1900, $17.96 per capita, and the figures of 1900 had not been equaled at any other period within our history.

Our total exports in 1890 amounted to 23,617,658 tons; in 1901 amounted to 24,889,368 tons. The total value of our export trade in 1851 was only $188,915,259; in 1860, $333,576,057; in 1879, $392,771,768; in 1880, $835,638,658; in 1890, $857,828,684; in 1900,

$1,394,483,082, and in 1901 still greater, larger than in any other period within our history. Our exports exceeded our imports by more than a half million of dollars. Our friends on the other side of the Chamber make no complaint as to our export trade.

Nobody can complain of our exports. Our farmers and our merchants have sent their products of the farm and their manufactured products to all the ports of the world at the lowest freight rates in the history of our country. The farmers and manufacturers found ships in abundance to carry the products of the farm and factory to the markets of the world at freight rates the cheapest in our history. The only complaint made by the majority of the committee and the only argument used by them in the advocacy of the passage of this bill is that freight rates have been so low that the American shipowner could not carry the products of our farm and factory as cheaply as foreign shipowners had conveyed them. Hence the American people are asked to go down in their pockets and to make a donation to the American shipowner to aid him in charging higher prices in operating American ships in the foreign carrying trade.

The majority of the committee give three reasons for asking Government aid to the American shipowner: First, they say it costs the American shipowner more money to build ships for the foreign trade than it costs foreigners to build the same ships; secondly, that American wages are higher, that American seamen receive more pay than foreign seamen, and that it costs more money to operate an American ship than it does a foreign ship; consequently, the American shipowner can not operate his ship in competition with a foreign ship; and, thirdly, that foreign countries subsidize their merchant marine and that the American shipowner can not come in successful competition with the subsidized ships of foreign countries,

These three propositions I propose to controvert, and I believe that, to the unprejudiced mind, each proposition can be successfully and overwhelmingly controverted. A careful examination of our shipping industry will show that no other line of business has received as much Government aid as that enjoyed by the shipowners. Since 1884 all materials used in the construction of ships for the foreign trade have been admitted free of duty.

No vessel is permitted to engage in the American coastwise trade unless built in American yards, and this law gives to American shipbuilders an absolute monopoly of the coasting trade. This tonnage will annually equal 5,000,000 tons. The United States Government requires all of its naval vessels to be built in American yards, and the present Congress is asked to appropriate $100,000,000 to the Navy Department to be used in the construction of ships. It will thus be seen that no other industry has been the recipient of so many favors at the hands of our Government as the American shipbuilder and shipowner; but he is not satisfied.

It is but a repetition of the history of subsidies; the more favors an industry receives at the hands of the Government the more it will ask. When once the recipient of Government favors, when once a beneficiary at the expense of the public Treasury, the appetite can never be satisfied. Before I begin to discuss, however, either of the three propositions contended for by the majority, I wish to compare some of the features of this bill with the bill debated at length during the session of the last Congress.

The present bill provides that all of the vessels now in existence, both sail and steam, shall be entitled to the subsidy named, and the owners of such vessels are not required to build and operate additional ships in order to secure the subsidy. Consequently it can not be said that the prime purpose of this measure is to increase our merchant marine. If the majority of the committee had any such purpose in view they would certainly have provided that the owners of ships engaged in the foreign trade before being permitted to avail themselves of the subsidy fixed in the bill should build, register, and put in operation new ships. The rate of subsidy in the present bill is not so high as that fixed in the bill we had before us last Congress, but there is no limit as to how long it shall last or what sum it may reach in the end.

The limit in the bill of last session was fixed at $9,000,000 per annum. The present bill fixes no limit, but the amount of the subsidy each year will depend upon the extent of our foreign trade, and as to how long it will run is a question left entirely with future Congresses. When Congress undertakes to provide that the owners of all vessels now in existence and engaged in the foreign trade of the United States shall draw from the Government a large subsidy to aid such owners in carrying on their private business without compelling such owners to build other ships to correspond in tonnage capacity with those ships drawing the subsidy, such legislation can not possibly result in any great increase in the merchant marine; such legislation is in the interest of those now owning ships and not likely to lead to any increase in our merchant marine.

If the friends of this bill are supporting the measure for the purpose of encouraging shipbuilding and increasing our merchant marine, why did they not provide that such owners of vessels engaged in our foreign trade, before receiving the benefit of the subsidy provided in this bill, should be required to obligate themselves to build new ships to correspond with those receiving the benefit of the subsidy? If the majority are so anxious to build up the merchant marine, why do not they say to the shipowners engaged in our foreign trade, before you shall go into the public Treasury and receive aid from the Government you shall at least obligate yourselves to build and put in operation similar ships to those receiving Government aid?

How can the majority sustain the position that the prime object of this bill is to increase our merchant marine and to stimulate shipbuilding in the United States when all vessels, both sail and steam, now in existence are subsidized and permitted to draw from the public Treasury without the owners being required to build other ships to correspond with those receiving the subsidy? This legislation indicates that our friends on the other side of the Chamber are more solicitous about giving aid and encouragement to the owners of ships now in existence than they are to encourage the building and operation of new ships. In this respect the bill before us at the last session of Congress had the advantage of the present bill we are now discussing, for, if I remember correctly, that measure required the owners of such vessels claiming such subsidy to build new vessels equal to 25 per cent of the tonnage of the vessel or vessels receiving the benefit of the subsidy.

That bill also provided that American citizens who own ships sailing under foreign flags, provided a majority interest in such is owned by American capital, shall be entitled to American registry and a division of the subsidy on certain conditions, but, before being permitted to do so, are required to build other vessels of like capacity. They, however, are only entitled to half the subsidy given to American ships flying the American flag. This feature sought to induce American citizens who had put their capital in ships in foreign countries and were sailing them under foreign flags to transfer them to American registry, and to sail them under our flag, provided they would build other ships; but even this feature is left out of the present bill: consequently there is nothing in this bill to encourage shipbuilding and to increase our merchant marine.

Mark you, Mr. President, the pending measure provides that so much shall be paid per gross registered ton. There is nothing in this bill to prevent an empty ship from collecting a full subsidy. Under the bill of last session, before a ship could get a clearance she was compelled to have cargo equal to 50 per cent of her cargo capacity; hence an empty ship could draw no subsidy; but this measure pays on the gross tonnage capacity of a ship, without any reference to the amount of cargo carried. Any bill which provides that an empty ship can draw subsidy will not operate to increase our commerce.

If subsidies can be justified under any circumstances, they should only be paid in proportion to the cargo actually carried. A ship that carries neither corn, wheat, cotton, tobacco, lumber, or any other product of the farm or factory certainly should not be permitted to draw the subsidy. It will not be denied that under this bill an empty ship can draw the subsidy both for the outward and return voyage; then, again, under the bill we are now considering a ship that sails from our ports with a cargo of American goods to a foreign country will receive no more subsidy than a ship of the same size which brings from foreign lands immigrants to this country. If this bill should pass, it should certainly be amended so as to provide that no vessel should be entitled to a subsidy unless she has cleared from a port of the United States with cargo to the amount of 75 per cent of her gross tonnage.

Pass this bill so that a vessel can sail from a port of the United States in ballast and still receive the subsidy, it will receive and deserve the condemnation of all just and fair men. Thus far I have been endeavoring to point out the inequalities of the measure. I will now come to the first proposition contended for by the majority, that we can not at this time build ships as cheaply in the United States as they can be built in foreign countries. I am sure that our shipbuilders will never build them as cheaply as they are built in foreign countries so long as they can come to Congress and get subsidies from the Government to pay them whatever they see fit to ask as the difference between ships built at home and those built abroad. It is only when you bring them into competition with the shipbuilding interests of other countries that they will learn to rely upon their own skill and industry.

Under our navigation laws no vessel not built in the United States is permitted to take American registry. The coastwise trade is kept entirely in the hands of our own people. As to our foreign trading policy it is different. While none but American-built ships by our laws can be admitted to American registry, we have all along permitted vessels built abroad and having a foreign registry to enter our ports from foreign ports and carry our products to foreign countries. In the coasting trade we have no competition, but as to the foreign trade we come into competition

with the vessels of the world. Now, what has been our history in building and operating ships? Our country was first settled along the Atlantic coast. Then railroads had not become a factor in the world's commerce.

The speediest and easiest communication was by water. Our country was new; there was an abundance of timber and all the material necessary to the construction of wooden ships. This material cost almost nothing, and brigs, schooners, and sloops were built for our coasting trade. They ventured to cross the seas, and it has been truthfully said that they whitened every harbor in the Mediterranean. These wooden ships were stanch and swift, and our material for the construction of such ships was excellent, abundant, and cheap. While such conditions lasted we had more than our share of the foreign carrying trade; the American clipper beat the world for speed and safety. England paid lower wages to her seamen than we paid, still she could not compete with the wooden ships of America. But the time came when the wooden ship was supplanted by the iron and steel ship, and there was no country in the world where the iron and steel industry had been developed as in Great Britain.

Our people were not aware of the inexhaustible supply of iron ore throughout the United States; we were a new country; we had neither iron nor steel industries; we knew comparatively nothing of the quantity or quality of the raw material hidden in the bowels of the earth; consequently Great Britain took advantage of the situation, built iron and steel ships, and took away from us our foreign carrying trade, and we have never yet regained it. We ceased to give attention to the building and operation of ships for foreign trade when we had neither steel nor iron so as to compete with Great Britain; we turned our attention to clearing up our lands, to building homes and cities, railroads, and other industries absolutely necessary to the development of a new country, and left the shipbuilding industry for foreign trade to other nations; hence other nations caught up the foreign carrying trade of the world.

With this condition of affairs there was one of two things to do—either to amend our navigation laws and permit our citizens to buy ships in the cheapest markets of the world or to grant to them large subsidies, so as to meet foreign competition. But the time has come when conditions have changed. We no longer occupy the disadvantage that has existed for a half century. We have both iron and steel in abundance, and can build iron and steel ships as cheap as any country in the world.

Even admit, for the sake of argument, that we can not furnish the material for the construction of ships as cheaply as Great Britain or Germany; all we have to do is to go into the markets of the world, and we can purchase all of the material we need without paying any customs duties.

If Great Britain can sell steel plates cheaper than the United States, which I deny, then under our tariff laws the shipbuilders can buy all the material they wish without paying a single dollar of tariff taxes; so it will be seen that shipbuilders not only have our own markets to select their material, but if at any time the market should fluctuate and foreign markets should undersell ours, then Congress in its wisdom has said to the shipbuilding interests of the United States, Go where you can get your material the cheapest and you shall be exempt from customs duties, because we are anxious to develop the shipbuilding interests of our country. Where will you find any other private interest the recipient of such favors? But I maintain that it will not be necessary to go elsewhere to procure material to build ships. How can this proposition be sustained?

From what sources shall we gather evidence in support of the contentions of the minority? Let us consult those whose business associations have led them to investigate the cost of the construction of ships in the United States in comparison with other countries. The Senator from Maine [Mr. FRYE], in his argument on the floor of the Senate no longer ago than yesterday, said that we could procure in the United States materials for the construction of ships as cheaply as any country could furnish them.

Mr. HANNA. May I interrupt the Senator from Georgia?

Mr. CLAY. With pleasure.

Mr. HANNA. That we could procure it where?

Mr. CLAY. That we could furnish it in the United States to our shipbuilders as cheaply as any country could do it.

Mr. HANNA. I should like to have the Senator refer to the RECORD.

Mr. CLAY. I believe if the Senator will refer to the RECORD he will find that the Senator from Maine said on the floor of the Senate that the great trouble was the difference in the cost of labor; that the material could be procured in this country as cheaply as it could in any country in the world.

Mr. HANNA. That is exactly true; and that material is ore in the ground, and nothing else.

Mr. CLAY. I believe all the material necessary for the construction of a ship can be purchased as cheaply in the United States as in any country in the world.

Mr. HANNA. I will ask the Senator——

Mr. CLAY. I desire to say to the Senator from Ohio that we are no longer infants. We are shipping our steel plates and our locomotives and our steel rails to every country in the world, and selling them cheaper there than we are in the United States.

Mr. HANNA. I agree with the Senator that we are no infant; but when he alludes to material, I should like him to define what stage in the progress of manufacture he means by "material."

Mr. CLAY. Manufactured steel is as cheap in this country as in any country.

Mr. HANNA. Does he mean ship plates, beams, angle iron, and material of that character?

Mr. CLAY. I believe all material; and if the Senator will give me his attention I think by the time I get through my remarks I shall have demonstrated to him that we can get the material as cheaply as it can be obtained anywhere in the world.

Mr. HANNA. All right.

Mr. CLAY. Now, let us present the conclusions reached by those capable of making these investigations, and let us see if these conclusions are reliable and trustworthy. Ten years ago Mr. Cramp, the greatest shipbuilder in the United States, set forth in his testimony, which I now have before me, that if the shipbuilding interests of the United States had free raw material they could compete with the world. Mr. John Roach, another great shipbuilder, said, time and again, if Congress will take off the duties from American iron, reducing it to the price of foreign iron, then we are prepared to compete with foreign shipbuilders.

It can not be disputed that the people of our country have the energy, the enterprise, the skill, the material in a larger degree than the shipbuilders of Great Britain. I deny that this country is an infant—an infant in manufacturing, in shipbuilding, or in any other business way. We have capital in abundance; we have harbors, shipyards, and the machinery necessary to compete with any nation in the world, and the Statistical Abstract demonstrates the fact that the exports of the United States find a ready sale in the markets of the world.

Mr. BURTON. Will the Senator from Georgia allow me?

Mr. CLAY. Certainly.

Mr. BURTON. Then why do we not get the ships?

Mr. CLAY. We have ships.

Mr. BURTON. As many as we need?

Mr. CLAY. No, sir. It can be demonstrated at this time that it will take the shipyards of the United States at least from three to four years to catch up with the orders they have on hand, if the naval journals which I have been reading are correct.

The best information I have been able to obtain is that the coasting trade has been exceedingly profitable. It will be found that ship men have put their money into ships where it was absolutely protected from all competition—in the coasting trade—and it has paid from 25 to 30 per cent, and paid more than it would have paid in the foreign trade. That is the reason why the great domestic shipping interests of the United States have prospered to the exclusion of our foreign trade.

Mr. BURTON. One other question. Why not, then, treat the foreign trade the same as we do the coasting trade?

Mr. CLAY. Do you mean to permit no ships except American ships to enter our ports and carry our goods to foreign countries?

Mr. BURTON. I do not mean to say that; not at all; but what I mean is this: Why not extend to them the same kind of protection? I do not mean, of course, to the extent of keeping other ships from our ports, but I mean to carry out the same principle with respect to our ships engaged in the foreign trade.

Mr. CLAY. We do not give a single dollar to our coasting vessels. We give American shipowners the exclusive right to engage in the coasting trade. That is the only aid they receive from the Government. There is no way in the world in which you can justify a subsidy to the foreign trade if the American shipowner is able to compete with the foreign shipowner.

Our consular reports show that the Americans are pushing their way into the British colonies; railroads are built in India with American rails; the American manufacturers export their iron and their machinery to Asia and Europe. In the year 1900 the same reports show that nearly 300 railroad coaches found their way from Jersey City to the land of the Pharaohs.

Europe can no longer compete with the American manufacturer; we are now exporting manufactured products; and, after paying tariff duties, are selling them cheaper in foreign markets than our home markets. Well has it been said that Europe is not safe against the invasion of American goods; Great Britain to-day is buying American locomotives, steel rails, steel plates, railroad coaches, and even coal; Sheffield, once the home of the steel industry, has been dethroned by Pittsburg. With cheap material in abundance, why can not we to-day build ships as cheaply

at Bath, San Francisco, Philadelphia, and Newport News as anywhere in the world?

I have before me an article found in the Engineering Magazine of 1898, written by J. Stephen Janes, headed "Future supremacy of the iron markets of the world—The United States *v.* Europe as a manufacturing competitor." This able and most interesting writer points out the fact that Great Britain is now importing American pig iron, American steel rails, American wire, American agricultural machinery, American machine tools, and many other American products. He also points out the fact that the United States enjoys conditions which are unapproached in Great Britain, but which happen to be at once vital and fundamental. We have the most ample abundance of cheap and high-class ores at an extremely low price.

He points out the further fact that in the Northern States of Michigan, Minnesota, and Wisconsin, commonly spoken of on both sides of the Atlantic as "the Lake Superior region," the American iron trade commands the largest supply of high-class ores known to exist in the whole world, and these ores are mined at a lower cost than is known anywhere else. He points out the various iron and steel industries of the United States, and shows that most of these are conducted automatically by machinery of a novel and ingenious character which British manufacturers hesitate to introduce because of difficulties growing out of labor troubles.

He admits that Great Britain once stood unrivaled as a manufacturing nation, but clearly demonstrates that the economic policy adopted by the United States, and which is often supposed to cramp and fetter invention, did not hinder a band of brilliant engineers and metallurgists from exerting themselves to improve upon British methods and appliances until they have placed American practice far ahead of anything in Europe. He demonstrates conclusively that American methods enable much larger yield to be obtained from a given plant, alike in iron and steel works, and generally at a lower labor cost, and predicts that Great Britain will never again approach or rival American mechanical achievements.

In another article discussing the same subject he makes clear the fact that the nation that can produce the cheapest pig iron is likely, all other things being approximately equal, to be able to secure the leading position as a manufacturing country. The command of cheap pig iron necessarily carries with it the command of cheap materials of construction generally, cheap ships, cheap railways, and cheap tools. A complete revolution has taken place in our country during the last twenty years in our iron and steel industries. When iron and, later, mild steel became the material for ship construction it was not in the nature of things that America would produce them, for the natural laws of industrial development are not to be unduly hurried any more than those governing physical phenomena. The vast mineral interests of our country were unknown.

Mr. HANNA. May I interrupt the Senator?

Mr. CLAY. With pleasure.

Mr. HANNA. I understand that the Senator is reading from an English ironmaster?

Mr. CLAY. No, sir; he is an American.

Mr. HANNA. May I ask the Senator if he reads from him as an authority?

Mr. CLAY. He is an engineer of skill and ability, and is writing for an engineering magazine.

Mr. HANNA. May I inquire further whether the Senator agrees to the argument he offers?

Mr. CLAY. I indorse it.

Mr. HANNA. All right; you indorse it.

Mr. CLAY. I will proceed.

It has only been recently discovered that the United States possesses an iron-making industry equal to that of any country in the world. These conditions are now realized by the British shipowners. In 1890 the president of the Iron and Steel Institute, Sir James Kitson, realizing the true situation, in addressing an American Congress, said:

> The supremacy of our British shipbuilders and our shipping interests is based upon the excellent quality and the abundant supply at moderate prices of steel furnished by our steel makers.

Now, the United States produces more pig iron, the primary raw material of steel, and therefore of ships, than any country in the world, not excluding the United Kingdom. We all know that pig iron, as has been said, is the chief raw material of the shipbuilder. Now, going back a period of thirty years, we find that the production of pig iron in the United States in 1868 was 1,431,250 tons, and during the same year Great Britain produced 4,970,206 tons. Trace the figures still farther: In 1897 the United States produced 9,652,680 tons of pig iron, while the United Kingdom only produced 8,789,455 tons. In 1900 the United States produced 14,000,000 tons of pig iron. It was in the year 1890, twelve years ago, that America forged ahead, and she has kept in the lead ever since in the production of pig iron.

These reasons explain satisfactorily why our steel plates cross the Atlantic to be used by British shipbuilders in the construction of ships. Great Britain realizes the situation, and that her supremacy in the construction and operation of ships is bound to come to an end. And Mr. Archibald B. Head, an English engineer of Westminster, in the early part of this year read an extremely interesting paper on the American iron and steel industry. I do not suppose my friend the Senator from Ohio objects because he is an English engineer. In this valuable contribution the author not only showed to what a remarkable extent the Americans were forging ahead in the iron-making industry, but also gave details of the way in which they gained their end.

Mr. G. R. Dunnell, in a most interesting article written for the Engineering Magazine in 1899, quotes extensively from Mr. Head and points out the fact that many of the advantages which the United States enjoys over Great Britain are the result of physical conditions, but not a few are due to natural characteristics—enterprise and that rare intelligence which makes scientific discovery minister to commercial success through the channel of wise and liberal expenditure. He sums up the net results of all these conditions, and demonstrates that not only pig iron, but manufactured iron and steel, can be produced more cheaply in the United States than in Great Britain.

Mr. Head, the distinguished English engineer, points out that Bessemer ore sold in Pittsburg at 11s. 6d. per ton while the price in Middlesboro was 14s. 9d. Continuing with Mr. Head's figures, we find American coke selling at 6s. 6d. per ton, as against 13s. 6d. for Durham coke. Mr. Head gives steam coal at 3s. per ton, which is much below the prices that rule in England. The distinguished English engineer, as the result of these and other conditions, says that Bessemer pig is produced in America at 40s. per ton, as against 50s. per ton for the Middlesboro pig. After going through these figures he reaches the conclusion that Englishmen should not be surprised to find the price of steel ship plates to be £4 12s. at Pittsburg, as against £5 10s. at Middlesboro.

Mr. HANNA. Will the Senator allow me to ask him a question there?

Mr. CLAY. Yes, sir.

Mr. HANNA. May I ask in what year Mr. Head's quotations were made?

Mr. CLAY. In the year 1899. I am sure the magazine article was written in 1899.

Mr. HANNA. That the price of Bessemer pig in the United States was 40 shillings?

Mr. CLAY. I did not say that.

Mr. HANNA. Will the Senator kindly repeat what he did say?

Mr. CLAY. The distinguished English engineer, as the result of these and other conditions, says that Bessemer pig is produced in America at 40 shillings per ton as against 50 shillings per ton for the Middlesboro pig.

Mr. HANNA. I will answer that to-morrow.

Mr. CLAY. I have the article, and I have the book here.

Mr. HANNA. The reason I wanted to know the date at which that market price was quoted is——

Mr. CLAY. You can have the identical book.

Mr. HANNA. Because it is not true, and I want to have a chance to contradict it.

Mr. CLAY. Mr. President, realizing the wonderful progress that the United States has made in developing her iron and steel industries, the distinguished Englishman reaches the conclusion that the supremacy which England has so long enjoyed in the production of iron and steel and in the construction of ships must necessarily be transferred to the United States. Mr. Dunnell, in the same interesting and instructive article, admits that there was a time when steamships could be built cheaper in England and Scotland than in America.

This condition no longer exists. Material, as has been shown, has already been made cheaper in the United States, and while labor, on the other hand, is dearer, the distinguished writer says the American has a way of doing things and producing things with dear labor more cheaply than others can with cheap labor, because he substitutes machinery for muscle and employs dear labor where thinking is needed; and he admits that Great Britain has lost the advantage she long held in the lesser cost of steel, and that the United States has overtaken her, and unless Great Britain struggles hard for her own she will even drop to an inferior place among the manufacturing countries of the world.

When we make a comparison as to the cost of steel plates in Great Britain with the United States in 1890, we can readily understand why our exports of steel plates have more than doubled. We are not surprised that the shipbuilders of Great Britain have crossed the Atlantic, left home markets, and purchased in American markets the material out of which to construct their ships. In January, 1900, the price of steel plates in the United States

was $58.24, as against $38.88 in Great Britain. In April prices had advanced in Great Britain to $40.70, as against $40.32 in the United States; and in June following the prices of steel plates had gone down to $33.60 in the United States, while in Great Britain they were still selling at $40.70. In August the prices of steel plates had gone to $24.08, while the same plates were selling in Great Britain at $38.88.

Mr. HANNA. What year was that?

Mr. CLAY. That was in 1890, and I will vouch for it myself.

Mr. HANNA. I believe that.

Mr. CLAY. I am glad you do. I am glad the Senator will believe occasionally.

In September following steel plates were selling in the United States at $24.64, as against $38.88 in Great Britain. You believe that, too, I hope?

Mr. HANNA. Yes.

Mr. CLAY. Thank you.

Thus it will be seen that the material out of which ships were being constructed was more than 30 per cent cheaper in the United States than in Great Britain, and doubtless this condition of affairs would have continued had it not been for the organization of the great steel trust. Even now the material for the construction of ships can be purchased cheaper in American than in foreign markets.

In 1891, ten years ago, we only exported 4,436 pounds of steel and iron plates to Great Britain; in 1893, 10,322 pounds; in 1897, 2,116,225 pounds; in 1898, 3,348,280 pounds; in 1899, 31,914,733 pounds; in 1901, 38,326,552 pounds, valued at $596,272. Think of it, the total value of our exports on this line to Great Britain in 1891 was only $232, and ten years later reached the sum of $596,272. In truth it can be said that our iron and steel industries have made such rapid progress that we have successfully invaded even the markets of Great Britain. In January and February of 1901—I will ask the Senator from Ohio again if I am not correct—in January and February of 1901 steel plates were still selling cheaper in the United States than in Great Britain.

Mr. HANNA. Was that owing to the steel trust?

Mr. CLAY. No, sir.

Mr. HANNA. That is the year when the trust was organized.

Mr. CLAY. My dear friend, it had just gone into operation; it hardly started to work.

I will say that during the last year the cost of steel plates has risen in the United States, and they are now selling a few dollars higher here than they are in Great Britain. Steel plates were selling cheaper in the United States than in Great Britain, as I said, in January, 1891.

It is true there now exists a slight difference in favor of Great Britain, which difference unquestionably is attributable to the organization of the great steel trust. During the last fiscal year, as reported by the Bureau of Statistics, the total exports of steel plates and sheets from the United States were 108,380,369 pounds, and valued at $1,752,837. The United States to-day is exporting to the markets of the world the material used in the construction of ships. But, Mr. President, I must not consume so much time in pointing out the indisputable evidences that the United States now produces in abundance material for the construction of ships probably cheaper than any country in the world; for, if the position taken by the majority be even true, which I deny, then our shipbuilders have the privilege of going into the markets of the world and buying the material where they can obtain it at the lowest possible prices without the payment of tariff duties.

Let us now look to the second position taken by the majority, that labor costs more in America than in foreign countries; that the American shipowner pays higher wages to American seamen than the foreign shipowner pays to foreign seamen; that it costs more money to operate a ship in the United States than in foreign countries. This position, the majority tell us, is impregnable. If this position can be successfully disputed, then every possible reason advanced by the majority for the passage of this bill has fallen to the ground. This is the principal reason they give to explain why the United States is such a small factor in the foreign carrying trade of the world.

I propose, Mr. President, to meet the issue fairly, and let us see if the position which the majority assume can be sustained by logic and reason. Under existing law the American shipowner can employ labor in any market where he can procure it cheapest. Section 4519 of the Revised Statutes authorizes every master of a vessel in the foreign trade to engage any seaman at any port out of the United States to serve for one or more round trips from and to the port of departure or for a definite time, whatever the destination, and Mr. Chamberlain, the Commissioner of Navigation, the champion of this bill, tells us in his report of 1894 that the American shipowner is at liberty to employ labor in any market where, on account of its abundance, its quality, or its cost, he finds it to his advantage to do so.

My friend from Ohio was so confident here the other day that I thought perhaps I was mistaken; that we did not employ foreign labor more cheaply than we employ American labor to operate ships. Certainly the Senator from Ohio will not dispute the report of the Commissioner of Navigation, who has furnished a great many facts for the discussion of this bill. Now, what does he say? He tells us that only a small part of the crews of the *Indiana*, *Illinois*, *Pennsylvania*, and *Ohio*, and Pacific mail steamship companies in Asiatic trade are American seamen; but on the contrary, about four-fifths of their crews come from Liverpool, Antwerp, and Hongkong.

It was disclosed on a hearing before the Committee on Immigration a few days ago that 75 per cent of the crews on the Pacific coast, in our trade with China and Japan, was composed of Chinese, the cheapest labor in the world. As said before, there is no law on our statute books requiring American shipowners engaged in the foreign trade to obtain their crews in American ports. The American shipowner is at liberty to employ either American or foreign seamen, as he may deem to his best interest. The American shipowner has availed himself of this privilege. Go to the Pacific coast and you will find the steamship companies engaged in trade with China and Japan employing labor in those ports where it can be obtained the cheapest. I say to the Senator from Ohio that, from the best information I have, we pay Chinamen there $15 a month, and you pay an American seaman there $28 to $30 a month.

Mr. BACON. And the Chinaman is paid in silver.

Mr. CLAY. That is correct.

If our statutes permit American shipowners engaged in the foreign trade to employ foreign seamen at the lowest possible prices, then how have we lost our foreign-carrying trade on account of high wages? If American shipowners have availed themselves of our laws and have gone to the ports of the world and manned their ships with the cheapest possible labor, then why have they not been able to compete with the foreigner, so far as the question of cheap labor is concerned? If they are permitted to employ the cheapest labor found either in Europe or Asia, and in reality avail themselves of this privilege, then, Mr. President, American shipowners are estopped from saying they pay higher wages than foreign shipowners.

If they employ the identical seamen that Great Britain, Germany, Japan, and other foreign powers employ, then it comes in poor grace to charge that the American shipowner can not compete, so far as wages are concerned, with foreign shipowners. If it be true that the chief impediment in the way of putting the American flag over American trade on the high seas was a question of seamen's wages, this bill provides no effective remedy. If there be a difference in the wages of American and foreign seamen and we determine to pay a bounty to make up such difference, then let this difference be paid to American seamen and not to the American shipowner. This bill offers no encouragement to young men to lead the life of American seamen.

Pass it, and you will see no material change in the wages paid and the class of labor employedi on our ships. The subsidy will not go to American seamen, labor will receive none of the benefits of the bounty, the scale of wages will remain the same, and the shipowner will pocket the subsidy. This bill provides that at the beginning one-fourth of the crews of the subsidized ships shall be citizens of the United States. I believe it can be demonstrated that this feature of the bill can be evaded without the payment of any increased wages. A critical examination of the wages paid American and foreign crews will show that many of the employees receive practically the same wages. Examine the wages paid the entire crew of the fast American liner *St. Paul* and the fast Liverpool passenger liner *Campania*, and you will see that more than one-fourth of these crews on the foreign and American lines draw practically the same wages. The crew wages on the American line are, as follows:

Chief officer	$120.00
Second officer	70.00
Third officer	60.00
Fourth officer	40.00
Chief engineer	150.00
First assistant engineer	100.00
Junior first assistant engineer	85.00
Extra first assistant engineer	85.00
Second senior engineer	70.00
Junior second engineer	65.00
Senior third engineer	60.00
Junior third engineer	55.00
Fourth engineer	50.00
Carpenter	50.00
Carpenter's mate	35.00
Boatswain	37.50
Boatswain's mate	27.50
Master-at-arms	25.00
Sailors	25.00

Making the total thus far of the American line, $1,210. Now, take the English line for the same class of employees:

Chief mate	$100.00
First officer	75.00
Second officer	62.50
Extra second officer	55.00
Third officer	50.00
Fourth officer	45.00
Chief engineer	150.00
Senior second engineer	100.00
Second engineer	82.50
Senior third engineer	75.00
Third engineer	72.50
Senior fourth engineer	67.50
Fifth engineer	60.00
Carpenter	40.00
Joiner	37.50
Boatswain	37.50
Boatswain's mate	27.50
Master at arms	22.50
Sailors	23.75

Making the total of $1,211.

The cost thus far of wages is practically the same. Stewards receive the same amount on both American and British ships—$16.25 per month. These figures are taken from the report of the House minority committee, made during the Fifty-sixth Congress, and will be found on pages 22 and 23. In the engine rooms the wages paid on American ships are probably higher than those paid on British ships. Now, how will the shipowners evade this law so as to keep the subsidy themselves instead of paying higher wages? When the shipowner makes up his crew he will employ American seamen for such services as will demand the same wages, whether performed by American or foreign seamen.

In this way he will employ 25 per cent of American seamen without any increased wages. He will have complied with the provisions of this bill. The shipowner will then employ the remainder of his crew—foreign seamen from foreign ports—at the lowest possible prices. What will be the result? Wages will not be increased; no inducements will be offered to American youth to become American seamen; conditions will not be changed, except the American capitalist and American shipowner will have been the sole beneficiary of the money taken from the public Treasury by the provisions of this bill. There has been no effort on the part of the majority to increase the wages of American seamen, to provide for the employment of American seamen to the exclusion of foreign seamen.

The majority have given evidences of a desire to help the shipowner—to advance his financial interest at the expense of the public Treasury—but thus far have not manifested the least interest in advancing the wages of American seamen. Neither does this bill give any encouragement to the young men of America to follow the life of a sailor.

But, Mr. President, I must return to the line of argument I was pursuing in regard to the cost of wages in the operation of ships in the United States in comparison with foreign countries. In order to reach a correct conclusion we must not only examine the price of wages, but the ratio of output to wages, which is the deciding factor in competition. I think it can be demonstrated that the employer in the United States has the advantage over the British employer in the output of wages.

Mr. Mulhall, in one of his latest books, gives the gross earnings per capita of given nations, which are not without indirect interest, and he shows that in the United Kingdom they are nearly 20 per cent less than in the United States, although nearly 33 per cent greater than in some of the European countries, notably Germany. The same distinguished writer tells us that the rate paid wages is no criterion of the relative value, either to employer or worker, that food is cheaper in the United States, that the worker here spends one-sixth of his earnings on food; whereas in Great Britain he spends one-fourth for that purpose. To further illustrate the ratio of production between wages of this country and foreign countries I give the results from the following figures taken from the census returns by a correspondent in the Glasgow Herald.

It was ascertained that the total average value of a year's production in the United States was $6,998, and the total average value of a laborer's production in Great Britain was $4,106.70, and only $2,946 in Germany. The average wages per year of all industries in the United States was $349.92, as against $204.12 for Great Britain and $155.52 for Germany. The comparison did not stop here. The average value of the net production of the wage-earners in each country is given; and what do we find? The average value of each laborer's production in the United States was found to be $1,885.68. The average value of each laborer's production in Great Britain was found to be $792.18, and in Germany was ascertained to be only $544.32. It will thus be seen that the average American laborer not only received more wages than the laborer of foreign countries, but that the output from his labor more than doubled the output of the laborer of Great Britain and more than trebled that of Germany.

Mr. TELLER. Mr. President, I understand the Senator who has the floor does not feel like going on further this evening. Therefore I move that the Senate proceed to the consideration of executive business.

Mr. CLAY. I could finish in thirty or forty minutes, but I am suffering with my throat, and do not feel like finishing to-night.

Mr. FRYE (Mr. DEPEW in the chair). Will the Senator from Colorado withdraw his motion for an executive session for a moment?

Mr. TELLER. Certainly.

Mr. FRYE. I should like to know whether or not an arrangement can be made for a vote upon this bill and the pending amendments and the amendments that may be offered.

Mr. BERRY. Mr. President, I have conferred with the minority members of the Committee on Commerce, but I have not been able to confer with all of the Senators on this side of the Chamber. The minority members of the Committee on Commerce are willing to agree to a vote on the bill on next Monday week.

Mr. FRYE. At what hour?

Mr. BERRY. At any hour. I would say 3 o'clock, if that be convenient, on next Monday week. I do not know whether there is any Senator on this side who is now absent who would object to such an arrangement, but I will simply say the minority members of the Committee on Commerce are willing to make the agreement proposed, if it is satisfactory to Senators on the other side.

Mr. FRYE. I ask unanimous consent, then, Mr. President, that the vote may be had on this bill and all pending amendments and all amendments that then may be offered, without debate, at 3 o'clock one week from Monday next.

The PRESIDING OFFICER (Mr. DEPEW in the chair). Is there objection?

Mr. PETTUS. Mr. President, I do not know that there will be any objection to that proposition; but there are very few Senators on this side of the Chamber now present who have heretofore opposed the bill in its former form; and I will therefore ask the Senator from Maine to postpone his request until there are more members in the Senate Chamber.

Mr. TELLER. I think that is right.

Mr. PETTUS. I have no objection to the proposition being made at any time.

Mr. FRYE. Then I will postpone the request until to-morrow morning.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 4th instant approved and signed the act (S. 219) for the relief of May Chambers, widow of Thomas Chambers.

LOUISIANA PURCHASE EXPOSITION COMPANY.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. TELLER, was, with the accompanying papers, referred to the Committee on Industrial Expositions, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of January, 1902, furnished by the Louisiana Purchase Exposition Commission, in pursuance of section 11 of the act "to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory," etc., approved March 3, 1901.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 5, 1902.*

EXECUTIVE SESSION.

Mr. TELLER. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 4 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 6, 1902, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 5, 1902.

SURVEYOR-GENERAL OF FLORIDA.

Edmund C. Weeks, of Tallahassee, Fla., to be surveyor-general of Florida.

COLLECTOR OF CUSTOMS.

Charles H. Maris, of Texas, to be collector of customs for the district of Brazos de Santiago, in the State of Texas.

MARSHAL.

Solomon F. Stahl, of Arkansas, to be United States marshal for the western district of Arkansas.

REGISTERS OF LAND OFFICE.

Frank M. Swasey, of California, to be register of the land office at Redding, Cal.

George W. Stewart, of California, to be register of the land office at Visalia, Cal.

Joseph L. Mohundro, of Dayton, Wash., to be register of the land office at Walla Walla, Wash.

RECEIVERS OF PUBLIC MONEYS.

John O'B. Scobey, of Olympia, Wash., to be receiver of public moneys at Olympia, Wash.

James W. Ross, of Colorado, to be receiver of public moneys at Glenwood Springs, Colo.

Lloyd L. Carter, of California, to be receiver of public moneys at Redding, Cal.

Yancey C. Blalock, of Walla Walla, Wash., to be receiver of public moneys at Walla Walla, Wash.

Harry J. Mowrey, of South Dakota, to be receiver of public moneys at Watertown, S. Dak.

POSTMASTERS.

James A. Cummins, to be postmaster at Aledo, in the county of Mercer and State of Illinois.

B. A. Lifsey, to be postmaster at Barnesville, in the county of Pike and State of Georgia.

Lewis A. Castle, to be postmaster at Wyoming, in the county of Stark and State of Illinois.

William L. Jefferies, to be postmaster at Clarendon, in the county of Monroe and State of Arkansas.

Ernest A. Hempstead, to be postmaster at Meadville, in the county of Crawford and State of Pennsylvania.

Eugene C. Haynes, to be postmaster at Centerville, in the county of Appanoose and State of Iowa.

Daniel M. Anderson, to be postmaster at Albia, in the county of Monroe and State of Iowa.

Henry J. Muhs, to be postmaster at Akron, in the county of Plymouth and State of Iowa.

Asaph Buck, to be postmaster at Keokuk, in the county of Lee and State of Iowa.

Theodore H. Haecker, to be postmaster at Hampton, in the county of Franklin and State of Iowa.

Fred W. Browne, to be postmaster at Belle Plaine, in the county of Benton and State of Iowa.

Daniel E. Pond, to be postmaster at Monticello, in the county of Jones and State of Iowa.

Thomas W. Summersides, to be postmaster at Manchester, in the county of Delaware and State of Iowa.

Josiah D. McVay, to be postmaster at Lake City, in the county of Calhoun and State of Iowa.

Alfred W. Lee, to be postmaster at Ottumwa, in the county of Wapello and State of Iowa.

Henry A. Perrin, to be postmaster at Monroe, in the county of Jasper and State of Iowa.

Charles M. Marshall, to be postmaster at Moulton, in the county of Appanoose and State of Iowa.

John R. Smull, jr., to be postmaster at Stuart, in the county of Guthrie and State of Iowa.

Ephraim G. Swift, to be postmaster at State Center, in the county of Marshall and State of Iowa.

Charles J. Adams, to be postmaster at Reinbeck, in the county of Grundy and State of Iowa.

Isaac Foster, to be postmaster at Gladwin, in the county of Gladwin and State of Michigan.

Daniel T. Bower, to be postmaster at Traer, in the county of Tama and State of Iowa.

William D. Lee, to be postmaster at Toledo, in the county of Tama and State of Iowa.

William G. Hudson, to be postmaster at Ludington, in the county of Mason and State of Michigan.

Stephen R. Allen, to be postmaster at Homer, in the county of Calhoun and State of Michigan.

William M. Beekman, to be postmaster at Charlotte, in the county of Eaton and State of Michigan.

Hannibal A. Hopkins, to be postmaster at St. Clair, in the county of St. Clair and State of Michigan.

Edwin S. Williams, to be postmaster at Niles, in the county of Berrien and State of Michigan.

Calvin A. Palmer, to be postmaster at Manistee, in the county of Manistee and State of Michigan.

Henry Loss, to be postmaster at Wayne, in the county of Wayne and State of Michigan.

Charles Brown, to be postmaster at Vicksburg, in the county of Kalamazoo and State of Michigan.

Frederick Kruger, to be postmaster at St. Ignace, in the county of Mackinac and State of Michigan.

John J. Robinson, to be postmaster at Port Clinton, in the county of Ottawa and State of Ohio.

John C. Metzger, to be postmaster at Oakharbor, in the county of Ottawa and State of Ohio.

John J. Davis, to be postmaster at White Pigeon, in the county of St. Joseph and State of Michigan.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 5, 1902.*

The House met at 12 o'clock m.

Prayer by Rev. LEE S. MCCOLLESTER, of Detroit, Mich., as follows:

Almighty God, our Heavenly Father, the Keeper and Leader of all our spirits, we pray Thee that as Thy children we may thoroughly understand that Thou art the giver of all life and hope. We ask Thee that Thou shalt inspire us with ideals of duty, honor, and of righteousness. We pray Thee that Thou shalt give us strength and courage, that we may be true to these ideals; that through us, Thy servants, we may do that service in private and in public that may enable our nation to take its place as a leader among the nations of men, fulfilling our mission in wisdom and in righteousness.

O Father, as Thou hast seen fit to take from this House by death a member from Pennsylvania, we pray Thee that Thy comfort may come into his family, and that the remembrance of him may stimulate us all to seek comfort from Thee, Thou who givest and Thou who takest away. So lead us and keep us that in the spirit of the Christ we may come nearer to Thee, our God and Father. Amen.

The Journal of yesterday's proceedings was read and approved.

PENSION APPROPRIATION BILL.

Mr. BARNEY. Mr. Speaker, I desire to call up for consideration the report of the conferees on the disagreeing vote of the two Houses on the pension appropriation bill. I ask unanimous consent that the reading of the report be dispensed with, and that the statement of the House conferees be read.

The SPEAKER. The gentleman from Wisconsin [Mr. BARNEY] calls up the conference report on the pension appropriation bill. Under the order made yesterday morning, the reading of the report is dispensed with, and the statement will be read.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8581) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1903, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"*And provided further*, That hereafter no pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in securing the introduction of a bill, or the passage thereof through Congress, granting pension or increase of pension; and any person who shall, directly or indirectly, contract for, demand, receive, or retain any compensation for such services shall be deemed guilty of an offense, and upon conviction thereof shall, for each and every such offense, be fined not exceeding $500, or imprisoned not exceeding two years, or both, in the discretion of the court."

And the Senate agree to the same.

S. S. BARNEY,
H. C. VAN VOORHIS,
JNO. C. BELL,
Managers on the part of the House.
J. H. GALLINGER,
J. C. PRITCHARD,
GEO. TURNER,
Managers on the part of the Senate.

The Clerk read as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H. R. 8581) making appropriations for the payment of pensions, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

In lieu of the matter inserted by the Senate amendment, the following is recommended to be inserted, namely:

"*And provided further*, That hereafter no pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in securing the introduction of a bill or the passage thereof through Congress granting pension or increase of pension; and any person who shall, directly or indirectly, contract for, demand, receive, or retain any compensation for such services shall be deemed guilty of an offense, and upon conviction thereof shall, for each and every such offense, be fined not exceeding $500, or imprisoned not exceeding two years, or both, in the discretion of the court."

S. S. BARNEY,
H. C. VAN VOORHIS,
JNO. C. BELL,
Managers on the part of the House.

Mr. BARNEY. Mr. Speaker, if no further explanation is desired, I move that the report be adopted and ask the previous question.

The SPEAKER. The gentleman from Wisconsin moves the adoption of the conference report and asks the previous question on his motion.

Mr. ROBINSON of Indiana. If the gentleman will withhold that for a moment I would like to ask a question.

Mr. BARNEY. I will be glad to do so.

Mr. ROBINSON of Indiana. I would like to have a brief explanation upon the subject of the provision which denies the right of pension attorneys to act, soliciting legislation in Congress.

Mr. BARNEY. If no objection is made, I will at this time gladly make a brief explanation of this proposed amendment. It is not designed to interfere with the action of honest pension attorneys who are doing honest service for the old soldiers, but it is designed to prevent them from going around the country and writing to and inducing old soldiers to employ them to render services or pretended services in the introduction and passage of bills in this House. I take it that no effort on the part of attorneys is necessary for that purpose, and that any member of this House is always ready to introduce a bill when it is presented to him by the old soldier himself, with a proper statement of his claims and it appears to be worthy. Now, knowledge has come to the members of this committee that some attorneys in this country, or so-called attorneys, some men who claim they are assisting the old soldiers, are writing to members of this House, or inducing others to write, to introduce bills, and that as soon as those bills are introduced they ask and receive a fee for that service.

I think that many members of this House will bear me out in the statement that they have received very many letters from old soldiers asking them to introduce bills, and added in the letter or as a postscript to it is a request that as soon as that bill is introduced a copy be sent them; and we are told that the object of that is that these men who are soliciting these things get a fee for doing that. Doubtless these letters are written by these solicitors. We are told that some six or seven thousand bills have been introduced in this House this session already, and probably many more have been introduced in the Senate. It is probable that not more than one-quarter or less than that of those bills will ever be considered here, and we are inclined to think that very many of them are introduced on account of the action of these men whom we seek to cut off by this amendment. It is not designed to in any way cut off or abridge the introduction or consideration of deserving bills, but it is designed to stop the solicitation for a consideration of the introduction of bills which stand no chance of being considered and which never are considered here.

Mr. ROBINSON of Indiana. I would suggest to the gentleman, in view of the statement that there have been so many thousand bills introduced for private pensions in this House, it looks to me as if they proceed in this provision upon the theory that the general Pension Bureau gives relief generally to soldiers that is ample for their protection, and that very few private bills should be introduced in the House.

Mr. BARNEY. That, I would say, is the common judgment. That is, that this House should only consider such cases as are indeed special. In such cases I am heartily in their favor.

Mr. KLEBERG. Will the gentleman from Wisconsin permit a question?

Mr. BARNEY. Certainly. I will yield to the gentleman from Texas for a question.

Mr. KLEBERG. Was this amendment added in the conference committee?

Mr. BARNEY. The principal part of the amendment was placed upon the bill by the Senate, but that amendment only provided a penalty for rendering services for a compensation in the passage of the bill, but in the conference committee we added, also, a provision making it applicable to the introduction of bills.

Mr. KLEBERG. I think it is a very necessary amendment, and there should not be any objection to it.

Mr. CORLISS. Will the gentleman yield?

The SPEAKER. Does the gentleman yield to the gentleman from Michigan?

Mr. BARNEY. Certainly.

Mr. CORLISS. I would like to ask if the gentleman does not think that it would be wholesome legislation to pass a general law of this character to prohibit anyone from using influence in circulating petitions or writing letters to members of Congress with reference to any character of legislation?

Mr. BARNEY. Well, we are going part way in that direction by this amendment, although I would not wish to deny any American citizen the right to petition Congress. This law, however, in no way limits that right.

Mr. LIVINGSTON. We do not want any general legislation on that subject.

Mr. KEHOE. I want to ask my friend from Michigan [Mr. CORLISS] if he does not think his proposition would be clearly unconstitutional, in that it would prohibit the right of people to petition Congress?

Mr. CORLISS. I do not understand that this is a denial of the right of petition. This makes a misdemeanor of an act which is certainly very detrimental to the interests of the people, and if it is constitutional with reference to pension bills it is constitutional with reference to cable bills and sugar bills and other measures about which we are constantly annoyed by pettifoggers soliciting communications from the public to influence the members.

Mr. LIVINGSTON. Regular order, Mr. Speaker.

The SPEAKER. The regular order is demanded. The question is on ordering the previous question.

The previous question was ordered.

The conference report was agreed to.

On motion of Mr. BARNEY, a motion to reconsider the last vote was laid on the table.

REDEMPTION OF INTERNAL-REVENUE STAMPS.

Mr. PAYNE. Mr. Speaker, I am directed by the Committee on Ways and Means to report back the Senate amendments to the bill H. R. 6570, an act to amend the act of May 12, 1900, authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps. If I can make a brief statement to the House, I want to ask unanimous consent that the amendments of the Senate be disagreed to.

The SPEAKER. The gentleman from New York, calling up the bill H. R. 6570, with Senate amendments, asks unanimous consent that the House disagree to the amendments of the Senate and ask for a conference.

Mr. GAINES of Tennessee. What is the bill about?

The SPEAKER. Is there objection?

Mr. PAYNE. I want to say to the gentleman that this is the unanimous recommendation of the Committee on Ways and Means.

Mr. GAINES of Tennessee. What is the bill about?

Mr. PAYNE. It is a bill extending the time for the redemption of internal-revenue stamps. The law provided that they must be presented for redemption within two years after their purchase.

It was found that there were many stamps in the hands of innocent parties who purchased them more than two years before they presented them to the department for redemption. We extended the time. The Senate seeks to restrict the classes of cases in which this redemption may take place.

Mr. GAINES of Tennessee. I am only too glad to help you pass it.

The SPEAKER. Is there objection?

There was no objection, and the Speaker announced as conferees on the part of the House, Mr. PAYNE, Mr. DALZELL, and Mr. RICHARDSON of Tennessee.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3364. An act to authorize the apportionment of assessments for special improvements, etc., in the District of Columbia—to the Committee on the District of Columbia.

S. 916. An act for the relief of Clara H. Fulford—to the Committee on Ways and Means.

S. 3261. An act authorizing the Eldorado and Bastrop Railway Company to construct and maintain a bridge across the Ouachita River, in the State of Arkansas—to the Committee on Interstate and Foreign Commerce.

S. 3243. An act to redeem certain outstanding certificates of the board of audit of the District of Columbia—to the Committee on the District of Columbia.

S. 3083. An act providing for the adjudication of certain claims by the Court of Claims—to the Committee on Claims.

S. 2982. An act to extend and enlarge the post-office building at Memphis, Tenn.—to the Committee on Public Buildings and Grounds.

S. 2966. An act for the relief of George W. King—to the Committee on the District of Columbia.

S. 2237. An act for the relief of John W. Gummo—to the Committee on War Claims.

S. 1902. An act for the relief of Flora A. Darling—to the Committee on War Claims.

S. 1545. An act to establish a marine hospital at Savannah, Ga.—to the Committee on Interstate and Foreign Commerce.

S. 942. An act for the relief of Harlow L. Street—to the Committee on Military Affairs.

S. 1266. An act for the erection of a public building at Green Bay, Wis.—to the Committee on Public Buildings and Grounds.

S. 1321. An act to restore to the active list of the Navy the name of James G. Field—to the Committee on Naval Affairs.

S. 1103. An act to authorize the use of depositions before naval courts in certain cases—to the Committee on Naval Affairs.

S. 1102. An act to provide for the convening of general courts-martial at remote naval stations—to the Committee on Naval Affairs.

S. 688. An act for the relief of David H. Lewis—to the Committee on Claims.

S. 678. An act for the relief of the heirs of W. T. Scott and others—to the Committee on Claims.

S. 192. An act authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy—to the Committee on Naval Affairs.

S. 3267. An act to change the boundaries between the southern and central judicial districts of the Indian Territory—to the Committee on the Judiciary.

S. 151. An act to provide for the purchase of a site and for the erection of a public building thereon at Ogden, in the State of Utah—to the Committee on Public Buildings and Grounds.

S. 162. An act for the erection of a public building in Reno, Nev.—to the Committee on Public Buildings and Grounds.

S. 3621. An act to authorize John A. Ockerson, Casper S. Crowninshield, and Miss Anna Tolman Smith to accept decorations tendered to them by the Government of the French Republic—to the Committee on Foreign Affairs.

S. 3512. An act concerning minimum punishment in certain cases arising in the Indian Territory—to the Committee on the Judiciary.

S. 598. An act to provide for the purchase of a site and the erection of a public building thereon at Grand Forks, in the State of North Dakota—to the Committee on Public Buildings and Grounds.

S. 3585. An act granting an increase of pension to Mary Walcott Kilburn—to the Committee on Pensions.

S. 1264. An act granting an increase of pension to Torgus Haraldson—to the Committee on Invalid Pensions.

S. 2327. An act granting an increase of pension to William Hoag—to the Committee on Invalid Pensions.

S. 3743. An act granting an increase of pension to Frances Gurley Elderkin—to the Committee on Invalid Pensions.

S. 3320. An act granting an increase of pension to Adelaide G. Hatch—to the Committee on Invalid Pensions.

S. 2938. An act granting an increase of pension to Margaret Dunn—to the Committee on Invalid Pensions.

S. 2287. An act granting an increase of pension to Georgie Josephine Walcott—to the Committee on Invalid Pensions.

S. R. 31. Joint resolution to authorize Capt. N. M. Brooks, Superintendent of Foreign Mails, Post-Office Department, to accept decorations from the Emperor of Germany and from the governments of Liberia and Venezuela—to the Committee on Foreign Affairs.

MISSOURI AND MERAMEC WATER COMPANY.

The SPEAKER laid before the House the bill (S. 2977) authorizing the Missouri and Meramec Water Company to take water from the Missouri River, and to construct and maintain a dam or other devices for that purpose.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Missouri and Meramec Water Company, a corporation organized and existing under the laws of the State of Missouri, its successors and assigns, be, and they are hereby, authorized and empowered to draw, by canal, flume, or race, from the Missouri River, at or near a point about 8 miles above Creve Coeur Lake, in the county of St. Louis, in the State of Missouri, such supply of water as may be necessary or required for the purposes of said corporation, and to discharge said water at a point on the Meramec River in the neighborhood of Meramec Highlands, in the county of St. Louis and State of Missouri; also to erect, construct, operate, and maintain for that purpose such dams (including a weir dam in the Missouri River at the head of said canal), regulating devices, locks, and other structures and improvements as may be required: *Provided*, That such withdrawal and discharge at any time of water shall not be so great as to interfere with the navigation of said Missouri or Meramec River: *And provided further*, That said corporation shall submit detailed plans showing the location and method of constructing said dams, devices, locks, and other structures and canal to the Secretary of War for his consideration and approval, and until the plans and location of the work herein authorized, so far as they affect the navigation of said rivers, shall have been approved by the Secretary of War they shall not be commenced or built.

SEC. 2. That unless the work herein authorized be commenced within one year and completed within five years from the date hereof the privileges granted shall cease and determine.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. There is a similar House bill favorably reported by the House committee.

Mr. BARTHOLDT. Mr. Speaker, I ask that this Senate bill be put upon its passage.

The SPEAKER. The bill is in order. The question is on the third reading of the Senate bill.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. BARTHOLDT, a motion to reconsider the last vote was laid on the table.

By unanimous consent, on motion of Mr. BARTHOLDT, the similar House bill (H. R. 9524) was ordered to lie on the table.

CUSTOMS INSPECTORS, DISTRICT OF HURON, MICH.

By unanimous consent, the Committee on Ways and Means was discharged from the further consideration of the bill (H. R. 7651) to provide for additional compensation for deputy collectors and inspectors of customs for the district of Huron, Mich., etc., and the same was referred to the Committee on Claims.

HIRAM CRONK.

The SPEAKER laid before the House the bill (H. R. 1796) for the relief of Hiram Cronk, with a Senate amendment thereto.

The Senate amendment was read.

Mr. BROMWELL. Mr. Speaker, I move that the House concur in the Senate amendment.

Mr. UNDERWOOD. I should like to ask the gentleman from Ohio what the Senate amendment is?

Mr. BROMWELL. It merely changes the title. It does not change the bill at all.

The motion was agreed to.

PENROSE W. REAGAN.

The SPEAKER also laid before the House the bill (H. R. 1939) granting an increase of pension to Penrose W. Reagan, with Senate amendments thereto.

The Senate amendments were read.

On motion of Mr. SULLOWAY, the Senate amendments were concurred in.

BENJAMIN BRITTINGHAM.

The SPEAKER also laid before the House the bill (H. R. 5863) granting an increase of pension to Benjamin Brittingham, with Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. I move to concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. This completes matters on the Speaker's table.

RURAL FREE-DELIVERY SERVICE.

Mr. LOUD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11728.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. GILLETT of Massachusetts in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11728.

Mr. SWANSON. Mr. Chairman, I would like to know what is the difference in time at present?

The CHAIRMAN. The gentleman from California has used one hour and fourteen minutes more than the gentleman from Virginia.

Mr. SWANSON. I yield to the gentleman from Connecticut [Mr. SPERRY] fifteen minutes.

Mr. SPERRY. Mr. Chairman, the bill under consideration here to-day is a measure that I can not concur in.

The change proposed is to have the rural-delivery carriers now in the service and those to be appointed in the future come under the contract system. All routes are to be advertised and let out to the lowest bidder. We had an experience of this kind under the old star-route system. This system became very unpopular. If there is any reason why this plan should work any better in the rural-delivery service, I do not know it.

It is urged in favor of this new plan that the routes are unequal. True, but so are those in our large cities. If we are to change the system in the rural communities, why not in the cities? Twenty years ago or so I became interested in rural free delivery and wrote many an article for publication in favor of it. One of the main points I urged was that I could see no reason why the country towns should not be treated as well as the cities. The farmer was as much entitled to his mail every day as the merchant. The present rural-delivery service has brought this about, and the country towns and the cities are treated more nearly alike. To place the rural carriers under the contract system, as proposed by this bill, would discriminate between the cities and the country again, and I for one am opposed to it. Both are entitled to equal consideration.

I am of the decided opinion that the present system should be adhered to. It has worked well thus far. Few complaints are heard; not as many as one would naturally expect in starting a new service. I sincerely hope that there will be no such change as proposed by this bill. The rural carrier system is in its infancy; let us make haste slowly in proposing changes.

I can see no immediate necessity for a change now. Give the poor man a chance at these routes at a salary, and as long as he properly performs his duties keep him in the service. These carriers have worked hard (some of them, at least) to build up their routes, and they now begin to see daylight ahead in increased business. They have paid for their outfits. They do errands on their routes and receive pay for the same. The better they serve the people in delivering the mails the more willing the patrons

will be to give them a chance to increase their small pay by doing errands for them.

Now, the bill before us proposes to take away the routes from these carriers, who have struggled so hard to build them up and who are working in harmony with the postmasters to make the service a success, and give them to anyone who may happen to be the lowest bidder. It proposes to make the rural carriers contractors instead of, as under the present system, officials of the Post-Office Department and servants of the people. Our experience with the star routes has proved that these contractors are not as near to the people as those who are directly connected with the Department, who take an interest in their daily work and try to do it well.

The gentleman from California speaks of the question of expense, and seems to fear that the rural free-delivery service is going to ruin this Government and swamp the Department. This is the old argument used as long ago as when free delivery in the cities was first started. I remember in the early sixties, when I was postmaster at New Haven, I assisted in inaugurating the system of free delivery, with boxes, etc. One day a gentleman of intelligence and standing came into my office and asked if it were true that I intended to saddle this great expense upon the Government right in the midst of a war. I told him yes. "Mr. SPERRY," he replied, "you ought to be hung." I told him that in twelve months the service would pay for itself. And it does to-day. The free-delivery service is one of the greatest sources of revenue to the Government. It stands to reason that people will write more letters when they have all the conveniences and do not have to tramp a mile or more to the post-office to mail them.

This is an example of how free delivery worked. Why would it not be the same with rural free delivery? Look at Carroll County, Md., near by here. Something like a year and a half ago I was present at a banquet to commemorate the starting of free rural delivery in that county. The Department had selected this county for experimental purposes, and the whole county was covered with rural free delivery. At the time of the banquet I speak of, the service had been running for six months, and it paid for itself, after abolishing all the unnecessary little post-offices, within about $230. To-day I am informed it is entirely self-supporting. That is what we are coming to. When this system is running as the Department expects to have it, it will pay for itself on account of the increased business it will bring. Such has been the history of free delivery, and the records thus far show that rural delivery will do the same.

I always like to side with my committee, but in this matter I find myself unable to agree with the majority of it. I have not signed the majority nor the minority report, but I reserved the right to vote and act as my judgment dictated.

So long as the present system of rural delivery works well why change it for another, especially when the Post-Office Department do not ask it? Nor do they wish a change in this branch of the service. From my own State I find the postmasters, who ought to know what is best for their own localities, are not favorable to the proposed change. I think you will find the same conditions prevail in other States. All the officials in the Post-Office Department take pride in serving their patrons properly. Hence they want no change at present. Let well enough alone.

Ever since I have been in Congress there have been before the Post-Office Committee three bills for the classification of the employees of the Post-Office Department. The bills are just and proper. They do not propose any radical changes, and they should be enacted into law by Congress. Yet we have not been able to properly consider them; while this bill, which proposes to revolutionize the rural-delivery service, is now pressed upon Congress. I fail to see the justice or even necessity of such a change. There is no demand for it, so far as I can learn. On the contrary, I feel sure that should the change proposed by this bill be made you would hear a storm of protests from all over the country.

I appeal to the members on this floor not to disturb the rural-delivery service until there is a demand for it. It has taken us some twenty years to get the service started. It is now in a fair way to become a success. It is popular with the people. Keep it so, and the only way to do this is by maintaining the close relations existing between the patrons of the post-office and the Post-Office Department. The contract system will do away with this relationship, will place the system beyond the absolute control of the Department in one sense, and may cause it no end of embarrassment.

To show you how the people of my district feel about rural free delivery, let me quote to you from a letter just received from a rural carrier. He says, among other things:

I had an awful time getting around during the blizzard that we had last month, but I plunged out and only missed one day. The town did well by me. They got men out with cattle to break the roads, and Tuesday I had eight yoke of cattle and one pair of horses ahead of me most all day.

Would the people do that for a contractor? I think not. For, as the service now is, the people feel that they have a part in it. It belongs to them, and they take an interest in it which they would not if a private individual had secured the right to deliver the mails by contract.

My record of twenty-eight years in the postal service had taught me something about post-office matters. I am in favor of any improvements that are really demanded and would be of benefit to the service, but the change proposed by this bill is not demanded, nor would it be of benefit to the postal service, in my judgment.

The statements so often made by certain gentlemen on this floor since this debate commenced, that the principles involved in this bill are most momentous and if the bill does not go through the result will be disastrous—these are but the statements of those who use them to try to frighten those opposed to the bill and bring them into submission.

Rural free delivery has been in operation for some three or four years, and yet the Government shows no signs of bankruptcy, weakness, or ruin, as predicted by those who would like to see this bill pass. On the contrary, this country grows stronger and stronger as the years roll by, and the Post-Office Department, notwithstanding the fact that rural free delivery is in full operation, still serves the people with messages of business, peace, and mercy. Instead of the ruin and devastation predicted by those who favor this bill if it does not pass, our steps are firm, our bodies upright, and we fear not for the future. [Loud applause.]

Mr. SWANSON. I yield fifteen minutes to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Chairman, the Government up to this time has been engaged in the experiment of delivering the mail by carrier system to the rural population of the country. This bill will fix it as a permanent part of the Post-Office Department. I do not think this is a bill that we should consider with any degree of feeling, either political or personal. It involves the great business Department of the Government. The Post-Office Department does not stand in the same position or occupy the same attitude toward the Government that the other great departments do. The Post-Office Department has nothing whatever to do directly with the governmental features of the Government. It is a business enterprise that was undertaken by the Government, as an individual would undertake a business enterprise, and it ought to be run upon strictly business principles.

Now the question, and the real question, I think, involved in this bill is, What are the best business principles to apply to this system in order to run it economically and at the same time efficiently? I have heard a great deal of talk on the floor of this House and in private conversation with members. Of course it is natural that members of this House, all of whom occupy political positions, receiving their offices from political parties, should be governed in their views and in their wishes more or less from the political aspect of questions that come before Congress. I have heard it said that these rural carriers will build up a system that will control the politics of the country. Now, it is not possible, in my judgment, that you can consider this question along party lines, that there can be any material influence exercised by these carriers—I mean between the great contending parties.

We all know that when a political campaign comes on we do not go to men whose services are worth $50 or $60 a month to convince the voter as to what his duties are toward the Government. The ablest, strongest, and best men of our country go out on the hustings; they go to the homes of the people in the various districts of the United States and argue with them and present the cause of each party and plead for their votes; and this we know, that when you get down to changing the vote between one party or the other party—between a Democrat or a Republican—it is very few votes comparatively that are changed in any one election; so that I say it seems to me nearly absurd to say that a lot of men who are willing to dispose of their services to the Government for $50 or $60 a month can materially affect the politics of this country.

Of course, I admit that in conventions or in party primaries, where it is merely a question of individual choice between voters and no great political principles are involved, that an active, bright, rural carrier might be very serviceable to his friends; but that is not because he occupies the position of a carrier; it is the ability of the man in the end. I know numbers of men in my district that I could get to put on a rural route who would be perfectly efficient and capable of carrying a route and attending to the business that can not make a political vote for me from one end of that route to the other; and I know of men who could ride the same route in one day and do more good among the people along the road than the carrier can do who rides it every day in the year. So that I do not think that the question should be considered with any reference to politics. I do not think, when this great question is involved, that the members of this House can

afford to determine this question on political principles, as to whether our party is going to be injured or the other party is going to be injured through having the contract system or the present system.

There are really two questions involved, and only two questions, to decide this case properly. One is as to the cost of the system and the other is as to the efficiency of the system. That is all that I can see involved in the case. We are not acting fairly to our constituents if we determine this question as to our own political fortunes. We are the guardians of the Treasury of the United States, and the members of this House should decide this question as to how it will affect the Treasury of the United States and the appropriations that are to be paid by the people and at the same time render them the most efficient service.

Now, as to cost, the present system is in force with some 8,000 rural carriers. These men are required to furnish a buggy, two horses, and drive an average of 25 miles a day to deliver the mail. For that work they receive the sum of $600 a year, $50 a month. I say that efficient service can not be rendered at any less figure by men competent to do the work. You can not get a man who is competent to properly carry on the business of a post-office—for that is what a rural carrier really is—you can not get a man to give his entire day's time to his work and furnish two horses and a wagon and carry the mail, and do it efficiently, for less than $600, what it is being done for now, and what we propose to put in this bill as a permanent system.

Ah, but the gentlemen opposed to the proposition of maintaining the present system say, "Yes; we do not deny that this system is being carried on to-day as cheaply and as reasonably as we could carry it on under the contract system." I have not heard any denial of that proposition. "But," they say, "when the carriers are organized they will force their salaries up; they will come to the individual member of Congress and tell him that he must raise their salaries, and that they will raid the public Treasury, and that this system will cost an enormous sum of money to the Government."

Well, I say, Mr. Chairman, that when the time comes that I must stand on this floor and confess that for political reasons alone my constituency, or a portion of my constituency, can drive me to put my hand into the Federal Treasury and take out money that they are not entitled to and give to them, then the hour has come when my constituency should recall my commission and send some one else here to occupy my seat.

Mr. SIMS. What about the ship-subsidy fellows; are they not making the attempt; are they not asking the members of Congress to put their hands into the public Treasury and pay them a large bonus?

Mr. UNDERWOOD. I have had a number of my constituents ask me to vote for the subsidy bill. I do not believe in the bill, and I have told them that I would not vote for the proposition. I think every other gentleman here on this floor who does not believe it is a proper bill will vote against it. I confess that I have a great deal of confidence in the integrity, the standing, and the honor of members of this House. I do not believe the members of this House can be induced to do what is wrong for ulterior motives, for their own benefit.

Mr. SIMS. But if they exercise influence enough in your district, they can retire you and put another man in your place who will do it.

Mr. UNDERWOOD. I have a higher regard for my constituency than to believe that any set of $50-a-month men can turn the balance of my constituency and put a man here from my district who will rob the Federal Treasury.

Mr. ROBINSON of Indiana. Will the gentleman allow me a question?

Mr. UNDERWOOD. Certainly.

Mr. ROBINSON of Indiana. I understand the gentleman's position in opposition to the bill is based upon the theory that partisanship is not used in the country, nor can it be used under the present system since February 1?

Mr. UNDERWOOD. No; I have not gone that far. I will come to that in a moment.

Mr. ROBINSON of Indiana. I understood the gentleman to leave the political feature out of the question. I would like to ask him whether he considers the service sufficiently safeguarded so it can not be used for political purposes in doubtful and close districts of the North and East.

Mr. UNDERWOOD. I do not at present think that there are sufficient safeguards around it, and I will presently come to that question.

Mr. DINSMORE. Mr. Chairman, I would like to ask the gentleman from Alabama a question.

Mr. UNDERWOOD. I will yield to the gentleman.

Mr. DINSMORE. I would like to ask my friend from Alabama, putting aside the matter of his own independence, which I concede to him as a member of the House, whether he does not recognize it as a fact that the House and the Congress of the United States often do yield to the demand of citizens at home—their constituents—put their hands into the Treasury, and take out money that is not justifiable?

Mr. UNDERWOOD. Well, I think sometimes this House becomes extravagant, as all individuals become extravagant at times. But I do say that I do not believe the majority of the men on the floor of this House are induced to be extravagant by motives which look to their own advantage.

Mr. DINSMORE. But it may not be for their personal advantage.

Mr. UNDERWOOD. Well, that is the question here. It is said members of this House can not stand up against these carriers, because they will be afraid of getting defeated if they do. I do not believe the carriers can bring any pressure of that kind to bear on the great bulk of the members of this House.

Mr. DINSMORE. I think the objection extends further than the statement of the gentleman from Alabama would imply. The danger is that these men may form themselves into a political organization which will be effective upon the membership of this House, not with respect to the interests of the members personally, but as to other matters.

Mr. UNDERWOOD. As I have said, I do not believe the people of the districts can be controlled along political lines by these men; nor do I believe that an organization of that kind could be effective enough to make a Representative violate what he believes to be his duty to his constituency.

Mr. SIMS. Will the gentleman allow me a suggestion?

Mr. UNDERWOOD. Yes, sir.

Mr. SIMS. The gentleman has recently seen passed in this House a bill called the oleomargarine bill upon which members did vote against their own convictions in response to the demand of their constituents.

Mr. KLUTTZ. The gentleman may have voted against his own convictions, but he has no right to charge other members with having done so.

Mr. SIMS. I meant no offense, but I could, if necessary, give the names of members who, in voting on that bill, did yield their own opinions.

Mr. UNDERWOOD. So far as the oleomargarine bill is concerned, I voted against it myself. But that was not a question of going to the Federal Treasury and taking out money that belonged to our constituents. It was a question whether members would do what their constituents believed ought to be done, where the personal character or motive of the members was not concerned. But here the contention is that the members of this House have not the courage, the strength of character, to stand up against a pressure of this kind.

[Here the hammer fell.]

Mr. HILL. I ask that the gentleman's time may be extended. I want to ask him a question.

Mr. SWANSON. I will yield the gentleman from Alabama five minutes more if he wishes to occupy the time himself, but I do not care to yield for these questions.

The CHAIRMAN. The gentleman from Alabama [Mr. UNDERWOOD] has the floor for five minutes more.

Mr. SIMS. Allow me to make an explanation of a remark which I did not intend to be offensive to any of my fellow-members. I did not mean to say that gentlemen here voted for the oleomargarine bill wrongfully. I hold that constituents have a right to instruct their Representatives, who must vote according to what they understand to be the wish of their constituents.

Mr. GAINES of Tennessee. And our constituents have the right to instruct us by letters as well as in any other way.

Mr. UNDERWOOD. I do not care to go further into any questions of that kind.

Now, Mr. Chairman, there is one other question, I think, involved in this case—that is the question of efficiency. I believe that is the real question to be determined here.

Mr. ROBINSON of Indiana rose.

Mr. UNDERWOOD. I can not yield any further for interruptions.

Mr. ROBINSON of Indiana. I thought the gentleman was going to answer my proposition.

Mr. UNDERWOOD. I am coming to the question of efficiency right now.

Mr. ROBINSON of Indiana. My inquiry did not relate to the question of efficiency, but to political partisanship.

Mr. UNDERWOOD. Well, as to political partisanship, I will say that I believe the existing system, to some extent, is not now controlled sufficiently to keep out partisan influences; and if you put this service under the contract system you can not keep out partisanship on the part of the contract carrier. When a contract carrier is appointed he will be controlled by the partisan politics of the man who aids him in getting the contract, just in the same way that the carrier who works under the present

system may be controlled by the man who helps him get his appointment.

But the difference is this: When you have a carrier appointed under the present system, you can enact laws or rules and regulations to control him; whereas when you have a contract carrier, after he signs his bond and enters upon the work of delivering the mail according to his contract, you have no control whatever over him. He can carry political documents; he can make political speeches; he can do what he pleases in such matters, and can tell the Congress of the United States or the Postmaster-General that it is none of their business; that he is carrying out his contract and proposes to do what he pleases in respect to other matters.

As to the contract system, let me say that if the contract system is a desirable method of mail delivery, it is just as reasonable to say that we should put the whole Post-Office system under contract. Whether that should be done or not is simply a business proposition. There is nothing in the Constitution of the United States that would prevent us from doing so. If we wish to adopt the contract system, there is no reason why we can not, under a law which we may pass, put an advertisement in the newspapers to-morrow offering the postal service of the United States to the lowest bidder. The telegraph system is carried on by private corporations and carried on efficiently. We can let out the whole business of the Post-Office Department, if we wish, to the lowest bidder. Do you want to do it?

In your town or my town, if you want to adopt that policy, there is nothing to prevent you from saying that in the city of Washington we will call for bids for a man who will run the Post-Office Department of the city of Washington according to the present plan, and give it to the lowest bidder, and he can hire the carriers and the messengers and the people that do the service in the post-office here; and I have no doubt that if you will offer the post-office of the city of Washington to the lowest bidder you will have the work done cheaper than the Government can do it, but will you have it done as efficiently? No; you will not, and you know you will not.

I would like to see a business man on the floor of this House who would hire his clerks and employees in his store by a contract system. Where is the great business house in this country that may have a hundred clerks employed that will say to somebody: Here, we have got so many goods to sell, and we want so many clerks, and we will let it out by contract to the lowest bidder who will put in those clerks and sell our goods to our customers? Why, it is absurd. It is simply absurd.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SWANSON. I yield twenty-five minutes to the gentleman from Vermont [Mr. FOSTER].

Mr. FOSTER of Vermont. Mr. Chairman, it is not a pleasant task for me, a new member, to oppose a proposition formulated by one of the committees of this House, but my interest in the rural free-delivery service is so great, I see in it so much of accomplished fact and so much more of possibility that I can not quietly acquiesce in a measure which, in my humble judgment, would cripple its usefulness if not imperil its success. Before another summer rolls by there will be more than 100 of these rural free-delivery routes winding their way through the valleys and over the hillsides of my district. I know something of the communities through which these routes will pass. I know something of the 10,000 families which they will serve. And I stand here representing not merely the 100 carriers on them, but rather the 50,000 people they will serve, to protest against the provision of this bill which would take from the hands of the accredited servants and agents of the Government the work of carrying the mail on these routes and put it into the hands of the contractors who are the lowest bidders.

The distinguished gentleman from California [Mr. LOUD] urges the adoption of the contract system for these rural routes from the standpoint of political expediency. He says that up to this time the service has been a political question, and he fears for the political future of the members of this House if the present method of selecting and paying these carriers is continued. When last month this House was considering the question of increasing slightly the pay of these rural letter carriers, he pictured to us the horrors of his nightmare, when he saw an army of 250,000 letter carriers marching, like Coxey's army, upon the Capitol, camping in the shadow of the great Dome, and calling upon the members of this House to surrender unconditionally to its demands for larger salaries or suffer ignominious defeat in the next Congressional campaign. He even went so far as to figure out just what proportion these carriers "and their sisters and their cousins and their aunts" would bear to the rest of the population. And before he had finished his jeremiad he made it plain that his single impulse was to gather us lone and friendless Congressmen under the protection of the contract system, even as a hen gathers her chickens under her wing.

Well now, Mr. Chairman, if this question was to be decided from the standpoint of mere political expediency, I for one would promptly align myself on the side of those who are in favor of maintaining the present method of administering this great and growing service. For when it comes to a question of mere political expediency, that is always the wisest course which secures for one's constituents the best real and apparent results. And no one questions for a moment the proposition that the present method is the best one for both patrons and carriers. In the sphere of mere political expediency results count. Your motive may be ever so pure, your intentions ever so good; you may reach out ever so yearningly for the ideal and the unattainable, but in the sphere of mere political expediency it is "dollars to doughnuts" every time in favor of the man who acts, who does, who achieves. Ever since the time of St. Paul works as well as faith have been demanded in both religion and politics.

But, Mr. Chairman, there is no foundation for the apprehension of the gentleman from California of the malign influence of these carriers when they have become multiplied and have organized themselves into associations. Perhaps I ought not to speak of the carriers in other districts. I know the carriers in my district; I know them to be good citizens and worthy men. They are my neighbors, my friends, my fellow-citizens, and I have no fear of their ever undertaking to undermine me because of my failure to cooperate with them in securing an increase of compensation. I shall stand ready to cooperate with them for this purpose so long as they are not reasonably compensated for the service they render.

Right here, Mr. Chairman, I want to say that the question has been raised on this floor as to how far the order lately issued by the Executive forbidding public officials attempting to influence Congressmen in their behalf prohibits the free communication of our people with their Representatives in Congress. I want to say that I do not understand that the order in question undertakes to regulate the conduct of the people of a district toward their Representatives. I want to say most emphatically that the rural letter carriers in my district, and all other citizens of my district, understand that so long as I remain their Representative they will have the fullest right and liberty to address me either in person or in writing, by letter or petition, individually or collectively, upon any subject in which they are interested. [Applause.]

They know that as long as I am their Representative every matter which they call to my attention will be considered patiently, carefully, and thoroughly; that when I can properly do so I will do all in my power to carry out their wishes. I believe that the laws affecting the railway mail clerks and the fourth-class postmasters should be revised, and I have been glad to hear from some of these clerks and these postmasters in my district during the last few weeks. They know the needs of the service, and the information which they have given me has been of great help to me. The value of this rural service to me in my official position as the Representative of my district is no slight matter, for it brings me into far closer contact with a very large proportion of my constituents by enabling them to communicate with me so much more readily.

But, Mr. Chairman, suppose that these carriers undertook to arraign themselves against a member of this House? Of course I can not speak for the constituents of the other members, but I wish to say that if the Representative of my district should at any time be opposed by its carriers when receiving reasonable compensation, on the ground that that Representative had not used due effort to secure for them an increase of pay, that Representative might be defeated, but it would not be because of that opposition, but in spite of it. So long as I enjoy the confidence of the 50,000 patrons of these routes in my district, the 100 carriers on them can not do me any political harm, and when I lose the confidence of those patrons I shall be retired regardless of the feeling of the carriers for me. [Applause.]

The gentleman from California, Mr. Chairman, in my judgment, does not understand these rural communities. The people of my district certainly do not deserve the characterization he has given to these communities. They are no rabble such as he describes—unstable as the wind; liable to be led hither and yonder by every demagogue who rises before them, by everyone who calls for vengeance because of some personal grievance. The great majority of them could give the gentleman from California points on all the great questions now before us. They are identified with and interested in the welfare, the progress, the development of the Union; they belong to that class of citizens who, by their resolute independence, their devotion to the best interests of State and Union, have given my little State a prestige in national affairs out of all proportion to its size. They know the value of this rural free delivery; they know the value of the service of the carrier who, in storm and sunshine, in summer's heat and winter's cold, through snow and mud, day after day brings to the door the daily paper and the letter from the boy working his way in some distant place. No one knows the value of this service as

they do. They know it a great deal better than does the gentleman from California, and they will be content when, and only when, these carriers get from the Government a reasonable compensation for their service.

So I brush aside all this talk about political expediency—about this army of carriers disturbing the members of this House or organizing against the members of this House. The constituencies of our great cities—one of which the gentleman from California so ably represents—may be composed of the class he describes, but the rural communities are not so composed. Through all the years of the past this great Republic has leaned for help and strength on these rural communities, and not upon the seething masses of the great cities. [Applause.] So I ask you to give to these rural communities the best type of this service, the best administration of this service; for if they are entitled to the service at all, they are entitled to its very best administration. If it is a question of cost, if this great Republic can not afford the service, root it out and have done with it. But if this great country can afford it, if it is best for this great Republic to continue this service, then develop it along the right lines—administer it in the interest of the millions for whom it was established.

I submit, Mr. Chairman, that the change proposed by this bill is not wise at this time. I believe that nearly everyone who has watched the development of this service through its formative period—through its experimental stage—admits that the idea of the service was conceived in wisdom, and that it has been wrought out with consummate skill, wise judgment, and rare discretion. It has become one of the great institutions of government, of education, of progress; a potent means of drawing together and binding together the rural communities of our country. Under these circumstances, even if no change had been made in the personnel of the Post-Office Department, we might insist that the wise course would be not to make a change at this time, but to leave the service in the hands of those who are most familiar with this subject, its possibilities, its requirements.

It would certainly be wise for us to follow the advice of those who have brought the system to its present degree of efficiency. But a new Postmaster-General has lately been installed in the Post-Office Department. He is a gentleman who merits the reputation he enjoys of being a great organizer. I submit that in view of the fact that every official who has in the past come into contact with the service, every official who during that time has been charged with its management, insists that it would be unwise at this time to make the change provided for in this bill, the new administration in the Post-Office Department should be given at least another year in which to consider the question whether any better method can be devised for carrying the mail over these routes. [Applause.]

I regret that in the discussion of this question the gentleman from California took pains to cast reflections upon that bureau of the Post-Office Department which has had this service in charge. I respectfully submit that those reflections are wholly unmerited and uncalled for. Economy, utility, and progress have been the watchword of those who have had in hand this organization. The system has been developed rapidly, yet conservatively. The courteous and painstaking gentleman who is charged with the general superintendence of the system has labored untiringly in its interest. No more faithful, efficient, and devoted public official can be found anywhere. It is all very well for the gentleman from California to refer to him contemptuously as "The big Indian" of the Post-Office Department. This country owes him a debt of gratitude for his administration of his trust, his thorough organization of the system, his skillful adaptation of it to the needs of those whom it serves. [Applause.]

Let me call attention to the fact that the gentleman from California has been instrumental in organizing this bureau, instrumental in organizing this service. He has six men in the service to-day—more than the most of us [laughter]—six of the best positions in the service, and yet he is the one, and the only one, who is complaining of the extravagant organization of the system, the expense of the service, the beaurocracy of the service, the ambition of the "Big Indian" to build up a great department. We who come in contact with this rural service, who come in contact with its various divisions, know that it is one of the best organized services of the Government. Go to the Post-Office building here in Washington, investigate the system as thoroughly as you please, and deny, if you can, the perfection of this organization, the economy of this organization. If there is any complaint to be made it should be made against such men as the gentleman from California, who have insisted that they must have six men in the service at big pay. [Applause.]

Now, Mr. Chairman, the Department has gone on and has put the system under the civil service. The gentleman from California told us in opening this debate that it was a question to be determined to-day whether the system should be taken out of politics. The gentleman is not up with the procession. The Administration anticipated him by more than three months, and has taken the system out of politics just as far as it can be. I agree with the gentleman on the other side who spoke last [Mr. UNDERWOOD], who said that possibly as the system goes on and is developed it will be possible to surround it with still greater safeguards. But to-day it is taken out of politics as far as it is possible to take any system out of politics at the start.

Mr. WM. ALDEN SMITH. And as far as it ought to be.

Mr. FOSTER of Vermont. Perhaps so, Mr. Chairman.

A gentleman on the other side stated yesterday—I have forgotten his name—that in his district since the 1st of February, when the civil-service order went into effect, there had been several appointments made in utter disregard of that order. I want to tell the gentleman, respectfully but most emphatically, that he is mistaken. These carriers may have been put to work since the 1st of February, but I repeat that since the 1st of February there has not been a single appointment made in this service except in accordance with the rules and regulations of the civil service.

Mr. ROBINSON of Indiana. Will the gentleman permit me to ask him a question?

Mr. FOSTER of Vermont. Certainly.

Mr. ROBINSON of Indiana. Does the gentleman from Vermont consider that the provisions now thrown about the rural free delivery with reference to carriers are as strong as the civil-service laws generally applying to employees of the Government?

Mr. FOSTER of Vermont. Well, now, Mr. Chairman, let me say to that——

Mr. ROBINSON of Indiana. Are sufficiently strong to secure the same general result in the selection of employees?

Mr. FOSTER of Vermont. I believe so. I say right here and now that I am a firm believer in the civil service. I believe these rules are the best that could be devised, considering that it is a new and unique system, in the early stages of its development. I do not see what more could be done in the direction suggested by the gentleman at this time. It presents an entirely new field for the application of the civil service, and the best methods and the best results must not be expected at the start.

Mr. ROBINSON of Indiana. I want to ask the gentleman from Vermont whether he has any objection to supporting a measure that would remove all doubt by providing that the civil-service law should apply to this service?

Mr. FOSTER of Vermont. Not at all. This service is for the benefit of the people; not for the carriers; not for the politicians. It is for the farmers—the rural communities—and I want to see everything so done—I want to see this system so completely hedged about that it will work to the best advantage of the patrons—of the communities for which it was established.

In this connection let me say that another gentleman took pains to say yesterday—the gentleman from Kentucky, I think—that special agents and hired inspectors, who could scarcely read or write, might be sent out by the Department to conduct the examination of applicants for the position of carrier. Such examinations have been held since the 1st of February, when the President's order went into effect. Without discussing what might have been done or what might be done, let me call the attention of the House to what has been done since that time in this regard. Who are the men who have been selected by the Department to go out and examine the applicants for these positions since that date? First, there is Mr. E. W. Crawford, of the Fourth district of Kentucky, formerly a civil-service examiner. He is a college graduate. Then there is Mr. A. B. Veazey, of Vermont. He is a college graduate, the son of a distinguished judge and Interstate Commerce Commissioner, an average Vermonter, and that is all that needs to be said for him. [Laughter.]

Then comes Capt. C. W. Parker, of Ohio. Of course, Ohio had to come in. [Laughter.] He is a Spanish-war veteran, formerly a merchant, and a very capable man. Next comes Mr. Alexander Charles, of Iowa. Really, Iowa should have come first. [Laughter.] He is an editor, and for years was postmaster at Cedar Rapids, Iowa, under Mr. Cleveland's Administration. This last fact would probably condemn him in the eyes of the gentleman from Missouri [Mr. CLARK]. [Laughter.] There are also Mr. W. J. Monroe, of Minnesota, president of the Minnesota State Editors' Association before he went into this service; Mr. J. P. Connolly, of New Jersey, for twelve years a postal clerk between Washington and New York, a very responsible position; Mr. J. B. Hussey, of North Carolina, formerly a Washington newspaper correspondent; Mr. H. C. Coles, of Virginia, formerly secretary to Representative SWANSON; Mr. Frank C. Hammond, of Indiana, also a thoroughly capable man; and, finally, the only man of whom I know very little, Mr. John W. Haas, of California. These are the men—this is the class of men which the Department has been selecting since the 1st of February to carry out the provisions of the civil service.

But, Mr. Chairman, I am opposed to this proposition above all because the contract system is in itself inherently bad and is

resorted to by the Government only when no other adequate method can be devised. The destinction between the Government employee and the Government contractor is clearly defined. The former is the servant and agent of the Government, subject to supervision at every hour of his service, liable to discipline, and held to the strictest accountability. The interests of the Government are his interests. The Government contractor, on the other hand, like the contractor in every field of activity, stands in a position diametrically opposed to this. He is independent of the Government; the work is given to him, not on account of his fitness, but because his bid was the lowest. He owes the Government nothing; the interests of the Government are not his interests; it is for him to do as little as possible under his contract in return for his allowance from the Government. The rural carrier under the present system comes into close contact and close confidential relations with the community. He is a traveling postmaster. He is intrusted with all of the mail, with registering letters, with the purchasing of post-office orders, with the sale and cancellation of stamps, and the rural public is entitled to have its interests guarded as the similar interests of the population of our cities and larger towns are safeguarded by the Government.

If the contract system were a good one, there is no reason why it should not be adopted in the cities where free delivery exists. No one questions for a moment that the adoption of this system would result in a large saving to the Government, but no one would question for a moment the effect upon the people of the adoption of the proposition to constitute the contract system for the one now in vogue.

Suppose that the gentleman from California had included in his bill a proposition affecting in this way the free delivery in his own city. How long do you think it would have taken the storm of protests from every class in that great city to reach his ears? The salary system is retained in the cities because it insures the best service; let us continue it in the rural communities for the same simple but potent reason.

The gentleman from California says it is impossible to equalize the pay of these carriers on a salary basis; that under the present method these carriers must all be paid $600, whatever may be the length of their routes. This is simply absurd, and shows how little he knows of the administration of the system. Before the law went into effect on the 1st of March, giving a slight increase of compensation to them, there were carriers in my district receiving $125 per year, others who were receiving $350 per year, and still others who were receiving $500 per year, according to the length of their routes. The pay of all these carriers has been slightly increased by the action of this House, and I take pleasure in extending the thanks of those carriers to those members who assisted so earnestly and effectively in securing for them this modest increase.

There is no more difficulty in adjusting the pay of these carriers on a salary basis than that of the letter carriers in our large cities. The carrier on a 20-mile route works as long as does the carrier in the city. It is none too much to pay him for eight hours' work after he has cared for his horses and his vehicles, driven over his route, and made his daily report.

Now, Mr. Chairman, one thing more. I disagree with the gentleman from California when he says it is "now or never;" when he says we must change the system now or not at all. I disagree with him when he says it is a question of $20,000,000 or $60,0000,000. I say that first of all this is a question of establishment, of progress, and if in a year from now the members of this House, having watched the progress of this system under the care and guidance of our new Postmaster-General, think it best to make a change, it can be done as readily as to-day.

I say the gentleman from California is hardly candid when he says in one breath that it is a question of $20,000,000 or of $60,000,000 and in the next moment, when asked by a member of this House whether he believes the contract system would reduce the expense to the Government, says he does not know. He says there "are routes in this service which ought to receive $900 and there are those which ought to receive less than $500," and when asked to give his judgment to this House upon the broad question whether this system would reduce the expense of the Government he says, "I do not know." I think his statement is honest. I think that respecting many other features of this measure which he proposes, and many other features of this service which he is attacking—attacking in the garb of friendship—he simply "does not know."

Now, Mr. Chairman, I say in conclusion what I said at the outset—I stand here to represent the patrons of this service. Scattered all over the civilized world is a great peace army. It gathers the news; it flashes it across continents and under oceans; it crystallizes it in the daily papers. For years it has been the pride of this great Republic that so complete is our postal system that every citizen of our larger communities has been able each morning at breakfast to read of what transpired the day before throughout the civilized world. It was the idea of the fathers of this system, it is the idea of the friends of this system to-day, that it will give a similar advantage to the residents of our rural communities, and I stand here to appeal in behalf of these communities.

I could read you scores of letters received by me during the past weeks by the patrons of this service in my district, recounting its advantages, telling how it broadens the horizon of the farmer, enables him to have his daily paper, secures him his daily market report, bringing him into closer contact with the outside world, enhances the value of his farm by bringing the post-office to his door, and diminishes the isolation of country life.

Let me remind you of the millions upon millions of dollars spent by the Government for public buildings in our large cities, and let me tell you that every dollar spent to develop our rural communities, to make them more attractive for our young men and women, is equally well invested.

This system has established its right to live—its capacity for development. It has become one of our great institutions, worthy of our Republic, worthy of our twentieth century life; and I appeal to you to let the present method—the method which has been tried through the years of the system's infancy—remain in force for at least another year. If, at the end of that time, those who have had it in charge, those who are most interested in its success—the patrons of these routes—give it as their judgment that the present method is not as good as the contract system would be, I shall be more than glad to yield my present convictions and to assist in the adoption of that system.

I sincerely thank you, Mr. Chairman and members, for your very considerate attention to these somewhat desultory remarks from one of those who, on the floor of this House, is supposed to "be seen and not heard." [Applause.]

Mr. GAINES of Tennessee. Mr. Chairman, I do not believe there is a member of this body who seriously objects, indeed, who dares object, to the extension of what is known as the rural free-delivery system. I do not believe there is a member of this House who would do such a gross injustice to the rural portions of our country as to directly destroy this great privilege, when we see the great results that are following in the wake of this system, so much enjoyed; so much desired; so much needed, and so thoroughly indorsed as this by the farmers, who are mostly benefited. And I may add the cities are greatly benefited—because the merchant can communicate quickly and safely with the farmer with whom he wants to transact business.

There is no doubt about quick and safe communication under this system. In this way the farmer, even if he remains at home, is greatly benefited; so are the city and country merchants. I know the rural system is a great blessing to the farmer. I know what the denial of post-office privileges is to the farmer. I know what it is to have no post-office, to have one with a triweekly mail, and one with a daily mail, and I know the great convenience, indeed the great joy and permanent blessings, that this system has and will continue to confer upon the people who live in the country if this service is continued as it is; and I shall not be one who will change from a successful system to another system—the star-route system—that we know has in thousands of instances proved an abomination, so far as the mail service is concerned. It may be the rural system can be improved upon. It may be it can be conducted on a cheaper basis.

There may be many improvements made, as in all other projects, as time rolls on, but I see no hope of an improvement to turn this rural system as it is now into a star-route system, when we are so familiar with the inadequate and bad service of the star-route system and the adequate and good service of the rural system.

The farmer has never received that recognition that has been so generously bestowed upon every other circle of society, yet the farmer is the corner stone of good society. He does not groan under the heavy burdens that he has always to meet as a citizen and taxpayer of this country, and this is, so far as I know, the first direct accommodation that has yet been brought to his door.

It is the only tangible convenience of which I know that the Government has bestowed upon him as a citizen. He is entitled to this and more besides. This service is safe, sure; it is satisfactory to him, and I do not believe that the one which this bill provides for is. There is no doubt about this rural service being what is claimed for it. We know there is no doubt about the star-route service being inefficient, rotten in many places, and unsatisfactory, and I shall not support a measure which undertakes to turn an unimpeachable system into one that has been impeached from the time it begun.

There is, Mr. Chairman, an objection raised to the continuation of the present rural system on the ground that it may create a great army of officeholders and the system be turned into a great political machine; that this great "army" may invade Congress—may come here into the very halls, as it were, and compel Congress to pass legislation in the interest of this army of rural

carriers and officers, well knowing that such legislation would be contrary to the general welfare of the country. That the farmer boys of this country who are employed in this service may become thus reckless and lawless I do not believe, and I repudiate any such intimation or imputation. For one, sir, I am not only glad to shake their hands when they appear here, which is very rarely the case, but I am glad to receive letters from them or indeed any of my constituents.

They have the inalienable right to petition or remonstrate with the lawmaking power of this country. If they choose to do this by letter or petition in an orderly and genteel way, we have no right to deny them the privilege of exercising this right or to treat such correspondence with contempt or even with silence, and I shall never, as long as I am a member of this body, be the party to strangle the liberal exercise of this right, which, thank God, every citizen in this Republic has enjoyed until the President a few days ago said that the employees of this Government, who have as many rights as he has as a citizen, should not be allowed to write hereafter to their members touching upon their official welfare or upon the welfare, possibly, of some other member of their family.

We are under oath here to represent the people, and we misrepresent them, if through ignorance we do wrong, when that ignorance may be easily dispelled if we are allowed to confer freely with our constituents and they with us. This rule and any other such rule and regulation or law announced or enforced by anybody under the American flag is an outrage against American institutions and American citizenship. I have stated this repeatedly, and I shall continue to do so as long as I am in this body and when I shall return to the walks of private life.

Mr. Chairman, I have given considerable attention to the question as to whether or not the contract system, which is sought by this bill to be substituted for the free-delivery system, will prove to be a less objectionable political machine than the rural free-delivery system under the civil-service rules under which the rural free-delivery system has operated since February 1, 1902.

Both systems are creatures of Congress. Both systems are operated by the political departments of this Government, and my judgment is—and certainly my observation is—that it is practically impossible to keep politics out of matters which emanate from the political departments of this Government. It is said even that the Supreme Court of the United States deliver political opinions sometimes. We have heard State supreme courts thus criticised. It being true, then, that both the rural and contract systems emanate from the political departments of the Government, the question that I have considered, and most seriously, with the lights now before me, is whether or not the rural service under civil-service system properly enforced will be more completely divorced from political influences and be less of a political machine than if it is succeeded by the contract system under the proposed bill.

I have decided, and shall vote accordingly, that while it will be impossible to divorce either system from politics, the chances for using the rural system for political purposes under a thoroughly well-enforced civil-service system, which we hope may be done, will be more efficacious in preventing the service from being used as a political engine than if the contract system obtains. My distinguished friend from Kentucky [Mr. SMITH] and my eloquent friend from Mississippi [Mr. WILLIAMS] touched upon this vital subject yesterday seriously, and the latter spoke at great length. I regret that I shall not have time, nor do I feel physically able to-day, to reply fully to either, but I do think that both of the gentlemen have been misled, in that they have not had before them the recent rules and regulations which were promulgated February 1, 1902, and under which the rural system is now being executed.

They quoted from the old regulations. I hold in my hand a copy of the present civil-service rules under which the rural system now operates, and has since February 1, 1902. I will, by permission of the House, insert both sets of rules, which the Department, I believe, contend are practically the same, as much so as they can be to be applied to two different officers; first, a route inspector, and, second, a special agent, under the circumstances that surround the two officers. The first set of rules, I believe, apply to the route inspector after the service has been established and a vacancy occurs. You will find that there are 16 rules or conditions that must be complied with by the applicant and executed by the route inspector. Rule No. 12 provides:

After an examination has been held the route inspector will carefully observe the general characteristics of the candidates or applicants, taking special notice of health and physical conditions, and in submitting his report, state which, in his judgment, should be selected. Under no circumstances must political or religious affiliations of applicants be considered, nor must political indorsements be received or entertained. The merit of the applicant and the good of the service alone must be considered in submitting a recommendation.

Then at the end of the rules the following declaration appears, which, of course, is itself a rule of practice:

The central board of examiners will carefully review all recommendations for the selection of carriers in connection with the application and the written and card-reading tests submitted therewith. Special agents must therefore bear in mind that their recommendations will not necessarily control; they are, however, desired by the central board as a guide or aid in its consideration of the examination papers.

We find that the set of rules which applies to special agents, which was promulgated February 1, 1902, apply, I believe, both before or when preparation is being made to establish a route and after it has been established. It will be noticed that rule 12, which applies to "route inspectors" and the applicant which he examines, is also one of the rules which applies to "special agents," and at the end of this set of rules—that is, the rules which apply to special agents—we find the following:

The central board of examiners will carefully review all recommendations for the selection of carriers in connection with the applications and written and card-reading tests submitted therewith. Route inspectors must therefore bear in mind that their recommendations will not necessarily control. They are, however, desired by the central board of examiners as a guide or aid in its consideration of the examination papers.

So that, let the route inspector, or, under the other regulations, let the special agent make any recommendations he pleases, he is required to write down everything that is done. The examination must be in writing; the answers must be in writing; the report must be in writing; the statement is sworn to by the applicant, and the result of this written examination must be submitted under the civil-service rules that have obtained since February 1 to the central board.

Who compose the central board? Two Democrats, two Republicans, and an expert statistician, a lady who is expert in civil-service laws and rules and the manipulation of the civil-service system. So that we have practically a neutral board, composed of two Democrats, two Republicans, and a lady—a magnificent mugwump, the lady, and of course she is going to do right; I am willing to trust her. Now, this is the best we can do under the circumstances. This is a Republican Congress. This is a Republican administration, and it is certainly better to have that board to which the farmer's boy can appeal finally, and if this board does not do right, then the farmer's boy can appeal to the civil-service board, presided over by General Procter, an old Confederate soldier.

So, first, he appeals to the inspector and he examines him and then reports to the central board, composed of two Democrats, two Republicans, and this lady, who is allowed to vote and is a member of the board, and then if that board does not do right you can appeal to the Civil Service Commission. Here the farmer boy has three trials, three chances. Now, gentlemen, which will you have, the chance for three trials, three hearings, or will you, Mr. Chairman, leave it entirely in the hands of the Postmaster-General, as this bill does, to do as he pleases, without any appeal at all?

I have not the time nor the voice to read all of the provisions of this bill, but there is one to which I wish to make reference. It is in reference to bids to carry the mail and is found on page 3, and is as follows:

But the Postmaster-General may reject all proposals submitted under any advertisement.

The Postmaster-General may and will, if he desires, reject "all" proposals under "any" advertisement.

There is autocratic power, there is a one-man government, there the thing ends, and it does not make any difference whether the man is acceptable or whether he is not, because the very words of this law say that "all proposals," regardless of whether they are of merit or demerit, can be set aside and a call for new propositions ordered by the Postmaster-General.

Now, which will you take as the final judge, the Postmaster-General, whom we know is a Republican, and an expert campaigner, I understand—and if he does not act he will appoint some subordinate who is worse probably than he is—which will you take, I say, the Postmaster-General, with all his one-man power and no chance to be heard, or the civil service, with three chances to be heard? I have looked the situation over, I have studied it, and I say, between the two things, first, that I am for the perpetuation of the present system; second, I am opposed to the contract system of this bill because it is full of politics and leaves it entirely to the dictum of the Postmaster-General to appoint whom he pleases, whereas in the present system it is left to a route agent who is under oath and under bond, and then the papers go to the central board of five, and then from there appeal lies to the Civil Service Commission.

Now, Mr. Chairman, these conditions are exactly what force and impel me to vote against this bill, and I am going to do it. In brief, Mr. Chairman, I think more and better opportunities are given, in other words, to the farmer boy to secure his rights and to get a position in the rural system as it is than in the bill as it

now stands, and I am not afraid to trust him in peace or war, where he has always been a hero, a patriot, and an honor to our Republic.

Mr. MOON. How does that happen that he has this better chance to get this position?

Mr. GAINES of Tennessee. Here are the rules and regulations right here. Here they are under these rules.

Mr. SMITH of Kentucky. You refer to the fact that an appeal can be had to the central board and then from the central board to the Civil Service Commission.

Mr. GAINES of Tennessee. Yes; that is my information officially given.

Mr. SMITH of Kentucky. What good will an appeal do from the finding of the central board to the Civil Service Commission, when that appeal is to be heard upon the record made out by a partisan local route agent? He makes up the record.

Mr. GAINES of Tennessee. Will you tell me how much better you are off when that same record is sent to the Postmaster-General whom you know is a Republican, and who as you know wants to keep the Republican party in power?

Mr. SMITH of Kentucky. Yes; I will answer you.

Mr. GAINES of Tennessee. How?

Mr. SMITH of Kentucky. Because it gets to the last analysis more quickly that way, and we claim that when the Postmaster-General does that, that we can appeal to the people and charge it up to his party. That is what we do, but when you get through this process of appealing from board to board you mix the matter up in that way, and you can not charge it directly to the party in power.

Mr. GAINES of Tennessee. We will charge it directly, because the man who does wrong under the civil-service system will have his commission under the Republican Administration, and we can still charge to the Republican Administration any maladministration in the civil service. And if he does wrong we will have a larger record—all in writing—to show his wrongful act.

Mr. SMITH of Kentucky. But we are greatly delayed in getting to that point.

Mr. GAINES of Tennessee. Well, but you are delayed before a country boy is turned out, too, if he gets in. He has three trials to get this position and has a trial or trials before this board before he can be turned out, whereas under the law proposed by the gentleman from California [Mr. LOUD] he has only one chance and before a Republican or Democrat, as the case may be, who can be a partisan and do as he pleases, and you can not help yourself, because he acts in his so-called discretion. Now, Mr. Chairman, what has been the record of the star-route service? Has not that been a rotten service, and is not this an inadequate service? Have not my friends from Kentucky [Mr. SMITH] and from Mississippi [Mr. WILLIAMS] voted for the rural free-delivery system *ever since* they have been in Congress, and we all know that they were down on the star-route service and substituted the rural service for it to reach the farmers. Now they are trying to substitute the star-route service and its machinery for the very recent and splendid rural service.

Mr. SMITH of Kentucky. I do not want the gentleman to say that I am down on the star-route service at all; but it does not reach to the individual. That is the reason.

Mr. GAINES of Tennessee. What does not reach to the individual?

Mr. SMITH of Kentucky. The star-route service.

Mr. GAINES of Tennessee. Well, the rural service does.

Mr. SMITH of Kentucky. The rural service reaches the individual.

Mr. GAINES of Tennessee. Yes.

Mr. SMITH of Kentucky. I say I do not want you to represent me as being down on the star-route service, for I am not. I am for the star-route service, but I am for the rural service likewise, because it extends to the individual.

Mr. GAINES of Tennessee. Yes; and yet you want to harness it up in the star-route regalia, and the star-route service heretofore has been a failure—at least inadequate and in places rotten.

Mr. SMITH of Kentucky. I say it has been a great success.

Mr. GAINES of Tennessee. Now, in addition to that being an inefficient service, I was shocked to find, the other day, from the report of the Second Assistant Postmaster-General, ending June 30, 1900, that the average number of failures per month in the star-route service was 220, while in one month last year it ran as high as 700, and the total for the year was 2,640 failures.

Mr. SMITH of Kentucky. For how many routes?

Mr. GAINES of Tennessee. Out of all the routes; 2,640 failures for the year 1900, and 700 in one month.

Mr. SMITH of Kentucky. How many routes are there?

Mr. GAINES of Tennessee. I do not know.

Mr. SMITH of Kentucky. The gentleman ought to show what the percentage was.

Mr. GAINES of Tennessee. There had been no failures in the free rural-delivery system for the year ending June 30, 1900.

Mr. SMITH of Kentucky. There had been but very few routes established up to that time.

Mr. GAINES of Tennessee. Although not included in the report of the Second Assistant Postmaster-General, an unofficial estimate places the total number of defaulting contractors for 1901 at 2,900. Inquiry at the office of the Second Assistant Postmaster-General elicits this information, and more—that not 10 per cent of the bonds of these defaulting contractors can be realized on, and that the mjority are entirely worthless.

Now, I want to say to my friend that two nights ago I asked a Federal judge of Tennessee what amount the Government realized in money from the bonds that are forfeited in the postal service, and he said, "Nil," to use his prompt reply and language. His answer was "Nothing." So at best we have a bad service in the star-route service, and then we have defaulting and no recovery on the bonds; bad service and loss of money, because they can not realize on the bonds, two confessed evils that strike at vital parts of the mail service.

Now, here it is proposed to suspend this free rural service and substitute a star-route service that is bad in places and inadequate all along the line, and always has been and always will be, and to go back to the old system of subletting, that is so unsatisfactory to the country. The question is, Shall we do that, or shall we go on with this system that has gratified and pleased the farmers of this country more than anything that we have ever done for them?

Mr. SMITH of Kentucky. I call the gentleman's attention to the fact that there is no subletting under this system.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES of Tennessee. Mr. Chairman, I ask unanimous consent to place in the RECORD, here, these instructions to these rural agents, and other regulations relating to the subject, and a letter from Mr. Machen, just received. I have not had the time and I have not the voice to read them, but I am very anxious that they appear in the RECORD.

INSTRUCTIONS TO ROUTE INSPECTORS RELATING TO THE EXAMINATION OF APPLICANTS FOR THE POSITION OF RURAL LETTER CARRIER.

On February 1, 1902, the order of the President classifying rural letter carriers will become effective. After that day vacancies occurring in the force of carriers will be filled in accordance with rules of the Civil Service Commission.

The following special rules are prepared for the guidance of route inspectors, who will be detailed to conduct examinations where vacancies exist:

1. A letter carrier who resigns will not be permitted to discontinue service until his successor is appointed and qualifies.

2. In the case of the death or removal of carriers, postmasters will be instructed to employ the substitute carrier, and if there is none, any suitable person until the regular examination can be held.

3. When the route inspector is advised of a vacancy by the Department, he will proceed to the post-office as quickly as possible, notifying the postmaster by wire, if necessary, of the day he will reach there, and instructing him to notify applicants to be on hand to take the prescribed examination.

4. Each applicant will be given a blank application, which he will fill out with pen and ink in the presence of the route inspector.

5. Each applicant, separate and apart from the other applicants, will be required to read 25 addressed envelopes or cards. The route inspector will carefully note every error made by the applicant, and the time he takes in the test.

6. Each applicant will be required to fill out a blank registry receipt and a blank receipt for money for the purchase of a money order.

7. Applications of badly crippled or deformed persons will not be considered. This will include persons who are totally deaf or blind, who have one arm or one leg, etc.

8. Applications of persons under 17 or over 55 years of age will not be considered, except in the case of honorably discharged soldiers or sailors of the civil war or Spanish war who are physically able to perform service.

9. Applications of persons will not be considered who have not the necessary equipment for the service, namely, horse and wagon or cart, unless applicant can satisfy the route inspector that he will be able to supply such equipment in case he receives the appointment.

10. The applications of women will be received, but a woman should not be recommended for appointment as regular carrier unless, in the judgment of the route inspector, local conditions and circumstances are such as to make the recommendation desirable and for the best interests of the service.

11. Applicants must reside directly on or within the territory to be supplied by the route where the vacancy exists.

12. After an examination has been held, the route inspector will carefully observe the general characteristics of the candidates or applicants, taking special notice of health and physical conditions, and in submitting his report state which, in his judgment, should be selected. Under no circumstances must political or religious affiliations of applicants be considered, nor must political indorsements be received or entertained. The merit of the applicant and the good of the service alone must be considered in submitting a recommendation.

13. In recommending a selection from among the applicants who were able to fill out the necessary blanks, route inspectors will give preference to thsoe who, by long and constant residence in the community, are well acquainted with the patrons of the route, hold their confidence, possess the necessary equipment, and are prepared in cases of emergency to furnish a suitable substitute.

NOTE.—Section 1754, Revised Statutes: Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty shall be preferred for appointment to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices.

14. In filling a vacancy the substitute carrier competing in the examination with other applicants, everything else being equal, should be given preference.

15. When a route inspector has doubts about an applicant's character or

reputation he should not only make inquiry of two or three persons given as references in the application, but also consult two or more prominent citizens not mentioned by the applicant.

16. A rural letter carrier will be required to furnish a suitable substitute, who will be required to give bond in the same amount as the carrier, namely, $500. With the separation of the regular carrier from the service the substitute also will be dropped, but will be permitted to take the examination in competition with other applicants for the position if he can meet the requirements of rules 7, 8, 9, and 11.

The central board of examiners will carefully review all recommendations for the selection of carriers in connection with the applications and written and card-reading tests submitted therewith. Route inspectors must therefore bear in mind that their recommendations will not necessarily control; they are, however, desired by the central board of examiners as a guide or aid in its consideration of the examination papers.

——— ———, *General Superintendent.*

INSTRUCTIONS TO SPECIAL AGENTS RELATING TO THE EXAMINATION OF APPLICANTS FOR THE POSITION OF RURAL LETTER CARRIER.

On February 1, 1902, the order of the President classifying rural letter carriers will become effective. After that date the selection of carriers will be made under the following rules:

1. In all petitions for service filed after February 1, 1902, the petitioners will be required to nominate not less than three persons whom they deem trustworthy and who are willing to accept the position.

2. The special agent who makes the investigation for the establishment of the service will also conduct the examination of the applicants for the position of carrier.

3. The special agent will advise the postmaster in due time of the date he will reach the office from which the proposed route or routes will start, and instruct him to notify the applicants named in the petition, and any others who may apply, to be on hand to take the prescribed examination.

4. Each applicant will be given a blank application which he will fill out with pen and ink in the presence of the special agent.

5. Each applicant, separate and apart from the other applicants, will be required to read twenty-five (25) addressed envelopes or cards. The special agent will carefully note every error made by the applicant, and the time he takes in the test.

6. Each applicant will be required to fill out a blank registry receipt and a blank receipt for money for the purchase of a money order.

7. Applications of badly crippled or deformed persons will not be considered. This class includes persons who are totally deaf or blind, who have one arm or leg, etc.

8. Applications of persons under 17 or over 55 years of age will not be considered, except in the case of honorably discharged soldiers or sailors of the civil war or Spanish war who are physically able to perform service.

9. Applications of persons will not be considered who have not the necessary equipment for the service, namely, horse and wagon or cart, unless the applicant can satisfy the special agent that he will be able to supply such equipment in case he receives the appointment.

10. The applications of women will be received, but a woman should not be recommended for appointment as regular carrier unless, in the judgment of the special agent, local conditions and circumstances are such as to make the recommendation desirable and for the best interests of the service.

11. Applicants must reside directly on or within the territory to be supplied by the proposed route.

12. After an examination has been held the special agent will carefully observe the general characteristics of the candidates or applicants, taking special notice of health and physical conditions, and in submitting his report state which, in his judgment, should be selected. Under no circumstances must political or religious affiliations of applicants be considered, nor must political indorsements be received or entertained. The merit of the applicant and the good of the service alone must be considered in submitting a recommendation.

13. In recommending a selection from among the applicants who were able to fill out the necessary blanks, special agents will give preference to those who, by long and constant residence in the community, are well acquainted with the patrons of the proposed route, hold their confidence, possess the necessary equipment, and are prepared in cases of emergency to furnish a suitable substitute.

NOTE.—Section 1754, Revised Statutes: Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty shall be preferred for appointments to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices.

14. Everything else being equal, one of the persons nominated by the petitioners for the service should be selected.

15. When a special agent has doubt about an applicant's character or reputation, he should not only make inquiry of two or three of the persons given as references in the application, but also consult two or more prominent citizens not mentioned by the applicant.

16. A rural letter carrier will be required to furnish a suitable substitute who will be required to give bond in the same amount as the carrier, namely, $500. With the separation of the regular carrier from the service the substitute also will be dropped, but will be permitted to take the examination in competition with other applicants for the position if he can meet the requirements of rules 7, 8, 9, and 11.

The central board of examiners will carefully review all recommendations for the selection of carriers in connection with the applications and the written and card-reading tests submitted therewith. Special agents must therefore bear in mind that their recommendations will not necessarily control; they are, however, desired by the central board as a guide or aid in its consideration of the examination papers.

——— ———

General Superintendent.

POST-OFFICE DEPARTMENT,
FIRST ASSISTANT POSTMASTER-GENERAL,
OFFICE OF GENERAL SUPERINTENDENT FREE-DELIVERY SYSTEM,
Washington, March 5, 1902.

SIR: Replying to your personal inquiry of this date, I have to say that the instructions printed on page 2521 of the CONGRESSIONAL RECORD are for route inspectors who are specially detailed to conduct examinations for the filling of vacancies which occur in the established service. These instructions differ from those given to special agents—not, however, in material points.

Special agents alone establish service. Under the rules we require that the petitioners for new service shall nominate applicants for the position of carrier. The rules do not, however, limit the examination to those suggested by the petitioners. Any others may apply; but with everything else equal, one of the nominees of the patrons or petitioners is to be selected. All selections, whether to fill vacancies or for original service, are made through the central board of examiners. This board carefully reviews the recommendations of the special agent, or route inspector, in connection with the examination papers which are submitted.

Very respectfully, yours,

A. W. MACHEN,
General Superintendent.

Hon. JOHN W. GAINES,
House of Representatives, Washington, D. C.

PETITION FOR THE ESTABLISHMENT OF RURAL FREE DELIVERY.

The FIRST ASSISTANT POSTMASTER-GENERAL,
Washington, D. C.:

The undersigned heads of families, residing in ——— County, State of ———, respectfully ask that the rural free-delivery service be extended to them, the delivery to start from ——— post-office, ——— County, ——— State, or such other point as the officers of the Department may deem best adapted for the service. A map or rough sketch of the proposed route is outlined on diagram herein. The roads over the proposed route are ——— ———.

There are no unbridged creeks and the roads are passable at all seasons of the year.

We agree to the official regulations governing the service, and to erect, for the reception of our mail, boxes which have been approved by the Department.

Name of head of family.	Occupation.	Number in family over 16 years of age.	Miles to nearest post-office.

APPLICANTS FOR POSITION OF CARRIER.

Name, ——— ———. Proposed by ——— ———.

Outline the proposed route on the following diagram, locating the office or point from which it is to start, in such a manner that the entire route will appear thereon.

Then follows a diagram showing how to lay out by metes and bounds the route, north, east, south, and west.

I hereby indorse the within petition and urge that the same be granted.

——— ———.

[To be signed by the Representative or United States Senator.]

This petition, when properly signed, should be sent to the Representative in Congress or to one of the United States Senators, with a request that he indorse thereon his recommendation of the service asked and forward the petition to the Department.

Mr. SWANSON. I yield ten minutes to the gentleman from Michigan [Mr. HENRY C. SMITH].

Mr. HENRY C. SMITH. Mr. Chairman, I desire to call attention to a part of this bill which I have not heard discussed, and which I think is important.

In the first place, as is generally known to those who have given the subject consideration, this service has not been classified. It has been carried on the appropriation bill and has been considered as experimental only, and I submit that the object and purpose of this act is to remove the service from that experimental stage and to put it in such a position that henceforth it will be under the general laws applicable to the other divisions of the Post-Office Department, and I believe that if the country understood the provisions of this act there would be such a sentiment raised against it that there would not be a vote in its favor.

In the first place, the farmer who is supplied by rural delivery gets one great benefit through that service by reason of the facility with which he receives his county paper, and under the rulings of the Department, since this is in its experimental stage, the country paper is permitted to circulate in the county of its home free and is permitted to be carried by the rural carrier free. But if you enact into law the provision in this bill which provides for this service, henceforth you say by classifying there will be an end of the free county newspaper, and it will stand on equality with every other paper and must be delivered by a special carrier or pay the other rate of postage. This bill is in the direct interest of the great city daily and detrimental to the home papers, and for this reason, among others, I oppose the measure. Another thing: This is only classifying a part of the employees. What are they? If we are to have a general bill, classifying the rural-delivery service, why not have one creating a separate department for it, defining its powers and the scope and breadth of its powers and responsibilities, create what seems to be the desire on the part of some, a fifth assistant postmaster-general, to have charge of and map out and control the service. But in this bill it is only proposed to classify the special agents, classify the route inspectors, classify the clerks, and classify or change the method of hiring the carriers.

NOW, I submit that the thing that the people complain of, and the only thing, in the rural service, so far as I have been able to learn, is not the cost of the service, not the method by which the carrier carries his mail, not the kind of a rig that he uses, or the carrier himself. The thing they complain about is being compelled to use some particular kind of a box, of a particular kind of a make of box, fourteen of them, approved by the arbitrary power of some man; and you must have one of the fourteen kinds

or this Department says that your mail shall not be brought to you. You may erect in front of your house in the city a cigar box; you may have a silver box, or a hat box, or you may have no box at all, and when the carrier in the city comes to your door he brings your mail and puts it in the box you provide; and yet you say to this farmer, to whom you have promised so much, "You must buy one of fourteen boxes approved by a committee," selected by what my friend from California calls the great "big Injun," selected by some committee. Why do you not provide in your bill for the kind of the box that shall be used, instead of providing some method by which the carrier shall be selected?

Mr. WILLIAMS of Illinois. Will the gentleman permit an interruption there?

Mr. HENRY C. SMITH. Yes, sir. Is there a box factory in your district?

Mr. WILLIAMS of Illinois. On this question of boxes, let me ask you about what is said to be going on down there. Is the gentleman prepared to say whether he has any information that certain employees of the Post-Office Department are interested in the manufacture and sale of any of these boxes?

Mr. HENRY C. SMITH. I never heard anything of the kind and I do not believe they are. I believe they are honest men. They are honest; they are intelligent Republicans. I understand one was a Democrat, but he has gotten over that and he is all right in every other particular in my judgment. Now, that is the proposition. If this bill is to create a service that the people desire, what complaints there are is with reference to the boxes in which the mail is deposited, and there are no other complaints. There is no demand for this legislation.

Mr. SHACKLEFORD. Is the gentleman for the box or against it?

Mr. HENRY C. SMITH. I am against having the people compelled to take any particular kind of a box. I want them to have the right to take the kind of box they want.

Mr. SHACKLEFORD. Is that involved in this bill?

Mr. HENRY C. SMITH. It is not a question that is directly involved in this bill, perhaps. I am complaining because it is not covered and regulated by this law. If the gentleman is a member of this committee, and I think he is, why do you not consider some of the bills before your committee? Why do you not involve it in this bill here, when you classify the service?

Mr. SHACKLEFORD. We want to get through with one thing at a time.

Mr. HENRY C. SMITH. Why not take the thing that the people are complaining about and want legislation about the first thing, instead of taking up a thing that no one has asked for? During all the years since we have had the free-delivery service you have had an opportunity to let the carrying of the mail out to the lowest bidder, but there never has been a bill brought in until to-day, because when you think you have the farmer to deal with he will be content with something cheap; you want to cheapen this service by letting out the carrying of the farmers' mail to the lowest bidder, and not till now has this ever come to the mind of man to do such a thing with the mail of the banker, the merchant, and the manufacturer. Why not treat all alike? There is no more reason why the rural service should be let out to the lowest bidder—and he will be low enough in every walk of life, in my judgment—than there is why the post-offices should be let out to the lowest bidder.

What would gentlemen on this floor think if Congress should enact a law letting out the office of their private secretary to the lowest responsible bidder? What would they think of a law letting out the fourth-class post-offices to the lowest bidder? Why, gentlemen, in a city not 200 miles from here, quite an important one, I know to-day where the contract for carrying the mail from the railroad to the post-office has been let to a man—let to the lowest bidder, a man who could pass for J. Whitcomb Riley's raggedy man. This man is poor; he has got a rig of one mule and one horse and an old fish wagon that he goes about the city with, and the people are not satisfied to have their mail carted about in such an unsightly rig; and that is just exactly what this thing will come to in the rural districts if this bill becomes a law. The farmer will be delivered his mail by dagoes, by any man that is willing to work for 30 cents a day and live on rice. I tell you that the farmer in my district is a high-toned man, and he is entitled to high-toned service.

They have been waiting all these years for something good; they have been promised all these years something good. They are the most intelligent men up in my country, too. I have letter after letter and protest after protest and telegram after telegram, asking me to file my protest against this bill, which proposes to let out the carrying of the farmers' letters to the lowest bidder, the contract to the men that bring the mail, the sacred letter to their doors. Shall this great Government compel the farmer to receive his mail from a man that he would not employ to do the meanest service, a man that he would not willingly permit upon his premises? I sincerely trust not.

Mr. LOUD. Why does not the gentleman read some of them and let us see whether they are from carriers or not?

Mr. HENRY C. SMITH. Well, here is one from the president of the Michigan Association of Postmasters. The postmaster comes right in contact with these carriers, too, and in a sense is responsible for their conduct and is qualified to speak upon the subject. Not one of my protests comes from a carrier.

Mr. SHACKLEFORD. Is he a farmer?

Mr. HENRY C. SMITH. Yes; the same kind of a farmer that you are. He does not farm the land, but, like you, he farms the farmer. [Laughter.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed.

Mr. LOUD. The time to be charged to the other side.

Mr. BARTLETT. Certainly.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the gentleman from Michigan be allowed to proceed. Is there objection?

There was no objection.

Mr. HENRY C. SMITH. Now, Mr. Chairman, here is the point about it: How is this man to be selected? This bill says that "the service shall be awarded to the lowest bidder who shall furnish evidence satisfactory to the Postmaster-General that such bidder is a legal and actual resident," etc. How is that evidence to be brought to the Postmaster-General? How will he find out whether this is a moral man, a clean man, a man fit to associate with his family, with the family of the pure and honest farmer, and fit to bring letters to his family? How will the Postmaster-General here in Washington investigate the moral character of a man in California or Oregon, or in any distant part of the Union? Will the Department appoint an agent to go around, at large expense, and take an account of stock and inquire into the moral standing of the men? The way to select a carrier is the way they have been selected, in my judgment, the way that has turned out and proved to be absolutely satisfactory.

Mr. OTEY. Will the gentleman from Michigan allow me a question?

Mr. HENRY C. SMITH. Yes; if the gentleman is within reach of the Constitution. I can not hear very much that he says.

Mr. OTEY. How are you going to tell by his moral character how he stands with the civil service?

Mr. HENRY C. SMITH. The postmaster of the post-office recommends the man, sends in his name, investigates and speaks for his worth and character, and he is in a position to know. He is the near neighbor of the man. If he is not, he can inquire of his neighbors and friends, and that is how it is to be done. The special agent who establishes the route also investigates the character of the carrier, and the method now used is safe and satisfactory.

Now, what other thing is there in here? It provides that he shall perform acceptable service. I would like to appeal to any attorney as to what that word means? "Acceptable service." Acceptable to whom?

Suppose he gave a bond to perform "acceptable service." If it is acceptable to the Postmaster-General, then the Postmaster-General is not in a position to know whether it is acceptable or not to those who are being served. If it is to be acceptable to the patrons of the route, there would be an eternal and everlasting conflict and contention as to what was satisfactory and what was not. Suppose suit were brought upon a bond given by a carrier selected under this law, setting up the claim that he had not performed "acceptable service," what would be the evidence which would warrant a recovery? What would be the penalty and the judgment? To my mind it is so general, uncertain, and impracticable as to be absurd.

Mr. OTEY. Will the gentleman permit another question?

Mr. HENRY C. SMITH. Yes.

Mr. OTEY. Who is going to certify to the character of the postmaster?

Mr. HENRY C. SMITH. The Republican members of Congress as long as you and I live [laughter on the Republican side], in my humble judgment.

Now, my friends on this committee, I ask you if the fear is such that this rural delivery is going to grow so large and become so extensive that it will swamp and bankrupt the Government, as we have been warned, and that there should be some curtailment somewhere, and, as these gentlemen say the rural-delivery carrier should not have a carriage or a wagon or a harness or a horse provided for him, I ask them why it is that they have not followed the recommendation of the committee appointed by this Congress to reduce the pay of the railroad companies to carry the mail? Why not start there? The Government of the United States substantially furnishes cars to them. As I had the honor

to say on this floor a year ago, they pay a rent equal almost to the value of the car. [Applause.]

The title of this act is "To classify the rural free-delivery service and fix the compensation to employees thereof." Now, neither in the bill, nor in the report of the majority of the committee, nor in any speech so far made has there been any indication as to what the purpose of this law is, or what has led to its being brought before Congress, except, and only, as to the manner in which the carriers are selected. We are not told why it is to be classified nor what is meant by its being classified. If by this is meant the making of a general plan for the conduct of the department of rural free delivery, then the bill is too uncertain. And it would seem as though the scope of the bureau or service or the conditions under which the service should be established and some plan of the service would be the first thing to be thought of and provided for.

Indeed, as I have before stated, the box is the only thing which has led to any criticism, and yet in this bill no provision whatever is made for the box, the kind of box to be used, or any regulations concerning the service, or protection to the box. The proposed bill only enacts that—

The Postmaster-General be, and is hereby, authorized to classify the rural free-delivery service and fix the compensation to employees in such service as follows.

Then it proceeds to fix the compensation of certain employees, but makes no statement or provision as to classification of the service, but, on the contrary, to the classification of certain employees, officers, and agents of the Department.

There are bills before this same committee, one introduced by myself, providing in substance that the Government shall furnish the boxes, and there are other bills, but no attention is paid in this act to the box, or indeed to anything except employees.

It has been said on this floor that the object of the act is to make the service permanent, instead of experimental, as now. If this were the real object of the act, then the title would be "An act to create a permanent bureau of rural free-delivery service," or something of this kind. I believe that the only purpose is to bring this service within the general law regulating the Post-Office Department, so that the Postmaster-General shall be prevented from using his judgment and discretion, which he has used ever since the service has obtained to the entire satisfaction of the public and to that extent that this service has become and is the most popular measure fostered by the Government.

It has revolutionized life on the farm and has made it the most desirable where it has always been the most beneficent, and best adapted to the best development of boys and girls—the best thing in the world. With electric cars, automobiles, good roads, and rural free delivery, all of the other of the genteel and refined people of the nation will find pleasant and agreeable life—a life of purity and pleasure—on the farm. It is perfectly wonderful how the roads have improved since rural delivery came, and how content and happiness has come to the life of the farmer. And with these things the rush of the boys and the girls from the farm to the overcrowded cities will be checked, and the tendency will be in the other direction. From the beginning of history to now the honest farmer has been the pride and glory of the world, and he is to-day the best hope of this Republic. [Applause.]

And I want to make as strong as it is possible for me to do my protest against letting this service out to the lowest bidder. Against auctioning it off as you would old and unsalable property. Against hawking the Government's jobs from the old auction block. Against taking all the pleasure out of the service by stamping it with cheapness.

The real fact is that there is no demand for any such legislation; and the honorable chairman of the Committee on Post-Offices and Post-Roads, the gentleman from California [Mr. LOUD], confessed the whole thing in his opening words in presenting this bill to the House when he said it was "as natural for him to oppose as it was for him to breathe." Oppose what? What was in the mind of the gentleman that he was opposing? Who was he opposing, as he believed? It was only the goading of his conscience that compelled him to make this honest utterance. And in the depths of his heart he felt that he was opposing the interests and the desires of those who were being served. He at least must have feared this. He knew that the measure was not popular, for he knew that the Post-Office Department had not suggested it. No political party, which is the organ of public sentiment, had asked it. The newspapers have never spoken for it, not a newspaper of any description has ever suggested a change in the method of the selecting of the carriers or asked for or suggested the classification of this service. Not a newspaper nor a living soul nor any man from the Post-Office Department nor any report from the Department has ever suggested the classifying of the service or the changing of it from an experimental to a permanent service. Not a petition nor a letter is shown suggesting it.

The gentleman from California in charge of the bill says that the Department opposes the measure, and intimates that some officer in the Department dictated the minority report upon the bill.

He further takes credit to himself as being the father of rural delivery, and then proceeds to excuse his appearance at the bedside of this experimental child by the assertion that he was led into the confession of the paternity of the child and to assuming the guardianship thereof upon the statement that the poor weakling would be able to subsist on $300 a year; that the farmer's boy, the chores being done, would carry the mail with an old horse and a milk wagon for that sum and even less, but that he has now been shown a new light and sees that, to his disappointment, his progeny has become so popular that it is liable to assert its strength and manhood to that extent that Congressmen will be carried beyond their judgment and the Treasury will be in peril.

And he insists that some of the younger members are just tasting for the first time the sweets of patronage and do not want to see this taken away. I am at a loss to see his logic, since the service is already covered into the civil service and the patronage is already gone, and gone forever. He sees the fallacy of his own logic, and his conscience goaded him again to make excuse, and he tells the House that it has been whispered, without mentioning to whom, that the order of the President of the United States was simply buncombe, and that Congressmen will still have the patronage. I have a higher estimate of the courage and patriotism and honor of the Chief Executive of the Republic than this, and I am surprised that a member of this House should make such intemperate criticism of the President of the United States. This office ought to be respected. The free choice of a free people should have the respect of the people. I submit that we can not expect to have our Chief Executive and the office respected by the people if the people's representatives in this forum shall accuse him of such a purpose to violate the law.

I have a higher estimate of the people's Representatives than to believe, with the gentleman from California, that they will be carried beyond reason by the carriers of the mails in the rural districts. Indeed, a man does not have to be here long to learn that patronage is weakness instead of strength. The average member of Congress would be glad indeed if he had no patronage, which to my judgment is the best excuse, if there can be any excuse for it, for the civil service. A man who is fit to help his district in this body, and fit to legislate for this great nation, ought not to be embarrassed with patronage. And for one I wish there were a law against a Congressman interfering in behalf of any Government employee and against appearing or acting in behalf of any measure the object of which is purely a private enterprise. There is no place in our country for ring rule and the triumph of the political boss.

Ex-Senator Ingalls once said, and truthfully, that when a Representative appointed a man to an office he created one indifferent friend and nineteen active enemies.

Another excuse which the gentleman from California makes for the measure is that it will tend to equalize the pay of the carrier. And it is attempted to be shown that there is a difference between a rural carrier and a city carrier in this respect. But I submit the difference, if there be any, is not great, Take, for instance, a large city. One carrier may have just one large office building in which he simply rides in the elevator and goes about delivering the mails on the various floors. Another may have a block in the business part. Another may have a route in the outskirts where the population is sparse and where he must walk a long distance. It is impossible to have equality. In ancient times it was sought to make all men of the same height, to create an equality of likeness in appearance at least. But this can not be accomplished. The best man will win in every race of life. Service can not be equal in any of the departments of Government.

What other department of the Government is in any measure self-sustaining? There is no profit in the Department of State, in the Treasury Department, or War and Navy, or the Interior, or the Department of Agriculture. This Government is not run for profit. It is not a business enterprise; it is a service. In England and in Germany and countries where the population is congested and the post-office department carries parcels and does express business, it may be self-sustaining; but in a country like ours, where the average piece of mail travels many miles, it is not expected by the people that the business can be conducted with profit. Nor do the people demand this. All they want is quick, accurate, effective, and economic service. This is a great country, rich in wealth and rich in revenues, and I never yet heard a complaint because the Post-Office Department is not self-sustaining.

I desire to call attention to another fact. Clause 4 of the act provides—

That rural free-delivery carriers heretofore appointed and now in service may be continued as carriers, at a rate of compensation not exceeding $600 per annum, until such time as the Postmaster-General shall advertise for proposals to make awards for the several routes on which such carriers are now employed.

And I would like to be informed how the 7,000 carriers now in active service and under the civil service can be thus legislated out of office. And in their behalf I make appeal that this is unfair to them, if it can be done, who have thrown up their ordinary avocations, have purchased wagons and horses and harness, have changed their plans of life.

The American people cherish fair dealing, just and fair treatment, far more than to be relieved of a few of the small burdens of taxation. If this bill shall pass we will find ourselves confronted with another permanent census bill in which a few of the favorite officers and officials shall be "classified" into permanent places, and the poor clerks and carriers will be "classified" out of place. And we will be confronted with the same gnashing of teeth, and the same despond and discouragement we see in these poor underpaid clerks and carriers who justly complain that they are overlooked, while those with large salaries are secure for all the future. And this in the name of economy! Economy ought to commence with large salaries and not with the poor clerks and carriers.

The rural service is a neighborhood affair, and the neighborhood should control—control as to who should carry the mail, and in a sense control the pay. I believe that the postal clerks on the railroad are underpaid. They do more work and better work and more hazardous work for the pay received than any other of the Government servants. And it take years of experience to reach a class where the compensation brings a living, and after those years of experience the clerk is unfitted for other employment and worn-out. Why not auction off these jobs to the lowest bidder?

Returning again to the carriers in the cities, who walk upon sidewalks, in continual contact with the people, in comparison with the rural carrier his service is a merry round of pleasure. The Government furnishes him a sack in which to carry the mail, and all he furnishes is the clothes he wears, his energy, and ability. When will the gentleman from California classify this service? When will he auction these jobs off to the lowest bidder? The rural carrier, who under this bill can not receive over $600 a year, must furnish a team, a wagon, and harness, and he must go three hundred days in the year—no holidays, no sick leave—rain or shine, sick or well. And he must feed and care for his team, keep his rig in repair, his horses shod, and renew his outfit as it becomes worn-out. And still the gentleman from California says that this child of rural delivery would have been a foundling and an outcast, so far as he is concerned, had his suspicions been aroused in the beginning that a carrier was ever to receive more than $300 a year for all this.

The character of the postal service of the people is a good index to the character of the people, we are told. The more enlightened and intelligent and enterprising the people, the more efficient will be their postal service. I agree with this, and, as I have before said, the farmer is the most intelligent and enterprising of any of our people. He likes the carriers selected under the present methods of the Department. He is his neighbor and is aided and assisted by the patrons. Would the patrons be interested in a man who simply furnished a bond and was to do simply and only what is nominated in the bond? Service compelled by obedience to a bond would not be acceptable service.

In conclusion, I desire to say that this boon, long kept from the farmer, now highly appreciated, against which no complaint is lodged, ought not to be crippled or hindered or made unpopular by the changing of any system which has worked satisfactorily. When dissatisfaction comes, it will then be time to make a change.

And for these reasons and the reasons before mentioned and for many others which could be enumerated if time permitted, I shall be proud to register my vote against this measure. [Applause.]

Mr. LOUD. I yield ten minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Chairman, I feel a little uneasy about the fate of this bill. I noticed that when the distinguished gentleman from Michigan [Mr. HENRY C. SMITH], than whom there is no speaker more interesting in this House, rose to talk, there were just 11 Republicans in their seats. That indicates that members have made up their minds that they do not want any further argument in favor of their position. Let me add, however, that a good many members came in as soon as they learned who was speaking.

I have no charges or reflections to make. I think we all want to do that which is best for the whole country, and especially for our respective Congressional districts. But if there is any member on the floor of this House who has heard of a single Representative having as many as thirty routes in his district on which he has been permitted to select the carriers, who is in favor of this bill, I want to know who he is? That implies no reflection upon any member. The constituents of a member have a right to instruct him. I do not think there is any constitutional question involved here.

We want to do that which is best, best for the whole country, and I will admit freely that so far as I am able to judge of this matter—not being practical in respect to these things—I do not know whether the service will be best rendered by adhering to the present system or by adopting the contract system. Of course under either system the best men may be appointed and the best service secured. It may be possible that upon the average, under this bill, there would not be furnished quite as good carriers as we are getting under the present system. To that extent perhaps the change might injure the service a little, but when the question is between injuring the service and injuring the institutions of our country, of the whole country, I do not hesitate to take the responsibility of deciding the question.

Unless gentlemen are very much mistaken in their views, this service must increase. It ought to increase. Now, with 40,000, 50,000, 75,000, or 100,000 rural carriers, why would they not be potent in nominating and electing members of this House? Why should they not have a right to be potent? You talk about putting them under the civil service. You may do that; you may put padlocks on their mouths if you please, but you can not close the mouths of their relatives and friends living in the neighborhood and prevent them from advocating measures which are for the benefit of these carriers.

I want to ask the rural gentlemen on this floor—and just before a nomination or an election to Congress we are all rural gentlemen—to show me a member of this House who will say boldly and openly to-day that he will not vote in the future to give the rural carrier as much for his services as is allowed to the city carrier. The maximum salary for the city carrier, with limited hours of service, is now $1,000 a year; and ever since I have been in this House, gentlemen have frequently risen here and talked about the horrible conditions imposed upon the city carriers throughout this country. We constantly hear appeals for the relief of these carriers in the way of increased salaries. Twelve hundred dollars a year is asked for the city carrier.

Would you dare to refuse to give the rural carrier, who has to plod through mud and snow and slush, furnishing his own team, as much as you give the city carrier, whose route is over paved streets and under the protection of awnings? Where is the rural gentleman who would vote for such a discrimination? Therefore we may expect that the salaries of the rural carriers will gradually be increased from $600 to $1,200—it may be $1,500. I do not know that the rural carriers will nominate or have an influence in nominating members of this House in the future, but their constituencies have a right to expect and demand just what other constituencies demand.

There is one feature of this bill which I hope to see amended; for without it I do not see how I can vote for the bill. The bill now provides, as I understand, that upon routes already established carriers already appointed or who may be in service when this contract system goes into effect may continue in the service at the discretion of the Postmaster-General. Now, I want to limit that discretion. Should this bill pass, I do not want any carrier appointed under the existing system to continue in the service more than four years from the time he was appointed or the route established. I do not say that the Postmaster-General should not be permitted to re-let a route before the four years have expired; but I would require him to do so at the end of four years. If we are going to have the contract system, let us have it as a whole; let us make its application universal.

Now, my friends, this is not a political question. We can certainly discuss it in a friendly spirit. Let us determine, if we can, which system will give the greatest good to the greatest number; let us see which system will come nearest to serving the wants of those for whom the system is established. Now, who need this rural free-delivery system? Certainly those people who live farthest from the post-offices, who have to go farthest for their mail, who suffer the greatest inconvenience by reason of not getting their mail promptly.

Under the rules at present established there must be a hundred families upon a route before the service can be extended to them. I presume one reason for this requirement is because the Government can not afford the expense of paying $500 or $600 a year to serve a smaller number than 100 families. Under the contract system, in districts where there are good roads and cheap facilities for carrying the mail, the contract price might be reduced below $600, while in sparsely settled districts with poor roads it might be advisable to give more than $600 in order to secure efficient service. And less than 100 families might be required in order to secure the establishment of a route. In my district those people who most need this service live where they will never get it under the present system, because you can not find 100 families within the limit of the route.

Take my own county, for example. I had a pride in having the service established there first. All last year I was at home, and I tried to get gentlemen to circulate petitions and establish

routes. At that time the pay was $500 for 25 miles; and do you think that I could get a single man to circulate a single petition? Why he would say, "Take our roads, over hills and hollows and creeks, we can not get 100 families within the 25 miles, and if we could we can not perform the service." It takes a wagon, in this country, and two horses, and the character of man that can be appointed carrier is such that he is worth something regardless of holding the job. The result was that I could not get a single petition filed in my own county.

After I arrived here this winter I heard that the salary was going to be raised to $600. I then wrote to several of them, and have succeeded in getting four or five petitions filed. That is a broken, hilly country, and whenever the route there is let on contract the people who live on it know what it is worth to carry it and what they can afford to undertake it for, and they may get as high as $800 or $1,000 for doing it, and I know they will get enough to carry it and will carry it if they undertake it. Now, as a contrast to this, take some of the counties in the district of my distinguished friend Mr. GAINES and of my distinguished friend Mr. PADGETT, both from Tennessee. Some of the counties in their districts are the best in the United States.

They have turnpikes all over them. Twenty-five miles out on those turnpikes—why, it is a breakfast spell to run over them. A route over those turnpikes is intrinsically and honestly not worth more than half as much to carry it as it is over the roads in a district like mine. Therefore some under the present system get more than it is worth and others get less, and many communities which are justly entitled to this service can not get it at all. With the contract system I hope that the service may be extended—more routes, less cost, less money, and greater extension of the service.

I do not blame gentlemen for being affected by the wishes of their constituents where it is not a question of principle or the Constitution involved, and you know a Democrat never goes against the Constitution. I admit that constituents have a right to instruct their Representatives, and ought to have in this free country. Therefore I do not see how we are to get gentlemen elected to this House who will not be influenced by so large and so influential a body of men as the carriers will constitute. Why, I have read and reread I do not know how many letters from the railway postal clerks asking us to vote for a reclassification of their service and an increase of their salaries. I do not think any the less of them for making that request. They have rights and they have friends on the floor of this House, and they ought to have, and are worthy of them.

I am in favor of the rural carrier being paid as much as the city carrier, and will vote for such a law; but while I say this I am in favor of economy in all lines of public expenditure, and while we are in favor of doing all we can for the "dear farmers," we must not forget that they, in the end, pay the taxes, and they are not likely to favor high salaries for either rural or city carriers. While the farmers want rural free delivery, they do not want to pay more for it than it is really worth. With 50,000 carriers getting $1,000 each per annum, farmers and other taxpayers will have to pay $50,000,000 per annum to these carriers. Such a sum staggers the imagination. Just pause and think what a stupendous campaign fund these 50,000 carriers can raise by a 5 per cent assessment or voluntary contribution. Such a power in politics is dangerous when it can be used for mercenary purposes. So far as I am concerned, I have no objection to putting the city carriers under contract if it is practical to do so.

Let us be calm and try and do what is best for the country as a whole, having due regard to the future as well as the present.

Mr. LOUD. Mr. Chairman, I yield fifteen minutes to the gentleman from Illinois [Mr. SMITH].

Mr. SMITH of Illinois. Mr. Chairman, I have no desire whatever to make any extended remarks on this bill. It has been my habit and custom since I have been a member of Congress to rather listen to others talk than to talk myself; but as a member of the Committee on Post-Offices and Post-Roads, and having in connection with the other members of that committee, and especially the members of the subcommittee, given considerable attention to the proposition contained in this bill, I feel like offering some suggestions on it.

In the first place, I may say that, having at all times been an ardent advocate and supporter of rural free delivery even before we ever had it in its experimental stage, I certainly would not give my consent at this time to anything which in my judgment might cripple or discredit the service. Long before we ever secured an appropriation which was used for the purpose of attempting this as an experimental service I advocated the establishment of such a service in this country.

I advocated it for various reasons, amongst them being the fact that the man in the country, isolated from city and town life, out by himself, having, in many instances, to travel miles to get his weekly and triweekly papers and his letters, would receive a great boon if he could have his mail delivered at his door, as we do in the cities and towns, and have what he desired to send out collected from the same place. I felt that it would bring him more in direct touch with his Government, which he was expected to maintain and support. I felt that it would relieve the monotony of his life, that it would give him greater opportunities for coming in contact with the world in general and keeping himself better posted with reference to what was going on in his country.

I felt that by the adoption of rural-delivery service, extending it as rapidly as it might be extended, the man in the country would feel that this Government was his Government, that it was looking after his interests as well as after the interests of those who lived in the cities and the larger towns.

Another reason was that in this country, new as it is, our roads are not in as good condition as they should be. I believed then, and that belief has been confirmed by observation since this service was established, that if we should establish and gradually increase the rural service our roads would be rapidly improved. Such has been the case. The improvements along these lines are growing, and it is now a part of the condition imposed by the Department, when the establishment of a route is asked for, that they must improve their roads as rapidly as they can, so as to facilitate the work of the carrier. Those were two of the reasons. There are many more, but, as I said, I intend to speak but a few moments, and I will not wait to give other reasons.

Those reasons, to my mind, were sufficient to induce me to advocate the establishment of the service, and have been the incentive for my earnestness and for my constant vote to increase the appropriations and to extend the service as rapidly as it can be extended.

Several of the gentlemen who have spoken in opposition to this bill seem to look no further than to conclude that there is some sinister and secret political scheme behind the measure. Replying to that, I will say that in my judgment that is unworthy the consideration of the intelligent gentlemen who have expressed such views on this floor. There is no politics in the matter, and when the bill was under consideration in the committee—and I am violating no secrets of the committee in stating this—every member who was opposed to myself politically, excepting two, voted for it. The committee considered the measure, they looked at it from a business standpoint, they considered whether, if it were adopted, it would improve the service or keep the service in as good a condition as it is under the present system, not whether, if adopted, any political advantages might be attained by the Republican party.

After giving it that business consideration which gentlemen who occupy positions on this floor are always supposed to give to every question, they voted in favor of the bill and recommended that the same be reported favorably to the House. So there is no politics in it. There is no desire on the part of any man on that committee who voted for the measure to discredit the service, to cripple the service, or to injure any person who is now in the service. As this is a new and a growing service, one that will become one of the largest branches of the postal service, the only question was, Had we better not begin at the beginning and consider what is the most advantageous and best method of providing for and selecting the carriers so as to continue the service in as good condition as it is, to improve it if possible, and to make it as economical as we could without injury to it?

Those were the considerations which actuated your committee in the weeks and weeks of hearings and in its deliberations on this bill.

We are asked, instead of taking up this rural-carrier service and providing for letting it on contract, why not go to the other branches of the service and do the same thing? In reply to that I would say this is the only proposition of this character now before us. Let us consider it as sensible men and as business representatives, and after disposing of it, let us, as time rolls on and these other matters come up for consideration and adjustment, take them up and dispose of them on their merits.

Some gentlemen on the floor have insisted that we let this run for a number of years without making any change whatever and then begin to make a change. I say the best time to regulate these matters is as near as possible at the beginning of the service. In the beginning this service was experimental, but it is now a permanent service, and I hope that I may live long enough to see the mail delivered at the door of every householder in the United States by the rural carrier, and all my efforts in the future, as they have been in the past, shall continue to be to improve the service and extend it as rapidly as possible.

This service has been compared by some to the old system of star routes as formerly conducted. I will not go into the details of that; but every gentleman who has read the bill and given the subject any consideration whatever knows that in this bill we have divorced it entirely and absolutely from the old star-route

system. We have thrown around the service, if let by contract, every safeguard that was considered necessary to prevent any of the improper practices which were charged under the old star-route system.

Now, without going into details, or taking up the various clauses in the bill, I will say this, that I favor the measure with an amendment which I will mention later. I would favor the measure without the amendment which I shall offer, but in my judgment, and in the judgment of many members of the committee, with the amendment which I will before concluding send to the Clerk's desk to be read for the information of those who may care to examine it, I believe that many of the objections which have been urged on the floor will be overcome. We want this service to go on. We have given in our appropriation bill every dollar since the service was first started which has been asked for by the Department.

We have increased the appropriations year after year, beginning with the first service at $40,000, in the next year $50,000, the next year $150,000, the next year $450,000, the next year $1,700,000, last year $3,500,000, and we have in this bill, as asked for by the Department, every dollar which was deemed necessary by them for the maintenance and furtherance of the service during the next fiscal year. The amount is $7,529,400. Making such appropriations as we have made, can any gentleman feel or believe for an instant that those who favor this measure are opposed to rural free delivery? I have had no complaint about this bill, excepting some of the carriers have written or wired me that they hoped I would vote against the bill. I take it for granted that they have not read the provisions of the bill or may have misunderstood the purport of it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Illinois. I will ask the chairman for some more time, being a member of the committee.

Mr. LOUD. I will yield the gentleman ten minutes more, if that is sufficient.

Mr. SMITH of Illinois. That will be ample.

The CHAIRMAN. The gentleman is recognized for ten minutes more.

Mr. SMITH of Illinois. Of course, Mr. Chairman, many of those carriers have been in the service from the time of its inception. They are anxious to continue in the service. That is commendable. I am strongly in favor of their so remaining. But we, representing the whole people, must look beyond the individual and look to the interests of the service and the people as a whole.

Now, Mr. Chairman, without taking up more time, because while I would like to discuss the bill in detail, yet the chairman of the committee [Mr. LOUD] at the opening of the debate, and on yesterday the gentleman from Mississippi [Mr. WILLIAMS], discussed this subject in a full and comprehensive manner, taking up every point that is connected with this bill—its objects, its aims, its purposes, and the objections in detail which had been urged against it on the floor. A repetition of those propositions by myself would not furnish any additional information to those who have not given it their personal attention; but as some members of this House are fearful that if this bill should become law the carriers now in the service would be legislated out of a job, although we, as your committee, feel that the language is sufficient to prevent that being done, yet to relieve any doubts or suspicions on that subject I shall, at the conclusion of paragraph 4, while the bill is being considered under the five-minute rule, having the permission of every member of the committee with whom I have spoken on the subject, who make up more than a majority, and having seen all that I could see up to the present time, offer the amendment which I now send up to the Clerk's desk, and ask that it may be read in my time for the information of those who desire to consider it.

The Clerk read as follows:

Amend by inserting in line 18, page 3, after the word "employed," the following:

"*Provided*, That the Postmaster-General shall not advertise for such proposals or make such awards for any route in operation at the date of the passage of this act until July 1, 1906, or until a vacancy shall occur by reason of the death, resignation, or removal of the carrier who may be serving on any such route at the date of the passage of this act.

Mr. SMITH of Illinois. In my judgment, Mr. Chairman, with that amendment added to the bill, it substantially removes all of the objections which have been offered by any of those who have spoken against it. If any members are afraid that those in the service will lose their jobs, this amendment, if adopted, provides that until July 1, 1906, which will be four years from the 1st of next July, all carriers in the service at the date of the passage of this bill shall be continued as they are now serving and prevent the possibility of the Postmaster-General letting their routes under a contract during that time unless a vacancy should occur.

In the second place, while it has been urged frequently, and has been made one of the strong points against this bill, that the contract service will not furnish as efficient and ample and proper service as we have had under the former existing conditions under which carriers are now serving, this amendment will give us four years from the 1st of July next to let the two services run side by side, all of these 8,000 people now serving as carriers going on until a vacancy occurs by death, resignation, or removal, and then we will have ample time to compare the present system with the proposed system under this bill. And within the four years there is no doubt in my mind whatever but what this whole matter will adjust itself, and of the two systems, after trying them side by side, we can adopt as a permanent system that one which is the better. As I stated, at the proper time, under the five-minute rule, I shall ask that that amendment be considered at the end of clause 4. [Applause.]

Mr. LOUD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GILLETT of Massachusetts, Chairman of the Committee of the Whole House, reported that that committee had had under consideration the bill H. R. 11728, and had come to no resolution thereon.

DEATH OF REPRESENTATIVE RUFUS K. POLK, OF PENNSYLVANIA.

Mr. GREEN of Pennsylvania. Mr. Speaker, late this morning I learned with sincere regret of the death of my comrade and colleague, the Hon. RUFUS K. POLK, of Pennsylvania. In accordance with the usual practice of the House, I will offer and ask the Clerk to read the following resolutions.

The SPEAKER. The gentleman from Pennsylvania offers the following resolutions, which will be submitted to the House.

The Clerk read as follows:

Resolved, That the House has heard with deep regret and profound sorrow of the death of Hon. RUFUS KING POLK, late a Representative from the State of Pennsylvania.

Resolved, That in his death the State has lost an able, devoted, and patriotic servant.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That the Speaker be authorized to appoint a committee to superintend and attend the funeral of deceased.

Resolved, That as a further mark of respect to his memory the House do now adjourn.

The resolutions were unanimously agreed to.

The SPEAKER appointed the following committee: HENRY D. GREEN, J. K. P. HALL, C. F. WRIGHT, HOWARD MUTCHLER, GEORGE R. PATTERSON, CHARLES DICK, J. M. GRIGGS, WILLIAM RICHARDSON, ARTHUR L. BATES, JAMES R. YOUNG, D. H. MERCER, W. L. STARK, MARCUS A. SMITH, FRANK E. WILSON, and L. P. PADGETT.

And then, in pursuance of the resolutions (at 2 o'clock and 45 minutes), the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, relating to an appropriation for rental at Los Angeles, Cal.—to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11895) granting a pension to Thomas Holloway, reported the same with amendment, accompanied by a report (No. 755); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7683) granting an increase of pension to Almond Delamater, reported the same with amendment, accompanied by a report (No. 756); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 4451) granting an increase of pension to George K. Thompson—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7651) to provide for additional compensation for deputy collectors and inspectors of customs for the district of Huron, Mich., etc.—Committee on Ways and Means discharged, and referred to the Committee on Claims.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MOODY of North Carolina: A bill (H. R. 12138) for the purchase of a national forest reserve in the Southern Appalachian Mountains, to be known as the "McKinley Appalachian National Park and Forest Reserve"—to the Committee on Agriculture.

Also, a bill (H. R. 12139) making an appropriation of $100,000 to build and maintain a memorial training school in the Indian Territory for orphan boys and girls of both Indian and white parents who have lived and died in the Indian Territory, to be built in memory of the American Indians—to the Committee on Indian Affairs.

Also, a bill (H. R. 12140) in memory of the Cherokee Nation of Indians, to establish a training school for boys and girls of Indian blood, to be built in Cherokee County, N. C., and making an appropriation of $100,000 for that purpose—to the Committee on Indian Affairs.

By Mr. MIERS of Indiana: A bill (H. R. 12141) to amend an act entitled "An act amending section 4708 of the Revised Statutes of the United States in relation to pensions to remarried widows," approved March 3, 1901—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 12142) for the purchase and preservation of Jamestown Island, Virginia, and making an appropriation therefor—to the Committee on Military Affairs.

By Mr. SALMON: A bill (H. R. 12143) to establish an information bureau in the Capitol—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BALL of Texas: A bill (H. R. 12144) for the relief of the heirs of S. H. Ayers, deceased—to the Committee on War Claims.

Also, a bill (H. R. 12145) granting an increase of pension to Caleb W. Story—to the Committee on Invalid Pensions.

By Mr. BRISTOW: A bill (H. R. 12146) granting an increase of pension to Emeline C. Sewell, widow of Chief Engineer George Sewell—to the Committee on Invalid Pensions.

By Mr. BULL: A bill (H. R. 12147) authorizing the appointment of John Russell Bartlett, a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy—to the Committee on Naval Affairs.

By Mr. CANNON: A bill (H. R. 12148) granting an increase of pension to Frederick O. Clark—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 12149) for the relief of John L. Thompson—to the Committee on Military Affairs.

Also, a bill (H. R. 12150) for the relief of David R. Lane—to the Committee on Military Affairs.

By Mr. DOUGLAS: A bill (H. R. 12151) granting an increase of pension to James A. Barnes—to the Committee on Invalid Pensions.

By Mr. GREENE of Massachusetts: A bill (H. R. 12152) granting a pension to David P. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12153) granting a pension to Abigail Manley—to the Committee on Pensions.

Also, a bill (H. R. 12154) granting an increase of pension to Stephen N. Merithew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12155) granting an increase of pension to Joseph Robertson—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 12156) for the relief of the estate of William H. Lapton, deceased—to the Committee on War Claims.

By Mr. HOLLIDAY: A bill (H. R. 12157) granting an increase of pension to John E. Link—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12158) granting an increase of pension to Milton Kinder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12159) granting an increase of pension to Harrison Payton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12160) granting an increase of pension to William Kuhns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12161) for the relief of Mary C. Stevens, formerly Mary C. Williams—to the Committee on War Claims.

By Mr. JOY (by request): A bill (H. R. 12162) to amend the military record of Henry G. Craft—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 12163) to remove the charge of desertion against John M. Border—to the Committee on Military Affairs.

By Mr. LANHAM: A bill (H. R. 12164) granting arrears of pension to Elmira E. Harris, formerly Elmira E. Pool—to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 12165) granting an increase of pension to Caroline M. Stone—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 12166) to correct the military record of Edward Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 12167) granting an increase of pension to Barton P. Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12168) granting a pension to Reuben Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12169) granting a pension to William R. Durland—to the Committee on Invalid Pensions.

By Mr. MOODY of North Carolina: A bill (H. R. 12170) granting a pension to George W. C. Lovingood—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 12171) authorizing the appointment of Henry G. Cavenaugh to the active list of the Army—to the Committee on Military Affairs.

By Mr. POWERS of Maine: A bill (H. R. 12172) granting an increase of pension to James J. Reeves—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 12173) for the relief of the executors of the estate of Sarah M. Sewall, deceased—to the Committee on War Claims.

By Mr. RUSSELL: A bill (H. R. 12174) granting an increase of pension to George Gardner—to the Committee on Invalid Pensions.

By Mr. SELBY: A bill (H. R. 12175) to remove the charge of desertion from the record of J. F. Harbaugh—to the Committee on Military Affairs.

Also, a bill (H. R. 12176) granting an increase of pension to Aaron Cohen—to the Committee on Invalid Pensions.

By Mr. HENRY C. SMITH: A bill (H. R. 12177) granting a pension to Lydia A. Barney, Adrian, Mich.—to the Committee on Invalid Pensions.

By Mr. TOMPKINS of Ohio: A bill (H. R. 12178) correcting the muster record of W. F. Barr—to the Committee on Military Affairs.

Also, a bill (H. R. 12179) to amend the military record of Peter Kramer—to the Committee on Military Affairs.

Also, a bill (H. R. 12180) to amend the military record of William G. Alspach—to the Committee on Military Affairs.

Also, a bill (H. R. 12181) granting an honorable discharge and pension to James W. Byrd—to the Committee on Military Affairs.

Also, a bill (H. R. 12182) granting an honorable discharge to Charles Dagenfield—to the Committee on Military Affairs.

Also, a bill (H. R. 12183) to remove the charge of desertion against Thomas Albright, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 12184) to remove the charge of desertion against Peter C. Lawyer—to the Committee on Military Affairs.

Also, a bill (H. R. 12185) granting an increase of pension to James Donnelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12186) granting an increase of pension to John Winters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12187) granting an increase of pension to John W. Horseman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12188) granting an increase of pension to Mathias Schuler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12189) granting an increase of pension to W. F. Davisson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12190) granting a pension to Lucia M. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12191) granting a pension to Anna L. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12192) granting a pension to Martha Alice McCloud—to the Committee on Pensions.

By Mr. WATSON: A bill (H. R. 12193) granting an increase of pension to Henry M. Talbot—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12194) granting an increase of pension to John H. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12195) granting an increase of pension to August Fogel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12196) granting an increase of pension to David P. Demree—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12197) granting an increase of pension to Peter Feickert—to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 12198) for the benefit of W. H. Dupree—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Resolutions of Now or Never Lodge, No. 517, Brotherhood of Railroad Trainmen, Long Island City,

N. Y., favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolution of Lake Seamen's Union, Buffalo, N. Y., in favor of House bill No. 9330, for the exclusion of Chinese laborers, etc.—to the Committee on Foreign Affairs.

By Mr. BARTLETT: Petition of John S. Wimbish, J. A. Brooks, and other citizens of Bibb County, Ga., against establishing the contract system for rural free delivery—to the Committee on the Post-Office and Post-Roads.

By Mr. BRICK: Resolutions of Central Labor Union, South Bend, Ind., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers and Masons' International Union, of South Bend, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. BROWNLOW: Petition of George Shultz, of Springdale, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Mrs. Mary Smith, of Washington County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. BULL: Petition of Ernest Voigt and others, of Newport, R. I., in favor of the passage of House bills 178 and 179, proposing to reduce the tax on whisky—to the Committee on Ways and Means.

Also, resolution of Newport Lodge, No. 119, of Newport, R. I., International Association of Machinists, favoring the national irrigation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Allied Printing Trades Council of Providence, R. I., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of International Machinists' Union No. 147, Providence, R. I., favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolution of the New England Jewelers and Silversmiths' Association, against the ratification of the proposed French reciprocity treaty—to the Committee on Ways and Means.

Also, papers to accompany House bill to place Capt. John Russell Bartlett on the retired list of the Navy as a rear-admiral—to the Committee on Naval Affairs.

By Mr. BURK of Pennsylvania: Resolutions of Stove Mounters' Union No. 6, of Philadelphia, Pa., and Newspaper Writers' Union No. 11, of Philadelphia, Pa., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. BURKETT: Petition of A. E. Burnside Post, No. 79, Grand Army of the Republic, of Bladen, Nebr., for an investigation of the office of Commissioner of Pensions—to the Committee on Rules.

Also, resolutions of Bricklayers and Masons' Union No. 2, of Lincoln, Nebr., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers and Masons' Union No. 2, of Lincoln, Nebr., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. BUTLER of Pennsylvania (by request): Petition of Plumbers' Union No. 199 and Bricklayers' Union No. 12, of Chester, Pa., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. CAPRON: Resolution of the New England Jewelers and Silversmiths' Association, protesting against certain reductions of tariff in proposed new reciprocity with France—to the Committee on Ways and Means.

Also, resolutions of Allied Printing Trades Council of Providence, and Division No. 370, Railway Conductors, of Providence, R. I., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of International Machinists' Union No. 147, of Providence, R. I., favoring the construction of naval vessels at Government navy-yards—to the Committee on Naval Affairs.

By Mr. CONRY: Resolutions adopted by the Massachusetts Department, Grand Army of the Republic, in favor of a national park at Petersburg, Va.—to the Committee on Military Affairs.

By Mr. CORLISS: Resolution of Journeymen Tailors' Union of Detroit, Mich., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. COUSINS: Resolution of Mitchell Post, No. 206, Grand Army of the Republic, Department of Iowa, favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr. DARRAGH: Papers to accompany House bill 8696, granting an increase of pension to William B. Rowe—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of Excelsior Division, No. 359, Order Railway Conductors, Rensselaer, N. Y., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. ESCH: Resolutions of Cigar Makers' Local Union No. 85, of Eau Claire, Wis., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of United Mine Workers' Union No. 1234, of Tarentum, Pa., and of the American Flint-Glass Workers' Union, of Pittsburg, favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. EVANS: Petition of Lieutenant S. C. Potts Post, No. 62, Grand Army of the Republic, Department of Pennsylvania, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolution of Concord Grange, No. 1125, Patton, Pa., and Saxton Grange, No. 1132, of Saxton, Pa., Patrons of Husbandry, in regard to reciprocal relations with Cuba—to the Committee on Ways and Means.

Also, resolution of Independence Council No. 2, Order United American Mechanics, St. Louis, Mo., favoring a more restrictive immigration law, fixing a severe penalty for attempt on the life of the President, etc., and a law to prohibit the landing and for the deportation of anarchists—to the Committee on the Judiciary.

Also, resolution of Colonel D. M. Jones Post, No. 172, Grand Army of the Republic, Department of Pennsylvania, favoring the passage of the Stevenson pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Typographical Union, Railway Trackmen, and Carpenters' Union No. 900, all of Altoona, Pa., asking for a further restoration of the immigration laws—to the Committee on Immigration and Naturalization.

Also, petition of Bricklayers and Masons' International Union No. 40, of Johnstown, Pa., in relation to the employment of union bricklayers and masons in the erection of the naval dry dock at New Orleans, La., and for the enforcement of the eight-hour law in such work—to the Committee on Naval Affairs.

Also, petitions of Lieutenant Josiah Baughman Post, No. 131, Everett, Pa.; F. A. Ward Post, No. 468; Lieutenant S. C. Potts Post, No. 62, Altoona, and L. R. Piper Post, No. 454, Hopewell, Department of Pennsylvania, Grand Army of the Republic, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, petition of Ministerial Association of Altoona, Pa., for the protection of native races in the islands of the Pacific and elsewhere against the sale of opium and intoxicants—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of citizens of Barnesboro, Johnstown, Hollidaysburg, and Altoona, Pa., in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

Also, petitions of various societies and citizens of Tyrone, Patton, Nanty Glo, Barnesboro, Spangler, Hastings, Defiance, Summit Mills, Bellwood, Carrollton, Altoona, Figart, Belsano, Johnstown, and Wilmore, Pa., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. FITZGERALD: Resolutions of Columbus Lodge, No. 401, International Association of Machinists, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. FLEMING: Resolution of Atlanta Division, No. 207, Brotherhood of Locomotive Engineers, Atlanta, Ga., favoring the anti-injunction bill—to the Committee on the Judiciary.

By Mr. FOERDERER: Resolutions of National Association of Agricultural Implement and Vehicle Manufacturers, Chicago, Ill., against House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. GILL: Resolutions of United Mine Workers, Subdistrict No. 5, Mineral City, Ohio, and Operative Potters' Union No. 20, Steubenville, Ohio, in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Operative Potters' Union No. 20, Steubenville, Ohio, and Miners' Union No. 151, of Bellaire, Ohio, for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. HANBURY: Resolutions of Erastus T. Teft Post, No. 355, Grand Army of the Republic, of New York, favoring the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

By Mr. HAY: Papers relating to the claim of William H. Lupton—to the Committee on War Claims.

By Mr. HEMENWAY: Resolution of General Lyon Post, No. 34, of Otwell, Ind., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. HEPBURN: Petition of citizens of Decatur County, Iowa, to accompany House bill 11763, granting a pension to Greene Hogue—to the Committee on Invalid Pensions.

By Mr. HITT: Resolutions of Rockford Typographical Union, No. 213, of Rockford, Ill., favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. HOWELL: Petition of Bricklayers and Masons' Union of Long Branch, N. J., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petitions of Plumbers' Union No. 270, of Perth Amboy, and of Laborers' Protective Union No. 6, of Long Branch, N. J., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of American Wire Weavers' Protective Association, New Jersey Division, and of W. A. Journeymen Plumbers' Local Union No. 270, of Perth Amboy, N. J., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. JACK: Resolution of Order of Railway Conductors, Division No. 310, Derry, Pa., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, petition of New Stanton and vicinity, and Mine Workers' Union No. 1726, of Saltsburg, Pa., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

By Mr. KETCHAM: Resolutions of Cigar Makers' Union No. 74, of Poughkeepsie, N. Y., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. KYLE: Petition of Division No. 208, Locomotive Engineers, of Springfield, Ohio, favoring an educational test for immigrants—to the Committee on Immigration and Naturalization.

By Mr. LACEY: Papers to accompany House bill 12163 for the relief of John M. Border—to the Committee on Invalid Pensions.

By Mr. LANHAM: Resolution of Lodge No. 416, Brotherhood of Railroad Trainmen of Ennis, Tex., in support of Senate bill 1118, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. LLOYD: Petition of citizens of Kirksville, Mo., to accompany claim for pension of Caroline M. Stone—to the Committee on Invalid Pensions.

By Mr. MANN: Resolutions of Type Founders' Union No. 3, of Chicago, Ill., relating to the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. MAYNARD: Petition of Iron-ship Builders' Union No. 55, and Carpenters' Union No. 396, of Newport News, Va., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, petition of Blacksmiths' Union No. 144, of Portsmouth, Va., and Woodworkers' Union No. 181, of Norfolk, Va., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of J. B. Armstrong & Co. and other citizens of Norfolk, Va., in relation to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. McDERMOTT: Petition of Railroad Telegraphers, Division No. 10, of Jersey City, N. J., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. MIERS of Indiana: Resolutions of Typographical Union No. 395, of Vincennes, Ind., and Teamsters' Union No. 324, of Sullivan, Ind., relative to the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, paper to accompany claim for increase of pension of Barton P. Spencer—to the Committee on Invalid Pensions.

By Mr. MOODY of Oregon: Petition of Portland Division, No. 4, Brotherhood of Railway Employees, Portland, Oreg., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. MOON: Petition of Press Feeders' Union No. 30, of Chattanooga, Tenn., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. MORRELL: Papers to accompany House bill restoring Harry G. Cavenaugh to the active list of the Army—to the Committee on Military Affairs.

Also, resolution of Stove Mounters' Union No. 6, of Philadelphia, Pa., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. MUTCHLER: Petition of Order of Railway Conductors, Easton Division, No. 147, Easton, Pa., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petitions of the Retail Clerks' Association No. 61, Sheet Metal Workers' Union No. 146, of Easton, Pa.; Lansford Union, and citizens of Hellertown, Pa., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. NAPHEN: Petition of National Association of Retail Grocers, in favor of pure-food legislation as given in House bill 9352—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Carpenters' Union No. 386, of Dorchester, Mass., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. OVERSTREET: Petition of Lodge No. 16, Brotherhood of Railway Trainmen, of New Albany, Ind., favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. PATTERSON of Pennsylvania: Affidavits and papers to accompany House bill 5221, relating to the correction of the military record of Joseph Mohrheiser—to the Committee on Military Affairs.

Also, affidavits and papers to accompany House bill 11935, granting a pension to Benjamin F. Lessig—to the Committee on Invalid Pensions.

By Mr. PERKINS: Petitions of citizens of the Thirty-first Congressional district of New York, for an amendment to the Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

By Mr. RIXEY: Papers to accompany bill for the relief of the executors of the late Sarah M. Sewall—to the Committee on War Claims.

By Mr. RICHARDSON of Alabama: Petition of the heir of Samuel Wilson, late of Madison County, Ala., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RUCKER: Resolution of Moberly Division 86, Brotherhood of Locomotive Engineers, favoring House bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

By Mr. RUSSELL: Resolution of Bricklayers and Masons' Union No. 21, of Danielson, Conn., and Stone Masons' Union No. 17, of New London, Conn., in favor of the extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. RUMPLE: Petition of Amalgamated Workers' Union No. 167, Lyons, Iowa, favoring the passage of a law which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of Amalgamated Workers' Union No. 167, Lyons, Iowa, favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SHACKLEFORD: Resolution of Cigar Makers' Union No. 193, Jefferson City, Mo., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. SELBY: Resolutions of the National Association of Retail Grocers of the United States, demanding a pure-food law—to the Committee on Agriculture.

By Mr. TOMPKINS of New York: Petition of Laborers' Protective Union No. 8856, of Middletown, N. Y., and Bakers' Union No. 148, of Newburg, N. Y., to exclude Chinese laborers—to the Committee on Foreign Affairs.

Also, resolution of Carpenters' Union No. 301, of Newburg, N. Y., in favor of restricting immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Neversink Division, No. 52, Order of Railroad Conductors, of Port Jervis, N. Y., to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolutions of Fairchild Post, No. 564, Grand Army of the Republic, of Walden, N. Y., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

By Mr. TOMPKINS of Ohio: Petition of Iron Molders' Union No. 145, Columbus, Ohio, protesting against taxing butterine—to the Committee on Agriculture.

Also, resolutions of Iron Molders' Union No. 145, Musicians' Protective Union No. 102, Horseshoers' Union No. 140, Retail Clerks' Union No. 12, and Trades and Labor Assembly, all of Columbus, Ohio, urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, resolutions of Building Trades Council, Typographical Union No. 5, Theatrical Stage Employees, Machinists' Union No. 55, Leather Workers' Union, Boot and Shoe Makers' Union, Trades and Labor Assembly, and certain other labor organizations, all of Columbus, Ohio, advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Wood Workers' Union No. 174; Buckeye Lodge, No. 4; Scioto Valley Division, No. 72, Locomotive Engineers; Iron Molders' Union, and other societies of Columbus, Ohio, for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. WHEELER: Papers to accompany the claim of W. H. Dupree—to the Committee on Claims.

By Mr. WILEY: Petition of Brotherhood of Railroad Trainmen, Alabama Lodge, No. 61, Montgomery, Ala., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. YOUNG: Petition of National Association of Retail Grocers, in favor of pure-food legislation as given in House bill 9352—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Division No. 45, Brotherhood of Locomotive

Engineers, Philadelphia, Pa., favoring restriction of undesirable immigration—to the Committee on Immigration and Naturalization.

Also, petitions of William Stille, Darrah & Elwell, and A. C. Douglas, masters of vessels, Philadelphia, Pa., in support of the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

By Mr. ZENOR: Resolution of Lodge No. 16, Brotherhood of Railroad Firemen, New Albany, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Lodge No. 16, Brotherhood of Railroad Firemen, New Albany, Ind., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

SENATE.

THURSDAY, *March 6, 1902.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

DEATH OF PRESIDENT M'KINLEY.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of State, transmitting a letter addressed by the Chamber of Deputies of Portugal to the Congress of the United States, expressing its condolence upon the death of President McKinley. If there be no objection, the communication will be read to the Senate.

The Secretary read as follows:

[Translation.]

No. 34.

CHAMBER OF DEPUTIES, PRESIDENT'S OFFICE.

MOST ILLUSTRIOUS AND EXCELLENT SIR: In the fulfillment of my very painful duty, I moved, on assuming the presidency of this chamber, that there be entered in the minutes of the session of the 8th instant a resolution of profound sorrow for the lamentable assassination of the President of the United States of North America, McKinley.

The president of the council of ministers, on behalf of the Government; Deputy João Marcellino Arroyo, on behalf of the majority, and Deputy Francisco Antonio de Veiga Beirão, on behalf of the progressist minority, joined in this manifestation of condolence, uttering feeling expressions of sad homage and extolling the qualities of the illustrious deceased.

Subsequently the chamber, by a unanimous vote, resolved to approve by motion and to make the proper communications touching this resolution, which I now have the high honor to communicate to Your Excellency for the information of the Congress over which you so worthily preside.

God guard Your Excellency.

Palace of the Cortes, the 15th of January, 1902.

MATHEUS TEIXEIRA DE AZUECES.

THE MOST ILLUSTRIOUS AND EXCELLENT PRESIDENT OF THE LEGISLATIVE CONGRESS OF THE UNITED STATES OF NORTH AMERICA.

The PRESIDENT pro tempore. The communication and accompanying papers will lie on the table.

APPORTIONMENT OF DEPARTMENTAL EMPLOYEES.

The PRESIDENT pro tempore laid before the Senate a communication from the president of the Civil Service Commission, transmitting, in further response to a resolution of the 19th ultimo, certain information relative to the apportionment of appointments in the departments at Washington under the civil-service act; which was referred to the Committee on Civil Service and Retrenchment, and ordered to be printed.

WILLIAM S. DERBY.

The PRESIDENT pro tempore laid before the Senate the bill (S. 2815) granting an increase of pension to William S. Derby, returned from the House of Representatives in compliance with the request of the Senate.

Mr. GALLINGER. I move to reconsider the vote by which the bill was passed.

The motion to reconsider was agreed to.

Mr. GALLINGER. I move that the bill be postponed indefinitely.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York. I present a petition signed by Mrs. Lillie Devereux Blake, president, and other officers of the National Legislative League, requesting the enactment of "such legislation as shall relieve native-born American women from the loss of citizenship in this Republic when married to a subject or a citizen of another nation." The petitioners set forth that they "ask this because such loss of citizenship entails on women much injury by the forfeiture of property, which can not in many States be held by aliens, and deprives them, even in widowhood, of the protection which the United States should always extend to her daughters as well as to her sons." I move that the petition be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. PLATT of New York presented a memorial of the Lake Seamen's Union, International Seamen's Union, of Tonawanda, N. Y., remonstrating against the adoption of an amendment to chapter 7 of the Revised Statutes, relative to the employment of seamen in the merchant marine of the country; which was referred to the Committee on Commerce.

He also presented a petition of G. H. Brooks Lodge, No. 169, Brotherhood of Locomotive Firemen, of Hornellsville, N. Y., and a petition of Lucky Thought Lodge, No. 232, Brotherhood of Locomotive Firemen, of Middletown, N. Y., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented sundry clippings from the New York Evening Post, the New York Commercial Advertiser, the New York Herald, the New York City Commercial, the New York Times, the New York Evening Sun, the Standard Union, of Brooklyn, the New York City Independent, the New York Tribune, the Dispatch, of Cohoes; the New York Evening Post, and the Express, of Buffalo, all in the State of New York, relative to the granting of certain proposed relief to Cuba; which were referred to the Committee on Relations with Cuba.

He also presented petitions of sundry citizens of Ilion and Jamestown, in the State of New York, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of Local Union No. 8068, of Jamestown; of International Machinists' Local Union No. 372, of Corning; of Local Union No. 478, of New York City; of Iron Molders' Local Union No. 130, of Sandy Hill; of Plumbers' Local Union No. 117, of Watertown; of Local Union No. 242, of Buffalo, and of Iron Molders' Local Union No. 78, of Watertown, all of the American Federation of Labor; of Grand Army Posts Nos. 88, 360, 624, 564, 322, 588, 548, 553, 332, 16, 306, and 22, of New York City, Sacketts Harbor, Georgetown, Walden, Northville, Morrisville, Holland, Brooklyn, Theresa, and Montour Falls, all of the Department of New York, Grand Army of the Republic, in the State of New York, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Local Unions Nos. 9069, 178, 81, 406, 283, 188, 532, 9619, 57, 480, 155, 202, 210, 19, 71, 233, 39, 7, 1, 14, of Jamestown, Peekskill, New York City, Geneva, Elmira, Poughkeepsie, Buffalo, Rochester, Rome, Utica, Niagara Falls, and Kingston, all of the American Federation of Labor, in the State of New York, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of sundry citizens of Rensselaer Falls, Canton, Cattaraugus, Tompkins County, Moons Upper Lisle, Shokan, Chumbeseo, Cassadaga, Walton, and Hamden, and of Stockton Grange, Patrons of Husbandry, of Stockton, all in the State of New York, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. HOAR presented a memorial of the Ministerial Union, of Boston, Mass., remonstrating against a policy of expanded military and naval expenditure as a waste of resources, because not necessary to national safety; which was referred to the Committee on Military Affairs.

He also presented the petitions of D. C. Kiley and sundry other citizens of Rowe, of C. M. Cudworth and sundry other citizens of Cummington, and of sundry other citizens of Massachusetts, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Bakers and Confectioners' Local Union No. 180, of Brockton; of Car Workers' Local Union No. 27, of Fitchburg; of Agawan Lodge, No. 20, of Mittineague; of the Granite Cutters' Local Union of Quincy; of Allied Metal Mechanics' Local Union No. 80, of Springfield; of Cigar Makers' Local Union No. 49, of Springfield; of Bricklayers' Local Union No. 17, of Haverhill, and of Bricklayers, Masons, and Plasterers' Local Union No. 18, of North Adams, all of the State of Massachusetts, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Needham Post, No. 39, Department of Massachusetts, Grand Army of the Republic, of Lawrence; of Bakers and Confectioners' Local Union No. 180, of Brockton, and of Carpenters and Joiners' Local Union No. 77, of Medford, of the American Federation of Labor, all in the State of Massachusetts, praying for the enactment of legislation to authorize the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented memorials of sundry citizens of Philadelphia,

Allegheny, and Templeton, all in the State of Pennsylvania, remonstrating against the official regulation of vice in the island possessions of the United States; which were referred to the Committee on the Philippines.

Mr. FAIRBANKS presented the petition of Charles M. Starr, of Indianapolis, Ind., praying for the enactment of legislation providing for the protection and preservation of the game of the country; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. PENROSE presented petitions of 53 citizens of Lawton, 36 citizens of Columbus, 46 citizens of Eagle Foundry, 27 citizens of Flickville, 41 citizens of Jackson, 43 citizens of Beckersville, 32 citizens of Waynesboro, 31 citizens of Burning Bush, 70 citizens of Troy, 103 citizens of Union City, 47 citizens of Bixley, 32 citizens of Gold, 44 citizens of Sugar Grove, 45 citizens of Spring Mills, 45 citizens of Hegins, 21 citizens of Kingsleys, 47 citizens of McConnellsburg, 27 citizens of Timicula, 47 citizens of Loysburg, 35 citizens of Butler, and 47 citizens of Jacksonville, all in the State of Pennsylvania, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Wesley Chapel Mission, Independent Methodists, of Braddock, and of the Woman's Christian Temperance Union of Allegheny, in the State of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of Local Union No. 159, Retail Clerks' International Association, American Federation of Labor, of Altoona; of Lieutenant W. J. Gleaser Post, No. 96, Department of Pennsylvania, Grand Army of the Republic, of Townville; of Journeymen Printers' Local Union No. 56, American Federation of Labor, of Franklin; of Hard Coal Handlers' Local Union No. 122, American Federation of Labor, of Erie; of Fred C. Ward Post, No. 468, Department of Pennsylvania, Grand Army of the Republic, of Altoona, and of Railway Telegraphers' Local Union No. 67, American Federation of Labor, of Wilkesbarre, all in the State of Pennsylvania, praying for the enactment of legislation authorizing the construction of war ships in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Local Union No. 159, Brotherhood of Railroad Trainmen, of Derry; of Typographical Union No. 241, of Hanover; of Local Union No. 158, Mauchchunk Division, Order of Railroad Conductors, of Mauchchunk; of Bartenders' Local Union No. 225, of Meadville; of Carpenters and Joiners' Local Union of Hazleton; of 27 citizens of New Stanton; of 25 citizens of Springgrove; of Bricklayers' Local Union No. 12, of Chester; of Stove Mounters' Local Union No. 6, of Philadelphia; of International Bricklayers' Local Union No. 54, of Norristown; of Stone Masons' Local Union No. 38, of Reading; of the Central Labor Union of Charleroi; of Cigar Makers' Local Union No. 194, of Bradford; of Bricklayers' Local Union No. 4, of Allegheny; of 32 citizens of Philadelphia; of Local Union No. 132, United Mine Workers of America, of Providence; of the Central Labor Union of Kane; of Stone Masons' Local Union No. 34, of Philadelphia; of Local Union No. 11, of Washington; of 21 citizens of Artz; of 50 citizens of Shivemans; of Stove Mounters' Local Union No. 42, of Reading; of St. Joseph's Society, Local Union No. 293, of Lansford; of Stone Masons' Local Union No. 10, of Newcastle; of Local Union No. 1726, of Saltsburg; of Journeymen Bricklayers' Protective Union No. 1, of Philadelphia; of 15 citizens of Fogelsville, and of 100 citizens of O'Hara, all in the State of Pennsylvania; of the Labor Council of San Francisco; of Cloak Makers' Local Union No. 8, of San Francisco; of the Granite Cutters' Local Union of San Francisco; of San Jose Typographical Union, No. 231, of San Jose, in the State of California, and of Ship and Machine Blacksmiths' Local Union No. 168, of Washington, D. C., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of the Seattle Branch, Pacific Coast Marine Firemen's Union, of Seattle, Wash.; of the Seattle Branch of the Sailors' Union of the Pacific, of Seattle, Wash.; of San Pedro Sailors' Union of the Pacific, of San Pedro, Cal., and of the San Pedro Braude Sailors' Union of the Pacific, of San Pedro, Cal., praying for the enactment of legislation providing for the protection of American seamen from Chinese competition; which were referred to the Committee on Immigration.

Mr. CLARK of Wyoming presented a petition of sundry citizens of Lusk, Wyo., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. WETMORE presented a petition of the Allied Printing Trades Council of Providence, R. I., praying for the enactment of legislation requiring an educational test of immigrants to this country; which was referred to the Committee on Immigration.

He also presented a petition of Stereotypers' Local Union No. 53, of Providence, R. I., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. FOSTER of Washington presented petitions of the Trades Council of Tacoma, and of Typographical Union No. 355, of Whatcom, in the State of Washington, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of Local Division No. 399, Brotherhood of Locomotive Engineers, of Seattle, Wash., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented petitions of the Sailors' Union of the Pacific and of the Seattle Branch, Pacific Coast Marine Firemen's Union, of Seattle, Wash., praying for the enactment of legislation to provide protection to American seamen from Chinese competition; which were referred to the Committee on Immigration.

He also presented a petition of the Labor Congress of the State of Washington, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country and providing for the construction of at least one vessel at the Puget Sound Navy-Yard, in that State; which was referred to the Committee on Naval Affairs.

He also presented petitions of Reynolds Post, No. 32, of Blaine, and of Lynch Post, No. 42, of Linden, of the Department of Washington, Grand Army of the Republic, in the State of Washington, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. DILLINGHAM presented a petition of sundry citizens of Northfield, Vt., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Beebe Plain Branch, Granite Cutters' Union, of Beebe Plain, Vt., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of Fronton Post, No. 70, Department of Vermont, Grand Army of the Republic, of Richford, Vt., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. WARREN. I present a petition of the Alaska Chamber of Commerce, of Juneau, Alaska, relative to desired legislation for the district of Alaska. I move that the petition be printed as a document and referred to the Committee on Territories.

The motion was agreed to.

Mr. WARREN presented a petition of General Winfield Scott Garrison, No. 15, Army and Navy Union, United States of America, of Cheyenne, Wyo., praying for the enactment of legislation to promote the efficiency of the clerical service in the Navy of the United States; which was referred to the Committee on Naval Affairs.

Mr. DEBOE presented petitions of sundry citizens of Finchville, Clark, Covington, Orell, Ludlow, Erlanger, and Bowling Green, all in the State of Kentucky, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. BLACKBURN presented a petition of sundry citizens of Covington, Ky., and a petition of sundry citizens of Finchville, Ky., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Federal Local Union No. 8953, American Federation of Labor, of Golds, Ky., and a petition of Joseph S. Prone Post, No. 124, Department of Kentucky, Grand Army or the Republic, of Newcastle, Ky., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Kuttawa and Louisville, in the State of Kentucky, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Vanceburg, of Federal Local Union No. 8953, of Golds, and of Iron, Steel, and Tin Workers' Union No. 8, of Covington, of the American Federation of Labor, in the State of Kentucky, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. SCOTT presented petitions of sundry citizens of Gay and Elizabeth, and of Stone Masons' Local Union No. 2, of Wheeling, all in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of sundry citizens of Logansport, Hovatter, Beckley, and Adolph, all in the State of West Virginia,

praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. WELLINGTON presented a petition of Carpenters' Local Union No. 44, American Federation of Labor, of Baltimore, Md., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of 25 citizens of Baltimore, Md., and a petition of 108 citizens of Caroline County, Md., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Epsom, N. H., and a petition of the Woman's Christian Temperance Union, of Ashland, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented the petition of Capt. Holman G. Purinton, of Chicago, Ill., praying for the enactment of legislation providing for the retirement of Regular Army officers who served in the civil war, the war with Spain, and the war in the Philippines; which was referred to the Committee on Military Affairs.

He also presented petitions of Local Unions Nos. 19, 138, 69, 27, 423, 125, 230, 147, and 13, of Bloomington, Belleville, Elgin, Sterling, Galesburg, Danville, and Decatur, all of the American Federation of Labor, in the State of Illinois, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. COCKRELL presented petitions of sundry citizens of De Soto, Billings, Hillsboro, Callao, Leeton, Sutherland, Emma, Huntsville, Webster County, and Corder, all in the State of Missouri, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Stone Masons' Local Union No. 2, of Kansas City; of Cigar Makers' Local Union No. 193, of Jefferson; of Photo-Engravers' Local Union No. 10, of St. Louis; of Boiler Makers and Iron-ship Builders' Local Union No. 113, of Sedalia; of Switchmen's Local Union No. 37, of St. Louis, all of the American Federation of Labor, and of Two Rivers Division, No. 151, Order of Railway Conductors, of Monett, all in the State of Missouri, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. LODGE presented the petition of C. W. Cudworth and 72 other citizens of Cummington, Mass., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented petitions of the faculty of the Massachusetts Institute of Technology; the Orange Gun Club, of Orange, Mass.; of the faculty of Columbia University, New York, and of sundry citizens of New York, praying that an appropriation be made for the erection of a monument to the memory of the late Prof. Spencer F. Baird; which were referred to the Committee on the Library.

Mr. DUBOIS presented a petition of E. D. Baker Post, No. 6, Department of Idaho, Grand Army of the Republic, of Hailey, Idaho, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of Cigar Makers' Local Union No. 380, American Federation of Labor, of Wallace, Idaho, praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. PATTERSON presented a memorial of the Beet Sugar Factory Committee of Fort Collins, Colo., remonstrating against the repeal of the duty on raw sugar imported from Cuba; which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Leadville, Independence, and Altman; of George B. McClellan Post, No. 76, Department of Colorado, Grand Army of the Republic, of Delta; of Local Union No. 28, of Denver; of White Cooks and Waiters' Local Union No. 7, of Pueblo, and of Switchmen's Local Union No. 49, of Pueblo, all of the American Federation of Labor, in the State of Colorado, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FRYE presented the petition of C. M. Conant and 67 other citizens of Winterport, Me., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of General Wilson Post, No. 116, Department of Maine, Grand Army of the Republic, of Orono, Me., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

NAUTICAL ALMANAC.

Mr. MARTIN. I received recently an inquiry from one of the scientific schools of my State for a copy of the Nautical Almanac. In attempting to get it I received a letter from the superintendent of documents which discloses the fact that there is a delay of about three years in printing the Nautical Almanac, with the exception of a very small edition which is available to only a few people. I should like to have the letter which I received read and referred to the Committee on Printing.

The letter was read, as follows:

GOVERNMENT PRINTING OFFICE,
OFFICE OF SUPERINTENDENT OF DOCUMENTS,
Union Building, Washington, D. C., March 4, 1902.

Hon. THOMAS S. MARTIN,
United States Senate.

DEAR SIR: Replying to your favor of 3d instant, the Nautical Almanac is supplied to designated depository libraries. The trouble is, however, that depositories are supplied from the document edition, each issue of which is printed for the current calendar year, while the departmental edition, printed for the official use of the Navy Department and for sale, is printed three calendar years in advance. These advance editions are the ones desired by libraries or institutions having observatories, and they can not be obtained except by purchase.

The money expended by the Government in printing and binding the document edition had just as well be thrown away, as that edition is received by the libraries too late to be of any use to them.

Very respectfully,

L. C. FERRELL, *Superintendent.*

Mr. COCKRELL. Let the letter be printed as a document.

The PRESIDENT pro tempore. The Senator from Missouri asks that the letter be printed as a document. Is there objection? The Chair hears none. It will be printed as a document and referred to the Committee on Printing.

REPORTS OF COMMITTEES.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903, to report it with amendments, and to submit a report thereon. I give notice that I shall call up the bill to-morrow morning directly after the routine business.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referted the bill (H. R. 3762) for the relief of Emanuel Klauser, reported it with an amendment, and submitted a report thereon.

Mr. PLATT of New York, from the Committee on Naval Affairs, to whom was referred the bill (S. 1634) to remove the charge of desertion against the name of Thomas Cordingly, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2533) to remove the charge of desertion against Frederick Schulte or Schuldt, reported it with amendments, and submitted a report thereon.

Mr. MARTIN, from the Committee on Commerce, to whom was referred the bill (S. 3360) for the promotion of First Lieut. Joseph M. Simms, Revenue-Cutter Service, reported it without amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Commerce, to whom was referred the bill (S. 4139) to diminish the number of appraisers at the ports of Philadelphia and Boston, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3375) relating to the construction of a dam across Rainy River, reported it with amendments, and submitted a report thereon.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to whom was referred the bill (S. 314) for the relief of persons who made the first payment for desert lands under the act of March 3, 1877, but who were unable to perfect entry thereof, reported it without amendment, and submitted a report thereon.

Mr. FOSTER of Washington (for Mr. SIMON), from the Committee on Pensions, to whom was referred the bill (S. 3182) granting an increase of pension to Mary Louise Worden, reported it with an amendment, and submitted a report thereon.

He also (for Mr. SIMON), from the same committee, to whom was referred the bill (S. 3662) granting a pension to Sarah C. Nicklin, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1697) granting an increase of pension to Richard A. Lawrence; and

A bill (H. R. 1688) granting an increase of pension to Charles Armstrong.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 3400) to amend section 1098 of the Revised Statutes of the United States, reported it with an amendment, and submitted a report thereon.

Mr. BURROWS, from the Committee on Military Affairs, to

whom was referred the bill (S. 1553) to restore the status of the Chicago Dragoons, who served during the war of the rebellion, asked to be discharged from its further consideration, and that it be referred to the Committee on Pensions; which was agreed to.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 584) to remove the charge of desertion standing against Jacob C. Breyfogle; and

A bill (S. 2857) to correct the military record of Jackson Brown.

Mr. PLATT of Connecticut, from the Committee on Patents, to whom was referred the bill (H. R. 299) for the relief of William C. Dodge, reported it without amendment, and submitted a report thereon.

CRIMINAL LAW.

Mr. PLATT of New York. I am directed by the Committee on Printing to report a resolution, and I ask for its immediate consideration.

The resolution was read, as follows:

Resolved by the Senate, That there be printed 1,000 copies of House Document No. 362, of the Fifty-seventh Congress, being one of the reports of the International Prison Commission on the "Growth of the Criminal Law in the United States," by Hon. D. K. Watson, which copies shall be for distribution by the Department of State.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. COCKRELL. Are no copies to come to the Senate or House?

Mr. PLATT of New York. There is not any occasion for it. This is a matter of very little importance. The cost will be but $20, and it was not thought worth while to make a distribution to members of Congress.

The resolution was agreed to.

DAUGHTERS OF THE AMERICAN REVOLUTION.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. HOAR on the 28th ultimo, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 7,500 additional copies of Senate Document No. 164, third session Fifty-fifth Congress, being the report of the Daughters of the American Revolution for 1890–1897, together with the historical preface herewith, indorsed by the board of management of that society, of which 2,500 shall be for the use of the Senate and 5,000 for the use of the House of Representatives.

DISTRIBUTION OF DOCUMENTS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the bill (S. 4261) to provide for printing, and binding in cloth, additional copies of the first edition of Government documents and publications for distribution to the designated depository libraries in lieu of the sheep-bound copies of the document edition, so called, now supplied to said libraries, to report it without amendment, and I ask for its immediate consideration.

The PRESIDENT pro tempore. The bill will be read in full to the Senate.

The Secretary read the bill, as follows:

Be it enacted, etc., That whenever any annual report, serial, periodical, or miscellaneous publication of an executive department, bureau, board, commission, or office of the Government shall be ordered printed upon the requisition of the head thereof, or upon the order of Congress or either House thereof, the Public Printer shall print 600 copies in addition to the number named in the requisition or order of Congress, unless previously ordered, to be known as the "library edition," for distribution by the superintendent of documents to State and Territorial libraries and designated depositories: *Provided*, That this act shall not apply to confidential matter, blank forms, or circular letters.

SEC. 2. That Congressional numbers shall not be printed upon any of the documents or reports provided for distribution to State and Territorial libraries and designated depositories under the provisions of section 1 of this act.

SEC. 3. That in binding the library edition the best grades of cloth shall be used, and the Public Printer shall, as far as practicable, assign a distinctive color to the binding of the publications of each department and office, and when a color has been assigned the same shall not be changed; and to insure prompt delivery the Public Printer shall give precedence in binding to documents intended for distribution to libraries and depositories.

SEC. 4. That whenever any printing shall be done upon the order of Congress or either House thereof, or upon the requisition of the head of an executive department, bureau, board, commission, office, or Congressional committee, except matter marked confidential, blank forms, and circular letters, two copies shall be sent, as soon as printed, by the Public Printer, if printed at the Government Printing Office or any branch thereof, or by the head of the office upon whose order the same was printed if printed elsewhere, to the superintendent of documents for entry in the Monthly Catalogue; and whenever the injunction of secrecy has been removed from any document printed as confidential two copies of the same shall be sent by the proper official to the superintendent of documents.

SEC. 5. That beginning with the first session of the Fifty-eighth Congress the Public Printer shall deliver to the superintendent of documents for distribution to State and Territorial libraries and designated depositories, bound, of House documents and reports and of Senate documents and reports, except those included in the library edition, each 600 copies.

SEC. 6. That all laws in conflict with the provisions of this act are hereby repealed.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLERICAL FORCE IN ASSESSOR'S OFFICE.

Mr. MCMILLAN. I am directed by the Committee on the District of Columbia, to whom the subject was referred, to report a joint resolution, and I ask for its immediate consideration. It is a small matter.

The joint resolution (S. R. 65) to provide for the employment of extra clerical force in the office of the assessor of the District of Columbia, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the sum of $1,000 is hereby appropriated for the compensation of extra clerical force in the office of the assessor of the District of Columbia, to assist in the additional work incident to carrying out the provisions of the act of Congress approved February 15, 1902, permitting the payment of arrears of taxes in the District of Columbia at the rate of 6 per cent per annum; one half of said sum to be paid out of the revenues of the District of Columbia and the other half out of any money in the Treasury of the United States not otherwise appropriated.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INDIANS ON COLVILLE RESERVATION.

Mr. PENROSE. The bill (S. 601) referring the claim or claims of certain bands or tribes of Indians on the Colville Reservation, State of Washington, to the Court of Claims, and for other purposes, introduced by my colleague [Mr. QUAY] on the 4th of December, 1901, has been referred to the Committee on Claims. At his request I ask for a change of reference to the Committee on Indian Affairs.

The PRESIDENT pro tempore. If there be no objection, the Committee on Claims will be discharged from the further consideration of the bill referred to by the Senator from Pennsylvania, and it will be referred to the Committee on Indian Affairs.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. BURTON introduced a bill (S. 4338) making a grant of alternate sections of the public lands in the Territory of Alaska, to aid in the construction of a certain railroad in said Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BERRY introduced a bill (S. 4339) authorizing the White River Railway Company to construct a bridge across the White River in Arkansas; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MORGAN introduced a bill (S. 4340) for the relief of the estate of John T. Yeatman, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARMACK introduced a bill (S. 4341) for the relief of A. B. Rozell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4342) for the relief of Lemuel D. Sugg; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 4343) granting an increase of pension to Philip Dintelmann; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4344) granting an increase of pension to John R. Palmer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4345) granting a pension to James Stebbins King; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 4346) granting a pension to Augusta Turner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 4347) granting an increase of pension to James Vance; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 4348) granting an increase of pension to James Thompson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4349) granting an increase of pension to John Curran; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLATT of New York introduced the following bills; which

were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 4350) for the relief of Benjamin W. Loring;

A bill (S. 4351) for the purchase and preservation of the battlefields and fortifications of Forts Frederick, Crown Point, and Ticonderoga, in Essex County, N. Y.; and

A bill (S. 4352) for the relief of Barney McKay.

Mr. PLATT of New York introduced a bill (S. 4353) granting an increase of pension to David Parker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 4354) granting an increase of pension to Charles W. Rundle; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER of Washington introduced a bill (S. 4355) authorizing the issuance of a patent to the county of Clallam, State of Washington; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. KITTREDGE introduced a bill (S. 4356) granting settlers the right to make second homestead entries; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PERKINS introduced a bill (S. 4357) for the relief of Ira Davis; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4358) to amend sections 4139 and 4314 of the Revised Statutes; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PATTERSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4359) granting an increase of pension to John S. Milam (with accompanying papers);

A bill (S. 4360) granting an increase of pension to Thomas L. Sims (with an accompanying paper); and

A bill (S. 4361) granting a pension to Noah Billmire (with an accompanying paper).

Mr. PLATT of New York introduced a joint resolution (S. R. 66) in relation to monument to prison-ship martyrs at Fort Greene, Brooklyn, N. Y.; which was read twice by its title, and referred to the Committee on the Library.

Mr. CLARK of Wyoming (by request) introduced a joint resolution (S. R. 67) for the relief of Delphine P. Baker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

AMENDMENTS TO INDIAN APPROPRIATION BILL.

Mr. BURTON submitted an amendment proposing to amend section 1 of the act of Congress approved March 1, 1895, entitled "An act to provide for the appointment of additional judges of the United States court in the Indian Territory, and for other purposes," intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. TELLER submitted an amendment proposing to appropriate $25,000 for new buildings and other improvements at the Indian school at Fort Lewis, Colo., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

ELASTICITY OF CURRENCY.

Mr. DIETRICH. I submit a resolution pertaining to finance, and I ask immediate action upon it.

The PRESIDENT pro tempore. The resolution will be read.

The resolution was read, as follows:

Resolved by the Senate of the United States, That the Committee on Finance be, and it is hereby, instructed to prepare and present an amendment to the banking law which shall provide an element of elasticity to the currency of the United States.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. BURROWS. I think it had better be referred to the Committee on Finance. I ask that it be referred to that committee.

The PRESIDENT pro tempore. The Senator from Michigan moves the reference of the resolution to the Committee on Finance.

Mr. DIETRICH. I accept the Senator's suggestion.

The PRESIDENT pro tempore. Without objection, it will be so referred.

PROTECTION OF THE PRESIDENT.

The PRESIDENT pro tempore. Morning business is closed, and the Calendar under Rule VIII is in order.

Mr. HOAR. I move that the Senate proceed to the consideration of the bill (S. 3653) for the protection of the President of the United States, and other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT pro tempore. The bill has been read.

Mr. GALLINGER. Mr. President, in connection with this bill I desire to put in the RECORD an address delivered by Judge Colt, of the United States circuit court, before the New Hampshire Bar Association in the city of Concord on the 2d day of the present month. Judge Colt has discussed this question with his usual learning and great ability, and I feel sure that Senators in considering the bill will be glad of an opportunity to read this most admirable address. I ask unanimous consent that it be inserted in the RECORD.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The address referred to is as follows:

ADDRESS OF JUDGE LE BARON B. COLT, OF THE UNITED STATES CIRCUIT COURT, BEFORE THE NEW HAMPSHIRE BAR ASSOCIATION, AT CONCORD, N. H., MARCH 2, 1902.

A solemn and imperative duty has fallen upon the country—the protection of the President of the United States. The subject is of the gravest public concern and of peculiar interest to our profession. It is a startling commentary on our vaunted intelligence, progress, and security that we are unable to guard the life of one individual in this country, and he the most honored and best beloved.

There is no conceivable crime so atrocious as the causeless murder of the chosen ruler of a free people. Such crimes rise infinitely higher than crimes against the individual. They are crimes against humanity, civilization, and the country's life; against society, law, and liberty. They are a blot upon free institutions, a stain upon the flag. They undermine the happiness and well-being of the people. They lower our standing and character in the opinion of mankind.

Has our fancied security indeed proved a dream and a delusion? Has our boasted liberty become the liberty of assassination? Is this the end of the struggles, the sacrifices, the aspirations of the people for self-government? Is this the consummation of the long, weary, and bloody march of mankind to this fair land of freedom?

The record is appalling. In thirty-seven years three Presidents have been assassinated—an average of one assassination every twelve years. The history of Europe for one thousand years furnishes no parallel. To find one we must go back to the military usurpers of ancient Rome.

During these comparatively few years the assassinations of our Chief Magistrates have equaled, if not exceeded, those of the rulers of England since the Norman conquest in 1066 and of France during the last ten centuries. No King of England has been assassinated for more than four hundred years, and but one ruler of France in nearly three centuries. During the life of the Federal Government, a period of one hundred and thirteen years, no ruler of England, Germany, or Spain has suffered death by violence. France, Italy, and Austria have each escaped with a single victim, while Russia records but two instances.

This comparison becomes the more amazing when we consider that tyrannicide, regicide, and religious fanaticism were among the principal causes which have led to the assassination of European rulers, and that these causes have not existed here. Nor is this striking contrast to be explained by reference to latter-day anarchism, for, at most, only one of the four attempts upon the lives of our Presidents can be traced to that cause.

We can no longer plead in justification our supreme faith in a free people and democratic institutions as a shield against such attacks, nor that it was impossible for us to imagine how any human being should wish to murder Lincoln or Garfield or McKinley, who sprang from the people, whose lives were consecrated to their happiness and well-being, and who died "holy victims sacrificed on the altar of liberty."

Nor can we insist upon the violence of party spirit inherent in a democracy as the cause, nor will it do to urge too strongly in defense the inadequacy of our laws, either punitive or preventive. We may, perhaps, as a people, be forgiven for the murder of Lincoln—the offspring of the violent passions born of civil war—and we may find a historical parallel in the murder of William of Orange or Henry IV of France; but the recorded annals of mankind will be searched in vain to find a parallel to the murders of Garfield and McKinley.

From 1789 to 1902 there have been 4 attempts to assassinate the Presidents of the United States, as compared with 10 attempts in England (exclusive of 4 minor assaults), 17 in France, 10 in Russia. This list is without doubt incomplete. Moreover, it does not include many plots and conspiracies which were discovered before consummation.

Limiting this comparison to the attempts since 1860, we find 3 attempts upon the lives of the Presidents, as compared with 2 in England, 5 in France, 8 in Russia, 3 in Germany, 4 in Spain, 3 in Italy, and 2 in Austria. The comparatively small number of attempts in England during these years may be in part due to the almost absolute seclusion of Queen Victoria after the death of Prince Albert.

This comparison gives the following result: Since 1860 all of the attempts upon the lives of the Presidents of the United States were successful; the two attempts upon English rulers were unsuccessful; of the five in France, only one was successful; of the three in Germany, none; of the eight in Russia, only one; of the three in Italy, only one; of the four in Spain, none; and of the two in Austria but one was successful.

Limiting this comparison to the attempts by anarchists, in which the country is now deeply concerned, we find in the past forty years only one such attempt upon the life of the President, as compared with three in France, six in Russia, one in Germany, two in Italy, and one in Austria. The single attempt in this country was successful; that in Austria was also successful; that in Germany was unsuccessful; of the three attempts in France but one was successful; of the six in Russia, only one, and of the two attempts in Italy but one was successful.

To summarize: Of the four attempts to assassinate the Presidents of the United States since the foundation of the Government, in 1789, three have been successful, or 75 per cent; of the 55 attempts to assassinate the rulers of Europe in the countries above mentioned, since 1789, only five have been successful, or about 9 per cent. Since 1860, of the three attempts to assassinate the Presidents of the United States three have been successful, or 100 per cent; of the 27 attempts to assassinate the rulers of Europe in the countries above mentioned only four have been successful, or 15 per cent. The single attempt by anarchists to assassinate the President of the United States has been successful; and of the 13 in the European countries only four, or 30 per cent.

In this comparison it should be remembered that the personal protection afforded European rulers undoubtedly prevented many attacks which otherwise would have occurred. The circumstance that a ruler is openly guarded has a marked deterrent effect upon assaults of this nature. Had the would-be assassins of England's rulers since Washington took his seat accomplished their object with the same ease as in this country, in all human probability the number of victims would have been more than double the number of our martyred Presidents, and in France the number would have been four times as great.

It follows that this country would have been comparatively free from these tragedies if reasonable precautions had been taken to protect the person of the President. Had the portico of the Capitol been properly watched as the President passed along, the would-be slayer of Jackson, who for some time had been walking about unnoticed, would have been apprehended; had the entrance to the box in Ford's Theater been protected against intruders, Lincoln would not have been shot; had there been some person on watch to observe the approach of Guiteau as the President and Mr. Blaine walked unattended through the waiting room of the railway station on that fatal July morning, Garfield would not have been stricken down, and had not the custom prevailed of the President, on all public occasions, freely shaking hands with large crowds of people, or had such handshaking been conducted under proper regulations and precautions, McKinley would be alive to-day.

These considerations strongly confirm the view that the number and frequency of our national tragedies is not owing to the prevalence of a spirit of assassination, but springs from our overconfidence and want of caution, and that the most effective remedy lies in keeping, as far as possible, suspicious persons at a safe distance from the President. The sentimental notion that, because we are a democracy and the people have been accustomed, freely and on all occasions, to meet their Chief Magistrate, and that to impair this time-honored custom would be unrepublican and savor of royalty, must not stand in the way where the life of the President is at stake.

The conditions which might have rendered it reasonably safe for the President to mingle openly with the people in the early days of the Republic are changed, and we must adapt ourselves to the new environment. "New occasions teach new duties; time makes ancient good uncouth."

The bill recently reported to the United States Senate from the Judiciary Committee by Senator HOAR is certainly a movement in the right direction. By section 7 of the bill "the Secretary of War is authorized and directed to select and detail from the Regular Army a sufficient number of officers and men to guard and protect the person of the President of the United States without any unnecessary display." If this provision should be supplemented by the appropriation of a sum of money to be at the disposal of the President for the purpose of securing additional police protection, it would be a further aid.

It is a somewhat significant fact in this connection, that no assault has ever been attempted upon the President in the White House, where reasonable precautions are taken. The situation does not demand that our Chief Magistrate shall travel from place to place with the military pomp of some European rulers, or with the gorgeous pageantry of Queen Elizabeth, but it does demand that he shall be accompanied by reasonable safeguards appropriate to the simplicity and dignity of republican institutions.

We are confronted with two associated causes which can not be eradicated. The social and industrial conditions of modern society, and the unbalanced mind, the extremes of wealth, power, ease, and lavish luxury on the one hand, and poverty, ignorance, misery, and the struggle for existence on the other, in a society which also contains the diseased brain, the dethroned reason, homicidal mania; the victim of the delusion of imaginary wrongs to himself, his class, or his nationality; the would-be suicide who thinks if he kills a ruler monuments will be erected to his memory; the degenerate, the fanatic, and the criminal. So long as these social conditions exist we shall not be free from attempts to assassinate our Chief Magistrate.

The danger of a disputed succession to the Presidency, such as existed in 1876, can not be ignored. This is a danger inherent in our electoral system, and is the weak spot in our federal form of government. Nor must we overlook the possible consequences of a conflict between labor and capital under present industrial methods. It is an economic law that periods of general financial depression occur about every twenty-five years; and if the situation during one of the crises should be aggravated by a shortage of crops, it might produce conditions which lead to political conspiracies. But no such situation seems near at hand, and we may rest reasonably secure against attacks upon the life of the President springing from any such cause.

The present danger is not so much from anarchistic conspiracies hatched by any of the known groups of anarchists, as from some morbid individual who feels that he must become the executioner of anarchy—the most dangerous criminal known to history. It is fifteen years since August Spies and others were executed. Had any of the groups of Chicago anarchists, in revenge for their death, planned to assassinate the President, many opportunities would not have been wanting. President Carnot, Empress Elizabeth, and King Humbert have all been assassinated by some member of a group of Italian anarchists. A branch of this group is located in Paterson, N. J., and Bresci went from there on his mission to kill the King of Italy. Had this group included among its intended victims the President of the United States, the accomplishment of that purpose would have been an easy task.

The type of anarchists who seek to enforce their doctrine by assassination discloses difficulties in the way of meeting the situation by laws. According to Regis, they are the typical regicides or magnicides who have existed from remote antiquity. Professor Lombroso, of the University of Turin, as the result of his researches, finds that a large number of this particular type of anarchists are madmen and criminals.

It is hard to reach this type of anarchists by legislation. He is not easily discovered in the country, nor easily kept out. It is said that the leader of an Italian group of revolutionary anarchists travels from country to country at will. Anarchy, or anarchism, is a broad term. Philosophical anarchism, which is beyond legislative control, is a theory of social life based upon an ethical view of human relations. It is the philosopher's dream of a perfect state of society composed of perfect human beings. It signifies that if everybody did what was right there would be no need of government.

If the writers on anarchism limited their language to the legitimate discussion of their theory of society, the State could not well complain; but such is not the fact. In Proudhon, Bakounine, Kropotkine, and other writers are found thoughts and expressions which incite to violence and which provoke the writings and pamphlets of the radical revolutionary anarchists. We may cite a few examples of their teachings and maxims.

"Governments are the scourge of God." "Property is robbery." "Theft is the recovery by violence from the rich of that which the rich have taken by violence from the poor." "Appropriation by force must be the anarchists' prelude to the wholesale insurrection which they will sooner or later enact." "Law has no title to the respect of men. Born of violence and superstition, and established in the interests of the consumer, priest, and rich exploiter, it must be utterly destroyed on the day when the people desire to break their chains." "No more laws! No more judges! Liberty, equality, and practical human sympathy are the only effectual barriers we can oppose to the antisocial instincts of certain among us."

Such ideas, taken up by the extreme revolutionary anachists, lead to the expression of such sentiments as the following:

"Our only hope is earnest, organized action. Burn, kill, and destroy until we force the autocrats to turn. We have lost hope in God, hope in humanity, and hope in the world at large. Let every man do his duty. This is a time when the workingman will either become a slave or a master. Choose between the two, and choose at once. Let us give no quarter, and ask none; only let us stand by each other, and each man at his post. If we must die, let us die like men and not slaves."

Revolutionary anarchists should be prohibited by severe penal laws from uttering, writing, or publishing language threatening, advising, or instigating the killing of the President, or advising or instigating another to kill the President, or conspiring with others to kill the President.

The comprehensive and carefully drawn bill of Senator HOAR, from which we have already cited one provision, covers this whole branch of the subject. It punishes with death any person who, within the jurisdiction of the United States, shall willfully kill or cause the death of the President or Vice-President of the United States, or any officer thereof upon whom the powers and duties of the President may devolve, or the sovereign or chief magistrate of any foreign country; and the same penalty is inflicted upon any person who shall attempt to commit either of these offenses. It punishes by imprisonment not exceeding ten years any person who shall instigate, advise, or counsel the killing, or conspire with others, or by spoken words, or by written or printed words, uttered or published, threaten to kill or advise or instigate another to kill, and provides that any person who has conspired as aforesaid may be indicted and convicted separately, although the other party or parties to the conspiracy are not indicted or convicted; and that any person who shall willfully and knowingly aid in the escape from punishment of any person guilty of any of the above offenses shall be punished as if a principal.

This bill includes not only the President, but the Vice-President and other persons in the line of succession, as well as the heads of foreign states. These additional provisions are important and necessary. We should prevent by law, so far as possible, assassins taking up their abode in this country mainly for the purpose of crossing the Atlantic at a convenient and opportune time to assassinate a foreign ruler.

Although no person who has attempted to assassinate the President of the United States has escaped justice, our present Federal laws are manifestly defective and inadequate in that they make no provision for the punishment of persons who kill or attempt to kill the Chief Magistrate. Had President McKinley been shot in Rhode Island or Maine, or in any other State where capital punishment has been abolished, the punishment of the assassin would have been limited to imprisonment for life. Had the assault on the President not proved fatal, the maximum penalty for his would-be murderer, under the laws of New York, would have been but ten years.

The Constitution vests the executive power in the President, and gives Congress the power to make all laws necessary for carrying into execution the powers vested by the Constitution in the Government. Every government has the inherent power of self-preservation. The Supreme Court has often said that the Government was endowed with all the powers necessary for its own preservation. With the possible exception of treason, the assassination of the President is the highest known crime against the United States; and the power of Congress to pass laws for the punishment of crimes against the United States has always been recognized and exercised.

In addition to Senator HOAR'S bill, some further protection may be afforded in more liberal extradition treaties, which possibly should cover an international police surveillance of the class of revolutionary anarchists who instigate and advise assassination. The opinion expressed by some that the present situation justifies the passage of very stringent laws respecting immigration and naturalization, I do not entertain. Although most of the anarchists in this country are aliens, or of alien descent, it is a fact worthy of mention that with the exception of the hopelessly insane Lawrence, no alien or naturalized person has ever raised his hand against the President of the United States.

The whole question of the protection of the life of the President is one of the elimination of chances. This investigation has led me to conclude that the primary thing is to safeguard the President's person, and that this should be supplemented by legislation along the lines considered. Among the reasons for thankfulness for this invitation to address the New Hampshire Bar Association is the opportunity it has afforded for some examination into the causes of the strikingly anomalous situation of the country concerning the assassinations of its Chief Magistrates. I can not express the gratification which I have derived in satisfying my own mind that the principal cause is largely owing to carelessness and neglect, and does not lie deeper in the character of our people or Government.

No! The liberty of this country is not the liberty of assassination. Our dream of self-government has not proved a delusion. The struggle and sacrifices of mankind have not been in vain. The nation still remains the home of freedom, law, and justice. Each of these terrible tragedies has only added strength and unity to the Republic. The world has never witnessed such a tribute of love for a ruler, of devotion to a government, as when the martyred McKinley was laid at rest amid the hush of traffic and industry, and the nation, in silent prayer, stood like a statue upon whose brow was beating the soft, pure light of liberty.

Mr. BACON. Mr. President, I had supposed there would be something said by those who are in favor of the bill in its present shape. If such is not the case, I have something to say; but if there is anything to be said in favor of the bill in its present form, of course I will defer my remarks for the present.

Mr. PATTERSON. I desire to offer some amendments.

Mr. HOAR. The other day I stated the purpose of the bill. I said all that I supposed would be necessary to have it understood by the Senate when it was up the other day.

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. BACON. Certainly.

Mr. PATTERSON. I desire to offer the following amendments. I wish to state that if I had been here yesterday before the Senate adjourned I would have offered them and had them printed, so that they would have been before the Senate this morning. I ask that the amendments which I offer be printed, so that we may have them before us to-morrow.

Mr. HOAR. I should like to have them read.

The PRESIDENT pro tempore. The proposed amendments will be read.

The Secretary read as follows:

Amendments intended to be proposed by Mr. PATTERSON to the bill (S. 3653) for the protection of the President of the United States, and for other purposes, viz:

Strike out all after the words "Constitution and laws," in line 8 of section 1, and insert the following: "under circumstances and in manner that constitute the killing murder at common law; and any person who shall willfully kill or cause the death of the sovereign or chief magistrate of any foreign country under circumstances and in manner that constitute the killing murder at common law shall be punished with death; and an accessory before or after any such offense shall be deemed a principal, and be punished with death, and any such accessory may be indicted, tried, and punished,

although the other party or parties to such offense has not or have not been indicted or convicted."

Insert the word "feloniously" after the word "thereof" in line 13 of section 2.

Strike out all after the word "thereof," in line 3, section 3, and insert the following: "Unlawfully and feloniously conspire to murder either of the officials mentioned in section 1 shall be punished by imprisonment not exceeding twenty years; and any person who has conspired as aforesaid may be indicted and convicted separately, although the other party or parties to the conspiracy are not indicted or convicted."

Strike out sections 4, 5, and 6.

The PRESIDENT pro tempore. The amendments will be printed and lie on the table.

PROMOTION OF COMMERCE.

Mr. FRYE (Mr. PLATT of Connecticut in the chair). Mr. President——

The PRESIDING OFFICER. Will the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. With pleasure.

Mr. FRYE. I ask unanimous consent that the final votes may be had on the bill known as the shipping bill and all pending amendments, without debate, on Monday a week, at 3 o'clock.

Mr. BACON. That includes amendments offered at that time?

Mr. FRYE. Yes.

The PRESIDING OFFICER. The Senator from Maine asks unanimous consent that the bill known as the shipping bill may be voted upon without further debate one week from Monday, at 3 o'clock, including all pending amendments and amendments that may be offered at that time. Is there objection? The Chair hears none.

PROTECTION OF THE PRESIDENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3653) for the protection of the President of the United States and for other purposes.

Mr. BACON. Mr. President, if this bill is to pass in any shape, it seems to me that it ought to be very materially amended. I have offered some amendments which it seems to me are essential to the purpose really of those who favor the bill. Without those amendments, and possibly without some others, I shall be constrained to vote against the measure and in consequence I think it is proper to give the reasons why I should do so.

Mr. President, standing as we do right in the immediate presence of the awful tragedy of the assassination of the late President of the United States, it requires somewhat of resolution to oppose a bill the avowed purpose of which is to prevent the recurrence of so great a calamity. The universal desire that there should not be a recurrence of so great an outrage, the universal desire that there should be something done to prevent it, leads the public generally, and even Senators, when a bill for the purpose is presented, to be controlled in the opinions formed by the purpose which it has in view rather than by the means which it is sought to inaugurate to accomplish the purpose.

The killing of President McKinley naturally inclines us all to the adoption of most rigid and drastic methods, and I desire to say for myself that, so far as that unhappy and calamitous occurrence can affect my view, it would certainly incline me in the direction which I have indicated. I entertained a most sincere personal attachment for him. I am glad of the opportunity to say here what I have said elsewhere, that he was without exception the most amiable, the most courteous, the most pleasant man I ever met in high station, and that, so far as I was personally concerned, while I did not belong to the same political party with him, I ever received from him not only the utmost courtesy, but unvaryingly the kindest personal consideration. I personally mourned his death, and I regard his loss as a great national calamity.

So that I repeat, Mr. President, so far as the fact of the great outrage which was perpetrated in his assassination could have an influence upon me, the entire tendency is toward a reconciliation of myself even to measures which might not entirely meet my approval. While considering measures to prevent the recurrence of such a calamity in the future, there must be in our minds some reference to that which has brought the subject so vividly to our attention at this time.

Mr. President, there are very grave questions involved. Naturally, when the question of the adoption of such a bill as this is brought up the question is asked, Are you not in favor of protecting the President of the United States and those who by law are appointed to succeed him? Why, most assuredly, we all are. But in response to that question I say two things: In the first place, the proposed bill is not necessary for the purpose, and in the second place, it in no wise, so far as I can see, improves the means for the prevention of such a crime.

If there had been the assassination of a President and if the perpetrator had escaped, there would be a crying necessity for some legislation which would prevent the escape of anyone in the future; but there has been no such experience, and there can be no such experience. There is not a State in this Union which has not laws by which the President, as well as any other person, is protected from assassination. There is not a State in this Union where it would be possible for one who had assassinated a President to escape the punishment which he deserved. The world is not large enough for one who commits such a crime to be out of the reach of the arm of the law, and there is not a place secret enough in which he could hide himself from avenging justice.

It was according to the designs of the framers of our Government that the criminal law should be administered by the States, and whether there is power in the Federal Government to enact such a law as this or not, to enact it is impliedly to say that there is not, in the opinion of Congress, the reliance which there should be in the States to enforce their criminal laws.

Mr. DEPEW. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from New York?

Mr. BACON. Yes, sir.

Mr. DEPEW. The Senator from Georgia stated that the laws of the several States take ample care of a crime of this character. For about a week after President McKinley was assaulted it was supposed that he would recover. An investigation was made by the criminal authorities of Erie County, N. Y., where the crime was committed, in case the President recovered, as to what punishment the laws of the State of New York provided for that assault and attempt to kill, and it was discovered that the laws were wholly inadequate, that the criminal could be pursued only the same as if the crime had been committed against any ordinary person in the same county. So that, so far as protection for the President in New York is concerned—and I think in all the States of the Union—where an attempt is made on the life of the President I do not think that there is any remedy provided by the State law, and I do not know that there could be.

We can take care of attempts against the President of the United States in a Federal way, but I doubt if the States could provide legislation which would differentiate between the President of the United States and any other citizen of the State.

Mr. BACON. Mr. President, the Senator has rather anticipated a branch of the argument to which I am coming. I shall endeavor to speak with reference to that later. I am very frank, however, to say to the Senator and to the Senate that that leads up to perhaps the only feature in this bill where there may be a claim—although the correctness of that is by many not admitted—that State law would, in the judgment of some, be insufficient; but I had not reached that part of the argument.

When interrupted by the Senator from New York [Mr. DEPEW] I was speaking of the fact as to the killing. I was speaking of the case where the President had been killed, where he had been assassinated. I had not reached the point of the question of an attempt to kill or of an assault.

I had remarked, Mr. President, that the laws of every State, if enforced, and, so far as I know, the laws of each State, would deal out to the assassin the same penalty which this law proposes to inflict upon him. I was saying that for that reason this bill, so far as it related to that feature, where there was an assassination was unnecessary.

Mr. PLATT of Connecticut. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Connecticut?

Mr. BACON. With pleasure.

Mr. PLATT of Connecticut. I dislike to interrupt the Senator, but several of the States have laws against capital punishment. They would not in those States deal out the same measure of punishment which this proposed law will inflict. Is not that so?

Mr. BACON. That may be true. I do not know the fact that States have laws against capital punishment, but I am coming to that branch of the argument, if the Senator will permit, before I get through, as the question of the right and propriety of the Federal Government undertaking to have a criminal law to be enforced within a State which shall be different from the law of the State itself. So far as the infliction of the death penalty is concerned, there is no deterrent to the anarchist in the prospect of death, because he undertakes to commit the offense with the full knowledge and consciousness of the fact that he is to forfeit his life.

But, Mr. President, these are preliminary considerations, and are not addressed to the particular matters to which I ask the attention of the Senate, and which are involved in the amendment I have offered.

I presume it will be admitted by all that, so far as the mere crime of assassination is concerned as it relates to the individual, the Federal Government has no jurisdiction or power to inflict a penalty upon one who assassinates the President, but that the whole power, the sole power, will be found in the office of the Government to protect against assassination if assassination be

directed against one on account of his official position or on account of his official acts.

I can not state that more clearly than it is stated by Judge Aldrich, of the district court of New Hampshire, in an article which he published in the December number of the North American Review, and which I will read, in which the distinction is clearly drawn between the assassination of an individual, although he may be the President, for another cause, and the assassination of the President because he is President or because of some particular act performed by him while President. This is the first paragraph in the article in the December number of the North American Review:

Czolgosz killed Mr. McKinley, not because he was William McKinley, but because he was President of the United States; not because of his personality, but because he represented the idea of law and government. The violence was directed against the official rather than against the private individual; against the office, not the man. All the surrounding circumstances, as well as the admission of the assassin, show that personal malice, ordinarily present in crime, was altogether absent, and that malice against the idea of government was present. The motive for the fatal shot was not to destroy McKinley, except as a step in the direction of destroying the idea of government and law, which, for the time being, he represented as the head of the executive branch of the Government. Mr. McKinley was the representative of the people in respect to their idea of government, and the blow being directed against the idea, it follows that the real crime was against the people and their government rather than against McKinley as an individual.

I am going to read that, in part, in another connection upon another branch of the subject. I read it now because it expresses more clearly than I can myself express the distinction between the killing of an official because he is an official, or by reason of the fact that he had performed official function, and the killing of him as an individual for some reason entirely outside of his official position.

I want to call attention to the bill in order that the purpose of my amendment may be clearly understood. The bill reads in this way:

That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, willfully kill or cause the death of the President or Vice-President of the United States—

That is sufficient for the purpose I now have. The bill goes on to enumerate other persons, and then provides—

shall be punished with death.

The Senate will remark that there is no limitation whatever upon these words. There is an absence even of that which is found ordinarily in the law, I believe, and which is necessary to express, that it is done maliciously or in such a way that it will constitute murder. It is the unlimited condemnation of any one who shall kill this official. I am limiting this consideration now to the President and Vice-President, because it is easier to do that than to enumerate all these various officers as we go along. The principle is the same in each case. The amendment which I offer is, after the words "United States"—that is, after the words which I have already read—to insert these words:

because of his official position, or for the purpose of destroying the Government or impairing the execution of its constitutional powers.

I am not wedded to that language. I will state that this language was suggested to me by a distinguished Senator of great experience in this body, and that he has since suggested a possible change in the language from the words "constitutional powers" to "governmental powers." I think that was his suggestion. I will state that that was the suggestion of the junior Senator from Missouri [Mr. VEST].

I hope Senators will give careful consideration to the suggestion as to the propriety of the introduction of these words, and they will see that no case can possibly arise where a President of the United States would be assassinated by an anarchist, outside of any assassination which might occur from other causes entirely personal to the President, but what would come within that restriction or that limitation "because of his official position."

That certainly would have included the crime of the assassination of Mr. McKinley. The assassin had no other motive; he avowed that that was his motive, and that is the motive of all anarchists, as stated by Judge Aldrich in the paragraph which I have read.

Czolgosz killed Mr. McKinley, not because he was William McKinley, but because he was President of the United States; not because of his personality, but because he represented the idea of law and government. The violence was directed against the official, rather than against the private individual; against the office, not the man.

Mr. HOAR. I should like to ask the Senator a question, if he does not object.

Mr. BACON. I have no objection whatever.

Mr. HOAR. I should like to ask the Senator this question: How could that be proved beyond a reasonable doubt? Judge Aldrich is speaking of the historical probabilities in such a case; but in courts of justice we have to prove a motive, if motive be the essence of the crime, beyond a reasonable doubt. I should think a skillful advocate might in all three of the cases, certainly in the last two, of the assassinations of the President have raised a very serious doubt as to whether there might not have been some personal motive other than that growing out of official character.

Mr. BACON. I will say that I think the Senator from Massachusetts, if he were on the bench, would take this view of it: Suppose that this assassin had not avowed, as he did avow, that he had no other motive. He said that he killed the President because he was President, because he had power that no man ought to exercise. Of course that would have convicted him. But suppose——

Mr. HOAR. Mr. President, if it will not disturb the Senator in the least—I can in this way bring out better the point I wish to make than by an elaborate reply—I will say what this bill means to punish is the crime of interruption of the Government of the United States and the destruction of its security by striking down the life of the person who is actually in the exercise of the executive power, or of such persons as have been constitutionally and lawfully provided to succeed thereto in case of a vacancy. It is important to this country that the interruption shall not take place for an hour, and it is important to the security of the country that there be an official provided who will make that certain. If the man willfully—because, of course, otherwise he is not punishable—mean to do that thing, he has committed one of the gravest and most dangerous and most injurious of public offenses. It is that we wish to prevent and punish. That is the theory on which this bill is drawn.

Mr. BACON. Mr. President, I think I understood that, although I did not have the pleasure of hearing the statement from the Senator when he was on the floor before. It was made during my temporary absence from the Chamber. I would have been very glad to have heard the statement this morning before I began my speech; but that does not change the fact.

The Senator made the suggestion in his prior interruption that it would be difficult to prove—and that is his objection to my amendment—what was the purpose and intent, and I was proceeding to answer that when the Senator suggested something else. I was about to say that I think that if the Senator were himself on the bench and a man was being tried before him who had assaulted the President; if that man stood mute, and it was shown that he was a stranger to the President; that so far as anyone knew he had never seen him before, the Senator, sitting upon the bench, would instruct the jury that the presumption was that the man had done this thing because of the fact that the one he attacked was President, and that therefore he was guilty of an infraction of this law.

Mr. President, we have had three of these lamentable assassinations, and there has been no case in which there would have been any difficulty in convicting either one of the assassins under the law as proposed if it had in it the amendment which I have offered. In the case of the assassination of Mr. McKinley there was the avowal on the part of the assassin that that was his reason—that he killed the President simply because he was President. And, as I have said, in the absence of any avowal, the circumstances under which the assassination occurred would have raised a presumption of the fact which would have been ruled by any court.

In the case of the assassination of Mr. Garfield there would have been no difficulty in making the proof, and it would have come under the words "for destroying the Government or impairing the execution of its constitutional powers" or "governmental powers."

The same would have been true if Booth had been tried by a civil court. But the point I make, Mr. President, which it seems to me makes it essential that we should guard this bill by the amendments I propose, is that if the killing is for other than the reasons described in this amendment it is a matter within the jurisdiction of the States.

It is entirely possible for a President of the United States—it is certainly entirely possible for one of these subordinate officers who are intended to be put in the same category as the President—to be assassinated for some reason other than that connected with his official position.

Why, Mr. President, a burglar might enter the room in which one of these heads of Departments was, without even knowing that he was the head of a Department, and in the effort to commit a burglary, and to avoid detection or arrest, he might commit a murder. Would anybody say that if one of those Secretaries was in a country house and there should be an occurrence of that kind there would be jurisdiction under the Constitution of the United States to take away from the State the right to try the man who committed the offense? You may say the man was a burglar and committed murder, and it does not make much difference whether he be tried by the one or the other, but the point is, that laws are made so that if one innocent of crime is accused he may have the benefit of certain guarantees. Here is the case of a burglary committed, and a murder of the head of a Department, who is included in the terms of this bill, the man charged with the assassination has the constitutional guaranty of a trial in his own

county under the laws of his own State. Here is a murder charged to have been committed by one to whom this man was an entire stranger; he may be an entirely innocent man, and yet he must be carried before a Federal court, away from his home—possibly more than 100 miles—and tried under a law, and denied the right which the laws of the land give him, that for an offense committed in his State, or an offense charged against him to have been committed in his State, he shall have the right of trial in a certain way.

Why, Mr. President, it is altogether possible even for the President of the United States to be assaulted by a man who does not know that he is the President of the United States. There can be no motive there to interrupt the Government or to destroy its functions. We have had a rumor—I do not know how true—that there had been in a not very remote time in the past an occasion where the President of the United States came in collision with a drunken man who did not know he was President. Of course if that occurred in the District of Columbia it would make no difference as to State or Federal law, because there would be no conflict of jurisdiction; but it is a serious question when you propose to take away the jurisdiction of a State over matters which from the foundation of the Government to the present time have been conceded to belong to the exclusive jurisdiction of the State. It is a serious matter when enacting a Federal criminal statute to fail to so guard the law as to get it within the only limits under which that law can be justified or maintained.

Mr. President, I do not want to pursue this matter at any great length; but there is one other very serious consideration in this case, to my mind, and that is as to the constitutionality of the bill. I will admit that there is very grave difficulty in the question which I am now about to present; but it is a difficulty which rests on both sides.

Practically, Mr. President—and I ask the serious attention of lawyers to this suggestion—this is an enlargement of the law of treason. It is practically an effort to make, not in name, but in fact, that treason which the Constitution of the United States declares shall not be treason. What is treason? Of course we know what it is under our Constitution, but what, in the broad sense, is treason?

It is the effort to overthrow lawful authority—to destroy lawful authority. That is one kind of treason—to betray the Government to its enemies and by force to stop the exercise of the proper governmental functions.

Now, the time was when it was left for the courts to say what was treason, and up to the time of Edward III the courts were very liberal in ruling what acts constituted treason, and in order to limit it within proper bounds, by the act of Edward III, treason was defined, and acts outside of that were no longer treason.

Now, the point I am coming to is this: There were, if I recollect aright, seven divisions of treason mentioned in the act of Edward III. I have them here enumerated in one of the volumes of Blackstone's Commentaries. One act of treason was:

> When a man doth compass or imagine the death of our lord the king, of our lady his queen, or of their eldest son and heir.

That was the first. The second and third I pass over as not material to be mentioned now. The fourth was this:

> If a man be adherent to the king's enemies in his realm, giving to them aid and comfort in the realm or elsewhere—

He is also declared guilty of high treason. Passing over the fifth and sixth, the seventh is as follows:

> If a man slay the chancellor, treasurer, or the king's justices of the one bench or the other, justice in eyre, or justices of assize, and all other justices assigned to hear and determine, being in their places doing their offices.

Now, the point to which I wish to ask the attention of lawyers in the Senate is this: When the constitutional convention came to consider the question of treason they had that act of Edward III before them. I have here Elliot's Debates. That clause in the Constitution which defines and limits treason was made in a discussion in which the act of Edward III was brought into direct mention and notice more than once, and the Senate will observe that the language of the Constitution in limiting treason to the levying of war against the United States and to adhering to their enemies, giving them aid and comfort, is taken almost literally from the fourth section of the act of Edward III. The act of Edward III provided that the killing of the king should be treason. It provided that the killing of the officers of the Government should be treason, and the framers of the Constitution of the United States, with that act before them and discussing it, reject both of those and say they shall not constitute treason, and they take the single fourth division and, copying it almost literally, say that, and that only, shall be treason.

The point to which I wish to ask the attention of the Senate is this: Did the framers of the Constitution, when they were defining treason and when they were saying that only—they used the word "only"—certain acts shall constitute treason, mean simply to limit the power of the Congress or of the Government to use the word "treason" when they came to enact a law prescribing the penalty of treason? Did they simply mean to deny to them the enactment of a statute prescribing a penalty for an offense which they would say should be called "treason?" Or did they mean to say that when Congress came to enact laws prescribing a punishment against any attempted overthrow of the Government, or any attempted destruction of any part of the governmental function, they should be confined to those particular acts and should not go beyond them?

Mr. HOAR. Has not that point, which I agree is a very lawyer-like point, been settled by the Supreme Court of the United States in cases where they have held valid the legislation of Congress for the protection of Government officers against obstructions and assaults in the discharge of their duty and interrupting them in the discharge of their duty? I understand the Senator's proposition is that it is not the word "treason," but the substance of the attack on the Government in its operation or working, to which Congress was limited. Now, if we may provide by law, as the courts I believe have held, that an attack on or an obstruction of an officer of the United States in the discharge of his duties, made within the limits of any State, shall be punishable, it can not make any difference, certainly in principle, that this is the head of the Government or that these other persons are officers who are in the line of succession to the Executive power. The question is whether that point has been debated and settled.

Mr. BACON. The Senator's suggestion is one which had not escaped my attention, and it is one of the features which I had in view when I spoke of the fact that it is a question not without difficulty. But there must be some line of demarcation between the offenses which are in their nature treason, and which under the statute of Edward III were also made treason, and which the Constitution of the United States expressly excluded, and another class of minor offenses, such as those suggested by the Senator from Massachusetts.

This bill proceeds upon the theory that the attack on the President of the United States is destructive of the functions of Government. As stated by Judge Aldrich, I believe it was, in this paper, certainly by some writer whom I have been reading from recently, the Government as now constituted can not go on without the Executive, and therefore the purpose of this proposed law is to provide a penalty for that which is in its nature destructive of Government, and therefore that which in its nature must be under the general, broad acceptation of the term treason.

And yet the framers of the Constitution, when they came together to consider the question, determined that they would not make an assault upon the Executive treason, but expressly said that it should not be treason, but that he should stand like every other citizen before the law, and that one who committed a crime against his person should not be guilty of treason, but should be guilty of murder. The fact is not to be overlooked that in the act of Edward III there are some offenses enumerated and made treasonable which are not in their nature treasonable, and their exclusion from the constitutional paragraph defining treason does not signify anything; but the exclusion of offenses which are in their nature treasonable signifies a great deal.

Mr. CULBERSON. Mr. President, I appreciate very much the able and interesting speech which is being made by the Senator from Georgia; and if it will not interfere with him, I should like to ask him a question. In order to do so I will be compelled to make a statement of a sentence or two.

Mr. BACON. I shall be very happy to have the Senator do so.

Mr. CULBERSON. At common law, as the Senator has indicated, there are several acts which, being done by a party, would be treason. Among them are the acts which have been named by the Senator from Georgia. Among others which were treason at common law or by the British statutes was counterfeiting coin of the realm. Counterfeiting is not treason under the Constitution of the United States, but it is punishable by the statutes of the United States as a felony. Crimes at common law were divided into treason, felonies, and misdemeanors.

The question with me, and the question with the Senator from Georgia, as I understand, is whether the framers of the Constitution, having limited the acts which would constitute treason against the United States, thereby prohibited Congress from punishing as a felony or misdemeanor other acts which were treason at common law or under the English statutes.

It is an interesting question. I confess I disagree with the intimation of the Senator from Georgia on this branch of his argument, but I agree with him on the first branch.

Mr. President, I have made this statement simply to get my idea before the Senator from Georgia, that he may assist me, as one required to pass upon this intricate and delicate question, to come to a correct conclusion about it.

Mr. PATTERSON. Mr. President——

The PRESIDING OFFICER (Mr. BAILEY in the chair). Does the Senator from Georgia yield to the Senator from Colorado?

Mr. BACON. Certainly.

Mr. PATTERSON. Mr. President, I desire to submit what I wish to say in the time of the Senator from Georgia, that he, with others, may have the opportunity to reflect upon what I have to suggest, and in occupying the floor I will refer to the amendments which I have offered, because they embody my views of this unusually important question.

I agree with the purpose of the Senator from Massachusetts; that is, to punish by a Federal statute whoever murders a President or within the limits of the United States murders the head of any foreign government. But I can not concur at all with the proposed statute by which that is to be done. I think there is a necessity for a Federal statute upon that subject, for this reason, if for no other. It was suggested, I think, by the Senator from Connecticut. In some of the States there is no law that punishes by death the crime of murder. At least in one of the States the ordering of the death penalty after a conviction is dependent upon the will of the governor. However heinous the transaction might be, in which a President or other high official of the Government was concerned, it might be that the offender would simply be imprisoned for life, subject, as a matter of course, to the exercise of clemency by the governor of the State, if he should be punished only by imprisonment, at any time after the sentence was put in effect.

In other of the States, as suggested by the Senator from Massachusetts, the degree of punisment is left with the jury. They not only find a defendant guilty or not guilty, but if they find a defendant guilty, they may affix the penalty. We can well understand what the state of public mind would have been if the President had been murdered by Czolgosz in the State of Iowa where the death penalty is not in force. I think it would have resulted in an uprising by the people. I think the State would have been disgraced by a mob. I do not believe there is any American community which would have tolerated for a moment the offense that was committed by Czolgosz to be expiated simply by imprisonment.

Therefore, so far as I am concerned, I am in sympathy with the proposition that there shall be a law, the same throughout the country, for the punishment of whoever murders a President of the United States or the head of any foreign government who may be killed within the limits of the United States.

I suggest to the Senator from Georgia that the differentiation he seeks to make by his amendment will be productive of very serious confusion, with the possible escape of one who might kill the President. For instance, if his amendment was adopted and the defendant should be indicted in the Federal court, one of the questions necessarily submitted to a jury would be whether or not, although the killing of the President was felonious and did in fact constitute the crime of murder, the attack was made not at the individual, but really at the office which he held. In that event the court would be required to instruct the jury, if such was the law, that although the jury might believe that the killing of the President was felonious and was murder at common law, yet if the killing was the result of some private grievance and not by reason of his hatred of the Government, or by a desire to destroy the Government or throw the Government into confusion, it would be the duty of the jury to acquit.

Then would come the very serious question whether or not that defendant had not been once in jeopardy, and if, being acquitted by a Federal jury, he should be indicted under the State law for the crime of murder alone, it might be a very serious problem whether the courts would not be compelled to hold that he had been in jeopardy for that offense and therefore he could not be tried. I can see great difficulty in attempting to differentiate the killing of a President as the result of a private grievance or to attain some object that does not affect the Government and the killing of the President because of hatred of the Government and to destroy or seriously impede its operations. Therefore I am entirely willing, in order that no such troubles and difficulties as those may arise, that a law shall be passed which will inflict the death penalty by a Federal statute and at the hands of a Federal official by the verdict and judgment in a Federal court on one who murders a President.

The trouble with me commences when I read the language of the bill. For instance, take the first section:

> Any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, willfully kill or cause the death of the President or Vice-President of the United States—

"Willfully kill." I take it that every lawyer who reflects will recall that there may be perfectly innocent willful killings. "Willful" means with deliberation, with premeditation, voluntarily. I am aware that when the word "willful" is applied to criminal law it has a sinister meaning which does not necessarily attach to the word in connection with other laws or other things. But, nevertheless, after all, a man may willfully kill the President of the United States, or anybody else, and be entirely guiltless of any crime, moral or legal, unless we shall undertake to make it a crime.

The President of the United States may be killed in self-defense. The slayer would willfully kill him; that is, voluntarily kill him and intentionally kill him. It would be a willful killing, but it would be a justifiable killing. A President may engage in an encounter in which in the heat of blood by a passion irresistible he may be slain; and yet to a degree at least that is a willful killing.

My notion about it, and I ask the attention of the Senator from Massachusetts to it, is that all that should be enacted into a statute of this kind is that whoever murders a President of the United States or the head of a foreign government or the other officials mentioned in the proposed act shall suffer death.

In connection with that, accessories either before or after the fact shall suffer death. In addition to that, those guilty of entering into a conspiracy to murder the President or the other officials mentioned shall receive the punishment that may be declared; and then, in addition to these things, that those who are accessories or those who are coconspirators may be indicted and tried and punished, although the others who engaged in the commission of the offense, the principals it may be, may not be indicted, tried, or punished. When those things are accomplished, it seems to me we have done everything that the Congress of the United States should be asked to do to protect by law the life of the President or any other official of the United States.

Mr. HOAR. I arise, Mr. President, because the Senator from Colorado has invited my attention to a point. I should like to ask the Senator whether it is not now, if not a universal, yet a very general method of legislation in regard to all crimes in our modern codes and in our creations of new offenses to describe the act of which the offense consists and to leave to ordinary implication and presumption the matter of justifiable cause? So, if in any State or Territory—in any court, national or State—the court had to administer a law which punished the willful killing or slaying of a person, or a willful assault upon anybody, would not justifiable cause, like self-defense or insanity, which, in the last analysis, means that the man did not do it, because there was no intelligence behind his act, or it may be so stated, at any rate be recognized, as a valid defense without putting into the statute affirmatively that it shall be so recognized?

Of course it is very easy, although I do not myself think it is worth while, to put into the proposed statute the words "without justifiable cause" after the word "willfully," which, I suppose, would remove the difficulty. But I suppose that this bill is in that particular according to the modern custom in legislation.

Mr. PATTERSON. To the question of the Senator from Massachusetts I answer yes and I answer no. If he will examine the Federal statutes, he will discover that where the Government punishes murder or homicide committed within the Federal jurisdiction it always uses the word "murder." The principles of the common law being operative throughout the United States in connection with crimes, the use of the word "murder" makes the offense of murder that which was cognizable at common law. At common law homicide was divided into that which was justifiable and murder and manslaughter, so that when our Federal statute declares as to whoever shall murder another in a navy-yard, within the limits of a custom-house, upon territory that is under the jurisdiction of the United States, Congress means that the person when tried shall be tried for murder, and the murder must be defined in the indictment with all the care and particularity of a charge for murder at common law.

Mr. HOAR. Mr. President——

The PRESIDING OFFICER (Mr. PETTUS in the chair). Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. PATTERSON. Certainly.

Mr. HOAR. I do not think I made myself quite clear.

Mr. PATTERSON. I was going to come to it.

Mr. HOAR. Perhaps the Senator will allow me to call his attention to one thing I have discovered since. I agree that what the Senator says about murder is true, that it involves the absence of justifiable cause, but this is a statute offense we are creating. Now, the question which I put was whether it was not the almost universal custom in drafting penal statutes to describe the fact which makes the offense, and when that is aptly described the court always holds that the usual justification shall be open as a defense, though not mentioned.

I turned hastily to the statutes of the United States and looked at the first I came to in the index:

> If any master of a vessel coming into or having arrived at any port of the United States shall obstruct or hinder or shall intentionally cause any obstruction or hindrance to any officer lawfully going on board such vessel, he shall be liable to a penalty, etc.

Now, suppose the officer going on board the vessel made an assault or was endeavoring an assault upon the master and he

repelled it and defended it. There are a thousand cases of justifiable cause. Not one of them is mentioned in the statute. I think the Senator will find that all through modern legislation.

Mr. PATTERSON. That, Mr. President, is a misdemeanor. I do not believe that the looseness of language of that kind would be at all applicable to grave felonies, capital offenses. I do not believe that any case can be found in which a serious felony is thus loosely defined.

I was going on to suggest that the State legislatures have undertaken in many instances to particularly describe and define different degrees of murder. In our State we have murder in the first and the second degree, and then we have voluntary and involuntary manslaughter. They have divided two offenses at common law into four offenses, and in doing that it was necessary for them to discriminate, to use language to describe the one offense and the other offenses.

But I do not believe that a parallel case can be found where language will be used in a capital case or a serious felony for the purpose of describing an offense in which the language is altogether compatible with perfect and entire innocence. I suggest to the senior Senator from Massachusetts that when he examines the statutes of the United States as to all high offenses he will find, if it is homicide which is to be declared a felony as a capital offense, it is described as murder, and to rob and steal, if they have reference to personal property belonging to the Government of the United States; and every word thus used has a technical and well-defined meaning at the common law, and when used in a law and in an indictment carries with it everything that is essential to constitute that a crime at the common law.

But where you say "one who shall willfully kill another," you simply in terms declare that one who has committed no offense against the moral law may be guilty of a statutory offense; that one who, if the offense was directed in a State at some private individual, would do an act for which he would be exonerated upon trial by the verdict of a jury necessarily under the instructions of the court, when that act is committed against a certain official of the United States it shall constitute a crime, and a capital crime, for which he shall be punished. No law of such a serious nature should leave the hands of Congress in that condition.

I suggest to the Senator from Massachusetts that if he will read the amendments which I have offered and which will be printed in the morning, it will be found that they provide for the punishment of the following offenses: For the murder of a President, the head of a foreign government, or the heads of departments such as are mentioned in his bill, they shall suffer death. That whoever shall feloniously attempt to commit the offenses mentioned in the first section, as the first section will be if the amendment is adopted, shall also suffer death, because then it would be a felonious attempt to murder one or the other of these officials.

It next provides that accessories before or after the fact shall be guilty of the principal offense and shall suffer death. It then denounces a conspiracy to commit these offenses and provides that one of the conspirators may be indicted and tried and punished, although other members of the conspiracy may not be indicted, tried, and punished. It also provides that the accessories before or after the fact may be indicted, tried, and convicted and suffer the penalty of death, although the principals may not be indicted, tried, and convicted.

Now, when the law thus provides, I ask Senators what additional crimes do you want to embrace in the statute that is proposed? To the crimes that are provided for in sections 4, 5, and 6 I desire to enter my most earnest and emphatic protest.

Mr. SPOONER. Sections 4, 5, and 6?

Mr. PATTERSON. Sections 5 and 6 are the provisions I refer to. The crime mentioned in section 4 is provided for in one of the amendments, and is a part, I think, of section 2 as the section I have suggested stands. Now comes section 5:

> That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, by spoken words, or by written or printed words, uttered or published, threaten to kill or advise or instigate another to kill the President or Vice-President of the United States * * * shall be punished, etc.

Here is an offense created without a conspiracy, without a single overt act being committed, an offense that may be commited simply by word of mouth by one man, or by the stroke of a pen held in the hands of one man:

> Threaten to kill or advise or instigate.

Let me suggest a possibility. The opponent of an Administration makes a speech. He uses strong language. He denounces the Administration in bitter terms. He goes far beyond what the law of decorum in public debate either in this Chamber or upon the outside would justify. Nevertheless, he is clearly within his constitutional rights. He declares that the President has been guilty of malfeasance in office; that he has been guilty of making appointments through improper influences; that his Administration under his lead and guidance is ruining the country, and will result in permanent injury to every citizen. Some person influenced by those words, perhaps, kills the President. Would not the person who made such a speech be liable to indictment upon the charge of having instigated the murder of the President?

A man in his idle moments utters a threat against the President, saying, "Why, he ought to be killed." He says it in the heat of passion, yet without any evil intent in his mind. Under that section he would be subject to grave and serious persecution accompanied with prosecution, the charge being that he had threatened to kill the President; that he had advised the killing of the President, or had instigated his death.

There ought to be no offense created, Mr. President, that consists simply of language used by one person unaccompanied by any overt act. If there is a conspiracy, then there must be two or more. Then they combine with deliberation and evil intent and well-defined purpose to commit an unlawful act. There can be no conspiracy without the deliberate mind to commit a crime. But any man who indulges in severe denunciation, in severe criticism, in unjust criticism, or who makes a suggestion in the heat of passion or makes a threat that many people are constantly making, I will not say against the President, but against others, would be liable, and justly liable, under this section to indictment and to prosecution, and it would depend upon the sense of justice——

The PRESIDING OFFICER. The Senator from Colorado will please suspend. The hour of 2 o'clock having arrived, the unfinished business will be laid before the Senate. It will be stated.

The SECRETARY. A bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. CLAY. Mr. President, I do not desire to take the Senator from Colorado off the floor. I am perfectly willing, as far as I am concerned, that the Senator shall complete his remarks.

The PRESIDING OFFICER. Does the Senator from Georgia make that request?

Mr. CLAY. I ask unanimous consent that the Senator from Colorado be allowed to conclude.

Mr. SPOONER. Let the request be for unanimous consent that the unfinished business be informally laid aside until the Senator from Colorado shall finish his remarks.

Mr. BACON. As I may not wish to interrupt the Senate after the Senator from Colorado concludes, I simply wish to remind the Senate that I had the floor. The Senator from Colorado is now engaged in an interruption. I am perfectly willing that the Senator shall proceed.

Mr. HOAR. I desire to enter my protest against that. No doubt the Senator from Georgia will get the floor again whenever he desires to resume it, but certainly the Senator had not the right to assign the floor to another Senator to make a speech.

Mr. BACON. I have not made any such arrangement. The Senator from Colorado asked me if he might interrupt me and I consented, simply as I consented a while ago to yield to the Senator from Massachusetts, and he spoke for five minutes. It is simply a question of degree. The Senator from Colorado is speaking a little longer than the Senator from Massachusetts. That is the only difference between the two cases.

The PRESIDING OFFICER. The Senator from Wisconsin asks unanimous consent that the unfinished business be laid temporarily aside.

Mr. BACON. I am entering no objection. I am perfectly willing that that shall be done.

Mr. HOAR. I hope the Senator from Colorado will be allowed to proceed.

The PRESIDING OFFICER. Unanimous consent has been asked that the unfinished business be temporarily laid aside. Is there any objection? The Chair hears none. The Senator from Colorado will proceed.

Mr. PATTERSON. Mr. President, I was discussing the provisions of section 5, to which I am unalterably opposed. It introduces new elements, or it extracts from crimes simple elements of crime and makes each distinct element a separate and distinct crime. I think the more Senators will read and reflect upon the wide possibilities of section 5, as proposed by the Judiciary Committee, the more they will be convinced that it is not a sea that this country should undertake to navigate. It comes mightily near being the lese majesty of Germany, the mere finding fault with, the criticising, the denunciation of the king, or the head of government.

Whenever you can give something tangible that has for its object the commission of a substantial offense, so far as I am concerned I would favor its adoption. But when I realize that a bitter partisan may from the public stump deliver utterances innocent in themselves and within the range of legitimate public discussion as it has always been understood within the limits of

the United States, and under this or a new act be guilty of a crime, I am not in favor of its enactment.

Section 3 is largely of the same pattern. Under the amendments that I have presented I have stricken out most of section 3, and I call the attention of the Senate to the part that I have stricken out. Practically it is an elimination of the entire section and the substitution for it of the provisions relating to conspiracies.

Section 3 in the bill provides—

That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, instigate, advise, or counsel—

"Instigate, advise, or counsel"—

the killing of the President or Vice-President of the United States or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws, or shall conspire with any other person to accomplish the same, or who shall instigate, advise, or counsel the killing of the sovereign or chief magistrate of any foreign country, or shall conspire with any other person to accomplish the same, shall be punished by imprisonment not exceeding twenty years.

In that section mere language, uttered in the presence of others but not intended to operate in a criminal way upon the minds of others, would be an offense. It would introduce this element into the criminal jurisprudence of the United States. A person would be guilty of an offense simply by the use of words; that is all. All lawyers know that the most unreliable testimony which is ever given in a court of justice is testimony of what somebody said. As the law books lay it down, the mere change of a word, a difference in the accentuation of a word, a change in punctuation—if you could apply that phrase to the use of spoken words—will altogether change the meaning of the language that is attempted to be repeated. It will be holding out a premium to some enemy of some person to go before an officer and make affidavit that "John Smith instigated me to kill the President," or "advised me to kill the President," or "counseled me to kill the President," and he would undertake to support that accusation by his own unsupported words.

I suggest, Mr. President, that there is no room in this country for offenses of that character. In creating offenses new to the genius and the spirit of our criminal procedure you would be offering premiums to a thousand prosecutions where no real offense existed.

Therefore I suggest, if I have used apt language in the amendments, that when we fully and completely provided against the murdering of the President and the other domestic officials mentioned in the bill and the head of a foreign government, and the accessories to the offense, and against those who conspire to commit those offenses, and provide that accessories and conspirators shall be punished, even though the principals may be neither accused nor punished, we have gone as far as wisdom will permit us to go.

I agree, as I said when I commenced, that it is wise to enact into a Federal statute provisions against the murdering of these people in order that there may be uniformity of criminal procedure in whatever section of the country the offense may be committed, and in order that there may be uniformity and certainty of punishment. In such a case the accused is tried, not perhaps in his county, but certainly within the State in which he lives or the section of the State in which a division of the circuit court of the United States may be held. Where a grave offense, where the unlawful killing of the head of this great country, is the crime that is charged against an individual, there is not much room for him to complain, even though he may not be tried within the county in which he lives, if he is tried within the judicial district in which the offense was committed.

PROMOTION OF COMMERCE.

Mr. CLAY. I ask that the unfinished business, the bill known as the shipping bill, be now taken up.

The PRESIDING OFFICER. The unfinished business is now before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. CLAY. Mr. President, during the debate yesterday evening the Senator from Ohio [Mr. HANNA] questioned the correctness of certain figures that I quoted from a writer in the Engineering Magazine. I believe I said the figures were made in 1890. On an examination of the authority I find they were made in 1899. I do not desire to have this article inserted until my remarks are closed, but I will ask that pages 105, 106, 107, 108, 109, down to the bottom of page 110, be inserted in my remarks. I believe the statement will be found to be on an average correct. [See Appendix C.]

But I do not see any need of debating the question as to whether materials for the construction of ships in the United States can be procured as cheaply as in any other country in the world, because the distinguished President of the Senate, and the author of this bill [Mr. FRYE], in the argument that he made to the Senate on Monday, practically admitted that the sole reason why the American shipowner could not compete with the foreign shipowner in our foreign-carrying trade was the question of labor. I thought the Senator from Ohio at the time was mistaken, and I have turned to the RECORD that I might see exactly what the Senator from Maine said. I find on an examination of the RECORD that the Senator from Maine used substantially the language which I said he used in the Senate. Now let me read it:

I say, Mr. President, in my opinion, the farmers, the manufacturers, and the wage workers of the United States would pay a penalty nearly, if not quite, equal to that paid by either of the contending parties. Now, what is the cause of this condition of things? There is only one—American wages. That is all there is to it. Nothing else has caused the condition of things which now exists. American wages increase the cost of our ships for the foreign trade at least 25 per cent.

I am as well aware as any other Senator can be that in the furnishing of raw materials to-day very likely we can supply them as cheaply as they can be supplied anywhere in the world; but the raw materials only furnish one half the cost of the ship; the construction of the ship is the other half. In that construction we pay the men who do the work twice the wages that are paid on the Clyde to-day; more than twice the wages that are paid in any German shipyard, and a good deal more than are paid in the shipyards of Norway. Our vessels to-day cost at least 25 per cent more than do those in any other country in the world.

Mr. President, when you admit that we can supply the raw material, the material for the construction of ships in the United States, as cheaply as they can be supplied in any other country in the world, then the sole question with which we have to deal is the question of labor. So if you admit the proposition, Mr. President, that we can furnish material as cheaply as any other country, you settle every other question except the question of labor.

Mr. President, I have taken the trouble to go to the RECORD to find the debate when the bill of 1891 to provide for a foreign ocean mail service was before the Senate. I found that the distinguished Senator from Maine alleged on the floor of the Senate that if that act of 1891 passed, which I believe cost the country about $1,400,000 per annum for the foreign mail service, that our merchant marine would be restored, and that the United States would again reach that position which it occupied before 1855.

Mr. President, the majority of the committee, in the report which they made during the present session of Congress, said that the act of 1891 had been an absolute failure from beginning to end and that not a single new line of vessels has been established. Every Senator who spoke in favor of that bill said that that would be all that would be necessary to restore our foreign carrying trade. Now, I predict in ten years from to-day, if we rely solely upon this act, that the same statement will be made in regard to the pending legislation.

I am aware of the fact that in all probability in a few years our merchant marine will be restored; natural conditions will cause it to be restored; cheap iron and cheap steel and cheap ships will cause it to be restored. We have reached a point now where the United States can compete with any country in the world. Then, Mr. President, you will see the friends of this bill come forward and claim that this bill is responsible for the restoration of our foreign carrying trade when natural conditions alone will be responsible for such a result.

Mr. President, during the debate the question was asked, I believe, by my colleague [Mr. BACON], Was it true that at this time the shipyards of the United States had more orders than they could fill for two or three years to come? and I understood the distinguished Senator from Maine [Mr. FRYE] to say that that was not true. I hold in my hand certain books and magazines, from which I will ask to have extracts inserted at the close of my remarks. I hold in my hand the Blue Book of American Shipping for the year 1901, which describes the progress of our shipbuilding during the last two or three years in a most interesting article. I ask to have inserted in the RECORD from that book an article entitled "Navy and merchant marine," beginning on page 4 and going on down to the end of the first paragraph on page 6. [See Appendix D.]

Again, Mr. President, to show that our shipyards are now busy, that they can not fill their orders for three or four years to come, I hold in my hand the Blue Book of American Shipping for 1900, and I ask that there may be inserted at the close of my remarks an extract from an article beginning on page 5 with the words "The development of iron and steel shipbuilding" and closing on page 6. [See Appendix E.]

Mr. President, I intended to complete my remarks yesterday evening, but now I shall complete them in a very few minutes.

To carry the comparison still further, what do we find? The difference between the wages paid and the value of the production of the average laborer in the United States was found to be $1,535.76. The difference between the wages of the average laborer in Great Britain and his production was ascertained to be $588.06, and in Germany to be only $388.80. Now, what lessons do these figures teach? The average American laborer, after deducting the cost of his wages, produces products of a value equal

to $1,535. The average laborer of Great Britain produces products, after paying him his wages, of a value equal to $588.06.

These figures enable us to understand and to appreciate the report made by the German expert, Mr. Schwartz, who was recently sent to the United States by the general marine staff of his country to investigate shipbuilding interests of our country. This German expert, thoroughly skilled both in the art of constructing and operating ships, was sent by his country to study our methods; and he made a report that should be gratifying to every American citizen. This investigator says that the materials for the construction of steel ships are lower in price in the United States than any other country in the world, and the only thing to be complained of is the fluctuation of prices.

The German investigator refers to the splendid body of American workmen, earning wages from 30 per cent to 50 per cent higher than those in Great Britain, but that the wage bills in the United States are more than counterbalanced by economical processes of machinery, which are not found in European yards. He also reports that the most striking difference between German and American shipyards is found in the use of pneumatic boring, hammering, and riveting machines and pneumatic cranes in the United States. He frankly says to his own people that the new consolidation of shipbuilding companies in the United States is the largest shipbuilding concern in the world, and that it will devote its resources to economic shipbuilding, to reduce the present method of obtaining material to uniformity, and to the centralization of ship construction and its management.

The German naval constructor, in conclusion, says that the Americans, with all these means and appliances at their command, can easily put their shipbuilding industry in a position successfully to compete with the long-established English builders on the one hand and on the other with the younger but rapidly developing shipbuilders of Germany. A full account of this most interesting and instructive report was given in the Washington Post shortly after it was made. It can now be stated for a certainty that the Carnegie works are executing a large order for steel plates to be used in the construction of new steamers now being built on the Clyde and that the relative prices of this material are such that the American manufacturers pay a freight of $4 per ton and yet compete successfully with the foreign manufacturers.

But why multiply further arguments to substantiate the positions of the minority? It would be an easy task to do so, but I do not desire to worry the patience of the Senate. Now, what is the remaining position taken by the majority? They tell us that Great Britain is our great competitor; that she subsidizes her merchant marine. It is a fact and an important fact that ought to be kept before the public, that the ships of our principal competitor, Great Britain, received no Government aid in the form of a subsidy; they receive compensation for carrying the mails, and so do our ships.

Those vessels which are built and maintained in such a form as will enable them to be used in time of war receive certain compensation for the expense incurred in consequence of the changes necessary to adapt them for that purpose. The same is true of American ships under existing law. The New York Evening Post of January 28, 1902, says that all of the special shipping subsidies attempted heretofore by this country have been failures, and that the recent parliamentary inquiry on that subject showed that both the postal subsidy and naval subvention, which are the only forms of subsidy paid by the British Government, were considered by many shipowners as more of a burden than a benefit.

The mail subsidies amount to only about one-third more than the postage received on the mail matter carried, and the difference thus paid out for the Government represents the political advantage to the British Empire of maintaining regular mail communication with its distant colonies and has no special commercial significance, as the commerce of England is chiefly conducted by slower steamers, which receive no subsidy whatever, and that the payments made for the right to have merchant steamers constructed with special reference to use by the Government in case of need amount to less than $300,000 a year, and the requirements of the admiralty are so burdensome that shipowners have found little advantage in the subsidy. The same article correctly says that these payments by the British Government are not subsidies in the sense of being a bonus, but are given for value received.

The great merchant ships of Great Britain do not receive a dollar subsidy. She commands more than one-half of the carrying trade of the world with her tramp iron ships, which are seen in every port of the world, and these merchant ships have never received a cent subsidy from the English Government. These ships that dominate the ocean and are the pride of every Englishman, the great freight-carrying ships, have never had any aid from the English Government. England has paid for carrying her mails to her outlying possessions and to foreign countries, and in addition certain payments are made for the right to use certain merchant ships in case of war; but the great merchant marine of our most formidable competitor does not receive any government aid whatever.

I am tempted, Mr. President, to repeat a little history intimately connected with the origin and progress of this legislation. The report of the majority of the committee is practically the report of the present Commissioner of Navigation. They go so far as to say that he furnished the information on which said report is based. This Commissioner told us in 1894 if the laws are to be equal, and the American doctrine of equal opportunities under the laws for all is to be preserved, the privilege of the use of his own flag over his own property should be granted to every citizen on equal terms with every other citizen. He was outspoken against every form of subsidy in 1894 and 1895. The very measure we are now considering would then have received his most strenuous opposition. In 1895 he denounced in unmeasured terms every species of subsidy.

In 1900 the Commissioner of Navigation, in his annual report, prepared the facts and figures which were used in the preparation of the ship-subsidy bill debated during the last session of Congress, commonly called the Hanna-Payne bill, and which carried $9,000,000 per year for twenty years. This, the majority told us, was to equalize the difference between the cost of construction and operation of ships in the United States and foreign countries.

The minority of the committee resisted most bitterly and successfully these figures, and the bill went down in defeat. Now, in less than one year the majority tell us that one million per year will equalize this difference. In a period of one year the Commissioner and the majority of the committee have fallen from nine to one million. It brings to me no ordinary pleasure to know that the figures of the Commissioner of Navigation and the majority of the committee that were given in support of the bill of last session, through the efforts of the minority, have been proven to be incorrect.

The minority saved to the country eight millions per year for a period of twenty years when we defeated the bill before us during the last session of Congress. When the majority of the committee now come forward and admit that only one million per year is necessary to equalize this difference and prepare a bill accordingly this is an open admission that the bill which we had before us carrying nine millions per year was a fraud and outrage upon the Treasury of the United States.

If this bill could be postponed until another session of Congress, the Commissioner of Navigation and the majority of the committee would probably receive new light that would dispel all darkness, gloom, and uncertainty, and enable them to discover the real truth that American ships can be built and operated as cheaply in the United States as any country in the world. Our friend, the Commissioner of Navigation, can then return to his first love, and we will welcome him and denounce every species of subsidy as unjust, unnecessary, undemocratic, and against the spirit of our free institutions. I mean nothing unkind, only give these facts to show how good men can sometimes be mistaken.

I have already pointed out the fact that an American ship may hire its crew as easily in Liverpool as in New York; as easily in Hamburg as Philadelphia; as easily in Hongkong as San Francisco, if she plies between any of these ports. Shipping Commissioner Dickey, of New York, an ardent protectionist, says that the *New York*, *St. Louis*, and *St. Paul* hire most of their men in Southhampton. Investigation shows that the men who are employed on board the ships of the Pacific Mail Steamship Company are secured in Hongkong, and the great majority are Chinese. I read from The Arena, 1900, in an article written by Mr. John C. Watson and Richard Runke, of Wisconsin, and they ask the question, Should our marine be subsidized?

In answer to the question they show conclusively that the steamships of all nations in the Asiatic trade, on the deck and in the hold, employ Asiatics, and in this respect the American and his competitors are on a perfect equality. I quote from the editor of the Coast Seamen's Journal, which says:

> Wages are equal on the vessel of all nationalities with shipping crews in any given port. In other words, it is the rule of the port and not the flag of the ship that governs wages.

The difference between American and foreign rate of wages can be, and in fact is, overcome by the shipping crews in foreign ships for the round trip, As regards provision, coal, oil, etc., it can be demonstrated that American shipowners have positive and very considerable advantages over their competitors.

The junior Senator from Maine alluded to the *Oceanic*. One-half of the plates in the great *Oceanic* came from Pennsylvania. The higher efficiency of American labor is not disputed. Says the editor of the New York Journal of Commerce:

> Undoubtedly any difference in wages is more than made up in the value of labor. That the American builder can compete needs no proof to one conversant with facts.

Mr. Cramp said himself:

For the Russian war ships we are building we competed with Germany and France. We have also built ships for the Japanese Government, and our bids were lower by 20 per cent than those of Mr. Armstrong, the English builder.

I maintain that experience has shown in transportation by sea the demands of trade will call into being a means of communication as rapidly as a subsidy, and the means thus created will prove to be much healthier and more permanent than those based upon subsidy. Our shipping facilities with Asia enjoy special advantages over the lines of competitive nations. A subsidy to such lines is absolutely indefensible. It requires no argument to show that the position of the United States places European nations at a disadvantage in competing for the trade of Asia. Still the friends of this bill emphasize the subsidy and benefits to accrue to our Asiatic trade under the provisions of this bill.

I am sure that the city of Chicago is more than 3,000 miles nearer to Shanghai than Liverpool or Bremen. It is true that our Pacific ports are more than 5,000 miles nearer to Shanghai than either the British or German ports. How can England, Germany, and France compete with the United States in placing the products of either the farm or the factory on the shores of China when the distance through the Suez Canal to eastern Asia is greater by 5,000 miles than the distance across the Pacific from San Francisco to Shanghai?

I quote from an address issued from the Tariff Reform Club, of New York, in a reply to the argument of Mr. Chamberlain in favor of the subsidy bill which we had before us during the last session of Congress, in which statement we find a quotation issued by the Treasury Bureau of Statistics, showing that during the first nine months of the current fiscal year of 1900, in the trade between the United States, China, Japan, and other countries of the Orient, our imports have been $112,992,000, which is an increase of $32,000,000 over those of the corresponding months of the last fiscal year. To Japan alone our exports during the last nine months of the same year were $23,330,000, which was an increase of $11,400,000 over the exports to Japan during the corresponding months of the preceding year.

Well did the Reform Club ask the question, On what economic principle can ships engaged in this trade with Asia be subsidized? The Reform Club in the same article sets forth the fact that all the Pacific steamship lines now leaving ports in the United States are controlled by transcontinental railroads, and freight rates are fixed by these roads from the point of original shipment to Asia. New steamship lines from our Pacific ports could get no cargo, except such as these railroads bring them, and a new line would therefore be obliged to fix their freight rates as the railroads might dictate.

The Reform Club correctly reaches the conclusion that a subsidy under such circumstances would be a gift by the Government to the profits of these existing railroad and steamship companies. The Reform Club further points out the fact that these existing lines would have no incentive to reduce freight rates and every incentive to keep rates up, while new competitive steamship lines would be starved out by the railroads at will. I have never yet heard these contentions successfully disputed. I have thus far been discussing the details of the bill, but, from my standpoint, the bill is vicious in principle. I am willing to tax the people to pay the legitimate expenses of the Government, but when you undertake to aid any citizen's private business at the expense of the public Treasury, such legislation is unjust and is in favor of a particular class and against the masses.

Equal rights and equal opportunities to engage in any business or enterprise and to receive equal or corresponding benefits from public expenditures are among the fundamental principles embodied in the Constitution.

These are the words of ex-Senator Edmunds in a letter addressed to the chairman of the Committee on Commerce during the last session of Congress, which was so ably discussed by the Senator from Missouri. After quoting from ex-Senator Edmunds, who declared unequivocally that a bounty to any class or any interest or any one product violates the Constitution of the United States, the distinguished Senator from Missouri [Mr. VEST] asked the question, which has never been answered:

If the shipbuilders and shipowners are entitled to bounty, why not give a bounty in the years of distress in the agricultural districts to the farmer and cattle raiser? Why not give a bounty to the miner? If we enter upon this broad domain of opening the Treasury and dispensing the tax money of the people at the discretion or will of Congress, where is the end and what is the limitation?

These questions, so aptly put by the distinguished Senator in the unanswerable speech delivered at the last session of Congress, have not been answered and, I apprehend, never will be. Legislation should always tend to equalize the conditions of human life, and not to build up a moneyed aristocracy.

We do not wish to produce in America great estates and an impoverished and helpless people. I deny the theory that we have arrived at a period in the history of our Republic that the whole people can be taxed for the benefit of the few. No political party is entitled to retain the confidence of the American people which adheres to a policy founded on favoritism or class legislation. If one class of men fail to successfully manage their business, have they the right to call upon the taxpayers to make up their losses? The money given to the shipowners is necessarily taken from the rest of our citizens. Can not the farmer with equal grace ask for a bounty on his corn, wheat, cotton, and other products?

Can not the carpenter, the blacksmith, the brick mason, and the shoemaker say you have helped the shipowners, why not help us? Why can not our railroads and street-car lines come to Congress and say: "Our business has been unsuccessful; you have helped the shipowners, now help us." No private industry in this country has any right to aid at the expense of the public Treasury. The political party to which I belong stands for absolute justice, equality of rights, economical and honest government, and equal opportunities for all men under and before the law. We oppose every species of legislation founded on favoritism—one class of citizens are entitled to as much consideration at the hands of the Government as another. We do not believe that the financial success of one class of our people is of greater concern than another.

The position of the majority is simply this: In order to establish one industry and make it more successful, every other business and employment must be compelled to contribute. There are hundreds and thousands of industries doing a losing business—farmers, merchants, and manufacturers. Should Congress for this reason go into the public Treasury and save them from bankruptcy? Many farmers in my State have been doing a losing business. This is doubtless true in every section of our country, but should Congress for this reason come to their aid, through an appropriation, at the expense of the whole people? Absolute equality of rights is a doctrine we should never abandon.

The shipowner, the artisan, the plowman, the sugar planter, the cotton grower, all stand equal before the law; one should be the recipient of no more favors than another; all should likewise bear the same burdens. On this side of the Chamber we will remain true to the principles of our Government; we will never desert principle, even to obtain victory. We shall always seek to rally around our standard the aspirations and hopes of all men who love equality of rights, liberty, and justice.

APPENDIX A.

ACT OF 1891.

CHAP. 519.—An act to provide for ocean mail service between th United States and foreign ports, and to promote commerce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General is hereby authorized and empowered to enter into contracts for a term not less than five nor more than ten years in duration, with American citizens, for the carrying of mails on American steamships, between ports of the United States and such ports in foreign countries, the Dominion of Canada excepted, as in his judgment will best subserve and promote the postal and commercial interests of the United States, the mail service on such lines to be equitably distributed among the Atlantic, Mexican Gulf, and Pacific ports. Said contracts shall be made with the lowest responsible bidder for the performance of said service on each route, and the Postmaster-General shall have the right to reject all bids not in his opinion reasonable for the attaining of the purposes named.

SEC. 2. That before making any contract for carrying ocean mails in accordance with this act the Postmaster-General shall give public notice by advertising once a week, for three months, in such daily papers as he shall select in each of the cities of Boston, New York, Philadelphia, Baltimore, New Orleans, St. Louis, Charleston, Norfolk, Savannah, Galveston, and Mobile, and when the proposed service is to be on the Pacific Ocean, then in San Francisco, Tacoma, and Portland. Such notice shall describe the route, the time when such contract will be made, the duration of the same, the size of the steamers to be used, the number of trips a year, the times of sailing, and the time when the service shall commence, which shall not be more than three years after the contract shall be let. The details of the mode of advertising and letting such contracts shall be conducted in the manner prescribed in chapter 8 of Title XLVI of the Revised Statutes for the letting of inland mail contracts so far as the same shall be applicable to the ocean mail service.

SEC. 3. That the vessels employed in the mail service under the provisions of this act shall be American-built steamships, owned and officered by American citizens, in conformity with the existing laws, or so owned and officered and registered according to law, and upon each departure from the United States the following proportion of the crew shall be citizens of the United States, to wit: During the first two years of such contract for carrying the mails, one-fourth thereof; during the next three succeeding years, one-third thereof; and during the remaining time of the continuance of such contract, at least one-half thereof; and shall be constructed after the latest and most approved types, with all the modern improvements and appliances for ocean steamers. They shall be divided into four classes. The first class shall be iron or steel screw steamships, capable of maintaining a speed of 20 knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than 8,000 tons. No vessel except of said first class shall be accepted for said mail service under the provisions of this act between the United States and Great Britain. The second class shall be iron or steel steamships, capable of maintaining a speed of 16 knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than 5,000 tons. The third class shall be iron or steel steamships, capable of maintaining a speed of 14 knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than 2,500 tons. The fourth class shall be iron or steel or wood steamships, capable of maintaining a speed of 12 knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than 1,500 tons. It shall be stipulated in the contract or contracts to be entered into for the said mail service that said vessels may carry passengers with their baggage in addition to said mails and may do all ordinary business done by steamships.

SEC. 4. That all steamships of the first, second, and third classes employed

as above and hereafter built shall be constructed with particular reference to prompt and economical conversion into auxiliary naval cruisers, and according to plans and specifications to be agreed upon by and between the owners and the Secretary of the Navy, and they shall be of sufficient strength and stability to carry and sustain the working and operation of at least four effective rifled cannon of a caliber of not less than 6 inches, and shall be of the highest rating known to maritime commerce. And all vessels of said three classes heretofore built and so employed shall, before they are accepted for the mail service herein provided for, be thoroughly inspected by a competent naval officer or constructor detailed for that service by the Secretary of the Navy; and such officer shall report, in writing, to the Secretary of the Navy, who shall transmit said report to the Postmaster-General; and no such vessel not approved by the Secretary of the Navy as suitable for the service required shall be employed by the Postmaster-General as provided for in this act.

SEC. 5. That the rate of compensation to be paid for such ocean mail service of the said first-class ships shall not exceed the sum of $4 a mile, and for the second-class ships $2 a mile, by the shortest practicable route, for each outward voyage; for the third-class ships shall not exceed $1 a mile and for the fourth-class ships two-thirds of $1 a mile for the actual number of miles required by the Post-Office Department to be traveled on each outward-bound voyage: *Provided*, That in the case of failure from any cause to perform the regular voyages stipulated for in said contracts or any of them, a pro rata deduction shall be made from the compensation on account of such omitted voyage or voyages; and that suitable fines and penalties may be imposed for delays or irregularities in the due performance of service according to the contract, to be determined by the Postmaster-General: *Provided further*, That no steamship so employed and so paid for carrying the United States mails shall receive any other bounty or subsidy from the Treasury of the United States.

SEC. 6. That upon each of said vessels the United States shall be entitled to have transported, free of charge, a mail messenger, whose duty it shall be to receive, sort, take in charge, and deliver the mails to and from the United States, and who shall be provided with suitable room for the accommodation of himself and the mails.

SEC. 7. That officers of the United States Navy may volunteer for service on said mail vessels, and when accepted by the contractor or contractors may be assigned to such duty by the Secretary of the Navy whenever in his opinion such assignment can be made without detriment to the service, and while in said employment they shall receive furlough pay from the Government, and such other compensation from the contractor or contractors as may be agreed upon by the parties: *Provided*, That they shall only be required to perform such duties as appertain to the merchant service.

SEC. 8. That said vessels shall take, as cadets or apprentices, one American-born boy under 21 years of age for each 1,000 tons gross register, and one for each majority fraction thereof, who shall be educated in the duties of seamanship, rank as petty officers, and receive such pay for their services as may be reasonable.

SEC. 9. That such steamers may be taken and used by the United States as transports or cruisers, upon payment to the owners of the fair actual value of the same at the time of the taking, and if there shall be a disagreement as to the fair actual value of the same at the time of the taking, and if there shall be a disagreement as to the fair actual value between the United States and the owners, then the same shall be determined by two impartial appraisers, one to be appointed by each of said parties, they at the same time selecting a third, who shall act in said appraisement in case the two shall fail to agree.

Approved, March 3, 1891.

APPENDIX B.

[From Report of Postmaster-General for 1901.]

TRANSATLANTIC MAILS.

As heretofore, the mails for Great Britain and the Continent of Europe have been dispatched by every fast steamer, and when two fast steamers sail on the same day or succeeding days the mails have been, as a rule, assigned to the one whose previous speed record gave reason to believe that it would deliver the mail sooner on the other side of the Atlantic. Other things being equal, preference has been given to steamers sailing under the flag of the United States, and especially to those under contract with this Department, at a compensation of $4 for each mile traveled from New York to Southampton.

Steamers flying the flag of the United States but not under contract are allowed for their services all the postage collected on the mails they carry from this country; that is to say, 5 cents a half ounce, $1.60 a pound (or $3,200 a short ton) for letters and post cards, and 1 cent for 2 ounces, 8 cents a pound (or $160 a short ton) for other articles. In the case of a steamer conveying the mails under a foreign flag, compensation for the service is allowed at the rate of 44 cents a pound (or $880 a short ton) for letters and post cards, and 4½ cents a pound (or $90 a short ton) for other articles, calculated on the actual net weight of the mails conveyed.

The transfer service in New York Harbor, whereby the fast mail steamers arriving from Europe are met at the quarantine station by a special mail steamer, which receives the mails and conveys them as rapidly as possible to the various railroad wharves, whence the mails for the city of New York are immediately sent to the post-office in that city and those for inland destinations are forwarded by the first outgoing trains, has been continued without accident or interruption.

CENTRAL AND SOUTH AMERICAN AND WEST INDIAN MAILS.

There have been no radical changes in the service to these countries during the year.

Our communication with the west coast of Central and South America has been regular and reliable once a week by means of steamers plying between New York and Colon; and to Venezuela we have a semimonthly service by means of the Red "D" Line, which is performing contract service between New York and La Guaira under the provisions of the act of Congress approved March 3, 1891, the contract rate of pay being $1 a mile outward, and which dispatches two additional steamers a month that are not under contract with this Department.

At least two of these steamers each month call at San Juan or Ponce, P. R. Contract service at the same rate of pay is also performed once a week by the New York and Cuba Mail Steamship Company between New York and Habana and once a week between New York and certain Mexican Gulf ports via Habana. Besides, there is additional through service with Cuba by means of steamers plying three times a week between Tampa, Fla., and Habana, Cuba, and by means of steamers of the Munson Line sailing from New York twice a month for northern Cuban ports. This last service is performed under a domestic contract and does not come under the provisions of the act of March 3, 1891. With Porto Rico we have mail communication at least five times a month—twice by means of steamers of the Red "D" Line and three times by means of steamers of the New York and Porto Rico Line, the latter service being performed under a domestic mail contract. For the future, mails for Porto Rico will be dispatched weekly by means of a steamer sailing from New York every Saturday for San Juan.

With Jamaica we have contract ocean mail service by means of steamers of the American Mail Steamship Company, sailing twice a week from Boston or Philadelphia for Port Antonio, Jamaica. Besides, steamers of the Atlas Line sailed regularly twice a month from New York for Kingston, and there has been a sailing every week from Philadelphia or Baltimore for Port Antonia.

Communication with the other West Indian Islands has been maintained without material change, and principally by means of the New York and Cuba, Quebec, Atlas, Clyde, Royal Dutch West India, Trinidad, Bahamas, Strauss, Cameron, and Demerara lines of steamers.

With British Honduras (Belize), Guatemala, and the Republic of Honduras we have regular communication by means of steamers flying the flag of the United States, which sail every week from New Orleans. By steamers sailing from the same port we have regular weekly communication with Costa Rica, and frequently, although irregular, communication with Nicaragua, and with the Colombian ports of Bocas del Toro, Cartagena, and Santa Marta; and from Mobile, Ala., we have frequent, although irregular, service with Bocas del Toro (Colombia) and Belize.

By means of the Lamport & Holt, Sloman's Brazil, Norton, Knott's Prince, Red Cross, Booth, and Houston lines, mails for Brazil and the River Plata countries have been dispatched seven or eight times a month by steamers sailing for those countries direct. Mails for northern ports of Brazil were dispatched 48 times by steamers sailing from New York for Para, Manaos, Maranham, Ceara, Pernambuco, and Bahia. Mails for Brazil generally and for La Plata countries were dispatched 53 times by steamers sailing from New York for Rio de Janeiro or Santos, Brazil. Mails for La Plata countries were dispatched 53 times by steamers sailing from New York for Montevideo and Buenos Ayres. Correspondence for Brazil and the River Plata countries is not, however, held for dispatch by these steamers, but is forwarded via England when that course will expedite its delivery at destination.

TRANS-PACIFIC MAILS.

By means of steamers sailing four times a month from San Francisco and once or twice a month from Tacoma or Seattle, mails for Japan and China have been dispatched not less than six times a month.

These mails have included articles for the Philippines; but mails for the Philippines have also been dispatched by naval vessels and by steamers chartered for military purposes which sailed from San Francisco for Manila in the intervals between the sailings of the regular mail steamers during the year. Correspondence for Japan and China has also been forwarded to Vancouver, British Columbia, for dispatch per steamers leaving that port every four weeks, when the delivery of the correspondence would be thereby expedited.

By reason of the contract with the Oceanic Steamship Company, mentioned under the heading "Contract Ocean Mail Service," mails for the Australasian Colonies have been dispatched from San Francisco, commencing in November, 1900, once every three weeks instead of once every four weeks as previously, the transit time from San Francisco to Sydney being reduced from twenty-five to twenty-one days, and mails being delivered en route at Pago Pago.

Advantage is also taken of the opportunities offered for the dispatch of correspondence for the colonies by means of the Canadian line of steamers sailing from Vancouver, British Columbia, every four weeks.

The steamers above referred to call at Honolulu, and the Oceanic Steamship Company dispatches an additional vessel every month to that port. Besides, most of the steamers en route for Japan and China usually call at Honolulu, so that there are not less than seven opportunities a month for communication by mail with Hawaii, and generally there are not less than eight, in addition to occasional dispatches by means of naval vessels and Army transports.

Mails for Japan, China, and the Australasian colonies are forwarded from San Francisco to Honolulu, to be transferred there to steamers sailing from Vancouver and calling at Honolulu en route to those countries; and mails for the United States arriving at Honolulu by steamers bound for Vancouver are transferred to steamers sailing from Honolulu to San Francisco. By such transfers the delivery of the mails so transferred is expedited by three or four days.

APPENDIX C.

THE PROSPECTIVE EXPANSION IN AMERICAN SHIPBUILDING.

[By G. R. Dunnell.]

The British shipbuilder who keeps an intelligent eye on industrial progress abroad sees nothing much plainer just now than that he will be, probably before very long, face to face with serious competition from the United States. The prospect is not a pleasant one, and therefore he will avoid facing it as long as possible. But it is inevitable in the nature of things, for there are natural laws which govern economics just as there are natural laws of another kind which direct physical phenomena. The great rivers flow in dependence on these natural laws. Man may meddle a little here and there, erecting a dam or straightening a channel, imposing a tax or granting a bounty, but the rivers keep to their valleys, and the streams of commerce roll just where the natural conditions are most favorable, in spite of petty obstructions such as legislative enactment or protective tariff and fostering bounties.

For shipbuilding and marine engineering (which is a part of shipbuilding largely considered) natural conditions are becoming exceedingly favorable in the United States. We find there, first of all, a race ingenious, resolute, ambitious; a people who have been, by the working of nature's two great laws—survival and heredity—fitted to grapple with large problems and win success in the face of difficulty. That is the first requisite, without which the rest is of no avail. Nature has also given this nation a long coast line, harbors, and those mineral riches which are now the raw material of the shipbuilder. These conditions being present, the Americans, in becoming shipbuilders, are but working out their natural destiny.

The Americans have once already shown themselves well fitted for maintaining a ship-producing industry. This was in the days when mechanical propulsion was in its infancy—when steam engines were not a very serious factor in the ocean freight trade of the world. But who doubts the mechanical genius of the Americans? By their boldness and originality in engineering conceptions so much the more are they now fitted for the work of sea carriage in these days of universal steam propulsion. When Americans formerly held a high position as a shipbuilding country, she had raw material in abundance, her forests affording a plentiful supply of timber. Her well-designed ships then furnished models which the British were fain to copy; and the fearless manner in which the shipowning firms managed their business subjected British enterprise to a test such as it had not before been put to, and has never experienced since.

Artificial restraints—those dams to which I have already made reference—did something to destroy or, perhaps, rather check the career of the shipbuilding industry in America, but natural causes have contributed immeasurably more to this end. When iron, and later mild steel, became the materials for ship construction, it was not in the nature of things that America should produce them, for the natural laws of the industrial development are not to be unduly hurried any more than those governing physical phenomena,

and the country was not then ripe for iron making on a big scale. The energies of the people, great as they were, had been engaged in other directions. The vast mineral riches of the continent were unknown, or if known were not in a position to be utilized. No one can doubt, however, in spite of the depredations of the *Alabama*, that had the United States possessed an iron-making industry equal to that of England after the close of the civil war the national qualities which enabled the country to compete so successfully in the days of wind-driven wooden hulls would have kept her flag floating beside the red ensign in the ports of the world.

These things are worth considering by the British shipbuilder and the British shipowner just now, for, if they look across the Atlantic they find that this great bar to the establishment of a modern American shipbuilding industry, the lack of raw material, has recently been removed. In 1890 the president of the Iron and Steel Institute, Sir James Kitson, addressing an American congress, said: "The supremacy of our (British) shipbuilders and our shipping interest is based upon the excellent quality and the abundant supply at moderate prices of steel furnished by our steel makers." Now, the United States produces more pig iron—the primary raw material of steel, and therefore of ships—than any other country in the world, not excluding the United Kingdom. This matter lies at the root of our subject.

Pig iron, as has been said, is the chief raw material of the shipbuilder; that and timber, of which there is plenty in America, a little copper of which there are also excellent native supplies, paint, varnish, and some other accessories, are all that are needed for ship construction and marine engine building. Iron, however, is the dominant factor, the term, of course, including that description of iron known as mild steel, but more properly called ingot iron. Going back thirty years, we find that the production of pig iron in the United States was 1,431,250 tons in 1868, while during the same year Great Britain produced 4,970,206 tons. In 1897 the total production of pig iron in the United States had increased to 9,652,680 tons, while for the same year in the United Kingdom the total was 8,798,455 tons. Thus we see that, while Great Britain was roughly 3,500,000 tons ahead of America thirty years ago, twenty-nine years later she was not very far from 1,000,000 tons behind. It was in 1890, the year of Sir James Kitson's address, that America first forged ahead, and, except in 1894, she has kept the lead ever since.

It is not all pig iron, however, that is suitable for shipbuilding purposes. But this remark would have possessed greater weight ten or twelve years ago, and is likely to possess less in the future than it has at present. This is to say, the spread of the basic process of steel making appears likely to bring us nearer, so far as the utilization of native products is concerned, to the conditions which were present when iron and not steel was used for shipbuilding; for we can now use in basic-lined furnaces those phosphoric or non-bessemer ores which are not admissible with the acid process. When ships were made of wrought iron, as they were for many years after the first year we have dealt with, any country producing a fair iron ore was able to convert it into good ship plates, angles, etc. In those days England claimed that her engineering and shipbuilding trade held an almost impregnable position because iron, stone, coal, and limestone were in close juxtaposition, and that, too, near the sea. Though other countries possessed these minerals, they were more or less widely distributed, generally inland. Freight had to be paid on one or more of them, thus bringing up the cost of production. In those days, too, the notion that there was something native to the "right little, tight little island" which would always enable Britons to defy the world in such matters had not received the unpleasant jars which it has since experienced.

However this may be, the facts as to geographical distribution, or, rather, concentration, of materials were true, and the arguments founded on them were sound at the time. Since then what a change we have seen! The very practice in engineering which Englishmen initiated has wrought such wonders in annihilating distance that coal, iron ore, and limestone, though long distances apart and hundreds of miles from the seaboard geographically, commercially may be close together and within easy reach of a port of shipment. On the American continent this has been due chiefly to the wonderful development of the railway—a matter we shall refer to again later—while on the ocean the work has been almost wholly British.

Another step, besides easy freight, was needed to shake the comfortable British supremacy founded on iron, coal, and limestone in narrow compass; and this step was brought about also by an Englishman, who thereby put the ironstone of his native country out of the market so far as shipbuilding was concerned. When Henry Bessemer was struggling to introduce his great invention with courage as true and a will as firm as his own steel—fighting the world of science and industry to establish his process—he was an unconscious servant of destiny, initiating a change destined to alter the whole aspect of a great industry, and to cause a shipping of the basis of iron making that now, after many years, gives an opportunity to the rivals of his native country. British ores, for the most part comparatively rich in phosphorus, were nevertheless suitable for the production of wrought iron, but were quite unfitted for the manufacture of mild steel by the acid process—the only process known until long after. Great Britain had only a few deposits of non-phosphoric or bessemer ores, and thus it came about, so far from getting ore, coal, and limestone from one district (it is said that occasionally all three have come out of the same pit), she has, during many years past, been sending hundreds of miles across the ocean for nearly all the iron ore that is smelted and worked up for ship construction.

If we turn again to statistics of the British iron trade for the year 1897, we find that of the 8,789,455 tons of pig iron produced in Great Britain 2,601,806 tons were devoted to the production of open-hearth steel ingots. In the United States, during the same period, the production of open-hearth ingots amounted to 1,631,843 tons. Now, it is hardly necessary to say that open-hearth steel is that description from which ships are built. It must not be confounded with bessemer steel, which is the product of the converter; but it was Bessemer's invention which led to the introduction of the open-hearth process, which we owe chiefly to a Frenchman, Martin, who adapted Siemen's furnace to steel-making purposes. Though the American output of the open-hearth steel falls considerably short of the British, it is amply sufficient to prove that the production can be increased when the demand arises. Indeed, it is increasing year by year in a very substantial manner. If confirmation of the ability of America to supply raw material for shipbuilding be needed, witness the fact that American steel makers have been rolling ship plates for the British market.

There are, it is true, special reasons for the import of such material into England—or rather, Ireland—just now, reasons which may prove of a transitory nature. This, however, it is fair to say, is not the opinion of some Americans connected with the steel trade, who are sanguine that they will secure a substantial share of the business in England; and certainly the experiment is not being looked on with indifference by British steel makers. The bringing of steel plates, angles, etc., across the Atlantic appears, however, too much like directing the stream of commerce into artificial channels ever to gain permanence. In any case, if Great Britain should have to rely to any extent on a foreign source of supply, there would be a poor prospect for her in the building of ships. Such an eventuality is not, however, what we have now to consider, the question being rather whether America can supply herself with manufacturing steel for shipbuilding on terms equal to those existing in Great Britain.

Turning again to our table of statistics, we find the production of open-hearth steel divided into two classes, acid and basic. As is well known, the basic process was an English invention, but has found more favor in foreign countries, notably Germany, than in the land of its birth. Of the 2,601,806 tons open-hearth ingots produced in Great Britain in 1897, not less than 2,393,718 tons were made with the acid process from nonphosphoric ores, mostly imported, thus leaving only 208,808 tons to the basic process. In the United States, on the other hand, during the same year, out of the total 1,631,843 tons of open-hearth ingots, 1,075,689 tons were of basic steel and only 556,156 tons were of acid steel. It may be added that during 1897 Germany produced 1,304,423 tons (metric) of basic open-hearth steel. This was made largely from native ores very similar to the large British deposits, though a good deal of highly phosphoric ore, rich in iron, is imported.

In the early part of this year an English engineer, well acquainted with American metallurgical practice, Mr. Archibald P. Head, of 47 Victoria street, Westminster, read an extremely interesting paper on "The American Iron and Steel Industry." In this valuable contribution the author not only showed to what a remarkable extent the Americans were forging ahead in the iron-making industry, but also gave detail of the way in which they gained their end. Many of the advantages they possess are the result of physical conditions, but not a few are due to natural characteristics, enterprise, and that rare intelligence which makes scientific discovery minister to commercial success through the channel of wise and liberal expenditure.

The net result of all these conditions is that not only pig iron but manufactured iron and steel can be produced more cheaply in the United States than in Great Britain, and that to an extent of which few not connected with the industry have any idea. Thus, to quote Mr. Head's figures, Bessemer ore could be sold in Pittsburg at 11s. 6d. per ton, while the price in Middlesborough was 14s. 9d. This, however, is not all, for the American ore has 63 per cent of iron in it, while the Spanish ore used at Middlesborough has, say, 50 per cent. Here there is an advantage for the American steel maker at the start, for he has his ore brought to the coal and limestone at 3s. 3d. less per ton than the price at which the Englishman gets his. In both cases long distances have been traversed, but the American has the great disadvantage of land carrying. But the American railway engineer has made so good use of his opportunities that the railway rate for minerals is less than half that in Great Britain, and often very greatly below that figure. Of course Bilbao ore has practically no railway carrying in transport to Middlesborough, while the ore for the Pittsburg furnaces is taken some distance by train. If the American freight trains were run upon the English goods system the 11s. 6d. paid for iron ore in Pittsburg would be considerably increased.

Continuing Mr. Head's figures, we find American coke 6s. 6d. per ton as against 13s. 6d. for Durham coke, and, although the United States fuel has not the appearance which a Durham maker considers indispensable, it gives good results, being hard and bearing the burden in the blast furnace very well. Coal is notoriously cheap in Pittsburg. Mr. Head gives steam coal at 3s. per ton, which is much below the prices that rule in England. As a result of these and other conditions bessemer pig is produced in America at 40s. per ton as against 50s. per ton for Middlesborough pig. Nonbessemer pig is given as 38s. 9d. for Pittsburg and 40s. 9d. for Middlesborough. Having read these figures, we are not surprised to find the price of steel ship plates to be £4 12s. at Pittsburg as against £5 10s. at Middlesborough, though, in considering these quotations, it must not be forgotten that ships can be built at Middlesborough, while the Pittsburg plates would have a long journey to make to the ocean ports. For boiler plates the prices given are £5 18s. 6d. in America and £6 10s. in England.

APPENDIX D.

NAVY AND MERCHANT MARINE—A YEAR'S DEVELOPMENTS IN AMERICA—LARGER ORDERS FOR NEW SHIPS OF WAR THAN AT ANY OTHER TIME IN THE HISTORY OF THE COUNTRY—PROSPEROUS CONDITION OF THE SHIPBUILDING INDUSTRY AS REGARDS ITS RELATIONS TO THE COASTING TRADE—A FEW LARGE SHIPS FOR OVER-SEA COMMERCE.

Reviewing again a year's developments in the shipbuilding industry of the United States, it may be said that without probably a single exception the yards that engage in building steel vessels have work ahead to their full capacity for at least twelve months, and some of them for a much greater length of time. This is true of all shipyards of the seaboard, as well as those of the Great Lakes.

On the seaboard the great bulk of work is, of course, in the construction of ships of war, but the demand for new vessels for coasting service, the feature of most prominence in American shipbuilding during the past two or three years, still continues, and notwithstanding the failure thus far of all efforts to secure Government aid for foreign-trade shipping, the coming year will see the completion of a few vessels for oversea commerce that will be among the finest in the world. These latter include 2 Pacific mail liners nearing completion at the Newport News works, 6 large freighters for the Atlantic Transport Line at Camden, N. J., and at Sparrows Point, Md., and 2 steamers at New London, Conn., for service on the Pacific in connection with the Great Northern Railway that will be of about the same dimensions as the White Star liner *Celtic*, the largest ship afloat.

In naval circles the year is distinguished by the fact that the most magnificent order for new vessels of war ever awarded by the Government was given to the shipbuilders. Contracts were awarded for 14 warships—5 battleships, 6 armored cruisers, and 3 protected cruisers—aggregating 187,354 tons in displacement, 297,120 in horsepower, and costing, exclusive of armor and armament, $49,944,600. There is no single instance which equals this splendid total. Altogether 61 warships are now building for the United States Navy, representing a total displacement of 289,183 tons, 567,620 horsepower, and costing, for hulls and machinery only, $80,954,116. In addition, the last naval act authorized the construction of 2 battleships and 2 armored cruisers. The plans for these will be submitted to Congress at its next session by the naval board of construction.

If there is any tendency to be noted in naval construction it is to further eliminate the line of demarcation between the battle ship and armored cruiser. A battle ship was originally a vessel with tremendous powers, offense and defense, and limited seagoing qualities; a cruiser was originally a vessel of limited powers, offense and defense, but of great speed and steaming radius. The tendency is to increase the cruising area of the battle ship with sacrifice in the weight of armor or force of armament, and, on the other hand, to give to the cruiser a terrific battery and heavy belt of armor, with reduction in steaming radius. Thus the line between the two types is gradually vanishing. This form of warship, treating the two types as one, is very popular in the United States and Great Britain, as will be noted from a review of their programmes.

The protected cruiser, or commerce detroyer, of which the *Chateaurenault* of the French navy and the *Variag* of the Russian navy are the highest types, are not popular in the United States or Great Britain. The American Navy's contribution to this type consists of the *Columbia* and *Minneapolis*, but no more are building. As they have slight powers of offense and defense their chief security lies in their great speed. Speed must ever be regarded as an unknown quantity, since it is only under the most perfect of conditions that the vessel can attain its maximum. The least derangement of the machinery would materially reduce the speed of the vessel. It

is quite conceivable that an armored cruiser of 19 knots could overtake a commerce destroyer, and the issue, of course, could not then be in doubt.

The question of the superposed turret is still unsettled. The *Kearsarge* and *Kentucky* are equipped with this form of turret and several trials have proved them to be structurally practical. The naval board of construction, after heated arguments, decided to equip three of the five battle ships, for which contracts were lately let, with them; but it is clear that the board is not sure of the eventual utility of these turrets, for it has decided not to equip the two battle ships, for which plans are now being prepared, with them. The real point, indeed, is not the structural success of the turret, but iits vulnerability in actual conflict. If a chance shot would put the turret out of action, it would leave the ship without a battery, even though the guns in the turret were uninjured.

As previously noted, a healthful growth is still shown in the seabord coastwise trade. The present generation of shipbuilders have never enjoyed a season of such activity. To equal it one must go back to the clipper days of 1854 and 1855, before iron began to supplant wood in the construction of vessels, and when the American shipyards, thanks to the plentitude of constructive material, were great hives of industry. When iron was found to be more serviceable than wood the shipbuilding industry in the United States lagged because iron was scarce. The advance of the United States in recent years, however, as a steel-making nation, has through force of circumstances revived shipbuilding. The coast shipyards are crowded with passenger and freight steamers, building for the coastwise trade.

A considerable business is also being done in steel sailing vessels. Hitherto wood has had a practical monopoly of this class of construction. The sailing ship is not the rarity that it is supposed to be. It is only within the past year or two that steam tonnage has exceeded sailing tonnage in the United States. The proportion, however, is safely in favor of steam, owing to the fact that the sailing vessel has almost entirely disappeared from the Great Lakes. The novelty in sailing-ship construction has been the building of two six-masted schooners, the first vessels of this kind to be built anywhere in the world. The number of vessels built during the year ended June 30, 1901, was 1,173 of 401,285 gross tons, compared with 1,058 of 305,677 gross tons for the previous fiscal year. The distribution was as follows: Atlantic and Gulf coasts, 735 vessels of 190,948 tons; Great Lakes, 105 of 153,138 gross tons; Pacific coast, 151 of 46,105 gross tons, and Western rivers, 182 of 11,094 gross tons. (Blue Book of American Shipping, 1901.)

APPENDIX E.

COMMANDING THE WORLD'S ATTENTION.

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The development in iron and steel shipbuilding, which was noted in the last issue of the Blue Book, continues with unabated energy. New shipyards are springing up along the Atlantic and Pacific coasts. The New York Ship Building Company is building a new plant at Camden, N. J., which will be one of the largest in the country. Work is being rushed and the company expects to bid for the new battle ships and cruisers to be built by the United States Navy. Ship construction will be begun there sometime during the present year. At New London, Conn., the Eastern Ship Building Company is erecting an immense plant. The works of this company are primarily established to build two cargo carriers for the Pacific trade for James J. Hill, of the Great Northern Railway. These carriers will be of 34,000 tons and will exceed in size anything afloat.

Something of their size may be appreciated when it is said that they will be bigger than the *Lucania* and *Campania* put together and will have about 5 acres of deck space. As profit earning capacity and not speed is the end sought, they will be slow boats, designed for moderate coal consumption. The Wm. R. Trigg Company, of Richmond, Va., is adding extensively to its plant, being now engaged in an outlay of $800,000 in improvements. The new equipment will make it one of the largest shipbuilding plants on the Atlantic coast. The Fore River Engine Company, of Weymouth, Mass., one of the latest in the field, has grown so rapidly that it has just purchased 60 acres of land at Quincy Point, Mass., 2 miles from its present site, for a new plant.

The Cramps, at Philadelphia, have extended their works by the purchase of an adjoining shipyard, and the Newport News Company, at Newport News, Va., is just completing a very large dry dock and other additions to its plant. A healthful sign is the appearance of the American "tramp" steamer, which, nomad though it be, is the sure forerunner of a reviving merchant marine. The New England shipyards, too, are still building a type of very large sailing vessels, one of them a six-masted schooner, the largest that has ever been constructed. In the handling of that class of freight which depends more upon economy of movement than promptness of delivery, these vessels will have a distinct field of usefulness.

Since the opening of Alaska the Pacific coast has received a decided impetus in shipbuilding. The Risdon Iron Works, of San Francisco, has engaged in general shipbuilding. They are equipping a plant of sufficient capacity to build the largest type of ships. The Wolff & Zwicker Iron Works, of Portland, Oreg., is contemplating the erection of a shipbuilding plant at St. Johns. At the Union Iron Works, San Francisco, additions and improvements of considerable importance have been made of late, and the same is true in a proportionate degree of the smaller works. The development of trade with the Orient will make the Pacific coast an important center in shipbuilding. Of that there are sufficient signs already.

The approximate value of vessels built in shipyards of the Great Lakes during the past year is $10,500,000. Nearly all of these vessels are steel freight steamers of 450 to 500 feet in length and of 7,000 to 8,000 net tons capacity, equipped with quadruple-expansion engines of 1,800 to 3,000 horsepower, and in most cases with water-tube boilers. The year has, of course, been one of the most prosperous in the history of lake shipbuilding, on account of the boom in iron and steel lines. There are still a large number of ships under construction in the lake yards, some of them not to come out until the spring of 1901, and there is every reason to expect, in view of the profits assured to shipowners by reason of contracts made last fall, a renewal of orders that will give the yards nearly as much work for another winter as they have had in the past year.

If the number of new ships ordered for lake trade should be limited, the difference will probably be made up in steel freight steamers of about 3,000 tons capacity to be built for both lake and Atlantic service—vessels suited to passage through the Canadian canals from the lake to the seaboard. The canal type of steamer is about 255 feet over all, 42 feet beam, and 26 feet molded depth. About a dozen such vessels are now in commission on the lakes, and they might be sent on to the seaboard for coast service at any time. The few that have gone to the Atlantic have proven so successful in the trade to Porto Rico and down the United States coast that it is proposed to equip four others, now under construction at the works of the American Ship Building Company, for all kinds of service on salt water as well as on the lakes. Companies are forming for the construction and operation of a very large fleet of steamers of this kind, and it is expected that the lake builders will profit largely on this score. (Blue Book of American Shipping, 1900.)

Mr. HANNA. Mr. President, I would think it unnecessary to prolong the discussion on the pending bill if I felt that every member of this body would take the trouble to read the report which came from the Committee on Commerce accompanying the measure. I hold that that report is a complete analysis and a complete argument in favor of all that is claimed for the bill. But I propose simply to emphasize a few of the points upon which some changes have been made by the committee, and to answer some of the arguments offered by the Senator from Georgia [Mr. CLAY].

The Senator from Georgia quotes the chairman of the Committee on Commerce as having stated that all there is in this question which requires legislation is embraced in the one question of labor. I stand by that proposition in support of the chairman of the committee. The whole question is one of labor.

But I go further than the distinguished chairman in what I term raw material in the construction of a ship. I do not call raw material the plates and the angles and the beams which are placed in the yard for the construction of the ship. I go back to the ore in the ground—the pig iron from which all the material is manufactured—and I call it worth, if you please, 25 cents a ton where it lies, having been deposited by nature. That is all there is of raw material in the construction of a steel ship, because the moment the ore is touched by the hand of man it is labor, and every process of its development from the time it leaves the ground until it arrives at the place of construction for the ship is labor and nothing else. Through all the ramifications of its manufacture, from the ore to the pig iron and from the pig iron to the billet and from the billet to the plate and the shapes which go into the construction of a ship, it is labor, as are all the component parts that help to make the steel pure, and the necessary fluxes used in the manufacture of steel. They are all labor.

In short, Mr. President, 95 per cent of the cost of a ship in an American shipyard or in a shipyard in any other country is purely labor. Now, I am willing to carry that proposition further in this discussion and admit that although labor is higher in price in this country, it is more efficient; that a man with the aid of the improved machinery of to-day can complete more than he could ten or twenty years ago, and that he can complete more in this country than in any other with which I am familiar. Therefore, when it is claimed that the cost of the construction of a ship in the United States is 25 per cent more than its cost in a foreign country—in England, or Germany, or France—that simply measures the difference in the cost of wages.

When we go a step further and discuss the question of the cost of the operation of a ship, the same thing is true. Labor is the factor. And although the Senator from Georgia has given some figures to show that labor of some kinds on American ships is as cheap as in any other country, still when we come to study the facts and take the results of the entire cost of labor upon American ships, compared with ships of competing nations, we find that the percentage against us runs from 25 to 30. Therefore, in the final analysis of this question, I am perfectly willing to leave it upon that proposition—the cost of construction and the cost of maintenance and operation.

I remember in several recent discussions in this body to have heard a protest from the other side of the Chamber that the Republican representatives here were giving too much importance to the commercial side of questions; that they were measuring great questions by dollars and cents. And yet all there is in the argument of the Senator from Georgia is that this measure will cost us more than it ought to, forgetting and putting to one side the question of national importance and national prestige, while glorying in the fact that our country has but recently leaped to the front and is to-day a world power. He places his opposition entirely upon the ground that we will pay more than value received for the carrying of United States mails, and that we will pay more money than it is worth to the people of this country to build up an industry heretofore neglected.

The Senator said in his argument yesterday that he was proud of the development of the industries of the United States; that he gloried in the fact that our export trade was increasing at a rate which was a surprise to every other nation; that he gloried in the fact that, viewed either from the cost of production or from the value of those products, we were outstripping our competitors in the markets of the world. He admitted that the industries of this country had prospered way beyond those of any other, and was gratified to see those conditions, not only as natural results, but as due to whatever other agencies brought them about, which, Mr. President, is nothing more than the Republican policy of protection. I join with him in that spirit and admire him for the sentiment.

But he asks a very pertinent question—whether any other industry in the United States enjoys so much as we propose to give to the shipbuilding industry, the shipowning interest? My reply to that is yes; that a duty of $2 a thousand feet on lumber, which protects Georgia pine, is a good deal more protection. Any feature of the protective tariff which has contributed to the growth and development of this country has done for our industries just

what we are asking Congress to do for this one neglected industry; and as the Senator from Maine [Mr. FRYE] said the other day, it is the only industry in the United States which has not received the fostering care of this Government along the lines of protection, looking not only to the development of the industry itself, but as a necessary and important auxiliary to this great nation from every standpoint of its position as a nation.

A nation having taken a position as has ours as a world power, proceeding as we are in the construction of a Navy intended to be second to that of no other power in the world, will anybody deny the importance—aye, the absolute necessity—of having an auxiliary for that Navy in the shape of a merchant marine, constructed under the specifications and by direction of the Navy Department, and in time of war absolutely in the hands and under the control of the President, to use it in the most effective manner?

Experience is the best teacher I know of, and an object lesson is the best way to demonstrate a necessity. Are we to fail to profit by the experience of the older countries of the world, which for one hundred years and more, in the light of their experience and necessities, have adopted a certain policy with respect to maritime matters? Even at this late day Germany appreciates the importance of this question, and by spasmodic effort she is trying to catch up. She is engaged in the construction of so many vessels that even at the rate at which the United States are building ships she will soon outstrip us in her merchant marine; and every ship that is constructed under the laws of those countries for the purposes indicated is meant to be a ship of war when a ship of war is needed.

When the necessity arises, as it did in the Spanish war, where will the United States be? In that emergency for the transportation of troops and munitions of war almost everything that floated in the Atlantic waters was pressed into service. At that period the people of the Atlantic coast were trembling at the thought that possibly there would be an invasion from Spain by her terrible vessels, and every man who had an interest in any direction upon the coast was petitioning Congress for the protection of the seacoast. We had four steamers of the American Line, which, under the conditions of the law passed by Congress, were in a position to be called into service by the Secretary of the Navy. Responding to that call, every man, from the captain down to the fireman, enlisted in the service. When those four steamers were put upon the picket line all fears subsided.

Now, Mr. President, with that lesson to remember, and with a full realization that in future events and conditions we may be brought face to face with a more serious complication of arms, when it will be more important for us to have a Navy and an auxiliary, and when we find that the policy and the opportunity offer and that the people of this country are in favor of it, if this measure should be passed by and neglected by Congress, who would be to blame? "In time of peace prepare for war." We are doing that. We are building a splendid Navy, and the Congress stands ready at every session to vote millions of dollars for its construction; but I say it is just as important as a national question and as an economic policy to carry with that expenditure measures for an auxiliary navy and a merchant marine.

During the war still in existence between England and South Africa—the Boer war, so called—we saw England, in the exercise of her rights and privileges, call upon all the great English steamers composing the trans-Atlantic lines to the extent of her necessities for the transportation of her troops and munitions to South Africa, and they were bound to respond. When that great fleet was taken from the legitimate channels of trade, what was the result? Ocean rates advanced; they doubled and quadrupled. What would be the condition in this country if the opponents in that contest had been England and Germany or France or any other maritime power, both calling into service the auxiliary ships under their command and both fleets responding, as they must do? What would become of the commerce of the United States, seeking foreign markets through the only channels possible now, in foreign ships under foreign flags?

If two of the great maritime nations were engaged in war, so as to make it impossible for their ships to carry contraband of war, the products of the American farm and the American shop would stand in the storehouse until they rotted, if the war lasted long enough, and with the production of the farm and factory thrown back upon us like the dammed waters of Niagara, what would be the result? Everyone knows full well that it would bring stagnation to our industries and poverty to our producers.

No, Mr. President, there is something more in the transportation question than merely carrying letter bags. There is more in this proposition than dollars and cents to the United States, and the time has never occurred until now when the American people were placed in a position fully to realize and understand the other side and the other part of the great transportation question. I should like to hear it discussed above party questions in this instance, because we all feel alike a pride in our country and our country's advancement and development, and whatever is for our best interests and for the safety and perpetuity of our institutions is best for all of us. Therefore why draw party lines upon an economic measure, which the Senator from Georgia admits is satisfactory to him if it did not cost so much?

The value of a postal service on the ocean is dependent upon its regularity and its expedition. The people of this country have grown to want things done quickly and regularly. The business man is just as much disappointed and angered if he does not get his morning paper before breakfast as if he went without breakfast. Of the two, I think, he would rather go without his breakfast. The people want their business dispatched with speed. It is not a question of cost for postage. That is exemplified when in this country we use the telegraph at a higher rate than the mail and the telephone at a higher cost than either. What the Americans are striving for all the time is results and to get those results satisfactorily and as quickly as possible. What the American people are demanding to-day upon this great transportation question is that we shall have results which shall place us alongside, if not in advance, of any other nation in the world.

The Senator from Georgia says we are equal to it because of our wonderful mineral deposits and our wonderful industrial development. That is true. But the same efforts must be made to advance the shipping interest that were made to bring about our industrial development. Capital must be found to engage in it, and how do you propose to induce capital to invest in shipping when it can be demonstrated in advance that the capitalists will lose their money?

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. HANNA. Certainly.

Mr. TILLMAN. Will the Senator give us some information, if he possesses it, in regard to the reports in the papers, I think they were last year, that Mr. Morgan's syndicate had bought two or three European lines of steamers? Is it or is it not true?

Mr. HANNA. You must ask somebody who knows. I know nothing about it.

Mr. TILLMAN. It was merely reported, and I thought the Senator, being in touch with that class of capital——

Mr. HANNA. Why does the Senator say I am in touch with it?

Mr. TILLMAN. The Senator is a man engaged in shipping, is he not?

Mr. HANNA. Yes; on the Great Lakes. That answer does not go as far as my question. Why does the Senator assume that I know what Mr. Morgan has done?

Mr. TILLMAN. Well, I thought the Senator and Mr. Morgan were friends; business friends, at least.

Mr. HANNA. I will answer the Senator's question. I know nothing about the purchase of the Leyland Line by J. P. Morgan & Co. any more than the Senator does from what has been published in the papers. But suppose he has purchased the control of the Leyland Line of foreign ships; they remain as they always have, under the British flag. That is simply the investment of American capital in foreign ships, and under the provisions of this bill not a single one of those ships can ever come under American registry or the American flag.

Mr. TILLMAN. If the Senator will permit me, does it not show that we have so much capital seeking investment that some of it has gone in that direction, and therefore his claim that we need to subsidize or protect American vessels does not hold good?

Mr. HANNA. The Senator's statement helps me along in my argument. It is an evidence that we have plenty of capital seeking investment, but capital seeks investment from which it can get returns, and it can be easily proved that under the British flag and under the conditions resulting from the British policy investment in shipping has been a very great advantage to the investor. It is because the ship costs 25 per cent less to build than ours and because it costs 25 to 30 per cent less to operate than ours, and for that reason the net result of construction and operation is 25 to 30 per cent in favor of the English ship.

Mr. TILLMAN. If that be true, why does not the German Emperor go to England to get his yacht built instead of going to Philadelphia?

Mr. BEVERIDGE. Because he wanted the best yacht built.

Mr. HANNA. There are some questions I can answer more easily than that. I think the German Prince is glad the Kaiser did not do it, and that he sent him to America. He has had a pretty good time. He has enjoyed himself.

Mr. TILLMAN. One would suppose that the Emperor would have preferred to go to the kingdom of his late grandmother to patronize a shipyard rather than to come over here.

Mr. HANNA. If the Senator from South Carolina will allow me, perhaps he has not heard or does not know that for the last ten years the prestige and success of America in the yachting line have been preeminent. [Applause in the galleries.] Naturally

the German Emperor would go where he can get the best yacht and the fastest one, and therefore he came to the United States. But I have not got down to yachts yet. I should like to talk about ships.

Mr. TILLMAN. Will the Senator allow just a parting inquiry?

Mr. HANNA. Yes; a parting one.

Mr. TILLMAN. Is this yacht for the German Emperor to be a steel yacht propelled by steam, or is it a mere sailing craft for racing purposes?

Mr. HANNA. I must admit that I do not know.

Mr. TILLMAN. I had supposed it is one of those steam yachts.

Mr. DEPEW. I will answer the Senator. I saw it launched. It is a sailing racing machine of the same character as the one that beat the two *Shamrocks*.

Mr. HANNA. Except she is a schooner instead of a sloop?

Mr. DEPEW. Yes.

Mr. HANNA. My conclusion, after considering this whole question from an economic standpoint, as far as my personal investigation has gone and as far as I have been able to obtain information, is that this measure is purely an attempt to equalize conditions. All that we of the United States want in this contest for the transportation of the world's goods is a fair show and an equal chance, and I might answer the whole argument made by the Senator from Georgia by repeating the question of the Senator from Kansas [Mr. BURTON] yesterday: "If what you say is true, why have we not the ships?" Why have we not? Why does not capital seek that sort of investment if we can build and operate ships as cheaply in this country as our competitors can? The answer to it is that we can not, and the result of it is we have not the ships.

No man in the United States is so well qualified to speak upon this question from experience and knowledge as is the chairman of the Committee on Commerce, and he has never submitted a proposition to the Congress of the United States that was not founded upon the best economic and business principles and in the interest of the development of this country. He has not studied this situation with any idea of making political capital from it. He has studied it not only from the position of an enthusiast, but as a past master in the great question of transportation which, to my mind, Mr. President, stands foremost among the great problems yet unsolved before the American people and the people of every other country.

The growth and development of the United States have absorbed not only the interest but the capital of this country up to recent years, when it has come to pass that the United States is no longer a little nation, but that gradually is becoming the financial center of the world, and we begin to realize that in order to be prosperous and grow bigger we must find employment for capital as well as labor. That is the proposition which confronts us to-day in the industrial part of this question.

The chairman stated in his explanation of the bill that under its provisions, should it become a law, it was reasonable to expect that within the limit of five years we would have constructed and under construction $50,000,000 worth of shipping in the United States.

The Senator from Georgia claims that we have not the room in our navy-yards nor the facilities to avail ourselves of all the privileges of this measure should it become a law, and this morning he read figures from somebody and from somewhere, I know not, to justify that position. It is a mistake. Leave out the merchant vessels that were put under contract a year and eighteen months ago, when the people, who took an optimistic view of the situation, believed that this bill would pass and become a law. Nine or ten vessels were placed under contract, the owners expecting to build a corresponding number from the foreign trade that they would bring in. That did fill up, to a very great extent, the shipyards that had the facilities of building the larger class of vessels. Not one of those shipyards to-day has a contract for another merchant vessel after those are completed. All the work that is being constructed in the yards in this country to-day is confined to steamers and smaller craft of the coastwise trade and the vessels that are being built for the United States Navy. So far as work in hand and the work in prospect are concerned, it depends almost entirely upon the action of this Congress as to how large the naval appropriations shall be.

This brings me to another question. I am in favor, as is my friend from South Carolina [Mr. TILLMAN], of building up the Navy. I am in sympathy with that policy because I know that every ship we build brings that much more physical protection to us and our commerce. But, Mr. President, it strikes me as being almost a ridiculous proposition to talk of putting millions of dollars into our Navy and adding millions more for the construction of an isthmian canal, for what? For the use of the merchant marine and the navies of other countries. We have nothing on the high seas to protect except our coastwise ships, and they can easily find shelter behind the guns of our fortifications. When the Stars and Stripes are never seen hardly in any port of the world except on naval men-of-war, is not this a commentary upon a policy that would hesitate in the expenditure of a little money to construct, at the same time we are building our Navy, a merchant marine commensurate with our power and our necessity?

The Senator from Georgia said that in the final analysis this question comes down to one proposition, as to whether we can build and operate as cheaply as other countries, and he has undertaken to show that we can. I claim that he has failed in that proposition; and I give figures not from magazine articles nor from newspaper reports, but from the statistics of the United States Government.

It was the aim and purpose of this measure, when it was decided by the committee, separating it into two propositions—first a mail subsidy and then simply a general subsidy—to treat the mail proposition from a distinctive standpoint of necessity, which everyone can appreciate. Everyone knows that we are now engaged in a hand-to-hand contest with foreign nations to secure the commerce of the Orient. We have been foremost and steadfast in our policy to secure the markets of China and hold them as an open door, and with the control of our own archipelago, the Philippines, in a short time we shall be able to put there our own conditions of trade. That is the key of the Orient; and when it has become a naval station, surrounded by all the protection that a maritime fleet would need, it becomes a factor in all commercial conditions of the Orient.

It is the purpose to establish new lines under the postal system, from which the United States Government derives a revenue equal at the present day to over $3,000,000 per annum. It is the purpose of the bill to establish a line to South America. On the east side, the Atlantic coast, of South America we have an enormous trade, and with the exception of that carried by tramp steamers every pound of stuff goes to Liverpool or Hamburg and from thence to South America. Every time it is handled or transferred it pays a cost for doing that to somebody, and in the transaction of that business, the storage and the distribution, the financial part of it comes through the machinery of a foreign government and pays a tribute to them equal to a satisfactory profit on every particle of manufactured goods that we export.

There is no denying that proposition, Mr. President. We can not measure the benefits except by the aid of those who know the conditions and who are competent to figure from the transactions of business just what the result will be. But we do know that England gained her supremacy in the markets of the world and upon the high seas, the expansion of her trade to every part of the world, by pursuing steadily the policy of establishing direct communication. Personal contact is what brings results. When we place New York and Buenos Ayres and Rio de Janeiro in weekly or semiweekly contact by a line of mail steamers, we will open up an avenue for trade yet unknown, because untried.

The same principle, Mr. President, will apply to every other route proposed in this bill. It is a well-known fact that England, Germany, and France are to-day energetically at work to put in the connecting link between the Pacific and the Orient, making propositions and agreeing to the terms of anybody on this side to place in connection with their railroad companies and transportation lines that connecting link between San Francisco and Seattle and China, Manila, and Japan. They are old hands at this business. They have been doing it for a century.

Nothing has disturbed the equilibrium of the shipowner of England and Germany so much as has this bill, which has been discussed openly and publicly upon the floors of Congress for the last two or three years. If I wanted to fortify argument by newspaper articles or articles from magazines or interviews I could fill pages of the RECORD with such articles written in England and Germany, and I could furnish testimony that would show that a concrete effort has been persistently made from the very beginning of the discussion two years ago, by all the influences that could be brought to bear upon Congress, to defeat this measure. I could furnish evidence from the statements of the presidents themselves of some of the largest steamer lines in England that if this new American policy, so mentioned, should be a success, in fifty years the United States would lead the world in ocean transportation.

Now, with reference to the investment of capital, Mr. President. American capital will go wherever it can find a proper return; it does not make any difference upon which side of the Atlantic Ocean that place is. I said a moment ago that we were a creditor instead of a debtor nation. Yet there are millions of American capital now lying in investments abroad that are paying better returns to that capital than it can earn here under the conditions of to-day. That may be one reason why Mr. Morgan or any other capitalist may see fit to invest his money in foreign ships rather than in American ships, because it can be demonstrated as an absolute fact that to put capital into a large steamer

in a foreign service for doing exactly what the others are doing and have to do would make a certain loss. And why? Because, as has been claimed and as is true, the cost of the investment is more, the cost of operation is more, and because they go into direct competition with subsidized mail ships all over the world.

The chairman of the committee cited the other day in his explanation the amount of subsidies paid by the great nations. Germany, the last to embark in the enterprise, is to-day exercising the best judgment, increasing wherever a new line can be found that will bring her in contact with new markets, and to-day she is negotiating to put two lines not under a mail subsidy contract with the United States, but two lines from the Pacific coast to the Orient, under subsidies from Germany. France has already adopted the generous subsidy plan of subsidizing, as we propose to do, the whole merchant marine owned in that country, and proposes to go further and to offer extraordinary inducements for the investment of capital in that kind of transportation which she finds she must have in order to compete with Germany and England.

Mr. President, not for the sake of argument, but as a statement of knowledge on my part, I feel absolutely certain that should this bill become a law, before three years have passed every one of the lines provided for in the bill will have been constructed, or nearly so. As the chairman showed the other day in his statement, $4,700,000 per annum is the maximum for the subsidy, with a credit of over $3,000,000 which the United States already receives for the transportation of ocean mails, without taking into consideration the increased postage that we would receive when these new routes are established. This shows that inside of $3,000,000 would probably be the extent to which this Government would be called upon to establish this policy for the first five years.

The Senator from Georgia makes a great point of the fact that the Commissioner of Navigation has changed his views so completely as to perfectly bewilder the Senator. I do not think it is very strange for a man coming as he did into that Department, a novice, from the environments of Democratic education, under influences that have been against all these great economic questions since he was a boy, that coming in contact with facts and figures which brought to him results he should change his mind in reference to the policy which he now advocates, according to the Senator from Georgia.

As far as my experience goes with the Commissioner of Navigation, I find him to be a very efficient and competent officer. I have never asked him for any argument to convince me upon the policy of this question, but I have always found him ready to furnish facts and figures and statistics gathered under the auspices of this Government, without regard to political affiliation, and which upon comparison we have always found to be absolutely correct. Therefore, a reference to the part that he may have in the construction and advocacy of this bill has nothing to do with my judgment upon this question, although I admire him for his candor and ability.

In closing his remarks the Senator from Georgia quoted from the Senator from Missouri [Mr. VEST] in a speech which I well remember, that if it is right to give aid to shipowners of the United States, or those who desire to enter the business, why should not the Goverment give aid to the farmer and to the cattleman? Does it not? Does not this Government give aid to the farmer and the cattlemen by its protective duty, just as it gives aid to Georgia pine on a duty of $2 a thousand, just as it gives protection to sugar in Louisiana and to the sea-island cotton of the Atlantic coast, all of which received the support, if I remember, of some members from those States in the vote on the Dingley bill?

It is the same policy, Mr. President, that I have always advocated and that I advocate to-day. This industry is simply a kindred one, not sought after by anybody who just happened to be engaged in that business, but proposed because it represents a sentiment, aye, a demand which comes from the people of the United States as reflected by every Republican President for the last twenty years in their messages to Congress.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. HANNA. Certainly.

Mr. TILLMAN. Will the Senator allow me to ask him a question?

Mr. HANNA. Certainly; two or three of them. I should like to hear you on this point.

Mr. TILLMAN. Does the Senator contend that the producers of staple products, like cotton, wheat, corn, and those things, of which we produce a surplus and have to export in order to get a market, are benefited by any protective tariff?

Mr. HANNA. You mean wheat, corn, rye, barley, and those things?

Mr. TILLMAN. I mean those things which we produce in such enormous quantities that we have to ship them abroad in order to sell them. After having supplied the home market and keeping out every possible competitor we still have to ship the surplus. I want to know if a protective tariff can in any way protect those products.

Mr. HANNA. I have found, Mr. President, that when there was any talk about reciprocity with Canada a good many farmers in the West got up very high on their hind legs and entered a protest. Protests came from every State that produced the cereals, particularly barley. If a proposition was made to-day to put lumber on the free list, as some of the Northern States want, you would hear a protest from Mississippi and from Georgia and from Texas. If an application was made to remove the duties from sea-island cotton, in competition with the Egyptian cotton, you would hear from the Senator from South Carolina.

Mr. TILLMAN. Mr. President, if the Senator will permit me, there is very little or no competition between the sea-island cotton which we produce and the Egyptian cotton. The manufacture is applied to different uses.

Mr. HANNA. I only mentioned that to bring it home to the Senator.

Mr. TILLMAN. I understood the Senator's personal allusion, but the Senator did not answer my question. He rather dodged it, I thought, if I may be permitted to say so.

Mr. HANNA. Then I will answer it in your own way. I will say I do.

Mr. TILLMAN. I should like to ask the Senator whether he still thinks and is ready to contend that any possible tariff on corn or on wheat is a benefit to any person in the West who produces either of those articles?

Mr. HANNA. I certainly do.

Mr. TILLMAN. Will the Senator give us any reason for that belief?

Mr. HANNA. I will, Mr. President, when the tariff question is before the Senate, but my time is short, and I wish to finish my speech this evening; not but what I could satisfy myself, though I am sure I could not satisfy the Senator from South Carolina. [Laughter.]

The importance of the trade, Mr. President, with South and Central America never has and never will be fully understood and appreciated until we take hold of it in detail and study it.

We are not attaching—

I quote from an article published in the Protectionist, of Boston, in December, 1901, entitled "Our South American trade:"

We are not attaching sufficient importance to the quantity and value of the importing done by the 60,000,000 people of the principal South and Central American countries bordering on the Atlantic and Pacific oceans. The figures for 1900 are as follows:

Country.	Imports.	Our share.
Brazil	$105,000,000	$11,500,000
Uruguay	26,000,000	1,800,000
Argentina	112,000,000	11,500,000
Chile	38,000,000	3,300,000
Peru	8,500,000	1,600,000
Bolivia	11,600,000	60,000
Ecuador	7,000,000	1,200,000
Total	308,100,000	30,960,000

or only about 10 per cent of the business for us.

Putting it another way, it shows:

Country.	Sold by us.	Bought by us.
Brazil	$11,500,000	$58,000,000
Uruguay	1,800,000	1,800,000
Argentina	11,500,000	8,100,000
Chile	3,300,000	7,100,000
Peru	1,600,000	2,100,000
Ecuador	1,200,000	1,500,000
Total	30,900,000	78,600,000

leaving $47,700,000 as the year's balance of trade against us—a very bad showing in these days of our successful trade expansion.

Mr. President, we are the largest purchaser and the largest consumer of the products of those countries, and there is not a single article of manufactured goods which is used in the South American States which could not be produced in the United States; but, as I said a moment ago, we are handicapped by the fact that on every shipment of machinery or merchandise it must go to Liverpool and Hamburg, around two sides of a triangle, be handled in foreign ships, by foreign agents, and the remittances must come through foreign banks, collecting tolls which absolutely produce an embargo upon that traffic and trade.

What would apply to Brazil and to Argentina would apply to every one of the Central and South American states, and in a great measure to every market in the Orient and also to Australia.

Three or four years ago, under the contract provided for in the law of 1891 and by further aid from Australia and New Zealand, a line of steamships was put on between San Francisco and Australia. There is a demand for more steamers to-day, and there are now building two more steamers of the largest class to be put into that trade to take care of it. In three or four years' time, by that personal contact which I have mentioned, that trade has grown to such an extent that a demand is made for doubling the capacity, and that commerce all goes from the United States and returns to it.

It is a well-known fact, Mr. President, that nearly every cotton mill in the South, all of which have been very prosperous in the last few years, finds its market in northern China, and when the opportunity was offered and the rate of freight and contract for delivery could be made which transported those goods from the side track of the mills and delivered them into the warehouses at Hongkong or Yokohama, that trade began to grow and grow, and is to-day the most profitable branch of any manufacturing industry which the Southern States have. I wish that those States might be spotted over with cotton mills, so that the cotton growers and their laborers, who are looking for work, may seize the opportunity when it comes.

I want them to have all possible opportunities, but this question of the connecting link between the producer and the consumer must solve that proposition, and not theorizing as to what it is good policy to do, whether you subsidize a ship or whether you do not. Give them the opportunity for this contact. Bring business men together, the purchaser and the man who has the goods to sell, and they will find a way to exchange commodities or to sell their products. None of us would be willing to admit that the American merchant or the American manufacturer could be outdone in competition in the world's markets by those of any other nation if you place him on an equality with them.

The Senator from Georgia, in expressing his sentiments, expresses mine when he expresses his pride that snch conditions exist. I do not care whether or not he acknowledges the fountain head of that prosperity to be the protective tariff, the policy which for forty years has been the policy of the Republican party. The record of the advancement and the development of this country is our object lesson, and that is as far as I intend to trench upon political matters in the discussion of this subject. But I do want to urge upon this Senate and this Congress as a business proposition, in addition to a patriotic one, not to let this opportunity, which may never again return under like conditions, pass by. Because, Mr. President, if we do not the other fellow will take advantage of this new era in the opening up and the development of the markets of the Orient, when the spirit of trade and the expansion of commerce is enlivening all the world; and when our people have the ability and the facility to accomplish all that could be asked or expected of them, we should stand ready, as the representatives of the American people and of American progress, to step in and do that which they can not do, unless they have the tools with which to do it. That one missing link is the only thing.

If you are going to discuss the subject from the standpoint of economy, give us the opportunity of enjoying the same privileges which other countries enjoy; limit, if you please, our abilities to exactly what theirs are, in order that we may meet them upon common ground, and there will be nobody here to offer any regrets or explanations to his constituents that he ran away from the name of "subsidy" because it had been made odious by demagogues, or because it had been held up as a great bogie man—I do not know a better term—to frighten and hold up children and timid statesmen.

The Senator from Georgia stated that we have frequent mails from both the Pacific and Atlantic ports upon irregular steamers, which I should call tramp steamers. That is true. The United States Government, in order to get any mail at any time to a certain port, is driven to take advantage of whatever steamer may happen to be sailing to that country; and it is only a happening, because there are no regular lines other than those established as mail-subsidy lines by foreign governments. Not even a single steamer of that nature flies the Stars and Stripes to-day, so far as I know.

The reports from the Suez Canal for the last three years show that, out of a passage of thousands of vessels through that great waterway, the American flag was seen but twice in three years, and once that flag was on a yacht. When it is claimed that about 8 per cent of our export trade is carried in American bottoms, I think it is an understatement. I think it is less than it was a year ago; that is, that it is a less percentage regarding the volume, for the trade has extended very largely, and, so far as I know, we have not increased those ships, outside of one or two being built for the Pacific Mail Steamship Company to engage in the foreign trade. Therefore, the argument that the Post-Office Department has the opportunity to occasionally send United States mails by vessels outside of the regular lines falls to the ground if those vessels do not happen to be in port on those days, and they are never there by purpose, but always by accident.

When Great Britain makes a postal contract on all the mails leaving her shores, it is a condition of that contract that the mails shall be carried under the British flag. On the return of her ships from the United States we ship our mails and pay for them, except when an American liner takes them. Great Britain does not leave it open to the lowest bidder, to the competition of the world, but it is to the lowest bidder in competition under her flag, just as this bill proposes as to our mail.

I think it was hardly fair to raise the question in reference to the duties of the Postmaster-General, because it is his duty to regularly advertise for the carrying of the mails and to award the contract to the lowest responsible bidder. To give him the authority and the discretion under the provisions of this bill would be no different from any other contract made by and through the agency of the United States Government.

The Senator from Georgia says he is in favor of our having a better mail service than any other country in the world. So am I. I agree with him upon that proposition. But I want to know how we are going to get a mail service when, during the existence of this law from 1891 until to-day, not a single vessel has been built for the foreign trade, except one or two for the Australian trade, which obtained a further subsidy from New Zealand and Australia. If the law of 1891 is adequate, or, as I believe was claimed, is more than adequate, why has not capital, when money is worth but 2 per cent per annum, been attracted to that kind of investment? No, Mr. President, it is self-evident and can not be denied that under the provisions of the law of 1891 we have got no benefit beyond the four steamers now owned and operated by the International Navigation Company in the north trans-Atlantic trade.

The chairman of our committee, after twenty years of experience and study, after having met every obstacle and objection and argument against these measures, has gone to the minimum by which any sort of benefit could come from any law to lay the foundation for a merchant marine. He has with care and judgment selected the routes for these mail steamers which must appeal to everyone, and appeal most to those who are interested in this great transportation question. He has limited the provisions and the expenditures under this bill to that experiment, and that only, under the mail contracts, and then he has gone to the minimum and, I am afraid, even too low upon the general subsidy proposition. Mr. President, to my mind it is something of an experiment at that rate of compensation, but it can do no harm. If it is a failure as an inducement offered to capital, the Government pays nothing; if it succeeds, then we can afford to encourage it and to extend that limit just as far as it lies within the wisdom of Congress to do.

The matter of contract has been entirely eliminated from this bill. There is no obligation on the part of Congress to go beyond any point of safety that they may fix in their own minds. If at the end of one or two or three years they found that it was a burdensome thing; that it was all in the interest of the shipowner; that it was robbing Peter to pay Paul; that it was taking from the agriculturist and from the cattleman his rights, Congress can repeal it; and the man who invested his money on the basis of 1 cent per 100 miles of travel would lose it. If he is willing to take that risk, certainly the Congress of the United States ought to encourage the experiment that far. But so far as a contract for the carrying of mails is concerned, Mr. President, there is a two-fold important motive of action. First, it brings us into contact with new markets and new peoples in trade; and second, it puts us in a position from a national standpoint which we must take from now onward in our history.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. HANNA. Yes, sir.

Mr. TILLMAN. I was absent for a moment and did not get the Senator's point, although he may have explained it. I should like to know from him, or from some one, whether we would not be under contract, and would there not be some vested rights here in regard to the mails?

Mr. HANNA. I do not know what the Senator means by vested rights in the mails.

Mr. TILLMAN. What I mean is this: If you pass an act authorizing the payment of certain amounts, and people go forward and build ships with the understanding that they are to have the mails, or to have the subsidy if they do not carry a bag of mail, will they not be in a position to demand that pay and have a vested right there, a contract, so to speak? I am no lawyer, but it just occurred to me that the Senator's disclaimer about repeal would not hold.

Mr. HANNA. I am no lawyer, Mr. President, and I therefore refer my distinguished friend to the lawyers. [Laughter.]

Mr. TILLMAN. Well, there are plenty of them on that side.

Mr. HANNA. We will bring one here in a day or two to answer the question.

Mr. CLAY. I think the Senator from Ohio will agree with me. This bill provides that the Postmaster-General may make mail contracts to last for a period of ten years.

Mr. HANNA. Fifteen years.

Mr. CLAY. I meant fifteen years. The original act of 1891 provided that contracts might be made for a period of ten years, and this bill changes that from ten to fifteen years. I presume the Senator from Ohio, in speaking in reference to repeal, has reference to the general subsidy. However, I do not agree about that. I believe Congress can repeal a law at any time. Any future Congress can repeal a law which we enact now.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. HANNA. Yes; I yield.

Mr. TILLMAN. This time I was going to get after my legal friend on my left [Mr. CLAY].

Mr. HANNA. All right; get after him. [Laughter.]

Mr. TILLMAN. I am going to ask him whether Congress can repeal an act which authorizes the United States Government to make a contract. Does not our Constitution expressly forbid Congress to pass any act which will impair the obligations of a contract?

Mr. BEVERIDGE. Certainly.

Mr. CLAY. If a former Congress had passed an act providing a subsidy for a period of thirty years, in my opinion the next Congress could have repealed it. It would have been a question of good faith. The question might have arisen as to whether or not in good faith we ought to have kept that agreement, but I do not believe that Congress can make an appropriation for a period of twenty years binding other Congresses. We would not be bound by any such act. The question of good morals and good faith might come up, but as a question of law I believe we could repeal such an act.

Mr. HANNA. Mr. President, I do not care to go into that question, because I do not know anything about it. All I know is that if I make a contract for one year or ten years with responsible parties I expect to keep my contract and expect the other parties to do the same.

The question about contracts for mail service is one thing, but the question about general subsidy is quite another proposition, because there are no contracts to bind the Government.

In closing, I want to say merely a word or two with reference to the analysis proposed by the Senator from Georgia as to what must settle the entire question of the cost of construction and operation. He has given figures with reference to the wages in this country and the wages abroad, all of which are no doubt true. I will admit that the wages in our industrial concerns in this country are fully 50 per cent higher than they are abroad, and I am willing also to admit that their productive capacity per capita is almost double that of the workmen of any other country. But still the fact remains that when a man goes into the market to buy anything, after taking advantage of all the competition that surrounds him, he buys from those who will sell the best thing for the least money. When a man wants a ship built and half a dozen shipyards want to build it for him, he has the benefit of the competition; and when he makes a contract he is supposed to have made a contract satisfactory to himself.

A statement was made by the chairman of the Committee on Commerce the other day alluding to a letter of a gentleman named Baker, who, I believe, is the president of the Atlantic Transport Company, in which he said that he had made contracts for vessels in Europe and in this country of the same class and at about the same time. I have here a copy of that letter. It reads:

ATLANTIC TRANSPORT LINE,
OFFICE OF THE PRESIDENT,
Baltimore, October 17, 1901.

DEAR MR. CHAMBERLAIN: Referring to my letter of March 16, 1901, and replying to your request with regard to relative difference in cost of ships, our company at present have a contract for two ships with Messrs. Harland & Wolff, Limited, Belfast (one of which will be completed very early in the spring, and the other a little latter, say during the summer), of exactly the same size, dimensions, and all particulars as two ships we have contracted for with the New York Shipbuilding Company, of Camden.

The cost of the English-built ship, as near as possible (we having just completed two of exactly the same size, dimensions, and speed), will be about £292,000 ($1,419,120). The same identical ship built at the works of the New York Shipbuilding Company will cost us a little over £380,000 ($1,846,800).

In addition to this, we are building two steamers with the New York Shipbuilding Company of smaller dimensions, for which we have a contract, at £150,000 each ($729,000). Also two ships of exactly the same dimensions with the Maryland Steel Company, Sparrows Point, for £150,000 each ($729,000). We have two ships of identically the same detail, delivered to us in the last twelve months, built by Messrs. Harland & Wolff, Belfast, one of which cost us £110,000 ($534,600) and the other £100,000 ($486,000).

Yours, very truly,

B. N. BAKER, *President.*

EUGENE T. CHAMBERLAIN, Esq.,
Commissioner of Navigation, Washington, D. C.

There is no better way to settle the question as to the cost of a thing than what you pay for it. According to the letter which I have just read, there are four ships being built in shipyards in the United States identical in specifications all through with other ships built in Ireland, and there are four more being built at Baltimore identical with four being constructed in England or Ireland, constructed on the same specifications—and you all know what that means—and yet at a difference in cost of about 25 per cent. So far as I know, those are the latest contracts for ships of that size and intended for the purposes which we are discussing more than anything else I know of in this country.

As to the cost of operating ships, you have only to turn to the report of the majority of the committee, and you will find the figures given of the amounts paid on the American lines, on the English lines, on the German lines, on the French lines, and on the Scandinavian lines differ in about the same proportion; and the average is from 25 to 30 per cent.

In reply to the Senator from Georgia upon the coolie question, I admit that he knows more about that than I do; but I have investigated the facts, and have found that in the Asiatic trade it is an absolute necessity to carry Chinamen and coolie labor in the fire holds of those ships. It is the only labor that can live and endure those conditions, and for that reason they are employed, but only in the Asiatic trade. I do not believe there is one of them upon an American ship outside of the Pacific mail steamships engaged in the trade from San Francisco to Yokohama and Hongkong.

In the North Atlantic and the Mediterranean trade and in all of the trade between Europe and the United States the difference in wages is exactly 27 per cent, as I figure the percentage, upon all vessels, taking an average of the French, the German, and the English lines. I had a little object lesson——

Mr. BACON. Will the Senator from Ohio pardon me for a moment?

Mr. HANNA. Certainly.

Mr. BACON. I presume the Senator is entirely correct, but there is one remark of the Senator which would lead to misapprehension of the facts. He spoke of the necessity of having Chinese in the fire holds of the ship, indicating that he thought they were confined to that employment. I simply desire, asking him to pardon me for the interruption, to state that they are not confined to that part of the service.

Mr. HANNA. I understand that cooly labor or Chinese labor, or whatever it is called, is employed upon some of the steamers in the China trade, but I know of no other than the trade to Asia in which they are employed, and as we have only the Pacific Mail Line I merely got the figures from it. That line employs them in the fire room only and as coal passers and for that kind of work.

Now, if the settlement of this question is resolved into the proposition whether or not the inducements offered in this bill will accomplish the purpose sought, the only way we can test it is to try it, and the only aid we can invoke in the settlement of that question in our own minds is to profit by the experience of others and take their figures. If we have any respect for the enterprise and the progress of our competitors in Europe, we will not wait until they subsidize lines that will take and occupy the new fields, so that by the time we have made up our minds to try the experiment on the part of the Government of the United States, we shall find we are too late.

That is not Americanism. That is not the spirit which should actuate an American Congress in dealing with a proposition which is entirely foreign to any political suggestion, but is simply a part of our great and growing development to which we take pride in pointing, as does my friend, the Senator from Georgia. It is necessary, in order to keep pace with the progress of the world, exercising the intelligence and experience of which we are proud, with all the natural advantages that have come to us as a gift from Heaven, placing the responsibility upon us to improve those opportunities. I make it more as an appeal than as an argument that at least those who have not been entirely convinced upon this question shall give the American people the opportunity to make the experiment.

DEATH OF REPRESENTATIVE POLK.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. RUFUS KING POLK, late a Representative from the State of Pennsylvania, and transmitted the resolutions of the House thereon.

The message also announced that the Speaker of the House had appointed Mr. HENRY D. GREEN, Mr. J. K. P. HALL, Mr. C. F. WRIGHT, Mr. HOWARD MUTCHLER, Mr. GEORGE R. PATTERSON, Mr. CHARLES DICK, Mr. J. M. GRIGGS, Mr. WILLIAM RICHARDSON, Mr. ARTHUR L. BATES, Mr. JAMES R. YOUNG, Mr. D. H. MERCER, Mr. W. L. STARK, Mr. MARCUS A. SMITH, Mr. FRANK E. WILSON, and Mr. L. P. PADGETT as the committee on the part of the House to take charge of the funeral arrangements.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, *March 5, 1902.*

Resolved, That the House has heard with deep regret and profound sorrow of the death of Hon. RUFUS KING POLK, late a Representative from the State of Pennsylvania.

Resolved, That in his death the State has lost an able, devoted, and patriotic servant.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That the Speaker be authorized to appoint a committee to superintend and attend the funeral of deceased.

The Speaker announced the appointment of Messrs. HENRY D. GREEN, J. K. P. HALL, C. F. WRIGHT, HOWARD MUTCHLER, GEORGE R. PATTERSON, CHARLES DICK, J. M. GRIGGS, WILLIAM RICHARDSON, ARTHUR L. BATES, JAMES R. YOUNG, D. H. MERCER, W. L. STARK, MARCUS A. SMITH, FRANK E. WILSON, and L. P. PADGETT members of the committee on the part of the House.

Resolved, That as a further mark of respect to his memory the House do now adjourn.

Mr. PENROSE. Mr. President, I offer the resolutions which I send to the desk, and ask for their immediate consideration by the Senate.

The PRESIDENT pro tempore. The Senator from Pennsylvania submits resolutions and asks for their present consideration. The resolutions will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. RUFUS KING POLK, late a Representative from the State of Pennsylvania.

Resolved, That a committee of six Senators be appointed by the presiding officer to join the committee appointed on the part of the House of Representatives, to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

The resolutions were considered by unanimous consent, and unanimously agreed to.

The PRESIDENT pro tempore. The Chair appoints as the committee on the part of the Senate the Senator from Pennsylvania [Mr. PENROSE], the Senator from Pennsylvania [Mr. QUAY], the Senator from Texas [Mr. CULBERSON], the Senator from Tennessee [Mr. CARMACK], the Senator from South Dakota [Mr. GAMBLE], and the Senator from Colorado [Mr. PATTERSON].

Thereupon (at 4 o'clock and 15 minutes p. m.), in accordance with the resolutions just adopted, the Senate adjourned until to-morrow, Friday, March 7, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 6, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LEWIS of Pennsylvania, indefinitely, on account of illness in his family.

JOSIAH H. BUCKINGHAM.

The SPEAKER laid before the House the bill (H. R. 1198) granting a pension to Josiah H. Buckingham, with Senate amendments.

The Clerk read the Senate amendments, as follows:

In line 6 strike out "Josiah" and insert "Joshua."

Amend the title.

Mr. SULLOWAY. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

MAHLON C. MOORES.

The SPEAKER laid before the House the bill (H. R. 8541) granting an increase of pension to Mahlon C. Moores, with a Senate amendment.

The Clerk read the Senate amendment, as follows:

In line 8 strike out "forty" and insert "twenty-five."

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask for a conference.

The motion was agreed to, and the Speaker announced as conferees on the part of the House Mr. SULLOWAY, Mr. SAMUEL W. SMITH, and Mr. MIERS of Indiana.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 7675. An act to construct a light-house keeper's dwelling at Calumet Harbor;

H. R. 8587. An act for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1893, and commonly known as the Bowman Act; and

H. R. 199. An act for the establishment of a light station on Bluff Shoal, Pamlico Sound, North Carolina.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 3830. An act for the relief of William C. Marr; and

H. R. 7933. An act providing for the commutation for townsite purposes of homestead entries in certain portions of Oklahoma.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 306. An act for the relief of Leonard L. Dietrick;

S. 458. An act making an appropriation for completing the construction of the road to the national cemetery near Pensacola, Fla.;

S. 590. An act for the relief of the Mille Lac Chippewa Indians in the State of Minnesota;

S. 905. An act for the relief of Lindley C. Kent and Joseph Jenkins, as the sureties of Frank A. Webb;

S. 1879. An act authorizing the appointment and retirement of David McMurtrie Gregg as a captain in the United States Army;

S. 1928. An act for the relief of G. H. Sowder;

S. 2037. An act for the relief of Lincoln W. Tibbetts;

S. 2216. An act for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased;

S. 2479. An act to facilitate the procurement of statistics of trade between the United States and its noncontigucus territory;

S. 2604. An act to pay certain Treasury settlements;

S. 2731. An act for the relief of Salvador Costa;

S. 2897. An act providing for the erection of a public building in the city of Durham, N. C.;

S. 2979. An act to ratify an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect;

S. 3129. An act for the authorization of the erection of buildings by the international committee of Young Men's Christian Associations on military reservations of the United States;

S. 3312. An act for the establishment of a light-house at the mouth of Oyster Bayou, near Louisiana coast, in the Gulf of Mexico;

S. 3491. An act providing for a light and fog-signal station on or near Crisps Point, Lake Superior, Michigan;

S. 3546. An act for the relief of L. A. Noyes;

S. 3651. An act appropriating the sum of $3,000 a year for the support and maintenance of the permanent international commission of the congresses of navigation, and for other purposes;

S. 3746. An act to amend section 2593 of the Revised Statutes, relating to ports of entry; and

S. 4012. An act to authorize G. B. Brackett, pomologist, Department of Agriculture, to accept a decoration tendered to him by the Government of the French Republic.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 475. An act to refer the claim of Joseph W. Parish to the Secretary of the Treasury for examination and payment of any balance found due—to the Committee on Claims.

S. 4012. An act to authorize G. B. Brackett, Pomologist Department of Agriculture, to accept a decoration tendered to him by the Government of the French Republic—to the Committee on Foreign Affairs.

S. 3746. An act to amend section 2593 of the Revised Statutes, relating to ports of entry—to the Committee on Ways and Means.

S. 3546. An act for the relief of L. A. Noyes—to the Committee on Claims.

S. 3491. An act providing for a light and fog-signal station on or near Crisps Point, Lake Superior, Michigan—to the Committee on Interstate and Foreign Commerce.

S. 3312. An act for the establishment of a light-house at the mouth of Oyster Bayou, near the Louisiana coast, in the Gulf of Mexico—to the Committee on Interstate and Foreign Commerce.

S. 3129. An act for the authorization of the erection of buildings by the International Committee of Young Men's Christian Associations on military reservations of the United States—to the Committee on Military Affairs.

S. 2979. An act to ratify an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect—to the Committee on Indian Affairs.

S. 2897. An act providing for the erection of a public building

in the city of Durham, N. C.—to the Committee on Public Buildings and Grounds.

S. 2304. An act to pay certain Treasury settlements—to the Committee on Claims.

S. 2216. An act for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased—to the Committee on Claims.

S. 2037. An act for the relief of Lincoln W. Tibbetts—to the Committee on War Claims.

S. 1928. An act for the relief of G. H. Sowder—to the Committee on Claims.

S. 1879. An act authorizing the appointment and retirement of David McMurtrie Gregg as a captain in the United States Army—to the Committee on Military Affairs.

S. 905. An act for the relief of Lindley C. Kent and Joseph Jenkins, as the sureties of Frank A. Webb—to the Committee on Claims.

S. 590. An act for the relief of the Mille Lac Chippewa Indians in the State of Minnesota—to the Committee on Indian Affairs.

S. 458. An act making an appropriation for completing the construction of the road to the national cemetery near Pensacola, Fla.—to the Committee on Military Affairs.

S. 306. An act for the relief of Leonard L. Dietrick—to the Committee on Claims.

S. 342. An act for the relief of the heirs of Aaron Van Camp and Virginius P. Chapin—to the Committee on Claims.

RURAL FREE-DELIVERY SERVICE.

Mr. LOUD. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of House bill 11728.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union (with Mr. GILLETT of Massachusetts in the chair) and resumed the further consideration of the bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation to employees thereof.

Mr. LOUD. I yield to my colleague on the committee, the gentleman from Illinois [Mr. BOUTELL], for an hour.

Mr. BOUTELL. Mr. Chairman, the arguments that have so far been made in opposition to this bill have been based entirely upon two erroneous assumptions. It is quite apparent that we shall proceed much more intelligently with this discussion after we have eliminated these two false premises from the debate. The first of these is the assumption that the advocates of this bill are unfriendly to rural free delivery or to its further extension. It ought not to be necessary to call attention to the error and absolute absurdity of this assumption. Everyone who has sat in this Chamber during the last few years knows that rural free delivery has never had a more intelligent, earnest, and consistent advocate than the gentleman from California [Mr. LOUD], who for many years has presided over the Post-Office Committee with absolute fearlessness and always with an eye single to the best interests of the public. I also think that I express the sentiments of all the members of that committee who favor this bill when I say that they are all earnest advocates of the extension of the rural free-delivery system to its utmost usefulness and efficiency.

Personally I am in favor of this bill, because I am in favor of the extension of rural free delivery until it serves every household in the United States; and I believe it is under the principle involved in this bill, and only under that principle, that this extension can take place. The character of postal service of a people is a good index to the character of the people. The more enlightened and intelligent and enterprising the people the more efficient will be their postal service. At the present time the city delivery and the Railway Mail Service in the United States constitute the best system in the world. At the same time the progressive nations of Europe excel us in the matter of rural free delivery.

Probably Great Britain at the present time stands at the head in this respect. If my recollection is correct, since 1888, the year of the Queen's jubilee, the postal service of Great Britain has accommodated every household in the United Kingdom. In our country at the present time the free delivery serves 34,000,000 people in less than 900 cities. About 4,000,000 people are now served by the rural free-delivery service. In other words, there are now in this country 40,000,000 people who have no delivery service. I look forward with confident hope and anticipation to a period not farther removed than ten years from the present time when every householder in this country shall enjoy the benefits of the rural free-delivery service.

Our country is not only a large agricultural country. Our farms are large, and under our system of agriculture our farmer lives on the farm which he cultivates. Therefore, in the rural districts the houses are remote from each other. During the past few years there has been a decided tendency in all parts of this country, except some portions of the South, toward a concentration of the population in our great cities. All students of social economics have looked upon this tendency with more or less apprehension; and the question has been raised, Why is it that rural life has become so distasteful to the enterprising young men of your country?

Probably the principal reason is the exclusion, the isolation, the social loneliness, of the typical American farm. Now, in my opinion, Mr. Chairman, there are four agencies which, within a very few years, will revolutionize the country life of the United States. Those four agencies are, first, the construction of good roads; second, the perfection of the cheap storage electric battery which can be readily applied to vehicles for the transportation of travelers and freight and to the operation of farm machinery; third, the production of electricity directly from the consumption of coal or other fuel, and its cheap adaptation for furnishing heat, light, and motive power; and, fourth, the extension to all parts of the country of the rural free-delivery service.

The benefits and the comforts to come from the free delivery of mails in this country do not rest entirely upon the reception of letters, pamphlets, and advertisements; no, Mr. Chairman, not even upon the reception of the CONGRESSIONAL RECORD, although I can picture in my imagination, when this service has been extended, the eager anticipation with which all members of the household will look forward to receiving this periodical. The little children of the family will throw aside their stories of thrilling adventure and hairbreadth escapes, of shipwrecks and imprisonment, to find in the columns of this periodical the exciting accounts of passages at arms; and the elder members of the family will find in perusing the debates and discussions of this Chamber instruction and enlightenment. [Laughter and applause.]

But, Mr. Chairman, the principal benefits that will come to those living in the country districts from the perfection of the rural free delivery will result from the cheap and constant distribution of the books and magazines containing our best literature. Extend the rural free delivery to every hamlet and farm in this country, and you thereby encourage the establishment in every center of population of a circulating library. When the rural free-delivery service has been completed, books on biography, travel, history, and fiction will find their way into the smallest farmhouse in the country. Taking this broad view of the problem, Mr. Chairman, we must admit that, aside from our free school, the perfected rural free-delivery system will be the most potent agency in the education, the enlightenment, and the advancement of our people.

And so, Mr. Chairman, because I am heartily in favor of the extension of this service I favor the passage of this bill substantially in its present form.

The second false assumption which the opponents of this bill have made is this, that there is already in existence a rural free-delivery system established by law, and that the advocates of this measure are attempting, as one of the gentlemen arguing against this bill said, to substitute some other system for it, or, as the eloquent gentleman from Indiana [Mr. LANDIS] expressed it, the advocates of this bill are attempting to revolutionize the present system, or, as the gentleman from Georgia expressed it, we are trying to reform the present system.

This error is the most serious one that has been made in this debate. The fact is, Mr. Chairman, there is no rural free-delivery system established by law at the present time. This bill aims to establish such a system. What is the history of this service, Mr. Chairman? In the appropriation bill for the Post-Office Department for the fiscal year 1894 this clause was inserted:

> For free-delivery service, including existing experimental free-delivery offices, $11,254,900, of which the sum of $10,000 shall be applied under the direction of the Postmaster-General to experimental free delivery in rural communities other than towns and villages.

This appropriation of $10,000 for the fiscal year 1894 was not used. The same sum was appropriated the next year and unused. The same sum was appropriated the next year and unused. For the fiscal year 1897 $40,000 was similarly appropriated and 44 routes established, the first route having been established at Charleston, W. Va., in October, 1896. In 1898 $50,000 was appropriated, and at the end of that year there were 148 routes in operation. In 1899 $150,000 was appropriated, and there were 391 routes in operation. In 1900 $450,000 was appropriated, and there were 1,276 routes in operation. In 1901 $1,750,000 was appropriated, and there were 4,301 routes in operation. For the fiscal year 1902 over $3,000,000 was appropriated, and on the 1st of this month there were in operation 7,700 routes.

The clause in the appropriation bill for this year relating to rural free deliveries is the same clause that has been incorporated into the bill for the last six or seven years, which is as follows:

> For experimental rural free delivery, including pay of carriers, horse-hire allowance, supplies, and mechanical appliances, $3,500,000.

With an appropriation of over $3,000,000, with 7,700 routes in operation, there is, as I have said, no rural free-delivery system authorized and established by law. The only law on the statute books relating to rural free delivery is the clause contained in the two lines and a half that I have read making an appropriation for the service.

What, then, is the situation, Mr. Chairman, that confronts us? Simply this: There is not only no rural free-delivery system to-day, but that clause which has appeared for several years in these appropriation bills could at any time have been stricken out in the consideration of those bills before this Chamber on a point of order. If this bill or some bill establishing a system does not pass, then when the Post-Office appropriation bill for the fiscal year 1903 comes before us for consideration, the appropriation for the maintenance of that service can at any time be eliminated from the bill by raising the point of order. So when members speaking in opposition to this bill say that the advocates of this bill are attempting to upset a system, revolutionize or to reform an existing system, they are arguing upon a false and purely gratuitous assumption.

There is no system, and it seems to me, Mr. Chairman, that the time has come in the history of this service, when the real friends of rural free delivery must come to the front, establish a system, and prevent the possibility of the appropriation for the service going out at any time upon a point of order. Heretofore and up to the present time this service has been spoken of as an experimental service. Can we, Mr. Chairman, as a matter of fact, speak longer of this system as an experimental system, which demands over $4,000,000 a year, and which operates over 7,000 routes at the present time? It seems to me that it is only part of good housekeeping, it is only part of our duty as trustees for the people to give our best consideration at the present time to the establishment of a system for the operation and extension of this valuable service. Now, with these two false premises eliminated from the debate, let us proceed to consider what was in the minds of the members of the Post-Office Committee when they undertook to frame this bill.

Mr. Chairman, as I said, there were in operation on the 1st of March 7,700 rural free-delivery routes. The framers of this bill in the first place had to look to a system which would take care not only of these 7,700 routes, but a system under which the service could be extended to include within six or eight or ten years as many as 50,000 routes. The Department, Mr. Chairman, estimates that the country available for rural free-delivery service can now be covered by about 50,000 routes, and I for one look forward to the time when this service can be extended as an efficient service over these 50,000 routes. The first thing then that the committee had to consider was not merely the present condition of the service, but the extension of this service in the future, the creation of a system where none now exists, and the creation of such a system as could be extended to cover 50,000 routes in ten years, and if necessary, 75,000 or 100,000 routes in the next twenty-five years.

Now, Mr. Chairman, I think it would be well to refer briefly to this bill of a little over two pages and to consider the system that the Post-Office Committee presents for the approval or disapproval of the House. Let us see how nearly it comes to establishing a system that will meet the demands not only of the service of the present time, but of the future, bearing in mind that there is no system established by law at the present time and that this measure proposes to establish such a system.

It first provides that on and after July 1, 1902, the Postmaster-General is hereby authorized to classify the rural free-delivery service and fix the compensation to employees. First, subagents of divisions are provided for, at a salary of $2,400 a year; second, four classes of special agents, with salaries ranging from thirteen hundred to not exceeding sixteen hundred dollars a year; third, route inspectors in four classes, with salaries ranging from nine hundred to not exceeding twelve hundred dollars a year; fourth, clerks in four classes, ranging from nine hundred to not exceeding twelve hundred dollars per annum.

That is the basis of a free-delivery system under which the routes are to be established.

Mr. GARDNER of Michigan. I should like to ask the gentleman a question at this point.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Michigan?

Mr. BOUTELL. Certainly.

Mr. GARDNER of Michigan. In what do these four propositions you have just recited in the bill differ from this heterogeneous method that we now have—for it is not a system—of rural free delivery? In other words, is not this just what the Department is to-day doing, and are you not adopting in this bill the present method pursued by the Department?

Mr. BOUTELL. I see, Mr. Chairman, that the second false assumption to which I alluded has taken very strong hold of the members of this House. There is no system legalized by law at the present time. We simply appropriate, in less than three lines, a lump sum of money, which is turned over to the Postmaster-General to be expended in his discretion; and that appropriation can be stricken from any bill by a point of order, so that it is our duty, it seems to me, at the present time, to safeguard this service by establishing such a system that the appropriations for its maintenance may always be in order.

Mr. GARDNER of Michigan. Mr. Chairman, another interruption. I am surprised that the gentleman disregards utterly the question asked and pursues a line not in controversy at all. The question asked in this: Have you not in this bill adopted just what this lack of system is using now in the expenditure of this $3,000,000?

Mr. BOUTELL. Possibly the gentleman from Michigan and myself are at variance through a lack of understanding of the term "system."

Mr. GARDNER of Michigan. Oh, no.

Mr. BOUTELL. I refer to the establishment of a system as the legalizing of a system or a bureau by law, so that these appropriations will be in order. These officials are the same officials, and, I understand, with substantially the same salaries that have been fixed by the Postmaster-General in his discretion; but we fix it now by law, so that hereafter there may be no question as to whether our appropriations for this service shall be in order or not.

Mr. GARDNER of Michigan. Now you are coming to the very point in issue—that you are simply adopting in this bill what is already practically in effect. Is not that true?

Mr. BOUTELL. Yes; in the discretion of the Department.

Mr. GARDNER of Michigan. So that we have a system waiting simply to be legalized by law.

Mr. BOUTELL. Exactly.

Mr. GARDNER of Michigan. That is all.

Mr. BOUTELL. And that is what this bill does exactly.

Mr. HILL. May I make a suggestion?

Mr. BOUTELL. Yes.

Mr. HILL. I have not yet heard upon the floor of this House any question as to the first part of this bill. There is no dispute on that proposition.

Mr. BOUTELL. There is no dispute that we have no system now.

Mr. HILL. Oh, no; but it is entirely proper to adopt the first part of the bill. So far as the gentleman has gone, I have heard no discussion of that question.

Mr. GARDNER of Michigan. And that is the whole system.

Mr. BOUTELL. Precisely so. The fallacy of the assumption that this bill upsets a system is demonstrated by the admissions of the gentleman from Michigan and the gentleman from Connecticut——

Mr. HILL. Not at all.

Mr. BOUTELL. That we are establishing a system which heretofore has existed, not in the law, but in the discretion of the Department.

Mr. HILL. The first part of the gentleman's remarks is hardly fair, because nobody has assumed that the Post-Office Committee has upset the administrative part of it here. That is all agreed to substantially. I have heard no controversy on that question. It is simply the question of actual work in the field where the upsetting is to take place by the bill.

Mr. BOUTELL. If the gentleman from Connecticut has heard no claim that this bill is upsetting a system, then he has heard no argument against this bill except his own, for the gentleman from Indiana [Mr. LANDIS] said that here is a measure brought in to revolutionize this free-delivery system, and the gentleman from Georgia [Mr. MADDOX] maintained that here was a bill brought in to reform the existing system, and the gentleman from Vermont [Mr. FOSTER] claimed that they were substituting one system for another.

Mr. WARNOCK. Will the gentleman permit a question?

Mr. BOUTELL. Certainly.

Mr. WARNOCK. Have not all those remarks been exclusively addressed to what is known as the contract feature of this bill?

Mr. BOUTELL. The arguments were directed against the whole bill. I have heard no discussion of the paragraphs read, nor have I heard it alluded to in any of the debates on the floor of the House, yet the arguments have been directed generally against the whole bill.

Mr. LANDIS. Against putting the mail carrier under contract.

Mr. WARNOCK. The arguments have been against the contract system of the bill, in putting the carriers under contract.

Mr. BOUTELL. I admit that gentlemen who have brought forward their arguments against this bill have not been specific in their debate; but as an advocate of this bill I must endeavor, if I can, to answer such arguments as have been made against it. This bill has been described as a measure to upset a system, and upon this point that I have now made there is apparently no

controversy. To this the distinguished gentleman from Connecticut seems to agree, that it is the part of good housekeeping for us to perfect or establish a system, whether the system advocated by my good friend from Connecticut, or the system proposed by the committee; but some system we must have, or hereafter the money which supports this system can at any time go out of the bill on a point of order.

Now, Mr. Chairman, as there is no question about the paragraphs that I have read, I will now proceed to the paragraph about which there is such a diversity of opinion. I will now read this paragraph for the first time that it has been read in the House, and I shall ask gentlemen who have argued against the bill to take the trouble of following the reading of this section:

Hereafter all mail service on rural free-delivery mail routes shall be performed by carriers designated pursuant to an advertisement inviting competitive bidding, except as herein otherwise provided.

First. That before any person shall be designated to carry the mail on any mail rural free-delivery route, the Postmaster-General shall cause an advertisement to be posted for not less than ten days, in a conspicuous place accessible to the public, in the post-office from which the mail is to be carried, inviting proposals, in such form as he may prescribe, for the service to be performed. The service shall be awarded to the lowest bidder who shall furnish evidence satisfactory to the Postmaster-General that such bidder is a legal and actual resident of the district or territory in which the proposed service is to be performed; that he is a reliable and trustworthy person, of good moral character, able to read and write, and having sufficient intelligence and ability to properly perform the service, and who shall tender sufficient guaranties that he will personally perform acceptable service; but the Postmaster-General may reject all proposals submitted under any advertisement: *Provided*, That no person shall be awarded a contract for more than one route under this paragraph.

Second. That no additional compensation shall be allowed to a rural free-delivery carrier unless pursuant to an advertisement and award of service as herein provided.

Third. That under such regulations as the Postmaster-General may prescribe, a substitute carrier may be employed, at the expense of the regular carrier, to temporarily perform the service on any rural free-delivery mail route.

Fourth. That rural free-delivery carriers heretofore appointed and now in the service may be continued as carriers, at a rate of compensation not exceeding $600 per annum, until such time as the Postmaster-General shall advertise for proposals and make awards for the several routes on which such carriers are now employed.

The Postmaster-General may allow such per diem and other incidental expenses in connection with the rural free-delivery service as Congress may from time to time provide.

Before considering in detail the arguments in favor of letting these routes by contract, I would also like to eliminate from the debate any opposition to this system that may be based upon the frauds and corruption and inefficient service that resulted from the old star-route system. There is no more similarity between the old star-route system and the contract system provided for in this bill than there is between the financial views held by my distinguished friend from Connecticut [Mr. HILL] and the financial views held by our mutual friend from Colorado [Mr. SHAFROTH].

What were the facts out of which grew the frauds, the corruption, and the inefficiency in the contract system to which this has been compared on the floor of this House, and to which it is now being compared by a portion of the press of the country? Under the old contract system a contractor, either an individual or a corporation, could bid for and secure as many routes as he chose to accept. Secondly, the Postmaster-General had the discretion under the law, or some Postmasters-General thought they had the power under the law, to give additional compensation to those contractors. Third, those contractors were able to sublet these contracts to persons not living on the route. What then was the result? By collusion the contractor would bid away below what the service was worth—say, $5,000 for a certain route—and by bidding below the cost of the service he could obtain, and often did obtain, many thousands of these routes.

The Post-Office Department could then reimburse him for his expenses, and, say, give him $5,000 more on a $5,000 route. Then the contractor could sublet these contracts. He was not even limited to a person living on the route. Now, I ask, Mr. Chairman, any members of this House who have been led to believe that there was any similarity between the provisions of this bill and the old star-route business, I ask them in all fairness to take these facts that made these frauds possible and compare them with this section of this bill. By this bill the contractor must be not only a legal but actual resident in the very neighborhood where the mail is to be delivered. He can have but one route at a time.

The Department is powerless to give him any further compensation than the amount of his bid. Every possible avenue for the entrance of fraud has been safeguarded in this measure. Now, then, let us see what kind of a man this bidder must be, for these contracts are not to be let to the lowest bidder, as has been argued upon this floor. The man who gets one of these contracts must be the lowest bidder who has all of these six qualifications: First, he must be an actual and legal resident of the district or territory in which the service is to be performed; and I submit, Mr. Chairman, that that is a most salutary provision in a service of this character.

Mr. HILL. Will the gentleman pardon me an interruption?

Mr. BOUTELL. Certainly.

Mr. HILL. If the gentleman does not wish to be interrupted in his argument, I will not do so. I would like to call the gentleman's attention to the statement just made, that under the new system in the star-route service collusion in contracts is impossible. I stated the day before yesterday the case of a contractor living here in Washington, who, under the new system, is to-day carrying the star-route service in the city of Bridgeport, Conn., under the new system. That gentleman is Mr. W. B. Catchings. The mail is addressed to W. B. Catchings; and if that thing can be done in the Fourth Congressional district of Connecticut, and be done under the new law, it can equally well be done in other districts, and the new system becomes degenerated to the same thing as the old.

Mr. BOUTELL. Not at all, Mr. Chairman; but, on the other hand, the provisions in this section guard against any such possible result as the gentleman speaks of. But, as I was saying, this contractor must be the lowest bidder, and first an actual, legal resident of the district; second, reliable and trustworthy; third, of good moral character; fourth, able to read and write; fifth, of sufficient intelligence and ability to properly perform the service; sixth, he must give sufficient guaranty that he will personally perform acceptable service. And I may say, in commenting upon these six qualifications, that one of the gentlemen who made a most strenuous argument in opposition to the bill asked the chairman of the Post-Office Committee, a few hours before he made the argument, to point out anywhere in this bill where there was any provision that required the contractor to personally perform the service.

Mr. GAINES of Tennessee. What have been the requirements heretofore in regard to subletting in the star-route service, in order to compare them with these provisions?

Mr. BOUTELL. Does the gentleman object to the provision that there shall be no subletting?

Mr. GAINES of Tennessee. The gentleman from Illinois has well stated the provisions of this bill and the prerequisites for the appointment of a carrier. Now, I would like to have him state what the prerequisites were under the old star-route service, in order to compare the two.

Mr. BOUTELL. I have not the law with reference to the star-route service here, and if I had, my limited time would prevent my commenting upon that.

Mr. LOUD. The present law is that it shall be let to the lowest and best bidder, the usual form that applies to all the service.

Mr. GAINES of Tennessee. Do they not look into his moral character?

Mr. LOUD. Not under the law.

Mr. BOUTELL. Now, Mr. Chairman, having gone over this bill and having arrived at some understanding of the method in which these contractors are to be appointed and the method in which the work is to be done, let us see if we can find some good, sound, valid reasons for adopting this system as a new system. There is no system now in operation. The entire service is managed absolutely under the discretion of the Department, and I wish to say here that it is to the great credit of the Department and to the officials who have had this service directly in charge that they have given such an excellent and efficient service as to lead the people to insist that we shall have a permanent system, and that this service shall not only be made permanent, but be extended to its utmost capacity.

The principal reason, Mr. Chairman, and it seems to me a very apparent and cogent reason, for this system is this, that all these routes differ from each other in length, in character, territory, in the number of inhabitants, and in the climate in which they exist. It has been asked here, as an argument against this proposition, why do not we put the city carriers under the contract system? It hardly seems possible that anyone should think that such a suggestion is an argument against this bill. The service of all city carriers is substantially the same. The amount of service to be rendered by the carriers in cities is sufficient to require the employment in every city of a large number of men working substantially the same number of hours.

In my own city of Chicago we have 13 buildings which require the entire service of one or more carriers and 2 buildings in our city which require the entire services of four carriers, but I imagine that the distribution of the mail on one floor of the Marquette Building is about the same as the distribution on another floor of that building. I imagine that the distribution of the mail in the Rookery is about the same as the distribution of the mail in the Monadnock Building. I think it is apparent that the ordinary labor of a carrier in the city of New York is substantially like that of a carrier in the city of Chicago, although, of course, the greater desirability of Chicago as a place of residence might induce the Chicago carriers to consent to a salary less than the salaries of those who are compelled to live in New York. [Laughter.]

Mr. LANDIS. Now, that being true, and there being such a uniformity about it, would not that be a good service to let out by contract?

Mr. BOUTELL. Not at all, because all these men are doing similar service, and there is sufficient work to employ a large number of men, working the regulation eight hours a day, and responsible to one chief; whereas the rural delivery service, if we make it, as I hope we shall, cover the entire United States, must be transacted over some routes 30 or 40 miles long and over others only 5 or 10 or 15 miles long. The point I am endeavoring to make——

Mr. LANDIS. You can put it under a supervisor, just as it is now.

Mr. BOUTELL. When we get this service so extended that it will cover, as I hope it will, fifty or one hundred thousand routes, there must in the very nature of the case be some uniform system by which the pay on these routes shall be provided. And the carrier on each route should receive the full value of his services.

Now, to come back to my first point, the strongest argument for this contract system is the dissimilarity in the routes when we shall have covered the whole country. Mr. Chairman, I would like to see a system adopted at this session of Congress which will look to the extension of this service over the entire territory of the United States; and it seems to me, with the diversity of routes that must necessarily exist when this service is so extended, there is no other system of compensation that will be as fair and just to the carriers and as satisfactory to the public as this contract system.

Now, just one word in reference to the possibility of extending the service under the contract system and the difficulties of extending it under any other system. To give the simplest illustration, suppose we picture in our minds as on a map the typical county seat of, say, 3,500 inhabitants. Let us suppose that the turnpikes have been so laid out as to make the most ideal arrangement for routes of uniform length, and therefore for the establishment of a salaried system. Such a construction of the turnpikes, I take it, would be turnpikes running from the county seat like the spokes of a wheel.

Now, suppose we had running out from this county seat eight turnpikes. Then let us suppose that each of these turnpikes, after running out 10 miles, strikes another turnpike, so that you can have this sort of a route—an ideal route under a uniform salaried system. Suppose a carrier starts from the county seat and goes due east on the turnpike 10 miles, then northwestwardly on another turnpike 10 miles, then southwestwardly 10 miles, back to the county seat. There you have a 30-mile route along an equilateral triangle; and if all the 30-mile routes in the country were arranged like that (which would be an ideal system), what then would be the result?

I say, Mr. Chairman, that the contract system provided for in this bill will enable us to cover a greater extent of territory and serve a greater number of people than any other system. The space within the lines of that equilateral triangle, bounded by those turnpikes, will be covered by dirt roads, running down here into a river bottom, and there on a hill, and winding backward and forward from one turnpike to another, with farmhouses scattered all along their meandering courses.

Now, under this system one contract can be let for the 30-mile route around the triangle, and within the triangle a small route running off one turnpike and back on to another, about 15 miles, can be let under another contract for an entirely different sum, and both contractors will be satisfied; and when this service has been extended over the entire country I think it will be found that the number of routes that are similar to the 30-mile route that I have described will fall far below the number of the shorter routes that are off the turnpikes.

So, then, it seems perfectly clear to me, Mr. Chairman, that if we are to establish a system not only for the present, not only for the immediate future, but for the time when this system will accommodate all the inhabitants of this country, we have here an ideal system, and that under any other system the service could not be so extended.

If, then, this contract system should be adopted, the different routes will be awarded to the bidders for exactly the sums for which they are willing to do the work, and under this system we accomplish what it will be difficult, if not impossible, to accomplish under any other system; that is, the equalizing of the compensation.

I know that my friend from Connecticut has made what it seems to me has been the only practical suggestion that has been made for equalizing the compensation of these carriers. His suggestion, if I recollect it, is for a uniform or a substantially uniform compensation for the carriers and a graduated allowance for the hire of the horse and wagon. But, Mr. Chairman, suppose that the contractors going out from the same county seat get, as they must get, the same graduated allowance for horse hire under the plan suggested by the gentleman from Connecticut; they will also get, whether operating on a long or a short route, a difficult or an easy route, the same annual compensation by way of salary; and the more you extend this system the more the inequality and diversity in the routes manifest themselves.

Mr. HILL. If the gentleman disapproves of that, why does not his committee recommend a change in regard to the city carriers, for in this very bill the committee has reported $650,000 to provide for just this thing, with 1,479 city carriers. If the proposition is not a good one with reference to the rural carriers, why is it a good one and why do you indorse it with reference to the city carriers and report an appropriation of $650,000 for next year, so that the city carriers may go on with this service?

Mr. BOUTELL. The gentleman refers to the horse hire?

Mr. HILL. Yes, sir—for next year, I mean.

Mr. BOUTELL. The gentleman from Connecticut asks me why the Committee on the Post-Office and Post-Roads does not do it?

Mr. HILL. Yes, sir.

Mr. BOUTELL. I shall have to plead in extenuation of any lack of reply on that subject that I am an entire novice on the Post-Office Committee and have not heretofore participated in their discussions or hearings, and my arguments on this bill are simply addressed to it as an individual and not as a comparative measure.

Mr. HILL. I would say in reply that the gentleman is not a novice in making an argument; he is not a novice on financial questions or on any other subject; but I fully agree with him so far as his argument has gone that he is a novice on the question of the Post-Office Committee. [Laughter.]

Mr. BOUTELL. I hope before I get through to convince the gentleman from Connecticut that I am not much more of a novice on the contract system than the gentleman from Connecticut is on the coinage system. I hope honors will be easy on this subject. [Laughter.]

Mr. HILL. You need not worry.

Mr. GAINES of Tennessee. Does not the gentleman from Illinois [Mr. BOUTELL] know that the rural system is carried on under rules and regulations prescribed by the Postmaster-General——

Mr. BOUTELL. Yes.

Mr. GAINES of Tennessee. And that the Postmaster-General can increase or diminish the salary just as the work on the route increases or diminishes, or just as it happens to be a short route or a long one? For instance, for one that is 10 miles pay, say, $400; for one that is 15 miles pay, say, $500, and for one that is 25 miles, $600, as I understand is done at present. That is a subject of rules and regulations, and he could apply it just as well to that wheel picture that you so well drew a few moments ago as to the contract system.

Mr. BOUTELL. I would say to the gentleman from Tennessee that doubtless he could, and I understand at the present time he does that to a certain extent. But at the present time the entire management of the service is in the discretion of the Department, and the fundamental basis of this bill is the necessity of establishing a system, and I submit, in all candor to the gentleman from Tennessee [Mr. GAINES], whether he thinks that by establishing a system which will eventually cover fifty or seventy-five or one hundred thousand carriers, their compensation should be left entirely to the discretion of the Department? Ought it not to be our duty as representatives of the people to see and provide the way in which this money is to be expended?

Mr. GAINES of Tennessee. I think it ought to be fixed as far as possible, but owing to the topography of the United States varying so much, some routes being over roads that are rough, some in the bottoms and some in the mountains, some in the blue-grass region of Tennessee, and some in other portions of the country with similar variations, large discretion must necessarily be left to the Postmaster-General in managing the routes, the length of routes, and the salaries.

Mr. BOUTELL. The statement of the gentleman from Tennessee [Mr. GAINES] supports the very argument I have been making in favor of this system, viz, the diversities of these routes necessarily demand diversity in compensation, and while we are legislating for the general necessities of the public, we must remember that carriers—both rural as well as municipal—are part of the public, and it is our duty to see that they are amply paid for the service which they render, and the gentleman's very statement of these diversities and inequalities form the very basis of my argument, which is that the system established in this bill—so far as the carriers are concerned—is simply the ideal system. It simply works automatically; every man gets for his service exactly what he asks for it.

Mr. GAINES of Tennessee. Do you think it is practical to take all discretion away from the Postmaster-General and make it a matter of law, a matter of statute?

Mr. BOUTELL. That is my idea.

Mr. GAINES of Tennessee. To take it entirely away from the Postmaster-General and make it a matter of law?

Mr. BOUTELL. Yes; in reference to this system.

Mr. THAYER. I would like to ask the gentleman from Illinois a question.

The CHAIRMAN. Does the gentleman yield?

Mr. BOUTELL. Yes.

Mr. THAYER. After all said and done, if your bill went into effect, would not you be following the system which you complain so much about, which is now in vogue in all details absolutely, with the single exception that whereas now the carriers come in under the civil service you let the service out to public auction? Is not that the only distinction there is between the system now which, whether temporary or permanent, is well established and the system which you propose to establish? Is not the system that you propose to establish identical with it in every practical detail except the manner of getting the carriers?

Mr. BOUTELL. I will say in answer to the gentleman from Massachusetts [Mr. THAYER] it is hard to answer his question, because there is no system established by law at the present time, as I endeavored to explain in the first part of my argument; that is, there are now only——

Mr. THAYER. Is it not a matter of fact that there is a system, as perfect as any other that could be established, in the way of examinations and appointments and the salaries each shall receive and the number of inspectors—in short, everything in detail as definitely as is provided for in your bill and like your bill, excepting that the Post-Office Department appoints the carriers upon merit after a civil-service examination, and yours lets this service out at auction to the lowest bidder.

Mr. BOUTELL. The gentleman is correct in saying there is a service; but no system for carrying on or extending the service has yet been established by law, and the time has come when we ought to provide a permanent system that will eventually cover the entire country.

Mr. THAYER. Is it not a good service?

Mr. BOUTELL. It is excellent.

Mr. THAYER. Can you better it by auctioning off this one department to the lowest bidder?

Mr. BOUTELL. We can in various ways——

Mr. THAYER. I doubt it.

Mr. BOUTELL. First, by absolutely equalizing the compensation and satisfying the men who do the work.

Mr. THAYER. Why should you equalize the compensation if in certain parts of the United States it can be done a great deal cheaper than in others, as was suggested by the gentleman from Mississippi [Mr. WILLIAMS]; why should you not give a different salary to a man in Mississippi than you do to one in Ohio?

Mr. BOUTELL. Why, I answered a moment ago to the gentleman from Tennessee [Mr. GAINES] that we are providing in this bill not for a service of 7,000 carriers, but for a service that we hope will extend to fifty or seventy-five thousand carriers in the future. I submit to the gentleman from Massachusetts [Mr. THAYER] whether it would not be simply impracticable to leave to the Department the adjustment of the salaries of 50,000 or 75,000 carriers. And would it not be difficult and well-nigh impossible to regulate these salaries so as to do equal justice to all?

Mr. THAYER. Not when carried out as faithfully and economically as it has been in the last four years.

Mr. BOUTELL. But we have no assurances that it is always to be administered by a Republican Administration. [Laughter.]

Mr. THAYER. Sufficient unto the day will be the evil thereof.

Mr. KLUTTZ. You want to be sure that it will always be Republican in politics.

Mr. BOUTELL. Well, we want to be sure that this economy and efficiency will continue; perhaps that is the same thing.

Mr. Chairman, I see that my time is drawing to a close, and I close these few brief arguments in favor of the bill with one other suggestion. I base none of my arguments on the supposed political effects of one measure or another. So far as I am personally concerned, I have no fear of interference by any section of the people of the United States with the performance of our duty. I have no more fear of a letter carrier or a post-office clerk, and if I lived in the country, I should have no more fear of the rural carriers or of their sinister influence upon legislation, than I have of any other part of the community. In my opinion, they constitute a body of loyal, patriotic men, whose views and petitions are entitled to as much consideration as those of any other citizens.

So far as the political arguments are concerned they have very little weight, in my mind, in considering this measure. I think we can dismiss them with this simple observation, that as trustees and representatives of the people we can never depart one footstep from the straight road that the best interests of the public call upon us to faithfully follow without some time being called to account by our consciences, our constituents, or posterity, and perhaps by all three. [Applause.]

[Here the hammer fell.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bill of the following title:

H. R. 3104. An act to grant the right of way through the Oklahoma Territory and the Indian Territory to the Enid and Anadarko Railway Company, and for other purposes.

RURAL FREE-DELIVERY SERVICE.

The committee resumed its session.

Mr. LOUD. Mr. Chairman, I yield three minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Chairman, upon yesterday the gentleman from Tennessee [Mr. GAINES] used this language, which appears in the RECORD:

> My distinguished friend from Kentucky [Mr. SMITH] and my eloquent friend from Mississippi [Mr. WILLIAMS] touched upon this vital subject yesterday seriously, and the latter spoke at great length. I regret that I shall not have time, nor do I feel physically able to-day, to reply fully to either, but I do think that both of the gentlemen have been misled, in that they have not had before them the recent rules and regulations which were promulgated February 1, 1902, and under which the rural system is now being executed.

In answer to that, Mr. Chairman, I will state that I published in full in the RECORD as an appendix to my remarks the document to which I had been referring, and from which I quoted, and which begins in this way:

> On February 1, 1902—
>
> Mark you—
>
> the order of the President classifying rural letter carriers will become effective. After that day vacancies occurring in the force of carriers will be filled in accordance with rules of the Civil Service Commission.
>
> The following special rules are prepared for the guidance of route inspectors, who will be detailed to conduct examinations where vacancies exist.

The very document itself shows that it was issued to take effect after February 1, 1902, and is the document under which they are now operating.

One word more, and I shall resume my seat. I did not call attention yesterday to the very worst feature of these instructions. I will read it now:

> 15. When a route inspector has doubts about an applicant's character or reputation he should not only make inquiry of two or three persons given as references in the application, but also consult two or more prominent citizens not mentioned by the applicant.

Why, the opportunity for partisan manipulation would not have been stronger if instead of the language:

> Also consult two or more prominent citizens not mentioned by the applicant.

It had said:

> He may also consult the Republican referee in a Democratic district, or the Republican Representative in a Republican district.

I thank the gentleman from California.

Mr. SWANSON. Mr. Chairman, I should like to know what is the difference in the time?

The CHAIRMAN. One hour and twenty-five minutes more of time has been used by the gentleman from California [Mr. LOUD] than by the gentleman from Virginia [Mr. SWANSON].

Mr. SWANSON. I yield twenty minutes to the gentleman from North Carolina [Mr. KLUTTZ].

Mr. KLUTTZ. Mr. Chairman, whether within the law, as I understand it, or whether without the law, as so earnestly contended by the gentleman from Illinois [Mr. BOUTELL]; whether under a system, as would seem to be demonstrated by results, or whether without system, as contended by that gentleman, rural free-delivery service has come to stay. By its fruits it has demonstrated not only its usefulness but its indispensability. No improvement of the public service ever attempted by the Government has been so immediately, so rapidly, and so universally acceptable and successful.

It has done tardy justice to our great rural population; delivered the mails daily at the very homes of the farmers, put them in daily touch with the outer world; given them daily papers, market reports, weather signals, registered letters, postal orders, stamps, and packages by mail. It has made life on the farm more tolerable and more pleasant, and it has lightened the life of many a farmer's boy, relieved his solitude, saved him from the maelstrom of the city, and in doing so has lightened the declining years of many a fond and anxious father and mother. It is the first real effort ever made to put the farmer on something like an equal footing with his neighbors in the cities and towns, so far as the postal service is concerned.

And the correctness of the policy of delivering mail by the Government to the citizen at his home being admitted, why should

not the dweller in rural communities be put upon an equality, as near as may be, with the dwellers in towns and cities? Is there any divinity which doth hedge about city and town people, which does not also extend to the people who live in the country and on the farms? Is there any reason why the Government should deliver mails from two to five times daily at city homes, which does not equally demand that such delivery should be made at least once daily, where practicable, at the home of a man, who, resisting the temptations of the town and city, prefers to remain on his own broad acres, away from the temptations, the snares, the smells, the confinement of the city?

Is the man who digs and delves in the soil, who rises early and works late every day in the year, whose work is never done, simply because he does not, can not, would not live in a town or city, entitled to less consideration in the matter of mail delivery than he who prefers the noise, the smells, the discomforts, the irreligion of the city? And should the question of economy arise any more in the one case than in the other? I trow not; and I want every member of this Congress who votes in favor of this bill to answer this question to his rural constituents when he goes home for reelection.

Is there any reason why the city carrier who works but eight hours a day, has all holidays, with annual leave, and who walks on asphalt pavements, should receive $800 to $1,000 a year, while the rural carrier, who must make his way of from 20 to 30 miles a day through the ice and snow, and over the bad roads of the interior, required to furnish bond for himself and a substitute, as well as horse and conveyance, should be grudged the $600 per annum allowed him under the present regulations? Let the gentlemen who vote for this bill answer to their rural constituents.

Is there any reason why a city carrier (at Kokomo, Ind., for instance) should receive $850 per annum, and an additional $240 per annum for horse and cart, and objection be made to paying a carrier in the rural districts, where roads are bad, requiring for most of the year two horses, $600 per annum?

Gentlemen may find some excuse for this seemingly inexcusable inconsistency. I hope they may be able to do so.

I do not understand any gentleman to contend that this service will be made more efficient by letting it to the lowest bidder. Even the gentleman from California [Mr. LOUD], in his desperate search for reasons for support of his bill, makes no such contention.

He bases his somewhat incoherent and inexplicable demand for so radical a change, if I rightly apprehend him, almost solely upon the alleged ground of economy. True, he professes to fear great danger to the ease, peace of mind, and reelection of Congressmen from the appointment of some thousands of intelligent men as rural carriers, and solemnly advises us to take our chances of permanency in Congress with a like number of underpaid, overworked, and unintelligent contractors. In his disturbed vision he sees with troubled glance a repetition of the raid of the tatterdemalions on Paris, and he hears in imagination the irresistible demands of a few thousand intelligent, civil-service-appointed carriers for reasonable remuneration.

If I understand the temper of this House, the gentleman will fail to impress it with his own pessimistic fears. Surely no member of Congress need fear an intelligent rural carrier, nor need 10 or 20 of them in a county strike consternation to the heart of any faithful Representative; rather, indeed, will the intelligence which they disseminate be his greatest shield and commendation.

The question for this House ought to be, not whether this service can be pared down to the lowest limit in cost, but rather, How can it be made more efficient? I grant that if it is to be crippled, relegated to a secondary place, to even the discredited star-route system—let to the lowest bidders and simply at the least cost, without regard to either acceptability or efficiency—there may be merit in the gentleman's bill. But if it is to maintain the enviable reputation which it has already made, if it is to fulfill its present promise, if it is to give the rural population the very best and promptest mail service, it must have no such friendly knock-out-drops administered to it. Indeed, I do not believe that under the proposed contract system an equally efficient service could be given for less than the present cost. Why is this radical change proposed? Whence does it originate? From whence comes the demand for it? Echo answers, Why, whence, and where?

The gentleman from California practically admits that the child was born in the room of the Committee on Post-Offices and Post-Roads, without any particular demand from anybody anywhere. It was evolved, I take it, out of the inner consciousness of the gentleman from California after three months' incubation. The gentleman is by his own modest confession the father, or at least one of the twin fathers, of this system. It is his own precious offspring. For six years he has watched by its cradle and seen it grow from a puling infant to a very giant whose dimensions now appall him. He has seen it grow from a few experimental routes in 1896 to more than 7,000 in 1902, with a prospect of 9,000 by the middle of this year. He has waited to see its introduction, its administration, its operation hailed as a blessing by one-fourth of the rural population of the United States and anxiously awaited and prayed for by the remaining three-fourths.

All this time he has been chairman of the committee in charge of the service; he has reported and voted for appropriation after appropriation for its extension, and all at once he has awakened to the alarming fact that the present system is all wrong; that its administration has been extravagant, and that its only salvation is to cut it off close behind the ears and reduce it almost to a level with the star-route system.

In spite of all the abuse that has been heaped upon the administration of this service, I dare maintain that it has been marked by an intelligence unequaled in Department annals. I dare maintain that it has been a success beyond comparison with any hitherto attempted improvement in Government service.

As to efficiency of administration let the record speak.

There are some remarkable things about this bill, not so much in what it contains as in what it does not contain. The gentleman from California intimated that the report of the minority might have been written by some other gentleman than any one of the minority members, and that it might have been written by some literary gentleman; and I say that the internal evidence, upon the face of this bill and the report which accompanies it, is at least equally strong, that in this case the report might have been written by one gentleman and the bill by another.

The gentleman from Mississippi [Mr. WILLIAMS] the other day contended that there was no such provision in the bill, nor contemplated by the bill, as that the law allowed either party to the contract, the Government or the contractor, to throw it up within thirty days; and he said if there was any such provision in the bill the Postmaster-General—let me give his exact language—

> Would be either a miserable fool or an amazing idiot to let it be done.

Now, I grant that it does not appear in the bill, but the chairman of the committee, in filing his report, says that that is what the bill means, and I gladly acquit the gentleman from California of either ignorance of the contents and intent of the bill or of any desire to deceive the House, because we all admire the gentleman from California for his sturdy integrity, and we would all love him if he would only allow us to do so, but the gentleman in the beginning of his remarks on this bill said truly that "it was as natural for him to oppose as it was for him to breathe." So that the chairman of the committee says that while it is not in the language of the bill as given it is the intent of the bill, and the Second Assistant Postmaster-General, in conference with the gentleman from Connecticut [Mr. HILL], sustains that view. So that, taking the testimony of the chairman of the committee and of the Second Assistant Postmaster-General, the gentleman from Mississippi, one of the ablest advocates of this bill, being the judge, it contains a provision which if executed would make the Postmaster-General "a miserable fool or an amazing idiot."

If that is true, then this bill ought to be defeated, or ought at least to be sent back to the committee and put in such shape as that this House can really understand it.

But coming now to the question of cost, the question of economy, I contend, as I did a while ago, that the question of economy should no more enter into this service than into the city delivery service; and I want to be frank. I have read the report and the estimates of the Postmaster-General. He estimates that by the 1st of July of this year 8,600 of these routes will be in operation, serving, as he estimates, one-fourth of the rural population. This multiplied by four gives a total number of routes necesary to supply the whole country at 34,400, which at $600 each would be $23,640,000.

This seems an enormous sum; but it is only about the cost of three battle ships, only about one-third of the amount of the river and harbor bill expected to pass this House annually; it is ten millions less than is paid the railroad companies for mail transportation; and yet because it goes to the farmer, because it is intended to relieve the tedium and solitude of country life, because it is for the benefit of the man who cultivates the soil, the question of economy is raised here, when appropriations for hundreds of millions of dollars go without question, and without even a member of this House voting either yea or nay; but when we come to this proposition, which proposes gradually to appropriate $23,640,000 for the benefit of the free rural delivery service, all at once gentlemen become virtuously economical and say that it will bankrupt the Government!

But it will not cost even that much. For the Postmaster-General says that on the routes already established the saving by the discontinuance of the star routes and fourth-class post-offices has already been about one-sixth of the entire appropriation which has been made for this service; and that in addition to that the increase of the revenues from these routes last year was from 8 to 10 per cent. So that the expense will not be as great as it would

at first seem, and I believe in the end it will be justified, and that, finally, this system will be as near self-sustaining as any other branch of the postal service.

I am a believer in all proper economy upon all proper occasions and for all proper purposes, but I am opposed to a cheese-paring economy, which would prevent the development and evolution of the great benefits of this service to the rural population of our country. Gentlemen talk about politics. I was glad to hear the gentleman from Illinois [Mr. BOUTELL], somewhat jocularly, it is true, admit that the idea of this bill was that it would tend to perpetuate Republican control over this service, and I believe that while it was said jocularly there is more truth than jestin it.

I want gentlemen on this side of the House, especially those who say that this bill takes the system absolutely out of politics, to consider this. Why, gentlemen complain that there have been politics in the administration of this Department heretofore, and that there has been partiality shown as between different sections. That may be true, and the reason is not far to seek. Gentlemen on this side of the House know that they have been promised time and again that inspectors should be sent to their districts and routes established, and that those promises have been broken, and they have been broken because of the greed, because of the insistence, because of the influence and the power of influential members of this House and chairmen of great committees, from whom a single request was more powerful with subordinate officials of this Government than the most importunate demands of humble members of this House like myself and other gentlemen on this side.

How does it happen that the chairman of one of the great committees of this House has over a hundred of these routes in his district? How does it happen that another chairman has 20 of them? How does it happen that another member of one of the great committees has over a hundred of them? The reason is not far to seek. But take it out of politics and put it under civil service; make it independent of politics and outside the irresistible insistence of influential members of the House, and then we will have no further cause to complain on this score. [Loud applause.]

It has been intimated that gentlemen opposing this bill are influenced by favors received. Let me say that if any gentleman has cause for complaint, I have more. I have not a single clerk in that office; I have not a single appointee in that service, and I have as yet but one route in my district out of about sixty applications, though I have hope of quite a number being put into operation on the 1st of April. So this imputation can not lie against me.

I am opposing this bill for no such reason, but because I honestly believe that its adoption will be practically the death knell of this service, and that it will result in some sort of cross or hybrid arrangement between it and the star-route system.

I believe that when it is firmly protected by the provisions of the civil service it will be possible for every Representative from every State, without regard to party, to secure just and equal recognition, and not until then. If by actual trial it can be demonstrated that the contract system is best, then I shall cheerfully support that system; if it should be demonstrated that the work of the carrier can be efficiently done for less than $600, I shall favor such a reduction. What I object to now is the effort to tie this promising system, not yet out of the experimental stage, to an untried but absolutely cast-iron method of lowest bids. It will be time enough to do this when experiment and experience shall have demonstrated the wisdom of such a policy.

Mr. LACEY. May I ask the gentleman——

Mr. KLUTTZ. I have but a few minutes.

Mr. LACEY. I will ask to have the gentleman's time extended if necessary, and meanwhile I would like to ask——

Mr. KLUTTZ. When I get through I shall be glad to answer the gentleman, if I can have my time extended.

Now, Mr. Chairman, an effort has been made to inject politics into this discussion and to frighten gentlemen on this side into support of this bill by the alleged dire results of a continuance of the present regulations. Surely this is only the absence of legitimate argument. Gentlemen forget that this bill leaves absolutely to the Postmaster-General in the ultimate the selection of the contractor, with the right to reject any and all bids and to arbitrarily appoint whomsoever he chooses.

From whom, pray, will he get his information as to the proper person to be named? Will it not be from the local Republican postmasters and referees? And who, think you, will they name? Will it ever be a Democrat when a Republican is available? Nay, verily. Advocates of this bill, afraid to trust the Postmaster-General with the proper execution of the civil-service regulations, which, with the approval of the Civil Service Commissioners, he has himself promulgated, are yet willing to lodge in his hands the vastly greater power conferred by the bill.

The gentleman from Mississippi [Mr. WILLIAMS] has made merry over these civil-service regulations, and the gentleman from Kentucky [Mr. SMITH] seemed to enjoy pronouncing them a miserable farce.

Now, I am no ardent admirer of the Civil Service Commission, but I want to say that this is the most sensible examination which it has ever sanctioned or prescribed. It is exactly suited to test the fitness of the applicant for the duties of his position, his acceptability to the patrons of the route, and his ability to equip himself for the proper discharge of his work. There are no irrelevant or impracticable questions. The gentlemen, however, complain that the inspector may, or, as they say, must, inquire of two disinterested citizens, not referred to by the applicant, as to his character and fitness.

Would they have him confined in his inquiries to persons selected by the applicant? A stranger, unacquainted with the applicant or his referees, is it not wise that he should thus extend his inquiries?

Is it not wise, too, that, other things being equal, the nominee of a majority of the patrons of the route should be selected? If captious Southern Democrats would only read between the lines they would see the wisdom and necessity of these much-derided provisions as applicable to their own districts.

I would like for gentlemen to tell me, too, why the contractor will have less time or disposition to talk politics than the rural carrier, or why he will be less obnoxiously influential in doing so.

Just another question: Can the rural carrier, who must hustle to get over his route, and who can have little time to talk politics to any of the hundred or more families whose homes he daily passes, be more objectionable politically than the Republican fourth-class postmaster, who sits all day in his office or store, with ample time to talk politics and distribute political literature to all comers? But I have not time to pursue the subject further. For the reasons thus hurriedly given, as well as for many others which I could adduce did time permit, I trust, Mr. Chairman, that in the interest of the public service this bill may be overwhelmingly defeated.

Mr. SWANSON. I yield fifteen minutes to the gentleman from Illinois [Mr. GRAFF].

Mr. GRAFF. Mr. Chairman, I am exceedingly sorry to notice more or less imputations against the officials who have been instituting and operating the rural free-delivery system through the Post-Office Department. The popularity of the system and the failure to present any serious criticism of its operation in the country is sufficient reply to any animadversions against the Post-Office Department. It must be remembered that it was not a beaten path to be pursued, that it was not a simple prosecution of work already laid out, but the work involved the installation of routes in the different States and the systemizing of the work in the Post-Office Department and involved the laying of the foundation of a great work, and instead of criticism great credit is due to the First Assistant Postmaster-General and his predecessor and his superintendent of free delivery, Mr. Machen.

Neither do I entertain any sympathy with the criticisms of the chairman of the Committee on Post-Offices and Post-Roads. I concern myself with nothing except the merits of the question before us. The fact that the chairman of that committee differs with me does not interfere with my high opinion of his integrity and ability. I also appreciate the gravity of this question. We are laying the foundation for a great work, which will undoubtedly involve great expenditure of money, but which I confidently hope and believe will yield even larger returns to the country and an increased revenue to the Post-Office Department. But it must not be forgotten that this Department is not operated for profit but is operated for the benefit of the people of the country and the commerce of the country, and as a great medium of education. We are informed by the Post-Office Department that in six years it will take some 45,000 or 50,000 carriers for universal free delivery—rural delivery throughout the country—and that means the expenditure of some $30,000,000, besides other expenses of administration.

Mr. Chairman, I have the honor of coming from a district in Illinois and representing it now for eight years which was formerly Democratic. Therefore if any man on this floor would be moved by political considerations in his vote it certainly ought to be myself. But my brief political experience has taught me that if a man depends upon the influence growing out of the few appointments that he may be able to control in his district, and devotes the greater part of his time to serving the interests of the people of his district in that direction, and does not permit himself to take a larger view of the political questions that come before us in this Hall, then he misses his own interests and does not take a proper conception of his duties here.

So far as political interests are concerned, however, they may interest gentlemen who seek to succeed themselves. I do not care whether these rural carriers are placed under the contract system or whether they are employed in the way in which they are now.

It seems to me that that is of decidedly little importance. I do not believe that the political fortunes of members of Congress hang upon the question whether or not we are going to employ forty or fifty thousand rural carriers, scattered all over the United States, mind you, so that their influence, whatever it may be, is minimized by that fact.

I do not believe any such thing. But I do believe that the people of your district and mine are interested in those public questions which affect the people as a whole, and I do believe that the making of this experimental rural delivery a permanent system is an important question and has a weighty bearing upon everyone who may be called upon to vote on it. And, in that connection, I am in favor of this bill, because I believe that is the important feature of it.

But, as I understand, those who are opposed to the proposition of the gentleman from California to depart from the past custom in reference to the employing of these rural carriers under the Post-Office Department—those who are opposed to the system of letting by bids this service—propose to amend the bill by striking out that portion pertaining to the letting of this service by contract and to substitute therefor the proposition that these rural carriers shall continue to be employed, as they now are, under civil-service rules as made by the Civil Service Commission and as covered by the order of the President of the United States, at a salary not exceeding $600 per annum.

Now, gentlemen, has anyone heard any complaint as to the efficiency of this work as performed under the present system? There certainly ought to be presented in the beginning, if you propose to change the existing system, a reason founded on some want of efficiency or some needless expense growing out of the operation of the present system. What do we find? We are greeted right in the beginning with the admission of the gentleman from California [Mr. LOUD] that $600, the maximum amount which we who oppose him propose to insert in the bill, is a fair and reasonable compensation for the service. What is the reason given for the departure?

Why, sir, because there is going to be a great army of political employees who are going to affect the political fortunes of the candidates for Congress in the several districts. Is there anything different about this threatened danger in the present case from the old danger that has been threatening members of Congress from the foundation of the Government? No, sir. Is there any more reason in this case than in any other why we should depart from the usual method of employing the appointees under the Government? No; no substantial reason is furnished.

The nearest approach to a reason that we had in the two hours' speech of the gentleman from California was that there had been a change in the star-route contract system by which the carriers on a star route, as it was claimed by the gentleman from California, were doing substantially what we desire the rural carrier to do. Now, I asked the gentleman from California, in the course of his speech—and the question appears in the RECORD with his answer—if it were true that the carrier under a star-route contract is compelled to collect letters along the route. I read from the RECORD of the day before yesterday:

Mr. GRAFF. Does the gentleman mean to say that these recent contracts—and I want to say to the gentleman that I am somewhat familiar with them—contain a provision that the star-route carrier can deliver and collect mail?
Mr. LOUD. Not that he can, but that he must.
Mr. GRAFF. You say it is obligatory?
Mr. LOUD. That is his contract; yes.
Mr. BATES. Not to collect mail?
Mr. LOUD. To collect mail. I stand by what I said at first, to deliver and collect mail, and do everything——

Now, let us see if that is true or not. I made a visit to the Post-Office Department for the purpose of finding out whether my information obtained several months ago—not with a view to this debate—was correct or not. And what do we find? I find on page 318 of the annual report of the Postmaster-General for the year 1901 the following:

The carrier—

That is, the carrier on these star-route contracts—

is not required to collect mail from the boxes, but there is no objection to his doing so if it does not interfere with his making the schedule time.

Mr. MAHON. And the man to whom he delivers the mail must take the risk?

Mr. GRAFF. Yes; and yet the star-route system in the contract, under the delivery of the entire mail by the sack, are permitted to perform certain duties with reference to the delivery of the mail; they are not obliged to deliver the mail to the patrons upon the route until when? Until each particular patron of that road who desires to be served goes to the post-office out of which that route runs and presents an order to the postmaster there asking, in writing, and authorizing and directing that the carrier under that star-route contract shall deliver that mail.

Mr. LOUD. Why does not the gentleman bring in the contract? Does not this contractor agree to deliver the mail to any and every person along his route?

Mr. GRAFF. I have not the contract in my possession.

Mr. LOUD. The gentleman had better get it and read it.

Mr. GRAFF. I suppose the report of the Postmaster-General is correct in that respect, and I understand that is the practice of the Department. Now, if it is true—and I was informed this morning at the Post-Office Department that it was true—that each patron that desires to be served is to give an order to the postmaster to have the mail delivered him, whose agent is the carrier of that mail? He is the agent of the patrons of the route. He becomes the agent of the patrons of the route when he is carrying that mail under the authority conferred upon him by the written order of the patrons of that office. Under these circumstances, if any loss of mail occurs, if any negligence arises in the delivery of that mail under that order which constituted the carrier under that star route the agent of the patrons, to whom is he liable?

Mr. LOUD. To whom is he liable in the other instance? Where is his remedy, and where is his relief? Suppose the rural carrier loses or steals his mail, where is the patron's remedy?

Mr. GRAFF. The patron's remedy is the same as it would be in any other case of negligence to the Government. Of course he could not sue the Government. He would simply have to file his claim in some proper department. If he desires to sue the Government he has to have a special permission. But there is a great deal of difference when a carrier is the agent of the Government and when he is the agent of the patrons.

Mr. LOUD. Not a particle, except that you can sue the contractor.

Mr. GRAFF. When he is the agent of the Government, the Government will live up to its obligations and see how its agents perform its duties.

Mr. LOUD. The patron can sue his agent, and he can not sue the Government's agent. There is another statement which the gentleman made that I want to correct, and then I will interrupt him no further.

Mr. GRAFF. I do not object to the interruption, only I have but about three minutes remaining.

Mr. LOUD. The gentleman does not want to be unfair?

Mr. GRAFF. Oh, no.

Mr. LOUD. I did not say that they were compelled to take the mail out of the boxes, but that the contractor enters into a contract to take the mail that is given to him. That is what I said.

Mr. GRAFF. I quoted from the RECORD.

Mr. LOUD. But the gentleman should read a little more of the RECORD.

Mr. GRAFF. I do not want to put the gentleman from California in the attitude of stating an untruth, because I know he would not.

Mr. LOUD. The gentleman knows I did not.

Mr. GRAFF. I do not know whether the gentleman did or not, but I know he would not willingly state an untruth, because I have the greatest confidence in the honesty and integrity of the gentleman from California, and I have no sympathy with the attacks made upon his motives. I believe he is one of the most valuable members on the floor of this House.

Mr. LOUD. But the gentleman is taking a part of my remarks and putting me in the position of stating a falsehood on the floor of the House, which I did not do.

Mr. GRAFF. No; if the gentleman from California said that he qualified his statement afterwards——

Mr. LOUD. I did not qualify the statement any further than this, and I say again, that the carrier is compelled to collect the mail. I did not say that he was compelled to take it out of the box.

Mr. GRAFF. Well, we will both admit that is true, and if it is true it is a very strong argument in favor of the rural carriers instead of the star-route carriers, who are not compelled to take the mail from the box. The farmers of the community would rather have carriers who are compelled to take the mail out of the box and to deliver it. So, if we are to have this, it is strengthened by the admission of the gentleman from California that these rural carriers under the star-route contract are only compelled to take the mail that is handed to them.

There is something else in connection with that. If some one along the route hands a letter to that star-route mail carrier, that carrier can not deliver that letter to the party to whom it is addressed along that route until he has taken it to the post-office and had it stamped in the post-office.

Mr. LOUD. Now, one moment, and I will stop. I do not desire to interrupt the gentleman in his argument, but the gentleman can not strengthen his argument by attempting to disprove a statement which I made yesterday, and which I reiterate to-day, and which is true, and the gentleman has not disproved it.

Mr. GRAFF. I do not seek to disprove what the gentleman has said. I simply seek to make a statement of a fact which the gentleman admits.

Mr. LOUD. If the gentleman will read his remarks to-morrow

he will find that he has put me in the position of telling a falsehood to this House, and I do not think the gentleman will now say that I did.

Mr. GRAFF. No; I did not say you did, and I do not think you did.

Mr. LOUD. That is all I care about.

Mr. GRAFF. But the gentleman did say in his remarks the day before yesterday that in connection with registered letters, all that the rural carrier under the salary system did with the registered letters was to take a receipt therefor, and he certainly left the impression upon the House that his duties in connection with registered letters were far different from the duties of a postmaster with registered letters.

Now, then, I will say to the gentleman and to the House that I have here upon the desk a book which is carried by the rural carrier for the purpose of entering registered mail upon it; that blanks are furnished him and in that blank book is contained a receipt which he gives to the party sending out the registered letter or package; that in that same blank book is a receipt which he takes to the post-office out of which the route runs and hands the registered letter to the postmaster and receives the receipt of the postmaster written in the same book of the carrier; that in addition to that he is armed with this book which I now show to the House, upon which he enters the receipt of these registered letters and keeps a perfect record of them. Now, then, a railway mail carrier performing service upon the railroads of the country receives in the course of his business——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAFF. I would like to have a little more time, if I can.

Mr. LOUD. I will yield to the gentleman five minutes.

Mr. GRAFF. I am much obliged to you. I say the railway mail carrier receives in the course of his business a registered letter, and what does he do? He takes it to the post-office of the addressee and obtains a receipt from the postmaster at the post-office out of which the addressee gets his mail. That is exactly the duty performed with regard to these rural carriers.

Are the gentlemen under the star-route contracts authorized to receive registered letters and perform any such duties? No. It is obligatory upon these rural carriers to perform that service. How much of that service have they performed? I hold in my hand here a statement showing the number of registered letters delivered and collected and also the money-order applications received by carriers in the rural free-delivery service during the month of December, 1901. It is as follows:

Registered letters and packages, in one month	14,900
Letters and packages registered on the route	11,964
Applications for money orders on the route, in one month	56,973

Now, let us say that those money orders average only $2 each, and they would aggregate in a month $113,946 for one month, or $1,367,352 per year, for 6,000 carriers on December 1, or about ten orders per month per carrier. Now, if this system is extended to 45,000 or 50,000 carriers it will lessen the expense of the Post-Office Department with reference to very small offices, and it will, in addition to that, be calculated to stimulate the amount of business which the people do through the medium of the Post-Office Department. It must not be thought that because there is over a hundred million dollars carried in the Post-Office appropriation bill that that amount is appropriated out of the United States Treasury without receiving any credit from the earnings of the Post-Office Department.

For the year ending June 30, 1901, there was received by the Post-Office Department $111,631,193.39; but of that amount only $4,954,762.21 was paid out of the United States Treasury, in fact. During that same year there was an increase in the receipts of the Post-Office Department, in 1901 over 1900, of more than $9,000,000; and the deficiency for the fiscal year ending June 30, 1902, was estimated some three or four months ago by the Post-Office Department as being nothing; in other words, that the actual receipts of the Post-Office Department were equal to its expenditures.

It must be remembered also that in this report presented by the gentleman from California [Mr. LOUD] in favor of this bidding system, a statement is made of the fact that the sum of $17,000,000 was expended during the past year for city free delivery. Does anyone say that the city free delivery has not expedited the business of the country? It has swelled the receipts of the Post-Office Department, but that is a comparatively unimportant matter when we consider its effects in facilitating the business of the country.

So I say that I am not alarmed by facing this question. We have the same problems to face with reference to the raising of salaries in other departments of the Government. There is nothing peculiar about this condition which demands a radical departure from the usual system of making the appointments, and it would destroy the efficiency which confessedly exists under the present system. [Applause.]

[Here the hammer fell.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HITT having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 10847. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1903, and for other purposes.

The message also announced that the Senate has passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 27.

Resolved by the Senate (the House of Representatives concurring), That there be printed 7,500 additional copies of Senate Document No. 164, third session, Fifty-fifth Congress, being the report of the Daughters of the American Revolution for 1890 to 1897, together with the historical preface herewith, indorsed by the board of management of that society, of which 2,500 shall be for the use of the Senate and 5,000 for the use of the House of Representatives.

RURAL FREE-DELIVERY SERVICE.

The committee resumed its session.

Mr. SWANSON. I yield fifteen minutes to the gentleman from Mississippi [Mr. CANDLER].

Mr. CANDLER. Mr. Chairman, this bill provides for putting the rural-delivery carriers under the contract system and for letting out the routes to the lowest bidder, like the system now in effect in the management of the star routes, and would in a short time bring this system down to the inefficient level of the unsatisfactory and discredited and often unreliable and always poorly paid star-route service. Since I have had an opportunity to investigate the subject of rural free delivery I have been an earnest advocate of the system, and during this past summer I took occasion to visit several different parts of my district and explain to the people, as far as I possibly could, the workings of it and bring it to their attention in order that they might have the benefit of it if they desired it.

I simply state this in the outset of the remarks which I expect to make upon this occasion to show that I feel a great interest in this service; and if I could be convinced that the plan proposed by this bill was in the interest and for the welfare of the service and for the good of the people, nobody would vote for it more cheerfully than I would. But the more I have studied it and the further I have investigated it, the more fully I have been convinced that if carried into effect it will tend to destroy the service rather than to build it up, and for that reason I can not possibly lend to it my aid or assistance.

The gentleman who addressed the House a few moments ago, my distinguished friend from Illinois [Mr. BOUTELL], said that he wanted to disabuse the minds of those who were opposing this bill of the idea that those who were in favor of it were opposed to the system of rural free delivery, but that, as a matter of fact, they had uniformly advocated and supported it and voted for appropriations in its interest. If that be true, then I appeal to them not to turn around and seek to destroy their heretofore good work by putting into this service something that, it seems to me, strikes at the very root of it and brings it down to the level of the star routes that have brought discredit and discomfort upon the country; but they should let it pursue the even tenor of its way upon which it has already started and seek to have it attain greater success, if possible, than it has attained up to the present time.

Not a single objection from any part of this country has come up in opposition to this service. Nobody is demanding any change, except the committee which brought this bill into the House, and my experience and observation is that whenever you give anything to the people, no matter what it may be, that is not satisfactory to them, they will let you hear from them, and they will make known their objections and request the correction of the defects that exist in it. When you have a service that extends throughout the country, and when no single objection from any source or from anywhere or from any citizen has been heard against that service, we must believe that it is giving universal satisfaction; and in my judgment it is best to let a service alone when it is giving perfect satisfaction to the people, because, sometimes at least, it is a good idea to follow that good old adage which tells us "to let well enough alone," and especially is that true when it is accomplishing the purpose and the intention for which it was inaugurated, and satisfying the country people for whom it is intended. [Applause.]

I say that the service has developed and given eminent satisfaction from the very day that it was put into existence, under a Democratic Administration, by a Democratic Postmaster-General, up to the present time, and that all the cries that have been made against it in reference to its possible cost have been put to naught by reason of the fact that everywhere it has been inaugurated it has brought an increase in revenues; it has brought an increase

in letter-writing; it has added to the receipts of the Government, and is rapidly paying its own way, and my judgment is that as it increases more throughout the country, as it goes further, it will increase the revenues more, and instead of being a burden to the Government it will be a profit to the Government, just exactly as the free-delivery service in the cities is a source of net revenue to the Government to-day and is paying its own way and a profit.

In 1863, when it was proposed to give the free-delivery service to the city, this same cry that it would cost too much was made against that service, as you will see if you read the debates at that time and the objections offered to that service then. But instead of being an expense to the Government, instead of being a burden to the Government, it is to-day a source of net revenue. I say that when we are spending about $20,000,000 a year, giving free delivery to the people in 866 cities, it is nothing but just and right to give to the people in the country the same service, as far as it is possible to do so, that we are giving to the people in the cities. I would not, if I could to-day, take away from the city people and the town people the advantages they have, but God knows I would be further from taking away from the country people any advantages or opportunities which they have. They get less, in my judgment, from the Government than any class of people we have to-day. They bear more of the burdens; they contribute more of the revenue, and they pay more of the expenses than any other class of people we have in all our broad land, and still get less direct benefit from it than any class of people we have. Instead of doing that which would decrease their pleasures and their happiness and their joys, I would add to their pleasure, their happiness, and their joys if it were possible for me to do so. [Applause.]

Now, Mr. Chairman, this system is calculated to bring to them advantages which they have not had previous to its inauguration. Then, when there are about 35,000,000 people having free delivery in the cities, and about 32,000,000 people—so says the Post-Office Department—to whom we can carry rural delivery in the country at an expense not exceeding that which is paid for free delivery in the 866 cities having free delivery, I want to ask this House by what rule of right or justice or equity you propose in this way to cripple the service given to the people in the country? Will you practically take away from them the service which has been inaugurated and started on its career and still continue the efficient service to the people in the cities who have enjoyed it through all the years and to the support of which the country people have since 1863 contributed by the payment of their taxes and by their contributions to the revenues of the Government? I can not see where the justice is in doing that.

Without the country people the Government could not be run, because if it were not for them we would have no factories, no railroads; we would have no steamboats; we would have no commerce, no trade either within our own land or with other lands; because they are the ones who from the ground dig out the substance that furnishes the raw materials and the means with which the factories are run, with which the commerce is carried on, and with which the railroads and steamboat lines are operated; with which not only our internal commerce is built up, but foreign commerce is acquired; and to them we must look, and to them I say I would give every advantage that it is possible for us to give to them. They are the bed rock and the foundation of this Government, and every material interest is upheld by them. [Applause.]

Shall we turn our backs upon the history of the country for a century in reference to the employment of its people? For more than a hundred years, wherever personal fitness, individual integrity, and moral character have been required by the Government in employees, the salary system has prevailed. In no part of this Government, in no department of it, is there a single employee where personal fitness, personal integrity, personal character, and individual responsibility are required is the service let out to the lowest bidder. The distinction between mails carried by contract and those where you have the salaried employees is this: That those carried by contract are all carried in bulk, and not a single one but what is carried in bulk. But where there are individual fitness and individual services to be required, then the salary system has always prevailed; and that has been the uniform custom, the uniform rule, and the uniform law that have been pursued in this Government for a century. Where mail is transported in bulk, as on the star routes, the efficiency of the service does not depend on the individual efficiency of the employee, but on the solvency of the contractor and the physical ability of the employee to safely deliver a mail sack containing the mail which has been delivered to him at one point to be carried to another point. Where each piece of mail is to be handled by the employee, then individual efficiency and character is the question to be considered, and character can not be guaranteed by contract. The lowest bid is a numerical matter. Character is not. Either higher bids will be taken, in which case there will be no economy, or lower bids will be accepted, and the efficiency of this service will be destroyed. Let us flee from either result by maintaining the system as it is now being conducted. Will you turn your backs upon the experience of a century and seek that of which you know not and go into the unknown field where you can not tell what the result will be. A principle of postal administration adhered to for over a century, and by such long experience proven to be the safest and the best, should not, in my judgment, be so ruthlessly and suddenly deserted and overturned, as is proposed to be done by the passage of this bill.

Now, then, I regret to differ with my friend and distinguished colleague from Mississippi [Mr. WILLIAMS] in reference to any great question. I am always loath to take a position differing from that which he advocates, because I have the greatest admiration for him—yea, I would say, affection for him—but I am obliged on this occasion to take a different view of this subject; and I am surprised to see how much force, how much effect, he sought to place on the little rules that were promulgated by the Department in carrying out this system, when he advocates this bill which provides on its very face that, although a man may bid the lowest price, still he can not obtain the contract unless the Postmaster-General says so, for it gives the Postmaster-General absolute veto power.

What is required under this bill? First, the man who applies for the contract must be the lowest bidder; second, he must convince the Postmaster-General, to his satisfaction, that he is a legal and actual resident of the route; third, that he is reliable and trustworthy and of good moral character; fourth, that he is able to read and write and has sufficient intelligence and ability to perform properly the service, and lastly, he must furnish a sufficient guaranty that he will do so. These are the qualifications and requirements. Now, when a man does all that, we would believe, according to the argument of my friend, that he would certainly get the contract; that the bidder who complies with these requirements might justly say, "I have complied with all these requirements, and therefore I demand, as a matter of right, that you give me the contract." But no such thing occurs. My friend did not read the next provision of the bill, where it says:

But the Postmaster-General may reject all proposals submitted under any advertisement.

This bill makes the Postmaster-General the absolute and only judge of all these matters, and even goes so far as to allow him to deny a man the contract even though he had complied with every requirement and condition.

No matter what the bid may be, no matter what the guaranties may be, no matter what the proof as to character may be, no matter what the circumstances may be, the bidder complying with all these requirements does not necessarily get the contract. The Postmaster-General may say, as was urged by my distinguished friend in reference to inspectors, "I do not like the build of the fellow, or the expression of his face, or the color of his hair," or he may make some other objection to him; or, without specifying any objection at all, he could simply say to the bidder, "I do not like you, sir, and although you have complied with every requirement specified in the law, you can not have the contract." That would be or could be the result of the operation of this bill.

Now, I want to call attention to another thing. These rules which the gentleman read for the carrying out of this service were made under the authority of a Postmaster-General in office or of some appointee in the Post-Office Department. Now, if one Postmaster-General can make rules as ridiculous as the gentleman would have us believe these to be, could not another Postmaster-General do identically the same thing? What has been done by or under one Postmaster-General could be done by or under another Postmaster-General.

Besides, the Postmaster-General must have knowledge in regard to all these things which are here specified. He must know that the man is reliable and trustworthy; that he is a man of good moral character, etc. Now, how will he find out these things? Why, sir, I presume he will send some representative of the Department—a post-office inspector or some other officer—who will go down to the locality and investigate, under such rules, regulations, and instructions as he may make, and then come back and report the results of his investigation. This officer may report as to one man that he does not like him, or as to another that he does like him, or the Postmaster-General, after a favorable report upon an applicant for the contract, may, without any reason or excuse, say "I do not like this man; I will not employ him; I will turn him down; I decline to let him have the contract." I repeat, if these rules were made by or under the authority of one Postmaster-General, similar rules may be made by another, and especially so when the Postmaster-General has the whole matter in his power or under his thumb, when it is in his discretion to do as he pleases, giving an account to no living man. [Applause.]

As was argued yesterday by my distinguished friend from Tennessee [Mr. GAINES], there is under the civil-service rules some

opportunity for investigation, where everything is taken down in writing and it can be submitted to the inspector and to the board or to the Postmaster-General or to the Civil-Service Commission itself. Thus there are at least three opportunities, as the gentleman from Tennessee stated yesterday, for the applicant to have a hearing, whereas under the operation of this bill there would be no such opportunity given. The Postmaster-General, encircled with his official robe, could smile at the applicant and say to anyone who might urge the appointment of an applicant who had complied with all the requirements, "It is true you want his appointment; it is true he has complied with these requirements; but for reasons satisfactory to me, and which I do not have to give to you, he can not have the contract." And that would be a complete and everlasting end to the whole matter. Nobody could question the decision or bring it in review before any other official or any other tribunal. [Applause.]

Now, I want to call attention to another very important consideration affecting this question. What is the rural carrier? He is nothing more and nothing less than a traveling postmaster—passing through the community along the route under the direction and authority of the Post-Office Department—delivering and collecting mail, selling stamps, registering letters, purchasing money orders. The boxes along the route are the people's post-office. He collects the letters deposited there, and he delivers the ones intrusted to his care for the people along his route, sell stamps, etc.

Now, I say the rural carrier stands in a close relationship with the people along the route. They are greatly interested in the question of who shall be appointed. This rural carrier comes in contact with the families of the residents along the route. He is in daily association, far from the officers of the law and all legal protection, with the wives and children of the residents—those who are nearer and dearer to the men of the community than any other persons under the canopy of heaven. They are vitally interested in knowing who and of what character he is. Under the present system, the patrons of the route are permitted to nominate to the Post-Office Department the person they desire appointed carrier, and if, in a competitive examination, the person so nominated shows himself competent for the place, as a rule, he is appointed. Is that not fair, is it not home rule, is it not democratic—giving the patrons along the route the right to name the carrier, provided he is competent to discharge the duties required?

Under this bill they would have to take as carrier the man who bid the lowest, although he might be very offensive and distasteful to them. As for me, I prefer that my people shall have a voice in the selection of their own carrier, and I am willing, and they are willing, for the Government to pay him, when they participate in his selection, a reasonable and fair salary for his services. You let this service out to the lowest bidder, and it will speedily retrograde to the level of the unsatisfactory "star-route" system. Then its efficiency will soon be destroyed. It is amazing to me that these inexplainable fits for economy always burst upon us when something in the interest of the plain people—the masses of the people—is being considered. [Applause.]

You never hear of it when the interest of the trust, the monopolies, and the favored few is being considered. If this House is anxious really to practice some genuine economy there are thousands of better places to begin on than on this, the only governmental service, specially designed and intended for our country people. Permit me to call your attention to the fact that there are 28,000 men in the city delivery system and mail clerks on the train, all receiving an average salary of about $1,000 per year, entailing an expense to the Government of about $28,000,000 each year, while there are only six or eight thousand people in the rural service, costing the Government about $4,000,000 per year.

The rural carriers go through the open weather, the sleet and snow, as well as the sunshine, over the country roads, and the highest salary paid is $600 per year for man, mail vehicle, and equipment, all combined, while the city carrier, in his handsome uniform, decorated with brass buttons, travels over the paved and comfortable streets of the city for only eight hours, and has horse and wagon furnished him at the expense of the Government, and gets from six hundred to eleven hundred dollars per year; and the railway mail clerks have their well-heated and well-ventilated railroad car to travel and work in, and get from $800 to $1,400 per year, and still the advocates of this bill are suddenly seized with an irrepressible desire, with no demand from any source for it, to practice economy on rural carriers and on this beneficent system provided for the farmers, and nothing is said about these others who have these "soft snaps," to use a common expression. [Applause.]

In this very Capitol building and in every Government building in this beautiful capital city there are great numbers of employees, and, in my judgment, many unnecessary employees, getting much larger salaries for far less labor than the rural carrier, and they are right here before your eyes, and nothing is said about them, and no economy is proposed in their cases. There are 9,182 postal clerks employed under the Government, which cost the Government $7,675,436.72. How are they appointed? They stand a competitive examination, and I have no objection to that; but there are at least ten men who show themselves competent by this examination to fill the place which is open to appointment.

Now, if you are going to adopt this system of bidding be consistent and fair and require these men who are qualified to bid for the place to bid for it, and then award the position to the lowest bidder, and then carry your plan to its logical and legitimate conclusion and let the post-offices and the positions in the various departments out to the lowest bidder, and you will see what a "sweet and inviting situation" you will have. Would not that be a fine way to carry on the business of the Government? What would you think of a farmer letting out positions on his farm to the lowest bidder, of a merchant letting out the clerkships in his store to the lowest bidder, a railroad letting out its positions to the lowest bidder, or any private business enterprise pursuing that course? You will, I am sure, join me in saying such a course would be destruction and folly. Well, why then will you let these rural-carrier places to the lowest bidder? Do you not know it will necessarily destroy its efficiency and bring the service into disrepute. Instead of trying to ruin and destroy the system, as I believe would be the result of the passage of this bill, I would rather see the advocates of this bill doing something to build it up and to strengthen it and to extend it more rapidly to the people.

I would much prefer seeing you advocating a bill to make it beyond question by legislative enactment a fixed and permanent system and not leave it to the will of each Congress and dependent upon a provision in a mere appropriation bill, and I would be glad to see a provision put into such a law making the system permanent, providing for furnishing the people along these routes with boxes at the expense of the Government and free of cost to the patrons. But you say that would not be right. Why would it not? As I have said above, the rural carrier is a traveling postmaster, and the boxes along the routes is the post-office. Now, you know in the larger towns and cities the Government either owns and furnishes, or rents and furnishes, the post-office building and post-office fixtures.

Now, if that is right, why not furnish the country people the boxes—which on every route is the post-office—free of charge to the people? What I am pleading for is not to take any of the necessary conveniences away from the towns and cities, but to be just as kind and considerate of the country people as we are of the town and city people. Let us have no favorites, but rise above favoritism and treat all alike, and "give equal rights to all and special privileges to none." The Government does furnish the post-office buildings in the towns and cities. Now let these rural boxes be furnished free to the people, and that will even up matters, at least to some extent. Now, I believe in economy, and I am opposed to any and all extravagance, and if I could I would put a speedy end to a great deal of extravagance which I have seen the short time I have been in Washington, and I will join you any time in weeding out extravagance wherever it is found; but I am opposed to this spasmodic fit of so-called economy, which, in my judgment, would result in no genuine and beneficial economy, but would result in making the rural service so inefficient as to practically destroy its usefulness and beneficent results. [Applause.]

Congress has started a good work in giving this service to the country people; they deserve it, and ought to have had it long ago, and I do not believe it wise or prudent just as it is demonstrating its efficiency by the workings of the present system to "put on the brakes and reverse the engine," and start it in directly an opposite direction from the smooth and unobjectionable pathway it has been traveling so satisfactorily. The question for this House should not be how stingy and cheap can we run this service for the farmers, but it should be how can we, with reasonable, fair, and honest cost, make it more efficient and extend it to every home, no matter how humble, in this broad and beautiful country of ours.

I do not know how long I will remain a member of this House, but I am a candidate for reelection and expect to be here a while longer, anyway, and so long as I do remain here, looking to the great God above to guide me in the right, I shall to the utmost of my ability, by my vote and influence, deal out even-handed justice to all people alike, because I believe "public office is a public trust," and in the discharge of the duties thereof every citizen should receive equal consideration with every other citizen, and that the farmer in his humble log-cabin home should command and receive our candid consideration and faithful service as quickly as the rich man in his mansion, or the President in the White House, and, entertaining these views, so long as I am a member of this House I shall with pleasure vote for everything to build up the rural free-delivery service, and against everything

hurtful to it, and believing this bill hurtful to it in many ways I shall vote against it, and I appeal to this House to bury it so deep that it will never be resurrected. Mr. Chairman, I will append some extracts showing how rural free delivery may be obtained by the people, and with my sincere thanks to the House for the very close attention they have given me I conclude, expressing the hope that this bill will be defeated. I will append extracts showing how to obtain the service. [Great applause.]

The extracts referred to are as follows:

HOW TO OBTAIN RURAL FREE DELIVERY.

Present a petition, addressed to the First Assistant Postmaster-General, Rural Free Delivery Division. This petition should be signed only by heads of families, and should mention the number in each family over 16 years of age. It should set forth the nature of the country where the delivery is desired, whether densely or sparsely populated, the principal occupations of the people, the character of the roads, and the distances which, under existing conditions, each person has to travel to receive his mail, and should be accompanied by a map or plat indicating the route or routes proposed.

The petition should read something like this:

[Form of petition.]

To the FIRST ASSISTANT POSTMASTER-GENERAL,
Washington, D. C.:

The undersigned heads of families, residing in —— County, State of ——, respectfully ask that the rural free-delivery service be extended to them, the delivery to start from —— post-office, —— County, —— State, or such other point as the officers of the Department may deem best adapted for the service. A map or rough sketch of the proposed route is herewith inclosed. Your petitioners are mostly (here state occupations, such as farmers, truck gardeners, dairymen, cattle raisers, or whatever the chief occupation of the people may be). The roads over the proposed route are (state whether pike, graveled, or otherwise).

There are no unbridged creeks, and the roads are passable at all seasons of the year.

We agree to conform to the official regulations governing the service and to erect boxes which have been approved by the Department for the reception of our mail.

* * * * * * *

This petition, when properly signed, should be sent to the Representative in Congress, or to one of the Senators, with a request that he indorse thereon his recommendation of the service asked and forward the petition to the Department.

* * * * * * *

The route should be so arranged that the carrier will not be required to travel over the same ground twice on the same day.

Those desiring the delivery must hereafter be prepared to put up, at their own expense, appropriate and secure boxes in accordance with the orders of the Department.

The prices of these boxes range from $1 up to a little over $3; locks, 25 cents; $1.25 will secure a good box with lock.

When a rural free-delivery route has been equipped with boxes of the above-named description the Department will consider these boxes as entitled to the protection of the United States Statutes, which provide severe penalties for willful or malicious injury to or interference with the contents of any receptacles for the United States mails established by authority of the Postmaster-General.

HOW SERVICE IS ESTABLISHED.

Upon receipt of a petition, favorably indorsed by a Representative in Congress, the Department refers the papers to the special agent in charge of the division which includes the State in which the petition originates. He assigns a special agent to visit the location indicated, to lay out a route or routes, and to select rural carriers, to be appointed by the Department.

Mr. SWANSON. I yield ten minutes to the gentleman from Maryland [Mr. PEARRE].

[Mr. PEARRE addressed the committee. See Appendix.]

Mr. SWANSON. Mr. Chairman, I ask unanimous consent that all members who speak may have permission to extend their remarks in the RECORD.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that all members who speak may have permission to extend their remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LIVINGSTON. Mr. Chairman, there has been a great deal done by the Government and the Post-Office Department looking to the increase of mail facilities in this country within the last one hundred years. My father, who was born in 1803 and died three or four months ago at the age of 98, told me that when he was 12 years old he rode 12 miles to mail his first letter and paid 25 cents postage. Now, before he died, I succeeded in putting a free rural route by his door, and at 98 years of age he had his mail delivered daily without cost. That is quite a step, Mr. Chairman, in the progress made on that line. For a long time we had nothing but weekly mails for country people; once a week they stopped their plow and hung up their hoe and went up to the post-office; then came the triweekly service, and recently quite a number of country post-offices with short routes running out from railroad towns have had daily mails; and only a few years ago this rural free-delivery mail began as an experiment and has succeeded beyond the expectation of its most ardent supporters, and that under the present plan. Why not let well enough alone?

Now, Mr. Chairman, I want to say to the committee that if the rural sections in this country are entitled to a free daily mail delivery they should have a reliable one and a prompt one; and any action on the part of Congress that would disorganize or derange in any way the progress of the mail facilities to the people, as now organized, would be a crime, whether intended or not, and at sometimes we are taught to pray, and truthfully, too, "God save us from our friends." When the first appropriation was made in 1894, the Postmaster-General refused to use it; so with the second in 1895, and also with the third in 1896. The objection then, as now, was, it would be too expensive. On many of the oldest routes established the system is practically self-sustaining, the patrons are rejoicing and proud of the interest taken by the Government in their behalf. As a rule they are satisfied with the carriers, and now while satisfaction reigns comes this proposition to make a radical change in the system, and one that has worked so unsatisfactory in the "star-route plan."

I say that these people are entitled to a good and reliable mail service. From the conservative rural middle class of our country comes the dominating men in every section of our land, in every department of life. There is not a town, or a city, or an industrial enterprise—there is not even a Congressional district represented on this floor—that is an exception to this proposition. The prosperity and the stability of this Republic of ours depend not upon the boys bred and raised in the cities but upon the men and the women reared in the country. Then why not step aside if necessary, as the chairman in charge of this bill seems to think, and spend a little more money than we are in the habit of spending to help this class of people when we are so dependent upon them for much that is good and great in this country of ours?

Again, Mr. Chairman, the carrier in the rural service is simply a substitute for the fourth-class postmaster. Under this service such officers have been largely abolished. The carrier ought to be bonded, and he must be; he ought to be personally liable to the Government, and he must be, in order to make this system a success. Not only that, Mr. Chairman, but he must be in touch, in sympathy, with the very people that he serves. Otherwise there is no guarantee of his acceptability to them or to his success in discharging his duties.

Mr. Chairman, I was surprised to hear the gentleman in charge of this bill and others making the argument here that we ought not to establish this system because these rural carriers would combine and come down upon the House of Representatives like a horde of eagles upon a carcass and destroy our individuality and our liberty of judgment and conscience to legislate as we should. Sir, why has not the chairman of this committee in charge of this bill been heard on the floor of this House on this question in the years gone by?

When the Ways and Means Committee has given hearing after hearing to associations of manufacturers, to beet-sugar combines, the Havemeyer combine, and all the combines that have been crowded upon this House and have influenced legislation, and to a great extent controlled our tariff bills for the last fifteen years, not one single word has escaped the lips of the gentleman from California. No limitation has been proposed to their electioneering and lobbying. No alarm has been sounded by him or others who have taken such an active part in favor of this bill to put rural carriers under contract for fear that they may in the future influence legislation in their interest.

No, Mr. Chairman, these mighty organizations can come and go; they can throng our committee rooms, block our passageways, and lobby day in and day out; but a bugaboo was started when some carriers in the little town of Meadville, Pa., undertook to organize a carriers' association for the purpose of asking Congress to increase their pay and regulate the length of their routes, and from this—drawing upon his imagination—the gentleman from California [Mr. LOUD] can see in the near future 25,000 carriers combined to rob the Treasury and defeat any Congressman who may object to or refuse to comply with their wishes or petitions. Others on this side of the House fear, in close Democratic districts, that these carriers will become a mighty political machine and control for the party in power, and thus defeat the wishes or preference of the voters by some unforeseen or imaginary process.

It is not my purpose to vote for any measure that tends to lessen Democratic influence or membership on the floor of this House, and pardon me for the suggestion to such of my colleagues as have this fear that to vote for this bill, which is a clear discrimination against rural sections and rural carriers, is by far more dangerous and objectional to our rural population than any adverse action that can be taken by a combine of carriers. This fear and the argument in its support are too thin to be put before an intelligent rural population in my opinion.

As soon as the Department got wind of the organization hereinbefore referred to and the purpose for which it was created, it issued peremptory orders to the carriers to cease their lobbying efforts, and they complied. President Roosevelt, immediately upon having the matter brought to his notice, issued an Executive order prohibiting any organization of Government employees for the purpose indicated in this rural carriers' organization. In

the face of the action taken by the Department and the President, why keep this fear of rural carriers' combine before this House?

Mr. ROBINSON of Indiana. Did I understand the gentleman to say that under the order of President Roosevelt these postal matters are entirely free from partisanship or party control?

Mr. LIVINGSTON. I did not take that position.

Mr. ROBINSON of Indiana. I so understood the gentleman.

Mr. LIVINGSTON. No, sir. When the world comes to an end and all political parties are dismantled, then postal matters may be entirely free from partisanship or party control.

Mr. ROBINSON of Indiana. Is not the service as fully safeguarded by civil-service rules as it can be?

Mr. LIVINGSTON. No, sir. The Civil Service Commission has had but little chance at rural mail clerks or carriers. The President covered all the clerks under civil service last November, including special agents and inspectors, and that without any kind of examination; also all the carriers, from February 1 last, to be appointed.

"This is a service for the people" and should be as much as possible "by the people." The President and Civil Service Commission should not interfere with it, unless asked to do so by the people or their immediate representatives. All the duties of the city carriers and more have been conferred upon the rural carriers. They register and deliver registered letters, give receipts for money orders and fill out money orders, make special deliveries in the same way for the same fees as the city carriers, and deliver pension checks. The carrier service up to date has been almost free from criticism and objection, either by the Department or the people.

The adoption of this bill will be, in my opinion, destructive to the whole system, by putting the mail service of the country back under the inefficient, unreliable method of the star-route service, which was originally started by the Continental Congress and has remained with but little change since, and out of this contract system has come the greatest scandals which have disturbed the postal administration of the United States.

If the two chief reasons given in support of this bill are to be recognized—cheapness, and as a prevention to combines and organizations likely to affect legislation—why not apply it to city carriers? Why not to the rural mail clerks? Why not let to the lowest bidder the entire postal system and have all mail transported and delivered under contract? What is there to hinder the thousands of contractors, if this bill becomes a law, from combining and giving the Congressman from California trouble? In my opinion, a combination of contractors would be more dangerous than an organization of country boys as carriers.

Mr. Chairman, I wish to bring to the attention of the committee some of the most objectionable features of the bill. In line 19 this clause begins: "The service shall be awarded to the lowest bidder," not the lowest and the best. Same old curse to follow that the country people have had to endure for a hundred years—unreliable, unworthy persons, if the lowest bidder, as now under the star-route system. Again, this language appears: "But the Postmaster-General may reject all proposals submitted under any advertisement." Under this clause, if the bill becomes a law, the Postmaster-General will have absolute control. He can turn down all bids and appoint direct, in some way to be devised by him, every carrier in the service.

Mr. WILLIAMS of Illinois. Suppose the lowest bidder has not the qualifications required in the bill, has not the Postmaster-General the right to reject him and accept one who is qualified under the bill?

Mr. LIVINGSTON. I have said that there is a clause in the bill giving the Postmaster-General absolute control of every carrier, whether fit or unfit, whether acceptable to the people or not.

Talk of rural carriers combining and interfering with Congressional elections and defeating Congressmen in close districts, and here the advocates of the bill propose to give the Postmaster-General the right to appoint every one, or as many as he may elect, and if a Republican or Democratic Postmaster-General he will have the temptation to control all close districts by objecting to lowest bidder and substitute his appointee.

Since the day that God made the world all enterprises and schemes that are new, that reach out for the betterment of mankind, for the development of country or humanity, have been fought and always will be. Many men are constitutional kickers. Some men by training know nothing else and can do nothing else. They are a burden upon the community or State, and must be carried with as little friction or cost as possible. They never put their shoulders to the wheel to help up the hill, but are busy casting impediments in the highway.

As a farmer, living on the farm, a friend of rural free-mail delivery, believe me when I say that if the "service is continued on present lines it will greatly aid and facilitate the development of rural districts, make farm life more comfortable and far more desirable, increase the value of farm lands, and tend to prevent the further congestion of population in large cities, which has become a peril to our institutions," as has been well said by the minority of the committee in the report. Later on, if the fears anticipated by the friends of the bill should arise, then the remedy can be applied. Congress will always be competent to legislate so as to correct evils when evident. Why take chances on reorganization while the present plan runs so smoothly? Mr. Chairman, I reserve the balance of my time. [Loud applause.]

Mr. TIRRELL. Mr. Chairman, inasmuch as the district which I represent is admirably adapted to the establishment of rural free-delivery routes, has some, and more are expected, I have been deeply interested in the debate which has been going on on this subject for the last few days. When it was first introduced into this House during the consideration of the urgent deficiency bill, I supposed, and I think we all had reason to suppose, that the Committee on the Post-Office and Post-Roads was satisfied with the regulations of the Post-Office Department and would not assume the position which its members do now. In the course of the discussion at that time the following colloquy occurred:

Mr. CURTIS. I believe that we ought to pay these men what it is worth to carry the mail; I think it is an outrage to make them carry it at $500 a year and furnish their own horses.

Mr. LOUD. Now, let me say that I am heartily in accord with the sentiment of the gentleman from Kansas.

Further on he stated:

I recognize that an increase of salary had to be made.

But now we are confronted with an entirely different proposition, we are threatened, according to the arguments of the gentlemen in favor of this bill, with an inundation of extravagance on the part of the Post-Office Department in the years to come. It is stated that there will be soon 60,000 of these rural free-delivery carriers, and that there will be $100,000,000 expended in sustaining the system as it now exists. Mr. Chairman, the Congress of the United States has never so shaped its legislation as to make the revenues of the Post-Office Department equal to the expenditures. On the contrary, just so fast as the revenues have crept up to an even line with the expenditures, just so fast has the Congress of the United States for the purpose of affording better facilities to the people, with opportunities for education and enlightenment, and the better to meet the demands in the evolution of the industrial enterprises of the country, cut down the expense to the individual in carrying on his postal business and thereby increased the expense to the Government, except so far as it might be made up by the increase of the business of the Department which might result from the change.

I have taken a little pains to look this matter up and I now desire to present a few statistics upon this point. In 1860 the deficit in the Post-Office Department amounted to $10,000,000. In 1882, for the first time in thirty-one years, there was a surplus of $1,394,388.92. The moment that the Postmaster-General so reported to the Congress of the United States, in the early winter of 1883, Congress passed a law by which letter postage was reduced from 3 to 2 cents. It went into operation in October 1883, and in 1884 there was a deficit again of $5,204,484.12, and yet, notwithstanding this deficit occasioned by that change in giving greater facilities to the people, Congress again, in 1884, increased the weight from one-half an ounce to an ounce at which letters could be forwarded and increased the weight upon newspapers and periodicals to double the weight at which they were formerly forwarded.

I desire to call the attention of this House to the fact that ever since 1883 and 1884, when these changes were made, there has been a deficit. I have the figures here, which I will incorporate in the RECORD.

1860	[a]$10,000,000	1893	[a]$5,177,171
1881	[a]2,466,338	1894	[a]9,243,935
1882	[b]1,394,388	1895	[a]9,807,044
1884	[a]5,204,484	1896	[a]8,127,088
1885	[a]8,381,571	1898	[a]9,620,905
1886	[a]6,900,000	1899	[a]6,610,776
1889	[a]6,610,776	1901	[a]3,932,727

[a] Deficit. [b] Surplus.

The significant fact about this matter is that notwithstanding all these changes, notwithstanding all these reductions, notwithstanding the increased facilities which have been given to the people, notwithstanding the fact that in 1886 there were less than 200 towns and cities in the United States which had free delivery, and there are now 16,389 free-delivery carriers and more than 32,000,000 people accommodated under the free-delivery system, with the service increased in every possible way the ingenuity of the Post-Office Department could devise, we find to-day the deficit in the Post-Office Department is not more than one-half what it was in 1860; I call the attention of the House to the statements presented for the year 1901. At the beginning of the fiscal year there were 1,276 rural free-delivery carriers appointed; whereas

at the time when the report of the Postmaster-General was issued there were over 4,301, with nearly one-fourth of the whole country that was eligible for the appointment of rural free-delivery carriers covered, you would naturally expect, owing to the enormous expense entailed, that there would be a great deficit in our postal receipts.

The deficit for the past year was only $3,932,727.48, and the Postmaster-General, in figuring up for the year 1902 and 1903, says that although 8,000 routes will be established by July 1 and 5,700,000 people accommodated the deficit for 1902 will only be $2,104,688, and for 1903, with all the additional routes added, $2,710,946. That is, with these routes extended all over our country, with all the improved facilities which the Post-Office Department will have given us, the deficit will be only about one-fourth of what it was in the year 1860, when scarcely any of these great improvements existed. So this cry of extravagance has no basis in fact, and if it did have any basis, then I claim it is found in the bill which the committee are advocating before this House. For if there is any bill which, to my mind, throws wide open the door of fraud it is this bill under which the contract system would be established for rural free-delivery carriers.

The bill provides that there shall be but one carrier in one district, given to the lowest bidder. These districts will not average more than 125 families, or not more than at most four or five hundred people. Now, let me suppose a few cases where fraud and extravagance can come in. I maintain if you must take the carriers from the districts where they live, as is emphatically insisted upon by those who advocate this measure, you would not possibly secure more than three who would put in bids. That would be an extraordinary number considering the small number of people who would have the facilities to carry on the work in a scattered rural community. Of these there will be two who do not care very much whether they receive the contract or not, and by a wink or a nod of the head, by means which it will be impossible for anyone to detect in a court of law or by any legal process, the first man may put in a bid for $1,200, the second for $1,100, and the third, whom they expect is to get the contract, puts in a bid for $1,000. He gets it because he is the lowest bidder and because there is nothing against his character, and the Government by such a system is defrauded out of at least one-half of that amount.

The same work which that man does might be done for five or six hundred dollars under the classified system which now exists. But do you believe that in the average rural free-delivery district you would be apt to find more than one man who would be willing and desirous to secure this contract?

Supposing, now, there are three in all who are willing to undertake the contract? Two are fairly well off, and are not anxious to secure it unless a large profit can be made. The third has been a man of influence, a benevolent, public-spirited man, who has had the misfortune to lose his property and no business to support him. Do you believe the first two would press their claims? Their neighbors would gather around them, urge them, advise them, persuade them not to bid, representing that the neighborhood owed a debt of gratitude to the third man which could be partly repaid by giving him the contract, so that they retire and he, as the only bidder, procures the contract at his own figures, at double what he would receive under the classified plan now in force.

Again, if no one bids, the Government must pay an extravagant price, for it is then at the mercy of one man. He must be employed or the route abandoned, and he gets it at his own price.

No matter what supposition you make, in view of the peculiar situation of limiting the contract to a bidder living in the district I believe one of the three cases above would, as a rule, arise, and just so surely would an exorbitant price have to be paid. If the advocates of this bill are consistent, why have they not protested against the employment, under the civil service, of carriers in our cities and large towns? The objections are applicable almost as much in one case as the other. If anything, the contract system is better adapted to city carriers than to rural free delivery, for the former work is systematized, confined to fixed routes, divested of complications, and limited to delivery alone. The rural free-delivery carrier has a complexity of duties to perform, requiring local knowledge and more or less of business experience.

Not a man has had the temerity to advocate such a measure for the free-delivery carriers, for the service has been so satisfactorily administered as to meet the universal approbation of the country. A proposition of that sort I do not believe would command a vote. It would be execrated everywhere and result in inexplicable confusion in post-office affairs.

Worse than all, however, is the provision in this bill leaving to the Postmaster-General the final adjudication of the contract. He becomes the arbiter. The lowest bid amounts to little if in his judgment the applicant is unsuitable. No one can supervise his action. You can not interpolate rules and regulations to govern his conduct. The statute must be construed strictly, and when the power given in it is unlimited it can not be modified, controlled, or changed by any custom of the service or code devised to limit its operation. When the bids are in who knows whether the lowest bidder or the best man will get the job? The highest bidder may be the local boss; he may control the primaries; he may have been the local manager of the successful Congressman in his last campaign, who demands of him a return as a reward for his efforts. The Congressman must so present in glowing colors the inefficiency of the lowest bidders, that they will be rejected and he accepted.

Once more, as in the old days, when spoils made public life a scandal and debauched the consciences of public officials and public men, many of us and of our successors would take up the office-seeker's burden again.

As a firm believer in civil-service reform, I oppose such a proposition, believing it to be demoralizing in its nature and detrimental to the successful administration of a great Department of the Government. There is no call for this bill; not a petition has been presented in its favor; not a letter has been read sustaining it; not a Post-Office official who has had anything to do with its inauguration or management approves of it. From every section of the country remonstrances against it have been pouring in, and we are asked to keep the high standards of Administration untampered with, in accordance with the best methods which experience has shown produces honesty, efficiency, and the best results. [Loud applause.]

Mr. SWANSON. I yield ten minutes to the gentleman from South Carolina [Mr. LATIMER].

Mr. LATIMER. Mr. Chairman, during the ten years that I have been a member of this House, I have learned, in listening to the debates on the multitude of propositions that have been presented here, that there are gentlemen on this floor who can make a good argument on either side of a question.

I realize that there are two sides to most propositions which come up for discussion here. The varied interests and conditions of the country give rise to divergent views upon nearly every public question. But the argument and practical policy of the question before the House are so clearly on one side that I am at a loss to understand why there should be a difference of opinion in relation to it.

The great advantages derived by the people from the rural free-delivery system, I take it, are not in question in this discussion. We are all agreed upon the merits of the system, and it is upon a question of administration only that we disagree.

The leading points that have been made in favor of the bill placing the rural-delivery service under the contract system are, first, that it will prove economical to the Government and will equalize the compensation of the carriers, and, second, that it will largely remove the service from political influences.

As to the first proposition, it is a remarkable fact that where service is to be rendered in the country or rural districts the question of economy is always predominant; but we hear no complaint of the fact that in the cities the carriers of mail receive from $600 to $1,000 per annum for eight hours' service, nor do we hear the proponents of this bill complaining that the number of carriers for the cities has been doubled in order that the mail can be delivered from four to ten times a day to a population living within easy reach of the post-office, the most remote being not more than half a mile away from the main post-office or a substation, with street cars penetrating every section of the city, and beautifully paved streets to walk on in case exercise is desired. These highly favored fellow-citizens must have mail carriers who are exempt from the injurious contract system, lest the service be crippled, the question of economy not being considered; but it must be applied to the rural mail carrier, it matters not how much it will degrade and lower the standard of the service.

Why this discrimination in favor of the cities? Can it be successfully contended that the city can not be laid off into routes as clearly defined as those in the country, or that the city service requires superior fitness or qualities not required in the rural carrier? There can be no force in the first proposition, and it is well known that the city carrier is not required to register letters, handle receipts for the same, or sell stamps and envelopes, all of which the rural carrier is required to do. If you will examine the question you will find that the carrier on rural routes has much greater responsibilities than the carrier on the city routes. He is in fact a traveling post-office, and if a discrimination is to be made it should be in his favor. Besides, the city carrier does not have to undergo the hardship of exposure to rain, sleet, snow, mud, and all kinds of weather. Many of the large buildings in New York and Chicago, as stated by the gentleman from Illinois, require four and five carriers to deliver the mail to the occupants. Is it to be contended that these carriers who ride on elevators in

comfortable buildings shall be exempt from the contract system and allowed to draw from $800 to $1,000 per annum, while the rural carrier, with greater responsibilities and compelled to undergo exposure to all kinds of weather, is to be ground down to the lowest price which a competitive bid will force?

If economy is your object—and you contend that millions of dollars will be saved annually to the Government by the contract system—why put the $7,000,000 paid the rural carriers under the contract system, and at the same time squander over seventeen millions to the city carrier under the salary system? I will go further and say, If the contract system will result in as good service and a saving of millions in the rural free-delivery service, why do you not frame a bill and pass it putting the Railway Mail Service and the postmasters throughout the country under the same economical system? You could easily have all applicants who pass an examination submit bids for the service by contract, and let it go to the lowest responsible bidder.

Your answer that the law now provides for salaries to the city carrier, the railway mail clerk, and the postmasters, and that you are not now dealing with that problem, is no answer. The Post-Office and Post-Roads Committee has the right and power to frame a bill and present to this House providing for the repeal of existing law, and is it to be said that where inequalities exist, where a useless waste of public money can be prevented by a change in the law, that this body which created the law is to stand in awe of an act because it protects a certain favored class and gives to the city carrier, railway mail clerk, and postmasters a salary system at a loss of millions to the Government? Will you refuse to repeal the law, and at the same time strike down the rural carrier to a competitive-bid basis, a contract system, which has never given satisfaction to the people after a fair trial, upon the false and specious plea of economy? If economy is what we are after, let us be consistent; let us commence at the beginning and carry it all along through the service of the Government.

Mr. Chairman, the chairman of the committee [Mr. LOUD] has opposed in the past many needed reforms in the postal service and stood, as he stands to-day, in opposition to the policies advocated by the Post-Office Department, as well as by many of the best informed men on postal matters in the country. I remember in the last Congress when I offered an amendment to the Post-Office bill, providing that all towns should have free delivery, he opposed the amendment, and it was ruled out on a point of order. I then appealed to him to report a bill, giving the House an opportunity to do justice to more than 20,000,000 of our people who live in towns without free-delivery service. I stated to him that the cities above 10,000 inhabitants had free delivery and the country had rural delivery, and that the House ought to have an opportunity to do tardy justice to the towns; but he and his committee refused to take any steps in that direction.

We tried last session to amend the star-route service by requiring the contractor to live on the route, and in that way remedy the evil that existed in that service, but the amendment was ruled out on a point of order made by the chairman of the committee, who was against the amendment. The Post-Office Department, however, realizing the miserable service that the rural districts had to endure by reason of the subcontracting system, issued an order to the effect that all new contracts in the star-route service should be let to residents on the route. This reform, which was resisted by the chairman of the committee, has been indorsed by him to-day. So we may expect to find the honorable gentleman contending against the contract system one year from now. His recommendation of this so-called reform, therefore, loses much of its force and effect when viewed in the light of his mistakes of the past.

Again, it has been contended by the advocates of the bill that the length of the routes are not uniform; that the roads vary from level, macadamized, to hilly, mountainous, and muddy roads, and that, therefore, the contract system is the only just and equitable one. In reply to this contention, I will state what every member knows to be true, that on many of the worst roads to be traveled the anxious bidder, under the contract system, will, in his anxiety for the contract, do as has been done in the star-route service, submit a bid much below the amount paid for service over better roads and for less than the service will actually cost. It may be said that that is the contractor's fault. But that will not equalize the service; nor better it, surely. Must we have economy at the cost of total ruin and destruction of the service? Is such a proposition worthy of the name of economy? A better plan than that proposed by this bill would be to pay all carriers $25 per mile, and a certain per cent additional in all cases where the roads to be traveled are of such nature as to make the additional per cent equitable, the route agent or inspector being required to report on the condition of the roads.

This plan will pay the carrier on a route of 24 miles $600, which is adequate, and will, in addition, guarantee good service in every community. But I contend that the per cent for bad roads is not so necessary as would appear at first glance, for the reason that $25 per mile will not, as a rule, be more compensation to the carrier who travels good roads than it will be to the carrier who travels rough roads. The opportunities to make money and to save money will about equalize the difference in the condition of the roads; that is to say, the carrier who travels good roads, the community being populous, living will be higher and expenses greater, while, on the other hand, his opportunity to make a dollar will be greater; whereas the carrier on bad roads will be able to live for less, his expenses will be less, and his money will buy more in his thinly settled community.

As to the political phase of this proposition, I fail to see much difference between the two systems. The party in power can use either for political purposes, and if the Republican Administration uses it we will have the same privilege when we come into power. I have never heard of any system, the civil service included, that could not be manipulated in the interest of the party in power. I remember discussing the civil service with an officer of the Government who had taken charge of a bureau of one of the departments. I said to him: "Suppose you had a chief of division or a clerk in your bureau who was objectionable to you, what could you do under the rules of the civil service, while he performed efficient service, to rid yourself of him?" He replied that it would be easy to abolish the office held by the objectionable person, and after he was out reestablish it.

I unhesitatingly state that if I was in charge of any department of this Government, with the responsibility of good administration resting on me, I would want employees in full accord and harmony with me, and would certainly feel kindly, therefore, to the adherents of the party to which I belong. If it seems desirable, the party in power can manipulate the offices under any system. This we might as well concede now. The rural service under the salary system is about as free, and more so, perhaps, from political manipulation as any other service of the Government. I desire to say that every appointee in my district, some seventy-odd, who is engaged in delivering the mail on rural routes, has been appointed upon my recommendation, and every one of them, so far as I know, is a Democrat, and I presume those who will be appointed there to complete the service will be Democrats.

But you Democratic members in close districts, who have not been so well treated, and have had no voice in naming the carriers, how can you improve that condition under the contract system? The special agent, under that system, will pass upon or examine the bids and recommend which bid shall be accepted, and the Department will have the right of selection. Both plans, I believe, are equally capable of being used for political purposes, if so desired. The recent order requiring all applicants for carrier's position to stand an examination removes the service as far from political influence as is possible under any system.

Then the question is narrowed down to this one proposition—the best service at the lowest price, everything being considered. I am, therefore, against this bill, and in my judgment we will accomplish the best results by passing the appropriation for the rural delivery service just as we do for the city delivery service, in a lump sum and without restriction, leaving to the Department the task of working out the details along lines suggested by experience and a wide knowledge of postal affairs. The Department has developed the service to its present high state of usefulness to the general satisfaction of the country and a large majority of this House, and I have heard no sound reason for a change except upon the ground of economy and freedom from political influence, both of which arguments have been fully answered and left without force in this discussion.

Let me, in conclusion, appeal to the friends of rural free delivery to stand in solid phalanx against this bill, and every other proposition brought in here by the enemies of the service. This appeal is made on behalf of millions of our people who live on farms or follow other avocations away from the mail advantages of towns and cities. Before the establishment of rural delivery these people rarely received mail more than once or twice a week, and were, consequently, practically cut off from knowledge of and interest in the affairs of the world. Only those who have led the life of a farmer in the thinly settled communities of this country can properly appreciate the great blessing that this service is to the country people.

I beg you not to cripple it by any false notions of economy. The farmer who was wont to labor in the fields day in and day out and go home at night to his frugal meal and lonely fireside, with nothing to relieve the monotony of existence save, perhaps, the occasional visit of a friend from the neighboring farm, is now taking a daily paper, which is delivered at his door, and after his work is over he reads it and keeps abreast of the times. He has thrown off the lethargy of isolation and taken on the spirit of progress and improvement. He receives daily reports from the markets, and knows when and where to send his produce for sale; he introduces new methods in his work, which reduces

labor and expense; he diversifies his crops according to the demands of the market, and he takes a lively interest in the public questions of the day. He is, in short, an up-to-date American citizen, broadening and expanding in productive power and intellectual force, and it is but just to say that the system of bringing to him his mail daily has been a great step in the accomplishment of this wonderful change. Let us not take from the country people the one boon that the Government has given them directly; but let us foster it and improve it, so that it will meet the growing needs of the hour, and in building up the country people build up every other occupation and branch of industry. [Applause.]

Mr. SWANSON. I now yield fifteen minutes to the gentleman from Kentucky [Mr. IRWIN].

Mr. IRWIN. Mr. Chairman, in what I have to say I am not influenced by any considerations of policy. I am opposed to the pending bill because I believe in the present carrier system and do not believe in the contract system in rural free-delivery service.

Mr. Chairman, I have examined with much interest and pride the bill making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1903, and I desire to speak a word on that bill while discussing the bill now before the House. I wish to commend the Committee on the Post-Office and Post-Roads for its very lucid and comprehensive report.

The large appropriation carried by the bill, amounting to $137,916,598.75, is only justified if all of the people are to be benefited. The bill is generally free from cheeseparing economy, which is always the forerunner of waste and of a subsequent larger appropriation to cover the losses entailed thereby.

I heartily commend the increase of $907,840 to overworked and underpaid railway mail clerks, and as strongly commend the increase of nearly $2,000,000 for clerk hire, and am especially pleased to observe that most of the same goes to low-salaried clerks.

I am glad to see the increased appropriation of $1,349,550 to the brave letter carriers in the free-delivery service. Their duties are most arduous. They work while we sleep. They endure the hardships of inclement weather. They toil for us day by day, in the blizzards' blasts of winter and under the burning sun of summer.

An ordinary committee—one less thoughtful—would have overlooked them as obscure. All these, and other increases in the bill, are justified by the growth of the postal service and the great necessity for efficient and reliable servants.

But, Mr. Chairman, it seems to me that the provisions embodied in the pending bill for substituting contract service on rural free-delivery routes for carrier service is not in harmony with the spirit of the appropriation bill and with the progress of the service.

I have the honor to represent a district where both city and rural free delivery obtains. Why, I ask, shall we diminish the efficiency of either service; but if either, why select for the inefficient service the country districts, where supervision is more difficult and more costly?

In the city the people have telephones, parcel delivery, express companies, on which they can rely when the mail service is inefficient, but in the country the mail is the only reliance. Bank checks are sent in city mails, money orders and money itself in country mails.

The great importance and value to the country people in the present system of rural free delivery is in the fact that the carrier can supply stamps and stamped envelopes for the accommodation of patrons on his route.

He is required to deliver special-delivery and pension letters to the addressees, to cancel stamps on letters collected by him, in order that he may deliver letters on route as may be intended for such delivery before his return to the post-office. In a word, he performs the duties of a postmaster; and when the paying of money orders by carriers is extended to the rural branch of the service he will perform all the functions of a postmaster at a money-order office. Under the contract system these results would not be attained.

The service would necessarily be placed in the hands of an inferior class of persons, and the efficiency and value of the service be thereby greatly lowered.

The committee report that it is substantially impossible for them to fix any rate of salary equitable for all routes, yet they think bidders and supervisors by the Post-Office Department can arrive at such a salary by public bids. I submit that an equitable salary may be arranged by allowing an honest, living American wage to each carrier doing an honest day's work.

Leave it to the Department to fix the routes. If one route is over good roads or in a sparsely settled community, make it longer or heavier than another less favorably situated.

Would the United States ask a man to work day in and day out for less than $600 and furnish his own wagon and team? There can be no properly arranged route anywhere in this country in which the carrier will not fully earn his salary and in which the people served will not be benefited fully for the outlay. While the star-route service is now freer from scandal than it has been in the past, is it not still in many instances unworthy of the wealth and dignity of this great nation?

In the gently undulating blue-grass region of Kentucky—the fairest spot on earth, inhabited by a most cultured people, and stocked with the finest horses in the world—might be seen in this star-route service a blind mule attached to a ramshackle vehicle carrying the United States mail. In behalf of the thoroughbreds of Kentucky, I protest against a blind mule representing the United States.

What a spectacle for a great and wealthy government! Under such a system only a merciful Providence could tell when the farmers could expect the mail to reach them, and yet these farmers are business men in the sustaining industry of the nation.

In that service collusion and combinations of bidders have lost many dollars of the people's money, yet the proposed bill would again inflict it on the country districts. Under this bill the bidders must be residents of the district to be served, must be reliable, trustworthy, of good moral character, able to read and write, and having sufficient intelligence to perform the duties.

All that sounds well, but could be made a loophole to reject a lower bid. By such restrictions, under such a system and the charges their publication would involve, combinations and collusions would be encouraged.

The rural free delivery is just begun. The provisions of this bill will, in my judgment, if enacted into law, be its death blow. The President, with his usual interest in the affairs of the plain people, has seen the success of the system and placed the carriers under the civil service. The effect of the provisions of this bill would be to overthrow and condemn his order.

In this one instance, Mr. Chairman, the committee, I think, has been inconsiderate. The people of this country—farm and city—must be served alike. The mail is their public servant.

The United States is responsible for its efficiency under either system. Let us not shirk, and let us not be too timid to provide the proper agencies for honest and intelligent service.

I am in favor of proper economy always, but the American people do not expect or approve niggardliness. My constituency and others demand a broad-minded, far-seeing, business-like, and upbuilding policy. [Loud applause.]

Mr. SWANSON. I now yield ten minutes to the gentleman from Massachusetts [Mr. THAYER].

Mr. THAYER. Mr. Chairman, after four days' discussion of this subject, it can not be expected that I shall say anything new, and I shall not endeavor to impose upon the House by saying much that is old. We are here at the parting of the ways. Those of us who believe in the rural free-delivery system, that it is the most beneficial and economic of any portion of the civil service in this country, will follow in the line of the leaders of this project and vote against the bill. Those who have been opposed from the beginning to the free-delivery service, and have put all the obstacles they could in its way, will vote for the bill. They are the wreckers of the scheme and system for rural free-delivery service.

The only argument that I have heard worthy, in my mind, the name of an argument in behalf of this bill is that delivered by the eloquent and able gentleman from Mississippi [Mr. WILLIAMS]. In support of the bill he said that he wanted it passed because he felt that if it should become a law there would be less demand in certain districts for the establishment of these rural routes. He said that under the existing system some man, wishing to be a letter carrier, might go around among his friends or neighbors, stir them up, and get them to sign a petition for the establishment of a route in that district when really there was no demand for it. He urged that if this bill should go into effect communities would be rid of that nuisance.

Now, Mr. Chairman, I think there is but little weight in that argument. I do not believe there is any portion of this country so benighted that the people will sign a petition for the introduction of the free-delivery service among them simply because some person would like the position of letter carrier in that district. The second reason given by the gentleman why the bill ought to pass was that if this bill should become a law the service could be conducted more economically than at present—not more cheaply in the objectionally sense in which "cheap" is sometimes used, but more economically.

I would like to ask the gentleman from Mississippi and others who may be disposed to think with him, whether they believe that anywhere within the confines of our country, outside of the Philippines, $500 a year is too much money for any man to receive for three hundred days' personal service of his own and the furnishing of two horses, with harness, wagon, and the like? Up to within a few days past we have been paying for this service a salary of $500 a year. That covers service every day of the year

except Sundays and holidays, amounting to a little more than three hundred days.

A salary of $500 for three hundred days' service amounts to $1.65 a day. In our part of the country—up in God's country—the roads are the best anywhere in the United States; and yet it has been found necessary that the man performing this service should have at his command two horses, for no single horse can endure 25 miles' travel every day, six days in the week, through the year. Therefore these rural carriers in that part of the country keep two horses. These are to be maintained—shod and fed—and the wagons are to be kept in readiness for work. Yet for providing and maintaining this team and for the carrier's own personal service he receives but $1.65 a day. Mr. Chairman, there is no place within the United States—not even in Mississippi, where nature with her abundant hand almost entirely feeds and clothes the people—there is no place in the United States where we ought to expect an intelligent man, a sober man, an able-bodied man, to work for less than 100 cents a day; and that amount up in our State is termed pauper wages.

The gentleman from California [Mr. LOUD] said that some of us in these last few years had tasted the sweets of political preferment. Let me remark that for me the "sweetness" has turned to gall and vinegar. In our section of the country it is almost absolutely impossible to procure anyone who will carry this rural mail at the salary allowed. A year and a half ago one route was located in my Congressional district, and from the time of its location until now it has been absolutely impossible to find in the district a man who will take the position of carrier of the mail for $500 a year, and it has not been possible to get the system into operation for the want of a carrier. Why should any competent man accept the service at that price? In Massachusetts but a very small percentage of wage earners receive less than $1.65 or $1.75 per day for their personal services, and the great majority of our wage earners, skilled and unskilled laborers, receive more than $1.75 per day. Under the salary which has been allowed for this carrier service, as I have said, a man receives $1.65 for his own personal service and for the care and maintenance of a team. I say you can not expect to get fair service for a less amount than is now paid.

You are going to let out this service to the lowest bidder, are you? Up in our section of the country the letting of contracts for carrying the mail to the lowest bidder has fallen into disgrace. The star-route mail service between the city of Worcester, where I reside, and Leicester, 6 miles distant, was carried on in an old ramshackle vehicle, with the harness tied together with strings, and the horse so poor that you could nearly read a newspaper through him. The people of our city complained that it was a disgrace that the mails of the United States Government should be carried in any such kind of a concern. It was so dilapidated, unsightly, and shabby that I have not seen anything to approach it, unless it be the herdic service in this city on Fifteenth street, which approaches but does not equal it in shabbiness.

Now, it has been said that under this bill, if passed, there would be less of partisan politics in connection with this service. I want to say that while I am not a great believer in the civil-service system, and never have been, for I think its provisions are abused in many instances by the party in power, still I believe that under the system as now carried on there will be less petty party politics exercised than under the provisions of this bill.

The gentleman from California [Mr. LOUD], as I understood him, said—and said he wished his voice to echo down Pennsylvania avenue, so that it might be distinctly heard at the White House—that while it had been declared by the President that hereafter the persons in this service should be appointed to office strictly in conformity with civil-service regulations, it had been whispered around—this is the way I understood the allegation of the gentleman from California—it had been whispered around among the members here that they would be allowed to look out for the offices in their own district. I undertake to say that the provisions of these rules promulgated by the rural free-delivery department of the Post-Office Department hedge about and protect applicants for the position of carrier as well as applicants are protected in any other department of the Government by the civil service. I wish I had time to go through these regulations. Here is one:

> Political and religious affiliations of applicants shall not be taken into consideration, nor shall political indorsements, but fitness for the service alone.

If these provisions are carried out, and they have been heretofore up in my State, I think the applicants are as well protected as it is possible to devise means to protect them and give all a fair and equal chance. Sometimes a person will be appointed by reason of his politics—a Republican, for instance, in place of a Democrat. Thus hath it ever been. But I want to ask my Democratic friends, If that has occurred more or less frequently heretofore in your districts, what do you think it will be when, if it is true, as has been alleged on this floor by a Republican, that the President of the United States has whispered to members of this House that they can under the system now proposed control the patronage in their own districts?

When the applications are made, when the bids for this service are opened, do you not suppose the Postmaster-General will "whisper" to the applicants who are bidding for these positions? He will have but his own discretion to control him, and if the President is willing to "whisper" to the members of this House he will have to whisper but once under your bill, and that will be to the Postmaster-General. I do not take any stock in this story about whispering anyway; but if there is anything in it, then I say it will be far more convenient to whisper under this bill than it is now with the system in force.

Up in my district, my friends, I want to say that there have been four rural free-delivery districts established and two city deliveries since I came to Congress, and I think I have recommended, with the exception of two persons, all that have been appointed. I assert that I did not at the time I recommended the carriers and do not now know the politics of one of those men, and I do not care what their politics are. We were only anxious that the persons who were most able to do the work should receive the appointment, and as I said before, we had to beg of those men to accept the positions at the very low salary which they are now receiving.

Now, my friends, look to this provision of this bill, you who are so anxious to take this matter of appointing letter carriers out of politics. Those now carrying the mails can continue to carry them "until such time as the Postmaster-General shall advertise for proposals and make awards for the several routes on which such carriers are now employed." If this bill goes into effect they propose to make this rural free delivery a political bureau, as it has been called, and destroy every feature of the old system under which the service has so prospered and become so popular. Why, friends, I can not understand how there can be any section of this country so low down that the influence of a few simple-minded letter carriers can change the politics of that State or that district. If there is any such place it is a good place to move from, and I ask those unfortunate citizens to come up with me into the higher and purer atmosphere of politics and national civilization where letter carriers receiving from the Government the princely pay of $1 per day can not change the politics of a State or district. [Applause.]

Mr. LOUD. Mr. Chairman, I yield forty minutes to the gentleman from Illinois [Mr. WILLIAMS].

Mr. WILLIAMS of Illinois. Mr. Chairman, I do not expect anything that I may say on this subject to affect the vote upon this question, but I desire to present some reasons which I consider sufficient for giving my support to this bill. I shall not consume any time in defending the distinguished gentleman from California [Mr. LOUD], who has been the subject of so much criticism and attack from gentlemen on the other side. I will only say that with people who respect and admire honest men in public office the gentleman from California needs no defense. [Applause.]

Quite a number of gentlemen opposing this bill have proceeded upon the assumption, and it was an assumption, that those who favor this legislation are against the system of rural free delivery. I deny it. I have the honor to represent a purely agricultural district composed of farmers intelligent and sufficiently educated to appreciate the advantages of this system of mail delivery, and they are desirous of having its blessings made as wide as possible and brought as nearly as possible within the reach of all. But, my friends, you must not forget that they are intelligent enough to know that if it is carried out through all sections of this great country it is going to be a pretty expensive proposition, and the farmer, while he wants the blessings, has the intelligence to want them at as reasonable cost as possible. The farmers in my district would rather have two routes at a reasonable cost, where two routes are needed, than one route at a high and extravagant cost. I was amused to hear even a Democrat to-day upon this floor speak of the question of economy as a miserable question.

Why, my friends, economy should be considered, not only in this branch, but in every branch of the public service. It is not our money, but the people's money we are appropriating. There has been something said about the city letter carriers—that their salaries were too high or too low, that they should be placed upon the contract system if it is a good one. Is that any argument against this proposition? Admit, for the sake of argument, that the salaries are too high—I do not know—and you want to reduce them. Is that any reason why you should vote against this proposition? None at all. You might bring any question before this House and when you undertook to consider it some member would be able to rise in his place and point out some other reform equally necessary in the public service. Now, Mr. Chairman, I take the position that you can secure just as good service under this system as any other, as the present system, and it will

not have many of the objections which can be urged against the present system, if continued.

How do you get your letter carriers under the present system and what are their qualifications? What is required? They must be able to read and write. What other qualification? Their character and reputation must be investigated. It does not say that it is necessary that their character and reputation should be good, but investigated and reported on, and I take it that generally men of good reputation would be required. They must be physically able to perform the service; they must have the equipments or be able to get them to do the work. There are the qualifications, and how do you ascertain these qualifications? You get them all through the investigation and conclusions of a route inspector who is sent upon the ground, except the examining board has the privilege of examining the handwriting and the spelling of the applicants. All else is but the conclusions of the man who examines the applicant and who may often be controlled by partisanship. Now what? Under the appointive system you get a man who can read and write. Under the contract system you get a man who can read and write. Under the appointive system you are supposed to get a man with a good moral character; under the contract system none but men who are trustworthy and reliable.

The carrier under the contract system must be physically able, must be qualified and have the means by which he can carry on this work, and must do the service himself. The gentleman from Virginia [Mr. SWANSON] wasted a good deal of time in trying to convince this House that under the contract system a man might get the contract who had a lame mule and a broken cart. Why, under the appointive system you may not only get a carrier with a lame mule, but you may get one who has no mule and no cart at all. That is as likely to happen in the one case as in the other. So I repeat that this bill provides that the man who is to carry the mail under the contract system shall have the same and all the qualifications required under the appointive system. And the Post-Office Department can adopt regulations for ascertaining these qualifications just as thoroughly in the one case as the other.

But, Mr. Chairman, the point is made that the Postmaster-General, under the contract system, has the power to reject any and all bids. That is certainly a wise provision. It is contained in the provision for public letting of nearly all contracts, that the board or committee or authority letting the contract shall have this right. This provision will enable the Government to protect itself where all bids are unreasonably high and to protect the patrons against incompetent carriers.

Others see danger in the contract system because the route is to be let to the lowest bidder. It does not have to be let to the lowest bidder unless he has all the necessary qualifications to perform the service. You would imagine from the arguments of gentlemen on the other side that if the contract system should be adopted the Post-Office Department will take no further interest in the service. We have a right to suppose that the Postmaster-General will adopt the wisest and best regulations possible to govern the letting of these contracts and the performance of the service, and it will be just as easy for him to protect the patrons of the route against incompetent carriers under the contract system as the other. He can provide terms and conditions in the contract to protect the patrons from incompetent service. The bill requires the carrier under the contract system to give a good bond that he will do just what his contract requires him to do.

But they say you will have just as much politics in the one case as in the other. I refer to politics, Mr. Chairman, not simply because of its effect upon one party or the other, but because of its effect upon the question of good government. It has been suggested to me by a few Democrats that it might not be well to discuss the political features of the question; that we would lose votes on the other side of this House by it. Mr. Chairman, I credit gentlemen on the other side with sufficient intelligence to see the partisan advantage, the temporary advantage, at least, which they will secure in case this bill is defeated.

Now, let us see. I do not wish and have not time to go into any great detail. I want to state here as a general proposition that when an Administration, whether Democratic or Republican, has used partisanship in the administration of public affairs, it is an evidence that it will continue to do so wherever there is an opportunity and the occasion requires it. When I use the word "Republican" to-day, I use it because the Republicans are in power. If the Democrats were in control of the Administration I would use the word "Democrat" where I now use the word "Republican."

Now, let us see. They say it can have no effect. How is a man appointed? As shown by the gentleman from Mississippi [Mr. WILLIAMS]—and for that reason I will not go into the question at great length—the civil-service rules adopted leave it all to one man, who goes upon the ground, the route inspector or agent. He may be a very strong partisan, and his opinions and conclusion form the bulk of the evidence that goes before the examining board. Under the appointive system you can put into office men of no better qualifications, simply on the ground that they are good partisans.

But you say when they get in we will clothe them with such civil-service rules that they will not be able to accomplish anything in politics. Let us see. Suppose you get a hundred or two hundred of them in every Congressional district in the United States—and I understand some members have over a hundred to-day. Suppose you have enough to visit every voter in your district. We will say the Republicans are in control, and they have the sympathy and aid of this partisan machine. How will it work? Suppose some Democrat who is trying to carry a close district commences to correspond with conservative Republicans in the district and to send them public documents in order to win them over to his cause. The carriers know who the conservative Republicans and conservative Democrats are in these close districts and are able to poll them, and it will not be twenty-four hours before the facts will be reported to that political organization with which carriers are in sympathy. Can you prove what they are doing? No. They can make these reports in a way that they will never be detected.

Mr. KLUTTZ. How will the carrier know whom the letter is from?

Mr. WILLIAMS of Illinois. Well, if it came from you, I imagine he would know pretty well.

Mr. KLUTTZ. I certainly would not use a franked envelope for that political communication.

Mr. WILLIAMS of Illinois. No; but if you were in Washington sending out documents under your own frank or writing personal letters bearing the Washington postmark, and your opponent was in your district, it would be a very stupid carrier if he did not soon learn that these documents and communications addressed to these conservative Republicans were coming from you.

Mr. KLUTTZ. Not unless he uses the franked envelope for a political communication, which he has no right to do.

Mr. WILLIAMS of Illinois. Oh, I do not claim he would frank political or personal letters. But the postmark on the letters and the franks on the documents would surely be evidence enough.

Mr. SIMS. You can use an envelope with "House of Representatives" on it and stamp it.

Mr. WILLIAMS of Illinois. I do not know how many members use envelopes without "House of Representatives" on them. I imagine not very many. And a great many members frequently use franked envelopes and put the stamp on the frank. I simply mention that as one case. Now, let me tell you again. Suppose a Republican carrier—and I would say a Democratic carrier if the machine was under Democratic control—suppose this Republican carrier, in delivering his mail, goes to one of the conservative Republicans to give him his letter, and he finds the Democratic candidate for Congress, or some friend of the Democratic candidate for Congress, there laboring with this conservative Republican to obtain his vote.

If he reported to headquarters, would you have any evidence of it? If he told his brother and his brother reported it, would you have any evidence of it? None whatever. It is not necessary that he should go and make political speeches; but he has influence, and can do work which would count more than all else, and work that he can so cover up that all the detectives of the civil service could not find it out. These men can make the most reliable poll of the district, of the county, and the State of any set of men you can find. Remember they are the men who are supposed to have the news from the county seats and the little towns, and when the farmers in the field see them coming how easy for them to ask how this candidate or how that candidate is running; and, without saying whom they are for, they can very easily find out whom the farmer is for or the patron of the route is for, and they can make as complete a poll as possible without the civil service knowing anything about it. Take it in conventions and primary elections, and I confine it to no party.

I do not say that members of this House would use that kind of a machine; but I say it is possible, and it would be one of the greatest influences ever built up in this country if the party in power was willing to make use of it. Take it, and I refer to the distinguished gentleman from Virginia [Mr. SWANSON] because he is leading the opposition to this bill, and I would not go by that distinguished gentleman, who is so popular in his district, and who would have so little occasion to make use of a political machine of this kind to keep himself in Congress. I refer to him simply because he is the leader on the other side. I might take the gentleman from Indiana [Mr. LANDIS], a very amiable and very honest gentleman on the other side, who perhaps would not permit an organization of this kind to interfere with the conventions of his district. But suppose, sir, that with one hundred of these men—and it has been admitted by men who have opposed this bill that it was possible to use them in conventions and primary

elections—you get your hundred men stationed over your district—I refer to the gentleman from Virginia, and cast no reflection upon him when I use his name for an illustration—but suppose he is in a hard contest for the nomination for Congress, and we will suppose these hundred letter carriers are anxious to see him win. They go to every voter in the district. They could make a complete poll for Mr. SWANSON in spite of civil-service regulations, and they might do many other things to aid Mr. SWANSON. They could report what the friends of his opponent were doing in every community. And as the day of the primary or convention drew near I can imagine how the farmers would inquire of these carriers as to how the race was going, and how these carriers would reply that they were under the civil service and could take no part in politics, but that judging from the way the people talked they were nearly all for SWANSON, and his opponent was not likely to carry his own county. A man of less popularity than Mr. SWANSON might have to make use of such a machine, and can not you see what an effective one it would be. It is no use to dwell upon this before men who are intelligent and reasonable. It can be used when once established, and I care not if it is said that the civil service will make better rules and make opportunities for partisanship less. I admit that they may do that, and they have the power to adopt rules which will make the opportunity for partisanship greater than those now in force. My theory is not to give them the opportunity at all, if it is possible to prevent it.

Now, Mr. Chairman, as I say, I might take any Republican the same way, if you permit this to go on; I care not how much civil service you put around it. I am going to say right here that the old man in the Department 60 years of age, without a son, without a brother, without a cousin, but who once lived in some Congressional district, whenever they undertake to put him out as incompetent, although he is under the civil service, there is enough pressure brought to bear to keep him in; and the same political pressure will be used to keep in the incompetent letter carrier who could not remain in under the contract system. The same pressure that is to-day used to keep in the incompetent man under the civil service, without much influence at home, will certainly be used to keep in those who have influence at home. It was said by the gentleman from Massachusetts [Mr. THAYER] and the same by the gentleman from Alabama [Mr. UNDERWOOD] that these rural letter carriers getting $50 a month were not of sufficient ability to influence any votes. It is not the influencing of the votes, it is in the gathering up secretly of information and placing it in the hands of men who are capable of influencing votes that makes it a great partisan machine to be used at the desire of the man who has its sympathy. I speak from information absolutely reliable when I say that they have been used in some districts for political purposes; they have been used to distribute campaign documents even when they were not addressed. I care not what kind of rules you adopt, until the civil service can invent some machine by which they can extract all the partisanship from these men you may expect partisanship to some extent in every district as long as it runs on these lines.

Mr. UNDERWOOD. Will the gentleman from Illinois allow me a question?

Mr. WILLIAMS of Illinois. Certainly.

Mr. UNDERWOOD. In deciding this question, does my friend think we should decide it from a political standpoint as to what advantages one party or the other party may get, or from the standpoint of efficiency and the good of the service to the people?

Mr. WILLIAMS of Illinois. I am glad the gentleman from Alabama asked me that question. I have endeavored to show, and if he will read this bill carefully he will see that it does show, that you can get just as competent men under the contract system, with the same qualifications, as you do under any other system.

Mr. UNDERWOOD. But my friend does not answer the question. If my friend thinks so, he should vote that way. But does he think that the argument in deciding the question should be applied to the political side of it or to the business side?

Mr. WILLIAMS of Illinois. First of all, we want an efficient service, but if we can get it free from partisanship we should prefer to do so. I refer to the partisanship of the appointive system, not because it may injure one party and help another, but because I believe such a great partisan machine, to be used by Democrats in Congress to renominate themselves or whereby Republicans in Congress can renominate themselves, would certainly in time have a very injurious effect upon the public service, and I am sure the gentleman from Alabama can see the dangers it would lead to.

Mr. GAINES of Tennessee. Will the gentleman from Illinois allow me an interruption?

Mr. WILLIAMS of Illinois. I can not resist the gentleman from Tennessee.

Mr. GAINES of Tennessee. Suppose the carrier is employed under the contract system, as this bill provides. He must be taken out of the district and the neighborhood where his services are to be rendered. Will he not be the political roustabout or friend of some politician just as much as if he was employed under the present system?

Mr. WILLIAMS of Illinois. Yes, he will be the political friend of somebody; but when you get him under the system of appointment you know where he will be. He is definite, he is certain; you do not have to guess at his partisanship. But let me say this to the gentleman, that when these contracts are let, in the presence of the bidders, as they may be, each bidder watching the action of the other and finally knowing the bid of the other, as well as his qualifications, under such public circumstances, if the Postmaster-General or his agent were to be influenced by political considerations where it would be so easily exposed and so easy to prove it, it would be much less frequent than when you have them secretly selected by a partisan agent in the closet of the civil-service board, under the influence of political pressure.

Mr. GAINES of Tennessee. I do not.

Mr. WILLIAMS of Illinois. Then I will not undertake to convince the gentleman.

Again, Mr. Chairman, the carrier, under the contract system, not depending upon political influence for the continuance of his job, will not have the same inducement to become an active partisan as the appointee who obtained his job and is holding on to it perhaps through political influence.

Mr. GAINES of Tennessee. Just one moment. This examination is conducted in the neighborhood where the work is done. The agent reports the result, which is sent to the central board.

Mr. WILLIAMS of Illinois. What is the gentleman talking about?

Mr. GAINES of Tennessee. I am talking about the examination of those who desire to be carriers. This report is made by the gentleman who you say goes around and obtains information in regard to your reelection—and I hope you will be reelected.

Mr. WILLIAMS of Illinois. I am not thinking of that. In order that my personal interest politically in this matter may be, so far as possible, eliminated, I want to say to the gentleman from Tennessee that by the grace of the Republican legislature of my State I have been placed in a district with 2,200 Republican majority, which they at least consider safe.

Mr. GAINES of Tennessee. I still think you will come back if you do yourself justice by making proper effort.

Now, this agent makes his examination, which is entirely in writing. He sends the papers to the central board, consisting of two Democrats, two Republicans, and a lady who is presumed to be neutral. That board then passes on the matter.

Mr. WILLIAMS of Illinois. Passes on what?

Mr. GAINES of Tennessee. Passes on what the agent has done—sees whether he has done right. And then there is an appeal to the Civil Service Commission, presided over by Mr. Procter, whom the gentleman is better acquainted with than I am. The examination is all in writing; everybody can see it.

Mr. WILLIAMS of Illinois. I understand all that, but let me call the gentleman's attention to this point: If the route inspector is partisan enough to want to appoint a particular man, does not the gentleman from Tennessee know he will have enough sense to make up his papers in such a way as to give the applicant he desires appointed the best record before the central board? If you do not think the inspector can do that, you do not give him credit for very much intelligence.

Mr. GAINES of Tennessee. Has the gentleman read the regulations of the Civil Service Commission on this subject?

Mr. WILLIAMS of Illinois. I have; and I have heard them promulgated here by the gentleman from Tennessee a number of times during the course of this debate.

Mr. GAINES of Tennessee. Then I have nothing more to say.

Mr. WILLIAMS of Illinois. But after all, as to everything but handwriting and orthography, it is all left to this route inspector, who may be a strong partisan and favor one applicant because of his politics. If you can get the partisanship out of him, I will admit your civil-service regulations may accomplish something.

The assumption that you get a better man to start with under the appointive system than under the contract system is without foundation. I concur with the gentleman from Mississippi [Mr. WILLIAMS], who said that he would rather trust the Postmaster-General, holding a position of great responsibility and who will have the authority to adopt rules and regulations for securing good men in this service, to be nonpartisan in his course, than depend upon any partisan inspector who may be sent out. You say that the Department in any case must depend upon some officer to make the examination. That is true; but under the system of civil-service appointment, when a man is once in the service it is hardly possible to get rid of him, I care not how incompetent he may become.

Mr. THAYER. What assurance have you that this man who

will pass upon the different bidders would not be just as much a partisan as the inspector who passes upon an applicant under the present system?

Mr. WILLIAMS of Illinois. My dear sir, that is just what I have been talking about. If there is an examination, it is a kind of ex parte examination; there may be no opportunity to see whether partisanship enters into the case at all. But in the case of a public letting to a contractor, the Democrats are watching the Republicans, and the Republicans watching the Democrats. The bidders are known in the community, and political influences could not control the letting of contracts without its being exposed; and the more likely partisanship is to be exposed, the less will it be used. And as a further answer, I want to say that such influences never have operated in connection with the contract system; and if such has never been the case, that is a splendid proof that it never will.

On the other hand, the selection under the present system is by a secret proceeding. Of course, the route agent does not report that the applicant is a politician—that he is a Republican or a Democrat. But he can satisfy himself as to the political record of the applicant; he can satisfy himself whether he is a good Republican, if such a one is desired, or a Democrat if a Democrat is desired. He can satisfy himself through inquiry what political influence the man can exert. Whether the selection is made upon the suggestion of a member of Congress or somebody else need not appear. No evidence need be left behind to show what has been done.

I admit that in the end you can tell that under the present system more Republicans have been named than Democrats; but what I undertake to say is that under the contract system, where things are carried on in an open way, where each side is watching the other, if there is any attempt to favor a Republican or a Democrat, the thing can be exposed. It is easier to secure evidence of partisanship if it should occur, and it is therefore not so likely to occur.

Mr. WILLIAMS of Mississippi. Will the gentleman permit a suggestion right there?

Mr. WILLIAMS of Illinois. Certainly; I am always glad to receive a suggestion from the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. The suggestion is to this effect—that not only can the route inspector do what the gentleman from Illinois has said he can do, namely, consult outside parties in making up his mind whom to recommend, but it is made his duty to do that under these very instructions, because one clause says that in addition to the references furnished by the applicant it shall be his duty to confer with two or three other prominent citizens not mentioned, so that he could make the Republicans referees in a Democratic district or Democratic Congressmen referees in a Republican section.

Mr. KLUTTZ. Why should he not have the right to go to somebody not a friend of the applicant and inquire about it?

Mr. WILLIAMS of Mississippi. Because if he is allowed that sort of discretion to pick his men he will consult the vote and will be apt to pick men for the places who are his friends.

Mr. KLUTTZ. Does the gentleman think that an applicant will put down the name of anybody he was not sure would recommend him?

Mr. WILLIAMS of Mississippi. No; but he can go to others.

Mr. KLUTTZ. He might select just the one of all others that would not give a good character.

Mr. WILLIAMS of Mississippi. It might be, but there is your opportunity for partisanship.

Mr. WILLIAMS of Illinois. Most gentlemen who have been in this House very long understand fairly well that any Administration, whether Democratic or Republican, is always glad to have some good friends on the other side in case of any defection in its own Administration. It has been so under some Democratic Administrations and the same under Republican Administrations. I have no doubt some Democrats would be favored, but who would they be? They would be those men who come from strong Democratic districts where the Republican Administration had no hope of electing their candidate. There they can afford to be liberal, and it is inconsistent with what has been done to say that they would not be. Now, of course this machine in such districts as that might not be used to control elections and it might not be used in convention. What I contend is that it can be used in conventions, and I believe it would be almost impossible for the Democratic members of this House who have such machines to prevent its use, however much they might desire or however anxious they might be to have it operate for the other candidate.

Mr. SIMS. May I ask the gentleman a question? How many carriers have been appointed in your district upon your recommendation?

Mr. WILLIAMS of Illinois. If there has been one appointed on my recommendation in my district I do not know anything about it.

Mr. LAMB. You ought to have had half of them.

Mr. WILLIAMS of Illinois. I have not had a half or any other fraction that I know of; but I am not discussing that. But, while on that point, it is an admitted fact in this House that in strong Democratic districts, where the Administration has had no hopes of electing anybody, they have permitted the members to name a large number of these carriers; and whether those carriers will assist those members in securing their renominations I can not say. I want to see a great many of them returned.

But I do not want to see these great political machines built up in this way. I do not care whom they are to benefit or injure. And here is where I call the attention of the gentleman from Alabama to a question which rises far above any political consideration in this case, and that is the building up of a great political or partisan machine throughout this country, as you will have in the future years, that can control the nominations and elections for Congress. Such a political organization may become so great as to control not only the election of Congressmen, but county, district, and State officers as well, and even the President.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Illinois. I would like just a few moments more.

Mr. LOUD. How much?

Mr. WILLIAMS of Illinois. I do not know that I will use fifteen minutes, but I would like to have that much.

Mr. LOUD. I will yield the gentleman fifteen minutes.

The CHAIRMAN. The gentleman is recognized for fifteen minutes longer.

Mr. WILLIAMS of Illinois. Now, as I said, Mr. Chairman, I feel that we have a right to speak perfectly plain upon these questions. I do not hope to secure the support of a single member on the other side of the aisle by convincing him that he will have as much partisan advantage under this bill, if a law, as under the present system; and the reason I say it is because I know in the first place he is intelligent enough to see it without any explanation from this side of the House. My hope for the passage of this bill is that there are many members on the other side of the House who are so conscientious in the discharge of their public duties here that in the face of these partisan advantages they will rise above such party considerations and for the purpose of serving well their country now and for years to come, cast their votes for this bill.

Mr. Chairman, it has been said that if these rural carriers are appointed they can become such a great organization that when they meet and pass their resolutions in favor of increasing their salaries the members of this House can not resist them. The answer is made that this will have no effect on members, and it is really amusing to hear some of the opponents of this bill describe in exaggerated terms the superior honesty and courage of a Congressman and show how boldly he can resist all such political influences; how he can stand up and resist the great machine in his district that has his political destiny in its hands. There may be a few such men; but I am afraid the most of them have died and gone to their reward. There are few men in this House—and it is no news for you for me to say so—but what are to some extent controlled by such influences. It has been done in the past, and it will be done as long as Congress continues to meet. And I say if we can avoid building up this great partisan or political machine to control conventions in the interest of one Democrat against another; to control Republican conventions in a Republican district in favor of one Republican against another; to control the election of Congressmen in close districts, whether the Democratic party or the Republican party be in power; if we can do anything to avoid that, and yet retain just as good service for the people, I say we ought to do it.

I am as anxious as any man in this House to give the farmers of this country just as good rural free delivery as possible. I understand its influence. I know something of the blessings and the comforts that it will bring to every household in the country by giving them their daily mail at their doors; but I want to say to you that no man knows better what it is worth to carry the mail over a certain route than the man who is intelligent and honest and capable, and who lives upon the route and has gone over it. Rest assured that such a man has intelligence enough to take care of himself in the bid when he applies for the contract.

I want to say to those members whose constituents have suffered so much from some of the afflictions of a bad system of star routes—that in my judgment there is no comparison between this system and that. Under the old star-route system a man could take any number of contracts, having no interest in the people, and then go into a community where he had no care for anybody and select the man who would do the work the cheapest, without

regard to what kind of service he rendered or whether he ever got his pay.

Under that system you were helpless, you were without any remedy; but under this system provided in this bill it is not the speculator who is doing business with the contractor. The Government contracts directly with the carrier; has just as efficient a man there to supervise the service and look after the interests of the people, under the contract system as it would have under the other. The contract is to be awarded, not to the lowest bidder, unless he be qualified, but to the man who is capable, the man who has every qualification enumerated in the civil-service rules.

If this man fails to give you good service, with the Post-Office Department supervising his action, do you not know that the Post-Office Department can provide in its contracts and regulations against any failure under such a system as this?

And there is one suggestion that I want to make right here to the members of this House. It has been said, "Let this system go on and let the Bureau experiment with the contract system." Why, my friends, if you let this go on you will find it very difficult in a short time to make any change. If you adopt the contract system now and try it for one year and it does not work satisfactorily, you will have the power to come here and change it. There will be no lobby; there will be no influence at home threatening defeat for your action. But if you permit this to go on for a few years under the present system—and it is said to-day that some members now have a hundred of these useful men in their districts who might aid them in their elections and in their conventions—if you let it go on a few years longer you will find it a great deal more difficult to change from the appointive to the contract system than you would to change from the contract system to the appointive system if the contract system should fail.

Now, while I have no complaint to make against those who feel that it is their duty to vote against this bill—I know many of them have very strong reasons which they consider sufficient in their own minds—I want to say right here, as I said before, this is a time when we can afford to speak plainly. I want to say to those coming from strong Democratic districts that while you have as good a right to follow your judgment as I have to follow mine, I feel that I have the right to suggest to you here and now consequences which I consider reasonably sure to occur in case this system is continued. I know it becomes possible to use it in elections. I do not say they will. I simply declare that you are building up one of the greatest political machines that ever existed in this country.

You say that he is under the civil service. How can the civil service follow the rural carrier through his route where the houses are perhaps a quarter or half a mile or a mile apart? Do you tell me that they can follow him with the same watchful eye as they superintend your clerks in the great bureaus they are conducting? You know it is impossible. In my judgment, when you vote down this bill, when you vote to continue this great and growing system, filling these positions through political influences, you are by your votes surrendering every doubtful district in this Union to the party in power, if they see fit to use the machinery which you are now about to place in their hands.

It is because I believe you will get just as good service under the contract system, placed as it will be under the control and supervision of the Post-Office Department, and at the same time take it out of politics, that I favor it. It is because I believe that if we are to have rural free delivery, the farmers of every community are entitled to it if they want it, and the cheaper you can make it the sooner you can spread its blessings among all the farmers, for its growth and development will depend to some extent upon its cost; and while the farmers want it and are entitled to it, they understand that a large portion of its expense must be paid by them after all, as well as a large share of the expenses of every other branch of public service. Therefore, they want it at a reasonable cost.

I close, Mr. Chairman, by warning both Republicans and Democrats against establishing a great political machine which I believe could be used for political and partisan purposes in this country and to interfere with the free choice of the people in the nomination and election of their candidates.

I mention this not because of the effect that it might have upon this political party or that, but because of the very injurious effect it would have on the public service.

One word more. I want to say that in my district I know of counties where it will take two or three times as much to provide and maintain the necessary vehicles for carrying the mail over a route of the same distance as it would in others. Then, when you take it throughout the country, you see how impossible it is to equalize the salaries; but rest assured they will be fixed according to the work of the most difficult route, and those who are getting the lowest salaries will make continual contention to have their salaries increased to the highest. [Loud applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOUD. I yield to the gentleman from Mississippi [Mr. SPIGHT].

Mr. SPIGHT. Mr. Chairman, the question of rural free delivery of mails is one that intimately concerns that class of our citizenship which deserves most and receives less of the benefits of Government than any other class. The millions of farmers who contribute so much to our commercial greatness, and feed and clothe so large a percentage of the world's population, have never been accorded that consideration to which they are entitled.

The fruits of their labors are not guarded by any policy of protection such as is accorded to manufacturers and those engaged in other industries, but while they bear so large a share of the burdens of the Government they are systematically robbed to make the so-called "great captains of industry" richer day by day. It is this class of wealth producers that is intended to be benefited by rural free delivery. The system was inaugurated as an experiment, but its rapid growth and development have carried it beyond the experimental stage, and it may now be regarded as one of our fixed institutions. Ours has never been a government of retrogression, and the time will never come when a system so beneficial to the masses of the people as rural free delivery will be abandoned.

This being true, there are three important considerations which should command our attention and earnest efforts:

First. We should endeavor to make it as helpful as possible to our great rural population;

Second. We should make the service as efficient as possible; and

Third. We should make it as cheap as possible compatible with good service.

I believe the bill now under consideration has a tendency to meet all three of these conditions, and for that reason it has my support. Under the present system and the rulings of the Department, in many localities, and especially in the South, it is difficult to get a free-delivery route established, because it must be not less than 20 or 25 miles going and returning and not less than 100 families must be served on the route. Not 100 people, but 100 families, which would mean ordinarily not less than 500 of population.

If this ruling of the Department should be adhered to, comparatively few Southern communities would ever get the benefit of it. We have not the dense population of the Northern and Eastern and many of the Western States. While such States as Illinois, Indiana, New York, Ohio, and Pennsylvania have a great number of these free-delivery routes, Mississippi, Louisiana, and some other Southern States are practically without any, although we contribute our full share toward the support of the system in other parts of the country.

Under the bill which we are now considering, it is made possible and probable that shorter routes may be established, serving a less population than under the system as it now exists, because if the contract system for the employment of carriers as proposed by this bill should be adopted, every carrier will be paid, not a stated salary of $600 a year as now provided, but a contract price to be fixed according to the service rendered and the distance traveled, and in this way the number of routes would be multiplied and the number of families receiving the benefits of free delivery greatly increased.

On the second proposition—the efficiency of the service—the opponents of this bill make their most serious argument, contending that under the proposed legislation a less efficient class of carriers will be employed than under the present methods of the Post-Office Department. They say that shiftless, worthless fellows, who will have no interest in the service but to draw their pay, will underbid better men and thus secure the contracts. But let us examine that feature and see what there is in it. On the second page of the bill, commencing on the nineteenth line, we find certain safeguards against the possible occurrence of such a state of affairs as is predicted by those who oppose this bill.

First. The contract shall not go, necessarily, to the lowest bidder, but to the—

lowest bidder who can furnish satisfactory evidence to the Postmaster-General that such bidder is a legal and actual resident of the district or territory in which the proposed service is to be performed—

He must live on the route over which he is to travel, and will therefore be known to the people he is to serve.

Second. He must satisfy the Postmaster-General—

that he is a reliable and trustworthy person, of good moral character, able to read and write, and having sufficient intelligence and ability to properly perform the service, and who shall tender sufficient guaranties that he will personally perform acceptable service."

Now, what stronger safeguards can be thrown around the service than are embodied in these provisions? There is certainly just as little danger of incompetent and unworthy men getting in under the proposed law as there is under the present system of appointment, and there is the further advantage of having these

selections removed from the domain of partisan politics. There is, in the proposed law, the further provision that no one "shall be awarded a contract for more than one route." So there can be no chance that one man may take a number of contracts and sublet them at starvation rates, while the contractor who does really nothing gets all the profits, as has so often been the case in star route mail contracts.

Under this bill the contractor can have but one route. He must live on that; he must be reliable, of good moral character, able to read and write, of sufficient intelligence to do the work; and he must give bond that he will do the work himself and do it acceptably. The minority of the committee say in their report that contractors under the proposed law would not try to please and accommodate the people, but would equip themselves indifferently and have no care but to do "the least possible service for the compensation received." I see no force whatever in this argument, because such a contractor, if he should have sense enough to take care of himself and "keep out of the fire," would know that if he should adopt that policy he would receive notice that at the end of thirty days his contract would be annulled and he would be out of a job. Even though he should be inclined to neglect his duties, the principle of self-preservation would compel him to a different course.

My third proposition is as to the comparative cost. Upon this I have not a doubt that the average cost per route would be less under this bill than under the present system. Let us examine for a moment the rapid increase of salaries under the present system. When it was first inaugurated the salary was fixed at $300 a year, and there was no trouble in getting the service at that compensation. Then the carriers asked for $400 and got it. Then for $500 and got it. Now, it has been increased to $600 and they are still asking for more, and if the present system prevails it will soon reach $1,000.

It has been stated that there are now about 8,000 of these carriers, and that within five years the number will be increased to 50,000, and it is safe to say that within the same time the salary to the carrier, under the present system, will be increased to $1,000, so that this branch of the postal service alone would cost the country the enormous sum of $50,000,000 a year. I want to see this service extended until every country community which desires it, and can comply with the conditions, shall have the benefit of it, but I do not want to see it crushed under its own weight.

I believe that under the contract system proposed by this bill, and which can be amended from time to time as experience may suggest, the average cost to the Government will not exceed $500 per route, and that many shorter routes will be established, thus bringing the benefits to a great many communities that can never be reached under the present system.

The political bearing has been discussed from various standpoints, but it has been made quite clear that many who oppose this bill are largely influenced, perhaps unconsciously, by a desire to retain the patronage they now enjoy—the right to name these carriers in their respective districts. The good of the service ought to be the highest and the sole consideration prompting the action of a representative of the people. It has also been demonstrated that under the present system partisan politics has largely controlled in making thes appointments, and the hollow pretense of placing it under the civil-service rules will not mend matters.

The whole question is practically committed to the hands of the route inspector under the new rules which went into effect on the 1st of February of this year. In the twelfth article of these new instructions, as to the examination and selection of applicants for carrier by the route inspector, it is declared that—

> After an examination has been held the route inspector will carefully observe the general characteristics of the candidates or applicants, taking special notice of health and physical conditions, and in submitting his report state which, in his judgment, should be selected.

This makes the inspector not only a judge of the business qualifications, but also of the health and physical conditions of the applicants, and gives to this insignificant subordinate all the power he may want in the exercise of his personal and political preferences.

There is another clause in this same article which, if it is expected that it shall be enforced, gives but little comfort to members of Congress who think they will have the right to name carriers. It provides that "no political indorsements must be received or entertained." I suspect that this provision is mere political claptrap and means nothing, and gentlemen who oppose the pending bill on the idea that they wish to retain the right, if they now have it accorded to them, of naming carriers in their districts, say by their action that they do not expect that provision to be carried out in good faith. Of course we know that practically all of these route inspectors will be Republicans and they will naturally incline to applicants of the same political faith. Like my colleague [Mr. WILLIAMS of Mississippi], I would rather risk the Postmaster-General in his high and honorable station than these little one-horse inspectors, many of whom may have neither sense of personal responsibility nor weight of character to lose.

Some Southern gentlemen have expressed apprehension that under this bill we might have negro carriers. I have no fear on this ground. I do not think that there is as much danger of this occurring under the pending bill as under the present system. The average Southern country negro does not bother himself much about mails, and has little capacity for official station and less for making bonds for the performance of contracts with penalties affixed, and, added to these, his well-known undesirability as an official dealing with the business affairs of the white people will practically eliminate him from these contests, even though the Post-Office Department should encourage him in the effort, which I do not believe will be done. Nor do I believe that there is anything in the position taken by the opponents of this bill that, under its provisions, men less competent or less efficient will be secured than under the present system.

As I have already said, before any contract will be awarded to any bidder he must satisfy the Postmaster-General—not a mere underling—that he possesses all the requisite qualifications for the service. And the charge that the head of one of the greatest Departments of the Government has less of personal integrity and more of political partisanship than an obscure route inspector dangerously "clothed with a little brief authority" is unworthy of the men who bring it and an insult to the National Administration. Under the present system this little route inspector is the "whole thing," while under the bill before us the head of the great Post-Office Department is the final arbiter. As between the two, I do not see how men who look alone to the good of the service and the best interests of the whole country can hesitate for a moment.

I think, Mr. Chairman, that one of the weakest of the many weak arguments made against this bill is that a contractor may deliver the mails until bad weather sets in and then quit, to the great inconvenience of the people on the route. Do gentlemen forget that before the contract is awarded to him he must enter into bond, payable to the United States, conditioned that he will faithfully perform the service required of him? Do gentlemen believe that the Government would tolerate a capricious, or corrupt, or unnecessary withdrawal without holding his bond liable for the default? His obligation to continue the service for the full time covered by his contract is even more binding than under the present system, which provides that "a letter carrier who resigns will not be permitted to discontinue service until his successor is appointed and qualifies."

Another fallacy in this argument is that the carrier who has a contract will want to "lay down his job" because of two or three winter months in which there will be some cold or rainy days, when by holding on he can have steady and profitable employment during the other nine or ten months in the year of pleasant weather, leaving out of consideration the obligation of his bond and the liability of his friends who signed with him.

I favored this bill when I first read it, and the weakness of the arguments against it have only confirmed me in my first convictions. I should much prefer that the bill be amended so as, after reasonable notice from the Department, the present carriers should also be put under the contract system, but believing that this will soon be done anyhow and the inequalities removed, I shall support the bill even without the amendment.

I have the honor to represent an agricultural district composed of as noble a people as the sun shines upon anywhere, and nothing which the Government can give is too good for them. I try to represent their interests and not the interests of a few mail carriers and contractors. While I would enjoy the privilege, if it should ever be given to me under the present system or any other, of appointing my friends to these places as mail carriers, I can not conceive that I have the moral right to make the interests of the great masses of the people subservient to my ambition to gratify a few friends and advance my own political fortunes.

I love my friends as devotedly as any man can, and gratitude is a part of my religion. An ungrateful man is, in my estimation, one of the meanest and most contemptible characters God ever permitted to curse the world with his presence. There is no fit place for him on earth; there is no room for him in heaven. But under my sense of moral and legal obligation I have no right to trifle with the sacred trust reposed in me by nearly 200,000 people to enable me to dispense some small favors to a few friends.

I believe this bill is right in principle and correct in policy from the standpoint of the best interests of the people, and I shall cheerfully vote for it.

Mr. Chairman, I will append to my remarks some extracts from the rules of the Department as to how rural free-delivery routes may be established, and with this I conclude, thanking the House for the courtesy with which they have listened to me. [Loud applause.]

The extracts referred to are as follows:

HOW TO OBTAIN RURAL FREE DELIVERY.

Present a petition, addressed to the First Assistant Postmaster-General, Rural Free Delivery Division. This petition should be signed only by heads of families, and should mention the number in each family over 16 years of age. It should set forth the nature of the country where the delivery is desired, whether densely or sparsely populated, the principal occupations of the people, the character of the roads, and the distances which, under existing conditions, each person has to travel to receive his mail, and should be accompanied by a map or plat indicating the route or routes proposed.

The petition should read something like this:

[Form of petition.]

To the FIRST ASSISTANT POSTMASTER-GENERAL,
Washington, D. C.:

The undersigned heads of families, residing in —— County, State of ——, respectfully ask that the rural free-delivery service be extended to them, the delivery to start from —— post-office, —— County, —— State, or such other point as the officers of the Department may deem best adapted for the service. A map or rough sketch of the proposed route is herewith inclosed. Your petitioners are mostly (here state occupations, such as farmers, truck gardeners, dairymen, cattle raisers, or whatever the chief occupation of the people may be). The roads over the proposed route are (state whether pike, graveled, or otherwise).

There are no unbridged creeks, and the roads are passable at all seasons of the year.

We agree to conform to the official regulations governing the service and to erect boxes which have been approved by the Department for the reception of our mail.

* * * * * * *

This petition, when properly signed, should be sent to the Representative in Congress, or to one of the Senators, with a request that he indorse thereon his recommendation of the service asked and forward the petition to the Department.

* * * * * * *

The route should be so arranged that the carrier will not be required to travel over the same ground twice on the same day.

Those desiring the delivery must hereafter be prepared to put up, at their own expense, appropriate and secure boxes in accordance with the orders of the Department.

The prices of these boxes range from $1 up to a little over $3, including locks.

When a rural free-delivery route has been equipped with boxes of the above-named description the Department will consider these boxes as entitled to the protection of the United States Statutes, which provide severe penalties for willful or malicious injury to or interference with the contents of any receptacles for the United States mails established by authority of the Postmaster-General.

HOW SERVICE IS ESTABLISHED.

Upon receipt of a petition, favorably indorsed by a Representative in Congress, the Department refers the papers to the special agent in charge of the division which includes the State in which the petition originates. He assigns a special agent to visit the location indicated, to lay out a route or routes, and to select rural carriers, to be appointed by the Department. In such cases the advice of the Representative in Congress is sought as regards the carriers to be appointed and in respect to other postal service which may have to be discontinued on the establishment of rural free delivery.

Mr. LOUD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GILLETT of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11728 and had come to no resolution thereon.

LOUISIANA PURCHASE EXPOSITION COMMISSION.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Select Committee on Industrial Arts and Expositions, and, with the accompanying papers, ordered to be printed:

To the Senate and the House of Representatives:

I transmit herewith a report from the Secretary of State covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of January, 1902, furnished by the Louisiana Purchase Exposition Commission, in pursuance of section 11 of the "Act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory," etc., approved March 3, 1901.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 5, 1902.*

CHANGE OF REFERENCE.

By unanimous consent, the bill (S. 165) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada, formerly referred to the Committee on Claims, was referred to the Committee on War Claims.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 10070. An act establishing a United States court at Catlettsburg, in the eastern district of Kentucky;

H. R. 11611. An act to divide the State of Texas into four judicial districts;

H. R. 7035. An act for the relief of Charles Hurrle;

H. R. 8180. An act granting an increase of pension to William S. Derby;

H. R. 5106. An act for the relief of Rasmussen & Strehlow;

H. R. 61. An act to authorize the establishment of a life-saving station at or near Bogue Inlet, North Carolina;

H. R. 5801. An act to authorize the St. Clair Terminal Railroad Company to construct and maintain a bridge across the Monongahela River;

H. R. 8581. An act making appropriation for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1903, and for other purposes;

H. R. 5833. An act temporarily to provide revenue for the Philippine Islands, and for other purposes;

H. R. 1939. An act granting an increase of pension to Penrose W. Reagan;

H. R. 5863. An act granting an increase of pension to Benjamin Brittingham;

H. R. 1796. An act granting an increase of pension to Hiram Cronk; and

H. R. 7933. An act providing for the commutation for townsite purposes of homestead entries in certain portions of Oklahoma.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2977. An act authorizing the Missouri and Meramec Water Company to take water from the Missouri River, and to construct and maintain a dam or other devices for that purpose.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills of the following titles:

H. R. 7237. An act granting an increase of pension to Eva H. McCalley;

H. R. 4115. An act granting an increase of pension to William Eugas;

H. R. 5957. An act granting an increase of pension to Wright H. Auchmoody;

H. R. 2219. An act granting an increase of pension to Francis M. Gilinan;

H. R. 5218. An act granting an increase of pension to Joel Metz;

H. R. 1808. An act granting an increase of pension to William M. Strope;

H. R. 8304. An act granting an increase of pension to Angeline Murray;

H. R. 1852. An act granting an increase of pension to James A. Edmunds;

H. R. 3412. An act granting an increase of pension to William H. Pierce;

H. R. 3422. An act granting an increase of pension to James D. Elderkin;

H. R. 668. An act granting an increase of pension to Henry W. Tracey;

H. R. 8306. An act granting an increase of pension to Thomas W. Robinson;

H. R. 5959. An act granting an increase of pension to Francis Pearson, alias James F. Pearston;

H. R. 2465. An act granting an increase of pension to James F. Charlesworth;

H. R. 3688. An act granting an increase of pension to John Gagan;

H. R. 2225. An act granting an increase of pension to James Morris;

H. R. 9670. An act granting an increase of pension to Aaron C. Badger;

H. R. 7623. An act granting a pension to Aaron M. Applegate;

H. R. 256. An act granting a pension to Sarah O. Fields;

H. R. 8620. An act granting a pension to Thomas Hall;

H. R. 1280. An act granting a pension to Lizzie A. Campbell;

H. R. 969. An act granting a pension to Silas H. Cronk;

H. R. 4748. An act authorizing the President of the United States to nominate Lieut. Commander R. M. G. Brown, now on the retired list, to be a commander on the retired list;

H. R. 5224. An act for the relief of Edward Kershner;

H. R. 2678. An act to incorporate the Eastern Star Home for the District of Columbia;

H. R. 202. An act to amend section 2294 of the Revised Statutes of the United States;

H. R. 8336. An act to amend section 3 of chapter 480 of the laws of the United States, approved June 23, 1874;

H. R. 3740. to confirm title to lot 1, square 1113, in Washington, D. C.; and

H. J. Res. 106. Joint resolution authorizing the Secretary of War to loan to the Pennsylvania Society of the Sons of the American Revolution certain revolutionary trophies at Allegheny arsenal, Pittsburg, Pa.;

HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2 of Rule XXIV, House bill 10847, making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1903, and for

other purposes, with Senate amendments, was taken from the Speaker's table and referred to the Committee on Appropriations.

Also, the following concurrent resolution:

Senate concurrent resolution 27—

Resolved, etc., That there be printed 7,500 additional copies of Senate Document No. 164, third session, Fifty-fifth Congress, being the report of the Daughters of the American Revolution for 1890 to 1897, together with the historical preface herewith, indorsed by the board of management of that society, of which 2,500 shall be for the use of the Senate and 5,000 for the use of the House of Representatives—

to the Committee on Printing.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MCANDREWS, indefinitely, on account of important business.

To Mr. MARTIN, for one week, on account of important business.

Mr. LOUD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 57 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of State, transmitting a copy of a communication from the Chamber of Deputies of Portugal relating to an expression of condolence to Congress for the murder of President McKinley—to the Select Committee on McKinley Memorial Exercises, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a recommendation relating to the number of light-house districts—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, names of civilian engineers employed in river and harbor work—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Lewis W. and Marion F. Riddlemoser, sole heirs of estate of Ephraim Riddlemoser, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of appropriation for a new wagon for the sealer of weights and measnres—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for improvement of Howard Park—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting papers in relation to the claim of John and David West—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HAY, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 1452) to establish the Fredericksburg and Adjacent National Battlefields Memorial Park in the State of Virginia, reported the same without amendment, accompanied by report (No. 771) and views of the minority; which said bill, report, and views were referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11998) granting the Central Arizona Railway Company a right of way through the San Francisco Mountains Forest Reserve, reported the same without amendment, accompanied by a report (No. 772); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLEFIELD, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 11096) to refund the amount of duties paid in Porto Rico upon articles imported from the several States from April 11, 1899, to May 1, 1900, to confer jurisdiction on the Court of Claims to render judgment thereon, and making appropriation therefor, reported the same with amendment, accompanied by a report (No. 774); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CUMMINGS, from the Committee on the Library, to which was referred the joint resolution of the House (H. J. Res. 61) granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Benjamin F. Stephenson, founder of the Grand Army of the Republic, reported the same without amendment, accompanied by a report (No. 775); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NEEDHAM, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11538) providing the means of acquiring title to two groves of *Sequoia gigantea* in the State of California with a view to making national parks thereof, reported the same with amendments, accompanied by a report (No. 777); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 12098) to amend section 1 of the act of Congress approved May 14, 1898, entitled "An act extending the homestead laws and providing for a right of way for railroads in the district of Alaska," reported the same without amendment, accompanied by a report (No. 778); which said bill and report were referred to the Committee of the Whole on the state of the Union.

Mr. REEVES, from the Committee on Patents, to which was referred the bill of the House (H. R. 12095) to amend section 4883 of the Revised Statutes, relating to the signing of letters patent for inventions, reported the same without amendment, accompanied by a report (No. 779); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the joint resolution of the House (H. J. Res. 103) relative to the disposition of patent specifications and drawings in the western district of Pennsylvania, reported the same without amendment, accompanied by a report (No. 780); which said joint resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10396) granting an increase of pension to Elvin Esty, reported the same with amendments, accompanied by a report (No. 757); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3553) granting an increase of pension to Mary A. Van Wormer, reported the same without amendment, accompanied by a report (No. 758); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11327) granting an increase of pension to Charles E. Pettis, reported the same with amendments, accompanied by a report (No. 759); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3403) granting an increase of pension to George M. Emery, reported the same without amendment, accompanied by a report (No. 760); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10924) granting an increase of pension to Elias M. Haight, reported the same without amendment, accompanied by a report (No. 761); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11790) granting an increase of pension to Abel Woods, reported the same with amendment, accompanied by a report (No. 762); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3258) granting a pension to Simeon Partridge, reported the same without amendment, accompanied by a report (No. 763); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9494) granting a pension to Mary A. Andress, widow of Philip Andress, Company F, Eleventh Pennsylvania Volunteer Cavalry, for Lula Belle Andress, imbecile or feeble-minded child, reported the same with amendments, accompanied by a report (No. 764); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8349) granting a pension to John Watts, reported the same with amendment, accompanied by a report (No. 765); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to

which was referred the bill of the Senate (S. 577) granting an increase of pension to Joseph W. Burch, reported the same without amendment, accompanied by a report (No. 766); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7397) granting a pension to Louisa White, reported the same without amendment, accompanied by a report (No. 767); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7076) granting a pension to the widow of Andrew J. Gilleland, reported the same with amendments, accompanied by a report (No. 768); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2732) granting an increase of pension to Marie J. Smyth, reported the same without amendment, accompanied by a report (No. 769); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2598) granting an increase of pension to Adrian M. Snyder, of Hamilton County, Tenn., reported the same with amendments, accompanied by a report (No. 770); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the House (H. R. 9867) for the relief of the estate of Henry C. Nields, deceased, reported the same without amendment, accompanied by a report (No. 773); which said bill and report were referred to the Private Calendar.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3787) to grant honorable discharge to William A. Treadwell, reported the same with amendment, accompanied by a report (No. 776); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (S. 2923) granting an increase of pension to Elizabeth Floyd Sicard—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7004) for the relief of the New York, New Haven and Hartford Railroad Company—Committee on Naval Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 11196) granting a pension to Abbie Bourke—Committee on War Claims discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 12115) granting a pension to Chester E. Wadsworth—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7788) for the relief of the heirs of the late Alexander Kirk—Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

A bill (H. R. 12028) granting an increase of pension to Henry C. Helphinstine, a veteran of the Mexican war—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SHATTUC: A bill (H. R. 12199) to regulate the immigration of aliens into the United States—to the Committee on Immigration and Naturalization.

By Mr. JONES of Washington (by request): A bill (H. R. 12200) providing for right of way across the lands of the United States quarantine station in section 17, township 9 north, range 9 west, Willamette meridian, in the State of Washington—to the Committee on Interstate and Foreign Committee.

By Mr. HOWELL: A bill (H. R. 12201) to increase the limit of the appropriation for a public building at New Brunswick, N. J.—to the Committee in Public Buildings and Grounds.

By Mr. CURRIER: A bill (H. R. 12202) for the erection of a monumental statue in the city of Washington, D. C., to Paul Jones, the founder of the American Navy—to the Committee on the Library.

By Mr. SKILES: A bill (H. R. 12203) to grant pensions to soldiers and sailors who have reached the age of 62 years, or who shall hereafter reach the age of 62 years, and providing for pensions to widows and orphans, and for other purposes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12204) to amend sections 2304, 2305, 2307, 2309 of the Revised Statutes of the United States, and for other purposes—to the Committee on the Public Lands.

By Mr. BRANTLEY: A bill (H. R. 12205) to provide for circuit and district courts of the United States at Valdosta, Ga., and to transfer certain counties from the northern to the southern district in said State—to the Committee on the Judiciary.

By Mr. KEHOE: A bill (H. R. 12206) providing for payment of funeral expenses of certain pensioners—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 12207) providing for the removal of the port of entry in the Albemarle collection of customs district, North Carolina, from Edenton, N. C., to Elizabeth City, N. C.—to the Committee on Ways and Means.

By Mr. DINSMORE: A bill (H. R. 12208) to protect mechanics, laborers, material men, and employees of railroads in the Indian Territory, and for other purposes—to the Committee on the Judiciary.

By Mr. VREELAND: A bill (H. R. 12263) to increase the limit of cost for the purchase of a site and the erection of a public building thereon at Jamestown, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. CUSHMAN: A concurrent resolution (H. C. Res. 36) directing the Secretary of War to cause an examination to be made of the coast of Washington in the vicinity of the mouth of the Hop River, and to make report thereon—to the Committee on Rivers and Harbors.

By Mr. DINSMORE: A resolution (H. Res. 156) providing for the printing, as a House document, of 5,000 copies of the Special Report of the Mountain Meadow Massacre, as compiled by J. H. Carleton—to the Committee on Printing.

By Mr. RICHARDSON of Tennessee: A resolution (H. Res. 157) that the Secretary of War be requested to inform the House of the contents of the report on the transport service between San Francisco and the Philippine Islands, made by Col. John L. Chamberlin—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BENTON: A bill (H. R. 12209) for the relief of Jacob Scott—to the Committee on Military Affairs.

Also, a bill (H. R. 12210) to place Daniel M. Page, late first lieutenant, Thirty-eighth United States Infantry, on the retired list of the United States Army—to the Committee on Military Affairs.

By Mr. BLAKENEY: A bill (H. R. 12211) for the relief of the legal representatives of Thomas J. Benson—to the Committee on War Claims.

Also, a bill (H. R. 12212) granting a pension to William H. Rimmey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12213) granting a pension to Ezra J. Yingling—to the Committee on Invalid Pensions.

By Mr. BULL: A bill (H. R. 12214) granting an increase of pension to Jane A. Tillinghast—to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 12215) granting an increase of pension to Henry M. Posey—to the Committee on Invalid Pensions.

By Mr. COCHRAN: A bill (H. R. 12216) for the relief of Thomas Clark—to the Committee on War Claims.

Also, a bill (H. R. 12217) for the relief of Platte County, Mo.—to the Committee on War Claims.

By Mr. COWHERD: A bill (H. R. 12218) for the relief of the legal representatives of M. B. Mosley, deceased—to the Committee on War Claims.

By Mr. CURTIS: A bill (H. R. 12219) for the relief of Leonard A. Dill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12220) granting a pension to John A. Link—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12221) granting an increase of pension to T. E. De Pui—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12222) granting an increase of pension to Daniel Reilly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12223) granting an increase of pension to Andrew De Veau—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12224) granting an increase of pension to James Mecham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12225) granting an increase of pension to Truman Wolf, of North Topeka, Kans.—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 12226) for the relief of Frederick Merck—to the Committee on Military Affairs.

Also, a bill (H. R. 12227) granting a pension to Humphrey Sales—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12228) granting a pension to Sarah E. Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12229) granting an increase of pension to Mary J. Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12230) removing the charge of desertion from the record of James Conover—to the Committee on Military Affairs.

By Mr. HASKINS: A bill (H. R. 12231) granting an increase of pension to Frank Flint—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 12232) granting a pension to John B. Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12233) granting a pension to William Fraley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12234) granting an increase of pension to Moses Hull—to the Committee on Invalid Pensions.

By Mr. KNOX: A bill (H. R. 12235) granting an increase of pension to Allen P. Miller—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 12236) granting an increase of pension to Martin Petrie—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 12237) granting a pension to Ada Collins—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 12238) for the relief of Amanda J. Ellington—to the Committee on Invalid Pensions.

By Mr. MARSHALL: A bill (H. R. 12239) granting an increase of pension to Agnes Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12240) granting to Nellie Ett Heen the south half of the northwest quarter and lot 4 of section 2, and lot 1 of section 3, in township 154 north, of range 101 west, in the State of North Dakota—to the Committee on the Public Lands.

By Mr. MAYNARD: A bill (H. R. 12241) granting an increase of pension to Hettie V. Holdsworth—to the Committee on Invalid Pensions.

By Mr. McRAE: A bill (H. R. 12242) granting a pension to Levi T. Fuller—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 12243) granting a pension to Augusta Turner—to the Committee on Invalid Pensions.

By Mr. RAY of New York: A bill (H. R. 12244) granting an increase of pension to Darius M. Gifford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12245) granting an increase of pension to Harvey Stearns—to the Committee on Invalid Pensions.

By Mr. RUMPLE: A bill (H. R. 12246) for the relief of the legal representatives of C. H. Stibolt, deceased—to the Committee on Claims.

By Mr. SHELDEN: A bill (H. R. 12247) for the relief of Hiram G. Squires—to the Committee on Naval Affairs.

By Mr. SHERMAN: A bill (H. R. 12248) granting an increase of pension to Edward M. Curtis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12249) granting an increase of pension to William R. Thompson—to the Committee on Invalid Pensions.

By Mr. HENRY C. SMITH: A bill (H. R. 12250) granting a pension to Henry H. Osgood, Adrian, Mich.—to the Committee on Invalid Pensions.

By Mr. STEELE: A bill (H. R. 12251) for the relief of the bondsmen of Isaiah W. Eurit, late postmaster at Macy, Ind.—to the Committee on Claims.

By Mr. STEVENS of Minnesota: A bill (H. R. 12252) to remove the charge of desertion standing against Reese Peoples—to the Committee on Military Affairs.

By Mr. TATE: A bill (H. R. 12253) for the relief of Jasper N. Martin—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 12254) for the relief of Samuel Howard—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 12255) for the relief of Hiram A. Darnell—to the Committee on Military Affairs.

Also, a bill (H. R. 12256) granting an increase of pension to Lucius C. Fletcher—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 12257) for the relief of the heirs of Needham B. White—to the Committee on War Claims.

Also, a bill (H. R. 12258) for the relief of the heirs of D. W. Morton—to the Committee on War Claims.

Also, a bill (H. R. 12259) for the relief of James F. White—to the Committee on War Claims.

By Mr. TOMPKINS of New York: A bill (H. R. 12260) for the relief of Charles Backman—to the Committee on Claims.

By Mr. WILSON: A bill (H. R. 12261) for the relief of Peter Molyneaux—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 12262) granting a pension to Jacquess Roelinger, alias Jacquess Cerman—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of United Mine Workers' Union No. 1622, of Greenock, and Monessen Union, No. 974, of Monessen, Pa., favoring the exclusion of the Chinese—to the Committee on Foreign Affairs.

By Mr. ADAMSON: Resolutions of Atlanta Division, No. 180, Order Railway Conductors, of Atlanta, Ga., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. BABCOCK: Papers to accompany House bill 11594, granting an increase of pension to Sarah E. Morrow—to the Committee on Invalid Pension.

By Mr. BALL of Delaware: Petition of Bricklayers' Union No. 1, of Wilmington, Del., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. BARTLETT: Resolution of Macon Division, No. 123, Order of Railway Conductors, of Macon, Ga., advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. BELL: Resolutions of Post No. 76, Grand Army of the Republic, of Colorado, favoring the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Commercial Club of Omaha, Nebr., in favor of national irrigation—to the Committee on Irrigation of Arid Lands.

Also, petition of citizens of Independence, Colo., in favor of the Penrose immigration bill—to the Committee on Immigration and Naturalization.

Also, resolution of Beet Sugar Factory Committee, Fort Collins, Colo., against the tariff reduction on Cuban and foreign sugars—to the Committee on Ways and Means.

By Mr. BROMWELL: Resolutions of Bricklayers' Union No. 18 and of Journeymen Tailors' Union No. 155, of Cincinnati, Ohio, favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Photo-Engravers' Union No. 13, of Cincinnati, Ohio, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of William Nelson Post, No. 186, of Cincinnati, Ohio, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. BULL: Petition of citizens of Rhode Island, members of the League of American Sportsmen, in favor of House bill 10306, for the conversion of forest reserves into game preserves—to the Committee on the Public Lands.

By Mr. CANDLER: Petition of Daniel Lewallen, of Alcorn County, Miss., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of William Hargrave, of Alcorn County, Miss., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. CANNON: Petition of Bricklayers and Masons' Union No. 37, of Kankakee, Ill., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. CAPRON: Petition of citizens of Rhode Island, members of the League of American Sportsmen, in favor of House bill 10306, for the conversion of forest reserves into game preserves—to the Committee on the Public Lands.

By Mr. CASSINGHAM: Resolutions of the James Young Post, No. 376, of Burbank, Ohio, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. CONNELL: Resolution of Lodge No. 94, Brotherhood of Railroad Trainmen, Carbondale, Pa.; Electric City Lodge, No. 129; Switchmen's Union, Scranton, Pa., and Brewery Workmen's Union No. 65, Scranton, Pa., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of the Commercial Club of Omaha, Nebr., favoring irrigation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

By Mr. COOPER of Texas: Petition of plasterers of Local No. 200, O. P. I. A., of Beaumont, and Carpenters' Union, of Port Arthur, Tex., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Journeymen Barbers' Union of Palestine, Tex., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of Carpenters and Joiners' Union No. 873, of Palestine, Tex., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, petition of C. W. Batsell and others, for relief against the inaction of A. P. McCormick, circuit judge in and for the fifth circuit of the United States—to the Committee on the Judiciary.

By Mr. CURTIS: Resolutions of Atchison Lodge, No. 434, Brotherhood of Railroad Trainmen, of Atchison, Kans.; of Union No. 59, Brotherhood of Stationary Firemen, of Leavenworth, Kans.; of Topeka Division, No. 179, Order of Railway Conductors, of Topeka, and petitions of citizens of Wilburton, Ind. T., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of the Carpenters' Union; of De Soto Division, No. 234, Brotherhood of Locomotive Engineers; of Topeka Division, No. 179, Order of Railway Conductors; O. P. I. A., Local No. 44, of Topeka, Kans., and of Local Union No. 499, United Brotherhood of Carpenters and Joiners, of Leavenworth, Kans., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of the Woman's Christian Temperance Union of Holton, Kans., in favor of the Gillett bill—to the Committee on Alcoholic Liquor Traffic.

Also, resolutions of the Kansas Bar Association, in favor of the establishment of a psychophysical laboratory in the Department of the Interior at Washington—to the Committee on Appropriations.

Also, resolutions of the Commercial Club, of Dodge City, Kans., in opposition to the proposed Bowersock land-grazing bill—to the Committee on the Public Lands.

Also, resolutions of the Kansas State board of agriculture, pertaining to the beet-sugar interests—to the Committee on Ways and Means.

Also, petition of citizens of Greer County, Okla., against the passage of the Moon bill—to the Committee on the Territories.

Also, resolutions of the Synod of Kansas, against the repeal of the anticanteen law—to the Committee on Military Affairs.

Also, resolution of the State Society of Labor and Industry, at Topeka, Kans., favoring the irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Victor Post, No. 293, Grand Army of the Republic, of Fort Dodge, Kans., urging the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of the mayor and council of the city of Atchison, Kans., in regard to the construction of a Pacific cable—to the Committee on Interstate and Foreign Commerce.

By Mr. DALZELL: Resolutions of United Mine Workers' Union No. 1234, of Tarentum, Pa., and of the American Flint-Glass Workers' Union, of Pittsburg, favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. DARRAGH: Resolutions of W. D. Wilkins Post, No. 91, Grand Army of the Republic, St. Louis, Mich., and Union No. 145, American Federation of Labor, Traverse City, Mich., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. DE ARMOND: Petitions of Dawn Post, No. 384, Grand Army of the Republic, of Osceola, Mo., and of Greenfield Post, No. 75, Grand Army of the Republic, of Greenfield, Mo., for an investigation of the administration of the Commissioner of Pensions—to the Committee on Rules.

Also, resolution of citizens of the Sixth Congressional district of Missouri, urging Congress to adopt resolutions of sympathy with the Boers in South Africa—to Committee on Foreign Affairs.

By Mr. DRAPER: Resolution of the National Shoe Wholesalers' Association, of Boston, favoring the repeal of the duty on hides—to the Committee on Ways and Means.

Also, resolutions of the American Institute of Electrical Engineers of New York, favoring the adoption of the metric system by the United States Government—to the Committee on Coinage, Weights, and Measures.

Also, resolutions of the Troy Newswriters' Association, of Troy, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. EDWARDS: Resolutions of Carpenters' Union No. 911, of Kalispell, Mont., in regard to immigration and cheap labor from Europe—to the Committee on Immigration and Naturalization.

Also, petition of J. R. Creigton and 158 others, of Butte, Mont., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

Also, resolution of Machinists' Union No. 168, of Livingston, Mont., advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. ESCH: Resolution of La Crosse Division, No. 61, Order of Railway Conductors, La Crosse, Wis., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. EVANS: Resolution of Lieutenant S. C. Potts Post, No. 62, Altoona, Pa., Department of Pennsylvania, for the organization of a court of pension appeals that shall pass upon all pension claims—to the Committee on Invalid Pensions.

By Mr. FLEMING: Resolution of Order of Railway Conductors, Atlanta Division, No. 180, Atlanta, Ga., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. FITZGERALD: Resolution of Harry Lee Post, No. 21, of Brooklyn, N. Y., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. FOSS: Resolution of the Commercial Club, of Chicago, Ill., favoring amendment of the interstate-commerce acts—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Trades and Labor Council of Waukegan, Ill., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers and Masons' International Union No. 20, Waukegan, Ill., and Union No. 461, Highwood, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. FOWLER: Petition of New Jersey Society of Sons of the American Revolution, Morristown, N. J., in favor of a monument at Princeton, N. J.—to the Committee on Military Affairs.

Also, petition of citizens of New Orange, N. J.; Typographical Union No. 235, of Rahway, N. J., and Steel Metal Workers' Union No. 55, Bayonne, N. J., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 235, of Rahway, N. J., favoring the prohibition of immigrants, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

Also, petition of Carpenters' Union No. 320, Westfield, N. J., favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolutions of the New Jersey Society of Sons of the American Revolution, for legislation to prevent the desecration of the American flag—to the Committee on Military Affairs.

By Mr. GILL: Resolution of Porters' Union No. 20; E. M. Stanton Post, Grand Army of the Republic, Steubenville, Ohio, and Thoburn Post, No. 72, of Martins Ferry, Ohio, advocating the construction of war vessels in United States navy-yards—to the Committee on Naval Affairs.

Also, petition of Bricklayers and Masons' Unions of Steubenville and Bellaire, Ohio, for the employment of union bricklayers and masons in the erection of the naval dry dock at New Orleans, La.—to the Committee on Naval Affairs.

By Mr. GRAHAM: Petition of R. B. Crawford and others, of O'Hara Township, Allegheny County, Pa., and Division No. 85, Street Railway Union, Pittsburg, Pa., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, memorial of the Central Reformed Presbyterian Church, of Allegheny, Pa., against reenactment of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Carpenters and Joiners' Unions No. 699, of Sewickley, and No. 237, of Allegheny, Pa., in regard to immigration—to the Committee on Immigration and Naturalization.

Also, petition of Retail Merchants' Association of Philadelphia, Pa., in opposition to House bill 9352—to the Committee on Interstate and Foreign Commerce.

Also, petition of the United Labor League of Western Pennsylvania, in opposition to Senate bills 2054 and 1644, relating to electric wiring in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of B. Piccardo, Pittsburg, Pa., protesting against a reduction of the present duty on macaroni, spaghetti, and kindred paste products in the French reciprocity treaty—to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania: Papers to accompany House bill relating to the correction of the military record of Reuben Hilbert—to the Committee on Military Affairs.

By Mr. HANBURY: Papers to accompany House bill 12112, granting a pension to Henrietta A. Buell—to the Committee on Invalid Pensions.

By Mr. HASKINS: Resolution of Granite Cutters' Union of Northfield, Vt., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. HEDGE: Resolution of Leather Workers' Union No. 86, Burlington, Iowa, and Fairfield Union No. 16, Fairfield, Iowa, in favor of the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

Also, petition of Sharon Reformed Presbyterian Church, of Linton, Iowa, in opposition to the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. HEMENWAY: Resolutions of Bricklayers' Union No. 28, of Princeton, Ind., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. HENRY of Connecticut: Resolutions of Retail Clerks' Union No. 19; of Central Labor Union of Thompsonville, Conn.; of Bookbinders' Union No. 15, and of N. A. T. S. E Union No. 14, of Hartford, Conn., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. HOLLIDAY: Petition of Post No. 477, Grand Army of the Republic, of Cory, Ind., favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Retail Clerks' Union of Carbon, Ind., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of International Union of Steam Engineers of

Terre Haute, Ind., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. JACK: Papers to accompany House bill 10219, granting an increase of pension to J. Banks Hunter—to the Committee on Invalid Pensions.

Also, resolution of Order of Railway Conductors, of Derry Station, and Division No. 454, Brotherhood of Locomotive Engineers, Scottdale, Pa., for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of citizens of Jeannette and Tidal, Pa., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. JACKSON of Kansas: Petition of Machinists' Union No. 149, Pittsburg, Kans., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, petition of Machinists' Union No. 149, of Pittsburg, Kans., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. KNAPP: Resolutions of Masons, Bricklayers, and Plasterers' Union No. 54, of Oswego, N. Y.; of Longshoremen's Union No. 202, of Ogdensburg, N. Y., and of Bricklayers' Union No. 56, of Watertown, N. Y., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, papers to accompany House bill 12236, granting an increase of pension to Martin Petrie—to the Committee on Invalid Pensions.

By Mr. KNOX: Papers to accompany House bill 12235, granting an increase of pension to Allen P. Miller—to the Committee on Invalid Pensions.

By Mr. LANHAM: Resolutions of Interstate Lodge No. 248, Brotherhood of Railroad Trainmen, at Texarkana, Tex., in support of Senate bill 1118 and House bill 1060, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. MADDOX: Petition of Ellis Sloan, Whitfield, Ga., for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Elliot Clardy, Gordon County, Ga., for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of William H. Woods, Floyd County, Ga., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. MANN: Resolution of Carpenters' Union No. 141, Chicago, Ill., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MAYNARD: Papers to accompany House bill granting an increase of pension to the widow of Boatswain William F. Holdsworth—to the Committee on Invalid Pensions.

By Mr. McANDREWS: Resolutions of Carpenters' Union No. 13, and of the International Union of Steam Engineers No. 3, of Chicago, Ill., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

Also, resolutions of Carpenters' Union Nos. 166 and 554, of Rock Island, Ill., protesting against the discrimination against organized labor at the United States Arsenal at Rock Island—to the Committee on Military Affairs.

Also, resolutions of Horse Nail Makers' Union No. 7180, of Chicago, against the donating of public lands for irrigating purposes—to the Committee on Irrigation of Arid Lands.

By Mr. McANDREWS: Resolution of the Commercial Club of Chicago, Ill., approving the reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. McCALL: A petition of Team Drivers' International Union No. 329, of Cambridge, Mass., urging the exclusion of Chinese laborers from this country—to the Committee on Foreign Affairs.

Also, petition of same organization, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. MIERS of Indiana: Petition of U. S. Grant Post, No. 72, Grand Army of the Republic, Department of Indiana, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. MOODY of Massachusetts: Resolutions of the Granite Manufacturers' Association of New England, favoring amendment of the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Massachusetts Department, Grand Army of the Republic, favoring a national military park at Petersburg, Va.—to the Committee on Military Affairs.

Also, resolutions of Carpenters and Joiners' Union No. 878, of Beverly, Mass., advocating the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. OTJEN: Petition of Subordinate Association No. 7, Lithographers' Protective and Beneficial Association, Milwaukee, Wis., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, resolution of Carpenters and Joiners' Union No. 188, and Coopers' Union No. 14, Milwaukee, Wis., in regard to immigration—to the Committee on Immigration and Naturalization.

Also, petition of American Association of Masters and Pilots of Steam Vessels, Milwaukee, Wis., Harbor No. 51, in opposition to the passage of House bill 10158—to the Committee on the Merchant Marine and Fisheries.

By Mr. OVERSTREET: Petition of Order of Railway Conductors, of Garrett, Ind., and Brotherhood of Locomotive Engineers, of Logansport, Ind., favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, petition of Core Makers' Union of Indianapolis, Ind., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. RAY of New York: Resolution of Parlor City Lodge, of Binghamton, N. Y., for restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Cigar Makers' Union, Waverly, N. Y., and Bricklayers' Union, Binghamton, N. Y., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Excelsior Division, No. 359, Order of Railway Conductors, Rensselaer; Lucky Thought Lodge, Locomotive Firemen, Middletown, N. Y., and Now or Never Lodge, Railroad Trainmen, Brooklyn, N. Y., favoring the anti-injunction bill—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: Petition of Rhoda Lawler, executrix, State of Alabama, for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Leroy M. Pervy, administrator of S. Smith, deceased, late of Madison County, Ala., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RICHARDSON of Tennessee: Petition of Sallie F. Cowan, widow of Nelson Cowan, late of Rutherford, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBINSON of Indiana: Resolution of Plasterers' Union No. 70, Fort Wayne, Ind., favoring the prohibition of immigrants, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Company G, Third Regiment Indiana National Guard, Columbia City, Ind., urging the passage of House bill 9972, to increase the efficiency of the militia—to the Committee on Militia.

By Mr. ROBERTSON of Louisiana: Petition of Robert J. Elliott, East Baton Rouge Parish, La., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RUPPERT: Resolutions of the National Shoe Wholesalers' Association of the United States, urging the repeal of the duty on hides—to the Committee on Ways and Means.

Also, communication from headquarters, Department of New York, Grand Army of the Republic, indorsing section 6 of House bill 5796, providing for the retirement of officers of the Revenue-Cutter Service who have become incapacitated for service through no fault of their own—to the Committee on Interstate and Foreign Commerce.

By Mr. RUSSELL: Petition of Washington Council, Junior Order United American Mechanics, of Noank, Conn., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SHERMAN: Resolution of Carpenters' Union, of Utica, N. Y., and Garment Cutters and Trimmers' Union No. 14, of Utica, N. Y., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of the Trades Assembly of Utica, N. Y., Union No. 8538, of Little Falls, N. Y., and Garment Cutters and Trimmers' Union No. 14, of Utica, N. Y., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Local Union No. 8538, of Little Falls, N. Y., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, papers to accompany House bill 12248, granting an increase of pension to Edward M. Curtis—to the Committee on Invalid Pensions.

By Mr. HENRY C. SMITH: Resolution of De Golyer Post, No. 110, Grand Army of the Republic, of Hudson, Mich., favoring the passage of House bill 7924—to the Committee on Military Affairs.

By Mr. STEVENS of Minnesota: Resolution of Steam Engineers' Union No. 36, of St. Paul, Minn., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. STEWART of New York: Resolutions of Typographical Union No. 135, of Oneonta, N. Y., and Screw Makers' Union No. 28, of Schenectady, N. Y., favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. SULLOWAY: Petition of Woman's Christian Temperance Unions of Ashland, Epsom, and Keene, N. H., for the passage of the anti-polygamy amendment bill—to the Committee on the Judiciary.

Also, resolutions of Post No. 92, Grand Army of the Republic, of Center Barnstead, N. H., favoring the construction of naval vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Granite Cutters' Union of Redstone, N. H., and of Mixers and Servers' Union No. 309, of Portsmouth, N. H., favoring a Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. TATE: Petition of W. H. Scott, of Milton County, Ga., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. TAYLOR of Alabama: Resolution of Mobile Lodge No. 4, International Association of Mechanics, in favor of the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. THOMAS of Iowa: Resolutions of Division No. 84, Order of Railway Conductors, Perry, Iowa; Lodge No. 25, Brotherhood of Locomotive Firemen, Boone, Iowa, and Lodge No. 546, Brotherhood of Railroad Trainmen, Valley Junction, Iowa, favoring the passage of the anti-injunction bill—to the Committee on the Judiciary.

By Mr. THOMAS of North Carolina: Papers to accompany the claim of James F. White, and papers to accompany the claim of the heirs of Needham B. White—to the Committee on War Claims.

By Mr. TOMPKINS of New York: Petition of citizens of Goshen, N. Y., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

By Mr. TOMPKINS of Ohio: Resolution of National Shoe Wholesalers' Association, urging the removal of the duty on hides—to the Committee on Ways and Means.

By Mr. VREELAND: Petition of W. E. Hornblower and others, of Portville, N. Y., favoring House bill 7667, to prevent false branding of food and dairy products—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Frewsburg Post, Grand Army of the Republic, Department of New York, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Barbers' Union No. 128, of Jamestown, N. Y., for restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Textile Workers' Council No. 4, Jamestown, N. Y., and Switchmen's Union No. 176, of Salamanca, N. Y., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By. Mr. WILSON: Papers relating to the claim of Peter Molyneaux—to the Committee on War Claims.

Also, resolution of the Manufacturers' Association of New York, for legislation amending the existing interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. ZENOR: Resolutions of the Central Labor Union of New Albany, Ind., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolution of Bricklayers' Union No. 29, of West Baden, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

SENATE.

FRIDAY, *March 7, 1902.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. It is approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 1198) granting a pension to Josiah H. Buckingham.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 8541) granting an increase of pension to Mahlon C. Moores, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SULLOWAY, Mr. SAMUEL W. SMITH, and Mr. MIERS of Indiana managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 2977) authorizing the Missouri and Meramec Water Company to take water from the Missouri River, and to construct and maintain a dam or other devices for that purpose;

A bill (H. R. 61) to authorize the establishment of a life-saving station at or near Bogue Inlet, North Carolina;

A bill (H. R. 1796) granting an increase of pension to Hiram Cronk;

A bill (H. R. 1939) granting an increase of pension to Penrose W. Reagan;

A bill (H. R. 5106) for the relief of Rasmussen & Strehlow;

A bill (H. R. 5801) to authorize the St. Clair Terminal Railroad Company to construct and maintain a bridge across the Monongahela River;

A bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes;

A bill (H. R. 5863) granting an increase of pension to Benjamin Brittingham;

A bill (H. R. 7035) for the relief of Charles Hurrle;

A bill (H. R. 7933) providing for the commutation for townsite purposes of homestead entries in certain portions of Oklahoma;

A bill (H. R. 8180) granting an increase of pension to William S. Derby;

A bill (H. R. 8581) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1903, and for other purposes;

A bill (H. R. 10070) establishing a United States court at Catlettsburg, in the eastern district of Kentucky; and

A bill (H. R. 11611) to divide the State of Texas into four judicial districts.

PETITIONS AND MEMORIALS.

Mr. MCLAURIN of Mississippi presented a petition of sundry citizens of Starkville, Miss., and a petition of sundry citizens of Brookhaven, Miss., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Bricklayers' Local Union No. 1, American Federation of Labor, of Meridian, Miss., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. KEAN presented petitions of the New Jersey State board of agriculture, of the board of agriculture of Gloucester County, N. J., and of 43 citizens of Oxford, N, J., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table,

He also presented a petition of the Grocers' Association of Plainfield, N. J., praying for the repeal of the duty on tea; which was referred to the Committee on Finance.

He also presented a petition of Mutual Circle, No. 47, Brotherhood of the Union, of Trenton, N. J., praying that an appropriation be made providing for the purchase of the Valley Forge encampment ground by the United States to be used as a national park; which was referred to the Committee on Military Affairs.

He also presented petitions of Bricklayers and Plasterers' Local Union No. 18, of Elizabeth; of Boiler Makers and Shipbuilders' Local Union No. 16, of Elizabeth, and of Journeymen Bricklayers' Local Union No. 7, of Camden, all in the State of New Jersey, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. HEITFELD presented a petition of the Chamber of Commerce of Genesee, Idaho, praying for the enactment of legislation providing for the sale and disposal of lands held by Indian heirs; which was referred to the Committee on Indian Affairs.

Mr. DUBOIS. I present a petition of the American Chamber of Commerce, of Manila, praying for the enactment of laws allowing cooly labor to enter the Philippine Islands under such restrictions and laws as the Philippine Commission may from time to time enact. I think that almost every Senator has received one of these petitions, and I should like to have it read.

There being no objection, the petition was read, and referred to the Committee on the Philippines, as follows:

The American Chamber of Commerce, of Manila. An appeal to Congress for the enactment of laws allowing cooly labor to enter the Philippine Islands under such restrictions and laws as the Philippine Commission may from time to time enact.

To the Congress of the United States of America:

The American Chamber of Commerce, of Manila, P. I., respectfully represents to your honorable body that by authority and under instruction of resolution adopted at a full meeting of this chamber held on the 3d day of January this chamber does petition and earnestly request the enactment of laws by Congress allowing cooly labor to enter the Philippine Islands under such restrictions and laws as the Philippine Commission may from time to time enact.

The present restrictive law does not benefit the Filipinos, nor is it of benefit to anyone. This labor will not enter into competition with American labor, and its entry into the Philippine Islands is imperatively needed.

Tobacco, hemp, and sugar plantations are only partially cultivated by reason of insufficiency of manual laborers. There are at present people in the city of Manila who came here for the purpose of investing in plantations, and to cultivate them upon lines in advance of the primitive ideas now in vogue. Investors are compelled to either leave these islands or await such time as laborers can be secured. This being the situation at present, without this legislation the Philippine Islands can not be properly developed.

Building in the city of Manila has been retarded for months, and only since the quarantine has been raised and those Chinese entitled to land have returned to these islands has building actively revived.

For the development of these islands, the urgent necessity for the immediate enactment of such laws can not be placed too strongly before Congress. For which relief this chamber, composed of American citizens, representing the commercial interests of the Philippines, does most respectfully pray.

F. E. GREEN, *President.*
ROGER AP C. JONES, *Secretary.*

Mr. COCKRELL presented a petition of Local Division No. 2, Order of Railroad Telegraphers, of St. Louis, Mo., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a petition of Journeymen Bakers and Confectioners' International Union No. 218, American Federation of Labor, of Kansas City, Mo., and a petition of the Bricklayers and Masons' Local Union No. 8, American Federation of Labor, of Joplin, Mo., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Pardee Post, No. 352, Department of Missouri, Grand Army of the Republic, of Cabool; of Journeymen Bakers and Confectioners' International Union No. 218, American Federation of Labor, of Kansas City, in the State of Missouri, and of the Trades and Labor Council, American Federation of Labor, of Vallejo, Cal., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. MCCOMAS. I present a joint resolution of the legislature of Maryland in the nature of a petition. I ask that the two resolutions which I have marked with a pencil be read. It will not occupy thirty seconds.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read as follows:

Be it resolved by the general assembly of Maryland, That the Senators and Representatives of Maryland in the Congress of the United States be, and they are hereby, respectfully requested to use their utmost endeavors to secure by an early day the passage of a joint resolution or act extending the thanks of Congress to Rear-Admiral Winfield Scott Schley, by name, for said services, to have the same effect as though the said joint resolution or act had been passed, upon the recommendation of the President, at the session of Congress which was held next after the date of said victory; and

Be it further resolved, That the secretary of state be, and he is hereby, respectfully requested to send a copy of these resolutions, duly attested under the seal of this State, to each of the said Senators and Representatives.

The PRESIDENT pro tempore. The memorial will be referred to the Committee on Naval Affairs.

Mr. GAMBLE presented the petitions of Ole Gustarson and 50 other citizens of Greenfield, of C. B. Thompson and 50 other citizens of Alsen, and of William Pfeifer and 50 other citizens of Armour, all in the State of South Dakota, praying for the passage the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. DILLINGHAM presented petitions of sundry citizens of Wilmington, Vt., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of sundry citizens of East Dummerston, Vt., praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by direct vote of the people; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Jarvis Post, No. 43, Department of Vermont, Grand Army of the Republic, of Springfield, Vt., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. CLAPP presented the petition of C. P. Peterson and sundry other citizens of Bratsburg, Minn., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. RAWLINS presented a petition of Local Division No. 124, Order of Railway Conductors, of Ogden, Utah, praying for the enactment of legislation to restrict illiterate immigration; which was referred to the Committee on Immigration.

He also presented a petition of Ogden Lodge, No. 127, International Association of Machinists, of Ogden, Utah, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. PETTUS presented the affidavits of George B. Caldwell, William Henry Norwood, and David Nathan Snodgrass, of Jackson County, Ala., in support of the bill (S. 4059) for the relief of George B. Caldwell as administrator of Hamlin Caldwell, deceased; which were referred to the Committee on Claims.

Mr. GALLINGER presented petitions of the Woman's Christian Temperance unions of Meriden, West Stewartstown, and Marlboro, all in the State of New Hampshire, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of the Granite Manufacturers' Association of New England, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Thomas M. Huse Post, No. 92, Department of New Hampshire, Grand Army of the Republic, of Barnstead, N. H., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. TELLER. I present a memorial of the legislature of Colorado, praying for the maintenance of the present tariff on foreign sugar, and remonstrating against reciprocity with Cuba. I ask that the memorial be referred to the Committee on Finance. I suppose it ought to be inserted in the RECORD, as that is the usual custom with memorials of State legislatures.

There being no objection, the memorial was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

House joint memorial No. 1.—By Mr. Madden, of Weld.

To the Senate and House of Representatives of the United States:

Your memorialists, the legislature of the State of Colorado, in extra session assembled, respectfully represent as follows:

The beet-sugar product of the State of Colorado was—

In 1899	$100,000
In 1900	1,125,000
In 1901	3,600,000
And will be in 1902, approximately	6,000,000

There are now six factories in existence within the borders of this State, which have been erected at the expense of nearly $3,000,000. The operations of these factories have been the result of diversifying our industries, enlarging the area of irrigated lands, multiplying homes, and reducing the cost of sugar throughout the trans-Missouri country. We expect a production of sugar aggregating a value of $10,000,000 during the year 1903. The soil of the arid West has proven eminently adapted to the production of beet sugar, every year witnessing an increase in saccharine matter and a greater purity of the product.

Considering, then, that according to the report of the Bureau of Statistics of the Treasury Department, the imports from foreign countries for 1901 amounted to 4,500,000,000 of pounds of sugar, valued at $115,000,000, of which more than 4,000,000,000 pounds, or fully 85 per cent, came from the Tropics, where it was produced by "coolie" labor, and the remainder from the bounty-fed fields and factories of Europe, we beg to point out that our people should not be deprived of this opportunity to employ their labor and to dispose of their product within their own markets.

When it is known that Cuba imported into the United States during 1901 1,200,000,000 pounds, or fully 30 per cent of the cane sugar which entered our ports, deriving therefrom an estimated revenue of over $30,000,000, it may appear reasonable that the people of the West should be allowed an equal chance with them; and that is what the difference in labor in Cuba and Colorado, added to the tariff, amounts to.

The beet-sugar industry of Europe is being fostered by the Government. What we desire is a continuance of the legally established protection against the unfair fiscal arrangements of Europe, and against unjust competition in labor on the part of Cuba and other tropical countries.

We, therefore, respectfully show to your honorable bodies:

First. That the beet-sugar industry has been established upon the lands, formerly arid, reclaimed by the labor of the Western people in reliance upon the protection afforded by the present tariff.

Second. That the further development of this industry depends upon the perpetuation of the conditions created by said tariff.

Third. That the free admission of cane sugar raised within the borders of tropical lands now belonging to the United States has narrowed the market of this industry to the interior States, and that any reduction of the duties imposed by said tariff in favor of other tropical countries not belonging to the Union will be likely to destroy the beet-sugar industry of this and other Western States.

Fourth. That the beet sugar as promoted and encouraged by our present tariff law is the first and only industry in the West in which the farmers and producers are directly interested which has received the benefit of the American policy of protection, which policy should therefore be continued until its benefits have been enjoyed by the West equally with the East.

Fifth. That for these reasons we ask the maintenance of the present tariff rates.

And your memoralists will ever pray.

D. C. COATES,
President of the Senate.
W. H. KELLEY,
Secretary of the Senate.
B. F. MONTGOMERY,
Speaker of the House of Representatives.
WILLIAM J. HAMILTON,
Clerk of the House of Representatives.

Approved this 1st day of March, A. D. 1902, at 4.20 o'clock p. m.

JAMES B. ORMAN,
Governor of the State.
DAVID A. MILLS,
Secretary of State.

Mr. TELLER presented a petition of George B. McClellan Post, No. 76, Department of Colorado, Grand Army of the Republic, of Delta, Colo., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Independence, Colo., and a petition of sundry citizens of Leadville, Colo., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Lamar, Colo., and a petition of sundry citizens of Salida, Colo., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. ELKINS presented a petition of the Granite Manufacturers' Association of New England, praying for the enactment of legislation granting to the Interstate Commerce Commission the power of enforcing its decisions; which was referred to the Committee on Interstate Commerce.

He also presented a petition of United Mine Workers' Local Union No. 72, American Federation of Labor, of Clarksburg, W. Va., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Adolph, Hovatter, Orpha, Beckly, Logansport, and Bruceton, all in the State of West Virginia, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Stewartstown, Gay, Elizabeth, and Gormania; of Stone Masons' Local Union No. 2, American Federation of Labor, of Wheeling; of Local Union No. 8, American Federation of Labor, of Clarksburg, and of Kanawha Valley Council, No. 66, Junior Order of United American Mechanics, of Elizabeth, all in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which were referrred to the Committee on Immigration.

Mr. HANSBROUGH presented a petition of the North Dakota Retail Grocers and General Merchants' Association, praying for the adoption of a penny postage system; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of Fred Steingracter and sundry other citizens of Hebron, N. Dak., and the petition of E. Lindaas and sundry other citizens of Mayville, N. Dak., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. SCOTT presented petitions of sundry citizens of Orpha, W. Va., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Typographical Union No. 79, American Federation of Labor, of Wheeling, W. Va., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. PENROSE presented a petition of 69 citizens of Pittsburg, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Junior Machinists' Apprentice Union No. 9008, American Federation of Labor, of Susquehanna, Pa., and a petition of Captain John Q. Snyder Post, No. 408, Department of Pennsylvania, Grand Army of the Republic, of Liverpool, Pa., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of 42 citizens of Philadelphia; 50 citizens of Pittsburg, and 52 citizens of Tidal; of the Pattern Makers' Association of Erie; of Typographical Union No. 181, of Meadville; of the Granite Cutters' National Union, of Philadelphia; of the Bricklayers' Local Union No. 2, of Pittsburg; of Brotherhood of Blacksmiths' Local Union No. 104, of Philadelphia; of Local Union No. 337, of Sayre, all of the American Federation of Labor, in the State of Pennsylvania, and of 101 citizens of Wilberton, Ind. T., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FRYE presented a petition of Cigar Makers' Local Union No. 179, of Bangor, Me., and a petition of Granite Cutters' National Union of Norridgewock, Me., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented the petition of Thomas Houston and 47 other citizens of Dixfield, Me., praying for the enactment of legislation restricting immigration; which was referred to the Committee on Immigration.

He also presented the petition of Eugene Danforth and 40 other citizens of West Madison, Me., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of the Granite Manufacturers' Association of New England, praying for the adoption of certain amendments to the interstate commerce law; which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. McCOMAS, from the Committee on the Judiciary, to whom was referred the bill (S. 2443) to divide Nebraska into two judicial districts, reported it without amendment, and submitted a report thereon.

Mr. HARRIS, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (H. R. 280) for the relief of James M. Stradling; and

A bill (S. 3666) to authorize the sale of a part of the Fort Niobrara Military Reservation, in the State of Nebraska.

Mr. GAMBLE, from the Committee on Indian Affairs, to whom was referred the bill (S. 2992) to ratify an agreement with the Sioux tribe of Indians of the Rosebud Reservation in South Dakota, and making appropriations to carry the same into effect, reported it with amendments, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3288) granting an increase of pension to Elmer J. Starkey; and

A bill (H. R. 6435) granting a pension to Susan P. Crandall.

Mr. BURROWS, from the Committee on Military Affairs, to whom was referred the bill (S. 2293) for the relief of Matthew T. Lewis, reported it with an amendment, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (H. R. 2609) granting a pension to Lizzie C. Young, reported it without amendment, and submitted a report thereon.

Mr. HANNA, from the Committee on Naval Affairs, to whom was referred the bill (S. 3317) authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander, reported it without amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 566) for the relief of Benjamin F. Buckner and Taylor Buckner;

A bill (S. 549) to correct the military record of Thomas O. Pritchard;

A bill (S. 2250) directing the muster of David S. Sink as a private of Company H, Eleventh Regiment Virginia (West Virginia) Infantry Volunteers; and

A bill (S. 3414) for the correction of muster of Benjamin F. Hasson.

Mr. SIMMONS, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1510) providing for the erection of a public building in the city of Charlottesville, Va., reported it without amendment.

Mr. CULBERSON, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 3834) to provide for the purchase of a site and the erection of a public building thereon at Sherman, in the State of Texas, reported it with an amendment.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 57) relating to military badges, reported it without amendment, and submitted a report thereon.

INTERNATIONAL COMMISSION.

Mr. McMILLAN. I am directed by the Committee on Commerce, to whom was referred the joint resolution (S. R. 52) authorizing the President of the United States to invite the government of Canada to join in the formation of an international commission to examine and report upon the diversion of the waters that are the boundaries of the two countries, to report it with amendments, and to submit a report thereon.

Mr. LODGE. From what committee does the joint resolution come?

Mr. McMILLAN. From the Committee on Commerce.

The PRESIDENT pro tempore. From the Committee on Commerce. It was before the Committee on Commerce at the last session of Congress and reported by it.

Mr. HOAR. If the committee does not object, I should like to have it go to the Committee on Foreign Relations. It opens a very delicate and a very important question of international proceeding. We do not permit any foreign government to address us except through the Secretary of State. The joint resolution proposes, if I heard the title read correctly, to establish direct relations with one of England's colonies and not to establish them with Great Britain through the ordinary diplomatic intercourse.

Of course I have had no consideration of this matter. It may be that the joint resolution is all right; but I should like to have

the Committee on Foreign Relations determine whether it is not a departure from all ordinary diplomatic intercourse. Will the Senator from Michigan object to having it referred to the Committee on Foreign Relations?

Mr. McMILLAN. There is no objection to having it referred to that committee. That committee can determine whether any explanation is necessary to be made.

The PRESIDENT pro tempore. The Chair thinks that such action will require its recommittal, and then that the committee be discharged from the further consideration of the joint resolution and that it be referred to the Committee on Foreign Relations.

Mr. HOAR. I do not understand that such a reference requires a recommitment.

Mr. CULLOM. It has been reported from the Committee on Commerce.

Mr. HOAR. It is often the case when a committee makes a report that its report is then referred to another committee. That is often the case with a report proposing a change of the rules.

The PRESIDENT pro tempore. The Senator from Massachusetts moves the reference of the joint resolution to the Committee on Foreign Relations. Is there objection? The Chair hears none, and it is so ordered.

DISTRIBUTION OF DOCUMENTS.

Mr. PLATT of New York, from the Committee on Printing, reported the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the superintendent of public documents be, and he hereby is, authorized and directed to issue to the Secretary of the United States Senate and the Clerk of the House of Representatives such Government publications as they may find from time to time to be necessary for the use of the Senate and the House of Representatives, respectively.

IRRIGATION INVESTIGATIONS IN CALIFORNIA.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. PERKINS on the 5th instant, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,200 additional copies of the bulletin entitled "Irrigation Investigations in California, Bulletin No. 100, United States Department of Agriculture, Office of Experiment Stations, 1901," of which 3,000 copies shall be for the use of the Department of Agriculture and 200 copies for the use of the Senate.

TITLE TO PUBLIC LANDS.

Mr. HANSBROUGH. On the 12th of February, 1902, the bill (S. 3790) to provide for quieting claims of title to public lands was referred to the Committee on Public Lands. I think the bill should go to the Committee on the Judiciary. I move that the Committee on Public Lands be discharged from the further consideration of the bill, and that it be referred to the Committee on the Judiciary.

The motion was agreed to.

BILLS INTRODUCED.

Mr. BURTON introduced a bill (S. 4362) for the relief of the Southern California Railway Company; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 4363) granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve; which was read twice by its title, and referred to the Committee on Forest Reservations and the Protection of Game.

Mr. BERRY introduced a bill (S. 4364) to remove the charge of desertion now standing against James F. Wood; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DRYDEN introduced a bill (S. 4365) for the relief of Foster W. Van Kirk and Stephen B. Moore; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 4366) granting a pension to John Y. Corey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ELKINS introduced a bill (S. 4367) for relief of the estate of William M. Morrison, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BAILEY (by request) introduced a bill (S. 4368) for the relief of the estate of Alexander C. Crawford, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURROWS introduced a bill (S. 4369) granting a pension to Laura S. Thompson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CLARK of Montana introduced a bill (S. 4370) granting to the State of Montana 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Soldiers' Home at Columbia Falls, Mont.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

Mr. GIBSON introduced a bill (S. 4371) to establish an additional land district in the State of Montana; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

Mr. CARMACK introduced a bill (S. 4372) for the relief of the estate of L. D. Crawley, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. RAWLINS introduced a bill (S. 4373) prohibiting leases of mineral lands in Indian reservations; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SCOTT introduced a bill (S. 4374) granting an increase of pension to Abraham Shreeves; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 4375) providing for the purchase by and on behalf of the United States of the right to use the Daniel process of producing engraved plates; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Printing.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 4376) to correct the military record of Patrick Harrington; and

A bill (S. 4377) to correct the military record of Absolom Sponsellor.

Mr. PENROSE introduced a bill (S. 4378) granting a pension to Annie M. Buker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PATTERSON introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 4379) granting an increase of pension to George Davis; and

A bill (S. 4380) granting an increase of pension to John J. Lockrey.

Mr. TELLER introduced a bill (S. 4381) granting an increase of pension to John S. Robinson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 4382) for the relief of the estate of John Grafton, deceased; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CLARK of Wyoming submitted an amendment proposing to appropriate $49.60 to pay James Graham for carrying daily mail from Altamont to Aspen, on the old line of the Union Pacific Railroad, intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

He also submitted an amendment proposing to appropriate $9 for the payment of post-office money order No. 11106, issued at Lander, Wyo., drawn upon the post-office at Evanston, Wyo., August 13, 1899, and which has never been paid, intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. PENROSE submitted an amendment providing for the holding of terms of court at Eufaula, Ind. T., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

INDIAN DEPREDATIONS IN UTAH.

Mr. RAWLINS. I ask for an order for the printing of House Miscellaneous Document No. 19, Forty-first Congress, first session, concerning Indian depredations in Utah; and also House Executive Document No. 44, Forty-first Congress, second session, concerning the suppression of Indian hostilities in Utah. I have these documents here, and will send them to the Secretary's desk. The cost of printing will not exceed the $500 limit.

The PRESIDENT pro tempore. It will not exceed $500?

Mr. RAWLINS. No.

There being no objection the order was reduced to writing and agreed to, as follows:

Ordered, That House Miscellaneous Document No. 19, Forty-first Congress, first session, and House Executive Document No. 44, Forty-first Congress, second session, be reprinted in one document.

INVESTIGATION BY COMMITTEE ON INDIAN AFFAIRS.

Mr. HARRIS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Whereas by article 12 of the treaty with the Creek tribe of Indians, proclaimed April 4, 1832, it was agreed that said Indians should be removed west, and subsisted for one year thereafter, at the expense of the United States; and

Whereas it is shown by Senate Executive Document No. 198, Fiftieth Congress, first session, that 274 of said Indians removed themselves to their new homes and 160 subsisted themselves for one year thereafter, and that they have not been reimbursed for the same; and

Whereas by section 26 of the agreement with said tribe, approved March 1, 1901, it was agreed and stipulated that the "Self-emigration claim which the tribe, or any individual thereof, may have against the United States, shall be submitted to the Senate of the United States for determination:" Therefore,

Resolved, That the Committee on Indian Affairs be, and is hereby, instructed to investigate the matter, in accordance with said treaty and agreement, and report, by bill or otherwise, its conclusions to the Senate, with such recommendation as may be deemed advisable.

MAHLON C. MOORES.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives, disagreeing to the amendment of the Senate to the bill (H. R. 8541) granting an increase of pension to Mahlon C. Moores, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I move that the Senate insist upon its amendment and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. GALLINGER, Mr. PRITCHARD, and Mr. TALIAFERRO were appointed.

REDEMPTION OF INTERNAL-REVENUE STAMPS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 6570) to amend the act of May 12, 1900, authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALLISON. I move that the Senate insist upon its amendments, and accede to the request of the House of Representatives for a conference.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. ALDRICH, Mr. PLATT of Connecticut, and Mr. TELLER were appointed.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HALE. I move that the Senate proceed to the consideration of the diplomatic and consular appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903, which had been reported from the Committee on Appropriations with amendments.

Mr. HALE. I ask that the formal reading of the bill be dispensed with, and that the committee amendments be considered as they are reached.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall first receive consideration. Is there objection? The Chair hears none, and it is so ordered.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the subhead "Salaries of ambassadors and ministers," on page 3, line 10, to increase the appropriation for the salary of the minister resident and consul-general to Persia from $5,000 to $7,500.

The amendment was agreed to.

The next amendment was, on page 3, after line 13, to insert:

Consul-general at Constantinople and agent at Sofia, $5,000.

The amendment was agreed to.

The next amendment was, on page 3, line 19, to increase the total appropriation for salaries of ambassadors and ministers from $385,000 to $392,500.

The amendment was agreed to.

The next amendment was, under the subhead "Salaries of secretaries of embassies and legations," on page 4, after line 15, to insert:

Secretary of legation to Austria, $2,250.

The amendment was agreed to.

The next amendment was, on page 5, line 4, before the word "Netherlands," to insert "Belgium;" in line 5, before the word "Turkey," to insert "Portugal;" in the same line, before the word "Spain," to strike out "Austria," and after the word "Spain," to insert "Switzerland," and in line 7, before the word "dollars," to strike out "nine thousand" and insert "twelve thousand six hundred;" so as to make the clause read:

Secretaries of legations to Belgium, Netherlands, Portugal, Turkey, Spain, Switzerland, and Brazil, at $1,800 each, $12,600.

The amendment was agreed to.

The next amendment was, on page 5, after line 15, to insert:

Second secretary of legation to Austria, $1,800.

The amendment was agreed to.

The next amendment was, on page 6, line 8, to increase the total appropriation for salaries of secretaries of embassies and legations from $71,100 to $78,750.

The amendment was agreed to.

The next amendment was, under the subhead "Salaries of interpreters to legations," on page 6, line 14, before the word "legation," to strike out "interpreter to" and insert "Japanese secretary;" so as to make the clause read:

Japanese secretary, legation to Japan, $2,500.

The amendment was agreed to.

The next amendment was, on page 6, after line 21, to insert:

For 10 student interpreters at the legation to China, who shall be citizens of the United States, and whose duty it shall be to study the Chinese language with a view to supplying interpreters to the legations and consulates in China, at $1,000 each, $10,000.

The amendment was agreed to.

The next amendment was, on page 7, line 3, to increase the total appropriation for salaries of interpreters to legations from $10,500 to $20,500.

The amendment was agreed to.

The next amendment was, on page 11, line 1, to increase the appropriation for the International Bureau of Weights and Measures from $2,270 to $2,306.93.

The amendment was agreed to.

The next amendment was, on page 12, after line 12, to insert:

INTERNATIONAL PRISON COMMISSION.

For subscription of the United States as an adhering member of the International Prison Commission, and the expenses of a commissioner, including preparation of reports, $2,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, to strike out from line 15, on page 13, down to and including line 14, on page 35, in the following words:

SALARIED CONSULAR OFFICES OF THE UNITED STATES, SCHEDULES, CLASSES, AND SALARIES.

Acapulco, Mexico, consul, Schedule B, class 5, $2,000.
Aden, Arabia, consul, Schedule B, class 6, $1,500.
Aix la Chapelle, Germany, consul, Schedule B, class 4, $2,500.
Alexandretta, Syria, consul, Schedule B, class 6, $1,500.
Amherstburg, Canada, consul, Schedule B, class 6, $1,500.
Amoy, China, consul, Schedule B, class 2, $3,500.
Amsterdam, Netherlands, consul, Schedule B, class 5, $2,000.
Annaberg, Germany, consul, Schedule B, class 4, $2,500.
Antigua, West Indies, consul, Schedule B, class 6, $1,500.
Antwerp, Belgium, consul-general, Schedule B, $3,000.
Apia and Nukualofa, consul-general, Schedule B, $3,000.
Asuncion, Paraguay, consul, Schedule B, class 6, $1,500.
Athens, Greece, consul, Schedule B, class 4, $2,500.
Auckland, New Zealand, consul, Schedule B, class 5, $2,000.
Bahia, Brazil, consul, Schedule B, class 4, $2,500.
Bamberg, Germany, consul, Schedule B, class 5, $2,000.
Barbados, West Indies, consul, Schedule B, class 4, $2,500.
Barcelona, Spain, consul-general, Schedule B, $3,000.
Barmen, Germany, consul, Schedule B, class 3, $3,000.
Barranquilla, Colombia, consul, Schedule B, class 5, $2,000.
Basel, Switzerland, consul, Schedule B, class 3, $3,000.
Batavia, Java, consul, Schedule C, class 7, $1,000.
Beirut, Syria, consul, Schedule B, class 5, $2,000.
Belfast, Ireland, consul, Schedule B, class 3, $3,000.
Belize, Honduras, consul, Schedule B, class 6, $1,500.
Berlin, Germany, consul-general, Schedule B, $4,000.
Berne, Switzerland, consul, Schedule B, class 5, $2,000.
Birmingham, England, consul, Schedule B, class 4, $2,500.
Bombay, India, consul, Schedule B, class 5, $2,000.
Bordeaux, France, consul, Schedule B, class 3, $3,000.
Bradford, England, consul, Schedule B, class 3, $3,000.
Bremen, Germany, consul, Schedule B, class 4, $2,500.
Breslau, Germany, consul, Schedule B, class 6, $1,500.
Bristol, England, consul, Schedule B, class 6, $1,500.
Brockville, Ontario, consul, Schedule B, class 6, $1,500.
Brunswick, Germany, consul, Schedule B, class 5, $2,000.
Brussels, Belgium, consul, Schedule B, class 4, $2,500.
Budapest, Austria-Hungary, consul, Schedule B, class 6, $1,500.
Buenos Ayres, Argentine Republic, consul, Schedule B, class 4, $2,500.
Cadiz, Spain, consul, Schedule B, class 6, $1,500.
Calais, France, consul, Schedule B, class 5, $2,000.
Calcutta, India, consul-general, Schedule B, $5,000.
Callao, Peru, consul, Schedule B, class 2, $3,500.
Canton, China, consul, Schedule B, class 2, $3,500.
Cape Haitien, Haiti, consul, Schedule C, class 7, $1,000.
Cape Town, Africa, consul-general, Schedule B, $3,000.
Cardiff, Wales, consul, Schedule B, class 5, $2,000.
Cartagena, Colombia, consul, Schedule B, class 6, $1,500.
Castellamare di Stabia, Italy, consul, Schedule B, class 6, $1,500.
Catania, Italy, consul, Schedule B, class 6, $1,500.
Ceylon, India, consul, Schedule B, class 6, $1,500.
Charlottetown, Prince Edward Island, consul, Schedule B, class 6, $1,500.
Chatham, Ontario, consul, Schedule B, class 5, $2,000.
Chefoo, China, consul, Schedule C, class 3, $3,000.
Chemnitz, Germany, consul, Schedule B, class 4, $2,500.
Chihuahua, Mexico, consul, Schedule B, class 5, $2,000.
Christiania, Norway, consul-general, Schedule B, $1,500.
Ciudad Juarez, Mexico, consul, Schedule B, class 4, $2,500.
Ciudad Porfirio Diaz, Mexico, consul, Schedule B, class 5, $2,000.
Coaticook, Quebec, consul, Schedule B, class 6, $1,500.
Coburg, Germany, consul, Schedule B, class 5, $2,000.
Collingwood, Canada, consul, Schedule B, class 5, $2,000.
Cologne, Germany, consul, Schedule B, class 5, $2,000.
Colon, Colombia, consul, Schedule B, class 3, $3,000.
Constantinople, Turkey, consul-general and agent at Sofia, Schedule B, $5,000.
Copenhagen, Denmark, consul, Schedule B, class 6, $1,500.
Cork, Ireland, consul, Schedule B, class 5, $2,000.
Cornwall, Canada, consul, Schedule B, class 6, $1,500.
Crefeld, Germany, consul, Schedule B, class 5, $2,000.
Curacao, West Indies, consul, Schedule B, class 5, $2,000.
Dawson City, Northwest Territory, consul, Schedule B, class 2, $3,500.

Demerara, Guiana, consul, Schedule B, class 3, $3,000.
Dresden, Germany, consul-general, Schedule B, $3,000.
Dublin, Ireland, consul, Schedule B, class 5, $2,000.
Dundee, Scotland, consul, Schedule B, class 4, $2,500.
Dunfermline, Scotland, consul, Schedule B, class 5, $2,000.
Durango, Mexico, consul, Schedule B, class 6, $1,500.
Dusseldorf, Germany, consul, Schedule B, class 5, $2,000.
Edinburgh, Scotland, consul, Schedule B, class 4, $2,500.
Ensenada, Mexico, consul, Schedule B, class 6, $1,500.
Erzerum, Turkey, consul, Schedule B, class 5, $2,000.
Florence, Italy, consul, Schedule B, class 6, $1,500.
Fort Erie, Ontario, consul, Schedule B, class 6, $1,500.
Frankfort, Germany, consul-general, Schedule B, $3,000.
Freiburg, Germany, consul, Schedule B, class 5, $2,000.
Fuchau, China, consul, Schedule B, class 3, $3,000.
Funchal, Madeira, consul, Schedule B, class 6, $1,500.
Gaspe Basin, Quebec, consul, Schedule C, class 7, $1,000.
Geneva, Switzerland, consul, Schedule B, class 6, $1,500.
Genoa, Italy, consul, Schedule B, class 5, $2,000.
Ghent, Belgium, consul, Schedule B, class 5, $2,000.
Gibraltar, Spain, Schedule B, class 6, $1,500.
Glasgow, Scotland, consul, Schedule B, class 3, $3,000.
Glauchau, Germany, consul, Schedule B, class 5, $2,000.
Goderich, Ontario, consul, Schedule B, class 6, $1,500.
Gothenburg, Sweden, consul, Schedule B, class 6, $1,500.
Grenoble, France, consul, Schedule B, class 6, $1,500.
Guadeloupe, West Indies, consul, Schedule B, class 6, $1,500.
Guatemala City, Guatemala, consul-general, Schedule B, $2,500.
Guayaquil, Ecuador, consul-general, Schedule B, $3,000.
Guelph, Canada, consul, Schedule B, class 6, $1,500.
Halifax, Nova Scotia, consul-general, Schedule B, $3,500.
Hamburg, Germany, consul-general, Schedule B, $2,500.
Hamilton, Bermuda, consul, Schedule B, class 5, $2,000.
Hamilton, Ontario, consul, Schedule B, class 5, $2,000.
Hankau, China, consul, Schedule B, class 3, $3,000.
Hanover, Germany, consul, Schedule B, class 5, $2,000.
Harput, Turkey, consul, Schedule B, class 6, $1,500.
Havre, France, consul, Schedule B, class 2, $3,500.
Hongkong, China, consul-general, Schedule B, $5,000.
Huddersfield, England, consul, Schedule B, class 4, $2,500.
Hull, England, consul, Schedule B, class 6, $1,500.
Jerusalem, Syria, Schedule B, class 4, $2,500.
Kehl, Germany, consul, Schedule B, class 5, $2,000.
Kingston, Jamaica, consul, Schedule B, class 3, $3,000.
Kingston, Ontario, consul, Schedule B, class 6, $1,500.
Kobe, Japan, consul, Schedule B, class 3, $3,000.
La Guayra, Venezuela, consul, Schedule B, class 5, $2,000.
La Rochelle, France, consul, Schedule B, class 6, $1,500.
Leeds, England, consul, Schedule B, class 5, $2,000.
Leghorn, Italy, consul, Schedule B, class 5, $2,000.
Leipsic, Germany, consul, Schedule B, class 5, $2,000.
Liege, Belgium, consul, Schedule B, class 5, $2,000.
Limoges, France, consul, Schedule B, class 6, $1,500.
Liverpool, England, consul, Schedule B, class 1, $5,000.
London England, consul-general, Schedule B, $5,000.
London, Ontario, consul, Schedule B, class 5, $2,000.
Lourenço Marquez, Africa, consul, Schedule B, class 5, $2,000.
Lucerne, Switzerland, consul, Schedule B, class 5, $2,000.
Lyons, France, consul, Schedule B, class 4, $2,500.
Magdeburg, Germany, consul, Schedule B, class 5, $2,000.
Mainz, Germany, consul, Schedule B, class 4, $2,500.
Malaga, Spain, consul, Schedule B, class 6, $1,500.
Malta, consul, Schedule B, class 5, $2,000.
Managua, Nicaragua, consul, Schedule B, class 5, $2,000.
Manchester, England, consul, Schedule B, class 3, $3,000.
Mannheim, Germany, consul, Schedule B, class 6, $1,500.
Maracaibo, Venezuela, consul-general, Schedule B, $2,000.
Marseilles, France, consul, Schedule B, class 4, $2,500.
Martinique, West Indies, consul, Schedule B, class 6, $1,500.
Matamoras, Mexico, consul, Schedule B, class 6, $1,500.
Mazatlan, Mexico, consul, Schedule B, class 5, $2,000.
Melbourne, Australia, consul-general, Schedule B, $4,500.
Messina, Italy, consul, Schedule B, class 6, $1,500.
Mexico City, Mexico, consul-general, Schedule B, $4,000.
Milan, Italy, consul, Schedule B, class 5, $2,000.
Monterey, Mexico, consul-general, Schedule B, $2,500.
Montevideo, Uruguay, consul, Schedule B, class 3, $3,000.
Montreal, Quebec, consul-general, Schedule B, $4,000.
Moscow, Russia, consul, Schedule B, class 6, $1,500.
Munich, Bavaria, consul, Schedule B, class 5, $2,000.
Nagasaki, Japan, consul, Schedule B, class 3, $3,000.
Nanking, China, consul, Schedule B, class 3, $3,000.
Nantes, France, consul, Schedule B, class 6, $1,500.
Naples, Italy, consul, Schedule B, class 5, $2,000.
Nassau, New Providence, consul, Schedule B, class 5, $2,000.
Newcastle-upon-Tyne, England, consul, Schedule B, class 5, $2,000.
Niagara Falls, Ontario, consul, Schedule B, class 6, $1,500.
Nice, France, consul, Schedule B, class 6, $1,500.
Niuchwang, China, consul, Schedule B, class 3, $3,000.
Nogales, Mexico, consul, Schedule B, class 6, $1,500.
Nottingham, England, consul, Schedule B, class 3, $3,000.
Nuevo Laredo, Mexico, consul, Schedule B, class 5, $2,000.
Nuremberg, Germany, consul, Schedule B, class 3, $3,000.
Odessa, Russia, consul, Schedule B, class 5, $2,000.
Orillia, Ontario, consul, Schedule B, class 6, $1,500.
Ottawa, Ontario, consul-general, Schedule B, $4,000.
Palermo, Italy, consul, Schedule B, class 5, $2,000.
Panama, Colombia, consul-general, Schedule B, $4,000.
Para, Brazil, consul, Schedule B, class 4, $2,500.
Paris, France, consul-general, Schedule B, $5,000.
Patras, Greece, consul, Schedule B, class 6, $1,500.
Pernambuco, Brazil, consul, Schedule B, class 3, $3,000.
Plauen, Germany, consul, Schedule B, class 4, $2,500.
Port Hope, Ontario, consul, Schedule B, class 6, $1,500.
Port Limon, Costa Rica, consul, Schedule B, class 6, $1,500.
Port Louis, Mauritius, consul, Schedule B, class 5, $2,000.
Port Sarnia, Ontario, consul, Schedule B, class 5, $2,000.
Port Stanley, Falkland Islands, consul, Schedule B, class 5, $2,000.
Prague, Austria, consul, Schedule B, class 3, $3,000.
Prescott, Ontario, consul, Schedule B, class 6, $1,500.
Pretoria, South African Republic, consul, Schedule B, class 3, $3,000.
Progreso, Mexico, consul, Schedule B, class 6, $1,500.
Puerto Cabello, Venezuela, consul, Schedule B, class 6, $1,500.
Puerto Cortez, Honduras, consul, Schedule B, class 6, $1,500.
Quebec, Quebec, consul, Schedule B, class 3, $3,000.
Reichenberg, Austria, consul, Schedule B, class 4, $2,500.
Rheims, France, consul, Schedule B, class 5, $2,000.
Riga, Russia, consul, Schedule C, class 7, $750.
Rio de Janeiro, Brazil, consul-general, Schedule B, $5,000.
Rome, Italy, consul-general, Schedule B, $3,000.
Rosario, Argentine Republic, consul, Schedule B, class 6, $1,500.
Rotterdam, Netherlands, consul-general, Schedule B, class 4, $2,500.
Roubaix, France, consul, Schedule B, class 5, $2,000.
Rouen, France, consul, Schedule C, class 7, $1,000.
St. Christopher, West Indies, consul, Schedule B, class 6, $1,500.
St. Etienne, France, consul, Schedule B, class 5, $2,000.
St. Gall, Switzerland, consul-general, Schedule B, $3,000.
St. Helena, consul, Schedule B, class 6, $1,500.
St. Hyacinthe, Quebec, consul, Schedule B, class 6, $1,500.
St. John, New Brunswick, consul, Schedule B, class 5, $2,000.
St. Johns, Newfoundland, consul, Schedule B, class 5, $2,000.
St. Johns, Quebec, consul, Schedule B, class 6, $1,500.
St. Michaels, Azores, consul, Schedule B, class 6, $1,500.
St. Petersburg, Russia, consul-general, Schedule B, $3,000.
St. Pierre, St. Pierre Island, consul, Schedule B, $1,500.
St. Stephen, New Brunswick, consul, Schedule B, class 6, $1,500.
St. Thomas, Ontario, consul, Schedule B, class 5, $2,000.
St. Thomas, West Indies, consul, Schedule B, class 4, $2,500.
Saltillo, Mexico, consul, Schedule C, class 7, $1,000.
San Jose, Costa Rica, consul, Schedule B, class 5, $2,000.
San Juan del Norte, Nicaragua, consul, Schedule B, class 4, $2,500.
San Salvador, Salvador, consul, Schedule B, class 5, $2,000.
Santo Domingo, Dominican Republic, consul-general, Schedule B, $2,000.
Santos, Brazil, consul, Schedule B, class 3, $3,000.
Shanghai, China, consul-general, Schedule B, $5,000.
Sheffield, England, consul, Schedule B, class 4, $2,500.
Sherbrooke, Canada, consul, Schedule B, class 5, $2,000.
Sierra Leone, Africa, consul, Shedule B, class 6, $1,500.
Singapore, Straits Settlements, consul-general, Schedule B, $3,000.
Sivas, Turkey, consul, Schedule B, class 6, $1,500.
Smyrna, Turkey, consul, Schedule B, class 4, $2,500.
Solingen, Germany, consul, Schedule B, class 5, $2,000.
Southampton, England, consul, Schedule B, class 4, $2,500.
Stanbridge, Canada, consul, Schedule B, $1,000.
Stettin, Germany, consul, Schedule C, class 6, $1,500.
Stratford, Canada, consul, Schedule B, class 6, $1,500.
Stuttgart, Germany, consul, Schedule B, class 4, $2,500.
Swansea, Wales, consul, Schedule B, class 4, $2,500.
Sydney, New South Wales, consul, Schedule B, class 5, $2,000.
Sydney, Nova Scotia, consul, Schedule B, class 6, $1,500.
Tahiti, Society Islands, consul, Schedule C, class 7, $1,000.
Tamatave, Madagascar, consul, Schedule B, class 5, $2,000.
Tampico, Mexico, consul, Schedule B, class 5, $2,000.
Tamsui, Formosa, consul, Schedule B, class 6, $1,500.
Tangier, Morocco, consul-general, Schedule B, $2,000.
Tegucigalpa, Honduras, consul, Schedule B, class 5, $2,000.
Teneriffe, Spain, consul, Schedule B, class 6, $1,500.
Three Rivers, Canada, consul, Schedule B, class 5, $2,000.
Tientsin, China, consul, Schedule B, class 2, $3,500.
Toronto, Canada, consul, Schedule B, class 5, $2,000.
Trieste, Austria, consul, Schedule B, class 5, $2,000.
Trinidad, West Indies, consul, Schedule B, class 5, $2,000.
Tunstall, England, consul, Schedule B, class 4, $2,500.
Turin, Italy, consul, Schedule C, class 7, $1,000.
Utilla, Honduras, consul, schedule C, class 7, $1,000.
Valencia, Spain, consul, Schedule B, class 6, $1,500.
Valparaiso, Chile, consul, Schedule B, class 3, $3,000.
Vancouver, British Columbia, consul, Schedule B, class 5, $2,000.
Venice, Italy, consul, Schedule B, class 6, $1,500.
Vera Cruz, Mexico, consul, Schedule B, class 3, $3,000.
Victoria, British Columbia, consul, Schedule B, class 4, $2,500.
Vienna, Austria, consul-general, Schedule B, $3,500.
Vladivostok, Siberia, consul, Schedule B, class 4, $2,500.
Wallaceburg, Ontario, consul, Schedule B, class 6, $1,500.
Weimar, Germany, consul, Schedule B, class 5, $2,000.
Windsor, Nova Scotia, consul, Schedule C, class 7, $1,000.
Windsor, Ontario, consul, Schedule B, class 6, $1,500.
Winnipeg, Manitoba, consul, Schedule B, class 6, $1,500.
Woodstock, New Brunswick, consul, Schedule B, class 6, $1,500.
Yarmouth, Nova Scotia, consul, Schedule B, class 6, $1,500.
Yokohama, Japan, consul-general, Schedule B, $4,000.
Zanzibar, Zanzibar, consul, Schedule B, class 5, $2,000.
Zittau, Germany, consul, Schedule B, class 6, $1,500.
Zurich, Switzerland, consul, Schedule B, class 4, $2,500.
Total, $582,750.

And in lieu thereof to insert the following:

SCHEDULE B.—SALARIES, CONSULAR SERVICE.

CONSULS-GENERAL.

For salaries of consuls-general at the following places, namely: Calcutta, Hongkong, London, Paris, Rio de Janeiro, and Shanghai, at $5,000 each, $30,000.

Melbourne, $4,500.

Berlin, Mexico, Montreal, Ottawa, Panama, and Yokohama, at $4,000 each, $24,000.

Antwerp, Halifax, and Vienna, at $3,500 each, $10,500.

Apia and Nukualofa, Barcelona, Cape (Africa), Dresden, Frankfort, Guayaquil, Rome, St. Gall, St. Petersburg, and Singapore, at $3,000 each, $30,000.

Coburg, Hamburg, Marseilles, Monterey, Munich, and Rotterdam, at $2,500 each, $15,000.

Guatemala City (Guatemala), Maracaibo, Tangier, and Santa Domingo, at $2,000 each, $8,000.

Christiania, $1,500.

Totals for salaries of consuls-generals, $123,500.

CONSULS.

For salary of consuls at the following places, namely:

CLASS I.

At $5,000 per annum.
Liverpool, England.

CLASS II.

At $3,500 per annum.
Amoy, China.
Callao, Peru.
Canton, China.
Havre, France.
Tientsin, China.

CLASS III.

At $3,000 per annum.
Barmen, Germany.
Basle, Switzerland.
Belfast, Ireland.
Bordeaux, France.
Bradford, England.
Chefoo, China.
Colon, Colombia.
Dawson City, Northwest Territory.
Demerara, Guiana.
Fuchau, China.
Glasgow, Scotland.
Hankau, China.
Kingston, Jamaica.
Kobe, Japan.
Lyons, France.
Manchester, England.
Montevideo, Uruguay.
Nagasaki, Japan.
Nanking, China.
Niuchwang, China.
Nottingham, England.
Nuremberg, Germany.
Para, Brazil.
Pernambuco, Brazil.
Prague, Austria.
Pretoria, South African Republic.
Quebec, Canada.
Santos, Brazil.
Valparaiso, Chile.
Vera Cruz, Mexico.

CLASS IV.

At $2,500 per annum.
Aix la Chapelle, Germany.
Annaberg, Germany
Athens, Greece.
Bahia, Brazil.
Barbados, West Indies.
Birmingham, England.
Bremen, Germany.
Brussels, Belgium.
Buenos Ayres, Argentine Republic.
Chemnitz, Germany.
Ciudad Juarez, Mexico.
Cologne, Germany.
Dundee, Scotland.
Edinburgh, Scotland.
Huddersfield, England.
Jerusalem, Syria.
Lourenço Marquez, Africa.
Mainz, Germany.
Plauen, Germany.
Reichenberg, Austria.
St. Thomas, West Indies.
San Juan del Norte, Nicaragua.
Sheffield, England.
Smyrna, Turkey.
Southampton, England.
Stuttgart, Germany.
Swansea, Wales.
Tunstall, England.
Victoria, British Columbia.
Vladivostock, Siberia.
Zurich, Switzerland.

CLASS V.

At $2,000 per annum.
Acapulco, Mexico.
Amsterdam, Netherlands.
Auckland, New Zealand.
Bamberg, Germany.
Barranquilla, Colombia.
Beirut, Syria.
Belize, Honduras.
Berne, Switzerland.
Bombay, India.
Brunswick, Germany.
Calais, France.
Cardiff, Wales.
Chatham, Ontario.
Chihuahua, Mexico.
Ciudad Porfirio Diaz, Mexico
Collingwood, Canada.
Cork, Ireland.
Crefeld, Germany.
Curaçao, West Indies.
Dublin, Ireland.
Dunfermline, Scotland.
Dusseldorf, Germany.
Erzerum, Turkey.
Freiburg, Germany.
Geneva, Switzerland
Genoa, Italy.
Ghent, Belgium.
Glauchau, Germany.
Hamilton, Bermuda.
Hamilton, Ontario.
Hanover, Germany.
Kehl, Germany.
La Guayra, Venezuela.
Leeds, England.
Leghorn, Italy.
Liege, Belgium.
Leipsic, Germany.
London, Ontario.
Lucerne, Switzerland.
Magdeburg, Germany.
Malta, Great Britain.
Managua, Nicaragua.
Mannheim, Germany.
Mazatlan, Mexico.
Milan, Italy.
Moscow, Russia.
Naples, Italy.
Nassau, New Providence.
Newcastle-on-Tyne, England.
Nuevo Laredo, Mexico.
Odessa, Russia.
Palermo, Italy.
Port Louis, Mauritius.
Port Sarnia, Ontario.
Port Stanley, Falkland Islands.
Rheims, France.
Rosario, Argentine Republic.
Roubaix, France.
St. Etienne, France.
St. Helena, Great Britain.
St. Johns, Newfoundland.
St. John, New Brunswick.
St. Thomas, Ontario.
San Jose, Costa Rica.
San Salvador, Salvador.
Sherbrooke, Canada.
Solingen, Germany.
Sydney, New South Wales.
Tamatave, Madagascar.
Tampico, Mexico.
Tegucigalpa, Honduras.
Three Rivers, Canada.
Toronto, Canada.
Trieste, Austria.
Trinidad, West Indies.
Vancouver, British Columbia.
Weimar, Germany.
Zanzibar, Zanzibar.

CLASS VI.

At $1,500 per annum.
Aden, Arabia.
Alexandretta, Syria.
Algiers, Africa.
Amherstburg, Canada.
Antigua, West Indies.
Asuncion, Paraguay.
Breslau, Germany.
Bristol, England.
Brockville, Canada.
Budapest, Austria-Hungary.
Cadiz, Spain.
Cartagena, Colombia.
Castellamare di Stabia, Italy.
Catania, Italy.
Ceylon, India.
Charlottetown, Prince Edward Island.
Coaticook, Quebec.
Copenhagen, Denmark.
Cornwall, Canada.
Durango, Mexico.
Esenada, Mexico.
Florence, Italy.
Fort Erie, Canada.
Funchal, Madeira.
Gibraltar, Spain.
Goderich, Ontario.
Gothenberg, Sweden.
Grenoble, France.
Guadeloupe, West Indies.
Guelph, Canada.
Harput, Turkey.
Hull, England.
Kingston, Ontario.
La Rochelle, France.
Limoges, France.
Malaga, Spain.
Martinique, West Indies.
Matamoras, Mexico.
Messina, Italy.
Nantes, France.
Niagara Falls, Ontario.
Nice, France.
Nogales, Mexico.
Orillia, Ontario.
Patras, Greece.
Port Hope, Ontario.
Port Limon, Costa Rica.
Prescott, Ontario.
Progreso, Mexico.
Puerto Cabello, Venezuela.
Puerto Cortez, Honduras.
St. Christopher, West Indies.
St. Hyacinthe, Quebec.
St. Johns, Quebec.
St. Michaels, Azores.
St. Pierre, St. Pierre Island.
St. Stephen, New Brunswick.
Saltillo, Mexico.
Sierra Leone, Africa.
Sivas, Turkey.
Stettin, Germany.
Stratford, Canada.
Sydney, Nova Scotia.
Tamsui, Formosa.
Teneriffe, Spain.
Valencia, Spain.
Venice, Italy.
Wallaceburg, Ontario.
Windsor, Ontario.
Winnipeg, Manitoba.
Woodstock, New Brunswick.
Yarmouth, Nova Scotia.
Zittau, Germany.

SCHEDULE C.

CLASS VII.

At $1,000 per annum.
Batavia, Java.
Cape Haitien, Haiti.
Ceiba, Honduras.
Gaspe Basin, Canada.

Riga, Russia.
Rouen, France.
Stanbridge, Canada.
Tahiti, Society Islands.
Turin, Italy.
Utilla, Honduras.
Windsor, Nova Scotia.
Total, salaries of consuls, $466,500.

Mr. HALE. I move to amend the amendment on page 36, line 13, by striking out "$1,500" and inserting "$2,000;" so as to read:

Christiania, $2,000.

The amendment to the amendment was agreed to.

Mr. HALE. I move to amend the amendment in line 14, on page 36, by changing the total for "salaries of consuls-general" from "$123,500" to "$124,000."

The amendment to the amendment was agreed to.

Mr. HALE. I move to amend the amendment on page 40, line 10, after the words "Collingwood, Canada," by inserting "Copenhagen, Denmark." I will state that this restores the present salary.

The amendment to the amendment was agreed to.

Mr. HALE. On page 43, line 17, I move to amend the amendment by striking out "Copenhagen, Denmark," on account of the amendment just made.

The amendment to the amendment was agreed to.

Mr. HALE. I now move to amend the amendment on page 46, line 15, by changing the total appropriations for "salaries of consuls" from "$466,500" to "$467,000."

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question is on the adoption of the amendment of the Committee on Appropriations as it has been amended.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Salaries of consular clerks," on page 46, line 18, before the words "consular clerks," to strike out "nine" and insert "eight;" in line 19, after the word "and," to strike out "four" and insert "five;" and in line 21, before the word "hundred," to strike out "eight" and insert "six;" so as to make the clause read:

SALARIES OF CONSULAR CLERKS.

Eight consular clerks, at $1,200 each, $10,800; and 5 consular clerks, at $1,000 each, $4,000; total, $14,600.

The amendment was agreed to.

Mr. HALE. In line 19 on page 46, I move to amend by striking out "$10,800" and inserting "$9,600."

The amendment was agreed to.

Mr. HALE. In line 20 on page 46, I move to strike out "$4,000" and insert "$5,000."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the subhead "Allowances for clerk hire at United States consulates," on page 47, after line 4, to strike out:

Aix la Chapelle, Germany, $640.
Antwerp, Belgium, $1,500.
Barmen, Germany, $1,200.
Beirut, Syria, $800.
Belfast, Ireland, $1,000.
Berlin, Germany, $1,200.
Berne, Switzerland, $480.
Birmingham, England, $960.
Bordeaux, France, $1,000.
Bradford, England, $1,800.
Bremen, Germany, $1,200.
Brussels, Belgium, $1,200.
Cairo, Egypt, $600.
Calcutta, India, $1,000.
Canton, China, $600.
Cape Town, Africa, $600.
Chemnitz, Germany, $1,200.
Ciudad Juarez, Mexico, $640.
Ciudad Porfirio Diaz, Mexico, $640.
Coburg, Germany, $1,000.
Cologne, Germany, $600.
Colon, Colombia, $800.
Constantinople, Turkey, $600.
Crefeld, Germany, $1,200.
Dawson City, Dominion of Canada, $800.
Demerara, British Guiana, $480.
Dresden, Germany, $800.
Dundee, Scotland, $800.
Edinburgh, Scotland, $640.
Florence, Italy, $480.
Frankfort, Germany, $1,200.
Genoa, Italy, $480.
Glasgow, Scotland, $1,000.
Guayaquil, Ecuador, $800.
Halifax, Nova Scotia, $640.
Hamburg, Germany, $1,200.
Havre, France, $1,200.
Hongkong, China, $1,200.
Huddersfield, England, $600.
Kehl, Germany, $500.
Kingston, Jamaica, $800.
Kobe, Japan, $1,200.
Leipsic, Germany, $800.
Liverpool, England, $2,000.
London, England, $3,000.
Lyons, France, $1,200.
Malaga, Spain, $480.
Mainz, Germany, $600.
Manchester, England, $1,500.
Mannheim, Germany, $480.
Maracaibo, Venezuela, $800.
Marseilles, France, $1,200.
Melbourne, Australia, $800.
Messina, Italy, $800.
Mexico City, Mexico, $1,200.
Monterey, Mexico, $800.
Montreal, Quebec, $1,200.
Munich, Germany, $600.
Naples, Italy, $800.
Newcastle on Tyne, England, $600.
Nottingham, England, $600.
Nuremberg, Germany, $1,000.
Odessa, Russia, $600.
Ottawa, Ontario, $1,200.
Palermo, Italy, $800.
Panama, Colombia, $800.
Para, Brazil, $600.
Paris, France, $2,600.
Pernambuco, Brazil, $600.
Port au Prince, Haiti, $800.
Prague, Austria, $720.
Rio de Janeiro, Brazil, $1,600.
Rotterdam, Netherlands, $1,200.
St. Gall, Switzerland, $800.
Shanghai, China, $1,600.
Sheffield, England, $800.
Singapore, Straits Settlements, $800.
Smyrna, Turkey, $800.
Southampton, England, $1,750.
Stuttgart, Germany, $480.
Tampico, Mexico, $600.
Tangier, Morocco, $800.
Toronto, Ontario, $800.
Tunstall, England, $800.
Vancouver, British Columbia, $800.
Vera Cruz, Mexico, $800.
Victoria, British Columbia, $800.
Vienna, Austria, $1,200.
Yokohama, Japan, $1,200.
Zurich, Switzerland, $600.
Total, $85,490.

And insert:

For allowance for clerk hire at consulates as follows:
London, $3,000;
Paris, $2,600;
Mexico (city), $2,100;
Liverpool, $2,000;
Bradford, $1,800;
Southampton, $1,750:
Rio de Janeiro and Shanghai, at $1,600 each, $3,200;
Antwerp and Manchester, at $1,500 each, $3,000;
Barmen, Berlin, Bordeaux, Bremen, Brussels, Chemnitz, Crefeld, Frankfort, Hamburg, Havre, Hongkong, Kobe, Lyons, Marseilles, Montreal, Ottawa, Rotterdam, Vienna, and Yokohama, at $1,200 each, $22,800;
Belfast, Calcutta, Coburg, Glasgow, and Nuremburg, at $1,000 each, $5,000;
Birmingham, $960;
Beirut, Cape Town, Colon, Dawson City, Dresden, Dundee, Guayaquil, Kingston (Jamaica), Leipsic, Maracaibo, Melbourne, Messina, Monterey, Naples, Palermo, Panama, Port au Prince, St. Gall, Sheffield, Singapore, Smyrna, Tangier, Toronto, Tunstall, Vancouver, Vera Cruz, and Victoria, at $800 each, $21,600;
Edinburgh, $760;
Prague, $720;
Aix la Chapelle, Ciudad Juarez, Ciudad Porfirio Diaz, and Halifax, at $640 each, $2,560;
Cairo, Canton, Cologne, Constantinople, Huddersfield, Mainz, Munich, Newcastle-on-Tyne, Nottingham, Odessa, Para, Pernambuco, Solingen, Tampico, and Zurich, at $600 each, $9,000;
Kehl, $500;
Berne, Demerara, Florence, Genoa, Malaga, Mannheim, and Stuttgart, at $480 each, $3,360;
Total, clerk hire, $83,710.

Mr. HALE. I move to amend the amendment of the committee, on page 52, line 6, after the name "Ciudad Porfirio Diaz," by inserting "Lucerne;" and after the word "each," at the end of line 6, to strike out "$2,560" and insert "$3,200."

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. On page 52, line 6, after the name "Ciudad Porfirio Diaz," it is proposed to insert "Lucerne;" and after the word "each," at the end of line 6, to strike out "$2,560" and insert "$3,200;" so as to make the clause read:

Aix la Chapelle, Ciudad Juarez, Ciudad Porfirio Diaz, Lucerne, and Halifax, at $640 each, $3,200.

The amendment to the amendment was agreed to.

Mr. HALE. I move to change the total appropriation "for allowances of clerk hire to consuls," in line 16, on page 52, by striking out "$86,710" and inserting "$87,350."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HALE. I would say here, as we have just completed the portion of the bill in reference to consular clerk hire, that the Senate in its classification has adopted the mode provided by law as to what it shall be; it has struck out the House classification and put in its own classification.

The reading of the bill was resumed and concluded.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The PRESIDENT pro tempore. If there be no amendments in the Senate, shall the amendments made as in Committee of the Whole be ordered to be engrossed and the bill to be read a third time?

Mr. BACON. I offer the amendment which I send to the desk to one of the amendments of the committee, beginning in line 22, on page 6, and ending with line 2, on page 7.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Georgia will be stated.

The SECRETARY. After line 2, on page 7, it is proposed to insert:

Provided, That said student interpreters shall be chosen in such manner as will make the selections nonpartisan, so far as may be consistent with aptness and fitness for the intended work: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as interpreter to the legations and consulates in China so long as his said services may be required within a period of ten years.

Mr. HALE. I have no objection to the amendment. I think it is right.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PROPOSED ADJOURNMENT TO MONDAY.

Mr. HALE. I move that when the Senate adjourn to-day it be to meet on Monday next.

Mr. HOAR. Mr. President, I shall be in favor of that adjournment if I find that it can be done without interfering with the bill I have in charge. If Monday is to be taken up with the shipping bill, I should like to get the bill in regard to the protection of the President through to-day, and not agree to adjourn over to-morrow until we see how it stands. I wish the Senator would withdraw his motion, say, for an hour or two.

Mr. HALE. I withdraw the motion, Mr. President.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. I move that the Senate proceed to the consideration of the bill (S. 3653) for the protection of the President of the United States, and for other purposes.

The motion was agreed to.

FREDERICK SCHULTE OR SCHULDT.

Mr. HOAR. Mr. President——

Mr. TILLMAN. If the Senator from Massachusetts will kindly give way, I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 2533) to remove the charge of desertion against Frederick Schulte or Schuldt.

Mr. HOAR. The Senator, I understand, only proposes that the pending bill be laid aside informally.

Mr. TILLMAN. Oh, certainly. I simply wish this bill passed, which will take but a moment.

Mr. HOAR. I shall not object, but after this bill is disposed of I think I ought to object to any further requests of the kind.

Mr. TILLMAN. It is a bill for an old Union sailor down in my country. I simply wish to help the old gentleman to straighten his record.

The PRESIDING OFFICER (Mr. PERKINS in the chair). Is there objection to laying aside temporarily the pending bill in order that the Senate may consider the bill named by the Senator from South Carolina?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Naval Affairs with amendments, in line 5, before the word "Department," to strike out "War" and insert "Navy;" and in line 8, before the word "discharge," to strike out "an honorable" and insert "a;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to remove the charge of desertion now borne on the records of the Navy Department against Frederick Schulte or Schuldt, formerly a seaman on the U. S. steamships *Anotonic* and *Hartford*, and to grant the said Schulte a discharge from the service of the Government.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROTECTION OF THE PRESIDENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3653) for the protection of the President of the United States, and for other purposes.

Mr. BACON. Mr. President, when I yielded the floor on yesterday, during the consideration of this bill, I was discussing the question whether this proposed legislation, if enacted into law, would not in reality be an extension of the law of treason beyond the limits set by the Constitution. In order that it may be seen what was before the framers of the Constitution at the time that this particular section or paragraph was adopted, I desire to read from Elliott's Debates of the Convention. From this debate we ascertain the particular questions brought before the Convention when it came to determine the limitation which should be put on the definition of treason. I read from volume 5, page 447. After the disposition of one matter, which is therein narrated, Elliott's Debates proceeds as follows:

Article 7, section 2, concerning treason, was then taken up.

I ask the attention of Senators to the particular suggestions which were then made.

Mr. Madison thought the definition too narrow. It did not appear to go as far as the statute of Edward III. He did not see why more latitude might not be left to the Legislature. It would be as safe as in the hands of State legislatures; and it was inconvenient to bar a discretion which experience might enlighten and which might be applied to good purposes, as well as be abused.

Mr. Mason was for pursuing the statute of Edward III.

* * * * * * *

It was moved and seconded to amend the sentence to read:

"Treason against the United States shall consist only in levying war against them or in adhering to their enemies."

Which was agreed to.

Colonel Mason moved to insert the words "giving them aid and comfort," as restrictive of "adhering to their enemies," etc. The latter, he thought, would be otherwise too indefinite. This motion was agreed to—Connecticut, Delaware, and Georgia only being in the negative.

Mr. L. Martin moved to insert after conviction, etc., "or on confession in open court;" and on the question (the negative States thinking the words superfluous) it was agreed to.

Mr. President, from this debate I have read for our information in this investigation enough to show that the discussion was had especially with reference to the act of Edward III, and that there was the distinct expression of opinion by Mr. Madison that the entire statute of Edward III ought to be incorporated in the Constitution as the definition of treason; that the same opinion was expressed by Mr. Mason, and that in the face of it, in the face of the discussion of which, of course, we have but a mere outline in Elliott's Debates, the Constitutional Convention determined in the negative, and rejected all seven of the particular classes of offenses included in the act of Edward III as constituting treason, accepting only one. Of the seven distinct classes of offenses named in the act of Edward III as constituting treason under the English law only one was adopted, and the language of that was copied almost literally, the addition to it being in these words. I will read the act of Edward III or that clause of it——

Mr. HOAR. May I ask the Senator from Georgia a question?

Mr. BACON. Certainly.

Mr. HOAR. I wish to ask the Senator if he has had his attention called to the case of the United States *v.* Bollman?

Mr. BACON. Is that the habeas corpus case?

Mr. HOAR. No; it is the case of the trial of Bollman and Swartwout.

Mr. BACON. Is that a circuit court case?

Mr. HOAR. No; a case in the Supreme Court of the United States (4 Cranch), where, I understand, Chief Justice Marshall considered and settled by a judgment of the court the particular point which the Senator is raising.

Mr. BACON. I will say to the Senator that I have not examined that case, but in the very hurried examination which I have been compelled to give to this question I had reference to some elementary works with a view to having their notations of cases which had been decided, and in Bishop on Criminal Law I found a statement to the effect that the only case in which the Supreme Court of the United States had discussed and passed on the law of treason was in a case, the name of which I have forgotten, but a habeas corpus case. I have sent for it. If any Senator here has it——

Mr. HOAR. The Senator will pardon me. I am not surprised that the Senator from Georgia had overlooked this case, because I had overlooked it myself, and only have it called to my attention now by the Senator from Wisconsin [Mr. SPOONER], who is better than a digest in the matter of knowledge of the decisions of the Supreme Court of the United States. But perhaps the Senator will allow me to read two sentences. I do not want to interrupt him, but it might possibly make him like to either consider this case or——

Mr. BACON. Most undoubtedly I should be glad to hear it.

Mr. HOAR. It was claimed in the trial of the case that certain acts, not coming within what the court held to be a levying of war, were still punishable under the statute, and the question of this particular point came up. Now, in the argument Harper said:

It is admitted that the Constitution has prevented many questions as to the doctrine of treason. The intention of having a constitutional definition of the crime was to put it out of the power of Congress to invent treason.

That only goes to explain why that was put into the Constitution. But then, Chief Justice Marshall, in delivering the opinion of the court, deals with the very matter to which the Senator refers—that is, as to whether, after this constitutional definition of treason, it is still in the power of Congress to provide punishment

for other offenses which, according to the old English common law, were treason, but are no longer treason because of the constitutional definition.

Mr. BACON. I have not a doubt as to that proposition, relating to offenses in their nature less than treason, and that may be true, and what I contend for may also be true.

Mr. HOAR. Perhaps the Senator would like to have me read these two sentences.

Mr. BACON. I would.

Mr. HOAR. I will not if he would prefer that I should not.

Mr. BACON. I have already assured the honorable Senator that I should like to hear it.

Mr. HOAR. The court says:

> Crimes so atrocious as those which have for their object the subversion by violence of those laws and those institutions which have been ordained in order to secure the peace and happiness of society are not to escape punishment because they have not ripened into treason. The wisdom of the legislature is competent to provide for the case; and the framers of our Constitution, who not only defined and limited the crime, but with jealous circumspection attempted to protect their limitation by providing that no person should be convicted of it, unless on the testimony of two witneses to the same overt act, or on confession in open court, must have conceived it more safe that punishment in such cases should be ordained by general laws formed upon deliberation, under the influence of no resentments, and without knowing on whom they were to operate, than that it should be inflicted under the influence of those passions which the occasion seldom fails to excite, and which a flexible definition of the crime, or a construction which would render it flexible, might bring into operation. It is, therefore, more safe as well as more consonant to the principles of our Constitution that the crime of treason should not be extended by construction to doubtful cases, and that crimes not clearly within the constitutional definition should receive such punishment as the legislature in its wisdom may provide.

Mr. BACON. What was the crime there, I will ask the Senator from Massachusetts?

Mr. HOAR. It was a question whether the act which had been performed by Bollman and Swartwout amounted fully to a levying of war. That was the case which was under discussion.

Mr. BACON. There is nothing which the Senator has read that is in conflict with the view I entertain and which I was about to express.

Mr. HOAR. I will not detain the Senator by further discussing this. I wanted merely to call his attention to it.

Mr. BACON. I am very sorry the Senator did not call my attention to it before in order that I might examine it. I can not do so now, manifestly. I will endeavor hereafter to examine it. I had intended to present some views dealing with the question as to how far that exclusion of offenses which were formerly treason prevented legislation by Congress for the punishment of such offenses, and what were the classes which were necessarily excluded by the constitutional limitation from Congressional legislation, and what were the classes of offenses not so excluded. It is for that reason and with that discrimination in my mind that I said to the Senator that there is nothing which had been read which conflicted with my views and in recognition of which I consented to a proposition submitted by him.

Now, if I may be permitted, I wish to state as clearly as I can what my position is in regard to the matter, and I was about to do so when interrupted, very properly and very agreeably to me.

I had remarked the fact that the framers of the Constitution had before them for consideration the act of Edward III as it had been amended by various Parliaments from the original date of its enactment. If I recollect correctly, the act of Edward III, enacted in the fourteenth century, originally contained only five classifications of offenses which were denominated treason, and that by subsequent amendments up to the present time, so far as I know, or at least up to the time of the Commentaries by Blackstone, there had been two others, so that there were then seven.

Blackstone's Commentaries, as we all know, were written just prior to our Revolutionary war. I have here, or I did have yesterday, and I sent it back to the Library simply because it is a valuable book which they do not want to have out any more than is necessary, the original act of Edward III, and I did that in order that I might make no mistake as to the text, but I suppose the quotation of it in Blackstone will be considered reliable.

I called attention to the fact that with distinct classes of offenses enumerated in the act of Edward III, and with the act of Edward III directly before the framers of the Constitution and under discussion, and with the contention by Mr. Madison and Mr. Mason and others that the entire seven sections so far as they could be adapted to our different form of government, should be adopted as the definition of treason, and with that presentation and that contention the framers of the Constitution rejected six of the classifications and adopted only one, and that in the adoption of that one they had used almost the identical language which is found in the act of Edward III. Now, here is——

Mr. SPOONER. Will my friend the Senator from Georgia permit me?

Mr. BACON. I will yield with pleasure.

Mr. SPOONER. I did not have the advantage of hearing the Senator state his proposition yesterday, but at this point I desire to ask him, for I always listen to him with great interest, what his inference is from that rejection by the Constitutional Convention.

Mr. BACON. That is exactly what I was going to say, and if the Senator will pardon me, I will endeavor to do so. I was calling attention to the fact that they had rejected six and adopted only one (the fourth section), and that in the adoption of that one they had used the identical language, in part, which was used in the act of Edward III. The act of Edward III, in its fourth section, is in these words, prescribing the various acts which constitute treason:

> "If a man be adherent to the king's enemies in his realm, giving to them aid and comfort in the realm or elsewhere," he is also declared guilty of high treason.

The quotation from the statute ends with the word "elsewhere," and Blackstone, in reciting it, says "he is also declared guilty of high treason." The conclusion or the inference which I draw from it, I will say in response to the very pertinent inquiry of the distinguished Senator from Wisconsin, is that the framers of the Constitution, having before them this act, evidently shaping their action with reference to the provisions of this act, when they limited it to the fourth section and expressed it in the Constitution in these words—I am now quoting from the Constitution of the United States—

> Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort—

intended expressly that none of the acts enumerated in the other six sections should ever be treason under the Constitution of the United States.

Now, I will say to the distinguished Senator from Wisconsin, as he says he was not present yesterday, that the proposition which I had laid down was this: That when the framers of the Constitution said that only such acts should be treason, they did not mean that the Congress of the United States when it came to legislate should simply not use the word "treason" as to any act not specified in the constitutional definition, but they meant that no act therefrom excluded should by an act of Congress be treated as treason; because it would be child's play to say that in spite of the constitutional prohibition they could still make a felony of an act which in its nature is treason and make it punishable in the same way as treason, provided they did not call it treason.

Now, I was met right at that point by the pertinent inquiry of the very learned Senator from Texas [Mr. CULBERSON], how was it that if that was a proper conclusion there were certain acts or classes of offenses enumerated in the act of Edward III which are excluded by our Constitution from the class of treason, but which are recognized still as legitimate subjects-matter of legislation in the framing of penal statutes, and the Senator mentioned, as an illustration, counterfeiting, counterfeiting being an offense which, under the act of Edward III, was treason, and which, under the terms of our Constitution, can not be made treason, but yet which, under the terms of our Constitution, is an offense made so by statute law punishable as a felony.

My reply to that is this: I had to some extent intimated it in what I had said, although I had not come explicitly to the point. I said there must be some line of demarcation, and there must have been in the minds of the framers of the Constitution a line of distinction between the classes of offenses which were in their nature treasonable, which of themselves under the general definition of treason would be treason, and another and a minor class which were not in their nature treasonable, but were in the act of Edward III simply made treason by the arbitrary enactment of the statute.

For instance, the killing of the king is, in itself—in its very nature—treason, because it is an assault on that which constitutes either in whole or in part the sovereignty of the country. It was in its nature treason, and did not depend upon the fact that it was specified in the act as treason. On the other hand, counterfeiting is not in its nature treason. No man can by force assault the sovereignty of a nation, whether that sovereignty is represented in whole or in part by the particular object assaulted, without treasonable intent, without intent to destroy that sovereignty either in whole or in part, and without the intent thereby either to turn the government over to its enemies or to destroy the power of the government to exercise its proper governmental functions.

On the other hand, a man may be a counterfeiter and be thoroughly loyal in his devotion to his own country. In other words, in the one case it is naturally an act of treason; in the other case it is an artificially treasonable act, or, rather, it is made treason by arbitrary rule and not by the fact that it is properly and naturally so classified.

Now, Mr. President, the point to which I wish to ask the attention of the Senate in the consideration of the pending question is this: What must have been the mental processes of the framers of the Constitution when they said that treason against the United States shall consist only in levying war against them or in adhering to their enemies, giving them aid and comfort? What must

have been the mental processes by which, with the statute of Edward III before them, knowing every line and having every particle of it before them for consideration—what must have been the motive, what must have been the conclusion reached by the framers of the Constitution when they wrote what is now found in the Constitution as to what and what only shall constitute treason?

As I have read from Elliott's Debates, the distinct question was presented by Mr. Madison whether or not treason should be made so broad under the Constitution of the United States as to embrace all of the provisions found in the act of Edward III, and the distinct conclusion reached was that it should not. What did they mean to accomplish when they said it should not? Can it be for a moment assumed that they had no purpose? Did they intend that their action should be effective, or were they simply playing with words? It must be obvious that it could only be effective in case those things which they did not desire should be recognized as treasonable offenses could not be so made by evasion; by still prosecuting a man for the act and prescribing the same penalty, only omitting in the criminal statute to name the offense "treason."

Mr. PLATT of Connecticut. Will the Senator from Georgia permit me?

Mr. BACON. I shall be very glad to yield.

Mr. PLATT of Connecticut. I do not know that I follow the Senator closely, and therefore I wish to ask a question. Does he contend that because the offense of killing the President was not made treason by the Constitution the Congress can not, therefore, pass a law to punish that offense at all?

Mr. BACON. If the Senator will pardon me, I am on that exact point, and if he will let me proceed——

Mr. PLATT of Connecticut. I direct his attention to that point, and I shall be very glad to hear from him on it.

Mr. BACON. The learned and distinguished Senator does not need to direct my attention to it, because that is the only point I now have in view, and I am coming to it.

Mr. SPOONER. Will the Senator pardon me for a moment? Does not that follow from your premises?

Mr. BACON. I hope the Senator will let me at least present the proposition. I have not yet been able to do it because as fast as I get in the neighborhood of it and before I can present it the Senator, with a perfectly proper desire to know exactly what I will say, induced probably by my imperfect expression, does not permit me to get through with what I think will answer the question of each one of the Senators.

It is not necessary now to consider five of these various propositions. We will say just for the purpose of simplifying the inquiry that the statute of Edward III has but two propositions in it. One of them was the one which is found in the fourth paragraph and the other is the first. The first provision of the act of Edward III is as follows:

> When a man doth compass or imagine the death of our lord the king, of our lady his queen, or of their eldest son and heir.

Now, that can only be analogized to any officer in this country, but naturally in the consideration of the question whether or not there should be an inclusion in that paragraph of the Constitution which I have read of something similar to this, it would relate to the President of the United States, because while he is not in any sense a ruler, although he is inaptly often so termed, he does represent a part of the sovereignty of the country. It might be said that the Congress and the President together possibly represent the sovereignty of the country. I do not say they are the sovereignty, but they represent it. One is the lawmaking power; the other is the law-executing power.

Now, I repeat, we will suppose there were only two provisions of the act in the act of Edward III, that one relative to compassing the death of the King, and the other, the fourth, which relates to the levying of war and adhering to enemies. When the framers of the Constitution came to consider what they should do with reference to the first, whether or not they should make an attack on the President of the United States treason, the suggestion would naturally occur that in an attack on the President of the United States there were two offenses, one the offense of a crime against the person, the offense against the President of the United States as an individual, the other the offense against him, or against the Government in him, as representing in part the sovereignty in the same way that in Great Britain the King represents the sovereignty of the country.

The framers of our Constitution are met now with the proposition, Shall we make an attack on the President of the United States or the assassination of the President of the United States an act of treason? And they say no. What, it was probably asked, shall an attack on the President of the United States be no offense?

The reply is, in a country with institutions such as ours, it is intended that each man shall be equal before the law, and, when an attack on the President of the United States is made, the remedy shall be the same as in the case of an attack upon an individual. And when the question was asked, Shall there be no offense punishable by law, so far as the public is concerned, for an attack upon the sovereignty of the United States in a personal assault upon the Chief Executive, representing in part that sovereignty? the answer was necessarily "no," because such attack upon the sovereignty of the United States is in its nature a treasonable act—it is in the first class of treasonable acts specified in the act of Edward III, which was then before them. If they had intended that such an attack on the Chief Executive and his assassination should be punishable as an act against the sovereignty of the United States, it would then have been included among the offenses which should constitute treason.

If they had intended that an attack upon the sovereignty of the United States as represented in part in the official should be an act of treason they would have said so, and the fact that they did not say so, when they had before them the distinct question as raised in the act of Edward the Third, when it was not a casus omissus, when it was upon a distinct deliberation, when it was upon a distinct issue raised by Mr. Madison and Mr. Mason, there is no conclusion but that the framers of the Constitution did not intend that there should be in an assault upon the sovereignty of the United States through an attack upon the President of the United States the offense of treason.

Now, Mr. President, let me illustrate that for a moment.

Mr. SPOONER. Mr. President, will the Senator from Georgia permit me to ask him a question?

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. Certainly.

Mr. SPOONER. Suppose it be admitted that what the Senator says is entirely accurate and true, and that there is no power in Congress under the Constitution to create from the assassination of a President the offense of treason and punish it by attainder during the life of the offender, does it follow at all that Congress has no power to punish the offense?

Mr. BACON. That is the very question I am going to try to come to, with the Senator's permission. If I do not answer that question, or at least attempt to answer it, before I get through, I hope the Senator will remind me of it.

Mr. SPOONER. I will agree not to interrupt my friend again.

Mr. BACON. I do not object to the interruption. The Senator must not misunderstand me in that regard. It is only that the Senator's mind works rapidly, and naturally more rapidly than I can talk or express it or come to it in the way of argument. I have not quite gotten to that point, but I will come to it.

I had stated the proposition that the failure of the framers of the Constitution to express this can be taken in no way except as a conclusion that they intended to exclude from the list of treasonable acts, or acts which should be punished as treason, an attack upon the official representing in part the sovereignty of the United States.

Then the further proposition which this is intended to illustrate is that if they intended to exclude it from the acts of treason, they did not intend that as a mere matter of form limited to the word "treason," but that they intended to deny to the Congress of the United States the jurisdiction to legislate with reference to an attack on the sovereignty of the United States through the person of the official, and that the evasion can not possibly be admitted that while it can not be done in the name of treason, an offense against the sovereignty of the United States as expressed in an attack upon one representing in part that sovereignty can be punished by a statute which shall have exactly the same effect as if it were called treason, and which is not an act of treason simply because it has not the word treason in it.

Now, to illustrate that I was about to present this view: Suppose the Constitution of the United States in this paragraph, instead of using the words herein used, had used the language of this proposed statute and had said:

> Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort, "or in willfully killing or causing the death of the President or Vice-President of the United States."

That latter part is the language of this bill. Suppose that had been the language of the Constitution and we were called on to legislate to enforce that provision of the Constitution, would the Senator from Wisconsin or any Senator frame a bill which should have a line or a letter in it different from the provisions of this bill now before us? There is the exact bill which would have been framed to carry out that provision if those had been the terms used in the Constitution of the United States; and yet if the proposition is true that, while we are prohibited by the Constitution from passing an act and calling it "treason" when the offense which it seeks to condemn and to punish shall consist in an attack on the sovereignty of the United States through the person of the Chief Executive, nevertheless we can enact a statute punishing that exact offense in the same way as treason is punished

provided we do not call it "treason," then the Constitution in that regard is a piece of waste paper. It is nothing more if we can turn around and do that exact thing which is prohibited if we will only call it by another name.

Now, Mr. President, on the subject of this differentiation I read yesterday from Judge Aldrich's article, to which I had been very kindly referred by the Senator from Wisconsin [Mr. SPOONER]. I read this because he expresses more clearly than I can that there are two distinct offenses, when you come to consider the question of an assault on the President of the United States or the assassination of the President of the United States. One of them is the offense against the person, which is punished by State laws, and which can only be punished by State laws if the offense is committed in a State.

The other is the offense against the sovereignty of the United States, and the proposition which I am endeavoring to present includes the proposition that a law directed against one who uses violence against the sovereignty of the United States must necessarily be a law of treason and can not be anything else, call it what you may. I do not say against any officer of the United States, but I say against any officer who represents the sovereignty of the United States; and I can conceive of no reason why the framers of the Constitution should exclude from this classification the particular element of treason, or the particular offense which would naturally constitute treason, unless they intended that an assault upon the sovereignty of the United States through the person of the official should not be one of the treasonable acts.

It was manifestly in recognition that in accordance with what was believed to be the genius and spirit of our institutions, as they were intended by the Constitution, there should be no man in this country who should stand before the law in the protection of his person on any higher platform than any other man.

I started to read this extract from Judge Aldrich's article in the December number of the North American Review simply to state in clear language the difference between the killing of the individual, the offense against the person, and the offense against the officer; the difference between the offense against the person, and the offense of the assault on the sovereignty of the United States as represented in the person of that officer:

> The killing of William McKinley as a private citizen in Ohio, or as a transient inhabitant of any State, would be an offense exclusively against the laws of that State; but the killing of the incumbent of the Presidential office, because of the office and what it represents, may well be declared a crime against the existence of the Federal Government, because the Government can not exist without administration, and it can not be administered in its present form without a President.

And the honorable Senator from Massachusetts [Mr. HOAR] in the debate on yesterday drew the same distinction in defining the character of the offense which it is the intention of this bill to condemn and punish. Said he:

> I will say that what this bill means to punish is the crime of interruption of the Government of the United States and the destruction of its security by striking down the life of the person who is actually in the exercise of the executive power, or of such persons as have been constitutionally and lawfully provided to succeed thereto in case of a vacancy.

Now, Mr. President, I want to ask these learned lawyers this question: Can an offense, in the language of Judge Aldrich, such as the killing of the incumbent of the Presidential office because of the office and what it represents, which he says may well be declared "a crime against the existence of the Federal Government," be anything else but treason? Is it possible to differentiate an offense so that you can recognize it as one directed at the existence of the Government and still not be treason? I mean treason in its essential nature. That is what Judge Aldrich says this offense is, and the Senator from Massachusetts says the same thing.

It is true that, so far as that offense is concerned, the assassination of a President of the United States because he is President is leveled at the existence of the Government and can not be anything else but treason in its nature, and you can not make it anything less than treason by calling it something else, and yet the framers of the Constitution did not include this as one of the things which can be punished as treason. They saw fit, for a reason satisfactory to themselves, to exclude it.

Mr. SPOONER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. With pleasure.

Mr. SPOONER. Does it follow, because it does not constitute the offense of treason as defined by the Constitution, that it is not an offense against the Government which may be defined by the Congress and punished by the Congress? The Senator calls it treason; and while every lawyer perhaps will admit that the offense of treason is defined absolutely in the Constitution, the punishment of it is left to Congress, of course. It may be by death; it may be by fine or by imprisonment. It can not be treason under the Constitution; it can not be treason of which one can only be convicted under the rule of evidence prescribed by the Constitution; but does it follow from that that it can not be an offense against the Government of the United States which Congress has jurisdiction to punish?

Mr. BACON. I think so. I think this authority——

Mr. SPOONER. Take counterfeiting. That is an assault.

Mr. BACON. That is a different thing entirely.

Mr. SPOONER. It is an assault upon the sovereignty of the country.

Mr. BACON. No; that is where I differ from the Senator.

Mr. SPOONER. Counterfeiting the king's coin?

Mr. BACON. No.

Mr. SPOONER. That is a sovereign function.

Mr. BACON. Oh, yes.

Mr. SPOONER. It is an insidious assault upon it. But where does the Senator get authority for saying that because the framers of the Constitution were not willing to import into that instrument all of the definitions of treason——

Mr. BACON. The Senator ought to let me answer the other question first.

Mr. McLAURIN of Mississippi. Will the Senator from Georgia allow me?

Mr. BACON. I hope the Senator will repeat the first question. I really desire to answer it.

Mr. PETTUS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Alabama?

Mr. BACON. Certainly.

Mr. PETTUS. I rise to a point of order.

The PRESIDING OFFICER. The Senator from Alabama will state his point of order.

Mr. PETTUS. This conversation passing from one member to another is strictly contrary to the rules of the Senate. According to my understanding, no Senator has a right to carry on such conversation at all or to address the Senate more than once when he has the leave of the Chair, and if a Senator is to address the Senate again he must do it by getting a second leave, or a third leave. This mode of interruption is contrary to good order and ought to be stopped.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. PETTUS. It leads to difficulty.

The PRESIDING OFFICER. The Chair thinks the point of order is well taken and sustains it.

PROMOTION OF COMMERCE.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1348) to provide for ocean mail service between the United States and foreign ports and the common defense, to promote commerce, and to encourage the deep-sea fisheries.

Mr. FRYE. I should like to inquire of the Senator from Arkansas if there is anyone he knows of in opposition to the bill ready to speak to-day.

Mr. BERRY. It was expected that the Senator from Florida [Mr. MALLORY] would speak to-day, but I am informed that he is sick. He is not present in the Senate. I do not know of anyone opposed to the bill who desires to speak to-day.

Mr. FRYE. I should like to know whether there is anyone in favor of the bill who desires to occupy the attention of the Senate this afternoon.

Mr. HANNA. I am not informed as to that. I understood that the Senator from Missouri [Mr. VEST] was to speak next.

Mr. FRYE. The Senator from Maine is informed that the Senator from Missouri is not in a condition to speak to-day, nor is the Senator from Florida, who was also expected to speak to-day.

Mr. HANNA. I do not think there is anyone on this side ready to go on to-day.

Mr. HOAR. Mr. President, if there be no impropriety in it, as I understand the Senator in charge of the shipping bill consents, I ask unanimous consent that that bill may be informally laid aside, and that we may continue the consideration of the bill which has been before the Senate.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that the unfinished business coming over from yesterday be temporarily laid aside for the purpose of further considering the bill which was before the Senate when the hour of 2 o'clock arrived. Is there any objection?

Mr. McLAURIN of Mississippi. Before that is done, I have an amendment to the bill which I desire to have printed, and to lie on the table.

The PRESIDING OFFICER. The proposed amendment will be printed, and it will lie on the table, in accordance with the request of the Senator from Mississippi.

Mr. HOAR. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

Mr. McLAURIN of Mississippi. It is an amendment to the shipping bill.

Mr. HOAR. Very well.

Mr. ALLISON. Let it be read.

Mr. McLAURIN of Mississippi. It is not an amendment to the bill which has been under discussion to-day.

Mr. FRYE. Was there unanimous consent given?

The PRESIDING OFFICER. The Chair so understands it. The Chair heard no objection.

Mr. ALLISON. I made a request a moment ago that the amendment proposed by the Senator from Mississippi should be read. I hope that will be done.

The PRESIDING OFFICER. The amendment proposed by the Senator from Mississippi to the shipping bill will be read for the information of the Senate.

The Secretary read as follows:

Amend by adding the following sections, to wit:

SEC. 16. In making the contracts mentioned in section 1 of this act, in all cases where the contract shall be with a firm or firms the contract shall give the names of all the members of the firm or firms, as the case may be, with whom such contract shall be made; and in case such contract shall be made with a corporation or corporations the contract shall give the names of all the incorporators and stockholders thereof: *Provided*, That in cases of corporations where the number of incorporators and stockholders is so great as to make it cumbersome to include all the names in the contract it shall be sufficient for the Postmaster-General to make and keep a record of such names.

SEC. 17. That before any owner or owners of any vessel, as specified in sections 6 and 12 of this act, shall receive any of the money in said sections 6 and 12 mentioned, the names of all of the owners and part owners of such vessel shall be given to the Secretary of the Treasury under the oath of some one or more of such owners or part owners; and in case of a corporation the names of all of the incorporators and stockholders thereof shall be given to the Secretary of the Treasury under the oath of the president of such corporation, if there be a president, and if not, then under the oath of some other officer thereof, and the Secretary of the Treasury shall keep a record thereof.

SEC. 18. If the contract shall not give all of the names of the members of the firm or firms or of the incorporators and stockholders, as required by section 16, the said contract shall be thereby void.

SEC. 19. No Senator or Representative in Congress, or President of the United States, or judge of any court of the United States shall be directly or indirectly interested in any contract under this act, or in any corporation having a contract under this act, or directly or indirectly receive any money or thing of value or worth under the provision or provisions of this act, or be directly or indirectly interested in any corporation or vessel a beneficiary of this act.

The PRESIDING OFFICER. The proposed amendment will be ordered printed, and it will lie on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, it Chief Clerk, announced that the House had passed the bill (S. 3090) to approve and ratify an act of the legislative assembly of the Territory of Arizona entitled "An act to provide for the collection, arrangement, and display of the products of the Territory of Arizona at the international exposition to be held at St. Louis in 1903."

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 199) for the establishment of a light station on Bluff Shoal, Pamlico Sound, North Carolina.

The message further announced that the House had passed the concurrent resolution of the Senate directing the issuance to the Senate and House of Representatives of such Government publications as they may find necessary from time to time.

The message also announced that the House had passed the concurrent resolution of the Senate to print 3,500 copies of the report of the Commission to Revise and Compile the Laws of Porto Rico.

The message further announced that the House had passed the concurrent resolution to print and bind 4,000 copies of the Gazetteer of the Philippine Islands.

The message also announced that the House had agreed to the amendment of the Senate to the amendment of the House to the concurrent resolution of the Senate providing for the printing of the proceedings of the report of the Schley court of inquiry, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 1198) granting a pension to Joshua H. Buckingham; and

A bill (H. R. 3830) for the relief of William C. Marr.

PROCEEDINGS OF SCHLEY COURT OF INQUIRY.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the amendment of the Senate to the amendment of the House to the concurrent resolution of the Senate to print the proceedings of the Schley court of inquiry; which was in line 3, after "and," to insert: "also with a subject and topical index of the whole publication; and."

Mr. HALE. I move that the Senate agree to the amendment of the House to the Senate amendment.

Mr. BATE. What does the amendment relate to?

Mr. HALE. It is a resolution which the Senate has passed for the printing of the hearings and testimony in the Schley case, and the House put on an amendment providing for what is a very good thing—a topical index.

Mr. BATE. We could not hear it on this side, and I did not understand it at all.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the House to the Senate amendment.

The amendment was agreed to.

The concurrent resolution as finally adopted is a follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,500 copies of the proceedings of the Schley court of inquiry, together with all papers officially before the President, with Admiral Schley's appeal and the President's action thereon, and also with a subject and topical index to the whole publication; and of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 500 copies for the use of the Navy Department.

PROTECTION OF THE PRESIDENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3653) for the protection of the President of the United States, and for other purposes.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The senior Senator from Georgia [Mr. BACON] is entitled to the floor.

Mr. BACON. Mr. President, when interrupted I was discussing the question, somewhat in response to the inquiry of the Senator from Wisconsin [Mr. SPOONER], whether the exclusion of this particular offense from those enumerated in the Constitution as offenses on account of which treason could be charged deprives the Congress of the United States of the power to legislate with reference to an act thus excluded, if that act was in its nature treasonable. My conclusion is that it does.

That sounds like a very remarkable proposition, yet I believe it to be one sound in law, though I am frank to say, as I said in the beginning of this argument on yesterday, it is not free from difficulty. But I can not see in what way we can get around it.

When the framers of the Constitution came to consider the question of treason they had in their minds not only the act of Edward III, but they had in mind the long history of England, in which trials for treasons had played a very important and a very bloody part.

I desire to ask the Senate to keep clearly in mind this proposition, that in reference to this matter I am dealing simply with those acts which are an assault upon the sovereignty of the Government—as Judge Aldrich expresses it, "upon the existence of the Government"—and I have no reference to minor acts, because minor acts are not in themselves treasonable. I limit it to those acts which must necessarily be treasonable and can not be otherwise than treasonable.

I say the class of act which we have under consideration here is in its nature treasonable because it is an assault on the sovereignty of the Government, upon the existence of the Government, and that anything which is an assault on the sovereignty of the Government, and attacks its existence, must be treason in its nature.

It is a distinct class of offense. It is entirely different from offenses against the person. It is entirely different from offenses against property. It is absolutely a separate and distinct offense, being only against the sovereignty of the Government.

I am unable myself, Mr. President, to see how to escape from the proposition that either the framers of the Constitution intended that there should be no law against any assault on the sovereignty of the Government, except for the offense of levying war or adhering to the enemies of the United States and giving them aid and comfort—either that, or else they were simply writing upon a piece of paper that which could have no practical effect.

Mr. SPOONER. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. Certainly.

Mr. SPOONER. Does the Senator think it was competent for Congress to pass section 5334 of the Revised Statutes of the United States, declaring it to be an offense and providing punishment for a "person who incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States, or the laws thereof, or gives aid or comfort thereto?" That is not the treason section.

Mr. BACON. Well, Mr. President, the first section of that

chapter is a repetition of the language of the Constitution of the United States:

SEC. 5331. Every person owing allegiance to the United States who levies war against them, or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason.

The balance, I presume, is an elaboration of the same. Is it or is it not?

Mr. SPOONER. If the Senator will allow me——

Mr. BACON. I see it is a different provision.

Mr. SPOONER. Section 5333 is as to misprision of treason, and section 5334 is in reference to engaging in rebellion or insurrection. Those are offenses against the Government. Would the Senator say it was within the jurisdiction of Congress to pass those sections?

Mr. BACON. Mr. President, whether or not something which falls short of treason could be made a penal offense is a very different question. Something which falls short of treason can be an offense against the Government; but when it comes to that which assaults the sovereignty of the Government, strikes at the existence of the Government, it can not be anything else in its nature than treason and must be confined by the limitations of the Constitution. Of course I have not now the opportunity to read that chapter of the statutes through, but I think that general response will possibly cover the inquiry of the Senator. I will take pleasure in looking at it a little more carefully hereafter; and if the debate continues, I shall try to give my view in regard to it, because I have no object in this except to arrive at the truth—none whatever. I think it is a very grave question and one which may be of the utmost importance in time.

What is the meaning of the limitation in the Constitution as to what shall constitute treason, and is it competent when we come to deal with that distinct class of offenses which relate to assault upon the sovereignty of the Government to punish for any assault on the sovereignty except those attacks on the sovereignty which the Constitution itself prescribes?

I want to make one other reply to the inquiry of the Senator from Texas [Mr. CULBERSON]. The Senator asked particularly with reference to the crime of counterfeiting. I want to call his attention to a fact, aside from the suggestions which I have already made, that there is necessarily a distinctive line between offenses which are treasonable in their nature and offenses which are not treasonable in their nature and only made so by arbitrary statutes. Aside from that fact, while the framers of the Constitution did not make counterfeiting an act of treason, they did in another clause of the Constitution specifically make it a criminal act which could be legislated about by the Congress of the United States.

I want to call the attention of Senators to another thing, that the power to legislate criminally is restricted throughout the Constitution. We have not unlimited power to legislate as to crimes. It is a natural fact that the subject of treason should have engaged most closely the attention of the framers of the Constitution, because they had behind them the history of the English Government, in which charges and trials for treason had represented a very large part of the political history of England. They not only defined what should be treason, but set a limitation beyond which the penalty should not go.

It is the only offense in the whole of the Constitution in which there is such a restriction, and the only offense against the law in which the framers of the Constitution thought it proper to set a limitation upon the punishment. Then, the only other two clauses in the Constitution which specifically provide for the enactment of criminal laws are these:

To provide for the punishment of counterfeiting the securities and current coin of the United States.

Then, in a subsequent part:

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

Mr. President, the only other clause in the Constitution under which there can be found authority for the enactment of criminal laws is the general clause which authorizes and requires Congress to make all laws which are necessary for carrying into effect the powers of the government or of any department thereof.

I do not doubt the proposition, Mr. President, and if I did doubt it, it has been often decided by the Supreme Court of the United States that it is clearly within the power of Congress to pass laws making it a penal offense to interfere with any officer in the discharge of his duty.

That rests upon a very different ground. None of those laws comes within the classification of offenses which I have in view which are directed against the sovereignty of the country; and if the Constitution of the United States did not mean to limit legislation by Congress as to offenses which were aimed at the sovereignty of the Government, then it meant nothing by the clause defining what should constitute treason. An attack on the President is in its nature one of that class of offenses, but I respectfully submit that it is within that class of offenses and that it was the distinctive purpose of the Constitution that there should not be included in the crime of treason an attack upon the sovereignty of the United States through the person representing that sovereignty; and if that was the intention, then that intention can not be defeated by a statute directed against the same offense and prescribing the same penalty for it by simply calling it something else.

Now, sir, I submit, in brief, this proposition—

An assault upon the President may be of twofold character:

1. It may be an offense against the person, having no relation to his official character.

2. It may be an offense against the sovereignty of the Government, of which he is in part the representative, with no reference to his personality.

These two offenses are entirely distinct, the one from the other, as perfectly so as if perpetrated against two different people. The first is one exclusively within the jurisdiction of the States. The second is, in its essential nature, treason. A statute which not only prescribes an offense thus in its nature essentially treason, but which also prescribes the same penalty as that prescribed for treason, is none the less an act against treason, although the word "treason" does not appear in it. The framers of the Constitution, after full deliberation, determined that an assault on the sovereignty of the Government, through the person of the chief executive, should not be treason. It is only on the ground that the offense is not one against the person, but that it is an offense against the sovereignty of the United States, one that threatens the existence of the Government, an offense in its essential nature treason, that there can be any defense of a statute which imposes a higher penalty for an assault in any State upon the President than the penalty imposed by the general law of the State for an assault upon a private citizen. A statute of this nature and of this design falls under the prohibition of the Constitution, and is not to be justified through an evasion of that prohibition.

Mr. President, not to trespass too far upon the time of the Senate, there is another branch of this question to which I want to ask the attention of the Senate. I shall have something to say as to the propriety of the policy of making this proposed law as extensive as it is and embracing other persons, but I will pretermit that, as I desire, before doing so, to call attention to another branch of this question, which is one of immense practical materiality, and that is to the sections to which attention was called yesterday by the junior Senator from Colorado [Mr. PATTERSON]. Without taking time to analyze, I want to read the first, second, third, and fifth sections of the bill:

A bill (S. 3653) for the protection of the President of the United States, and for other purposes.

Be it enacted, etc., That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, willfully kill or cause the death of the President or Vice-President of the United States, or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws, or who shall willfully cause the death of the sovereign or chief magistrate of any foreign country, shall be punished with death.

SEC. 2. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, attempt to commit either of the offenses mentioned in the foregoing section shall be punished with death.

SEC. 3. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, instigate, advise, or counsel the killing of the President or Vice-President of the United States, or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws, or shall conspire with any other person to accomplish the same, or who shall instigate, advise, or counsel the killing of the sovereign or chief magistrate of any foreign country, or shall conspire with any other person to accomplish the same, shall be punished by imprisonment not exceeding twenty years.

SEC. 5 That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, by spoken words or by written or printed words, uttered or published, threaten to kill or advise or instigate another to kill the President or Vice-President of the United States, or any officer thereof upon whom the powers and duties of the office of President of the United States may devolve under the Constitution and laws, shall be punished by imprisonment not exceeding ten years.

Mr. President, that is the most dangerous piece of legislation which has ever been proposed in this country in a hundred years—since the days of the sedition law, of the nature of which this bill very largely partakes.

The objection to this provision of the bill is not that it makes it easy, if we might say so, to punish one who is an anarchist, but the trouble is that it will make it easy to punish one who is not. None of us has any desire that it should be difficult to punish an anarchist; but we should all desire that it should not be easy to punish an innocent man. In the terms of this bill there is ample opportunity in times of passion and excitement for the grossest injustice to be done to those who are innocent of crime. It is not on account of the anarchists that we object to the bill.

For myself, I should be glad if they could all be destroyed, just as I should like to see a nest of rattlesnakes exterminated; but I

am not willing, in the effort to accomplish that laudable purpose, that we should put upon the statute book a law which shall invade our institutions; which shall take from the States their rightful jurisdiction over crime; which shall upturn the recognized procedure of a hundred years; which shall put it in the power of partisans, either on the bench or elsewhere, to oppress men on account of political opinions.

And yet, Mr. President, can it be for a moment doubted that this is a law which puts it into the power of one man to go to the grand jury and say, "This man advised me to go and kill the Secretary of the Treasury," and for that man to be arraigned before a Federal court and be convicted upon the single testimony of that one man simply as to what another one said to him in private? And that is competent under this bill, even though no attempt were made on the life of the Secretary of the Treasury.

Not only so, sir, but is it possible that we can approve a bill which, in time of excitement, may be used to muzzle the press; to make any editor afraid to express his opinions as to one of these officials—because the bill is not limited to the President of the United States, but extends to every head of a department—to make him afraid to express his opinions, even though he may believe an officer has done wrong, or is corrupt in his office, for fear that if thereafter that officer should be killed by somebody he could be arrested and carried before a court and tried upon the charge of having instigated the murder?

Mr. President, I want to read to the Senate the old sedition law. Of course I do not pretend that this is the same law as the old sedition law; but I want to ask the attention of Senators to this proposition, that while the old sedition law goes on to enumerate what shall constitute the offense, under the terms of this bill now before the Senate there is not a single one of the acts enumerated in that law but what could be proven under the words of this bill as an instigation to do that which is prohibited. It is not so elaborate as the sedition law, but it uses general terms which will cover all the acts named in the sedition law. I am going to try, if I can have the indulgence of the Senate, to show some things which could be done under the sedition law, and to ask whether we want to see a repetition of them in this country.

Before proceeding to read the sedition law I want to recall to the attention of Senators the fact, known to them all, the circumstances under which that law was passed. It was passed at the time of our threatened troubles with France in 1798, and the purpose of it was, as shown, to punish those who should speak against the Government, who should write anything against the Government, because it was apprehended that in so doing they would be giving aid to the enemies of the Government.

The contemporaneous writers show that at that time there was a large number of foreigners in the country, and the avowed purpose of the bill was to prevent those who were recognized as really the enemies of our people from having an opportunity by seditious speech or writing to give aid and comfort to those who were thus our enemies; and yet the sequel was that they were not the people against whom the law was really leveled after it had been put into operation, but it was leveled against the political opponents of the party in power, many of whom were tried and put in jail, including a Representative in Congress from the State of Vermont.

Now, I will read this act, Mr. President. It goes on to provide in section 1:

That if any persons shall unlawfully combine or conspire together, with intent to oppose any measure or measures of the Government of the United States which are or shall be directed by proper authority, or to impede the operation of any law of the United States, or to intimidate or prevent any person holding a place or office in or under the Government of the United States from undertaking, performing, or executing his trust or duty; and if any person or persons, with intent as aforesaid, shall counsel, advise, or attempt to procure any insurrection, riot, unlawful assembly, or combination, whether such conspiracy, threatening, counsel, advice, or attempt shall have the proposed effect or not, he or they shall be deemed guilty of a high misdemeanor, and, on conviction before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding $5,000 and by imprisonment during a term not less than six months nor exceeding five years; and further, at the discretion of the court, may be holden to find sureties for his good behavior in such sum and for such time as the said court may direct.

SEC. 2. That if any person shall write, print, utter, or publish, or shall cause or procure to be written, printed, uttered, or published, or shall knowingly and willingly assist or aid in writing, printing, uttering, or publishing any false, scandalous, and malicious writing or writings against the Government of the United States or either House of the Congress of the United States or the President of the United States, with intent to defame the said Government or either House of the said Congress or the said President, or to bring them, or either of them, into contempt or disrepute, or to excite against them, or either or any of them, the hatred of the good people of the United States, or to stir up sedition within the United States, or to excite any unlawful combinations therein for opposing or resisting any law of the United States or any act of the President of the United States done in pursuance of any such law or of the powers in him vested by the Constitution of the United States, or to resist, oppose, or defeat any such law or act, or to aid, encourage, or abet any hostile designs of any foreign nation against the United States, their people or Government, then such person, being thereof convicted before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding $2,000 and by imprisonment not exceeding two years.

The purpose I have in reading that is twofold. I want to show, in the first place, what are the general terms of the act under which those who proceeded to its inforcement acted, and I want to show what were the class of acts which were construed by the courts to fall within the condemnation of that act. I want to show, further, that the language of this act, while it is directed to a different purpose, is language of a general character which will include any of these various specifications so far as it is applicable to the particular offense or offenses which are aimed at in this bill.

In McMaster's History of the People of the United States we have an account of some of the things which occurred under the operations of that law and in the effort to enforce the same. It created a tremendous turmoil in the United States. It was claimed, Mr. President, that this law was in direct violation of the first amendment to the Constitution—my attention to which has just been called by the Senator from Alabama [Mr. PETTUS]—and a very great amount of disorder and of excitement was created throughout the United States on account of it. The press teemed with articles relative to it, and the author of this book gives the various charges and comments and criticisms which were made by the newspapers of that day upon the bill, citing in each instance the name of the paper from which he takes it. I will read some of them.

And what, asked the Republican newspapers, is a libel? A libel is whatever a Federal President, marshal, judge, and grand jury choose to make it. The President orders the prosecution. The process goes out in his name. He appoints the marshal. The marshal summons the grand and petit jurors, and in a large city Federal tories for this duty may be had in plenty. Nor is this all. The Federal judges are likewise named by the President, who, if they behave well, may make them envoys extraordinary, as he did of John Jay. Does any man hope for an impartial trial before such a tribunal as this? The thing is an infamous mockery of justice.

The moment the law takes effect the Democrat who squints at the President through a pair of spectacles will be guilty of sedition. To look at him through an opera glass will subject the man to misprision of treason. To utter the disorganizing syllable "Bo!" to a goose will be treason in the last degree. To laugh at the cut of a Congressman's coat, to give a dinner to a Frenchman, to let him sleep in your bed, will be treason. When election time comes round it will no longer be safe to speak of a member's doings in the House, lest it "bring him into contempt and disrepute."

And so on, a number of other comments by the newspapers of that day—comments which in the end caused the editors of some of them to be thrown into jail and their newspapers to be suppressed.

There were a number of prosecutions under that act. This bill now before us gives opportunity for the same class of prosecutions; it is one which gives opportunity to a party in power, in times of excitement and passion, to oppress those who do not agree with them in political opinions. The author of this book goes on to speak of the editors of different papers who were arrested and put in prison, and then goes on to give an account of the trial and punishment of the member of Congress from Vermont to whom I alluded a moment ago. He says:

But the first to be tried and convicted was he the Federalists named the Beast from Vermont. Matthew Lyon, while the sedition bill was on its passage through the House, wrote and dispatched a letter which, after Adams signed the bill, was read by the subscribers to the Vermont Gazette. The letter was no worse than those hundreds of honest gentlemen were constantly exchanging through the mails or intrusting for delivery to the care of private hands; no worse than Jefferson's letter to Mazzei, than Adams's letter to Tench Coxe, than the yet more famous letter in which, two years later, while the sedition law was still in force, Hamilton maligned Adams. But Lyon had long been a marked man. His conduct in the House, his fracas with Griswold, his hatred of idle show, had made him many enemies, and his enemies now took their revenge.

I will remark in passing that the fracas of Lyon with Griswold in the House was the case of a rough-and-tumble fight in the House between two Representatives from New England, and they not only had one, but two, on two different days. In that particular New England is entitled to the championship.

Mr. GALLINGER. That was a good while ago?

Mr. BACON. It has had time to cool.

He was no sooner at home than he was arrested for libel on three counts. The letter to the Gazette was one. Reading some extracts at a political meeting from Joel Barlow's letter to Baldwin was the second.

The passage—

selected by the prosecutors of Lyon contained an expression of surprise that the answer of the House to the President's speech of April 3, 1797, had not been "an order to send him to a madhouse."

Lyon in his own letter denounced the fast-day proclamation, as using the "sacred name of religion as a State engine to make mankind hate and persecute each other;" lamented that "every consideration of the public welfare was swallowed up in a continual grasp for power, an unbounded thirst for ridiculous pomp, foolish adulation, and selfish avarice," and that, while good men were turned away for "independency of sentiment," "mean men" got places.

Those were the classes of things which were in his letter, and on account of which he was tried.

When the trial came he conducted his own case, and began by challenging some members of the jury chosen by the marshal. But the judge denied the right of challenge and berated him for not knowing the law of his own State.

Then, after some further account of the trial, speaking of the action of the presiding judge, it says the judge—

when the verdict of guilty was returned, scolded the prisoner, fined him $1,000, and committed him to the jail for four months.

The jail was at Vergennes, and was a fair specimen of the horrible dens in which, all over the country, our ancestors confined criminals and debtors. Though the season was late and the weather cold, the authorities would give him no stove. With great reluctance they consented to put glass in the one window that lighted the cell. No one seems to have been kind to him but the jailer, the parish parson, and a man named Byrd, the most acrimonious of all the Federalists at Vergennes.

I read that for this purpose. I have not read all of it, and I could read trials of other men, a man named Cooper, another named Callender, who was tried in Richmond, another named Holt, and others, but it is sufficient for the purpose of illustration that under such vague and general language as is contained in the third and fifth sections of this bill a man is liable to be dragged before a Federal court and tried upon the charge that he advised somebody to kill the head of a Department, with no corroborating testimony required, upon the simple assertion of one man. It is perfectly possible, under the vague language of this bill, that such an outrage can be perpetrated upon a man, who has no defense whatever but to deny what the man charged he did say, and which at last must be determined by the court and jury.

Mr. HOAR. May I ask the Senator from Georgia a question?

Mr. BACON. With pleasure.

Mr. HOAR. Is there any difference in principle that the Senator can suggest between that and the ordinary case, either of a principal, an accomplice before the fact, or a conspirator in the matter of murder? If the jury, who are the safeguard always everywhere, believe a single witness who should testify that I had sent a man to kill any other person, could I not be, as the Senator expresses it, dragged before the court and be convicted on that one man's statement of what I said? Whether this is right or wrong, is there any difference in this matter from all other cases of criminal liability, either as accomplices before the fact or as principals, or, indeed, as accomplices after the fact?

Mr. BACON. There is a very remarkable difference, if the Senator will pardon me. When a man is being tried for murder there is one very essential fact which must be proved—that somebody has committed a murder. But in this case it is not necessary that any crime should have been committed. A man may have been as innocent and as pure as the virgin snow, and there may never have been any suggestion by anybody that the life of the head of a department should be taken. He may have been as safe as the senior Senator from Massachusetts is now in his seat, without anybody threatening him.

Mr. HOAR rose.

Mr. BACON. Pardon me a moment, if you please. If somebody will simply go to the grand jury and will say, "John Jones got me to try to kill the Secretary of the Treasury, or the Secretary of the Navy," it is sufficient. There is a great and vast difference between a case of that kind and the case where a man has been actually murdered.

Mr. HOAR. Is it not true, however, if the Senator will pardon me, not only that that answer does not meet the cases of conspiracy or of attempts or instigations to commit all other offenses, but even in the case of murder, although the murder must have been committed, the insufficiency or the unreasonableness of the evidence on which the Senator predicates his argument is equally the same. The fact that the murder has been committed does not make it any more likely, I hope, that I committed it than if it had not been committed, and I am liable on a single witness's evidence to be hauled or dragged, as the Senator expresses it, into court as an accomplice before the fact or as the principal. Is not the distinction rather in favor of this matter? If the murder has been committed, it is quite likely that there will be an excited public sentiment that may make it easy to convict the person falsely charged.

Mr. BACON. I still think there is a very material difference between this and a case where there has been a murder. In a case where there had been murder there would be the fact that somebody had committed it. There would be circumstances attending that murder which would tend to corroborate or disprove the statement of the witness as to what the accused had said. But in the case authorized by this bill it is not necessary that there should have been any crime. It is not necessary that there should have been any intention in a human breast to commit a crime. The crime under this bill is made to consist in the fact that one has advised that the head of a department be killed, and the proof of that may be the testimony of a single witness that this man did suggest such a thing to him. In such case the crime is complete, although no hand has been lifted to commit any crime whatever. In such case there are no attendant circumstances either to corroborate or to discredit the witness.

If the Senator from Massachusetts will pardon me, there is another very great difference, and that is that while the offenses against which the bill is directed are the most heinous crimes—offenses which we all would like to see ferreted out and punished—the scope of the bill is such that it can be directed against other classes of people, and that is the point I am making. The scope of the bill is such that it is not limited to those who may be anarchists.

The scope of the bill is such that it may be extended to those who may be out of favor, who may have excited enmity, if you please, by reason of political antagonism; and when it comes to a case of that kind, the difference between that case and the case suggested by the Senator from Massachusetts is that in the one case there is no political feeling, but in this case, this bill extending, as it does, to everybody who shall instigate, everybody who shall advise, may, in its provisions, embrace what a man may idly say on the street, which may have no reference to a subsequent act in the killing of one of these departmental officers by somebody, but which may be taken and applied to him and secure the conviction of one who is innocent and carry him to the scaffold.

Take the case of newspapers engaged in heated political campaigns, in which they are free to criticise their political opponents, more free than they ought to be probably, but still with no criminal design, and yet we see what may be done in prosecuting their editors, as in the case of this man Lyon, who had gone no further than other people had gone, according to this historian, and whose expressions in the letter on account of which he was tried were not as offensive as those used by Hamilton in his arraignment of John Adams. All these expressions are matters which can be gathered up, and in the event of the assassination not alone of the President, but of a departmental officer, words uttered, words printed, having no possible design on the part of the man who spoke them or the man who wrote them, can be brought into court and he can be convicted of being accessory and of having instigated the crime.

Mr. President, I have but a few words to say on another branch, and that is as to whether this bill, if it shall be enacted into law, should be made applicable to all of the heads of departments. I do not, in what I say, derogate in the least from the dignity and importance of the officers of these departments. While they are statutory and not constitutional officers, they are generally eminent men, men of ability, men entitled to every respect, and I certainly would say no word which would indicate the contrary; but why should they be singled out and put upon a plane different from all other people in the United States? Is the the executive department of the Government any more essential to that Government than the legislative department?

When I say that the law ought not to be extended to them, I would say in the same way that it ought not to be extended to the members of the Senate. If it be true that it is proper to single out an officer and make him different from all other people in the United States before the law, then it is simply a question of grade; and if a greater punishment should be adjudged against a man for assaulting or for killing the head of a department than is adjudged against a man for killing a private citizen, then there ought to be an intermediate punishment for the man who kills the assistant, and so on down.

If it be true that it is necessary to protect the executive department by passing a law which shall put the officers of that department upon a different plane from the other people of this country so far as the criminal law is concerned, then it ought to be extended to the judiciary. There is no reason in the one why it should not be in the other; and if to the judiciary, then to the Senate and House of Representatives. Where will you draw the line and on what principle will you draw the line?

I think that very thought was in the minds of the framers of the Constitution when they expressly excluded from that paragraph in the Constitution under the crime of treason anything which assaulted the sovereignty of the Government except the particular things specified there, because they recognized that under our institutions, according to the Government which they sought to set up, there should be no distinction of persons before the law, and that the highest officer of the Government was no more sacred to the law than the most lowly citizen; or rather I will put it in the other way in order that it may not appear to be any way disrespectful, that the most lowly citizen has the same right to the protection of the law as the highest official.

Mr. President, it has been aptly said by some author that the proudest boast of the law is that no man is so high as to be above its power, and no man so lowly as to be beneath its care; and if those words were applied to our country, with our institutions, the word "equal" ought to be inserted—no man so lowly but that he is entitled to the equal care of the law. Equality before the law is the foundation stone on which rests our entire political fabric. Under our system of equality before the law, there is no

room to "differentiate between the President of the United States and any other citizen of the State" as suggested on yesterday by the Senator from New York—no room for a differentiation which would make an assault on a private citizen in New York punishable by imprisonment, and the same assault in that State on the President punishable with death.

Sir, are we to have in this country classes before the law? This bill makes them. The Secretary of the Navy walks down the street and a man assaults him. I care not what the provocation is, under this bill he is adjudged to death. If I were the only man in the Senate or House of Representatives I would never vote for such a bill. The Chief Justice goes down the street; a man assaults him; and he is put in the penitentiary for a short term of years. The Secretary of War walks down the street and a man assaults him under exactly similar circumstances, and he is put upon the gibbet and hanged until he is dead. The Secretary of the Interior assaults a private citizen and under the general law of the State he is liable to imprisonment for a term of years. But reverse the case—the private citizen assaults the Secretary under exactly the same circumstances in the same State, and by the provisions of this bill the private citizen must die the death on the scaffold.

There is nothing, so far as I know, in the law of Great Britain to equal such a discrimination. They have classes there. They have classes before the law. A peer can demand that he be tried in the House of Lords and that he be not put to his trial before twelve jurymen. It may be now that I am incorrect, but I do not think there is a law there which makes it a greater penalty to kill a peer than to kill any other British subject; and yet, Mr. President, that is what this proposed law undertakes to do—to set up a class of people before the law and to say that while it is a misdemeanor to commit an assault against one man, it shall be a capital offense to commit the same assault against another man.

Mr. President, is there no other remedy for the evil which this bill seeks to correct? Is it true that in order to throw proper guards around the President of the United States and the Vice-President and the heads of the departments and Congress, and, if you please, all other officials and all other prominent people in the United States, it is necessary to pass such a law as this? After a man is killed the execution of his murderer does not bring him back to life, and the remedy is not in a drastic law of this kind, which can be extended in its operation not simply to those you are seeking, but which may be made and will be made an engine of most terrible and outrageous oppression in this country. The remedy, in my opinion, is in preventive measures, and I am willing to go as far as the farthest in the effort to rid this country of this detestable horde, and I shall not be in favor of stopping at any halfway measures in order to rid the country of them.

But, Mr. President, in the doing of it I do not want to subvert the institutions of this country as recognized for a hundred years, and I do not want to put in the hands of any political power an engine of oppression against innocent men who are not within the contemplation of this bill, but who can be harried and crushed and ruined by the terrible and resistless machinery which it will put in motion.

There are now several measures pending in this Congress looking to the prevention of this crime, not to punishment after the commission of the crime, because, as I have said before, that does not prevent the commission of the particular crime you are seeking to reach. The anarchist who makes up his mind to strike a blow at the representative, in part, of the sovereignty of this country knows when he does it that he forfeits his life, and consequently no law you may pass looking to the taking of his life as a penalty will deter him. I was saying there are several measures pending. Let us go forward and perfect them. Let us take measures which will rid this country of this detestable horde, these enemies not only to man, but to social order. Let us take the most extreme measures. Let us apply the preventive.

Mr. President, I have an article in the same magazine from which I read before, written by the honorable Senator from Michigan [Mr. BURROWS]. It is the December number of the North American Review. In that article he writes very interestingly of the history of the efforts which have been made in Congress to pass laws which would rid this country of anarchists, and he quotes from the proceedings of Congress and what was said by various people, the Senator from Massachusetts [Mr. HOAR] among others, with respect to a measure before Congress which was then deemed amply sufficient and of which the Senator from Michigan uses language which I will now read. The bill passed the Senate, and the distinguished Senator, the author of this article, said it would have passed the House but for the objection of one man at a critical stage; and of that bill he writes this:

> There was a measure introduced in the Fifty-third Congress, in 1894, which, had it been enacted into law, would have probably prevented the Buffalo murder. Had it been passed, Emma Goldman would have been deported to her birthplace, Russia, long before she had had an opportunity to convince the McKinley assassin that the murder of a President is a divine duty. Most would have been sent back to Germany, where the authorities are anxiously waiting to lay hands on him, and the whole horde of foul conspirators and agitators who would tear down the social structure we have so carefully erected would have followed suit.

Mr. President, is the distinguished Senator correct in his opinion that that law, if passed, would possibly have prevented the murder of the President? If so, it has already received at a former session the approval of the Senate, and let us again pass it, and let the House also pass it, that it may become law. If that is not sufficient, let us make it more efficient. Let us reach the evil and prevent the recurrence of the crime rather than indulge the vain hope that any bill that we can pass which inflicts a penalty will be sufficient to deter the anarchist. He expects the penalty, and he glories in what he considers his martyrdom.

The way to protect the President of the United States and the Vice-President and the heads of departments and all other officials is to prevent persons who may have that design from having the opportunity; and then, in addition, let us hedge them around with all the safeguards we can. But do not let us seek to appease our outraged feelings on account of the assassination of President McKinley by doing that which will be of infinite injury and harm, at least an infinite threat to men who are innocent, but who through this proposed law can be made the victims of political persecution.

Mr. President, I have finished except that I wish to say simply one word in response to a suggestion made by the senior Senator from Massachusetts. I am extremely anxious that this bill, if it is to pass, shall be guarded in the way suggested by the amendments which have been offered by the Senator from Colorado [Mr. PATTERSON] and the Senator from Mississippi [Mr. MCLAURIN] and myself. I wish to meet one objection which the Senator from Massachusetts offered to the amendment offered by myself, and also one objection which the Senator from Colorado offered to it. The amendment I have offered is one which limits the operation of this bill when enacted into law to those who shall commit the crime—I think I can quote the language substantially—because of the official position of the President or either one of these officers, or for the purpose of destroying the Government or impairing the exercise of governmental powers.

The Senator from Massachusetts suggested, and very pertinently, that it would be difficult to show that such was the purpose. I suggested in reply that in the absence of proof of any other motive a court would rule that that was the presumption. But if I am incorrect in that, it is a matter easily cured by inserting in this proposed law a provision that upon the trial of one accused of this crime the absence of other motive shall be construed into a presumption of the existence of this motive, which would be perfectly legitimate.

Mr. HOAR. How are you going to prove the absence of other motive?

Mr. BACON. I did not hear the Senator.

Mr. HOAR. I should like to ask the Senator how he is going to prove the absence of other motive. Will not that be very difficult?

Mr. BACON. When you prove the killing and there is no other motive shown, the presumption attaches, if the law says there shall be such a presumption, and the burden of proof is on the defendant to show that there was another motive. Undoubtedly that would be ruled by any court in the world.

Mr. HOAR. If the Senator will allow me to make one observation right there, so that I will not have to come back to it, it seems to me that motive being of the essence of an offense it is a pretty serious thing to put the burden on a defendant in any matter which is the essence of the offense.

Mr. BACON. I presume the Senator from Massachusetts has been so long engaged in civil practice and in matters of magnitude that he has failed to recollect the rule of practice in all criminal cases that whenever a man is on trial for the commission of a murder the proof of the killing and the perpetration of the act by the man completes the case for the prosecution, and throws the burden of proof to the contrary on the defendant. It is the universal rule. When you prove that a man kills another you do not have to prove malice. You prove that he kills him, and the law presumes malice, and it is for him to show that he had no malice.

Mr. HOAR. That is not the law, as I understand it, in any jurisdiction in which I have been familiar with the law.

Mr. BACON. I think if the Senator will examine he will find that I am correct. I am quite sure of it.

Mr. President, one other word, because I am speaking of this now in a practical way. I shall be greatly disappointed if the Senator does not amend the bill.

The Senator from Colorado [Mr. PATTERSON], who objects, with me, to certain features of the bill, suggested that the amendment offered by me might lead to results not desired, that if upon the trial there was a failure to prove that this was the motive the party would be acquitted, and that having been once acquitted he could not be tried again.

I simply want to call the attention of the learned Senator, and also of the Senator from Massachusetts, as being directly in charge of the bill and having control in large manner of the question of its amendment, to the conspiracy section of the Revised Statutes of the United States—section 5508, the statute which makes conspiracy "to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States," and it has as one of its penalties this, which is found in section 5509:

If in the act of violating any provision in either of the two preceding sections any other felony or misdemeanor be committed, the offender shall be punished for the same with such punishment as is attached to such felony or misdemeanor by the laws of the State in which the offense is committed.

Now, that is directly, so far as the practice is concerned, in the same category as this proposed law would be if it had that amendment. For instance, there is an alleged conspiracy, and in the alleged conspiracy there is a murder.

Under the law, when that man is tried he is not simply punished by the penalty affixed to the conspiracy, but he is punished by the penalty affixed to the commission of the crime committed in pursuance of the conspiracy. If, upon the trial of that case, the conspiracy should fail to be made out, of course the same result would occur as that which is now predicted and deprecated by the Senator from Colorado. But that conspiracy law with that feature never in practice fails on that account.

Mr. President, I apologize to the Senate for having so long occupied its time. I have only done so because I thought it was a matter of grave importance. I repeat, the Senator from Massachusetts has no greater desire to protect the President of the United States and every other officer of this Government from anarchists than I have. The Senator has no greater desire to break up the horde of men not deserving the name of men who threaten, as I said, not only our persons, but our social order. The Senator will not go further than I will in the effort to rid the country of them, and by all lawful means to bring to punishment those who are thus prostituting our free institutions or abusing our hospitality.

Mr. President, I agree with the Senator in the purpose; I join him hand in hand in everything in the way of preventing the recurrence of this act and to prevent the possibility of it by excluding from this country all those who are of the class by which this great and outrageous crime is committed.

I will go hand in hand with him in that. But I object, Mr. President, to a bill which, while it may have that purpose, will put it in the power of the Federal courts and juries to try men for words spoken, or alleged to have been spoken which were never spoken, to fill jails with men, private citizens, and editors of newspapers, upon the suborned testimony, it may be, of unworthy men, whose only offense if any has been that they have talked possibly imprudently, or printed in newspapers things imprudently, when they have been innocent of crime or wrongful purpose.

Mr. HOAR. Mr. President, the Senator from Maine [Mr. HALE] this morning moved that the Senate when it adjourned to-day should adjourn to meet on Monday next. I asked him to withhold the motion for an hour or two to see how we got along with this bill. But one or two Senators who are not here now have proposed amendments, and one Senator to-day asked to have his amendment printed. So I suppose the Senators on the other side would not like an attempt to force a vote this afternoon. Therefore I shall not make one, and as I understand there is a general desire not to sit to-morrow, I will either make the motion or let the Senator from Maine renew it, as he prefers.

Mr. HALE. Let the Senator make it in his own time.

Mr. HOAR. I will move that when the Senate adjourns to-day it adjourn to meet on Monday next, but before that I should like to make the request, to which I think there will be no objection, that this bill be made the unfinished business after the shipping bill is disposed of. I ask unanimous consent that that order be made.

Mr. PETTUS. Mr. President, I did not hear the proposition.

Mr. HOAR. I ask unanimous consent that this bill be made the unfinished business after the shipping bill is disposed of, and then I propose to move that when the Senate adjourns to-day it adjourn to meet on Monday.

The PRESIDING OFFICER. The senior Senator from Massachusetts asks unanimous consent that when the shipping bill is disposed of the pending bill be made the unfinished business of the Senate. Is there any objection to the request of the senior Senator from Massachusetts? The Chair hears none. Such, therefore, is the sense of the Senate.

Mr. HOAR. I now move that when the Senate adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

Mr. TELLER. I wish to suggest to the senior Senator from Massachusetts whether it would not be better to strike out the word "willfully," in lines 4 and 5, and insert "maliciously."

Mr. HOAR. I do not at present see any objection to that proposition, if it will remove any difficulty.

Mr. TELLER. I will formally make the motion and then the Senator can look at it.

Mr. HOAR. Will the Senator put in the word "maliciously" after "willfully?"

Mr. TELLER. We might say "willfully and maliciously." I will move the amendment in that way. I wish to call the attention of the Senator to two other words which are used in the bill, which I think are liable to——

Mr. HOAR. The words "and maliciously" following "willfully" should come in in two places, the Senator from Colorado will observe, in the fifth line of the first section and in the eighth line.

Mr. TELLER. Yes. I also want to call the attention of the Senator to section 3. I think the word "instigate" is rather a dangerous word. While I do not care about moving to strike it out, I wish to call the attention of the Senator to it and see whether he does not think it is rather a broad word. It is equivalent to saying "who shall incite." It is so difficult to meet that it seems to me it is rather dangerous to use that word. It is also used in the fifth section. I do not care about making a motion to amend, but I call the attention of the Senator to it.

The PRESIDENT pro tempore. Shall it be understood that the amendments proposed by the Senator from Colorado [Mr. TELLER] have been accepted?

Mr. TELLER. Inserting the words "and maliciously" after "willfully" in the first section?

The PRESIDENT pro tempore. Inserting those words.

Mr. HOAR. I shall accept them, but perhaps, as I am the only member of the majority of the committee present, it would be well to let the section stand as it is until the other members are present. Something may occur to them.

Mr. TELLER. Very well.

Mr. HOAR. I have not any doubt whatever but that that amendment will be accepted.

The PRESIDENT pro tempore. The amendments will be regarded as pending.

Mr. HOAR. What I speak of relates to inserting the words "and maliciously" in line 5 and in line 8 of section 1.

The PRESIDENT pro tempore. Those will be regarded as pending amendments.

Mr. TELLER. I desire to enter a formal motion to strike out section 7.

The PRESIDENT pro tempore. That also will be regarded as a pending amendment.

Mr. PETTUS. I move that the Senate adjourn.

Mr. KEAN. I ask the Senator from Alabama to withdraw that motion for an executive session.

Mr. PETTUS. Very well. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, March 10, 1902, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate March 7, 1902.

PROMOTIONS IN THE NAVY.

Lieut. Commander William A. Marshall, to be a commander in the Navy, from the 27th day of December, 1901, vice Commander William A. Windsor, promoted.

Commander Henry B. Mansfield, to be a captain in the Navy, from the 9th day of February, 1902, vice Capt. George H. Wadleigh, promoted.

Lieut. Commander Lucien Young, to be a commander in the Navy, from the 5th day of March, 1902, vice Commander John D. Ford, promoted.

POSTMASTERS.

Seborn E. York, to be postmaster at Athens, in the county of Limestone and State of Alabama, in place of Seborn E. York. Incumbent's commission expires March 9, 1902.

John A. Bingham, to be postmaster at Talladega, in the county of Talladega and State of Alabama, in place of John A. Bingham. Incumbent's commission expired March 1, 1902.

Robert Cloud, to be postmaster at Tuscumbia, in the county of Colbert and State of Alabama, in place of Robert Cloud. Incumbent's commission expired February 16, 1902.

Martin A. L. Olsen, to be postmaster at Dekalb, in the county of Dekalb and State of Illinois, in place of Martin A. L. Olsen. Incumbent's commission expired February 23, 1902.

Michael F. Walsh, to be postmaster at Harvard, in the county

of McHenry and State of Illinois, in place of Michael F. Walsh. Incumbent's commission expired February 23, 1902.

Henry C. Claypool, to be postmaster at Morris, in the county of Grundy and State of Illinois, in place of Henry C. Claypool. Incumbent's commission expired February 25, 1902.

William Wiese, to be postmaster at Nashville, in the county of Washington and State of Illinois, in place of Herman H. Buhrman. Incumbent's commission expired February 7, 1902.

George R. Palmer, to be postmaster at Onarga, in the county of Iroquois and State of Illinois, in place of George R. Palmer. Incumbent's commission expired February 16, 1902.

Edward F. Ledoyt, to be postmaster at Sandwich, in the county of Dekalb and State of Illinois, in place of Edward F. Ledoyt. Incumbent's commission expired February 7, 1902.

William E. Peck, to be postmaster at Remington, in the county of Jasper and State of Indiana, in place of William E. Peck. Incumbent's commission expired March 4, 1902.

Marion C. Reiter, to be postmaster at Rochester, in the county of Fulton and State of Indiana, in place of Marion C. Reiter. Incumbent's commission expired March 4, 1902.

Albert H. Leist, to be postmaster at Michigan City, in the county of Laporte and State of Indiana, in place of Albert H. Leist. Incumbent's commission expired March 4, 1902.

Horace G. Miller, to be postmaster at South Bend, in the county of St. Joseph and State of Indiana, in place of Horace G. Miller. Incumbent's commission expired March 4, 1902.

Aaron W. Lytle, to be postmaster at Valparaiso, in the county of Porter and State of Indiana, in place of Aaron W. Lytle. Incumbent's commission expired March 4, 1902.

F. A. Turner, to be postmaster at Avoca, in the county of Pottawattamie and State of Iowa, in place of Jonas B. Blake. Incumbent's commission expired February 25, 1902.

John Bird, to be postmaster at Parkersburg, in the county of Butler and State of Iowa, in place of John Bird. Incumbent's commission expired January 10, 1902.

C. M. Higley, to be postmaster at Cawker City, in the county of Mitchell and State of Kansas, in place of Levi L. Alrich. Incumbent's commission expires March 9, 1902.

Seymour L. Billings, to be postmaster at Marion, in the county of Marion and State of Kansas, in place of Seymour L. Billings. Incumbent's commission expired February 22, 1902.

Frederick A. Van Rensselaer, to be postmaster at Owensboro, in the county of Daviess and State of Kentucky, in place of Frederick A. Van Rensselaer. Incumbent's commission expired March 1, 1902.

Byrnes M. Young, to be postmaster at Morgan City, in the parish of St. Mary and State of Louisiana, in place of Byrnes M. Young. Incumbent's commission expired January 12, 1902.

Elwyn J. Barrow, to be postmaster at St. Francisville, in the parish of West Feliciana and State of Louisiana, in place of Elwyn J. Barrow. Incumbent's commission expired July 20, 1901.

George W. Emery, to be postmaster at Hancock, in the county of Houghton and State of Michigan, in place of George W. Emery. Incumbent's commission expired February 16, 1902.

John W. Presson, to be postmaster at Doniphan, in the county of Ripley and State of Missouri, in place of John W. Presson. Incumbent's commission expired February 16, 1902.

Thomas Curry, to be postmaster at Oregon, in the county of Holt and State of Missouri, in place of Thomas Curry. Incumbent's commission expired January 12, 1902.

Lewis W. Brannon, to be postmaster at Princeton, in the county of Mercer and State of Missouri, in place of Lewis W. Brannon. Incumbent's commission expired January 21, 1902.

George W. Irvin, to be postmaster at Butte, in the county of Silver Bow and State of Montana, in place of George W. Irvin. Incumbent's commission expired February 8, 1902.

Ada M. Bennett, to be postmaster at Miles City, in the county of Custer and State of Montana, in place of Ada M. Bennett. Incumbent's commission expired June 2, 1901.

John C. Mitchell, to be postmaster at Alma, in the county of Harlan and State of Nebraska, in place of Jerry B. Billings. Incumbent's commission expires March 9, 1902.

Oscar A. Ashbrook, to be postmaster at Hebron, in the county of Thayer and State of Nebraska, in place of Oscar A. Ashbrook. Incumbent's commission expires March 9, 1902.

Frank M. Kimmell, to be postmaster at McCook, in the county of Redwillow and State of Nebraska, in place of Frank M. Kimmell. Incumbent's commission expires March 9, 1902.

Theodore C. Hacker, to be postmaster at Red Cloud, in the county of Webster and State of Nebraska, in place of Theodore C. Hacker. Incumbent's commission expires March 9, 1902.

A. F. Enos, to be postmaster at Stanton, in the county of Stanton and State of Nebraska, in place of Henry F. Stephens. Incumbent's commission expires March 9, 1902.

George N. Wimer, to be postmaster at Palmyra, in the county of Burlington and State of New Jersey, in place of George N. Wimer. Incumbent's commission expired July 24, 1901.

Frank W. Hallock, to be postmaster at Millbrook, in the county of Dutchess and State of New York, in place of Frank W. Hallock. Incumbent's commission expires March 9, 1902.

Adelbert C. Brink, to be postmaster at Wolcott, in the county of Wayne and State of New York, in place of Adelbert C. Brink. Incumbent's commission expires March 9, 1902.

Albert Haworth, to be postmaster at Crestline, in the county of Crawford and State of Ohio, in place of Albert Haworth. Incumbent's commission expires March 9, 1902.

Reuben A. Roether, to be postmaster at McComb, in the county of Hancock and State of Ohio, in place of Reuben A. Roether. Incumbent's commission expired January 12, 1902.

Charles R. Brent, to be postmaster at McConnelsville, in the county of Morgan and State of Ohio, in place of Charles R. Brent. Incumbent's commission expires March 9, 1902.

Fenton Bagley, to be postmaster at Zanesville, in the county of Muskingum and State of Ohio, in place of Fenton Bagley. Incumbent's commission expires March 9, 1902.

James Blanning, to be postmaster at Williamstown, in the county of Dauphin and State of Pennsylvania, in place of James Blanning. Incumbent's commission expired June 23, 1901.

John M. Reese, to be postmaster at Dodgeville, in the county of Iowa and State of Wisconsin, in place of John M. Reese. Incumbent's commission expired February 15, 1902.

David B. Gorham, to be postmaster at Shawano, in the county of Shawano and State of Wisconsin, in place of Orlin Andrews. Incumbent's commission expired January 19, 1902.

T. B. Olshausen, to be postmaster at El Paso, in the county of El Paso and State of Texas, in place of Robert F. Campbell. Incumbent's commission expired March 4, 1902.

Lulu M. Farmer, to be postmaster at Thomson, in the county of McDuffie and State of Georgia, in place of Lulu M. Pearce, who has changed name by marriage.

Virgil L. Bacon, to be postmaster at Madisonville, in the county of Hopkins and State of Kentucky, in place of John D. Martin, deceased.

Sallie Millsaps, to be postmaster at Hazlehurst, in the county of Copiah and State of Mississippi, in place of Mary C. Matthews, deceased.

Frank A. Knapp, to be postmaster at Bellevue, in the county of Huron and State of Ohio, in place of Hamilton Schuyler, removed.

S. C. Daugherty, to be postmaster at Jeannette, in the county of Westmoreland and State of Pennsylvania, in place of William E. Scott, resigned.

William M. Stolz, to be postmaster at Marlow, in the Chickasaw Nation, Indian Territory. Office became Presidential January 1, 1902.

Augustus T. England, to be postmaster at Afton, in the county of Chenango and State of New York. Office became Presidential January 1, 1902.

Thomas A. Guthrie, to be postmaster at Thurber, in the county of Erath and State of Texas. Office became Presidential January 1, 1902.

WITHDRAWAL.

Executive nomination withdrawn March 7, 1902.

William G. Chafee, to be postmaster at Aiken, in the State of South Carolina.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 28, 1902.

POSTMASTERS.

Frank C. Labit, to be postmaster at Crowley, in the parish of Acadia and State of Louisiana.

Albert Bondurant, to be postmaster at St. Joseph, in the parish of Tensas and State of Louisiana.

Executive nominations confirmed by the Senate March 7, 1902.

POSTMASTERS.

Laura G. Crable, to be postmaster at Tombstone, in the county of Cochise and Territory of Arizona.

Thomas W. Millham, to be postmaster at Ellendale, in the county of Dickey and State of North Dakota.

James C. Brown, to be postmaster at Bloomsburg, in the county of Columbia and State of Pennsylvania.

Clark Collins, to be postmaster at Connellsville, in the county of Fayette and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 7, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

BRIDGE ACROSS THE MONONGAHELA RIVER.

Mr. JOY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11719) to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River."

The Clerk read the bill at length.

Mr. JOY. Mr. Speaker, I do not think it is necessary to read the report. If there is any member who desires to ask a question I am ready to answer.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I did not hear all of the bill. What was the gentleman's request?

Mr. JOY. For unanimous consent to consider the bill.

Mr. RICHARDSON of Tennessee. I know that, but what was the request in regard to not reading the bill?

Mr. JOY. I was speaking of the report. The only change made is in the height of the bridge above the water. It cuts it down from 80 feet to 70 feet.

Mr. RICHARDSON of Tennessee. Has the bill been considered by the committee, and is it a unanimous report?

Mr. JOY. It is a unanimous report from the Committee on Interstate and Foreign Commerce, and it also has the approval of the War Department.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. JOY, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE SAVANNAH RIVER, COUNTY OF CHATHAM, GA.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11409), to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia.

The Clerk read the bill at length.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and it was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT BURLINGTON, IOWA.

Mr. HEDGE. Mr. Speaker, I ask for the present consideration of the bill (H. R. 11306), to extend the time for the construction of a bridge across the Mississippi River at Burlington, Iowa.

The Clerk read the bill at length.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and it was engrossed and read the third time, and passed.

On motion of Mr. HEDGE, a motion to reconsider the last vote was laid on the table.

DISPLAY OF PRODUCTS OF ARIZONA AT ST. LOUIS EXPOSITION.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3090) to approve and ratify an act of the legislative assembly of the Territory of Arizona, entitled "An act to provide for the collection, arrangement, and display of the products of the Territory of Arizona at the international exposition to be held at St. Louis in 1903."

The Clerk read the bill, as follows:

Be it enacted, etc., That act No. 86 of the legislative assembly of the Territory of Arizona, approved March 21, 1901, entitled "An act to provide for the collection, arrangement, and display of the products of the Territory of Arizona at the international exposition to be held at St. Louis in 1903," be, and the same hereby is, approved and ratified.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. LLOYD, the motion to reconsider the last vote was laid on the table.

PRINTING REPORT ON DISEASES OF CATTLE.

Mr. HEATWOLE. Mr. Speaker, I am directed by the Committee on Printing to ask for the consideration of House joint resolution 24, providing for the publication of 200,000 copies of the Special Report on the Diseases of Cattle.

The SPEAKER. Is this a privileged report?

Mr. HEATWOLE. I think so.

The Clerk read the joint resolution, as follows:

Resolved, etc., That there be printed 200,000 copies of the Special Report on the Diseases of Cattle, under supervision of the Secretary of Agriculture, 108,000 copies for the use of the House, 64,000 for the use of the Senate, and 8,000 for the use of the Secretary of Agriculture.

The report is as follows:

The Committee on Printing, having had under consideration House joint resolution No. 24, providing for the publication of the Special Report on Diseases of Cattle, recommend that the same do pass with the following amendment:

Strike out all after the second line and insert in lieu thereof: "That there be printed 99,000 copies of the Special Report on the Diseases of Cattle, the same to be first revised and brought up to date under the supervision of the Secretary of Agriculture, 66,000 for the use of the House and 33,000 for the use of the Senate."

The Public Printer estimates the cost of the publication of the report in its present form at $66,000.

The SPEAKER. The Chair is of the opinion that this is not a privileged report. Is there objection to the present consideration of the report? [After a pause.] The Chair hears none.

The amendment was considered and agreed to.

Mr. RICHARDSON of Tennessee. I wish to ask whether a written report has been submitted with this resolution, and whether it shows, as required by the rule, the cost of this printing? I think that rule ought not to be departed from. I do not understand that there is any objection to the resolution.

Mr. HEATWOLE. The cost of printing this document is stated in the report.

The SPEAKER. The report as sent to the desk does show the cost. Does the gentleman from Tennessee desire to have it read?

Mr. RICHARDSON of Tennessee. No, sir; but I hope it will be printed in the RECORD.

The SPEAKER. Without objection, it will be printed in the RECORD.

The joint resolution was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

Mr. HEATWOLE. I ask unanimous consent that the title of the joint resolution be amended as proposed by the committee.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, one of its reading clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. R. 65. Joint resolution to provide for the employment of extra clerical force in the office of the assessor of the District of Columbia; and

S. 4261. An act to provide for printing, and binding in cloth, additional copies of the first edition of Government documents and publications, for distribution to the designated depository libraries in lieu of the sheep-bound copies of the document edition, so called, now supplied to said libraries.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 290.

Resolved by the Senate (the House of Representatives concurring), That the Superintendent of Public Documents be, and he hereby is, authorized and directed to issue to the Secretary of the United States Senate and the Clerk of the House of Representatives such Government publications as they may find, from time to time, to be necessary for the use of the Senate and the House of Representatives, respectively.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. RUFUS KING POLK, late a Representative from the State of Pennsylvania.

Resolved, That a committee of six Senators be appointed by the presiding officer to join the committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

And that in compliance with the foregoing the Presiding Officer had appointed as said committee Mr. PENROSE, Mr. QUAY, Mr. CULBERSON, Mr. CARMACK, Mr. GAMBLE, and Mr. PATTERSON.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 65. Joint resolution to provide for the employment of extra clerical force in the office of the assessor of the District of Columbia—to the Committee on Appropriations.

S. 4261. An act to provide for printing and binding in cloth additional copies of the first edition of Government documents and publications for distribution to the designated depository libraries in lieu of the sheep-bound copies of the document edition (so called) now supplied to said libraries—to the Committee on Printing.

REPORT ON DISEASES OF THE HORSE.

Mr. HEATWOLE. I ask unanimous consent for the present consideration of the joint resolution which I send to the desk.

The joint resolution (H. J. Res. 26) providing for the publication of 200,000 copies of the Special Report on the Diseases of the Horse was read, as follows:

Resolved by the Senate and House of Representatives, etc., That there be printed 200,000 copies of the Special Report on the Diseases of the Horse, under supervision of the Secretary of Agriculture, 108,000 copies for use of the House, 64,000 for use of the Senate, and 8,000 for use of the Secretary of Agriculture.

The report of the committee was read, as follows:

Your Committee on Printing, having had under consideration House joint resolution No. 26, providing for publication of Special Report on Diseases of the Horse, recommend that the same be agreed to, with the following amendment:

Strike out all after the second line and insert in lieu thereof "That there be printed 99,000 copies of the Special Report on the Diseases of the Horse, the same to be first revised and brought up to date, under the supervision of the Secretary of Agriculture, 66,000 for the use of the House and 33,000 for the use of the Senate."

The Public Printer estimates the cost of the publication of the report in its present form at $56,100.

The SPEAKER. Is there objection to the consideration of this joint resolution?

Mr. GAINES of Tennessee. Is the gentleman from Minnesota [Mr. HEATWOLE] able to tell the House whether or not this publication has anything to say on the subject of the diseases of the carabao in the Philippine Islands? Those animals are dying off very fast there with a fatal disease called "rinderpest."

A MEMBER. Are they a species of the horse?

Mr. HEATWOLE. I shall be glad if the gentleman from Tennessee will furnish any information he has on that subject.

Mr. JONES of Washington. Will the gentleman from Minnesota state how the copies of this document are to be distributed among members?

Mr. HEATWOLE. The documents intended for members of the House will go to the folding room, where each member will have a certain number to his credit.

The SPEAKER. Is there objection to the consideration of this joint resolution? The Chair hears none. The question is now on agreeing to the amendment reported by the committee.

Mr. UNDERWOOD. I ask the gentleman from Minnesota to yield to me five minutes on the amendment.

The SPEAKER. Does the gentleman from Minnesota yield?

Mr. HEATWOLE. I should very much like to do so, but I have in charge several more bills and resolutions from the committee which I would like to have considered.

Mr. UNDERWOOD. The gentleman can hardly expect to bring matters of this kind before the House by unanimous consent and then not allow anything to be said in the way of discussion.

Mr. HEATWOLE. Very well; I have no objection. I yield to the gentleman.

Mr. UNDERWOOD. Mr. Speaker, I do not wish to make a speech on this bill; but it will be observed that the amendment reported by the committee proposes to cut down the number of these documents from 200,000, as proposed in the resolution, to 99,000. Now, sir, Congress publishes a great many documents which are of no use to anybody, for which there is no demand. But there is one book that is valuable to our constituents that is always in demand in larger numbers than Congress publishes; and this document when distributed is always useful, because it carries valuable information and accomplishes good results. That publication is what is commonly known as "the horse book." I am therefore in favor of voting down the amendment and ordering the printing of the number of these documents originally proposed. I hope that the amendment will be voted down and the resolution adopted. [Applause.]

Mr. LACEY. I wish to ask the gentleman from Minnesota whether it is the intention to bring this book down to date—to make such additions as the experience of the Department has demonstrated to be necessary?

Mr. HEATWOLE. Yes, sir.

The SPEAKER. The question is on agreeing to the amendment. [The question was put.] The noes appear to have it.

Mr. HEATWOLE. I call for a division.

The question being again taken, there were—ayes 56, noes 99.

So the amendment was not agreed to.

The SPEAKER. The question is now on ordering the joint resolution to be engrossed and read a third time.

Mr. SMALL. Members who have just voted against the amendment did so, I presume, on the ground that they desired to have printed the number proposed in the original resolution—200,000 copies. But I am sure there is no objection to the proposition that this publication be brought down to date; and that proposition was a part of the amendment which has been defeated. I merely wished to call attention to that fact.

Mr. HEATWOLE. The amendment just voted down contained a provision for bringing the publication down to date. The amendment having been defeated, that, of course, will give us the old book.

Mr. UNDERWOOD. Mr. Speaker, I ask recognition for the purpose of moving an amendment that that portion of the book be brought down to date.

The SPEAKER. Does the gentleman yield for the purpose of a motion?

Mr. HEATWOLE. I do not.

Mr. UNDERWOOD. Well, Mr. Speaker, I make this point of order——

Mr. HEATWOLE. I move to recommit the resolution.

Mr. UNDERWOOD. I was demanding the floor on the ground that the gentleman had lost his control of the floor, his motion having been defeated and the control of the floor passed to the other side.

The SPEAKER. The Chair is of opinion that the defeat of an amendment does not transfer the control of the bill. That is a mere minor detail. The gentleman from Minnesota moves to recommit.

Mr. HEATWOLE. Mr. Speaker, I move to recommit.

The SPEAKER. The gentleman moves to recommit.

Mr. UNDERWOOD. I move to lay the motion to recommit on the table.

The SPEAKER. Will the gentleman reduce his amendment to writing and send it to the desk?

Mr. RICHARDSON of Tennessee. Mr. Speaker, I hardly think a motion to recommit can be laid on the table. It is a privileged motion itself, and you can hardly apply one privileged motion to another privileged motion.

Mr. UNDERWOOD. Will the gentleman recognize me for an amendment?

Mr. HEATWOLE. For information only.

Mr. UNDERWOOD. I desire to offer that portion of the amendment which was offered by the committee, which provided for the bringing of the book down to date. The clerk has it before him, and I ask to have that portion read which I offer. The committee reported this motion.

The SPEAKER. Does the gentleman modify the committee amendment?

Mr. UNDERWOOD. I desire to offer, as an original amendment to the bill, that portion of the committee's amendment which applied to bringing the publication of the book down to date, which is in their report.

Mr. McDERMOTT. Will the gentleman from Alabama permit a suggestion?

Mr. HEATWOLE. I refuse to yield to the gentleman from Alabama.

The SPEAKER. The Chair must request the gentleman to reduce his amendment to writing. If it is the same as was just defeated, it will be out of order.

Mr. McDERMOTT. I would suggest to the gentleman from Alabama, that his object will be accomplished by offering an amendment that the number "90,000" be stricken out and "200,000" substituted.

The SPEAKER. Does the Chair understand that the gentleman from Minnesota insists on his motion to recommit, to refer back to the committee?

Mr. HEATWOLE. I do. I ask for the previous question on that, Mr. Speaker.

The SPEAKER. The Chair will say that under Rule XVI the motion to recommit has precedence over the motion to amend, and that therefore the Chair will put the motion to recommit; and on that the gentleman from Minnesota demands the previous question.

The question being taken, on a division demanded by Mr. HEATWOLE, there were—ayes 43, noes 103.

Accordingly, the motion was lost.

Mr. HEATWOLE. I ask the previous question on the passage of the amendment.

The SPEAKER. The gentleman's motion to recommit is pending. The question is on the motion to recommit the bill to the committee.

The motion was rejected.

Mr. UNDERWOOD. I now offer the following amendment, which I will ask the Clerk to read.

The Clerk read as follows:

Amend by adding as a new paragraph:

"That the Secretary of Agriculture be directed to revise the same and that it be brought up to date."

The amendment was agreed to.

Mr. HEATWOLE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman address the Chair?

Mr. HEATWOLE. A parliamentary inquiry. I did not yield to the gentleman from Alabama to offer an amendment.

The SPEAKER. The gentleman from Alabama had a right to offer an amendment, and that is not all. The gentleman from Alabama is now in control of the joint resolution. The question is on the engrossment and third reading of the House joint resolution.

The joint resolution was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. UNDERWOOD, a motion to reconsider the last vote was laid on the table.

GAZETTEER OF THE PHILIPPINE ISLANDS.

Mr. HEATWOLE. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Minnesota, chairman of the Committee on Printing, asks unanimous consent for the consideration of the following, which the Clerk will report.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound in cloth 4,000 copies of the Gazetteer of the Philippine Islands; 1,000 copies for the use of the Senate, 2,000 for the use of the House of Representatives, and 1,000 copies for the use of the War Department.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. GAINES of Tennessee. Mr. Speaker, I should like to have the gentleman from Minnesota tell us what this gazetteer contains.

Mr. HEATWOLE. It is described in a memorandum from the War Department.

Mr. GAINES of Tennessee. Is it a newspaper or a book?

Mr. HEATWOLE. It is a gazetteer. It is fully described in a memorandum attached to the report. The Clerk will please read the report.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

The Committee on Printing, having had under consideration Senate concurrent resolution No. 13, authorizing the printing of 4,000 copies of the Gazetteer of the Philippine Islands, recommend that the same do pass.

The Public Printer estimates the cost of this publication at $7,030.

The attached memorandum, which is made a part of this report, will give a general idea of the nature and scope of the gazetteer which it is proposed to publish.

The following are the chief points of value of a gazetteer of the Philippine Islands, prepared in the War Department, Division of Insular Affairs:

1. It assembles under one title and one alphabet the most comprehensive and recent information, geographical, statistical, and economical, published relating to the United States possessions in Asia.

2. It describes the Philippine Islands in convenient classified arrangement under heads: Location, area, physical features, bays and harbors, roads and communications, population and towns, dependent islands, vegetable products for domestic use and of industrial and commercial value, minerals, forests, fruits, industries, United States military occupation, civil government, and bibliography.

The same treatment is given to each group, island, or province.

3. It is a gazetteer and encyclopedic dictionary of 10,300 alphabetically arranged names, locations, and descriptions of places, embracing provinces, mountains, rivers, bays, towns, villages, capes, points, and other mapped objects.

4. It is a ready reference for the executive branch in the administration to the affairs of the islands from Washington.

5. It is a repository of practical information, alphabetically arranged, for Senators and Representatives in the discussion of the Philippine question in all its bearings.

6. It is educational, and should be placed in every library—public, academic, or technical—in the land.

7. Its facts and general information are taken from the best authorities of the old and the latest official, civil, military, and scientific sources under the new jurisdiction. The descriptions of provinces have been submitted for revision to the officers of experience in the United States military service in the islands.

8. The publication, to the extent of its selected and original sources of information and careful computations, may be regarded as official and indispensable, there being no other work of its character extant.

WAR DEPARTMENT, DIVISION OF INSULAR AFFAIRS,
January 30, 1902.

Mr. GAINES of Tennessee. Mr. Speaker, I simply desire briefly to call the attention of the House to one omission that I think we are making in all our publications about the Philippine Islands, and I think it is a very vital omission.

We took the census of Cuba almost in a day, as soon as we got the chance, and it was of great value. We had been in Cuba only a short while, from a military standpoint, before we did this—and yet we have been in the Philippine Islands about three years and never have had a census taken. We have been guessing at the population of the Philippine Islands ever since we have been there, and so did the Spaniards.

Now, to show you how far short—if my friend from Minnesota [Mr. HEATWOLE] will yield to me for a moment—to show you how we are guessing at the population even in the city of Manila, I saw an official report here not long ago that said the population of that city was from "300,000 to 600,000 people." A few days ago I picked up another report from the board of health of Manila which has 60 supervisors who weekly visit the houses in the city of Manila for the purpose of exterminating every sort of disease, and those supervisors have taken a census of the city from which this board took a census of Manila and found the population of Manila to be only 244,732 people. Yet this other, though late, report said this population was "300,000 to 600,000 people."

Now, another matter. It seems to me that some committee having jurisdiction of the matter ought to see that a census of the Philippine Islands is taken, if we propose to hold these islands permanently. It may be a little difficult to take it at some places, and of course it is; but we have been there long enough in some places where quiet has been restored to take a census.

Another matter. In none of these documents is there anything said about the carabao. The carabao is the horse of the Philippine Islands. This animal is a huge cow, with immense horns, immense body, very black, with little or no hair. He is an animal which lives in water mostly. He is the Filipino farmer's horse, and he is the carriage or wagon horse. The American horse does not do well there. Governor Taft carried a fine span or two of horses out there, but they soon went the way of practically all American horseflesh taken there. The mule stands the climate better than the horse. The carabao can not live unless he has plenty of water.

When being used mud is packed on the top of his back and kept wet to keep him from suffocating until he can get to more water. Without water he becomes a dangerous animal. He becomes very angry and gets crazy, and, being powerful, is very dangerous and becomes unruly.

The SPEAKER. The duty of the Chair is to inform the gentleman that this is pending upon a question for unanimous consent.

Mr. GAINES of Tennessee. I understood the gentleman from Minnesota had yielded to me for a few moments.

The SPEAKER. He has no right to do that until the House consents that the resolution may be considered.

Mr. GAINES of Tennessee. I will be through in just a few seconds. I hope that in the next publication the gentleman reports he will consider the distinguished friend of the Filipino, the carabao, and the diseases that pertain to him.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the concurrent resolution.

The question was taken, and the concurrent resolution was agreed to.

SCHLEY COURT OF INQUIRY.

Mr. HEATWOLE. Mr. Speaker, I ask unanimous consent for the consideration of the concurrent resolution providing for the printing of the proceedings of the Schley Court of Inquiry, with a Senate amendment, and ask to agree to the Senate amendment with an amendment.

The SPEAKER. The Chair lays before the House the concurrent resolution, to which the gentleman from Minnesota, as the Chair is advised, offers the following amendment. The Clerk will report the amendment.

The Clerk read as follows:

Add to the Senate amendment the words "also with a subject and topical index of the whole publication; and."

Mr. RICHARDSON of Tennessee. The whole resolution should be reported, Mr. Speaker. We do not know what the resolution is.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,500 copies of the proceedings of the Schley Court of Inquiry, of which 1,000 copies shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 500 copies for the use of the Navy Department.

The SPEAKER. The Clerk will now read the House amendment for the information of the House.

The Clerk read as follows:

In line 4, after "inquiry," insert "together with the findings of the court, Admiral Dewey's opinion, Admiral Schley's appeal to the President, and the President's decision thereon, and."

The Clerk read as follows:

The Senate agrees to the foregoing amendment of the House of Representatives, with an amendment, as follows:

In lieu of the matter proposed to be inserted by the said amendment, insert the following: "together with all papers officially before the President with Admiral Schley's appeal, and the President's action thereon, and."

The SPEAKER. The gentleman from Minnesota moves to concur in the Senate amendment with the following, which the Clerk will report.

The Clerk read as follows:

Add to the Senate amendment "also a subject and topical index of the whole publication; and."

The SPEAKER. The question is on agreeing to the amendment offered by the gentlemen from Minnesota.

The question was taken and the amendment was agreed to; and the Senate amendment as amended was concurred in.

PUBLIC DOCUMENTS FOR USE OF SENATE AND HOUSE.

Mr. HEATWOLE. I ask unanimous consent to take from the Speaker's table concurrent resolution No. 29.

The Clerk read as follows:

Senate concurrent resolution No. 29.

Resolved by the Senate (the House of Representatives concurring), That the Superintendent of Public Documents be, and he is hereby, authorized and directed to issue to the Secretary of the United States Senate and the Clerk of the House of Representatives such Government publications as they may find from time to time to be necessary for the use of the Senate and House of Representatives, respectively.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

REPORT OF THE COMMISSION TO REVISE AND COMPILE THE LAWS OF PORTO RICO.

Mr. HEATWOLE. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The Clerk read as follows:

Senate concurrent resolution No. 8.

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,500 copies of the report of the Commission to Revise and Compile the Laws of Porto Rico, sent to Congress by the Attorney-General, of which 1,500 copies shall be for the use of the Department of Justice, 500 for the use of the Senate, and 1,500 for the use of the House of Representatives: *Provided*, That of the 1,500 copies for the use of the Department of Justice 1,000 shall be held by said Department for distribution in such a manner as the Commission to Revise and Compile the Laws of Porto Rico may indicate.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

EXTRA COPIES OF THE ANNUAL REPORT OF THE COMMISSIONER OF PENSIONS.

Mr. HEATWOLE. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate joint resolution which I send to the desk.

The Clerk read as follows:

Senate joint resolution 21, authorizing the printing of extra copies of the Annual Report of the Commissioner of Pensions.

Resolved, etc., That the Public Printer be, and he is hereby, authorized and directed to print and deliver to the Department of the Interior 10,000 copies of the Annual Report of the Commissioner of Pensions for the year ending June 30, 1901, in addition to the number authorized by the act of January 12, 1895.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. Mr. Speaker——

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. No, Mr. Speaker; I will not object, if the gentleman will allow me to offer a very small amendment about which I have conferred with him. I suppose the gentleman will allow me to offer an amendment?

Mr. HEATWOLE. There was no conference as to an amendment. There was as to some remarks.

Mr. RICHARDSON of Tennessee. I want to offer a small amendment, to which I think the gentleman will agree.

Mr. HEATWOLE. I yield for remarks, but not for an amendment.

The SPEAKER. How much time does the gentleman yield?

Mr. RICHARDSON of Tennessee. I think the gentleman will not offer any objection to my amendment.

Mr. HEATWOLE. I yield to the gentleman for remarks.

The SPEAKER. No objection is made.

Mr. RICHARDSON of Tennessee. Just a moment before I go on.

Mr. Speaker, this report of the Commissioner of Pensions contains a number of illustrations. Now, there is a proposition to reprint or print an additional number of this report. It occurs to me that the annual report of a bureau officer or the report of a bureau ought not to be filled with illustrations. Now, if this report contained illustrations in connection with the administration of the office of the Commissioner of Pensions, to illustrate the wounds received by soldiers or anything of that kind, I should not say a word. But there are some very handsome illustrations of the Pension building and of the decorations there during inauguration times; and it seems to me that that is a practice that is liable to very great abuse if the head of a bureau can fill his report with beautiful illustrations of that kind and character; and I simply want to add, after the order to print, that from it shall be omitted all illustrations. I think the gentleman from Minnesota will agree to that. Certainly that amendment ought to be adopted.

Mr. HEATWOLE. This is the first time I have heard the Pension building called handsome. I have no objection to the amendment.

Mr. RICHARDSON of Tennessee. The gentleman misunderstood me. I did not say the building was handsome, but the decoration of the building at inauguration time. I do not think, Mr. Speaker, seriously, that the report of the Commissioner, representing the head of any bureau, ought to be filled with illustrations; for that reason I wanted to insert this provision with respect to the illustrations. In that annual report there are at least four showing the Pension building during inauguration time, and they should be omitted. I hope, therefore, the amendment will be agreed to, and that the gentleman will not object.

The SPEAKER. Does the gentleman yield for an amendment?

Mr. HEATWOLE. I have no objection to the amendment.

The SPEAKER. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert after the word "one," in line 7, the following: "and from which shall be omitted all illustrations."

Mr. CANNON. Mr. Speaker, I have not noticed the illustrations, but it seems to me that if they are as the gentleman from Tennessee contends, they ought to be omitted. I was going to inquire if there is anything in the illustrations that shows the medical board of the Pension Office as it is engaged in the daily performance of its duties casting every possible doubt against the applicant for a pension. If there is any illustration of that kind it ought not to be omitted. [Laughter.]

Mr. RICHARDSON of Tennessee. I stated that it did not reflect upon the administration of the Pension Office, but in the text of the report there is no reference whatever, that I can find, to any one of the illustrations, each of which occupies a page. There are at least four of them. They are very pretty, but it is a practice, Mr. Speaker, that is liable to great abuse if the head of a bureau can fill his report full of beautiful illustrations.

Mr. HEATWOLE. Mr. Speaker, I ask for the previous question.

The SPEAKER. The gentleman from Minnesota has charge of the floor, and he has asked for the previous question.

The previous question was ordered.

The amendment was agreed to.

The joint resolution was ordered to be read a third time; and it was read the third time, and passed.

On motion of Mr. HEATWOLE, a motion to reconsider the last vote was laid on the table.

LIGHT-HOUSE NEAR BLUFF SHOAL, PAMLICO SOUND, NORTH CAROLINA.

The SPEAKER laid before the House the bill (H. R. 199) entitled "An act for the establishment of a life station on Bluff Shoal, Pamlico Sound, North Carolina," with Senate amendments.

The Senate amendments were read, as follows:

Strike out all after the enacting clause and insert:

"That there be established a light station on or near Bluff Shoal, Pamlico Sound, North Carolina, the cost of which shall not exceed $30,000.

"SEC. 2. That the act approved March 3, 1901, for rebuilding the light station on Northwest Point, Royal Shoal, North Carolina, be, and the same is hereby, repealed."

Mr. SMALL. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

LAUNCH FOR CUSTOMS SERVICE AT ASTORIA, OREG.

Mr. MOODY of Oregon. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 646) for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to purchase or have constructed for the customs service a suitable launch, of such motive power as may be determined by the Secretary of the Treasury, for use at and in the vicinity of Astoria, Oreg.; and the sum of $10,000, or so much thereof as may be necessary, is hereby appropriated and made immediately available to purchase or build such vessel.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICHARDSON of Tennessee. Mr. Speaker, reserving the right to object, I would like to have some explanation of this bill.

Mr. MOODY of Oregon. This bill, Mr. Speaker, provides for the purchase of a launch for the customs service. It has the indorsement of the Committee on Interstate and Foreign Commerce and of the Secretary of the Treasury.

Mr. RICHARDSON of Tennessee. I can not understand what it is for and I shall object.

Mr. MOODY of Oregon. I ask that the Clerk read the report.

The Clerk read the report, as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 646) for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg., beg leave to submit the following report, and recommend that said bill do pass, with amendment as follows:

Strike out all that portion after the word "and," in line 7, and insert in lieu thereof the following: "the cost thereof shall not exceed the sum of $10,000."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICHARDSON of Tennessee. I understand this is for a launch for the benefit of the customs service, but there is no reason given for it in the report.

Mr. PAYNE. There is a recommendation at the end of the report.

The SPEAKER. The Clerk will read the recommendation of the Department.

The Clerk read as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, December 14, 1901.

SIR: I have the honor to acknowledge the receipt of your communication of the 7th instant, transmitting a copy of bill S. 646, for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg., and requesting that this Department furnish your committee with such suggestions as it may deem proper touching the merits of the bill and the propriety of its passage.

I have the honor to inform you that after a careful investigation of the needs of the customs service at the port of Astoria, Oreg., the Department is of opinion that the customs service will be greatly benefited should it be supplied with a launch such as is provided for in the proposed bill, and I have the honor to recommend that the same be enacted into law.

Respectfully,

L. J. GAGE, *Secretary.*

The CHAIRMAN COMMITTEE ON COMMERCE,
United States Senate.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. MOODY of Oregon, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. MAHON. Mr. Speaker, under the rules this day belongs to the Committee on War Claims, but the gentleman from California [Mr. LOUD] has a bill before the House which may run all day, and he wants to follow it up with the Post-Office appropriation bill. I do not care to get in his way, and I ask unanimous consent for the passage of the order which I send to the Clerk's desk.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the adoption of the following order, which the Clerk will read.

The Clerk read as follows:

That the Committee on War Claims shall have the day immediately following the disposition of the Post-Office appropriation bill in lieu of this day which, under the rules, belongs to Committee on War Claims.

The SPEAKER. Is there objection to the adoption of the order just reported?

Mr. GROSVENOR. I object.

Mr. LOUD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of House bill 11728.

Mr. SWANSON. Mr. Speaker——

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON of Tennessee. Would it be in order, while the motion is pending, to move to go into Committee of the Whole House on the state of the Union on the Private Calendar to consider war claims, it being Friday and dedicated to that business?

The SPEAKER. The Clerk will read the order under which we are considering the bill for the rural free-delivery service.

The Clerk read as follows:

On motion of Mr. LOUD, by unanimous consent, it was ordered that the bill (H. R. 11728) "to classify the rural free-delivery service and fix the compensation to employees thereof" shall be taken up on Monday next, immediately after the reading of the Journal, and shall become a continuing order until disposed of; the bill to be considered in the Committee of the Whole House on the state of the Union; the same to be subject to appropriation bills, bills raising revenue, and conference reports, and the time of debate to be equally divided between those in favor of and those opposed to said bill.

The SPEAKER. The Chair is of opinion that this order would supersede the motion to go into Committee of the Whole on the Private Calendar.

Mr. SWANSON. Pending the motion to go into Committee of the Whole, I desire to submit a privileged motion, or rather to make a request for unanimous consent.

Mr. LOUD. Will the gentleman yield for a moment? I hear gentlemen around me say, "Defeat the motion." On behalf of the Post-Office Committee I wish to say that we are perfectly willing that the Committee on Claims should go on with its business to-day. But we had some consultation with the chairman of the Claims Committee, who said that he was willing to accept for the business of that committee a day succeeding the conclusion of the consideration of the Post-Office appropriation bill. Now, there can not be any contest between the gentleman who made that suggestion and the Post-Office Committee. It is perfectly immaterial to us how this matter may be settled. It is, of course, too late for me to make any suggestion in regard to the ruling of the Chair, although, according to my recollection, the rulings have uniformly been that where the rules specify that a certain committee on a certain day shall be recognized to make a motion, that proposition supersedes even an order such as has been read. But I do not care anything about that; nor does our committee care to provoke any contest with anyone regarding the occupation of to-day. But as the chairman of the Claims Committee did not press the motion to go into Committee of the Whole, I have made my motion to do so for the consideration of this bill. Now I yield to the gentleman from Virginia [Mr. SWANSON] for a statement.

Mr. SWANSON. If we can not reach an agreement as to when general debate on this bill shall terminate and the bill be taken up and disposed of under the five-minute rule, I wish to ask the gentleman from California how much time is desired on his side for general debate?

Mr. LOUD. It was my desire, and I had hoped this morning to accomplish it, to close general debate on this bill to-day and to dispose of it finally to-morrow. Somebody says "there is nobody here."

Mr. GROSVENOR. There will be nobody here to-morrow.

Mr. LOUD. It is a pretty hard condition if we have to quit doing business on Saturdays by reason of the fact that nobody is here. As chairman of the Post-Office Committee, it becomes my duty to ask the House to proceed with business on business days. I shall not object to any reasonable proposition that the gentleman from Virginia may wish to make. I suggest that we go into Committee of the Whole at this time without any agreement; and if we can not close general debate to-day, we can probably reach an agreement to do so to-morrow. I can assure the House that the Post-Office Committee wants to dispose of this bill as soon as possible, but wishes at the same time to give an opportunity to every member who wants to speak on the measure. So far the discussion has been confined to the bill; and I think the best course to pursue will be to allow the general debate to continue to-day and see whether we can not to-morrow reach some agreement.

Mr. SWANSON. I am willing that general debate should conclude now. Gentlemen in favor of this bill have occupied in discussion thirty-seven more minutes than those opposed to it. I am willing that the bill should be disposed of to-day. I trust, however, we shall not have any prolonged debate under the five-minute rule. There is great pressure on our side to speak. I am willing that the general debate shall go on to-day and to-morrow, if the gentleman from California thinks there is great pressure for speaking on his side. If not, I desire to submit a proposition that when we resolve ourselves into Committee of the Whole general debate shall conclude at 3 o'clock, and that then we proceed to dispose of the bill under the five-minute rule. Now, I want to submit a request for unanimous consent that general debate on this bill shall continue to-day and shall terminate at the adjournment to-morrow, and that when the consideration of the bill is resumed, either on Monday or any subsequent day, we shall proceed under the five-minute rule.

The SPEAKER. The gentleman from Virginia asks unanimous consent that general debate on this bill terminate to-morrow, and that when the bill shall subsequently be considered the House will proceed under the five-minute rule. Is there objection?

Mr. LOUD. I shall not object; I leave it to the House.

Mr. SIMS. Before deciding whether I shall object or not I wish to make a parliamentary inquiry. If the motion to go into Committee of the Whole for the consideration of this bill should be voted down will it then be in order, notwithstanding the special order, this being Friday, to make a motion to go into Committee of the Whole for the consideration of bills on the Private Calendar under the rule?

Mr. SHATTUC. I object.

The SPEAKER. Does the gentleman [Mr. SIMS] submit this as a parliamentary inquiry?

Mr. SIMS. Yes, sir.

The SPEAKER. The Chair is of the opinion that if the motion of the gentleman from California [Mr. LOUD] to go into Committee of the Whole should be voted down, the motion to go into Committee of the Whole for the consideration of war claims on the Private Calendar would be in order. The question now is, Is there objection to the request made by the gentleman from Virginia?

Mr. SIMS. I do not object, Mr. Speaker, if it is put to another day; but if this motion is voted down, one day will be cut out.

The SPEAKER. The Chair hears none, and it is so ordered. The question now is on the motion of the gentleman from California.

The question was taken; and the motion was agreed to.

The House accordingly resolved itself into Committee of the

Whole House on the state of the Union, Mr. GILLETT of Massachusetts in the chair, and resumed the further consideration of House bill 11728.

RURAL FREE-DELIVERY SERVICE.

Mr. SWANSON. Mr. Chairman, I yield ten minutes to the gentleman from Tennessee [Mr. PADGETT].

The CHAIRMAN. The gentleman from Tennessee is recognized for ten minutes.

Mr. PADGETT. Mr. Chairman, I desire to discuss this question as purely a business proposition. I am persuaded that no one enterprise undertaken by the General Government is of more universal interest to the masses of our citizenship or that will be more beneficial to the country at large than the rural-delivery service. I regard it as a business service that addresses itself to the business judgment and the business thought not only of this body, but of the entire people. It is a service that fills a great business need. It is a service that is not local or sectional, but is one that is general, that applies to all the people of the country. It yields its benefits not only to the people of the country, but as well to the people of the cities, for the man in the city who writes to the man in the country is interested in having his letter delivered promptly, and the man in the city who expects to receive a letter from the man in the country is interested in having it delivered to him promptly.

It has been mentioned upon the floor that it is a service that will largely grow and will entail a large cost. If we were to concede that to be true, a sufficient answer to the proposition is found in that the service is well worth the cost and that the service is a service to the masses of the people, and the mass of the people receive the full measure of benefit of the cost of the service. I desire to call attention to this phase of the question of costs, that it is not now and will not in the future, as I consider it, be likely to prove a drain upon the public Treasury, for the postal service is one that is paid for by the people who use the service. The man who writes the letter pays the postage, and the increased service will contribute to meet the increased cost, so that I do not think that this will prove a large expense upon the general Treasury, but the service will pay its own cost.

There are two propositions that present themselves for the consideration of the House. One is the salary system and the other is the contract system. I have endeavored to consider these from the business standpoint and to separate them for that purpose from any other consideration. I now speak from the standpoint of a business enterprise, and I am persuaded that the best interests of the service will be subserved and promoted by adhering to the salary system. Under the salary system the competition and the inducement is for a better service. Under the contract system the competition and the inducement is for an inferior service. Under the salary system every inducement, as it occurs to me, is for the securing of a better service, for when the salary is fixed, the competition is among those who desire to secure the salary, and the only choice is a choice of efficiency of the public servant.

On the contrary, under the contract system, where it is let out to the lowest bidder, the competition is for the lowest price, and every inducement and every consideration is, "If I am to serve for a low price, how little service, how little labor, will I be necessarily compelled to render?" So that under the salary system the inducement and the competition is for an efficient service, and under the contract system the inducement and the competition is for the smallest possible labor and the most inefficient service.

Mr. SHACKLEFORD. Will the gentleman permit a question right there?

The CHAIRMAN. Does the gentleman yield?

Mr. PADGETT. Yes.

Mr. SHACKLEFORD. Does not the same rule apply to the building of a house or the construction of a building or the construction of a railroad or any other enterprise? Common experience teaches us it is always done better by letting it out at contract.

Mr. PADGETT. No; I do not think so. There is this manifest distinction which occurs to me. The building of a house or a bridge or any such enterprise is a single specific object that is susceptible of supervision and management, and is under the control of the party at the time, whereas this is a service that is spread all over the country, that employs a multitude of men where there is no gathering together of service, but a separation of service into individual localities that have no common bond of supervision.

Mr. SHACKLEFORD. It is all under the supervision of the Post-Office Department, is it not?

Mr. PADGETT. Certainly, in a general way, but it is not under the personal supervision of the Postmaster-General, nor is it under the personal supervision of any of the different departments, because it is a service rendered in distant portions of the country.

Mr. SHACKLEFORD. Does not that apply to the salaried men just the same?

Mr. PADGETT. I think not. I think that every inducement under the contract system will be in endeavoring to cut down the amount of labor that will be rendered in the service to make it commensurate with the cheapness of the contract price.

Another thought that has been suggested relative to this service is that there are different lengths of routes. That is true; but I desire to call attention to this fact, that the length of the route is not the measure of the service that is to be performed by the carrier. In thickly settled countries where the roads are good the routes are shorter. In the sparsely settled countries the routes are longer, but where there is an excess of length in the route, requiring more travel, there is a density of population on the shorter route that compensates for the difference in the travel, an excess of service in the collection and distribution of the mail, so that there is an equalization of the service between the long route and the short route by the balancing that we have in the excess of service in the distribution and the collection of mail in the densely populated sections of the country where the short routes prevail.

Now, there is the political aspect of this question that necessarily injects itself into the consideration of the matter. I believe that any Administration, whether it be Democratic or Republican, will take a laudable pride in making a success of this enterprise as a business undertaking. It is a venture that should reflect credit, and magnificent credit, upon any Administration, and I believe that the pride that will be engendered in securing for the country the very best service, and stamping upon this rural-delivery service the sign and the approval of success and commendation from the people, will be a stimulus that will overbalance any effort to prostitute it for base political purposes.

Again, I am persuaded that the masses of the people who feel a deep and abiding interest in the success of this rural-delivery service will not permit any political party to prostitute it to partisan purposes. Again, I believe that the same influences that could be brought to bear upon the salaried men can be brought to bear with equal force upon the man under the contract system. The man who is employed under a salary is responsible to his superiors. Under the bill that is proposed if we take the man under the contract there is an unlimited discretion of removal vested in the superior, which the man under the contract would respect and fear just as much as the man under the salary.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SWANSON. I yield five minutes more to the gentleman.

Mr. PADGETT. Again, I fail to appreciate, as fully as other gentlemen upon the floor seem to do, the force of the argument that this will be made a great political machine to govern the election of members of Congress. I do not believe that the political thought of this country, that the political beliefs of this country, that the political principles of this country can be swayed by a few mail carriers scattered hither and thither among the several Congressional districts of the Union. I believe that the American people will not be controlled or governed by such influences as can be brought to bear by the mail carriers engaged in the rural delivery service.

Mr. ROBINSON of Indiana. Mr. Chairman, I appreciate the gentleman's ethics in political matters, but it has not escaped his attention that newspaper articles have already been printed claiming the credit of this splendid service for the Republican party, thus prostituting it to partisan ends, and the gentleman has already heard upon the floor of this House that in the Southern States, in many districts, one-half of the rural free-delivery carriers have been given to the Democrats; but when has he heard that there has been any such division in the Northern States? Will the gentleman excuse the party in power from using this service for political ends under those circumstances? Surely the people pay for this system of rural free delivery and it goes without saying that no party should prostitute it to political ends.

Mr. PADGETT. I do not know how it has been in the Northern States. I know that in my district I have been treated very fairly.

Mr. ROBINSON of Indiana. I agree with the gentleman as to what is the duty of a political party with a splendid service like this, but when we come to evidences of its being used for partisan ends, then it is necessary for the people of the districts in the Northern States to ask why it is that these favors are given to Southern districts, where there is no difficulty in the election of Democrats, and why the same privilege is taken away from the Northern members of Congress, who have no share in this public patronage.

Mr. PADGETT. I ask the gentleman if all of that of which he complains was not under the original system, where the patronage was given to members of Congress?

Mr. ROBINSON of Indiana. Ah, that is correct, but the gentleman has suggested that he did not believe the Administration had used it for political advantage.

Mr. PADGETT. Not at all.

Mr. ROBINSON of Indiana. And I know the gentleman will agree with me that we ought to have the civil service blanket over this splendid service.

Mr. BARTLETT. It is already.

Mr. PADGETT. It is placed under the civil service now.

Mr. ROBINSON of Indiana. But the gentleman knows and the experts tell us that it is not sufficiently protected by the civil service to accomplish that end.

Mr. PADGETT. Without doubt the civil-service regulations can be improved; but an additional answer to that is that under the provisions of the bill offered to us here there is no improvement over the present system. The unlimited discretion vested in the Postmaster-General to reject bids is more objectionable from a political point of view than as now under the civil service with a salary.

Mr. McDERMOTT. Will the gentleman answer me a question?

Mr. PADGETT. If I can.

Mr. McDERMOTT. Does the gentleman know any reason why, if the present Republican Administration could fill all the offices in this country with qualified Republicans, the Administration should appoint a Democrat?

Mr. PADGETT. No, sir. If you ask my individual opinion, I believe, as Jackson said, "To the victor belongs the spoils."

Mr. McDERMOTT. Precisely; and if I were responsible for the present Administration, there would not be a Republican in the Postal or any other department.

Mr. PADGETT. But I believe this: If there is a civil service, that it ought to be faithfully kept and faithfully and efficiently administered, but when I speak my own views, I believe the Republican Administration is entitled to the offices when it is in power, and under a Democratic Administration the Democratic party is entitled to the offices when it is in power, and I make no complaint because Republican Congressmen endeavor to get appointments. I try to get all I can, and when I get them it is for Democrats every time I get any.

Mr. ROBINSON of Indiana. Does not the gentleman from Tennessee recognize that this is the business Department of the Government?

Mr. PADGETT. Certainly.

Mr. ROBINSON of Indiana. And that it ought to be entirely free from partisan control?

Mr. PADGETT. Every office of the Government is a business office.

Mr. ROBINSON of Indiana. Is not the Post-Office specially the business Department of the Government, more than any other department?

Mr. PADGETT. No, sir; no more than the Treasury Department.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. PADGETT. In view of the fact that I have been interrupted, I ask for just a moment further. One other thought——

Mr. SWANSON. I can yield to the gentleman only two minutes more.

Mr. PADGETT. I want to call attention to this fact, that so far as the rural service is admistered that it is a marked success. It has merited and it has received the approval of the people. It has demonstrated it is a success under the salary system. So that with the salary system we have demonstrated the success of the enterprise, whereas under a contract system it will be at the most but an experiment we will have to try and demonstrate in the future.

Now, then, there have been no complaints, there has been no abuse in the system. We all concede that no extravagant salaries have been paid. Why, then, should we be dissatisfied with the existing conditions, and launch out into an experiment, when we have a system which has demonstrated that it is useful and practical in its work? Now this thought and I am done. Some criticism has been offered to the management of the Bureau. I wish to say that both during the sessions of Congress and during the vacation I have been a number of times in the Department. I have always found the employees there at work, courteous, polite, and accommodating, and they seem to give as much systematic industry and attention to their business there as in any other department of the Government.

Mr. COCHRAN. I would like to ask the gentleman a question.

Mr. PADGETT. Certainly.

Mr. COCHRAN. Suppose the appointments in your district were universally Republicans and you were not consulted and had nothing to do or to say about them——

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. COCHRAN (continuing). Do you think you would be as pleased with the situation as you are now?

Mr. PADGETT. No, sir; but they are put under the civil service now.

Mr. COCHRAN. That would admit the colored brother under this law. Would you want that in your State?

Mr. PADGETT. I would not.

Mr. COCHRAN. I thought not.

Mr. PADGETT. I do not think it would admit them any more or as much as it would by letting it under the contract system. Under the contract system they would be able to bid lower than other men and get it.

Mr. COCHRAN. Would you exclude him under the civil service?

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SWANSON. I yield twenty minutes to the gentleman from Ohio [Mr. WARNOCK].

Mr. WARNOCK. Mr. Chairman and gentlemen of the committee, this has been the most remarkable debate in this session of Congress in very many respects. It is remarkable from the fact that this is the fifth continuous, consecutive day in which members have discussed this question. Another remarkable fact about it is this: That during these days those who have discussed the bill have, as a matter of fact, made frequent reference to the bill.

We have not heard a word during those five days about the irrigation of arid lands; we have not heard a word during those days on the silver question; we have not had a word about the Philippines during this discussion; we have not had a word about the exchange of gold for silver; we have not had a word about the iniquitous trusts, and above and beyond everything else, we have not had a single word from our orators, who, with perspiring faces, and disheveled hair, and agonized tones, plead for the preservation of the Constitution. In other words, we have witnessed the remarkable spectacle of gentlemen actually discussing the bill.

Now, I say that is very remarkable in this body of Congressional candidates for future honors. There is another remarkable matter, and that is this: There have been more men of straw set up and knocked down by those who have discussed this bill than I have ever known to have been done in the short time I have been a member of this honorable body. These gentlemen have set up these miserable products of their imaginations and then proceeded to belabor them until their mangled remains are scattered from the Atlantic to the Pacific. A remarkable instance of this was that shown in the argument of the gentleman from Illinois [Mr. BOUTELL].

Now, the gentleman from Illinois is a most excellent lawyer; he is not only an excellent lawyer, but an eloquent gentleman as well. I have always listened to him with a great deal of interest and a great deal of profit. I was glad when he took the floor the other day, for I remember how he became famous; how upon this floor, as the representative of a feeling that too much had been said about truculent sycophancy in this Congress, that he produced an array of historical authority on that subject that showed him to be not only a good lawyer, not only an eloquent gentleman, but showed that he was a gentleman of large culture and of extensive reading. So that when he proceeded to discuss this bill I expected to find such conclusive arguments as that I should be compelled to reverse my judgment and to fall in with his own line of thought.

The trouble is that his argument consisted in setting up these men of straw, and I have noticed that in his efforts to destroy these wonderful products of his imagination the gentleman has succeeded in absolutely and utterly annihilating them. Now, when the gentleman proceeded in his inimitable way to destroy his men of straw, I have an idea that his thought was that by the destruction of these men of straw he would be making an argument in favor of the bill; but when he had finished and had laid out these products of his own imagination, I did not find any reason in that for the support of his propositions.

The propositions which he laid down, and which he so effectually disposed of, did not give anything as a substitute. It gave no reason for the adherence to the propositions contained in this bill and for the support of these measures. What were these men of straw? They were that the gentlemen who opposed the bill had fallen into two errors, and that these errors were, first, that the persons who had spoken against this bill had argued that those who were in favor of the bill were enemies of the rural free-delivery service.

Well, now, I have not heard any man on this floor charge any person who advocated this bill with being an enemy of rural free delivery. On the contrary, I have heard a great many pay tribute to the chairman of the committee who has presented this bill as being one of the foremost and one of the first advocates of rural free delivery. I looked in vain in the CONGRESSIONAL RECORD for some utterances which would justify the gentleman in making the statement that anyone had charged that the advocates of the bill were enemies of rural free delivery. The trouble is that the

gentleman construed the fact that many gentlemen had argued that those persons who advocated the contract system were enemies of rural free delivery. No one argued that the men who advocated this bill were personal enemies of rural free delivery, but that the principle which they advocated of the contract system was hostile to rural free delivery.

Well, that is no argument. The gentleman seemed to derive much satisfaction from elucidating that point and bringing out the fact that they were friends of rural free delivery, and having established to his satisfaction that they were the friends of rural free delivery he assumed that therefore the contract system was the best, as though that were a complete argument that the contract system was better than the present service.

Now, there was no necessity for the consumption of time to prove that the honorable gentleman from California [Mr. LOUD] is a friend of rural free delivery or that the gentleman from Illinois [Mr. BOUTELL] is a friend of rural free delivery. We are all willing to concede that and do concede it. So if that was an error in charging these gentlemen with being hostile to this bill, what does it amount to? It is not an argument in favor of the contract proposition.

The second error which the gentleman said he must dispose of was this—that it was claimed by those who are opposed to this bill that the bill would undermine the system, and the gentleman elaborated that thought, and said that there was not any system to undermine, and the fair inference from his remarks was that if he could demonstrate to this body that there was never a system of free rural delivery that that would be an argument against continuing the carriers on a salary and an argument in favor of the contract system.

So that when the gentleman, after occupying a long time in showing that this bill should be passed because technically we had no legal rural free-delivery system, read each section for the purpose of showing that it was now subject to a point of order whenever brought up in an appropriation bill, he seemed to think that these statements must of necessity be an argument in favor of the contract system. That is an argument in favor of establishing a rural free-delivery system by the enactment of a law which shall provide in detail for carrying on the service effectively.

I have not heard anyone object to the provisions of this bill as contained on the first page or the second page down to and including the ninth line of that page. So that I can not conceive how gentlemen could, for an instant, say that to prove there was technically no system is an argument in favor of the contract system. I do not care what you call it; there is, as matter of fact, a rural free delivery. There are 8,000 carriers; it has been commending itself to the people of the country; they like it; they want more of it, and wanting more of this free-delivery system, as we call it, while it may not technically be a system, to show the fact that it is not technically a system is not an argument in favor of changing that which now exists.

What objections are there now to a change in the matter of the salaried carriers? As a matter of fact, this bill adopts all the other provisions which are actually in practice. It continues and puts into legal shape the provisions with regard to these chiefs of divisions; it fixes their salaries just as they have been. It does not change any of the rules that have been adopted for perfecting this system of rural carriers. Why, then, has there been a departure from the rules adopted by the Post-Office Department as to the employment of these letter carriers? The only reason I have heard urged is, first, that the new method would be more economical.

It is said that if we have the contract system we can get persons who will carry these mails for a less sum than the salaries now amount to. Well, sir, there is nothing in the present manner of appointment of these letter carriers which prevents the Department from regulating that matter. It is just as easy for a provision to be made that the supervisors in the different districts shall provide that the carriers who have longer routes shall have more pay; that those who have hilly roads to travel shall have more pay than those who do their work upon level roads.

There is no reason why this great committee which has devoted three months to the preparation of this bill providing for the contract system could not provide in a bill for this arrangement as to the salaries that should be paid. There is no reason why, as a matter of fact, there should be extravagance in the matter of salaries.

I have no idea that the Government of the United States is seeking for cheap service, but it is seeking for the best service; and the question is, How shall the best service be obtained? Will it be by inviting bids from this man or that man or the other—a system under which by some possibility someone might be underbid who was a better or more responsible man than the one who gets the contract? Is that the way to get a better service? We all know as a matter of fact that cheap service or a cheap article, whatever it may be, is usually the worst article of the kind that is offered.

I have no reason to enter into a discussion of the old star-route frauds, because I conceive that any danger of the repetition of any such frauds can be eliminated or guarded against. I should have no apprehension of the repetition of any such frauds under any contract system. But while it may be conceded that there may be nothing of that kind, yet if as a matter of fact there should be a little cheaper service and a worse service, who would exchange the better service for that worse service on account of its cheapness?

It is claimed—though this point has not been brought into the discussion by all the gentlemen—that one objection to the present system is on account of a political machine that might be built up. It is claimed for the contract system that this machine could not be built up under such a system for the reason that the provisions of the bill are such as would exclude all political methods. It has been said that there are six provisions in the bill that must first be complied with before a person can be employed as a rural free-delivery carrier.

Now, the gentleman who made that statement made a mistake. There are seven provisions rather than six. The first of these is, that he must be the lowest bidder; second, he must be a legal resident of the territory in which the proposed service is to be performed; third, that he is reliable and trustworthy and that he is of good moral character; fourth, that he is able to read and write; fifth, that he has sufficient intelligence and ability, and, sixth, tenders sufficient guaranties that he will personally perform acceptable service. But what is the seventh requirement?

Why, sir, it is that he shall be acceptable to the Postmaster-General—that is to say, the Postmaster-General may reject any and all bids. So that whatever may be the answers and the findings as to those six provisions, the seventh brings the matter finally under the control of the Postmaster-General. He may reject all the bidders. Now, I conceive that under this provision the most gigantic political machine that we have ever had in this country may be constructed.

If it be true that this service will develop until we shall have fifty or sixty thousand carriers, all of whom must pass the scrutiny of the Postmaster-General, all of whom must be acceptable to that officer, all of whom may be of the same political faith with the Postmaster-General, that officer, if he so desires, may bring about that condition of things with reference to this great body of 60,000 men, which would make of them one great political machine.

But I want to say that so far as appears from any provision of this bill it will be just as easy under the contract system without the Postmaster-General taking the offensive attitude of undertaking to dictate the political faith of any carrier—it will be just as easy for these men to disseminate political doctrine, to put into operation any political bias that they may have, as it would be for any regular carrier under a salary. Why, sir, a person doing this service under contract would have just as much political bias as a person who had been appointed. He is susceptible to the same political influences. He could be operated upon by appliances which are known to political workers, so that he would disseminate political influences just as fixedly and securely among the patrons of his route as any person who might be employed on a salary.

I see, therefore, nothing in the proposition that the contract system would save us from the creation of a political machine. On the contrary, I see that under the provisions now in force, adopted by the Postmaster-General's Department and by the Civil Service Commission, the present system of rural free-delivery carriers has, so far as human ingenuity could devise, been taken out of the realm of politics. The gentleman from Mississippi [Mr. WILLIAMS] the other day read the rules and regulations governing the appointment of these carriers; but in doing so he left out the very pith of the whole matter.

He made no reference to the fact that under the present rules all applicants for the position of carrier are first examined and are graded according to the result of their examinations, and their names are sent up, together with the examination papers, to the Civil Service Commission. All the papers, all the results of the examination, together with the recommendations accompanying them, are submitted to a commission, as was fully explained by Mr. GAINES of Tennessee, consisting of two Republicans, two Democrats, and a lady, an expert statistician, and that the recommendation, whatever it may be, finally comes from that commission, which is as far removed from politics as it is possible to have it.

So we see that the gentlemen arguing these questions have put up their men of straw and knocked them down and have not given us the real facts in the case—have not shown us the real situation. I am satisfied, so far as politics is concerned, that the continuance of the present plan, safe-guarded as it is by this Commission, thus

appointed and as now constituted since February 1, 1902, is much better than any contract system could possibly be, so far as the question of political interference is concerned.

Now, then, another matter. It is a singular fact that the system of rural free delivery which has been in operation practically, has so commended itself to these gentlemen that they have adopted every feature of it except the appointment of rural free-delivery carriers upon a salary. So well have all the regulations of the Postmaster-General's Department been worked out that these gentlemen have adopted all of these provisions without a word, excepting, as I said, in regard to the rural free-delivery carriers. Now, this carrier has been selected with great care, and, as a rule, he has been intelligent, polite, and accommodating, and that is one of the reasons why the service has been a success to the present time. The people where I live and throughout the adjoining districts are so well satisfied with this service that petitions are coming in almost every day for the extension of the service. It has grown in favor.

The people want more of it. If there had been inefficient service the system would have been a failure. The service requires intelligent, polite, and accommodating carriers. They should be selected with great care. They should be men in whom the people have confidence. They should be honest men. Under the present rules the people have the right to recommend the names of carriers, and from these names the ones passing a successful examination are selected. How could a better or more efficient service be secured?

There are many improvements that can be made in the service. It is yet in its infancy, but it is destined to become the most popular service the Government has ever undertaken.

In this connection there is one thing I desire to call to the attention of the committee. Under the rules, the patrons living along the route are required to secure uniform mail boxes. There are 14 different boxes, any one of which will be accepted by the Department. These boxes cost from $1 to $3 each, and are put under the protection of the law. It would be wise for the Government to make some arrangement by which these boxes could be manufactured in great numbers and then furnished at cost to the people, or at a rental such as is paid for boxes in our city post-offices, the object being to reduce the cost to the people and furnish a postal service that would be as effective to the people in the country as it is to the residents of the city. There should be no discrimination; the people on the farm and in the village should be served by postal carrier as well as in the city, and when it becomes universal it will become self-supporting. The receipts from the 8,000 routes already established warrant the foregoing statement. Let us have country service.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FOSTER of Vermont having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, one of its reading clerks, announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 28.

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,200 additional copies of the bulletin entitled "Irrigation Investigations in California, Bulletin No. 100, United States Department of Agriculture, Office of Experiment Stations, 1901," of which 3,000 copies shall be for the use of the Department of Agriculture and 200 copies for the use of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 8541) granting an increase of pension to Mahlon C. Morris, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. PRITCHARD, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 6570) to amend the act of May 12, 1900, authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALDRICH, Mr. PLATT of Connecticut, and Mr. TELLER as the conferees on the part of the Senate.

RURAL FREE-DELIVERY SERVICE.

The committee resumed its session.

Mr. SWANSON. Mr. Chairman, I yield ten minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Chairman, the gentleman who has just taken his seat adverted to one remarkable feature of this debate, that although under the rules of the House any subject other than that under consideration might be discussed, yet that the members in the general debate have rigorously confined themselves to the measure under consideration. If this indicates anything it indicates the interest not only which the members of this representative body take in rural free delivery, but that it is appreciated by the people of the respective districts represented by the members of this House.

Mr. Chairman, the object of the bill under consideration is to classify and make permanent the rural free-delivery service, to leave the stage of experiment, and to adopt this service as a part of our permanent postal system. To this general object I am earnestly committed, and I do not understand that there is any division upon this proposition among the members of the House. I am opposed to that provision of the pending bill which changes the present method of appointing rural free-delivery carriers and which adopts the contract system by which it is proposed to award the position of carrier to the lowest bidder.

The growth of our postal system has, in many respects, kept pace with the marvelous progress of our country. It was once the proud boast of Benjamin Franklin, as Postmaster-General, that there were few cities of the United States of importance that were not at that time receiving mails at least twice a week, and some of them as frequently as once a day. He did not dare to predict the era when cities would receive mails from various directions many times each day, and when even the most remote rural communities would enter their protest if they did not receive a daily mail. For many years the people in the cities were compelled to send to the one central post-office for their mail, and did not complain that any hardship was thereby imposed upon them. When the free delivery of mails by carriers was introduced in the cities, and boxes for the deposit of mail matter were placed at numerous convenient points throughout the cities, it was soon realized that this innovation was to be made permanent. The convenience in the transaction of business and the affairs of life was so great that the system was gradually perfected and brought to its present marvelous efficiency. I may say with reference to the cities and towns of our country that I believe the present limitations should be removed, and that the time is now ripe when the limit of population which shall entitle a city to free delivery shall be reduced from 10,000 to 5,000 inhabitants. [Applause.]

It is one of the curious incidents of our civilization that oftentimes movements of momentous importance should have their origin under the most modest conditions and even against protest. As we view it now, it appears to be unfair that the citizen who lives in the city should have his mail delivered at his place of business or residence many times during the day, while the farmer should be compelled to travel 1 to 5 miles to obtain his mail from the nearest post-office, although the mail carrier might have traveled immediately by his home. It is to the credit of this representative body that the remedy for this inequality of mail service had its inception here. Congress made appropriations of $10,000 for each of the fiscal years 1894, 1895, and 1896 for an experimental service, but the project was regarded as so impracticable by the officials of the Post-Office Department at that time that none of these appropriations were expended for the purposes intended. The growth of the experiment in rural free delivery dates from 1897, when an appropriation of $40,000 was made available, and 44 routes were established during that year. In 1898 the appropriation was increased to $50,000, in 1899 to $150,000, in 1900 to $450,000, in 1901 to $1,750,000, and for the present fiscal year $3,500,000. The number of routes in operation now number about 7,000, and will reach more than 8,000 before the end of the current fiscal year.

It may, therefore, be said that this service is no longer an experiment and has earned on its merits a permanent place in our postal system. In so far as the present bill designs to make the service permanent it will have the approval of the House and of the country. The service, however, has been built up along certain well-defined lines and we should be slow in making any radical changes. Until a recent date carriers in this service have been appointed solely upon the recommendation of Representatives or Senators, who presumably had due regard for the wishes of the patrons along the route. While criticisms of this plan of appointment might be made, yet it resulted in the selection of competent and satisfactory men, because while at the end of the fiscal year of 1901 there were 4,301 routes in operation, yet during that year only 33 carriers proved incompetent and were dismissed from the service. Under this plan the experiment has grown and established itself in the confidence of the people.

By Executive order which became effective on February 1 last these carriers were placed in the civil service and have since that date been appointed only after an examination and ascertainment of fitness under rules formulated by the Civil Service Commission. This bill contemplates an entire change in the performance of the service. It proposes that these routes shall be let to the lowest bidder after advertisement and under certain restrictions proposed in the bill. This is a misfit and entirely inapplicable to this class of service. As an ordinary proposition I believe in awarding the

performance of service to the Government after competitive bidding, but it will be freely admitted that there are many positions to which the principle is not applicable. In order to make proper application of this contract system there must be some well-defined criterion or standard or test of the performance of duty which may be made the subject of contract and into which the personal fitness of the contractor does not enter as an essential element.

The Government may wish to purchase certain material to enter into the construction of a building or a ship, the standard of which is well defined, and it should be purchased from the person who will sell at the lowest price. It may wish to construct a building or to build a ship by certain plans and specifications and it may well contract with him who will build it for the least money. The Post-Office Department may wish one or more pouches of mail carried on a star route and delivered at the offices between certain termini, and in these cases it has been the custom to let the contract for this service to the lowest bidder. In all these instances the principal consideration was the material to be furnished or the specific work to be performed, for all of which there was a well-defined standard of quality or work, and the character of the person was not considered material. This principle does not apply to the carriers in the rural free-delivery service.

It is an essential condition that the carrier shall be acceptable to the patrons along his route. They must be upon terms of acquaintance. He must be one in whom they have confidence. He must be possessed of tact, courtesy, and diligence, and he must feel that the performance of duty will bring with it the retention of his position. He distributes the mail in the boxes, and he takes up the mail from the boxes to be forwarded. The carrier sells stamps and other postal material, and he registers letters. He receives the money of the residents along his route and purchases money orders at the terminal office. All these are essentials if the postal business along the route is to grow and expand and if the system is to popularize itself among the people. These conditions can not be obtained as a result of competitive bidding. On the other hand, the carrier who is appointed because his bid was lowest will have as his principal object the performance of the least work consistent with retaining his position.

The carrier is in most respects a traveling postmaster. No proposition has been made to let the fourth-class postmasterships to the lowest bidder. No suggestion is made that the position of railway mail clerks should be let to the lowest bidder. The carrier in the city has a position requiring less responsibility and certainly less discrimination and tactfulness, and yet no suggestion has ever been made that the city carriers should be appointed under the contract system.

The farmers are entitled to the best mail service which the Government can furnish consistent with all the conditions. This system must continue to expand until our entire country shall become a network of free-delivery routes, in which the mail shall be carried to the homes of the humblest citizen. Congress should not be extravagant in furnishing this service, but it should be just and should not discriminate. It is not even a question of the service being self-supporting, but the object to constantly keep in mind is to give the most efficient and satisfactory mail delivery. The growth of this service will be an incentive to the building of good roads. It will place the farmer nearer to the commercial centers and put him in touch with the markets of his products. It will carry the daily newspaper and the periodical and magazine into his home. It will prove an educational factor. The home life will be brightened and made more attractive.

The carrier is the most important factor in the rural free-delivery service, and he ought to be selected not alone upon the score of economy, but primarily by reason of his fitness, his capacity, and his character.

During the delivery of the foregoing remarks, the time having expired, Mr. SWANSON yielded five minutes more.

Mr. SWANSON. I yield to the gentleman from Kansas [Mr. LONG].

[Mr. LONG addressed the committee. See Appendix.]

Mr. SWANSON. I yield to the gentleman from Iowa [Mr. HAUGEN].

[Mr. HAUGEN addressed the committee. See Appendix.]

Mr. SWANSON. Mr. Chairman, I yield ten minutes to the gentleman from Indiana [Mr. HOLLIDAY].

Mr. HOLLIDAY. Mr. Chairman, I recognize the limitations of a new member, and ordinarily I would take no part in discussions in this House until I had more thoroughly familiarized myself with the conduct of affairs here and had more Congressional experience. But I have an abiding faith that we are discussing a proposition now upon which knowledge gained by mixing and mingling with the people is equally as valuable as knowledge gained by Congressional experience. The subject under discussion is of grave moment to a great many people, and it is well worth the very prolonged discussion given it on the floor of this House.

We have now, Mr. Chairman, a most excellent system of rural mail delivery. It is growing very rapidly; it is working extremely well. The people who use it, the people who know most about it, the people who are most interested in it, are satisfied with it as it is; and so far as I can learn, either from the public journals or private letters, there is no demand for the legislation proposed here. When we undertake to change an existing plan which works well and which is entirely satisfactory to the people most interested, then some good reason ought to be given for the proposed change. What are the reasons, Mr. Chaiaman, that are given here why we should change the policy already established by the Department? One of them is that this might be made into a political machine. Well, Mr. Chairman, I confess that up to the time this discussion began I had never had the slightest idea that political advantage could be gained by the appointment of rural letter carriers. I supposed if there ever was a time when such an advantage could be obtained it had been completely changed by the order of the Department placing it under civil-service regulations.

I have received many letters from men of my district since the 1st of February, asking for recommendations for carriers, and in every single instance I have told them that the Congressman had nothing to do with the appointment of carriers, but it was under the control of competitive civil-service examinations. I was surprised to know a different notion existed here on the floor of the House, and I want to say that if the appointment of letter carriers has not been taken out of the hands of Congressmen, if it has not been removed as far as possible from Congressional control, then I hope it will be, and I hope these carriers will be appointed purely upon their merit for the purpose of serving the best interests of the postal business. We are told that this will be cheaper than the old plan. Yes, I suppose it will. It seems that we must commence to economize somewhere, and so we commence with the farmer. Within a short time we will be asked to appropriate large amounts of money for rivers and harbors. I am told that millions must in the near future be appropriated for the construction of an isthmian canal. We expend millions upon millions for the construction of public buildings in the large cities, with no talk about economy then, but it appears that where the farmer is interested, where the dweller in the rural districts is interested, we must proceed to have notions of economy; he is good natured and he will stand it.

Mr. Chairman, my opposition to this bill grows largely out of the fact that I believe it is an unjust, unfair, and perfectly indefensible discrimination against the dwellers in the rural districts. When we come to the cities we find that we have built fine post-offices and furnished them with every modern improvement, and given them a uniformed, disciplined, and a well-paid corps of letter-carriers. The farmers, who bear their share of the burden of the Government, help pay them; but when they do insist—and they have the right to insist—to their Representatives on this floor that they be given something like equal facilities for the collection for their mails, we hear objections to it. I have no patience with the phantom that has been conjured up here that these letter carriers will combine and make a raid on the Treasury. Mr. Chairman, these combinations do not originate in the rural districts. Combinations making raids on the Treasury are not peculiar to farmers; they do not come from that direction.

I remember the other day that the gentleman from New Jersey, I believe it was, drew a lurid pen picture of a uniformed rural letter carrier, with a red-painted wagon and docked and bob-tailed horse driving at frantic speed throughout the country, and with his splendid equipage and winsome smile, leading the honest farmer into making a raid on the Treasury! Mr. Chairman, I wondered when I heard that picture what kind of farmers the gentleman had his mind on. Out in Indiana that sort of a circus would do more to repel than to attract farmers to any proposition.

Now, Mr. Chairman, as to the proposition that this may be used as a political machine, let me say to my friends on the other side that the man who has to depend for his future political career upon building a machine out of the rural letter carrier will find some way to do it under any law. Gentlemen need not flatter themselves with the notion that if a man makes up his mind to use this branch of the service for the purpose of promoting his political interests, this bill will not prevent him from doing it. But I want to say that the man who would depend for his future political prospects on building up a machine out of this very useful arm of the Government would probably not stay very long in Congress, and probably ought not to stay very long.

Now, Mr. Chairman, I said during the course of my remarks that I regarded this as a discrimination against the farmer. I noticed during this discussion the question has several times been asked, Why do you not place the city carriers under the contract system?

That question has never been answered. In my judgment it never can be answered. If we are going into the contract system, why make it apply to the rural districts alone? Why not apply it to the urban districts as well? There is no satisfactory reason why the rural carrier should be placed under a contract system that will not apply equally as well and equally as strong as to the carriers of the cities. The classification can be applied just as well in the country as in the city. Arrangements can be made for paying the men for the work actually done. There is absolutely no excuse for making the discriminations that are made here. Right in the body of the bill I find a great many officers designated at fixed salaries. Why not ask them to compete under a contract system?

But gentlemen claim that these men require to have special qualifications. I think every gentleman in this Chamber will bear me out when I say that for every place there is to fill 20 men can be found equally efficient, equally well qualified; and if you are going to attach the contract system to this service, why not give every man an opportunity to bid for those jobs who is properly qualified? So I say, Mr. Chairman, from every standpoint the bill is perfectly indefensible. There is no demand for it. From every part of this country, from the farmers in every State in this Union, the men who are the great conservative force and influence in this country, comes a protest against the passage of this bill, and I hope this House will heed that protest. [Loud applause.]

Mr. SWANSON. I yield to the gentleman from South Carolina [Mr. JOHNSON].

Mr. JOHNSON. Mr. Chairman, more than half a century ago Germany, France, England, and other European countries became convinced of the wisdom and the justice of carrying the mails daily to the homes of the people in the rural communities. This service has been extended until its benefits have reached well-nigh every community. To practically every home throughout England and Wales the rural carrier makes his visit every day in the week except Sunday.

The Government of the United States was slow to inaugurate this new, splendid, and beneficent service, although the official reports of other governments absolutely demonstrated its advantages over the old star-route service. The first rural free-delivery route in the United States was established October 1, 1896. By January 1, 1897, the number of routes had increased to 44. The Post-Office Department has proceeded cautiously and conservatively. To-day there are more than 7,000 routes in operation, serving 5,000,000 of our people in the country with a daily mail.

During this long and interesting debate no member of this House has questioned the wisdom of the service or denied its benefits. The measure before us has been so thoroughly discussed that I can not hope to add anything to the intelligence of the House; but as a friend of rural free delivery I wish to express my opposition to the contract feature of the bill. The inevitable result of its enactment into law, whether it is so intended or not, will be to injure if not to destroy the service. The great bureau that has been sarcastically referred to in this debate is giving to the farmer the best mail facilities that he has ever had. The employees of that bureau are industrious, methodical, and courteous, and the only complaint I have against it is that the bureau is not large enough. Forty petitions from the district that I have the honor to represent upon this floor are awaiting investigation. Some of those petitions have been on file for twelve or eighteen months. The force of inspectors is not large enough to do the work as rapidly as the people demand it.

Wherever the service has been inaugurated 95 per cent of the people are delighted with it. Wherever it has not been inaugurated all the people are clamoring for it, as is evidenced by the great number of petitions on file in the Post-Office Department. Mr. Chairman, if I were a resident of the country I should petition for rural free delivery, and I would not rest and I would not let my Representative in Congress rest until I got it. Why should it not be so? We are spending $17,000,000 a year to deliver the mails from two to twelve times a day in the cities, although the people live within a stone's throw of the post-office. Those of us who represent agricultural districts are not complaining about the free city delivery, nor protesting against the expense of it; but we do insist that it is the duty of this Government, acting under the direction of this Congress, to provide that the mail shall be carried to the people in the country at least one time every day.

In my opinion, Mr. Chairman, it is more important that the daily mail should reach the lonely farmhouse than that it should reach the crowded cities. When the night comes on, those who live in cities may assemble at religious, social, or such other gatherings as their tastes may lead to; but in the country, when the shades of night close in, the farmer and his wife and his sons and daughters gather around the family hearthstone, and I for one am in favor of all proper efforts being made to carry into that home the weekly and the daily newspapers, magazines, and other sources of information, in order that they may spend their evenings in discussing the events and the problems of the day. Do you believe that a daily newspaper is more interesting in the countinghouse than it is in the farmhouse? Are you willing to provide mail facilities that will carry it to the one and not to the other? Are you willing to injure or to destroy, in its very infancy, this service which is designed to be, and which will prove to be, an educator of inestimable value?

But it has been suggested that this new service will be so extensive and so expensive as to create a large deficiency in the postal revenues. When did it ever happen in this or any other country that increased postal facilities did not increase postal revenues? The gentleman from Georgia [Mr. LIVINGSTON] has referred to the time when postage on a letter was 25 cents, and I have no doubt that the postal deficiency in percentage then was as large as it is now. Within the memory of all of us letter postage was reduced from 3 cents to 2 cents for each half ounce, and subsequently letters of 1 ounce were brought to the same rate. With all the reductions in the rate of postage on letters and papers the deficiency grows less year by year. The Postmaster-General believes that the rural free delivery will so improve the service as to cause an enormous increase in the postal receipts, and that the service will be practically self-sustaining. He tells us in his official report that wherever the service has been established there has been a gratifying increase in the number of papers, magazines, and letters received by the people.

I have before me a statement published by the Nashville American, showing the actual results in Davidson County, Tenn. The rural routes in that county were put in operation on January 1, 1900. The number of pieces of mail handled by the carriers during the month of June, 1900, was 34,407. During the month of January, 1901, they handled 59,628 pieces; in June, 1901, they handled 78,918 pieces, and in January, 1902, the number of pieces handled by the carriers was 97,437. This shows a constant and gratifying increase. I commend these figures to doubting Thomases here or elsewhere. They demonstrate what the friends of this service assert, namely, that if you give the farmers good mail facilities they will avail themselves of them. The farmers in Davidson County, Tenn., have utilized the advantages given them and the farmers in any other county in any other section of the United States will do the same.

It has been urged in this debate that rural carriers ought not to receive salaries because their routes are not uniform. That is probably true. Some routes are longer than others and some are over better roads than others. The same is true of your carriers in the cities. The carriers in the business part of the city have shorter routes than do those in the residence and suburban part. While the carrier in the residence portion has farther to walk, the carrier in the business portion has a heavier load to carry. Taking all the rural routes in the United States, I have no doubt the actual work performed by each carrier will average up just about as well as the average work of the city carriers.

The question has been asked, and asked repeatedly in this debate, though it has not been answered, if it is proper to put the rural letter carrier under the contract system, why not the city carriers, the railway-postal clerks, and all the employees in all the departments of the Government. If the letting out of offices to the lowest bidder is a wise thing to do in one department of the Government it is equally wise in all other departments. The rural letter carrier comes in closer touch with the people he serves than does the city carrier. The rural carrier is a traveling post-office; he registers letters, sells postal cards and stamps, sells money orders, delivers and takes up the people's mail. When he makes his daily rounds, the fathers, husbands, and brothers are out on their farms, and the mothers, wives, and sisters of the country homes must transact the postal business. In the district which I have the honor to represent the rural carriers are visiting 4,000 families a day. I believe that, without exception, they are gentlemen, and as long as I represent those people I shall insist that we preserve a system that will insure this service being performed by gentlemen.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON. I should like a few minutes more.

Mr. SWANSON. I yield ten minutes more to the gentleman.

Mr. JOHNSON. Now, Mr. Chairman, the rural letter carrier is an appointee of the Government, and is responsible to the Government for his behavior. For rudeness, for impoliteness, or for any lack of accommodation the patrons could prefer charges and have him removed from the position. But if he should be a contractor, so long as he carries out the letter of his contract and delivers the mail, the Government has no power to discipline him for his conduct.

Now, Mr. Chairman, as I said a moment ago, the question has

been asked and not answered, Why should not all the offices in this Government be placed upon a contract basis, if it is economy alone that is to be sought? Is there a gentleman in this Congress who could not get scores of competent men to keep the post-office in his home town for one-half the amount paid by the Government? There are scores of young men and young women in every city who can stand the civil service examination and who will perform the clerical work in the post-office of their home city for one-half of what the Government is now paying the clerks. And it is true all along the line. Why, then, do you propose to come here and begin your contract system with this great and important class who contribute more to the Government than any other class of men, and who get less than any other class in any shape of governmental bounty? I undertake to say that there are enough competent men and women in any Congressional district in the United States to fill every office in any one of the departments here, and to fill them well. I do not know that if these places were let to the lowest bidder, and I were a bidder, I would be the lowest responsible bidder. But I will say that I would undertake to have performed the work in any of the departments for two-thirds of what we now pay for it, and every member of this House would be glad to get such a contract.

I have said before that 95 per cent of the people who have rural free delivery are delighted with it. I doubt if even 5 per cent of the people are dissatisfied. The Post-Office Department has received thousands of petitions against putting in rural free delivety, and some of those petitions have been carefully investigated. Upon investigation it was found that the people who signed the petitions were dissatisfied because the route as laid out did not go by their houses (and that is really not a protest against rural free delivery, but a complaint because the petitioner did not get it), and others signed out of friendship for some fourth-class postmaster whose office was abolished. Personally, I am very much disposed to allow the country post-offices to remain wherever the people manifest such wish, in order that those who prefer the the rural free-delivery service may patronize it, and those who prefer the post-office can patronize it, and in a short time the one service would demonstrate its superiority over the other. But it is the policy of the Department to discontinue star routes and post-offices and to use the money paid to the star-route contractors and fourth-class postmasters in perfecting the rural free-delivery service. So far as the complaint of those who have been left off the routes goes, it may be said that the inspectors who laid out these routes are not perfect, and they will be changed from time to time wherever experience shows that a change will improve the service.

There is, however, one complaint, not against rural free delivery itself, but against one of the regulations of the Post-Office Department, that has my sympathy. I shall not detain the House much longer this evening, but when the proper time comes I want to offer an amendment which will improve the service, and I make the suggestion now in order that gentlemen may consider it. I would like to have this bill amended so as to provide that the Post-Office Department shall make, or have made, a uniform metal lock box in great numbers, and furnish that box at actual cost to the people wherever the service is inaugurated, instead of requiring the patrons to purchase from a list of approved patent boxes. I think the Government can secure a safe box for 25 or 50 cents that will answer all the purposes as well as the high-priced boxes the people are now required to buy. If all the people were well provided with this world's goods and received large quantities of mail it would be no great burden to buy a box costing anywhere from $1 to $4; but there are thousands of honest, hard-working people who have little of this world's goods, and who do not get much mail, and to force this class of people to buy expensive patent boxes is a hardship and an injustice, and I sympathize thoroughly with their protest against the regulation.

Mr. GAINES of Tennessee. Does the law not permit him to make his own box?

Mr. JOHNSON. No; it does not. The regulation is that he must have a metal box, and that box must be selected from a list that has been submitted to and approved by the Post-Office Department. There are 14 boxes approved by the Department. The cheapest one costs $1, and the highest one is about $3.50. The patrons of this service must buy one of these boxes.

Mr. GAINES of Tennessee. Does the gentleman mean to say that the Government compels a farmer to take a box that the Government sells him rather than make one of his own?

Mr. JOHNSON. No, sir; the gentleman does not understand me. The Government does not sell any boxes. The Government requires every patron of the rural free-delivery service to select a box from 14 different kinds of boxes that have been submitted to the Department and approved by the Department, and these boxes cost from $1 to $3.50; but the people buy boxes from the manufacturers, not from the Government. I think that the Department ought to make or have made a uniform box, costing from 25 to 50 cents, and furnish it at cost to every patron of the service throughout the United States.

Mr. CANDLER. And furnish it free?

Mr. JOHNSON. No; furnish the boxes at cost.

Mr. GAINES of Tennessee. How long has that rule obtained?

Mr. JOHNSON. It was put in operation in the spring of 1901.

Mr. GAINES of Tennessee. I know there are many boxes out in my own country all along the pike, and some are made of wood, some of tin, and one thing and another; the farmer makes it to suit himself.

Mr. JOHNSON. The gentleman is right. When the system was first inaugurated a man had a right to put up his own box, and to make it out of a cigar box or anything else he chose. When these routes were first put in, that is what the people did. But last year the Department adopted a regulation that requires every man who gets his mail by this service to buy a metal box, and it must be one of 14 makes approved by the Department. Of course, two or more may own the same box, and one may use box of another owner by his consent.

Mr. GAINES of Tennessee. Well, if the Government can do that it can make me, when I go out to get my mail at the gate, wear kid gloves, or have my hands washed with a certain kind of soap.

Mr. JOHNSON. No; it can not do that. I am not defending what the Department has done; I am complaining about it. The carrier can deliver a letter to you in your own hands, but the Department can say to him that if you are not standing by the roadside to receive the letter into your own hands, he must not put it into any kind of box except a box that has had the approval of the Department.

Mr. GAINES of Tennessee. Is it not my letter the minute it goes into the box?

Mr. JOHNSON. Yes.

Mr. GAINES of Tennessee. Have not I the right to use any kind of receptacle I please for my mail?

Mr. JOHNSON. The carrier can deliver a letter to you and you can put it into what you please, but he can not do it. What I am trying to tell you is that if you are not at the roadside when the carrier comes along, and you have not the kind of box the Department requires you to have, the carrier can not leave your letter.

Mr. GAINES of Tennessee. Does not the box represent me? Is not my box operating for me?

Mr. JOHNSON. Well, that is the regulation of the Department I am complaining against, and I hope the gentleman from Tennessee will vote for my amendment.

Mr. GAINES of Tennessee. I will do that.

Mr. BROMWELL. Will the gentleman yield to me for a question in regard to the boxes, because it is a matter which is coming before the Post-Office Committee?

Mr. JOHNSON. I will.

Mr. BROMWELL. How many of these boxes, on an average, will it require on a route?

Mr. JOHNSON. I can not answer that question, There are 27 routes in operation in the district which I represent, and I would suppose that there would be 50 or 75 boxes on an average to a route.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BROMWELL. I ask unanimous consent that the gentleman's time be extended.

Mr. SWANSON. Mr. Chairman, I yield to the gentleman from South Carolina five minutes more.

Mr. BROMWELL. Will the gentleman tell me about how many routes we are going to have when we get this service extended over the entire country?

Mr. JOHNSON. I do not know, but I have heard it estimated that there will be 45,000 or 50,000.

Mr. BROMWELL. Fifty thousand, with an average of 50 boxes to the route?

Mr. JOHNSON. Yes; I think that would be a low average.

Mr. BROMWELL. How much will that make the entire cost of furnishing boxes?

Mr. JOHNSON. The gentleman can figure that out as well as I can. I am not asking that the Government shall furnish the boxes free, but I am asking that the law shall provide that the Government shall make or cause to be made a uniform box, and supply that box to the people all over this country at its actual cost, so that all these people who are patronizing the rural free-delivery service instead of being compelled to buy patent boxes and pay from $1 to $3.50 for them can get a box that will be equally as useful to them for 25 cents or 50 cents.

Mr. BROMWELL. Does the gentleman understand that that would amount to in the neighborhood of $2,000,000, to be taken out of the rural free-delivery fund?

Mr. JOHNSON. No, sir; I am not asking that any part of the rural free-delivery fund shall be used in this way. My proposition is that the patrons of the rural free-delivery service shall pay for the boxes themselves. I want the Government to buy or manufacture the boxes and let the people buy the boxes from the Government at cost instead of buying them from manufacturers all over the country who are selling patent boxes for $3 which ought to be made for 60 cents. I am trying to protect the people against that sort of thing.

Mr. BROMWELL. Is it not a fact that about all the various kinds of boxes that would be available are now covered by patents of which the Government could not make use unless it is content to use inferior boxes which, perhaps, would not answer the purpose of rural free delivery?

Mr. JOHNSON. The gentleman from Ohio [Mr. BROMWELL] has not quite as much confidence in the ingenuity of the American people as I have. There are thousands of men in the United States who in less than six hours could design a box which would not infringe upon the patent of a single box now in existence.

Mr. GAINES of Tennessee. The Government can use a box upon which there is no patent at all.

A MEMBER. Just like the city boxes.

Mr. BROMWELL. The Government is paying royalty on the city boxes.

Mr. JOHNSON. Mr. Chairman, let us go forward in extending this service until its benefits and blessings shall extend to every community and to every home. Let us destroy the isolation and loneliness of country life and stop the constant and deplorable drift from country to town. We can never do too much for the rural sections of this great country, whose people feed and clothe the world. This splendid part of our citizenship pays most of the taxes and receives but scant return. Let us as far as we can make lighter their burdens and smoother their paths. Begin not your cheeseparing policy in a service that costs only about 1 per cent of the amount expended by this Government, especially since that 1 per cent so expended will bless and enlighten the country homes from which must come in the future the men who will control the commercial and political affairs of this Republic.

Mr. SWANSON. I yield ten minutes to the gentleman from Indiana [Mr. CROMER].

Mr. CROMER. Mr. Chairman, some criticism has been made of the plan of classification of rural letter carriers recently adopted by the Post-Office Department and the Civil Service Commission, under the direction of the President of the United States. I was among those who did not believe that this step was wise or desirable; but since its operation became effective I have had occasion to look into the whole plan, and I do not hesitate to fully indorse it. In my opinion, it provides the most simple and practicable, the most sensible application of the principle of civil service yet attempted by this Government.

When the announcement was first made that the order classifying the rural free-delivery service included carriers as well as clerks and special agents, most of us thought that the complicated, not to say cumbersome, system of civil-service examinations prescribed for older branches of the postal service was to be attempted in the appointment of rural carriers. The introduction of the civil-service rules in vogue in the Post-Office Department and in the post-offices of our large cities would, in my judgment, prove as disastrous to the future of the rural free delivery as the proposed contract system carried in this bill.

There is no doubt that this view was entertained by the Post-Office officials. The plan finally adopted by the Post-Office Department and the Civil Service Commission for the classification of rural carriers shows that those who were charged with its preparation fully grasped the situation, understood the conditions to be met in rural districts, and realized that the success of the scheme depended largely upon the simplicity of its form of examinations and the ease of its execution.

No one who has looked into the system, examined the blanks provided for the examination of applicants for the position of rural carrier, and observed the results already produced since its inauguration can have the slightest objection to its enforcement. The examination is simple enough to be within reach of any person of ordinary intelligence. In fact anyone who can not pass it is not fit to be a rural carrier. The time required to take a regular civil-service examination in the city and departmental service is from seven to eight hours; the examination prescribed for rural carriers requires from thirty to forty minutes.

The examination consists briefly in the filling out of a blank form of application on which are printed a number of simple questions. The answers to these questions, written in the applicant's writing serve a double purpose; first, they show the ability of the applicant to read and write; secondly, they convey to the special agent who conducts the examination valuable and necessary information bearing upon the applicant's fitness and qualifications.

They show briefly whether or not he is a citizen of the United States; his age, place of birth, length of residence in the State; whether or not he resides directly on or within the territory of the proposed route; whether or not he has or is prepared to furnish a suitable horse and cart or wagon for use in the service; whether or not he could furnish a suitable substitute to act during his absence in cases of emergency. They also disclose whether or not he has had any experience in post-office work or in any other position similar to that of rural carrier, and whether or not he is an honorably discharged soldier or sailor of the civil or the Spanish war. The applicant is also required to fill out a blank registry receipt and a receipt for money for the purchase of a money order—blanks which he would use in the service. He is also required to read 25 addressed envelopes or cards.

After an applicant has filled out the application blanks and sworn to his statements, the special agent who investigated the establishment of the route, acting in the capacity of civil-service examiner, briefly states on the blank provided for that purpose on the back of the application blank whether or not the applicant appears to be in good health and capable of performing service. He also makes a brief statement as to the applicant's reputation in the community; states how many minutes he required to fill out the examination blank, the time consumed and errors made in reading the test cards. The agent closes his findings as follows:

> Judging from this applicant's appearance, his general intelligence, the manner and promptness with which he filled out the application blank, and considering his answers to the questions therein, I am of the opinion that he should stand —— on the list of eligibles—

First, second, or third, etc., as the case might be.

So you see the examination is simmered down to a practical test of the applicant's ability to read and write and to properly fill out the blanks used in the service. The selection, after all, is left largely to the judgment of the special agent, who of course is guided by certain rules. For instance, in a case where the applicants are equal in other respects the one having the necessary equipment would be given preference over the one who has no equipment; the applicant who has resided longest on the route would be preferred to one who was new in the community; a soldier capable of performing service would be given preference over a civilian; a young and active man would be selected in preference to an old man who is not a soldier.

To show that it is not the purpose of the Civil Service Commission or the Post-Office Department to give a preponderance of weight to the scholastic tests, I will quote from the instructions issued to special agents:

> Too much importance should not be attached to the card-reading test. The filling out of the blank application sufficiently tests the applicant's ability to read and write. However, the manner and speed in which an applicant reads the cards will aid the examiner somewhat in judging of the applicant's general intelligence.

Another:

> Before the applicant fills out the blank form of registry receipt and the receipt for money for the purchase of a money order, the special agent or route inspector should take pains to give general instructions pertaining to the blanks and their uses.

The unique feature of this plan, however, lies in the fact that the people petitioning for the establishment of service practically control the selection of the carrier, the new rules requiring that every petition for service shall have added to it names of applicants suggested by the signers. What better system could be devised? I am sure no more satisfactory plan from the people's standpoint could be conceived. The most efficient service will no doubt be found where the carrier belongs to the people. They will take pride in him as well as in the service. They will feel that through him, a salaried employee of the postal service, they will be in close and constant touch with the Government. In other words, the rural service is a service by the people as well as for the people.

The plan of civil service that I have just described is the first of the kind to be adopted by this Government. It is, in fact, an experiment on the lines of sensible civil-service reform. It only became effective on February 1 of this year, and although those who are in charge of its operation are greatly pleased with the results thus far obtained, there has not yet been sufficient time to fully test and develop so new a departure. Why, then, should it be upset? A contract system effective July 1 would prevent a fair trial of an honest and earnest effort on the part of the President to improve on practical lines the civil service of our Government. [Loud applause.]

Mr. SWANSON. I yield to the gentleman from Indiana [Mr. ZENOR] ten or fifteen minutes, as he may wish.

Mr. ZENOR. Mr. Chairman, in the beginning of this discussion I confess I had scarcely made up my mind as to the merits of the proposition which has given rise to so much discussion. The provision which has caused most of this discussion is that portion of the bill in regard to the contract system.

I have no doubt that our recollection of the bad odor that attached to the star-route contract system has engendered much

prejudice in the mind of members of this House as well as of people throughout the country against any system of contracting for the mail service of the Government. But, sir, since the old régime has passed away some improvements have been made in regard to letting the star-route contracts, and much of the reproach formerly connected with that matter has been dissipated. But I think there is no gentleman here who would indorse a return to that system.

Take, for instance, the mail route in my district, leading from the town in which I live to the city of New Albany, in an adjacent county. I have no recollection that upon that route the carrying of the mail was ever awarded to a local resident or citizen of the county, but always to a nonresident and farmed out to a subcontractor. There were frequent instances in which persons residing within the district and along the line of the route were bidders for the contract; but those contracts were invariably given to people who resided in Pennsylvania, Kentucky, and other States—individuals who would purchase a large number of these contracts and then sublet them to some poor fellows who felt the necessity of employment at some little income. The result was that the public was given inferior service. The contracts were frequently and in most instances given to parties who were unable to perform the service in an efficient and acceptable manner. This is one of the reasons, Mr. Chairman, why it seems to me there may exist, with some degree of justice, a prejudice against the proposition contained in this bill.

I am opposed to the contract system for fear, in the first place, that we may have a repetition to some extent of the experience of the past in this regard. The system of rural free delivery which has grown up throughout the length and breadth of the country seems to have given general and almost universal satisfaction to the people wherever it has been inaugurated. I confess that the district which I have the honor to represent on this floor has not received such liberal treatment as some other localities. It has not been awarded so many of these rural routes as many other districts of my State. This may, perhaps, be accounted for to some extent by the fact that the people have not appreciated the advantages of the system, and have not presented their petitions to the Post-Office Department for this service.

But, sir, numbers of petitions which have been presented have been turned down for the reason that the routes over which the service was to be extended were not in a condition to be acceptable to the route inspector. There were some other reasons why these applications were turned down. They were, in many instances, gotten up by men who held star-route contracts and who had taken routes at prices much lower than those at which they could procure the carrying of the mails.

These men are engaged in an effort to get up petitions for the establishment of rural free-delivery service, to relieve themselves from the loss of improvident contracts, and they do this without regard to the point at which the route starts and without regard to the convenience of the people upon the route who are to be served; so that the establishment of a route under such conditions would result in inconvenience and disadvantage to the patrons of the service, and for this reason these applications have been rejected by the Department.

But, taken as a whole, wherever this service has been instituted in my district, wherever the people have been given the advantage of the rural free delivery, there has been no complaint, except perhaps from a few individuals, and the complaints from such persons have been, in fact, not against the service. They are heartily in favor of the service, they are enthusiastic supporters of the service; but the main complaints that have been made are against the practice of the Government to require the patrons of these rural free-delivery routes to purchase boxes of the postmasters at the county seats under a regulation of the Post-Office Department.

Many of these patrons claim that they are not able to purchase the box under the rules and regulations of the Post-Office Department, ranging in price, as it does, from $1 to $3.50. Many of them think it is an infringement of their rights not to be permitted to construct and put up a box of their own along the line of these routes. They insist they should have granted to them the right to construct and put up their own boxes. This has been the principal source of complaint along the lines and in the sections where this service has been installed in my district. Now, it is intimated by the gentleman from Tennessee [Mr. GAINES] that any patron along the line of these routes is entitled to construct his own box and put it up, but under the regulations of the Post-Office Department issued on March 28 of last year this right has been abolished.

I read from the report of the First Assistant Postmaster General for the fiscal year ended June 30, 1901:

On March 28 the report of the Commission (including the list of approved boxes submitted) received the formal approval of the Postmaster-General, and has since been promulgated with the following instructions:

"Before service will be established, it will be necessary for the patrons to make selection from the list of approved boxes and to agree to equip the route with them. While the Department desires, it does not require, that the boxes on each route shall be of uniform construction.

"The prices of these boxes range from $1 up to a little over $3, including locks. When a rural free-delivery route has been equipped with boxes of the above-named description, the Department will consider these boxes as falling under the protection of section 5406 of the United States Revised Statutes, which provides severe penalties for any person who shall willfully or maliciously injure, deface, or destroy any mail matter deposited in any letter box, pillar box, or other receptacle established by authority of the Postmaster-General."

Now, there are patrons living along at least one of the routes established in my district that have offered to put up boxes of their own construction along the line, and the rural free-delivery carrier under the provisions of this regulation has refused to deliver the mail, under instructions from the postmaster at the county seat, acting under instructions, it is said, coming from the Post-Office Department. They protest against this and claim that they have the right to establish that box; while upon other routes where the patrons have seen fit to or have selected and purchased the box, or one of the boxes approved by the Government, the mail carrier delivers all of the mail.

So, Mr. Chairman, whether or not the patrons shall be served by this rural free delivery depends upon the question whether the patron shall purchase one of these regulation boxes. I am not complaining that the Government in the exercise of its discretion, in the proper administration of this service, has not the right to formulate some safe and satisfactory policy on this subject, nor am I contending that the Government should not adopt some rules and regulations controlling the kind of box into which the mail is deposited, especially if the Government is to be held responsible for the mail delivered into that box.

I would much prefer, Mr. Chairman, in regard to this particular phase of the question, that the Government should adopt some reasonable, some ideal rural letter box, which would supply all the desired elements of durability, simplicity, and accessibility, one that is convenient, one that is safe and reasonable in cost, and then require all of the patrons to purchase and use this particular kind of box, if the price be fixed low enough to enable them to do so; and if this proves not to be satisfactory and the patrons feel they are unable to purchase the box at the price at which the Government or manufacturers would furnish it, then it seems to me the only satisfactory solution of this problem would be for the Government to own these boxes, that the Government take control of these boxes and charge the patrons a reasonable rent per year, so that if any change in the uniformity of the boxes, any change in the style of the boxes, any improvement in the construction of these boxes which would add to the efficiency of the service was adopted it could not affect the patrons, and they would be under the control of the Government.

It is said by gentlemen who are in favor of this particular provision of the bill, changing the selection of the rural free-delivery carriers from that now in existence to the contract system, that the latter system would be more economical, that it would be cheaper, that it would enable this Government to extend this rural free-delivery service over a wider scope of country at a less cost than at present. I have grave doubts as to whether this suggestion would ever be realized if you made the change to the contract system. I say that it is an experiment, the result of which no gentleman upon this floor can well forecast and in regard to which no one can make any safe predictions.

The system as it now exists is satisfactory. The people throughout the country are glad that it has been inaugurated, and it is growing in popular favor every day. The convenience of it is appreciated by the great rural population of our country. It enables them to get their mails more readily, more safely, and more conveniently. As has been said by gentlemen upon this floor, the rural carrier is a traveling postmaster. He comes in contact with the people throughout the rural districts. He ought to be a man of high character, and the rules and regulations of the Department placing the service and the officers connected with the rural free-delivery system under the civil service have had much to do with my opinion and will have much to do with my vote upon this proposition.

I am not an enthusiastic admirer of the civil service of our Government in many respects, because I believe that the purposes, designs, and policies of the authors of civil service have not been carried out in good faith by many Administrations. I believe that the administration of the civil service of this Government has been abused; but what service of the Government is there that has not been abused to some extent? I believe in the application of the civil-service rules to the selection of carriers on these rural free-delivery routes. I believe that it will result in the selection of better men and will increase the efficiency of the service and that it will, if possible, make the service more popular than it is to-day.

I will support any measure, any proposition, any policy, that will have a tendency to eliminate politics from the administration

of the rural free-delivery service. I know that before the adoption of these new rules politics has entered to some extent into this service. As an illustration, in my own district there is no free rural carrier about whose appointment I have been consulted as a member of Congress in that district. So far as I know, not one of them is a Democrat, and an attempt has been made on the part of some of the fourth-class postmasters to inaugurate this service according to their own ideas, against the protests of the patrons who were directly interested in the location of the routes, because the postmaster at the county seat has assumed the rôle of a political boss and has become the sponsor for the system in these counties. I want this system taken out from under the control of political bosses, whether they be Democrats or Republicans.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SWANSON. I yield five minutes more to the gentleman.

Mr. ZENOR. There is another phase of this question to which I desire to call attention. I do not remember that gentlemen on the floor have alluded to it, but this system has not grown in the popular favor without reason. The post-office service comes in direct contact with the great body of our people. There is no service of the Government that has a warmer place in the affections of the people than this.

Prior to the adoption of this rural free delivery, according to the estimate of the Postmaster-General, it cost every family living along a star route about 10 cents a day to get their mail. It is estimated by the Postmaster-General that upon each route established up to this time there is an average of 125 families; and taking the estimate of 10 cents per family that has had to travel an average of from 2 to 4 miles to get the mail for that family, that makes a total daily expense to those 125 families of $12.50. The Postmaster-General says that by rural free delivery all of those 125 families can be supplied with their mail matter once a day for $2. There is a saving of $10.50. Upon whom did this burden of getting the mail to these families' homes rest prior to the adoption of this rural free-delivery system?

It was upon the farmers of this country, the men who reside in the rural districts, who had to pay and shoulder this burden to get their mails, while the Government could furnish the mail by this rural free-delivery system at $2, and that is paid by the citizens and taxpayers all over the country. So that I say there is an enormous saving and great economy in the rural free-delivery system over the system that it has supplanted to the farmers of this country, outside of the fact that they get their mails, perhaps, much more regularly—every day—whereas prior to that time they would, perhaps, get it once, or twice, or three times a week.

This service, as has been suggested, has not assumed any crystallized or systematic form yet; and it is said by gentlemen who are advocating the passage of this bill and the incorporation of this contract system in this branch of the postal service that it is the first bill that has ever been introduced which proposes to establish the system and make permanent this rural free delivery. It may be true, Mr. Chairman, that there is no law which crystallizes this system upon the statute books and makes it a permanent system; yet it is the common knowledge of every gentleman upon this floor that the rural free-delivery system has come to stay and has become a permanent feature and fixture of the postal service and of the Post-Office Department of our Government, and perhaps one of the most popular features of the whole administration of this Department. Whether it is a permanent system or not, let us not endanger the system; let us not endanger the service, or in any doubtful way hamper, impede, or retard its development, or imperil its future possibilities, by resorting to the questionable experiment of selecting the carriers by the competitive contract system.

Mr. Chairman, I am opposed to any experiment which is of doubtful expediency; I am opposed to any change that is of doubtful propriety; and I say that in reference to this change or proposed change it is not free from doubt. Let this system go on; let it go on increasing in its efficiency, and in the course of time if it becomes necessary to reform this system by changing the method of selecting our carriers and putting them under contract, let the Postmaster-General, in whom I have implicit confidence, and who stands at the head of this great Department, suggest the propriety of a change from that which now obtains to a contract system.

When he does so, Mr. Chairman, I shall acquiesce, and all the more readily, because I would then know it to be the result of experience and not an untried experiment, based upon information brought home to the knowledge of the Postmaster-General in a way that would enable him to speak wisely and accurately upon a subject of such vital interest to the whole people of this country. When the Postmaster-General, acting upon reliable data, and the results of experience in the exercise of a sound discretion, as the responsible head of this great Department of the Government, shall officially recommend to the Congress that there exists a public necessity for this reform, for this change, in the interest and for the benefit of a better administration of this important branch of the postal service, then we can act, and act more wisely. [Loud applause.]

Mr. SWANSON. Mr. Chairman, how is the time between the two sides?

Mr. LOUD. I yield five minutes to the gentleman from Kentucky.

The CHAIRMAN. The gentleman from California has occupied seven hours and forty-seven minutes and the gentleman from Virginia nine hours and fifteen minutes. About an hour and a half is due the gentleman from California.

Mr. SMITH of Kentucky. Mr. Chairman, the gentleman from Tennessee in his remarks upon this measure on the 5th of March, referring to the gentleman from Mississippi [Mr. WILLIAMS] and myself, used this language:

> I do think that both of the gentlemen have been misled, in that they have not had before them the recent rules and regulations which were promulgated February 1, 1902, and under which the rural system is now being executed.

That language was used by the gentleman from Tennessee [Mr. GAINES]. In order that we may appear in the RECORD as having made no mistake, I desire, at this time, to have printed in the RECORD, as a part of my remarks, the rules and regulations promulgated by the Civil Service Commission and the Postmaster-General, from which I had quoted, the opening clause of which reads this way:

> The following regulations governing the manner of appointment to the position of carrier in the rural free-delivery service are hereby approved and promulgated, to become effective from and after February 1, 1902.

I wish these rules, signed by the Postmaster-General and the president of the Civil Service Commission, to be printed in the RECORD as a part of my remarks.

They are as follows:

REGULATIONS GOVERNING THE MANNER OF APPOINTMENT TO THE POSITION OF CARRIER IN THE RURAL FREE-DELIVERY SERVICE.

The following regulations governing the manner of appointment to the position of carrier in the rural free-delivery service are hereby approved and promulgated, to become effective from and after February 1, 1902:

1. In pursuance of the provisions of section 3 of the civil-service act, the Civil Service Commission shall appoint, after consultation with the Postmaster-General, a board of examiners of not less than three members, who shall be officers or employees of the Post-Office Department, located in Washington, D. C., such board to be known as the central board of examiners for the rural carrier service. All special agents and route inspectors in the rural free-delivery service shall be appointed by the Commission as auxiliary members of such central board of examiners.

2. Whenever a postmaster shall receive notice from a special agent that he will visit his post-office for the purpose of investigating the feasibility of the establishment of a rural free-delivery route from his office, for which the prescribed petitions have been filed, and for the purpose of conducting the examination of persons nominated by the petitioners and any others who desire to compete for the position of carrier on the proposed route, the postmaster shall at once post in a conspicuous place in the public part of his office a copy of such notice and an announcement that he will receive the names of any persons who desire to enter the examination, and in such other ways as may be practicable shall give publicity to such notice and announcement. The postmaster shall notify all applicants of the date of the examination.

3. The special agent, after investigating the feasibility of establishing the route petitioned for, shall, in his capacity as a representative of the Commission, conduct the examination of all applicants for the position of carrier.

4. Whenever a postmaster shall receive notice from the Department of the existence of a vacancy in the position of carrier on an established rural free-delivery route from his office, if there are no eligibles as a result of a former examination for this position, then the postmaster shall at once post the notice of such vacancy and an announcement of an examination for securing eligibles for the same, in a conspicuous place in the public part of his office, and in such other ways as may be practicable give publicity to such notice and announcement; and he shall receive the names of any persons desiring to enter the examination.

The route inspector who may be directed by the Department to proceed to the post-office for the purpose of conducting the examination shall in advance notify the postmaster of the date of his arrival at the office, and the postmaster shall notify all applicants to appear for the prescribed examination, and the same shall be conducted by the route inspector in his capacity as a representative of the Commission.

5. The examiners will carefully observe the provisions of section 5 of the civil-service act, and under no circumstances shall they give out an application form in advance of an examination, nor shall they disclose any information as to the contents of said form, nor permit any person to peruse or copy the same. A violation of this regulation will be considered sufficient cause for the dismissal of the offending examiner.

6. Under the direction of the Commission the central board of examiners shall have custody of the application forms, which will be numbered consecutively and furnished by the central board as may be required to the special agent or route inspector, who will be charged with the exact number he receives and will be required to account for each form. Forms that are spoiled or mutilated shall be turned in to the central board of examiners.

7. The special agent or route inspector shall personally conduct the examinations and must be constantly present.

8. Applicants shall not be permitted under any circumstances to assist each other in the examination, and an attempt to do so will cause the immediate rejection of both the offending competitors. Political or religious affiliations of applicants shall not be given any consideration whatever, nor shall political indorsements be received or entertained. The merit and the qualifications of the applicant and the good of the service alone shall be considered.

9. The examination as conducted by the special agent or the route inspector shall require only such scholastic ability as may be necessary to enable the applicant to read and write, and shall consist of answering a series of personal questions in the applicant's own handwriting, relating, among other things, to his physical condition, his previous experience, training, and occupation, the length of his residence in the community, and his ability to furnish the necessary equipment and to provide a suitable substitute in cases of emergency, the reading of 25 addressed envelopes or cards, and such other practical tests as will demonstrate the competitor's ability to actually perform the work required.

The examination shall further consist of a careful inquiry and report by the special agent or the route inspector as to each competitor's acquaintance with the patrons of the route and the extent to which he has their confidence, his general characteristics, suitability, and fitness for the position, and his character and reputation; and in any case where the examiner has doubt as to the competitor's character or reputation he shall not only make inquiry of the persons given as references in the application, but also consult two or more prominent citizens not mentioned by the applicant.

10. After completing the examination the special agent or the route inspector shall at once forward all the papers to the central board of examiners, including a report of the results of his inquiries and observations concerning the competitors and his recommendations as to those best qualified. Subject to the direction of the Commission, the central board shall have permanent custody of such papers.

11. Upon receiving the papers of an examination the central board of examiners shall proceed to rate the same, the rating to be determined by a careful consideration of the qualifications of the competitors as shown by all the papers submitted by the special agent or the route inspector, in accordance with sections 9 and 10 of these regulations. The central board of examiners shall prepare a list containing the names of all those who become eligible as a result of the examination, arranged in the order of their rating, with the highest first.

Provided, That the names of eligibles who are entitled to preference under the provisions of section 1754 of the Revised Statutes shall be placed at the head of the list in the order of their ratings, if such persons are found to fully possess the business capacity and physical ability necessary to perform the service. After the competitors in any examination have been rated and the list of eligibles has been prepared, the central board of examiners shall furnish a copy of the eligible list to the Post-Office Department and to the Civil Service Commission.

12. For filling a vacancy in the position of carrier the person will be selected for appointment whose name is at the head of the list of eligibles established as the result of examination held for the route on which the vacancy exists: *Provided*, That when selection is to be made for the initial appointment of a carrier on a newly established route one of the persons nominated by the petitioners will be selected if in other respects his qualifications are equal to those of the other eligibles; and when a selection is to be made for filling a vacancy in an established route the person who may have been serving as substitute carrier on the route will be selected if in other respects his qualifications are equal to those of the other eligibles.

13. Applications of persons under 17 or over 55 years of age will not be considered, except in the cases of honorably discharged United States soldiers or sailors of the civil war or of the Spanish-American war, and of those entitled to the benefits of section 1754 of the Revised Statutes, who are physically able to perform the service required.

14. An applicant will be required to show that he possesses the necessary equipment for the service, namely, suitable horse and wagon or cart, or to satisfy the special agent or the route inspector that he will be able to supply such equipment in case he receives appointment.

15. Application shall not be received from a person who is badly crippled or deformed. Application shall not be received from a person who does not live directly on or within the territory to be supplied by the route where the vacancy exists.

16. Application shall not be received from a member of the postmaster's family, especially if other members of his family are already in the Government service, unless there is a lack of a sufficient number of other applicants.

17. A carrier who resigns will not be permitted to discontinue service until his successor is appointed and qualifies.

18. A carrier will be required to furnish a suitable substitute. Whenever a carrier becomes separated from the service the postmaster shall employ the substitute carrier, if there be one at the time, and if not, any suitable person until regular appointment can be made. The appointment of a new carrier shall operate to separate the former substitute from the service, the new carrier to furnish his own substitute as herein provided.

19. A carrier and his substitute will each be required to give bond in the amount of $500.

20. All persons who can comply with the requirements and who desire to enter the examination which may be held for the position of rural carrier on either a route proposed to be established or on an established route, should so notify the postmaster at the post-office out of which the route may extend

POST-OFFICE DEPARTMENT,

———.

Approved December 26, 1901.

CH. EMORY SMITH,
Postmaster-General.

UNITED STATES CIVIL SERVICE COMMISSION.

Approved December 27, 1901.
By direction of the Commission:

JOHN R. PROCTER, *President.*

Mr. GAINES of Tennessee. Will the gentleman allow me?

Mr. SMITH of Kentucky. I desire to say that the misapprehension seems to have grown out of the fact that the gentleman from Tennessee [Mr. GAINES] and other gentlemen have used the instructions issued by the Post-Office Department based upon these rules prescribed by the Civil Service Commission. In my remarks I used the rules "prescribed by the Civil Service Commission" itself, and not the instructions issued by the Post-Office Department based upon those rules.

Mr. GAINES of Tennessee. Now, will the gentleman allow me, inasmuch as we want to put ourselves in the RECORD exactly as the facts may be, and straighten out any misunderstanding?

Mr. SMITH of Kentucky. Yes.

Mr. GAINES of Tennessee. You will notice on page 4—and it is a fact that has not been heretofore, that I know of, called to the attention of the House either by placing it in the RECORD or otherwise—the rules from which the gentleman from Kentucky has just read were:

Approved December 26, 1901.

CH. EMORY SMITH,
Postmaster-General.

UNITED STATES CIVIL SERVICE.

Approved December 27, 1901.
By direction of the Commission.

JOHN R. PROCTER, *President.*

Now, Mr. Chairman, I was informed about the close of the debate a day or two ago, in which the gentleman from Mississippi [Mr. WILLIAMS] and the gentleman from Kentucky [Mr. SMITH] had addressed the House, that the rules from which the gentlemen quoted were the old rules of the rural system. You can see from the dates that I have just quoted that they are certainly older than the rules which I quoted from—that they antedate the 1st of February, 1902.

Mr. SMITH of Kentucky. Of course; the gentleman will recognize the fact that the Post-Office Department could not issue instructions under civil-service rules that had not been promulgated. Of course, the rules were promulgated by the Civil Service Commission before the instructions under them could be issued by the Department.

Mr. GAINES of Tennessee. You will find in the RECORD, on pages 2549 and 2550, the rules which were given.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. GAINES of Tennessee. Mr. Chairman, I ask unanimous consent to be given a few moments to straighten this matter out. I am sure that the gentleman from Kentucky does not want to do me any injustice, and I do not want to do him any injustice.

The CHAIRMAN. How much time does the gentleman want?

Mr. GAINES of Tennessee. Three minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

Mr. GAINES of Tennessee. Mr. Chairman, on the pages I have read will be found the instructions for "route inspectors," relating to the examination of the rural letter carrier, and they apply where there is a "vacancy" occurring after the route is established, as I am officially informed.

Mr. SMITH of Kentucky. They apply to route inspectors.

Mr. GAINES of Tennessee. To route inspectors. On the next page you will find where I have inserted instructions for the "special agents," relating to the applications for letter carriers where the rural system is being established and where it has been established.

Mr. SMITH of Kentucky. Let me say to the gentleman that these instructions are issued under the civil-service rules that I have to-day placed in the RECORD. They are the outgrowth of these civil-service rules.

Mr. GAINES of Tennessee. The rules I allude to are the rules of this date. They took effect the 1st of February, 1902.

Mr. SMITH of Kentucky. So did these.

Mr. GAINES of Tennessee. They are the rules given to me by Mr. Machen, and if you can rely on what is stated by any officials, these are the rules now being enforced. The reason why I say that the gentleman from Mississippi [Mr. WILLIAMS] and the gentleman from Kentucky [Mr. SMITH] were misled was because I myself have been misled by the gentleman from Virginia [Mr. SWANSON] saying to me that the gentleman from Mississippi was quoting from rules existing previous to February 1 last. Of course it is an immaterial error. I want, however, to call attention to the fact that neither the gentleman from Mississippi nor the gentleman from Kentucky read the last provision of these rules. You will find the same provision here in both the instructions to the inspectors as well as instructions to the special agents, and it is this:

The central board of examiners will carefully review all recommendations for the selection of carriers in connection with the applications and the written and card-reading tests submitted therewith. Special agents must therefore bear in mind that their recommendations will not necessarily control; they are, however, desired by the central board as a guide or aid in its consideration of the examination papers.

Mr. SMITH of Kentucky. I think that is the same provision that my friend from Mississippi [Mr. WILLIAMS] referred to in his speech later.

Mr. GAINES of Tennessee. He did not allude to it in the very lengthy and entertaining speech the gentleman made. I am informed by a gentleman whom I asked to carefully read over his speech and see if he alluded to it, and he says he did not, and I did not hear him allude to it. Now, Mr. Chairman, I ask permission to place in the RECORD an explanation furnished me by Mr. Machen of the two sets of rules—that is, those applying to route inspectors and special agents.

The CHAIRMAN. The gentleman from Tennessee asks permission to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. ROBINSON of Indiana. How many carriers has the gentleman in his district?

Mr. GAINES of Tennessee. I think there are 19. How many has the gentleman in his?

Mr. SMITH of Kentucky. Mr. Chairman, I ask unanimous consent to insert the civil-service rules promulgated to take effect the 1st day of February, 1902, as a part of my remarks.

The CHAIRMAN. The gentleman from Kentucky asks permission to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The following are the papers referred to by Mr. GAINES of Tennessee:

POST-OFFICE DEPARTMENT,
FIRST ASSISTANT POSTMASTER-GENERAL,
OFFICE OF GENERAL SUPERINTENDENT FREE-DELIVERY SYSTEM,
Washington, March 5, 1902.

SIR: Replying to your personal inquiry of this date, I have to say that the instructions printed on page 2521 of the CONGRESSIONAL RECORD are for route inspectors who are specially detailed to conduct examinations for the filling of vacancies which occur in the established service. These instructions differ from those given to special agents—not, however, in material points.

Special agents alone establish service. Under the rules we require that the petitioners for new service shall nominate applicants for the position of carrier. The rules do not, however, limit the examination to those suggested by the petitioners. Any others may apply; but with everything else equal, one of the nominees of the patrons or petitioners is to be selected. All selections, whether to fill vacancies or for original service, are made through the central board of examiners. This board carefully reviews the recommendations of the special agent, or route inspector, in connection with the examination papers which are submitted.

Very respectfully, yours,

A. W. MACHEN,
General Superintendent.

Hon. JOHN W. GAINES,
House of Representatives, Washington, D. C.

Mr. GAINES of Tennessee. These two rules took effect February 1, 1902, and are now enforced:

INSTRUCTIONS TO ROUTE INSPECTORS RELATING TO THE EXAMINATION OF APPLICANTS FOR THE POSITION OF RURAL LETTER CARRIER.

On February 1, 1902, the order of the President classifying rural letter carriers will become effective. After that day vacancies occurring in the force of carriers will be filled in accordance with rules of the Civil Service Commission.

The following special rules are prepared for the guidance of route inspectors, who will be detailed to conduct examinatons where vacancies exist:

1. A letter carrier who resigns will not be permitted to discontinue service until his successor is appointed and qualifies.

2. In the case of the death or removal of carriers, postmasters will be instructed to employ the substitute carrier, and if there is none, any suitable person until the regular examination can be held.

3. When the route inspector is advised of a vacancy by the Department, he will proceed to the post-office as quickly as possible, notifying the postmaster by wire, if necessary, of the day he will reach there, and instructing him to notify applicants to be on hand to take the prescribed examination.

4. Each applicant will be given a blank application, which he will fill out with pen and ink in the presence of the route inspector.

5. Each applicant, separate and apart from the other applicants, will be required to read 25 addressed envelopes or cards. The route inspector will carefully note every error made by the applicant, and the time he takes in the test.

6. Each applicant will be required to fill out a blank registry receipt and a blank receipt for money for the purchase of a money order.

7. Applications of badly crippled or deformed persons will not be considered. This will include persons who are totally deaf or blind, who have one arm or one leg, etc.

8. Applications of persons under 17 or over 55 years of age will not be considered, except in the case of honorably discharged soldiers or sailors of the civil war or Spanish war who are physically able to perform service.

9. Applications of persons will not be considered who have not the necessary equipment for the service, namely, horse and wagon or cart, unless applicant can satisfy the route inspector that he will be able to supply such equipment in case he receives the appointment.

10. The applications of women will be received, but a woman should not be recommended for appointment as regular carrier unless, in the judgment of the route inspector, local conditions and circumstances are such as to make the recommendation desirable and for the best interests of the service.

11. Applicants must reside directly on or within the territory to be supplied by the route where the vacancy exists.

12. After an examination has been held, the route inspector will carefully observe the general characteristics of the candidates or applicants, taking special notice of health and physical conditions, and in submitting his report state which, in his judgment, should be selected. Under no circumstances must political or religious affiliations of applicants be considered, nor must political indorsements be received or entertained. The merit of the applicant and the good of the service alone must be considered in submitting a recommendation.

13. In recommending a selection from among the applicants who were able to fill out the necessary blanks, route inspectors will give preference to those who, by long and constant residence in the community, are well acquainted with the patrons of the route, hold their confidence, possess the necessary equipment, and are prepared in cases of emergency to furnish a suitable substitute.

NOTE.—Section 1754, Revised Statutes: Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty shall be preferred for appointment to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices.

14. In filling a vacancy the substitute carrier competing in the examination with other applicants, everything else being equal, should be given preference.

15. When a route inspector has doubts about an applicant's character or reputation he should not only make inquiry of two or three persons given as references in the application, but also consult two or more prominent citizens not mentioned by the applicant.

16. A rural letter carrier will be required to furnish a suitable substitute, who will be required to give bond in the same amount as the carrier, namely, $500. With the separation of the regular carrier from the service the substitute also will be dropped, but will be permitted to take the examination in competition with other applicants for the position if he can meet the requirements of rules 7, 8, 9, and 11.

The central board of examiners will carefully review all recommendations for the selection of carriers in connection with the applications and written and card-reading tests submitted therewith. Route inspectors must therefore bear in mind that their recommendations will not necessarily control; they are, however, desired by the central board of examiners as a guide or aid in its consideration of the examination papers.

———,
General Superintendent.

INSTRUCTIONS TO SPECIAL AGENTS RELATING TO THE EXAMINATION OF APPLICANTS FOR THE POSITION OF RURAL LETTER CARRIER.

On February 1, 1902, the order of the President classifying rural letter carriers will become effective. After that date the selection of carriers will be made under the following rules:

1. In all petitions for service filed after February 1, 1902, the petitioners will be required to nominate not less than three persons whom they deem trustworthy and who are willing to accept the position.

2. The special agent who makes the investigation for the establishment of the service will also conduct the examination of the applicants for the position of carrier.

3. The special agent will advise the postmaster in due time of the date he will reach the office from which the proposed route or routes will start, and instruct him to notify the applicants named in the petition, and any others who may apply, to be on hand to take the prescribed examination.

4. Each applicant will be given a blank application, which he will fill out with pen and ink in the presence of the special agent.

5. Each applicant, separate and apart from the other applicants, will be required to read twenty-five (25) addressed envelopes or cards. The special agent will carefully note every error made by the applicant, and the time he takes in the test.

6. Each applicant will be required to fill out a blank registry receipt and a blank receipt for money for the purchase of a money order.

7. Applications of badly crippled or deformed persons will not be considered. This class includes persons who are totally deaf or blind, who have one arm or leg, etc.

8. Applications of persons under 17 or over 55 years of age will not be considered, except in the case of honorably discharged soldiers or sailors of the civil war or Spanish war who are physically able to perform service.

9. Applications of persons will not be considered who have not the necessary equipment for the service, namely, horse and wagon or cart, unless the applicant can satisfy the special agent that he will be able to supply such equipment in case he receives the appointment.

10. The applications of women will be received, but a woman should not be recommended for appointment as regular carrier unless, in the judgment of the special agent, local conditions and circumstances are such as to make the recommendation desirable and for the best interests of the service.

11. Applicants must reside directly on or within the territory to be supplied by the proposed route.

12. After an examination has been held the special agent will carefully observe the general characteristics of the candidates or applicants, taking special notice of health and physical conditions, and in submitting his report state which, in his judgment, should be selected. Under no circumstances must political or religious affiliations of applicants be considered, nor must political indorsements be received or entertained. The merit of the applicant and the good of the service alone must be considered in submitting a recommendation.

13. In recommending a selection from among the applicants who were able to fill out the necessary blanks, special agents will give preference to those who, by long and constant residence in the community, are well acquainted with the patrons of the proposed route, hold their confidence, possess the necessary equipment, and be prepared in cases of emergency to furnish a suitable substitute.

NOTE.—Section 1754, Revised Statutes: Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty shall be preferred for appointments to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices.

14. Everything else being equal, one of the persons nominated by the petitioners for the service should be selected.

15. When a special agent has doubt about an applicant's character or reputation, he should not only make inquiry of two or three of the persons given as references in the application, but also consult two or more prominent citizens not mentioned by the applicant.

16. A rural letter carrier will be required to furnish a suitable substitute who will be required to give bond in the same amount as the carrier, namely, $500. With the separation of the regular carrier from the service the substitute also will be dropped, but will be permitted to take the examination in competition with other applicants for the position if he can meet the requirements of rules 7, 8, 9, and 11.

The central board of examiners will carefully review all recommendations for the selection of carriers in connection with the applications and the written and card-reading tests submitted therewith. Special agents must therefore bear in mind that their recommendations will not necessarily control; they are, however, desired by the central board as a guide or aid in its consideration of the examination papers.

———,
General Superintendent.

UNITED STATES CIVIL SERVICE COMMISSION—APPLICATION FOR THE POSITION OF CARRIER IN THE RURAL FREE-DELIVERY SERVICE.

State ——, post-office ——, county ——.

To the Central Board of Examiners of the Rural Carrier Service:

I, the undersigned, hereby apply for the position of carrier on the proposed rural route from ——, under petition filed with the Post-Office Department and numbered ——. The answers to the questions hereon are written in my own handwriting, and are true to the best of my knowledge and belief.

1. Are you a citizen of the United States? ——. Native or naturalized? ——.

2. How old were you on your last birthday? ——. Give date and place of birth. ——.

3. How long have you resided in the State? ——. In the county? ——.

4. Do you reside directly on or within the territory of the proposed route? ——. How long have you resided there? ——. Describe the location of your residence, giving road, town, and section. ——.

5. Give the names and addresses, stating the business or occupation of each, of five persons living along the proposed route, or in its vicinity, who are well acquainted with you and are competent to judge of your ability and trustworthiness.

Name, ——; address, ——; occupation, ——.

6. Are you prepared to furnish a suitable horse and cart or wagon for the use of the service? ——. If you already own such an equipment, briefly describe the same, giving estimated value. ——.

7. Is there in your family, or residing in the neighborhood, a suitable person who would be available, in cases of emergency, to act as your substitute? ——. Give full name, and state relationship and residence. ——.

8. What is your present occupation? ——.

9. In what occupations have you been engaged during the past five years? ——. 1, ——; 2, ——; 3, ——; 4, ——; 5, ——.

10. Have you had any experience in a post-office or in any other position

similar to the one you seek, such as star-route driver, country peddler, solicitor, or salesman? ——. State fully. ——.

11. Are you an honorably discharged United States soldier or sailor of the civil war or the Spanish war? ——

If so, give number of company and regiment, or name of vessel. ——

12. Were you discharged on account of disability incurred in line of duty? ——.

13. Have you ever held a Government position? ——. If so, state kind of position and why you left it. ——. Were you discharged? ——.

14. Are you physically sound and in good health, capable of performing service under all conditions of weather? ——.

15. Have you ever been troubled with rheumatism? ——. Epilepsy? ——. Weak lungs? ——. A weak heart? ——. Kidney disease? ——. Convulsions or fits? ——. Paralysis or muscular weakness? ——.

16. Have you any defect of sight in either eye? ——. Have you any defect of speech? ——. Have you any defect of limb? ——. Have you any defect of hearing? ——.

17. Have you ever been convicted of or indicted for any crime? ——. If so, give dates, facts, and the court in which you were indicted or convicted. ——.

18. Do you use intoxicating beverages or other stimulants? If so, to what extent? ——.

(Signature) —— ——,
(Address) —— ——.

Signed in the presence of—

—— ——,
Special Agent or Route Inspector.

JURAT OR OATH.

Subscribed and sworn to before me by the above-named applicant, to me personally known, this —— day of ——, 190—, at ——, county of ——, and State (or Territory or District) of——.

[Official impression seal.] (Signature of officer, —— ——,
(Official title) —— ——.

The applicant will fill out the following blank forms:

RURAL CARRIER REGISTRY RECEIPT.

Letter } No. —. Date —— ——, 190—.
Parcel }

Registered at post-office at —— ——. Sent by —— ——, residing at —— [locate place of residence]. Addressed to —— —— [city and State only].

Money received for postage and registry fee in lieu of stamps, —— cents.

—— ——, *Rural Carrier, for Postmaster.*

Route No. —. Trip No. —.

This article will be returned if not fully prepaid and otherwise acceptable when received at the post-office.

No. —. —— ——, 190—.

RECEIPT OF RURAL CARRIER FOR AMOUNT WITH WHICH TO PURCHASE A POSTAL MONEY ORDER.

Received of —— —— [here write name of remitter of the order] the sum of —— dollars —— cents ($——), and in addition —— cents, the fee for the order, for which I am to purchase a money order, to be drawn according to the accompanying application, which the issuing postmaster will number same as the stub opposite.

—— ——, *Carrier.*

The order is to be—
Returned to the remitter by the carrier.
Mailed by the carrier in the addressed envelope furnished him.
[Erase one or the other of these lines.]

Applicant will not fill out the following blanks:

1. The applicant appears to be in —— health, and —— of performing service.
2. His general reputation in the community is ——.
3. He required —— minutes to fill out the examination blank.
4. He consumed —— minutes and made —— errors in reading 25 test cards.

Judging from his appearance, his general intelligence, the manner in and promptness with which he filled out the application blank, and considering his answers to the questions thereon, I am of the opinion that this applicant should stand —— on the list of eligibles.

Remarks: —— ——.

In making this rating I have strictly complied with the civil-service rules and special instructions of Rule No. 12, by allowing no other consideration but the merit and fitness of the applicant to influence my judgment.

—— ——, *Examiner.*

—— —— [date].

N. B.—In statement No. 1 fill in first blank with "good," "fair," or "bad," and second blank with "capable" or "incapable."

In statement No. 2 fill in blank with "good," "fair," or "bad."

Under head of "Remarks" the examiner shall make such special statements as he may desire to submit.

(Indorsed:) File No. —. Post-office, —— ——. County, ——. State, ——.

Application for the position of rural carrier.—Name of applicant, —— ——. Post-office, ——. State, ——. Date of examination, —— ——, 190—. Name of examiner, —— ——.

Examiner will not fill out the following blanks:

Application examined by central board of examiners and approved —— ——, 190—.

Claim of preference, section 1754, Revised Statutes, —— allowed on —— ——, 190—.

Notified of standing, —— ——, 190—.

Entered register, —— ——, 190—.

Mr. LOUD. Mr. Chairman, I now yield thirty minutes to the gentleman from Missouri [Mr. COWHERD].

Mr. COWHERD. Mr. Chairman, this debate has reached a point where there is nothing new to be said upon the subject; and I simply take the floor to give my own views and state the reasons that have influenced me in voting to support the bill in committee and in voting as I shall do for its passage. I deprecate the attempt which has been made on this floor to charge gentlemen favoring the bill with hostility to the rural-delivery service. I wish to say that since I have been a member of Congress I have never failed on any opportunity to vote for the largest appropriation that was asked for this service and the largest the Department said could possibly be used to advantage. I have always considered this to be one of the very best branches of the postal service, and that it would in the end do more for the farming community of the United States than anything the Government has ever done for them. I heartily concur in all the graceful things that have been said by the gentleman from Virginia and by gentlemen who have followed him as to the benefits to be derived by the farming community from the development and extension of this service.

Mr. Chairman, it is because I believe in this service—because I want to see it extended and developed; it is because I want to see the day come when every man in the United States may receive his mail at his door or at least within convenient reach of him—that I have voted to report this bill to the House. This service, as the chairman of the committee has said, was instituted at a cost of $300 for each route. The gentleman from Indiana cries out that this is "cheap!" "cheap!" "cheap!" and that the chairman of the committee is attempting to beat down the wages of the men who are serving the Government. It is untrue; he did not advocate a salary of $300 per annum or even of $600 per annum. On the contrary, he has insisted, if you are going to occupy the entire time of these men and prohibit them from doing anything but carry the mails, you must raise their salaries. I believe in the Government paying, as I believe in the private employer paying, full value for all services rendered. I do not believe that the lowest wage, either in Government or private employment, is the best policy. But, Mr. Chairman, I believe with respect to the Government just as I believe with regard to an individual, that no one should pay more for any service than the service is reasonably worth; and I believe that it is our duty as representatives of our people to see that they get the best possible service, and pay for it no more than it is fairly worth.

Can you do that under the salary system? If any gentleman will show me the way in which it can be done, I for one will follow him in voting for this bill. If he can not show it, then I demand that he follow us in instituting here a system that will let out in a business way to business men an opportunity to perform a business service. And that is all there is in this bill.

Now, gentlemen have wasted a good deal of time in saying, "If you are going to put these men under contract, why not put the fourth-class postmasters under contract?" Well, sir, that is practically what we do. We do not, it is true, select the fourth-class postmaster upon competitive bids, but we put him practically under contract when he goes into the service. There are fourth-class postmasters in the United States who receive $50 a year, and there are other fourth-class postmasters who receive $950 a year. If you say that the carrier must be a salaried man because he performs the service of a postmaster, then why do you not say that the fourth-class postmaster must be a salaried man? He takes the mail; he delivers the mail; he has the control of it. He is that "trusted employee" whom the gentleman from Virginia fears you can not select by contract. He issues money orders; he gives receipts; and he is paid in proportion to the service he renders; he does not receive a salary from the Government. He is paid on cancellation of stamps.

Mr. BROMWELL. Will the gentleman allow me a question?

Mr. COWHERD. Certainly.

Mr. BROMWELL. Is it not a fact that the so-called Association of Fourth-Class Postmasters has already commenced attempting to bring pressure to bear upon Congress to fix a minimum compensation for that class of officers instead of a compensation as now fixed by the sale of stamps?

Mr. COWHERD. That is true; and we know that they have for years had a representative—I have not had the pleasure of seeing him around this year—around the halls of Congress endeavoring to get the committee to report a bill that would fix the pay of postmasters at some fixed sum.

Now, if you do fix the salary of the fourth-class postmaster, are you going to fix it at $200 or $300 or $400? We know there are fourth-class postmasters in the service who are to-day receiving $800 and $900 a year and up to $1,000 a year. When the salary reaches $1,000, the office is transferred to the next class. Now, if you fix a salary for the fourth-class postmaster, are you going to fix it at the maximum now paid or at the minimum or halfway between? The man who is to-day working on a commission and receiving $900 a year is not going to be content to be put on a salary unless he is to receive the same he has been getting. Would you raise the man who is only doing $100 worth of work to $900 or reduce the $900 man to $100? It would be just as reasonable to attempt to fix a hard-and-fast rule in the case of fourth-class postmasters as it is in the case of rural-delivery carriers.

What is the fact in regard to the fourth-class postmaster? He has in ninety-nine cases out of a hundred a store, in one corner of which he sets up his little post-office. The handling of the mail is a very small part of his duty, and the remuneration he receives as postmaster is a very small part of the money he receives during the year. It was intended when this rural service was instituted that the rural carrier, like the fourth-class postmaster,

should set up another business; that the transportation of the mails should be simply a part of his labor—simply one source of his income. Why, Mr. Chairman, as I remember it, in the postal service there never yet has been a contract providing for the transportation of mail (except the pony express across the plains in the early days) where the contractor was not also engaged in other business. Railroads, steamboats, stage coaches, star routes—none of these depend entirely upon the mail for their compensation, and it is owing to the fact that the transportation of the mail is only a part of their business that the Government is enabled to get the mail carried at such low figures.

Now, if the mail agent—the rural carrier—could go ahead, as was intended, and build up a business along the different routes of the country, carrying out from the little country store the various purchases that the farmer's wife might wish to make, bringing back the pound of butter, the dozen or two of eggs, and delivering them, receiving a small commission from each to pay for the labor he performs, what would be the result? It would be worth hundreds of thousands of dollars in the time saved to the farming community of the United States and in the articles that they could thereby market at a very small expense. In addition to that it would be worth hundreds—I started to say hundreds of millions, but probably that would be too much—but many millions of dollars to the Treasury of the United States in the saving that would be effected in the salary of these employees. All that can be done under the contract system. All that will be done under the contract system, but it is the present purpose of the Department, as evidenced by their official order, that nothing of this kind shall be done under the present system, but that this employee must be a salaried man, devoting his entire time to this service, taking from him the privilege of any other employment, and therefore forcing the Government to pay full value for all his time.

Now, Mr. Chairman, is that a business proposition? I submit to the gentlemen that have argued here on the other side of this proposition that as I understand the situation and the farming community in Missouri—and I am somewhat acquainted with them—they are not so particularly anxious whether the man that delivers the mail is dressed in uniform; they are not so particularly anxious as to whether he drives out in a little red wagon or not; but what they want is their daily mail, the papers and their letters delivered at the door or within reach, and when that has been accomplished they are entirely satisfied, and they would prefer to get it at a reasonable sum rather than pay a high-priced man a high-priced salary, particularly as long as the salary comes out of their pockets.

Mr. THAYER. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. COWHERD. Yes.

Mr. THAYER. I would like to ask the gentleman if he has ever heard any complaint or suggestion from any of the patrons who are now served by the civil service that the amount which has heretofore been paid for the man engaged, namely, $500, was too large a sum, or that they thought others could be hired to do the service equally as well at a less price?

Mr. COWHERD. I answer the gentleman no. I am coming to that phase of this discussion in a few minutes, and I hope the gentleman will do me the honor to listen when I reach it.

One other argument that has been advanced by the objectors to this bill has been to this effect: Why do not you put the city carrier under the contract system? Now, Mr. Chairman, one of the reasons, and one of the most important reasons, for a measure of this kind has been the great inequalities in the rural service. There are no such in the city service. The man that carries the mail in New York or Chicago or Kansas City or San Francisco walks over paved streets, along which are good sidewalks; he finds houses that are numbered; he has the same conditions to perform his work in, and unless those conditions are present you do not give the city the service.

You do not give the city the service because it has 10,000 population or because it has $10,000 in receipts. Unless the streets and the sidewalks are there, unless the houses are numbered, and unless the regulations that have been made by the Department—regulations which attempt to put all the service upon the same footing as far as the conditions under which the work is performed are concerned—are complied with the service is refused. Can you make that possible in the rural service? Can you level the hills of New England or of northern Arkansas? Can you lay out a route over the Ozark hills in southern Missouri and make its conditions the same as those over which a man travels in the level territory of eastern Kansas? Can you make it in my district, where he travels largely over macadamized roads, the same as in the district where the roads have practically no bottom?

The service has been instituted recently throughout the entire county which I have the honor to represent here. There was no difficulty whatever in finding men to take the places. The only trouble was to adjust the differences between the men who wanted them. And permit me to say in passing that I did not have that difficulty to meet, because being from a close district, in a State that was considered debatable ground, I was not given the privilege of making the appointments.

But I am not here to complain of the Department. It has treated me fairly, and I have never complained under a Republican Administration that the appointments were not given to Democrats.

I have been told that in the institution of this service there was some kind of a pledge that the thing should be nonpartisan. I know nothing about that. It occurred before I came to Congress. I want to say here and now, in order to make my position plain, that as far as the Department is concerned I have no complaint whatever to make. I have been fairly treated and the service is good. I have no personal objections to it. I am here urging this change and reform in the interest of the whole country, and because I believe that unless it is made this system will eventually break down, and the people will lose the benefits that they ought to receive from it.

The gentleman from Connecticut [Mr. HILL] told us, as I understood him, that the average price of corn in his district was from 75 cents to a dollar. Out in my country ordinarily it runs from about 30 to 35 cents. You can not equalize those conditions.

The average price of a horse is much higher up North than it is down South. The price of hay and oats is much higher. You do not equalize those conditions. And I submit to this House that no plan has been made or can be proposed, except the business plan of letting a man take it as a business venture, whereby you can make the service fairly equal in Connecticut and in Kansas.

I think the gentleman from Connecticut [Mr. HILL] said it cost about $380 to keep up the team and wagon, counting in the cost of feed for the horses and repairs to the wagon and wear and tear on the whole equipment. If it costs that, it costs double what it costs in my district. He says it takes two horses to carry the mail over the roads in his district. I know many of the carriers in my district, who have been carrying the mail for some two or three years, who have done the service with one horse. You can not come into this House and say you will give the man in Connecticut a salary of $850 and that you will give the man in Kansas and Missouri a salary of $600. You know very well that no such proposition can be presented to this Congress and stand here for a moment. As the chairman of the committee [Mr. LOUD] has said, whenever you fix the salary you have got to fix it at what is a fair wage for the most expensive district in the country, and the carrier that performs the work where it can be done cheaper will simply get that much more profit out of the proposition.

Mr. BROMWELL. May I ask the gentleman a question?

Mr. COWHERD. Certainly.

Mr. BROMWELL. Could there possibly be a greater opening for corrupt influence and venality on the part of the officers of the Government—and I do not refer merely to the head officers in charge of this work, but to the inspectors who have the practical charge of recommending the salaries and the other conditions of the service—than to say that we should fix a maximum salary for these carriers and then permit the inspectors to say that the carrier in some district is only worth $500, while the carrier in another district is worth $800? Would not that be the most dangerous power to lodge in the hands of an inferior officer of this Government that you could conceive of?

Mr. COWHERD. So dangerous that I do not think any Congress of the United States would vote for such a proposition. This matter has got to stand as a fixed salary, or else it has got to stand as a business proposition on a contract service.

Mr. LATIMER. Will the gentleman permit an interruption there?

Mr. COWHERD. Certainly.

Mr. LATIMER. You spoke of the inequalities that existed in the different districts. I want to ask if in the large cities, where, as I understand the gentleman from Illinois stated in his speech, there are large buildings taking two, three, four, and five men to deliver mail, if that inequality does not exist there just as much where they are allowing men to ride in elevators and paying the men the same amount of salary as they pay the men who travel in the streets?

Mr. COWHERD. These inequalities do not exist in the cities. In the first place, the carrier in the large buildings carries the largest load of mail, so that there is not much advantage in having a business route. Then, again, the carriers' routes change, and these men delivering the mail in the large buildings with elevators this month the next month are in the suburbs delivering the mails. You can not do that in the country service. In the next place, they work eight hours a day, and they practically walk during all that time; and whether the carrier is walking in these vast buildings or along the paved streets, it makes but very little difference as to the character of the service performed. No

man has offered or will offer to this House a proposition that in any way attempts to adjust these inequalities in the rural-delivery service.

Now, as to the question of the reasonable salary. We fix the salary here at $600. Now, I want to appeal to gentlemen from the agricultural districts of the different States of the Union. In a few years, if this service is increased, you will have twenty or thirty of these routes in many of the counties of the United States, and I hope in all of them—twenty or thirty of these routes established—and the carrier will come and say to you, "You voted on the Post-Office appropriation bill for $1,000 a year for the city carrier, and the city carrier walks for eight hours a day over the streets of the city, where he is protected from the winter's blasts, but I go out on the road for 25 miles. I am exposed to the inclemency of the weather—to rain and hail and snow. I have to provide a horse and wagon, feed the horse, and keep the wagon in repair, and yet you refuse to give me as much as the city carrier." How can you explain to that man and to his friends that you voted for a thousand dollars for the city carrier and voted against a thousand dollars for him?

I appeal to the gentleman from Massachusetts [Mr. THAYER], who asked me the question a moment since, if he is from a country district—and I know not whether he is or not—I appeal to him if he comes from a country district, how he is going to explain to the carriers there how he voted for a thousand dollars to the man in the city and voted against giving a thousand dollars to the man who carries the mail in the country. I do not believe that any gentleman upon this floor can justify that kind of a vote.

Oh, we have heard gentlemen get up and say that they feel sorry for the man who would yield to pressure of these poor Government officers. I have heard gentlemen say that they would surrender their commissions and walk out of Congress before they would permit any Government employee to dictate to them how they were to cast their votes. Brave words, Mr. Chairman, easily spoken. But I submit that experience here shows the man who talks the boldest yields the easiest. We all know that strong influences among our constituents influence our votes.

Mr. FLEMING. Will the gentleman allow me to ask him a question?

Mr. COWHERD. Certainly.

Mr. FLEMING. I state that I realize that there are many difficulties in this matter. The question I wish to ask you is this: You are speaking of the hardships of these men carrying the mail in the country districts and the difference in their pay and that of the city carrier who gets a thousand dollars a year. I ask you how a Congressman would justify himself in voting only $600 a year for one and a thousand dollars for the other, or how will you or any other Congressman justify yourselves in voting a thousand dollars for a man in the city and compelling the man in the country to submit to a competitive bid, and maybe have to take it for $500 a year or even less. What are you going to say to that man?

Mr. COWHERD. I have already gone over that question.

Mr. FLEMING. Can not you answer that more fully? You say that the salary is $600 under the present system, and by putting it under contract the bidder may be made to take it for $500 instead of $600. Now the man who carries the mail receives $600, as the law now stands, under the salary system, but when it is put to private bid, how are you going to justify that when it may be made $400. How are you going to explain that difference between the city carrier and the country carrier when you go to the country districts?

Mr. COWHERD. He is not made to take it. He takes it as a business venture. The country carrier is transporting the mail as the railroad does, except for a shorter time. The city carrier is simply delivering the mail. Now, I have shown that in the country and in the city there is a different condition, and you can not institute a fair comparison between the city and the country carrier.

There are few inequalities in the city service to be adjusted. There are many inequalities in the rural service that defy adjustment; therefore a salary system which is fair for all in the one instance is unfair in the other. I will say to the gentleman from Georgia that if you could fix a reasonably fair salary, which the service could stand and at such a rate as would not stifle its development, and assure me the salary would stop at that limit, I would vote for a salary. I do not believe it is possible to do it.

Mr. SMITH of Kentucky. I would like to suggest that in the case of the country carrier, under this bill, Congress does not fix his salary, but he fixes it by his own competitive bid.

Mr. BROMWELL. I want to suggest that if it was possible to limit the number of bidders in the city-carrier service, as it would be in the country-carrier service, you might apply the contract system to the city carrier; but you take the city carrier's route, and the probability is that if it were open to bids you would have, instead of three or four bidders, some three hundred or four hundred bidders, and the result would be it would take the entire time of the Post-Office Department to open bids and award contracts for carrying the mail upon routes in the city.

Mr. LATIMER. I would like to ask the gentleman a question.

Mr. COWHERD. Certainly.

Mr. LATIMER. Does the gentleman believe that this contract system will save money to the Government?

Mr. COWHERD. My candid opinion is that in some districts the price will be less than it is now. I say it will be less than $600 a year in some districts because the Second Assistant Postmaster-General reports that in the star-route service, where they are now requiring the delivery to boxes along the routes, along the 25-mile routes the average pay is $411. In some sections I think the service will cost more; but whether it will cost more or less, you will get it for what it is worth in that section of the country where it is performed, and you will not be paying $900 for a service that can be done for $400, or paying $400 for a service like that of the gentleman from Connecticut that can not be done for less than seven or eight hundred dollars.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. LOUD. I will yield the gentleman from Missouri ten minutes more.

Mr. COWHERD. Now, one other matter I want to submit to the House, and that is on the pay of these carriers. I have here a little paper issued in my district. I know the editor of it and I know he has no interest in the free-delivery service. He is a Democrat, and there are no Democrats in the service in the seven or eight routes that run out of the town. Here is an article in which he demands that the pay of the rural free-delivery carrier be increased 50 per cent. The carriers now are getting $600, so that that would amount to $900 a year. I submit that if this is to remain a salaried service and the carrier is to devote all of his time to the service, and is not permitted to do anything else during that time, if he is to keep a horse and keep a wagon, you will not be able to justify a salary of a smaller amount in the country than you do in the city, and I think in the end you will have to add something for horse hire. What will be the result? The result will be, as frequently stated on the floor of the House, the cost of this service will run up to sixty-five or seventy millions of dollars a year.

In times of prosperity—and gentlemen on the other side of the Chamber are telling us of the great wave of prosperity which we are riding upon to-day—in times of prosperity people do not inquire closely into the taxes, and the service might run along during the prosperous years. But just as sure as there comes a year of adversity, just as sure as there comes the lean kine—and they are as sure to come as the revolving suns bring the coming years—just that sure these appropriation bills are going to be carefully scanned, and the people are going to know where every dollar of their money goes. What will be the result? You will come with a great deficiency in the postal bill; you will come with one branch of the service costing sixty or seventy-five million dollars and bringing in a comparatively small return, and then and there that service will be stopped. It will not be extended to another rural route in the United States.

I address gentlemen here living in sparsely settled States, where you can not find, frequently, a route of 25 miles with 100, or 50, or even 25 families to serve. They talk about this service paying for itself. It can not pay for itself there, whatever it does in a populous territory.

When this enormous cost stops further development, how will your people be served? When hard times once more brings us back to economy in public expenditures, what hope have you that your people can have the benefit of a free delivery?

Then and there the gentlemen from the South, gentlemen from the West, gentlemen from the extreme Northwest will find out that they voted into this bill as a permanent service a measure that has forever prevented them from getting the service which they desire and which their people need.

Gentlemen continually talk here about the city service. They say, "You are paying a large sum for that service. Why not cut down that expense?" Now, the rural free-delivery service, although I think it will add to the revenues of the Government, can never be, in my opinion, a self-sustaining service. Around the limits of a large city—out in the suburbs of some of the thickly settled districts—it will eventually pay for itself; but can you ever expect it to do so in those wide areas of our country where the population is scattered? In such localities it can never pay for itself. Hence it is a service that is costing the largest amount of money for the smallest return; and I feel that for this reason it ought to be put on such a basis that it will cost no more than the actual worth of the service. But the city service will be maintained not only to meet the demands of the country's business, but to raise revenues to keep up the Department.

Mark you, the city of New York pays $10,000,000 out of something like $116,000,000 of annual revenue of the Post-Office Department. Ten million dollars, almost one-tenth of the revenue of the Department, comes from one city. The city of Chicago pays over $6,000,000. I might go on and recite the large revenue paid to the Post-Office Department by 20 or 30 of our large cities. Now observe that upon actual counts and tests, it has appeared that practically half of the postal receipts come from the local mail arising within the city and never getting out of it. So that the service is no tax whatever upon the country. The net receipts from New York are two or three times as much as the total cost of maintaining the postal service there. So you can not reduce the city service without great loss in revenue.

Mr. BROMWELL. Before the gentleman takes his seat, I would like to have him touch upon a point which has been frequently referred to here—and I take it as evidence of a lack of information on the part of some members of the House. I have been expecting, in case I should make some remarks to-morrow, to allude to this point myself; but the gentleman from Missouri [Mr. COWHERD] states a proposition so clearly and clothes it in such elegant diction that I know, if stated by him, it will make more impression upon the House than anything I could say. [Laughter and applause.]

Mr. COWHERD. I hope the gentleman will take all the time that he wants. [Laughter.]

Mr. BROMWELL. I want to suggest a thought to the gentleman that he may elaborate it to the House. I refer to the fact that the star-route service as it exists to-day under recent lettings—those lettings which were made a year ago and those made this year, for which the returns are not yet in—is an entirely different service from the old star-route service under which the Brady scandals grew up, and entirely different from the star-route service which now exists in two sections of the country, and which may continue to exist there for the next year or for two years yet to come. I know the gentleman can clearly explain to this House the great improvements that have been made in the star-route service in the western sections of the country, and that the fears that are entertained that great scandals and frauds may arise under this contract system if it is adopted are entirely without foundation.

Mr. COWHERD. I know, as a matter of fact, that is largely true. Some two or three years ago there was a change made in the method of carrying the mail along the star routes. There was a change made in the method of letting the contracts, and since the contractor has been required to personally supervise the service and the contract can only be let to a man living along the route there have been very few complaints. Of course there are always complaints of any service that serves a great number of people. There are complaints of the rural free-delivery service, and yet I think it is exceedingly satisfactory. And I want also to add that where the star-route service has been changed in accordance with the new regulations I think that is a satisfactory service.

Mr. THAYER. I would like to ask a question of the gentleman from Ohio [Mr. BROMWELL]. Is it or is it not true that we blush for the great American people every time we see one of these star-route deliveries going from one place to another?

Mr. COWHERD. I would like to answer that question for the gentleman from Ohio. I will state to the gentleman from Massachusetts [Mr. THAYER] that the people out in my section possibly do not blush so easily as do those in Massachusetts. [Laughter.]

Mr. BROMWELL. Possibly that is because they do not have so much occasion to. [Laughter.]

Mr. COWHERD. Very recently, Mr. Chairman, they established a rural free-delivery service through one of the counties which I represent, and as a part of that service they put on what is known as a postal wagon. That is one of the new departures in this service. It is practically a railway postal car, only drawn by horses, and it serves the carrier along its line and takes up and delivers the mail and carries a clerk in the wagon, who sorts it, just as is done in the postal cars. Now, before that postal wagon was run on the route from Lee Summit to Lone Jack there was a star-route service. I have received a petition signed by about 20 residents of Lone Jack, asking that the postal wagon—which is the wagon furnished by the Government, newly painted, beautiful, a work of art, I have no doubt, "a thing of beauty and a joy forever"—asking, I say, that that wagon be taken off and that this old star-route wagon be put back, because they say the star-route wagon perfomed practically the work of a railroad—it brought out express and hauled passengers, and it took their produce into the market. I think they are mistaken in making the request. I think the postal wagon can do the same thing, and will eventually do the same thing, under the service; but I simply offer that as an example to my friend from Massachusetts to show him that the people in that district, at least, were not blushing for the star-route service.

Now, I want to say in conclusion, Mr. Chairman, that I do not propose to be misunderstood and held up before the country as an enemy of the rural free-delivery service, and I do not intend to permit the gentlemen who take the floor here to advocate a salary system to place me in that position. I say here and now, as I said in the beginning, that I believe it is the very best arm of the Government service. I believe the carrying of the mail to the farmer, putting him in touch with the outside world, breaking up the isolation that has so long been the bane of country life, resulting, too, as it does in the building of better roads over all the country, is one of the greatest blessings that can be brought to any farming community. But I advocate this bill because I fear, and I fear from a knowledge of the facts, knowing, as I do, how continually we are urged to increase the salaries of the employees in almost every other branch of the postal service, that when this service is distributed over the entire country there will be gathered under its banner another army of soldiers ready to march upon the Capitol demanding an increase of pay, and when, with the development alike of service and salaries, the country is brought face to face with an enormous deficit in the postal revenues, the result will be the breaking down of this service. The city will keep its service, because it pays so much the Government can not afford to stop it. The place that will suffer will be the country district. And it is because I like this service and want to see it maintained, it is because I want to see it developed to the very uttermost possibility of development of which it is capable, because I want to see it serve every man, woman, and child in the United States that I advocate this bill. [Applause.]

Mr. LOUD. Mr. Chairman, I yield ten minutes to the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN].

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I am a friend of the general principles of this bill, and I hope it can be amended so that I can give it my support. I can not support it without certain amendments, one of which I will discuss before I get through, and which I believe ought to satisfy every man from my section of the country.

As the distinguished gentleman [Mr. COWHERD] who has just taken his seat has said, we who favor the contract principle are not enemies of the free rural-delivery system. I am a friend to the system. I have supported the appropriations for its development. Free rural delivery of mails will greatly bless the country sections and add much to the educational and social advantages of the people. I believe in it now and I expect to support the appropriation for it. I am a friend of the carriers. I would be glad to see them get every dollar they can earn. I would do them no wrong, I would do the system no wrong, and I do not believe, after thorough consideration of this matter, that under a fair contract system free rural delivery will be damaged. As to the present carriers, they should be continued under their present contracts for two years, and perhaps for four years, as suggested by the gentleman from Illinois.

But, Mr. Chairman, one of the most important arguments that can be made against the permanency of the present system and in favor of the contract system is that the present system will promote throughout this country the greatest political machine ever known, while a suitable contract system, properly safeguarded, can never become such a machine. Although certain civil-service rules have been prescribed by the Department for the selection of carriers, yet in its best aspects I have not the utmost confidence in the civil-service system, and I do not believe there will ever be a civil-service system which will do absolute justice to both parties in this country in the rural free delivery.

However honest and earnest it may be in an endeavor to act impartially between the two political parties, I believe that the party in power, the Administration, will get the overwhelming bulk of the appointments under it. I believe that when rural free delivery is perfected under the present system throughout the United States, with fifty or sixty thousand free rural-delivery carriers under the control of a partisan Administration, going by every farmer's gate, passing through every section of the country day by day, it will be the most powerful political machine that this world has ever known; and whether it belongs to my party or the party of my opponents, it is a dangerous power for any party to have against the people.

As the people are to bear the burden of this system—for the people, after all, pay the taxes—it is the interest of the people that we ought to consult, and not merely the interests of political parties, or even of the rural free-delivery carriers. Of course if we have from fifty to sixty thousand rural free-delivery carriers they will deserve recognition, they will deserve good compensation, they will deserve good treatment at the hands of this body; but, as has been suggested here, I believe that with that great army of officeholders, in sympathy with and holding under the party in power, demanding an increase of salary from Congress, with from 100 to 200 of them in each Representative's district, coming

in contact with his constituents daily, Congress would not long resist their demands.

Many gentlemen already want the rural carriers' salary put at $1,000, and some even suggest $1,200. Representing the people, it seems to me it ought to be a matter of some moment with this body whether we shall continue a system that may finally entail an expense annually upon the people of sixty or seventy million dollars, or so change it that its expense will finally be only thirty or thirty-five million dollars, which will be the probable expense at $600 per route when the country is fully covered by it. Thirty million dollars is an item worth saving to the taxpayers of the country. As to the question that the gentleman from Georgia asked of the gentleman from Missouri [Mr. COWHERD] just now, if you will amend this bill properly and pass it, the complications that the gentleman from Georgia was afraid of can never under any circumstances arise. We will never have to face the question then as to how we will defend our actions before our country constituents. My knowledge of country constituents convinces me of their wisdom, their intelligence, and patriotism. They are apt to look at things honestly and understand them thoroughly, and I have no fear of their verdict when facing them after a faithful discharge of duty.

Another thing. I believe, judging from the facts, that there has not been a more partial and partisan administration of any branch of this Government during my experience in this House. I am going to show you that in eight Southern States, from the Potomac River to the Texas line, that on the 1st day of February there were only 487 rural free-delivery routes established, with 13 others ordered but not established. There are 61 members of Congress representing that great section, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana—great States, containing as fine a rural population as exists on the globe.

They have only 487 routes established, with 13 ordered, making an even 500, with 61 Representatives here. I take my figures from the Department's pamphlet.

Now let us go to the grand old Republican State of Ohio, with its 21 Representatives, 4 of whom represent city districts having city delivery carriers, leaving only 17 country districts, including many large towns. The State of Ohio on that date had 629 routes already established, with 48 ordered, a total of 677 routes, as against 500 in those 8 great Southern States. The State of Ohio had 177 more routes than the entire 8 States to which I have referred.

Mr. BROMWELL. If the gentleman will allow me, I will suggest that the superintendent of this service is an Ohio man, and he knows how to take care of his own. [Laughter.]

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I appreciate that, and therefore we will waive Ohio. Let us go to another grand old Republican State. What is the strongest Republican State to-day, with the greatest influence in Congress to-day? Does anybody doubt that it is the State of Iowa? Let us go to Iowa and see what the condition is there. Iowa has 698 routes established and 20 already ordered but not established, which would make in the State of Iowa 718 routes, against 500 in the 8 Southern States, and the 8 Southern States have 61 Representatives, while the Republican State of Iowa has 11.

A MEMBER. Including the Speaker.

Mr. WILLIAM W. KITCHIN. Including the honorable Speaker. I would probably do the same as the superintendent of rural free delivery has done, for when I am able to assist my friends I listen to their demands.

Mr. FLEMING. I should like to ask the gentleman from North Carolina this question. I admit that the gentleman has shown the partisanship exercised beyond any question and I am not trying to defend it. Will this postal delivery in the country by contract change that in any respect? Would not there be the same temptation under contracts as under salary?

Mr. BOUTELL. It would not be political.

Mr. WILLIAM W. KITCHIN. In my judgment, if these routes were let by contract this political pressure that has been used to secure these routes in these States would not have been used. When a Congressman knows that the routes are to be submitted to bids there is no doubt whatever, in my judgment, that that pressure would not be used.

Mr. FLEMING. They would not have wanted it.

Mr. WILLIAM W. KITCHIN. It would not have occurred. I believe that under the contract system in your State and my State and in the other States that I have named, and in the sections that are not dominated by Administration influence, the routes will greatly increase in number. Otherwise I believe that the great influences that have secured this great preponderance in other sections will continue to assert themselves until they are satisfied, and then we can expect our sections to be rapidly covered with routes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAM W. KITCHIN. I should like to have a little more time.

Mr. LOUD. I have agreed to yield all the rest of the time. I will give the gentleman three minutes more.

Mr. WILLIAM W. KITCHIN. I regret that I am not able to get more time than that. I will read the amendments which I desire to offer.

Now, as I have given reasons why I think the contract system will be better than the existing one, here are some amendments which I believe ought to be adopted. I believe that the system will fail unless it satisfies the patrons of the route. I believe the success of the system depends upon having carriers who are acceptable to the patrons. In the summer time throughout the agricultural sections the men are busy on their farms, and the people who will look after the mails, who will attend to the registered letters and the post-office money orders, who will get the carrier to do shopping, and who will make the requests of the carrier to do certain little things for them in town, will be the children and ladies along the route.

I believe that no route will be a complete success unless the carrier is satisfactory to the patrons. I believe that the contract system, as proposed, will be a failure unless safeguards are thrown around it which will insure the patrons being given a proper power in the selection of the carriers. In that belief I have drawn an amendment which I shall offer at the proper time, and which I hope will be adopted. It is to insert in line 1, page 3, after the word "service," the following:

And who shall file a certificate signed by a majority of the bona fide patrons of the route stating that his designation as carrier will not be objectionable to them.

And in line 5, page 3, after the word "paragraph," to insert the following:

And provided further, That whenever a majority of the patrons of the route shall petition for a change of carrier the Postmaster-General shall at once proceed to secure another carrier for the next ensuing fiscal year as hereinbefore provided.

Now, Mr. Chairman, that will leave it where it ought to belong, with the people, not to select their carrier, but with the power in them to reject a distasteful and unsatisfactory carrier; something like our jury system. We have no right to select a juror, but we have the right to reject one. Now, if you will give to the patrons along the route the privilege to reject a carrier who is unsatisfactory to them, and give the successful bidder the privilege to see the patrons to secure such a certificate, and whenever they say he is not objectionable then he ought to be qualified, and if he is objectionable to the majority of the patrons of the route he ought not to be the carrier on that route. [Loud applause.]

Mr. LOUD. I now yield to the gentleman from Missouri [Mr. SHACKLEFORD].

Mr. SHACKLEFORD. Mr. Chairman, at the commencement of this session I had the honor to offer a bill providing for the repeal of the tariff on wood pulp and printing paper. I shall not argue the merits of the bill at this time. Everybody but the paper trust concedes that it should pass. The people believe that "a tariff on printing paper is a tax on intelligence." Not only do the people favor the repeal of the tariff on wood pulp and printing paper, but a large majority of this House are ready to vote for its repeal. Why, then, does not the bill pass? Because the Ways and Means Committee of this House will not report the bill so that it can be put upon its passage.

The press of the country is full of censure of Congressmen for their failure to give some relief from the unjust exactions of the paper trust. Such criticism is unjust. The fault is not with members of Congress generally, but with the Ways and Means Committee that is smothering this and kindred measures by refusing to report them out for consideration on this floor. If the press of the country desires the overthrow of the paper trust let the guns be turned on this great committee.

While I will not now argue the merits of the proposed bill, I will read from a paper written by a prominent protectionist and an ardent Republican:

[By Fred B. Whitney, A. B., LL. B. Read before the Illinois Press Association, February 19, 1902.]

Self-preservation is the first law of nature, and this paper is unanswerably written in the struggle of "the survival of the fittest"—a monopoly—the paper trust or the American publishers.

I shall deal briefly—lest you forget—and chronologically with facts and figures, stating authorities, and establish the point that the American publishers are subjected to unnatural laws of trade through lack of united action and intelligent protection of their business interests, and shall propose a remedy for the evil—a tariff revision on wood pulp.

To disarm unthinking critics, let it be suggested that this is not a political problem, but a business proposition for the protection of publishers from the pilferings of a trust that does not owe its

growth or success to protection of American labor but to a monopoly of raw material through protection and combination—a principle that no political party ever promoted or defended.

The writer is a high-protection editor, but stands with Congressman BABCOCK, chairman of the Republican Congressional committee, in his fight for a tariff revision upon certain articles, as of iron and pulp, etc., in which labor is a small element, and secondly, in which a trust has gained a monopoly of the raw material of this country. President Schwab, of the steel trust, suggested before the Industrial Commission—page 456, of the Report of Trusts—that a tariff is not essential where the manufacture from raw material is largely by machines and not labor—and Commissioner Thomas W. Phillips, on page 664 of the Final Industrial Commission Report, advocates my second proposition.

PRE-TRUST CONDITIONS OF PAPER AND TARIFF.

In 1890 news print sold at $9 per 100 pounds. Improvements of machinery, increased consumption through cheaper and larger newspapers, and competition forced the price down year by year, and in 1897 news print sold at $1.60 per 100 pounds. In 1897 the duty on pulp wood was nothing. Mechanically ground wood and wood pulp was about $1.20 per ton, news print $3 per ton, and no print was imported.

DISGUISED TRUST BEFORE CONGRESS.

Pleading poverty and impending bankruptcy, W. A. Russell, first paper trust president; Hugh Chisholm, the present president, and other trust mendicants appeared before the Ways and Means Committee (p. 1753, vol. 2, of the hearings) and refuted by bare denials the statements of the publishers' representative—Mr. John Norris—that the paper manufacturers were in an embryonic trust and proposed to increase print to $2.30 per hundred pounds, relying upon legislative aid to prevent possible competition from Canada, with her limitless supply of cheap spruce for pulp. I quote from the hearings and call particular attention to the false representation of the trust promoters in their absolute denial of even the thought of a trust in paper, or an increase to $2.30 per hundred pounds, both of which came at once after the Dingley Act.

Volume 2, page 1756, Ways and Means Hearings:

Mr. TAWNEY (member of committee). You state that this combination comprises practically all the paper mills and pulp mills in the United States. Do you know that to be a fact?

Mr. NORRIS (publisher). I do—every large paper manufacturer that I know—and I think, as the best customer of the paper companies, I know all of them.

As manager of the New York World he bought one-thirteenth of all print paper made—110 tons per day.

I felt that it was due to you that this information should be submitted to you in order that in any kind of revenue or tariff reform you could consider how far such a combination, organized for private interest, and taxing knowledge and reducing the facilities for information, should be permitted to take advantage of any Congressional regulation or tariff restriction to further the charter of monopoly.

(Page 1754.) Mr. TAWNEY. Do you think taking off this duty would have any effect on the trust or combination controlling prices?

Mr. NORRIS. It would simply make impossible any combination in so far as it attempted to raise the price of paper. It would be an automatic check upon any monopoly.

(Page 1579.) Mr. RUSSELL (of the Embryonic Trust, its first president). I deny that there is a combination formed, or practically formed, or that any combination or consideration of this matter by the paper manufacturers which contemplates raising the price of paper at all. We understand the power of the press, the influence it has, and we fear it just as much as anybody. Some gentlemen have told me that Mr. Norris said that if the alleged combination of which he spoke of was formed, it proposed to put the price of paper up to 2½ cents a pound. It is now, we will say, 2 cents. Nothing could be further from the truth and there is no evidence whatever that any such thing is contemplated.

The newspaper representative in rebuttal insisted that a trust was in embryonic state and that there was no need of new or increased tariff legislation, because our natural resources and advantages enabled the United States to continue to undersell the world.

Mr. Chisholm, now president of the trust, subsequently unknowingly corroborated the publisher's contention as follows: "If the paper industry should determine to capture the markets of the world, there is no nation that could stand against us with our natural resources and our national traits of character."

In spite of a publisher's protest, the Ways and Means Committee could not withstand the trust lobby or rely upon pledges of no increase in the price of print paper to publishers, and the duties were fixed with an increase from $1.20 to $1.67 per ton for pulp, and news print from $3 to $6 per ton.

Do not forget that previously practically no news print was imported—hence no revenue—because the United States could undersell the world with cheap free wood. At once this double increase was prohibitory and guaranteed the safety of an open combination of paper mills with arbitrary price powers from conditions of "a corner" on the water power and adjacent pulp timber, as will appear shortly in my argument.

PAPER TRUST FORMED.

"To understand the power of the press," "fear it," and "get further from the truth," the honorable Mr. Russell proceeded suddenly to the "consideration of a combination" and launched the International Paper Company, which soon adduced evidence "that there is no evidence whatever that the alleged combination of which Mr. Norris spoke was formed to put the price of paper up to 2½ cents per pound." Mr. Russell did not lie as to price. It went from 1.6 cents to over 3 cents per pound under the trust, and probably the trust never thought of a little 50 per cent increase to 2½ cents.

TRUST FINANCIAL HISTORY.

I shall briefly present the financial history of the trust as told by a standard journal of finance—the New York Commercial and Financial Chronicle—give pages for extended inquiry, and ask you to carefully note, in passing, the official utterances of the trust president on its success, policy, increase of land, property, and business; also its yearly statements, that show abnormal profits, etc.

The trust was incorporated January 17, 1898, in New York State. On February 1, 1898, Hatch & Foote, brokers, issued a statement, as follows:

The International Paper Company is capitalized with $25,000,000, 6 per cent, payable quarterly, cumulative preferred stock; $20,000,000, common, and $10,000,000, 6 per cent first consolidated mortgage gold bonds.

The appraised value of property to secure issue of bonds is $40,000,000. The net earnings now are more than enough to pay 6 per cent on bonds, 6 per cent on preferred stock, and 10 per cent on the common.

Competition can hardly prove successful if attempted, for the valuable water power and timber lands—400,000 acres—could not be easily duplicated or acquired.

Mr. Russell is the president; Hugh Chisholm, vice-president, and W. Miller, accountant. (Chronicle, vol. 67, p. 177.)

The first preferred dividend was declared in July, 1898, of 1¼ per cent, leaving a large surplus ($408,594) available for future dividends. Recall the fact, at this time, you paid about $2 per hundred pounds for print paper.

On August 27, 1898, appears the first official statement of the president of trust.

The mills are new and of the highest type of construction, and produce 70 to 80 per cent of the news paper of the United States. The water and steam power is 143,500 horsepower, propelling 100 pulp and paper machines and producing 1,475 tons of news and printing paper per day. The company holds title to 450,000 acres of timber in New York, New Hampshire, Maine, Vermont, and Michigan, and has a Government license to cut timber on 1,132,000 acres of woodlands in the Province of Quebec, Canada. (Chronicle, p. 448.)

December 31, 1898, volume 67, page 1459, of the Chronicle, appears the statement of the trust president when the stock was listed on the New York Exchange.

August 5, 1899, official statement of President Chisholm appears, as follows:

The profits are large and future assured; company controls 85 to 90 per cent of newspaper trade in the East. There is no serious competition, and prices are well maintained. Company controls about 1,000,000 acres (increase, 650,000 acres in last year) of timber in the United States—in New York, New Hampshire, Vermont, Maine, and Michigan—and in Canada it owns 1,600,000 acres of timber (increase of 468,000 in one year). Company uses 500,000 cords per annum and develops 155,000 horsepower, and has 100,000 horsepower available to develop—and this ability gives a very strong position. Canadian timber can all be brought down by water, shipped by canal to Glens Falls and from there to 28 mills by rail. (Chronicle, vol. 69, p. 281.)

President Chisholm stated, August 23, 1899:

The company has spent a large sum of money during the year past in improvements and is now engaged in building a factory which will make 10,000,000 paper bags per day. The company is also equipping mills to enable it to largely increase output of manila paper. These improvements and enlargements will call for expenditures of a large sum of money during the coming year. (Chronicle, September 2, 1899, p. 495.)

September 16, 1899, volume 69, page 593, Chronicle status of the International Paper Company. Regular preferred dividend declared, but not on the common stock; and a director said:

We are realizing greater profits than ever before in our history, but we felt that money earned could better be used for improvements, and hence our action.

October 28, 1899.—A $5,000,000 paper-bag company of Maine has been formed, with the International Paper Company the majority stockholder. (Chronicle, vol. 69, p. 909.)

The International Paper Company reduced its floating indebtedness from $1,500,000 to $800.000; business remarkable and shows healthy increase. (Vol. 70, p. 483.)

August 17, 1900, the Chronicle states that the product of the mills for the coming year is practically placed. (Chronicle, vol. 70, p. 743.)

President Chisholm reported for the year ending June 30, 1900:

	1899-1900.	1898-99.
For repairs and property improved		$1,000,000
Gross income	$18,707,635	15,063,568
Dividends	1,344,402	1,786,206
Paid 6 per cent preferred dividend and 3 per cent common 1898-99 and has surplus (Chronicle, vol. 71, p. 287), June 30, 1900		1,800,999

(Financial Chronicle, vol. 73, p. 1887, August 24, 1901.)

ANNUAL REPORT ENDING JUNE 30, 1901.

President Hugh J. Chisholm says:

The gross sales for the fiscal year ending June 30, 1901, amount to $2,000,000 more than for the preceding. The policy adopted by the company to bring

all its plants to the highest point of efficiency has been continued during the past year, and more than $1,100,000 has been expended for repairs and maintenance and charged to operating expenses of the company. In addition to this sum, over $1,300,000 has been expended in cash in permanent improvements and additional new mills and charged to the plant account.

The extensive improvements and additions which have been under way at different plants of the company are now nearly completed.

The earnings and balance sheet follow:

Earnings, expenses, and charges.

	1900-1901.	1899-1900.	1898-99.	Jan. 17 to June 30, 1898.
Gross income	$20,711,902	$18,707,635	$15,063,568	$6,484,311.78
Cost of raw materials and manufacturing	16,750,245	15,581,759	12,218,533	5,415,067.74
Net	3,961,657	3,125,876	2,845,035	1,069,244.04
Tax, insurance, and interest	907,267	842,302	596,595	264,217.00
Balance	3,054,390	2,283,574	2,248,440	
Dividend on preferred stock at 6 per cent	1,344,402	1,344,402	1,262,721	289,465.50
Dividend on commission at 3 per cent			523,285	
Surplus for year	1,709,988	939,172	462,234	408,594.00
Previous surplus	1,810,000	870,828	408,594	
Total surplus	3,519,988	1,210,000	870,828	

The writer's estimate of totals for the first three and a half years of business ending June 30, 1901, is:

Gross income		$60,972,416.78
Cost of raw material and manufacturing, etc		49,965,604.34
		11,006,812.44
Interest, taxes, and insurance		2,610,381.00
Balance		8,396,421.44
Dividends		4,764,475.50
Undivided profits		3,631,945.94
Official undivided profits		3,519,988.00
Note A		111,957.94

NOTE A.—The column January 17 to June 30, 1898, is an estimate by monthly averages for the first five and a half months ending June 30, 1898, and is taken from official figures of trust presidents' report November 1, 1898, for the first nine and a half months' business. The fiscal year 1898-99 began June 30, 1898. Hence this $111,957.94 error in estimating for the first five and one-half months' business as to the first three items only of the January 17-June 30, 1898, column. All the other figures are official and accurate.

Balance sheet, June 30, 1901.

	1901.	1900.	1899.	Nov. 25, 1898.
Assets.				
Mill plants	$41,586,965	$40,153,339	$39,706,757	$36,756,281.69
Wood lands	4,101,723	4,403,173	3,906,909	3,415,471.26
Securities of sundry corporations	4,810,163	4,462,456	4,264,793	2,560,371.43
Land right and water powers	100,493	97,488	185,864	
Patents	12,000	6,000	6,000	
Furniture and fixtures	41,028	45,845	35,461	20,788.05
Sinking funds	39,000	19,500		
Cash	488,030	244,176	501,225	1,201,308.00
Accounts and notes receivable	3,031,388	3,209,584	3,904,947	13,558,622.87
Inventories of merchandise on hand and advance for wood operations	4,560,371	3,233,244	3,417,493	2,503,512.47
Total	58,731,162	55,864,805	55,929,452	50,272,444.08
Liabilities.				
Common stock	17,442,800	17,442,800	17,442,850	16,040,350.00
Preferred stock	22,406,700	22,406,700	22,406,585	20,530,610.00
First-mortgage bonds	9,866,000	9,865,617	9,365,122	9,672,747.00
Mortgage bonds H. R. Co				1,500,000.00
Dividend mortgage bonds	3,191,500	3,236,500	3,281,500	150,000.00
Accounts payable (since paid)	1,848,788	697,291	1,688,411	1,382,277.78
Accrued interest, tax, and water rents (not due)	455,386	405,898	379,156	181,551.21
Surplus	3,519,988	1,810,000	870,828	814,908.09
Total	58,731,162	55,864,805	55,929,452	50,272,444.08

What trust financial statements reveal.

Common, preferred, stock and bonds issued June 30, 1901		$52,907,000
Common, preferred, stock and bonds issued November 23, 1898		48,243,157
Increase		4,663,843
Mill plants, wood lands, securities, June 30, 1901		50,691,374
Mill plants, wood lands, securities, November 23, 1898		42,731,924
Increase		7,959,450
Bond and stock increase, etc		4,663,843
Charged to expense of manufacturing		3,295,607
Accounts payable, merchandise on hand, cash, and surplus		9,255,303
Dividends paid		4,704,475
Cash basis of trust for thirty-one months		17,315,385

The figures in the statement show that had the trust declared a division of its net cash it could have paid off 33 per cent of the vast aggregate of its preferred, common, and bonds, $52,907,000, after a period of thirty-one months. It did not dare to reveal such a financial oppression of the publishers as these figures show; and consequently high salaries, vast accumulations of water power, timber, and securities were charged to operating expenses, as the official statements of the trust show, that its permanent property increased $7,959,450, and its increase of stock and bonds for the same period was $4,663,843, leaving $3,295,607 as an absolute charge on the real but not actual ledger profits of the combination. In addition a floating indebtedness of $1,500,000 was paid from the earnings and a sinking fund of $39,000 was started to retire the $3,031,386 divisional mortgage bonds that were given to certain trust stockholders as an absolute gift to equalize the plants that were bonded and unbonded before the trust merger.

The timber holdings were increased by 2,000,000 acres, and "operating expenses" paid the bill. About $2,000,000 was charged to the same account for the high trust officials, who received about as much in the trust salaries as they did in the income from their plants before the combination.

The startling statement, however, is this, that even after raiding the "cost of raw material and manufacture account" for about $10,000,000 for the unreasonable trust salaries, a "corner" on timber land and available water power and new plants, and after paying $4,764,475.50 dividends at the rate of 6 per cent on preferred stock and one dividend of 3 per cent on common—having previously paid $2,610,381 interest on bond issues that represented a $3,031,386 absolute "bond gift" and a $9,866,000 bond issue to finance the mortgages that represented a 60 per cent valuation of the plants and machinery merged into trust—after all this tax on the American publishers—the trust treasury challenges financial manipulators and publishers with the fact that it has $5,735,315 available in cash, accounts payable, and merchandise on hand and a surplus for dividends of $3,519,988—a sum large enough to pay 23 per cent on its issue of common stock of $17,442,800.

Thus far I have revealed the abnormal and enormous returns upon the capital invested as represented by the preferred and common stock of the trust, and now I shall attempt to show the astonishing and burdensome tax imposed upon publishers by trust print prices that have doubled at times from $1.60 per 100 pounds before the trust, for the reason, as the officials publicly announced, that "capital might have a fair return for money invested."

THE STOCK, COMMON AND PREFERRED, WATERED.

At first, the trust promotors did not claim that the common stock represented value received, but President Chisholm before the Industrial Commission now declares that the common trust stock was exchanged for value received in actual assets and property. On the stock exchange his declaration would be taken as a joke, on general principles; but I shall show the declaration to be false and prove to you that the International Paper Company common stock did not even represent "water," but a lighter substance, "promoters' hot air," as the actual value of the plants and machinery merged into the paper trust did not represent the preferred stock issue, which was watered and also salted with a $10,000,000 bond issue to finance the mortgages, that probably represents 60 per cent of the actual value of the mills merged into the paper trust.

A census bulletin, No. 99, September 30, 1901, is authority for the facts that four industrial combinations have been organized in the pulp and paper industry in the past decade, with a capital of $40,320,498, invested in land, buildings, machinery, tools, implements, and live capital utilized, employing 11,582 wage-earners, with wages of $4,996,528.

If the International Paper Company's preferred and common stock represented value received in property, as President Chisholm insists, the Hon. W. R. Merriam's census force dreamed about the other three combinations. Are you awake and aroused to a realizing sense of the true amount of actual valuation of trust property upon which publishers are paying increased print prices that trust property may realize "fair return" on the investment, as the paper president suggests? To cite special instances to prove the general proposition suggested by the census returns, I submit a few of many conclusive proofs.

CONCLUSIVE PROOF OF WATERED STOCK.

Of the 98 paper machines consolidated into the paper trust, 43 were of recent construction and pattern and the others junk or deteriorated to an extent that the paper president spent millions on them in spite of the fact that he said August 28, 1898, in his first official statement to the New York Stock Exchange, "The mills are new and of the highest type of construction."

Mr. Russell's mill, that had not made money for ten years, went into the trust at $22.000 per ton daily output ($10,000 per ton is a fair figure for building a new mill).

Warner's mill was merged at about $8,000,000, and five years

before its capital was $300,000. These examples are typical of each mill in the trust merger.

PUBLISHERS BONDED FOR $35,000,000.

Modern paper mills can be built for $10,000 per ton daily output, and consequently the trust 1,500 tons' daily output could be duplicated for $15,000,000. It is not unfair, but generous, to state that the trust property merged was not actually worth $22,000,000.

Consequently the paper trust has bonded the American publishers for $35,000,000 at 14 per cent per year, and the increase of print prices from 60 to 100 per cent is the security that a monopoly of water power and 2,500,000 acres of pulp timber creates by a prohibitory wood-pulp tariff and retaliatory Canadian export duties.

TRUST INDUSTRIAL CONDITIONS—COMPETITION.

Competition is a nonentity in the news-print market, as every mill in the country quotes but one f. o. b. mill price.

The Great Northern Paper Company was started, but the Financial Chronicle states that the sales agent of the International became an officer of the Northern, and the laws of supply and demand were adjusted to the uniform high prices under regulated production.

A threat of divided territory restored the trust jurisdiction of prices in the Wisconsin mills district and the West.

Labor receives 2 per cent less wages and the value of its production has increased 20 per cent since 1890 census, (Bulletin 99.)

RAW MATERIAL MONOPOLY.

The paper trust has an absolute monopoly of the spruce timber adjacent and available to the valuable water power in this country. It controls over 2,500,000 acres of timber land. The census bulletin for September 30, 1901, on paper and pulp, states that while 598,229 cords of domestic spruce, valued at $2,855,872, were consumed in the manufacture of wood pulp for paper, only 134 of 763 reported establishments consumed domestic spruce. This statement, in connection with that of the paper trust president that the trust mills used 500,000 cords per annum and develop 155,000 horsepower—"an ability giving a very strong position"—is conclusive proof of the fact that the paper trust has an absolute monopoly of the domestic pulp for print paper, and that it has the sole benefit of practically every cent of the pulp tariff imposed by the United States and the export duty of Canada. Is it a wonder that "there is no serious competition and prices are well maintained," as President Chisholm officially stated, August 5, 1899? (Financial Chronicle, vol. 69, p. 281.)

TRUST EFFECT ON NEWSPAPERS.

To live, the newspapers have reduced the size of papers, and profitable small country papers have been reduced to items of expenses for their publishers. It is unnecessary to give details and offer causes of the increase of the price of print—the fraud of the present trust officers before the Ways and Means Committee and the startling profits, increase of trust property and cash surplus, as told in the New York Financial Chronicle, present facts and figures that should alarm every American publisher and cause a united effort to relieve the newspaper fraternity and the country of a trust that annuls every law of trade and legitimate production and distribution of wealth.

REMEDY FOR PAPER-TRUST EVIL.

The paper trust's increase of the American tariff provoked Canadian reprisals. The Province of Ontario prohibited the export of any logs from Crown lands and Quebec imposed a license fee of $1.50 per cord upon all logs cut for American use. The burden of these reprisals, the advance in wood prices, with its increased cost of paper, fell upon the publisher, who could not shift the burden upon his customers. Canada's spruce forests are limitless, extending from Labrador to the Yukon on the west and from the St. Lawrence to the Hudson Bay on the north. It encouraged the wood-pulp industry, but was forced to resent the action of the trust through Congressional enactments. The publishers attempted a reciprocity treaty through the joint high commission without success, and the paper trust fought vigorously every step taken by the publishers in order that its monopoly of the United States pulp supply should quarantine "no serious competition" from new mills that would immediately enter the field if pulp could be obtained upon equal conditions.

NEW MILLS.

Paper mills require cheap and ample water power, cheap spruce timber, cheap routes to market, improved machinery, and concentration in manufacture. If Canadian timber and pulp were free from duty, American mills would be built at once at Sault Ste. Marie and Niagara Falls, where they could develop unlimited and inexhausted cheap water power and produce cheaper and more tons per day with $15,000,000 invested than the International Paper Company does with $58,000,000.

Water routes and railroads offer direct and cheap methods of distribution from the aforesaid points on the American soil.

The trust may argue that the removal of the tariff would injure wage earners. The 1900 census states that the four combinations in paper and pulp employ 11,582 wage earners, and the value of the product is $30,725,020.

The same census of 1900 states that the American publishers number 15,305, employ 94,604 wage earners, with wages of $50,333,051, and the value of the products is $222,983,569.

I have shown by the census that wages have been reduced 2 per cent under the trust régime, but for the sake of argument and time I grant the trust's labor contention and submit that the greatest good to the greatest number, as displayed by the enormous differences in favor of the publishers and their 75,000,000 customers who are deprived of larger and cheaper publications, demands the immediate removal of the duty on wood and wood pulp for the manufacture of printing paper, 85 per cent of which is directly and the other 15 per cent indirectly under the domination of the International Paper Company.

SENATOR JOHN SHERMAN'S FEARS

in a speech in the Senate on the protective tariff are now too true. He said:

> The great obstacle and menace that stands in the way of the success of this tariff bill, that which more than all else will determine the length of its life, is whether the manufacturers of this country are willing to maintain free and fair competition in their various productions, so that the people may have the benefit of that which they claim as their right—free and full competition in domestic markets of domestic products.
>
> The great danger of this tariff is that capitalists and labor alike will combine and confederate in order to cheat the people of that which they have a right to enjoy. This protective policy must not degenerate into monopoly—into trusts or combinations to raise the prices against the spirit of the common law. If the notion prevails that it is right and just for the people who engage in the same pursuit to pool their issues, and by various devices to cheat the people, then the protective-tariff system will disappear as rapidly as it sprung into existence.

No statesman to-day can better describe the condition of the paper trust and tariff.

FACTS, NOT THEORIES.

The trust's absolute monopoly of raw material and the destruction of competition are facts, not theories, and the publishers of this country must follow the prophecy of the illustrious statesman, John Sherman, in destroying the protective tariff on the paper trust's monopolized raw material.

TARIFF CHANGES.

Tariff changes proceed slowly, and the trust, with its millions, has power to delay reform. This trust has destroyed competition, created a monopoly of raw material; it ignores the press, legislature, and the law. Its policy is directed by great executive ability and legal ability with cash.

The courts decided that the trust mode of organization of monopolies was illegal. Then the great corporation method of the Diamond Match and the paper trust attempted to evade the spirit of the law, but the courts are refusing to enforce their contracts and are annulling their charters in Michigan and Illinois. The tariff is greater than the courts in the regulation and destruction of the paper trust.

The first campaign of the warfare with the trusts gave victory to the people, and now the publishers in their own interests can and should annihilate the paper trust with the "power of the press" that the trust feared before the Ways and Means Committee, where its first president denied even the consideration of combination to raise prices. The paper trust owed its birth to false representations before the committee, where its promoters lied to obtain a prohibitory tariff that guaranteed a monopoly of the paper market in the United States.

PUBLISHERS' TRUST.

If the American publishers will trust the "power of the press" and foreclose a few political mortgages on the political honors of a few trusted men at Washington, the tariff can be removed on pulp, competition restored, and print prices lowered 60 to 100 per cent to the American publishers.

CONGRESSIONAL PITFALLS.

The pitfalls of Congressional legislation are many, deep, and puzzling, but I shall propose a resolution for the Illinois Press Association that can not be evaded in Congress unless the penalty of "political ostracism" is paid by Senators and Congressmen who oppose the united interests of publishers. I know the power of the trust, but I know also the power of the press is greater in Congress if the newpapers stand half as united as the mills of the paper trust.

I have indulged in facts and not fancies and given authority for statements of the paper trusts finances, revealed its enormous and abnormal profits, increases in its property, and its unwarranted manipulation of prices.

Mr. LOUD. I now yield twenty minutes to the gentleman from New Jersey [Mr. SALMON].

Mr. SALMON. Mr. Chairman, I intend to support this bill with my vote, but before the vote is taken I am anxious to state the reasons why I shall support the bill. I believe that it is a good

measure for the benefit of the rural free delivery. I have been interested in the rural free delivery since my attention was first attracted to the benefits it would give to the people in the country.

When I entered Congress, two years ago, there was but one rural free-delivery route in my district. Since that time there have been established some 15 or 16, and I believe that every one of them is giving great satisfaction to the people along the routes. I believe that this system will be continued and extended until the entire country will be covered by its benefits.

Now, it has been argued here that there was more or less politics connected with this bill, or with this system. I care not whether there are politics in it or not, there can be no more partisanship exercised under this bill than there is at the present time. I know, and I am willing to yield all this to the fact that the Administration that is in power has the right to the large end of the loaf, and I can only ask that the Administration yield to me and to the minority party a portion of the appointments that are to be given out. But, so far as I am concerned in this matter, I have no complaint to make. I have been used fairly, I have been used well by all the Departments. In this rural free-delivery matter I have been consulted, and I have had my requests granted, so far as I could reasonably ask.

But I notice that those who are opposed to the bill, while they are arguing that it is not upon political grounds, are, with one exception, those who have had already established the greater number of rural free-delivery routes in their districts. Therefore it strikes me that in the minds of some who are opposed to this bill there is a feeling that the powers that they will exercise under it are not as great as under the present system.

My friend, the gentleman from Vermont [Mr. FOSTER], who styled himself a new member, in his speech the other day said before the end of the coming summer he would have 100 rural free-delivery routes established in his district. His speech was filled with commendation—and, I might say, filled with "taffy"—for the favored few who would be appointed as carriers in his district, as well as for the Department who made the appointments.

But unreasonably, as I thought at the time, and unjustly he criticised the chairman of the Committee on the Post-Office and Post-Roads for the course that he was taking; and he insinuated that the chairman of the committee was not in sympathy with the rural free-delivery system, but was proposing to revolutionize it to its detriment. I do not believe, Mr. Chairman, that the system proposed by this bill is intended to establish an inferior service. I believe that it will improve the service rather that deteriorate it.

We come then to the change that is made. The change is only as to the compensation the carriers are to receive for their service as such. In every other respect the contractor will be subject to the rules and regulations of the Department the same as the carrier who is appointed; and he must at all times observe those rules and regulations as though he were an appointee. His compensation, however, is regulated by a different system. He receives for his services what he deems them worth after careful and deliberate consideration. Under the appointive system his compensation is controlled by the Department. It fixes the amount that he is to receive. Under the competitive system he fixes the amount himself—he says what he will do this service for. Now, it is an absurdity to claim that any man will do this work without receiving just and fair compensation for it.

Mr. BROMWELL. Will the gentleman allow me a question?

Mr. SALMON. Certainly.

Mr. BROMWELL. These salaries will probably be fixed by the special agent who establishes the route. Now, there will ultimately be 50,000 routes. Is it then safe to vest in the hands of a mere clerk of the Post-Office Department the power to fix a salary at his discretion?

Mr. SALMON. I say that it is not a safe policy; and, furthermore, I say that it is an unreasonable way of fixing the salary. Suppose a man is sent from here to fix the salary of the carrier who is to transport the mail over a route of 25 miles. The inspector fixes the salary by merely going over the route once. He knows nothing of the changes in the seasons; he knows nothing of the variation in the condition of the roads as the seasons succeed each other. The man who is carrying the mail is the best judge of the requirements to which he is to be subjected.

The system of bidding which is proposed by this bill is very different from what it was in the old times, when, for instance, the construction of bridges was put up to be bid for. Under that system one man would bid against another, lower and lower, and a man might often take a contract at less than the price for which he could afford to do the work; but here the man sits down in his own house and consults with his own family and friends.

He knows the route that he is to go over; he knows the work that he is to perform; he can calculate how much time it will take him each day of the year to carry the mail on that route. And he says, "I can do it for so much money." He takes into consideration not only the time he will spend, but the conditions under which he is situated—the advantages which the contract will be to him.

He says, "I can use one horse a day in going my rounds with the mails, which will take me on the average five hours; and when I return I will put that horse in the stable and take my other and go out on my lot and plow corn or do anything else about the farm that will occupy the rest of the day." The next day he changes the work on which he puts the horses. And so he goes on through the year.

How would it be with a man appointed to do that service under the policy proposed by the opponents of this bill? We will suppose a man has been appointed. He is a Government employee; that is his business; that is his work; and when he has finished that work he expects to receive compensation for it sufficient to support him during his whole time. I say that the service would not be as well conducted under the appointive system as under the contract system.

The man appointed is not interested in saving his time as the other man is. He says to himself, "This is all I have to do for the day. When I have made my rounds, I can go home, and I have nothing more to do." All he wants is to get his wages—to get his good pay for his whole time. Yet he renders service for only half the time.

Not so with the man who takes this service under contract. He calculates that it is to occupy him half his time, and he provides for a proper and profitable use of the other half. He is interested in going over his route as rapidly as possible. He is interested in saving his time while making his round; not stopping to talk with the man who has leisure to sit on the fence and talk with him. He hastens through his work, and when it is done he goes home to attend to his other work; and I say that the man who has a job of work to do, who goes out and does it with his might, does it better than he who dallies along with it and takes more time than is necessary for its completion.

The service therefore that would be rendered by the man who contracts to do this work would be better service than the other. It has been suggested here by the opponents of the bill that there would be contracts taken for less than a man could afford to do the work. I submit that is not necessarily true; but if he did do it for one year for less than the work was worth, and for less than what he should receive, it would be corrected the next, and it would be adjusted in that particular, so that he would receive a just and fair compensation for the service that he rendered. Under the appointive system it would be otherwise.

The man who gets the appointment is the favored man, and his neighbors who are about him, knowing the service that he performs and knowing the amount that he received for that service, would be envious of him, would be dissatisfied, because they would say he can make more money out of the little work that he does than they can make by working from sun to sun. This would be regulated in a way that would be satisfactory to the people of the neighborhood. It has been suggested that a less reliable man would get the contract for doing this work than would be appointed.

That to my mind is not true either. He has to be taken from the neighborhood that is to be served by this route. He has to be one of that community. He has to be a resident there and known by all the people there in that community; and do you suppose that an irresponsible man, a man who is dishonest, a man who can not be trusted, or a man that will not do the work that he has to do in a manner that will be acceptable to the people, would be permitted to get a contract of that kind without objection?

And the discretion that is given to the Postmaster-General here is sufficient to reject all such thought as that. The claim that is made that the Postmaster-General has too great power and could use it for political purposes makes no impression upon my mind, either. I care not to which party he may belong. He must show a decent regard for the sentiment of the people that are to be served by this rural free-delivery service; he can not turn down a man and reject him merely upon the ground of his politics.

If he is a man that lives in that district and is a man of good moral character, can read and write, and has all the qualifications required by this bill, it would be an imputation upon the character of that man that his neighbors would never permit, whatever party they may belong to, and I therefore feel that we are safe, so far as that goes, in having the privilege used of rejecting an applicant upon that ground. For this and for many reasons I feel that this bill has been drawn the very best that it can be drawn.

I would not object, really; I would not object if it were left to the people of the district, but when we leave it to the lowest bidder who can fulfill all the other requirements of the bill, I believe that you are leaving it to the people of that district who are to be served. I think that the committee deserve great credit for formulating the bill so carefully and so concisely as this has been

framed, covering so well the ground that it covers, and I hope that the bill will pass, for I believe that the service will be greatly benefited by putting it upon the contract principle. [Applause.]

Mr. LOUD. Mr. Chairman, I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GILLETT of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation to employees thereof, and had come to no resolution thereon.

MARIE U. NORDSTROM.

By unanimous consent, the Committee on Invalid Pensions was discharged from further consideration of the bill (S. 3026) granting an increase of pension to Marie U. Nordstrom; and the same was referred to the Committee on Pensions.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BURK of Pennsylvania, for three days, on account of important business.

To Mr. SUTHERLAND, for Saturday, on account of important business.

To Mr. BLACKBURN (at the request of Mr. MOODY of North Carolina), indefinitely, on account of sickness.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 3830. An act for the relief of William C. Marr; and

H. R. 1198. An act granting a pension to Joshua H. Buckingham.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills of the following titles:

H. R. 10070. An act establishing United States court at Catlettsburg in the eastern district of Kentucky;

H. R. 11611. An act to divide the State of Texas into four judicial districts;

H. R. 7035. An act for the relief of Charles Hurrle;

H. R. 1796. An act granting an increase of pension to Hiram Cronk;

H. R. 5863. An act granting an increase of pension to Benjamin Brittingham;

H. R. 8581. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1903, and for other purposes;

H. R. 1939. An act granting an increase of pension to Penrose W. Reagan;

H. R. 5801. An act to authorize the St. Clair Terminal Railroad Company to construct and maintain a bridge across the Monongahela River;

H. R. 8180. An act granting an increase of pension to William S. Derby;

H. R. 5106. An act for the relief of Rasmussen & Strehlow;

H. R. 61. An act to authorize the establishment of a life-saving station at or near Bouge Inlet, North Carolina;

H. R. 7933. An act providing for the commutation for townsite purposes of homestead entries in certain portions of Oklahoma; and

H. R. 5833. An act temporarily to provide revenue for the Philippine Islands, and for other purposes.

HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2 of Rule XXIV, House bill 8587, for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes—to the Committee on War Claims.

PERSONAL REQUEST.

Mr. LOUD. Mr. Speaker, I yield to the gentleman from Georgia [Mr. GRIGGS] to make a personal request.

Mr. GRIGGS. Mr. Speaker, it was agreed by the supporters of the bill before the House that I should make the closing argument for the bill. That will happen to-morrow under the rule that has already been adopted by the House. I have been put on the committee to attend the funeral of my friend who died a day or two ago [Mr. POLK] and whose funeral occurs to-morrow. I desire simply to ask the consent of the House, with the understanding that it will not delay the vote on the bill that will be taken on Monday, that I be given one hour at the meeting of the House on Monday to conclude this debate.

The SPEAKER. The gentleman from Georgia asks the unanimous consent of the House, because of the facts stated, that he be allotted one hour on Monday to close the debate in favor of the pending bill. Is there objection?

Mr. SWANSON. Mr. Chairman, I think the majority of the committee were willing to conclude the debate to-day and take a vote to-morrow. The gentleman has had ample opportunity to speak to-day. The gentlemen who are with me in managing this fight are not here. It was understood there was to be nothing but debate to-day and to-morrow, and therefore in their absence I must object.

The SPEAKER. Objection is made.

Mr. LOUD. I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, recommending a light-house at Hunts Point, New York—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for printing and binding in the War Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for the erection of quarters at the Naval Training School at Newport—to the Commitee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for a new hospital at Fort Totten, N. Y.—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. JOY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 3261) authorizing the Eldorado and Bastrop Railway Company to construct and maintain a bridge across the Ouachita River, in the State of Arkansas, reported the same without amendment, accompanied by a report (No. 781); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 143) to authorize the construction by the Wadley and Mount Vernon Railroad Company of a bridge across the Oconee River, in the State of Georgia, reported the same without amendment, accompanied by a report (No. 782); which said bill and report were referred to the House Calendar.

Mr. DAVEY of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 4573) for the construction of a steam revenue cutter adapted to service in the waters of Albermarle and Pamlico sounds, North Carolina, reported the same with amendment, accompanied by a report (No. 787); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JENKINS, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 7458) to re-form the western judical district of the State of Arkansas, reported the same with amendments, accompanied by a report (No. 788); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLEFIELD, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 3267) to change the boundaries between the southern and central judicial districts of the Indian Territory, reported the same with amendment, accompanied by a report (No. 789); which said bill and report were referred to the House Calendar.

Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 11099) to amend section 1189 of chapter 35 of "An act to establish a code of law for the District of Columbia," approved March 3, 1901, reported the same without amendment, accompanied by a report (No. 790);

which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 5885) granting an increase of pension to John W. Waldrop—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12104) for the relief of Mary Keith and Benny Keith—Committee on the Public Lands discharged, and referred to the Committee on Indian Affairs.

A bill (H. R. 9276) for the relief of Miles T. Oiler—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. IRWIN: A bill (H. R. 12264) granting pensions to militiamen and nonenlisted men who performed services in behalf of the United States in the war of the rebellion—to the Committee on Invalid Pensions.

By Mr. BABCOCK: A bill (H. R. 12265) to amend section 934 of an act entitled "An act to establish a code of law for the District of Columbia"—to the Committee on the District of Columbia.

Also, a bill (H. R. 12266) to amend section 553 of an act entitled "An act to establish a code of law for the District of Columbia"—to the Committtee on the District of Columbia.

By Mr. GREENE of Massachusetts: A bill (H. R. 12267) authorizing the Light-House Board to contract for the construction of a tender for light-house service in Porto Rican waters—to the Committee on Interstate and Foreign Commerce.

By Mr. MOON: A bill (H. R. 12268) to create the Territory of Jefferson and to provide a temporary government for the same, and for other purposes—to the Committee on the Territories.

By Mr. EMERSON: A bill (H. R. 12269) to commemorate the battle of Plattsburg and to provide a monument in honor of American sailors and soldiers killed in defense of Plattsburg—to the Committee on Military Affairs.

By Mr. VREELAND: A bill (H. R. 12270) to provide for the allotment of lands in severalty to the Indians in the State of New York and extend the protection of the laws of the United States and of the State of New York over such Indians, and for other purposes—to the Committee on Indian Affairs.

By Mr. BROUSSARD: A bill (H. R. 12271) to abolish the district of Teche, in the State of Louisiana, and to attach to and make part of the district of New Orleans the territory now comprising said district as described in the act of February 25, 1873, entitled "An act to define the limits of the collection district of the Teche, in the State of Louisiana, and for other purposes"—to the Committee on Ways and Means.

By Mr. HITT: A joint resolution (H. J. Res. 162) authorizing and requesting the President to extend to the Government and people of France and the family of General de Rochambeau an invitation to join the Government and people of the United States in the dedication of the monument of General de Rochambeau to be unveiled in the city of Washington—to the Committee on Appropriations.

By Mr. MAHON: A resolution (H. Res. 158) that the Committee on War Claims shall have the day immediately following the disposition of the Post-Office appropriation bill in lieu of this day, which under the rules belongs to Committee on War Claims—to the Committee on Rules.

By the SPEAKER (by request): Memorial to the Congress of the United States, praying for the granting of a bounty on coffee—to the Committee on Ways and Means.

By Mr. WACHTER: Memorial of the general assembly of Maryland, requesting the Senators and Representatives of the United States to use their utmost endeavors to secure by an early date the passage of a joint resolution or act extending the thanks of Congress to Rear-Admiral Winfield Scott Schley, by name, for gallant and distinguished services rendered in the destruction of the Spanish fleet near Santiago on the 3d day of July, in the year 1898—to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. ALEXANDER: A bill (H. R. 12272) for the relief of the estate of Jeremiah Simonson, deceased—to the Committee on Claims.

By Mr. BOWIE: A bill (H. R. 12273) for the relief of W. J. Warren—to the Committee on War Claims.

By Mr. BRICK: A bill (H. R. 12274) granting an increase of pension to Daniel Morrissey—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 12275) granting a pension to Amelia A. Russell—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 12276) granting a pension to James R. Moore—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 12277) granting an honorable discharge to Lyman J. Glazier—to the Committee on Military Affairs.

Also, a bill (H. R. 12278) granting a pension to George W. Speer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12279) granting a pension to Nancy M. Richmond—to the Committee on Pensions.

Also, a bill (H. R. 12280) granting an increase of pension to John G. McMillan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12281) granting an increase of pension to Jeheil J. Oliver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12282) granting an increase of pension to James Sleeth—to the Committee on Invalid Pensions.

By Mr. HANBURY: A bill (H. R. 12283) to remove the charge of desertion from the military record of Christian Besserer—to the Committee on Military Affairs.

By Mr. HASKINS: A bill (H. R. 12284) granting an increase of pension to George W. Shaw—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 12285) granting an increase of pension to Jeff. K. Scott—to the Committee on Invalid Pensions.

By Mr. HUGHES: A bill (H. R. 12286) for the relief of William H. Jones—to the Committee on War Claims.

By Mr. IRWIN: A bill (H. R. 12287) for the relief of Benjamin F. Alford—to the Committee on Claims.

Also, a bill (H. R. 12288) for the relief of William Hulings Henry—to the Committee on Claims.

By Mr. JACKSON of Kansas: A bill (H. R. 12289) for the relief of the heirs of the late Alexander Kirk—to the Committee on Claims.

By Mr. KEHOE: A bill (H. R. 12290) granting a pension to Lewis Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12291) for the relief of Andrew J. Gelkirson—to the Committee on Military Affairs.

By Mr. MAYNARD: A bill (H. R. 12292) for the relief of the heirs of Thomas G. Wright—to the Committee on War Claims.

By Mr. McLACHLAN: A bill (H. R. 12293) for the appointment of Randolph H. Miner as a lieutenant-commander in the Navy—to the Committee on Naval Affairs.

By Mr. NEEDHAM: A bill (H. R. 12294) for the relief of the Southern California Railway Company—to the Committee on Ways and Means.

By Mr. OTJEN: A bill (H. R. 12295) to correct the naval record of Michael Philbin—to the Committee on Naval Affairs.

By Mr. SELBY: A bill (H. R. 12296) to remove the charge of desertion from the record of Francis I. Bizaillion—to the Committee on Military Affairs.

By Mr. SHAFROTH: A bill (H. R. 12297) for the relief of James Inman—to the Committee on War Claims.

Also, a bill (H. R. 12298) granting an increase of pension to John Weaver—to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 12299) granting a pension to William C. Roberts—to the Committee on Invalid Pensions.

By Mr. TAWNEY: A bill (H. R. 12300) granting an increase of pension to Henry Westerhouse—to the Committee on Invalid Pensions.

By Mr. WACHTER: A bill (H. R. 12301) granting an increase of pension to Morris B. Slawson—to the Committee on Invalid Pensions.

By Mr. YOUNG: A bill (H. R. 12302) granting a pension to May Saby—to the Committee on Pensions.

By Mr. RHEA of Virginia: A bill (H. R. 12303) for the relief of Masonic Lodge No. 47, Ancient Free and Accepted Masons, of Jonesville, Va.—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 12304) to correct the military record of William C. Keys—to the Committee on Military Affairs.

By Mr. DAHLE: A bill (H. R. 12305) granting an increase of pension to Charles Olson—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Report No. 2168, House of Representatives, Fifty-sixth Congress, second session, in regard to claim of legal representative of Jeremiah Simonson—to the Committee on Claims.

By Mr. BABCOCK: Resolution of Order of Railway Conductors No. 68, Baraboo, Wis., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. BARTHOLDT: Petition of 668 business firms of St. Louis, Mo., praying for the enactment of House bill 14187 (Fifty-sixth Congress), known as the Ray bill, to amend the existing bankruptcy law—to the Committee on the Judiciary.

By Mr. BELL: Resolutions of McAllister Union No. 21, of Pueblo, Colo.; of Typographical Union No. 82, of Colorado Springs, and of Denver Division, No. 44, Order of Railway Conductors, favoring exclusion of Chinese—to the Committee on Foreign Affairs.

Also, petition of citizens of Pueblo, Colo., for constitutional amendment against polygamy—to the Committee on the Judiciary.

Also, resolution of Brotherhood of Railroad Trainmen, Lodge No. 39, in favor of restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BENTON: Resolution of Two Rivers Division, No. 151, Order of Railway Conductors, Monett, Mo., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Two Rivers Division, No. 151, Order of Railway Conductors, Monett, Mo., for the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BOWERSOCK: Resolutions of Silver City Lodge, No. 42, Switchmen's Union, of Argentine, Kans., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of National Association of Retail Grocers, St. Louis, Mo., favoring pure-food legislation—to the Committee on Interstate and Foreign Commerce.

By Mr. BRICK: Resolution of Bricklayers' Union No. 2, of Elkhart, Ind., and International Association of Machinists No. 331, Mishawaka, Ind., urging the exclusion of Chinese laborers from this country—to the Committee on Foreign Affairs.

By Mr. BROMWELL: Petition of citizens of Cincinnati, Ohio, concerning polygamy—to the Committee on the Judiciary.

Also, resolution of Millhands' Union No. 329, Cincinnati, Ohio, concerning immigration—to the Committee on Immigration and Naturalization.

By Mr. COOPER of Wisconsin: Petition of Rutherford B. Hayes Post, No. 76, Grand Army of the Republic, Department of Wisconsin, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolutions of Carpenters' Union No. 161, of Kenosha, Wis., advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolution of National Shoe Wholesalers' Association, asking that hides be placed on the free list—to the Committee on Ways and Means.

Also, resolution of Cigarmakers' Union No. 290, of Janesville; Cigarmakers' Union No. 168, of Oshkosh; Bricklayers' Union No. 7, of Janesville, and Lake Seamen's Union of Milwaukee, Wis., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. CURRIER: Resolution of T. M. Huse Post, No. 92, Department of New Hampshire, Grand Army of the Republic, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, petitions of the Woman's Christian Temperance Unions of Ashland, Epsom, Keene, Hinsdale, West Stewartstown, Whitefield, Newfields, North Hampton, East Andover, Milford, Berlin, and Haverhill, N. H., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

By Mr. DALZELL: Petition of United Brotherhood of Railroad Employees of Pittsburg, Pa., asking for the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. DRAPER: Resolution of the Commercial Club of Omaha, Nebr., in relation to the reclamation and settlement of the arid public domain—to the Committee on Irrigation of Arid Lands.

Also, petition of the American Chamber of Commerce of Manila, for the enactment of laws in relation to cooly labor in the Philippines—to the Committee on Insular Affairs.

By Mr. ESCH: Resolutions of the National Shoe Wholesalers' Association of the United States, urging the repeal of the duty on hides—to the Committee on Ways and Means.

Also, resolution of the Commercial Club of Omaha, Nebr., in relation to the reclamation and irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. GILL: Resolutions of the Brotherhood of Painters, Decorators, and Paper Hangers' Union No. 438, of Steubenville, Ohio; of Amalgamated Sheet-metal Workers' Union No. 148, of Bellaire, Ohio; of Amalgamated Association No. 42, of Mingo Junction, Ohio, and of American Association of Iron, Steel, and Tin Workers' Lodge No. 46, of Martins Ferry, Ohio, favoring the passage of a Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Iron Molders' Union No. 379, and of Typographical Union No. 238, of Steubenville, Ohio, favoring the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Painters and Decorators' Union No. 68, of Bellaire; of James P. Mann Post, No. 267, Grand Army of the Republic of Lewisville, and of the Retail Clerks' Union No. 412, of Steubenville, Ohio, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. GRAHAM: Petitions of the Woman's Christian Temperance Union of Allegheny County, Pa.; Wesley Chapel Mission, of Braddock, Pa., and Interdenominational Council of Women, of New York City, in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

Also, petition of Rev. D. B. Wilson and others, of Allegheny, Pa., for the passage of a bill to prohibit prostitution in the Philippines—to the Committee on Insular Affairs.

Also, petition of William W. McKee and other citizens of Hampton Township, Allegheny County, Pa., in favor of the Stevenson pension bill—to the Committee on Invalid Pensions.

Also, resolutions of United Mine Workers' Union No. 1234, of Tarentum, Pa., and Bricklayers' Union No. 4, of Allegheny, Pa., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. HALL (by request): Petition of Captain John O. Campble Post, No. 272, Grand Army of the Republic, of Pine Grove Mills, Pa., for an investigation of the administration of the Commissioner of Pensions—to the Committee on Rules.

By Mr. HEMENWAY: Petition of German-American Typographical Union No. 15, of Evansville, Ind., in favor of the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. HILL: Resolution of New Fairfield Grange, No. 155, of New Fairfield, Conn., concerning irrigation—to the Committee on Irrigation of Arid Lands.

Also, resolution of Barbers' Union No. 175, of Danbury, Conn., concerning immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Bakers and Confectioners' Union No. 188, of Torrington, Conn., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. HITT: Memorial of Reformed Presbyterian Church of Wahoo, Nebr., for the amendment or radical modification of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of the American Chamber of Commerce, of Manila, P. I., for the admission of Chinese cooly labor to the Philippine Islands, subject to restriction by the Commission—to the Committee on Foreign Affairs.

By Mr. HOLLIDAY: Resolutions of Union No. 24, of Cayuga, Ind., and Mine Workers' Union No. 1544 and Blacksmiths' Union No. 1920, of Brazil, Ind., favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. JACK: Petition of Major A. J. Bolar Post, No. 533, Homer City, Pa., favoring the passage of House bill 3067, amending the pension law—to the Committee on Invalid Pensions.

Also, petition of Paving Cutters' Union No. 7, of Gray Station, Pa., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

Also, resolution of Finley Patch Post, No. 137, Blairsville, Pa., Grand Army of the Republic, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. JONES of Washington: Petition of Pacific Coast Lumber Manufacturers' Association, for the passage of amendments to strengthen interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Carpenters' Union No. 956, of Olympia, Wash., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. KNOX: Resolution of Needham Post, Grand Army of the Republic, of Lawrence, Mass., favoring the building of war ships in the navy-yards—to the Committee on Naval Affairs.

By Mr. LACEY: Petition of Mine Workers' Union of Hiteman, Iowa, against foreign immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Machinists' Union of Ottumwa, Iowa, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Order of Railway Conductors of Oskaloosa, Iowa, favoring the passage of the anti-injunction bill—to the Committee on the Judiciary.

By Mr. LANHAM: Resolution of Sunset Division, No. 197, San Antonio, Tex., Brotherhood of Locomotive Engineers, favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Journeymen Tailors' Union No. 99, Fort Worth, Tex., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Journeymen Tailors' Union No. 99, Fort Worth, Tex., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. LAWRENCE: Petition of the Building Trades Council of North Adams, Mass., favoring irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolution of Central Labor Union of North Adams, Mass., asking for the enactment of certain land legislation—to the Committee on the Public Lands.

Also, resolution of the Grand Army of the Republic, Department of Massachusetts, for the establishment of a national park at Petersburg, Va.—to the Committee on Military Affairs.

Also, petition of Stone Masons' Union and Boot and Shoe Workers' Union of Holyoke, Mass., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Central Labor Union of North Adams, Mass., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. LIVINGSTON: Resolution of Division No. 180, Order of Railway Conductors, Atlanta, Ga., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. MAYNARD: Paper to accompany House bill relating to the claims of M. D. Wright, Norfolk, Va.—to the Committee on War Claims.

By Mr. McDERMOTT: Petition of Union Hill Typographical Union, No. 110, West Hoboken, N. Y., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MERCER: Resolution of Commercial Club of Omaha, Nebr., with reference to reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Coopers' Union No. 21, Bakers' Union No. 215, and Boot and Shoe Workers' Union No. 292, of Omaha; Casing Workers' Union No. 44, Coopers' Union No. 10, and Trades and Labor Council, of South Omaha, Nebr., favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Carpenters' Union No. 279, of South Omaha; Bakers' Union No. 215, and Coopers' Union No. 221, of Omaha, Nebr., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Casing Workers' Union No. 44, and Stationary Firemen's Union No. 10, of South Omaha, Nebr., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. MUTCHLER: Resolution of St. Joseph's Society, No. 293, of Lansford, Pa., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. NAPHEN: Resolution of board of aldermen of Boston, Mass., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. NEVILLE: Resolution of the Thomas County (Nebr.) Stock Growers and Breeders' Association, opposing the leasing of public lands—to the Committee on the Public Lands.

Also, petition of United Presbyterian Church, of Ewing, Nebr., relative to the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of citizens of Dorsey, Nebr., in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

Also, resolution of Boiler Makers' Union No. 118, North Platte, Nebr., advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. OTJEN: Resolution of Coopers' Union No. 14, Lake Seamen's Union, and Machinists' Union No. 66, of Milwaukee, Wis., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. PATTERSON of Tennessee: Resolution of Carpenters' Union No. 219, Memphis, Tenn., advocating the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. PUGSLEY: Resolutions of Illinois Manufacturers' Association, favoring reciprocal trade with Cuba—to the Committee on Ways and Means.

Also, resolution of National Shoe Wholesalers' Association of the United States, for the repeal of the 15 per cent duty on hides—to the Committee on Ways and Means.

Also, resolution of Western New York Horticultural Society, protesting against the irrigation of the arid lands at public expense—to the Committee on Irrigation of Arid Lands.

Also, resolutions of the National Live Stock Exchange, against the revenue tax on sales of live stock made at market centers—to the Committee on Ways and Means.

Also, resolutions of the Yonkers Hat Finishers' Association, Union No. 22, for construction of ships in United States navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Bricklayers and Plasterers' Union No. 22, of Yonkers, N. Y., urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Carpenters' Union No. 43, of Mamaroneck, N. Y.; Bricklayers and Plasterers' Union No. 22, of Yonkers, N. Y.; Woman's Century Club, of Seattle, Wash., and Local Union No. 255, Journeymen Steam Fitters, of Tarrytown, N. Y., for passage of law preventing immigration into the United States of illiterate persons—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Indiana: Petition of A. L. Johns & Co., Fort Wayne, Ind., in favor of placing hides on the free list—to the Committee on Ways and Means.

Also, resolution of Barbers' Union No. 14, of Fort Wayne, Ind., for restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

By Mr. SELBY: Resolution of National Shoe Wholesalers' Association, urging the removal of the duty on hides—to the Committee on Ways and Means.

By Mr. SHACKLEFORD: Resolution of Typographical Union No. 119, of Jefferson City, Mo., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 119, of Jefferson City, Mo., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Typographical Union No. 119, of Jefferson City, Mo., asking for a further restoration of the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. SHERMAN: Resolution of Bricklayers, Masons, and Plasterers' Union of Utica, N. Y., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SMITH of Kentucky: Papers to accompany House bill 1644, granting a pension to L. P. Bryant—to the Committee on Invalid Pensions.

By Mr. STEELE: Resolution of Division No. 20, and Division No. 221, Brotherhood of Locomotive Engineers, of Logansport, Ind., in favor of an educational test for immigrants—to the Committee on Immigration and Naturalization.

By Mr. STEVENS of Minnesota: Resolutions of German-American Typographical Union No. 13, Granite Cutters' Union, Order of Railroad Conductors, all of St. Paul, and Bricklayers' Union of Minneapolis, Minn., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of the Minnesota State Forestry Association, favoring a national park reservation in Minnesota—to the Committee on the Public Lands.

Also, petition of Bricklayers and Masons' International Union No. 1, of St. Paul, Minn., in relation to the employment of union bricklayers and masons in the erection of the naval dry dock at New Orleans, La.—to the Committee on Naval Affairs.

By Mr. SULLOWAY: Petitions of Woman's Christian Temperance Unions of Marlboro, Meriden, and West Stewartstown, N. H., for the passage of the antipolygamy amendment bill—to the Committee on the Judiciary.

By Mr. SULZER: Petition of the American Chamber of Commerce of Manila, for the enactment of laws allowing cooly labor to enter the Philippine Islands under such restrictions and laws as the Philippine Commission may enact—to the Committee on Insular Affairs.

Also, resolution of the National Shoe Wholesalers' Association of the United States, urging reduction of the duty on hides—to the Committee on Ways and Means.

Also, petition of American Association of Masters and Pilots, Harlem, N. Y., protesting against the passage of House bill 10158—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of Division No. 105, Locomotive Engineers, New York City, favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. TAWNEY: Papers to accompany House bill 12300, granting a pension to Henry Westerhouse—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Alabama: Resolution of Mobile Division, No. 310, Order of Railway Conductors, Mobile, Ala., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. THAYER: Resolution of board of aldermen of Boston,

Mass., favoring the construction of naval vessels at the Government navy-yards—to the Committee on Naval Affairs.

By Mr. THOMAS of Iowa: Resolutions of Order of Railway Conductors, Eagle Grove Division, and Brotherhood of Locomotive Engineers, of Stuart, Iowa, urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, petition of Sioux City Lodge, Brotherhood of Railway Trainmen, favoring passage of more restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. TIRRELL: Resolution of board of aldermen of the city of Boston, Mass., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, petition of the Ministerial Union of Boston, Mass., against military expositions—to the Committee on Military Affairs.

By Mr. WACHTER: Papers to accompany House bill granting a pension to Morris B. Slawson—to the Committee on Invalid Pensions.

By Mr. WARNER: Resolution of William T. Sherman Post, No. 146, Bloomington, Ill., Grand Army of the Republic, favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. WOODS: Petition of the Chamber of Commerce of San Francisco, Cal., urging the passage of House bill 10375, for the survey and construction of a free public wagon road into the Hetch-Hetchy Valley and thence into the Yosemite Valley—to the Committee on the Public Lands.

Also, resolution of the Chamber of Commerce of San Francisco, Cal., for the construction by the Government of a Pacific cable—to the Committee on Interstate and Foreign Commerce.

HOUSE OF REPRESENTATIVES.

SATURDAY, *March 8, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

THE RECORD.

The Journal of yesterday's proceedings was read.

The SPEAKER. Without objection, the Journal will stand as approved.

Mr. GAINES of Tennessee. Mr. Speaker, I desire to correct the RECORD.

The SPEAKER. Is it the RECORD or the Journal?

Mr. GAINES of Tennessee. The RECORD.

The SPEAKER. Then that will come after the approval of the Journal. Without objection, the Journal will stand as approved. The Chair hears none.

Mr. GAINES of Tennessee. Mr. Speaker, I desire to correct the RECORD on page 2509 of yesterday's proceedings. After I had concluded my remarks and was in the act of resuming my seat, I was interrupted by the gentleman from Indiana [Mr. ROBINSON], and the following colloquy occurred:

Mr. ROBINSON of Indiana. How many carriers has the gentleman in his district?

Mr. GAINES of Tennessee. I think there are 19. How many has the gentleman in his?

There, Mr. Speaker, the RECORD stops as printed this morning; but the gentleman from Indiana continued and answered the question thus:

Mr. ROBINSON of Indiana. None.

Now, that part is taken entirely out of the RECORD, and when the RECORD came to me last night by the carrier for the Public Printer I found the following changes were made in the colloquy:

How many carriers has the gentleman recommended in his district?

The word "recommended" being inserted in the question put to me puts an entirely different question to me, and if it had been asked I would have given an entirely different answer, because I have not recommended all the carriers that have been appointed in my district. Now, then, the final answer of the gentleman from Indiana, in which the word "none" appears in the stenographic report brought to me last night was stricken out entirely and in its stead the following language was inserted:

I have something like 50 routes, but no carriers to my credit.

Now, Mr. Speaker, I saw that those changes had been made, and the carrier said to me that Mr. ROBINSON desired to call the changes to my attention. I looked over it and saw how entirely the changes had varied the question, and that it put me in a different attitude from that in which I was really put by the question first put and answered by me, and I sent the gentleman this message, which I thought as kindly a one as I possibly could send, that as it was a colloquy between himself and myself, have it eliminated entirely from the RECORD or inserted entirely; but instead of that only a part appears, and that is as I have just read, to wit:

Mr. ROBINSON of Indiana. How many carriers has the gentleman in his district?

Mr. GAINES of Tennessee. I think there are 19. How many has the gentleman in his?

Now, the RECORD should stand as corrected:

Mr. ROBINSON of Indiana. None.

So that, Mr. Speaker, if there is to be construed an imputation upon the character of the gentleman from Tennessee [Mr. GAINES] that he is opposed to the present Loud bill in this House because he has a few carriers scattered over his illustrious district, carrying the mails to the honest farmers of his district, then a like imputation rests upon the gentleman from Indiana [Mr. ROBINSON], and in all justice, Mr. Speaker, I ask that the RECORD speak as I spoke; that the RECORD speak as he spoke; nothing more and nothing less.

Mr. ROBINSON of Indiana. Mr. Speaker, a parliamentary inquiry. Does this require unanimous consent?

The SPEAKER. It does not. The correction of the RECORD is privileged, but if the gentlemen do not agree in respect to it, a resolution of the House will have to be submitted.

Mr. ROBINSON of Indiana. In view of the fact that the statement made does not correctly give the proceedings of yesterday, in which I am fortified by the statements of the stenographer who took the debate, that it does not either state the facts that occurred here, or the facts about which we were speaking in so far as I am concerned, then I shall object to the correction of the RECORD to read in that manner.

Mr. GAINES of Tennessee. Mr. Speaker, I had the stenographic report last night myself in my own hands and have quoted a copy of it in my remarks.

The SPEAKER. The gentleman from Tennessee must realize the fact that this is not a matter within the control of the presiding officer, and there is nothing before the House now unless he offers a resolution or makes a motion.

Mr. GAINES of Tennessee. I make the motion that the RECORD stand as stenographically reported by the Reporter of this House, and that would put the word "none" in the RECORD as the answer of the gentleman from Indiana identically in the reply he made to me.

The SPEAKER. The Chair thinks the gentleman had better reduce his motion to writing, so that there will be no controversy. If the gentleman is not ready he can draw it, and the Chair will permit some unanimous consents to come in.

Mr. GAINES of Tennessee. I will do that, Mr. Speaker.

BRIDGE ACROSS MISSOURI RIVER AT SOUTH OMAHA, NEBR.

Mr. MERCER. Mr. Speaker, I ask unanimous consent for the consideration of the bill (H. R. 4607) to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr.

The bill was read at length.

The amendments recommended by the committee were read at length.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, one of its reading clerks, announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 2533. An act to remove the charge of desertion against Frederick Schulte or Schuldt.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the amendment of the Senate to the amendment of the House of Representatives to concurrent resolution (S. Con. Res. No. 12) to print 3,500 copies of the proceedings of the Schley Court of Inquiry, etc.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 11471. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2533. An act to remove the charge of desertion against Frederick Schulte, or Schuldt—to the Committee on Military Affairs.

S. 2731. An act for the relief of Salvador Costa—to the Committee on War Claims.

S. 2082. An act granting an increase of pension to Louise Ward—to the Committee on Invalid Pensions.

S. 2479. An act to facilitate the procurement of statistics of trade between the United States and its noncontiguous territory—to the Committee on Ways and Means.

S. 3651. An act appropriating the sum of $3,000 a year for the support and maintenance of the permanent international commission of the congresses of navigation, and for other purposes—to the Committee on Interstate and Foreign Commerce.

WESTERN JUDICIAL DISTRICT OF ARKANSAS.

Mr. DINSMORE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 7458.

The bill was read, as follows:

A bill (H. R. 7458) to re-form the western judicial district of the State of Arkansas.

Be it enacted, etc., That the act of February 20, 1897, entitled "An act to reorganize the judicial districts of Arkansas, and for other purposes," be, and is hereby, so amended as to add to the western judicial district of the State of Arkansas as now formed the counties of Baxter, Marion, and Searcy, now a part of the eastern judicial district of said State.

SEC. 2. That in the said western district there is hereby formed a third division, which shall be known as the Harrison division.

SEC. 3. That all process, civil and criminal, hereafter issued against any person or persons residing in either of the counties of Baxter, Boone, Carroll, Madison, Marion, Newton, or Searcy, which counties shall constitute the Harrison division, shall be made returnable to the courts for the Harrison division, to be held at the city of Harrison.

All process, civil and criminal, now pending in the courts, respectively, at Fort Smith or at Batesville, against persons residing in any of the counties hereby incorporated in the Harrison division, shall be disposed of and determined in those courts, respectively.

SEC. 4. That the terms of the United States circuit and district courts for the Harrison division of the western judicial district of the State of Arkansas shall be held at Harrison, in the county of Boone, on the first Mondays in March and August.

SEC. 5. That there shall be appointed, in the manner required by law, a clerk, who shall keep his office at the city of Harrison.

SEC. 6. That all acts and parts of acts in conflict with this act be, and the same are hereby, repealed; and this act shall take effect and be in force from and after its passage.

The amendments recommended by the committee were read, as follows:

Amend lines 12 and 13 by striking out the word "first" in line 12 and inserting "second," and strike out "March" and insert "April."

In line 13 strike out "August" and insert "October."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendments.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. DINSMORE, a motion to reconsider the vote by which the bill was passed was laid on the table.

COMMITTEE ON BANKING AND CURRENCY.

Mr. FOWLER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Committee on Banking and Currency be authorized to have printed and bound such matter for the use of said committee as it may deem necessary in connection with subjects considered or to be considered by said committee.

The SPEAKER. Is there objection?

Mr. UNDERWOOD. I would ask the gentleman from New Jersey if that resolution is in the usual form and limits the amount of printing to $500?

Mr. FOWLER. I did not hear the gentleman's question.

Mr. UNDERWOOD. Does the resolution offered by the gentleman limit the expenditure for printing to $500, the limitation applied by the rules?

Mr. FOWLER. There is no limitation here, but I do not apprehend that it will be any considerable portion of $500. It is the ordinary printing for the committee's own purposes.

Mr. UNDERWOOD. That is what I wanted to know.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the resolution was agreed to.

SPANISH CLAIMS COMMISSION.

Mr. RAY of New York. Mr. Speaker, I present a conference report. I ask unanimous consent to omit the reading of the report itself and read the statement.

The SPEAKER. The gentleman from New York presents a conference report and asks unanimous consent to dispense with the reading of the report and that the statement be read. Without objection, that course will be pursued.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8586) amending the act of March 2, 1901, entitled "An act to carry into effect the stipulations of article 7 of the treaty between the United States and Spain, concluded on the 10th day of December, 1898," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

The Senate recedes from its amendment to the House bill, and agrees to the same with an amendment as follows: Strike out all after the enacting clause and insert the following:

"That section 4 of the act entitled 'An act to carry into effect the stipulations of article 7 of the treaty between the United States and Spain, concluded on the 10th day of December, 1898,' approved March 2, 1901, is hereby amended by adding thereto the following provisions:

"'Such rules and mode of procedure shall conform, so far as practicable, to the mode of procedure and practice of the circuit courts of the United States. The said Commission created by this act is vested with the same powers now possessed by the circuit and district courts of the United States to compel the attendance and testimony of parties, claimants and witnesses, to preserve order, and to punish for contempt, and to compel the production of any books or papers deemed material to the consideration of any claim or matter pending before said Commission.

"'That the said Commission is also vested with all the powers now possessed by the circuit and district courts of the United States to take or procure testimony in foreign countries. Such testimony may be taken, pursuant to the provisions of existing laws and the rules and practice of the district and circuit courts of the United States, so far as applicable, before the Commission or any commissioner or commissioners appointed under the provisions of this act.

"'That the marshal of the United States for the District of Columbia or his deputies shall serve all processes issued by said Commission, preserve order in the place of sitting, and execute the orders of said Commission; and outside of the District of Columbia the writs of said Commission shall be executed by United States marshals or their deputies in their respective districts.

"'That said Commission or any commissioner appointed by it to take testimony in foreign countries is hereby authorized to appoint an officer to serve any subpœna or process issued by said Commission or commissioner.

"'When testimony is to be taken before any commissioner appointed by said Commission within any district or Territory, the clerk of any court of the United States for such district or Territory shall, on application of either party or of his agent, issue a subpœna for such witness, commanding him to appear and testify before the commissioner at a time and place stated in the subpœna; and if any witness, after being duly served with such subpœna, refuses or neglects to appear, or after appearing refuses to testify, not being privileged from giving testimony, and such refusal or neglect is proven to the satisfaction of any judge of the court whose clerk issues the subpœna, such judge may proceed to enforce obedience to the process or punish the disobedience, as any court of the United States may proceed in case of disobedience to process of subpœna to testify issued by such court; and the production before such commissioner of any paper or writing, written instrument, book, or other document may also be required in the manner prescribed in section 869 of the Revised Statutes of the United States.'"

The House recedes from its nonconcurrence with the Senate amendments and agrees to the same with amendments as above set forth and stated.

GEO. W. RAY,
JOHN J. JENKINS,
S. W. T. LANHAM,
Managers on the part of the House.

S. M. CULLOM,
H. C. LODGE,
JNO. T. MORGAN,
Managers on the part of the Senate.

The statement was read, as follows:

Statement to accompany conference report on the disagreeing vote of the two Houses on the bill H. R. 8586, "An act amending the act of March 2, 1901, entitled 'An act to carry into effect the stipulations of article 7 of the treaty between the United States and Spain concluded on the 10th day of December, 1898.'"

The amendment of the Senate struck out all of the House bill after the enacting clause and inserted new provisions, and also amended the title in such a manner as to make an entirely new and independent act.

The amendments agreed upon restore the title of the bill, so as to make the action of the two Houses, if agreed to by the respective bodies, an amendment to the original act creating the Spanish Treaty Claims Commission, and accomplishes the purposes sought to be established by both Houses, viz:

1. The amendment as agreed upon makes the rules and mode of procedure authorized by the original act conform, so far as practicable, to the mode of procedure and practice of the circuit courts of the United States.

2. Power is conferred upon the said Commission, the same as now possessed by the circuit and district courts of the United States, to compel the attendance and testimony of parties, claimants and witnesses; to preserve order and punish for contempt committed in the presence of the Commission, and to compel the production of books and papers material to the consideration of the matter pending before the Commission.

3. The Commission is also authorized and empowered to take testimony in foreign countries, and to that end is vested with the powers possessed by the circuit and district courts of the United States, and such testimony is to be taken before the Commission or commissioners appointed by it pursuant to the provisions of existing law and the rules and practice of said courts.

4. The marshal of the District of Columbia is to execute process issued by the Commission in said District, and the marshals and deputy marshals of the United States are to execute process without the District of Columbia, and in foreign countries the Commission or commissioners may designate some suitable person to serve such process.

5. When testimony in the United States or any district or Territory thereof is to be taken without the District of Columbia, the clerk of the United States court in the district where the testimony is to be taken is to issue the subpœna, and if the witness neglects or fails or refuses to appear or to testify after appearing, such contempt is to be reported to the court from which the subpœna issued and such court proceeds to punish for the contempt or disobedience.

6. The amendments and bill as agreed upon substantially removes the objections heretofore urged against vesting the Commission with the power to punish for contempts, and confers power upon the Commission to procure testimony necessary to the matters pending before it in all the States and in all the Territories of the United States and in foreign countries. No power is conferred not now possessed by the circuit and district courts of the United States except the designation of a commissioner authorized by the act to take testimony in foreign countries.

GEO. W. RAY,
JOHN J. JENKINS,
S. W. T. LANHAM,
Conferees on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

Mr. LACEY. Mr. Speaker, this conference report is on a matter that led to a considerable discussion when the original question was before the House. The form of the proposition in the conference report is perhaps clear to those who have fully studied it, but I for one would like to hear some explanation from the chairman as to how it affects the constitutional difficulties that were suggested when the bill was formerly before the House. It was a matter on which the House was very evenly divided, or nearly equally divided, and the idea of the Committee on the Judiciary was that the constitutional questions could be avoided that were involved in the bill as discussed at that time.

Mr. RAY of New York. Mr. Speaker——

Mr. BARTLETT. Before the gentleman proceeds I should like him to answer this question also. I do not see anything in this conference report, which virtually reports a new bill, which provides for the payment of the witnesses. Your bill provides that all the testimony in the United States shall be taken before the clerk of a circuit court.

Mr. RAY of New York. It provides what?

Mr. BARTLETT. For the taking of testimony in the United States of people who do not live in the District of Columbia before the clerk of the circuit court.

Mr. RAY of New York. Oh, no; the gentleman is entirely mistaken.

Mr. BARTLETT. I so understood it, but I may not have caught it correctly. In other words, it provides that the clerk of the circuit court shall issue the subpœna to compel the attendance of witnesses before the tribunal which is to take the testimony. I think I state that correctly.

Mr. RAY of New York. That is right.

Mr. BARTLETT. Now, if you locate the commission to take this testimony in cities or towns where a circuit court is held, then you necessarily compel the witnesses sometimes in my State to go as much as 100 or 150 miles in order to give that testimony, and if they do not go they are subject to process for contempt provided for in this bill.

Mr. RAY of New York. It is not provided in this bill.

Mr. BARTLETT. Ought you not to provide some means of paying these parties who are compelled to come and testify for the Government, or for the party suing the Government, who are compelled under this process to testify at the risk of being subject to contempt proceedings if they violate the subpœna?

Mr. RAY of New York. We do not need to put it in here. Mr. Speaker, the provisions here are simply an amendment to section 4 of the original bill creating the Spanish War Claims Commission. The Commission found itself without power to take testimony in foreign countries at all; without power to take testimony in the island of Cuba, where the most of the witnesses will be found, although some of them may be in Spain. It will be impossible for either side to bring these witnesses to the United States to give testimony in the great majority of instances.

Now, the original bill and the general law provide in terms for procuring witnesses, and of course paying witnesses, under the terms of the existing law; and no witness will be compelled to attend either in behalf of the Government or in behalf of the claimant without payment of fees provided for witnesses.

Mr. BARTLETT. May I interrupt the gentleman again?

Mr. RAY of New York. Certainly.

Mr. BARTLETT. As I caught the reading of the conference report, it strikes out all of the original bill passed by the House and substitutes the Senate bill.

Mr. RAY of New York. Oh, no; the gentleman did not hear correctly. Now, the Senate struck out all of the House bill and inserted new provisions. The Senate amended the title, substituting a title of its own, so that they had an entirely independent act, and did not purport to amend the original act.

Now, the House did not agree to that. We did not undertake new and independent legislation, and this statement that has been read simply explains what the Senate did originally in that regard, and it is set forth in the statement that that action has been changed by the conference. We have restored the provisions of the House bill with certain modifications, and we have restored the title that was in the House bill, so that the amendments agreed upon by the conference committee are substantially the House bill with modifications, and with some provisions proposed by the Senate.

The conference agreement is this: The rules that were authorized by the original act are to be made by this Commission in conformity to, so far as possible, the rules and practice in the circuit and district courts of the United States, so that the practice before this Commission will be the same as the practice in the circuit courts of the United States. That is certainly wise and proper.

The next provision is one that will enable this Commission to maintain order here where it sits in the city of Washington, and to punish centempt committed in the presence of the Commission—a necessary power—or else it could not hold orderly sessions.

Mr. LACEY. Mr. Speaker, I would like to ask the gentleman whether the bill as amended by the conference report does not authorize this Commission to issue subpœnas to enforce attendance of witnesses by process of contempt?

Mr. RAY of New York. I was coming to that. We expressly provide, in lieu of what was in the House bill before, that all process for witnesses shall be issued by the clerk of the district or circuit courts of the United States, or the Territorial court, if it be such, and that if the witness fails or neglects or refuses to appear and testify, that the punishment for the contempt shall be in the court issuing the subpœna. In the District of Columbia it would be in the United States courts here; in the Territories it would be in the United States courts there; in the State it would be the district court of the United States for the district in which the subpœna issues. We did that in order to obviate and remove, so far as possible, the objections that are raised here.

Mr. LACEY. That is the identical question I wanted to hear my friend about. I wish he would read that part of the bill as the conference committee have agreed upon it, for I would like to see if it obviates the difficulties that we were discussing the other day when the bill was up.

Mr. RAY of New York (reading):

When testimony is to be taken before any commissioner appointed by said Commission within any district or Territory the clerk of any court of the United States for such district or Territory shall, on application of either party or his agent, issue a subpœna for such witness, commanding him to appear and testify before the Commission at a time and place stated in the subpœna; and if any witness after being duly served with such subpœna refuses or neglects to appear or, after appearing, refuses to testify, not being privileged from giving testimony, and such refusal or neglect is proven to the satisfaction of any judge of the court whose clerk issued the subpœna, such judge may proceed to enforce obedience to the process or punish the disobedience as any court of the United States may proceed in cases of disobedience to process of subpœna to testify issued by said court, and the production before such commissioner of any paper or writing, written instrument, book, or other document may also be required in the manner prescribed in section 869 of the Revised Statutes of the United States.

Mr. LACEY. Will the gentleman yield again?

Mr. RAY of New York. Yes.

Mr. LACEY. That does not answer my question; that only provides as to testimony to be taken outside of the Commission. I want to know, and would like to have the gentleman point out that part of the proposed measure which provides for taking testimony before the Commission and the disobedience of the subpœna issued by the Commission itself.

Mr. RAY of New York. Well, I have already stated that; but I will read the provision. The Commission sits here in the District of Columbia. Section 4, which is amended, provides for the making of rules and regulations by the Commission. It did not provide what those rules and regulations should be; that part of the bill is therefore amended as to the rules in this manner:

Such rules and mode of procedure shall conform, so far as practicable, to the mode of procedure and practice of the circuit courts of the United States. The said Commission created by this act is vested with the same powers now possessed by the circuit and district courts of the United States to compel the attendance and testimony of parties, claimants, and witnesses, to preserve order, and to punish for contempt, and to compel the production of any books or papers deemed material to the consideration of any claim or matter pending before said Commission.

That the said Commission is also vested with all the powers now possessed by the circuit and district courts of the United States to take or procure testimony in foreign countries. Such testimony may be taken, pursuant to the provisions of existing laws and the rules and practice of the district and circuit courts of the United States, so far as applicable, before the Commission or any commissioner or commissioners appointed under the provisions of this act.

Now, we have provided (and I have read the later provision) that wherever a subpœna is issued to compel the attendance of witnesses, it must be issued by the clerk of the United States court in the District of Columbia or elsewhere; and the power of punishment in that regard is vested in the court. But the Commission itself may punish for contempts committed in its immediate presence and may keep order. There is no possible constitutional or other objection to that, because the Constitution says that we may create tribunals inferior to the Supreme Court, and the decisions of the Supreme Court are to the effect that we may vest these inferior tribunals with the power of those courts. But we have so limited the power that this Commission may simply keep order and punish contempts committed in its immediate presence. Witnesses are compelled to attend by the courts of the United States, and if there be contempt in regard to the matter the United States courts will provide for it.

Mr. LACEY. Will the gentleman yield to me for five minutes?

Mr. RAY of New York. I will yield to the gentleman, but I want to retain the floor.

Mr. LACEY. Mr. Speaker, this question is one that was discussed perhaps a couple of weeks ago, the gentlemen from Massachusetts [Mr. MOODY] and myself calling the attention of the Committee on the Judiciary to the very doubtful constitutional authority to enact certain portions of this bill, and also the doubtful propriety of enacting them even if the constitutional right existed. A part of the objection raised at that time has been met

by amendments; another part of the objection still remains in the proposition of the conference committee, and that is this: That Commission is vested with the power to issue subpœnas and to enforce attendance of witnesses and to have the general powers with reference to contempt ordinarily vested in a court. In these days when the question of a power, the extreme power of the courts to issue the process of injunction and to follow that process up by proceedings for contempt in all sorts of controversies, is the subject of general dispute, and Congress is appealed to to enact legislation to limit these powers in the Federal courts, we are met by this proposition of the conference committee to enlarge the powers of a mere commission and give them the authority to issue subpœnas and to arrest for contempt.

Heretofore in matters of this kind the powers of these commissions and of tribunals that are not courts have been limited. Such tribunals have been vested with power to issue subpœnas, and in case of disobedience to a subpœna that constitutes a misdemeanor, and the party charged with such an offense is entitled to his day in court. In this case it is proposed to give to this mere Commission—a board of arbitration substantially—the powers of a court as to contempt.

Mr. LANHAM. May I ask the gentleman a question?

Mr. LACEY. Certainly.

Mr. LANHAM. Do you not think that this Commission is a tribunal under all proper construction and by constitutional authority?

Mr. LACEY. I do not think it is a tribunal within the meaning of the Constitution, because the Constitution provides for "tribunals inferior to the Supreme Court." Now, this is not "inferior to the Supreme Court." In a certain sense it is superior to it. At least it is independent of it.

Mr. LANHAM. Oh, no.

Mr. LACEY. It is substantially above all the courts; it is a tribunal in and of itself with the final right to settle these questions. It is not given the authority of a court in the broad sense of creating a tribunal or a court. There is no writ of error from this court to the Supreme Court of the United States. It is a commission, as the Interstate Commerce Commission is a commission. It is a commission organized just as any other commissions are, merely for the purpose of investigating and reporting upon certain things. Imagine the Industrial Commission issuing warrants of commitment for contempt!

Now, as to the power to enforce attendance before a tribunal or commission of this character, I think we ought to draw the line and not give this Commission the power of committing for contempt. The power to compel the attendance of witnesses—to enforce their attendance by indictment as for misdemeanor in violating a subpœna—ought to be given just as it is given to courts-martial or Congressional committees. A court-martial can summon a private citizen who is not an enlisted man or an officer of the Army. If he disobeys the subpœna the court-martial can not bring him up for contempt. But he can be punished by a court for a misdemeanor. The proposition here would be in a case like that to give the court-martial power to punish a citizen for contempt. We refuse to do that; we merely provide that in case of a citizen refusing to obey the subpœna he may be indicted and punished in the courts and may have his day in court, instead of having his day in a court-martial. We are unwilling to trust a court-martial with these high powers to arrest and imprison a citizen, and we ought not to trust it to a mere commission such as this is. I think it is a mistake to accept this proposition in the form it is set out in the conference report. I call the attention of the House to it, and in doing so I believe I have done my duty, whatever the result may be.

Mr. WARNOCK. Will the gentleman [Mr. LACEY] yield for one question?

Mr. LACEY. Certainly.

Mr. WARNOCK. Suppose this Commission has no power to compel the attendance of witnesses, would not that leave all their investigations practically ex parte?

Mr. LACEY. Not at all. I am not suggesting they should have no power. It is the method as to how to get at it. We had the question up the other day as to the power of the receiver and register in the land office to bring witnesses before them. They have the power to issue subpœnas, but no power to punish for contempt.

The SPEAKER. The time of the gentleman has expired.

Mr. LACEY. Just a minute more to answer the question.

The SPEAKER. Does the gentleman from New York [Mr. RAY] yield?

Mr. RAY of New York. I yield a minute more.

Mr. LACEY. Just long enough to answer the question.

Mr. WARNOCK. Yes; I would like to know.

Mr. LACEY. And instead of authorizing the receiver or register to punish for contempt the action of witnesses in refusing to appear it becomes a misdemeanor and they are punished by indictment, just as though they refused to appear before a Congressional committee. The committee can not punish a man for contempt, but the courts will punish him. This authority ought to be given to the courts and not to the Commission, and you get the witnesses, but get them in a way by which their rights are protected by proceedings in courts of justice.

Mr. RAY of New York. Mr. Speaker, the gentleman misrepresents to the House the conference report, not that he intends to, but simply because he does not understand it. When we had the matter here before, gentlemen objected because it was said the power to punish for contempt ought to be relegated in a matter such as this to the circuit and district courts of the United States. Now, the House voted their proposition down more than two to one, but still we thought that if we could avoid that objection on the part of any member that we would do it; so the Senate and the House conferees unanimously have eliminated the power of this Commission to punish for contempt except in certain cases, to issue subpœnas, and have provided that the subpœnas shall be issued by the clerk of the court, and that when there is any contempt committed, that the contempt shall be punished under the laws of the United States in the court and by the court issuing the subpœna. Now, I hope that will settle that matter.

We also provide for the taking of testimony in foreign countries, and there will be no power to punish for contempt there. We do provide that this Commission shall have the power of the district and circuit courts of the United States, and that it may punish contempt in its presence, because we provide for the keeping of order by the Commission where they hold their sessions here in the District of Columbia.

Mr. LACEY rose.

The SPEAKER. Does the gentleman yield to a question?

Mr. RAY of New York. I have given the gentleman his time.

Mr. LACEY. But, Mr. Speaker, the gentleman says that I misrepresent a proposition, when I try to get information from him.

The SPEAKER. Does the gentleman from New York yield?

Mr. RAY of New York. Why, I yield to a question.

Mr. LACEY. If the gentleman's statement is correct, I have no objection to this bill. I have tried to find out from him what particular provision there was in relation to the issuance of subpœnas through the Commission in Washington, and whether or not the process of contempt would issue from that Commission in case of violation of the subpœna.

Mr. RAY of New York. There is not a word in this amendment about the Commission issuing subpœnas. There is a provision in it that the clerk of the United States court shall issue subpœnas. Now, I have asserted that five or six times, I have read it, and I trust the gentleman understands it.

Mr. LACEY. Well, if the gentleman will point out that paragraph or part of it which authorizes the clerk of the district court of the District of Columbia or the circuit court to issue subpœnas for the Commission sitting in the District, and enlighten my ignorance upon that question, I will be glad to have him do it. This is a conference report, and there is no need for any feeling upon the subject. The gentleman is here to give us light, and I suppose I have a right to ask him for it without being lectured.

Mr. RAY of New York. Why, certainly, and I am glad to give it, but I do not want the gentleman to ask me to point him to a provision of the amendment to the original act which is not in the act, and which is not in the amendments proposed by the conference. He asks me to point out the provision where this Commission is authorized to issue subpœnas, and I tell him over and over again that there is nothing of the kind either in the amendment agreed to or in the House bill, but that we do provide that the clerk of the United States court in the District shall issue the subpœnas, and that the court itself shall punish the contempts. The clause reads, as I remember, "in any district or Territory."

Mr. LANHAM. Let us have a vote; that is enough.

Mr. RAY of New York. Now, then, both the Democrats and Republicans on the committee—both Senate and House members—are all agreed. No power is invaded that should belong to the courts, nor is the liberty of any citizen endangered, and I trust that the conference report will be agreed to. If it is in order, I would like to move the previous question.

The SPEAKER. The gentleman asks the previous question on the adoption of the conference report.

The previous question was ordered.

The conference report was agreed to.

Mr. LOUD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole on the state of the Union for the further consideration of the bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation of the employees thereof.

QUESTION OF PRIVILEGE.

Mr. SIMS. Mr. Speaker, I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. SIMS. My statement has reference to the report of the committee of conference on House bill 10308, for the establishment of a permanent Census Bureau. A bill was brought into this House, Mr. Speaker, for making the Bureau permanent, and it was recommitted to the Select Committee on the Census with special instructions as to the bill they should frame, a part of which special instructions was this:

And with a provision therein to place the present employees within the classified service.

A bill was brought in, in response to that instruction, containing this section:

SEC. 5. That all employees of the Twelfth Census Office at the date of the passage of this act above the grade of skilled laborer shall be, and are hereby, placed under the provisions of the civil-service act approved January 16, 1883, and the amendments thereto and the rules established thereunder; and all new appointments in the Census Office hereby created shall be made in accordance with the requirements of the civil-service act above referred to.

The bill passed exactly in that form. It went to the Senate and that section was amended, not by striking out any word, but by adding these words——

Mr. LOUD. Mr. Speaker, I think too much time has been consumed already.

Mr. SIMS. I only ask for five or ten minutes; that is all it will take.

Mr. LOUD. I shall have to object. I make the point of order that this is not a question of privilege. If it is, it is an ex post facto privilege. It is something that has been disposed of by Congress. The bill has become a law. I have already yielded an hour this morning.

Mr. SIMS. The statement of privilege that I have to make is, that the House was misled and deceived by the statement of the chairman of the Select Committee on the Census and by the report of the conference committee, and I was proceeding to show that fact. The Senate added only, at the end of line 14, and the beginning of line 15, "without further examination," and at the end of line 18, "to the clerical force." That amendment came over with the others, was nonconcurred in, and went to conference. I insist the conference committee had no right to strike out any part of the text of the section, except as to the Senate amendment, which in no way changed the meaning and intent of the section, but was merely an addition to the section in the way of phraseology.

The SPEAKER. The point of order has been make by the gentleman from California that this is not a question of privilege, because the matter has been disposed of by the House. There is no question but what this would have been a proper matter, possibly, to have considered when the conference report was before the House, because the report was before the House and was read.

Mr. SIMS. No; it was not read, and that is the very thing I wanted to show. The statement only was read.

The SPEAKER. The report was not read, but the statement was read only, and it is clearly not a matter of privilege to any member of the House. The question is on the motion of the gentleman from California that the House resolve itself into Committee of the Whole House on the state of the Union.

THE RECORD.

Mr. SWANSON. Pending that, Mr. Speaker, I desire to submit a request for unanimous consent about a matter that would save some time.

The SPEAKER. In respect to what matter?

Mr. SWANSON. In respect to the gentleman from Tennessee [Mr GAINES] and the gentleman from Indiana [Mr. ROBINSON].

The SPEAKER. A correction of the RECORD?

Mr. SWANSON. A correction of the RECORD.

The SPEAKER. That is a privileged matter. The gentleman will submit his request.

Mr, SWANSON. I ask unanimous consent that the RECORD be made to read in this way, and it has been agreed to by the gentleman from Indiana [Mr. ROBINSON] and the gentleman from Tennessee [Mr. GAINES]: After the answer of the gentleman from Tennessee, "I think there are 19. How many has the gentleman in his?" The stenographer did not get all Mr. ROBINSON said in that connection, and consequently what he did take was misleading; and the gentleman from Tennessee [Mr. GAINES] and the gentleman from Indiana [Mr. ROBINSON] agree that the following be inserted as Mr. ROBINSON's reply, which explains fully what he intended to say:

Mr. ROBINSON of Indiana. None to my credit—no carrier; but I have about 50 routes in my district.

I ask unanimous consent, in behalf of both of those gentlemen, that this be inserted.

The SPEAKER. Without objection, that order will be made.

There was no objection.

RURAL FREE-DELIVERY SERVICE.

The SPEAKER. The question is on the motion of the gentleman from California, that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11728.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. GILLETTE of Massachusetts in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11728.

Mr. LOUD. Mr. Chairman, I yield one hour to my colleague, the gentleman from Georgia.

Mr. GRIGGS. Mr. Chairman, a large amount of irrelevant matter has been injected into this debate from its beginning down to the present moment. I shall not charge all of it to one side, because upon the injection of irrelevant matter upon one side or the other it is sometimes necessary in reply to bring in other irrelevant matters. I shall not attempt to do more in the time allotted me than to answer, as far as I can, a few of the objections urged against it. The gentleman from Indiana [Mr. LANDIS], in his argument against this bill a few days ago indulged in an unwarranted, gratuitous, and inexcusable attack upon the Committee on the Post-Office and Post-Roads.

The truth is, his entire speech was directed so consistently against the committee and its chairman as to make it appear that perhaps the gentleman had some personal grievance in his breast, either against the committee as a whole or against the distinguished chairman of the committee. The gentleman says that the members of this committee—"genial, accommodating gentlemen, have been overpersuaded by the gentleman from California." I want to say to the gentleman from Indiana that, barring one member of that committee, every single gentleman on it is as honest, as courageous, as capable, and as intelligent as the gentleman from Indiana; and I do not know if I would not be justified in going a little further.

I knew a man once who had some trouble with a party of gentlemen in the smoker of a sleeping car. He knew all of the party but one. After his little difference with these gentlemen he left the smoker; but, thinking over his wrongs, a little later he returned, stuck his head in the door, and said: "Gentlemen, barring the stranger, you may all go to the devil." He went back, and after brooding a little further over it, he returned to the smoker and announced, "Gentlemen, I don't bar anybody; the entire party, stranger and all, can go." [Laughter.] I do not believe I will bar any member of the committee. That committee is composed of men who are as faithful, as earnest, as true, as honest, and as capable as the gentleman from Indiana.

I have heard of a preacher who once went to a town and a committee from the church called on him before the day on which he was to preach. One gentleman said to him, "Don't say too much about swearing in your sermon to-morrow, because Brother So-and-so sometimes indulges in swearing." Another brother said, "Don't indulge in too strong declamation against strong drink, because we have some brethren who are addicted sometimes to that habit, but who are otherwise good men."

And so brother after brother came until the category of crime and sin had been gone over, and he had been advised not to talk against anything. Finally he said to a brother, "I am advised not to talk against this, and not to talk against that, until I have left nothing to talk about. What shall I say?" The good brother, after cogitating a while, replied: "Well, I don't know; you might go for the Jews; they haven't got a friend in town." [Laughter.]

The gentleman from Indiana [Mr. LANDIS] must have proceeded upon the presumption that the Post-Office Committee and its distinguished chairman probably had not a friend in the House, and attacked them without gloves. [Laughter.] He did not touch upon the bill. The fact is, he knows nothing about what is in the bill and less about the free rural-delivery service. He says that this service was instituted four years ago, when every gentleman on this floor who has paid the slighest attention to the service knows that it was instituted under the Postmaster-Generalship of Mr. Wilson. It was increased four years ago, and it was increased upon the recommendation and by the support and vote of these very gentlemen who have been denounced in this House as unfriendly to the rural delivery.

Ah, Mr. Chairman, there was a time, and I remember it well, when even the pulchritudinous gentleman from Indiana was not ready to jump into the breach in defense of this service and the defense of its administration. Two years ago the great Appropriations Committee of this House came in here with a deficiency that had been created in this service by this administration—by these very gentlemen whom they are now so anxious to defend, and criticised them severely for having spent $150,000 more than had been appropriated.

What happened? Where was the gentleman from Indiana then, when this great Appropriations Committee with a unanimous report proposed that Congress say to the Post-Office Department that

no money shall hereafter be spent on this service unelss it has been already appropriated? When that report came in and appeared as if it was going through this House without a word in defense of the administration, without a word from anyone in defense of the service, it was left to me, a Democrat from the wilds of Georgia, to defend the Republican First Assistant Postmaster-General, who hailed from the State of Indiana. [Laughter.]

Where was the gentleman from Indiana then? I judge from the tenor of his remarks the other day that he was waiting to be assured that the service was popular before placing himself at the head of the cohorts and indulging himself in the pleasant belief that he is the savior of the rural delivery. He does not claim, as he so facetiously charged against my friend from California, to be its "papa," but its savior. [Laughter.] "I have saved this service for the farmer boys in the country. I have lighted the fires upon the hearths of the farmers of Indiana." He is not the papa of this service, that is true. But, my friend, before you assume to be its savior, first inform yourself of the conditions surrounding its establishment and surrounding its progress during the last five years.

Now, I do not believe there is a single, solitary man in this House, I do not believe my friend from Indiana believes that there is any hostility to the rural delivery service on the Post-Office Committee. I do not believe there are a dozen men in the House of Representatives, be they from city or country, who would put one single block in the way of its final glorious success. We know it is a success, and we fought for it in its infancy. We sat by its cradle and rocked it when it was young, when the gentleman from Indiana and some other gentlemen who are assuming to be its saviors here to-day were either not conscious of its existence or were somewhere else looking after other cradles. [Laughter.]

My friend from Virginia [Mr. SWANSON] made a strong argument against the bill from his standpoint, inveighing against the danger of change. He says we would revolutionize this service, and therefore put it in danger of destruction. Why, nobody knows better than the gentleman from Virginia that this service is here to stay, and that no bill simply applying to the details of the administration can even affect it unfavorably, much less destroy it. My friend from Virginia is too conservative. I was struck the other day by a definition of conservatism given by my colleague, Mr. HOWARD, in a cloakroom talk.

My friend said, "Conservatism is a cube with its corners cut off and its edges trimmed, so that it might be ready to roll in whatever direction necessity might demand." [Laughter.] That, Mr. Chairman, represents in very large part the conservatism in the House in reference to this particular bill. This great show of conservatism is a cube rounded and smoothed in order that it may go in whatever direction, in the argument against this bill, may be necessary to secure its defeat.

My friend from Virginia, after opposing this change because of its revolutionary tendencies, because of his fear that it would destroy the system, defends in the next breath a complete revolution that was effected the 1st of February last in the appointment of carriers and which has not yet been tested anywhere in the country. He is afraid of change when the committee proposes a change that it presents simply as a business proposition and believes will redound to the best interests of the service; but when a change is made by the Department the gentleman defends that revolution and attacks the other. His reason, and his principal reason, as it appears from his argument, is that he is afraid of the result of the change—afraid of the destruction it might visit upon the entire rural-delivery service.

Another great argument of most of the opponents of this bill is the frauds in the star-route service twenty-five or thirty years ago. Why should gentlemen go back to ancient history? Why should they go back to frauds committed, tried, punished, and ended thirty years ago, in order to attack not a service, but the administration of a service. This is not an effort to make the rural delivery a star-route service. It is simply an effort on the part of this committee to make the rural-delivery system the most effective rural-delivery service in their power, to enable the Government to extend it over the entire country. This opposition is based entirely on the supposed similarity of the proposed service to the former star-route service, to which I shall refer again later on.

Gentlemen say, "Why not put postmasters under the contract system?" Seventy thousand fourth-class postmasters in the United States are now practically under the contract system. They hold their positions by appointment, but their pay is graduated according to their cancellation of stamps. They are paid no fixed salaries, but in accordance with the service performed.

Yet gentlemen say we must make a salary for the rural carriers, a salary which shall be applicable alike in Maine and Florida; applicable alike in the Rocky Mountains of Colorado and on the plains of Indiana. It is impossible, gentlemen, to do it. It is impossible so to regulate this salary as to make it equitable and just to the people as well as the carriers without in some way graduating it to meet the difficulties of different routes situated in widely separated sections of the country.

That being true, this committee, without any idea of injuring this service, without any idea of decreasing its efficiency in the slightest degree, sought earnestly and long for some method of so arranging the pay for carriers that the rural free-delivery service might be extended everywhere, that it might be extended to the remotest recesses of the country, that it might be extended into corners where it is impossible to extend it under the present regulations, with routes of the prescribed length and with the prescribed number of families, in order that all the people, no matter where they live, whether in the valleys or in the mountains, on the plains or in the hills, might enjoy the benefits of this service.

It appeared that great inequality of service existed everywhere, not only in Congressional districts but in every county, and we thought the best and most feasible plan of enabling the Department to extend this service everywhere was to submit the contract to competition and let the carriers bid on it.

I had the pleasure of listening the other day to the gentleman from Massachusetts [Mr. THAYER], and I am sorry he is not now in his seat—the gentleman from "God's country," as he styles himself. The gentleman places the friends of rural delivery against and its enemies for the bill. I had the pleasure of coming to Congress one session before my distinguished friend from Massachusetts.

I say I had the pleasure, because it gave me the opportunity of meeting one man from the Worcester district who was broad enough and big enough to believe that God's beneficence extended to the limits of the universe and was not confined entirely to the Worcester district of the State of Massachusetts. I met a gentleman, Republican though he was, who believed that the sun shines and the rains fall in some other sections west and south of the Worcester district of Massachusetts.

The gentleman said that when he looked at the conveyances used for carrying the mails in the star-route service from Worcester to somewhere out in his county it made him blush—not with the maiden blush of modesty, but the ancient but honorable blush of shame. My friend from Massachusetts, as was suggested yesterday by my friend from Missouri, blushes too easily. In his description of "God's country" he said that less than a dollar and a half or a dollar and seventy-five cents a day is considered pauper wages in the Worcester district of Massachusetts, and that it has been impossible to get a man to carry the mails on a rural route at a salary of five hundred a year.

Yet in the very next breath he tells us that he blushed with shame on beholding the star-route service from Worcester to some point near by in that district. Nobody to work for $1.50 a day! And yet men in the star-route service, according to my friend, were working for very much less than $1.50 a day. I can not reconcile the two positions. If it is impossible to get men to work for $500 a year in the Worcester district, it seems to me it would be impossible to get men to take contracts at less than that price in the Worcester district.

Gentlemen talk about the discrimination this committee would make between the city and the country communities in this matter. The committee does not propose to make any discrimination between the two. We propose, as far as we can, to give the country people the very best service that the United States is able to give them. We are not going to be put in the position of being in favor of extending facilities to the people in cities and not being willing to extend the same facilities to the people in the country.

It has been upon the report of this committee, it has been by the work of this committee, that every increase in the rural free-delivery service has been made, and I think I am not violating a confidence as a member of that committee when I say that at one time the Post-Office Department recommended in its estimate a million dollars for rural delivery. The subcommittee, after consultation with the head of this bureau, thought that a million and a half would be necessary—a half million more than had been estimated for—and upon the motion of the gentleman from Georgia, who, with other gentlemen on the floor of this House, has been charged with being in a collusion to destroy rural mail delivery, it was on a motion of mine that this amount was increased to $1,750,000, and there was not an opposing vote in the committee.

We are as good friends of rural delivery as you gentlemen; we have worked for rural delivery as well as you gentlemen, but we recognize some obligation to all the people of the United States. We recognize the fact that with an estimated force of from 45,000 to 50,000 carriers, at the present salary of $600 a year, this service will soon cost $30,000,000.

Recognizing that fact, and knowing from experience that we shall never be able to keep their salaries at that figure—and I do not believe that any gentleman wishes to hold these salaries so

low—knowing that it can not be done, we recognized the fact that within six years, according to the Department estimate, there will be from 45,000 to 50,000 carriers, at a salary of at least $700 to $800 a year; it will require an appropriation of $40,000,000 to keep up this service.

Mr. HILL. I will ask the gentleman, does not the Department in making that estimate largely increase the number by including in the estimate foot carriers on shorter routes at a greatly reduced cost from that of the mounted carrier, and in that way bring the number up, and has not the gentleman in making his estimate of $30,000,000 entirely left out the saving which would be made by abolishing star routes and abolishing fourth-class offices, and entirely forgotten the increase of the service, and the consequent increase of receipts, which would go far toward cutting down the $30,000,000 of which the gentleman spoke?

Mr. GRIGGS. I am very glad that my friend from Connecticut called my attention to that point at this particular time. In reply to his first question I will say that I do not know, because it is the first I have ever heard of foot service by the rural carriers.

Mr. HILL. I mean on the short routes.

Mr. GRIGGS. Yes; I understand you; but you can not make a route less than 10 or 15 miles through the country, and you can not get white men in the United States to take the job of walking around through the country to deliver mail. They will do it on the paved streets in the cities, but they will not do it in the country. The Department says, in reply this morning to the inquiry of my colleague [Mr. BOUTELL]:

> We estimate that the territory available for rural free delivery will require from 45,000 to 50,000 routes, and that it will take six years to put it in.

That is the estimate of the Department. The gentleman asks if I have left out of this calculation the saving in the abolition of star routes. Yes; and if my friend will study the figures on the star-route service and the postal service during the last four or five years he will agree with me that it ought to be left out. The appropriation this year for the star-route service is greater than it ever was before.

Mr. LOUD. By a million and a half.

Mr. GRIGGS. Last year it was about, in round numbers, $5,000,000, and this year it is about six millions and a half. I went back, I will say to my friend, as far as 1887 with these figures. I am sorry that I do not have them with me this morning, but I went back more than ten years, and this appropriation for the next fiscal year of six millions and a half is greater than it has ever been before in the history of the service by from a million to a million and a half dollars.

Mr. HILL. Will the gentleman not admit that the reason for that increase is that there is an increased cost of about 35 per cent by reason of the very restrictions thrown around the star-route service that he proposes to throw around the rural-delivery service, so that the increase to the star-route service is not because of the increased number of routes, but because of the increased cost by reason of the very thing that you propose to tack onto this bill?

Mr. GRIGGS. I can not admit that, because after most earnest questions from myself and from the chairman of the subcommittee on that particular line we were unable to get a definite reply from the Post-Office Department with reference to it.

Mr. HILL. I will state that I will give the gentleman the information so far as I have got it. I have heard it stated on the floor of this House in this debate that this star route had been increased about 35 per cent by reason of these restrictions, and my recollection is that I have received the same information from the Department.

Mr. BROMWELL. May I not ask the gentleman from Connecticut a question before he is seated?

Mr. HILL. Certainly.

Mr. BROMWELL. Is that not a complete answer to the proposition of the gentleman from Indiana and others who have denounced this service as a cheap service?

Mr. HILL. Not at all.

Mr. BROMWELL. If the rural free-delivery service is placed under contract, and this star-route service shows that within the last two lettings, a year ago and this year, there has been an increase in the expense, does not that answer the criticism of the gentleman from Indiana?

Mr. HILL. Absolutely not. It simply shows that the professional contractors are getting a larger profit out of the business. That is all it shows.

Mr. GRIGGS. I would suggest to my friend from Connecticut that it has been impossible for us in our official investigations in this matter to obtain the information that the gentleman seems to have obtained somewhere.

But I want to say further in reply to the gentleman's question that the regulation of the Second Assistant Postmaster-General requiring the delivery of mail in boxes along the star route has increased in some degree the cost of this service, and that the regulation that the bidder shall live along the route has increased in some degree the cost of the service; but it is not believed, as I understand, in the Department, and it is not my belief and not the belief of the committee, that it has increased the cost one million and a half dollars over the last fiscal year.

I merely stated that fact with reference to the star routes, not because I am a cheeseparer in these matters. So far as I am concerned, I believe the rural-delivery service ought to be extended as a matter of course. I do not believe that it is necessary for petitions to be filed, indorsed, referred and re-referred, and inspected and reinspected, and laid off and mapped out, and then, after a year or a year and a half of investigation, the route established.

I do not believe in that. I believe that when a petition or a desire or even an intimation comes from a community that it is desirous of rural service I believe it ought to have it. I do not believe the question ought to be asked now by the Department whether or not a particular route is self-sustaining.

That inquiry is not made with reference to the star routes or the establishment of post-offices, and if you should apply the same rule we would have no star routes, and if that rule were applied to fourth-class post-offices three-fourths of them would have to be abolished. I say if this rule were applied to the star routes and post-offices the people of the country away from the railroads would have no mail service. Gentlemen say we are attacking rural delivery, when the regulations of the Department make it impossible to put rural delivery in a large section of the United States. Yet, Mr. Chairman, the effort of the committee to cure this defect in the administration is denounced as an effort to destroy the service.

Now, I want to say another thing. Many gentlemen from my section of the country are very much afraid that there will be obnoxious carriers in case we adopt the contract service.

Why, Mr. Chairman, there can not be any more danger in the one case than in the other. That danger is ever present, and to avoid this in this service or in any other service, requires eternal vigilance on the part of the Representative. We have endeavored to surround it with such restrictions that no man obnoxious to a community can secure a contract. He must go to the Department before his bid will be considered with a clean sheet; he must go with the recommendation of a good moral character; he must go with a certificate and satisfactory evidence that he is a legal and actual resident of the district or territory in which the proposed service is to be performed.

He must show that he is an individual who is trustworthy, with a good moral character, able to read and write, and must have sufficient intelligence and ability to properly perform the service. Now, gentlemen say that under this proposed regulation they are afraid of that. Gentlemen know that I am as much opposed to this as they are, and I shall be very much opposed to anything that makes that more imminent than it is in the service already established.

So far as I am concerned, before I would agree to anything that in my opinion would render it likely throughout the South—before I would agree to do that, I would submit to any regulation of the Department; I would submit to any salary to carriers or any method of appointing them to prevent that.

And I will go further; I would stand with my people in favor of its destruction, if necessary, in order to prevent it The administration of this Department is in the hands of department officials, and it is left to their good judgment and their discretion under this bill just as it is under any sort of regulations they may have established or can establish at any other time.

Now, my friend from Connecticut [Mr. HILL] found a mare's nest the other day. I have heard it said that lawyers differ as to the construction of laws, but laymen never. My friend from Connecticut is not a lawyer.

Mr. HILL. I hope not. [Laughter.]

Mr. GRIGGS. But, in the language of the boys down my way, he is a "jodarter" when it comes to construing law. He is afraid of this word "paragraph" in here, and I tried my best to get an opportunity to explain it the other day, but my friend from Virginia who had the floor declined to yield me time to do so. My friend from Connecticut charges that because of the presence of that word "paragraph" one man can secure and sublet all contracts for rural service in the entire country; yet the same section of the bill declares that not more than one contract shall be let to one person. We used the word "paragraph" simply because that was the only paragraph in the bill relating to the employment of carriers.

If it will get the support of my friend from Connecticut, I will consent to vote for an amendment to that effect. When you come to the "papa" business, the gentleman from Connecticut [Mr. HILL] is almost the papa of the contract system, because I believe he did first suggest it to us. He placed it on our front doorsteps and got away in the darkness and is now fighting his own child, calling it ours. [Laughter.] I say if the gentleman from Connecticut

insists that it will be better to change the word "paragraph" to "bill," I shall for one be willing to strike it out, if by so doing we can obtain his support.

Mr. LOUD. It can not be that he is the step-papa of this proposition. [Laughter.]

Mr. GRIGGS. I don't know. I judge from our talk about the matter that he was really its papa, but it might have been that the chairman of the committee and the gentleman from Connecticut were its joint progenitors. [Laughter.]

Mr. HILL. No; I disclaim any partnership of that kind.

Mr. GRIGGS. My friend thinks that the words "under such regulations as the Postmaster-General may prescribe, a substitute carrier may be employed," renders this service, if the bill should pass, open to the objection that one man can bid for every service in the United States and take it; and yet my friend, lawyer though he be—not, must admit that the Postmaster-General can not make regulations contrary to the law, contrary to the statute. This statute says that no person shall be awarded a contract for more than one route. Then how can one person get all the contracts?

My friend must admit that that was simply conjured up in his imagination, and that he was running from the signpost in the darkness, as the boy did whom we used to read about in the second reader, a long time ago. There need be no fear on that point. The bill itself provides specifically that no person can take more than one contract.

Now, gentlemen talk about a discrimination against the country and in favor of the city. I have not a city in my district. It is purely an agricultural district; and is made up almost exclusively of small tradesmen and farmers. If I were mean enough, I do not think anybody in this House would charge me with being fool enough to want to discriminate against my own constituents. It is a question at last as to whether the prophecy of the opponents of the bill shall come true, that it will decrease the efficiency of the service.

If it decreases the efficiency of the service it would be a discrimination. If it does not decrease it, but renders the Post-Office Department able to scatter it all over the country, then it would not be a discrimination against the country, but would assist in securing them what they ought to have—the full benefits of the service.

Gentlemen say that the star route is unpopular. My venerable friend from Connecticut [Mr. SPERRY] insists that the star route service has always been unpopular. I would like to know what anybody would offer instead of it. Unpopular when it is the only thing you can have? A man is popular or unpopular, comparatively, and an institution is popular or unpopular, comparatively speaking. The only man could not be unpopular. If there is nothing better, if there is nothing worse, if there is nothing but that, how can it be popular or unpopular? It is simply a service devised as the best means of carrying the mail to the people who live off the railroad.

I say to gentlemen who live on the railroad that the star-route service is all these people have, and they do not want to lose it. It is not all they can get, however. Rural delivery is a popular service. It was useless for me to say that, because everybody can see by the way in which members fall over one another in their desire to indorse it that it is an extremely popular service. There are sections where it can not go; there are sections where the star-route service must continue to supply the people. I believe if you adopt the contract service you can extend the rural-delivery service, because it ought to be as easy to put a rural-delivery route into operation as it is to make a star route.

Gentlemen say we want to make of this service a star-route service. It is not true. We do not desire to make of this service a star-route service. We want it to remain a rural-delivery service. We want it to carry the mail to the home of every man, but we want it to do so in the cheapest and most economical way, and we believe that the people will stand by us in our efforts.

My friend from Indiana inveighed grandiloquently against "cheapness;" and my friend from Connecticut [Mr. HILL], good business man that he is, hastened to say he could not agree with the gentleman on that proposition. What this committee desires to do is to give the people the best service possible at the very least expense, because in the end the people pay the expense.

Gentlemen talk with contempt about a salary of $600. I do not know what the average income of the people is in the district of the gentleman from Connecticut or the gentleman from Indiana who talks so loftily about "cheapness" in connection with this service. But I do know that in the South the average annual income of men throughout the country is not $600. Clerks, ministers, school teachers in Georgia work for salaries less than that.

A MEMBER. And in Connecticut, too.

Mr. GRIGGS. I believe that Georgia does as well as Connecticut, and that is why I did not say "Connecticut, too." School-teachers receive salaries of not more than $40 a month in Georgia, and many much less, and are glad to get it. Some of them work for six, some for eight, some for nine, and some for ten months in the year. Four hundred dollars a year is considered a pretty good salary for teachers throughout the country in Georgia.

Mr. THOMPSON. Are the teachers required to have a horse and buggy to carry them to and from the schoolhouse?

Mr. GRIGGS. No, sir; but if my friend will add $200 to the $400 he will admit that the teacher could supply himself every year with a new outfit.

Mr. NORTON. Oh, do not economize on the poor devils. [Laughter.]

Mr. GRIGGS. Mr. Chairman, that is the stock argument against this proposition. My friend from Ohio says, "Don't economize on these poor devils." I presume he means the rural carriers. But I say to my friend from Ohio that so far as the district from which I come considers matters of this sort, they believe it is my duty to economize on these "poor devils" in order that we may not extort money from those who pay the taxes.

When my friend interrupted me I was going on to say that the average salary in the average Congressional district of the United States is not $600. Four hundred dollars would cover it; and I believe that is a high estimate. I believe that even in the Worcester district of Massachusetts $400 would cover the average salary of the average man.

Mr. THAYER. Will the gentleman allow me a moment?

Mr. GRIGGS. With pleasure.

Mr. THAYER. I wish to inform the gentleman from Georgia that there is not a man who digs sewers in Worcester County who does not see more money than that in a year.

Mr. GRIGGS. I had no idea from what my friend said the other day there was such a thing as a sewer in the Worcester district—in "God's country." [Laughter.]

Mr. THAYER. The gentleman is not acquainted with that kind of a country.

Mr. GRIGGS. Thank God, I am not. What I have seen of it convinces me of the truth of the declaration of some gentleman in this Hall forty years ago—that its chief products are rocks and ice. I thank God we have not a country like that where I live.

But, seriously, I want to ask my friend from Massachusetts to answer me candidly whether there are not clergymen in his district who get less than $600 a year salary?

Mr. THAYER. I do not think there is a man preaching in Massachusetts, either in my district or any other part of the State, that does not get, at the very lowest, one-third more than that sum.

Mr. GRIGGS. One-third more than $600?

Mr. THAYER. Yes, sir.

Mr. GRIGGS. That is $800. Now, does not the gentleman believe that a clergyman is worth as much as a rural mail carrier?

Mr. THAYER. I think he would be worth more down in Georgia. [Laughter].

Mr. GRIGGS. What about Massachusetts? The gentleman is correct in his facetious reply. A clergyman is worth more than a rural carrier in Georgia; and will the gentleman deny that he is worth more than a carrier in Massachusetts? I wait for the gentleman to answer.

Mr. THAYER. I think that a gentleman of the clerical profession is far above the politicians who the gentleman is afraid are going to transfer political control down in Georgia from the Democracy to the Republicans because the Republicans appoint them. But I want to say to the gentleman from Georgia that there is scarcely a laboring man in Massachusetts engaged in any vocation who does not receive at least $1.75 a day; and I want to say further that in my district, where four of these routes have been established, there is one of them on which it has been absolutely impossible for a year and a half to find a single person to take the job at $500. The office is not filled; the Government is waiting for a carrier.

Mr. GRIGGS. And yet the gentleman from Massachusetts says that when he sees the vehicle of the star-route contractor who performs service from Worcester to some little town in his district, his face mantles with the blush of shame because of the poor character of the outfit.

Mr. THAYER. I want to say distinctly that we were ashamed that the United States Government would use the poorest equipment that was to be found in our section of country to carry the mails—a vehicle with the tire wired——

Mr. GRIGGS. I hope the gentleman will not take up all my time.

Mr. THAYER. I thought the gentleman was willing that I should ask him a question.

Mr. GRIGGS. I am perfectly willing to allow the gentleman to ask a question. The gentleman says that he blushed with shame over that. Now, where did that man come from who took that contract? He must have come from Massachusetts. He must be from the Worcester district; yet he took a contract that does not enable him to carry the mail with a decent equipage.

Yet the gentleman says that every laborer in that district gets from a dollar and a half to a dollar and seventy-five cents a day. One statement answers the other. I can not understand it otherwise.

Mr. THAYER. If the gentleman will allow me, I can not speak with authority, but I think this man is one of those miserable creatures who take a subcontract from a contractor who is located here in Washington, and he was unable to carry out his contract. His team was so poor and attracted such attention that the newspapers took it up and commented upon it. I do not know where the man came from. He may have come from Georgia for aught I know. [Laughter.]

Mr. GRIGGS. That was a Massachusetts team and a Massachusetts man. He undertook this business in the district of the gentleman from Worcester.

My friend from Indiana [Mr. LANDIS] assumes a very lofty attitude, as does the gentleman from Massachusetts [Mr. THAYER], with reference to salaries. I stated upon this floor during the absence of the gentleman from Massachusetts, and it has not been denied by anyone except himself, that the average salary of the average person in every Congressional district in the United States is not more than $600 a year. The gentleman from Massachusetts denies it so far as his district is concerned, and I must accept his denial.

Mr. THAYER. Just a word. I have never denied that the average salary of an average man was not more than $600. But you must remember that this mail carrier does not get the $600 for himself. He must employ two horses and a vehicle and care for them, and I say the average compensation for a man and two horses in my district or in any district in Massachusetts for a year is over $600.

Mr. GRIGGS. Mr. Chairman, two horses are not a necessity in this service. Men have been performing this service in Georgia—as poor a country as my friend would have us believe he thinks it is—for several years with one horse, and they can continue to do so. Horses wear out and men wear out. It might be better for the people from the Worcester district of Massachusetts, for fear that their present distinguished Representative would wear out, to send two Representatives here.

Mr. LANDIS. I will say in that connection that I received a letter a few days ago from a carrier in my district who stated that during the recent winter he had been compelled to have three horses in order to carry his route.

Mr. FLEMING. But two of them were sick.

Mr. LANDIS. And I will say to the gentleman in that connection——

Mr. GRIGGS. I hope my friend will be as brief as possible.

Mr. LANDIS. I will ask that the gentleman's time be extended. I would ask the gentleman, if the Post-Office Department allows $240 a year for the postman in a city who uses a horse and cart for that service, if that is not evidence of the fact that a horse and cart practically stand the carrier $240 a year, and if an allowance of $240 a year is essential for one horse and cart, would not $340 or $350 be a fair allowance for two horses and a cart for a rural free-delivery carrier.

Mr. GRIGGS. I will answer my friend in the fewest words possible, because I have not the time to say all I would like to say. Two hundred and forty dollars a year is a very high allowance for a horse and a wagon.

Mr. LANDIS. It is a liberal allowance.

Mr. GRIGGS. A wagon made in the gentleman's own State, with a cover, provided for this service, is being used in my district, in my own county, and my information is that it cost $60. I believe he has two horses, and they did not cost him over $150. There is $150 for the cost of his horses and $60 for the cost of his vehicle, or a total cost of $210.

Mr. CURTIS. What about the harness?

Mr. GRIGGS. I will add $20 for that, making $230.

Mr. CURTIS. What about the feed?

Mr. GRIGGS. I will come to that. Now, that is allowing $230 for the cost of the horses and the wagon. The life of that team and of that wagon is at least ten years, and 10 per cent a year of the cost would cover the expense of replacing the horses and wagon. Twenty-five dollars a year would cover that cost. The cost of feed for a horse in the country is a very small item, indeed.

Mr. LANDIS. Well, how much?

Mr. GRIGGS. In Georgia—and I presume the same thing is true in Indiana—in Georgia a man can ordinarily feed a horse and take care of him in the country for four or five dollars a month.

Mr. LANDIS. He can not do it in Indiana.

Mr. GRIGGS. He can ordinarily buy corn at from 40 to 65 cents a bushel the year round. He can buy corn in the harvest season at from 40 to 50 cents everywhere throughout the State.

Mr. HILL. What do you make the annual cost of equipment and maintenance in Georgia?

Mr. GRIGGS. I make the annual cost of equipment and maintenance, say, $150, and that is exceedingly liberal. Now, so far as I am concerned I will say to my friend that I do not think $600 would be an adequate salary without an allowance, and I do not believe the salary will remain at that figure. I believe $600 will be an adequate salary if you add to that an allowance, $100 or $150, for maintenance.

Mr. HILL. Now, if the gentleman will allow me——

Mr. GRIGGS. I fear I have not time.

Mr. HILL. I will ask that the gentleman's time be extended.

Mr. LOUD. One moment, about the extension of time. There can not be any extension of time, because the time is all used up.

Mr. HILL. We will get some time from our side.

The CHAIRMAN. The Chair will state that the time of the gentleman from Georgia [Mr. GRIGGS] has expired.

Mr. HILL. I ask unanimous consent that the gentleman may have five minutes more.

Mr. GRIGGS. Make it ten.

Mr. HILL. I ask unanimous consent that the gentleman have ten minutes more.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman be extended ten minutes. Is there objection?

Mr. LOUD. Mr. Chairman, I want to state that there is an hour and twenty minutes promised on my side of the question, and there is not that amount of time remaining. If the other side desire to yield, why, they can do so.

The CHAIRMAN. Does the Chair understand the gentleman from California to object?

Mr. LOUD. I shall have to object.

Mr. HILL. Mr. Chairman, I think with the consent of the committee, that the other side will give the gentleman from Georgia five minutes.

Mr. GRIGGS. I can not accept that.

Mr. HILL. I ask the gentleman from Virginia [Mr. SWANSON] if he will not allow the gentleman five minutes' time?

Mr. SWANSON. I will yield five minutes' time to the gentleman.

Mr. GRIGGS. Will you make it ten?

Mr. SWANSON. I will give the gentleman ten minutes.

The CHAIRMAN. The gentleman from Virginia yields ten minutes to the gentleman from Georgia.

Mr. HILL. Now, I should like to ask the gentleman from Georgia, in view of his statement that the allowance of 10 per cent for deterioration of equipment, cost of maintenance, interest on capital, etc., together with horse feed, can be maintained in Georgia for $150 a year, how it is that as a member of the Post-Office Committee he has voted for an appropriation this year of $650,000, to provide the following compensation in Georgia:

In Americus, $200 a year; in Atlanta, Ga., $221 a year; in Augusta, Ga., $200 a year; Columbus, Ga., $225; Macon, Ga., $200——

Mr. GRIGGS. Now, Mr. Chairman——

Mr. HILL. This is my time. Rome, Ga., $200; Savannah, Ga., $200. This is on an average of 33⅓ per cent higher, and he, as a member of the committee, has already voted and sent in a bill covering that appropriation. I would like him to explain the discrepancy between his present statement and his vote.

Mr. GRIGGS. My friend well understands that this is based on the estimates of the Post-Office Department. The gentleman knows that I am only one member of the Committee on the Post-Office, and that I do not belong even to the majority of the committee, and have very little influence with the Post-Office Detartment.

Mr. HILL. These figures are not the basis; these are the actual amounts paid this year.

Mr. GRIGGS. I know that.

Mr. WILLIAMS of Mississippi. They found they could get that much and just got it.

Mr. GRIGGS. I will say to my friend that I base my statement on the cost of keeping a horse in the country and not in a city. I never lived in a city and do not know what it costs to keep a horse in a city.

Now then, I want to say in behalf of this committee that it is their desire to equalize these routes so that adequate compensation can be paid in every district throughout the country for this service and no more. That is the sole idea of the committee. We do not intend to cripple the service; we would not cripple it if we could, and we could not cripple it if we would.

Our idea is, if this bill can be passed, that it will so equalize the service that rural delivery can be extended everywhere, and we do not believe it can or will be extended everywhere under the present system.

Gentlemen talk about the mileage basis of pay. You can not establish that, because, I have no doubt, in the hills of my friend's [Mr. HILL] district it costs more than in the plains in the district of my friend from Indiana to carry this service.

There are such inequalities in it, as I have said, that almost

every district is different from every other district in the service, and that is the occasion of this bill. The committee hopes that through the contract service rural delivery can be extended to its utmost limit. That is all the Post-Office Committee is attempting to do. We do not propose to pay a carrier, because he happens to be in the Government service, a higher salary than the average income of the man to whom he carries the mail every day. It is not justice to the farmers along the route.

Now, the gentlemen from Indiana and from Massachusetts intimated a few moments ago that we are afraid of these rural carriers. I have not uttered a word that authorizes that conclusion. I am, I confess, not impervious to influences in my district. I confess that. I confess that I have not yet reached that high position where I am blind to what my friends and constituents at home may request me to do.

I confess that I am not deaf to the appeals of my constituency yet, though, unlike the gentleman from Indiana, I hope I am not ready to rush to the extreme limit of what anybody might demand in order to keep from being coerced. The gentleman from Indiana said that the chairman of this committee and this committee were afraid that Congress would be coerced; and then, in order to make himself safe from coercion, he went to the very highest limit that anybody ever thought of as a salary for any letter carrier in the country—$1,100.

Of course the gentleman from Indiana can not be coerced. There was once a Hebrew in my town named Jacoby. Old man Sam Mack got full one day, and he went into Jacoby's store and decided that Jacoby's head was the dancing end of his anatomy. So he took Jacoby by the feet and danced him around on his head.

Eventually Jacoby escaped, and, rushing up the street, met the chief of police and exclaimed: "Mr. Chief, come down to my store, and come right now." The chief asked: "What is the matter?" He said: "Sam Mack is down at my store; he is down there drunk, and he made me so mad I had to run out of my own place of business." [Laughter.] The gentleman from Indiana is so determined not to be coerced that he at once rushes to the extreme limit of demands that anybody can make in this service and agrees to a salary of $1,100.

Now, the members of this committee, I believe, are as honest and as able and as capable and know as much about the mail service of the country as any other 17 gentlemen that can be congregated together in this House or from anywhere else. I believe that the chairman of the committee knows more about the post-office service than any other 10 men combined in the United States, whether in the service or out of it, whether in this House or out of it.

So far as I am concerned, I say that freely. But the gentleman from Indiana knows, and every member of the House knows, that the gentleman from California owns no member of the committee. He would not control it if he could, and he could not control it if he would. We have presented to you what we believe to be the most feasible plan, the very best plan for extending this service to all the people. We want the blessings of rural delivery to go to every home in the United States. We do not believe, under the present plan of administration—under the present system—that it can be extended to all the homes of all the people because of its great cost.

Now, as far as I am concerned, I shall never stop to consider that again. This vote, in my opinion, will end all controversy as to the system. As far as I am concerned, if this House votes down this proposition, my position henceforth will be to give the people the service. I shall say, let them have it; extend it throughout all the country; put it in the mountains of the West, establish it in the plains of the South and West, put it throughout the mountains of New England, let all the people have it, without stopping to count what it may cost. [Applause.]

I am not going to offer any proposition, so far as I am concerned, and I am not going to support any proposition as far as this service is concerned, except that which I believe is best for the service and best for all the people. I am willing to give it to the people throughout the whole country, and I shall not stop to consider, as far as I am concerned, the few dollars it may cost to give it to them. [Applause.]

Mr. LOUD. I now yield fifteen minutes to the gentleman from Arkansas [Mr. McRAE].

Mr. McRAE. Mr. Chairman, I ask the attention of the committee while I briefly review the growth of this service, giving my objections to the carrier system and my reasons for supporting the contract system. In 1895, I believe it was, there was inserted in the regular appropriation bill authorization to use for experimental rural free-delivery service $20,000. It does not appear that this was all used, however, and $10,000 of it was reappropriated in 1897.

In 1898 $50,000 was appropriated in the regular Post-Office appropriation bill for that purpose. In 1899, in the regular appropriation bill, there was appropriated $150,000. In 1900 there was appropriated $300,000, and that year there was a deficiency of $150,000 appropriated by the Appropriations Committee in the urgent deficiency bill. In 1901 there was appropriated $1,750,000. In 1902 there was appropriated $3,500,000 and a deficiency of $491,000. There is recommended for the next year $7,529,000.

So that you see how steadily this appropriation for experimental service has increased, and how in the last few years it has bounded from thousands to millions. I want to speak for a district that made in the last decade a greater increase in population and more in manufactures and other industrial pursuits than perhaps any district in the South, and yet it is without a single rural free-delivery route. Notwithstanding this, it is argued by some that this service has been fairly distributed over the country.

What I shall say will be not against this system, but in favor of it. The friends of this bill are the real friends of the rural free delivery. I believe that if you adopt the carrier system with the increased salaries that will follow you will make it impossible for communities like those of my district to ever have this system extended to it. If you want to make it of universal application, you should begin on a practical, economical plan that will make it possible. I want to show you some of the representations upon which the Bureau that has this service in charge has secured at least some of the appropriations I have mentioned. When the chief came before the Committee on Appropriations to obtain the first deficiency of $150,000 in 1900, he was examined, and I have here his hearing, but in view of the limited time I have I will only refer to such parts of it as appear to me to be pertinent to the point I desire to make.

In answer to the question what it would cost, he said: "I can show you places where people have offered to do the work for $200 a year. When we first started the service we had different people bid on it, and we had bids as low as $120."

In closing, upon the question of salaries, because it was pertinent for the committee to know from an officer who had created a deficiency of $150,000 in an experimental service what he could have it done for and why he wanted an increase, he answered: "If they will stand pat on the salary I will guarantee to find all the men in the country to work the free rural-delivery service for $400 a year."

Mr. BOUTELL. Who was that?

Mr. McRAE. Mr. Machen, the chief of the Bureau. Now, without any legislation fixing the salaries he pays the carriers $600, and if you go on and continue this service under the civil-service law the salaries will soon be $1,000. And if the salaries are increased to $1,000 a year, is there a member of Congress who will stand in his place and tell me that there can be a universal extension of the service throughout the country? No. The majority have proposed to reduce the revenues of your Government $70,000,000, and they had my cordial cooperation in that effort. But while that measure has the approval of the country, it must fail unless we reduce expenses somewhere.

Let me call attention to the pertinent fact that with the income from the war-tax law, the estimated revenue for next year aggregates only $712,000,000, while the estimates for appropriations amount to $742,000,000, a deficit of $30,000,000. I concede that $54,000,000 have been estimated for the sinking fund, which may or may not be used, but gentlemen will see how close we are to the danger line when we undertake to reduce our revenues $70,000,000 in the present condition of the Treasury, and at the same time increase expenses.

As a Democrat in favor of rigid economy, I appeal to all who claim to be Democrats to support every proposition to reduce expenditures and taxes, and at the same time I warn the majority of this House of the danger from a fiscal standpoint which they are to incur in voting down this bill. What does it mean? Defeat this bill and extend this service where it is needed with a carrier under the civil-service law and you must increase taxes, issue bonds, or increase the rates of postage. One of these results must follow as certainly as night follows day.

You can not escape it. Is there a man here who will rise in his place and say he is willing to increase postage on letters from 2 cents to 3 cents, or that he will vote to increase taxes in order to defray the expenses of this service, or that he would consent to the Government issuing bonds, as may be done under the bill passed by the last Congress? If you are not ready to do one of these three things, be careful what plan you adopt for the extension of this service. If by hasty, extravagant legislation you make either necessary, then prepare for the wrath of the people whom you must confront in November. Under the contract system the service can be extended wherever needed at only a small increase over the star-route service.

The prosperous times that now surround us will not continue always, and I tell the gentlemen who say they do not care what it costs that a proposition to increase the number of officeholders 50,000 or 60,000 is one of the most momentous and dangerous propositions, in my judgment, that has been presented in this Congress or in any other in recent years.

Think of it. By voting down this bill you declare that you will not have contractors with fixed terms of service, and that you want officeholders, and for life. From the standpoint of economy and good administration my argument against such a scheme ought to commend itself to Republicans. But I ask all Democrats to advert to the platform declaration of your party in 1896 against a life tenure. I will read it, and I hope it will burn itself into the convictions of all who profess the Democratic faith:

We are opposed to life tenure in public service, except as provided by the Constitution. We favor appointments based on merit, fixed terms of office, and such an administration of the civil-service laws as will afford equal opportunity to all citizens of ascertained fitness.

As against a system that invites bids from every citizen along each route, it is proposed to put from 40,000 to 60,000 persons upon the salary roll, to be taken care of from the time they enter the service until they die; because I know, as every member of the Appropriations Committee knows, that it is utterly impossible ever to get rid of any bureau when once established permanently.

We can not even weed out the inefficient clerks in the best-regulated bureaus of the Government. Fasten these men upon your pay roll and they will stay there, to be supported by taxes as long as they live, unless the system you adopt has the effect to weight down the service so that it must be stopped; and if that is done, those who have not the service will never get it, and those who have received it to some extent will get no more. Will anyone argue that it would be right to give it to one section and refuse it to another, as has been done?

I want to answer briefly some of the objections made to the carrier system. I could not help but be amused at the suggestion of the gentleman from Virginia that the contract carrier will be less polite than the officeholder. Why, sir, when did the gentleman learn that by giving a man an office for life you make him polite? Candidates are often polite while they are seeking the office; but the gruffest and most insulting people we meet anywhere are those who feel themselves intrenched by the civil-service law—protected for life against removal and indifferent to those who do not hold office. It does not affect all persons in this way; but it is a mistake to assume that life tenure conduces to politeness.

It is argued that these contractors will be the agents of the people, not of the Government. Why, Mr. Chairman, can we not make the contractors the agents of the people and the Government and make them responsible? I remember that in my little service here we once had a Sergeant-at-Arms who was supposed to be only the agent of the members. He stole $85,000 of our money, including $365 of mine, of which I have never gotten a dollar. Congress at once, by law, made the Sergeant-at-Arms a disbursing officer of the Government and placed him under bond. And now the Sergeant-at-Arms of the House is the agent of the Government, not our agent. We can as easily make the contractor the agent of the Government as we can carriers. So there is nothing in that argument.

You can do by regulation for the contractor just what you can do for the officeholder. But it is objected that these contractors would be "cheap" men. Mr. Chairman, if we get competent men, that is just what we want.

We will then get three contracts where we now get two, and I will undertake to say that if you will pass this bill, I will get all the men needed in Arkansas on all routes not exceeding 20 20 miles in length for $300, if you will permit them to do express work.

In my country, in the industrial pursuits, labor is paid as high a price perhaps as in any district in the United States, ranging from $1.50 to $5 a day in the mills. That is the usual salary of the operators in the mills; but the farm hands can not command exceeding $15 and $20 a month, and never exceeding $25, and then they do not work twelve months in the year either. Clerks can not command salaries exceeding $50; expert bookkeepers can not get over $75 a month. Ministers and school-teachers preach and teach all over my country for from $300 to $500 a year, in the rural districts, and in the towns rarely ever get $1,000; and yet you want to put upon the country 50,000 mail carriers in uniform drawing $1,000 a year.

You can get young men—competent young men—to do the work for $300 and $400. Yea, Mr. Chairman, you will find on every mail route in my State, and I believe in every other State in the United States, some man who has but one leg or but one arm, or some physical defect that disables him from active manual labor, who would be glad to get these routes of 20 miles for $300 a year. I know one of the best mail carriers that I ever saw, who takes the mail out of my own town, 18 miles and back again, and does it for $340 a year.

He is a courteous, competent man, able and willing to do such work; but as he only has one arm he can not do farm labor. Why should such men not have a chance to earn a living? Why should not this service have this labor? The service has been extended in the most thickly settled parts of the country, where the roads are good, where the people are convenient to post-offices, and refused in sparsely settled communities where the people are miles from any office. In my country, where they can not get a post-office within 5 miles of them, and where the roads are bad, the Department does not give us any kind of service. It is often impossible to get an office established, and if we do we only get special service. Under the contract system, if you will permit these people to do express business and carry telegrams and packages, they will supplement their pay, and by the competition in bidding the Government will get the benefit of this and the contractors will still get living salaries in every community, and give the people the service in that respect so much needed and wanted.

Now, under your carrier system this is not likely to be done. Under our contract system it will be done. So, Mr. Chairman, I appeal to this committee in behalf of a section of country that is in need of better mail facilities to go slow upon a system that will by reason of its expense prevent improvement where most needed.

I believe the mail is the greatest educator that we have for grown up people, and I have repeatedly, from the first Congress I entered until the last, advocated the increase of the appropriation for star-route service in order that more people might have the benefit of mails; but I have been defeated in every proposition I have made, and now, lastly, I appeal to you not to so hedge about this system with officeholders and so discriminate against the private citizen that it will make it impossible for people in our country to ever get the benefit of it. [Applause.]

[Mr. DAVIDSON addressed the committee. See Appendix.]

Mr. SWANSON. I yield twenty minutes to the gentleman from Illinois [Mr. KERN].

Mr. KERN. Mr. Chairman, I do not rise for the purpose of questioning the integrity of the intentions, or the ability of the eminent gentlemen who compose this committee. On the contrary, I believe that the men who compose this committee are absolutely honest, thoroughly able, and highly honorable. I shall not attempt to discuss this question from any standpoint of personality, but I shall rather attempt to go into the principle of the matter.

I am opposed to this bill because I am an unfaltering and uncompromising supporter of the free rural mail delivery system. I am opposed to it because, in my opinion, if it is enacted into a law it will seriously impair the usefulness of that system. I am opposed to it because, in my belief, it will bring the system now so much admired by the people into contempt with the people. I believe that the passage of this bill will in its effect amount to the planting of a powder magazine under the system which will, in its final operation, lead to its sure destruction.

This bill proposes to inaugurate the radical change of substituting the contract system in the employment of the carriers on the free rural mail-delivery routes which have been established in this country and which are hereafter to be established for the system of employing the carriers by appointment under the merit system and paying them a fixed salary for their labor. This proposed departure looks to me like retrogression. It looks to me like taking a step backward in the administration of the affairs of this Government. The watchword of this and every other Congress that meets here should be progress instead of the reverse. Every step we take here should be a cautious but sure step in advance instead of to the rear.

The contract system has been tried in every department of our vast and intricate Government machinery from the school districts and the township up to the performance of the most important functions of the National Government. The objections to it have been revealed by a long line of experience. They seem to inhere in the system itself. They can only be cured by the abandonment of the system. One need not go far in his investigations to discover the fact that the higher and more progressive thought of the country unqualifiedly condemns it.

It is true that it does at times result in cheaper service for the Government, if cheapness be the end sought. It seems to me that in this instance the end in view should be a decidedly different one. We should not merely ask ourselves the question, in determining how to cast our votes on this bill, how can we obtain the cheapest possible service, but it is the part of wisdom to inquire, in this important connection, how can we obtain the best possible service for the people whom we are seeking to benefit, and how can we best promote the happiness of the people and sow the seeds of good will and the most cordial relations among them instead of the seeds of hatred and discord?

The ends last named will certainly not be attained by the adoption of the contract system in the rural free mail delivery department of this Government. There never was a greater breeder of discord and dissension among the people than this very contract

system which we have heard so eloquently eulogized by the other side on this floor during the last few days. It has always been a veritable apple of discord. Why, the accursed thing has again and again set father against son; son against father; sister against brother and brother against sister; brother against brother and friend against friend; neighbor against neighbor and citizen against citizen. It has caused quarrels enough to disturb the peace of the world. It has stamped more bitter frowns on human faces and made more men unforgiving and implacable enemies than all other causes—and I except none—on earth combined.

The objection is seriously urged by well-meaning men on this floor that the appointive system, if continued in this Department, will lead to abuse and to the improper and corrupt use of political power. I have no shadow of a doubt in my mind that there will be some abuses committed under the appointive system, and that there will be attempts made by peanut politicians to prostitute the free rural mail-delivery system for selfish and partisan purposes. The complete elimination of the possibility of these things, which are universally condemned by all good men—and these are happily greatly in the majority in this country—would perhaps necessitate a radical change in human nature as it is now constituted.

The only remedy I know for the cure of this evil is to enlighten public sentiment. Arouse the community against the contemptible scoundrels who undertake to debauch the most sacred and useful institutions of the people for great or trifling private gain and it will be sure to meet with the rebuke and punishment which it so richly deserves. Hold them up to the scorn and the contempt which their unmanly and unpatriotic conduct merits. An extended free rural mail-delivery service will help very materially to facilitate all just efforts to reach and inform the people to arouse their righteous indignation and their justifiable scorn against methods of that kind.

They can be taught without much difficulty, to repel the selfish advances of the interested fixer and to despise his shrewdest and most cunningly contrived manipulations. I for one do not permit the anticipations of danger from this source to frighten me into casting a vote against a principle which my better judgment tells me is unsound and against a policy which I consider not only unwise but totally vicious and most certainly destructive of a system which, I take it, we are charged with building up and not undermining and tearing down.

But when it is intimated that under the blessed boughs of the contract system the atmosphere is pure and uncontaminated and that that system enjoys immunity from manipulation, abuse, corruption, and fraud, the estimable gentlemen who convey the intimation seem to me to be indulging in biting sarcasm and keenest satire, while the knowing smile significantly and perhaps keep their peace and say nothing. There has been more fraud perpetrated, more unfairness indulged in, and more crime committed, and more guilty men have escaped just and deserved punishment and have successfully dodged the penitentiary in performing the work of awarding government contracts than in any other field of chicanery, rascality, and criminal endeavor.

It is not because the criminals connected with this work of awarding Government contract have been more numerous than in other fields of human effort, but because the temptation has been infinitely greater and the probabilities of detection and arrest decidedly smaller. On this point I defy successful contradiction. Carefully sealed envelopes are stealthily opened by many a man charged with the solemn duty of awarding the contracts, and the bids of his competitors are shown and their contents disclosed to the favorite with the pull without the slightest compunction of conscience whatever.

Rake offs are cheerfully accepted and stipulated for in the coldest and most business-like manner. Good bids are rejected for inadequate reason in the interests of the most flagrant kind of partiality and favoritism. Corrupt combinations are formed to avoid the disastrous results of reckless and ruinous underbidding. The crime of bribery dates from the invention of the contract system. The contract system gave it its birth in the most natural way. It is the legitimate mother of crimes unnumbered and innumerable. It is the bane which lies at the root of the evils of all of our great cities to-day, and which has poisoned and now poisons municipal politics throughout the length and breadth of this great country.

The contract system has never won or increased the respect of any man for his Government. The winner in the contest as well as the loser was compelled to engage in a distasteful and disgusting cutthroat business to attain his victory, which is, as a rule, if it is honestly won under the ruinous competition of this day and age, not worth the having; and perhaps he would be better off if he had lost it, too, and the triumph had gone to some other unfortunate victim. I know of many cases where the winner came out loser and of some where prosperous business men have become hopeless bankrupts and pitiable objects of public charity, and of some where they wound up the miserable transaction in suicides' graves.

I take it, Mr. Chairman, that the free rural mail-delivery system, which in this country is still in its infancy and which is so promising of bright results for the future, is too splendid an institution to have its chances for survival imperiled at this stage of its development by injecting into its make-up the deadly virus of the accursed contract system. If the contract system is to be granted a renewal of life, why commence to reanimate it in connection with this new and in every way vigorous branch of the Postal Department of our Government?

I fail to see the reason why the rural carrierships should be let to the lowest bidder while postmasters and other employees of the Government, whose work is no more important, and in many cases not nearly so important as the work of the rural carriers of the mails, should be paid a fixed salary. If the principle on which the proposed departure is to rest be sound, and I deny its soundness, and the intended policy wise, and I deny its wisdom, then I fail to see why all of the jobs which the Government has to give should not be let to the lowest bidder and the much-praised auctioneering principle and policy given universal application. If it would result in economy, fairness, and an improved public service in the case of the free rural mail carriers, then is it not reasonable to expect the same effects to follow the same causes in connection with other governmental positions? It is contended that some routes are more easily and can therefore be more cheaply carried than others. This contention is correct. But so can some jobs be more easily and therefore more cheaply performed in the Treasury, Pension, and other departments of the Government. Yet in these departments employees in the same grade receive a uniform wage, although they do not by any means render equal service.

The rural mail carrier is a workingman. He is required to work hard for his living for small pay. He is compelled to brave all sorts of inclement weather. Rain, snow, or storm, scorching summer heat or the bitterest cold of winter is not accepted as an excuse for his staying at home. The laborer is worthy of his hire. Every workingman in this country is entitled to living wages and a little more. While I am a believer in strict governmental economy, I do not believe that this Government should set the example to the country of paying starvation wages to workingmen. It should rather set the example of paying liberal wages to the men and women who perform the actual work, hold no sinecures, and do the hard knocking in the service of the Government.

We do not hesitate to pay a conquering hero in the Philippine Islands a salary of $20,000 per year, outside of the perquisites which attach to this position of glorious expansion and benevolent assimilation, but we engage in all sorts of cheeseparing and debate on this floor for many days on the question of whether a rural mail carrier shall receive $500 or only $250 per annum for the hard and useful toil which he performs. I believe in spending less money for conquest and more for the dissemination of intelligence.

I believe in spending less money for the manufacture and use of the murderous implements of bloody warfare and more for education. I believe that when the free rural mail system was established in this country a great and mighty torch was planted on this hemisphere, which will shed its rays of calcium light to the remotest and darkest corners of it. It will bring blessings to the people, where all the wars bring curses in their train.

The farmers of this country are entitled to the best mail service which this Government can give them. The farm is the cradle not only of the statesmanship of the future in America as it has been in the past, but of the leading business talent and the dominant professional talent which will have in its hands and under its guidance the business and professional affairs of the country as well. Our statesmen are not reared in luxurious palaces and antique castles. Their names are not adorned with high-sounding titles. They come from the lonely farmhouses uncontaminated with vice and unaffected by the enervating influences of wealth and luxury. Our great characters come not from the top heap of human society, but they rise from the bottom up.

Every farmer is a business man in every sense which that term implies. He is certainly as much entitled to have his letters brought to the door of his humble home as is the man who resides within a more pretentious edifice inside the limits of a city.

He, like his fellow-men who are more fortunately located, is also interested in the daily doings of the world in which he lives. He is therefore entitled to receive his newspapers which contain the record of the history of the world as it is made regularly and in seasonable time. The free rural mail-delivery system is simply a sensible supplement made to our great educational system, and it should be cherished, fostered, and preserved.

I desire to say in addition that the wage system has become a fixity in our Government. Experience has proved the expedience

and efficiency of that system. The demand among the people is not for an abridgement of this wage system, but for the extension of it. The workingmen of this country, among which I include the farmers, are this day demanding that the navy-yards be placed on the same practical and altogether satisfactory basis that the Government Printing Office stands on, and on which it is being so successfully conducted. I place the contract system in the same category with the antiquated fee system still prevailing in many of our courts.

Both are totally vicious and are ruthlessly condemned by the dearly bought experience of many years. I place it in the same category with the abominable and fossilized piecework system which prevails in the mail-bag repair shop conducted by this Government in this enlightened city. This shop is a proper subject for the investigation of the humane society. In that shop women with children to support are compelled to eke out a living on incomes which some days do not exceed the munificent sum of 40 or 50 cents.

This shop is a disgrace to this country. Its very existence is an outrage and an atrocious black splotch on the otherwise fair escutcheon of this great Government. It is one of the very worst sweat shops within our borders. The system in vogue there, in the interests of preserving our good name, should be speedily abolished, and the wage system should be substituted for it, and the people who are compelled by force of unfortunate circumstances to eke out a living amid those unpleasant surroundings should be paid fair and living wages for their hard and unremitting toil. I mention this fact only to show to you the evils of systems other than the one which this bill threatens to destroy in connection with an important department of the Government.

Let the farmers of this country have the free mail-delivery service untrammeled, unencumbered, and unimpaired. So perfect the system that in the fullness of time every farmer under our flag can have his mail delivered to his home every day. Bring his mail to him as well as you take it to the bank and the counting house and the exchange, and give him a chance to get his own communications to the men he does business with into the mails. Bring his newspapers to him regularly and promptly and you will greatly raise the standard of intelligence in this country.

On the universal education of the people and on the average degree of intelligence that prevails among them depend the safety and the purity of our free institutions. It was the great Jefferson who wrote that he would rather live in a country with newspapers and without a government than to live in a country with a government without newspapers were he compelled to take his choice between the two.

His great mind grasped the vital principle that an enlightened people can be trusted to be orderly and to exercise a broad and general justice in the end. He well knew that in the presence of ignorance, selfishness, and cupidity, with these the predominating factors in life, no sort of government could be beneficent or could long endure. Let the light shine. Light the torches of intelligence all along the line. Disseminate knowledge; plant facts; spread education. Do nothing that will have a tendency to tear down the great aid to education and enlightenment which this newly born rural mail-carrier system is.

[Here the hammer fell.]

Mr. KERN. Only one more minute, Mr. Chairman, and I am done.

Mr. SWANSON. I yield two minutes more to the gentleman from Illinois.

Mr. KERN. Be not stingy with the carriers. Do not let the charge of cheapscrewism hold good against you in this connection. Pay them good and fixed wages and then require of them that they perform their work honestly, efficiently and impartially, and without partisan predjudice or bias. Make of it a system to which this country can point with just pride as it is now doing and has just reason to do to its efficient and nonpartisan railway mail-clerk system and its magnificent printing office.

Place all in the same grade and class, on the same footing, with the same requirements, and on the same pay, and let that pay be adequate and reasonable. This Government can not afford to be niggardly with its honest, useful, and faithful toilers, and subject them to the manipulations of the cold-blooded auctioneer. I shall cast my vote against this bill, because I honestly believe that if it becomes a law it will destroy the free rural mail-carrier system. [Loud applause.]

Mr. SWANSON. I yield ten minutes to the gentleman from South Carolina [Mr. TALBERT].

Mr. TALBERT. Mr. Chairman, as the gentleman who has just taken his seat has so eloquently said, the establishment of the system of free rural delivery is intended primarily and to be maintained afterwards in the interests of the great farming class of this country in common with all others living in the country, that class and that industry which is the foundation stone of all happiness, of all greatness, and of all prosperity; and from the time that I first entered this House in the Fifty-third Congress I have been an ardent supporter of this free rural-delivery system in the interests of that large class of people who are only recognized, so to speak, by this Government, by the auditor, and the tax collector once a year and sometimes oftener.

It is singular and strange to me that whenever a system is evolved and put into operation here which tends to elevate and to upbuild that class, to make country life more desirable, to diffuse general knowledge and intelligence throughout the country amongst the great mass of the people—people who are isolated naturally—that there should always appear on this floor so many eloquent advocates against that system, who all want to say at once that this will cost too much, because, forsooth, it applies to that class. You never hear anything about economy when the managers of great corporations, the great controllers of trusts, and the great monopolists come here and want anything. They have advocate upon top of advocate; but, strange to say, when something is proposed for the great mass of the people—the farmers of this country—who produce that which feeds and clothes the world, and who after feeding and clothing themselves and every other citizen, and every other class and profession, send enough abroad to pay the balance of trade of this nation in its business with other nations, you find so many crying out it will cost too much. Why begin to economize on the farmers?

About the very first speech, or among the first speeches, that I made was made in the Fifty-third Congress in the interest of an appropriation of $20,000, which was introduced by Mr. Moses, then a member of the Post-Office Appropriation Committee, as an amendment to that bill. I advocated it in a speech, Mr. WILLIAMS of Mississippi and several others advocated it, and it passed, and that was the first practical appropriation that the Postmaster-General ever made use of which started this great system. This sum was then increased from session to session and from Congress to Congress till it reached its present proportions. I have heard men get up on this floor here, who had hardly thought of Congress then, and claim to be the great organizers and starters of this system. It is not strange that so many should now want to daddy the project. I heard of it before I ever came to Congress, and have only done what I could to push it along, because I saw it was good.

Now, the first argument against this system is that it will cost too much. If the people in the country are entitled to a service at all, they are entitled to an efficient service. Look over the bill that is to come up for consideration soon, from the Post-Office Appropriation Committee. You find there the enormous sum of $17,000,000 or $18,000,000 appropriated for free delivery in the cities and large towns all over this country of ours. I am not here to militate against or oppose that appropriation. I say let them have it, because it is right. In addition, they have appropriations for street-car tickets, bicycles, and every other facility in addition to the large salaries that these city carriers get. But I ask in the name of common sense is it right to deny a similar privilege to the people in the country? I maintain that the country people are as deserving of such things as our city people. If you wish to economize, why is it that you do not incorporate the contract system in this bill for the free delivery of the mail in the large cities and towns of this country? Then at least you could have claimed to be consistent. But you want to commence your parsimony only on one class of citizens.

I do not wish to impugn the motives of members upon this great committee, but it does seem to me that it is a move toward disorganizing and destroying this great system of rural free delivery which the farmers have so much interest in, about the only thing the Government does to help make country life more desirable. Who is it that fights your battles for you? Who is it that pays 80 per cent of the taxes if it is not the people in the rural districts? And I say that whether you intend it or not, if this bill should pass it would prove the death knell of free rural delivery; and, in my humble judgment, there are some gentlemen here who would destroy that system under the pretended head of economy.

When the agricultural appropriation bill comes in here there is always some smart Alec who gets up and moves to strike out the appropriation for the small pittance to purchase seeds to send out amongst the farmers. Strange it is that there is always somebody here to fight that great class who have the burden of this Government upon their shoulders. I for one am sick and tired of hearing these silly little cries against the appropriation for these great people. I am an economist. I stand for economy; but at the same time I stand for an efficient service in the affairs of this Government. Under the contract system you can not get an efficient service. Why is it that you say it costs too much? I care not how much it costs, so we get value received, and so we give this service to the people of the country, who are always ready and willing to defend it in time of peace and in time of war, and this service will eventually pay for itself.

You may say you do not intend to cripple the service; but, my friends, the spider may not have said that he intended to eat the fly when he invited him into his parlor. So it is with you here in your cunning way. You ask men to vote for something here that will deprive the people of the country of this convenience—of this great civilizer and enlightener—which will let the people who live in the country know that we regard their wants in some other way than by sending the tax assessor and tax collector to them. Let them feel that they have an interest in this great Government as well as all of the other classes who are safely living in the great cities and towns.

Now, I do not stand up here to claim that the farmers own this country. It is not their country; it is not the lawyers' country; it is not the doctors' country; it is not the city man's country; but it is our country, and all should work together for the mutual upbuilding and benefit of each and every class. I say do not make fish of one and flesh of the other. Give to the country people the same conveniences and the same amount of money as you do to the people who live in the cities. Ah, my friends, if it was not for the sturdy yeomanry and the honest nobility who live in the country, with their conservatism and virtue, to stand out against the corruption and vice of the congested cities and towns, it does seem to me sometimes that the great Creator would have to burn it up in self-defense.

Of course I speak in a general way, because I know that thousands of good and virtuous people live in our great cities. But I say give us something that will enlighten the country, that will do justice to the country boys who are already too willing to leave the farms, to leave their homes in the country and go to the overcrowded towns and cities, where they can part their hair in the middle and wear standing collars so high as to resemble a whitewashed fence around a lunatic asylum. [Laughter.] Let them stay in the country, beautify and build up their country homes and make them happy. God made the country, but man made the cities and towns. Let us take care of all of them—good, bad, and indifferent—by doing justice to all alike. [Laughter and applause.]

I am against the enactment of any such measure as this, because it means the dissolution and disarrangement and disorganization of the plan which has been adopted in establishing the carrying of the mail free to the people of this great country of ours. The farmers of this country alone have no protection. Every other class has been protected. The farmer is left alone, as it were, to battle with the soil and climate and adverse circumstances, unsophisticated as he is, knowing nothing about the tricks and traffic of trade and the whittling process of speculation, knowing nothing about the grinding and oppressive operations of trusts and combinations, but ready to do his duty as the honest yeomanry of the country, the man always ready to respond to his country's call. Then let us do him justice as well as the others. I will stand for him, and I am willing to live and die, sink or swim with him. I am opposed to this bill, which means a disarrangement of the plan which gives the farmers what they ought to have. Let the present arrangement stand as it is, at least for the present. [Loud applause.]

Mr. SWANSON. I yield ten minutes to the gentleman from South Carolina [Mr. LEVER].

[Mr. LEVER addressed the committee. See Appendix.]

Mr. SWANSON. I yield five minutes to the gentleman from Indiana [Mr. MIERS.]

Mr. MIERS of Indiana. Mr. Chairman, the people have more interest in this bill and the Post-Office appropriation bill than in any other that will be presented to Congress. Our mail system is unique and its degree of perfection is the wonder of everyone. It is made to serve the rich and the poor. Two cents will carry a letter to the business man on Wall street or to the cabin of the humblest citizen in the Republic. The system is being perfected until mail of all kinds is carried to the citizen farthest remote from the city as well as the closest. The general appropriation bill carries an appropriation of $137,916,598.75 for the purpose of disseminating mail to all classes. A very important bill is the one that raises the money to be appropriated, not by direct taxation, but by a tariff. It is paid by the poor as well as the rich. All consumption is made to pay into the Treasury of the United States. The people are therefore interested in tariff bills. During the time allotted me it is not practical to fully discuss the many virtues of the mail service nor the many unjust features of the tariff that raises the revenue. I will therefore confine myself to a discussion of the tariff that in my opinion adds nothing to the revenue, but builds and protects the trusts and masses the wealth of the country in the hands of a few.

There are many questions of great importance now confronting the American people and their Representatives in Congress, such as the Philippine question, the Cuban question, the canal question, the Chinese question, and the anarchy question, but I do not hesitate to say that none are of more importance than the question of the trusts.

In the terrifying growth and multiplication of these monopolistic combinations, and in their apparently irresistible power, resides the chief danger to the American Republic to-day. That it is a most grave danger no thinking man of patriotic fiber can deny. Even the Republican party, which is responsible for the trusts, recognizes the danger, or, at least, sees that the people recognize the danger, and, accordingly, that party has repeatedly, in its platforms, declared in one breath that the trusts must be regulated, while in the next breath it has declared for the high tariff, which alone has made the trusts possible and given them their supreme and despotic power.

The Republican party is the sole progenitor of the protective tariff; the tariff is the mother of trusts; therefore the Republican party is directly responsible for the trusts. This, Mr. Chairman, is a syllogism which is perfectly clear and logical and can be doubted or denied by no man.

But some say, Why all this tumult and panic about the trusts? What harm do they do? Do they not, on the contrary, do good? Wherein do they differ from other large business firms and companies? In so far as these are honest questions, propounded in a fair spirit, they deserve a fair answer.

In the first place, the trusts are not at all like the large business companies or corporations of former times. They differ from them not merely in dimensions, but also in their very nature and essence. Formerly a business house was formed to compete with other business houses in a certain line of commerce or production. The larger or more powerful it was, the larger and more powerful would be its competition. But even if it sought to monopolize trade in its particular line, it could rarely succeed in doing so, even for a short time, because other large and important houses would certainly spring up to dispute the field with them. Or, supposing that a house or corporation was the first in a new and unworked field, and thus had a monopoly at the start, it could not retain it long, for the same reason. Thus "competition" became and long remained the watchword of business, and it passed into a proverb that "Competition is the life of trade." And so it was. Through competition prices were regulated in a salutary and rational manner, and the people were sure of having good goods at fair prices, because if one firm tried to sell inferior goods another firm would come to the front with superior goods at the same price, or if one firm overcharged, the other competing firm would force it to come down to the proper and reasonable figures. In the same way competition acted as a conservator of good wages for laborers and employees in general. If one company tried to reduce wages, the result was soon seen in inferior work and goods, and the rival company, by keeping up the standard of wages and products, would win the lion's share of the popular patronage.

But now all this is changed by means of the trusts, and the watchword "competition" has given place to the watchword "combination" or "consolidation." The trust is not simply another business company entering the field in competition with other companies already therein. The trust is a combination of all the firms and companies and corporations in any particular line of business, so as to make one great consolidation of the many single companies or firms, and thus to stifle all competition and secure an absolute monopoly of the business. The trust not only absorbs all the separate houses and firms in that line of business, but also gets control of all the sources of supply for the goods handled in that business, and so prevents the formation of any new firms or companies outside of the trusts. It thus has the public at its mercy, so far as that line of goods is concerned. [Applause.]

This is a plain but correct statement in brief of the nature and operation of a trust, and the definition is so familiar to everybody that I should apologize for repeating it, except that it is necessary as a component part of the argument.

But the apologists for the trusts—and some of the apologists, by the way, were found in the inner circle of the Republican National Committee in 1900, and imprudently voiced their defense of the trusts at a dinner party late in the campaign, as may be remembered, greatly to the alarm of the more cautious party managers—the apologists for the trusts, I say, acknowledge the correctness of this definition, but they maintain that such combination is a good thing for the public; that it enables prices and output to be properly regulated, prevents overproduction, etc., and they even claim that it has benefited labor by increasing wages, and has benefited the purchasing community by diminishing prices.

Both of these claims are proved false by many authoritative statistical facts, including the figures of the last United States census, just published. According to the figures of the census on manufacturing, which have been completed for 33 States and

Territories, the average wages of the laborers in all the manufacturing industries have declined 8 per cent since 1890. Specifically, in those 33 States and Territories 1,004,590 wage-earners received an average of $418.48 each per year, or $1.39 per day, in 1890; and 1,463,365 wage-earners in these same States and Territories received an average of $387.53 each per year, or $1.29 per day, in 1900. This shows an average decline of 8 per cent in those years, and there is nothing unfair in the comparison, because both 1890 and 1900 were prosperous years. The period of this decline, remember, was a period when the trusts came into power and when their reign was becoming more and more supreme with every passing year, until now they have nearly every branch of industry by the throat and can do to labor whatever they will.

But this average decline of 8 per cent in wages does not tell the worst of the story, for in some of the more important manufacturing States the decline has been truly alarming. In New Jersey, *for instance*, we find by these same census figures that in 1890 the average wages earned in the various manufacturing industries was $2.24 a day, and in 1900 only $1.52 a day, thus showing a terrible decline of 32 per cent in wages in New Jersey during the ten years following 1890.

As to prices, the annual statement by Dun's Review last January is sufficiently instructive. Dun's Review, as is well known, is one of our highest commercial authorities. It is entirely unbiased and unpartisan, and its figures are accepted without question by all business men. Its careful and exhaustive compilation of the prices of the various commodities, including foods of all kinds, clothing, metals, and all other commodities, on January 1, 1902, as compared with 1900 and 1890, shows that the cost of living, as gauged by these prices, is nearly 7 per cent higher now than in 1900, and more than 11 per cent higher than in 1890. Here we have an increase of 11 per cent in the prices of the necessaries of life and a decrease of 8 per cent in wages since 1890 as a result of the practical operations of the trusts. What a commentary is this on the "jollying" given to the laboring men of this country by Mr. Carnegie and other trust magnates, when they declare, as Mr. Carnegie recently declared in a meeting of railroad employees, that "under present conditions the wages of labor tend to rise and the prices of the necessaries of life tend to fall!" What nerve this displays, Mr. Chairman, when every man and woman in the country who buys anything knows that prices are now very high, and higher than formerly; that food of all kinds is high, coal high, wood high, furniture and clothing high, and that work is not as well paid as it was a few years ago.

The trusts control not only the wages and prices but also the output. The apologists say that the trusts regulate the output according to the demand. No doubt they can do so if they wish, but they can also keep the output far below the demand, and thus send up prices, or they can even set high prices for their products irrespective of the demand and irrespective of the supply, and that is just what they are doing now. Take coal, for example. The coal trust has been setting prices arbitrarily all through the season. For instance, last summer it was given out that the price of such and such coal should be at such and such a figure until, say, November, when it would be raised to such and such a higher figure. Sure enough, when the time came the price was raised by proclamation. And in this month or next month it may be raised again by a similar arbitrary proclamation. These prices are established by the trust at its own sweet will. No reference is made as to the output. The public does not know whether coal is plenty or scarce. The trust mines as much or as little as it chooses and sets whatever price it chooses. The public must have coal: it must take the coal furnished by the trust; there is no other coal to be had; the coal trust, therefore, has the public absolutely beneath its heel.

Not only so, but the trust also dictates what kind of coal the public shall buy. In former times if a purchaser bought a ton of Lackawanna and did not like it, he might try next time a ton of, say, Lehigh. But now certain kinds of coal are shipped to certain sections, and those sections must have their particular kind of coal or none. An illustration of this fact came to my notice in central New York last autumn. In one of the towns on the line of the Delaware and Hudson Railroad a citizen who had just settled there and knew nothing of the local coal market ordered a ton of coal, and on trial it proved not precisely satisfactory. Accordingly when he went to get a second ton he asked the dealer for another kind, but the dealer informed him that there was only one kind to be had in that town or in any of the other towns served by that railroad, namely, the Delaware and Hudson Lackawanna coal; that the railroad would not transport any other coal except at prohibitive rates of freight. Inquiry of other dealers confirmed his statement.

This illustration shows the practical working of the trusts. They dictate what the citizen shall buy and the prices he shall pay. There is no escape from it. There is no competition, no opportunity for him to exercise selection or choice. If one dealer's goods or prices seem unsatisfactory to him, there is no use in his going to another dealer, for there he will find the same goods and the same prices, all dictated by the oppressive, despotic, merciless, almighty trusts. There is nothing to hinder the trusts from sending up the prices of all the necessaries of life to-morrow 10 per cent or 100 per cent; nothing to hinder them from charging $100 a ton for coal, or $100 for a barrel of flour, or $1 a pound for writing paper, or $1 a pound for sugar. The trusts have grown so bold and so confident that they seem to have very little fear left, very little sense of responsibility, very little disposition to restrain themselves. They are not afraid of the courts. They are not afraid of Congress or the Administration of the Government, so long as the Republican party is in control. The only thing they are still a little afraid of—the only thing that still tends to restrain them within decent bounds—is the fury of the people. The trusts are putting on the screws as tightly as they think the public will stand it, and they would tighten them still further if they were not afraid of arousing a public sentiment that would put an end to their way of doing business. [Applause.]

There are now at least 400 trusts in the United States, capitalized at the enormous figure of about $7,000,000,000. Many of these combinations are comparatively small. Many are only partial in their control, and many are simply local. But the number of the big trusts, reaching all over the country and in nearly every case absolutely controlling their several commodities, is nearly 100; and among the products thus monopolized and practically removed from competition are sugar, oil, linseed oil, beef and other meat products, whisky, beer, tobacco, malt, the telephone, pottery, wire, tin plate, iron and steel manufactures, copper manufactures, electrical manufactures, celluloid ware, baking powder, biscuits, flour, shot and lead manufactures, leather goods, rubber goods, brooms, matches, paper, silver plate, coal, lumber, cement, corundum, salt, varnish, kodaks, coffins, mirrors, wall paper, elevators, safes, refrigerators, sash and doors, shovels, print cloths, dyewoods, envelopes, window shades, and hosiery. Think of all these articles and many others under the control of a comparatively few men, each industry dominated by a single corporation or a few corporations acting in combination with all these billions of dollars at their backs! Think of all these necessaries of life being completely removed from the field of healthy business competition, and their prices fixed arbitrarily by a few capitalists in order to distend still further their already enormous fortunes at the expense of the toiling, poverty-stricken masses!

But it may be said, "What can be done? Where is there a remedy to be found? Now that these trusts have been legally established, how can they be legally dislodged or their evils counteracted without public disorder or violence?" Yes, there is a way, and the sooner it is followed the better. As the tariff is responsible for the trusts, so the reformation of tariff abuses and inequalities will give the death blow to the trusts. The trusts have stifled competition in the United States because the tariff on the products controlled by them in this country has been prohibitive of the entrance of similar foreign-made products at lower prices, and consequently our own American purchasers and consumers are compelled to pay whatever prices the trusts may command them to pay. Only let competition come in from abroad, and a hole would at once be made in the trust balloon, and down it would come to the ground in the twinkling of an eye, with disaster to all its inflated highflyers. [Applause.]

More than that, much more than that, by cutting off the tariff, which has fostered the monopoly of the trusts, competition may be secured once again at home, and without such competition from abroad or at home, or both, the country can never be happy or safe or really prosperous, for competition is the paramount law of industrial life. The apparent prosperity of the present day is neither genuine nor general. There is undoubtedly great, tremendous, very unjustly disproportionate prosperity to comparatively few. But it is confined to those who are on the inside of the trusts. This favored class of financial aristocrats is getting fabulously rich at a rapid pace, but the employees of the trusts are not getting rich, the laboring people of the country are not getting rich, the small merchants are not getting rich. As I have shown, the wage earners are getting less wages now than ten years ago, and the cost of living is greater now than then. Surely a corporation that is strong enough to dictate terms to 80,000,000 people can get along without protection for the sake of protection.

It is significant to notice, by the way, that nearly one-half of the trusts have been chartered during the last two years, which is the very period when the greatest advance in the prices of the necessaries of life took place; and now the country is menaced by the worst trust of all—the grand climacteric of the trusts—the pending money trust, which actually proposes to get hold of and control the money of the country, and will do so if not checked in some way. The immense power wielded by the consolidation of all our leading money interests and multimillionaires into one

concentrated money syndicate may perhaps be faintly and approximately imagined, but the actual realization of its disastrous consequences would not come to the people until the power of the syndicate had been firmly established, and then it would be too late to escape from its remorseless clutches. Such a syndicate could and would secure a monopoly of all the country's banking and money lending and borrowing, and would manipulate the United States Treasury at its pleasure. It would come to this, that a few rich men would own the country, as the trusts practically own it now.

This money syndicate would be nothing more than the logical result of the trust system now in vogue. The system may be compared to an ever-narrowing centrifugal motion. At first all the industries are seen revolving around freely in the business world, like the planets, comets, and asteroids of the solar system. Then one consolidation takes place, and the revolution becomes narrower and more contracted, and then another consolidation, and then others, with less and less freedom and scope of revolution, until all the separate individuals of the system are finally consolidated into one, all the forces of mutual attraction and repulsion are dissipated, all balance lost, and the whole system, thus broken up and ruined by consolidation, falls into the fiery central sun and is annihilated.

In other words, every consolidation narrows the field of competition and restricts trade. The more competitors the better. This is the universal, essential law of healthy business life.

The best way to strike at the trusts, I repeat, is through the tariff. The tariff is the mother of trusts, and the trusts can not live without the continued sustenance derived from their mother tariff. The tariff should be so reduced as to let in foreign competition along all lines controlled by the trusts, and as demanded by the Kansas City platform. It is not alone the Democrats of the United States who perceive this necessity. We have abundant Republican authority of a very high order for making this demand. The great Republican financier and leader, John Sherman, on the 15th of October, 1888, said in the Senate:

> Whenever this free competition is evaded or avoided by combinations of individuals or corporations, the duties should be reduced and foreign competition invited.

On August 26, 1890, Senator Plumb, of Kansas, in a speech delivered against the then pending tariff bill, said:

> There are dozens of lines of manufactures covered by the terms of this bill which are controlled by trusts. I do not know of any better way to start in, at least to reduce the exactions of the trusts, than to cut down the shelter behind which trusts are created.

The late Governor Mount, of Indiana, in December, 1899, in a public speech, said:

> I emphatically favor removing all tariff protection from every industry that belongs to a combination in restraint of trade.

Republican sentiment in that direction is not confined to former days. There is plenty of it in this present Congress, and it will yet make itself heard in spite of gag laws, framed by Republican autocrats in behalf of their friends and allies, the trusts. The bill of the Republican member from Wisconsin to reduce the duties on iron and steel is a step in the right direction. The latest reports from the steel trust, officially issued not long ago, show that that corporation is making 10 per cent on its nominal capitalization of about $1,300,000,000—making a net profit, it is said, of about $120,000,000 a year. But it has been proved that fully three-quarters of the capital of this monstrous and bloated concern is water, so that in reality the trust is making $120,000,000 a year on an actual capital of about $400,000,000, or in reality about 30 per cent.

No wonder the directors and other insiders of this trust feel jubilant and hug themselves as they reflect upon their golden future prospects of making more than a hundred millions a year by selling a ton of steel rails to our own people for $28 and to the English people for $21, and by other transactions of a similar nature. It is our extraordinarily high tariff that enables the trusts to do such things—and they are all doing so, as they have opportunity—making money by overcharging the American people; and they are enabled to overcharge by reason of the high tariff, which keeps up an artificial level of prices in this country and keeps out foreign competition. I know it will be said that in this case the price of steel rails is higher in England than it is here. It has been so, I grant, occasionally for brief periods during the last three or four years, but it is not so normally. And even if it were so always, is that any justification for the continuation of the tariff on steel? Is it not rather the best argument for its discontinuance? If we can make steel rails cheaper than England or any other foreign country, what is the use of the tariff? Its only effect is to keep prices up higher than they ought to be in this country, so that our own steel trust can have a pretext for continuing their home price $28 a ton, while secretly selling to England at $21 a ton.

I have taken the steel trust as an example. But any of the other trusts would have done as well. They are alike. They are all made possible by the stifling of competition through combination and consolidation in this country and through the shutting off of competition from other countries by a high tariff. They are all fattening themselves on the lifeblood of the American people by wringing money out of them to pay the high prices made possible by the tariff; and many of them, like the steel trust, sell their manufactures for lower prices abroad than at home. This is true in the case of our American-made agricultural implements, which can be bought in South America or in Canada for less money than our own farmers are charged for them. It is true also of our oil machinery, which, as the gentleman from North Carolina reminded us the other day, is sold cheaper to the people living on the shores of the Caspian Sea than to our own oil producers in Texas.

Is not such a state of things monstrous, Mr. Chairman? It only goes to show what a monstrous thing our high tariff is. The tariff was originally formed with the very idea of shutting off foreign competition for the benefit of our home industry; but it was understood as a matter of course that competition at home should be as free as air. The most radical supporters of the protective theory in former times would never have dreamed of preventing all competition at home. Yet it is now seen that the vicious and dangerous protective system had within it all the time the germ fatal to all competition which has now ripened and bloomed forth into the poisonous flower of the trusts. It is now evident to all that the unavoidable tendency of the present tariff is toward monopolies, and at the present day the only ones who appear in defense of the tariff are those who are interested in the monopolistic trusts or expect to be benefited by them. The Republican party, I declare without hesitation, is the party of the trusts. It is kept alive by them, and in turn is doing its best to keep them alive. It depends upon the trusts for its sinews of war, and without the aid of the trusts it would not have succeeded in the campaign of 1900. That is as well settled as any fact recorded in history since the creation of the world.

Aside from a revision and reduction of the tariff, cutting off or reducing the duties on articles handled by the trusts, there is another repressive measure that ought to be adopted, which would materially diminish the power of the trusts for evil. That is, that a hole should be made in them to let all the water out. [Applause.] No doubt three-quarters of all the trusts' stocks is water. There is no need to dilate upon the harmfulness of such a state of things. Every corporation should be compelled to have all its capital paid up and all its stock paid for at par. This requisition would make most of the trusts "die a bornin'." Here the tariff comes in again. As has been well said by another:

> The tariff is undoubtedly indirectly responsible for a large part of the water in trust stocks. Had there been no tariff to enable prospective trusts to pay dividends on watered stocks, trust promoters could not have offered sufficient inducements to coalesce the naturally antagonistic producers in any particular industry. Not only, then, is the tariff responsible for many trusts, but it is responsible for much of the water in trust stocks. That this is true is evident not only from the fact that the most highly protected trusts are generally the most highly capitalized, but from the fact that promoters have been unable to form trusts in many industries not actually benefited by tariff duties.

I could easily multiply instances of the effect of the trusts on raising prices in this country. The case of printing paper is one of the clearest and most striking. It was said when the paper trust was formed that it would infallibly lower prices. Instead of that, all the promises of the trust in that respect have been broken, and the price of printing paper is at least 25 per cent higher than it was before the trust was formed. The same story is to be told about a hundred other commodities. The great evils incident to these cases have been due to the operation of the tariff. If there had been no tariff, creating an artificial standard of prices and keeping out the world's goods, there could have been no trusts; at least, no trusts absolutely controlling the various articles of production. If trusts are to exist at all, they should be subjected to competition with the whole world.

One of the worst of the trusts—not mentioned at all in the lists of trusts—is the great railroad trust of this country. It is not yet fully formed. It is in process of formation. Every year sees the consolidation process further advanced and the number of great combined lines increasing and bound together by "community of interest," instead of being competitors, as formerly. These great railroad combinations are supposed to be held in check by the interstate-commerce law and Commission; but the reports of the Commission have always been made up principally of details of violations of the law and a general bewailing of the impotency of the Commission to enforce their decrees. By discriminating freight rates in favor of big monopolies like the Standard Oil Company or the coal combine, these railroads assist in the building up of trusts in this country and in crushing small competitors. But if there were no big trusts for the railroads to cater to, the temptation to discrimination would become much

less. In the final report of the Industrial Commission, Commissioner Phillips, himself a Republican, in the course of a striking supplementary statement, gives the following startling estimate of the present dimensions of our American monopolistic combinations:

American railroads, whose monopoly character is becoming more apparent, are stocked and bonded for about $11,500,000,000, and had net earnings from operation after paying taxes, 1900-1901, of $507,966,710. This means that these securities are to-day worth in the market over $10,000,000,000. If we add to this the $4,000,000,000 of water, gas, electric-light, street-railway, and telephone securities, probably worth that much in the market, and the $3,000,000,000 of securities of our largest so-called trusts, to say nothing of the telegraph, there looms up a valuation of industries, more or less monopolistic in character, of $17,000,000,000, or probably one-fifth of what the present census will find to be the estimated true value of all property in this country. This monopolistic growth has come about almost entirely since 1860.

It should be added that fully four-fifths of this monopolistic growth has arisen since 1890, for in the earlier years of the period subsequent to 1860 the railway, telegraph, water, gas, and telephone enterprises, etc., however large they may have been, were in no sense monopolistic.

But they say the trusts are under the law; they are under control; they can not overstep the bounds of justice and propriety; they are in the public eye—in the light of publicity. Publicity, Mr. Chairman, is not enough. The trusts care nothing for the results of publicity. They have no shame. They care nothing as to what the people think about them, so long as they are let alone. If a true statement of their accounts is too glaring, too self-condemnatory, they can issue a falsified account. They are not too squeamish for a little thing like that. The depredations of the trusts are the worst kind of robbing our own poor people, the people who make this Republic what it is, and who by their votes have given the trusts the means of existence and growth and prosperity, robbing the people of this country in order that they, the over-rich trust magnates, may get still richer by absorbing the hard-earned pittances and savings of the poor. [Applause.]

No; publicity is not enough. The people know well enough what is going on. They see the trust evil and the trust danger, but they do not know how to prevent it. Restore competition; that is the way to prevent it. And how restore competition? By cutting off or reducing the tariff on the trust-made goods.

But our friends on the other side say: "We passed an amended and strengthened antitrust law in this House less than two years ago. How, then, can you charge us with being favorable to the trusts?" Oh, yes; we know all about that. That was a species of confidence game—a political "little joker." Such a transaction as that inflicts upon the victims not only an injury but an insult. In this case the act itself was bad enough, but the insult consists in trying to palm it off upon the public as a sincere act. What did that legislation amount to? The Republicans of the House brought forward this antitrust bill at the last moment—within a few days of final adjournment—and passed it, well knowing that it would be held up in the Senate, and so it was.

As soon as it reached the Senate the Republican leaders there began to pick it to pieces and find flaws in it, and it was at once sagely decided that it was too faulty a bill and too important a piece of legislation to put through without more time for examination and amendment than then remained in the session. As everybody knows, it was merely a piece of campaign buncombe. Before the next session began the campaign was over, the election had been held, the Republican Administration had been continued in power, the object of this spurious Republican onslaught on the trusts had been gained, and when the Senate reassembled the antitrust bill was quietly deposited in the darkest corner of the darkest pigeonhole obtainable, there to remain till the resurrection day, or till the Republicans need it for material in another campaign. [Applause.] The founder of the Democratic party, Thomas Jefferson, was the author of the immortal Declaration of Independence. Opposition to imperialism was one of the cardinal principles of the Republic as well as the Democratic party. Until of late wherever the flag floated it was the emblem of a free government and constitutional liberty. The Republican policy is to use the power of a government to further the interest of individuals.

The evidence is overwhelming that it is not safe to give so much power to private corporations as has been given to the trusts, railroad combines, and other combinations in this country of late. Nor is it safe to intrust the guardianship of the public welfare to the Republican party, which has become the special protector of private and privileged corporations and the foster-mother of monopolies.

Even if this wonderful Republican antitrust bill of 1900 had been genuine and had become a law, what good would it have done? What good has the original antitrust law of 1890 done? What good have all the threatened antitrust bills of both parties since then done? What good have the antitrust platform declarations of both parties done? In spite of all these demonstrations the trusts have gone right along multiplying and growing and waxing exceeding mighty. Even when brought up before a bar of justice on indictment, as has occasionally happened to a trust, some easy way of slipping out of the difficulty has generally been found. But as soon as you make free competition again possible by cutting off their high tariff protection you send a shot through the trusts below the water line, and they will sink to the bottom. [Applause.]

Fortunately there is reason to believe that the people, the source of power and the final arbiters of all our national questions, are beginning to see this matter in its true light. Unless all signs of the times are misleading, the next Congressional elections will be rather in the nature of a surprise party to you gentlemen on the Republican side. There is considerable ground for the suspicion that you are not as happy as you were a few months ago. Even on the tariff, the corner stone of the Republican party, you are not agreed any longer. How about the Cuban tariff? How about the Philippine tariff? How about the war-revenue tax? How about the Babcock bill? Only sixteen months ago you marched up to the polls a solid phalanx, united on the tariff and on all other questions at issue. But now, only the other day, you had to make a special, novel, ironclad rule forbidding your own men to offer amendments to a committee bill on the floor of this House, this free arena of the Representatives of the people of the United States. What has happened to scare you so? What is the matter? Do you hear the rising of the wind in the West? Do you discern a cloud gathering on the horizon? Do you remember what the people have done to you on some other occasions when you were in power and abused your trust? Are you afraid that what has happened once may happen again?

Certainly it may, and it will. The people of this country are long-suffering, but they will not be fooled and abused forever and ever. They are not going to be trust-ridden henceforth forevermore. They are not going to look on supinely while the Republic is transformed into an oligarchy. Thank God, the people have the supreme power in this country. The trusts, under the protection of the Republican party, which hypocritically pretends to be the people's friend, have stolen a march on the public, but it is not yet too late to repair the mischief and repel the enemy. Let the people once become fully cognizant of the danger, and of the only means of counteracting it, and they will rush with irresistible force to the defense of their liberties and the common weal, and before the onset of that tremendous popular indignation the discredited Republican party and its monstrous progeny, the trusts, will go down into ruin together. [Applause.]

Mr. SWANSON. I yield ten minutes to the gentleman from Indiana [Mr. ROBINSON].

Mr. ROBINSON of Indiana. Mr. Chairman, I congratulate the gentleman from Virginia [Mr. SWANSON] and my colleague from Indiana [Mr. CROMER] in that they have been able to carry, as by a tempest, all before them in their advocacy of the rural free-delivery service as it at present exists. A Democrat and a Republican are thus seen jointly acting together to overturn the decision of the Post-Office Committee, of which they are members.

This committee, composed of 11 Republicans and 7 Democrats, by almost a unanimous vote in committee, reported favorably a bill to change the carrier service to a system of competitive bidding, and claim in support of it that it will secure a more economical administration, and hence a larger portion and a greater number of routes to the people in the country. It is clear that the House is not at this time in favor of the change, however much it may usually defer to the distinguished chairman of that committee and to the able members making this report. This proposed change is already defeated. It is evident to all on this floor who are observant that its defeat only awaits the taking of the vote.

How have the gentlemen been able to accomplish this result? Only by reason of the friendliness for the service on the part of every member here, a friendliness that has repeatedly found expression in vote and in statements on the floor, all evidencing that each member is equal to any other in his desire to promote it. I congratulate the House that during these discussions no question of partisanship has marred it, no credit to one party or another has been claimed, and thus politics has been submerged and patriotism has held its sway on this important question in the House of Representatives. I congratulate the farming community on the splendid rural-delivery service we have in its present form and under its present regulations.

Mr. Chairman, some statements have been made against the Post-Office Committee, which has already lost its cause in court. I do not share in these, or in any charges against the patriotism of any member of the Post-Office Committee. These charges will be softened and disproved by sober judgment and time. To the distinguished chairman of that committee I accord this just praise—that for ability, sturdy honesty, and supreme independence he stands the equal of any gentleman on the floor. To other members of the committee I pay equal tribute.

Mr. Chairman, this rural-delivery system in all its splendor, from its small beginning to its mature form, has been painted in glowing colors by the brush of finished and able artists on both sides of the House until this Hall has been vocal with a unanimous verdict as to the efficiency and utility of this service. No man can stand upon the floor and challenge any colleague from any quarter and charge him with indifference or deny that he is equal to any other in his advocacy of this splendid system, to which I accord the highest praise.

But we are threatened with a real danger, a danger that strikes at the vitals of the system itself, and, in my judgment, only one real danger, and that is that politics may be played by weak and designing people throughout the country at the expense of the service. That it has been played goes without question, not by the Department here—I excuse them from such a charge—but by others. I believe the Department means to make it a business service, and one which the people, being equally taxed to support, shall have an equal benefit from. Two years ago, upon the floor of the House, among the Democrats I alone defended the Department against the charge of partisanship and uttered the sentiment, speaking for the service in my district, that "it had not been used for politics or for partisan ends."

I am sorry to say that since then I have had some experience on the subject, not with those who had the regulation of it in the departments, but among those politicians who would prostitute the most splendid system this Government has ever devised, in my judgment, to partisan ends. This service stands to the farmer as does the telephone, the electric light and car in industrial development. Why try to inject politics into it? You can not do so and strengthen it. Nor can you do it with good effect to yourselves. The remedy is by placing the civil-service ban full and complete over the service. The President has already reproached such of his followers as would play politics with this people's service. He placed it under a system, but not under the old line civil service. It is not there now, fully and effectively. To my colleagues from the South who, prior to February 1, 1902, were favored in the appointment of carriers in their districts, I will say that they have taken only what it was originally promised they should have when the rural free delivery was first started, and that which its first promoters promised that it should be—a nonpartisan service.

I make no charge against them for having gotten their friends or their political associates to carry the mails. Each of us of the North would have done likewise, in my judgment; and especially should they have that right under the rule that it should be a nonpartisan service, which was the dream of its promoters. In the interest of fair play and to promote this department service you should aid us to place the civil-service rules fully and completely over this system or it will be threatened by a menace which will tend to dwarf it in certain sections in the course of time. You will be the sufferers when that time comes.

Therefore I shall contend, when the bill is taken up by paragraphs, that we place the civil-service law, by proper amendment, over this department, and I hope that the Southern members, my Democratic colleagues, will profit by the splendid exhibition of nonpartizanship shown always when this subject is presented in the House, and join in favor of that policy.

I hope that my friends from the South, who have received one-third, one-half, and two-thirds of the carriers under the system in vogue in that section before February, will see that the Northern districts, which you must carry if you carry the House of Representatives, shall be protected in their rural free delivery against the evils of partisanship in the establishment of it, and that the service itself shall be rescued from its pretended friends, who are trying to play politics with it. Come to Ohio, come to Illinois, come to Indiana, and to my district in the time of the sear and yellow leaf, in the autumn election, and we will give you an exhibition of partisanship and party politics in our campaigns that will make you walk in your sleep, you Southern members.

It is in such States that the politician who cares more for politics than he does for public service—it is there that he likes to revel in the clover of official machinery to accomplish political ends. Under this system prior to February of this year you Southern members were given these rural carriers, but none came to the Northern or Western States or to the close districts of the North, East, and West. We may be subjected to political pernicious activity, and we ask you to protect us by placing the civil-service law completely over this system. Every precedent is favorable to this action. Look at the various departments of the Government under civil service. This department was placed under what is styled a modified or reformed civil service. The President did this before we raised the salary.

The gentleman from Virginia [Mr. SWANSON] says that if the present rules are enforced it will be sufficient to secure protection in some manner similar to the civil-service law. As has been lucidly stated here by gentlemen, there is opportunity for evasion. The gentleman from Alabama [Mr. UNDERWOOD] says that it does not now secure the full results. Other gentlemen, including the gentleman from Georgia [Mr. LIVINGSTON], say it may not secure satisfactory results. You can appreciate the position we are in and can readily see where the good of the service lies. We have more politics in Indiana in one district in elections than you have in an entire State almost.

In my district there are 45,000 votes cast, one for every three and six-tenths person. We ask you of the South to aid to fortify this magnificent and valuable service under the system of carriers as it is now, so that it can not be prostituted to political ends by anyone in official or in unofficial station. This will be accomplished by covering it with the full civil-service blanket. So provide that when anyone seeks to injure it by making it a political machine the full civil-service penalties will be visited upon him. We will risk it under the civil-service rules and take our chances, and at once we would preserve and fortify the system.

Mr. Chairman, nothing would so poison the system of rural free delivery as partisan control. I speak only for the good of the system itself. As to those in office who may try to so use it, I verily believe that the result to them will be such as will cause them to pray for relief from their partisan friends. [Applause.]

Mr. SWANSON. I yield to the gentleman from Iowa [Mr. CONNER].

[Mr. CONNER addressed the committee. See Appendix.]

Mr. SWANSON. I yield fifteen minutes to the gentleman from Georgia [Mr. TATE].

Mr. TATE. Mr. Chairman, I have listened to this debate, and I am glad to note the almost unanimous approval of the rural free-delivery service which is now being adopted and put in force in the different sections of the country. Even the advocates of this bill disclaim any purpose of crippling the rural free-delivery service, and give as their reason for the passage of this bill, not their objection to the rural free-delivery system, but, first, the fear of interference and control by the rural carriers of the Congressional elections; and, second, the amount of salary paid or to be paid to these rural free-delivery carriers.

Now, sir, I do not believe that these objections are well founded. I do not believe that the rural free-delivery carriers in any section of this country could dictate to the members of Congress or to the people that they serve. The Congressman who discharges his duty, in my opinion, need not fear the influence of these rural carriers with the people along the routes they serve, and I am surprised, sir, at the importance given in this debate to this point. Why, sir, gentlemen would have us believe that the people along the routes could be influenced and controlled by the carriers, and that the Congressmen would be required to do the bidding of these carriers or would receive the condemnation of the people to whom the carriers deliver the mail. They can wield no such influence; the people can not be controlled or used for any such purpose. The Congressman who favors just and legitimate legislation and discharges his duty faithfully and loyally will not be required to do the bidding of the rural free-delivery carriers by voting for increase in their salaries, nor will the people be influenced by these carriers by reason of the fact that he refuses to vote for such increase. I have a higher opinion, Mr. Chairman, of the people of the rural districts than to believe as these gentlemen do.

Mr. Chairman, I am as much in favor of economy as any member on this floor; and since I have had the honor to represent my people here I have on every occasion insisted on reducing appropriations and in appropriating only such sums from the Federal Treasury as were absolutely necessary for the economic administration of the affairs of this Government, but I must admit my surprise in this day of extravagance at the effort of the Post-Office Committee to change the manner of distributing the mail on the rural free-delivery routes, when in so many instances increase of salaries are being given to the employees in the different departments of the Government.

Now, Mr. Chairman, we are told that by the contract system of letting these rural free-delivery routes to the lowest bidder we can save money and not injure the service. I deny both of these propositions. In the first place, no man can furnish his own horse and buggy and travel 25 miles every day delivering the mails through the country who is competent to give competent and efficient service, and do so for less than five or six hundred dollars a year. He furnishes and feeds his own horse, and also furnishes his own buggy and harness, and I undertake to say that you can not hire a horse and buggy in any section of the country for less than $1 per day. But say that it can be got for $25 a month. This would take one-half of the salary for horse and buggy hire alone, and would allow the carrier, who is paid $50 a month, $25 for his services. But suppose he furnishes his own horse and buggy at a cost of $150. His horse and buggy at the end of the year would

be worth a great deal less, if anything at all, than when he began the service. I doubt whether after using his horse and buggy on a route 25 miles long he could realize anything for his buggy, and believe he would get little for his horse. But say that his horse and buggy, if he owns them himself, cost him $10 per month—and it would cost him $8 or $10 a month to feed and keep his horse, repair his buggy and harness—this would give him $30 a month.

Now, Mr. Chairman, I do not believe it is extravagance to pay this sum to the man who goes, day in and day out, without regard to weather, over these routes delivering the mails to the people. Why, sir, we pay in the cities $800 for delivering the mails. These carriers work eight hours a day and have no duties to perform except delivering or taking up the mails; they do not have the postmaster's responsibilities, as have the rural carriers; and while, as has been stated in this debate, it costs more for them to live in the cities possibly, yet, while they receive $200 more pay than the rural carriers, they do not furnish, as the rural carrier does, any conveyance, but only give their time in this service.

Mr. Chairman, the proposition of the committee is to change the present manner of appointing rural free-delivery carriers to the contract system.

Now, Mr. Chairman, I have heretofore discussed in detail the contract system of carrying the mails on the star routes of this country, and I will not undertake to do so again at this time, for my position upon that question is already well understood, and I am glad that hereafter we are to have these star-route contracts let only to local bidders. Under the present bill it is proposed to adopt a contract system for carrying and delivering the mails on the rural free-delivery routes. The present law for letting contracts for carrying the mails on star routes provides that—

All contracts for carrying the mails are to be in the name of the United States and shall be awarded to the lowest bidder tendering sufficient guaranties for the faithful performance, etc.

You will see, Mr. Chairman, that under the present law when contract is let for carrying the mails on a star route sufficient guaranties for "faithful performance" are required; and I see that the requirements under this bill for carrying the mails on rural free-delivery routes are as follows:

who shall tender sufficient guaranties that he will personally perform capable service.

If this bill is passed, it will give to the people the same "faithful performance" that they are now receiving under the contract system for carrying the mails on the star routes. I do not believe, sir, that a more objectionable system could be devised than the present system of carrying the mail on the star routes of this country. Rather than adopt this objectionable system of carrying the mails on the rural free-delivery routes, I would give my support to a proposition to abolish the present contract system of carrying the mails and authorize the Post-Office Department to pay a reasonable compensation for efficient service.

If we can not secure "faithful performance" of contracts for carrying the mails where the carriers only receive the mail pouch from one postmaster and deliver it to another, how can we hope to have efficient service when we combine the postmaster and carrier in one and the same person? For the rural free-delivery carrier is a traveling postmaster; he performs all of the duties of the postmaster, and there would be just as much reason in letting the post-offices to the lowest bidder as there would be in letting contracts to carry the mails and act as traveling postmaster—which the rural free-delivery carrier does—with the exception that in the case of letting the post-offices you would not couple with it the present objectionable system of carrying the mails on star routes, which this bill proposes to couple with the rural-carrier system.

If we adopt this bill and require these contracts to be let to the lowest bidder, we will have the same class of service on the rural free-delivery routes that we are now receiving under the star-route contract system. We will have the same poor old one-eyed horse, the same old run-down cart, the same late mails, and the same old complaints at the Post-Office Department that we now receive under the star-route system, and the poorest possible service on every route.

Mr. Chairman, if the present rural free-delivery service is perfected and put in operation in the rural districts of this country it means a great deal to the people living in the country; it will add to the comfort and pleasure of the farmer and his family and increase the value of his property, and I feel that instead of adopting the contract system proposed by this bill, which would retard, in my opinion, rather than advance this system, we should provide for a sufficient force for inspecting and laying out these rural free-delivery routes; for the only complaint I have received from the people of my district in regard to rural free delivery, and from those who do not now have satisfactory mail facilities is the delay of the Department in acting upon petitions filed for the establishment of rural mail service. I feel, sir, that the rural free-delivery service should not only be extended from railroad stations, as is now being done by the Department, but that it should be adopted in counties that are not touched by railroads. For the people residing away from the railroad stations, along with their neighbors residing near railroads, should be given their mail in the shortest possible time.

Mr. Chairman, few of the appropriations made by Congress are expended directly for the benefit of the people of the rural districts. They pay their taxes, are among our most upright and law-abiding citizens, and it does seem to me, sir, that we should give to this class of our fellow-citizens the very best possible mail facilities. [Loud applause.]

Mr. SWANSON. I yield fifteen minutes to the gentleman from Arkansas [Mr. BRUNDIDGE].

Mr. BRUNDIDGE. Mr. Chairman, I confidently believe that the placing of these mail carriers under the contract system will give a service just as efficient and at much less cost than the present plan. Hence I shall support this bill. More than once during the debate that has been going on here for the past week gentlemen have hooted at the idea of cheapness in the Government service, and have derided the very suggestion of economy. Upon this line they need have no fears, for if they have discovered anything cheap in what this Congress has done up to the present time or proposes to do until the end of it, they have observed something which has not fallen under my observation. In view of the fact that it is understood that this bill is to be followed by the General Post-Office appropriation bill, and as this is one of the large appropriation bills that passes this House annually, and, in my judgment, a great deal of the money appropriated by it is uselessly and unnecessarily wasted, I deem it a proper time and place to call attention to the growing tendency to higher and increased appropriations each year and wasteful and almost criminal extravagance. The Fifty-first Congress startled the entire country by expending a billion dollars, and yet if this one, the Fifty-seventh, keeps up the pace it is going and makes the appropriations called for and demanded by this Administration, we will double that sum and go down into history as the two-billion-dollar Congress.

The first session of the Fifty-first Congress, in making the appropriations for the year of 1891, appropriated for the—

Army only	$24,206,471
Navy	24,136,035
Post-Office	72,226,698
Pensions	123,779,368

Compare these sums with what we are now doing. The first session of this Congress is asked to expend for the Army about $130,000,000. This is more than five times the sum expended in 1891, and one of the consequences of the increase of the Army to maintain our foreign policy. We are expected to appropriate for the Navy about one hundred million, about four times greater than the usual appropriation, and so great that business associations and the people are sending their written and printed petitions to members of this Congress protesting against this enormous increase. To this must be added $131,000,000 for postal expenses. This has almost doubled in the past ten years—another considerable and unnecessary increase. While the report of the honorable Commissioner of Pensions for last year shows that the total number of pensioners on the rolls was 1,041,321, or 4,000 in excess of any previous year, and adds that "this constitutes high-water mark in the history of this Bureau," and will require about one hundred and fifty million more to pay these. The Commissioner should be reminded that his Bureau is only keeping pace with the rapid strides of the others; and bear in mind the fact that under this rule of wild Republican extravagance it is still raining, and he may expect high water and a still greater rise, and that, too, at an early date. These are only a few of the appropriations to be made. When the long list is completed and then doubled for the next session of the present Congress, you get the grand total of money to be spent in the way of ordinary governmental expenses.

High as these figures are we are given to understand that they do not represent all, for this Congress is expected to pass the ship-subsidy bill, by which between one hundred and sixty and two hundred million dollars more shall be paid out of the Treasury. In other words, $200,000,000 is to be taken from the taxpayers of the country and turned over to the shipowners in order that they may be enabled to carry on their own private business for their own private gain to a better advantage. Every unprejudiced mind will condemn such an act as unfair and unjust, for if Government aid is to be extended to build up one business, why withhold it from another? To-day we are building and exporting into foreign countries railway locomotives. Pass this bill and in a short while you may expect those engaged in the construction thereof to discover that they can not build these in competition with other countries without being paid a bounty from the United States Treasury.

And so it will be with every other concern that feels like it is strong enough to hold up the Government and claim its aid.

But, Mr. Chairman, who are the promoters of this scheme, and who are to be the real beneficiaries from its consummation? They are by no means beginners, but old and experienced veterans who have had their hands in the public Treasury in the past and still have them there. The statement has been published time after time that the corporation to derive the greatest benefit from the passage of this subsidy bill will be the International Navigation Company. The directors of this corporation—some of them at least—are also directors of the Pennsylvania Railroad Company, and one of them, Mr. A. J. Cassatt, is the president of this road, while others of the directors are connected with the Standard Oil Company and kindred organizations. So it is in reality but another effort of the railway companies and their owners to have the doors of the Treasury opened a little wider and held there for fifteen years, until they can take out two hundred million more. Let us see how these railway companies have fared in the past at the hands of Congress. We have no record on our national statutes of their ever having met with failure and defeat in any of their attempted schemes, but we have abundant proof of the fact that they have always been successful.

Let me briefly call attention to some of their past efforts from 1850 to 1872. Congress granted to the different railroad companies more than 200,000,000 acres of the public lands; about 100,000,000 acres of these lands have already been patented to them, and between sixty and seventy million acres more will be patented. If we value this land at the low average price of $5 per acre, we find that in twenty-two years they got an absolute donation from Congress of more than $800,000,000. I herewith append a statement showing the date and the amount of each of these grants and the company to whom the grant was made. In many instances these land grants amounted to a sum large enough to both build and equip the road.

Date of act.	Name of road.	Acres.
Sept. 20, 1850	Illinois Central	2,595,053
Do	Mobile and Chicago	
Do	Mobile and Ohio River	1,004,640
Aug. 11, 1856	Vicksburg and Meridian	404,800
Sept. 20, 1850	Mobile and Ohio River	230,400
May 17, 1856	Alabama and Florida	419,520
June 3, 1856	Selma, Rome and Dalton	481,920
May 23, 1872		
June 3, 1856	Coosa and Tennessee	132,480
Do	Mobile and Girard	840,880
Do	Alabama and Chattanooga	897,920
Apr. 10, 1869		
June 3, 1856	South and North Alabama	576,000
Mar. 3, 1871		
May 17, 1856	Florida Railroad	442,542
Do	Florida and Alabama	165,688
Do	Pensacola and Georgia	1,568,729
Do	Florida, Atlantic and Gulf Central	183,153
June 3, 1856	North Louisiana and Texas	610,880
Do	New Orleans, Opelousas and Great Western	967,840
July 14, 1870		
Feb. 9, 1853	St. Louis, Iron Mountain and Southern	1,160,667
July 28, 1866		1,040,000
May 6, 1870		
Feb. 9, 1853	Memphis and Little Rock	438,646
July 28, 1866		365,529
Feb. 9, 1853	Little Rock and Fort Smith	550,525
July 28, 1866		458,771
Apr. 10, 1869		
Mar. 8, 1870		
June 10, 1852	Hannibal and St. Joseph	781,944
Do	Pacific and Southwest Branch	1,161,235
Feb. 9, 1853	St. Louis, Iron Mountain and Southern	219,262
July 28, 1866		182,718
July 4, 1866	St. Louis and Iron Mountain	640,000
May 15, 1856	Burlington and Missouri River	948,643
June 2, 1864		
Feb. 10, 1866		
May 15, 1856	Chicago, Rock Island and Pacific	1,261,181
June 2, 1864		
Jan. 31, 1873		
May 15, 1856	Cedar Rapids and Missouri River	1,208,739
June 2, 1864		
May 15, 1856	Iowa Falls and Sioux City	1,228,163
Do	Dubuque and Sioux City	
June 2, 1864		
Mar. 2, 1868		
Aug. 8, 1846	Des Moines Valley	
July 12, 1862		
May 12, 1864	Chicago, Milwaukee and St. Paul	
Do	McGregor and Missouri River	1,536,000
Do	Sioux City and St. Paul	524,800
June 3, 1856	Port Huron and Lake Michigan	312,384
Do	Jackson, Lansing and Saginaw	1,052,469
Do	Flint and Pere Marquette	586,828
Do	Grand Rapids and Indiana	629,182
June 7, 1864		531,200
June 3, 1856	Marquette, Houghton and Ontario	552,515
Mar. 3, 1865	Bay De Noquet and Marquette	128,000
July 5, 1862	Chicago and Northwestern	564,480
June 3, 1856	Chicago, St. Paul and Minneapolis	999,983
Do	St. Croix and Lake Superior and branch to Bayfield	524,714
May 5, 1864		318,737
		350,000
		215,000
June 3, 1856	Chicago and Northwestern	600,000
May 5, 1864	Wisconsin Central	750,000
June 3, 1856	Wisconsin Railroad Farm Mortgage Land Co	
Mar. 3, 1857	St. Paul and Pacific	1,248,638
Do	Western Railroad	1,475,000
Mar. 3, 1871	St. Paul, Minneapolis and Manitoba	2,000,000
Mar. 3, 1873		
Mar. 3, 1857	Minnesota Central	643,403
Do	Winona and St. Paul	1,410,000
Do	St. Paul and Sioux City	1,010,000
May 5, 1864	Lake Superior and Mississippi	920,000
Mar. 3, 1857	Southern Minnesota	
July 4, 1866	Southern Minnesota Extension	735,000
Do	Hastings and Dakota	550,000
Mar. 3, 1863	Leavenworth, Lawrence and Galveston	800,000
Do	Missouri, Kansas and Texas	1,520,000
Do	Atchison, Topeka and Santa Fe	3,000,000
July 23, 1866	St. Joseph and Denver City	1,700,000
July 25, 1866	Missouri River, Fort Scott and Gulf	2,350,000
July 1, 1862	Union Pacific	12,000,000
Do	Central Branch Union Pacific	
Do	Kansas Pacific	6,000,000
Mar. 3, 1869	Union Pacific, successor to Denver Pacific	1,000,100
July 1, 1862	Central Pacific	8,000,000
Do	Central Pacific, successor to Western Pacific	1,100,100
July 2, 1864		
Mar. 3, 1865		
May 21, 1866		
July 2, 1864	Burlington and Missouri River	2,441,000
Do	Sioux City and Pacific	60,000
Do	Northern Pacific	47,000,000
July 25, 1866	Oregon Branch of Central Pacific	3,000,000
Do	Oregon and California	3,500,000
July 27, 1866	Atlantic and Pacific	42,000,000
Do	Southern Pacific	6,000,000
July 25, 1868	Southern Pacific Branch Line	3,520,000
Mar. 3, 1871		

But this was not all, for in 1862 and 1864 Congress again came to their aid by authorizing to be issued to them United States bonds, in the sum of $64,623,512, with interest thereon at the rate of 6 per cent, payable by the United States. I also desire to append a statement of this bond issue, from which it will be seen that we have paid a sum equal to the principal in interest. For in 1882, which is the date of the statement I attach, we had paid in interest alone $39,279,632.91.

Bonds issued to railway companies and interest payable by United States at 6 per cent. Bonds running thirty years.

Name of railway.	Principal outstanding.	Interest paid by the United States.
Central Pacific	$25,885,120	$21,899,448.07
Kansas Pacific	6,303,000	5,751,153.09
Union Pacific	27,236,512	23,323,659.69
Central Branch, Union Pacific	1,600,000	1,453,808.26
Western Pacific	1,970,560	1,550,015.34
Sioux City and Pacific	1,628,320	1,366,508.29
Total	64,623,512	55,344,682.74

I am aware of the fact that in the past few years some of this money has been collected from these companies and some of it has been secured, but not all of it by any means. And everyone at all familiar with the transaction knows what desperate efforts were made by these companies to defeat collections wherever attempted. There are still other advantages which these railways enjoy by permission of Congress. We are paying them annually for transporting or carrying the mails $34,000,000, and in addition to this sum about $5,000,000 per annum for rent of postal cars. We are paying 8 cents a pound, or $8 a hundred, for the transportation of our mail for an average distance of not over 442 miles; this is more than 50 per cent higher than the rate charged for any other kind of freight, and more than 50 per cent higher than the rate charged by any express company.

While the rent paid on these postal cars sometimes reaches as high as $20,000 per annum for a single car, and the cars would not cost exceeding $17,000 to build and equip them, we are paying $3,000 more each year by way of rent than the cars cost. Would it not be economy to at least own these cars? Or does any sane man believe that any private individual or other corporation outside of the railroads could get this kind of contract with the Government? Or does he believe that anyone ought to have such a contract? Not satisfied with this, Congress has been year after year granting these same companies a subsidy or bonus of $195,000, under pretext of getting them to carry a fast mail. This is, in my judgment, even more vicious than the ship subsidy, for there is less excuse for it. What reason can there be for paying this bonus to roads carrying mail from New York City to Washington, and then from here on to the South? Investigation of the matter fails to disclose that any extra trains are being run, or that any better time is being made with it than would be made without it. Then, what valid reason can be assigned for continuing

this useless and extravagant expenditure? For myself I am glad of the fact that I have never voted for it, nor do I ever expect to do so. We hear considerable talk of reducing postage to 1 penny, and such we ought to have and could have were it not for the exorbitant charges made by these companies for transporting the mail.

There is yet one other matter relating to these corporations of far more concern and still greater importance to the welfare of our people than any of these things of which I have been speaking, and that is their utter and total disregard of the interstate-commerce act passed by Congress in 1887. Under this act a commission was appointed, charged with the high and responsible duty of determining the reasonableness of traffic rates, and preventing discriminations and undue preferences in freight rates. That this body has the power by proper legislation to control and correct these outrages and abuses no one will deny, and yet the fact remains, open and notorious, that it has never been done, for when the courts had construed this act of 1887 it was found to be so very defective in their judgment that the Interstate Commerce Commission had but very little authority to make any orders affecting railroads and no authority to enforce such orders as they did make. This Commission has reported annually to Congress, pointing out these decisions and defects of the law, and asking to be clothed with authority to make the Commission effective, instead of a farce; but for some unexplained reason it has never been done.

This law should either be amended and then enforced, or the Commission should be abolished and the miserable pretense stopped. The last report of this Commission, sent to Congress on the 23d day of January last, is both interesting and instructive. They very clearly and forcibly call attention to the fact that the public demands protection under the law from these grasping corporations, especially so since great combinations have been formed and are now being formed to suppress and prevent railway competition, and then they add that "it is possible, however, that the same causes which have prevented serious consideration of this subject by Congress in the past may continue to operate in the future." These influences, it may be inferred, are those of the railways over the Senate and Congress of the United States. The State legislatures of many States, together with boards of trade and industrial commissions from nearly every city in the country, have passed resolutions asking and begging Congress to speedily amend the act and give them the relief to which they were so justly entitled, and as yet their petitions remain unheeded.

Every member of this House who has read that report has official knowledge of the fact that these corporations are every year giving hundreds of thousands of dollars by way of rebates in freight charges to certain favored shippers. These unlawful advantages enable a few packing houses to suppress competition; it enables a few grain dealers to drive all competitors from the grain market, leaving the helpless producer to sell his products not only in the open markets of the world, but one where there is practically but one purchaser, and where he finds himself absolutely at the mercy of the most grinding monopoly and trust that has ever existed. I am not calling your attention to what may happen in the future, but to a condition of affairs that is now materializing and stands out to confront us, and which demands at our hands prompt and determined action.

For last year the net earnings of the railways of the United States as reported by them amounted to the sum of $620,279,168, and I have no doubt but what the sum was much larger. The value of the wheat and cotton crops of the United States for 1900 was: Wheat, $323,516,177, and cotton $334,847,868. Thus it will be seen that the net earnings of these corporations for one year will equal the total value of two of the largest and most valuable products raised in the United States.

If the honest and toiling producer must thus continue, year after year, to surrender the results of his labors to these vultures of transportation, when may we reasonably expect to look for the betterment of his condition? Never.

Even in this time of boasted Republican prosperity and plenty there are hundreds of thousands of daily laborers who can not stand ten days of suspension from work without suffering for bread. And there are thousands and hundreds of thousands of farmers who can not stand the partial failure of one crop without being forced to appeal to the public for aid to support themselves and families. This very condition of affairs exists in my own State to-day, where one season's drought has reduced to absolute penury and want a people who are as honest, as industrious, and as brave as ever graced the citizenship of any State in this Union.

While this condition exists, still we have a certain measure of prosperity. The railways and trust monopolies and a few like corporations are enjoying greater profits than in any other period of their existence.

There is one more fact to which I desire to call attention before I conclude, and that is the condition existing here in the city of Washington. Two years ago the Commissioners of the District of Columbia reported to this House, in response to a resolution, that certain railways entering the city had been authorized by act of Congress to take possession of and occupy certain lands belonging to the Government worth several hundred thousand dollars. They did not purchase them, they pay no rent, and pay no taxes, and yet they occupy them by the will of Congress. When we contemplate these things, it is no longer a question as to the governmental ownership of railways, but the question is, How much longer shall the railroads continue to own the Government?

When these consolidations and combinations shall be perfected, as they will be in a short time, and by this means put an end to competing railways, they will then turn their attention—and I feel sure they are already doing so—to the task of preventing the improvement of the rivers of the country, and the fight against river appropriations will be strong and earnest, for with this accomplished there will be an end to railway competition from all sources, and they will be left in absolute control. Just how long these parasites are to be permitted to feed upon the public at the will and by the consent of Congress is a question that should demand an immediate answer. [Loud applause.]

Mr. BURKETT. Mr. Chairman, the bill before the House for consideration consists of two parts, or rather pertains to two distinct things, in connection with the rural free-delivery service. The first one of these I favor; the second one I feel that I must oppose. The first part of the bill, if passed, will make the rural free delivery a permanent thing. The latter part of the bill provides for letting the carrying or distirbuting of mail under the contract system.

I shall be very brief in giving my reasons for my position on each of these questions. It was well, perhaps, when rural free delivery was inaugurated that it should have been upon a temporary plan, for it was to us, in fact, an experiment. There were many things and many conditions to experiment with before Congress was justified in creating it in full form as one of the permanent parts of the Governmental service. Congress did not then know the people would receive it—whether or not it could be made of advantage to the people. Congress could not tell whether the end would justify the means, whether the cost would be sustained by the judgment of the people. It was a new venture, an untried experiment. It was a bold undertaking, and I say it was well, perhaps, that such definite action should not be taken that might not be easily undone if the service should prove inexpeditious and undesirable.

But, sirs, those conditions do not pertain to-day. It is no longer, in fact, an experiment, and in my judgment should not be so in law. The people have received it gladly; they have hailed its coming with applause. They have become attached to it, and we must not take it from them. Sirs, if one of the two must be discontinued, then, in my judgment, better had we discontinue city delivery than rural delivery. But neither will ever be taken from the people, for they are a service that belongs to the people, and it is a proper function of the Government to furnish them.

In the district which I have the honor to represent there are now more than 3,000 families who receive their mail daily by this service. On the 20th day of February, 1902, I took occasion to write each of them and ask their opinion of the service, whether or not it should be continued. I have had more than 2,000 answers up to this time. I wish I could read them to the House. I wish I might impress you as those letters impressed me of the anxious solicitude for its perpetuity with which the patrons watch our actions here to-day.

Out of 2,000 letters less than 20 criticised the system, and each of those writers live in the vicinity of small post-offices that have been discontinued by the rural service. Those letters are full of reasons for the continuance of the service. For the first time the farmer has been able to take a daily paper and keep abreast with the affairs of the world. Markets are known daily. One man said that 10 miles from his post-office he read a paper daily at the noon hour. More than 500 of those letters testified to the fact that it took away the isolation of farm life and brought the farmer in closer contact with the world and its doings. All this tends to make better men and women, brighter boys and girls, and better citizens.

In short, the system is a good educator. It furnishes opportunities for improvement, intellectually and morally, that should be considered as one of the strongest elements in argument for its continuance. Several said that it had increased the value of their farms from two to ten dollars per acre. Many have written me that they would rather pay for the service than have it discontinued. One wrote that he would be willing to pay a hundred dollars per year rather than lose the service. Many suggested a readiness to pay twenty-five to fifty dollars rather than be deprived of its benefits.

Then, too, it is an economical service. It is better that one man should deliver mail to a hundred families every day, than that twenty men per day, on an average, should make a trip to town for their mail. Let us pass this part of the bill and make rural free delivery an assured fact, requiring specific legislation to discontinue it. As it is now, as has already been developed, the whole thing may be stopped by the raising of a point of order to the appropriation bill. The predicament is too perilous—it merits more substantial moorings.

The part of the bill which I object to is as follows:

Hereafter all mail service on rural free-delivery mail routes shall be performed by carriers designated pursuant to an advertisement inviting competitive bidding.

In opposing this second part of the bill I desire first to pay my tribute of appreciation to the committee for the tireless effort they have given to the subject. I have no doubt but they have had the good of the service at heart when they brought in the contract system. But is this a proper service to be contracted? It comes in direct touch with the people—with the individuals served. There is more to be considered than cheapness when such a service is at stake.

Suppose a swearing, swaggering, careless man should be the lowest bidder. He would put the entire service in disrespect. I rather like the idea of keeping the carrier in the closest possible relationship to the patrons. I wish he might be their choice, and responsible to them in a measure for his selection, and they in turn responsible for him. This is peculiarly a people's service. They take pride in it. They look after it. They improve the roads and altogether do much to make the service expeditious.

I desire to read an extract from a letter that I received just this morning from a patron of one of the routes of my district. This man in his letter urges the continuance of the service and suggests some possible improvements, but the part I desire to call special attention to is as follows:

The salary of the carrier is a little too small, especially this year, when grain is so high. But we have done what we could to help him along. About six weeks ago I hitched onto my wagon and went out among the patrons of the route. I did not go very far before I had on 25 bushels of corn and 5 bushels of oats, worth about $17, which we made him a present of. I think the salary ought to be about $600 per year at least.

Another gentleman on another route writes me that the patrons have arranged to pay for the carrier's horse feed and dinner. Others write of other little courtesies extended. One carrier wrote me that during a very cold snap hot coffee was served him every day at a particular house on his route. This all goes to show the personal interest that these patrons have in the route and the kindly feeling for their carrier. In most instances they have selected these carriers. He has been their choice. Then, too, it shows that the carrier has not been paid as these patrons believe he should be paid. In most of the letters that I have received there has been the opinion expressed that the salary should be $600. I speak of this merely to vindicate the action of the House heretofore had, of adding an amount sufficient for such increase of salary to the urgent deficiency appropriation bill.

Let us have this service as it is. If perchance the Postmaster-General should desire to experiment with a few routes under a contract system I have no particular objections. At the end of a year he can tell us more about it. But, sirs, I am opposed at this time to making this leap in the dark. The contract system is not a favorite with the people in other particulars and other services. In my judgment it would be a failure in this service. Let us strike from the bill that part providing for the contract system and pass that part which continues for all time the system of rural free delivery.

Mr. BROMWELL. Mr. Chairman, at this late hour, the last day of general debate, after a week of fatiguing attendance and close attention to the arguments that have been made on both sides of this bill, it would be not only injudicious as a friend of the bill, but cruel to the faithful members of this House who have remained patiently until this time, were I to impose upon them any lengthy speech upon this subject. I have got past that embryonic stage, which every member has to pass through, of desiring to speak for the RECORD.

I believe that had the membership of the House remained, or had I had an opportunity earlier in the day when more were here, I might have presented to this committee some phases of this subject that have not been touched upon, or, if touched upon, but lightly. But recognizing that nearly all who are here have committed themselves by their remarks upon this bill, upon the one side or the other, I feel that it would be, perhaps, a useless waste of your time and of mine were I to go into an extended argument in behalf of the bill.

I will say in a general way that the twelve members of the Post-Office Committee who signed this report have listened candidly, conscientiously, and faithfully to the arguments that have been urged against it, and that not a single one of those twelve members has seen or heard any reason for changing the views which actuated him in preparing and reporting this bill.

During the course of the debate under the five-minute rule I expect to present some of the phases of this question to which I refer, but at this time, Mr. Chairman, I think I shall merely ask the same indulgence that has been given to other members, to print the remainder of my remarks in the RECORD; and I invite not only those who are present, but such of our colleagues as may be absent, whose usual Sunday morning duty, before they go to church and after eating breakfast and reading the Washington Post, is to wade carefully through the CONGRESSIONAL RECORD to find out what condition of affairs the country is in—I invite you and invite them to read the argument which I would have presented earlier in the day and which will be printed therein. And I feel satisfied that when the debate opens on Monday under the five-minute rule the opponents of this bill, having thus the benefit of my wisdom, will cheerfully consent to withdraw their opposition and pass the bill unanimously. [Laughter.]

As a member of the Post-Office Committee, which reported this bill, I have followed the debate during the week that it has been in progress for the purpose of ascertaining if there was any real good, sound, or logical reason that could be urged against its provisions. I am frank to say that I have heard nothing to change the views which I entertained a week ago. I have heard appeals to prejudice; statements based upon ignorance of existing conditions, the present law and practice of the Post-Office Department, and the provisions of the bill itself.

I have heard frantic appeals to save the rural free-delivery service from destruction, and have listened with some surprise to the attempts of some of the members to create antagonism on the part of those representing what may be called rural districts to the postal service as it exists in cities. But if any one good reason has been stated why the plan proposed in the bill of letting this service out by contract is not the best I have failed to hear it in this Hall or to read it in the RECORD.

No member on this floor is probably less personally interested than I am as to which method is adopted of performing this service. I have two of these routes now in operation and two more applied for; possibly six routes in all would cover my entire district. I am frank to say that for the first two or three years of the experimental stage of this rural free-delivery service I was skeptical as to its advantages and the possibility of its successful extension throughout the country, but I finally recognized that it had come to stay, that it was to be one of the leading features of the postal service, and recognizing that positive legislation would be required to put it upon a footing where the appropriations devoted to that purpose could originate in the House without being subject to a point of order, I, in common with the other members of the committee, have given to the subject my careful consideration, and have endeavored to present the results of our study and judgment in this and the appropriation bill which is to follow.

I might add also that I have no complaint against any of the officials connected with this service, as I named the two carriers for the routes already established in my district, and, in the way of official patronage in the Department, have one clerk now being carried on the roll.

Recognizing the right of any of my constituents to write to me in regard to anything of a public nature in which they may be interested, I have not found fault with any employee in the postal service who has solicited my influence or vote in behalf of any measure before this House, and it was with some doubt as to the propriety of such action that I read the order prohibiting the employees of the Post-Office Department from writing to their members, or for that matter making personal calls upon them, in behalf of any legislation. I have always made it a point to acknowledge the receipt of such letters, answer them as fully as possible, and, if prepared to do so, to state frankly my position upon the subject-matter of their communications.

But while I recognize this right on the part of the employees of the Government to correspond directly with the members of this Congress, I look upon it as a very different matter, and one which might well call for prompt and strict action on the part of the Executive, when the force of a bureau of any department of the Government shall devote its attention to a systematic attempt to influence legislation; and that, I believe, has been the case of certain employees of the Rural Free-Delivery Bureau of the Post-Office Department in connection with this bill.

Inspired editorials, interviews, and articles in the papers of this city and of other cities in the country bear the earmarks of production in this Bureau. While I admit I have no positive knowledge on the subject, the very report of the minority on this bill was, I am satisfied, prepared and furnished to the gentleman from Virginia who signed it by an official in the Post-Office Department, and I challenge the gentleman to deny that statement.

The rural free-delivery service is fortunate or unfortunate in

having in the office of the superintendent in this city a gentleman of whom the head of the Bureau said, in hearings before the committee: "I consider him a very valuable man in many ways. No; not in a clerical way. I would say that his forte was not in clerical duties. Mr. Clarke's forte is in considering matters that come up for which we have no precedent—writing rulings and petitions and reports, at which he is very apt." The superintendent might have added, no doubt, that he was also very valuable in running a literary branch of the Bureau, furnishing newspaper articles, and generally bringing pressure to bear upon the members of the House to defeat bills which are not in accordance with the views and wishes of the head of the office.

When the committee came to take up the question of providing for the rural free-delivery carrier service, our first thought was naturally to continue the existing system of appointment, and no thought of a contract service occurred to any of us until later. We had been receiving letters almost equivalent to demands for increase of compensation for the carriers already in the service. A so-called national association of rural free-delivery carriers, with headquarters in Chicago, had fixed the amount at $850. Other demands were even higher. The First Assistant Postmaster-General, in his last report, page 42, says:

> The complaints of insufficiency of pay have received careful consideration. There is every desire to raise the character of the service and to adequately compensate the rural carriers, but one of the chief difficulties encountered in arriving at a uniform adjustment has arisen from the varying conditions prevailing in different sections of the country. In some States, where horses are cheap and forage abundant, $500 a year for a service which occupies only a part of a day is regarded as good pay, and there is almost a scramble among farmers' sons for the appointment.
>
> On the other hand, in New England and the extreme Western States, where forage is scarce and dear, a man who owns a horse can command higher wages than a rural carrier receives, especially during the summer months, and he is accordingly disinclined to enter the rural service at the rate of pay prescribed. It is not deemed desirable to establish a graduated scale of salaries at the present time, except upon the general rule which has been heretofore approximately followed of allowing $100 a year for each 5 miles of route. Nevertheless, the hardships presented by individual cases have not failed to command attention, and it is the earnest wish of this office to adopt some plan which will afford relief, without making discriminations calculated to promote jealousies between States and sections or to justify a charge of unfair preference.

This statement of the First Assistant clearly sets forth the difficulty which surrounds the attempt to establish anything like a uniform system of salaries for this carrier service. As he very justly says, a salary which would be ample in one locality is insufficient in another, and the many differences of climate, roads, sparseness or density of population, and grade of intelligence in the community in which these routes run, present natural difficulties of adjustment for anything like a fair and equitable basis for a uniform salary.

Your committee recognizing these difficulties presented by the First Assistant, first considered and discussed the possibility of fixing the compensation by a graded scale dependent upon the length of the route and possibly the number of people served. But this did not meet the difficulty, and was abandoned by the committee.

While this matter was still unsettled the attention of the committee was directed to the report of the Second Assistant, and particularly to that part relating to the improvements which had been made in the star-route service. In the statement made by General Shallenberger before the committee, during the hearing for the preparation of the post-office appropriation bill, it was shown that the objectionable features which existed in the old star-route service, and which at one time made that service a stench in the nostrils of the decent people of the country and culminated in the Brady frauds, had been entirely eliminated in the lettings made in the last two years.

This caused the committee to consider the possibility of establishing a similar contract service for the rural free-delivery carriers, and the plan seemed so feasible, by reason of the fact that the contractors under the star-route service are now required, under the new lettings, to do a service that approximates closely to the rural free-delivery service, and which could without very much difficulty be made identical with it; and the more the committee considered the matter the more firmly it became convinced that the contract system was the proper solution of the question of compensation for the rural free mail carriers. I shall touch upon the changes in the star-route service to which I referred a little more fully further on.

I have stated one of the reasons, drawn from the difficulty of adjustment of salaries referred to by the First Assistant, as the leading one which actuated the committee to seek for a method of avoiding these difficulties. But there was another reason, perhaps of less importance, but strong enough to claim the attention of the committee, in the danger which might lie behind the building up of an organized force which will ultimately number from 40,000 to 50,000 of these carriers into a semipolitical machine with power and the probable inclination to make demands for unreasonable increases of salary, and to exercise coercion to compel obedience to these demands.

I know that gentlemen in the course of this debate have boasted that they would be independent of this pressure; have belittled the danger of this organization; have pointed to the civil-service rules under which these carriers have been placed as a restraint upon any action that they might be tempted to take; have said that members of the committee were creating a phantom danger which would never develop.

But this danger is not a fanciful one. It is an actual danger which exists to-day and which is strong enough to influence many members in their stand upon this bill. There are few, if any, members probably on the floor of this House who have not, in connection with this bill, felt its influence directly or indirectly. One of the leading members of this House, sturdy and independent, during the progress of this debate informed me that four weeks ago he was for the bill; but since that time he had heard from his rural carriers and their friends and would have to vote against it.

If this unorganized force of only about 7,000 carriers can thus influence men of high standing in this House, what will that influence amount to when, instead of 7,000, it will amount to 50,000, united into a great national association and demanding salaries the equal of those paid the carrier service in the cities and in addition to that the cost of maintaining horses and wagons? The expense of this service will be of no concern to the member if he is threatened with the danger of being held up and coerced by these carriers and their friends.

Nor will it do to belittle the influence which these carriers can exert. Over the 25 miles, more or less, of their routes as they drive with this mail six days of every week they will, in the course of a year, become acquainted, probably, with every patron on the route. They will be the purveyors of news and gossip. They will, if accommodating, perform friendly services and do accommodating errands for those to whom they deliver the mail. They will be the distributors of political gossip.

Being under the service of the Government, wearing a uniform, driving a specially designed conveyance, they will be looked up to and their opinions and statements given undue importance, and thus a designing carrier can make use of his position, quietly and insidiously, and without making himself liable to punishment for violation of civil-service rules, to reward the friends who will vote to increase his salary and punish a conscientious member who will not yield to his unreasonable demands.

Personally I have no fear of such a condition in the district which I represent, as the number of carriers will never become sufficiently great to exercise any political influence. But in other districts, made up of strictly rural communities, in which the number of routes may run up into the hundreds, the committee has felt that they will become a potent factor in controlling the political situation.

As I have said before, the so-called national association demands $850 as the maximum salary. The gentleman from Indiana [Mr. LANDIS] did not hesitate to announce the opinion that it should be $1,100; and if this bill is defeated, I have no doubt whatever that we shall find members on this floor in the next Congress demanding a graded scale of salaries equal to those of a city carrier.

I have had some experience with wages in country districts. As a boy, during and immediately after the close of the civil war, I lived in southern Indiana on a farm. I taught a winter school for three months for $100, and out of that had to pay my board. And this was the highest salary that was paid in any of the schools in the vicinity. I worked for three years with a thrashing machine for $1.50 a day from daylight to dark through the long summer day, and I clerked in a country store at $20 a month and my board, and the cost of living then was greater than it is now. I was glad to get the work at the wages I have named, and I should have thought that I was on the high road to wealth and a place among the captains of industry if I could have had a rural-carrier route and steady employment the year round at $500 a year.

Let me illustrate further: I happen to have the good fortune to own one of the best farms in Hamilton County, in the vicinity of Cincinnati, which I let out to a tenant on shares, the arrangement being the universal one in that locality, as follows: He furnishes all the seed, does all the work, and gives me half of everything that is raised. He is compelled to keep four horses, to hire two men during the plowing and seeding time and for gathering the crops, whose wages he pays out of his share of the profits.

The total income of the farm is about $1,600, of which he gets half, about $800. Out of this $800 must come all of the expenses I have referred to above, and his net income in no year probably exceeds $250 or $300 a year. Along the pike in front of this farm a rural carrier drives, and working four or five hours a day earns a salary, with little or no laborious work, double or thrice what this man and his hard-working wife can make out of the farm in the course of a year. The farmer takes the chances of loss of crops by drought or insect pests; the carrier takes no risk whatever. The farmer runs the risk of depressed markets and low

prices, the carrier gets his salary by check on the first of each month whether prices are up or prices are down.

The country school-teacher in most communities is well paid if he can get $500 a year. The country preacher gets even less. The country merchant feels well satisfied if his books show a balance on the right side at the end of the year of an equal amount.

Knowing these facts as I do, I have little patience with the buncombe of the gentlemen who in this debate have made the Hall resound with their inquiry of why should the country carrier not be paid as much as a carrier in the city.

They might as well ask why, because a square foot of ground in a city will sell for $100, a square foot of ground in the country should not bring the same price. They seem to forget that while an acre of farm land may be worth $100, that same acre, if in the midst of a great city, might be worth a million dollars; that a man can board at a country hotel at a dollar a day who will have to pay four times as much in a city hostelry. A carrier in the city is paid the equivalent of wages for similar service in other lines of employment. A clerk in a store gets from $800 to $1,200 a year in the city; in the country he would get from $200 to $500. The difference in the cost of living is of itself a sufficient answer to the question.

Among the other questions that have been asked and reiterated is, "If the contract system is a good one for the country carrier, why is it not also advisable to put the city carrier under contract?" The answer is simple and has been repeated many times by the friends of the bill in this debate. There are two sufficient reasons. First, the service on the rural route is one which can not be limited to the same number of hours on all the various routes in different sections of the country. The number of persons served is different.

Where the roads are hilly the time must necessarily be slower than on level roads; where the country is sparsely settled the number of boxes at which the carrier would have to stop is less than where the country is thickly settled; in winter time routes in the Northern States will be covered with snow, and in some cases become almost if not quite impassable. The city carrier, on the other hand, whether he be in New York or San Francisco, in Chicago or New Orleans, is required to work eight hours a day, no more, no less. The number of patrons of a route is practically the same in these various cities, and the varying conditions of the seasons make little difference in his ability to perform the service. A salaried service, therefore, for the city carrier is the best and most equitable arrangement.

Another reason why it would be impossible and impracticable to let the city carrier service out by contract would arise from the fact that, whereas there would be only two or three bidders on a country route, if the city carrier's route were let out by contract there would be many more bidders than that for the service and a great part of the time of the Department would be consumed in opening bids and awarding contracts.

In addition to that, it would be impossible to transfer a city carrier from one route to another, a thing which would never become necessary in the country carrier service. In short, the mere fact that it would be impracticable to put the city carrier service under contract is no argument whatever against the contract service in the rural delivery, because the conditions are so entirely different between the two classes of the service.

Some of the gentlemen opposed to the bill have laid great stress upon the fact that the present carriers are men of high character, trustworthy, and reliable, while those which would be appointed under the contract system might be disreputable, unaccommodating and disrespectful. One gentleman—and perhaps more—in the course of the debate stated that while the farmer is out on his farm tending to his work his family at the farmhouse might be liable to insult and abuse from disreputable contract carriers.

These gentlemen evidently forget that it is no part of this service to deliver or collect mail at the houses of the patrons. They are not supposed to leave their wagon, as the rule of the Department requires that the boxes shall be so placed as to be accessible without alighting, and a similar regulation would apply and be enforced if the carrier performed the service under contract. There is no personal delivery or collection of mail contemplated by either system. It is a delivery to a box or a collection from a box, and the family of the farmer stands in no more danger of improper action on the part of the carrier under either system than they would from an ordinary traveler along the road.

One might infer from the remarks of some of the gentlemen in this debate that the farmer had no interest in or benefit from the city delivery service. Hardly any post-office appropriation bill comes up for consideration in the House but some member will declaim against the number of deliveries and salaries paid to the carriers in the city.

While it is true that a large portion of the city carrier service is devoted to the carrying of local mail within the city limits, it must be remembered that it is this very local mail, most of which is first class, that pays the bulk of revenue into the Post-Office Department, and without which the rates of postage to the farmer, as well as to the resident of the city, would have to be increased or the money taken out of the Treasury to supply a deficit; and the farmer must not forget that the money that thus comes from the Treasury for the Post-Office deficiency is raised by taxation in some form and falls either directly or indirectly upon his shoulders.

It must also be remembered that the farmer himself, when he writes a letter and sends it to the city, may be very much interested in securing its prompt delivery and speedy reply. He may have broken his reaper, mower, or thrasher and be sending to the manufacturer for castings to repair the break. The delay of a few hours in the delivery of his letter and the filling of his order might result in the loss of a considerable portion of his crop. He may be writing to a commission merchant for prices in a rapidly changing market, and the delay of a few hours in reply might lose him hundreds of dollars.

The post-office system of the country is not a heterogeneous group of rival or antagonistic parts. It is one great homogeneous whole. It is like the human body, with its various organs and parts, each adapted to its special function, but all required to make a perfect whole. The old story of the disagreement of the various parts of the body and the refusal of one to perform its proper function is typical of what would happen to the great postal service of the country if any one of its great branches should become inefficient, and therefore it is that with every improvement in the city carrier service the rural service which joins onto it and connects the farmer directly with his correspondents in the city is also improved. There should be no feeling of rivalry or antagonism in these two arms of the service. The gentlemen representing rural districts in which there is no city carrier service should be as eager to develop and improve the latter as the representative of a city district should be to benefit the rural free delivery.

The great danger to the rural free-delivery service which the committee apprehends is that it will become so expensive that it will ultimately break itself down unless placed upon a contract basis, and this view should appeal most strongly to those members who represent districts which are sparsely settled, for if the Department should cease to extend the service or should curtail any of the service already started by reason of the insufficiency of the appropriation, those districts would naturally suffer first.

The committee have felt that it would be better to have 50,000 routes on which the compensation for carriers was fair and reasonable than to have 30,000 routes on which the carriers were paid 50 per cent or more in excess of the current rate of wages or salary for equally difficult work. In other words, it is better to have many routes at fair salaries than to have a few routes at excessive salaries. It is better to have the whole territory of the United States served by a contract system, which will keep the compensation within reasonable limits, than to have a limited portion of the country only served with a high-priced salary service.

I do not wish to be misunderstood is the use of the phrase "high-priced salary." The question as to what a high salary is is a comparative one. A salary may be high in one section which would be low in another. Six hundred dollars is not an exorbitant salary in any section of the country, especially if the cost of maintaining a horse and wagon is to come out of that. But $850, $1,000, and $1,100, as suggested by the gentleman from Indiana, is far beyond what the service is actually worth in probably any considerable portion of the country.

By the contract system the carrier's compensation would be fixed by his own bid. If he is willing to bid for a route on the basis of $500 he would, no doubt, be glad to get it for that. Other work of the Government is done by bidding, and no complaint is made. We never make a great river or harbor improvement or construct a public building but what it is done by contract on bids and awards. I know it is claimed that this is a special personal service and that certain qualifications are demanded of the carrier which could not be obtained under contract system.

This, I am sure, would not apply to contracts let in accordance with the provisions of this bill, for the committee have been careful to provide the same requirements as to character and qualification as are now provided in the rules controlling appointments by the Bureau. If any gentleman will take the trouble to make a comparison between the bill and those rules he will see that to all intents and purposes the qualifications of those who would bid for a contract, if the bill should become a law, would be the same as those now required since the 1st of February, 1902, for carriers appointed on new routes. This I will not elaborate, as it has been gone over very thoroughly by other gentlemen.

The statement has been repeatedly made that the improvement of the rural free-delivery service by increasing the revenue from the sale of stamps and the discontinuance of star routes and fourth-class offices will ultimately make the service self-supporting. This I can hardly agree to. I doubt whether it ever will be self-supporting, and I feel very certain that the discontinuance of star routes and fourth-class offices will go but a very little way toward paying the expense of extending the rural free service.

By reference to the report of the First Assistant for the present year (p. 53) it is shown that the total amounts saved in the star-route service superseded by rural free delivery within the twelve months previous amounted to $173,404.41, and that the saving by the discontinuance of fourth-class offices by reason of the establishment of the rural free service in the same time was $120,221.43, making a total from these two sources of considerably less than $300,000—a very small item compared with the cost during the same time of extending the rural service.

I might add also that even that amount is considerably in excess of what is actually paid, as the discontinuance of fourth-class offices only results in throwing the business, which before went to them, largely into the office which is the terminus of the route.

I am sure that much of the opposition to this bill, both in Congress and out of it, grows out of ignorance of the present star-route service with which the contract service in this bill has been more or less compared. Under the old star-route service in Brady's time, one person or corporation could put in bids for hundreds or thousands of the star routes and, if the lowest bidders, would be awarded the contracts for all these various routes. They would then proceed to sublet or farm out these contracts, having no regard for the character of the subcontractor, his equipment, or anything else, except that he was to relieve the head contractor of the actual carriage of the mail.

Neither the contractor nor the subcontractor was required to live on the line of his route. Frequently the bids were for less than the service could be performed for, and extra allowances were made to compensate for slight additions to the routes. Not only were great frauds practiced on the Government through this system, but the service became disgraceful and contemptible in the eyes of the people.

I say frankly that the committee would never have recommended such a system in connection with the rural free-delivery service. But the star-route service of to-day is a very different thing. The following are the regulations inserted in the advertisement for bids for star-route service, as found in the report of the Second Assistant Postmaster-General for this year (p. 5):

LOCAL BIDDERS.

Under this advertisement no bid will be considered unless the bidder shall agree in his proposal that in the event of the service being awarded to him he will give his personal supervision to the performance of the same and will reside on or contiguous to the route.

BOX DELIVERY ON STAR ROUTES.

It is contemplated that the new contract shall make provision for delivering mail into boxes along nearly all of the routes. The terms of the advertisement on this subject are as follows:

In addition to carrying the mails to the various post-offices on the star routes covered by this advertisement the carrier on each route, except where otherwise specifically stated, will be also required to deliver mail into all boxes and hang small bags or satchels containing mail on cranes or posts that may be erected along the route under the following conditions:

Any person living on or near any star route herein described, and not within the corporate limits of any town or within 80 rods of any post-office, who desires his mail deposited at a given point on the line of the route by the carrier on said route may provide and erect a suitable box or crane on the roadside, located in such manner as to be reached as conveniently as practicable by the carrier without dismounting from the vehicle or horse, and such person shall file with the postmaster at the post-office to which his mail is addressed (which shall be one of the two post-offices on the route on either side of and next to the box or crane) a request in writing for the delivery of his mail to the carrier on the route for deposit at the designated point, at the risk of the addressee. The small bag or satchel above described, as well as the box or crane, must be provided by the person for whose use it is intended, without expense to the Department.

It shall be the duty of the postmaster at every such post-office, upon a written order from any person living on or near the star route, to deliver to the proper mail carrier for that route any mail matter—placing in the respective satchels, where such are used, the mail for the persons to whom such satchels belong—with instructions as to the proper mail box or crane at which said mail matter shall be deposited; but registered mail shall not be so delivered unless expressly requested by the addressee in his written order. No mail matter so delivered to a carrier shall be carried past another post-office on the route before being deposited into a mail box or hung on a crane or post.

The carrier on the star route will be required to receive from any postmaster on the route any mail matter or private mail satchel that may be intrusted to him, outside of the usual mail bag, and shall carry such mail matter or private mail satchel to and deposit it into the proper mail box or hang it on the proper mail crane placed on the line of the route for this purpose; such service by the carrier to be without charge to the addressees.

The mail carriers must be of good character and of sufficient intelligence to properly handle and depost the mail along the routes.

The Department does not prescribe any particular design of box or satchel to be used for this service, but the person providing either should see that it is of such character as to afford ample protection to his mail. If there is a lock attached to the box, a key is not to be held by the carrier, as he is expected to deposit the mail without the necessity of unlocking the box. [The box or crane should be so located on the roadside that the carrier can deposit the mail without leaving his vehicle or horse, and yet not where it will obstruct public travel.]

The carrier is not required to collect mail from the boxes, but there is no objection to his doing so if it does not interfere with his making the schedule time. The law provides that every carrier of the mail shall receive any mail matter presented to him if properly prepaid by stamps, and deliver the same for mailing at the next post-office at which he arrives, but that no fees shall be allowed him therefor.

Delivery of mail by star-route carriers will not be permitted over such portions of star routes as may have in operation the rural free-delivery service, except as an additional or supplemental service when shown to be necessary and practicable.

The depositing of mail along the line of the route will not be required of carriers on steamboat routes.

This new service has been successfully inaugurated in the first contract section, and contracts containing these regulations have been made to run until June 30, 1905. Contracts are now being let in the second section in a similar manner. Your committee felt that if this star-route service, as improved by these new rules and regulations, could be successfully conducted, there was no reason why a service somewhat similar, by contract, should not be tried on the rural free-delivery routes.

It is a mere matter of detail, which the Department can work out without difficulty. There is no occasion for any jealousy between the offices of the First Assistant Postmaster-General and the Second Assistant Postmaster-General, if any does exist, nor need there be any fear if the transfer of the rural free-delivery service from the First Assistant, where it now belongs, to the Second Assistant, who has charge of the star-route service. The First Assistant will be authorized to make contracts for this service and the Second Assistant can still continue to make his contracts for the star-route service.

As opportunity will be given under the debate when the bill is considered for amendment to discuss the details of many of the propositions which I have merely and in a most general way hinted at above, I shall postpone further comment upon them until then.

In conclusion, I wish to say that the committee in submitting this bill to the House for action has been actuated solely with a desire to do that which was best for continuing and extending the rural free delivery.

Whatever differences of opinion we might originally have had upon the feasibility of extending this service throughout the country, we are a unit now in recognizing the fact that it is here and here to stay. We have endeavored to present, in the remarks made by the different members of the committee, the reasons which induced us to prefer the contract system to a system of appointment.

We have no sympathy with the demogogic and buncombe cry of cheap! cheap! cheap! as applied to this proposed service. We are anxious to secure good service—the best service that can be secured for a fair remuneration. We feel that we ought to pay every dollar that the service is worth and not one dollar more; that the man who bids upon the contract is the best judge of what he can afford to do it for; that the safeguards thrown around the selection and award of contract by the limitations of this bill are such that an equally good character of men shall secure the service as if appointed in accordance with the present system; that the varying conditions in the country will be met by the variations in the contract prices paid for the service so that each carrier will receive what his services are worth in his locality, whether it be greater or less than the amount which another carrier receives in a different locality and under different conditions. This much we have a right to pay for the service and no more.

I have no sympathy with the feeling of recklessness which seems to control the words and the votes of members of this House in the expenditure of public money extravagantly and uselessly. It is true we have an overflowing Treasury, with millions of surplus stored away, but we must not forget that we have many enterprises entailing vast expenditures which are to make a drain upon that reserve.

The Nicaragua Canal, the ship subsidy, river and harbor improvements, naval appropriation expenses; all of these will make drains upon our wealth that will rapidly deplete the Treasury. While it is true that there is as yet no cloud even upon the horizon to warn us of a gathering storm, this era of prosperity must one day reach its climax and begin to recede. The pendulum which swings up must swing down, and when the time comes of straitened finances, diminished income, depleted Treasury, and financial distrust, then it will be well for the rural free-delivery service if it shall be found to be established upon the basis of economy and rational cost.

Mr. LOUD. Mr. Chairman, I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GILLETT of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation to employees thereof, and had come to no resolution thereon.

And then, on motion of Mr. LOUD (at 4 o'clock and 2 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred, as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French

spoliation cases relating to The schooner *Friendship*, Samuel Moulton, master, against The United States—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. POWERS of Maine, from the Committee on the Territories, to which was referred the bill of the House (H. R. 11997) granting the Hawaii Ditch Company, Limited, the right of way over public lands in the districts of North and South Kohala, in the island of Hawaii, for the purpose of constructing and maintaining ditches or canals and the necessary reservoirs, dams, and the like, for irrigation and domestic purposes in said districts, reported the same with amendments, accompanied by a report (No. 792); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LOVERING, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 3865) to establish light-houses at the mouth of Boston Harbor to mark the entrance to the new Broad Sound Channel, reported the same without amendment, accompanied by a report (No. 793); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL, from the Committee on Irrigation of Arid Lands, to which was referred the bill of the House (H. R. 9676) appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands, reported the same with amendments, accompanied by a report (No. 794); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (S. 3026) granting an increase of pension to Marie U. Nordstorm, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BURKETT (by request): A bill (H. R. 12306) authorizing the President of the United States to appoint certain persons in the Regular Army and place them upon the retired list—to the Committee on Military Affairs.

By Mr. BRICK: A bill (H. R. 12307) to pay all of the license moneys collected within municipal corporation limits in the Territory of Alaska, as provided for by an act of Congress approved March 3, 1899, entitled "An act to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district," and any amendment thereto, to the corporation within whose limits they accrued—to the Committee on the Territories.

By Mr. LOUD: A bill (H. R. 12308) requiring the execution of official bonds by assistant postmasters and other subordinate officers and employees to postmasters, and for other purposes—to the Committee on the Post-Office and Post-Roads.

By Mr. PEARRE: A joint resolution (H. J. Res. 163) extending the thanks of Congress to Rear-Admiral Winfield Scott Schley—to the Committee on Naval Affairs.

By Mr. HUGHES: A joint resolution (H. J. Res. 164) construing an act entitled "An act to provide for a permanent Census Office," approved March 7, 1902—to the Select Committee on the Census.

By Mr. WILLIAM W. KITCHIN: A joint resolution (H. J. Res. 165) proposing an amendment to the Constitution, relating to direct taxes—to the Committee on the Judiciary.

By Mr. STEELE: A concurrent resolution (H. C. Res. 37) that there be printed, in pamphlet form, 100,000 copies of the oration delivered by the Hon. John Hay in the Hall of the House of Representatives during the exercises in memory of the late President McKinley on February 27, 1902, 60,000 for the use of the House of Representatives and 40,000 for the use of the Senate—to the Committee on Printing.

By Mr. BURLESON: A resolution (H. Res. 160) that the Secretary of State be respectfully requested to inform the House of Representatives whether he declined to comply with the request of Rev. Hiram W. Thomas to ask the British Government for passports for the said Rev. Dr. Thomas and his wife to visit South African military camps for the purpose of distributing funds raised in the United States for the relief of noncombatant prisoners—to the Committee on Foreign Affairs.

By Mr. PEARRE: Memorial of the general assembly of Maryland, requesting the Senators and Representatives of Maryland in Congress to use their united endeavors to secure by an early day the passage of a joint resolution extending the thanks of Congress to Rear-Admiral Winfield Scott Schley for gallant and distinguished services rendered in the destruction of the Spanish fleet near Santiago, on the 3d day of July, in the year 1898—to the Committee on Naval Affairs.

By Mr. BELL: Memorial No. 1 of the Colorado legislature, against reducing tariff on Cuban sugars—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. ACHESON: A bill (H. R. 12309) granting an increase of pension to Marshall Cox—to the Committee on Invalid Pensions.

By Mr. ALEXANDER: A bill (H. R. 12310) granting a pension to Daniel S. Conover—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 12311) granting a pension to Francis Dorr Lukens—to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 12312) granting a pension to Mrs. Susan Walker—to the Committee on Invalid Pensions.

By Mr. CONNER: A bill (H. R. 12313) granting a pension to Thomas E. McIntire—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 12314) for the relief of the heirs of Edmund H. Chambers—to the Committee on War Claims.

By Mr, DE GRAFFENREID: A bill (H. R. 12315) granting an increase of pension to James Todd—to the Committee on Pensions.

By Mr. GOOCH: A bill (H. R. 12316) granting an increase of pension to Weden O'Neal—to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 12317) for the relief of John W. Neville—to the Committee on Claims.

Also, a bill (H. R. 12318) for the relief of Conrad Brandaberry—to the Committee on Military Affairs.

Also, a bill (H. R. 12319) for the relief of the heirs of Richard Butler, deceased—to the Committee on Claims.

By Mr. JACKSON of Kansas: A bill (H. R. 12320) granting a pension to Mrs. Sarah Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12321) to remove charge of desertion against George N. Wheeler—to the Committee on Military Affairs.

By Mr. LANDIS: A bill (H. R. 12322) granting a pension to William F. Wilcox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12323) granting an increase of pension to Andrew J. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12324) granting a pension to Cora E. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12325) granting an increase of pension to Thomas Paul—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12326) granting an increase of pension to John Kirkham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12327) granting an increase of pension to Melissa Griffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12328) to corrrct the military record of Micajah Powell—to the Committee on Military Affairs.

Also, a bill (H. R. 12329) to remove the charge of desertion from the military record of David A. Lindsay—to the Committee on Military Affairs.

Also, a bill (H. R. 12330) for the relief of Elijah Watts—to the Committee on Military Affairs.

Also, a bill (H. R. 12331) for the relief of James M. Blankenship—to the Committee on Military Affairs.

Also, a bill (H. R. 12332) for the relief of Charles Condon—to the Committee on Military Affairs.

By Mr. LONG: A bill (H. R. 12333) granting a pension to Fred W. Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12334) granting a pension to Irvin M. Ivey—to the Committee on Pensions.

By Mr. MANN: A bill (H. R. 12335) granting an increase of pension to Marian A. Mulligan—to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 12336) granting an increase of pension to Wallace K. May—to the Committee on Invalid Pensions.

By Mr. NORTON: A bill (H. R. 12337) granting an increase of pension to George W. M. Fuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12338) granting an increase of pension to Ruth Arnold—to the Committee on Invalid Pensions.

By Mr. HENRY C. SMITH: A bill (H. R. 12339) granting a pension to James Hummell—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 12340) for the relief of J. R. Claybrooke—to the Committee on Claims.

Also, a bill (H. R. 12341) granting a pension to P. A. Milner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12342) granting an increase of pension to W. A. Dever—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 12343) for the relief of the heirs of Dixon Dameron—to the Committee on Claims.

By Mr. WARNOCK: A bill (H. R. 12344) granting an increase of pension to David J. Courter—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 12345) granting a pension to Eliza M. Crisell—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Resolution of American Paper and Pulp Association, New York, favoring the establishment of a permanent Census Bureau—to the Select Committee on the Census.

Also, resolutions of Carpenters and Joiners' Union No. 463, of Philadelphia, Pa., advocating the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. ALEXANDER: Petition of General D. S. Stanley Garrison, Regular and Volunteer Army and Navy Union, Buffalo, N. Y., favoring a clerical corps in the Navy—to the Committee on Naval Affairs.

Also, resolution of National Shoe Wholesalers' Association, asking that hides be placed on the free list—to the Committee on Ways and Means.

Also, resolutions of Lucky Thought Lodge, No. 232, Brotherhood of Locomotive Firemen, Middletown, N. Y., in support of Senate bill 1118 and House bill 11060, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. BABCOCK: Papers to accompany House bill 9977, granting a pension to Minerva Robinson—to the Committee on Invalid Pensions.

By Mr. BARTLETT: Petition of T. J. Parker and 45 other citizens of Bibb County, Ga., protesting against contract system of free delivery—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL: Resolutions of Engineers' Union No. 1, of Denver; Union No. 63, of Pueblo, and citizens of Victor, Colo., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Woodworkers' Union No. 99, Colorado Springs, and petition of citizens of Idaho Springs, Colo., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. BOWERSOCK: Appeal from American Chamber of Commerce, of Manila, P. I., for the enactment of laws permitting immigration of coolies—to the Committee on Insular Affairs.

Also, resolutions of the National Shoe Wholesalers' Association of the United States, favoring repeal of the duty on hides—to the Committee on Ways and Means.

Also, resolutions of Barbers' Local Union No. 185, of Kansas City, Kans., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions adopted by the Commercial Club of Omaha, Nebr., in relation to the reclamation of the vacant public domain—to the Committee on Irrigation of Arid Lands.

By Mr. BULL: Resolutions of Brotherhood of Railroad Trainmen, Lodge No. 390, Providence, R. I., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BURLEIGH: Petition of Frank P. Merrill and other citizens of Blue Hill, Hancock County, Me., and of Granite Cutters' National Union of Norridgewock, Me., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. CASSINGHAM: Resolution of Division No. 278, Order of Railroad Conductors, of Dennison, Ohio, advocating the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. CONNER: Papers to accompany House bill No. 12313, granting a pension to Thomas E. McIntire—to the Committee on Invalid Pensions.

By Mr. CORLISS: Resolutions of Granite Cutters' Union, of Amalgamated Society of Carpenters and Joiners, Local Branch No. 727, and of the Tobacco Workers' International Union, of Detroit, Mich., favoring a restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of General O. M. Poe Post, Grand Army of the Republic, of Detroit, Mich., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. CROMER: Petition of rural free-delivery carriers of Bluffton, Hartford City, Montpelier, Muncie, Winchester, Portland, and Elwood, Ind., favoring the passage of House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Major Mory Post, No. 244, Grand Army of the Republic, of Anderson, Ind., in favor of an amendment to the pension act of June 27, 1890—to the Committee on Invalid Pensions.

Also, resolution of Indiana Democratic Editorial Association, against any needless barriers being placed upon the circulation of legitimate newspapers—to the Committee on the Post-Office and Post-Roads.

Also, petition of Miss Kate Riley and other clerks of Portland (Ind.) post-office, for the classification of salaries of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of the Eighth Congressional district of Indiana, for an amendment to the National Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

Also, resolution of Carpenters' Union No. 652, Ellwood, Ind., asking that the desert-land laws be amended—to the Committee on the Public Lands.

Also, resolution of the Commercial Club of Muncie, and Cigar Makers' Union No. 214, of Bluffton, Ind., in relation to extension of trade between United States and Cuba—to the Committee on Ways and Means.

Also, resolution of Division No. 11, Brotherhood of Locomotive Engineers, Indianapolis, Ind., favoring the anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Cigar Makers' Union No. 275, of Andersonville; No. 175, of Alexandria; Typographical Union No. 331, of Elwood; Plasterers' Association No. 83, of Muncie, and Local Union No. 50, of Elwood, Ind., favoring an educational qualification for immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Cigar Makers' Union No. 214, Bluffton, Ind.; Union No. 23, Muncie; Tin Plate Workers' and Glass Workers' unions, of Elwood; Typographical Union No. 284, Anderson, and Daughters of Liberty of Elwood and Muncie, Ind., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Trades Council of Muncie; Typographical Union of Elwood; Glass Blowers' Union of Albany; Tin Workers' Union No. 7, of Muncie; Federal Labor Union No. 8785, of Bluffton; Barbers' Union of Anderson, and Trades Council of Dunkirk, Ind., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. DRAPER: Resolution of Rensselaer County Liquor Dealers' Association, State of New York, in favor of the passage of House bills 178 and 179, proposing to reduce the tax on whisky—to the Committee on Ways and Means.

By Mr. EDWARDS: Resolution of Butte Stationary Engineers' Union No. 83, Butte, Mont., protesting against the order of the President denying the right of petition to employees of the Government—to the Committee on the Judiciary.

By Mr. EMERSON: Petition of Garner Leather Works, asking that hides be placed on the free list—to the Committee on Ways and Means.

By Mr. ESCH: Resolution of American Paper and Pulp Association, favoring the establishment of a permanent Census Bureau—to the Select Committee on the Census.

By Mr. GRAHAM: Petition of Retail Merchants' Association of Philadelphia, Pa., in opposition to House bill 9352—to the Committee on Interstate and Foreign Commerce.

Also, petition of International Broom Makers' Union, No. 44, Pittsburg, Pa., in relation to the transportation of prison-made goods from one State to another—to the Committee on Labor.

Also, petition of Swift Woman's Christian Temperance Union, of Allegheny, Pa., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

Also, petition of the American Chamber of Commerce of Manila, for the enactment of laws in relation to cooly labor in the Philippines—to the Committee on Insular Affairs.

Also, resolution of Abe Patterson Post, No. 88, Grand Army of the Republic, Allegheny, Pa., in opposition to placing General Longstreet on the retired list of the Regular Army—to the Committee on Military Affairs.

Also, resolution of the Chamber of Commerce of Pittsburg, Pa., approving of a House bill for changing the grade in the construction of the Pittsburg, Carnegie and Western Railroad over the

Monongahela River at Pittsburg, Pa.—to the Committee on Rivers and Harbors.

By Mr. GOOCH: Petition of citizens of Newport, Ky., for the exclusion of Chinese laborers from the United States—to the Committee on Foreign Affairs.

Also, resolutions of Granville Moody Post, No. 89, of Bellevue, Ky., and William Nelson Post, No. 1, Newport, Ky., Grand Army of the Republic, advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Queen and Crescent Lodge, No. 112, of Ludlow, Ky.; Carpenters' Union and Tobacco Workers' Union No. 44, of Covington, Ky., favoring the passage of a law which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. GREENE of Massachusetts: Resolution of the Grand Army of the Republic, Department of Massachusetts, for the establishment of a national park at Petersburg, Va.—to the Committee on Military Affairs.

By Mr. HAMILTON: Resolutions of Cigar Makers' Union No. 69, of Three Rivers, Mich., relative to exclusion of Chinese from the United States—to the Committee on Foreign Affairs.

Also, resolutions of Local Union No. 160, Amalgamated Wood Workers' International Union, of America, of St. Joseph, and of Cigar Makers' Union No. 69, of Three Rivers, Mich., for further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HENRY C. SMITH: Resolutions of Switchmen's Union No. 61, of Jackson, Mich., favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, petition of George Aprill and other citizens of Michigan, against establishing the contract system for rural free delivery—to the Committee on the Post-Office and Post-Roads.

By Mr. JACKSON of Kansas: Petition of citizens of Pittsburg, Kans., for extension of trade between United States and Cuba—to the Committee on Ways and Means.

Also, petition of Parsons Lodge, No. 293, of Parsons, Kans., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, paper in the pension case of Sarah Robinson—to the Committee on Invalid Pensions.

Also, paper to accompany House bill to correct the military record of George Wheeler—to the Committee on Military Affairs.

By Mr. KEHOE: Petition of John W. Finnell Post, No. 110, Grand Army of the Republic, of Grayson, Ky., favoring the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

By Mr. KNAPP: Resolution of Bricklayers' Union No. 73, of Clayton, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. KYLE: Petition of Plumbers' Union No. 97, in relation to immigration and a Federal election law—to the Committee on Immigration and Naturalization.

By Mr. LANDIS: Papers to accompany House bill for the relief of James M. Blankenship—to the Committee on Military Affairs.

Also, papers to accompany House bill 12328, for the relief of Micajah Powell—to the Committee on Military Affairs.

Also, papers to accompany House bill 12329, for the relief of David Lindsey—to the Committee on Military Affairs.

Also, papers to accompany House bill 12324, for the relief of Cora E. Brown—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12322, for the relief of William F. Wilcox—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12327, for the relief of Malissa Griffin—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12323, for the relief of Andrew J. Bennett—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12325, for the relief of Thomas Paul—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12326, for the relief of John Kirkland—to the Committee on Invalid Pensions.

By Mr. LANHAM: Resolution of Evergreen Division, Order of Railway Conductors, Fort Worth, Tex., advocating the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LAWRENCE: Resolution of board of aldermen of Boston, Mass., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. LITTAUER: Resolution of Plumbers' Union No. 253, of Gloversville, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. LITTLEFIELD: Petition of Granite Cutters' Union, of St. George, Me., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. LONG: Resolutions of Carpenters' Union, Wichita, Kans., urging the enactment of a law restricting immigration—to the Committee on Immigration and Naturalization.

By Mr. LOUD: Petition of the Chamber of Commerce of San Francisco, Cal., urging the passage of House bill 10375, for the survey and construction of a free public wagon road into the Hetch Hetchy Valley and thence into the Yosemite Valley—to the Committee on the Public Lands.

Also, resolution of the Chamber of Commerce of San Francisco, Cal., for the construction by the Government of a Pacific cable—to the Committee on Interstate and Foreign Commerce.

By Mr. MOODY of Oregon: Petitions of citizens of Jordan Valley, Oreg., asking for the enactment of certain land legislation—to thr Committee on the Public Lands.

By Mr. MORRIS: Petition of citizens of Duluth, Minn., favoring an amendment to the Constitution prohibiting polygamy—to the Committee on the Judiciary.

By Mr. NORTON: Resolution of Good Hope Lodge, No. 59, Brotherhood of Railroad Trainmen, Bucyrus, Ohio, and Journeymen Barbers' Union No. 263, Sandusky, Ohio, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, petition of Granite Cutters' Union, of Clyde, Ohio, asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, papers to accompany House bill granting an increase of pension to George W. M. Fuller—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting an increase of pension to Ruth Arnold—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: Petition of Brotherhood of Locomotive Firemen of Terre Haute, Ind., favoring the bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Resolutions of Plumbers' Union of Fort Wayne, Ind., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Division No. 138, Order of Railway Conductors, favoring the bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

By Mr. RODEY: Resolution of the Commercial Club of Omaha, Nebr., in relation to the reclamation and settlement of the arid public domain—to the Committee on Irrigation of Arid Lands.

By Mr. RUMPLE: Resolutions of Tri-City Bricklayers' Union, No. 7, of Davenport, Iowa, urging the enactment of a Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SHERMAN: Resolutions of Typographical Union No. 62, of Utica, N. Y., and Bricklayers' Union No. 73, of Clayton, N. Y., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Typographical Union No. 62, Stereotypers' Union, and Butchers' Union No. 13, all of Utica, N. Y., and Barbers' Union No. 168, of Oneonta, N. Y., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SIMS: Resolutions of Carpenters and Joiners' Union, of Jackson, Tenn., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Typographical Union No. 24, of Jackson, Tenn., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SULZER: Petition of the Commercial Club, of Omaha, Nebr., in relation to the leasing of public lands, irrigation, and homesteads—to the Committee on the Public Lands.

Also, petition of Great Falls Typographical Union, No. 256, Great Falls, Mont., and Charleston (S. C.) Typographical Union urging the defeat of House bill 5777 and Senate bill 2894, amending the copyright law—to the Committee on Patents.

Also, resolution of American Paper and Pulp Association, for the establishment of a permanent Census Bureau—to the Select Committee on the Census.

By Mr. THOMAS of Iowa: Petition of the American Chamber of Commerce of Manila, for the enactment of laws allowing cooly labor to enter the Philippine Islands under such restrictions and laws as the Philippine Commission may enact—to the Committee on Insular Affairs.

Also, resolution of Cerro Gordo Lodge, No. 29, Brotherhood of Locomotive Firemen, Mason City, Iowa, favoring the anti-injunction bill—to the Committee on the Judiciary.

By Mr. THOMAS of North Carolina: Petition of heirs of Lippman Aaron, late of Duplin County, N. C., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. TIRRELL: Resolutions of Carpenters' Union No. 847, of Natick, Mass., favoring the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

By Mr. VREELAND: Resolutions of Shongo Post, No. 332, Grand Army of the Republic, of New York, and Japanners' Union of Jamestown, N. Y., favoring the construction of war

vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Typographical Union of Jamestown, N. Y., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Japanners' Union No. 9069 and Union No. 205, and Barbers' Union No. 178, all of Jamestown, N. Y., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. WADSWORTH: Resolution of Retail Clerks' Union No. 489, North Tonawanda, N. Y., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of L. D. Waterbury and 38 citizens of Knowlesville and vicinity, New York, in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

By Mr. WARNOCK: Papers to accompany House bill granting an increase of pension to David J. Courter—to the Committee on Invalid Pensions.

Also, papers in support of House bill 5701, granting an increase of pension to Letty J. Coplin—to the Committee on Invalid Pensions.

By Mr. WILEY: Petition of Addie E. Amos, of Conecuh County, Ala., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: Petitions of Joseph Shaw Post, No. 235, and G. B. Lee Post, No. 692, Grand Army of the Republic, Department of Illinois, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, papers to accompany House bill 12345 for the relief of Eliza M. Crisell—to the Committee on Pensions.

By Mr. WRIGHT: Resolution of Post No. 124, Grand Army of the Republic, East Smithfield, Pa., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Southern Tier Union, No. 10, Order of Railway Conductors, Sayre, Pa., asking for the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

SENATE.

MONDAY, *March 10, 1902.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

OREGON LAND COMPANY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in further response to a resolution of June 7, 1900, relating to the Oregon Land Company, a letter from the Commissioner of the General Land Office submitting a list of applications presented for lands within the conflicting limits of the forfeited portion of the grant to the Northern Pacific Railroad Company and the grant made to aid in the construction of The Dalles military road, etc.; which, with the accompanying papers, was referred to the Committee on Public Lands, and ordered to be printed.

SCHOONER FRIENDSHIP.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relative to the vessel schooner *Friendship*, Samuel Moulton, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

DANIEL HEFFLEBOWER.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Daniel Hefflebower, executor of Alexander Hefflebower, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8586) amending the act of March 2, 1901, entitled "An act to carry into effect the stipulations of Article VII of the treaty between the United States and Spain, concluded on the 10th day of December, 1898.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HITT, Mr. ADAMS, and Mr. DINSMORE managers at the conference on the part of the House.

The message further announced that the House had passed with amendments the following bill and joint resolution; in which it requested the concurrence of the Senate:

A bill (S. 646) for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg.; and

A joint resolution (S. R. 21) authorizing the printing of extra copies of the annual report of the Commissioner of Pensions.

The message also announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

A bill (H. R. 4607) to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr.

A bill (H. R. 7458) to re-form the western judicial district of the State of Arkansas.

A bill (H. R. 11306) to extend the time for the construction of a bridge across the Mississippi River at Burlington, Iowa;

A bill (H. R. 11409) to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia;

A bill (H. R. 11719) to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River;"

A joint resolution (H. J. Res. 24) providing for the publication of 99,000 copies of the Special Report on the Diseases of Cattle; and

A joint resolution (H. J. Res. 26) providing for the publication of 200,000 copies of the Special Report on the Diseases of the Horse.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented petitions of the Woman's Christian Temperance Unions of Littleton, Webster, West Unity, and Rindge, all in the State of New Hampshire, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of Bricklayers and Masons' Local Union No. 2, of Portsmouth, N. H., praying for the enactment of legislation to exclude Chinese laborers from the United States and the insular possessions, etc.; which was referred to the Committee on Immigration.

He also presented a petition of the American Paper and Pulp Association of New York City, praying for the establishment of a permanent census bureau; which was ordered to lie on the table.

He also presented a petition of the Manufacturers' Club of Cincinnati, Ohio, praying for the enactment of legislation authorizing the President of the United States to appoint a commission to study and make a full report upon the commercial and industrial conditions of China and Japan; which was referred to the Committee on Commerce.

Mr. BLACKBURN. I present the memorial of G. A. Karwiese, civil and consulting engineer, of Louisville, Ky., relative to the advantages of the Aputi route for the Isthmian canal to connect the Atlantic and Pacific oceans. I move that the memorial be printed as a document and referred to the Committee on Interoceanic Canals.

The motion was agreed to.

Mr. BLACKBURN presented a petition of Local Union No. 681, United Mine Workers of America, of Mercer Station, Ky., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. HARRIS presented petitions of Federal Labor Union No. 8450, of Independence; of Local Union No. 597, of Scammon; of Cigar Makers' Local Union No. 36, of Topeka; of the Industrial Council of Pittsburg; of Stationary Engineers' Local Union No. 75, of Coffeyville, and of Local Union No. 293, of Parsons, all of the American Federation of Labor, in the State of Kansas, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of sundry citizens of Pittsburg, Neutral, Ogallah, Emporia, Council Grove, Russell, St. Marys, Mankato, Dunlap, Louisburg, Freeport, Merriam, Dundee, Wellsville, Columbus, Hackney, Dunavant, Fort Scott, Lawrence, Mound City, Arkansas City, Home City, Abilene, and Brantford, all in the State of Kansas, praying for the enactment of legislation

providing for the election of United States Senators by a direct vote of the people; which were referred to the Committee on Privileges and Elections.

He also presented a petition of sundry citizens of Holton, Kans., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Concordia, Westphalia, Columbus, Gorham, Welda, Oberlin, Shadybrook, McPherson, Abilene, Denmark, Hillsboro, Tecumseh, Parsons, Manchester, Rose Hill, Gaylord, Downs, Mound City, Day, Stuttgart, Speed, Oakley, Belleville, Floral, Walnut, Overbrook, Industry, Conway, Jetmore, Watson, Berryton, Ogallah, Clyde, Norwood, Baldwin, Pomona, Alexander, Hill City, Bushton, Alma, Talmage, and Talmo, all in the State of Kansas, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of local unions Nos. 34, 201, 8454, 499, 88, 184, 118, 293, 332, 62, 18, 384, 87, and 421, of Parsons, Leavenworth, Kansas City, Pittsburg, Horton, Independence, Wichita, and Topeka, all of the American Federation of Labor; of Grand Army Posts Nos. 384, 363, 12, 244, 112, 361, 271, 489, 100, 18, and 113, of Concordia, Ottawa, Shaw, Manhattan, Pawnee Rock, Fall River, Wichita, Lawrence, Lakin, and Kima, all of the Department of Kansas, Grand Army of the Republic, in the State of Kansas, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. CULLOM presented the petition of Harriet T. Miller and 44 other citizens of Geneseo, Ill., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of Bluff City Local Union No. 481, of Alton; of Cigar Makers' Local Union No. 410, of Centralia; of Metal Polishers and Plate Printers' Local Union No. 64, of Elgin; of German-American Typographical Union No. 18, of Belleville; of Retail Clerks' Local Union No. 202, of Galesburg, and of Local Union No. 96, Order of Railway Conductors, of Aurora, all in the State of Illinois, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of the Commercial Club of Chicago, Ill., praying for the enactment of legislation providing for competitive examinations for applicants seeking appointment in the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Grocers and Butchers' Association of Chicago, Ill., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented petitions of A. H. Kenney, J. Newton Storm, and 144 other citizens, of Strasburg; of J. H. McDonnell and 28 other citizens, of Jacksonville, and of the board of supervisors, of Adams County, all in the State of Illinois, praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by direct vote of the people; which were referred to the Committee on Privileges and Elections.

Mr. DILLINGHAM presented a petition of sundry citizens of Calais, Vt., and a petition of sundry citizens of Woodstock, Vt., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of the Granite Cutters' National Union, of Groton, Vt., and a petition of Typographical Union No. 384, of Montpelier, Vt., praying for the enactment of legislation to exclude Chinese laborers from the United States and insular possessions, etc.; which were referred to the Committee on Immigration.

Mr. McCUMBER presented the petition of J. J. Taylor and sundry other citizens of Sandoun, N. Dak., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Forest River, N. Dak., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. BARD presented petitions of Golden Gate Division, No. 364, Order of Railway Conductors, of Oakland, of Bakers and Confectioners' Local Union No. 90, of San Diego; of Local Union No. 47, Retail Clerks' Association, of Oakland; of Vallejo Lodge, No. 252, of Vallejo; of Local Union No. 233, Brotherhood of Boilermakers and Iron Shipbuilders, of Oakland, and of Local Union No. 216, Boot and Shoe Workers, of San Francisco, all in the State of California, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. BURNHAM presented the petition of E. N. Hill and 29 other citizens of Francestown, N. H., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Thomas M. Huse Post, No. 92, Department of New Hampshire, Grand Army of the Republic, of Barnstead, N. H., and a petition of Columbus Lodge, No. 401, International Association of Machinists, of Brooklyn, N. Y., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of the Woman's Christian Temperance Unions of Littleton, West Unity, Ashland, Hinsdale, Haverhill, Keene, Newfields, Marlboro, West Stewartstown, Meriden, Epsom, Webster, Rindge, and Lempster, all in the State of New Hampshire, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. FOSTER of Washington presented a petition of sundry citizens of Sumas, Wash., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Shingle Weavers' Local Union No. 9095, American Federation of Labor, of Arlington, State of Washington, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Pacific Coast Lumber Manufacturers' Association, of Seattle, Wash., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented petitions of Typographical Union No. 170, of Tacoma, and of Typographical Union No. 410, of Everett, in the State of Washington, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a memorial of the Sailors' Union of the Pacific, of Aberdeen, Wash., remonstrating against the adoption of an amendment to Chapter 7 of the Revised Statutes relating to the employment of seamen in the merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of the Woman's Century Club, of Seattle, Wash., praying for the enactment of legislation providing that Chinese and Japanese who have lived in the United States and have been instructed in household and domestic service and speak the English language, etc., be not considered as contract coolie labor; which was referred to the Committee on Immigration.

Mr. GAMBLE presented the petitions of W. C. T. Boetscher and 50 other citizens of Corona; of J. P. Sharp and 50 other citizens of Forestburg; of William Leste and 50 other citizens of Armour, and of Emil Erickson and 50 other citizens of Hanson, all in the State of South Dakota, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Cigar Makers' Local Union No. 491, of Huron, praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. PERKINS presented a memorial of the Chamber of Commerce of San Francisco, Cal., remonstrating against the construction of a telegraph cable line from the Pacific coast to Hawaii and the Philippine Islands; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation providing for the construction of a free public wagon road into the Hetch Hetchy Valley and thence into the Yosemite Valley, California; which was referred to the Committee on Public Lands.

He also presented a memorial of the Merchants' Exchange of Oakland, Cal., remonstrating against the alteration or amendment of the Chinese-exclusion bill proposed by the California Congressional delegation; which was referred to the Committee on Immigration.

He also presented a memorial of the Sailors' Union of the Pacific Coast, International Seamens' Union, of San Francisco, Cal., remonstrating against any change being made in section 9 of House bill No. 9330, relative to the exclusion of Chinese; which was referred to the Committee on Immigration.

He also presented a petition of Ship and Machine Blacksmiths, Local Union No. 163, American Federation of Labor, of San Francisco, Cal., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented petitions of local unions Nos. 16, 253, 64, 225, 52, 216, 168, 36, 46, 38, 469, 1, 59, and 8, of San Francisco, Oakland, and Sacramento, all of the American Federation of Labor, in the

State of California, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. McLAURIN of South Carolina presented petitions of Palmetto Division, No. 208, Order of Railway Conductors, of Charleston; of the Granite Cutters' Union of Fairfield County; of Brick Masons and Plasterers' Local Union No. 7, of Aiken, and of Typographical Union No. 43, of Charleston, all in the State of South Carolina, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were referred to the Committee on Immigration.

Mr. COCKRELL presented a petition of Typographical Union No. 350, American Federation of Labor, of Joplin, Mo., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Breckenridge, Mo., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented petitions of Typographical Union No. 350, of Joplin; of International Brotherhood of Stationary Firemen's Local Union No. 5, of Kansas City; of the Central Labor Council of St. Joseph; of Cigar Makers' Local Union No. 233, of Sedalia; of International Brotherhood of Electrical Workers' Local Union No. 40, of St. Joseph, and of Type Founders' Local Union No. 5, of St. Louis, all of the American Federation of Labor, in the State of Missouri, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. MILLARD presented a memorial of the Woman's Christian Temperance Union of Naponee, Nebr., remonstrating against the official regulation of vice in the Philippine Islands; which was referred to the Committee on the Philippines.

He also presented a memorial of the Thomas County Stock Growers and Breeders' Association, in the State of Nebraska, remonstrating against the enactment of legislation authorizing the leasing of the public domain; which was referred to the Committee on Public Lands.

He also presented petitions of Finnicum Post, No. 129, of Wisner, and of George A. Custer Post, No. 7, of Omaha, Department of Nebraska, Grand Army of the Republic, in the State of Nebraska, praying for the enactment of legislation to suppress anarchy; which were referred to the Committee on the Judiciary.

He also presented petitions of Buford Post, No. 23, of Central City; of Caddell Post, No. 74, of Cedar Rapids; of Comrades of Veterans' Post, No. 84, of Falls City, and of William Burgess Post, No. 328, Department of Nebraska, Grand Army of the Republic; of Leather Workers' Local Union No. 32, of Fremont; of Local Union No. 9, International Brotherhood of Stationary Firemen, of Omaha; of Boiler Makers and Iron Shipbuilders' Local Union No. 118, of North Platte, of the American Federation of Labor, all in the State of Nebraska, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Underwood, Walworth, Johnson, Arcadia, David City, Pawnee City, Tekamah, Humboldt, Wheeler, Belwood, Surprise, Wayne, Paul, Wahoo, Auburn, Lincoln, Blair, Concord, Hebron, Prague, Cambridge, Brownville, Omaha, Franklin, and Stromsburg, all in the State of Nebraska, praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by direct vote of the people; which were referred to the Committee on Privileges and Elections.

He also presented petitions of sundry citizens of Florence, Henderson, Germantown, Miller, Waterville, Beemer, Belmont, Julesburg, Pleasant Dale, Denmark, Lyons, Buffalo, Eustis, Pleasanton, Bruno, Huntley, Glenville, Emerson, York, Orleans, Randolph, Bertrand, Wilsonville, Linwood, Cozad, Malcolm, Scribner, Rushville, Hooper, Litchfield, Ashton, Holbrook, Haywood, Denton, Miller, Albion, Culbertson, Oxford, Milburn, Gordon, Greeley, Carlston, Republican City, Campbell, Edgar, Palisade, Petersburg, Grant, Elsie, Lomax, Beaver City, Irvington, Broken Bow, Mason City, Hemmingsford, Imperial, Glen Rock, Riverton, Trenton, Verdon, Comstock, Belvidere, Crete, Plainview, and Elwood, all in the State of Nebraska, and of the Merchants' Exchange, of St. Louis, Mo., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. LODGE presented the petitions of S. E. Lane and 27 other citizens of Hubbardston; of C. J. Fales and 84 other citizens of Adams, and of William E. Brown and 45 other citizens of Cheshire, all in the State of Massachusetts, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of the faculty of the University of Michigan, praying for the enactment of legislation providing for the erection in the city of Washington of a monument to the memory of the late Prof. Spencer F. Baird; which was referred to the Committee on the Library.

He also presented a petition of the board of aldermen of Boston, Mass., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of Bricklayers, Masons, and Plasterers' Local Union No. 18, of North Adams; of Icemen's Protective Union No. 171, of Boston; of the Elastic Goring Weavers' Local Union, of Easthampton; of Plumbers' Local Union No. 92, of Fitchburg; of Bricklayers' Local Union No. 17, of Haverhill; of the Granite Cutters' National Union, of Quincy; of Cigar Makers' Local Union No. 49, of Springfield; of Bricklayers' Local Union No. 12, of Lynn; of Journeymen Bakers and Confectioners' Local Union No. 182, of Lynn; of Carpenters and Joiners' Local Union No. 4, of Boston; of Allied Metal Mechanics' Local Union No. 80, of Springfield; of Carpenters and Joiners' Local Union No. 794, of Leominster; of Coal Teamsters and Helpers' Local Union No. 170, of Boston; of Journeymen Bakers' Local Union No. 96, of Holyoke; of the Granite Cutters' Local Union, of West Quincy; of Local Union No. 19, of Malden; of Plate Printers' Local Union No. 6, of Boston; of Carpenters' Local Union No. 193, of North Adams; of Steam Engineers' Local Union No. 78, of Worcester; of Bricklayers and Plasterers' Local Union No. 1, of Springfield; of Typographical Union No. 423, of Newburyport; of Federal Labor Union No. 9394, of Fitchburg; of the Atlantic Coast Seamen's Union, of Boston; of the Granite Cutters' National Union, of Milford; of Sheet and Metal Workers' Local Union No. 184, of Worcester; of the Bricklayers and Masons' Local Union, of North Adams; of Boot and Shoe Workers' Local Union, of Brookfield; of Finishers' Local Union No. 37, of Brockton; of Boot and Shoe Local Union No. 230, of Conway; of the Carpenters' District Council, of Springfield; of Boot and Shoe Workers' Local Union No. 244, of Natick; of Upholsterers' Local Union No. 50, of Springfield; of Boot and Shoe Workers' Local Union No. 238, of New Bedford; of Stationary Firemen's Local Union No. 88, of Worcester; of Cigar Makers' Local Union No. 206, of North Adams; of the Central Labor Union, of Haverhill; of Pressmen's Local Union No. 109, of Lowell; of Typographical Union No. 228, of Norwood; of Carpenters' Local Union No. 443, of Chelsea; of Cigar Makers' Local Union No. 65, of Lynn; of Edgemakers' Local Union No. 118, of Brockton, and of the Building Trades Council, of North Adams, all in the State of Massachusetts, praying for the enactment of legislation providing for the exclusion of Chinese laborers from the United States and their insular possessions; which were referred to the Committee on Immigration.

Mr. MALLORY presented a petition of the State board of health of Florida, praying that the United States retain control of the maritime quarantine service of the ports of Cuba; which was referred to the Committee on Public Health and National Quarantine.

Mr. SPOONER presented a petition of the commissioners of fisheries of the State of Wisconsin, praying that an appropriation be made for the erection, in the city of Washington, of a monument to the memory of the late Prof. Spencer F. Baird; which was referred to the Committee on the Library.

He also presented a memorial of the Business Men's Association of Kaukauna, Wis., remonstrating against any reduction being made in the import duties on Cuban sugar and tobacco; which was referred to the Committee on Finance.

He also presented a petition of the Longshoremen's Local Union No. 56, American Federation of Labor, of Port Wing, Wis., and a petition of the Cigar Makers' Local Union No. 85, American Federation of Labor, of Eau Claire, Wis., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. NELSON. I present a joint resolution of the legislature of Minnesota relative to the passage of the bill introduced by the senior Senator from Massachusetts [Mr. HOAR], to limit the meaning of the word "conspiracy," and the use of "restraining orders and injunctions" in certain cases. I ask that it be read, and, as the bill has been reported, that it lie on the table.

The joint resolution was read, and ordered to lie on the table, as follows:

To the Congress of the United States:

Whereas there is now pending before the Senate of the United States a bill, No. 1118, introduced by Senator HOAR, of Massachusetts, entitled "A bill to limit the meaning of the word 'conspiracy,' and the use of 'restraining orders and injunctions' in certain cases;" and

Whereas the provisions of said bill are in accordance with the principles of justice and free institutions:

Resolved by the house of representatives of Minnesota (the senate thereof concurring), That the Congress be, and is hereby, memorialized to enact said bill into law.

Resolved further, That the secretary of state be, and he is hereby, requested to transmit certified copies of this memorial to the Senate and House of Representatives of the Congress, and copies to each Senator and Representative therein from Minnesota.

Which was adopted.

STATE OF MINNESOTA, DEPARTMENT OF STATE.

I, P. E. Hanson, secretary of state, hereby certify that the hereto attached copy of joint resolution adopted at the extra session of the legislature, February 21, 1902, is a true and correct copy of such resolution as passed and adopted.

In witness whereof I have hereunto set my hand and caused the great seal of the State to be affixed at the capitol, in St. Paul, this 7th day of March, A. D. 1902.

[SEAL.] P. E. HANSON, *Secretary of State.*

Mr. FAIRBANKS presented a memorial of the Nordyke and Marmon Company of Indianapolis, Ind., remonstrating against the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented the petitions of L. C. Powell and sundry other citizens of Shelbyville, of C. W. Morris and sundry other citizens of Logansport, of W. H. Cavan and sundry other citizens of Elwood, of Robert Stites and sundry other citizens of Paradise, of Edward Maidlow and sundry other citizens of Inglefield, of John W. Alton and sundry other citizens of Vincennes, of Frederick Thum and sundry other citizens of Crandall, and of J. J. Gilbert and sundry other citizens of Lewisville, all in the State of Indiana, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented the petition of John H. McFarland and sundry other citizens of Boundary, Ind., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented a petition of Local Union No. 288, National Union of the United Brewery Workers, of Terre Haute, Ind., praying for the repeal of the so-called desert-land law and for the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented the petition of E. Schroer, of Indianapolis, Ind., praying for the enactment of legislation providing for the protection of the birds and wild animals of the country; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented petitions of Company E, Third Infantry, of Elkhart, and of Company K, First Infantry, of Martinsville, National State Guard of Indiana, and of A. L. Kuhlman, of Auburn, all in the State of Indiana, praying for the enactment of legislation to increase the efficiency of the militia of the country; which were referred to the Committee on Military Affairs.

He also presented petitions of Bricklayers' Local Union No. 3, of Indianapolis; of Bricklayers and Masons' Local Union No. 22, of Noblesville; of Core Makers' Local Union No. 43, of Indianapolis; of the Trades Council, of Dunkirk; of Cigar Makers' Local Union No. 355, of Hammond; of D. G. Reid Lodge, No. 15, Amalgamated Association of Iron, Steel, and Tin Workers, of Elwood; of Bricklayers' Local Union No. 28, of Princeton; of the Central Labor Body, of New Albany; of Typographical Union No. 395, of Vincennes, and of Foundry Helpers' Local Union No. 9433, of Indianapolis, all in the State of Indiana, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Boothroyd Post, No. 31, of Delphi; of James Beard Post, No. 433, of Lawrence; of Otterbein Post, No. 277, of Otterbein, and of Perkinsville Post, No. 523, of Perkinsville, all of the Department of Indiana, Grand Army of the Republic, in the State of Indiana, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. MITCHELL presented the affidavits of Dr. W. Tyler Smith, Richard H. Barber, and Dr. Charles R. Harden, of Sheridan, Oreg., in support of the bill (S. 4092) granting an increase of pension to John R. Evans; which were referred to the Committee on Pensions.

He also presented the petition of Augustus L. Kidder, of Roseburg, Oreg., and the affidavit of Dr. Du Gas, of Roseburg, Oreg., in support of the bill (S. 3392) granting an increase of pension to Augustus L. Kidder; which were referred to the Committee on Pensions.

He also presented the petition of Mrs. Cornelia Kelsay, of Corvallis, Oreg., praying that she be granted a pension; which was referred to the Committee on Pensions.

He also presented a petition of the Board of Trade of Portland, Oreg., praying for the enactment of legislation providing for the construction of a railroad bridge across the Columbia River at Vancouver, Wash.; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Marshfield and Cove, in the State of Oregon, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Baker City, Oreg., praying for the enactment of legislation providing for the construction of a suitable canal and locks to overcome the obstructions to navigation of the Columbia River between Celilo and The Dalles, Oreg.; which was referred to the Committee on Commerce.

He also presented a petition of John F. Miller Post, No. 42, Department of Oregon, Grand Army of the Republic, of Lebanon, Oreg., and a petition of Graham Post, No. 76, Department of Oregon, Grand Army of the Republic, of Canyonville, Oreg., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee an Naval Affairs.

He also presented petitions of sundry citizens of Portland; of Coopers' Local Union No. 192, of Portland; of Boiler Makers and Shipbuilders' Local Union No. 72, of Portland; of Laundry Workers' Local Union No. 90, of Portland; of Cooks' Alliance No. 189, of Portland, all of the American Federation of Labor; of Local Division No. 4, United Brotherhood of Railway Employees, of Portland, all in the State of Oregon; and of Local Union No. 70, International Union of Steam Engineers, American Federation of Labor, of Brazil, Ind., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. PATTERSON. I present a memorial of the legislature of Colorado, in favor of the maintenance of the present tariff on foreign sugar, and remonstrating against reciprocity with Cuba. I ask that the memorial be printed in the RECORD, and referred to the Committee on Finance.

The memorial was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

House joint memorial No. 1.—By Mr. Madden, of Weld.

To the Senate and House of Representatives of the United States:

Your memorialists, the legislature of the State of Colorado, in extra session assembled, respectfully represent as follows:

The beet-sugar product of the State of Colorado was—

In 1899	$100,000
In 1900	1,125,000
In 1901	3,600,000
And will be in 1902, approximately	6,000,000

There are now six factories in existence within the borders of this State, which have been erected at the expense of nearly $6,000,000. The operations of these factories have been the result of diversifying our industries, enlarging the area of irrigated lands, multiplying homes, and reducing the cost of sugar throughout the trans-Missouri country. We expect a production of sugar aggregating a value of $10,000,000 during the year 1903. The soil of the arid West has proven eminently adapted to the production of beet sugar, every year witnessing an increase in saccharine matter and a greater purity of the product.

Considering, then, that according to the report of the Bureau of Statistics of the Treasury Department, the imports from foreign countries for 1901 amounted to 4,500,000,000 of pounds of sugar, valued at $115,000,000, of which more than 4,000,000,000 pounds, or fully 85 per cent, came from the Tropics, where it was produced by "coolie" labor, and the remainder from the bounty-fed fields and factories of Europe, we beg to point out that our people should not be deprived of this opportunity to employ their labor and to dispose of their product within their own markets.

When it is known that Cuba imported into the United States during 1901 1,200,000,000 pounds, or fully 30 per cent of the cane sugar which entered our ports, deriving therefrom an estimated revenue of over $30,000,000, it may appear reasonable that the people of the West should be allowed an equal chance with them; and that is what the difference in labor in Cuba and Colorado, added to the tariff, amounts to.

The beet-sugar industry of Europe is being fostered by the Government. What we desire is a continuance of the legally established protection against the unfair fiscal arrangements of Europe, and against unjust competition in labor on the part of Cuba and other tropical countries.

We therefore respectfully show to your honorable bodies:

First. That the beet-sugar industry has been established upon the lands, formerly arid, reclaimed by the labor of the Western people in reliance upon the protection afforded by the present tariff.

Second. That the further development of this industry depends upon the perpetuation of the conditions created by said tariff.

Third. That the free admission of cane sugar raised within the borders of tropical lands now belonging to the United States has narrowed the market of this industry to the interior States, and that any reduction of the duties imposed by said tariff in favor of other tropical countries not belonging to the Union will be likely to destroy the beet-sugar industry of this and other Western States.

Fourth. That the beet sugar as promoted and encouraged by our present tariff law is the first and only industry in the West in which the farmers and producers are directly interested which has received the benefit of the American policy of protection, which policy should therefore be continued until its benefits have been enjoyed by the West equally with the East.

Fifth. That for these reasons we ask the maintenance of the present tariff rates.

And your memorialists will ever pray.

D. C. COATES,
President of the Senate.
W. H. KELLEY,
Secretary of the Senate.
B. F. MONTGOMERY,
Speaker of the House of Representatives.
WILLIAM J. HAMILTON,
Clerk of the House of Representatives.

Approved this 1st day of March, A. D. 1902, at 4.20 o'clock p. m.

JAMES B. ORMAN.
Governor of the State.
DAVID A. MILLS,
Secretary of State.

Mr. PATTERSON presented petitions of Newspaper Mailers' Local Union No. 8, of Denver; of Lodge No. 406, Brotherhood of Railroad Trainmen, of Colorado City; of Division No. 44, Order of Railway Conductors, of Denver; of Blowers and Metal Polishers' Local Union No. 5, of Florence; of Typographical Union No. 82, of Colorado Springs, and of Theatrical Stage Employees' Local Union No. 52, of Cripple Creek, all in the State of Colorado, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of the American Chamber of Commerce, of Manila, P. I., praying for the enactment of legislation allowing cooly labor to enter the Philippine Islands under such restrictions and laws as the Philippine Commission may from time to time enact; which was referred to the Committee on the Philippines.

Mr. HOAR. I present the petition of Franklin Webster Smith, formerly of Boston, Mass., and now residing in the city of Washington, praying for the printing of 25,000 copies of Part 1 of Senate Document No. 209, Fifty-sixth Congress, being a handbook of the Halls of the Ancients, to be distributed by him to scholars and other visitors to that hall; also that he may be given the electrotypes of the new illustrations he supplied, and of such portions of the work as he shall desire to print for publication; and, further, that the editions of Parts 1, 2, and 3 of this document may be printed for sale by the Government. I move that the petition and accompanying papers be referred to the Committee on Printing.

The motion was agreed to.

Mr. HOAR presented the petitions of S. E. Lane, C. J. Fales, and sundry other citizens of Hubbardston and Adams, in the State of Massachusetts, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of the Central Labor Union, American Federation of Labor, of North Adams, Mass., praying for the repeal of the so-called desert-land act, and for the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a petition of sundry brewers of New England, praying for the repeal of the war-revenue tax on fermented liquors; which was referred to the Committee on Finance.

He also presented a petition of the board of alderman of Boston, Mass., and a petition of the Central Labor Union, American Federation of Labor, of North Adams, Mass., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Painters' Local Union No. 381, of Fitchburg; of the Central Labor Union of Taunton; of Cigar Makers' Local Union No. 92, of Worcester; of the Bricklayers' Local Union No. 27, and of Local Union No. 25, of Worcester, all of the American Federation of Labor, in the State of Massachusetts, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of the Manufacturers and Jobbers' Association of Decatur, Ill., praying for the adoption of certain amendments to the bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of the United States, praying that appropriate steps may be taken to secure a suspension of hostilities in the Philippine Islands, so that an opportunity be given for a discussion of the situation between the Government of the United States and the Filipino leaders; which was referred to the Committee on the Philippines.

Mr. DUBOIS presented a petition of Typographical Union No. 271, American Federation of Labor, of Boise City, Idaho, praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Wardner, Idaho, praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Wardner, Idaho, praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Chamber of Commerce of Genesee, Idaho, praying for the enactment of legislation providing for the sale and disposal of lands held by Indian heirs; which was referred to the Committee on Indian Affairs.

Mr. WARREN presented a petition of Local Union No. 322, International Association of Machinists, American Federation of Labor, of Rawlins, Wyo., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of Cheyenne Division No. 128, Order of Railway Conductors, of Cheyenne, Wyo., praying for the enactment of legislation providing for the exclusion of Chinese laborers from the United States and its insular possessions; which was referred to the Committee on Immigration.

Mr. FRYE presented petitions of Frank P. Merrill and 44 other citizens of Blue Hill, Me., of National Park Lodge, Brotherhood of Railroad Trainmen, of Livingstone, Mont., and of Guernsey Division, Order of Railway Conductors, of Cambridge, Ohio, praying for the reenactment of the Chinese-exclusion law; which were referred to Committee on Immigration.

He also presented a petition of the Commercial Club, of Omaha, Nebr., praying that no cession of public lands be made to any State or Territory for any other purpose than for colleges and schools, etc.; which was referred to the Committee on Public Lands.

He also presented a petition of the Utah irrigation convention, praying for a continuance of the irrigation investigations made by the Agricultural Department; which was referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 2388) for the relief of Elizabeth L. W. Bailey, administratrix of the estate of Davis W. Bailey, deceased, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Pensions, to whom was referred the bill (S. 10) granting a pension to Edwin Roswell, submitted an adverse report thereon; which was agreed to, and the bill was indefinitely postponed.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3481) granting an increase of pension to James E. Dexter;

A bill (S. 4214) granting an increase of pension to John McDonald;

A bill (S. 1039) granting an increase of pension to Nathaniel C. Goodwin; and

A bill (S. 3216) granting an increase of pension to Henry M. Taylor.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 4071) granting an increase of pension to George C. Tillman, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4346) granting a pension to Augusta Turner, reported it without amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 9227) granting an increase of pension to Frederick Shafer;

A bill (S. 2505) granting an increase of pension to John Barnard; and

A bill (3696) granting an increase of pension to Edward H. Armstrong.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 142) granting a pension to J. J. Groff.

A bill (S. 951) granting an increase of pension to Charles Ambrook;

A bill (S. 952) granting an increase of pension to George H. Smith; and

A bill (S. 965) granting a pension to Eliza B. Gamble.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (S. 2371) granting a pension to Andrew J. Felt, reported it with an amendment, and submitted a report thereon.

Mr. FORAKER, from the Committee on Pacific Islands and Porto Rico, to whom was referred the bill (S. 2210) relating to Hawaiian silver coinage and silver certificates, reported it with an amendment.

DONATION TO MINNESOTA HISTORICAL SOCIETY.

Mr. PERKINS. I am directed by the Committee on Naval Affairs, to whom was referred the joint resolution (S. R. 62) to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota*, to report it favorably, without amendment.

Mr. CLAPP. I ask unanimous consent for the immediate consideration of this joint resolution. It is a local matter.

The Secretary read the joint resolution, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. TELLER introduced a bill (S. 4383) granting an increase of pension to John B. Linn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 4384) granting a pension to John McSorley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McLAURIN of South Carolina introduced a bill (S. 4385) for the relief of David H. Cork; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARMACK introduced a bill (S. 4386) for the relief of Gustav A. Hesselberger; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4387) for the relief of the estate of John Graham, deceased; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 4388) for the relief of the estate of Charles Wood, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4389) for the relief of the estate of Josiah P. Campbell, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McLAURIN of Mississippi introduced a bill (S. 4390) for the relief of Naomi J. Fowler; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4391) for the relief of the estate of Josiah M. Stephenson, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. KEAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4392) granting an increase of pension to Charles H. Houghton (with accompanying papers);

A bill (S. 4393) granting an increase of pension to William M. Hodge (with an accompanying paper);

A bill (S. 4394) granting an increase of pension to Barzillas P. Irons (with an accompanying paper);

A bill (S. 4395) granting an increase of pension to John Danneberger (with an accompanying paper); and

A bill (S. 4396) granting an increase of pension to William H. Fletcher (with an accompanying paper).

Mr. KEAN introduced a bill (S. 4397) for the relief of Mrs. Jane Moore Faircloth; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MONEY. I introduce a bill in behalf of the Senator from Louisiana [Mr. McENERY], who is unavoidably absent.

The bill (S. 4398) for the relief of the New Orleans and Bayou Sara Mail Company, of New Orleans, La., was read twice by its title, and referred to the Committee on Claims.

Mr. MONEY introduced a bill (S. 4399) to provide for the purchase of a site and the erection of a public building thereon at Oklahoma, in the Territory of Oklahoma; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. MILLARD introduced a bill (S. 4400) granting an increase of pension to James Thompson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4401) granting an increase of pension to Frederick Kropf; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4402) for the relief of the Omaha National Bank; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BEVERIDGE introduced a bill (S. 4403) granting a pension to Sarah F. Patten; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4404) granting an increase of pension to Otto H. Hasselman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 4405) to expedite the taking of testimony to be used before the Spanish Treaty Claims Commission; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. CULLOM introduced a bill (S. 4406) granting an increase of pension to Thomas J. Hunter; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4407) granting an increase of pension to Valentine B. Hummel; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 4408) to amend section 934 of an act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901;

A bill (S. 4409) to amend an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes," approved March 1, 1899; and

A bill (S. 4410) for the extension of Twenty-fourth street northeast, and for other purposes.

Mr. McMILLAN introduced a bill (S. 4411) to provide for the purchase of a site and for the erection of a building thereon for the use of the Supreme Court of the United States; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. KITTREDGE introduced a bill (S. 4412) granting an increase of pension to John J. Rees; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 4413) granting an increase of pension to Martha A. Greenleaf; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4414) granting an increase of pension to Albertine Schoenecker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4415) granting an increase of pension to Vesta A. Brown (with an accompanying paper);

A bill (S. 4416) granting an increase of pension to Joseph W. Wilber (with an accompanying paper); and

A bill (S. 4417) granting an increase of pension to Marcellus Goddard (with an accompanying paper).

Mr. MITCHELL introduced a bill (S. 4418) to authorize the establishment of a life-saving station at or near the mouth of the Siuslaw River, in the State of Oregon; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HOAR introduced a bill (S. 4419) to incorporate the General Education Board; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Education and Labor.

Mr. MONEY introduced a bill (S. 4420) to confirm the title to lands in San Miguel County, N. Mex.; which was read twice by its title, and referred to the Committee on Private Land Claims.

AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. McMILLAN submitted an amendment proposing to appropriate $20,000, $10,000 of which is to be used for the construction of fireproof bookshelves and file cases in the office of the recorder of deeds, and $10,000 for reindexing old records and for tract or property indexes in the office of the recorder of deeds of the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

HEIRS OF THOMAS J. ROBERTSON.

Mr. McLAURIN of South Carolina submitted the following resolution; which was referred to the Committee on Privileges and Elections:

Resolved by the Senate of the United States of America, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to J. Caldwell Robertson and Edwin W. Robertson, sole heirs of Thomas J. Robertson, formerly a Senator from the State of South Carolina, the sum of $3,543.38, due him as Senator of the United States in the Fortieth Congress, from the 4th of March, 1867, to the 24th of June, 1868, to be paid from the miscellaneous items of the contingent fund of the Senate.

CONSIDERATION OF PENSION BILLS, ETC.

Mr. GALLINGER. Mr. President, I desire to ask unanimous consent that at the conclusion of the routine morning business to-morrow thirty minutes be given to the consideration of unobjected pension bills and bills for the correction of the records of soldiers.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that to-morrow, after the completion of the routine business, thirty minutes may be given to the consideration of unobjected pension cases and bills for the correction of military records. Is there objection? The Chair hears none, and it is so ordered.

HENRY D. HALL.

The PRESIDENT pro tempore. Is there further morning business?

Mr. HALE. I ask that the Senate proceed to the consideration of the Calendar under the five-minute rule.

The PRESIDENT pro tempore. The Calendar under Rule VIII is in order. The first case on the Calendar will be announced.

The bill (S. 1568) to restore Henry D. Hall to the Revenue-Cutter Service was announced as first in order on the Calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the President to commission Henry D. Hall, late captain in the United States Revenue-Cutter Service, a captain on the permanent waiting orders list of said service, with the pay of that grade provided by law for officers on permanent waiting orders.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PORT OF ELIZABETH CITY, N. C.

The bill (S. 3361) providing for the removal of the port of entry in the Albemarle collection of customs district, North Carolina, from Edenton, N. C., to Elizabeth City, N. C., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MATHIAS A. YOUNG.

The bill (S. 277) for the relief of Mathias A. Young was considered as in Committee of the Whole. It proposes to pay to Mathias A. Young, of Agate, Wash., $98, in payment for his services in carrying the United States mail from Agate, Wash., to Napavine, Wash., from January 1, 1891, to June 30, 1891.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SIOUX INDIANS OF CROW CREEK RESERVATION.

The bill (S. 3990) authorizing the use, under the direction of the Secretary of the Interior, of certain moneys in the Treasury to the credit of the Sioux Indians of the Crow Creek Reservation in South Dakota, under the act of March 2, 1895, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with an amendment, to strike out all after the enacting clause and insert:

That of the principal sum of $168,335.10 now in the Treasury of the United States to the credit of the Sioux Indians of the Crow Creek Reservation in South Dakota drawing interest at 4 per cent per annum, $60,000 may be used for the purchase of stock cattle, $25,000 may be paid pro rata in cash, and $83,335.10 may be used in the purchase of cattle fence wire, in the construction of storage reservoirs, in the improvement of their allotments, and in any other manner that will best promote their welfare and civilization, all in the discretion of the Secretary of the Interior.

Mr. COCKRELL. Let the report be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. GAMBLE on February 22, 1902, as follows:

The Committee on Indian Affairs, to whom was referred the bill (S. 3990) authorizing the use, under the direction of the Secretary of the Interior, of certain moneys in the Treasury to the credit of the Sioux Indians of the Crow Creek Reservation in South Dakota, under the act of March 2, 1895, and for other purposes, having had the same under consideration, beg leave to report it back with the following amendment, and that after such amendment that the same do pass:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That of the principal sum of $168,335.10 now in the Treasury of the United States to the credit of the Sioux Indians of the Crow Creek Reservation in South Dakota drawing interest at the rate of 4 per cent per annum, $60,000 may be used for the purchase of stock cattle, $25,000 may be paid pro rata in cash, and $83,335.10 may be used in the purchase of cattle fence wire, in the construction of storage reservoirs, in the improvement of their allotments, and in any other manner that will best promote their welfare and civilization, all in the discretion of the Secretary of the Interior."

The reasons for the legislation are very fully set forth in the accompanying correspondence from the Department, and the same is annexed hereto and made a part of this report. Your committee believes the interest of the Crow Creek Indians would be best subserved by the use of the moneys now in the Treasury to their credit in the way indicated in the proposed bill rather than allowing the same to remain in the Treasury and the Indians to receive only the interest therefrom. The amount of the interest is so inconsiderable that it does not prove of substantial benefit to the Indians. By investing the moneys in stock and in the improvements proposed, and also in the construction of storage reservoirs, we believe the best interests of the Indians will be conserved and inure much more to their advantage rather than to hold the funds as it has been since the year 1895.

Mr. COCKRELL. Let the letter of the Secretary of the Interior be now read.

The PRESIDENT pro tempore. The letter will be read.

The Secretary read as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 18, 1902.

SIR: I have the honor to transmit herewith a copy of a report of the 12th instant from the Commissioner of Indian Affairs, and accompanying draft of an item for incorporation in the Indian appropriation bill for the fiscal year 1903, providing for the use of the $168,335.10 now in the Treasury of the United States to the credit of the Sioux Indians of the Crow Creek Reservation, in South Dakota, in the purchase of stock cattle and fence wire, in the construction of storage reservoirs, and for improvement of allotments and per capita payments in cash to the Indians.

The correspondence relative to this fund is also inclosed, and I have the honor to recommend that the matter receive favorable action by your committee.

Very respectfully,
E. A. HITCHCOCK,
Secretary.

The CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,
United States Senate.

Mr. COCKRELL. That is enough.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the Committee on Indian Affairs.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LAND IN NEWPORT, R. I.

The bill (S. 3848) granting a deed of quitclaim and release to Lorillard Spencer, his heirs and assigns, of all the right, title, and interest in and to certain land in the city of Newport, R. I., was considered as in Committee of the Whole.

The bill was reported to the senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE AT PARKVILLE, MO.

The bill (S. 3513) authorizing the construction of a bridge across the Missouri River at or near Parkville, Mo., was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with amendments.

The first amendment was, in section 4, page 3, line 4, after the word "constructed," to strike out the words "all trains of;" and in line 8, after the word "river," to insert the words "shall have the right to do so, and," so as to read:

The said railway company shall have the right, privilege, and authority to build, establish, erect, and maintain all necessary approaches to said bridge upon either bank of said river, and when said bridge is constructed all other railroad companies or transportation companies which may desire to use said bridge in the conduct of their business, and which may approach said bridge from either side of said river, shall have the right to do so, and shall pay to said railway company, its successors or assigns, a reasonable compensation for the use of the same, to be fixed by the Secretary of War if the parties to such transactions can not agree.

The amendment was agreed to.

The next amendment was, in section 5, page 4, line 5, after the words "shall the," to insert "main channel;" in line 6, to strike out "spans" and insert "span;" in the same line, to strike out "three" and insert "four" before "hundred;" in line 7, to strike out the words "and sixty" after "hundred;" and in the same line, after the word "mark," to strike out "immediately on either side of the central or pivotal pier" and insert "and all other spans over the waterway shall be not less than three hundred feet in the clear;" in line 11, to strike out the words "at high-water mark" and insert "and the bridge itself at right angles thereto as near as may be;" in line 13, to strike out "spans" and insert "span;" in the same line, to strike out "channels" and insert "channel;" in line 17, after the words "spans of," to strike out "not less than one hundred and eighty feet in the" and insert "such;" in line 18, after the word "clear," to strike out "in;" in line 19, before the word "piers," to strike out "pivotal" and insert "pivot;" in line 20, after the word "draws," to insert "as he may prescribe;" in line 21, to strike out "not" and insert "also;" in the same line, to strike out the words "less than three hundred feet in the clear, measured at low water" and insert "of such clear length as he may prescribe;" so as to read:

Nor shall the main channel span of said bridge be less than 400 feet in the clear at low-water mark, and all other spans over the waterway shall be not less than 300 feet in the clear; and the piers of said bridge shall be parallel with the current of the river, and the bridge itself at right angles thereto as near as may be, and the main span shall be over the main channel of the river: *And provided also*, That if a bridge shall be built under this act as a drawbridge, the same shall be constructed as a pivot drawbridge with one or more draws, as the Secretary of War may prescribe, and with spans of such clear length on each side of the central or pivot piers of the draws as he may prescribe; and the next adjoining spans over the river to the draws shall also be of such clear length as he may prescribe.

The amendment was agreed to.

The next amendment was, in section 5, on page 5, line 3, to strike out the words "at high water" and insert "and the bridge itself at right angles thereto as near as may be;" in line 10, after the word "and," where it first occurs, to insert the words "shall build and maintain;" and in line 13, to strike out "be defined and required by" and insert "receive the approval of;" so as to read:

and the piers of said bridge shall be parallel with the current of the river, and the bridge itself at right angles thereto as near as may be: *And provided also*, That said drawbridge shall be opened promptly upon reasonable signal and without unnecessary delay: *Provided*, That said company, its successors and assigns, shall maintain, at its own expense, from sunset until sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe, and shall build and maintain such sheer booms or other structures as may be necessary to safely guide vessels, rafts, or other water craft through said channel spans, and as shall receive the approval of the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 7, on page 7, after the word "bridge," in line 6, to insert "and equal privileges in the

use of said bridge shall be granted to all telegraph and telephone companies;" in line 8 to strike out "the" before "Congress," and after the word "Congress" to strike out the words "of the United States;" so as to make the section read:

That the United States shall also have the right, without charge therefor, to construct telegraph or telephone lines across said bridge, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies; and Congress may, at any time, alter, amend, or repeal this act.

The amendment was agreed to.

The next amendment was, on page 7, line 11, section 8, before the word "construction," to strike out the words "work toward the;" in line 12 to strike out "five" and insert "two" before "years." and in line 13 to strike out "seven" and insert "four" before "years;" so as to make the section read:

That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within two years and completed within four years from the date of the approval of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LITTLE TENNESSEE RIVER BRIDGE AT NILES FERRY.

The bill (S. 3231) to legalize and maintain a new steel bridge in lieu of the present wooden structure across the Little Tennessee River, at Niles Ferry, Tennessee, by the Atlanta, Knoxville and Northern Railroad, was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That the steel bridge of the Atlanta, Knoxville and Northern Railroad across the Little Tennessee River at Niles Ferry, in the State of Tennessee, be, and the same is hereby, declared a lawful structure, and may be maintained as now constructed by the said railroad: *Provided*, That whenever in in the judgment of the Secretary of War the interests of navigation shall require, the owners of said bridge shall, at their own expense, make such changes and alterations as the Secretary of War may order.

SEC. 2. That Congress reserves the right to alter, amend, or repeal this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to legalize and maintain a new steel bridge, erected in place of the old wooden structure, across the Little Tennessee River at Niles Ferry, Tennessee, by the Atlanta, Knoxville and Northern Railroad."

The PRESIDENT pro tempore. The Committee on Commerce also report an amendment to the preamble, which will be stated.

The SECRETARY. In the second whereas clause, line 3, strike out "requires" and insert "required;" and in the fifth line, after the words "already been," strike out the words "delivered on the ground and is now awaiting construction" and insert "constructed;" so as to read:

Whereas the safe and proper transportation of freight, passengers, and the United States mails by the said Atlanta, Knoxville and Northern Railroad required that the old wooden bridge be immediately replaced by a new steel structure, which has already been constructed.

The amendment was agreed to.

The preamble as amended was agreed to.

IMITATION DAIRY PRODUCTS.

The bill (H. R. 9206) to make oleomargarine and other imitation dairy products subject to the laws of any State, or Territory, or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, was announced as next in order.

Mr. PROCTOR. Let that bill be passed over, retaining its place on the Calendar.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

MEDICAL EXPENSES OF OFFICERS AND ENLISTED MEN.

The bill (S. 2172) to provide for the payment of medical expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough, was considered as in Committee of the Whole.

Mr. COCKRELL. I think there is an amendment to be offered to that bill.

Mr. PROCTOR. I was going to offer an amendment. I move in line 4, on page 2, after the date "1898," to insert "and up to and including April 11, 1899."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On line 4, page 2, after the date "1898," it is proposed to insert "and up to and including April 11, 1899;" so as to make the bill read:

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $200,000, and that the same, or so much thereof as may be necessary, be, and the same is hereby, made available, under such regulations as the Secretary of War may prescribe, for the payment, or the reimbursement of payments made, of just bills and charges for the support, care, and treatment, including proper hospital charges, of sick officers and enlisted men of the Regular and Volunteer armies of the United States while they were absent from duty on leave or on furlough, or otherwise, by direction or by permission of proper authority, on or after April 21, 1898, and up to and including April 11, 1899, in like manner as if the said officers and enlisted men had been on duty at the times when and places where the said bills and charges were incurred; and that the appropriations above designated shall remain and continue available, for the purposes hereinbefore set forth, for and during the term of two years from and after the date of the approval of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DEPOT FOR REVENUE-CUTTER SERVICE.

The bill (S. 4096) to provide for a site for a depot for the Revenue-Cutter Service was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, in line 5, after the words "sum of," to strike out "forty" and insert "thirty," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to acquire a suitable site upon which to establish a depot for the Revenue-Cutter Service, and for this purpose the sum of $30,000, or so much thereof as may be necessary, is hereby appropriated.

The amendment was agreed to.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. GALLINGER February 28, 1902, as follows:

The Committee on Commerce, to whom was referred the bill (S. 4096) to provide for a site for a depot for the Revenue-Cutter Service, having considered the same, report it with an amendment, and as amended recommend its passage.

The bill thus amended has the approval of the Treasury Department, as will appear by the annexed letter of the Acting Secretary, the amendment referred to therein having been incorporated in the bill as reported.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, February 26, 1902.

SIR: I have the honor to acknowledge the receipt of a letter dated the 24th instant, from the Committee on Commerce, United States Senate, transmitting Senate bill 4096, first session Fifty-seventh Congress, "To provide for a site for a depot for the Revenue-Cutter Service," and requesting that the committee be furnished with such suggestions as I may deem proper touching the merits of the bill and the propriety of its passage.

In reply I submit herewith copy of a report on the subject made by the Chief of Division, Revenue-Cutter Service, approved by me, and I recommend the passage of the bill with the following modification: In line 5 strike out the word "forty," and substitute therefor the word "thirty;" so as to read "$30,000."

The bill is returned, modified as suggested.

Respectfully,

O. L. SPAULDING,
Acting Secretary.

The CHAIRMAN COMMITTEE ON COMMERCE,
United States Senate.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, February 26, 1902.

SIR: On March 1, 1899, I had the honor to submit to you the substance of the following statement and recommendations:

The necessity of proper wharf and storage facilities, some place that the Revenue-Cutter Service may call its own, where its vessels can be laid up for the annual overhauling, indispensable to the proper care and preservation of this class of public property, is severely felt. The service has no such facilities under its control in any port where its vessels are stationed, nor elsewhere. It is earnestly recommended that a station of this kind be established, and the following plan therefor is submitted:

1. Hire a suitable site with wharf and adjoining land sufficient for the purpose. This can be done at a point near Baltimore, Md., at an annual rental of $800, with the privilege of renewal at the end of each fiscal year. The site referred to is on Curtis Creek, about 8 miles from Baltimore. The machine shops and like conveniences of Baltimore would be always available, while the dry dock of the Columbian Iron Works, in which the Government vessels are docked (under the provisions of section 2, act approved June 19, 1878) without charge, would be at hand.

2. Having leased the property as indicated, one of the unseaworthy vessels of the service should be stationed there with a complement of officers and men. The crew of the vessel would be composed of enlisted men competent to do such repair work, painting, etc., as might be needed on vessels ordered there for overhauling.

After the station is established, plain, inexpensive, but substantial structures should be erected upon the premises to serve as berthing quarters for the crews of vessels undergoing renovation, as workshops for repairs, building boats, making sails, awnings, hammocks, bags, etc., for issue to the service.

3. Under existing conditions, inadequate privileges for the purposes briefly outlined above must now be hired for every vessel of the service at considerable cost, the larger part of which could be saved.

4. Besides providing a place for overhauling and repairing such vessels of the service as might be ordered to this station, the following kinds of work could be done for the service by enlisted men of the vessel to be stationed there:

(1) All quarter or small boats could be constructed.
(2) All hammocks, bags, awnings, and sails could be made of uniform pattern, quality, and finish, for the service.
(3) All painting, inside and out, above the water line on all vessels ordered there.
(4) All calking, relaying of decks, all repairs to joiner work, etc., could be made.
(5) Numerous other items of expense, which must inevitably be incurred under present conditions, would be saved in whole or in part.

I am so impressed with not only the necessity of establishing this station but as well with the advantage that will follow to the service and to the Government, from an economical standpoint, that I have no hesitation in recommending it and asking your favorable consideration.

The foregoing was fully considered by the Department at the time and received the Secretary's approval.

The site referred to was accordingly leased, and has been renewed for the current year.

The following shows the net savings on account of wharfage, storage, and facilities, and on labor, material, and articles made and furnished at Arundel Cove depot to December 31, 1901:

Wharf berth and storage facilities	$6,353.32
Building of boats for the service	553.74
Repairing vessels of the service	549.95
Hammocks and bags for the service	318.25
Sails and awnings for the service	248.39
Quarters for officers and crews of vessels overhauling	200.40
Boat covers, etc	19.25
Cost of labor	269.43
Making a total of	8,512.73

In my judgment, it would be largely to the advantage of the Government to own the present leased site and thereby save the annual rental of $800, and I therefore ask your approval of the accompanying bill (H. R. 10778).

Respectfully submitted.

C. F. SHOEMAKER,
Captain, R. C. S., Chief of Division.

THE SECRETARY OF THE TREASURY.

Approved. O. L. SPAULDING,
Acting Secretary.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REMOVAL OF SNOW AND ICE FROM DISTRICT SIDEWALKS.

The bill (S. 3130) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments. The first amendment was, in section 6, page 5, line 23, after the word "shall" to strike out:

Assess the cost thereof against such lot or lots of ground, which assessment shall be a lien on such lot or lots when entered of record on the tax records of the District of Columbia, and to continue until paid, and shall be added to the general tax annually levied on such lot or lots, and shall be collected in the same manner and as part of such general tax: *Provided, however*, That such removal by the Commissioners of the District of Columbia shall not relieve such owner, tenant, or occupant from the penalty hereinbefore provided for failure to remove such dirt, sand, gravel, or other refuse matter.

And insert:

Make an assessment on account thereof at the same rates and under the same provisions named in section 4 of this act.

So as to make the section read:

SEC. 6. That in the event of failure on the part of any owner, tenant, or occupant of any improved or unimproved lot or lots of ground in the District of Columbia to comply with the provisions of the preceding section of this act within five days after the notice hereinbefore provided, it shall be the duty of the Commissioners of the District to cause the removal of such accumulation of dirt, sand, gravel, or other refuse matter; and upon any and every such removal by them they shall make an assessment on account thereof at the same rates and under the same provisions named in section 4 of this act.

The amendment was agreed to.

The next amendment was, on page 6, to insert as a new section the following:

SEC. 7. That to enable the Commissioners of the District of Columbia to comply with the provisions of sections 4 and 6 of this act, the sum of $5,000 is hereby appropriated, one-half out of the revenues of the District of Columbia and one-half out of any money in the Treasury of the United States not otherwise appropriated: *Provided, however*, That all assessments collected under the provisions of this act shall be deposited in the Treasury of the United States to the credit of the appropriation herein made, and shall form a continuous fund for the purpose of complying with the provisions of said sections 4 and 6.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL LAND OFFICE IN MONTANA.

The bill (S. 3449) to establish an additional land office in the State of Montana was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands, with an amendment in section 1, page 1, line 4, after the word "follows," to strike out:

Beginning at the northeast corner of the State and running thence west on the national boundary line between the United States and British Columbia to the point intersected by the eastern boundary line of the Blackfoot Indian Reservation; thence south along the line of said reservation to where it is intersected by the eastern line of the Lewis and Clarke Forest Reservation; thence south on said line to the northern boundary line of Lewis and Clarke County; thence along said line in a southeasterly direction to the western boundary line of Meagher County; thence east along said line to where it is intersected by the eastern boundary line of Cascade County; thence north and east along said line to where it intersects the southern boundary of Choteau County; thence along said line in a northeasterly direction to where the line strikes the Missouri River; thence east following the Missouri River to the east line of the State of Montana; thence north along said line to the place of beginning.

And insert:

Beginning at the northeast corner of the State and running thence west on the national boundary line between the United States and British possessions to the point intersected by the eastern boundary line of the Blackfeet Indian Reservation; thence south along the line of said reservation to where it is intersected by the eastern line of the Lewis and Clarke Forest Reservation; thence south on said line to the southwest corner of township 22 north, range 8 west; thence east along the line between townships 21 and 22 north to the northeast corner of township 21 north, range 4 west; thence south along the line between ranges 3 and 4 west to the northeast corner of township 14 north, range 4 west; thence east along the line between townships 14 and 15 north to the southeast corner of township 15 north, range 3 east; thence north to the northeast corner of said township; thence east along the line between townships 15 and 16 north to the southeast corner of township 16 north, range 10 east; thence north along the line between ranges 10 and 11 east to the northeast corner of township 18 north, range 10 east; thence east along the line between townships 18 and 19 north to the northeast corner of township 18 north, range 12 east; thence north along the line between ranges 12 and 13 east to the Missouri River; thence south and east, following the Missouri River to the east line of the State of Montana; thence north along said line to the place of beginning.

So as to make the section read:

That all the portion of the State of Montana bounded and described as follows: Beginning at the northeast corner of the State and running thence west on the national boundary line between the United States and British possessions to the point intersected by the eastern boundary line of the Blackfeet Indian Reservation; thence south along the line of said reservation to where it is intersected by the eastern line of the Lewis and Clarke Forest Reservation; thence south on said line to the southwest corner of township 22 north, range 8 west; thence east along the line between townships 21 and 22 north to the northeast corner of township 21 north, range 4 west; thence south along the line between ranges 3 and 4 west to the northeast corner of township 14 north, range 4 west; thence east along the line between townships 14 and 15 north to the southeast corner of township 15 north, range 3 east; thence north to the northeast corner of said township; thence east along the line between townships 15 and 16 north to the southeast corner of township 16 north, range 10 east; thence north along the line between ranges 10 and 11 east to the northeast corner of township 18 north, range 10 east; thence east along the line between townships 18 and 19 north to the northeast corner of township 18 north, range 12 east; thence north along the line between ranges 12 and 13 east to the Missouri River; thence south and east, following the Missouri River to the east line of the State of Montana; thence north along said line to the place of beginning, be, and the same is hereby, constituted a new land district, to be called Great Falls land district of the State of Montana; and the land office for said district shall be located at the town of Great Falls.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLIARD AND POOL TABLES IN THE DISTRICT.

The bill (S. 3439) to amend an act entitled "An act to license billiard and pool tables in the District of Columbia, and for other purposes," was considered as in Committee of the Whole. It proposes to amend section 4 of an act entitled "An act to license billiard and pool tables in the District of Columbia, and for other purposes," approved February 25, 1897, by adding thereto before the penalty clause thereof the following:

And it shall be unlawful for the proprietor or proprietors of any pool room or pool table to suffer or permit any minor under 18 years of age to frequent, visit, or patronize the same.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. MALLORY on February 28, 1902, as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 3439) to amend an act entitled "An act to license billiard and pool tables in the District of Columbia, and for other purposes," having considered the same, report thereon with a recommendation that it pass.

The bill has the approval of the Commissioners of the District of Columbia, as will appear by the following letter:

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, February 1, 1902.

DEAR SIR: The Commissioners of the District of Columbia have the honor to transmit herewith a draft of an act entitled "An act to amend an act entitled 'An act to license billiard and pool tables in the District of Columbia, and for other purposes,'" and recommend its enactment. The object of the bill is to prohibit minors under 18 years of age from patronizing or visiting pool rooms.

Very respectfully,

HENRY B. F. MACFARLAND,
President of the Board of Commissioners of the District of Columbia.

Hon. JAMES MCMILLAN,
Chairman of Committee on District of Columbia,
United States Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT-HOUSE AND FOG SIGNAL AT MUKILTEO POINT, WASHINGTON.

The bill (S. 257) to establish a light-house and fog-signal station at Mukilteo Point, near the city of Everett, State of Washington, was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, in line 6, before the word "thousand," to strike out "fifteen," and insert "twenty-two;" so as to make the bill read:

Be it enacted, etc., That a light-house and fog-signal station, together with suitable buildings, be established at Mukilteo Point, near the city of Everett, State of Washington, under the direction of the Light-House Board; and

that the sum of $22,000, or so much thereof as may be necessary, be, and the same hereby is, appropriated therefor, out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. TURNER February 28, 1902, as follows:

The Committee on Commerce, to whom was referred the bill (S. 257) to establish a light-house and fog-signal station at Mukilteo Point, near the city of Everett, State of Washington, having considered the same, report it with an amendment, and, as amended, recommend its passage.

The bill thus amended has the approval of the Treasury Department, as will appear by the annexed letter, the amendment referred to therein having been incorporated in the bill as reported.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, February 21, 1902.

SIR: This Department has the honor to acknowledge the receipt of the letters from your committee, dated December 7, 1901, and February 5, 1902, inclosing for suggestions copies of S. 257, appropriating $15,000 to establish a light and fog-signal station at Mukilteo Point, near Everett, Wash.

The Department in reply begs to state that the matter was referred to the Light-House Board, which in turn referred the bill to its local officers at Portland, Oreg., for examination into the need for this light and fog signal.

The board now reports that the proposed light and fog signal would be of much benefit to navigation, not only to vessels entering the harbor of Everett, Wash., but to vessels going up Possession Sound and Saratoga Passage and by way of Deception Pass to points north, which route is much frequented by the smaller boats running out of Tacoma and Seattle. The tides are very strong and deceiving at Mukilteo Point. Some time ago one of the large San Francisco vessels narrowly escaped running ashore there in a fog.

Everett is rapidly increasing in importance as a shipping point, and many ocean-going and coastwise lumber vessels run regularly to that port. It is also probable that many large steamers will be entering and leaving there in the near future.

The board estimates that a suitable light and fog-signal station can be established at Mukilteo Point at a cost not exceeding $22,000. The Department concurs with the board in deeming the establishment of that station required by the rapidly increasing commerce of the vicinity, and therefore has the honor to recommend the passage of this bill, when amended, to appropriate the amount of $22,000, which will be needed therefor.

Respectfully, O. L. SPAULDING,
Acting Secretary.

THE CHAIRMAN OF THE COMMITTEE ON COMMERCE,
United States Senate.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUPERINTENDENTS OF CHIMNEY SWEEPS IN THE DISTRICT.

The bill (S. 3488) to authorize the Commissioners of the District of Columbia to appoint superintendents of chimney sweeps, to prescribe their duties, and for other purposes, was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report in that case be read.

The Secretary read the report submitted by Mr. MCMILLAN on February 28, 1902, as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 3488) to authorize the Commissioners of the District of Columbia to appoint superintendents of chimney sweeps, to prescribe their duties, and for other purposes, having considered the same, report thereon with a recommendation that it pass.

The bill has the approval of the Commissioners of the District of Columbia, as will appear by the following letter:

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, January 29, 1902.

DEAR SIR: The Commissioners of the District of Columbia have the honor to transmit herewith a draft of a bill to authorize the Commissioners of the District of Columbia to appoint superintendents of chimney sweeps, to prescribe their duties, and for other purposes, and recommend early and favorable action thereon.

The Commissioners have received a number of complaints as to the manner in which chimneys are frequently swept. At present there is no official of the District whose duty it is to perform or supervise this class of work. In consequence of this lack householders and others whose chimneys need sweeping must depend upon promiscuous and generally unskilled and irresponsible labor for that service.

As the persons employed in chimney sweeping must necessarily have access to rooms containing articles of more or less value which may be readily purloined or which may be injured by careless workmanship on the part of the chimney sweeper, and as the cleaning of chimneys and flues where accumulations of soot are conducive to extensive conflagrations is a matter of general public concern, the advisability of having governmental surveillance over this class of work will readily appear.

The chief of the fire department also has expressed to the Commissioners his opinion that it is important to subject this service to regulation, for the reason, among others, that fires are often due to injury to chimneys by careless or incompetent sweeps.

Very respectfully,

HENRY B. F. MCFARLAND,
President Board of Commissioners District of Columbia.

Hon. JAMES MCMILLAN,
Chairman Committee on the District of Columbia,
United States Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OMAHA NORTHERN RAILWAY COMPANY.

The bill (S. 3663) to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across, and establish stations on, the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes," by extending the time for the construction of said railway, was considered as in Committee of the Whole.

Mr. GAMBLE rose.

Mr. COCKRELL. I suggest that in line 1, page 2, we strike out "five" and insert "three."

Mr. GAMBLE. I rose for that purpose. There was a mistake in the printing of the bill. The recommendation was made by the committee that "five" be stricken out and in lieu thereof "three" be inserted, according to the recommendations of the Interior Department, and I make that motion.

The PRESIDENT pro tempore. The Senator from South Dakota offers an amendment, which will be stated.

The SECRETARY. In line 1, page 2, it is proposed to strike out the word "five" before the word "years" and insert "three;" so as to read:

That the time prescribed by an act of Congress approved the 26th day of March, 1898, entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across, and establish stations on, the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes," for the construction of said railway be, and the same is hereby, extended for a period of three years from the 26th day of March, 1901.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OFFICERS AND CREW OF U. S. S. CHARLESTON.

The bill (S. 1673) for the relief of the officers and crew of the U. S. S. *Charleston*, lost in the Philippines November 2, 1899, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with an amendment, to insert as a new section the following:

SEC. 4. That any amounts that have been paid under sections 288, 289, and 290 of the Revised Statutes shall be deducted in the settlement of all claims under this act.

The amendment was agreed to.

Mr. COCKRELL. Let the report be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. PENROSE on February 28, 1902, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 1673) for the relief of the officers and crew of the U. S. S. *Charleston*, lost in the Philippines November 2, 1899, having considered the same, report thereon with a recommendation that it pass with an amendment as follows:

At the end of section 3 to add:

"SEC. 4. That any amounts that have been paid under sections 288, 289, and 290 of the Revised Statutes shall be deducted in the settlement of all claims under this act."

The bill has the approval of the Navy Department, as will appear by the following letter:

NAVY DEPARTMENT, *Washington, February 24, 1902.*

SIR: I have the honor to acknowledge the receipt of your letter of the 22d instant, inclosing a copy of bill S. 1673, and requesting in behalf of the Committee on Naval Affairs the views of this Department in regard thereto.

On the 14th instant, in response to a similar request of Senator BOIES PENROSE in relation to this measure, the Department expressed its views in a letter of that date, a copy of which is herewith inclosed.

Very respectfully,

JNO. D. LONG, *Secretary.*

Hon. EUGENE HALE,
Chairman Committee on Naval Affairs,
United States Senate.

NAVY DEPARTMENT, *Washington, February 14, 1902.*

SIR: The Department is in receipt of your letter of the 10th instant, inclosing a copy of bill (S. 1673) "for the relief of the officers and crew of the U. S. S. *Charleston*, lost in the Philippines November 2, 1899," and requesting the recommendation of this Department in the premises.

In reply I have the honor to transmit herewith copy of a letter, dated February 7, 1901, addressed to the chairman of the Committee on Claims, House of Representatives, expressing the Department's views in regard to a similar measure (H. R. 13017) in the Fifty-sixth Congress.

It is learned that claims of some officers and men of the *Charleston* have been adjusted, and under sections 230 and 288 of the Revised Statutes have been paid to officers one month's pay and to enlisted men $60. It is therefore suggested that the proposed measure be amended by providing that the amounts which have been paid to persons in the naval service under said sections, or to their heirs under section 289, shall be deducted in the settlement of all claims under this act.

A form of an additional section, to be added at the end of the bill, for this purpose, is transmitted herewith.

The inclosures accompanying your letter are returned as requested.

Very respectfully,

JOHN D. LONG, *Secretary.*

Hon. BOIES PENROSE,
United States Senate.

NAVY DEPARTMENT,
Washington, February 7, 1901.

SIR: Referring to the bill (H. R. 13017) "for the relief of the officers and crew of the U. S. S. *Charleston*, lost in the Philippines November 2, 1899," and to your request of the 5th instant for facts and information and opinion in regard to the merits of the case, I have the honor to state that the *Charleston*, while on passage from Kasiguran to San Pio V, Kamiguin, P. I., on the morning of November 2, 1899, ran upon an unmarked and unknown shoal and was lost. The court of inquiry convened by the commander in chief of the naval force on Asiatic station to inquire into the circumstances connected with the loss by grounding of the *Charleston* found, inter alia, that every precaution

required by the United States Navy regulations was taken by the commanding officer to insure the safety of the vessel under his command against accident, and in its opinion no blame or responsibility for the accident to the vessel should be attributed to the officers and crew.

The commanding officer of the *Charleston* in his report, dated November 28, 1899, to the commander in chief states: "I regretted very much the necessity for anybody to leave personal effects behind, but as the boats were deeply laden with the crew, arms and ammunition, and provisions, and had about 18 miles to go, most of it in the open sea, I considered it necessary. The officers and crew deserve the greatest commendation for faithful and zealous work at this time, and their readiness to cheerfully leave personal effects." The circumstances, other than those hereinafter mentioned, attending the loss of the *Charleston* were such as would, under the provisions of the act approved March 2, 1895, entitle the officers and crew to reimbursement for the loss of their personal effects.

The Comptroller of the Treasury, in a decision dated Jauary 22, 1901, held that as the *Charleston* was at the time of her loss engaged in cooperation with the land forces of the United States in the suppression of a local insurrection in the Philippine Islands, reimbursement for losses could not be made under the act by reason of its second proviso, "that this act shall not apply to losses sustained in time of war."

As the bill follows the lines of the general law on the subject of losses, and is similar to the act of March 30, 1898, to reimburse the survivors of officers and crew of the *Maine* for losses incurred by them, the Department perceives no objection to the bill and commends it to the favorable consideration of the committee.

Very respectfully, JOHN D. LONG,
Secretary.

Hon. JOSEPH V. GRAFF,
Chairman Committee on Claims, House of Representatives.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAVANNAH RIVER BRIDGE.

The bill (S. 4003) to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment to insert as a new section the following:

SEC. 3. That the bridge constructed, maintained, and operated under this act and according to its limitations shall be a lawful structure, and shall be recognized and known as a post route, upon which also no higher charge shall be made for the transportation over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for transportation of said mails, troops, and munitions over the railroads and public highways leading to said bridge; and the United States shall have the right of way for postal, telegraph, and telephone purposes over said bridge; and all telephone and telegraph companies shall be granted equal rights and privileges in the construction and operation of their lines across said bridge.

The amendment was agreed to.

Mr. COCKRELL. Let the report be read.

The Secretary read the report submitted by Mr. BERRY on February 28, 1902, as follows:

The Committee on Commerce, to whom was referred the bill (S. 4003) to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia, having considered the same, report it with an amendment and, as amended, recommend its passage.

The bill was submitted to the War Department by your committee, and the letter of the Chief of Engineers is appended.

The new section proposed by the amendment contains the usual provisions relating to post routes, telephone and telegraph lines.

OFFICE CHIEF OF ENGINEERS, UNITED STATES ARMY,
Washington, February 25, 1902.

SIR: I have the honor to return herewith a letter, dated the 19th instant, from the Senate Committee on Commerce, inclosing for the views of the War Department thereon S. 4003, Fifty-seventh Congress, first session, "A bill to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia," and in reply to its reference to this office I beg to say that the bill appears to make ample provision for the protection of navigation interests, and I know of no objection to its passage by Congress so far as those interests are concerned.

Very respectfully, your obedient servant,
G. L. GILLESPIE,
Brigadier-General, Chief of Engineers, U. S. A.

Hon. ELIHU ROOT,
Secretary of War.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill to which he calls the attention of the Senator from Arkansas [Mr. BERRY].

The bill (H. R. 11409) to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia, was read twice by its title.

Mr. BERRY. I do not know whether this bill is similar to the one just passed.

The PRESIDENT pro tempore. Will the Senator take the two bills and compare them and see?

Mr. HALE. Let the House bill lie on the table for the present.

Mr. BERRY. I shall be glad to do that. If they are similar, I will ask that this bill be passed.

The PRESIDENT pro tempore. The Chair observes that there are certain new sections. The bill will be referred to the Committee on Commerce, if there is no objection.

Mr. BERRY. Very well.

The PRESIDENT pro tempore. If there be no objection, the vote whereby the bill (S. 4003) to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia, was passed will be reconsidered, and the bill will take its place on the Calendar.

Mr. BERRY. I ask unanimous consent for that purpose.

The PRESIDENT pro tempore. Without objection it, will be so ordered.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 4607) to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr.;

A bill (H. R. 11306) to extend the time for the construction of a bridge across the Mississippi River at Burlington, Iowa; and

A bill (H. R. 11719) to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River."

The bill (H. R. 7458) to re-form the western judicial district of the State of Arkansas was read twice by its title, and referred to the Committee on the Judiciary.

The following joint resolutions were severally read twice by their titles and referred to the Committee on Printing:

A joint resolution (H. J. Res. 24) providing for the publication of 99,000 copies of the Special Report on the Diseases of Cattle; and

A joint resolution (H. J. Res. 26) providing for the publication of 200,000 copies of the Special Report on the Diseases of the Horse.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HALE. I move that the Senate insist upon its amendments and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. CULLOM, and Mr. TELLER were appointed.

CUSTOMS LAUNCH FOR PACIFIC COAST.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 646) for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg., which was, in line 7, to strike out all after "and" down to and including "vessel," in line 10, and to insert "the cost thereof shall not exceed the sum of $10,000."

Mr. PERKINS. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

REPORT OF COMMISSIONER OF PENSIONS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution of the Senate (S. R. 21) authorizing the printing of extra copies of the Annual Report of the Commissioner of Pensions; which was referred to the Committee on Printing.

LITTLE KANAWHA RIVER NAVIGATION COMPANY.

The bill (S. 297) for an examination of the property of the Little Kanawha River Navigation Company was announced as the next business in order.

Mr. HALE. This is a bill to confer values upon certain property in West Virginia, and as the Senator from that State who reported it is not present, I think we ought not to invade his bailiwick. I suggest that the bill go over.

The PRESIDENT pro tempore. It will be passed over without prejudice.

CENTRAL RAILWAY OF WEST VIRGINIA.

The bill (H. R. 4381) to authorize the Central Railway of West Virginia to build a bridge across the Monongahela River at or near Morgantown, in the State of West Virginia, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. V. DAVIS.

The bill (H. R. 1381) for the relief of J. V. Davis was considered as in Committee of the Whole. It proposes to pay to J. V. Davis, superintendent of the Alexandria (Va.) National Cemetery, $500,

to reimburse him for personal property destroyed by fire, which loss was incurred in his efforts to save the property of the United States.

Mr. SPOONER. From what committee does the bill come?

Mr. WARREN. The Committee on Military Affairs.

The PRESIDENT pro tempore. From the Committee on Military Affairs.

Mr. SPOONER. Is there a report?

The PRESIDENT pro tempore. There is. The report will be read.

The Secretary read from the report submitted by Mr. SCOTT on March 3, 1902, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 1381) for the relief of J. V. Davis, have examined the same and recommend its passage.

This bill passed the House of Representatives on the 21st of February, 1902. The facts involved are fully set forth in the report of the Committee on Claims on the bill, which is hereto attached and made a part of this report.

The House report is as follows:

[House Report No. 266, Fifty-seventh Congress, first session.]

The Committee on Claims, to whom was referred the bill (H. R. 1381) for the relief of J. V. Davis, have had the same under consideration and beg leave to submit the following report:

Mr. Davis, the claimant in this case, was superintendent of the national cemetery at Alexandria, Va. On the 9th day of August, 1878, between the hours of 2 and 3 o'clock in the morning, fire broke out in the lodge or building used and occupied by himself and family as a dwelling and spread so rapidly that to save the Government property therein he was compelled to lose his own.

The testimony shows that he saved all the Government property and lost his own, even to the wearing apparel of his family and himself. An itemized statement of the property destroyed and its value has been presented and is sworn to by Mr. Davis.

One James Smith, who was present at the fire, makes the following affidavit:

STATE OF VIRGINIA, *City of Alexandria, to wit:*

This day James Smith personally appeared before the undersigned, K. Kemper, a notary public for the city aforesaid, in the State of Virginia, and made oath that he is the lieutenant of the Alexandria, Va., police force, and has been such for six years, having joined the force in the year 1870 and served therein continuously until this day; that between 2 and 3 o'clock in the morning of August 9, 1878, as he now remembers, he was standing at the corner of King and Fayette streets, in said city, in company with one Julian Arnold, who was also a member of said police force; that they then saw a light, indicating a fire, in the direction of the United States military cemetery, which lies to the south and westward of said city; that affiant and Arnold ran in the direction of the cemetery, and, upon arriving there, found that the lodge occupied by J. V. Davis, superintendent of the cemetery, was on fire.

They went to the lodge for the purpose of assisting the said Davis in the emergency. They met Mr. Davis, and he told them that all of the property on the lower floor or first floor of the lodge was the property of the United States Government, and he desired them to save it before attempting to save that which belonged to himself. They complied with his wishes and succeeded in carrying from the burning lodge to a place of safety all or nearly all of the property of the Government; that after they had put the Government property in a place of safety this affiant endeavored to go upstairs to the second story to assist in saving the personal property of the said J. V. Davis, but was prevented from doing so by the flames; that he then came out of the lodge, climbed on the portico, went through a window of the second story, and carried out a trunk belonging to the wife of J. V. Davis; thereupon he made a second attempt to get into the house from the roof of the portico, but by that time the fire had gotten to such a height that it was impossible for him to enter the premises for the purpose of saving any other of the property, and it was all consumed in the flames.

Affiant further states that it is his belief that all of the personal property of the said J. V. Davis could have been saved by himself, his companion policeman, and Mr. Davis if they had not consumed the time necessary to save the property of the Government on the first floor.

Affiant further states that he made a like affidavit to this on a former occasion several years ago, but that the same has been lost or mislaid either in the War Department or between the War Department and the Committee on Claims of the House of Representatives.

Affiant further states that said Policeman Arnold also made a like affidavit several years ago, which also appears to have been lost, and that the said Policeman Arnold is now deceased, having been killed about three years ago.

And further affiant saith not.

Given under my hand and notarial seal this 19th day of April, 1890.

K. KEMPER, *Notary Public.*

The Secretary of War recommended favorable consideration of the application by Congress, as appears from the following letter:

WAR DEPARTMENT,
Washington City, December 14, 1878.

The Secretary of War has the honor to transmit to the House of Representatives copy of a communication from Superintendent J. V. Davis, in charge of the national cemetery at Alexandria, Va., dated the 14th ultimo, requesting to be reimbursed for loss sustained by the burning of the lodge at said cemetery on the 9th of August, 1878; also schedule of the articles destroyed and their value.

It will be seen from the indorsement of Captain Rockwell, depot quartermaster, that "the superintendent lost his personal effects in his efforts to save the public property." The application of Superintendent Davis is therefore respectfully recommended to the favorable consideration of Congress.

Respectfully submitted.

GEO. W. McCRARY,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

A schedule of United States property saved during the fire and a schedule of property belonging to J. V. Davis lost by fire is appended hereto as Appendix A and made a part of this report.

The committee, upon careful consideration of all the facts and circumstances, recommend that the bill be amended by striking out the words "nine hundred and fifty," in line 6, and inserting in lieu thereof the words "five hundred," and that so amended the bill do pass.

Mr. SPOONER. I do not care about a further reading of the report. I think the bill may as well go over.

Mr. SCOTT. I hope the Senator from Wisconsin will not ask to have it go over. The Senator from Virginia [Mr. MARTIN], who is not present to-day, is very much interested in the bill. The committee went into it thoroughly. The bill has passed the House. It appropriates only $500, about half of the value of the property the man lost by the fire. It will take only a moment to pass the bill.

Mr. SPOONER. How thoroughly is the Senator from West Virginia acquainted with the facts?

Mr. SCOTT. The facts are set forth in the report and in the letter of the Secretary of War.

Mr. SPOONER. Upon what theory was the amount cut down from $950 to $500?

Mr. SCOTT. The bill calls for only $500.

Mr. SPOONER. I know; but why does it call for only $500?

Mr. SCOTT. The amount was cut down in the House. I can not answer the question.

Mr. SPOONER. The man swore—and no one knew about it but himself—that the items lost amounted to $950. This was a fire which occurred in August, 1878. Does the Senator know anything about the origin of the fire?

Mr. SCOTT. I only know the facts set forth in the affidavit.

Mr. SPOONER. There are no facts on that point set forth in the affidavit. I think the bill ought to go over until the Senator from Virginia is here. He is probably more familiar with the facts.

Mr. SCOTT. I hope the bill will keep its place on the Calendar.

Mr. SPOONER. Yes; let it go over without losing its place on the Calendar.

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). The bill will be passed over without prejudice.

ADJUDICATION OF PENSION CLAIMS.

The bill (S. 1685) providing for the adjudication by the Court of Claims and the Supreme Court of pension claims involving difficult or important questions of law as a means of establishing judicial precedents for the guidance of the Secretary of the Interior and the Commissioner of Pensions was next in order on the Calendar.

Mr. HALE. In the absence of the Senator from New Hampshire [Mr. GALLINGER] let the bill go over.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

GRANT OF LANDS TO IDAHO.

The bill (S. 3800) to grant certain lands to the State of Idaho was considered as in Committee of the Whole. It proposes to cede, grant, relinquish, and convey to the State of Idaho lots 7 and 8 in section 21, the northwest quarter of the southwest quarter, and lots 9 and 10 in section 22, all in township 9 south, range 38 east, base meridian, in the State of Idaho.

Mr. COCKRELL. Let the report be read in this case.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report submitted by Mr. HEITFELD on March 4, 1902, as follows:

The Committee on Public Lands, to whom was referred the bill (S. 3800) to grant certain lands to the State of Idaho, having had the same under consideration, beg leave to report it back with the recommendation that it do pass.

The following correspondence with the Secretary of the Interior and Commissioner of Public Lands fully explains the purport of the measure:

DEPARTMENT OF THE INTERIOR,
Washington, February, 11, 1902.

SIR: I herewith transmit a letter from the Commissioner of the General Land Office, dated the 8th instant, which incloses and recommends the enactment of a proposed bill ceding to the State of Idaho a small tract of land in sections 21 and 22, in township 9 south, range 38 east, Boise meridian, upon which are located hot springs, the waters of which are described as valuable for medicinal purposes, and as having been long used by the people of that section. These springs are in the ceded portion of the Fort Hall Indian Reservation, which is soon to be opened to disposition under certain of the public-land laws, and it is believed that the springs should not be permitted to pass into private ownership, but should be either retained and operated by the United States or ceded to the State of Idaho and operated by that State.

Following the action of Congress in the act of June 7, 1897 (30 Stat., 96), respecting the Big Horn Hot Springs, in Wyoming, the Commissioner suggests that these springs in Idaho be ceded to the State, and I concur in that suggestion.

Very respectfully,

E. A. HITCHCOCK,
Secretary.

The CHAIRMAN OF THE COMMITTEE ON PUBLIC LANDS,
Senate.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., February 8, 1902.

SIR: I herewith transmit a draft of a bill to grant certain lands to the State of Idaho. These lands—lots 7 and 8 in section 21, the northwest quarter of the southeast quarter and lots 9 and 10 in section 22, all in township 9 south, range 38 east, Boise meridian, in the ceded portion of the Fort Hall Indian Reservation—are mentioned in the report of Special Agent H. V. Ferguson as containing certain valuable hot springs, which, in his judgment, should be reserved.

These springs are of the same character as the springs situated upon lands granted to the State of Wyoming by the act of June 7, 1897 (30 Stat., 96), and are valuable for the medicinal properties of their waters; and it is believed

that good administration demands that they should be surrendered to the State, and thus placed in its charge, in order that the people may enjoy the greatest benefits thereof, and to prevent the same from becoming monopolized by private individuals when the lands are opened to settlement. It is therefore respectfully suggested that you forward this bill to the Congress with recommendations that it become a law.

Very respectfully,

BINGER HERMANN,
Commissioner.

THE SECRETARY OF THE INTERIOR.

Mr. SPOONER. I move to amend by adding at the end of the bill:

To be held by said State for public use, under such regulations as said State may prescribe.

Mr. COCKRELL. That is right.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the following acts:

An act (S. 195) granting a pension to Nellie Bartlett;

An act (S. 659) granting a pension to Thomas E. Clark;

An act (S. 700) granting a pension to Rebecca Dobbins;

An act (S. 1611) granting a pension to Cynthia M. Record;

An act (S. 1782) granting a pension to Catherine Meade;

An act (S. 2000) granting a pension to John M. Core;

An act (S. 9) granting an increase of pension to Mourse R. Adams;

An act (S. 143) granting an increase of pension to Henriette Salomon;

An act (S. 196) granting an increase of pension to Richard N. Blodgett;

An act (S. 198) granting an increase of pension to Lucy M. Hill;

An act (S. 254) granting an increase of pension to Lewis C. Killam;

An act (S. 508) granting an increase of pension to Adelaide Worth Bagley;

An act (S. 886) granting an increase of pension to Jonas M. McCoy;

An act (S. 1029) granting an increase of pension to Wellington D. Curtis;

An act (S. 1036) granting an increase of pension to Benjamin G. Sargent;

An act (S. 1145) granting an increase of pension to Lucinda C. Scott;

An act (S. 1197) granting an increase of pension to Mahale Litton;

An act (S. 1330) granting an increase of pension to Moses Smith;

An act (S. 1616) granting an increase of pension to Enoch A. White;

An act (S. 1922) granting an increase of pension to Fred F. B. Coffin;

An act (S. 1931) granting an increase of pension to Etta Scott Mitchell;

An act (S. 2391) granting an increase of pension to Elvira L. Wilkins;

An act (S. 2441) granting an increase of pension to Ziba S. Wood;

An act (S. 2460) granting an increase of pension to Cornelius Springer;

An act (S. 2508) granting an increase of pension to Pauline Lowe Murphy;

An act (S. 2700) granting an increase of pension to Martha A. Couch;

An act (S. 3106) granting an increase of pension to Hugh R. Richardson;

An act (S. 3157) granting an increase of pension to Rhody Ann Bradshaw;

An act (S. 3424) granting an increase of pension to Minnie E. King;

An act (S. 3107) to authorize the construction of a bridge over the Missouri River at or near the city of Kansas City, Mo.; and

An act (S. 2977) authorizing the Missouri and Meramec Water Company to take water from the Missouri River, and to construct and maintain a dam or other devices for that purpose.

PROMOTION OF COMMERCE.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole.

Mr. VEST rose.

Mr. HALE. Does the Senator from Missouri rise to the unfinished business?

Mr. VEST. I rose to speak on this bill.

Mr. HALE. I did not know the Senator was going to speak on the bill. I was about to suggest that if no Senator desired to speak on the unfinished business we might go on with the Calendar; but the Senator from Missouri desires to occupy the floor.

The PRESIDING OFFICER. The Senator from Missouri will proceed.

Mr. VEST. Mr. President, before proceeding to a brief discussion of the pending bill, I desire to make a statement.

When the report of the majority of the Committee on Commerce was submitted to the Senate, I asked leave to make a minority report. That leave was granted. The report of the minority dissenting from the views of the majority has been ready for some time, having been prepared by the junior Senator from Georgia [Mr. CLAY], who is now unavoidably detained from the Senate.

The minority report was withheld on account of the sickness of a member of the committee who desired to submit some amendments to the report. The junior Senator from Georgia will be here to-morrow, and the report of the minority will be ready on Wednesday or Thursday.

In this connection it is not improper to state that the majority report contains a statement that the material upon which that report is based and the computations were furnished by the Commissioner of Navigation. The minority of the Committee on Commerce have had no such facilities and have been entirely dependent upon themselves in preparing the report, which, as I have said, will be submitted to the Senate on Wednesday or Thursday.

The bill now pending before the Senate contains what are termed four articles. The first applies to certain amendments to what is known as the postal-subsidy act of 1891. That act contained four classes of subsidized ships, the first class being of ships running 20 knots or more an hour, and with a tonnage of 8,000 tons; the next class embraced ships running 18 knots an hour; the next 16, and the fourth 14, the first three classes being of steel or iron and the last of steel, iron, or wood.

The subsidy was paid upon mileage, the first class receiving $4 per mile for the outward voyage, the second $2 a mile, the third $1 a mile, and the fourth two-thirds of a dollar per mile.

The junior Senator from Maine [Mr. FRYE], who is chiefly responsible for this bill, has informed us that the postal subsidy act of 1891 proved to be utterly useless, and he ascribes its failure to the fact that the subsidy was not large enough, and, while he approves the plan upon which that bill was framed, he proposes now to increase the subsidy and remedy the defects of the former legislation.

The Senator from Maine tells us that but one line in addition to those already upon the ocean was furnished under the operations of the act of 1891, and that line was furnished through a special act of Congress, which permitted the International Navigation Company, sometimes called the American Company, to put two vessels, the *City of New York* and the *City of Paris*, under American registry on condition that they duplicated those vessels in the shipyards of the United States.

The result was the building of the *St. Louis* and the *St. Paul* and the paying, under the act of 1891, to the American Line $757,000 of pure subsidy, that subsidy being paid whether the ships of the line carried an ounce of mail matter or not.

It is stated by the Senator from Maine and the Commissioner of Navigation, who prepared the majority report, that if the bill now pending in the Senate becomes a law there will be $4,700,000 expended on postal subsidies instead of the amount now expended for that purpose. Of this amount it is calculated that two million four hundred and thirty-odd thousand dollars is to be expended upon ships on the Pacific Ocean and $2,645,300 upon ships on the Atlantic Ocean.

The Senator from Maine says that he proposes—and he will doubtless succeed—to secure a semiweekly line between New York and Southampton, which will increase the subsidy now given to the American or International Navigation Company from $750,000 to $1,413,000. In other words, of the $2,645,300 to be expended upon the Atlantic Ocean, $1,713,000 will go to this company, or 73 per cent of the entire appropriation for the Atlantic.

The Senator from Maine informs us that the effect of the amendment changing the classification from 4 under the act of 1891 to 7, and changing the nature of the subsidy from mileage to so much per ton upon the outward and inward voyages, will have the effect of increasing largely the subsidy to the larger and faster

vessels and decreasing it to those which are purely freight vessels carrying abroad the agricultural products of the United States.

This, in my judgment, was one of the fatal defects in the Hanna-Frye bill, as it was termed, in the Fifty-sixth Congress. The subsidy under that bill was given largely to the fast liners of the American Line, which do not carry the products of the farmers of the United States, but are filled with the half manufactured articles which do not come directly from the farmers, but come from the trusts of the United States that are preying upon the consumers of this country.

The bill now before us openly and avowedly is intended to accomplish the same results. For instance, the Senator from Maine says that the *St. Louis*, with over 11,000 tons burthen, has its subsidy increased from fourteen thousand and some hundred dollars a trip, under the present law, to nineteen thousand and some hundred dollars under the present bill.

In the Fifty-sixth Congress, in answer to the objection which the opponents of that bill made, as I have stated it, and in answer to the same objection now, which is even more manifest in the pending measure, we have been told that the cargoes of the fast liners are much more valuable than the cargoes of the freight vessels; that the *St. Louis*, for instance, carries out in one trip cargo three or four times the value of that carried out upon freight vessels of 8,000 or 9,000 tons burthen.

Mr. President, this is a fallacy, and it does not answer the objection that I have stated. Suppose a vessel goes out from New York to Southampton loaded with diamonds, the cargo amounting in value to millions upon millions of dollars, would that exportation benefit the farmers and the consumers of the United States? It is not the value of the cargo; it is the nature of the cargo that applies now in the present controversy.

But, Mr. President, I opposed the act of 1891 because it gave subsidy for nothing, in contravention of all principles of right and justice, and almost of common honesty, which ought to prevail amongst nations and individuals. The act of 1891 and this now proposed takes money out of the Treasury of the United States for corporations and individuals who give nothing in return for it except that problematic and speculative value which may or may not come in the future.

Under the act of 1891 the Postmaster-General could contract for carrying the mails upon any route he selected. He advertised and gave the contract to what he considered the lowest and best offer; but he paid out the money when the bid was accepted, although the person receiving the contract did not carry out a single postal card in return for the tax money of the people of the United States put into his pocket.

The Senators from Ohio and Maine draw a roseate picture of what they expect in the future. Mr. President, the money of the people of the United States ought not to be paid out upon a theoretical proposition which may never realize one cent's profit to the people of this country.

The Senator from Maine read from the report the different routes upon which he expects new lines to be established. I remember distinctly that when we were debating the act of 1891 my friend, the Senator from Maine, predicted that in ten years the ocean would be covered with steamship lines under the operation of that same act, and, as he said the other day, trade would follow the mails, when, in fact, the mails must follow trade. Business men and capitalists do not write love letters to be sent upon ocean steamers; they write in regard to business; and until there is business there will be no letters. This, in my judgment, is the experience of the world, and the Senator from Maine will not remedy present conditions by simply increasing the dose while he applies the treatment.

Under the pending bill instead of paying mileage the tonnage subsidy is paid, and also one upon speed. Two and seven-tenths cents for each registered ton for every 100 nautical miles on the outward and inward voyages are to be paid to vessels of the first class running over 20 knots an hour and over 10,000 tons burthen; and this subsidy is decreased gradually through the whole seven classes until the last one is reached, where 14 knots is the speed of the vessel.

The Senator from Maine tells us that he expects by this process to give to the people of the United States an additional commerce and a merchant marine which will rival that of England. The second article in the pending bill applies exclusively to the general subsidy, which is 1 cent per gross registered ton per 100 nautical miles upon the outward and inward voyage on 16 voyages per year to every sail and steam vessel belonging to American citizens, built in this country, now engaged in the foreign trade and upon our registry.

This is pure, naked, unadulterated subsidy. There is no pretense that it is paid for anything except upon the speculative idea that it would induce the building or placing of new ships upon the ocean, and it is defended upon the ground that our merchant marine must compete with subsidized vessels belonging to every other maritime nation in the world. We are told that England, now doing 53 per cent of the carrying trade of the whole world, has brought this about by paying subsidies to her steamship lines and to her vessels upon every sea.

Mr. President, I deny emphatically and distinctly that England pays any such subsidies to any of her vessels. It is an abuse of the word "subsidy" to say that England or Germany does anything of the kind. Increased mail pay, based upon so much per pound or ounce of mail matter carried, is a very different thing from subsidy as provided for in the second article of this bill. England does not pay her vessels except for value received.

The Cunard and White Star lines, running between Liverpool and New York, are paid by the ounce, and there is not a single letter or newspaper carried except under specific contract between the English Government and the owners of those lines. There are two subsidized lines running from New York to Europe, and those belong to France and the United States. The International Navigation Company receives $750,000 pure subsidy, even if they do not carry a single letter, and the great French line Messageries Maritimes also receives a pure subsidy from France. Are we to follow the example of France or that of England, when one does 53 per cent of the carrying trade of the whole world and the other ranks even below the United States in her merchant marine?

There is no subsidy paid by Great Britain to her ships that dominate the carrying trade of the whole world. I make the statement, and I challenge a successful contradiction. I have done it before and it has never been answered. The carrying trade of the world, or the 53 per cent of it in the hands of England, is done by her iron tramps, which never have received one cent of subsidy from the English Government and never will. You find them on every ocean; you see them in every port; they compete with each other; they furnish the cheapest transportation this country has, and not one single penny out of the English treasury has ever been paid to any of them.

England pays large mail pay to fast steamers like those of the Cunard Line, the White Star Line, and the Peninsular and Oriental Company, running to the Orient from England; but this subsidy, if you call it such, this increased mail pay, is necessitated by the immense colonial system of the British Empire. Thirty-five million Englishmen have under their control 225,000,000 colonists, and it is of the utmost importance that the home country should be in weekly communication, if possible, with every portion of her vast colonial possessions. It is said that in one hundred years England has had but one day of absolute peace, disturbance and strife and bloodshed being always found in some portion of her vast domain.

England must have these fast steamers. But I deny that this increased mail pay is subsidy, and I deny that it is given by the English Government for the purpose of extending English commerce. It is given for political and military reasons, from which she can not escape.

Mr. President, in order to show that there is high authority for this statement, I call now to the stand a witness about whose credibility, I take it, there can be no question by Senators who are proposing and defending this bill.

The Commissioner of Navigation, Mr. Eugene Chamberlain, of New York, who prepared the majority report, who is the swift and willing witness for any subsidy that may be suggested by the shipyard owners and the steamship owners of the United States, has testified as to the point upon which I am now speaking.

Mr. Chamberlain was appointed in 1893 by President Cleveland as a Democrat. He signalized his advent to office by a violent attack upon the navigation laws, which forbid any American citizen buying a ship where he can buy it cheapest and placing it under the American flag, and by denouncing subsidies as unconstitutional, fraudulent, naked robbery. But he now appears as the special friend of the navigation laws and of the subsidy to any amount.

Mr. Chamberlain changed his opinions ostensibly when the Administration changed its politics in 1896, and he is now the political and parliamentary adjutant of the Senators from Maine and Ohio. He is indorsed by those distinguished Senators as an official of great ability, unquestioned integrity, and immense industry. Before he experienced this almost miraculous change of views he expressed his opinion as to the subsidies, so called, of the English Government, and I will ask the Secretary to read the extract from his report of 1894, which I send to the desk.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Without objection, the Secretary will read as requested.

The Secretary read as follows:

[Report of Commissioner of Navigation for 1894, page xx.]

The object of the British Government in paying steamship companies to carry foreign mail is to secure the quickest, surest, and cheapest mail communication for British merchants with all parts of the globe. To attain this end it does not hesitate to withdraw its payments to British steamship companies and transfer them to foreign railroads. The theory that the encouragement of British navigation is the purpose of British mail compensation

will not stand before the fact that French and Italian railways are utilized as far as possible for the mail service, and that recent and undeveloped plans for a trans-Atlantic service to Canada are based on the possibility of partially substituting the Canadian Pacific Railway for the Suez Canal as an important link in the mail connection between Great Britain, China, Japan, and Australia. Any impression that the ocean-mail payments of Great Britain are so large as to become bounties will be modified by a reference to the payments of the United States and Great Britain, respectively, for trans-Atlantic mail service last year, as stated by the Postmasters-General of the United States and Great Britain in Appendix K.

Encouragement to navigation has only been incidental and secondary to political and commercial considerations, and, as indicated, where circumstances permit it is being withdrawn and arrangements with the railroads of France, Italy, Canada, and the United States are in part taking its place. The percentage of payments to steamship lines to the entire cost of transporting British mails is steadily decreasing.

But the sufficient facts to demonstrate that Great Britain does not subsidize shipping in the sense in which the word is used in the United States are that the profits of the mail lines do not average higher than those of merchant lines, that the stock quotations of one class of securities are not higher than the other, and, finally, that barely 3 per cent of the British mercantile marine receives public funds in any form.

Mr. VEST. Mr. President, it is true that Great Britain pays what is called an admiralty subvention, and that is the sum of $300,000 a year to the owners of vessels who construct them so that they can become auxiliary to the naval power of the Empire in time of war. This is the only subsidy that can properly be called such that is paid by Great Britain to her ships or to the steamships employed in carrying the mail.

The second clause of the second article of this bill, in addition to the 1 cent per ton per 100 nautical miles on the outward and inward voyage of every steam and sail vessel, gives one-fourth of 1 cent in addition for the term of five years to every vessel built by Americans after the passage of this act and put under our registry. After the expiration of that five years the one-fourth of 1 cent would cease, and this vessel would then become the recipient of the 1-cent general subsidy per ton, instead of 1¼ cents under the second clause of the second article.

It is estimated by the Commissioner of Navigation in his report, and is stated by the Senator from Maine, that the amount of general subsidy paid, based upon the vessels now under American registry in the foreign trade, and making a reasonable calculation of those to be added under the second clause, deducting $200,000 mail pay that will be saved to the Government—for every subsidized ship receives no mail pay—will be $800,000 per year.

I submit that this is entirely a chimerical calculation. No man living, not even the able Senator from Maine nor his willing assistant the Commissioner of Navigation, can say with any accuracy what amount of subsidy will be paid under the general subsidy clauses of the second article of this bill. How many ships will be placed under American registry, what will be their speed and tonnage, how many miles they will travel in a year, how many voyages they will make, is something known only to the Supreme Being, who is possessed of omniscience and knows the future as well as the past or the present. I submit that any calculation of this sort is simply imaginative and can not for a single instant be based upon premises which would be satisfactory to any logical or intelligent mind.

The next article contained in this bill is that which gives a subsidy of $2 per ton to every fishing vessel engaged in the deep-sea fisheries for three months during any year, the subsidy to be paid for the entire twelve months, and $1 additional pay for each month to every American citizen employed upon such a vessel. This is done, as the report of the Commissioner says, to furnish seamen for the merchant marine and naval vessels of the United States, and also because the Halifax award, paying Canada $5,500,000 for the trespasses alleged to have been committed by American fishermen upon the waters of Canada in search of bait, entitled the fishermen of New England to this additional bounty.

What connection there can be between the Halifax award, which has passed into history and now finished, I can not conceive, and how the fisheries of New England can furnish sailors to the merchant marine and naval vessels of the United States I am utterly unable to understand.

With the change in ships, commencing with 1850, when England began the construction of iron vessels instead of wooden vessels for the foreign trade, the character of our sailors has also changed. We no longer see the sailor who fought the maritime battles of the war of 1812, who manned the *Constitution* when the flag of France went down into the yeasty waves of the deep. If the tourist goes to Europe, as thousands of our people do in each succeeding summer, upon any of the great steamship lines, either English, or American, or German, or French, he sees no sailors of the ancient régime.

A half dozen sailors are probably carried upon one of these great steamships to set the sails if there be damage to the steam machinery of the ship, but they are rarely seen upon a voyage to Europe or a voyage in return. The sailor of to-day is the fireman, the stoker, the engineer, and, upon our war vessels, the marines. No more does the old sailor of Gloucester from the top of the mast exclaim:

> O'er the glad waters of the dark blue sea,
> Our thoughts as boundless, and our souls as free,
> Far as the breeze can bear, the billows foam,
> Survey our empire, and behold our home!

The few sailors who are found upon our steamships are now in the hold of the ship; and, as I said, with the change of construction has come a change in the nature of our seamen.

Mr. President, I do not complain of the Senator from Maine for protecting the interests of his people and taking $175,000 a year out of the pockets of the taxpayers of the United States for the benefit of his constituents engaged in the deep-sea fisheries if the representatives of the balance of the people in both Houses of Congress concede to him this distinctive and especial privilege. I must say, however, in the kindliest feeling for the Senator from Maine, for whom I have great personal regard, that New England ought to be satisfied with the legislation already upon the statute books for her special benefit.

The farmers of the West who are salting down their beef, and sometimes only one, or a few hogs for winter use are taxed by the present tariff laws in the interest of the great salt trust before they can obtain a grain of salt with which to preserve their meat. But by the provisions of the existing tariff law and those we have had for many years the fishermen of New England have their salt free with which to cure the fish that are taken in the deep-sea fisheries.

The farmers of the great West, exposed to the icy breath of winter as it sweeps across the great plateau east of the Rocky Mountains, must pay a tax of 45 per cent on the hundred under the Dingley Act for every foot of lumber they buy from the great lumber trust in order to build a cabin to protect their wives and children from the snows of winter and the heat of summer. But the people of New England, thanks to the provision in the Webster-Ashburton treaty of 1842 and incorporated in the Dingley Act and preceding tariffs, have their lumber free. It is brought down the St. John River, carried into New England, and used by the New England fishermen in building their vessels and their homes.

It seems to me that is enough for the people of that enterprising and intellectual region without now making us pay an additional subsidy to the fishermen engaged in catching the fish, which are preserved by free salt.

Mr. HANNA. May I ask the Senator from Missouri a question?

Mr. VEST. Certainly.

Mr. HANNA. On the lumber question, I should like to ask the Senator from Missouri how many votes on the other side of the Chamber were in favor of the duty of $2 a thousand on lumber in the Dingley Act?

Mr. VEST. I hope not one. If there is one——

Mr. HANNA. I am speaking, if the Senator will allow me, of the time when the Dingley bill was passed. How many Democrats voted for the duty of $2 a thousand on lumber?

Mr. VEST. I have no recollection of the votes, if any, that were cast by Democrats for the lumber tax. I only know that, speaking for myself, I opposed it.

Mr. HANNA. A good many of them did vote for it.

Mr. VEST. I opposed it, as reference to the vote will show. But even if there were votes on the Democratic side, it only shows the enormous power of these trusts and combinations in the halls of Congress that are able to induce Senators and Representatives to abandon the established principles of their party in order to defend local interests, and that illustrates one truth to which I was about to allude.

It is said that the act giving the subsidy can be repealed by act of Congress, and that this is a limitation upon the extent and duration of the subsidy. Once put the subsidy upon the statute book and it will remain there, to be increased from year to year at the demand of the great corporations which are to be the principal beneficiaries under it.

In the former debate in the Fifty-sixth Congress the Senator from Ohio asked me if the Democratic party had not been in the ascendancy and could not have voted for free ships, and I replied to him that there never was a time when local interests—shipyards on the seaboard—were not powerful enough to swerve Democratic Senators from free ships and cause them to give their votes with the Republican party against the poor privilege of an American citizen to buy his ship where he could buy it cheapest and place it under the American flag.

Mr. TILLMAN. Will the Senator from Missouri allow me for a minute?

Mr. VEST. Certainly.

Mr. TILLMAN. As one of the Senators who voted for the tariff of $2 a thousand on lumber, I wish to say that at the time I denounced it as a steal, and proposed to get my share, because my State pays a great many taxes under that tariff measure to

hundreds of industries everywhere else, and that was about the only thing that we got anything out of at all.

Mr. VEST. Mr. President, in three important and essential particulars the pending bill differs from that of the Fifty-sixth Congress. The first difference is that in the bill proposed in the Fifty-sixth Congress the power to contract for subsidy to any vessel terminated at the end of ten years, and the amount to be paid was limited to $9,000,000 a year for twenty years. In this bill there is no limitation as to the time or the amount of the subsidy except that alleged to exist in the power of repeal on the part of a subsequent Congress. I submit that it is no limitation at all, because, as I have just said, if the subsidy is once given, like suffrage, it will never be recalled.

The Commissioner of Navigation, a credible witness, according to the Senators from Maine and Ohio, tells us a subsidy once given, like opium or alcohol, must be increased from time to time in order to be effective until death ends the tragedy. No nation ever built up its merchant marine by giving subsidies, and nations have attempted it without success.

Italy and France both tried the scheme of subsidy, but without avail. France expended $19,000,000 without putting her merchant marine back upon the ocean. Italy expended nearly $6,000,000, and abandoned the experiment; and it was only when those two nations gave up that feature which we have retained of all the nations in the world, the exclusion of all foreign-built ships from our registry, that they were enabled again to see their flag to any extent upon the oceans of the world.

The Commissioner of Navigation has stated in two reports that a subsidy amounted to nothing unless it was supplemented by free ships and the right to buy the ship where it could be bought at the lowest cost, in order to place it under the flag of our country. That this was the declaration of the Commissioner of Navigation, I will ask the Secretary to read from the report of the Commissioner of Navigation, which is certainly entitled, in the opinion of the Senators advocating this bill, to the fullest credit.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[Report of the Commissioner of Navigation for 1894, page xxi.]

The results of nine years' trial of a complete bounty system in France, involving an expenditure of $19,000,000, and of seven years' trial of a similar system in Italy, at an expense of $5,500,000, are stated in Appendix K. The meager results attained in both countries warrant the statement that the nation which enters upon that system of building up a merchant marine with the expectation of success must do so with a free hand and no care for the cost. It must be prepared to spend not $1,000,000 or $2,000,000 a year, but several times that sum annually for a long period. That by a sufficiently large and continuous expenditure of public money shipyards can be established successfully in any country does not admit of question. It is not deemed necessary to consider here the propriety of that course as a matter of public policy or its desirability from the economic point of view. Those nations which have made the attempt have not succeeded, confessedly for the reason that their expenditures were not large enough.

In France and Italy the advocates of the system maintain that if the construction bounties had not been paid for some years past shipbuilding would have shrunk to insignificant proportions. The practical difficulty in the way of the establishment of a bounty system is that if the distribution of public funds is made general an expense is entailed greater than a people taxed for the purpose will long endure, while if the favor is extended to but few, it operates as a discrimination against other domestic interests in navigation, and in effect builds up part of the interest at the expense of the whole interest. The experience of France and Italy demonstrates that the shipowners of both countries find it more to their profit to buy ships in the cheapest market than to avail themselves of government bounties conditioned upon the purchase of higher-priced domestic shipping. Had this alternative not been open to them, the French and Italian flags would doubtless have disappeared from the seas, and French and Italian shipowners would have resorted to the use of the British flag, as is the custom, under our registry law, of the leading shipowners in trans-Atlantic trade.

Mr. VEST. Mr. President, if I could be astonished at anything in the way of assertion and opinion in regard to ship subsidies I would certainly be profoundly astonished at the different statements made by the Commissioner of Navigation in regard to the amount of subsidies necessary to restore our merchant marine.

In 1894–95 the Commissioner declared that no amount of subsidy would have any effect. In 1899 he declared that $4,000,000 a year might, to a large extent, put our merchant marine back upon the ocean, but that $5,000,000 or $6,000,000 scientifically administered, as he expressed it, would make us the rival of Great Britain in the carrying trade on the ocean. And now the Commissioner of Navigation says that $800,000 in general subsidy for each year will insure to us a competitive situation with reference to Great Britain and Germany.

The next difference between the bill of the Fifty-sixth Congress and that now pending is in the entire elimination in the pending measure of all foreign ships under any condition to receive any amount of subsidy under this act. In the Hanna-Frye bill, as it was termed, foreign ships, bought or built abroad by American citizens, could be placed upon the registry in the United States and receive one-half subsidy, provided the owners would give bond that in ten years they would duplicate those ships in the shipbuilding yards of the United States.

To show how anxious are the advocates of this bill, moved by the plaintive appeal of the great corporations that own ships and own shipyards, it is only necessary to note the surrender made by the Senators from Maine and Ohio to the opposition of a very few of their colleagues on the other side of the Chamber, made in the Fifty-sixth Congress, to the admission of foreign ships to our registry on any terms.

The senior Senator from Maine, when this clause in the Hanna-Frye bill was reached, sternly announced that he would oppose any bill that contained any provision for any foreign ships on any terms being placed on the registry of the United States, and this remonstrance was so peremptory that in framing the new bill there is no provision for admitting foreign ships upon any terms, and they are excluded entirely from admission to registry in this country.

This is remarkable, Mr. President, in view of the fact that the Senator from Maine has stated to us that the only success that attended the postal subsidy act of 1891 arose from the fact that the American Line was permitted by special act of Congress to place two of its ships upon our registry by duplicating their construction in the shipyards of this country.

The next difference which I shall mention between the Hanna-Frye bill and the pending measure is a most remarkable one. In order to meet the objection made in the Fifty-sixth Congress to the bill then proposed that it did not provide for cheaper transportation to the agricultural products of the country, a clause was inserted that every subsidized vessel clearing from an American port to a foreign port should carry out 50 per cent of its commercial capacity in cargo. Mark the words—not in agricultural products, but in cargo of some kind.

That provision has been entirely eliminated from the present bill. In answer to a question by the senior Senator from Kansas [Mr. HARRIS] a week ago, when my friend the Senator from Maine held the floor in explanation of this bill, he stated that a majority of the Commerce Committee came to the conclusion that such a provision would be of doubtful constitutionality and would violate 34 commercial treaties with this country.

Mr. FRYE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Maine?

Mr. VEST. Certainly.

Mr. FRYE. Twenty-one.

Mr. VEST. Twenty-one. It is not quite so wide as a church door nor as deep as a well, but twenty-one will do.

I should like to know from the Senator from Maine his authority for stating that this provision in the Hanna-Frye bill, and eliminated from the pending bill, is of doubtful constitutionality when it provides that one-half the commercial capacity of a ship shall be in cargo.

It was suggested in the Fifty-sixth Congress that a provision should be inserted in the bill then pending in the interest of agriculture that a certain proportion of the cargo capacity in a subsidized ship should be devoted to carrying agricultural products, and the Senator from Maine produced a letter from the legal adviser of the majority of the Commerce Committee, ex-Senator Edmunds, in which he gave his opinion that a provision requiring one-half the commercial capacity of a subsidized ship to be given to agricultural products or any other products of a special interest would be clearly unconstitutional, but he said that such a clause applied to any sort of cargo and to the products of all the interests in the country would be clearly within the provisions of the Federal Constitution.

That letter gave me so much pleasure—for I indorsed the whole argument and was glad to welcome Senator Edmunds into the ranks of those who still have some respect for the Constitution of the United States—that I make no apology for asking the Secretary to read it in order that it may be put into the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

The Constitution of the United States as it now stands is designed to prevent Congress as well as the States from enacting any class legislation whatever. Equal rights and equal opportunities to engage in any business or enterprise, and to receive equal or corresponding benefits from public expenditures, are among the fundamental principles embodied in that instrument. Congress may raise and support armies and navies and do whatever is fairly incidental to those ends, and thus may provide for inducing the building of ships which may be taken and used in the national defense. It may possibly grant bounties on the exportation of all the products of the country as a means of improving commercial relations with other countries. But if it discriminates by granting bounties on the exportation of particular classes of products it does at once establish a governmental difference in favor of those particular classes and against all other products capable of and designed for similar exportation. It is clear to me, therefore, that a bounty on the exportation of woolen goods or wheat, for instance, while the exportation of cotton goods or corn was left unaided, would be in violation of the Constitution. I think, then, that a law granting a bounty on agricultural products alone, as has been suggested, could not be upheld, just as a bounty on the exportation of manufactured products alone could not be upheld.

If a bounty on exports is to be granted, it must apply to all exports. If such a course of legislation can be maintained at all, it must be on the ground

that it is impartial and universal. The instance in our history of the fisheries bounty stood on the principle and policy of providing seamen for national defense. And the sugar bounty of a few years ago, if it could have been held valid at all, which is extremely doubtful, must have been upheld on the ground of the special and peculiar circumstances attending that subject.

A general bounty on exports, if valid, must necessarily be equal, value for value, and if large enough to reach and benefit the original producers and manufacturers would be startling in amount. Every class of industry can be benefited in only two ways:

First. By increasing sales at home and abroad.

Second. By cheapening the cost of carriage from the purchaser to the consumer; and this can in the main only be done by enlarging the means of transportation and thus reducing prices of carriage through competition. It is true that the original cost of production can be reduced by a reduction of the wages of labor, which labor constitutes in almost all, if not in all, cases a very large proportion of the value of the thing produced; but such a means of promoting national happiness or welfare would have the opposite effect.

I have condensed these considerations in respect of bounty, and in respect of the opposition to the bill by those favoring the bounty, to the smallest compass, knowing that the committee will understand the points I have suggested and the extensive range of considerations that enter into the subject.

Very truly, yours,

GEO. F. EDMUNDS.

Hon. WILLIAM P. FRYE,
Chairman Committee on Commerce.

Mr. VEST. Mr. President, if the argument of the distinguished ex-Senator from Vermont be applied to the provisions of the pending bill, how can it be constitutional to discriminate in favor of the shipping of the United States by giving it a special bounty or subsidy without extending the same subsidy to all the different interests of this great country?

If shipping is to be subsidized, why not agriculture? Why not mining? How is it that we have the constitutional power to open the door of the Treasury to the wealthy corporations owning the shipyards of the United States and close the same door to the farmer struggling from year to year for the necessaries of life, or the miner shut out from the sunlight, living beneath the surface of the earth in order to gain a precarious livelihood?

But the Senator from Maine tells us that to put that clause in the Hanna-Frye bill, in the bill now before the Senate, would be in contravention of 21 commercial treaties of the United States. Will the Senator from Maine tell us what treaty provision would be violated by such an enactment? Is it possible that we have not a right in subsidizing our own ships to say that they shall carry a cargo to one-half of their commercial capacity? Is it possible that we have been so suicidal as to take from ourselves this power by any treaty stipulation whatever?

The Senator from Maine is a member of the Committee on Foreign Relations. I will yield the floor with pleasure for his explanation of this extraordinary assertion, as it appears to me. Where are the provisions? What is the proof of this assertion by the distinguished chairman of the Committee on Commerce and President pro tempore of the Senate? Have we bound our hands so that we can not impose conditions upon our own vessels? If so, by what provision, in what treaty, at what time was this extraordinary conclusion reached?

Mr. President, we are told that the great and crucial point in this controversy is that of wages; that we must subsidize our ships in order to equalize the difference in wages, both in construction and running the ship, between those of foreign countries and the United States.

The Senator from Maine, with his usual courage and frankness, tells us that subsidy means protection, and he could have said that protection means subsidy. The manufacturers of the United States, the mill owners of the United States are receiving to-day upon their manufactured goods more than the 35 per cent levied by the tariff upon the consumers of this country, and this is done under the pretext that we must equalize the wages of the mill operatives of the United States with those of the pauper operatives of Europe.

And now we see these same subsidized manufacturers, with a monopoly of the home market, and an exclusive tariff tax which practically excludes all competition from abroad, sending the same goods upon which the consumers of this country are taxed 35 per cent to the countries where pauper labor is found and selling in those markets the goods 30 to 40 per cent cheaper than they are sold to the people of their own country.

But some Senator, as I happened to hear, says that this builds up our industries. Mr. President, without the enormous increase of gold, without foreign wars, without failure in crops, the industries of the United States would not have prospered, if prospered they have, by reason of the enormous tariff tax alone.

It is singular that we now hear the same argument in behalf of the bill before the Senate. We are told that the difference in wages is the chief argument for the enactment of this bill into law; that the laborers in the shipyards, that the sailors upon our vessels must by a subsidy be put upon a par with the lower wages that are paid by the maritime nations of Europe in their shipyards and upon their ships.

I have not the slightest hesitation in saying that I believe the time was when the shipyards of the United States were unable to compete with those of Europe, but I believe that time has passed. If it has not completely passed, it has come so near to the time that the extraordinary remedy of subsidy should not be resorted to, when the shipyards of the United States are more prosperous than they have been in the last fifty years.

The Senators from Ohio and Maine say the wages upon ships are governed by the law of the flag and not by the law of the port. They would have us believe the monstrous proposition that when an American steamship like the *St. Louis* goes into the port of Southampton and the port rate of wages is $30 a month for able-bodied seamen, a sailor who sees the American flag at the head of the mast refuses to ship upon that vessel unless he receives $45 or $50 a month because it is an American ship.

The proposition is so monstrous that, in my judgment, with all respect, it scarcely deserves to be called an argument. The law of the port governs and not the law of the flag. It may be true that racial prejudice would cause the Norwegian to prefer a Norwegian ship and Norwegian sailors with whom to mess, but as a rule, almost without exception, when a ship needs a crew in a foreign port or in a port of the United States the landlords of the sailors' boarding houses furnish the crew, and the sailor who ships receives the wages that then obtain in that port.

I again call to the stand as a competent witness the Commissioner of Navigation, and I ask the Secretary to read the two following extracts as a complete answer to the argument made by the distinguished Senators who defend the bill.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[Report of Commissioner of Navigation Eugene T. Chamberlain for year 1895, pages 14-15.]

The practice of those engaged in navigation for the purposes of legitimate profit is most valuable evidence to those engaged in the improvement of laws. The managers of our three American transoceanic steamship lines presumably are as loyal and patriotic Americans as those who make or enforce the laws which govern them. Self-interest has forced them to buy steamships abroad, because steamships can be obtained there on more advantageous terms than at home. There can be no other reason. It is sometimes argued that the cost of operation, and especially the factor of the difference in wages of seamen, prevents navigation under the American flag. Some attention in detail was paid to that claim in the report of the Bureau last year; but without covering ground already traversed it will be sufficient to direct notice to the fact that if cost of operation, instead of first cost of construction, were the difficulty with which American shipowners have to contend we should meet with frequent cases of American-built steamships transferred to foreign flags and operated under those flags by American owners. Such is not infrequently the case with British vessels transferred to the Norwegian flag. But there are no such instances of American-built vessels transferred to foreign flags, while there are many instances of foreign-built vessels bought abroad by Americans.

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[Report of the Commissioner of Navigation for 1894, page 30.]

As matters stand, the rates of wages in American ports do not materially affect the cost of operating our trans-Atlantic and trans-Pacific steamships. They ship nearly their entire crews at their ports of entry, paying virtually the same rates of wages for the same service as are paid on British vessels. The rates of wages for able seamen and other ratings at New York, Philadelphia, and San Francisco for trans-Atlantic and trans-Pacific steamships apply to less than 300 men, outside of about 350 who have recently been shipped as firemen, trimmers, oilers, and coal passers for the *New York* and *Paris*.

Mr. HARRIS. Will the Senator from Missouri permit me to ask him a question for information?

Mr. VEST. Certainly.

Mr. HARRIS. I should like to know whether there has ever been any evidence before the Committee on Commerce, in view of the claim that sailors receive better wages and better treatment, showing that there has been a disposition on the part of seamen to prefer shipment on American ships and under the American flag as against any other ships?

Mr. VEST. I have never heard of any such evidence. I have heard statements to the effect that Norwegians declined to serve when there were only two or three of them with an American crew, and that they were intimidated into quitting American ships; but I have never heard that there was any discrimination by the sailors of the world at large for the American flag in preference to any other. Sailors are like politicians or capitalists, influenced by self-interest and not by sentiment.

Mr. HARRIS. I was referring to their self-interest in this case.

Mr. VEST. When they can obtain wages largely the wages of the port they do not look to the flag, but, like all the balance of our race and like the Commissioner of Navigation, they look to their own interest and to that exclusively.

Now, Mr. President, I come to the controverted question as to whether we can build ships in the United States as cheaply as they can be built upon the Clyde. There is no question that for years after the war, and before the war from 1855, we were unable to build iron and steel ships as cheaply as they could be built in England.

When England found that the wooden ships of the United States, the fast clippers of the ocean, were taking away from her the supremacy in the carrying trade, she began the construction of iron vessels; and with coal, iron, and limestone in propinquity to the ocean, and with skilled labor, she soon began her old dominion

over the seas and oceans of the world. So, from 1855—six years before the civil war—the American merchant marine began to decline in the proportion of our commerce carried in American-built ships.

We reached our largest proportion of carrying our commerce in our own ships in 1855, when $75\frac{5}{10}$ per cent and two hundred and forty-nine million three hundred and odd thousand dollars of our commerce was carried in American bottoms. To-day we carry $8\frac{1}{2}$ per cent of our commerce in American-built ships, but the amount of our commerce embraced in the $8\frac{3}{4}$ per cent equals or exceeds that in 1855, when we carried $75\frac{5}{10}$ per cent of our commerce in our own vessels.

I admit, as I said before, that for many years under our stupid policy which prevented our citizens from buying their ships where they could buy them cheapest our merchant marine declined. England in 1849, seeing that American wooden ships were taking from the English merchant marine the supremacy of the ocean, repealed her navigation laws; but we have adhered to that semi-barbaric system which even China has abandoned, a system which, like the Old Man of the Sea, has ridden down almost to death the merchant marine of the United States.

I know that a letter has been read here from Mr. Baker, the president of the Atlantic Transport Company, of Baltimore, one of the wealthiest shipping corporations in the world, in which he declares that on first-class ocean-going steamers he was compelled to pay $400,000 more for each vessel in the United States shipyards than they pay upon the Clyde.

But it is a remarkable fact that Mr. Baker, according to the report of the Commissioner of Navigation, is now building and will have finished by July of this year six large ocean-going steel screw steamers in the shipyards of the United States, which he proposes to put under the registry of this Government. The International Company, at the head of which is Mr. Griscom, is also building two steel screw steamers for the foreign trade in American shipyards, each with a tonnage of 12,500 tons.

We are told by the Senator from Ohio [Mr. HANNA] and the Commissioner of Navigation that this is done because they anticipate the passage of this bill by Congress. Mr. President, I do not believe that astute business men would build at a difference in cost each of $400,000, or $200,000, or $100,000, and risk the vicissitudes of American politics, when they know that if the Democratic party comes into power—and stranger things have happened—there will be no ship subsidy or any other kind of a subsidy paid by this Government.

More than that, they would not invest this enormous amount of money with the chance that the Supreme Court of the United States would decide the subsidy to be unconstitutional. The Supreme Court has never decided that Congress had the power to grant such a subsidy as that provided for in the second article of this bill. They evaded the question in the Pacific Railroad cases; they evaded it in the sugar-bounty cases.

When two judges of the supreme court of the District of Columbia decided in a suit against Carlisle, Secretary of the Treasury, that a subsidy to sugar, or a bounty, as it was called, was in violation of the Constitution, Judge Peckham, delivering the opinion of the Supreme Court of the United States on appeal, said that it was unnecessary for the Supreme Court to decide that question.

Whether vessels can now be built as cheaply in United States shipyards as abroad is an open question. Mr. Charles H. Cramp told us in 1892, in an article published in the North American Review, that first-class ships, naval ships, and ships for the merchant marine, running 20 knots an hour and of 10,000 tons burden, could be built as cheaply in this country as upon the Clyde; and he said the time would come within ten years when Englishmen in Liverpool and London would be asking each other: "How can these Yankees build ships of the same dimensions and better quality more cheaply than it can be done in England?"

Mr. Cramp, the Senator from Maine tells us, is now in favor of subsidy, as is Mr. Baker, and every other shipowner except Mr. James J. Hill. I would as soon leave this question to the determination of these interested gentlemen who seek to pile up more millions at the expense of the taxpayers of this country, as to submit the fate of a wounded deer to the wolves gathered in anticipation of the coming feast.

There is evidence as good and as irrefutable as that of Mr. Baker upon the other side of this question, but it is not produced here by the proponents of this bill. James J. Hill, who is now building at New London, Conn., two of the largest freight steamers ever built in the United States, with a tonnage each of 21,000 tons, to be sailed in connection with the Great Northern Railroad, in an address to the Chicago Board of Trade a year ago, declared that he had examined the question and found that he could build more cheaply in the United States than abroad, and he said, speaking of the subsidy bill, "I have no quarrel with the International Navigation Company; they have been very courteous to me personally, but they do not need any subsidy."

I have in my hand now, and I will ask the Secretary to read it, a statement by Mr. Hyde, a constituent of the junior Senator from Maine, who is president of the great Bath Iron Works, in which he states that we can build a steamer just as cheaply in this country as upon the Clyde. I send the extract to the desk.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

Within a year a proposed consolidation consisting of seven of the largest shipbuilding plants in the United States, including the Newport News plant, the Union Iron Works, of San Francisco, and the Bath Iron Works, laid before the public a statement of their business and invited subscriptions of $40,000,000 to the stock of the consolidated company. In this publication, inviting subscriptions, Mr. Hyde, the president of the Bath Iron Works, said:

"The output of the American shipyards for the present fiscal year will be larger than any year for nearly half a century.

"Forty-five years ago the American shipyards were building nearly as many merchant vessels and of a tonnage almost as great as that of Great Britain. During the four years preceding the civil war the product of the American shipyards represented a greater carrying capacity in tons than that of the rival shipyards of England. There is no good reason why the American shipyards should not now construct a greater tonnage than Great Britain.

"American shipyards are already constructing ships for European and Asiatic nations, and there is no good reason why a large amount of the shipbuilding trade from the Clyde and the Thames should not be brought to the yards of this consolidated company, which will possess such enormous advantages over any other company in the world."

Mr. VEST. Mr. President, if I have not already mentioned the fact, I will now allude to it, that at the conclusion of the speech made by the junior Senator from Maine a week ago he was asked by the senior Senator from Georgia [Mr. BACON] if the shipyards of the United States—who are the recipients to a large extent of this bounty—were not now in a more prosperous condition than for many years past.

The Senator from Maine promptly replied, "It is not true." One year or more ago our lamented President, William McKinley, stated in an address to the Chicago Board of Trade that the shipbuilding interests of the United States were in a more prosperous condition than since 1854, that their shipyards were full of orders, and that we were fast approaching the time when we could rival Great Britain in building ships for the foreign trade.

The Commissioner of Navigation, in his annual report for the current year, says that in June last he addressed communications to the 46 shipyards in the United States, asking them for a detailed account of their business and the amount of the contracts for building vessels of all kinds then on hand; that, at the same time he addressed a communication to the officers of the Treasury Department asking what Government vessels were being constructed and at what price and what appropriations had been made by Congress. He gives in his report a summary of the replies, and I beg the attention of the Senate to this statement coming from a witness entirely inimical to the side of the question I now defend.

Mr. Chamberlain reports that there are $68,000,000 invested in 46 shipyards in this country; that there are now under contract vessels of the United States amounting in cost to $78,000,000; that there are vessels of the merchant marine now under construction in these shipyards amounting in cost to $36,000,000, and that there are 45,000 laborers or operatives employed in those shipyards. This is the poor, struggling, emaciated industry which we are now to subsidize out of the tax money of the people of this country!

But, Mr. President, in addition to that I have here before me a statement taken from the Chicago Tribune, one of the leading Republican papers of the United States, which, in October last, sent reporters to every shipyard in this country, and published the answers given by the owners and superintendents of those yards. I shall not ask that it be read, because my strength and the patience of the Senate are exhausted, but I ask that this statement of every shipyard in this country shall be published as a portion of my remarks.

The PRESIDING OFFICER. The statement referred to will be printed in the RECORD, in the absence of objection.

The statement is as follows:

[From the Chicago Daily Tribune of October 14, 1901.]

NO SUBSIDY TO SHIPBUILDERS, BUT ALL BUSY—EVERY WORKING YARD IN THE COUNTRY CROWDED WITH BIG ORDERS AND MORE IN SIGHT—PROSPER WITHOUT AID—CAPITAL BEING INVESTED IN VESSELS TO MEET THE LEGITIMATE DEMANDS OF BUSINESS—OCEAN LINERS ON STOCKS—SOME OF THE STEAMERS IN COURSE OF CONSTRUCTION TO BE AMONG THE LARGEST IN THE WORLD—MANY PLANTS TO BE ENLARGED.

The activity in the shipbuilding industry in the United States is one of the notable features of the revival of prosperity which began during the late President McKinley's first administration. The industry has received its great impetus without a subsidy, and the demand for ships is not fostered by the hope that Congress may, in the near future, vote a subsidy bill.

American capital is being invested in ships. The yards at Newport News, Bath, Camden, Quincy, Wilmington, Baltimore, and other industrial centers are crowded with vessels in course of construction. These vessels range in size from the river tug to great ocean freight liners, from a pleasure yacht to a seven-masted steel schooner, from a torpedo boat to the heaviest battle ship.

Practically every shipyard in the country has been enlarged in the last two years, and nearly every one of them is preparing to still further increase its facilities.

The Tribune prints this morning dispatches from the leading shipbuilding

centers in the country. The reports show a wonderful development of the industry.

FIGURES RUN INTO MILLIONS.

At Newport News $14,000,000 is invested and 7,000 men are employed. At one time this year vessels with an aggregate tonnage of 145,100 were under construction, to cost $28,350,000.

At Bath, Me., vessels to cost more than $7,850,000. Twenty-six merchant ships have already been launched this year, and the yards are full.

Baltimore has just finished 2 Atlantic passenger liners to ply between London and New York, each being 650 feet long.

Camden, N. J., is building 4 freight steamers, each of 6,000 tons, and within a month keels will be laid for two steamers, each 620 feet long, each of 18,000 tons burden. Another yard at Camden has 4 ocean steamers, 6,000 tons each, on the ways, and contracts for 4 more.

At New London the great freight steamers for the Pacific and Oriental trade are being built for James J. Hill, of the Great Northern.

Wilmington, Del., has already completed 8 steamers this year and 9 more are on the ways.

From every point comes the assurance that the industry will be greater next year than this. With the exception of two points, where local strikes have interfered, all yards are working full time.

FULL CAPACITY OF NEWPORT NEWS.

NEWPORT NEWS, VA., *October 13.*

Not since the founding of the shipyard at this place ten years ago has shipbuilding attained the proportions of its present scale. The yard now is and has been for some time worked to its capacity. It is now the largest shipbuilding plant in the United States. General Superintendent Walter A. Post is authority for the statement that in the immediate future vast sums will be expended in the expansion of the plant in order to meet the demands of the shipbuilding boom.

At present $14,000,000 are invested in the plant and 7,000 men are employed. Here is the largest dry dock, just constructed, in the United States.

Last year 4 ships, all of large size, aggregating 37,600 tons displacement and costing $9,600,000, were completed. The greatest of tonnage on hand at any one time last year was 131,200, costing $25,300,000.

So far this year 3 vessels, aggregating 26,100 tons, costing $5,650,000, have been completed, and 2 others, aggregating 14,600 tons, costing $1,650,000, will be completed before the end of the year. At one time this year 145,100 tons, costing $28,350,000 were under construction. Now 10 ships, men-of-war and merchantmen, aggregating 119,000 tons, costing $25,180,000, are building.

The battle ship *Illinois* is one of those completed this year.

ACTIVITY IN DELAWARE RIVER.

PHILADELPHIA, PA., *October 13.*

There are at present building in the six principal shipyards along the Delaware River 71 vessels. The total registered tonnage is 211,500. The value of this work approximately is $29,700,000. Twelve thousand men are directly employed, and over $175,000 is paid each week in wages.

Naturally most of this work is in the William Cramp Shipbuilding and Engine Company yard, where 16 vessels are being completed. These represent a total tonnage of 122,000, valued, all told, at $19,000,000.

All of the plants are working practically at full capacity, though with the approach of cold weather and with the shortening of the days a portion of the force will soon be laid off. The outlook is extremely encouraging, every yard having inquiries and invitations to bid on merchant ships of practically all types, principally for the coastwise trade.

WORK IN NEW YORK YARDS.

NEW YORK, *October 13.*

The income obtained from the shipbuilding plants in Greater New York is derived almost entirely from repair work. There is no company here that makes any attempt to construct the larger type of seagoing vessel. Within the limits of Greater New York there are 31 shipyards, employing about 6,500 men. The new work turned out at these yards last year was 22 sailing vessels, with a net tonnage of 4,894; 42 steam vessels, with a net tonnage of 4,977; 8 canal boats, with a net tonnage of 1,057, and 103 barges, with a net tonnage of 27,811.

This does not include about 1,500 smaller craft, such as launches, steam and sailing yachts, and other pleasure boats.

At the present time there are about 50 vessels on the ways in the various yards in the city. These are mostly small steamers, tugs, ferryboats, and sailing craft. No ocean-going vessel was constructed during the last year, nor are any now under contract.

RUNNING TO FULL CAPACITY.

At the present time all of the plants are running to their full capacity in the matter of repair work. A number of the shipbuilding companies contemplate enlarging their plants for the construction of smaller vessels, but none of the concerns will enter the field for building the larger class of ocean-going ships. The reason assigned for this is the high price of land. The shipbuilders say that it is more economical to purchase sites elsewhere. The shipbuilding companies have a large number of orders on hand for small vessels, both steam and sail. Among the former are several river and harbor steamers.

During the present year there have been 165 vessels constructed here, and with the 50 on the ways and future contracts, this will be the largest output of any previous twelve months.

GREAT REVIVAL AT BATH.

BATH, ME., *October 13.*

Shipbuilding operations in this city during the last nine months show that the great revival which began during the latter part of the late President McKinley's administration will show a substantial increase for the present year. The total gross tonnage of vessels, merchant and naval, building here in January, 1900, was 44,228, with a total valuation of $4,555,000. The number of merchant vessels was 29, with a gross tonnage of 37,500 and a valuation of $1,795,000, and 6 war vessels at the Bath Iron Works, with a gross tonnage of 6,700 and contract price of $2,760,000.

There have been launched so far in 1901 26 merchant vessels, with an aggregate tonnage of 30,065, and the cruiser *Cleveland*, whose displacement is 3,500 tons and contract price $1,050,000. At the present time about 2,000 men are employed in the shipyards of Bath, and if the wooden yards were running at their full capacity probably about 500 more could be employed.

BALTIMORE YARDS ARE BUSY.

BALTIMORE, MD., *October 13.*

During 1900 44 vessels, representing 15,329 tons and valued at $1,645,570, were built in Baltimore. The output this year will be greatly in excess of that of last year.

Since January the Maryland Steel Company has floated the American steamer *Lyra*, of 5,000 tons capacity; the 300-foot steel dredging steamers *Thomas* and *Mills*, and a steel car float, 340 feet long, which accommodates 28 railroad cars. The company has just completed a 500 by 100 foot floating steel dock which can lift a battle ship. It is finishing two 650-foot Atlantic passenger liners for the Atlantic Transport Line between New York and London and three 30-knot torpedo-boat destroyers.

The Columbian Iron Works completed the revenue-service steamer *Seminole* and is finishing the 24-knot torpedo boat *Tingey*.

The tonnage launched and on the ways amounts to 80,000 tons carrying capacity and a valuation of $7,700,000.

Baltimore has eight other shipyards in addition to those mentioned equipped to build Chesapeake Bay vessels, but their work this year has been confined to repairs.

BIG SHIPS BUILT AT CAMDEN.

CAMDEN, N. J., *October 13.*

There are two shipbuilding plants of importance in this city, the New York Shipbuilding Company and the John H. Dialogue Company. The plant of the former company comprises 136 acres. The first boat was completed early this year, and is designed for the export oil trade. Four freight steamers are now on the ways. Their average tonnage is 6,000 tons. Within a month the keels will be laid for two steamers designed for freight purposes, each 620 feet long and each of 18,000 tons burden—probably the largest ever built on this side of the Atlantic Ocean. Eight steamships will be completed this year.

The John H. Dialogue Company constructed last year five vessels of a gross tonnage of about 8,000 tons. At present there are four steamers, of a gross tonnage of about 6,000 tons, on the ways. Four more similar vessels will probably be constructed this year. Five hundred men are now working on full time.

BOOM AT NEW LONDON.

NEW LONDON, CONN., *October 13.*

New London is experiencing a shipbuilding boom. Within the last year two plants have sprung into existence that represent an outlay of several hundred thousand dollars. The largest of these is the Eastern Shipbuilding Company, situated on the east bank of the Thames River, at Groton, where two monster freight steamers are being built for James J. Hill, of the Great Northern Railroad. These steamers will be the largest freighters ever constructed, and will ply between the Pacific coast and oriental ports.

MANY ORDERS AT WILMINGTON.

WILMINGTON, DEL., *October 13.*

The shipbuilding industry in this section is bright, as there are now nine vessels on the ways and all the yards have orders on hand. During the present season eight vessels, with a tonnage of 7,916 tons, valued at $2,500,000, were built. Shipbuilding was retarded on account of the machinists' strike.

In 1900 there were 34 vessels, with a tonnage of 25,189 tons, built at a value of $8,000,000.

In the Delaware shipyards there are employed at present 4,000, and all yards are working full time.

NEW YARDS AT QUINCY.

QUINCY, MASS., *October 13.*

Within sixteen months there has been established at Quincy, Mass., an up-to-date shipyard. The Fore River Ship and Engine Company is engaged in construction of the protected cruiser *Des Moines*, the torpedo-boat destroyers *Lawrence* and *MacDonough*, the first-class seagoing battle ships *New Jersey* and *Rhode Island*, and the first seven-masted schooner ever built.

While this has been going on the yard has been built up to meet all of its requirements, and soon, when construction of the two battle ships is well under way, about 3,000 men will be employed.

JUST BEGINNING AT NEW ORLEANS.

NEW ORLEANS, LA., *October 13.*

Shipbuilding in New Orleans has long been confined to inland water craft and river boats. The construction of ocean-going vessels is limited. The latter part of this month the Government's big floating dry dock will be installed at Algiers, just across the river from New Orleans, and in a few months the work of constructing some important shipyards there will be started. A number of small seagoing vessels intended to ply along the coast and in the rivers of Mexico, have been built here for the Mexican Government.

STRIKE AFFECTS SAN FRANCISCO.

SAN FRANCISCO, CAL., *October 13.*

The strike has seriously interfered with all big shipyards. The Union Iron Works, which ordinarily employs 4,500 men, is only working 900. The Risdon shipyards are crowded with work. The Risdon plant is to be enlarged as soon as possible, but this has been delayed by the strike. The iron works are employing about 2,000 men, and Fulton shipbuilding plant about the same number. The capital invested in shipbuilding plants is about $4,000,000.

GREAT ACTIVITY AT SEATTLE.

SEATTLE, WASH., *October 13.*

During the last year 216 vessels and sea craft of various kind were built in this customs district. Of this number 41 were steamers, tugs, etc., 15 were fishing and sealing schooners, and 150 were great barges and lighters for Alaska work, including two Government vessels, on which the yards are still at work in this district. The total tonnage reached 85,500, including the two uncompleted Government vessels. The amount of money represented in vessels built during the last year reached $5,800,000.

In this district about 3,000 men find employment in shipbuilding and ship-repair yards, and the amount of money invested in these yards can be conservatively estimated at at least $5,000,000. Plans are under way for enlargement.

The latest contract for shipbuilding here is that placed by the Globe Transportation Company for 10 four-masted schooners, each to have 1,200 tons capacity.

YARDS ENLARGED AT RICHMOND.

RICHMOND, VA., *October 13.*

The W. R. Trigg Company's shipbuilding plant was established about four years ago, and it has already built seven torpedo boats and torpedo boat destroyers for the Government. It has on hand contracts that will keep the force busy for a year. Among these contracts is that for the first-class cruiser *Galveston*. There are about 1,000 men employed and something over $2,000,000 invested. The plant is working to its fullest capacity. The capital stock has recently been increased, and the plant will be enlarged to meet all the demands of the shipbuilding boom.

Mr. VEST. There has never been in the history of the United States a more thoroughly protected or prosperous interest than that of the American shipyards of to-day. The Senator from Maine complained that in these halcyon days of protection the shipping interest of the United States had been neglected.

Nearly twenty-five years ago, when I came to the Senate, the first thing I heard from the shipyard owners was the statement

that if they had raw material for ships—pig iron—free they could successfully compete with the world in building ships. We gave them free raw material; we gave them free ship supplies. Now, here they are demanding subsidy, holding up their hands and begging like mendicants for the tax money of the people to sustain their particular interest. If this subsidy be given to them, it is but the beginning of the end.

The Senator from Maine says they are not protected. Why, Mr. President, they have a monopoly equal to that of the Standard Oil Company. They have the exclusive privilege of building ships for the coastwise trade, the largest in the world, and of repairing those ships. They are to-day being enriched by this monopoly, and they oppose the repeal of the navigation laws because it would deprive them of the enormous emoluments which they are now receiving.

The Senator from Maine in every speech he makes—and I was astonished that he omitted it in his speech of last Monday—points to the enormous carrying trade of the United States as a vindication of the exclusive policy of the navigation laws. Why, Mr. President, there is no similarity between the foreign trade of this country and its coastwise trade. The coastwise trade belongs to us, and we can do with it what we please; it is domestic. The foreign trade belongs to the world.

We can exclude foreign ships from our coastwise trade, and no foreign nation can complain; and, of course, with the monopoly of building these ships and repairing them, our shipowners have a harvest each year which they could obtain nowhere else. You do not dare to exclude foreign ships from your ports. If you did there would be commercial war against the United States from every maritime people in the world, and your dream of foreign markets would be swept away. An American ship, when it goes outside the coastwise limit of 3 miles, must take care of itself; it must meet the tariff laws of the whole world, the port dues of the whole world, and the competition of the whole world, and no act of Congress can do away with those conditions.

Mr. President, I have before me an article signed by Edward Kemble, ex-president of the chamber of commerce of the city of Boston, which I ask may be inserted as a portion of my remarks. It comes from a Republican, who states that he is as loyal to the Republican party and its doctrines as is the Senator from Maine. He also states, with his experience as a business man, that nothing can be more unjust, nothing more unnecessary, than the subsidy provisions of this proposed bill.

The PRESIDING OFFICER. The paper referred to will be inserted in the RECORD in the absence of objection.

The paper is as follows:

[From Boston Evening Transcript of February 19, 1902.]

THE SUBSIDY PROPOSAL—COGENT REASONING OF A BOSTON MERCHANT—HE SCOUTS THE SUGGESTION OF SENATOR FRYE'S BILL THAT A SUBSIDY IS NEEDED—THE AMERICAN AND THE FRENCH ARE THE ONLY TRANSATLANTIC LINES WHICH ARE SUBSIDIZED—ARGUMENTS EXAMINED IN DETAIL.

[By Edward Kemble, former president of the Boston Chamber of Commerce.]

The new subsidy bill which has been submitted to the Senate by Senator FRYE seems to have for its chief object the making of a gift of public money to several existing lines of prosperous American steamships. At all events, this will be the result should it become law. He calls it a bill "to provide for mail service, * * * for the common defense, to promote commerce, and to encourage the deep-sea fisheries." Our "commerce" is larger than ever before—both our foreign trade, which is commerce, and our interstate trade, which is commerce—only, unfortunately, in the case of our foreign trade most of the merchandise representing it is transported under foreign flags.

Our deep-sea fisheries are large and strong growing and prosperous. They are not asking aid. We do not find fishermen begging for alms at the doors of Congress. Furthermore, what this bill proposes to donate to the fishermen is not a very princely sum. The amount is $2 per ton to the vessels, and $1 per month to the men when actually employed. Fishing vessels average less than about 100 tons each. So this donation may average $100 per annum to each vessel, and from $6 to a possible $12 to each man; while to steamship lines already established and making money will go hundreds of thousands, if not millions, of dollars every year.

The first of these lines above referred to is the so-called "American Line," plying between New York and Southampton and owned by the International Navigation Company. This line is already receiving from the United States a subsidy of $750,000 per year. This bill will increase this amount and increase the number of years during which a subsidy shall be paid to it. This line is prosperous; or, if it is not, it ought to be so. No one can travel by it or read its freight and passenger lists who knows anything about shipping business and come to any other conclusion.

The act under which it now receives a subsidy became law in 1891 or 1892. It authorized contracts for ten years. It is said the contract with this line was dated ahead—that is, from 1895. If so, when it expires, in 1905, the line will have received about $10,000,000 under it. Two of the ships will then be about 20 years old, and all four of them will have passed the "up-to-date" period. Under the existing contract they are required to make 20 knots; they actually make about 18 knots. So it would seem as if a good sale of them had already been made. Under this new bill, however, they will receive a larger amount per year and a contract for fifteen years more, under which they will receive at least $15,000,000 more.

Next the Ward Line, which owns many ships, some plying between New York and Cuban ports, and others between New York and Mexican ports. It was years ago called the Alexandre Line, and has always made money. It is constantly bringing out new ships. Three, or certainly two, were added to the lines during the year just closed, while two or more were added during the year 1900. There are from 15 to 20 of these ships, all built in this country. Under this bill they will be allowed to draw subsidy on 16 trips each per year, which will enable the company to receive from the Government a very large amount of money.

Next is the old Pacific Mail Company. In this connection we are reminded that this company once received from this Government, years ago, a subsidy of $500,000 per year. Not satisfied with this, it proceeded to lobby in Washington for more. Its methods excited so much scandal an investigation was ordered and it was found that the greater part of this munificent sum had been expended in lobbying for a greater sum, and so it was cut off from any subsidy at all.

There are other lines of American-built ships, already prosperous, which will receive a benefit under this bill. Mr. FRYE explains that the bill is intended to increase and build up the merchant marine. It is safe to say that it will not add one ship to either of these lines. Their business is established, and they will build new ships as fast as their business requires them and no faster—subsidy or no subsidy. And as for new lines for foreign trade, if the ships must be built here, it will be years before any can be established, if at all. No new line was brought into existence by the subsidy act of 1891.

All lines which have benefited by that act were already established when it became law. Furthermore, our shipyards are full of business. It has been stated on good authority that it would be difficult to contract for a first-class ocean liner to be delivered within three years, although smaller vessels may be turned out. Not one new fisherman will it bring into being. How, then, will this bill, if enacted into law, "increase" or "build up" our merchant marine?

No doubt it will be necessary to maintain steamship communication with the newly acquired Philippine Islands, and since there is not likely to be business to support it, the Government will be obliged to do so. It would be well if this bill were confined to that purpose.

During our civil war, when our Government could not protect our great fleet engaged in foreign trade, our citizens were compelled to sell; the subjects of Great Britain and other countries, availing themselves of their privilege to buy ships anywhere, bought ours, and took the business with them. We have never been allowed to buy them back, or any others to replace them; or, if we did buy any, we have been obliged to sail them under a foreign flag, with two exceptions. We have not been able, for some reason, to build here to any extent for the European trade, and so our flag covers very little of that trade.

We have, however, built for the Cuban and the Mexican trade, and somewhat for the foreign trade of the Pacific. But it is said it costs more to build here than it does abroad. Some of our people own foreign-built ships, but they are forced to sail them under a foreign flag. No citizen may wear the flag of the United States over his ship unless she was built in the United States. When one ventures to suggest the propriety and probable great advantage of permitting our people to buy ships abroad for foreign trade—but only for foreign trade—Mr. FRYE and his friends cry out, "Free ships," which apparently, like the words "free trade," give them cold shivers.

But no one advocates "free ships." No one advocates admitting foreign-built ships to our coasting trade. All vessels for trade between our own ports must be built in our own shipyards, and no one proposes to disturb that feature of our law. In this our shipbuilders have a proper protection. Our yards have grown enormously and flourished under it. The business is large. We can protect this trade because it is domestic trade; and it is not of very much importance whether these ships cost more here than they would abroad, or whether wages are higher on them or not, because there can be no foreign competition in this trade. But we can not "protect" our trade with foreign ports.

When our ships go into foreign trade, they must compete with the ships of the world, and they must not cost more than foreign-built ships, for they can not compete with them successfully if they do. Our shipbuilders will not or can not build so cheaply as foreign shipbuilders. We can not afford to pay them more. We are not allowed to build abroad and register at home, so we do not have the ships or the trade, at least, so far as our flag indicates, and most of the world's carrying trade is done under foreign flags in consequence. Mr. FRYE and the shipbuilders say to the country, "Build ships here or you shall not have them, at least not under our flag." A "dog in the manger" policy. I claim to be as good a Republican as Mr. FRYE is, and I call this policy "protection" with a vengeance.

Mr. FRYE and his friends say the remedy for this state of things lies in the payment of subsidies by the Government. No doubt ships can be run anywhere if the Government will pay the bills. He has recently delivered himself of an elaborate speech in Boston and in Philadelphia and perhaps other places in favor of this policy. American shipping is always an interesting and certainly it is an important subject, but the question of the payment of public moneys to support merchant ships and their owners is becoming somewhat tiresome as a public question.

In the speech above referred to Mr. FRYE contends that while ships are built abroad 15 to 20 per cent cheaper than they are built here, and while wages are lower and the cost of maintenance per man per day is lower on those ships than on ours, we must pay subsidies to our ships going into foreign trade in order to equalize these differences. At the same time he says all foreign nations pay subsidies. Without taking time to refute his assertions on these points I may ask if subsidies there do not improve wages or fare, how is it likely that they will sustain our standards on our ships when they go into the same trade?

There is a market price for wages and for food in all trades and in all markets, and when our ships go into foreign trade they are not likely to establish new tariffs throughout the world. His bill provides that only "one-fourth to one-half" of the crews of these subsidized ships shall be American citizens; and who is to ascertain whether any of them are Americans? Would he have us believe that our American Line, when it takes men at Southampton, as it does sometimes, and they come on board at the market price, perhaps $30 per month, says to them: "This is an American ship, and we shall pay you $50 per month?" As for maintenance, many American ships are victualled at from 30 to 35 cents per man per day.

But this is a matter which depends a great deal on the trade the ship is engaged in. So far as foreign business is concerned, the world makes the market for everything. We can not create and sustain an artificial market in foreign ports for sailors or anything else. Mr. FRYE says, and it is often said: "Other nations pay subsidies, and the United States must do as other nations do." But it can not with truth be said that other nations do this. It is the exception wherever and whenever it has been done. There is not a nation on the face of the earth which pays subsidies as Mr. FRYE proposes to pay them, France alone, possibly, excepted.

What all other nations do, however, and I don't know of one exception, is to permit their people to buy ships anywhere and put them under the home flag. This is a privilege Americans have demanded (but for the purposes of foreign trade only) for forty years. If Mr. FRYE really desires to increase our merchant marine in foreign trade, why don't he advocate trying this policy, under which other nations have so signally prospered? He says: "We have for years admitted free of duty everything entering into the construction and repair of ships for foreign trade." Nevertheless, we have not built the ships. Now, why not admit the ships already built?

Take the Atlantic Ocean service for illustration. There are plowing that ocean between Europe and the United States possibly 50 lines of steamships,

and most of them never received one penny of government money, even for mail carriage. Only two of them receive a subsidy. One is our own "American Line," the other the "French Line." No others in this service receive $1 of subsidy. The Cunard Line none; the White Star Line none; the two great German express lines none. These four lines last named are the fast lines of the world. They own some 25 or more of the fleetest ships in the world, besides many others. Not one of these fast ships receives any subsidy from any government.

These lines, however, are paid for the amount of mail they carry, both by the United States and Great Britain, at so much per pound. Bids are received by the Government of Great Britain for mail carriage, and the market price is paid for it. In the case of several large ships—not lines, but particular ships, which are named in the contract—a certain moderate sum is paid yearly for the privilege of taking them in time of war; but no subsidies whatever are paid except in the two cases above mentioned. Money paid for mail carriage at the market rate and a subsidy are very different things. The United States pays yearly to the Cunard and White Star lines and to the German lines and others the market price for the amount of United States mail they may carry at so much per pound; but these amounts are not subsidies. It pays to its own American Line $750,000 per year, whether it carries any mail or not. This is a subsidy.

England once paid a subsidy in order to maintain communication with her provinces of Canada, and one to secure steam connection with her Indian possessions, just as we may be obliged to pay one for connection with the Philippine Islands, but this was a very different thing from what Mr. FRYE proposes. These subsidy gentlemen are never tired of telling us all other nations pay subsidies, which is not true; but they never allude to the fact that all other nations permit their subjects to buy or build ships anywhere and put them under the home flag, which is true.

There are some twelve lines of steamships plying between Boston and European ports. Not one of them receives any subsidy.

He says, "Our foreign commerce last year, reduced to tons, was about 40,000,000 tons; the freight rate at least $5 per ton, amounting to $200,000,000," and that "we paid $500,000 per day in gold to foreign ships for the carriage of our goods." Mr. Senator HANNA, who followed Mr. FRYE a few days later, at Boston, in a speech on the same subject, said the same thing. Furthermore, he added, "No country on the face of the globe can stand that strain but the United States." But "we," the United States, don't pay these freight moneys. The buyer pays the freight money. Our wheat, corn, cotton, provisions, manufactures are for sale every day of the year at a market price. The buyer does what he likes with them. If he ships them abroad, or wherever he ships them, he pays for the transportation. In no sense can it with truth be said that "we" in this country pay for this transportation.

Of course, on imports, we pay the freight money; but our imports are less than one-third the amount of our exports, in tons.

The argument that there are $200,000,000 paid yearly for ocean foreign carriage which the Americans may take in by paying subsidies to ships is very misleading. Supposing this country should put afloat in the foreign trade 100 ships this year. How much of this sum would they secure? Do the honorable Senators think all the foreign lines would retire and leave the field to us? They would continue to run, and rates would decline, and there would be perhaps $100,000,000 for all lines instead of $200,000,000.

Furthermore, the buyer of merchandise has the right to say how it shall be shipped. If an American ship and an English ship are lying side by side and rates are the same, will the English buyer have his merchandise shipped by an American ship? By no means.

Still further, Americans own many foreign-built ships, which, under our peculiar laws, they are obliged to sail under a foreign flag. There are probably from 80 to 100 of them. A portion of these belong to three great lines now in the Atlantic service between the United States and Europe and which are owned or controlled in this country.

These lines earn a large portion of the great sum named by the Senators, and this, of course, already falls into American pockets. So, if one considers that this great sum is overstated in the beginning, that it will be very largely reduced in amount if American subsidized ships in any considerable number should be put into competition for it, that a large portion of it will inevitably be retained by the foreign ships now running, and that a portion of it is already secured by Americans through ships they now own, which are sailing under a foreign flag, what becomes of the argument of these Senators which is based on their statement that "we pay this great sum to foreigners, and that it may be gathered back to us by means of subsidized ships?"

How much easier and how much more business-like it will be if we not only permit these foreign ships now owned by Americans to be registered under our flag, but invite our countrymen to buy other lines to be put under our flag also (but for foreign trade only), and so get not only ships, but the business with them. This will build up our merchant marine and send our flag flying over the seas—a matter which some public men talk much about.

But Mr. FRYE says this will not protect our shipyards. That if foreign-built ships are admitted to American registry, even for foreign trade only, "our shipyards will not increase; they will build only for coastwise, lake, and river trade," and cries out: "What shall we do for the dying industry?" But these shipyards have not built ships to any great extent for foreign trade for forty years or more. They say they have not been able to do so, at least not for the European trade, and yet behold their enormous growth within that period! There is no more successful or flourishing line of business in this country than this "dying industry," as he calls it.

Our shipbuilding plants are growing in size, have doubled in number within a short time, are equal to any in the world, are turning out some of the finest ships in the world, and are full of business. What more does he want? The American Shipbuilding Company stands third on the world's list of shipbuilding plants in amount of tonnage turned out last year. But they can not or will not turn out ships at prices which will enable us to go into competition for the European trade. We have, in late years, exported iron and steel plates to be built into ships abroad. It would seem, therefore, that we can buy a ship made of American iron in England cheaper than we can buy one made of American iron in the United States.

One of Mr. Frye's arguments for a new subsidy bill is this: He says that "the four ships of the American Line, although receiving a subsidy of $750,000 per year, have never realized any profit, but have been supported by the company's ships (called the Red Star Line) which sail under the Belgian flag. This is a most extraordinary statement, and by it he condems the whole subsidy system by words out of his own mouth. If this were true, it would be a conclusive argument against any subsidies whatever.

Here is a line of first-class ships running between New York and Southampton, and receiving from the United States a subsidy of $750,000 per year, which, according to Mr. FRYE, not only makes no money, but is maintained by another line running between New York and Antwerp, which receives no subsidy at all. Both lines have weekly sailings, and are owned by the International Navigation Company. The only logical inference is that subsidies are an obstacle to success, and that steamship lines are more prosperous without them.

Furthermore, he declares that these "American Line steamers each carried, according to sworn statements, last year $4,200,000 worth of farm products, while the same tonnage slow steamer could not have carried more than $2,250,000 worth of wheat." Since the steamers of the Antwerp or Red Star Line are not only slower but smaller than those of the American Line, I presume they are covered by this statement. So it transpires that, although slower and smaller and without any subsidy and, I may add, with passenger lists insignificant when compared with those of the American line, they not only supported themselves but helped support the others.

Mr. FRYE says subsidies will put more ships afloat and so make rates lower. How low would he have them? It has been possible lately to contract for grain to Europe at 1 penny per bushel, which is less than $1 per ton. Hundreds of thousands of tons have been carried during the past five years at 2d. and 3d. per bushel, or less than about $1.50 to $2.50 per ton; and provisions and cotton on the same low basis. Cotton to-day can be contracted to Europe at about 12 cents per 100 pounds.

There is a feeling of pride in the desire that our flag may wave in foreign seas, but what satisfaction or what honor is there when it flies from the masthead of a subsidized ship? Sentiment is robbed of all nobility when it is supported by the force of money.

Commerce is in the line of individual enterprise, not of governmental favor, and while it should be fostered and encouraged and protected by Government in all legitimate ways, it is of no credit or importance when supported by Government money. Our flag at the masthead of a man-of-war signifies power, on a subsidized merchant ship the vulgarity of riches.

Mr. VEST. I have here also, which I desire inserted without being read, a portion of the minority report of the Committee on Commerce of the House of Representatives, made during the Fifty-sixth Congress upon the bill then advocated by the Senators from Maine and Ohio; and in it there is conclusively shown the fact that the difference in the cost of running a foreign and a domestic ship is grossly exaggerated, and that the money donated in these subsidy bills is unjustly given to the fast liners of the ocean, which do not carry the products of the agricultural people of the United States.

The PRESIDING OFFICER. The extract referred to will be inserted in the RECORD in the absence of objection.

The extract from the report of the minority of the House Committee on Commerce is as follows:

COST OF BUILDING SHIPS.

The increased cost in this country of building ships and of maintaining and operating ships is put forward very prominently among the reasons for assistance to the shipping industry. Upon the question of the comparative cost of American with foreign built ships there can be no better witness than Mr. Charles H. Cramp. In the North American Review of January, 1892, he said as to the fast ships:

"The proper form in which to put the question is, Can you build a ship to do the work of the *City of New York* or the *Majestic* or the *Columbia* in all respects for the same cost? To that question I would reply: 'Yes; or within as small a margin as would be likely to prevail in a similar case between any two British shipyards.' * * *

"It is the fact that the 'first cost' of ships is not only not a prime factor, but it is not even a serious factor, in any competition that may occur between this country and Great Britain for a share of the traffic of the ocean. * * *

"American shipyards have built or are building about 40 naval vessels of numerous rates and types, all of the very highest and effective class in the world; and this development has been crowded into a space of about seven years. * * *

"The disparity of cost of naval ships between our yards and those of Great Britain, ton for ton, gun for gun, and performance for performance, has dwindled in seven years until, in the case of the three latest battle ships, the margin between our classes and those of similar construction abroad may be expressed by a very small figure. * * *

"If the current policy of naval reconstruction be pursued for another decade (1902), coupled with a vigorous and consistent execution of the measures recently enacted in behalf of the merchant marine, the question which forms the subject of this paper will be asked no more; unless, indeed, its point should be reversed and Englishmen be asking one another, Can we build ships as economically as they can in the United States?"

We reach the conclusion, therefore, through the testimony of the greatest shipbuilder in the United States, that the cost of the first-class ship, which receives nearly all the subsidy under this bill, is no greater than that of a similar ship built in England.

In the same article Mr. Cramp says as to the tramp ship, which receives very little subsidy under this bill:

"Put the plans and specifications of the average English tramp in the hands of an American shipbuilder, and he could not duplicate her. He would build a better vessel, of superior workmanship and neater finish in every respect; for the reason, to put it broadly, that the mechanics who make up an American shipyard organization are trained to a grade of performance which they could not reduce to the standard of tramp construction.

"Under these circumstances this branch of the subject may be dismissed summarily, with the statement that an English freight ship of the usual type could not be duplicated in this country at any cost. Whether our superior standard in vessels of this class is an advantage or a disadvantage in competition, I will not attempt to decide."

If we consider this expert testimony, we are forced to the conclusion, by taking it in connection with the bill under consideration, that we are asked to give most subsidy to the ships that need it least and least subsidy to the ships that need it most.

A recent article by George Wenlersse, in the Grande Revue, quoted in Consular Reports, March 3, 1900, says:

"Gradually the Americans are pushing their way into the British colonies. The last railroad built in India has American rails. American manufacturers export their iron and motors, their machinery, and galvanic wires to Cape Colony. Egypt, too, has Philadelphia bridge builders on the scene. Three hundred railroad coaches have found their way from Jersey City into the land of the Pharohs, and electical tramways are forged in the foundries of Pittsburg to connect Cairo with the Pyramids. Even Europe is not safe against the invasion of American goods. Russia, France, Germany, and Italy must pay tribute. England herself buys American locomotives, steel rails, paper ware, railroad coaches, and even coal. Sheffield, the home of the steel industry, has been dethroned by Pittsburg. It would be frivolity to remain indifferent to the expansion of this leviathan people."

Further on in the same article Mr. Wenlersse makes this striking statement:

"To-day ships may be built at Bath, San Francisco, Philadelphia, Wilmington, Chester, and Newport News as cheaply as anywhere in the world."

We remember very well that a few years ago the shipbuilding industry claimed that if it had free raw materials it could compete with the world. The raw materials were placed upon the free list, and the same men who said they would be satisfied with this special favor are now clamoring for the subsidy provided in this bill. The locomotive industry, very similar in its

nature, has been given no such protection, and yet the locomotive industry has increased its export trade throughout the world.

In the additional plea for assistance, which they are now making, the shipbuilding people are begging greater advantage than has ever been given to any industry, seeing that they have for years already had free trade in their favor upon every item of which ships are made and upon every item needed to run ships, and, in addition to this, that they get most of their crews by hiring foreign labor in foreign ports. They have free trade upon what they buy and high protection upon what they sell, and yet they clamor for millions of subsidy. The unfairness of their demand is emphasized by the history of legislation in which they have been concerned.

In 1869 a committee was appointed by the House to investigate the cause of the decline of shipping interests. Sessions were held and testimony taken in all parts of the country. A report was made in favor of subsidy. The demand for it, however, did not come from the shipbuilders. Note the statements made by John Roach and Charles H. Cramp. Upon the causes of the decline in American shipbuilding, Mr. Roach said:

"America has lost her commerce, and what has she obtained in exchange for it? Simply the right of a few men to charge $9 per ton, in gold, on the importation of pig iron. Pig iron is the basis of all other metals connected with the making and repairing of ships. There has been a revolution in shipbuilding, and iron is the material from which they are now built. The high cost of iron produced by the tariff upon it is one of the principal difficulties our commerce has to contend with. I did not come here to ask a bounty. I came here to tell you that, while all other articles of American produce are protected to a great extent, there is no protection for American ships. If Congress will take off all the duties from American iron, reducing it to the price of foreign iron, then we are prepared to compete with foreign shipbuilders. The labor question is misstated. We are prepared to meet that difficulty and to ask no further legislation on the subject."

In reply to a question by Mr. Morrill as to the average rate of duty on materials entering into the construction of ships, Mr. Cramp said:

"About 40 per cent; and if our shipbuilders could be relieved from that, they could compete successfully with foreign builders. The difference in the cost of labor would be overcome by the superiority of American mechanics." * * *

The Commissioner of Navigation says, in 1899:

"Everything needed in building and equipping in the United States a ship for the foreign trade or for trade between the Atlantic and Pacific coasts of the United States is now admitted free of duty and has been so admitted for some years. Congress began the policy of free materials for shipbuilding for the foreign trade in 1872 and has steadily pursued and expanded that policy. * * *

"Finally, by sections 7 and 8 of the tariff act of August 15, 1894, which are repeated in sections 12 and 13 of the tariff act of July 24, 1897, the free list was extended to include all materials. * * *

"A like policy has been followed in regard to ships (supplies). (Section 16 of the act of June 26, 1884, Stat. I, vol. 23.)

"All articles of foreign production needed and actually withdrawn from bonded warehouses for supplies, not including equipment, of vessels of the United States engaged in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, may be so withdrawn free of duty, under such regulations as the Secretary of the Treasury may prescribe.

"By section 16 of the tariff act of July 24, 1897, articles of domestic production when used as supplies for vessels of the United States, as described above, were exempted from internal-revenue taxes. The provision regarding coal is equally liberal."

In view of all these facts it is passing strange that the beneficiaries of these special favors should continue to clamor for additional assistance.

COST OF OPERATING SHIPS.

The next point to consider is the difference in cost of operating a ship under the American flag and under a foreign flag. In comparing the cost of running a ship under the American flag with the cost of running a similar ship under the British flag, both in a regular service between the same or adjacent ports, we have to take into consideration the following items: 1, coal; 2, oil; 3, trimming of coal; 4, stevedoring; 5, food; 6 insurance; 7, port expenses; 8, wages of officers and crew.

(1 and 2) Coal and oil will be bought by both ships wherever it is best and cheapest. There is thus no difference as to these two items whether the ship is American or British.

(3 and 4) The cost of trimming coal and stevedoring cargo ought to show no difference. As a matter of fact, the American Line pays for stevedoring 45 cents per hour for sundry work in New York, while several of the British lines pay the regular wages fixed by the longshoremen's union, 60 cents per hour for the same work.

(5) People who have traveled by the White Star Line (British), Cunard Line (British), and American Line (American), and who are thus able to compare the feeding on the steamers of these different lines, will admit that the quality and quantity of food supplied are very similar on all of these steamers.

(6) On the insurance item there ought not to exist any difference either as far as the rate of insurance is concerned. Of course the amount insured may be higher in the case of an American-built ship if the recent statements of our shipping people are to be believed in preference to their statements of a few years ago. However, the higher amount to be paid on this item by the American shipowner is not on account of having his ship run under the American flag, but having it built in the United States. Consequently the amount insured on the many foreign-built ships which, in accordance with this subsidy bill, are to be transferred to American registry will not be affected by the mere fact of changing the flag.

(7) The port expenses ought to be less for American vessels, which do not pay tonnage taxes in the United States, whereas foreign ships clearing from British ports have to pay this considerable item. Port expenses in Great Britain are the same for British and non-British steamers.

(8) *Wages of officers.*—Here we note the following differences:

Fast American liner (St. Paul):		Fast Liverpool passenger liner (Campania):	
Chief officer	$120.00	Chief mate	$100.00
Second officer	70.00	First officer	75.00
Third officer	60.00	Second officer	62.50
Fourth officer	40.00	Extra second officer	55.00
Chief engineer	150.00	Third officer	50.00
First assistant engineer	100.00	Fourth officer	45.00
Junior first assistant engineer	85.00	Chief engineer	150.00
Extra first assistant engineer	85.00	Senior second engineer	100.00
Senior second engineer	70.00	Second engineer	82.50
Junior second engineer	65.00	Senior third engineer	75.00
Senior third engineer	60.00	Third engineer	72.50
Junior third engineer	55.00	Senior fourth engineer	67.50
Fourth engineer	50.00	Fifth engineer	60.00
Total	1,010.00	Total	995.00

This shows an immaterial difference of $15 in favor of the British ship.

The crew wages are as follows:

St. Paul:		Campania:	
Carpenter	$50.00	Carpenter	$40.00
Carpenter's mate	35.00	Joiner	37.50
Boatswain	37.50	Boatswain	37.50
Boatswain's mate	27.50	Boatswain's mate	27.50
Master at arms	25.00	Boatswain's mate	27.50
Sailors	25.00	Master at arms	22.50
		Sailors	23.75
Total	200.00	Total	216.25

In these wages we do not find any material difference either.

Stewards received the same amount on both the American and British ships—$16.25.

In the engine room, however, the wages paid on the American ships are higher than those paid on the British ships:

St. Paul.		Campania.	
Greasers	$40.00	Greasers	$30.00
Firemen	40.00	Firemen	25.00
Trimmers	30.00	Trimmers	22.50

If we take into consideration that the ships we are comparing at present have on board, say, 20 greasers, 50 firemen, and 50 trimmers, we arrive at the first difference of some consequence in favor of the British ship:

20 by $10	$200
50 by $15	750
50 by $7.50	375
Total	1,325

This would make a difference of $15,900 a year, to equalize which the steamship *St. Paul* would receive a yearly subsidy of $408,593.54.

In the hearings before the House Committee on the Merchant Marine and Fisheries we find a statement made by Mr. Clyde on behalf of Mr. Griscom. It reads as follows:

"The sum that the American Line ships will get under the bill will be no more than sufficient to compensate their American owners for the addition in cost of furnishing ocean transportation with that type of ship as compared with furnishing it under the British or Norwegian or other foreign flag in the same type of ship."

We have seen that the only material differences between the cost of running an ocean liner under the American flag and the British flag are to be found in the wages paid the hands in the engine room. This difference does not amount to one-twentieth of the subsidy which the American ship would receive.

On the question of wages we quote the following from the Commissioner of Navigation (annual report, 1894):

"So far as able seamen are concerned, the actual competition to-day in trans-Atlantic and trans-Pacific trade is between American ships and British steamers, and a comparison of the wages paid on these two different classes of vessels will show only slight disparities in wages. Any comparison of monthly wages, therefore, unless accompanied by a full statement of all the conditions under which wages are paid and of the results attained, will be misleading. * * *

"The statement is doubtless within bounds that the pay of officers and wages of crews in the case of no foreign steamship company exceed 30 per cent of the total operating expenses. They constitute substantially the same percentage of the cost of operating steamships, increased only by the higher pay of watch officers."

The editor of the Coast Seaman's Journal, the organ of the organized seamen of America, says:

"Wages are equal on the vessels of all nationalities when shipping crews in any given port. In other words, it is the 'rule of the port,' and not 'the flag of the ship,' that governs wages. The usual statistics on this subject are grossly misleading."

"A change of flag to the American," says Shipping Commissioner King, of Philadelphia, "involves no increased expense either in crew's or officer's wages."

Says Mr. Chamberlain, the present Commissioner of Navigation:

"The difference between American and foreign rates of wages can be, and in fact is, overcome by shipping crews in foreign ports for the round trip."

Section 4519 of the Revised Statutes says:

"Every master of a vessel in the foreign trade may engage any seaman at any port out of the United States to serve for one or more round trips from and to the port of departure or for a definite time, whatever the destination."

And while the vessels under postal contract with the United States Government must hire American citizens to the extent of half their crews, the vessels of the American Line, according to Shipping Commissioner Dicky, of New York, "hire most of their men in Southampton, England, as all other vessels are at liberty to do."

Says the Commissioner of Navigation, Mr. Chamberlain, in his report, 1894:

"Unlike the manufacturer on land, whose labor market is, to a degree at least, restricted, the shipowner is at liberty to employ labor in any market where, on account of its abundance, its quality, or its cost, he finds it for his advantage to do so. * * *

"The laws do not require American shipowners to obtain their crews in American ports, nor, so far as ascertained, do the laws of any other maritime nation require its shipowners to obtain their crews in national ports. * * *

"Under normal conditions the crews of American steamships would be shipped in domestic ports, but an entirely abnormal state of affairs has been brought about by our continued failure to adjust our laws to current conditions. Reference to the reports of shipping commissioners and consuls show that only a small part of the crews of the *Indiana*, *Illinois*, *Pennsylvania*, and *Ohio*, and of the Pacific Mail steamships in Asiatic trade are shipped at New York, Philadelphia, and San Francisco, about four-fifths of their crews being shipped at Liverpool, Antwerp, and Hongkong."

Mr. VEST. I know that this bill will be passed by the decree of the dominant party in this Chamber. I do not make any pessimistic prophecy, but I am sure that the dream of foreign markets, which has been painted to us in such gaudy colors, will never be realized under the provisions of this measure. There will come a time when, like Dead Sea fruit, this law—and it will become a law—will turn to ashes upon the lips of those who now tell us that it will open up new markets and increase the already enormous commerce of this country.

I am not a prophet. I hope that the time will come when the glory and power of my country will be greater than that of any other people upon the face of the globe; but it will not come from unequal and unjust discrimination in favor of one interest against all others. If we make good our promise to the world and to

coming generations of liberty, equality, privileges exclusive to none but common to all, we must preserve the great principle that this is a Government of the people and for the people and for their children forever.

Mr. MALLORY. Mr. President, I desire to state that I shall address the Senate on this bill to-morrow when it comes up in regular order before the Senate.

Mr. TILLMAN. Mr. President, incidentally during the very eloquent speech of the Senator from Missouri [Mr. VEST] the Senator from Ohio [Mr. HANNA] interjected the query as to how many Democrats had voted for the duty on lumber. I did not like to interrupt the Senator from Missouri, but I felt constrained under the taunt to say what I did. I now desire to quote from my language in the debate in 1897, when the Dingley bill was under discussion here. I then said:

Mr. TILLMAN. I should like to call the attention of these Democratic brethren of ours who are attacking our loyalty to the Chicago platform and to Democratic principles to the duties levied by themselves in the Wilson law:

"Buckwheat, corn or maize, corn meal, oats, rye, rye flour, wheat, and wheat flour, 20 per cent ad valorem."

Now, they declare here, as we all know, that these articles are articles of export and that any pretense of protection is a humbug and a fraud; and yet they themselves are only disputing with their Republican brethren over there as to the amount of fraud—whether the duty shall be 20 per cent ad valorem or 25 cents a bushel on wheat, and so on through. Now, let us have a clean record on this business. I stand here myself and announce that if we are to have this stealing from the people by protected interests, I want my share for South Carolina, and I am not ashamed to say it. [Laughter.]

Later on in the same debate, after some discussion by the Senator from Missouri and others, I said this:

I do not propose to be misrepresented here in the attitude which I have assumed in the broad light of day as an American Senator, responsible only to the people of South Carolina and enlightened public opinion throughout the country. If it comes to the question of protection for protection's sake, I am not a protectionist, unless it be to this extent: I announced the general doctrine the other day that it is for the best interests of the American people, taken as a whole, judged from the standpoint of statesmanship, to produce what we consume.

If there be any industry in this country which, by reason of foreign competition, can not live and give diversified labor or more employment to our people, and which by a small tariff can be protected to the extent that it can get on its feet, I say it would be wisdom to give it. The only trouble is that when you have started your infant by giving him first milk and then bread and raising him up to be a man, you continue to protect him until he begins to feel the effects of competition, and then he forms a combination or trust and marches abroad in the open light of day a robber, to take from every household in this land tribute levied through the forms of law by Congress under the system of protection. There is where I draw the line. I say you ought not to allow a single trust or combination to come in here and get a duty on anything, because you levy unjust tribute on the American people whenever you do it.

There is more to the same effect, Mr. President. In this connection I will simply say that I did not vote for the Dingley bill, but I voted to try to remove some of the inequalities in it; and when I saw an opportunity to enhance the value of a Southern product, such as lumber, and thereby increase the value of our timber preserves or reserves, or the land which has nothing but timber on it, and to that extent add to the amount of money that would be current in South Carolina, I felt it was my business to get such a provision in a tariff bill which looked to giving special benefits to other States and other communities. To that extent I have been in an attitude of difference with my Democratic brethren here, and my people have since elected me unanimously, without any opposition. So I think I am a very good specimen of a South Carolina Democrat.

In regard to the question we are discussing, I would not at this late hour trespass upon the Senate but for the fact that I expect to leave the city to-night for some days in order to attend to certain matters that I can not put off any longer. There are two or three points in connection with this ship-subsidy bill to which I desire to direct the attention of the country, or rather of the few Senators who are paying any attention to this debate.

We all realize, Mr. President, that this bill has been determined upon as a Republican measure. I do not know that any caucus has been held upon it; I do not know that the whip has been cracked, but the atmosphere of the Chamber indicates that it will go through and have the necessary votes.

There are some very queer and, to me, inexplicable provisions in it. The former ship-subsidy bill, or the subsidy bill which did not pass the Senate and the House last year, provided that the Postmaster-General "might" contract for the carrying of the mails. This bill "directs" the Postmaster-General to make contracts; and the limitations of the bill are such that a monopoly, or possibly one steamship line, is created, to be American owned and American built, and the Postmaster-General must make a contract with such a line of steamers, if there be only one, at any price that the owners of such line may offer to carry the mails. The only limitation is the amount of subsidy herein provided; such a line can get the maximum amount.

We have other provisions that indicate that it is class legislation pure and simple, that it has the interest of the shipbuilders and of certain other capitalistic influences behind it, and that that is the reason why it is going through here.

It is claimed by those who are fathering this measure and pressing it that it is in the interest of American commerce, and that it is our purpose to build up a merchant marine that will fly the American flag and be manned by American sailors. Now, listen to this from section 3:

And upon each departure from the United States the following proportion of the crew shall be citizens of the United States, to wit: During the first two years of such contract for carrying the mails, one-fourth thereof.

We are to subsidize vessels which will be allowed to employ three-fourths of their crews from among foreign sailors—dagoes, anybody in the world. It is not necessary that they be citizens of the United States at all.

The next three succeeding years, one-third thereof, and during the remaining time of the continuance of such contract, at least one-half thereof.

And so you see the humbuggery that obtains in the provisions here which look to having Americans go on American-built vessels under the American flag, carrying American commerce or the products of our country abroad.

Under the old bill there was a limit of $9,000,000 a year. Under this bill there is no limit. It depends entirely upon the profit there is in it as to how many ships will be built and what the final amount of the subsidy will be.

But the crucial point involved here, the only reasonable test, is whether this measure will accomplish what it is pretended that it is desired to accomplish—not pretended that it is desired, possibly those words are too harsh—but simply which it is hoped or supposed it will accomplish. If we do not obtain cheaper freight by reason of this added commercial fleet of American-built ships to the merchant marine, is it proposed that American shippers shall be forced to patronize these vessels in order to give them cargoes? Is it expected that foreigners will yield this trade, which is now so profitable to them, without a struggle, and that they will not cut under the rates fixed by the American vessels?

If we have the right to take the people's taxes and use them in such an expenditure as this, by which you say you shall pay so much for carrying the mail and so much per gross ton for the 100 miles sailed, why have you not the right to say to the shippers of products, agricultural and otherwise, from the United States, You shall patronize these American ships, let the freights be what they may. The one would be just as legal and constitutional as the other, and if you do not reduce by this means the rate of freight, what guaranty have you that your American ships built out of subsidies will not go empty when they go abroad?

You say they can not be run. Then they must compete with the foreign-built ships, and the question which is presented to us here as a practical and business one is, What good is to be subserved by producing an unnatural competition? Instead of leaving each ship to stand on its own merits and to compete for the trade, you put on an artificial condition here by adding to the income of owners of vessels an amount out of the public Treasury, the object being supposed to be to equalize conditions.

Mr. President, we are told that we can not go into the building of ships now because it is unprofitable. Why do we go into the buying of ships? It is notorious, unless the newspapers have all misstated the facts, that Mr. Morgan's syndicate has purchased the Leyland Line and other ships to the amount of 800,000 tons. They are being run to-day under a foreign flag. For what? Because our navigation laws will not allow them to come under our flag. Is it natural to suppose that simply because they fly the English flag, or the German flag, or some other flag that they are run at a lower rate of expenditure than they would be if they were under the American flag? Such an idea appears to me to be preposterous.

Moreover, what is the basis for the assertion that it costs us more to build ships than it does other nations, except the mere statement? Everybody knows that we compete with England and Germany and the balance of the world in building locomotives; that we ship locomotives all over the world in competition with other ironmasters. It is notorious that we competed with the English and built a bridge in Egypt because we could do it cheaper. Is it natural to suppose, is it reasonable, is it honest to pretend that we can not build ships as cheaply as England builds them if we can build locomotives and bridges cheaper? It is a slur and a slander upon American mechanics to pretend that we cannot do it.

The Senator from Ohio [Mr. HANNA] the other day made an eloquent plea from his standpoint for the necessity which rested upon us to provide against that evil day when a war in Europe should make it dangerous for us to ship our products in foreign bottoms, claiming that our wheat and corn and other produce would be dammed up here in our warehouses because of the fact that no American vessels were available to transport them across the sea. It is hardly possible—I believe it is altogether impossible—that the United States and England will ever get at war with each other. One reason for that is that England to-day is upon the verge of starvation, and if the American food products which we send her were cut off so that she could not receive her supplies of meat and wheat and other things from this side of the

ocean, her people would be in sight of starvation in less than a year. We have a guaranty for England's good behavior in the fact that we possess a granary to which she is obliged to have access, and she could not afford under any possible conditions that I can see to go to war to force us to withhold her food supply.

That being so nearly true that no reasonable mind will dispute it, with the English and American navies combined to protect the fleets which will carry the produce of our farms across the Atlantic, is it possible, is there any man alive who can be made to believe that the combined navies of the world will ever surpass the navies of the two English-speaking people? Such an idea advanced by the Senator from Ohio appears to me to be simply moonshine, if I may use such a word.

There is another phase of this subject that is well worthy of consideration, and I am sorry a vote has been ordered on the bill before some examination was made into this matter and testimony taken by the committee. It may not be too late for the House of Representatives to take some action if it wants to after we have passed the bill and sent it over there But there are rumors in the air and we hear them every day, and we have been reading for a year or two of a great transcontinental and interoceanic transportation trust, a combination of railroads and steamship lines of the world into a trust, something that would put the commerce of the world absolutely at the mercy of the capitalists who would be thus associated.

You will say that this is an impossibility; but I hold in my hand something that would indicate that such a scheme has been on foot. Probably it is only waiting for this bill to became a law for the parties interested, whose names are on this paper, to begin their organization of a transoceanic and a transcontinental transportation company. I hold in my hand the prospectus of the United States Shipbuilding Company, dated May 7, 1901, signed H. W. Poor & Co.. 18 Wall street, New York.

I will read from it:

UNITED STATES SHIPBUILDING COMPANY.

A corporation is to be organized under the laws of the State of New Jersey, to be known as the "United States Shipbuilding Company," which shall have power under its charter, among other things, to acquire the several plants mentioned below, now engaged in the building of war vessels for the United States and foreign governments, vessels for the oversea trade, coasting and river service, yachts, sailing vessels, and barges. The corporation will, in addition, have power under its charter and will be equipped to build auxiliary machinery and to do all kinds of repair work. The corporation will own the only dry dock on the Atlantic coast capable of docking vessels of the largest size.

The following plants and the equipment thereof will be acquired by the corporation: The Newport News Shipbuilding and Dry Dock Company, Newport News, Va.; the Union Iron Works, San Francisco, Cal.; the Bath Iron Works, Limited, and the Hyde Windlass Company, Bath, Me.; the Crescent Shipyard and the Samuel L. Moore & Sons Company, Elizabethport, N. J.; the Canda Manufacturing Company, Carteret, N. J.

I will not read it all. I will ask to have it inserted in the RECORD. It gives the names of the following gentlemen who have consented to serve on the board of directors:

Henry T. Scott, president of the Union Iron Works.

Lewis Nixon, the Crescent Shipyard.

Charles J. Canda, president of the Canda Manufacturing Company.

John S. Hyde, president of the Hyde Windlass Company.

E. W. Hyde, president of the Bath Iron Works, Limited.

E. H. Harriman, chairman of board, Union Pacific Railroad Company.

H. E. Huntington, first vice-president of the Southern Pacific Company.

Irving M. Scott, vice-president and general manager of the Union Iron Works.

C. B. Orcott, president of the Newport News Shipbuilding and Dry Dock Company.

Edwin Hawley, president of the Minneapolis and St. Louis Railway Company,

James Stillman, president of the National City Bank.

Other directors will be named after the company is constituted.

It gives the proposed net earnings, and there is also a circular of information containing statements and reports from different experts as to the probable dividends that will accrue to the association, this monopoly of the ship carrying trade of the United States, at least, as well as the shipbuilding trade. I ask to have this inserted in the RECORD.

Mr. PERKINS. I should like to ask the Senator to give the date of the circular.

Mr. TILLMAN. May 7, 1901.

The PRESIDENT pro tempore. Does the Senator from South Carolina ask that both of the papers be printed?

Mr. TILLMAN. No; I ask that this circular be printed, and that the marked parts in the other documents be inserted, in which Mr. Hyde gives his opinion as to the present condition of shipbuilding in the United States, and how profitable it will be, and there is also a statement of Mr. Henry T. Scott which I should like to have go in.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Carolina? The Chair hears none.

The papers referred to are as follows:

UNITED STATES SHIPBUILDING COMPANY.

A corporation is to be organized under the laws of the State of New Jersey, to be known as the "United States Shipbuilding Company," which shall have power under its charter, among other things, to acquire the several plants mentioned below now engaged in the building of war vessels for the United States and foreign government, vessels for the over-sea trade, coasting and river service, yachts, sailing vessels, and barges. The corporation will in addition have power under its charter and will be equipped to build auxiliary machinery and to do all kinds of repair work. The corporation will own the only dry dock on the Atlantic coast capable of docking vessels of the largest size.

The following plants and the equipment thereof will be acquired by the corporation: The Newport News Shipbuilding and Dry Dock Company, Newport News, Va.; the Union Iron Works, San Francisco, Cal.; the Bath Iron Work, Limited, and the Hyde Windlass Company, Bath, Me.; the Crescent Ship Yard, and the Samuel L. Moore & Sons Company, Elizabethport, N. J.; the Canda Manufacturing Company, Carteret, N. J.

From the statement and reports mentioned below (copies of which may be had from the bankers) it will be seen that the works of the corporation will have a total annual capacity of 380,000 tons, exclusive of general repair, dockage, and collateral work, and assuming all the yards to be full of work, the services of about 24,000 men will be required, and about 275,000 tons of steel will be used annually.

The acquirement by this corporation of all the plants and properties above stated presents distinct advantages, as stated by Naval Constructor F. T. Bowles (now rear-admiral and chief constructor of the United States Navy) in his report dated December 22, 1900, as follows:

1. Each concern builds that for which it is best fitted and equipped, or that which its character, location, and labor can accomplish most economically.

2. Structural materials, steel, iron, timber, etc., can be purchased at the lowest rates, a prompt supply secured at points where it is most needed.

3. The technical knowledge of design, which comes from experience, records, and data of each concern, will be combined, thus giving confidence to customers that the results contracted for shall be attained.

4. The healthy professional rivalry of the various yards can be utilized to produce the best results in design, construction, and administration without the disastrous and narrowing devices of destructive competition.

5. The standardization of the numberless details of ship fittings, auxiliaries, and appliances, which are now almost as various and incongruous in design as they are in number, and their production in quantity by those best qualified, would produce enormous economies.

6. It will be possible to effect great economies by the separation of war ships and merchant construction into different establishments, thus avoiding the difficulties of organization and increased cost of radically different types of construction upon adjoining ships.

7. The better organization and management of the individual concerns would be a necessary and direct result of this incorporation. (See report of Admiral F. T. Bowles, United States Navy.)

The following gentlemen have consented to serve on the board of directors: Henry T. Scott, president of the Union Iron Works; Lewis Nixon, the Crescent Shipyard; Charles J. Canda, president of the Canda Manufacturing Company; John S. Hyde, president of the Hyde Windlass Company; E. W. Hyde, president of the Bath Iron Works, Limited; E. H. Harriman, chairman of board, Union Pacific Railroad Company; H. E. Huntington, first vice-president of the Southern Pacific Company; Irving M. Scott, vice-president and general manager of the Union Iron Works; C. B. Orcutt, president of the Newport News Shipbuilding and Dry Dock Company; Edwin Hawley, president of the Minneapolis and St. Louis Railway Company; James Stillman, president of the National City Bank. Other directors will be named after the company is constituted.

The aggregate of orders now in hand of the constituent companies exceeds $63,000,000, covering an average of eighteen months for completion, on which the estimated profit is over $7,000,000.

From the annexed statements and reports it will be seen that the business already in hand of the constituent companies, amounting to $63,000,000, with the additional business that can be secured, should produce the following estimated results:

Estimated net earnings for 1901	$4,223,000
Estimated net earnings for 1902	5,612,500
Estimated net earnings for 1903	7,500,000
Total estimated net earnings for three years	17,335,500
Estimated future annual net earnings, average	5,778,500

As the constituent companies are to be taken over with adequate working capital and free from debt, the profits to accrue on the contracts already secured will be available for dividends. The average net earnings, above estimated at $5,778,500, are equivalent to a sum equaling 7 per cent on the preferred stock and 6 per cent on the common and a substantial surplus.

I.

The company will be authorized under its charter to issue capital stock as follows:

Preferred stock (7 per cent, noncumulative)	$32,500,000
Common stock	32,500,000

II.

As soon as the United States Shipbuilding Company is duly organized the entire capital stock will be issued and delivered to the Mercantile Trust Company as depository to carry out the plan as herein stated.

III.

The United States Shipbuilding Company will have absolute ownership of all the properties of the constituent companies, free from all incumbrances (in the case of the Newport News Shipbuilding Company a fragment of $211,000 bonds outstanding can not be reached at present, but an equal amount of the preferred and common stock will be withheld until the bonds are retired), either through conveyances of the properties or ownership of all the outstanding stocks.

IV.

The plan will become operative as soon as Messrs. H. W. Poor & Co. notify the Mercantile Trust Company that the corporation has acquired the properties of the constituent companies in accordance herewith and the titles thereto have been passed by counsel.

V.

The corporation will have a cash working capital of $5,000,000, contributed under this plan, and in addition will have the cash, materials, supplies, and other quick assets of constituent companies on hand at the time of taking them over by this corporation, amounting, as estimated by the accountants to $2,500,000.

This prospectus is based upon statements and reports of Rear-Admiral Francis T. Bowles, United States Navy, chief constructor of the Navy, who gives an appraisal of values; of the accountants, Messrs. W. T. Simpson and Riddell & Common, chartered accountants, and of D. W. Folger, esq., accountant, San Francisco, Cal.; of the well-known expert shipbuilder, Lewis Nixon, esq.; of Henry T. Scott, esq., president of the Union Iron Works, California, and of E. W. Hyde, esq., president of the Bath Iron Works, Maine, copies of which can be obtained from the bankers.

For the purpose of carrying out the above plan Messrs. H. W. Poor & Co. will receive subscriptions for $20,000,000 preferred stock at par, with an equal amount of common stock.

H. W. POOR & CO.,
18 Wall street, New York.

MAY 7, 1901.

SUBSCRIPTION AGREEMENT.

Referring to the foregoing plan we hereby agree with Messrs. H. W. Poor & Co., of New York, and with each other, in consideration of our mutual promises and agreements and for other good and valuable considerations to subscribe, and do hereby subscribe, for the preferred and common stock of the United States Shipbuilding Company to the amount set opposite our respective names.

Each subscriber shall, at the time of making the subscription, pay to the Mercantile Trust Company an amount equal to 10 per cent of the subscription, the balance of the subscription to be due and payable as and when called for by Messrs. H. W. Poor & Co.

Each subscriber shall receive from the Mercantile Trust Company in consideration of his subscription hereto, at the time of payment, an assignable certificate of the Mercantile Trust Company, entitling the holder upon completion of the payments under this subscription and in accordance with the terms hereof to 7 per cent preferred stock of the United States Shipbuilding Company to the amount of the subscription at par, together with a like amount of the common stock of the said company when the certificates for said classes of stock are ready for delivery.

This agreement may be executed in separate writings with the same effect as if all the signatures were upon one, and shall bind and benefit the respective successors and assigns of all subscribers.

In witness whereof we have hereunto set our hands this —— day of May, 1901.

Name, —— ——. Address, —— ——. Amount, ——.

Henry T. Scott, esq., says:

"So far as the shipbuilding industry in America is concerned it is in its infancy everywhere; it has only just begun. Heretofore capitalists have not been attracted to it. Therefore the men in the business have had to proceed slowly, increasing their plants as they obtained the money out of the business, and in no place does this condition of affairs exist more strongly than on the Pacific coast. We have here little or no modern steam power or sailing vessels, and while we have a few ships of iron the majority are of wood. A great number of the latter would have been replaced during the last year had it not been for the fact that it was impossible to obtain material.

"There are not enough steamers or vessels to handle the business of this coast, and all of the large carrying trade is done in English bottoms.

"The completion of the military highway from Halifax to Vancouver and from St. Petersburg to Vladivostock, the rapid settling of British Columbia and the North Pacific States and the districts of Amoor and Manchuria, all depending upon us for their cereals, etc., change the world's front and transfer to the Pacific the activities and interests that for centuries have made the Atlantic the scene of marine operations.

"These conditions, due to the opening of China and the Far East and the occupation of Hawaii and the Philippine Islands by the United States, make the overshadowing event of the coming century the engineering and the industrial task of supplying their wants."

E. W. Hyde, esq., says:

"The output of the American shipyards for the present fiscal year will be larger than any year for nearly half a century.

"Forty-five years ago the American shipyards were building nearly as many merchant vessels and of a tonnage almost as great as that of Great Britain. During the four years preceding the civil war the product of the American shipyards represented a greater carrying capacity in tons than that of the rival shipyards of England. There is no good reason why the American shipyards should not now construct a greater tonnage than Great Britain.

"American shipyards are already constructing ships for European and Asiatic nations, and there is no good reason why a large amount of the shipbuilding trade from the Clyde and the Thames should not be brought to the yards of this Consolidated Company, which will possess such enormous advatages over any other company in the world.

"The great saving in the purchase of manufactured products and raw material for use in the combined concerns, and by the judicious distribution of orders to the various plants most convenient for the delivery of the vessels ordered, the common enjoyment of patent processes and machinery, the saving of a large number of high-priced duplicate officials, agents, and their salaries, traveling expenses, the unprofitable underbidding and unreasonable competition of the various concerns, the establishment of a central bureau of finance, together with purchasing, engineering, and labor departments, and the great advantage incident to the purchase of large quantities of manufactured materials and preferential deliveries provided for, and the consequent cheapening of transportation charges, the convenience and certainty of all supplies being received when required and of the quality desired, the greater facility with which proper labor can be supplied at the various plants when necessary at one and not at another, and the standardization of the great number of hull and engine details with their manufacture in quantity, considering all of which it will be found that the general and economic conditions will be so improved that the earning power of these concerns with their present capacity will be so largely increased that a new era of prosperity will be opened for them under the proposed cooperation."

Mr. TILLMAN. One more brief matter and I will apologize to the Senate for trespassing upon its patience thus long. One of the most seductive features of this scheme of so-called encouragement to the American commercial marine is that of national defense, the ability to utilize these steamers in time of war.

It will be recalled that we have four vessels now on that list, and in the Spanish-American war, we were told the other day, that as soon as these four vessels were put on duty all fear along the Atlantic coast subsided; that the tremors which had shaken and terrified Boston to the point where there had been a demand made upon the Massachusetts legislature for a State insurance against the Spanish fleet had subsided, and that these four ships really saved the country, so to speak, from a foray upon our shores by Cervera's fleet.

I shall not belittle the services to the country of those steamers. They were great. Everybody was willing to furnish the necessary amount of money that would supply them with arms, cannon, and put them out as videttes or scouts. But as a commentary upon the patriotism and the love of country which these shipowners in esse and in posse, those we now have and those we are going to have under this bill if it becomes a law, I have here the bill of expense. We declared war in April. It was practically ended in July. It was certainly ended in August. Now, what did those four steamers—the *St. Paul*, the *St. Louis*, the *New York*, and the *Paris*—cost this Government during the little time when they acted as auxiliary cruisers? I made this inquiry last December, when the other subsidy bill was up, and the Secretary of the Navy, under date of December 19, 1900, wrote me the following letter:

NAVY DEPARTMENT,
Washington, December 19, 1900.

SIR: Replying to your telegraphic inquiry of the 13th instant, relative to the amounts of money paid to the owners of the *St. Paul* and her three sister ships by the United States as auxiliary cruisers, and the cost of changing and restoring them after such service, I have the honor to inform you that the International Navigation Company was paid for the services of the *St. Paul*, *St. Louis*, *New York*, and *Paris* during the Spanish-American war as follows, viz:

For charter and running expenses	$2,106,133.50
For repairs to said vessels while in active service, including the cost of conversion into auxiliary cruisers	111,702.14
For restoration to their original condition as passenger ships	647,000.00
Total	2,864,835.64

Very respectfully,

JOHN D. LONG, *Secretary.*

Hon. B. R. TILLMAN,
United States Senate, Washington, D. C.

In a subsequent letter the Secretary of the Navy says:

There should be put to the credit of the Navy Department the sum of $739,943.70, the amount reimbursed by the War Department for the use of these vessels for the transportation of troops.

This merely changes the account against the Government from one department to another without altering the total cost to the United States.

Here were four vessels which we had been subsidizing from the time they first put the American flag at their peaks under the pretense that they were to save us in our emergency, and when that emergency came these liberal, patriotic owners were so exacting and exorbitant, or our Government was so liberal—both, I presume, because they had the right to drive a hard bargain, and they did—that we paid in six months during which they were in our service enough to build one of them, if not two. I do not know what those four vessels cost. Those who are more expert can furnish the information. I have not had the time to look it up. But it is very clearly shown by this statement that if this auxiliary navy which we are to create by this bill shall cost us as much in proportion in any future emergency of our nation as these four ships cost, then they are very costly luxuries, which we had better dispense with.

We had better confine ourselves to simply letting these vessels be built as means of transporting commerce, and then let the Government make its trade with them in the open market or buy vessels in Europe, as we had to buy them in the last war, for transports and other purposes. We bought vessels of war themselves in our emergency, and it is to be presumed that in any dire national straits, if we needed ships, with the limitless money that we have at our command we could buy all we shall need at a much cheaper rate than to pour untold millions into the pockets of this combination of capitalists, the names of whose members I have just given and who, whether they combine into a trust or act independently, to all intents and purposes are now a trust.

Mr. President, it seems so unjust, so wrong in principle, so outrageous in policy for the Senate and for Congress to take money out of the Treasury for such unholy and infamous purposes that I am astonished to find this great party, which claims to be exclusively the American party, stand sponser for it. The pretense of protection to American labor is exposed by the fact that they do not require these ships to be manned by Americans. The training school for seamen, which is held up here as a reason for doing this thing, is not contained in the bill at all. This invasion of the Treasury, this looting of the Treasury, if I may use the term, in the interest of men who are already multimillionaires, and some of them possibly owning fifty or a hundred or two hundred million dollars, is so outrageous that I reckon the best thing I can say is to hope that you will pass it and pass it soon, and that the American people will soon pass you on into the minority in this Chamber, and place the Government in the hands of men who will stand for the doctrine, America for the Americans and equal rights for all who do homage to the flag.

EXECUTIVE SESSION.

Mr. FAIRBANKS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 41 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 11, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 10, 1902.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

Third Lieut. Walter A. Wiley, of Ohio, to be a second lieutenant in the Revenue-Cutter Service of the United States, to succeed Edwin V. D. Johnson, resigned.

APPOINTMENTS IN THE ARMY.

Artillery Corps.

William Patterson, of New Jersey, to be second lieutenant, February 27, 1902.

Earl Biscoe, of the District of Columbia, to be second lieutenant, March 5, 1902.

APPOINTMENTS BY TRANSFER IN THE ARMY.

Second Lieut. Charles E. Kilbourne, jr., Fourteenth Infantry, from the Infantry Arm to the Artillery Corps, with rank from August 1, 1899.

Second Lieut. Paul A. Barry, Fourth Infantry, from the Infantry Arm to the Artillery Corps, with rank from October 1, 1899.

Second Lieut. Albert U. Faulkner, Third Infantry, from the Infantry Arm to the Artillery Corps, with rank from February 2, 1901.

POSTMASTERS.

William S. McCullough, to be postmaster at Brinkley, in the county of Monroe and State of Arkansas, in place of William S. McCullough. Incumbent's commission expired March 4, 1902.

John C. Bell, to be postmaster at Forrest City, in the county of St. Francis and State of Arkansas, in place of John C. Bell. Incumbent's commission expired March 4, 1902.

John N. Turrentine, to be postmaster at Escondido, in the county of San Diego and State of California, in place of John N. Turrentine. Incumbent's commission expires March 16, 1902.

William Caruthers, to be postmaster at Norwich, in the county of New London and State of Connecticut, in place of William Caruthers. Incumbent's commission expires March 16, 1902.

William E. Downs, to be postmaster at Edinburg, in the county of Johnson and State of Indiana, in place of William E. Downs. Incumbent's commission expires March 16, 1902.

William F. Hodson, to be postmaster at Delavan, in the county of Tazewell and State of Illinois, in place of Starr H. Beatty. Incumbent's commission expired January 10, 1902.

William G. Dustin, to be postmaster at Dwight, in the county of Livingston and State of Illinois, in place of William G. Dustin. Incumbent's commission expires March 16, 1902.

William E. Ludlow, to be postmaster at Griggsville, in the county of Pike and State of Illinois, in place of William E. Ludlow. Incumbent's commission expired May 12, 1901.

Harrison P. Nichols, to be postmaster at Maywood, in the county of Cook and State of Illinois, in place of Harrison P. Nichols. Incumbent's commission expired January 10, 1902.

Alfred R. Wilcox, to be postmaster at Minonk, in the county of Woodford and State of Illinois, in place of Alfred R. Wilcox. Incumbent's commission expires March 16, 1902.

Henry Mayo, to be postmaster at Ottawa, in the county of La Salle and State of Illinois, in place of Henry Mayo. Incumbent's commission expired February 23, 1902.

George S. Faxon, to be postmaster at Plano, in the county of Kendall and State of Illinois, in place of George S. Faxon. Incumbent's commission expired March 9, 1902.

Edward G. Thompson, to be postmaster at Springvalley, in the county of Bureau and State of Illinois, in place of Edward G. Thompson. Incumbent's commission expired January 10, 1902.

Edward H. Allison, to be postmaster at Grundy Center, in the county of Grundy and State of Iowa, in place of Edward H. Allison. Incumbent's commission expired January 10, 1902.

H. D. Hill, to be postmaster at Augusta, in the county of Butler and State of Kansas, in place of Horace K. Bechtel. Incumbent's commission expired January 10, 1902.

George W. Doty, to be postmaster at Burlingame, in the county of Osage and State of Kansas, in place of George W. Doty. Incumbent's commission expired March 4, 1902.

Luther Swensson, to be postmaster at Lindsborg, in the county of McPherson and State of Kansas, in place of Luther Swensson. Incumbent's commission expired February 16, 1902.

John W. Keenan, to be postmaster at Lyndon, in the county of Osage and State of Kansas, in place of John W. Keenan. Incumbent's commission expired March 4, 1902.

W. J. Watson, to be postmaster at Pittsburg, in the county of Crawford and State of Kansas, in place of William H. Yarcho. Incumbent's commission expires March 17, 1902.

Andrew J. Worsham, to be postmaster at Henderson, in the county of Henderson and State Kentucky, in place of Andrew J. Worsham. Incumbent's commission expired March 9, 1902.

Robert R. Perry, to be postmaster at Winchester, in the county of Clark and State of Kentucky, in place of Robert R. Perry. Incumbent's commission expired February 16, 1902.

Lorenzo B. Hill, to be postmaster at Togus, in the county of Kennebec and State of Maine, in place of Lorenzo B. Hill. Incumbent's commission expired March 9, 1902.

Frank P. Ware, to be postmaster at Brightwood, in the county of Hampden and State of Massachusetts, in place of Frank P. Ware. Incumbent's commission expired January 10, 1902.

George W. Noble, to be postmaster at Buchanan, in the county of Berrien and State of Michigan, in place of George W. Noble. Incumbent's commission expired March 9, 1902.

Daniel P. McMullen, to be postmaster at Cheboygan, in the county of Cheboygan and State of Michigan, in place of James C. Wooster. Incumbent's commission expired January 10, 1902.

Andrew L. Deuel, to be postmaster at Harbor Springs, in the county of Emmet and State of Michigan, in place of Andrew L. Deuel. Incumbent's commission expired March 1, 1902.

George W. Dennis, to be postmaster at Leslie, in the county of Ingham and State of Michigan, in place of George W. Dennis. Incumbent's commission expires March 16, 1902.

Charles W. Browne, to be postmaster at Mason, in the county of Ingham and State of Michigan, in place of Charles W. Browne. Incumbent's commission expires March 16, 1902.

Clayton L. Bailey, to be postmaster at Mancelona, in the county of Antrim and State of Michigan, in place of Clayton L. Bailey. Incumbent's commission expires March 16, 1902.

Will P. McCoy, to be postmaster at Mendon, in the county of St. Joseph and State of Michigan, in place of Will P. McCoy. Incumbent's commission expires March 16, 1902.

Charles Brebner, to be postmaster at Newberry, in the county of Luce and State of Michigan, in place of Charles Brebner. Incumbent's commission expired March 9, 1902.

Gorham A. Sherwood, to be postmaster at Otsego, in the county of Allegan and State of Michigan, in place of Gorham A. Sherwood. Incumbent's commission expired March 9, 1902.

Edgar B. Shanks, to be postmaster at Fairmont, in the county of Martin and State of Minnesota, in place of Edgar B. Shanks. Incumbent's commission expired February 22, 1902.

Harriet E. Morcom, to be postmaster at Tower, in the county of St. Louis and State of Minnesota, in place of Harriet E. Morcom. Incumbent's commission expired March 4, 1902.

Eugene M. Harkins, to be postmaster at Sherburn, late Sherburne, in the county of Martin and State of Minnesota, in place of Eugene M. Harkins. Incumbent's commission expired January 14, 1902.

Seth W. Collins, to be postmaster at McComb, in the county of Pike and State of Mississippi, in place of Seth W. Collins. Incumbent's commission expired January 12, 1902.

Cyrus H. Hartzell, to be postmaster at Holden, in the county of Johnson and State of Missouri, in place of Cyrus H. Hartzell. Incumbent's commission expired January 12, 1902.

William H. Garanflo, to be postmaster at New Madrid, in the county of New Madrid and State of Missouri, in place of William H. Garanflo. Incumbent's commission expired February 16, 1902.

John H. Jacobs, to be postmaster at Norborne, in the county of Carroll and State of Missouri, in place of John H. Jacobs. Incumbent's commission expired February 16, 1902.

Alfred J. Stephens, to be postmaster at Lewistown, in the county of Fergus and State of Montana, in place of Alfred J. Stephens. Incumbent's commission expired January 10, 1902.

Theodore C. Starr, to be postmaster at Roselle, in the county of Union and State of New Jersey, in place of Theodore C. Starr. Incumbent's commission expires March 16, 1902.

Matthew G. Frawley, to be postmaster at Baldwinsville, in the county of Onondaga and State of New York, in place of Martin Harrington. Incumbent's commission expired March 9, 1902.

John T. Robinson, to be postmaster at Elmhurst, in the county of Queens and State of New York, in place of John T. Robinson. Incumbent's commission expired January 10, 1902.

John Dwyer, to be postmaster at Sandy Hill, in the county of Washington and State of New York, in place of John Dwyer. Incumbent's commission expired February 11, 1902.

Melvin J. Esmay, to be postmaster at Schenevus, in the county of Otsego and State of New York, in place of Melvin J. Esmay. Incumbent's commission expires March 16, 1902.

Stott Mills, to be postmaster at Warwick, in the county of Orange and State of New York, in place of Stott Mills. Incumbent's commission expired February 11, 1902.

Lucius G. Comstock, to be postmaster at Central City, in the

county of Merrick and State of Nebraska, in place of Lucius G. Comstock. Incumbent's commission expired March 9, 1902.

George M. Prentice, to be postmaster at Fairfield, in the county of Clay and State of Nebraska, in place of George M. Prentice. Incumbent's commission expires March 16, 1902.

George W. Jackson, to be postmaster at Fairmont, in the county of Fillmore and State of Nebraska, in place of George W. Jackson. Incumbent's commission expired January 10, 1902.

Festus Lloyd, to be postmaster at Ebensburg, in the county of Cambria and State of Pennsylvania, in place of Festus Lloyd. Incumbent's commission expired February 25, 1902.

Isador Sobel, to be postmaster at Erie, in the county of Erie and State of Pennsylvania, in place of Isador Sobel. Incumbent's commission expires March 15, 1902.

Robert S. Brown, to be postmaster at Murfreesboro, in the county of Rutherford and State of Tennessee, in place of Robert S. Brown. Incumbent's commission expires March 16, 1902.

Peter J. Clarke, to be postmaster at Pulaski, in the county of Giles and State of Tennessee, in place of Peter J. Clarke. Incumbent's commission expired March 9, 1902.

William M. O'Leary, to be postmaster at Dallas, in the county of Dallas and State of Texas, in place of William M. O'Leary. Incumbent's commission expired March 9, 1902.

Fred G. Haskins, to be postmaster at Bristol, in the county of Addison and State of Vermont, in place of Fred G. Haskins. Incumbent's commission expired March 9, 1902.

Charles P. Nair, to be postmaster at Clifton Forge, in the county of Alleghany and State of Virginia, in place of Charles P. Nair. Incumbent's commission expired March 9, 1902.

Samuel H. Hoge, to be postmaster at Roanoke, in the county of Roanoke and State of Virginia, in place of Samuel H. Hoge. Incumbent's commission expired March 9, 1902.

K. P. Allen, to be postmaster at Pullman, in the county of Whitman and State of Washington, in place of Alfred A. Miller. Incumbent's commission expired March 9, 1902.

James F. McCaskey, to be postmaster at New Martinsville, in the county of Wetzel and State of West Virginia, in place of James F. McCaskey. Incumbent's commission expired March 4, 1902.

James P. Baker, to be postmaster at Shell Lake, in the county of Washburn and State of Wisconsin, in place of James P. Baker. Incumbent's commission expired February 15, 1902.

George E. Weatherby, jr., to be postmaster at Shullsburg, in the county of Lafayette and State of Wisconsin, in place of George E. Weatherby, jr. Incumbent's commission expired March 10, 1902.

William F. Brittain, to be postmaster at Sheridan, in the county of Sheridan and State of Wyoming, in place of William F. Brittain. Incumbent's commission expired June 1, 1901.

Edwin F. Blodgett, to be postmaster at Atlanta, in the county of Fulton and State of Georgia, in place of William H. Smyth, deceased.

Albert R. Maginnis, to be postmaster at Abingdon, in the county of Knox and State of Illinois, in place of John W. Maginnis, deceased.

Evan H. Ferree, to be postmaster at Marion, in the county of Grant and State of Indiana, in place of James L. Bradford, resigned.

WITHDRAWAL.

Executive nomination withdrawn March 10, 1902.

Charles P. Harder, to be postmaster at Danville, in the State of Pennsylvania.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 10, 1902.

APPOINTMENTS IN THE ARMY.

Cavalry Arm.

Christian A. Bach, at large, late first lieutenant, Thirty-sixth Infantry, United States Volunteers (now second lieutenant, Twentieth Infantry, United States Army), to be first lieutenant, February 2, 1901.

Joseph L. Sanford, of Virginia, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, March 1, 1902.

Edward T. Gibson, of Minnesota, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, February 28, 1902.

POSTMASTERS.

Charles S. Robinson, to be postmaster at Princeton, in the county of Mercer and State of New Jersey.

Chester A. Burt, to be postmaster at Helmetta, in the county of Middlesex and State of New Jersey.

Anna Callahan, to be postmaster at Casselton, in the county of Cass and State of North Dakota.

William F. Gruetzmacher, to be postmaster at Watertown, in the county of Jefferson and State of Wisconsin.

William H. Underwood, to be postmaster at Washington, in the county of Washington and State of Pennsylvania.

Charles Hidden, to be postmaster at Sun Prairie, in the county of Dane and State of Wisconsin.

Elizabeth W. Haseltine, to be postmaster at Swissvale, in the county of Allegheny and State of Pennsylvania.

Charles Koch, to be postmaster at Pitcairn, in the county of Allegheny and State of Pennsylvania.

Peter W. MacKenzie, to be postmaster at Poynette, in the county of Columbia and State of Wisconsin.

I. Newton Taylor, to be postmaster at Mount Union, in the county of Huntingdon and State of Pennsylvania.

Edward C. Dithrich, to be postmaster at Coraopolis, in the county of Allegheny and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 10, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Saturday last was read and approved.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. I am directed by the Committee on Rivers and Harbors to report a bill (H. R. 12346) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and to ask that the same be referred to the Committee of the Whole House on the state of the Union. I desire to give notice that I shall seek to bring up this bill for consideration immediately after the consideration of the Post-Office appropriation bill.

Mr. RICHARDSON of Tennessee. I reserve all points of order on this bill.

The SPEAKER. All points of order are reserved.

The bill was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. HITT. I desire to call up House bill 11471, the consular and diplomatic appropriation bill, which comes back from the Senate with amendments. I ask that the House nonconcur in the amendments and request a conference with the Senate thereon.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the amendments of the Senate to the consular and diplomatic appropriation bill be nonconcurred in and a conference with the Senate requested. Is there objection?

Mr. RICHARDSON of Tennessee. I wish to ask the gentleman from Illinois whether the minority members of the committee have consented to this action?

Mr. HITT. I have not been able to consult with them. The committee has been unanimous on the bill from the beginning. We have taken no steps to which all our members did not agree. I see that the gentleman from Missouri [Mr. CLARK], a member of the committee, is present.

Mr. CLARK. That is all right.

The SPEAKER. The Chair hears no objection, and the order is made as requested by the gentleman from Illinois. The Chair appoints as conferees on the part of the House the gentleman from Illinois, Mr. HITT, the gentleman from Pennsylvania, Mr. ADAMS, and the gentleman from Arkansas, Mr. DINSMORE.

MINORITY VIEWS ON BILL FOR IRRIGATION OF ARID LANDS.

Mr. RAY of New York. Mr. Speaker, late on Saturday last the majority of the Committee on Irrigation of Arid Lands filed their report on the bill (H. R. 9676) appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands. I did not know that the report was to be filed at that time. I ask leave now to file the views of the minority of the committee, that they may be printed.

The SPEAKER. The gentleman from New York [Mr. RAY] asks to file the views of a minority of the Committee on Irrigation of Arid Lands, and that they be printed.

There was no objection.

BRIDGE ACROSS NIAGARA RIVER.

Mr. ALEXANDER. I ask unanimous consent for the present consideration of House bill 10305.

The bill was read, as follows:

Be it enacted, etc., That section 14 of the act approved June 29, 1898, entitled "An act to provide for the construction of a bridge across Niagara River," be, and the same is hereby, amended so as to read as follows:

"SEC. 14. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year from the date of the passage of this act and completed by June 30, 1905."

The amendment reported by the committee was read, as follows:

At the end of the bill add the following:

"*Provided*, That the said act of June 29, 1898, shall continue in full force and effect, as herein modified, notwithstanding said structure was not completed before June 29, 1901."

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. UNDERWOOD. What is the object of extending the time as fixed in the original bill?

Mr. ALEXANDER. This bill simply extends for one year the time fixed for the construction of the bridge. A bill similar to this has passed the House twice.

Mr. UNDERWOOD. This bill does not in any way interfere with that provision of the original bill by which the Government retains the right to amend?

Mr. ALEXANDER. That is not interfered with at all. This bill simply extends the time one year.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed for a third reading, was accordingly read the third time, and passed.

On motion of Mr. ALEXANDER, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS EAST ST. ANDREWS BAY, FLORIDA.

Mr. CLAYTON. Mr. Speaker, I ask unanimous consent for the present consideration of House bill 9332, to authorize the Dothan, Hartford and Florida Railway Company to construct a bridge across East St. Andrews Bay, navigable water, at a point about 1 mile east of Farmdale, in the State of Florida.

The bill was read. It provides—

that the Dothan, Hartford and Florida Railway Company be, and is hereby, authorized to construct and maintain and operate a bridge across East St. Andrews Bay, navigable water, in the State of Florida; said bridge to be located about 1 mile east of Farmdale, in said State.

That said bridge shall be built and located under and subject to such regulations for the security of navigation as the Secretary of War may prescribe.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. CLAYTON, a motion to reconsider the last vote was laid on the table.

STATUE OF BENJAMIN F. STEPHENSON.

Mr. McCLEARY. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution which I will send to the desk.

The Clerk read as follows:

Resolved, etc., That permission be, and is hereby, granted the Grand Army of the Republic of the United States of America to erect a statue to the memory and honor of the late Benjamin F. Stephenson, founder of the Grand Army of the Republic of the United States of America, on one of the public reservations of the city of Washington, D. C., to be designated by the Secretary of War, the Joint Committee on the Library, the superintendent of public buildings and grounds, and the committee of the Grand Army of the Republic appointed by it for that purpose: *Provided*, That the statue, with pedestal, shall cost not less than $15,000, and that it shall be presented to the people of the United States by the said Grand Army of the Republic.

The SPEAKER. Is there objection to the present consideration of House joint resolution 61?

Mr. PAYNE. Mr. Speaker, I would like to ask the gentleman if it is a settled fact in history that the gentleman named in the resolution is the founder of the Grand Army of the Republic?

Mr. McCLEARY. In reply, I would say that the request comes from the officials of the Grand Army of the Republic, and if there is any doubt about it, they ought to be the final authority, or at least the best authority obtainable, far better than I would be.

Mr. PAYNE. I know of one or two other gentlemen—soldiers—who have claimed the distinction of that honor.

Mr. McCLEARY. Historical matters are often matters of controversy, and we can only settle them according to the best authority available. This is the action of the Grand Army of the Republic in its official capacity, and they undoubtedly have considered the testimony, and this is their verdict.

Mr. PAYNE. Of course they ought to know who their founder is.

Mr. GAINES of Tennessee. I would like to ask the gentleman who proposes to erect this monument?

Mr. McCLEARY. The Grand Army of the Republic.

Mr. GAINES of Tennessee. Furnish the money, too?

Mr. McCLEARY. They furnish the money. There is no expense to the United States whatever.

The SPEAKER. Is there objection to the present consideration of the resolution. [After a pause.] The Chair hears none.

There being no objection, the House proceeded to consider the resolution, which was ordered to be engrossed and read a third time, was accordingly read the third time, and passed.

On motion of Mr. McCLEARY, a motion to reconsider the last vote was laid on the table.

HON. JOHN HAY.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I will send to the desk.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the thanks of Congress be presented to Hon. John Hay for the appropriate memorial address delivered by him on the life and services of William McKinley, late President of the United States, in the Representatives Hall, before both Houses of Congress and their invited guests, on the 27th day of February, 1902, and that he be requested to furnish a copy for publication.

Resolved, That the chairman of the joint committee appointed to make the necessary arrangements to carry into effect the resolution of this Congress in relation to the memorial exercises in honor of William McKinley be requested to communicate to Mr. Hay the foregoing resolution, receive his answer thereto, and present the same to both Houses of Congress.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. RICHARDSON of Tennessee. Mr. Speaker, I could not understand what the Clerk read, and I would like to ask the gentleman from Ohio if this resolution has been considered by any committee of the House?

Mr. GROSVENOR. It has not. I would state that it is a copy of the resolution adopted by the House and Senate, both on the occasion of the address by Mr. Bancroft on the death of President Lincoln, and on the occasion of the address of Mr. Blaine on the death of President Garfield. It is simply a formal bringing to the notice of the Committee on Publication the action of Congress in that behalf.

Mr. RICHARDSON of Tennessee. The resolution tenders the thanks of Congress, as I understand it.

Mr. GROSVENOR. It is in the exact form of the former resolutions that I have referred to.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I think it ought to be considered by a committee, and I shall ask that it be referred.

The SPEAKER. The gentleman from Tennessee objects.

RURAL FREE-DELIVERY SERVICE.

Mr. LOUD. Mr. Speaker——

Mr. THAYER. Mr. Speaker——

The SPEAKER. The gentleman from California.

Mr. THAYER. Will the gentleman from California yield a moment? Two or three minutes are all that I ask.

Mr. LOUD. I would suggest that I be recognized. Mr. Speaker, I wish to make a motion.

The SPEAKER. What is the motion of the gentleman?

Mr. LOUD. I move that the House resolve itself into the Committee of the Whole on the state of the Union for the further consideration of House bill 11728.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union, Mr. GILLETT of Massachusetts in the chair, and resumed the consideration of House bill 11728.

Mr. LOUD. Mr. Chairman, I have a request to make regarding the consideration of this bill. The bill contains but one section, but contains quite a number of paragraphs, several paragraphs which I believe are unobjectionable to the great majority of this House. I do not know what the Chair might hold regarding the consideration of this bill, as to whether it will be considered as a whole or by paragraphs, and in order to relieve the Chair from determining that—and it is possible that the point might be made—I ask unanimous consent that the bill may be considered by paragraphs.

Mr. LIVINGSTON. Mr. Chairman, I suggest to the gentleman that that was the order taken, that it should be considered to-day by paragraphs. That is the order, as a matter of record.

The CHAIRMAN. The Chair will refer to the RECORD. The Chair is informed that the agreement was that the bill should be considered under the five-minute rule, and that it was not stated whether it should be by paragraphs or by sections.

Mr. SWANSON. I should certainly prefer myself that it should be considered by paragraphs. As I understand the request of the gentleman, it is that it shall be considered by paragraphs and not by sections.

Mr. LOUD. I will say that I am perfectly indifferent about the matter.

Mr. SWANSON. I should rather have it considered by paragraphs.

The CHAIRMAN. Does the gentleman from Virginia object?

Mr. SWANSON. No, I do not, if I understand the request of the gentleman from California.

The CHAIRMAN. The gentleman from California asks unanimous consent that the bill be considered by paragraphs. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the first paragraph.

The Clerk (proceeding with the reading of the bill) read as follows:

Clerks, 4 classes, graded in even hundreds of dollars, at $900, $1,000, $1,100, and not exceeding $1,200 per annum.

Mr. SMITH of Illinois. Mr. Chairman, I desire to offer the amendment which I send to the Clerk's desk, to come in at the end of the paragraph which has just been read.

The Clerk read as follows:

Insert on page 2, after line 7, as a new paragraph, the following:

"That rural free-delivery carriers heretofore appointed and now in the service may be continued as carriers at a rate of compensation not exceeding $900 per annum, until such time as the Postmaster-General shall advertise for proposals and make awards to the several routes on which such carriers are now employed; and that the Postmaster-General shall not advertise for such proposals or make such awards for any route in operation at the date of the passage of this act until July 1, 1906, or until a vacancy shall occur by reason of the death, resignation, or removal of the carrier who may be serving on any such route at the date of the passage of this act.".

Mr. SWANSON. Mr. Chairman, I raise the point of order against that amendment at this place in the bill. I think it is a proper amendment to paragraph 4, which regulates the appointment and disposal of carriers heretofore appointed. The proper place for that amendment is paragraph 4.

Mr. SMITH of Illinois. Do I understand the gentleman as raising the point of order on the amendment?

Mr. SWANSON. I make the point of order that it is not germane to this paragraph, but that it is pertinent to paragraph 4.

The CHAIRMAN. The Chair will hear the gentleman from Illinois on the point of order.

Mr. SMITH of Illinois. Mr. Chairman, I do not understand that the point of order is well taken. It seems to me that this amendment comes in as properly at this particular place in the bill as later, as it refers to carriers already in the service and who presumably will continue in the service. Under these circumstances I do not see that the point of order is well taken.

Mr. SWANSON. Mr. Chairman——

The CHAIRMAN. The Chair is ready to rule. The Chair is clearly of the opinion that inasmuch as the bill is now being considered by paragraphs, and inasmuch as the amendment offered by the gentleman is expressly covered by paragraph 4, toward the close of the bill, this amendment is germane to that paragraph and not to the paragraph now under consideration.

Mr. SMITH of Illinois. This is offered, I will say to the Chairman, as an additional paragraph, and if adopted of course paragraph 4, as it now appears in the bill, would have to be stricken out.

The CHAIRMAN. It seems to the Chair that the admission which the gentleman has made would indicate quite clearly that this amendment is in order, not to the pending paragraph, but to paragraph 4, because the gentleman says that paragraph would have to be stricken out if this were adopted. The Chair rules that it is not now in order, but that it would be in order when paragraph 4 is reached.

Mr. SWANSON. I desire to offer an amendment.

Mr. LOUD. There is a committee amendment which comes first.

Mr. SWANSON. Oh, yes. I thought that the committee amendment had been read.

Mr. ADAMSON. I should like to move to strike out the last word.

The CHAIRMAN. The gentleman from Georgia [Mr. ADAMSON] is recognized.

Mr. ADAMSON. The gentleman from Virginia [Mr. SWANSON] desires to offer an amendment which is material, and mine is only pro forma.

The CHAIRMAN. The Chair has recognized the gentleman from Georgia.

Mr. ADAMSON. Mr. Chairman, it is not often that I obtrude any remarks upon this House, and I feel that I can afford to have a little indulgence. I have some remarks which will take somewhere between four and ten minutes to deliver. They relate to the transportation and delivery of the mails, and I ask unanimous consent that I may proceed until I conclude my remarks.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that he may proceed until he concludes his remarks.

Mr. LOUD. One moment, Mr. Chairman. The gentleman does not want over ten minutes, does he? I think he ought to ask for not exceeding ten minutes.

Mr. ADAMSON. It will not exceed ten and one-half or eleven minutes.

Mr. LOUD. I object to unlimited time.

Mr. SWANSON. I ask unanimous consent that the gentleman be allowed to proceed for eleven minutes.

The CHAIRMAN. The gentleman from Virginia asks that the gentleman from Georgia may be allowed to proceed for eleven minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAMSON. Mr. Chairman, the authority to establish post-offices and post-roads, exercised by the Federal Government under the Constitution, is one legitimate function capable of benefiting fairly and justly all the people of the whole country. It was designed as a sort of general-welfare establishment in which the citizens of this Republic have constitutionally agreed that a sufficient amount of the public revenues shall be devoted to supplying the necessaries and luxuries of business and social communication.

Discoveries and inventions, the development of our country, the increase of population and commerce, have changed conditions, altered methods, and somewhat confused conceptions of the system, its origin and purposes. No doubt its operation, however rapid in transit or frequent in trips, should properly be limited to conveyance and delivery of written and printed matter. I can not subscribe to the doctrine professed by some honest but misguided people that the system may be properly run by electricity—that we should take over, own, and operate the telegraph and telephone lines of the country.

In like manner, following to its last analysis the insistence of others for parcels post and postal banks, the system would ultimately flounder and perish in the foolish attempt to monopolize the freight, express, and banking business of the country, while deceiving and disappointing the people of the rural districts in the "penny wise and pound foolish" policy of refusing to deliver newspapers and magazines at a cheap rate of postage. More monstrous, if possible, is the fallacy now advocated by "paternalism run mad," that the Government should drive private enterprise from channels already legitimately occupied and misapply public funds to establish a governmental cable monopoly between our own and far distant countries. Government should confine itself to governmental functions prescribed in the Constitution, leaving private enterprise untrammeled to do "its perfect work" and make profits to pay taxes to enable the Post-Office Department to carry the mails to every home in the land.

While the people will not brook extravagant expenditure, they demand the best service which can be obtained, considering local conditions of business and population. It is not feared that the Department will dishonestly or wastefully spend money; but very often it appears necessary to call attention to the fact that the Post-Office Department is not expected to provide revenues to conduct this Government, nor do very many people desire that it should be made even self-sustaining until its benefits have been extended to every region of the Union, as freely, if not as frequently, as to the more advanced communities now enjoying them.

At least until that stage is reached the people are satisfied that the system shall be liberally supported by the public Treasury, and they regard it as unfair to any suffering community to deny it postal facilities on the ground that they would not be self-sustaining. They are prepared to regard with equanimity a deficit in the postal service just as a man with pride and joy applies his income to the promotion and beautifying of his domestic and social relations, and a man would about as sensibly disrupt his family ties on the ground that they were not immediately financially profitable as for Government officials to talk about a deficit in an expanding and largely experimental postal system, designed and agreed upon solely for the convenience, necessity, and luxury of the people in their social, domestic, business, and political relations, upon no other condition than efficient service and honest administration, which imply business acumen enough to require, not that the Government gets back every dollar expended in each venture, nor yet that the people served get exactly the value thereof, but that they receive efficient, agreeable service, suited to their needs, and that the persons rendering the service are paid what their time, service, and talents are worth.

A carrier on a smooth, a short, or a thinly populated route may work less than another on a longer or a rougher or a thickly populated route, yet he must be committed to that work alone to the exclusion of other occupations. He renders all the service required and should have his pay. Population and business fluctuate; many changes occur to vary the conditions of routes. Certain it is that facilities increase business, especially and conspicuously in the postal service. Under the present administration of the prudent and able men in charge of the distribution of the mails no change is needed, except to authorize the expenditure of a greater per cent of our revenues, so as to hasten the glad day when every community within our borders shall enjoy proper mail facilities, through honest and capable service without regard to income from any particular new venture, leaving and reserving to Congress the task of economizing

somewhere else, if necessary, to supply the funds to meet the demands of the service in which the people find the most valuable return for their money.

The rural free delivery has been as well administered as the appropriation therefor would allow. What the superintendent of that division needs is more money to enable him to have all applications acted on, at the same time so liberalizing requirements and conditions as to permit the extension of the system whenever the people desire it. Eventually the Government should and will deliver the mail at the door of every resident on a public road in the United States. The frequency of delivery will properly depend on conditions of population and business. Present regulations insure the appointment of the carrier selected by the patrons if he is competent, which is local self-government. He should not be appointed if he is incompetent, and experience will demonstrate that unfit persons will be rarely recommended.

The charge of partisanship made here is not sustained by my dealing with the division of rural free delivery. If it is true as to the great States whence the charge comes, it is remarkable that Democrats and Republicans from that region do not agree on the subject. Able Democrats demand a change to escape partisanship, while able Republicans demand a like change to escape fair conditions and secure partisanship.

Republicans are usually alert to discern political advantage, and some of them have been called everything else but dull on those subjects. Nor does there appear sufficient reason for the misgivings of some statesmen as to the power and importance of mail carriers as political propagandists. It is not probable that they will in the near future elect a Congress or control one after its election.

At least our friends in the region susceptible to such influence may find comfort in the careful calculation that persons of equal capacity performing identical duties in the same way, whether receiving higher or lower compensation, alike having to be recommended and examined, would not likely have their persuasive powers increased or diminished through the one differentiating feature of submitting competitive bids as to pay. My experience, I confess, may have prejudiced me against the competitive bidding system; but my observation of its operation certainly does not justify me in advocating its extension to other branches of the service.

The present wise, liberal, and honorable Second Assistant Postmaster-General is doing his best to remedy existing evils. I do not want him loaded down with any other contract system until he completes the reformation of that. He recognizes that a faster schedule can be made over a good road than over a bad one, and that good people laboring to develop a new community which is rapidly increasing in wealth and population are entitled to mail facilities to help them in their work. He recognizes that by making schedules as fast as the road will permit and prohibiting speculative, nonresident bidders he can secure direct competent and responsible carriers, who will do the work for what it is worth and secure to the beneficiaries the full service for which the Government pays.

Wherever he makes a new arrangement he improves the service. But many of the old miserable speculative contracts are yet in operation, or rather in existence; they can not operate. I have no word of censure for the original contractors. They did what they were encouraged to do by the Government under a false system. They took contracts at prices inadequate to run the schedules undertaken. If they pay it all to a subcontractor—which they frequently do, or more—they lose. The subcontractor who undertakes the service for a part of the price is utterly unable to do the work.

In the ruin of both original and sub contractor the people are defrauded of any service, the Government is laughed at as the victim of a disgraceful farce, and the people whom the Government pretends to serve are insulted as well as defrauded by the entire combination, unfortunate though it be. Leaving out of consideration the contractors, both original and sub, for whom I have great sympathy, there is an avenue of honorable escape for the Government and a method of relieving the people concerned. Every such contract ought to be immediately revoked and new provision made for prompt and efficient service which will bear such fruit in satisfying the people that stimulated business and social intercourse, always responsive to facilities, will come far nearer repaying the financial outlay than the present abortive pretense of service can ever do.

No system will work exactly alike in all communities. Uniformity is not a prerequisite to welldoing. This is a great country, possessing varied resources, inhabited by a great people of various habits, ideas, characters, and vocations. Exact equality and sameness can not be maintained in all details of administration. But the officials in charge of distributing our mails at present are able, honest, and as nearly exempt from partisanship as is usual with cultivated mortals. If Congress will abstain from any legislation concerning them, except supplying the necessary money, and allow them to proceed with the development of present plans, the Second Assistant Postmaster-General will certainly improve the mail service by railway and star routes, while the First Assistant Postmaster-General and the superintendent of rural free delivery will afford the world a revelation in the value and convenience of a general system beneficial to all the people.

Certainly the qualities of judgment and fidelity in exercising the functions of a postmaster while riding a rural free-delivery route ought not to be subjected to competitive bidding against the mere physical act of transporting the mail. In dealing with the administration of the Post-Office Department all good Congressmen should consider the ancient and holy philosophy: "There is that scattereth, and yet increaseth; and there is that withholdeth more than is meet, but it tendeth to poverty." [Loud applause.]

The Clerk read as follows:

Carriers at not exceeding $600 per annum: *Provided*, That hereafter all mail service on rural free-delivery mail routes shall be performed by carriers designated pursuant to an advertisement inviting competitive bidding, except as herein otherwise provided.

The amendment recommended by the committee was read, as follows:

Strike out lines 8 and 9 down to and including the word "hereafter," in line 9, and insert in lieu thereof the word "Hereafter."

Mr. SWANSON. The committee has the following amendment pending: "Carriers at not exceeding $600 per annum." I desire to offer an amendment to that amendment, and then I shall ask for a vote. I desire to defeat the committee amendment after it is amended with the amendment which I shall offer.

The CHAIRMAN. The gentleman will submit his amendment.

The Clerk read as follows:

Amend by adding at the end of line 8, page 2, the words "including allowance for equipment."

Mr. SMITH of Kentucky. Now let it be read as it will be after amended.

Mr. SWANSON. Mr. Chairman, I will state to the House that in the bill as originally introduced it read, "Carriers at not exceeding $600 per annum." The committee have stricken that out, and put "Carriers to be appointed in the future under the contract system." This amendment leaves it doubtful as to whether any additional allowance shall be made for horse hire and equipment or not. I desire it to be understood that carriers shall be paid $600 and that there shall be no addition to the $600. My amendment is to the committee amendment, which is stricken out. Then after that amendment is adopted I wish to defeat the committee amendment which proposes to strike that out, and leave it so that it will read, "Carriers at not exceeding $600 per annum, including allowance for equipment."

Mr. GAINES of Tennessee. Six hundred dollars a year, with all equipments?

Mr. SWANSON. All that he can get is to be $600. So that there can be no misunderstanding, I want to say that this bill as originally introduced left it in doubt as to whether $600 simply was to be paid as a salary, and that possibly might leave it discretionary with the Department to make an additional allowance. Of course we want that fixed, and my amendment is to make it clear that the salary shall be $600, including allowance for equipment. My amendment will make it read, if it carries, "Carriers at not exceeding $600 per annum, including allowance for equipment."

Mr. GAINES of Tennessee. Just a word. I know exactly what the gentleman from Virginia means, but I believe the language is such that it might be construed as giving to the Department power to pay them extra for equipment. I do not think the gentleman has been happy in the selection of the language to express his intention.

Mr. SWANSON. That is all they are to have for compensation and equipment.

Mr. GARDNER of New Jersey. Why do you employ the word "allowance?" Why not use the language "$600, which shall include horse hire and equipment?" In using the word "allowance" it carries with it the idea that the Department can make an allowance.

Mr. SWANSON. I want to make it clear. You can use any language you want to, but I want it understood that the carrier shall only get $600, including his labor and his equipment.

Mr. SMITH of Kentucky. Make it $600 and he furnish his equipment.

Mr. GARDNER of New Jersey. The word "allowance" might lead the Department to consider that they have a discretion.

Mr. SWANSON. I do not think including horse hire and cart can make it any stronger, but if gentlemen can suggest what would make it stronger I have no objection.

Mr. WILLIAM W. KITCHIN. I want to make this suggestion,

so that there will be no mistake. Suppose the gentleman adds this clause, "and no allowance shall be made for horse hire and equipment."

Mr. SWANSON. If you can make it any stronger, I have no objection.

Mr. ROBINSON of Indiana. Mr. Chairman, I ask that the amendment be reported again.

The Clerk read as follows:

Carriers at not to exceed $600 per annum, including allowance for equipment.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Virginia.

Mr. SMITH of Kentucky. Mr. Chairman, I do not think that the amendment accomplishes the purpose that the gentleman from Virginia intends it to accomplish. I think that the language of the amendment ought to be changed so as to say, "and no other allowance for service or for hire of teams shall be allowed the carrier."

Mr. KLUTTZ. Why not say, "and no other allowance of any kind whatever shall be made?"

Mr. SWANSON. That would be perfectly satisfactory to me.

Mr. BARTLETT. Mr. Chairman, I desire to inquire whether this amendment proposes to amend the bill or to amend the committee amendment. I understood by the reading of the Clerk that it is to amend the committee amendment.

The CHAIRMAN. It is to complete the text before the committee amendment is voted upon. No other amendment has been offered yet.

Mr. HILL. Mr. Chairman, I move to strike out the last word. I desire to state to the members of the House that, believing that the compensation of the rural carriers should be put into the appropriation bill for the year 1903 in accordance with the expressed opinion of the House about two or three weeks ago, that the compensation for that year should be $600, I went to the Department and asked the officers to prepare an amendment which would cover that, and the exact language was given to me that is offered by the gentleman from Virginia, "at a salary not exceeding $600 per annum, including allowance for equipment." Now, that is the language prepared by the Department for the appropriation bill.

Mr. GAINES of Tennessee. But that is the very language you do not want to use.

Mr. HILL. Then the Department does not know what it is talking about,

Mr. GAINES of Tennessee. That language would require the Department to pay for salary and also equipment.

Mr. HILL. Not at all; it is included in the $600.

Mr. GARDNER of New Jersey. Mr. Chairman, I want a moment to call the attention of this committee to the phraseology of that language prepared in the Department, as stated, and to what it means. It is the first language used in any law or proposed law up to this time authorizing the Department to attempt to segregate the salary from the equipment expenses. Now, this committee can adopt the Department language in that amendment if it wants to, but they shall not do it if I can prevent it, and be under a misapprehension as to what it means. It means that the Department, under that language, has the authority, and will exercise it, to say that of the $600 $400 shall be salary and $200 shall be the equipment allowance. Now, does any genius know how to lay down a better basis for them to come into the next Congress and say, "Four hundred dollars a year is a pitiful salary for these carriers;" and when you say, "No; they get six," they will say, "No; that has been segregated; $200 is for equipment allowance and the salary is $400?" Now, it is a fact this amendment was prepared outside of this Chamber, and it has its purpose, and it is well understood that it will accomplish it.

Mr. GAINES of Tennessee. There is no danger of its being adopted.

Mr. SWANSON. Mr. Chairman, so there can be no misunderstanding about it. I think the amendment is all right as it was offered, but I want to withdraw it and offer another one.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. SWANSON. Now, Mr. Chairman, I think I have fixed it so that there will be no misunderstanding about it. It want to state distinctly that that is all I want the carriers to be paid. Now, I offer to amend so that it will read—

Carriers at a salary not exceeding $600 per annuum, and no other or further allowance shall be made to said carriers.

Mr. BARTLETT. May I make a suggestion to the gentleman? If the gentleman will put in there the words "at a salary not to exceed $600, no further allowance shall be made," etc.

Mr. SWANSON. I hope this will satisfy the House. My amendment is to make it so that it will read "at a salary not exceeding $600 per annum. No further allowance shall be made to said carriers."

Mr. WARNOCK. I would like to ask the gentleman if that amendment would not have the effect of depriving the letter carriers from all commissions for issuing money orders and for selling stamps?

Mr. LOUD. They do not get any commission.

Mr. WARNOCK. Do not they get some allowance?

Mr. SWANSON. None whatever.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend the committee amendment, so that it will read:
"Carriers at a salary not exceeding $600 per annum, and no other or further allowance for salaries shall be made to said carriers."

Mr. ROBINSON of Indiana. Mr. Chairman, I want to offer an amendment, and if the language is not better than the one proposed by the gentleman from Virginia I will not present it. I will take his judgment. I move to amend by adding, after the words "six hundred dollars," the words "which compensation shall be in full for all services rendered and equipment furnished."

The CHAIRMAN. Is this offered as an amendment to the amendment?

Mr. ROBINSON of Indiana. Yes, I offer it if the gentleman from Virginia thinks the language is better than his. It is to insert after the words "six hundred dollars" these words: "which compensation shall be in full for all services rendered and equipments furnished."

Mr. SWANSON. I think that language might include something else—repairs or something of that kind. I do not think the language of my amendment can be made any stronger than it is.

Mr. ROBINSON of Indiana. I will submit my amendment for a vote of the committee.

The CHAIRMAN. The gentleman from Indiana offers an amendment which the Clerk will read.

The Clerk read as follows:

Which compensation shall be in full for all services rendered and equipments furnished.

Mr. SWANSON. I make a point of order against that.

The CHAIRMAN. The Chair is of the opinion that the amendment offered by the gentleman from Virginia is not strictly an amendment to the committee amendment, but is a preferential amendment to perfect the text, to which one other amendment may be offered.

Mr. LOUD. If this amendment should be received, would there not ultimately be three amendments?

The CHAIRMAN. Yes; the committee amendment and two preferential amendments to perfect the text, which are always in order.

Mr. ROBINSON of Indiana. If the gentleman from California, who knows the object to be accomplished, will say that he regards the other language as stronger or better to accomplish the purpose, I will withdraw my proposition.

Mr. LOUD. I do not care anything about the amendment. I am only concerned as to where it is leading.

Mr. ROBINSON of Indiana. I do care something about the matter; and I wanted the gentleman's opinion as to whether my amendment would accomplish the purpose we both have in view.

Mr. LOUD. Mr. Chairman, I desire to make a suggestion regarding this amendment. The gentleman from Virginia has come here this morning with an amendment fresh from the Department. Now, if there is any design in it, I do not think there is a member on the floor of the House who knows what the design is. The gentleman from Virginia tells you what he wants. He says, "I want this, and when you have done this, I want that;" and he says he is satisfied that the Department does not intend to make any additional allowance.

I would like to know what his authority is for that statement. The gentleman from whom he gets his information has said in unequivocal language that he never meant to recommend, and never would recommend, an increase of salary for carriers above $400, yet he now recommends $600. What faith can be placed in the word of a gentleman who has testified on at least two separate occasions, as is shown in the record of the report of his hearing before the committee? The language of the bill, if you want to pay these carriers properly, is sufficiently explicit. If you go beyond the language that is used there, you at least mystify the matter.

This is simply a bill providing legislation, and the appropriation bill when it comes before you, if the Post-Office Committee can have its way, will be so safely guarded in reference to the appropriations made that he who runs may read and interpret correctly the meaning.

Now, there are three or four or five different propositions presented here; and I have no doubt that if this question were

discussed fifteen or twenty minutes longer, there would be some more. The gentleman from Virginia has twice receded from his position on an amendment offered here, thereby admitting that he did not know the effect of the amendment he had offered. I say again, the language of the bill fixing the salary at $600 is as explicit as this bill should be.

Mr. SWANSON. Mr. Chairman, I have nothing to say in reply to what the gentleman from California may say in reference to somebody at the Department. I do not know to whom he is alluding as a man who has twice broken his word. When the deficiency bill was up the gentleman from Connecticut [Mr. HILL] stated that he wanted to limit these salaries to $600; and he went to the Department and asked that an amendment be drawn there which they would construe as fixing that limitation. I did not do it.

Mr. LOUD. I should like to ask the gentleman in all sincerity whether the gentleman to whom he refers is afraid that this legislation may get away with him and wants Congress to tie him up so that he can not go beyond the law?

Mr. SWANSON. The gentleman asks me to say something "in all sincerity." I wish to say there is no time when I do not speak "in all sincerity." I am not one who sometimes speaks "in all sincerity" and sometimes does not. I do not know whether the gentleman was making any allusion to myself.

Mr. LOUD. I was referring to the other gentleman.

Mr. SWANSON. I say, "in all sincerity" (for at all times I speak "in all sincerity"), that if any man can show me how the language can be made stronger so as to fix this salary at $600, which some of us think the language introduced by the gentleman from California who introduced this bill does not do, I should like to hear it. Who introduced this bill? The gentleman from California. The bill provided that the salary of the carrier should not exceed $600. It was thought that that language might allow something to be added as payment for horse hire, etc.; so we wanted it understood that when $600 is paid it is to be in full for all allowances, for everything.

The Department thought the word "including" would do that, and they said they would so construe it. They have to construe the language of the bill, and I was satisfied when Mr. HILL told me that the Department did so construe it as including allowance for everything; but there are some members who think it not strong enough, so I was willing to use the strongest language that could be drawn, to fix it so that $600 would include equipment, would include horse hire, would include repairs and horse feed and everything; and I would like to see anybody get anything that is any stronger.

Mr. GAINES of Tennessee. Will the gentleman read his amendment right there?

Mr. SWANSON. I will read my amendment, and I want every man to listen to it and see if this does not fix it conclusively and definitely, so that there can not be the remotest doubt about it. First, however, I want to explain to this House a parliamentary consideration, so that they can understand it. The bill originally introduced by the gentleman from California had this included in it:

Carriers at not exceeding $600 per annum.

The committee decided not to put carriers to be appointed in the future on a salary, so they struck that provision out of the bill as reported from the committee. The proposition before the House now is the committee amendment striking out "Carriers at not exceeding $600 per annum."

It was thought that that language was so ambiguous that the carriers might put in a claim for equipment—for horse hire, for repairs—so the Department wanted it distinctly understood that that $600 included everything. Now, I propose that that provision shall read as follows, if my amendment prevails:

Carriers at a salary not exceeding $600 per annum, and no other or further allowance or salary shall be made to such carrier.

Mr. GAINES of Tennessee. That fixes it at a salary alone of $600. It does not say anything about equipment, does it?

Mr. SWANSON. "No other or further allowance or salary shall be made to such carrier."

Mr. GAINES of Tennessee. I did not hear that.

Mr. SWANSON. There shall be no further allowance for equipment or for repairs.

Mr. RANDELL of Texas. I would like to ask the gentleman if the object of his amendment is to make a uniform salary or a graded salary?

Mr. SWANSON. It is to make a salary not exceeding $600, and where they do not work but three or four hours they can pay them $300. This fixes the limit to which you can go. If the carrier works simply one hour he can get $100.

Mr. SLAYDEN. Who is to determine that?

Mr. SWANSON. The Department, according to the length of time he takes on the route.

Mr. SMITH of Kentucky. I would like to ask the gentleman if he does not think this language will accomplish his purpose more specifically than that he has written.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Kentucky. I ask unanimous consent that the gentleman be allowed additional time so that he may answer the question.

There was no objection.

Mr. SMITH of Kentucky. "No other sum shall be allowed or paid to said carrier for service, hire, or expenses."

Mr. SWANSON. The word "allowance" is a broader term than any other term you can get, and I shall insist on this amendment. [Cries of "Vote!" "Vote!"]

Mr. CANNON. Mr. Chairman, I was not in the committee when the gentleman from Virginia offered his amendment. I understand, however, from his speech, that it proposes to fix the salary of rural carriers at $600, which shall cover the equipment and all expenses and allowances of every kind.

Mr. SWANSON. That is right—not exceeding that.

Mr. CANNON. Not exceeding $600 a year.

Mr. SWANSON. And on short routes they can pay less.

Mr. CANNON. Now, Mr. Chairman, I have given but little attention to this bill, but I want to express the belief for myself that $600 salary to the carrier, when on the average he furnishes his wagon and the two horses that will be necessary and all the equipment, including repairs and maintenance, and covers his 25 miles a day, unless there is a further compensation somewhere or in some way, is not sufficient for an efficient service. [Applause.] I do not believe that an efficient service, on the average, can be given for less than $1,000 compensation, if it covers the wagon and the two horses and the man every week day in the year. Now, this proposes to limit it to $600. Where is the other $400 to come from? If by apt provision you can allow the carrier to be protected in doing an express business or a package business by which he can make the other $400, then he can afford to perform the service. But unless you do by apt provision and administration allow him to do this you but commit a fraud upon ourselves and upon the carriers and the whole people when you fix the total compensation at $600. I should be glad to know from the gentleman whether he believes that this will settle the compensation.

Mr. SWANSON. I am satisfied that $600 will be satisfactory to the carriers. I have heard of no complaints. They are now getting $500. This is an increase of $100, and I have found that most of the gentlemen who want to put the service under the contract system say there will be a very great saving, and say they can get it for less than $600. Those gentlemen have insisted that they can get good service for less than that amount.

Mr. CANNON. I do not believe it. I do not believe this Government can or ought to get this service for less than $1,000 a year, and that $1,000 a year must come either entirely from the Treasury or a portion of it from the Treasury and a portion of it from the package and express business that the carrier can work up for himself. Now, I think any scheme that we enter upon ought to keep that aggregate compensation in view.

Mr. KLUTTZ. Will the gentleman yield for a question?

Mr. CANNON. Yes.

Mr. KLUTTZ. I should like to ask the gentleman if he is not getting satisfactory service on something like a hundred routes in his district now for $600?

Mr. CANNON. I do not know how many routes there are. I do know that I have had frequent applications favoring an increase of salary; and, further, when you pay $1,000 a year in the metropolis for a letter carrier and $850 a year in the smallest city for a letter carrier who works eight hours, and who has no horse nor wagon to keep, I know the man who claims that he can get this service for $600, with all that it means, is either very short-sighted or is not sincere, in my judgment.

Mr. SWANSON. Will the gentleman permit me?

Mr. CANNON. Yes.

Mr. SWANSON. Does the gentleman favor the contract system or the salary system?

Mr. CANNON. I favor the best system, and earnestly and honestly I am a seeker to find the best system.

Mr. SWANSON. The proposition before the House is to let this on the contract system or to fix a salary.

Mr. CANNON. Does my friend contemplate, in addition to the $600, that the carrier on an average will make at least $400 from the public?

Mr. SWANSON. I should like to say to the gentleman that this amendment simply limits what the Government shall pay. There is nothing in this bill which prohibits him from being an express agent. The Department recently issued a rule——

Mr. CANNON. What does it provide?

Mr. SWANSON. Which prohibits him from acting as an express agent and getting additional compensation, but there is nothing in this bill which prohibits it.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. I wish the gentleman could be recognized just a moment further.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. GRIGGS], a member of the committee.

Mr. GRIGGS. Mr. Chairman, I yield to the gentleman from Illinois to conclude, if he has not concluded.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the gentleman from Illinois may conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. I only want to say this, and I do not want to take much time. I think this House and its membership is friendly to the rural delivery service. I think there is no question about that. I think, further, that we want to do the best we can for this service possible. I think, further, that we want to fix this salary at a sufficient amount to make compensation, and I am trying to find out whether $600 will do it. Now, the gentleman says the carriers are prohibited from doing express business.

Mr. SWANSON. By the rules of the Department; not by anything in this amendment of mine.

Mr. CANNON. Well, let us change the rule, if it ought to be changed. In other words, if we fix it at $600 it is idle and foolishness, unless somewhere, by act or proper regulation, the carrier is to get the other $400.

Mr. KLUTTZ. Will the gentleman offer an amendment making it $1,000?

Mr. CANNON. I do not want to offer that amendment unless I knew how to express it. In other words, I want to say that I am for $1,000 compensation, and I am trying to ascertain by gentlemen on the committee and members of this committee, can such an amendment be offered that will give the carriers $1,000, in part from the public and in part from the Government?

Mr. SWANSON. The gentleman can offer that amendment, if he so desires to do, as the bill is before the committee. I want to ask the gentleman as to what he thinks there ought to be paid in salaries by the Government?

Mr. CANNON. To the carrier?

Mr. SWANSON. To the carrier.

Mr. CANNON. A thousand dollars a year, unless we provide so that he can make the other $400 from the public he serves, and there will never be a good and efficient service for any less money.

Mr. SWANSON. Does the gentleman get good service in his district?

Mr. CANNON. It has just started.

Mr. SWANSON. How long?

Mr. CANNON. Only a year, to any considerable extent.

Mr. SWANSON. Has it not been a year or two, and the service satisfactory?

Mr. CANNON. It has just started; a good service. When we brought Mr. Machen before the Committee on Appropriations two years ago, I think it was, he said that it would be $300 a year, and he could get any number of carriers at that. The salary has now been increased to $600. That service is here, and it is here to stay, and to stay at not less than $1,000 a year. And I am for it and say so, although you are for it and not willing to admit it.

Mr. SWANSON. No. The difference between the gentleman and myself is that I can not get him to say whether he is for the contract system or the salary system.

Mr. CANNON. I am for the contract system if it will bring better results. [Laughter on the Democratic side.]

Mr. SWANSON. Why do you think it will bring the best results?

Mr. CANNON. Oh, gentlemen, laugh. After all I had hope, not being upon this committee, without any information, that they might make a proper provision for this service. I have no pride of opinion about it. If I had power to make it the contract system or the salary system, under proper safeguards, I do not know which I would do without further information.

Mr. SWANSON. Does the gentleman think the contract system would cost more than it does now to supply the service?

Mr. CANNON. The contract system to the carrier?

Mr. SWANSON. Yes.

Mr. CANNON. Yes; $1,000.

Mr. SWANSON. You think he would get $1,000 under a contract?

Mr. CANNON. If it is worth that, he will get it.

Mr. SWANSON. I hope you will plead with the gentleman from California and other gentlemen, who state that it would save money to put it under the contract system.

Mr. CANNON. Oh, if the contract system allows the agent to do a package business, he gets some compensation for that. How much, I do not know. If this system allows the agent to do a package business, he will get some compensation, how much, I do not know; but I will enter into the domain of prophecy now and say if you fix it at $600, you will be compelled to increase it to $1,000, unless the Post-Office Department makes regulations which will allow him to gather up the $400.

Mr. SWANSON. Mr. Chairman——

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. GRIGGS. Mr. Chairman, I happen to belong to that unfortunate—if I may use the term—majority of this committee which has proposed to this House the contract system so far as the payment of the rural carriers is concerned. We have been denounced by gentlemen who are opposed to that system as desiring to impose upon the farmer a cheap service in contrast with an expensive service in the cities throughout the country. We have been denounced as being in favor of making hard contracts against the farmer boys and in favor of the city carrier.

Yet the gentleman from Virginia, in proposing his amendment this morning, fixes the salary, in the event that the contract system is not adopted, so that the salary of the rural carrier shall not be increased by allowance or otherwise above $600. I do not go as far as the gentleman from Illinois [Mr. CANNON] on this matter. I believe that an allowance ought to be made, however, for horse hire and for maintenance and equipment. Gentlemen say we would impose a cheap service upon the country. Gentlemen say we are discriminating against people in the country in favor of the people in the city. And yet these very gentlemen insist that under their system proposed by them the law must unequivocally say that there must be no increase over $600 for the rural carrier.

Mr. KLUTTZ. Does the gentleman want to offer an amendment to make it a thousand dollars?

Mr. GRIGGS. No, sir.

Mr. KLUTTZ. Did not the gentleman contend that it was more expensive under a salary than it would be under a contract system?

Mr. GRIGGS. I did.

Mr. KLUTTZ. Then why does the gentleman argue that $600 is too small a salary?

Mr. GRIGGS. It shows the inconsistency of the gentlemen who oppose the contract system.

Mr. KLUTTZ. I think the gentleman is showing his inconsistency and the inconsistency of the gentlemen on the other side.

Mr. GRIGGS. I am glad that the inconsistency of gentlemen is not always dependent upon the opinion of my friend from North Carolina. Mr. Chairman, I was going on to say that in either event the fixing of the salary for carriers shows what the Post-Office Committee of the House has insisted upon all the time, that the diversity in districts in different parts of the country will demand different salaries. One route can be carried for one sum and another for another, and yet it would be impossible for the Post-Office Department to agree upon any regulation that would fix different salaries in different sections.

In a country without hills, in a level country, a route might be carried for less than $600. In a hilly country, with rough roads, it might cost more than $600. The position of the opponents of the contract system here this morning but clinches the position of the Post-Office Committee on that question. We assert that under the contract system the service and pay for it could be regulated to fit the different districts and different sections and different routes throughout the United States without any discrimination.

Mr. GAINES of Tennessee. Could not you do it under the law as it is now?

Mr. GRIGGS. No.

Mr. GAINES of Tennessee. In a hilly country they could shorten the route and do it. Down in my country they make it 18 miles if it is a rough, hard road.

Mr. GRIGGS. All I have to say in reply to that is that if the gentlemen who talk about frauds in the star routes will open the door to do this, they will open the door for fraud wider and bigger than any ever was opened to fraud in the United States in the history of our legislation.

Mr. CANDLER. Does the gentleman from Georgia believe that under the contract system you could secure efficient service for less than $600?

Mr. GRIGGS. I think some routes could be carried for less than $600.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. GRIGGS. I ask unanimous consent, Mr. Chairman, for five minutes more.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that he may proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GRIGGS. Now, Mr. Chairman, in reply to the question of my friend from Mississippi, I say that some routes can be carried for less than $600 and others may cost more. But my friend

from Mississippi must realize that whenever a maximum salary is fixed by Congress, the Department will pay the maximum salary everywhere in all districts, in all the States, on all of the routes.

Mr. CANDLER. Do they not regulate it now in the Department by making some routes shorter, and paying for a route of 15 miles $400; a route of 20 miles, $500, and 25 miles, $600?

Mr. GRIGGS. I will say that after being six years on the Post-Office Committee, and keeping a close watch on these things, I never heard of a difference of salary in the rural free delivery until this debate came up in the House.

Mr. CANDLER. The Department publishes it in the regulations.

Mr. GRIGGS. In my district there is the same salary for every carrier on every route, and I presume a like condition prevails elsewhere in the United States. They do have what they call half routes, if my friend will permit me. These carriers carry the mail one day, and then the next day they omit it; and then carry it the next day, making an every-other-day service. They have routes like that, but as far as a route of 15 or 10 miles is concerned, I never heard of it until the debate began on this bill.

Mr. BARTLETT. The rules and regulations in my country do not permit a route for less than 20 miles.

Mr. GRIGGS. Under the rules as submitted to us and as carried out—and I presume in every other district it is the same, as my friend from Georgia says—no route can be established unless it comes up to the rules and regulations which say there must be 100 families and the route must be at least 20 miles long.

Mr. OTEY. Does not the Post-Office Department say in its regulations that upon a route of 15 miles long $400 shall be paid?

Mr. GRIGGS. I have never seen such a regulation.

Mr. CANDLER. I have read it in the regulations.

Mr. GRIGGS. It must be a new regulation.

Mr. CANDLER. No, I read it a year ago—last summer. It is provided that for 15 miles the pay shall be $300; for 20 miles, $400; for 25 miles, $500, and since then the new regulation allowing $600 has been made. There has been an increase allowed of $100 for each 5 miles of travel. That is the regulation of the Department.

Mr. GRIGGS. Then it has never been put into effect in the Second district of Georgia.

Mr. CANDLER. In your district have you had any difficulty in getting carriers at the present salary, $500, and do you believe there will be any difficulty of that kind in the future?

Mr. GRIGGS. We have been able to get them all along.

Mr. CANDLER. And I presume there have been more applications than you could satisfy.

Mr. GRIGGS. All I am trying to show is that the Post-Office Committee are not the only people in the United States who favor a cheap service.

Mr. LATIMER. Will the gentleman allow me a word? If we are trying to arrive at the most equitable method of payment possible for these carriers, why should we not put the compensation on the basis of $25 a mile? Then for 32 miles the pay would be $800; for 24 miles, $600. This would provide for short routes now in existence. In my district there are a great many routes of 19, 20, 21, 28, or 31 miles. If we fix the pay at $600, the carrier who travels 31 miles gets only $600, and the carrier traveling only 19 miles gets just as much. I think, therefore, that the most equitable proposition that can be made is to fix this pay upon the basis of $25 a mile. In that way the rate of pay can apply equitably to short routes and long routes, to routes in mountainous or in level parts of the country, to routes where the roads are bad or routes where they are good.

Mr. GRIGGS. The gentleman must remember I have only one minute more.

The CHAIRMAN. Half a minute.

Mr. GRIGGS. There are various methods of computing the service of the carriers on these different routes. The mileage basis, I admit, seems to be an equitable one. But if you are to adopt a rule exactly equitable, the compensation ought to be based upon the number of hours required to go over the route, because——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRIGGS. I ask unanimous consent to finish my sentence.

The CHAIRMAN. The gentleman asks unanimous consent that his time may be extended for one minute. Is there objection?

Mr. HILL. I will not object if we can take a vote when the gentleman has concluded his remarks. I make the point of order that the debate on this amendment has been exhausted long, long ago.

Mr. BARTLETT. I ask that the request of my colleague [Mr. GRIGGS] be put.

The CHAIRMAN. The gentleman from Georgia [Mr. GRIGGS] desires one minute more.

Mr. HILL. I will withdraw my point of order to allow the gentleman to finish his sentence.

The CHAIRMAN. The Chair hears no objection.

Mr. GRIGGS. Do I understand, Mr. Chairman, that I have the floor?

The CHAIRMAN. For one minute.

Mr. GRIGGS. The mileage basis of pay would be very equitable provided all the routes throughout the country were exactly similar; but some routes are hilly, some level, some rough, some smooth; some have macadamized roads, some have mud roads. Therefore I do not think the mileage basis, if applied throughout the country, would be equitable. Compensation based upon the time required to go over the route would be the only equitable system, and if some gentleman would offer an amendment like that he would probably find some of us who are against the salary system supporting his amendment.

A MEMBER. And even that system would not be absolutely equitable.

Mr. GAINES of Tennessee addressed the Chair.

Mr. LIVINGSTON. I make the point of order that debate is exhausted.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GAINES of Tennessee. I move to amend by striking out the last word. Mr. Chairman, I desire to reply to some of the questions of the gentleman from Illinois [Mr. CANNON] propounded to the gentleman from Virginia [Mr. SWANSON] on the question of salary and an efficiency of the service under the rural service at $600 per annum.

Mr. Chairman, even at $500 the Department has had numerous petitions from persons who wanted to be employed as carriers on rural routes already established or about to be established in my Congressional district. I have had, and the Department has had, no trouble in getting intelligent, capable, honest farmers, or country boys to carry the mail under the rural system over the hills, across the mountains, across the Cumberland River, indeed, throughout my great and historic district, at $500, or at the salaries that have heretofore existed.

I have received no complaint from them of the salaries they have been receiving. The service has been entirely satisfactory in this respect, and I have heard of no other kind of complaints that have not been easily remedied since June, 1900, when the system was begun in my district. Let us compare now the rates received under the old star-route contract system that are still in existence and the new star-route contract system that began about a year ago, which requires the carrier to live on the route he carries, and the rates or salaries paid to the rural carriers. Here are the official figures, and no one denies that the old and the new star route have been and are still clamored for as business or paying investments. What do the official figures show we are paying under the three systems?

We pay under the "old star route 3.83 cents per mile traveled;" under the "new star-route contract we pay 5.72 cents per mile traveled," an increase of "0.68 cent, or 13 per cent," while we pay the rural carrier per mile per year, or 313 working days, traveling 25 miles a day, or 7,825 miles annually, the sum of 0.0767 cent, making a difference of less than 2 cents more for the rural service than for the new-contract star-route service.

Mr. LOUD. I will state, for the information of the gentleman, that the average is less than 22.

Mr. GAINES of Tennessee. I am taking the average as 25 miles, the usual number of miles to each rural route. The routes are laid off as near as can be to 25 miles in length, the aim being to get 125 people on each route. The figures which I have used are official. You can find the amounts paid for the star-route service which I have stated at page 209 of the Postmaster-General's report for 1900, while the calculation as to the rural route anyone can make, which shows that we pay 1.95 more per mile for the rural service than we do for the new contract service which shall hereafter obtain in the star-route service.

So there must be something more meritorious in the rural system than in the new star-route contract system, because there is very little difference between the salaries paid in the two services. We find no fault of the rural service, and we do of the contract service. As I stated here a few days ago, there were 2,600 defalcations in the contract system, about 700 in one month, in 1900 and 2,900 last year. In addition to this direct monetary loss—because the bonds sued on in these defalcations proved to be practically worthless—we have under the contract system a bad service, at least an inadequate service, that is unsatisfactory, while the rural service meets the demands of the farmer.

There seems to be no trouble to get contractors under the contract system at about 5½ cents per mile, but we do get an unsatisfactory service, and we have had, and I can not see that we will have any trouble to get carriers under the rural service at about 7 cents per mile, but we do get a satisfactory service.

Let us see how many rural carriers we have. On the 15th of

February we had 7,155; on March 15 we will have 545 more; on April 1, 326 more; on April 15 we will have 16 more. These figures are official. I procured them yesterday. This does not look like we can not get rural carriers at $600, does it? In addition to this, there are now pending 7,413 petitions for the rural service, while 1,010 cases have been refused. There have been over 16,000 applications for this service.

So it would seem ridiculous to state that we can not get in the future a splendid rural service all over this country at the rate of $600 a year.

I do not object, in fact, I favor letting the carriers take bundles, etc., and receive compensation just as any other carrier under such regulations as the Department or as Congress may make. The carrier can make an extra honest penny this way without, I think, interfering with his official duties. He is deprived now of this privilege, I am told, by some departmental rule. But Congress can override this rule and give the carrier this right. I shall favor such an amendment to this bill. The Postmaster-General gives the star-route carrier the right to carry freight, and I see no reason why the rural carrier should be denied the privilege.

Under the present system the Postmaster-General has varied the salaries paid according to the services rendered. In a short route he has paid a small salary, commensurate, it seems, with the service rendered. He has increased it where the travel is hard, over mountains, or in river countries. The service, or rather the salary, has been based upon, it seems, the kind and amount of service and not so much upon the miles traveled. Both, however, can be and should be considered in adjusting the question of salaries.

Mr. SIMS. Will the gentleman permit a question?

Mr. GAINES of Tennessee. Yes; certainly.

Mr. SIMS. This is a practical question. I am not seeking to involve my friend in anything. Suppose the carriers in the country parts of your district request an increase of salary equal to the city carriers, would you not vote for it?

Mr. GAINES of Tennessee. With the present lights before me, I believe they will be satisfied and will make money at the rate of $600 a year, and will give us a splendid service. Otherwise they would not accept or remain in the service. I have had no complaints at a $600 salary. The service may be worth more and when it proves to be and the matter is shown to me by petition or evidence, why then it will be time enough for me to decide as to whether or not I would vote to increase it. I have implicit faith in the honesty, the patriotism, and the good citizenship of the country people, and I do not believe that they would insist as a body upon unnecessary salaries or anything else unnecessary for their welfare.

I am the farmer's friend; I have stood by him and aided him in his just and legitimate demands, and I shall continue to do so, and I shall continue to support all measures that tend to alleviate the adverse condition that naturally surrounds him; and I want to say here that I utterly repudiate the accusation that the farmers or rural carriers will resolve themselves into an "army" and march here, or inveigh against Congress by petition or letter or otherwise, and make unrighteous, unjust, or unnecessary demands upon Congress in reference to this rural service.

They have made demands on Congress, and they did it by petition, as they had the right to do. And some of their demands have been granted. But the relief came as the petitions did—legitimately, in decency and order. No one was hurt. Congress was not terrorized. Why, then, with such a record as this, knowing the farmers as we do, should we fear them? Why should we not trust them? Why discredit their good citizenship, their good morals, their high and patriotic purposes? For one I do not and I shall not.

But suppose they do petition Congress. Suppose everyone that we shall appoint or that is appointed will do so, the outside estimate of the total number of carriers that will take the place of each and every one of our star-route contracts will be from forty-five to fifty thousand. Will they demand a higher salary than the star-route contractors? They are already receiving nearly 2 cents more per mile than the contractors, and we see that there are thousands who are glad to get the job, and many of them have served for over two years—some since 1896—and they have not resigned, and but few die.

Again, the rural service is reaching out to supply a daily mail service to 21,000,000 farmers or country people. The Department informed me—that is, Mr. Machen—yesterday that they had figured the cost to serve each one of this 21,000,000 with a daily mail under the rural system at a gross cost of 75 cents per capita; that is, we would pay to serve these 21,000,000 $15,750,000. This sum, he further stated, was to be credited with the "savings" from the discontinuance of star-route contracts and post-offices and increased revenues from the rural system.

The increase from the rural system last year was 11 per cent, while there has been an annual gain under this system of from 8 to 10 per cent. Under the nondelivery Presidential offices the gain has been 3½ per cent and in the strictly rural systems 2½ per cent. The Postmaster-General states that last year there was a saving of $173,404.41 from discontinued star-route contracts and $120,221.43 from post-offices discontinued, making a "saving," as he said, of $293,625.84.

Last year, then, we had to credit the output for the rural service $293,625.84, an increased revenue to the amount of 11 per cent and a splendid and satisfactory service to the farmer. The Postmaster-General says in his last report that under the free-delivery system in cities we are serving 32,000,000 people at a cost of 50 cents each per annum; that on July 1 last we had 866 cities thus served with two mails per day collected by 16,389 carriers, and we paid about $15,000,000 for the service, or perhaps a little more, while our rural output for our postal service was nearly $119,000,000—the revenues nearly $112,000,000.

So to serve 32,000,000 of our people we paid this amount—$15,000,000—while to serve the country people, numbering 21,000,000, we will pay about the same amount, to wit, $15,750,000, less the increased revenue and the saving from star routes and post-offices discontinued. Is it but just and fair, if we can do this for the country people, that we should do so? We are serving now in the country about 3,500,000 people with about 7,700 rural carriers, and no member of this House opposes this country service.

Some fear it will cost too much. The official figures which I have shown do not support this contention. And even if it did, we should not despoil the system by placing it under the star-route service that is so objectionable and unsatisfactory. Then, why discriminate against the country people, who support the cities which have free delivery, or the towns which have a convenient service, though not free? Can the cities do without the support of the country? No; they never will. The interests of the two peoples are mutual. The success of one is felt by both; so are the reverses.

Last year the star-route service cost $5,204,416.86, and still the farmers were dissatisfied, and naturally so, because the service was uncertain—unsatisfactory—and a great body of the farmers were not reached daily. Last year we had 22,797 star routes, with a total length of 267,357 miles. The annual travel necessary to perform service over these routes amounted to 134,404,541 miles. Multiply this number by 7 cents, the rate per mile to the rural carriers, and we get what the cost to the Government would be gross when the star-route service is entirely succeeded by the rural service, the amount being $9,408,317.87.

I take it for granted that the departmental or clerk hire and incidental expense will be about the same under the contract service turned into a rural service as under the rural service as it now exists. So this expense is a stand-off, we can say.

We then see that by paying 75 cents gross per capita to serve 21,000,000 people (that are now in part served or insufficiently served, certainly unsatisfactorily served, under the star-route service) they would be satisfactorily served by the rural service at a gross cost of $15,000,000. This sum is to be credited as is shown by the increased revenues of the rural service and the saving from the star-route service, which we see costs over $5,000,000 annually, and certainly this sum is to be credited by the output saved by the discontinued star-route services and post-offices succeeded by the rural service.

So, assuming that these figures are correct—and my calculations each are based upon official figures—the expense of the rural system, when it partially succeeds the star-route service, or when it entirely succeeds the star-route service, need not scare us from undertaking to perpetuate the rural system in a safe and satisfactory manner, which seems to be the case as it is now.

It can be changed and improved from time to time, and doubtless will be done. It is a new system with us. It is in its infancy. It will doubtless be perfected from time to time, but with the evidence before me, I can not see now my way clear to abandon a service so satisfactory and beneficial to the farmer by substituting the contract system, that has heretofore proven so unsatisfactory both to the Government and to the patrons of the same. It has doubtless been used for political purposes, which is wrong, but should we destroy this system, deny the farmer, for that reason? No. But we should legislate against such abuses and restrain and restrict such abuses as far as possible, which I hope will in the future be done. Now that it is placed under the civil-service laws, we have it placed on the statute books.

Mr. BROMWELL. Mr. Chairman——

The CHAIRMAN. The gentleman from Ohio.

Mr. LIVINGSTON. I make the point of order that the debate on this amendment is exhausted.

The CHAIRMAN. The gentleman from Tennessee makes a pro forma amendment.

Mr. LIVINGSTON. That amendment has been withdrawn by the gentleman from Tennessee.

Mr. BROMWELL. No; it has not, and it is not going to be until I get through. I am speaking to his amendment. Mr. Chairman, for the information of the House—because I do not believe one member out of fifty in this House has read the hearings before the Post-Office Committee, in which Mr. Machen testified—I want to read a portion of what occurred in those hearings.

I want to read a portion of these hearings for your benefit. The question was asked by the chairman of the Post-Office Committee of Mr. Johnson, the First Assistant Postmaster-General:

You have gone from $300 to $400, and now from $500 to $600, in three years. What evidence have you now that $600 is adequate?

Mr. Johnson replied:

Because we have gotten along reasonably well with $500.

The CHAIRMAN. You tell me that they are resigning at the rate of 8 a day, or 2,500 a year. Do you think $100 additional would be so much more that it would keep them in the service?

Mr. JOHNSON. I think so. That seems to be about the estimate we have from all sources.

The CHAIRMAN. Whom do you get your estimates from?

Mr. Machen answered:

Last August the Postmaster-General issued an order which practically debarred the rural carriers of any perquisites that they were accustomed to get before that.

The CHAIRMAN. What perquisites—prohibiting them from doing anything else?

Mr. MACHEN. From acting as agents for express companies, and such things.

Now, I want to read the next paragraph particularly, for the purpose of vindicating Mr. LOUD'S position in this matter:

The CHAIRMAN. Then let me say to you that $600 is not an adequate salary and I would not advocate it. If a man shall devote his whole time to the service of the Government, furnishing a horse and cart, which will cost him about $250, I say $600 is not enough. I don't believe any Government official, knowing the facts in the case, should come here and urge Congress to enact legislation that will give a man a salary of not more than $850 a year net for all of his time. I am surprised that you can do that.

The First Assistant Postmaster-General replied:

Throughout many country districts they won't earn any more than that.

And Mr. Machen added;

These same fellows will get $3, $4, or $5 a week in a country store, and work much longer hours.

The chairman of the committee [Mr. LOUD] remarked:

Why, some one told me the other day that we were getting schoolmasters and such high-class men as that to perform this service.

Mr. JOHNSON. Through Tennessee they tell us that a good many schoolmasters are employed as rural carriers, and in the New England States also.

The CHAIRMAN. Congress will not say to all these men: We want you to devote your time exclusively to our service for $850 a year, net. Such a proposition is not worthy the consideration of men. I am pretty emphatic in that, and I have been regarded as a close figurer on salaries. I am surprised that any Government official should advocate it, $850 salary for a man to do this work, devoting all of his time.

Mr. MACHEN. In most cases we will get men that own their own farms, that have their own horses, or if they are school-teachers they have their horses, and they can afford to do this work with the equipment that they already have much cheaper than a man who has to go to a livery stable and hire a horse, or buy one and go into the business of running this route.

The CHAIRMAN. You will not deny, Mr. Machen, that, taking the country as a whole, the keeping of sufficient horses to perform this work, and the wagons, and the maintenance of the horses, will average at least $225 a year?

Mr. MACHEN. Not in the country. I will keep horses in Washington in my stable for $8 a month for feed.

The CHAIRMAN. Well, the horses have to be curried and fed and taken care of, and the wear and tear on the horse, and the interest on the money invested——

Mr. Machen interrupted to say:

They all feed their own horses; they have the feed on the farms.

Mr. SWANSON. The school-teacher, on the average, gets about $35 a month in my State.

Mr. GRIGGS. What is the average pay of a school-teacher in California, Mr. Loud?

The CHAIRMAN. Fifty or sixty dollars a month; not less than fifty for women.

Mr. GRIGGS. I doubt if the average is over $40 a month for the United States. Now, the horses don't cost over $60 or $75 apiece; you can get them in Georgia for that.

Mr. MACHEN. I do not think it costs the carriers in Carroll County who own their horses $150 per annum.

The CHAIRMAN. You have the sworn statement of Mr. Hill that the care of a horse costs $300 a year. All of those items he presented in a sworn statement regarding the conditions in the State of Connecticut. Your salary must be adequate for the maximum man. If a man can work in Georgia for $200 a year, he must necessarily have $700 or $800 in the State of Massachusetts, or in Connecticut or Illinois, or in other higher-priced sections of the country. Will not the man in Georgia demand as much salary as the man in Connecticut?

Mr. MACHEN. That same condition applies to other service. Nobody will contend that it costs as much to live in Toledo Ohio, as it does in New York, the salary being the same in each case.

The CHAIRMAN. You make a distinction on the size of cities. You can not make any distinction here, because that ought not to cut any figure. You can not say that a man in Connecticut shall get $600 a year, and that a man in Georgia shall get $400. You must pay the maximum salary.

Mr. MACHEN. That is right; you must fix one salary for the whole country.

Mr. GRIGGS. Twelve and one-half per cent on the cost of horse and wagon would pay for wear and tear.

[Here the hammer fell.]

Mr. GAINES of Tennessee. I withdraw the pro forma amendment.

Mr. SWANSON. Mr. Chairman, I move that all debate on this amendment be closed.

The CHAIRMAN. The gentleman from Virginia moves that all debate on this paragraph be now concluded.

Mr. CANNON. Is that on the gentleman's amendment?

The CHAIRMAN. This is on the paragraph and amendment.

Mr. SHAFROTH. I will ask the gentleman not to do that. This is an important question, whether we shall enter into the contract system or shall continue the salary system.

Mr. SWANSON. I make the point of order. I shall insist on closing debate. We have had a week's debate and there has been ample time to discuss it.

Mr. SHAFROTH. We have not been discussing the amendment for a week.

The CHAIRMAN. The gentleman from Virginia moves that all debate be closed on the paragraph and amendment.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. SHAFROTH. Division, Mr. Chairman.

The committee divided; and there were—ayes, 73; noes, 49.

So debate was closed on the paragraph and amendment.

The CHAIRMAN. Without objection, the pro forma amendment offered by the gentleman from Tennessee will be withdrawn.

Mr. CANNON. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CANNON. Is it now in order to move an amendment to the amendment offered by the gentleman from Virginia, fixing the salary at $1,000?

The CHAIRMAN. The amendment of the gentleman from Virginia, if the Chair recollects it aright, does not fix the salary at $600, but simply decides that it shall include allowance, if the Chair is correct. After that amendment is disposed of, it will be in order to move to change the amount.

Mr. CANNON. Then there will be an opportunity hereafter when that amendment can be offered.

The CHAIRMAN. There will be an opportunity after the vote is taken on the amendment offered by the gentleman from Virginia.

Mr. ROBINSON of Indiana. Mr. Chairman, on the substitute that I presented, if I may have unanimous consent, I desire to make a request concerning it. It is simply a matter of interpretation or the artistic form of the language, and I ask unanimous consent to withdraw the substitute for the amendment offered by the gentleman from Virginia.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that he may withdraw the substitute which he offered for the amendment of the gentleman from Virginia. Is there objection? [After a pause.] The Chair hears none, and the substitute is withdrawn.

Mr. CANNON. I ask that the amendment as it is now be read.

The CHAIRMAN. Without objection, the amendment as it now is will be read.

The Clerk read as follows:

On page 2, line 8, insert after the word "at" the word "salary;" also after the words "per annum" in line 8, "and no other or further allowance shall be made to said carrier."

Mr. CANNON. So that the amendment if it is adopted will read as follows.

The CHAIRMAN. The Clerk will read it as if adopted.

The Clerk read as follows:

Carriers at salaries not exceeding $600 per annum, and no other or further allowance or salary shall be made to said carriers.

Mr. CANNON. Now, I offer an amendment to the amendment, if it is in order now.

The Clerk read as follows:

Strike out the words "six hundred" and insert "one thousand."

The CHAIRMAN. The Chair on first blush is of opinion that it will not be in order now, because the gentleman's amendment leaves the text exactly as it now is in that respect and simply amends it in other respects, and it will not change that phase of the bill. The amendment which the gentleman from Illinois desires would be in order after the one of the gentleman from Virginia has been voted upon. The question is upon the amendment which the Clerk has reported.

The question was taken, and the amendment agreed to.

Mr. CANNON. Now, Mr. Chairman, I move to strike out "six hundred," as the text is now left by the amendment of the gentleman from Virginia, and insert in line 8 the words "one thousand."

The CHAIRMAN. The gentleman from Illinois moves to strike out the words "six hundred" and insert the words "one thousand."

Mr. TOMPKINS of New York. Mr. Chairman, I rise to offer an amendment to the amendment. My amendment is to substitute the words "eight hundred" for the words "one thousand;" so that it will read "eight hundred" instead of "one thousand."

The CHAIRMAN. The gentleman from New York offers an amendment to the amendment of the gentleman from Illinois by inserting "eight hundred" instead of the words "one thousand."

Mr. MAHON. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MAHON. Is this debatable?

The CHAIRMAN. It is not debatable.

The question was taken on the amendment to the amendment, and it was rejected.

The CHAIRMAN. The question now is upon the amendment offered by the gentleman from Illinois, substituting for the words "six hundred" the words "one thousand."

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. CANNON. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 25, noes 107.

So the amendwent was rejected.

The CHAIRMAN. The question now is upon the committee amendment.

Mr. HILL. A parliamentary inquiry. As I understand the question now, it is this: This amendment on the part of the committee strikes out the whole clause relating to salaries, so that those who want to vote to fix the salary system will vote no on this amendment, and those who want to vote for the contract system will vote aye——

Mr. LOUD. I raise the point of order against gentlemen debating the question.

Mr. HILL. Am I right?

The CHAIRMAN. The question is upon the adoption of the committee amendment, which is to strike out the words which have already been amended by the amendment of the gentleman from Virginia and insert the word "hereafter."

Mr. FLEMING. Mr. Chairman, I desire to offer an amendment to that section as amended now by the vote taken on the amendment of the gentleman from Virginia.

The CHAIRMAN. That is in order.

The Clerk read as follows:

But carriers shall not be prohibited from doing an express-package business, provided it does not interfere with the discharge of their official duties.

The question was considered, and the amendment was agreed to.

Mr. LATIMER. Mr. Chairman, I want to move an amendment to the amendment by striking out the words "six hundred dollars" and inserting the words "twenty-five dollars a mile." I want to say to the House——

The CHAIRMAN. Debate is exhausted on this paragraph. The gentleman moves to amend by striking out the words "six hundred dollars" and inserting in place thereof the words "twenty-five dollars a mile."

The amendment was considered, and rejected.

The CHAIRMAN. The question is now on the committee amendment.

The committee amendment was considered, and rejected.

Mr. LOUD. Now, Mr. Chairman, I would like to know how that paragraph stands. [Laughter.]

The CHAIRMAN. The committee amendment was rejected.

Mr. LOUD. And so no salary is fixed?

Mr. SWANSON. Oh, yes; the salary is $600, and no further allowance can be made. A parliamentary inquiry, Mr. Chairman. The committee moved to strike out of the bill the words "carriers at not exceeding $600 per annum." Before the motion to strike out was put, I offered a further amendment that no further allowance should be made, etc.

The CHAIRMAN. The Chair will state his understanding of the situation. The bill stands exactly as originally reported by the committee and as printed.

Mr. SWANSON. With the amendment adopted by the committee?

The CHAIRMAN. Certainly.

Mr. UNDERWOOD. Mr. Chairman, in order that there may be no misunderstanding as to how the bill now stands, I ask unanimous consent that the Chair instruct the Clerk to read the paragraph to the committee as it now stands.

The CHAIRMAN. The Clerk will read the paragraph as amended.

The Clerk read as follows:

Carriers at a salary not exceeding $600 per annum, and no other or further allowance or salary shall be paid to said carriers, and the carriers shall not be prohibited from doing an express-package business, provided it does not interfere with the discharge of their official duties: *And provided*, That hereafter all mail service on rural free-delivery mail routes shall be performed by carriers designated, etc.

Mr. HILL. Mr. Chairman, I move to strike out the proviso succeeding the amendment, which is contained in lines 9, 10, 11, and 12 on page 2.

The CHAIRMAN. The gentleman from Connecticut will either repeat his amendment or submit it in writing.

Mr. SWANSON. Mr. Chairman, before we proceed further I want to submit an amendment at the proper time.

The CHAIRMAN. The gentleman from Connecticut has offered an amendment.

Mr. HILL. Would it be proper, Mr. Chairman, to move to strike out the next paragraph on the rest of the page and the top of page 3, or can I only move to strike out the paragraph that has been read?

The CHAIRMAN. The only paragraph before the House is the one that has been read.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut may be allowed to include in his motion all that portion of the bill that refers to the contract service, because that is the proposition before the House, and there is no necessity for taking half a dozen votes upon the same subject.

Mr. LOUD. The gentleman can not get unanimous consent to do that. We have plenty of time. The Clerk will read the amendment proposed by the gentleman from Connecticut.

The Clerk read as follows:

Amend by striking out lines 9, 10, 11, and 12 on page 2.

Mr. LACEY. Has that paragraph been read, Mr. Chairman?

Mr. HILL. It has.

The CHAIRMAN. The gentleman from Connecticut moves to strike out lines 9 to 12, inclusive, on page 2.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. LOUD. I demand a division, Mr. Chairman.

Mr. LACEY. Mr. Chairman, a parliamentary inquiry. As I understood, we were considering down to the words "per annum." I have an amendment that I desire to offer to lines 9, 10, 11, and 12.

The CHAIRMAN. If the gentleman from Iowa has an amendment to those lines, it will be in order before a motion to strike out.

Mr. LACEY. I did not understand that debate had been closed on those lines.

The CHAIRMAN. The paragraph extends down to the end of line 12, and debate has been closed on the paragraph.

Mr. LACEY. I do not want to offer my amendment unless I have a chance to say something about it.

The CHAIRMAN. The gentleman from California demands a division of the vote on the amendment offered by the gentleman from Connecticut.

The committee divided; and there were—ayes 97, noes 40.

So the amendment was agreed to.

Mr. HILL. Now, Mr. Chairman, I ask unanimous consent to strike out all the remainder of the bill down to line 19, page 3.

Mr. LACEY. I object, Mr. Chairman.

Mr. PADGETT. I desire to offer an amendment to the paragraph as it stands.

The CHAIRMAN. The paragraph has been struck out.

Mr. PADGETT. But I believe the first clause was left. To that part of the paragraph I offer the amendment which I send to the desk.

The Clerk read as follows:

That hereafter all honorably discharged ex-Confederate soldiers shall have the same privileges and preferences of employment as rural free-delivery mail carriers as are now, under existing law and regulations of the Post-Office Department, accorded to honorably discharged Union soldiers.

Mr. BROMWELL. I would like to amend that by inserting, after "ex-Confederate soldiers," the words "and colored men."

A MEMBER. They can become carriers under the contract system. [Laughter.]

Mr. HILL. I move to lay both amendments on the table.

The CHAIRMAN. That motion is not in order in Committee of the Whole. The question is on the adoption of the amendment of the gentleman from Ohio [Mr. BROMWELL] to the amendment of the gentleman from Mississippi [Mr. PADGETT].

Mr. PADGETT. I desire to speak on my amendment.

The CHAIRMAN. Debate has been exhausted.

The question being taken on Mr. BROMWELL'S amendment to the amendment, it was not agreed to; there being—ayes 56, noes 62.

The question being then taken on the amendment of Mr. PADGETT, it was rejected, there being on a division (called for by Mr. PADGETT)—ayes 34, noes 76.

The Clerk read the next paragraph of the bill, as follows:

First. That before any person shall be designated to carry the mail on any mail rural free-delivery route, the Postmaster-General shall cause an advertisement to be posted for not less than ten days, in a conspicuous place accessible to the public, in the post-office from which the mail is to be carried, inviting proposals, in such form as he may prescribe, for the service to be performed. The service shall be awarded to the lowest bidder who shall furnish evidence satisfactory to the Postmaster-General that such bidder is a legal and actual resident of the district or territory in which the proposed service is to be performed; that he is a reliable and trustworthy person, of good moral character, able to read and write, and having sufficient intelligence and ability to properly perform the service, and who shall tender sufficient guaranties that he will personally perform acceptable service; but the

Postmaster-General may reject all proposals submitted under any advertisement.

The amendment reported by the committee was read, as follows:

Add at the end of the paragraph the following:

"*Provided*, That no person shall be awarded a contract for more than one route under this paragraph."

Mr. SWANSON. I move to amend by striking out the paragraph just read.

Mr. WILLIAM W. KITCHIN. I wish to offer an amendment which I think takes precedence of the motion of the gentleman from Virginia [Mr. SWANSON].

The CHAIRMAN. Before the question is taken on striking out this paragraph, it is in order to offer amendments to perfect it.

Mr. SWANSON. I recognize that amendments must first be voted on before the question is taken on my motion to strike out.

The CHAIRMAN. The motion to strike out will be regarded as pending.

Mr. SWANSON. I claim the right to be recognized for five minutes on my amendment.

The CHAIRMAN. The gentleman is entitled to the floor.

Mr. SWANSON. I yield my time to the gentleman from Alabama [Mr. BURNETT].

Mr. BURNETT. Mr. Chairman, the rural-delivery system is yet in its infancy, and I desire to say that no law passed by Congress in many years has been more in the interest of the masses of toilers in the country than this.

It is the best educator for the people in the rural districts that has been attempted by the Government, and I am opposed to beginning thus early to meddle with a system which is doing so much good.

I have only a few routes in my district, yet wherever they are established the effect is soon apparent.

The first route established in the district was from my home town of Gadsden, a little less than two years ago. The carrier, Mr. Sutton, is an intelligent farmer, who is as proud of his route as the engineer becomes of his engine, and has great pride in building it up.

At the anniversary of its establishment he had a little entertainment at his son's house and invited several friends to be present, and I was one of his honored guests. In the meantime I had secured two other routes from the same place, and the carriers were both present at the old gentleman's reception, both of them men of reputation and intelligence. The old man entertained the party by detailing some facts concerning his route.

Among other things he showed that there were daily papers being taken by citizens along the route, into whose homes a daily paper had never regularly gone before. He showed that the circulation of weekly papers had more than doubled along his route within the year. He showed that the correspondence of the people had greatly increased. He showed that he, himself, was encouraging the people along his route to take and read the papers.

Now, Mr. Chairman, if that had been some underpaid, ignorant carrier, under the contract system, who was carrying this mail at starvation prices, do you suppose he would ever have raised his voice to encourage the people thus to extend and enlarge their facilities for education?

On the contrary, with his poor horse and his rattletrap cart, he would have discouraged them, in order to make his own burden lighter.

Mr. Chairman, I believe that this work was in part undertaken by our Government for the purpose of aiding in the education of the people. If so, this very purpose will be largely promoted by having well-paid, intelligent carriers, who will take pride in aiding this purpose of a splendid system.

So far as the people are concerned, it is working well under the present arrangement. Then shall we tear it down merely because it is perverted to political ends in some sections?

The great masses of the people are not raising their voices against the partisanship in the appointment of carriers. Then is it right that it shall be torn down and upon its ruins another system of at least doubtful efficiency be built up merely to aid the waning fortunes of some politician?

The partisan discriminations that gentlemen have referred to in this debate are wrong and should not be made. But at last, unless the people for whose benefit the system was established are crying out against such partisanship, are they badly hurt by its existence?

If partisan carriers are impairing the efficiency of their service by any injustice to members of any party, then, Mr. Chairman, that matter, by proper charges, protests, and proofs, can, under this bill, be easily remedied. If they are guilty of pernicious interference in politics, that, too, can be corrected.

But let us not undertake to visit against a wise and wholesome law the infractions of that law.

Is it true that the advocates of this bill see that the people are becoming informed and will become more and more so, and for that reason desire to destroy the source of this information and wreck this means of that development? I hope not; and yet I believe that the effect of this bill, if passed, will be right along that line.

Mr. Chairman, I want to see my people educated. Without the education of the boys and girls—the young men and maidens of my country—I see before them the dark clouds of adversity and financial trouble rising higher and higher as the years come and go. The time was when the old farmer could get along with the meager requirements of the three-months' school attended between the crop seasons; but in these days, when every article that he buys and every article that he sells is controlled by trusts or by the gambling boards, the only way in which he can enable his son to cope with them is by putting in the head of that son that which the execution in the hands of the sheriff can not take from him.

Let no cog be placed in the wheels of such development. Let a just government that takes a just pride in an intelligent citizenship not lay its heavy hand upon a system which, if fostered, will prove a benefaction to the toiling masses remote from the crowded marts of trade.

Gentlemen cry out that if the present system of paying the carriers is continued it will take an enormous sum to support it. Some tell us that one hundred millions will soon be required to support the system. So far, it has not approached that mark very rapidly. But suppose it does. The money is going to be spent somehow, and should it so arouse the fears of those who keep watch at the Treasury door, because a few paltry dollars of it is beginning to drop into the slender wallet of the farmers of my country? Better spend it that way than to be squandering it by the millions in shooting Christianity into Filipinos who are crying for freedom. Better let it go into the pockets of the farmer boy who rises with the sun and goes whistling to carry the letters to the eager neighbors along his way than to pay it into salaries to the datos with which to practice polygamy in our distant isles. Better let it go to pay some sun-browned son of toil to deliver sweet love-laden missives to the country lass than to pour it into the coffer of the trusts.

You pay your Philippine governor $20,000 per year, and yet you complain to pay the struggling carrier the paltry sum of $600 per year from which to furnish his cart and horse and his own hard toil.

Gentlemen argue that there will be a large deficit in the Post-Office Department; that it will not be self-sustaining. Well, let the deficit come. We have had a deficit every year in that Department since 1860 except one. The burdens of taxation are upon the people anyway, and if it is spent in affording better facilities for education and mental development, in order to prepare them to meet the changed conditions that confront the masses, I say let the appropriation grow and increase until at every cottage doorstep the foot of the mail carrier may be heard every working day in the year.

The Treasurer's report to-day shows an available surplus of more than $175,000,000. Take off $70,000,000 by cutting out the war revenue and we still have over $100,000,000, and that vast sum increasing every year.

The Republican party votes down or smothers every proposition looking to the reduction of the burdens of tariff taxation. In order to promote and encourage trusts, they propose to keep those taxes at the high-water mark. So great has this infamy become that many of the things purchased by our consumers are sold to the English farmer cheaper than to the American, and with unblushing audacity they smile while their victim complains at this injustice, and ridicule his cry for relief.

Gentlemen, we see no relief to come during the present Administration, and if the money must be piled higher and still higher in the coffers of the trusts and in the Treasury of the Government, in the name of common justice I beg you to let some of it flow back to the relief of the people from whom you have extorted it.

I would have favored the proposition of the gentleman from Illinois [Mr. CANNON] to increase the pay of the carrier to $1,000 but that I believe it was put on for the purpose of loading down the bill and defeating it.

Again in reply to the threat of a deficit, the Postmaster-General in his report shows that the deficit for 1903 will not be $3,000,000, which is less than a third of what it was three years ago.

With this little deficit what untold benefits will come to the 6,000,000 of people who each day step to their gates and take their mail from the hands of the carrier as he passes, or from the boxes near by.

The bill seeks to let the routes to the lowest practicable bidder, with certain restrictions. Gentlemen, when you do this you have destroyed the efficiency of our system. Every day the people

in some country neighborhood or another have to suffer from the inefficiency of underpaid carriers, whose cart is breaking down or whose horse is giving out or dying.

But a few days ago I received a letter from one of my constituents asking me to see if the Post-Office Department could not help him to collect his ferriage from a delinquent star-route carrier. The carrier had bid off a double daily route from the railroad to the county seat of one of my counties for about $138, and had contracted to pay $150 for his ferriage. He expected to supplement by carrying passengers and freight to and from the railroad, but this would not work, and he soon found himself unable to even pay his ferriage.

This is but one instance among many of a similar character.

In the cities our friends have their mails delivered inside their doors two or three times a day by carriers who receive from $800 to $1,000 per year, working eight hours each day.

Should one of these carriers fail for a few days to deliver the mails promptly, what a howl would be raised. Yet the Representative of the city constituency thinks it a matter of no importance if the people in the country and the smaller towns are the victims of the underpaid carrier along their routes.

Gentlemen, if you honestly want to economize, why is it that you always want to begin among the poor and the oppressed? This is no cry of demagoguery, but is the statement of a solemn truth. Whenever it is desired to better the condition of the toiling masses in the country by holding out to them some of the benefactions of a great Government, some man begins to cry out economy, and if there be one who would stand between them and the impending blow, he is taunted with being a demagogue.

This rural delivery, Mr. Chairman, will, if fostered, bring much good to those who are to-day struggling for intelligence and information; and no false cry of economy can deter me from lending it my aid until the voice of the rural carrier is heard upon every roadway in the land.

I want to see it extended until it webs every rural district. I want to see in every cottage the weekly county paper, at least, and in as many as possible the daily paper, so that those who toil can learn to watch the cunning of those who do not.

The gentleman from California [Mr. LOUD], with a sort of spirit of humiliation, confesses himself to be the father of the rural-delivery child, but claims that he brought the bairn into the world with the understanding that he would never earn more than $300 per year. But since the child has begun to grow and wax strong and to merit twice that amount, the unnatural father wants to strangle him in his own home. But, fortunately, this big infant persistently refuses to be strangled, but is just about to overturn the father himself. And he ought to do so. Shame upon any man who would state before the assembled representatives of the American people that because he was told that the farmer could carry the mails over 20 to 25 miles every day, through mud and slush, through rain and snow, furnish his horse and wagon, feed his horse, himself, and his family for $300 per year, and because the people say he is worth more and demand it for him will now try to wreck and destroy the system! Shame, I say, upon such a man!

But, Mr. Chairman, it will not be done. The representatives of the people are here, and in solid ranks we will meet the assaults of those who would tear down the rural system and strike down the assailant, until not one shall be left to raise his lance against this splendid means of education for those who can not go to the more costly institutions of our land. Let the good work go on!

If a protective-tariff system continues to take the money from the sweat of the toiler and pile it up in the coffers of the Government, let this be one of the arteries through which a small portion may flow back to the people. If it flows into their hearts and their heads, it can do much good, and as education, intelligence, and good morals increase it can no longer be said of us—

> Ill fares the land, to hastening ills a prey,
> Where wealth accumulates and men decay.

Mr. LACEY. Mr. Chairman, I offer the following amendment which I will ask the Clerk to read, and I ask in this connection unanimous consent that it be considered in connection with the preceding portion of the bill. It is a complete and coherent proposition in itself; but I would like to get it before the committee without confusion so that they may get the sense of it.

Mr. SWANSON. I reserve all points of order on the amendment until I hear what it is.

Mr. LACEY. Very well; let it be read first, and we can agree on the form in which it may be presented to the House.

The Clerk read as follows:

Strike out the proviso in lines 4 and 5 of page 3 and insert:

"*Provided*, That the Postmaster-General is hereby authorized and directed to test the practicability of performing the rural free-delivery service by contract on such newly established routes as he may select, under the following conditions:

"First. That before any person shall be designated to carry the mail on any mail rural free-delivery route by contract, the Postmaster-General shall cause an advertisement to be posted for not less than ten days, in a conspicuous place accessible to the public, in the post-office from which the mail is to be carried, inviting proposals, in such form as he may prescribe, for the service to be performed. The service shall be awarded to the lowest bidder who shall furnish evidence satisfactory to the Postmaster-General that such bidder is a legal and actual resident of the district or territory in which the proposed service is to be performed; that he is a reliable and trustworthy person, of good moral character, able to read and write, and having sufficient intelligence and ability to properly perform the service, and who shall tender sufficient guaranties that he will personally perform acceptable service; but the Postmaster-General may reject all proposals submitted under any advertisement: *Provided*, That no person shall be awarded a contract for more than one route under this paragraph.

"Second. That no additional compensation shall be allowed to a rural free-delivery carrier unless pursuant to an advertisement and award of service as herein provided.

"Third. That under such regulations as the Postmaster-General may prescribe, a substitute carrier may be employed, at the expense of the regular carrier, to temporarily perform the service on any rural free-delivery mail route.

"And shall report to Congress, not later than January 10, 1903, his views regarding the practicability and advisability of performing such service by contract thereafter."

Mr. SWANSON. I make a point of order against this amendment.

The CHAIRMAN. Will the gentleman state his point of order?

Mr. SWANSON. My point of order is that the committee has already voted that this rural-delivery service shall be by carriers and not by contract. This is simply the bill reintroduced by the gentleman from Iowa. This committee has already decided in the amendment just adopted that rural-delivery service shall be by salaried carriers. This is to change that by a contract system, and I say it is contrary to what the committee has already decided. That question has been passed on, and having been passed on it is not in order to bring it up for decision again.

The CHAIRMAN. The Chair is of the opinion that although the committee may have expressed its intentions in the former paragraph as to the general principle, yet that would not be inconsistent with a wish to experimentally try the contract system as is proposed in this amendment. It is not for the Chair to determine that the committee would hold the two inconsistent. That is for the committee.

Mr. HILL. Mr. Chairman, I would like to make a point of order. I understood the gentleman from Iowa offered this resolution and asked that it be considered in connection with the amendment which was made a while ago. That has been passed and we are now on another paragraph.

The CHAIRMAN. The Chair understood the gentleman from Iowa to withdraw whatever proposition he started to make.

Mr. HILL. Do you understand that this amendment is offered as an amendment to the first, second, or third paragraph?

Mr. LACEY. It is offered as a substitute for the committee amendment. I gave notice, however, that further on I will move to strike out the preceding words, because this duplicates the language.

Mr. HILL. There is a motion already pending to strike out the whole paragraph.

Mr. SWANSON. As the gentleman from Connecticut [Mr. HILL] has well said, I have a motion pending to strike out this provision.

The CHAIRMAN. That is pending.

Mr. SWANSON. That was the first motion submitted.

The CHAIRMAN. Certainly.

Mr. SWANSON. As I understand, this is also a motion to strike out and insert.

Mr. LACEY. A substitute for your motion to strike out and insert.

The CHAIRMAN. The Chair does not understand that it was so stated.

Mr. SWANSON. In what form does this amendment come in?

Mr. LACEY. The heading of the amendment will show.

The CHAIRMAN. It moves to strike out the proviso in lines 4 and 5, page 3, and to insert instead thereof.

Mr. LACEY. This is a substitute for the amendment, which is a motion to strike out, without inserting anything.

The CHAIRMAN. The proviso in lines 4 and 5 is the committee amendment. The gentleman from Iowa moves to strike out the committee amendment which is pending and to substitute instead thereof the amendment which the Clerk reported.

Mr. SWANSON. Mr. Chairman, a parliamentary inquiry. As I understand, if this amendment should prevail, it would be an amendment to the first section.

The CHAIRMAN. Yes; it is an amendment to the committee amendment to that section practically.

Mr. SWANSON. To that section. If that is carried and my motion to strike out prevails, then his amendment, including section 2, goes out?

The CHAIRMAN. Certainly.

Mr. LACEY. There is no difficulty about the proposition, Mr. Chairman. I would ask before commencing that I have unanimous consent to proceed for ten minutes instead of five.

Mr. HILL. I object.

The CHAIRMAN. The gentleman from Connecticut objects.

Mr. HILL. I have no objection to the gentleman having the five minutes to which he is entitled under the rule.

Mr. LACEY. I thank the gentleman for his courtesy.

Mr. HILL. The gentleman is entirely welcome.

Mr. LACEY. Mr. Chairman, this is a proposition that the gentlemen who favor this bill have announced themselves as entirely favorable to. The gentleman from Virginia [Mr. SWANSON] in his remarks the other day told us that he would like to have the experiment tried. Now, I am with the gentleman from Virginia [Mr. SWANSON] in his opposition to the attempt to change this system generally to the contract system, and voted with him upon that proposition; but the present proposition is a simple one, authorizing the Postmaster-General to try experimentally a few contract routes. He is establishing routes every day, and this simply authorizes him to try the experiment of letting some of them by contract.

Certainly that is an experiment that ought to be made, and perhaps ought to have been made heretofore; but it has not been made, and therefore it ought to be made now, and by the time Congress takes this matter up again we will have had a fair test of the question as to whether one system is better than the other.

I think my friend from Virginia ought to recognize the fact, if he believes that the salary system is better than the contract system, that a test of a few routes by the contract system would only demonstrate all the more clearly that he was correct in his original proposition. If, on the other hand, it proves satisfactory and is found to be more efficient and cheaper than the present system, it ought to be adopted. In other words, we ought to try both systems instead of adopting a hard and fast rule that will tie the hands of the Postmaster-General and prevent him from investigating any other method than the one proposed in this bill. That is all there is in this proposition. It is a very simple one and a very just one. No difference which view any member of this House may take as to whether we ought to have the contract system or the other system, certainly there is no reason why the contract system is not worthy of a trial, and that is all this amendment proposes, nothing more and nothing less.

Mr. TOMPKINS of New York. Does this leave the carriers to be appointed at $600 a year?

Mr. LACEY. This leaves the carriers to be appointed at $600 a year, leaves the law just as it is, but authorizes the Postmaster-General to make a few contracts, a sufficient number to investigate the question; contracts for the new routes to be established, a sufficient number of them to test the effects of this service. Now, why should not this be done?

Mr. THOMPSON. Mr. Chairman, in attempting to discuss this question, I feel very much like the young man who was commissioned to write an essay on "The Snakes in Ireland," and who began his essay by saying, "There are no snakes in Ireland." I am sorry, sir, to acknowledge that in the district I have the honor to represent, which is perhaps one of the most intelligent districts in my State, there are no rural-delivery routes. None have been established. I have earnestly been endeavoring to get routes established in my district since the day I came to Congress, and have requested the Department to send inspectors there, but an inspector has not visited my district. Applications, however, for several routes are now pending.

I do not say this, Mr. Chairman, in justification of the bill now pending before the House, because I am opposed to it. I am opposed to making any change in the experiment the Government is now making of a system which seems to be perfectly satisfactory to the people who are trying it and enjoying its benefits, privileges, and blessings, because I believe, Mr. Chairman, that this system will prove a great blessing to the whole country. I am not in favor of injecting now into this project any scheme that will cripple it or that will in any way destroy its usefulness where it has been established or where it will be established. Now, I am surprised at the proposition presented by the distinguished gentleman from Iowa [Mr. LACEY], in asking business men upon the floor of this House to experiment with an experiment. He says that the Postmaster-General should go out and make a few experiments and report back to this House.

Mr. Chairman, that seems to me child's play, for a man with his experience to talk to business men about such a proposition as that. I think that the Representatives upon the floor of this House are practical enough, have had business experience enough, to know that the system which we are now enjoying is conducted on a reasonable basis; that we can not inaugurate any plan under which the Government can get its work done and let the people enjoy this benefit for a less rate of compensation than $600 per annum.

Mr. LACEY. How does the gentleman know that without trying it? I propose that the Department should try it. This system of carrying free delivery has never been tried.

Mr. THOMPSON. I have seen the abomination, curse, and disgrace of the star-route system in my district, and it has been a menace and shame upon this great Government to have such carriers as are imposed upon our people under this star-route system. I am opposed, Mr. Chairman, to this Government bartering its offices out in any such way as has been done under the star-route system. Speculators have gotten in charge of this system, and they are imposing upon the people of my State. I have now, Mr. Chairman, letters from four good men who have been induced by undue influence to take contracts on these star routes at such a price as they are unable to carry them for, and they are begging me by petition and letters to see the Post-Office authorities and get their pay increased. Mr. Chairman, we do not want any more systems of this kind imposed upon our people. Six hundred dollars for carrying the mail twelve months in the year and twenty-six days in the month is, in my opinion, a very small compensation for the work; and, besides, the rural carrier has a great deal more responsibility than the ordinary star-route carrier. He has the responsibility of a postmaster; he is carrying a post-office on wheels. [Loud applause.]

The mail carrier is required to travel regularly in all kinds of weather, rain or shine, cold or hot, and take with him a supply of stamps and receive money for money orders, postal notes, etc., and for this responsibility and labor he is entitled to reasonable remuneration, as well as for the use of his horse and wagon which he is required to furnish.

I am as much in favor of retrenchment and reform as any member of this House, but why begin here to use the pruning knife? Let us see. The city carriers are paid from $900 to $1,200 per annum, and yet not one word is said by these economical gentlemen about placing them under the contract system, or putting that service up to the lowest bidder.

Mr. Chairman, I can not see how or why the bill is here at all. As a rule, when any such sweeping and important new project or change in existing law is brought before Congress there is a large popular demand behind it, or at least the semblance of such a demand. That is the case with the other large measures now before Congress—Chinese exclusion, the isthmian canal, the Cuban question, the Philippine question, the Pacific cable, ship subsidy, oleomargarine, protection of the President, war-revenue-tax repeal, reclamation of arid lands, Territorial statehood, and so forth. But this bill appears to have no popular backing whatever. There is no excuse or occasion for it at all.

If the advocates of the bill could prove that the contemplated change would be an improvement on the present system that would justify the bill, even if the country had not asked for it. But they have not proved it. They have not made out their case at all. I have listened to all their arguments in vain. They do not carry conviction. There is nothing in them. All that the champions of the bill can say is that they fear the salary system may become too expensive, and that they hope the contract system may prove more economical. Their opinions, Mr. Chairman, are worth no more than the opinions of those who differ with them. In fact, they are not worth as much, because it can be proven that the present system is a great success, and the presumption is always against a change.

As it is conducted now the rural free mail delivery has the respect and the hearty approval of the whole community. The farmers and others living in and near the small villages and sparsely settled towns are delighted with it. It has ushered in a new era in the rural districts, and has relieved them, in a great measure, of their worst disadvantage and drawback—isolation. For ages past and until the advent of this beneficent system the great trouble with the farmers and their families has been that they could not keep up with the times. They absolutely could not spare the time from their work to go every day to the post-office, perhaps 2, 3, 4, or 5 miles distant; and, even if there were time, there would be other obstacles—bad roads, storms, sickness, etc. Herein the city people always have had until now the advantage. No matter how busy they might be, or how sick, or how bad the weather, the city people have had their mail delivered regularly once or twice or oftener every day; and now, thanks to this new rural mail delivery, the farmers at last have begun to get theirs, too, with equal regularity.

The farmers are entitled to just as much consideration and just as good service as those who live in cities. They are the bone and sinew of this country. Put a wall around your cities and shut out the country, and grass will soon grow in the middle of the streets. Tear down your cities, and the country will soon build new ones. The country is the pure fountain that sends forth our best men and women. The men who wield the greatest influence upon this floor are the men who come from the humble country homes. Our great men do not come from the gilded palaces where lives of ease, comfort, and elegance are spent;

nor from the cities where vice, dissipation, and immorality reign supreme; but from the industrious, Christian, country homes that are uncontaminated by evil influences.

Thus, if a preference is to be shown, we owe it to the country and not to the city. The farmers, the honest tillers of the soil, have been overlooked and neglected, and I can not support a measure that will in any way deprive them of the service they are entitled to.

If let alone, this system will grow and the time will soon come when this great, progressive Government will be sending the mail each day to the door of every farmer in the land. I will not be content until the people whom I represent shall enjoy this blessing. The daily rural free-mail delivery not only disseminates knowledge and enlightens the homes of the people, but it also encourages the movement for better public roads. One of the prerequisites for obtaining a general rural delivery is good roads. To establish and build good roads through the agricultural districts of this country will increase the value of our lands and make our farmers more progressive, more contented, and more happy.

We must encourage our people to live on their farms by making farm life more comfortable by placing daily papers in their homes. The newspaper is perhaps the most potent factor in popular education to-day. It molds public sentiment; it inspires higher ideas and nobler purposes, and creates in the breast of the country boy an ambition to move out on broader lines. Send the papers, daily and weekly, to the homes of our people; encourage them to read and to keep in touch with our Government in its progress and you will increase the wealth of the nation. The records show that Congress has dealt out its appropriations with a lavish hand to the great railroad corporations to induce them to carry the mails quickly between the great cities.

The last Congress appropriated $175,000 to one railroad for carrying the mails a few hours quicker between New York and New Orleans. No thought of economy was suggested by any member here then. But now the people in the country are to have some benefits, and we hear the cry "Economy, economy!" I can not give my support to any measure tending to destroy, impair, or impede this present rural-delivery system. I hope soon to be able to get it established all over my district and to send the mail to the door of every farmer in it each day. Then will the prophetic words be realized:

Lo, the winter is past; the rain is over and gone; the flowers appear on the earth; the time of the singing of birds has come, and the voice of the turtle is heard in our land.

[Applause.]

The rural carriers have been a part and parcel of the communities they have served, men known personally to all the families along their routes, respected and trusted by them all. They have been appointed in the same way and on the same footing as other employees in the mail service, the same as city carriers and railway mail clerks and post-office clerks. They have been selected on their merits, and have served on their merits. The people whom they serve so well have come to regard them with affection as personal friends. Many instances have been reported where the farmers have voluntarily shown their appreciation by befriending and assisting the carriers in various ways, by giving them coffee and food and feeding their horses, by giving them shelter and warmth in a time of tempest, by breaking the roads ahead of them in snowstorms, etc. Fancy them doing such things for a contractor, especially when that contractor is represented by a stupid hired menial.

Now, without any complaints against these carriers, without any popular wish or demand for a change, without any good reason whatever for it, we are suddenly asked to upset this splendid system which has been so satisfactory and beneficial to our rural communities, and to substitute for it the old, discredited, corrupt star-route contract system, letting out these rural mail routes to the lowest bidder on contract. For heaven's sake, why? Will the contractors do the work any better? They can not possibly do so. They will probably not do it as well. Will they do it any cheaper? No; it can not be done any cheaper, if done well, than it is done now. If there should be now and then bids for contracts much lower than the salaries now paid, that would simply be presumptive evidence that the bid was not in good faith, or that it meant inferior service.

It is true that the bill professes to prevent collusion, straw bids, subletting, and other well-known scandals of the contract system; but the scandals would creep in all the same. They always do. They did in the old star-route times, as we all know. They do to-day. There is any quantity of subletting in star routes to ignorant, illiterate, irresponsible persons in our Southern States right now, and I have no doubt it is the same way up North and out West. The farmers have no love or sympathy for the star-route contract system. They want the present system continued, and it ought to be continued. It is successful, universally liked, and will soon pay for itself, as the similar system now pays for itself in the cities.

The more this supposed extension of the contract system is contemplated the more repulsive it appears. The records show that it has always been a failure as between the Government and individuals. It has uniformly led to inferior work, popular dissatisfaction, dishonesty, and scandal. The Government has no right—no moral right, at least—to rely on the contract system for executing the public work, except in cases where no other is possible—as, for example, in the carrying of immense quantities of mail for all distances by rail and on sea or in barren sections of the country and wildernesses of vast extent where scarcely anybody resides. If the Government should put the rural delivery under the contract system, why should it not put the postmasters and the post-office clerks and the War Department and the Mint and the Bureau of Engraving and Printing under the contract system? Very likely it could find persons willing to bid very low for the privilege of coining the Government's gold and silver and printing its currency.

The whole atmosphere surrounding the contract system is one of duplicity, jealousy, and dishonesty. There is a great tendency in it even to the awarding of contracts as well as in the execution thereof. Bribery and collusion are inseparable from it. Inferior and dishonest work is its natural and inevitable offspring.

On the contrary, the whole tendency of the present system is toward better and better public service and steady progress upward morally and socially and intellectually in the whole community. To upset this system just as it has got well started, and to substitute for it the malodorous contract system, which the farmers distrust and do not want, would be, to put it in the mildest possible term, an inequitable folly.

By all means, defeat this proposition. Let well enough alone. [Applause.]

Mr. SHAFROTH. Mr. Chairman, one of the strongest arguments that was made by the gentlemen who are opposed to the pending bill was that the Post-Office Committee was trying to impose something upon the House that had not been tried, something that was purely experimental, and that might fail. Here comes a proposition, which is presented by the gentleman from Iowa, which gives power to the Postmaster-General to make an experiment to see whether or not under the contract system this rural free delivery can be conducted in a proper manner. It does not supersede the regular carrier nor the regular system. They are not affected.

The other day the distinguished gentleman from Virginia [Mr. SWANSON] in his appeal to this House stated that he felt that an experiment should be made, and that they were not opposed to an experiment under the contract system; but now when the question comes whether or not we will make the experiment objection is raised in every way that it can be. Mr. Chairman, I want to call the attention of the House to this fact: We are beginning a system which is going to have 50,000 employees. It is a great system. It is one that ought to be conducted on business lines. An experiment should be made to determine whether or not it can be conducted properly and in a business manner upon the contract system.

Mr. LACEY. I would like to ask the gentleman from Colorado a question.

Mr. SHAFROTH. Certainly.

Mr. LACEY. Are there not many routes in Colorado that could not be let for $600, and therefore this would give an opportunity for more expensive routes to be established?

Mr. SHAFROTH. I have no doubt of that, and I have no doubt that in many instances routes will be obtained under the contract system which could not be obtained under the other. The routes in some parts of the country, as in Colorado, are very long, because distances between cities and towns are very great. Other routes are over mountains, where the service can not be had for $600 a year. Should we be denied the benefit of rural free delivery because such a limit has been fixed in the bill? We know there are inequalities in almost all the routes. It has been shown that they vary in length from 16 to 38 miles; some over good and others over muddy roads; some in a hilly and others in a level country; some in densely and others in sparsely settled communities. There are various other inequalities. If the Department could demonstrate to gentlemen of the House that the contract system is better for some parts of the country, why not give it the opportunity to do so? Why should not the lover of the rural free-delivery system be in favor of adopting a provision which will give us ultimately the very best system and permit the Department to ascertain by experiment which is the best?

The system should and is going to cover the entire country. The question whether it can be done at an economical cost to the Government is one that is going to seriously affect various other questions in the Post-Office Department. We are all hoping for a 1-cent letter postage. Everybody desires it, but if an increase

of salary is to occur, such as is indicated by the conservative chairman of the Appropriation Committee or as has been admitted by a number of gentleman who have spoken here on the floor of the House, you can readily see that it would impair the revenue derived from the Post-Office Department to such an extent that it would be impossible ever to obtain 1-cent letter postage in the United States.

Mr. Chairman, this amendment provides for an experimental service only. We have passed the section which requires the employment of post-office employees on a salary. This provision simply says to the Postmaster-General: "You can make the experiment and see how it will work as to the rural free delivery." He can report the result back to this House; he can not adopt it as a general system without your consent; unless the figures which he presents demonstrate that it is a better system or that it would make the service better throughout the United States, you will have the say as to whether or not the result of that experiment shall be made a permanent part of the service of the Department. It will also give relief to such parts of the mountainous States where the routes are too difficult to admit of a $600 service, and I therefore hope that the amendment will be adopted. [Applause.]

Mr. PRINCE. Mr. Chairman, I move to strike out the last word. I think this House might as well be frank in the discussion of this question. Some of us pretend to be in favor of the contract system and some in favor of the salary system. For one I have listened to the debate, and I am willing to state frankly and fairly that I am in favor of this salary system. We might as well be frank about it. We can not deceive this House nor the country. It is a question whether we should be in favor of paying the rural carriers $600 a year or whether we shall be in favor of permitting it to be let by contract, some carriers to receive $200 and some $1,000 or $1,200.

Now, gentlemen of the House, who are the men that want to carry this mail? They are our own people; they live in our own country; they pay our taxes; they support the flag and maintain the Government. If we pay to 17,000 carriers in the city in the neighborhood of $800 or $1,000 or $1,200 a year, what reason is there that we can assign to our constituents in the country that they should not be paid $600 for services rendered? It seems to me that the amount we are asked to pay to these men is not exorbitant; that the amount to be paid is fair and reasonable and just, and for that reason I am in favor of coming out squarely and taking a direct position upon this question and saying that we are in favor of paying a salary to these people.

Some say that this is an experiment. There is not a gentleman in this House but knows that this rural delivery is here to stay. We are constantly being importuned by our people throughout the district to increase the service and to enlarge the system, and if that be true why should we try and dally in one way and another and talk here in favor of taking one position or another? To me it is perfectly plain that the country is in favor of the salary system. I venture to say that there is not a man on the floor of this House who has received a communication from his people to favor, as an experiment, the star-route system in the rural free-delivery service. On the contrary, for days and days I have been receiving communications from my people asking me to favor paying the rural carriers who are bringing the citizens their mail in the country, putting them into communication to-day with the city and with the world that they desire to be put in communication with, and for one I am willing to take my stand and vote in favor of paying these men $600 a year.

The question about whether it is a large amount or whether we are entering upon a great unknown field is a question that might have been asked when we started to pay the city carriers a certain amount; but thus far that question has not been discussed with reference to paying them too much.

Gentlemen of the House, I hope and trust that we will show to the country that we are in favor of paying for services well done, paying such an amount for carrying the mail in the country as will insure prompt and efficient service. [Applause.]

Mr. WILLIAMS of Illinois. Mr. Chairman, I have heard some communications read from postmasters opposing the contract system, and I can understand why any partisan postmaster who has such a political pull under the present system would oppose any change. It has been said there is no demand for the contract system; that no one has requested it. Of course, Mr. Chairman, the way I consider it, it was not necessary for the Committee on the Post-Office and Post-Roads, whose duty it is to provide the best system for the delivery of the mail, to sit down and wait until they receive letters from the farmers about a system which is new and to which they have given but little attention as to the best method of carrying it on; but it was their duty, as that committee had charge of this subject, to consider it and present to this House their conclusions without waiting for requests from anyone.

I have received a letter from a gentlemen who is not a postmaster, who speaks the opinion of a good many people on this question. I will not put his name in the RECORD for I am not authorized to do so, but I vouch for him as truthful and reliable, and a good citizen of his community. Writing on the 6th of March, he says:

> I notice some discussion in Congress in relation to the method, etc., of "rural free-delivery" service. I trust you will see the advisability of putting this system on the contract basis. As it is to-day it is nothing more nor less than a political machine of the basest character. We have four rural free-delivery routes from this post-office. The carriers are usually loaded with political documents and "sample copies" of newspapers of the most rabid Republican type, and are constantly relating to the postmaster and to each other what a wonderful "hit" they made in an argument with some Democrat. I presume, however, that it is useless for me to tell you how the matter is conducted here, for I guess it is the same wherever there is such rural service. I trust you will do your very best to exterminate this most damnable and contemptible electioneering scheme.

And he adds:

> All Republican newspapers by our newsdealer unsold, I am informed, are distributed by the carriers, as well as hundreds of other such documents, to the farmers along their respective routes.

It is not strange that the circulation of the daily newspapers is increasing. And, Mr. Chairman, to show that the complaint is not confined to Democrats alone, I refer to an article in the Washington Post of this morning—a special—embodying complaints by Republicans, charging that one of these route inspectors or special agents, surrounded and sanctified by the atmosphere of civil service [laughter]—the charge is made that he and other Federal officials have aligned themselves to renominate a certain man for Congress against another Republican candidate.

I will not designate the district; it would be unfair; for I have no doubt there are many others where similar influences are at work. So the complaint is not confined to Democrats, but it comes from Republicans as well. And you will see how this ground of complaint will grow in the future if you continue the present system.

I do not wish to discuss the star-route system. If there are any members of this House who, having heard the discussions and arguments here, have not yet discovered that the contract system provided in this bill is far different from the old star-route system, then no arguments can reach their case.

[Here the hammer fell.]

Mr. NORTON. Mr. Chairman, on January 19, 1900, I introduced a bill into this House to cure some of the evils of the star-route contract system. I could never get that bill considered by the Committee on the Post-Office and Post-Roads. But I notice now that the sinner has at last repented, and has incorporated my measure in this bill as virtually his own. The Post-Office Department at that time concluded that if I would not push that measure of mine they would originate a rule, and they did originate a rule, based upon the lines of this bill. A copy of that rule I now hold in my hand; and I find it has been incorporated in the pending measure.

But, Mr. Chairman, that does not end the trouble. The star-route business has been going on just the same. The parties interested in the star-route business from the State of Iowa, together with some parties in the District of Columbia, have been perpetrating the same frauds as willingly and as rapidly as ever. The evil does not cease. The rule of the Department is not enforced. The same swindling is going on to-day. The idea of compelling these contractors to live upon the route is not carried out and will not be if this contract system goes on.

I have listened to the learned discussions here and have witnessed some strange things. For instance, I have found out that the patriot of Illinois, "Uncle JOE CANNON," who has been in this House for twenty years, professed that he would like to put on an amendment here if he only knew how. He has since that declaration gone to night school, I presume, as he has availed himself of an opportunity to get in an amendment.

Gentlemen say here that we ought not to pay a salary of $600 when we can get people under the contract system to do the service for less. But anyone who demands of the mail carrier that he shall render this service for less than $600 knows that he will not get good service. By such a system you are undertaking to economize at the expense of people who can least afford to be thus treated. You do not hesitate here to spend money to build up corporations, to build up combinations of capital that can afford to pay half a million of dollars as a salary. How cheerfully you vote for a measure of that kind. You have never said "no" upon any of those propositions. Where does your economy fall? Upon those who can least afford to submit to cutting down—who only accept service at beggarly wages because they must take it or starve.

Mr. Chairman, I am opposed to the bill recommended by the committee through its chairman. I have listened to the specious arguments presented by its advocates and tried to see if in any way possible, if by any interpretation of language, any combination of circumstances, the provisions of their bill would work out

to the benefit of the people who are interested in the success of free rural delivery, but it has been in vain. There is only menace to the service and a threat of injury to the patrons thereof by making the service inadequate and inefficient.

I am in favor of the rural delivery system. A great many city residents frequently get the idea into their heads that they are of more importance than the farmer or dweller in the country, but they are greatly mistaken. It may be that there is a greater accumulation of wealth in the city, but, man for man, in all that goes to make up the honor, character, virtue, and glory of our nation the country districts are far in the lead. In point of numbers, the population of all the cities with over 10,000 inhabitants is nearly balanced by the population of rural districts and smaller towns, and this second division are as justly entitled to the privileges of mail service, in all its extent, as are those who dwell within city limits.

Rural delivery is a great help in the building up of good roads. It is also a great educational force, in that it permits a wider and freer dissemination of literature and works of science and art. It offers the farmer the advantage of daily knowledge of the markets, and affords him opportunity to take advantage of the mail promptly. More letters are written, more papers taken, the registry and money-order business is enlarged, and in scores of ways it, in blessing, brings blessings in return. I would like to see the service extended until a network of routes should be established so that no home so remote, no family so isolated, but would be reached by the mail service. This is the perfection for which we should strive.

A start has been made, and the Post-Office Department is endeavoring to enlarge and expand the service, and the Department prefers to continue a system of carriers upon salary, which has been tried, no longer an experiment, but an acknowledged success, rather than to change to the antiquated system, which in this connection is an experiment and in other service has been honeycombed with annoyance, trouble, scandal, and fraud.

I believe it is our duty to treat city and country alike, giving each efficient mail service. Rural delivery is here to stay. So satisfactory has it been to the people wherever it has been instituted that from all parts of the country are coming petitions for the service. The trouble is that as the Department is handicapped by lack of funds it can not put a large enough force into the field to keep up with the demand. In my own district alone there are nearly a hundred petitions on file, not yet acted upon, and some of them over two years old. This is not the fault of the Department, as it is doing all it can, with its means, to meet and comply with the requests that are piling up day by day, but it is swamped by the enthusiastic reception of the system by the people.

The chairman of the committee says, as a reason why there should be a change and that instead of having a carrier on a salary of $600 per annum the service must be performed under contract and the lowest bidder get the job, that if it is not done the carriers will form a union and ask for more pay, and threaten us with their vengeance if we vote against their request. Now, isn't that just awful! Intimidation, coercion, and violence! Perhaps they will. Perhaps, as they will undoubtedly all be men of intelligence, they may read history and recall how in 1896, and again in 1900, the banking trusts and all the great syndicates and corporations threatened the workingmen with dire vengeance if they did not vote as their employers dictated. The gentleman from California has not forgotten the Republican campaign methods and is afraid the carriers will steal their thunder. But even if they should make this threat, how insignificant it would be, with their 50,000 or even 100,000 strength, when contrasted with the threat of one trust, or of the Pacific Railroad Company. The chairman of the committee is a good Republican, a stalwart of the stalwarts, and yet in his advocacy of this bill his zeal for his star-route friends seems to have overcome his discretion and betrayed him into some queer statements and revelations.

He says that the appointment of these rural carriers has heretofore been one of the perquisites of Congressmen as political patronage. This may be true of the Republicans, but the pie counter has been closed to the Democrats. The system is now under the classified civil-service list, and yet from this Republican witness we have the statement that it is "whispered" that patronage will not be disturbed; that Congressmen—that is, Republican Congressmen—may have the naming of the rural carriers in their districts in spite of the civil-service rules. Hence, therefore, according to his argument, vote for his bill!

I have said before, and I repeat, I am not a believer in the civil-service system as it has been conducted. It is a delusion and a fraud. It is a door that a key does not open, but yields to the pressure of a hidden secret spring. Merit is not to count, but the "promised" dispenser of party patronage will control appointments. Is not this an interesting sample of Republican honesty, as viewed by the gentlemanly chairman?

The rural mail service is of Democratic parentage, and is the outcome of Mr. Wilson's efforts in its behalf. Under Democratic administration it was economically and ably conducted; the carriers received $300 per year, and no complaints were heard. "But," continues the gentleman from California, "the Department came into the hands of the Republican party, and now it has grown to be the most extravagant bureau ever organized." Now, this is good Republican testimony, but I do not think the gentleman intended to speak so frankly. He was thinking only of making the change to a contract system—a system where, perhaps, there might not be as much political patronage, but where greater fraud and corruption could come in.

These speculators in star-route contracts have watched with amazement and fear the growth of the rural service system, and with greedy longing have sought to bring it within the grasp of their malodorous ring. You all know how under a former administration certain officials in high places, having too much love for certain people, shared with the favored contractors in amassing fortunes illegally obtained from the Government. As a system, the contract method of having our mail carried has been most pernicious, rotten, and unsatisfactory, and it would seem that the Committee on the Post-Office and Post-Roads are seeking to discredit the rural service and bring it into disrepute. We may judge the future from the past.

Human nature is the same to-day as it was yesterday, and it will be the same in the future. It is true the committee has tried to surround their bill with apparent safeguards. They have added a provision contained in a bill which I introduced in the House on January 19, 1900, and could never get the worthy chairman of the committee to consider, and they say that the bidder must be "a legal and actual resident of the district or territory in which the proposed service is to be performed," but this does not make the contract method desirable. The lowest responsible bidder is to get the job, and then, independent of Government control, the service will run down, and the last stage of the system will be worse than any in its history.

The main plea put forth for this virtual abandonment of the present system is the expense of the salaried carrier. The advocates of the bill in one breath say that the salaries of these rural carriers may two or three years from now amount to fifty or sixty millions of dollars. Well, why not? This is one of the few Departments of the Government that comes in close relations to the individual and is of service to the people, a Department run as a business and through its receipts is almost self-sustaining. Now, why single out this Department and talk about its expense, yet say nothing of its revenues. Just look at our Army and Navy departments. See the millions of dollars we are paying out in a war from which we do not derive a single penny in return; why, we are not even getting glory. A war in which not a single element of patriotism or love of country is involved, but simply the exploitation of the schemes of a favored few; for this my friend will vote to pay out not $15,000,000 or $60,000,000, but hundreds of millions, and then talk about the expense of from 8,000 to 60,000 rural mail carriers. Oh, be consistent!

I have not the slightest doubt but that it will cost an immense sum when the free rural-delivery system is fully developed, but in the light of past experience the postal receipts will be largely increased, but even if they were not, I would far rather prefer the money being paid to carry the mail to all the people of this country than to maintain an offensive, oppressive, bloody, inhuman warfare against a people contending for freedom, whose motto is "For God and our native land," as this country is doing now.

If it be true that under the contract system the routes will be shorter, and therefore the pay less, it will be offset by the fact that the number of routes will be increased, and thus the total cost will be greater.

The amount paid the rural carrier—$600—is none too much to pay the class of men it is the aim of the Department to keep in the service, and who are capable of meeting the responsibilities and performing the duties of that position; and yet it is not the interests of the few carriers or contractors that should be mainly considered. It is, How shall the people be best served? They are satisfied now. There is no demand coming from anywhere for a change except from the committee room and from the horde of hungry contractors, who are longing to get a chance to make another raid on the Treasury.

The people want no change; they only want more routes under the present plan. The Department is satisfied, and the able superintendent of the rural system, who has given much thought and study to the service, and is as well, perhaps better, informed upon the comparative merits of the two methods, advocates the continuance of the present way of having salaried carriers, as better service is rendered, better discipline maintained, and a higher class of carriers secured.

It is again the question as to the relative merits of a contract or a salaried system, and the question time and again has been decided adversely to contractors.

To show the absurdity of the contention, it is only necessary to follow the proposition out to its logical conclusion. If the contract system is good, is the best for the rural carrier, it is the best for the city carrier, for all the employees in the other great departments of the Government, and for the executive, the legislative, and the judicial branches of the Government; carry it into business houses, into schools, and into the churches. Why, the bare suggestion refutes the assertion and claims for the system.

The advocates of the bill are alarmed lest the carriers should have political ideas and influence. It is the prerogative of any American citizen to exercise his political right, and to forbid the exercise of that right is un-American.

The idea or suggestion that these carriers will immediately besiege Congress for increased salary is a chimera, is crossing the bridge before it is reached, and a virtual confession at the outset that they are illy and insufficiently paid, and is unworthy of the men who, having the respect and confidence of their neighbors, have been recommended by them for appointment.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that my colleague [Mr. THOMPSON] may extend his remarks.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Alabama [Mr. THOMPSON] have leave to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CANNON. Mr. Chairman, I should be glad to have the attention of the committee for five minutes. There are now nearly 8,000 carriers who have their equipments. It would not be just or proper to turn them over to the contract system until they had been employed a reasonable time. I will not vote for any proposition that would do that. If we are to have the present system and no contracts, then, as I said a little bit ago, I am in favor of at least a thousand dollars pay. This bill so far fixes it at $600, but an amendment has been offered that gentlemen think would enable the carrier to earn the other $400. I hope it will. If it does not, then later on I would favor legislation to give the carrier the other $400 by way of compensation from the Government.

Now, the amendment of the gentleman from Iowa [Mr. LACEY] is offered, as I understand it, to make it the duty of the Postmaster-General to try the experiment, not on any routes now existing, but on a limited number of routes to be established, to let them under the contract system, with a provision that one man can have only one contract, that he must be competent, and must live on the route. In my judgment that amendment is wise, because what we all want is to get an effective system for the people. I am not sure myself that the contract system is the best, but this tries the experiment; and, in my judgment, in all good faith, without any partisanship on this question, we ought to try every experiment that may be a success, now, while we can, because the Postmaster-General tells us that in six years from this time from 45,000 to 50,000 carriers will be employed, and their total compensation will no doubt be from $45,000,000 to $50,000,000.

Now, it will do nobody any harm. It will not harm those who are in the service if we adopt this amendment. It will not apply to any route upon which the service is now established, and with the bent of the Post-Office Department it will not apply on very many of the routes to be established between this and January. Now, in view of this great service, having a common interest with everybody else, it does seem to me that we ought not to be stampeded, without using every means within our power to get the best service for all the people at a reasonable cost, in a service that inside of six years must cost us $50,000,000.

Mr. MAHON. Mr. Chairman, this amendment of the gentleman from Iowa [Mr. LACEY] has been offered in good faith, I have no doubt, but it is intended as the entering wedge to put into the hand of the Postmaster-General the power, if he is hostile to the salary system, virtually to destroy what this committee has already said should be done. It puts a weapon in his hands which will enable him to do that if he is hostile to the salary system.

In a great many parts of this country the contract mail service of the United States, as to the horses and wagons and the service rendered by people, is a disgrace to this Government. If you put these rural free-delivery routes under contract, I do not care if a man is allowed to take only one, what will be the result?

Take a route for which a man ought to have six or seven hundred dollars, and for that route some fellow with an old horse and wagon, who, perhaps, has been on his uppers for six or seven months, will offer to carry that mail for two, three, or four hundred dollars, or for less than any man who is fit to be in the service can carry it. It will be the old story. Have you not had trouble about men of this kind, who will undertake this service and go ahead for five or six months and then throw up their route and put their bondsmen in trouble to find substitutes or carry the mails themselves?

Now, Mr. Chairman, the contract service has been tried over and over, and we are trying it to-day, and I say two-thirds of that service is a disgrace to this Government in the rural districts. We have had the free rural carriers at a salary of $500 a year. All over my country we have magnificent, costly wagons, with the words "Free rural delivery, Route No. 1" or "No. 2, United States mail," with good horses, and they have been rendering to the people a service that is entirely satisfactory.

The people living in the rural districts do not want any of your contract service, because they have recently got rid of a contract service which was not satisfactory.

You talk about the expense of 50,000 carriers. This country could better afford to have 80,000 rural carriers with a salary of $600 a year than to have 50,000 contractors.

I am opposed to this amendment. I do not know how the present Postmaster-General stands on this question; I do not know how his successor may stand; but if he is hostile to putting carriers on a fixed salary, under the amendment of the gentleman from Iowa [Mr. LACEY] he can experiment along the line which he is in favor of and he can destroy the system as it exists to-day.

You talk about paying the bills. The people of the United States in the rural districts want to be put in contact with the world, and they want the best service they can get. They want it as good as the people in the cities have. This Congress can pass no legislation that will come closer to the people than to provide for the delivery of the mail to them in this way. I am not afraid of the expense. When you give the men who pay the taxes the benefit of the delivery of mail right at their doors, there will be no bill to be paid that will be met more graciously than the bill for the carriers' salary. Now, I hope those who are in favor of rural carriers at $600 a year will vote this amendment down.

[Here the hammer fell.]

Mr. SMITH of Illinois. Mr. Chairman, is any additional amendment in order under this paragraph?

The CHAIRMAN. It is.

Mr. SMITH of Illinois. Then I desire to send to the desk the following amendment.

The CHAIRMAN. The Clerk will report the amendment. Does the gentleman offer an amendment to the amendment?

Mr. SMITH of Illinois. Yes.

The Clerk read as follows:

Amend the amendment offered by Mr. LACEY by adding thereto the following:

"*Provided*, That the Postmaster-General shall not advertise for such proposals or make such awards for any route in operation at the date of the passage of this act until July 1, 1906, or until a vacancy shall occur by reason of the death, resignation, or removal of the carrier who may be serving on any such route at the date of the passage of this act."

Mr. HILL. Mr. Chairman, a parliamentary inquiry. Is that amendment in order at the present time?

The CHAIRMAN. It is.

Mr. HILL. There is a motion to strike out?

The CHAIRMAN. There is a motion to strike out and an amendment in the nature of a substitute, which is subject to amendment.

Mr. HILL. And this is an amendment to that substitute?

The CHAIRMAN. The Chair so understands.

Mr. SMITH of Illinois. Mr. Chairman, there is great concern on the part of many of the members of the House with reference to the retention of the carriers already in the service. It has been manifested in many of the remarks that have been made that this service is a permanent service and that the object which we should have in connection with it is to try to secure the best methods by which these carriers shall be selected. I am certainly in favor of trying the experiment of the contract system, but I do not want it done at the expense of any of the carriers who are now in the service, and the object of my amendment is that the two may go together, that all of the routes now in operation shall have their carriers retained until 1906, which will give them four years from July 1, or until July 1, 1906.

Within that time the contract system can be easily and fully settled—whether it will or will not be a success—and I believe that if we are going to try the contract system at all—to authorize the Postmaster-General to do that—that we should adopt this amendment, which will absolutely keep the present system in existence, and let the contract system, or an experiment of the contract system, apply only to routes hereafter to be established. I do not see that any man can object to this character of an amendment. It is a safeguard for the present system; it is a safeguard to those now in the service. It may be said that the Postmaster-General would not interfere if this permission was given him to try the contract system, that he would not interfere with the routes already in force and effect.

Well, possibly he would not; but it will be no reflection upon his integrity and his honor for us to provide by this amendment, as I seek to do, that the present service and the carriers in it shall not be disturbed before July 1, 1906, and that he shall not let to contract or accept any bid for the same on the routes in effect on

the day of the passage of this act until July 1, 1906. I hope the amendment may be adopted.

Mr. KLUTTZ. Will the gentleman yield to a question?

Mr. SMITH of Illinois. Certainly.

Mr. KLUTTZ. The gentleman wants to try this experiment in the districts of those of us who have no routes?

Mr. SMITH of Illinois. Not at all. It may be on some routes established in my district, or the districts of other gentlemen, and upon those this experiment can be tried just the same as in the districts of those gentlemen who have none.

[Mr. BLACKBURN addressed the committee. See Appendix.]

Mr. BOUTELL. Mr. Chairman, the long debate upon this bill has demonstrated one fact beyond a peradventure, and that is that this House is unanimously in favor of the free rural delivery service; and if we represent the entire people we may now take it for granted that they are in favor of an extension to its utmost capacity of this valuable and popular service. That is a strong point made. There are men about me now, perhaps some in this Congress, who remember that forty years ago when the question of free delivery in cities came up in Congress it met with opposition from all quarters.

It was called an expensive, unnecessary, and extravagant service. To-day we realize the benefits that the free-delivery service in the cities has conferred upon this country. Six years ago, when the rural free-delivery service was first started, there were those who were highly sceptical as to its practicability and ultimate benefit. We have at last come to the point, Mr. Chairman, when the whole country and the representatives of all the people are committed to the establishment and to the furthest possible extension of this service. On that point we are all agreed. The Department estimates that with this system extended to take in the entire country there will be some 50,000 routes.

Now, I submit in all candor to those gentlemen who advocate the salary system whether, when this entire country is covered, we shall not have a great diversity of routes, not only in length but in the cost of service. We can not cover the entire country with routes that will be uniform either in mileage, in hours necessary to complete the service, or in the cost of living and maintenance of equipment.

The point I want to impress on the committee is this: That those who are in favor of the fullest possible extension of the service must admit that when it is extended to cover the entire population, we shall have not uniform routes but a great diversity of routes.

Now, if that is so, $600 as an annual compensation to a man on the more expensive routes, who must furnish his own horse and wagon, is utterly inadequate and ought not to receive the approval of the House. A four-hundred dollar net compensation in New England and generally in the northern parts of this country, where living and the maintenance of equipment are expensive, is entirely inadequate. It will be impossible to maintain routes in the Rocky Mountain region at such a figure. It seems to me, Mr. Chairman, that unless we provide to-day for some method by which the Department may at least test and report to us on the workings of the contract system we shall fail to act for the best interests of the rural free-delivery service.

I believe, Mr. Chairman, that on a uniform-salary basis this free-delivery service will be broken right in two in the middle, and we shall not be able to carry the service over the entire country. As I have said, a salary of $600 a year would be entirely inadequate in some parts of the country while entirely ample in others; entirely inadequate on some routes while entirely adequate on other routes in the same vicinity.

The House has expressed its preference to-day for the salary system. What I wish to urge upon the friends of this service—and there are no better friends of the extension of the service than the members of the committee who advocate the contract system—is that we give to the head of the Post-Office Department the necessary authority to give a limited number of routes a fair test under this contract system and report his conclusions to some subsequent Congress. [Applause.]

Mr. HILL. Mr. Chairman, I wish to call the attention of the House briefly—and I shall not take up the five minutes—to one proposition that has been advanced, and that is that the Post-Office Department should have discretion in the matter. Absolute discretion is given the Department, and to hold its own grip over the whole thing, under the original amendment as proposed by the gentleman from Virginia, because there the Postmaster-General has authority to award these routes at a salary not to exceed $600 a year. If he has a chance to try a new route in a new part of the country at a salary of $300 a year, it is his privilege to do it. If he wishes to try it at $200 or $400 or $500, he has that privilege. Under authority given by that amendment provided by the gentleman from Virginia not only can he practically experiment if he chooses, but he can hold his grip on the situation, which he absolutely loses by advertising for proposals.

Mr. WILLIAMS of Mississippi. May I interrupt the gentleman a moment?

Mr. HILL. Certainly.

Mr. WILLIAMS of Mississippi. Do I understand that the amendment to which the gentleman refers has already been adopted?

Mr. HILL. Yes; and no further amendment is needed.

Mr. WILLIAMS of Mississippi. Do I understand that the amendment permits the Postmaster-General under a salaried system to pay one salary in Connecticut and another in Mississippi?

Mr. HILL. I understand the fullest discretion is given the Postmaster-General to pay a salary at a sum not exceeding $600.

Mr. WILLIAMS of Mississippi. Then the Postmaster-General will have the discretion to pay one salary in Connecticut and another in Mississippi.

Mr. HILL. He has always had that discretion ever since this system has been established. This proposition simply continues for one year more precisely the practice that has existed heretofore.

Mr. WILLIAMS of Mississippi. Then I want to give notice——

Mr. HILL. I can not allow my time to be taken up further.

There is another reason why this measure should not be adopted, and that is that you are mixing up two systems; you are putting a civil-service system and a noncivil-service system side by side. This would not work so badly if you would put carriers on the two kinds of service at points remote from each other. But for one I do not want a contract given in my district which will make the carriers there dissatisfied. Dissatisfaction would inevitably exist on both sides—among the contractors and among the carriers. It would be a mistake to put the two classes of employees, the contract man and the salaried man, side by side—a great mistake. I submit it would be a great mistake to undertake this experimental system.

But if the Postmaster-General is authorized to experiment within the lines of the bill as now drawn——

Mr. GARDNER of New Jersey. But he is not so authorized.

Mr. HILL. He absolutely is.

Mr. GARDNER of New Jersey. You do not say so. You say you say so, but you do not.

Mr. GAINES of Tennessee. Will the gentleman from Connecticut allow me a moment?

Mr. HILL. Yes, sir.

Mr. GAINES of Tennessee. Is it not a fact that ever since this service was started different salaries have been paid in different places?

Mr. HILL. Certainly, not only in different parts of the country, but in the same county. Here are hundreds of cases, memoranda of which I have before me, where there are variations of salary, the salaries running at $250, $275, $350, $400, and so on. This has been the practice of the Department for some years past.

Mr. WILLIAMS of Mississippi. What I want to know is whether under this amendment the Postmaster-General would have the discretion to pay one salary in one part of the country and another salary in another part of the country. If he is to have such discretion, I want to serve notice that, whether a Mississippian makes more money out of this system or less, I shall insist, if the salary system is to be established, that all the people who are doing the same service shall receive the same compensation.

Mr. HILL. The Postmaster-General for six years has had the authority to use his discretion in this matter; and he has used it not only in different parts of the country but in the same part of the country, the compensation varying according to the character of the route—whether hilly or level, mountainous or plain. It is a discretion to pay whatever the service may be worth within the allowance of $600.

Mr. GAINES of Tennessee. The gentleman from Connecticut yielded to me just now, but I was interrupted. Now, right on that point I want to refer the gentleman from Mississippi [Mr. WILLIAMS] to page 116 of the report of the Postmaster-General for 1900, where he shows that he has allowed different salaries on different routes because some routes are level, with good roads, and others are mountainous, with rough roads. In 1896 we paid $150 and afterwards $300. In 1898 we paid $400 and July 1, 1900, we paid $500. These figures can be found at page 116 of the Postmaster-General's report for 1900.

The CHAIRMAN. The time of the gentleman from Connecticut [Mr. HILL] has expired.

Mr. SWANSON. I move that debate on the pending paragraph be closed.

Mr. WILLIAM W. KITCHIN. Before that motion——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. WILLIAM W. KITCHIN. Before that motion is put I wish to remind the gentleman from Virginia that I have an amendment I want to offer.

The CHAIRMAN. The closing of debate will not preclude the offering of amendments.

Mr. WILLIAM W. KITCHIN. But I wish to discuss the amendment.

The CHAIRMAN. The question is on the motion of the gentleman from Virginia to close debate on the pending paragraph.

The question being taken, there were—ayes 69, noes 52.

Mr. LACEY. I call for tellers.

Tellers were ordered; and Mr. LACEY and Mr. SWANSON were appointed.

The committee again divided; and the tellers reported—ayes 86, noes 50.

So the motion of Mr. SWANSON to close debate was agreed to.

The CHAIRMAN. The first question is on the amendment of the gentleman from Illinois [Mr. SMITH] to amend the amendment of the gentleman from Iowa [Mr. LACEY].

The question being taken, the amendment of Mr. SMITH of Illinois was rejected, there being—ayes 19, noes 73.

Mr. FLEMING rose.

The CHAIRMAN. Does the gentleman from Georgia [Mr. FLEMING] wish to offer an amendment?

Mr. FLEMING. I wish to offer an amendment to the amendment. I ask the Clerk to read it.

The Clerk read as follows:

Amend the amendment by adding after the word "select" in line 3, the words, "not exceeding 45 in number." So as to read:

"*Provided*, That the Postmaster-General is hereby authorized and directed to test the practicability of performing the rural free-delivery service by contract, on such newly established routes as he may select not exceeding 45 in number, etc."

Mr. FLEMING. I simply want to make it experimental, so that there shall be no mistake about that.

Mr. GAINES of Tennessee. I want to ask the gentleman who offered the amendment if what he proposes is not being done under the present system?

The CHAIRMAN. Debate has been closed.

Mr. GAINES of Tennessee. I hope the committee will indulge me for a minute. Did not the gentleman from California state——

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that he be allowed to address the committee.

Mr. GAINES of Tennessee. I simply want to ask one question.

The CHAIRMAN. Is there objection?

Mr. SWANSON. Mr. Chairman, I must be impartial, and I shall have to object to any unanimous consent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. FLEMING].

The amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Iowa [Mr. LACEY].

The question being taken, on a division, demanded by Mr. LACEY, there were—ayes 54, noes 92.

The CHAIRMAN. The question now is on the committee amendment.

The committee amendment was rejected.

Mr. SMALL. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add the following:

"The Postmaster-General shall establish rural free-delivery service in the several States in the proportion, or as near as may be, which the rural population of each State shall bear to the aggregate of the rural population in all the States, and the same ratio shall be observed as far as practicable in the establishment of such service in the several Congressional districts of each State: *Provided*, That if the applications on file for such service from any State or district are not sufficient to enable the Postmaster-General to maintain the ratio herein provided, then he may establish the service in other States, observing the same ratio as far as may be practicable."

The CHAIRMAN. The question is on the adoption of the amendment.

Mr. SMALL. Is debate in order upon the amendment?

The CHAIRMAN. Debate is closed by order of the committee.

Mr. SMALL. I ask unanimous consent——

Mr. LIVINGSTON. Regular order.

The CHAIRMAN. Objection is made. The question is on the adoption of the amendment.

The question being taken, on a division, demanded by Mr. SMALL, there were—ayes 50, noes 94.

Mr. SMALL. I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. SMALL and Mr. LOUD.

Mr. SMALL. I ask that the amendment be again read for the information of the committee.

The CHAIRMAN. Without objection the amendment will be again reported.

The amendment was again read.

The committee again divided; and the tellers reported—ayes 61, noes 96.

Accordingly, the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Virginia [Mr. SWANSON], to strike out the paragraph.

The motion was agreed to.

The Clerk read as follows:

Second. That no additional compensation shall be allowed to a rural free-delivery carrier unless pursuant to an advertisement and award of service as herein provided.

Mr. SWANSON. I move to strike out that paragraph.

The CHAIRMAN. The gentleman from Virginia [Mr. SWANSON] moves to strike out that paragraph.

Mr. WILLIAM W. KITCHIN. I move to amend that by striking out the last word.

The CHAIRMAN. The gentleman from North Carolina [Mr. WILLIAM W. KITCHIN] is recognized.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I gave notice the other day under general debate that I would offer an amendment providing that no person should be designated as carrier on any route until he filed with the Department a certificate signed by a majority of the bona fide patrons of the route that his designation as carrier would not be objectionable to them. I believe that the people along the routes ought to have a veto power against any objectionable or distasteful carrier. I stated that with that, and with one other amendment, I would favor the contract system as preferable to the present system.

I object to the present system, because in my judgment it leaves the power in the Post-Office Department to reject any carrier and to appoint anyone it sees fit. It is true that the Department has adopted certain regulations in the nature of civil-service rules, and if your inspector performs his duty under the law the people will get good service under it. Yet the inspector has almost an absolute and unlimited power to so report his examination as to select any man he wants as carrier. But, Mr. Chairman, I want a new system in order that the States in the South may get their proper share of this service.

I stated the other day that in the Republican State of Iowa more routes had been established than in the entire eight States from the Potomac River to the Texas line. Afterwards it was suggested that I ought to have stated the number of applications which had been filed from those various States. If you will establish one route in a neighborhood or in a county, immediately thereafter many applications will be sent in from that county. The establishment of a route brings forth the application for more routes.

Mr. GRAFF. Suppose that a majority of the patrons of a route happen to be colored people. Would your measure allow the appointment of a colored carrier for that route?

Mr. WILLIAM W. KITCHIN. I see the point of the gentleman's question, and the gentleman will understand that I said "bona fide patrons." The Department could very properly hold that a bona fide patron must be a regular subscriber to some paper, secular or religious, or part owner of a box or something like that. I think the majority of the bona fide patrons ought to have a voice in the selection of carriers.

Mr. GRAFF. Anybody would be a bona fide patron who was eligible to receive mail.

Mr. WILLIAM W. KITCHIN. Well, we deny that, and I very much regret that the gentleman insists on injecting the race question into this subject. It is very unfortunate. One would not be a patron who neither sends nor receives mail, just as one is not the patron of a school who does not send to it, although he lives in the district. However, I do not want my attention distracted from this proposition. I want to read some figures to the House which I am sure will enlighten gentlemen.

Mr. TOMPKINS of New York. Would you regard a colored man who was in the habit of receiving letters as a bona fide patron?

Mr. WILLIAM W. KITCHIN. If he was in the regular habit of it, yes. If he was a customary receiver or a customary sender of mail, yes.

Mr. TOMPKINS of New York. Good.

Mr. WILLIAM W. KITCHIN. Now, Mr. Chairman, in the eight States I named the other day there had been 500 routes established on February 1. I count as established routes which had then been ordered to be established.

In those States there had been 1,745 applications filed, showing that 28 per cent of the applications had been favorably acted upon. In the State of Iowa there had been 1,461 applications and 718 establishments, showing 49 per cent. In the State of Ohio there had been 1,503 applications and 677 establishments, a percentage of 45.

Here is a list of States in which there have been applications only exceeding by three those from the eight States that I named; but these States, which have solid Republican delegations in this House and in the Senate, from which 1,748 applications have been filed, have had 1,081 establishments made, or a percentage of 62.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from North Carolina asks that his time be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIAM W. KITCHIN. The States to which I referred are (in this list I count as established those which were ordered):

State.	Application.	Established.	Per cent.
California	150	96	64
Connecticut	165	114	69
Maine	161	106	65
New Hampshire	121	94	77
Rhode Island	23	15	65
Vermont	113	70	62
Maryland	236	193	81
North Dakota	31	18	58
Washington	51	37	72
Wisconsin	697	338	48
Total	1,748	1,081	62

These States have 39 Congressional districts.

Now, let us see how the percentage runs down in the States I named:

State.	Applications.	Established.	Per cent.
Virginia	205	69	33
North Carolina	398	64	16
South Carolina	319	140	44
Georgia	641	175	27
Alabama	133	43	32
Mississippi	34	3	09
Louisiana	10	5	50
Florida	5	1	20
Total	1,745	500	28

These States have 61 Congressional districts. The pamphlet to which I have referred contains figures which show that on February 1 there had been established throughout all the States, except the eight Southern States named, 47 per cent, or nearly one-half, of the routes for which applications had been filed.

Now, you can easily see why I favor some change in the system. Our people want this rural free delivery. We are anxious for it, and with this amendment, which I shall offer as a separate paragraph, I believe we can have satisfactory routes.

I call attention to this percentage in the belief that it may have something to do with the increase of routes in my section, and will enable us to get a more impartial service than we now get under the civil-service regulations as promulgated by the Department. Let us have more inspectors or special agents in the South, so that our people can be supplied with the service. Increase the number of inspectors, if necessary.

Another thing. I have been informed that other gentlemen in my State have been allowed to name a part of the carriers. I have named perhaps a majority of those who are to-day carring the mail in my district; yet I understand throughout the North and West that the rule was to give all these routes to the Republicans prior to February 1.

Under the present rules a member of Congress has nothing and can have nothing to do with the naming of carriers, if they are honestly enforced. But prior to February 1, 1902, while in my State Democratic Representatives were permitted to name one-half of the carriers, and while in other States in the South, where Republicans have no hope of success, Democrats have been permitted to name all the carriers, yet in the States in the North and West, where some districts are close, Democratic members of Congress have not been permitted to have any voice whatever in the selection of carriers. These facts tell the tale of partisanship, and possibly explain in part why so many routes have been established in those sections.

Mr. TIRRELL. Have you investigated as to Massachusetts to see how many routes there are there?

Mr. ROBINSON of Indiana. I hope the gentleman will not be diverted from the important argument that he is now making.

Mr. WILLIAM W. KITCHIN. Yes; I have the figures as to Massachusetts. In Massachusetts 123 petitions have been received and 75 routes established—a percentage of 61. Very good for Massachusetts to get routes on 61 per cent of the applications filed.

Now, the very fact that so many Republicans have been appointed in these other sections of the country convinces me, with my knowledge of human nature and political parties, that unless some change is made in this system that it will be used as a great political machine for whichever party is in charge of the Administration. The people of the mountain section of the South already know the influence the revenue officers—the gaugers and storekeepers and deputy marshals and collectors—have used in politics, not only on the country at large, but upon the selection of their own party nominees. We have felt that influence. Acting upon our experience, I see a great danger in the 50,000 free rural-delivery carriers that we may have hereafter going through the country daily, partly in the interest of the Administration. I believe that there ought to be proper protection and safeguards thrown around the system, and we ought to change the present to a better system. [Applause.]

Mr. SALMON. I now offer the amendment that I sent to the desk, which I ask to have read.

The Clerk read as follows:

Insert after line 8, page 3, the following:

"Hereafter if the petitioners applying for the establishment of a rural free-delivery route shall request that the carrier be selected upon the contract principle, the Postmaster-General shall make such selection in manner as follows:

"First. That before any person shall be designated to carry the mail on any mail rural free-delivery route the Postmaster-General shall cause an advertisement to be posted for not less than ten days, in a conspicuous place accessible to the public in the post-office from which the mail is to be carried, inviting proposals, in such form as he may prescribe, for the service to be performed."

Mr. HILL. I make the point of order that this is not germane to the paragraph. It provides an entirely different system.

The CHAIRMAN. The Chair could hardly rule until he has heard the amendment read.

Mr. HILL. It is perfectly apparent so far as it has been read that it does not apply to the additional compensation for carriers already chosen, and is not germane to it.

The CHAIRMAN. The Chair is inclined to rule that the point of the gentleman from Connecticut is well taken, but the Chair is inclined to the opinion that this will be permissible as a separate paragraph.

Mr. HILL. But it would only be in order as a separate paragraph.

The CHAIRMAN. It is not in order at this time. The gentleman will withdraw it temporarily until after this paragraph has been disposed of. The question is on the motion of the gentleman from Virginia to strike out the paragraph.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The gentleman from New Jersey now offers the paragraph preceding line 19, page 2, which the Clerk will report. The Clerk read as follows:

Insert after line 8, page 3, the following:

"Hereafter if the petitioners applying for the establishment of a rural free-delivery route shall request that the carrier be selected upon the contract principle the Postmaster-General shall make such selection in manner as follows:

"First. That before any person shall be designated to carry the mail on any mail rural free-delivery route the Postmaster-General shall cause an advertisement to be posted for not less than ten days in a conspicuous place accessible to the public."

Mr. HILL. I make the point of order that it can not be read until we have read down to line 19. The gentleman offers it as an amendment to three paragraphs, and it can not be read until we have read to line 19.

The CHAIRMAN. The Chair understands that the gentleman offers it as a separate paragraph.

Mr. HILL. He offers it as a substitute for a portion of the bill which has not yet been read.

The CHAIRMAN. If that is so, then it is not in order. It is offered as a separate paragraph. The gentleman stated that over and over again.

Mr. HILL. The gentleman offers it as a substitute, but it is for a part of the bill down to line 19, and we have not read down to line 19.

Mr. WILLIAMS of Mississippi. Preceding line 19.

Mr. SWANSON. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. SWANSON. As I understand, section 2 has been struck out?

The CHAIRMAN. The gentleman means paragraph 2.

Mr. SWANSON. Paragraph 2.

The CHAIRMAN. That has been struck out.

Mr. SWANSON. As I understand it, paragraph 3 in the bill is in order. Is it in order to offer a separate paragraph at this time?

The CHAIRMAN. Yes; it attaches to the bill as a separate paragraph.

Mr. SWANSON. It seems to me that we should complete the bill before a separate paragraph is offered.

The CHAIRMAN. The Chair is of the opinion that a separate paragraph does not necessarily go to the end of the bill. The Chair thinks that this amendment is obviously germane.

Mr. SWANSON. It seems to me that if it is offered to attach to something, it ought to be attached to something that has been read. The position I take is that if the gentleman desires a distinctive proposition controlling rural free delivery in addition to

what is contained in the bill, he ought to offer it as a separate proposition after the bill of the committee is disposed of. I do not see to what it attaches until we complete the bill.

The CHAIRMAN. The Chair is of opinion that the paragraph which the gentleman offers is plainly germane to the bill and can be introduced as a separate paragraph, but the Chair is of the opinion, as suggested by the gentleman from Virginia, that it would be more appropriate and more regular and much better if the paragraph was offered after the subject which is treated of here has been acted upon by the House; that is, after sections 3 and 4 have been disposed of. The Chair will suggest to the gentleman from New Jersey that he withdraw his amendment and renew it again, which will prevent all question.

Mr. SALMON. I will do so, Mr. Chairman. I really thought that this paragraph had been disposed of.

The Clerk read as follows:

Third. That under such regulations as the Postmaster-General may prescribe, a substitute carrier may be employed, at the expense of the regular carrier, to temporarily perform the service on any rural free-delivery mail route.

Mr. SWANSON. Mr. Chairman, I move to strike out that paragraph.

Mr. LOUD. I would like to ask the gentleman from Virginia what his object is? Does not the gentleman want authority to employ a substitute?

Mr. SWANSON. I think the present civil-service rules provide that the carrier may select his own substitute.

Mr. LOUD. The civil-service rules are not law.

Mr. SWANSON. They are law when promulgated by the President, and the President can not revoke them. It has been so held by a test case in the Supreme Court. My objection to this paragraph is that there would be a conflict as to whether the civil-service rules should prevail in connection with the appointment of a substitute or whether it should be left entirely with the Postmaster-General. I think, to have a harmonious system, it would be better to let the carrier select the substitute, and when the substitute comes up for appointment under the civil-service rules—when a carrier is removed—the carrier will be selected just as a carrier for a new route. I want to say, in connection with the civil-service rules, that the best authorities hold that when the President has put a department under the civil service he has not the power to take that department out from under it again.

Mr. SLAYDEN. It has been done, however.

Mr. SWANSON. I do not believe he can do it; and if this was to be in the law, there would be a question whether the control of the substitute was left to the civil service or whether it would be left by this bill to the Postmaster-General, and consequently I think the system would be more in consonance with harmony to have this provision struck out.

Mr. LOUD. Mr. Chairman, I am inclined to think that the House may be in a frame of mind to do something to-day that they may be sorry for to-morrow, when their better judgment comes. If you do not enact this provision, then there will be no law to permit the appointment of a substitute. I care nothing about the civil-service rules; you have no statute that will permit the appointment of a substitute. Without a statute, after we put this service under the statutory law and segregate and provide for it, I say that the Postmaster-General, notwithstanding the civil-service rules, would not be authorized to permit the employment of a substitute. Now, gentlemen, let us not lose our heads on this proposition.

Mr. SWANSON. I do not want to.

Mr. LOUD. I think the gentleman has lost his. The civil service can not promulgate statutory law; they can not make a new office. Heretofore, under the lump-sum appropriation, where we gave the Department three million or four million dollars, they could expend this money as they saw fit. But here we propose to appropriate a specific sum of money for inspectors, a specific sum for carriers; and now if you have no statutes that permit the appointment of a substitute, you are repudiating the substitute carrier because the law itself does not mention any such officer, and, not being mentioned, it is prohibited by law. The gentleman from Virginia and his followers can strike it out if they want to, but they will have no statute authorizing a substitute carrier.

[Mr. SMALL addressed the committee. See Appendix.]

Mr. SWANSON. Mr. Chairman, the object of my amendment is to prevent any lack of harmony in the rural carrier system. The rules promulgated by the Civil Service Commission, of which Mr. Procter is president, contain this provision with reference to providing substitutes in the rural free-delivery service:

18. A carrier will be required to furnish a suitable substitute. Whenever a carrier becomes separated from the service the postmaster shall employ the substitute carrier, if there be one at the time, and if not, any suitable person until regular appointment can be made. The appointment of a new carrier shall operate to separate the former substitute from the service, the new carrier to furnish his own substitute as herein provided.

Now, as I understand, when it is necessary to fill a vacancy in the position of a carrier the substitute has to undergo the same examination as if a new carrier were appointed.

Mr. HAY. By what authority can the Civil Service Commission create an office?

Mr. SWANSON. Mr. Chairman, in reference to that I will say that this Commission has issued rules and regulations governing the entire rural delivery—putting the entire appropriation and the employees under the civil service.

If gentlemen who have studied the question more thoroughly than I have are satisfied that there will be no chance for the appointment of a substitute unless this bill passes I am willing to withdraw my objection.

Mr. UNDERWOOD. What is the gentleman's objection to this provision for substitute carriers?

Mr. SWANSON. My only objection is that I prefer the substitute carrier should be named by the carrier himself under civil-service rules as promulgated than that the Postmaster-General should name him.

Mr. GAINES of Tennessee. I will state to the gentleman from Virginia that a few days ago they reversed the return of one of the supervisors because he did recommend the appointment of a substitute and put a substitute in office.

Mr. SWANSON. I withdraw my motion, as gentlemen who have examined the subject tell me that the Civil Service Commission would not without authority take action of this kind.

The CHAIRMAN. Is there objection to the withdrawal of the amendment? The Chair hears none.

Mr. SALMON. I offer the amendment which I send to the desk.

The Clerk read as follows:

Hereafter if the petitioners applying for the establishment of a rural free-delivery route shall request that the carrier be selected upon the contract principle, the Postmaster-General shall make such selection in manner as follows:

First. That before any person shall be designated to carry the mail on any mail rural free-delivery route, the Postmaster-General shall cause an advertisement to be posted for not less than ten days, in a conspicuous place accessible to the public, in the post-office from which the mail is to be carried, inviting proposals, in such form as he may prescribe, for the service to be performed. The service shall be awarded to the lowest bidder who shall furnish evidence satisfactory to the Postmaster-General that such bidder is a legal and actual resident of the district or territory in which the proposed service is to be performed; that he is a reliable and trustworthy person, of good moral character, able to read and write, and having sufficient intelligence and ability to properly perform the service, and who shall tender sufficient guaranties that he will personally perform acceptable service; but the Postmaster-General may reject all proposals submitted under any advertisement: *Provided*, That no person shall be awarded a contract for more than one route under this paragraph.

Second. That no additional compensation shall be allowed to a rural free-delivery carrier unless pursuant to an advertisement and award of service as herein provided.

Mr. HILL. I make the point of order that this amendment is not in order. If it is, I should like to know to what paragraph it applies.

The CHAIRMAN. It is not in order as an amendment, but is offered as a separate paragraph. The Chair wishes to state to the Committee of the Whole that at the suggestion of the Chair the gentleman from New Jersey [Mr. SALMON] withdrew this amendment when he offered it to paragraph 3. That paragraph having been continued in the bill, the proper place for the amendment, in the opinion of the Chair, is before that section, the point at which the gentleman offered it. The Chair suggests that unanimous consent be given that the amendment may be offered at that point. Is there objection? The Chair hears none.

Mr. SALMON. Mr. Chairman, I can not understand how anyone who is in favor of leaving questions, political or otherwise, to the majority of those interested can object to the passage of this paragraph. You have denied the selection of the carriers to those who are in a general way the selectors of the carriers under the contract system; but where the petitioners for a route specially ask that the carrier be selected on the contract principle, it seems to me there can be no possible objection to listening to the request of such petitioners.

In my belief, the time will come when all these carriers will be selected in the way proposed by this bill as it came from the committee, for it is the only just and proper way of making this selection. Who can know better what it is worth to carry the mail in a certain neighborhood than the people who are living in that neighborhood, and the great variation in the value of the services in different neighborhoods is such that you can not do justice to the carriers unless you pay them what they agree upon and are willing to do the service for.

It does not mean, as has been indicated on this floor in the arguments that have been made, that you will have a cheap service. It has no such intention as that, but it is to have a service performed by those who perform it at a price that they are willing to do it for and not at a price to be fixed arbitrarily by some one sent into that neighborhood from the Post-Office Department here. I believe that this paragraph will add very much to the

benefits that are to be derived under this measure, and that the rural free delivery will be more easily established and be more satisfactory to the people throughout the country if this system is adopted.

[Mr. BARTLETT addressed the committee. See Appendix.]

Mr. BROMWELL. Mr. Chairman, replying to the gentleman from Georgia, I want to call his attention to the fact that the privileges that are given to the discharged Union soldiers in the way of preference in public employment limits that preference and that privilege to those who have been disabled and discharged by reason thereof from the service.

I take it, therefore, that even if a preference was attempted to be extended to the Union soldiers, or for that matter to the ex-Confederate soldiers, to bring them within that class they would have to be utterly unfitted for this rural free-delivery service.

A MEMBER. To what amendment is the gentleman speaking?

Mr. BROMWELL. I have attempted on the floor of this House to secure an extension of that preferential bill to include all soldiers and sailors, as well as those who by reason of wounds or disease were discharged from the Army. And I venture to say that many of the gentlemen who are now agonizing over the amendment that I offered, putting the colored man of the South upon the same footing——

Mr. BARTLETT. Why confine it to the South?

Mr. BROMWELL (continuing). Were among the members who voted against the proposition that I submitted in the last Congress. I have no sympathy, Mr. Chairman, with this proposition, that because a man's skin is dark colored he shall not stand upon the same footing as the other people in this country.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. BROMWELL. I have no sympathy with the idea that in the South the negro shall not only be debarred of his political rights, but that he shall not be permitted to earn an honest livelihood in the Government service, and, therefore, when I heard the gentleman on the other side propose to put the ex-Confederate soldiers upon the same footing with the ex-Union soldier, I felt that justice demanded that the colored man of the South should have his show as well as the ex-Confederate soldier.

Mr. BARTLETT. Did you confine it to the colored man of the South? Did you not say "colored men?"

Mr. BROMWELL. The colored man of the North has no trouble. He gets his rights. [Applause on the Republican side and derisive laughter on the Democratic side.]

Mr. FOX. You shot them in Illinois when they wanted to get work. Instead of giving them employment you shot them.

Mr. GAINES of Tennessee. And you hung them in Indiana the other day after the jury had acquitted them.

Mr. BROMWELL. I want to say to the gentleman from Tennessee that they do not hang them in that State and they do not shoot them.

Mr. GAINES of Tennessee. They did hang the defendant negro the other day in Indiana, after the jury had acquitted him.

Mr. BROMWELL. They have a punishment for them worse than hanging or shooting in Tennessee. They compel them to listen to the gentleman from Tennessee, and if that is not worse than hanging I do not know what is. [Laughter.]

Mr. GAINES of Tennessee. They would not listen to the gentleman from Ohio anywhere, and you could not force the members of this House to do so if we could help ourselves. [Laughter.]

Mr. BARTLETT. I wish to ask the gentleman a respectful question.

Mr. WILLIAMS of Mississippi. Mr. Chairman——

Mr. BARTLETT. I want to ask the gentleman from Ohio a respectful question.

Mr. BROMWELL. I yield to the gentleman.

The CHAIRMAN. The gentleman from Mississippi [Mr. WILLIAMS] is recognized.

Mr. BARTLETT. Will the gentleman from Mississippi yield to me?

Mr. WILLIAMS of Mississippi. Yes.

Mr. BARTLETT. The gentleman from Ohio said something about hanging negroes in the South. I want to ask the gentleman from Ohio if about two years ago the people of Urbana, Ohio, did not hang a negro who had been tried and convicted of an assault upon a white woman after he had been tried and convicted?

Mr. BROMWELL. Yes; and they hang white men all over the North for the same kind of an offense. They make no discrimination in the North; but they do in the South.

Several MEMBERS. Oh, no.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. HILL having taken the chair as Speaker pro tempore, a message from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, announcing that the President had approved and signed bills of the following titles:

On March 6, 1902:

H. R. 10308. An act to provide for a permanent Census Office.

On March 8, 1902:

H. R. 5833. An act temporarily to provide revenue for the Philippine Islands, and for other purposes.

On March 10, 1902:

H. R. 3740. An act to confirm title to lot 1, square 1113, in Washington, D. C.;

H. R. 61. An act to authorize the establishment of a life-saving station at Bogue Inlet, North Carolina;

H. R. 10070. An act establishing a United States court at Catlettsburg, in the eastern district of Kentucky;

H. R. 8180. An act granting an increase of pension to William S. Derby; and

H. R. 5801. An act to authorize the St. Clair Terminal Railroad Company to construct and maintain a bridge across the Monongahela River.

RURAL FREE-DELIVERY SERVICE.

The committee resumed its session.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I am afraid that my friend the gentleman from Ohio [Mr. BROMWELL] is in the condition of the average fellow who finds himself in a hole and attempts to break up the convention in a row. I notice that whenever a man finds himself in a very bad place, if he comes from about the isothermal line of my friend from Ohio, he immediately says something about the way in which the South has treated the darky.

Mr. Chairman, I do not want to go into this subject at this time, except to say that we have been accused down South of hanging them and doing all sorts of things with them for all sorts of causes, except for one. Our people, or rather some of our people, have lynched them for rape. So have yours. We never were accused of hanging or shooting them because the poor darkies wanted to make an honest living in the sweat of their brows. We have never shot any of them because they wanted to work, and it seems to me that I have heard of some instances in some Northern States where that was the case. at Pana, Ill., for example, and yet I would by no means indict the people of a great and good and glorious Commonwealth, like Illinois, for example, because some people in it saw fit to shoot darkies because they wanted to work.

Nor would I indict the people of Indiana because I read this in a morning's paper:

BOYCOTT OF INOFFENSIVE NEGROES IN INDIANA.

VINCENNES, IND., *February 16.*

At Wheatland, this county, there is a negro settlement. The negroes work for white farmers. All are quiet and inoffensive, but there is a prejudice against them.

The following notices, signed "Firebugs," were to-day found and have produced a sensation:

"Notice is hereby given that any man who employs negro labor after the 1st of March, or harbors, leases, or rents lands to any negro, their houses will be burned after the 1st day of April."

I do not know whether the extract cited sets forth the truth of an actual happening or not. I hope not. I do know that legislatures confer the privilege of suffrage. I do know that God gives the right to work. Indeed, it is more than a right; it is a duty—obedience to a divine command: "In the sweat of thy face shalt thou eat bread."

But the point I intended to get at here—I do not want to enter into the race question further—is this: A motion was made to give ex-Union soldiers a preference in employment. It was moved that ex-Confederate soldiers have the same preference, and the gentleman from Ohio said that he wanted to put the colored man on an "equality," and offered an amendment to the effect that they be put on the same plane as ex-soldiers. I want to demonstrate that whether he intended it or not his proposed amendment was not a motion for equality but for superiority. He put him upon a superior plane, and gave him the preference. The motion was made to give a preference in these appointments to ex-Union soldiers. An amendment was offered to include ex-Confederate soldiers with the ex-Union soldiers.

Mr. BROMWELL. May I correct the gentleman? The law now gives a preference to ex-Union soldiers, and the motion was to extend it to the ex-Confederate soldiers.

Mr. WILLIAMS of Mississippi. Yes; that is true. I ought so to have expressed myself. The law now provides that ex-Union soldiers shall have a preference. The motion was then made that ex-Confederate soldiers should share that preference; whereupon the gentleman from Ohio offered an amendment to the amendment to the effect that the colored people should also share it. Share what? Equality? No, preference. In other words, it means that simply because his skin is black a man shall have preference in

these appointments to everybody with a white skin except ex-Union and ex-Confederate soldiers.

Fifty-nine Republicans voted for it. Now, Mr. Chairman, this is not the time to discuss the race question. I take it that there is one main difference between the South and the North in regard to the race question. You say we do not let him vote down South, and I say that you do not let him do much of anything else except vote up North. [General laughter and applause.] You say we have sometimes denied him the statutory privilege of suffrage. You have frequently denied him that which is a natural, inalienable, and God-given right, the right to work at any vocation or any honest pursuit. [Loud applause.] [Cries of "Vote!" "Vote!"]

Mr. LACEY. Mr. Chairman, I hope it will not be out of the way to speak in relation to this bill. [Cries of "Vote!"] Gentlemen say "Vote!" I am endeavoring to talk about this bill. [Cries of "Vote!"] You will not vote until I get through; but that will not be long.

The CHAIRMAN. The gentleman will suspend, and the Committee will please be in order.

Mr. LACEY. Mr. Chairman, here is a simple proposition made by the gentleman from New Jersey to allow the parties applying for rural routes to ask that that route be let by contract, and when they do so I think it ought to be allowed. I want to call attention to the fact that the State of Colorado could have no rural route at all if we pass this bill saying that the salary shall not go over $600, for no one could carry the mail for $600 a year in the mountains of that State.

Were the gentleman from Colorado to send in a petition asking for a route and asking that it be let by contract at a thousand or twelve hundred dollars, it could be established. When I propose to discuss the proposition gentlemen cry "Vote! Vote! Vote!" Now, I ask you to vote, and vote so that Colorado can have a rural route as well as the State of Virginia and other States where the limit of $600 will not be entirely too low. I am ready for a vote now.

Mr. SWANSON. Mr. Chairman, I move that all debate on this paragraph and amendments be closed.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment proposed.

Mr. SHAFROTH. I ask that the amendment be read.

The CHAIRMAN. Without objection the amendment will be again reported.

Mr. UNDERWOOD. Mr. Chairman, the amendment of the gentleman from New Jersey is a very long one.

Mr. SWANSON. It was read about ten minutes ago.

The CHAIRMAN. Does the gentleman from Alabama object?

Mr. UNDERWOOD. I object.

Mr. SALMON. It is only necessary to read the first few lines.

The CHAIRMAN. Objection is made. The question is on the amendment of the gentleman from New Jersey.

Mr. SALMON. Mr. Chairman, I ask, for the information of the House, that the first few lines be read, so that the House may know what it is. [Cries of "Vote!"]

The CHAIRMAN. The Chair will wait until the House comes to order. [Cries of "Regular order!"]

Mr. GRIGGS. Mr. Chairman, the gentleman from Alabama withdraws his objection to the reading of the amendment.

The CHAIRMAN. The gentleman from New Jersey requests that the first few lines of his amendment be read. Is there objection?

A MEMBER. I object.

The CHAIRMAN. Objection is made.

The question was taken on the adoption of the amendment, and the Chairman announced that the noes appeared to have it.

Mr. SALMON. I ask for a division.

The committee divided, and there were—ayes 65; noes 98.

So the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HILL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, one of its reading clerks, announced that the Senate had passed bill without amendment of the following title:

H. R. 4381. An act to authorize the Central Railway of West Virginia to build a bridge across the Monongahela River at or near Morgantown, in the State of West Virginia.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. CULLOM, and Mr. TELLER as the conferees on the part of the Senate.

RURAL FREE-DELIVERY SERVICE.

The committee resumed its session.

The Clerk read as follows:

Fourth. That rural free-delivery carriers heretofore appointed and now in the service may be continued as carriers, at a rate of compensation not exceeding $600 per annum, until such time as the Postmaster-General shall advertise for proposals and make awards for the several routes on which such carriers are now employed.

Mr. BROMWELL. Mr. Chairman, I offer the following amendment to this paragraph, which I would like to have read.

The Clerk read as follows:

Provided, That the rural free-delivery carriers provided for in this bill shall not, by any provision or construction of the civil-service law, be included in the classified civil service, any Executive order to the contrary notwithstanding.

Mr. HILL. Mr. Chairman, I make the point of order that the amendment is not germane to the paragraph.

Mr. BROMWELL. Mr. Chairman, upon that point of order there is a provision here that relates to the rural free-delivery carriers heretofore appointed and now in the service, providing that they may be continued in the service at the rate and compensation, etc. This amendment provides that none of these rural free-delivery carriers, whether already appointed or hereafter to be appointed, shall by any construction of the civil-service law be included in the classified service, any Executive order to the contrary notwithstanding.

Now, this gives the gentlemen who are opposed to the civil-service extension over the rural free-delivery service an opportunity to show where they stand.

Mr. HILL. Mr. Chairman, it seems to me it is unnecessary to argue to the chairman of the Civil Service Reform Committee that this amendment to the civil-service law is not germane to this section.

Mr. BROMWELL. It is not an amendment to the civil-service law.

The CHAIRMAN. The Chair is of the opinion that this provision is germane to the bill. The only question in the mind of the Chair is whether it is appropriate to this section, inasmuch as this section applies exclusively to a certain class of carriers, but the Chair is inclined to rule, upon the whole, that it is germane and admissible at this point.

Mr. BROMWELL. Now, Mr. Chairman, I do not desire to make any extended remarks on this subject. Gentlemen can see what the object of the amendment is, and I am perfectly willing that debate should be closed upon the paragraph and amendment.

Mr. UNDERWOOD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. UNDERWOOD. I desire to know whether a substitute would be in order now to the amendment of the gentleman from Ohio?

The CHAIRMAN. Certainly.

Mr. UNDERWOOD. Then I desire to offer a substitute for the proposed amendment of the gentleman from Ohio.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

Insert as a substitute the following:

"The laws, rules, and regulations now in force regulating the civil-service status of employees of the city mail-carrier service shall be employed to the employees of the rural free-delivery service, so far as applicable: *Provided, however*, That the carriers shall be selected from applicants living on the mail routes they are to serve, if possible."

Mr. UNDERWOOD. Now, Mr. Chairman, I have only a very few words to say. We have heard from the beginning of this debate that the country was in danger by reason of this service; that as matter of fact a great many gentlemen almost admitted that it would be better to abolish the rural free-delivery service for fear that these men would raid the Treasury. They had almost reached the point that they were willing to abolish it in order to protect the Treasury. There has been complaint on both sides of this House that this can be used as a partisan service.

Now, Mr. Chairman, I say that the Post-Office Department is the great business system of the Government. I do not pretend to be any great civil-service man in many respects, but I do say that when you come to run a business department that right here is where civil-service laws, rules, and regulations of this country should apply, if they are going to be applied at all. Here is a proposition that goes into the business of every man in the country—goes into the home of every man in the country—and the great question to be considered is whether you are going to have a good service or a bad one.

If these men who hold positions are going to be appointed from a partisan standpoint, if they are going to hold the positions for political purposes, they necessarily can not give the service and the people along their routes as good service as they can if they are entirely free from any partisanship or from partisan politics. Now, if we want to perfect this system, make it a good system, make it serviceable to the people, and at the same time prevent these men from coming here and demanding an increase of salary

by reason of their political services, and not for services they have rendered in the legitimate line of their employment on the part of the Government, we should adopt an amendment putting them under strict civil service or the merit system.

Mr. SWANSON. I simply want to state that the amendment of the gentleman from Alabama [Mr. UNDERWOOD] proposes that the civil-service rules applied to city carriers shall be applied to rural carriers——

A MEMBER. So far as applicable.

Mr. SWANSON. We do not know how that term "so far as applicable" may be construed. Are these carriers to be put under civil-service rules and regulations as now promulgated? The city carrier is not required to live on his route; the city carrier does not cancel stamps; the city carrier does not sell stamps. It would seem to me that the proposed amendment is very unwise, as the two classes of employees are on so different a footing. [Cries of "Vote!" "Vote!"]

Mr. Chairman, after having made a speech myself, I do not like to make a motion for closing debate, and I will not do so; but before taking my seat I wish to move that this section be struck out. I desire that motion to be pending.

Mr. ROBINSON of Indiana. Mr. Chairman, I shall address the House but briefly in favor of the amendment proposed by the gentleman from Alabama [Mr. UNDERWOOD]. All gentlemen on the floor have favored the strength and efficiency of this branch of the Post-Office Department. The hope is not extravagant that we may all have it over our districts, so that all our constituents may share in its benefits and its blessings, within a few years.

It will not be as strong as it should be, nor as pure as a government utility, until it is protected by the rules of the merit system, as are the other branches of the civil service.

This amendment secures that result. To you members from Southern districts, to you on the other side who have so eloquently spoken and who look only to the public good, I appeal to you to free forever this branch of the public service from the danger that might come from dragging it into the mire of political use. The South is equally interested. It may be used, and indeed it has been used, by candidates for nominations as the post-office appointments have been used by politicians. It is under a form of civil service rather strict, but this amendment makes it stronger. Let us see the necessity for this provision. The gentleman from Illinois [Mr. WILLIAMS] referred to a press article of this morning that comes to us from Tennessee, and which not only shows the abuse that officers may make of their station, but likewise gives us some notion of the penalty that should be visited on violaters of the rules of the merit system. It reads:

[Special to the Washington Post.]

KNOXVILLE, TENN., *March 9.*

Charges have been preferred against United States Attorney W. D. Wight, Marshal R. W. Austin, of the Second district; Eli C. Skaggs, assistant postmaster at Nashville; John J. Graham, rural route inspector of Campbell County; Rufus Rutherford, postmaster at Clinton, and Caram Acuff, postmaster at Maynardsville, by Hon. Horace A. Mann, of this city, for violating rule 2 of the Civil Service Commission and the personal injunction of President Roosevelt that Federal office-holders refrain from engaging prominently in political contests.

The charges were forwarded to Washington Saturday evening, and are expected to reach the capital and be in the hands of the Civil Service Commission, the President, the Attorney-General, and the Postmaster-General Monday morning. Personal appeal also was made to President Roosevelt, and he was urged to send an inspector to Knoxville at once, that the investigations into the charges might immediately be commenced.

The charges are the outcome of a contest in the Second Congressional district for the nomination for Congress.

Let us do our duty. Though we may doubt the expediency of the rules of the merit system, yet we know the value of this service, its great good, the difficulty we have in securing all we want of it for our people, and let us strengthen this arm of the public service by elevating it to the standard at least of the other branches of the Government. Let me appeal to all you Southern members to aid us, by applying the rules of the civil service to it, in all their potency and strength.

The CHAIRMAN. The question is on the amendment of the gentleman from Alabama.

Mr. UNDERWOOD. I ask that it be read again.

The CHAIRMAN. Is there objection to reading the amendment again?

Objection was made.

The CHAIRMAN. The question is on the adoption of the substitute.

The question being taken, the amendment of Mr. UNDERWOOD was rejected, there being—ayes 58, noes 104.

Mr. FLEMING. Will the Chair be kind enough to state what is the next proposition upon which we are to vote?

The CHAIRMAN. The next question is upon the amendment offered by the gentleman from Ohio.

Mr. FLEMING. Upon that I wish to say a word.

Mr. GROSVENOR rose.

Mr. FLEMING. I will yield to the gentleman from Ohio [Mr. GROSVENOR] if he wishes——

Mr. GROSVENOR. I simply wanted to ask to have the proposition read again. I did not hear it.

Mr. FLEMING. I will wait for that.

The CHAIRMAN. Without objection the amendment will be again read.

Objection was made.

Mr. FLEMING. Mr. Chairman, if the amendment had been read by the Clerk it would have shown to the House that the purpose of the gentleman from Ohio in offering it is to take the entire rural delivery service out of what is known as the civil service or merit system and place it absolutely at the mercy of what we usually call "the spoils system."

Mr. BROMWELL. Just as it has been up to the 1st of February of this year.

Mr. FLEMING. I so understand. The Civil Service Commission, acting under the Executive order, have placed the rural carriers under the protection of the civil-service law. The object of the gentleman from Ohio is to take them out of that law. Now, the gentleman's record as a spoilsman in this House is perhaps sufficient to relieve him from any suspicion of having another motive; yet I can not keep out of my mind the idea that the main object he has in offering this amendment is not to take the rural carriers out of the civil service or merit system so much as it is to load this bill down with an amendment which he knows will compel the President of the United States to veto the bill rather than have it enacted into law.

President Roosevelt, with a courage that does him honor, stood out before the country as an opponent of the infamous "spoils" system when to do so called for backbone in a man; and since he has been placed in the Presidential chair he has still shown that independence and that manhood. It was all that political pressure could do to keep him from vetoing the permanent Census Bureau bill the other day, by reason of an invasion of the rights of the Civil Service Commission, and the custom and practice under that law.

And if this Congress should send to the President this bill with that provision attached to it I have not the shadow of a doubt that he would promptly put his veto upon it; and I charge that that must be one motive of the gentleman from Ohio in offering that amendment.

Mr. BROMWELL. May I answer the gentleman?

Mr. FLEMING. I will be glad to have an answer.

Mr. BROMWELL. First let the gentleman conclude, and then I will ask five minutes.

Mr. FLEMING. Now, Mr. Chairman, I would not misinterpret any man's motive, and therefore I do not charge it as a fact, but I say that the gentleman's amendment is plainly subject to that construction, and unless he disclaims the purpose I have a right to make that inference; but whether it be his purpose or not, I say if this House accepts that amendment, such will be the effect of it, and I am not concerned so much with his motives as I am with the effect of the amendment. No friend of this bill, no friend of rural free-delivery service will vote for that amendment with the knowledge before him that its purpose or its effect will be to compel a veto by the Executive.

Mr. BROMWELL. Mr. Chairman, first of all I want to deny the statement of the gentleman that I had any such motive as he attributes in offering this amendment. I recognize when I am whipped on the floor of this House as well as anybody. I have advocated earnestly the contract system in this bill. The majority of the House has decided that they do not want the contract system. As a member of the Post-Office Committee, as a member of this House, I feel it my duty to make, as far as possible, this appointive system as nearly perfect as it can be, and I believe it will add to the strength of this system if those carriers are taken out from the classified service in which they have been placed by the Executive order.

Mr. FLEMING. Will the gentleman allow me to ask him a question?

Mr. BROMWELL. Now, then, I want to call the attention of the House to the fact that my amendment only reaches to the carrier. It has nothing to do with this Executive Department in Washington. The clerks, the agents, the inspectors, or the heads of the Departments can have the civil-service blanket placed over them by the President, but it is to the carrier service that my amendment reaches.

In the arguments before this House by the members of the committee and others upon this floor they called attention to the dangers of this present appointive system, so far as their getting in the classified service. There is no reason why these men should be in the classified service, and therefore I have offered this amendment in good faith, for the purpose of perfecting this bill, and if we are to have a system of appointment for the rural free-delivery service, then, I say, it ought to be such a system as we had prior to the issuing of the President's Executive order.

That is all there is in this. Those of you who believe as I do, that you will load down the classified service, if you are friends of it, must know that you are making this rural service inoperative and unsatisfactory, and will have an opportunity of voting for my amendment to save the service; and the friends of civil service, knowing all the circumstances, knowing all the conditions, will have an opportunity of voting against it.

Mr. FLEMING. Will the gentleman permit me to ask him a question?

Mr. BROMWELL. Certainly.

Mr. FLEMING. Has not the President by Executive order already placed these carriers under the civil service, and——

Mr. BROMWELL. My amendment is to take them out.

Mr. FLEMING. And do you not believe that if your amendment is adopted the President would veto this bill?

Mr. BROMWELL. Whether he would or not is a consideration that does not appeal to me at all. I take notice that when the majority of the members of this House passed what they thought was a satisfactory census bill and it went to the White House the President had no scruples against stating his wishes and views in the face of the majority of this House. It seems to me that as a coordinate, independent branch of the Government we ought not to confine ourselves or our action here to what we believe will happen when it gets to the other end of the Avenue. [Applause.]

Mr. SLAYDEN. What do the members of the House now think about the census bill?

Mr. BROMWELL. I know what they are saying in undertones. What they think I do not know. I can give it, but it would be too strong for me to put it in the RECORD.

Mr. GROSVENOR. I suppose, Mr. Chairman, that I need not confine my remarks to the subject of the civil-service system as it is now organized. I have spoken on the subject of the merit system, a word we used to hear occasionally; but since the passage of the census bill I will not stultify the records of my country by again talking about the merit system, because in that case the great roll of honor that has been created in the Census Bureau has received a black eye from somebody, I do not know exactly who it is. The present attempt to place the civil service over the rural free-delivery system was happily and eloquently illustrated by myself on this floor on a former occasion, at which time I referred to the scientific examination of the horse, the wagon, and the carriage. Nobody has ever answered that speech and nobody ever can. [Laughter.]

But I will not vote for this amendment, Mr. Chairman, and I will not do it for this reason: I do not care whether the Civil Service Commission goes on further to illustrate its absurdities by procuring an Executive order to take possession of the rural free delivery or not. The more that organization grasps, the more tyrannical it becomes, the more all-pervading and absorbing it becomes, the sooner the people of the country will destroy it. The more it undertakes to purvey all the political patronage of the United States the more surely will the public in the long run condemn it; but I will not vote for an amendment that says that Congress shall decree that an Executive order, even when made under a misapprehension of the law, shall be disobeyed by anybody. The language of this amendment is—

Provided, That the rural free-delivery carriers—

And now I omit a few words that are not necessary to the sense—

shall not be included in the classified service, any Executive order to the contrary notwithstanding.

I am not willing to vote for that sort of a defiance of the Administration. I was present as a member of Congress when, after the Executive Departments of this Government had been substantially cleaned out of Republicans and unexamined and in many cases unqualified Democrats had been crowded in, the President issued an order covering them all with a blanket.

Mr. BROMWELL. May I ask the gentleman a question?

Mr. GROSVENOR. Yes.

Mr. BROMWELL. I should like to ask my colleague from Ohio whether if, by unanimous consent, those last three or four words, to which he objects, are stricken out, he would then vote for the amendment?

Mr. GROSVENOR. I would, most undoubtedly.

Mr. BROMWELL. Then, Mr. Chairman, I ask unanimous consent for the erasure or omission from the amendment of the words referred to by the gentleman, "any Executive order to the contrary notwithstanding."

Mr. SWANSON. I object.

Mr. FLEMING. I object, too, because the President has already issued the order.

Mr. GROSVENOR. I believe I have the floor. I was present when that order was issued, which first opened my eyes to the wrong and outrage of the organization of the Civil Service Commission in this town, when the present head of it, who had come to this town, as I believe, for the sole purpose of producing the result that he certainly did produce, procured that order to be issued, resulting in a condition of the clerical force in this country that has cost this Government more than $100,000,000 to pay incompetent and worthless clerks.

Mr. HAY. I move to amend the amendment of the gentleman from Ohio by striking out the words "any Executive order to the contrary notwithstanding."

The CHAIRMAN. The gentleman moves to strike out the words which he indicates, which will be noted by the Clerk.

Mr. SWANSON. I move that all debate on the paragraph and pending amendments be closed.

The motion of Mr. SWANSON was agreed to.

The CHAIRMAN. The question is first on the amendment offered by the gentleman from Virginia [Mr. HAY], which the Clerk will report.

The Clerk read as follows:

Strike out the words, "any Executive order to the contrary notwithstanding."

The question being taken, on a division (demanded by Mr. BROMWELL), there were—ayes 49, noes 77.

Accordingly the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Ohio [Mr. BROMWELL].

The amendment was rejected.

The CHAIRMAN. The question now is on the motion of the gentleman from Virginia [Mr. SWANSON] to strike out the paragraph.

The motion was agreed to.

Mr. JENKINS. Mr. Chairman, I desire to offer an amendment as a separate paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by inserting:

That any free public library located where the United States Post-Office Department operates a free rural-delivery system shall be, and hereby is, authorized and permitted to send through the United States mails its books, pamphlets, newspapers, and magazines free of postage when addressed to persons who receive mail on any free rural-delivery routes starting from the post-office in the place where the public library is located, and to be delivered by the carriers in precisely the same manner that other second-class mail matter is now delivered. The United States Government shall assume only the same responsibility with reference to the safe delivery of the same as that assumed in the delivery of other second-class matter, and if returned through the mail to be subject to the same postage as second-class matter.

Mr. LOUD. I raise the point of order that it is not germane to the bill before the House.

The CHAIRMAN. The gentleman from California raises the point of order that it is not germane. The Chair's first inclination is to rule that way, but will hear the gentleman from Wisconsin.

Mr. JENKINS. Mr. Chairman, I do not care to take the time of the House in discussing the point of order. If the Chair is of that judgment I am willing to submit to the ruling of the Chair, but I desire to say that I differ with the Chair.

The CHAIRMAN. The gentleman has not suggested any argument which changes the opinion of the Chair. The Chair rules it out of order.

The Clerk resumed and concluded the reading of the bill.

Mr. WILLIAMS of Illinois. Mr. Chairman, I desire to offer an amendment as an additional section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Any carrier in the rural free-delivery service who shall use his official position to promote the interest of any political party or candidate for office shall, upon proof of such fact, be dismissed from the service.

Mr. WILLIAMS of Illinois. Mr. Chairman, this simply provides that any carrier who uses his official position to advance the interest of any political party or any candidate shall, upon proof of such act, be dismissed from the service. If it is adopted, you will not have to go and hunt up the civil-service rules and regulations to see what it means, and you will have the same civil service apply to these carriers whether you have a Democratic or Republican administration. It makes no distinction between Democrats and Republicans or white men and colored men. It treats them all alike. From the statements made by gentlemen on the other side, I am satisfied that the most of them are anxious to vote for it in order to prevent any suspicion whatever attaching to their votes on this question, and I trust gentlemen on this side will give it their support. I am satisfied it is in the interest of good service, and without it you may expect that this branch of the public service in many instances will be used for partisan purposes. [Cries of "Vote!"]

The CHAIRMAN. The question is upon the paragraph offered as an amendment.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WILLIAMS of Illinois. Division, Mr. Chairman.

The committee divided; and there were—ayes 81, noes 115.

Mr. WILLIAMS of Illinois. I demand tellers.

Tellers were ordered.

The CHAIRMAN. The gentleman from Illinois [Mr. WILLIAMS] and the gentleman from California [Mr. LOUD] will act as tellers.

The committee again divided: and tellers reported—ayes 87, noes 115.

So the amendment was rejected.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I want to offer the amendment that I have already discussed, and I ask the Chair to get order when the amendment is read.

The amendment was read, as follows:

Amend by adding the following new paragraph:

"No person shall be designated as carrier until he files with the Postmaster-General a certificate, signed by a majority of the bona fide patrons of the route, stating that his designation as carrier will not be objectionable to them."

[Cries of "Vote!"]

The question was taken, and the amendment was rejected.

Mr. LOUD. Mr. Chairman, that completes the reading of the bill; and I move that the committee do now rise and report the bill with amendments to the House.

Mr. SWANSON. Pending that, if the gentleman will yield for it, I simply want to ask unanimous consent to correct the verbiage of the bill.

Mr. LOUD. I do not yield to any motion or amendment. I will listen to what the gentleman has to state.

Mr. SWANSON. I will state that this is an amendment on page 3 to section 3, which was adopted. The words "Third and that" ought to be left out, so as to make the language exactly correct, to come after the amendment which was on page 2.

Mr. LOUD. I will ask that the Clerk at the desk be instructed to make such verbal correction as may be necessary.

Mr. SWANSON. It is to strike out "Third and that" in the section which was adopted.

The CHAIRMAN. The gentleman from California asks unanimous consent that the Clerk be allowed to make such verbal correction as is necessary. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from California that the committee rise.

Mr. JOHNSON. I desire to offer an amendment of which I had given notice.

The CHAIRMAN. It is too late. The gentleman from California moves that the committee do now rise and report the bill to the House with a favorable recommendation.

Mr. SWANSON. With the amendments as passed in the committee.

The CHAIRMAN. With the amendments as passed in the committee.

The question was taken; and the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GILLETT of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11728, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and the bill as amended do pass.

Mr. LOUD. Mr. Speaker, I move the previous question on the bill and amendments to its passage.

The question was taken; and the previous question was ordered.

The SPEAKER. Is a separate vote demanded on any of the amendments?

Mr. SWANSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SWANSON. To submit a motion generally that the bill be recommitted.

The SPEAKER. That is not in order at this time. Is a separate vote demanded on any of the amendments? If not, they will be submitted to the House in gross.

No separate vote was demanded.

The question was taken; and the amendments were agreed to in gross.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time.

Mr. WILLIAMS of Illinois. Mr. Speaker, I move to recommit the bill with the instructions to bring in the bill with the following as an additional section.

The SPEAKER. The gentleman from Illinois moves to recommit the bill with the instructions which the Clerk will report.

The Clerk read as follows:

Any carrier in the rural free-delivery service who shall use his official position to promote the interests of any political party or candidate for office shall, upon proof of such fact, be dismissed from the service.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Illinois to recommit the bill with the instructions which have just been reported to the House.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. WILLIAMS of Illinois. I call for the yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 96, nays 140, answered "present" 2, not voting 118, as follows:

YEAS—96.

Allen, Ky.	Dougherty,	Lever,	Robinson, Nebr.
Ball, Tex.	Edwards,	Little,	Rucker,
Bartlett,	Finley,	McClellan,	Ryan,
Bell,	Fleming,	McCulloch,	Salmon,
Bellamy,	Fox,	McLain,	Selby,
Boutell,	Gaines, Tenn.	Mahoney,	Shafroth,
Bowie,	Gilbert,	Maynard,	Sims,
Brantley,	Glenn,	Meyer, La.	Slayden,
Bromwell,	Gooch,	Moon,	Small,
Broussard,	Gordon,	Mutchler,	Smith, Ky.
Brundidge,	Green, Pa.	Naphen,	Snook,
Burgess,	Griffith,	Norton,	Spight,
Burleson,	Griggs,	Padgett,	Stark,
Burnett,	Hay,	Patterson, Tenn.	Taylor, Ala.
Burton,	Jackson, Kans.	Randell, Tex.	Thomas, N. C.
Caldwell,	Jones, Va.	Ransdell, La.	Thompson,
Candler,	Kehoe,	Rhea, Ky.	Trimble,
Cassingham,	Kern,	Rhea, Va.	Underwood,
Clayton,	Kitchin, Claude	Richardson, Ala.	White,
Conry,	Kitchin, Wm. W.	Richardson, Tenn.	Wiley,
Cowherd,	Kleberg,	Rixey,	Williams, Ill.
Crowley,	Lamb,	Robb,	Williams, Miss.
De Armond,	Lanham,	Robertson, La.	Wilson,
De Graffenreid,	Lessler,	Robinson, Ind.	Zenor.

NAYS—140.

Adams,	Draper,	Livingston,	Scott,
Adamson,	Emerson,	Long,	Sherman,
Alexander,	Esch,	Loud,	Showalter,
Allen, Me.	Evans,	Lovering,	Sibley,
Aplin,	Fletcher,	McCleary,	Skiles,
Ball, Del.	Fordney,	McLachlan,	Smith, Ill.
Bates,	Foster, Vt.	Mahon,	Smith, Iowa
Blackburn,	Gardner, N. J.	Marshall,	Smith, H. C.
Blakeney,	Gillett, Mass.	Mercer,	Smith, S. W.
Boreing,	Graff,	Miller,	Smith, Wm. Alden
Bowersock,	Graham,	Minor,	Southard,
Brick,	Grosvenor,	Mondell,	Southwick,
Brown,	Hamilton,	Moody, Mass.	Sperry,
Brownlow,	Hanbury,	Moody, N. C.	Stewart, N. J.
Bull,	Haskins,	Moody, Oreg.	Sulloway,
Burke, S. Dak.	Haugen,	Morrell,	Sutherland,
Burleigh,	Heatwole,	Morris,	Swanson,
Butler, Pa.	Hedge,	Mudd,	Talbert,
Calderhead,	Henry, Conn.	Needham,	Tate,
Capron,	Hepburn,	Olmsted,	Tawney,
Conner,	Hildebrant,	Otjen,	Tayler, Ohio
Corliss,	Hill,	Overstreet,	Thomas, Iowa
Cousins,	Holliday,	Patterson, Pa.	Tirrell,
Cromer,	Hooker,	Payne,	Tompkins, N. Y
Crumpacker,	Howard,	Pearre,	Tompkins, Ohio
Curtis,	Howell,	Perkins,	Van Voorhis,
Cushman,	Irwin,	Powers, Mass.	Vreeland,
Dahle,	Jack,	Prince,	Wachter,
Dalzell,	Jenkins,	Ray, N. Y.	Wanger,
Darragh,	Jones, Wash.	Reeder,	Warner,
Davidson,	Kluttz,	Reeves,	Warnock,
Dayton,	Kyle,	Roberts,	Watson,
Deemer,	Lacey,	Rumple,	Weeks,
Dick,	Latimer,	Russell,	Woods,
Dovener,	Lewis, Pa.	Schirm,	Young.

ANSWERED "PRESENT"—2.

Burkett, Hall.

NOT VOTING—118.

Acheson,	Driscoll,	Ketcham,	Pierce,
Babcock,	Eddy,	Knapp,	Polk,
Bankhead,	Elliott,	Knox,	Pou,
Barney,	Feely,	Landis,	Powers, Me.
Bartholdt,	Fitzgerald,	Lassiter,	Pugsley,
Beidler,	Flood,	Lawrence,	Reid,
Belmont,	Foerderer,	Lester,	Ruppert,
Benton,	Foss,	Lewis, Ga.	Scarborough,
Bingham,	Foster, Ill.	Lindsay,	Shackleford,
Bishop,	Fowler,	Littauer,	Shallenberger,
Breazeale,	Gaines, W. Va.	Littlefield,	Shattuc,
Bristow,	Gardner, Mich.	Lloyd,	Shelden,
Burk, Pa.	Gibson,	Loudenslager,	Sheppard,
Butler, Mo.	Gill,	McAndrews,	Snodgrass,
Cannon,	Gillet, N. Y.	McCall,	Sparkman,
Cassel,	Goldfogle,	McDermott,	Steele,
Clark,	Greene, Mass.	McRae,	Stephens, Tex.
Cochran,	Grow,	Maddox,	Stevens, Minn.
Connell,	Hemenway,	Mann,	Stewart, N. Y.
Coombs,	Henry, Miss.	Martin,	Storm,
Cooney,	Henry, Tex.	Metcalf,	Sulzer,
Cooper, Tex.	Hitt,	Mickey,	Thayer,
Cooper, Wis.	Hopkins,	Miers, Ind.	Tongue,
Creamer,	Hughes,	Morgan,	Vandiver,
Cummings,	Hull,	Neville,	Wadsworth,
Currier,	Jackson, Md.	Nevin,	Wheeler,
Davey, La.	Jett,	Newlands,	Wooten,
Davis, Fla.	Johnson,	Otey,	Wright.
Dinsmore,	Joy,	Palmer,	
Douglas,	Kahn,	Parker,	

So the motion to recommit was not agreed to.

The following pairs were announced:
For the session:
Mr. METCALF with Mr. WHEELER.
Mr. KAHN with Mr. BELMONT.
Mr. WRIGHT with Mr. HALL.
Until further notice:
Mr. BARNEY with Mr. MCRAE.
Mr. HITT with Mr. DINSMORE.
Mr. EDDY with Mr. SHEPPARD.
Mr. BURKETT with Mr. SHALLENBERGER.
Mr. LANDIS with Mr. CLARK.
Mr. HULL with Mr. COONEY.
Mr. KETCHAM with Mr. SNODGRASS.
For this day:
Mr. BINGHAM with Mr. STEPHENS of Texas.
Mr. HEMENWAY with Mr. ROBERTSON of Louisiana.
Mr. CANNON with Mr. PIERCE.
Mr. JENKINS with Mr. ELLIOTT.
Mr. MANN with Mr. JETT.
Mr. KNOX with Mr. LLOYD.
Mr. LITTAUER with Mr. RUPPERT.
Mr. MCCALL with Mr. THAYER.
Mr. CURRIER with Mr. FITZGERALD.
Mr. DOUGLAS with Mr. VANDIVER.
Mr. PARKER with Mr. LASSITER.
Mr. BABCOCK with Mr. MADDOX.
Mr. GAINES of West Virginia with Mr. OTEY.
Mr. JOY with Mr. CUMMINGS.
Mr. COOMBS with Mr. DAVEY.
Mr. GILLET of New York with Mr. BANKHEAD.
Mr. ACHESON with Mr. BENTON.
Mr. BARTHOLDT with Mr. BREAZEALE.
Mr. BEIDLER with Mr. BUTLER of Missouri.
Mr. BISHOP with Mr. COCHRAN.
Mr. BURK of Pennsylvania with Mr. COOPER of Texas.
Mr. COOPER of Wisconsin with Mr. CREAMER.
Mr. DRISCOLL with Mr. DAVIS of Florida.
Mr. FOSS with Mr. FEELY.
Mr. FOWLER with Mr. FLOOD.
Mr. GARDNER of Michigan with Mr. FOSTER of Illinois.
Mr. GIBSON with Mr. GOLDFOGLE.
Mr. GILL with Mr. HENRY of Mississippi.
Mr. GREENE of Massachusetts with Mr. HENRY of Texas.
Mr. HOPKINS with Mr. LESTER.
Mr. HUGHES with Mr. LEWIS of Georgia.
Mr. JACKSON of Maryland with Mr. LINDSAY.
Mr. LAWRENCE with Mr. MCDERMOTT.
Mr. LITTLEFIELD with Mr. MCANDREWS.
Mr. LOUDENSLAGER with Mr. MICKEY.
Mr. MARTIN with Mr. MIERS of Indiana.
Mr. NEVIN with Mr. NEWLANDS.
Mr. SHELDEN with Mr. POU.
Mr. POWERS of Maine with Mr. PUGSLEY.
Mr. STEEL with Mr. REID.
Mr. STEWART of New York with Mr. SHACKLEFORD.
Mr. WADSWORTH with Mr. SULZER.
Mr. CONNELL with Mr. SPARKMAN.
Mr. SHATTUC with Mr. SCARBOROUGH.
Mr. TONGUE with Mr. NEVILLE.
Mr. BLACKBURN with Mr. WOOTEN.

Mr. COOPER of Wisconsin. Mr. Speaker, I came into the House before the first roll call was finished, but went to my room and finished some work, and when I came back I was told that we were still on the same call. I stepped out again and when I came back I found that my name had been passed. It appears that I was misinformed and that it was the second call and not the first.

The SPEAKER. The Chair understands that the gentleman was absent when his name was called, and therefore he can not vote.

Mr. JOHNSON. Mr. Speaker, I was present during the roll call, but just about the time my name was reached a gentleman spoke to me and I did not hear it called.

The SPEAKER. From the gentleman's own statement he can not vote.

Mr. BRUNDIDGE. Mr. Speaker, I did not vote, for I was under the impression that I was paired with Mr. KNOX. I find that Mr. LLOYD, of Missouri, is paired with that gentleman and therefore I desire to vote.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called Mr. BRUNDIDGE'S name, and he voted "aye," as above recorded.

Mr. JOHNSON. Mr. Speaker, I intended to state to the Chair that I did not hear my name called.

The SPEAKER. Was the gentleman listening for his name when it should have been called?

Mr. JOHNSON. I was paying the ordinary attention, but just then a gentleman spoke to me and called my attention away.

The SPEAKER. The gentleman was listening to the gentleman who spoke to him and not to the Clerk, and the Chair thinks he can not be allowed to vote on the question.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. LOUD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills of the following titles:

H. R. 3830. An act for the relief of William C. Marr; and

H. R. 1198. An act granting a pension to Joshua H. Buckingham.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 199. An act to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes," approved March 3, 1901.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3090. An act to approve and ratify an act of the legislative assembly of the Territory of Arizona entitled "An act to provide for the collection, arrangement, and display of the products of the Territory of Arizona at the international exposition to be held at St. Louis in 1903."

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SALMON, for two days, on account of important business.

To Mr. BLACKBURN, for four days, on account of important business.

To Mr. COCHRAN, for this day, on account of sickness.

And then, on motion of Mr. LOUD (at 5 o'clock and 35 minutes), the House adjourned until to-morrow at 12 o'clock meridian.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Ouachita and Black Rivers, Arkansas and Louisiana—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Ordnance, a statement of cost of manufacture of guns and other articles of manufacture during the fiscal year ended June 30, 1901—to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. THOMAS of Iowa, from the Committee on Claims, to which was referred the bill of the House (H. R. 4636) to authorize the Secretary of the Treasury to adjust the accounts of Morgan's Louisiana and Texas Railroad and Steamship Company for transporting the United States mail, reported the same without amendment, accompanied by a report (No. 796); which said bill and report were referred to the Private Calendar.

Mr. WEEKS, from the Committee on Claims, to which was referred the bill of the House (H. R. 678) for the relief of the heirs of the late Charles P. Culver, reported the same without amendment, accompanied by a report (No. 797); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the House (H. R. 10142) for the relief of John Donahue, reported the same with amendment, accompanied by a report (No. 798); which said bill and report were referred to the Private Calendar.

Mr. SCHIRM, from the Committee on Claims, to which was referred the bill of the Senate (S. 173) for the relief of the owners of the British ship *Foscolia* and cargo, reported the same without amendment, accompanied by a report (No. 799); which said bill and report were referred to the Private Calendar.

Mr. OTEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 2559) for the relief of Willis Benefield, reported the same with amendments, accompanied by a report (No. 800); which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the House (H. R. 1727) for the relief of Mrs. Julia L. Hall, reported the same without amendment, accompanied by a report (No. 801); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the Senate (S. 342) for the relief of the heirs of Aaron Van Camp and Virginius P. Chapin, reported the same with amendment, accompanied by a report (No. 802); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10840) granting a pension to Susan Evans Warner, reported the same with amendments, accompanied by a report (No. 803); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1195) granting an increase of pension to Charles R. Bridgman, reported the same with amendment, accompanied by a report (No. 804); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10773) granting a pension to Archer Bartlett, reported the same with amendments, accompanied by a report (No. 805); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2422) granting an increase of pension to John W. Burnham, reported the same without amendment, accompanied by a report (No. 806); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2802), granting a pension to Martha R. Osbourn, reported the same without amendment, accompanied by a report (No. 807); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 502) granting a pension to Alexander Beachboard reported the same without amendment, accompanied by a report (No. 808); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 750) granting a pension to Martin Essex, reported the same with amendments, accompanied by a report (No. 809); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2013) granting an increase of pension to Sidney Leland, reported the same without amendment, accompanied by a report (No. 810); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1706) granting an increase of pension to John E. White, reported the same with amendment, accompanied by a report (No. 811); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1467) granting an increase of pension to Cynthia A. McKenny, reported the same without amendment, accompanied by a report (No. 812); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6727) granting an increase of pension to Remembrance J. Williams, reported the same with amendments, accompanied by a report (No. 813); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 469) granting an increase of pension to Hiram H. Kingsbury, reported the same without amendment, accompanied by a report (No. 814); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4543) granting an increase of pension to George W. Parker, reported the same with amendment, accompanied by a report (No. 815); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2930) granting an increase of pension to Franklin B. Delany, reported the same without amendment, accompanied by a report (No. 816); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4118) for the relief of Charles Maschmeyer, reported the same with amendments, accompanied by a report (No. 817); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1135) granting an increase of pension to Thomas J. Stowers, reported the same without amendment, accompanied by a report (No. 818); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6172) granting an increase of pension to Frederick Weimar, reported the same with amendments, accompanied by a report (No. 819); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1933) granting a pension to Ella Bailey, reported the same without amendment, accompanied by a report (No. 820); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1748) granting an increase of pension to Williamanna E. Lynde, reported the same without amendment, accompanied by a report (No. 821); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8651) granting a pension to Maggie Helmbold, reported the same with amendments, accompanied by a report (No. 822); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7704) granting an increase of pension to Christianna Leach, reported the same with amendments, accompanied by a report (No. 823); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3284) granting a pension to Gilbert P. Howe, reported the same without amendment, accompanied by a report (No. 824); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5888) granting an increase of pension to Peter Pontney, reported the same with amendments, accompanied by a report (No. 825); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2394) granting an increase of pension to Sybil F. Hall, reported the same without amendment, accompanied by a report (No. 826); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7847) granting an increase of pension to Charles S. Wilson, reported the same with amendment, accompanied by a report (No. 827); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7710) granting a pension to Margaret Scanlon, reported the same with amendments, accompanied by a report (No. 828); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2692) granting an increase of pension to Lucy W. Smith, reported the same without amendment, accompanied by a report (No. 629); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3257) granting an increase of pension to Elizabeth K. Prescott, reported the same without amendment, accompanied by a report (No. 830); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4129) granting an increase of pension to Lonson R. Burr, reported the same with amendments, accompanied by a report (No. 831); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8562) granting an increase of pension to Sarah Vandemark, reported the same with amendments, accompanied by a report (No. 832); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10361) granting an increase of pension to Alexander Scott, reported the same with amendment, accompanied by a report (No. 833); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to

which was referred the bill of the Senate (S. 3097) granting an increase of pension to Joseph A. Nunez, reported the same with amendment, accompanied by a report (No. 834); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3238) granting an increase of pension to Lorenzo Weeks, reported the same with amendments, accompanied by a report (No. 835); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to whom was referred the bill of the Senate (S. 2100) granting an increase of pension to John McGrath, reported the same without amendment, accompanied by a report (No. 836); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1190) granting an increase of pension to Albert S. Whittier, reported the same with amendment, accompanied by a report (No. 837); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1139) granting a pension to Abby Clark McNett, reported the same without amendment, accompanied by a report (No. 838); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 8) granting a pension to Sarah B. Andrews, reported the same without amendment, accompanied by a report (No. 839); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3054) granting an increase of pension to Alice De K. Shattuck, reported the same without amendment, accompanied by a report (No. 840); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5217) granting an increase of pension to Elizabeth P. Sigfried, reported the same with amendments, accompanied by a report (No. 841); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5327) granting an increase of pension to William H. Mackey, reported the same with amendments, accompanied by a report (No. 842); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2947) granting an increase of pension to Elizabeth A. Shaw, reported the same without amendment, accompanied by a report (No. 843); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11011) granting an increase of pension to Emily J. Tallman, reported the same without amendment, accompanied by a report (No. 844); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3329) granting an increase of pension to Annie McElheney, reported the same with amendment, accompanied by a report (No. 845); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2867) granting an increase of pension to John A. Hazelton, reported the same without amendment, accompanied by a report (No. 846); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2417) granting a pension to James B. Harris, reported the same with amendments, accompanied by a report (No. 847); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1278) granting an increase of pension to La Myra V. Kendig, reported the same with amendment, accompanied by a report (No. 848); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2049) granting an increase of pension to Franklin Taylor, reported the same without amendment, accompanied by a report (No. 849); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6805) granting an increase of pension to Robert E. Stevens, reported the same with amendments, accompanied by a report (No. 850); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1626) granting an increase of pension to Michael Samelsberger, reported the same without amendment, accompanied by a report (No. 851); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4053) granting an increase of pension to Henry E. De Marse, reported the same with amendments, accompanied by a report (No. 852); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3322) granting an increase of pension to Joseph M. Clough, reported the same without amendment, accompanied by a report (No. 853); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 462) granting an increase of pension to Ann Demonbrun, reported the same with amendment, accompanied by a report (No. 854); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 12133) to remove the charge of desertion against Thomas Todd—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 12272) for the relief of the estate of Jeremiah Simonson, deceased—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 962) granting a pension to Rodney W. Anderson—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BURTON, from the Committee on Rivers and Harbors: A bill (H. R. 12346) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—to the Union Calendar.

By Mr. BELL: A bill (H. R. 12347) for the relief of honorably discharged officers and privates, and for other purposes—to the Committee on War Claims.

By Mr. CORLISS (by request): A bill (H. R. 12348) to prevent the transportation of deleterious food and drinks, and for the establishment of a food bureau in the Department of Agriculture—to the Committee on Interstate and Foreign Commerce.

By Mr. PEARRE: A bill (H. R. 12349) granting certain privileges to the special policemen stationed at street crossings in the city of Washington, D. C.—to the Committee on the District of Columbia.

By Mr. FOWLER (by instruction of the majority members of the Committee on Banking and Currency): A bill (H. R. 12350) to maintain the gold standard, provide an elastic currency, equalize the rates of interest throughout the country, and further amend the national banking laws—to the Committee on Banking and Currency.

By Mr. RAY of New York: A bill (H. R. 12351) amending the act entitled "An act amending section 4708 of the Revised Statutes of the United States, in relation to pensions to remarried widows"—to the Committee on Invalid Pensions.

By Mr. CUMMINGS (by request): A bill (H. R. 12352) to continue the publication of the American Archives—to the Committee on the Library.

By Mr. HASKINS: A bill (H. R. 12353) to define renovated butter and to impose a tax upon and to regulate the sale of the same—to the Committee on Agriculture.

By Mr. HEATWOLE: A bill (H. R. 12354) to amend an act to provide revenue for the Government and to encourage the industries of the United States, approved July 24, 1897—to the Committee on Ways and Means.

By Mr. CALDERHEAD: A bill (H. R. 12355) to amend section 2 of the act of June 27, 1890, as amended by the act of May 9, 1900—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A joint resolution (H. J. Res. 166) providing for an examination and survey of the Missouri River, with a view to improving the navigation thereon between Arrow Rock and the mouth of the Gasconade River—to the Committee on Rivers and Harbors.

By Mr. SIMS: A concurrent resolution (H. C. Res. 38) that all employees of the Twelfth Census (laborers, charwomen, enumerators, supervisors, and special field agents excepted) who have not been discharged for incompetency or disreputable conduct

shall be, and they are hereby, made eligible for appointment or transfer to any other department of the Government service at their highest census grades and salaries, the force and effect of this resolution to apply to such census clerks during their employment in the Census Office and for two years after their discharge therefrom—to the Select Committee on the Census.

By Mr. GROSVENOR: A concurrent resolution (H. C. Res. 39) that the thanks of Congress be presented to Hon. John Hay for the appropriate memorial address delivered by him on the life and services of William McKinley, late President of the United States, on February 27, 1902, and that he be requested to furnish a copy for publication, and that the chairman of the joint committee appointed to carry into effect the resolutions of this Congress in relation to said memorial exercises be requested to communicate to Mr. Hay the foregoing resolution, receive his answer, and present the same to both Houses of Congress—to the Select Committee on the McKinley Memorial Exercises in Memory of the late President, William McKinley.

By Mr. TAWNEY: Memorial of the legislature of Minnesota, favoring Senate bill 1116, to limit the meaning of the word "conspiracy" and the use of restraining orders and injunctions in certain cases—to the Committee on the Judiciary.

By the SPEAKER: Memorial of the legislature of Minnesota, urging enactment of Senate bill 1118—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. ALEXANDER: A bill (H. R. 12356) granting a pension to Washington Ojers—to the Committee on Pensions.

By Mr. BINGHAM: A bill (H. R. 12357) authorizing the President to revoke the order dismissing from the service Charles W. Franklin, late of Company L, Twentieth Pennsylvania Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 12358) to remove the charge of desertion now existing on the records of the War Department against James F. Ash, alias James Ashton—to the Committee on Military Affairs.

By Mr. CUMMINGS: A bill (H. R. 12359) granting a pension to George F. Flinn—to the Committee on Invalid Pensions.

By Mr. GOLDFOGLE: A bill (H. R. 12360) for the relief of Miss Eliza A. White—to the Committee on Claims.

By Mr. HANBURY: A bill (H. R. 12361) to remove the charge of desertion from the military record of Taver La Rose—to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 12362) for the relief of C. S. Stilwell, jr.—to the Committee on War Claims.

By Mr. HAY: A bill (H. R. 12363) for the relief of Edgar M. Wilson, administrator of Thomas B. Van Buren, deceased—to the Committee on Claims.

By Mr. HOLLIDAY: A bill (H. R. 12364) granting an increase of pension to Jonathan Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12365) granting an increase of pension to Mahlon Stretchbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12366) granting an increase of pension to Thomas W. Wily—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12367) granting an increase of pension to William Danbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12368) increasing the pension of Daniel W. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12369) granting an increase of pension to William Miller—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: A bill (H. R. 12370) granting a pension to Ida M. Briggs—to the Committee on Pensions.

By Mr. JOY: A bill (H. R. 12371) granting a pension to Reinhart A. Bausman—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 12372) granting an increase of pension to Osmer S. Deming—to the Committee on Pensions.

By Mr. LLOYD: A bill (H. R. 12373) granting a pension to Henry Alexander, of Kahoka, Mo.—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 12374) for the relief of Mary Cornick—to the Committee on Claims.

By Mr. MIERS of Indiana: A bill (H. R. 12375) granting an increase of pension to George F. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12376) granting a pension to Manda B. Johnson—to the Committee on Invalid Pensions.

By Mr. MOODY of North Carolina: A bill (H. R. 12377) granting a pension to Capt. Enoch Voyles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12378) granting a pension to Sarah J. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12379) for the relief of John T. O. Wilbar—to the Committee on War Claims.

By Mr. MUDD: A bill (H. R. 12380) for the relief of Isabella Ray McGunnegle, widow of the late Lieut. Commander Wilson McGunnegle, United States Navy—to the Committee on Claims.

Also, a bill (H. R. 12381) granting an increase of pension to Isabella Ray McGunnegle—to the Committee on Pensions.

By Mr. MUTCHLER: A bill (H. R. 12382) granting an increase of pension to William Sands—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 12383) to remove the charge of desertion from the military record of H. C. Haynes—to the Committee on Military Affairs.

Also, a bill (H. R. 12384) to remove the charge of desertion from the military record of James L. Northcutt—to the Committee on Military Affairs.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 12385) for the relief of Sophie Kosack—to the Committee on Claims.

By Mr. SHERMAN: A bill (H. R. 12386) granting a pension to Sarah P. Pope—to the Committee on Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12387) for the relief of F. E. Rosenkrans—to the Committee on Military Affairs.

Also, a bill (H. R. 12388) for the relief of Walter Culver—to the Committee on Military Affairs.

Also, a bill (H. R. 12389) granting a pension to James F. Baker—to the Committee on Pensions.

Also, a bill (H. R. 12390) granting a pension to Henry G. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12391) granting a pension to Benjamin S. Whitman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12392) granting a pension to Dellamarr Wade—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 12393) granting a pension to Abram G. Anderson—to the Committee on Invalid Pensions.

By Mr. YOUNG: A bill (H. R. 12394) granting an increase of pension to Levi Peters—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 12395) granting a pension to Ruth Bartlett—to the Committee on Invalid Pensions.

By Mr. MARSHALL: A bill (H. R. 12396) for the relief of Emil J. Pepke—to the Committee on Claims.

By Mr. McCULLOCH: A bill (H. R. 12397) to remove the charge of desertion standing against George W. Merry—to the Committee on Military Affairs.

By Mr. BROUSSARD: A bill (H. R. 12398) for the relief of the estate of Owen Conlen—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Resolution of Boiler Makers and Shipbuilders' Union No. 7, and Pattern Makers' Association, of Buffalo, N. Y., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of American Paper and Pulp Association, for the establishment of a permanent Census Bureau—to the Select Committee on the Census.

By Mr. BARTHOLDT: Petitions of Brewery Workers' Union No. 237, Trunk and Bag Workers' Union No. 1, Bartenders' Union No. 51, Journeymen Tailors' Union No. 11, International Union of Steam Engineers, Electrotypers' Union No. 36, members of Future City Union No. 1, Brewery Oilers and Helpers' Union No. 279, Type Founders' Union No. 5, and Photo-engravers' Union No. 10, all of St. Louis, Mo., in favor of the Chinese-exclusion law—to theCommittee on Foreign Affairs.

Also, petition of Carpenters and Joiners' Union No. 47, of St. Louis, for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of the Merchants' Exchange of St. Louis, asking for legislation for the protection of our forests—to the Committee on Agriculture.

Also, resolution of Merchants' Exchange of St. Louis, in favor of Senate bill 1791, and of same organization, in favor of a reduction of tariff duties upon Cuban sugar and tobacco, and of reciprocal tariff arrangements with the island of Cuba—to the Committee on Ways and Means.

Also, resolutions of St. Louis Division, No. 2, Order of Railroad Telegraphers, favoring the further restriction of immigration and in favor of House bill 11060, to limit the meaning of the word "conspiracy"—to the Committee on the Judiciary.

Also, petition of editors of German, Bohemian, and Polish newspapers, and several hundred officers of German, Bohemian, and Polish societies, protesting against the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of St. Louis Merchants' Exchange, Business Men's

League, and Manufacturers' Association, of St. Louis, in favor of the Ray bill, to amend the bankruptcy act—to the Committee on the Judiciary.

Also, resolutions of William McKinley Post, No. 324, of Sullivan, Mo., and of Barkeepers' Protective and Benevolent Union No. 51, of St. Louis, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. BARTLETT: Protest of E. W. Waterhouse and 27 other citizens of Bibb County, Ga., against adoption of the contract system in connection with the rural free delivery—to the Committeee on the Post-Office and Post-Roads.

By Mr. BINGHAM: Petition of citizens of Philadelphia, urging a more rigid restriction of foreign immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Blacksmiths' Union No. 104 and Typographical Union No. 2, of Philadelphia, Pa., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, papers to accompany House bill 12357, authorizing the President to revoke the order dismissing from the service Charles W. Franklin, late of Company L, Twentieth Pennsylvania Cavalry—to the Committee on Military Affairs.

By Mr. BOWERSOCK: Resolution of Washington Post, No. 12, Grand Army of the Republic, Lawrence, Kans., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, resolutions of Bricklayers' Union No. 6, of Iola, Kans., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers' Union No. 6, of Iola, Kans., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BRICK: Resolution of Post No. 587, Grand Army of the Republic, of San Pierre, Ind., favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Shiloh Field Post, Grand Army of the Republic, Elkhart, Ind., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Sheet Metal Workers' Union No. 164, South Bend, Ind., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. BROWN: Resolutions of the Brotherhood of Locomotive Engineers, Division No. 379, of Ashland; of Brotherhood of Railroad Trainmen, Chippewa Lodge, No. 410, of Abbottsford; of Retail Clerks' International Association, of Marinette, and of Division No. 211, Order of Railway Conductors, of Abbottsford, Wis., favoring the application of an educational test for immigrants—to the Committee on Immigration and Naturalization.

By Mr. BURKE of South Dakota: Resolutions of Cigar Makers' Union No. 491, of Huron, S. Dak., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. BURKETT: Resolutions of Journeymen Barbers' Union No. 164, of Lincoln, Nebr., and of L. S. Cook Division, No. 389, of Fremont, Nebr., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Railway Conductors' Division No. 227, of Lincoln, Nebr., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of the Nebraska Real Estate Dealers, at Fremont, Nebr., in favor of irrigation and land-leasing legislation—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Carpenters and Joiners' Union No. 113, of Lincoln, Nebr., in favor of keeping the public domain for homestead purposes—to the Committee on the Public Lands.

Also, resolutions of the National Wholesalers' Shoe Association, in favor of removal of duty on hides—to the Committee on Ways and Means.

Also, resolutions of the American Chamber of Commerce, of Manila, P. I., in favor of admitting cooly labor into the Philippine Islands—to the Committee on Insular Affairs.

Also, resolutions of the American Paper and Pulp Association, in favor of the establishment of a permanent Census Bureau—to the Select Committee on the Census.

Also, resolution of the Commercial Club of Omaha, Nebr., in relation to the reclamation and settlement of the arid public domain—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Carpenters and Joiners' Union No. 113, of Lincoln, Nebr., advocating the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, papers to accompany House bill granting a pension to Thomas A. Wilson—to the Committee on Invalid Pensions.

By Mr. BULL: Petition of Bricklayers' Union No. 2, of Newport, R. I., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. CALDWELL: Petition of American Society of Mechanical Engineers, Philadelphia, Pa., against compulsory use of the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. CANNON: Resolution of Bricklayers' Union No. 22, of Danville, Ill., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. CONNELL: Resolutions of Mine Workers' Union No. 1656, of Scranton, Pa., favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also resolutions of Garment Workers' Union No. 52, and Stone Cutters' Union, of Scranton, Pa., and Division No. 166, Locomotive Engineers, of Carbondale, Pa., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. EMERSON: Petition of Bullock Electric Manufacturing Company, regarding House bill 3076—to the Committee on Labor.

By Mr. GRAHAM: Petition of Union Veteran Legion of Allegheny County, Pa., for the establishment of a Government park on battlefields of Fredericksburg, Chancellorsville, and the Wilderness—to the Committee on Military Affairs.

Also, resolution of National Shoe Wholesalers' Association, asking that hides be placed on the free list—to the Committee on Ways and Means.

Also, petition of Brown Chapel Methodist Episcopal Church, Allegheny, Pa., for the suppression of polygamy—to the Committee on the Judiciary.

By Mr. GROSVENOR: Resolution of Trade and Labor Council of Chillicothe, Ohio, favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Post No. 742, Grand Army of the Republic, Broadwell, Ohio, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. HASKINS: Resolutions of Typographical Union of Montpelier, Vt., favoring the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Typographical Union of Montpelier, Vt., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HEDGE: Resolution of Division No. 391, Brotherhood of Locomotive Engineers, of Fort Madison, Iowa, favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HEPBURN: Petition of Division No. 232, Order of Railway Conductors, Sioux City, Iowa, favoring compulsory education of children and the inspection of factories—to the Committee on Labor.

Also, resolution of Division No. 232, Order of Railway Conductors, of Sioux City, Iowa, favoring the bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolutions of Division No. 232, Order of Railway Conductors; J. W. Phillips Lodge, No. 104, Moulton, Iowa, and Lake View Lodge, No. 28, Brotherhood of Railroad Trainmen, Creston, Iowa, in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. HITT: Resolution of John M. Smith Post, No. 720, Grand Army of the Republic, Mount Morris, Ill., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. HILDEBRANT: Petition of Post No. 115, Yellow Springs, Ohio, and Post No. 443, of Felicity, Ohio, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, petition of Bricklayers and Masons' International Union No. 16, of Xenia, Ohio, in relation to the employment of union bricklayers and masons in the erection of the naval dry dock at New Orleans, La.—to the Committee on Naval Affairs.

Also, petition of Women's Mission Society of the United Presbyterian Church, of Jamestown, Ohio, for an amendment to the Constitution prohibiting polygamy—to the Committee on the Judiciary.

By Mr. HOLLIDAY: Resolution of Carpenters' Union No. 431, Brazil, Ind., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Bricklayers' Union No. 17 and Carpenters' Union No. 431, of Brazil, Ind., favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. JACK: Resolution of Local Union No. 96, of West Newton, Pa., in favor of House bill No. 9330, for the exclusion of Chinese laborers, etc.—to the Committee on Foreign Affairs.

Also, resolutions of Forest Home Lodge, No. 159, of Derry Station; Carpenters' Union No. 834, of Reynoldsville; Iron Molders' Union No. 386, of Ford City; Brewery Workmen's Union No. 24,

of Dubois, Pa., and Bricklayers' Union No. 27, of New Kensington, Pa., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. JONES of Washington: Petition of General Milroy Post, No. 62, Grand Army of the Republic, Department of Washington and Alaska, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. KAHN: Resolutions of Paradise Lodge, No. 74, Brotherhood of Railroad Trainmen; Mountain Lodge, No. 327; E. C. Fellows Lodge, No. 143, Locomotive Firemen; Golden Gate Division, No. 364, Order of Railway Conductors, and Brotherhood of Locomotive Engineers, Division No. 553, Fresno, Cal., favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolution of San Francisco Lodge, No. 68, Association of Machinists, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of shipowners of San Francisco, Cal., favoring a bill to amend sections 4139 and 4314 of the Revised Statutes—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Chamber of Commerce and Merchants' Exchange of San Francisco, Cal., favoring the establishment of a trans-Pacific cable—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Chamber of Commerce of San Francisco, Cal., urging the passage of House bill 10375, for the survey and construction of a free public wagon road into the Hetch Hetchy Valley and thence into the Yosemite Valley—to the Committee on the Public Lands.

Also, resolutions of Machine Coopers' Union No. 131 and Bakers and Confectioners' Union No. 24, of San Francisco, Cal., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of Granite Cutters' Union No. 1, Cloak Makers' Union No. 8, Sheet Metal Workers' Union No. 104, Bakers and Confectioners' Union No. 24, Pattern Makers' Union, Coopers' Union No. 131, and Engineers' Union No. 59, all of San Francisco, Cal., Coast Seamen's Union, of Eureka, and Machinists' Union No. 5, of Kern County, Cal., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. LACEY: Resolution of Journeymen Tailors' Union No. 63, of Ottumwa, Iowa, in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of United Garment Workers of Ottumwa, Iowa, praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LANHAM: Resolutions of Division No. 177, Brotherhood of Locomotive Engineers, of Denison, Tex., and of Wagner Lodge, No. 416, Brotherhood of Railroad Trainmen, at Ennis, Tex., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Revival Division, No. 194, Brotherhood of Locomotive Engineers, of Palestine, Tex., favoring the passage of the Hoar-Grosvenor bill, defining "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. LLOYD: Papers to accompany House bill 12373, granting a pension to Henry Alexander—to the Committee on Invalid Pensions.

By Mr. MARSHALL: Petition of citizens of Absaraka, N. Dak., favoring an antipolygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. MAYNARD: Petition of Bricklayers' Union No. 3, of Newport News, Va., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Bricklayers' Union No. 3, of Newport News, Va., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, papers relating to the claim of Mary Cornick—to the Committee on Claims.

By Mr. McCALL: Petitions of various labor organizations in the State of Massachusetts, in favor of restricting immigration from the south and east of Europe—to the Committee on Immigration and Naturalization.

By Mr. MIERS of Indiana: Petition of citizens of Bloomington, Ind., to accompany House bill granting a pension to Manda B. Johnson—to the Committee on Invalid Pensions.

By Mr. MOON: Resolution of Lookout Division, No. 148, Order of Railway Conductors, Chattanooga, Tenn., asking for the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. MORRELL: Resolution of Commercial Club of Omaha, Nebr., with reference to reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolution of American Paper and Pulp Association, New York, favoring the establishment of a permanent Census Bureau—to the Select Committee on the Census.

Also, resolutions of Carpenters and Joiners' Union No. 463, of Philadelphia, Pa., advocating the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the American Chamber of Commerce of Manila, for the enactment of laws allowing cooly labor to enter the Philippine Islands under such restrictions and laws as the Philippine Commission may enact—to the Committee on Insular Affairs.

Also, petition of B. Piccardo, of Pittsburg, Pa., protesting against a reduction of duty on macaroni and kindred products—to the Committee on Ways and Means.

By Mr. NAPHEN: Resolution of American Paper and Pulp Association, New York, favoring the establishment of a permanent Census Bureau—to the Select Committee on the Census.

Also, resolution of New England Convention of Brewers, Boston, Mass., for reduction of tax on beer—to the Committee on Ways and Means.

Also, resolution of Newspaper Mailers' Union No. 1, of Boston, Mass., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. NEVIN: Resolutions of W. A. Rang Lodge, No. 425, and Buckeye Lodge, No. 35, Galion, Ohio; Brotherhood of Locomotive Trainmen; Deer Lick Division, No. 292, Order of Railway Conductors, Chicago, Ill.; Devereaux Division, No. 167, Locomotive Engineers, and Cincinnati Division, No. 107, Order of Railway Conductors, of Cincinnati, Ohio, favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of Typographical Union No. 57, of Dayton, Ohio, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Retail Clerks' Union No. 163; Miami Lodge, No. 273, Dayton, Ohio, and Lodge No. 59, Bucyrus, Ohio, Railroad Trainmen, for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Typographical Union of Dayton, Ohio, in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. OTJEN: Resolutions of Railroad Trainmen Lodge No. 191, Broom Makers' Union No. 1, Typographical Union No. 23, Pattern Makers' Association, Upholsterers' Union No. 29, and Journeymen Stone Cutters' Union, all of Milwaukee, Wis., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. OVERSTREET: Petitions of Order of Railway Conductors of Terre Haute and Fort Wayne, Ind., and Brotherhood of Locomotive Firemen of Logansport Ind., favoring bill to limit the power of Federal courts in granting injunctions in trades disputes—to the Committee on the Judiciary.

Also, petition of Order of Railway Conductors of Terre Haute and Michigan City, Ind., asking for the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Terre Haute Division, No. 92, Order of Railway Conductors, in favor of the Foraker-Corliss bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PATTERSON of Pennsylvania: Statements and affidavits to accompany House bill 11934, granting an increase of pension to Condy Manelius—to the Committee on Invalid Pensions.

By Mr. PEARRE: Resolutions of Branch Union No. 9, Glass Bottle Blowers' Association, of Baltimore, Md., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. ROBERTS: Petition of Tyyographical Union, Cigar Makers' Union No. 65, and Machinists' Lodge No. 471, all of Lynn, Mass., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Indiana: Petition of George H. Thomas Post, No. 17, Department of Indiana, Grand Army of the Republic, in favor of establishing a United States Army post at Indianapolis, Ind.—to the Committee on Military Affairs.

Also, resolution of Division No. 138, Order of Railway Conductors, Garrett, Ind., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. ROBINSON of Nebraska: Petition of the Commercial Club, of Omaha, Nebr., and Nebraska Real Estate Dealers' Association, in relation to the leasing of public lands, irrigation, and homesteads—to the Committee on Irrigation of Arid Lands.

By Mr. RYAN: Resolutions of the United Brotherhood of Carpenters and Joiners, Union No. 369, of Tonawanda, N. Y., and of Pan-American Division, No. 544, Brotherhood of Locomotive Engineers, of Buffalo, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Boiler Makers' Union No. 7, and of Cooks'

Alliance No. 66, of Buffalo, N. Y., favoring an extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Chicago Butchers and Grocers' Association, favoring the passage of the Mann pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Commercial Club of Omaha, for irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. SCOTT: Resolution of Commercial Club of Omaha, Nebr., with reference to reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. SELBY: Resolution of the Glass Bottle Blowers' Association No. 2, of Alton, Ill., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SHATTUC: Papers to accompany House bill 11641, granting an increase of pension to Samuel B. Loewenstine—to the Committee on Invalid Pensions.

By Mr. SIBLEY: Petitions of citizens of Bradford and Custer, Pa., for an amendment to the Constitution prohibiting polygamy—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Papers to accompany House bill 1637, granting an increase of pension to John A. Spalding—to the Committee on Invalid Pensions.

By Mr. HENRY C. SMITH: Petition of Colonel Myran Barker Post, No. 33, Grand Army of the Republic, Department of Michigan, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, petition of Carpenters' Union No. 651, of Jackson, Mich., for restriction of immigration, etc.—to the Committee on Immigration and Naturalization.

By Mr. SPERRY: Resolution of New Haven Pressmen's Union, for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. STEVENS of Minnesota: Resolution of Brick Makers' Benevolent Association No. 1, St. Paul, Minn., asking for the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. STEWART of New York: Petition of Barbers' Union No. 168, of Oneonta, N. Y., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SULZER: Resolutions of Boise City Typographical Union, No. 271, of Idaho, against the passage of bills amending the copyright law—to the Committee on Patents.

By Mr. TAYLOR of Alabama: Petition of William F. Robertson, of Lawrence County, Ala., for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of George W. Taylor, trustee of estate of E. H. Metcalf, deceased, for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. THAYER: Petition of Granite Cutters' Union and Stone Masons' Union No. 29, of Worcester, Mass., relative to admission of immigrants—to the Committee on Immigration and Naturalization.

Also, petition of Cigar Makers' Union No. 92, of Worcester, Mass., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. TIRRELL: Resolutions of Coopers' Union of Townsend, Carpenters' Union of Leominster, Barbers' Union of Fitchburg, and Firemens' Union No. 94, of Waltham, Mass., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. VREELAND: Resolution of Journeymen Barbers' Union No. 109, of Dunkirk, N. Y., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Bricklayers' Union No. 24, of Jamestown, N. Y., favoring the continued exclusion of Chinese laborers from the United States—to the Committee on Foreign Affairs.

By Mr. WANGER: Resolutions of Iron Molders' Union of Quakertown, Pa., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Perkasie Home, No. 33, B. U. (H. F.), of Pennsylvania, for a national military park at Valley Forge, Pa.—to the Committee on Military Affairs.

Also, resolutions of International Bricklayers' Union No. 54, of Norristown, Pa., in favor of excluding Chinese laborers—to the Committee on Foreign Affairs.

Also, petitions of the Women's Suffrage Association of Montgomery County, Pa.; of the Village Improvement Association of Doylestown, Pa.; of the Century Club of Pottston, Pa., and of the Langhorne Sorosis Club, for a national forest reserve in the Appalachian Mountains—to the Committee on the Public Lands.

Also, petition of Southern Tier Division, No. 10, Order of Railway Conductors, for the enactment of the Foraker-Corliss bill, amending the law relating to safety appliances—to the Committee on Interstate and Foreign Commerce.

By Mr. WEEKS: Petition of Iron Molders' Union of Port Huron, Mich., asking for a further restoration of the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. WOODS: Petition of Retail Clerks' Union No. 55, Sacramento, Cal., urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, resolution of the California Miners' Association, San Francisco, Cal., for the establishment of a national department of mining, the chief officer of which shall be a member of the President's Cabinet—to the Committee on Mines and Mining.

By Mr. ZENOR: Petition of George Ridlen Post, No. 275, of Scottsburg, Ind., Grand Army of the Republic, Department of Indiana, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

SENATE.

TUESDAY, *March 11, 1902.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 65) to provide for the employment of extra clerical force in the office of the assessor of the District of Columbia.

The message also announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 9332) to authorize the Dothan, Hartford and Florida Railway Company to construct a bridge across the East St. Andrews Bay, navigable water, at a point about 1 mile east of Farmdale, in the State of Florida;

A bill (H. R. 10305) to amend section 14 of the act approved June 29, 1898, entitled "An act to provide for the construction of a bridge across the Niagara River;"

A bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation to employees thereof; and

A joint resolution (H. J. Res. 61) granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Benjamin F. Stephenson, founder of the Grand Army of the Republic.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 3090) to approve and ratify an act of the legislative assembly of the Territory of Arizona, entitled "An act to provide for the collection, arrangement, and display of the products of the Territory of Arizona at the international exposition to be held at St. Louis in 1903;" and

A bill (H. R. 199) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes," approved March 3, 1901.

PETITIONS AND MEMORIALS.

Mr. HOAR presented a petition of the congregation of the Morning Star Baptist Church, of Boston, Mass., praying for the enactment of legislation providing for the enforcement of the fourteenth amendment to the Constitution in the Southern States; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Cooperative Creamery Association, of Montague, Mass., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of the Amalgamated Society of Engineers, of Lowell, Mass., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented petitions of the Central Labor Union of Cambridge; of the City of Homes Union, No. 622, of Springfield; of Paper Makers' Local Union No. 19, of Fitchburg, and of Boot and Shoe Workers' Local Union No. 259, of Stockton, all of the American Federation of Labor, in the State of Massachusetts, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented resolutions adopted by the Interstate Irrigation Congress, held at Sterling, Colo., relative to the adoption of a plan for the disposal of the public lands and for the irrigation thereof; which were ordered to lie on the table.

Mr. CULLOM presented a petition of John M. Smith Post, No. 720, Department of Illinois, Grand Army of the Republic, of Mount Morris, Ill., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Civil Service Reform League of Chicago, Ill., praying for the enactment of legislation providing for the reorganization of the consular service; which was ordered to lie on the table.

He also presented the petition of Miss Jennie R. Bear and 79 other citizens of Illinois, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented the memorial of E. C. Cook and 22 other citizens of St. Charles, Ill., remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented the petitions of A. W. Carr and 41 other citizens of Somonauk, George C. Dodge and 25 other citizens of Millburn, C. E. Houghton and 40 other citizens of Woodhull, and of William Schuchardt and 14 other citizens of New Hanover, all in the State of Illinois, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Edwin C. Peterfish and 17 other citizens of Peoria, and of Local Unions Nos. 47, 7591, 2, 55, 259, and 83, of Elgin, Pana, Belleville, Springfield, Bloomington, and Galesburg, all of the American Federation of Labor, in the State of Illinois, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FAIRBANKS presented a petition of Terre Haute Division, No. 92, Order of Railway Conductors, of Terre Haute, Ind., praying for the adoption of certain amendments to the so-called safety-appliance law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Gertrude Travis, Kennedy McGregor, Ruth Taylor, and Roy Middleton, of School No. 10, of Indianapolis, Ind., praying for the continuance of the light on the Statue of Liberty in New York Harbor; which was referred to the Committee on Commerce.

Mr. DILLINGHAM presented a petition of Bricklayers and Masons' Local Union No. 1, of Rutland, Vt., praying for the enactment of legislation to exclude Chinese laborers from the United States and its insular possessions; which was referred to the Committee on Immigration.

Mr. HEITFELD presented a memorial of Typographical Union No. 271, of Boise City, Idaho, remonstrating against the passage of Senate bill No. 2894, to amend the copyright law; which was referred to the Committee on Patents.

Mr. KEAN presented a petition of Local Grange No. 51, Patrons of Husbandry, of Mullica Hill, N. J., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented the memorial of Mrs. G. M. Jeffery, of South Orange, N. J., remonstrating against the regulation and control of vice by the board of health of Manila, P. I.; which was referred to the Committee on the Philippines.

He also presented a petition of Carpenters and Joiners' Local Union No. 349, American Federation of Labor, of Orange, N. J., and a petition of Carpenters and Joiners' Local Union No. 750, American Federation of Labor, of Asbury Park, N. J., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Local Unions Nos. 13, 36, 27, 349, 132, 23, 29, and 318, of Bayonne, Rahway, Trenton, Perth Amboy, Orange, Camden, Hackensack, West Hoboken, and Elizabeth, all of the American Federation of Labor, in the State of New Jersey, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. SCOTT presented a petition of sundry citizens of Spilman, W. Va., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Marion, Lockhart, Belleville, and of Marshall County, all in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. BURROWS presented a petition of sundry citizens of Saginaw, Mich., praying that an appropriation be made for the improvement of the tributaries of the Saginaw River in that State; which was referred to the Committee on Commerce.

He also presented petitions of Local Union No. 145, of Travers, and of the Trades and Labor Assembly of St. Joseph and Benton Harbor; of the American Federation of Labor; of General O. M. Poe Post, No. 433, Department of Michigan, Grand Army of the Republic, of Detroit; of Whiteside Post, No. 143, Department of Michigan, Grand Army of the Republic, of Cass; of William D. Wilkins Post, No. 91, Department of Michigan, Grand Army of the Republic, of Loomis; of Ransom Post, No. 89, Department of Michigan, Grand Army of the Republic, of Flushing, and of General Wood Post, No. 164, Department of Michigan, Grand Army of the Republic, of Morley, all in the State of Michigan, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Belleville, Carsonville, Ransom, Jerome, Kalamazoo, Worden, Bridgeport, Clare, Loomis, Clinton, Cassopolis, Crisp, Marlette, Freeport, Rives Junction, Wyandotte, Woodland, Memphis, Eckford, Goodells, Monroe County, Stonington, Standish, North Morenci, Harbor Springs, Galesburg, and Midland, all in the State of Michigan, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented memorials of sundry citizens of Alanson and Thompsonville, in the State of Michigan, remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Local Unions Nos. 229, 475, 52, 17, 69, 50, 14, 8, 169, 7, and 359, of Detroit, St. Joe, Kalamazoo, Adrian, Three Rivers, Saginaw, Ann Arbor, Traverse City, Grand Rapids, and Soo Junction, all of the American Federation of Labor, in the State of Michigan, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. PROCTOR presented petitions of Cigar Makers' Local Union No. 264, of Rutland; of the Granite Cutters' National Union, of Groton; of the Granite Cutters' Local Union, of Beebe Plains; of Bricklayers and Masons' Local Union No. 1, of Rutland, and of Typographical Union No. 384, of Montpelier, all in the State of Vermont, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. BATE presented a petition of Bricklayers' Local Union No. 4, American Federation of Labor, of Nashville, Tenn., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented petitions of 17 citizens of Greenville; of Local Division No. 135, Order of Railway Conductors, of Nashville; of Typographical Union No. 111, of Knoxville; of Bricklayers' Local Union No. 3, of Knoxville; of Typographical Union No. 24, of Jackson; of Cigar Makers' Local Union No. 261, of Knoxville, and of Bricklayers' Local Union No. 4, of Nashville, all of the American Federation of Labor, in the State of Tennessee, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. COCKRELL presented a petition of International Stone Masons' Local Union No. 6, American Federation of Labor, of Kansas City, Mo., and a petition of Local Division No. 30, Order of Railway Conductors, of Ozark, Mo., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of R. L. Ferguson Post, No. 358, Department of Missouri, Grand Army of the Republic, of Sweet Springs; of Typographical Union No. 80, American Federation of Labor, of Kansas City, and of Local Union No. 259, American Federation of Labor, of Sedalia, all in the State of Missouri, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Grace, Springfield, Concordia, Weldon Spring, and Garden City, all in the State of Missouri, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. McMILLAN presented petitions of sundry citizens of Tompsonville, East Tawas, North Morenci, Memphis, Woodland, Moorland, Marlette, Wyandotte, Rives Junction, Freeport, New Holland, Holton, Lake Odessa, Willis, Chesterfield, Bridgeport, Worden, Kalamazoo, Ransom, Jerome, Loomis, Carsonville, Clare, Belleville, Ida, Hilliards, Crisp, Clinton, Cassapolis, Monroe, Eckford, Goodell, Stonington, Standish, and Galesburg, all in the State of Michigan, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a memorial of the Lake Seamen's Union, of Marine City, Mich., remonstrating against the proposed change in the title of the United States Marine-Hospital Service to that of the United States Health Service; which was referred to the Committee on Commerce.

He also presented a memorial of the Lake Seamen's Union, of Marine City, Mich., remonstrating against the proposed amendment to that portion of chapter 7 of the Revised Statutes which relates to the prosecution of seamen who refuse to join vessels on which they have engaged to serve; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Detroit, Mich., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented the memorial of Typographical Union No. 122, of Kalamazoo, Mich., remonstrating against the adoption of the proposed amendment to amend the copyright laws of the United States; which was referred to the Committee on Patents.

He also presented a petition of the Amalgamated Society of Carpenters and Joiners, First Branch, of Detroit, Mich., praying for the enactment of legislation to prohibit the immigration of illiterate persons; which was referred to the Committee on Immigration.

He also presented petitions of Carpenters and Joiners' Local Union No. 727, of Detroit; of Electrical Workers' Local Union No. 17, of Detroit; of Typographical Union No. 21, of Detroit; of Photo-Engravers' Local Union No. 12, of Detroit; of Journeymen Tailors' Local Union No. 229, of Detroit; of Barbers' Local Union No. 169, of Kalamazoo; of Bricklayers' Local Union No. 17, of Kalamazoo; of Retail Clerks' Local Union No. 59, of Kalamazoo; of Paper Makers' Local Union No. 52, of Kalamazoo; of Typographical Union No. 50, of Valley City; of Shirt Makers and Laundry Workers' Local Union No. 25, of Saginaw; of Cigar Makers' Local Union No. 69, of Three Rivers; of Bricklayers' Local Union No. 14, of Ann Arbor; of Local Union No. 8, of Traverse City; of Bricklayers and Masons' Local Union No. 7, of Grand Rapids, and of the Detroit Branch of the Granite Cutters' National Union, of Detroit, all in the State of Michigan, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of William D. Wilkins Post, No. 91, of St. Louis; of Ransom Post, No. 89, of Flushing; of Post No. 455, of Montrose; of Stephen Munger Post, No. 425, of Freeland; of David Oaks Post, No. 135, of Centerville; of General O. M. Poe Post, No. 433, of Detroit; of Whiteside Post, No. 143, of Caro, all of the Department of Michigan, Grand Army of the Republic, and of Journeymen Barbers' Local Union No. 145, of Traverse, all in the State of Michigan, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. RAWLINS presented a petition of the Utah Irrigation Convention of Salt Lake City, Utah, praying that all the remaining arid lands within her borders be ceded to the State of Utah for the purpose of perfecting and extending the irrigation system of that State; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of the Utah Irrigation Convention, praying that that portion of the Territory of Arizona lying north of the Colorado River, between the points where that river enters the Territory on the north and where it leaves it on the west, be ceded to the State of Utah; which was referred to the Committee on Territories.

Mr. HANSBROUGH presented the petition of Henry A. Noltimier and sundry other citizens of Churchs Ferry, N. Dak., praying for a reduction in the import duties on Cuban sugar and remonstrating against any reduction of the tax on beer and tobacco; which was referred to the Committee on Finance.

He also presented the petition of William N. Hess and sundry other citizens of Glenullin, N. Dak., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Absaraka, N. Dak., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. BLACKBURN presented a petition of sundry citizens of Louisville, Ky., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of Bricklayers and Masons' Local Union No. 5, of Owensboro, Ky., praying for the enactment of legislation to exclude Chinese laborers from the United States and its insular possessions; which was referred to the Committee on Immigration.

Mr. QUARLES presented the memorial of John C. Finney, of Milwaukee, Wis., remonstrating against the adoption of the measures and weights of the metric system as the standard weights and measures in the United States; which was referred to the Select Committee on Standard Weights and Measures.

He also presented a petition of the Business Men's Association of Beaverdam, Wis., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented a petition of the Ministerial Association of Milwaukee, Wis., praying for the establishment of reciprocal trade relations with Cuba; which was referred to the Committee on Relations with Cuba.

He also presented a petition of sundry citizens of Waukesha, Wis., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a memorial of the Business Men's Association of Kaukauna, Wis., remonstrating against any reduction being made in the tariff on sugar and tobacco imported from Cuba; which was referred to the Committee on Finance.

He also presented a memorial of Cigar Makers' Local Union No. 329, of Fond du Lac, Wis., remonstrating against a reduction of the tariff on cigars imported from Cuba; which was referred to the Committee on Finance.

He also presented a memorial of the Business Men's Association of Beaverdam, Wis., remonstrating against the adoption of a parcels-post system; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of James Comerford Post, No. 68, Grand Army of the Republic, Department of Wisconsin, of Chippewa Falls, Wis., praying for the enactment of legislation to authorize an increase of pension in certain cases and remonstrating against an appropriation being made for the purchase of a sword for Rear-Admiral Winfield Scott Schley; which was referred to the Committee on Pensions.

Mr. PENROSE presented petitions of 41 citizens of Rushboro, 25 citizens of Vanderbilt, 25 citizens of Campbelltown, 46 citizens of Unityville, 23 citizens of Montrose, 43 citizens of Elderton, 45 citizens of Carbondale, 40 citizens of Mansfield, 17 citizens of Valley, 32 citizens of Wismer, 47 citizens of Zeno, 46 citizens of Prospect, 13 citizens of Bellwood, 30 citizens of Thompsontown, 47 citizens of Evans City, 18 citizens of Moselm Springs, 47 citizens of Venango County, and of 41 citizens of East Rush, all in the State of Pennsylvania, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a memorial of the Board of Trade of Philadelphia, Pa., relative to the acquisition of the Danish West India Islands; which was ordered to lie on the table.

He also presented a memorial of the congregation of the College Hill Reformed Presbyterian Church, of Beaver Falls, Pa., remonstrating against the retail selling of intoxicating liquors in the island possessions of the United States; which was ordered to lie on the table.

He also presented petitions of 116 citizens of Clearfield and of 23 citizens of Evergreen, in the State of Pennsylvania, praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by direct vote of the people; which were referred to the Committee on Privileges and Elections.

He also presented a petition of General Mansfield Post, No. 71, Department of Pennsylvania, Grand Army of the Republic, of Mansfield, Pa., praying for the appointment of a committee to investigate the administration of the Pension Bureau; which was referred to the Committee on Pensions.

He also presented a petition of the Ladies of the Grand Army of the Republic, Department of Pennsylvania, of Scranton, Pa., praying for the enactment of legislation authorizing the granting of pensions to certain officers and enlisted men in the Army and Navy of the United States who shall have attained the age of 50 years and over, etc.; which was referred to the Committee on Pensions.

He also presented petitions of Retail Clerks' Local Union No. 140, American Federation of Labor, of Pittston; of Finley Batch Post, No. 137, of Blairsville; of John R. Russell Post, No. 626, of Spartansburg, and of General Thomas C. Devin Cavalry Post, No. 363, of Philadelphia, of the Department of Pennsylvania, Grand Army of the Republic, all in the State of Pennsylvania, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of 17 citizens of Custer; of 48 citizens of Bradford; of Swift Union, Woman's Christian Temperance Union, of Allegheny; of 101 citizens of Titusville, and of 117 citizens of Hydetown, all in the State of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented memorials of the congregations of the College Hill Reformed Presbyterian Church, of Beaver Falls, Pa.; of the

Reformed Presbyterian Church, of Wahoo, Nebr., and of the Duwamish Club, of Georgetown, Wash., remonstrating against the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of 109 citizens of Irwin; of Core Makers' Local Union No. 83, of Meadville; of Jersey Shore Division 168, Order of Railway Conductors, of Jersey Shore; of Cigar Makers' Local Union No. 446, of Norristown; of Typographical Union No. 262, of Uniontown; of Brewery Workmen's Local Union No. 1, Branch 1, of Charleroi; of Bricklayers' Local Union No. 31, of Braddock; of Switchmen's Local Union No. 38, of Erie; of Oil City Local Union, No. 157, of Oil City; of Youghiogheny Lodge, No. 218, Brotherhood of Railroad Trainmen, of Connellsville; of Bricklayers and Masons' Local Union No. 56, of Greenville; of Bricklayers and Plasterers' Local Union No. 8, of Bethlehem; of Typographical Union No. 2, of Philadelphia; of A. L. Dunbar Lodge, No. 142, of Meadville, and of 35 citizens of Dunbar, all in the State of Pennsylvania, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. PENROSE. I present a petition of certain citizens representing the Cherokee and Creek nations and the Delaware and Santee Sioux tribes, praying for the passage of Senate bill No. 600, for the relief of various tribes of Indians and individual Indians in the United States, and for other purposes. I move that the petition be printed as a document and referred to the Committee on Indian Affairs.

The motion was agreed to.

Mr. TELLER presented a petition of the Retail Grocers' Association of Denver, Colo., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented petitions of sundry citizens of Rye, Apache, and Pueblo County, in the State of Colorado, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented resolutions adopted at a meeting of sundry citizens of Grand Rapids, Mich., expressing sympathy for the people of the South African Republic; which were referred to the Committee on Foreign Relations.

He also presented a petition of A. Lincoln Post, No. 4, Department of Colorado, Grand Army of the Republic, of Denver, Colo., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Idaho Springs and Victor; of Division No. 44, Order of Railway Conductors, of Denver; of Newspaper Mailers' Union No. 8, of Local Union No. 63, of Pueblo, and of Local Union No. 5, of Florence, all of the American Federation of Labor, in the State of Colorado, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of San Luis Valley Lodge, No. 401, Brotherhood of Railroad Trainmen, of Alamosa, Colo., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

MEDAWAKANTON AND WAHPAKOOTA (SANTEE) SIOUX INDIANS.

Mr. GAMBLE. I present a memorandum in relation to the restoration of annuities to the Medawakanton and Wahpakoota (Santee) Sioux Indians declared forfeited by the act of February 16, 1863. I move that the memorandum be printed as a document and referred to the Committee on Indian Affairs, to accompany the bill (S. 594) for the restoration of annuities to the Medawakanton and Wahpakoota (Santee) Sioux Indians declared forfeited by the act of February 16, 1863.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8486) granting a pension to Annie S. Hummel;

A bill (H. R. 4084) granting an increase of pension to Charles H. Wickham;

A bill (H. R. 4209) granting a pension to Thomas Butler;

A bill (H. R. 1743) granting a pension to Samuel M. Graves; and

A bill (H. R. 5536) granting an increase of pension to Daniel Schram.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 4821) granting an increase of pension to Herbert A. Boomhower, reported it with an amendment, and submitted a report thereon.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 11409) to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia, to report it with an amendment.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. BERRY. I move that the bill (S. 4003) to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia, being Order of Business 589 on the Calendar, be postponed indefinitely and that the House bill just reported by me be given the place of the Senate bill on the Calendar.

The motion was agreed to.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (H. R. 11306) to extend the time for the construction of a bridge across the Mississippi River at Burlington, Iowa, reported it without amendment.

Mr. HANNA, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 1375) for the relief of Louis Weber, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3121) for the relief of Thomas Amory De Blois, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 3386) to promote Lieut. A. B. Wyckoff, United States Navy, retired, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the bill (S. 3791) to provide suitable medals for the officers and crew of the United States vessel of war *Kearsarge*, reported it with an amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1798) for the erection of a public building at Hastings, Nebr., reported it with an amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. FAIRBANKS introduced a bill (S. 4421) to correct the military record of John Hudson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4422) granting a pension to Eliza Ann Eagleson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4423) granting an increase of pension to Silas C. Jewell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 4424) granting an increase of pension to Carrie Wages; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Carrie R. Wages, widow of Shadrack R. Wages, Company N, Second Regiment Missouri Mounted Volunteer Infantry, Mexican war, with affidavits of Dr. G. W. Fitzpatrick, B. T. Buchanan, James A. Robinson, Robert O. McLin, and S. S. McGibbons, and also letter from the Record and Pension Office, War Department. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. SCOTT (by request) introduced a bill (S. 4425) to authorize the Navajo Indians to lease mineral lands on a royalty basis; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. McMILLAN introduced a bill (S. 4426) to authorize the Secretary of War to loan arms to the institutions having companies of the Boys' Brigade connected therewith; which was read twice by title, and referred to the Committee on Military Affairs.

Mr. McCUMBER introduced a bill (S. 4427) for the relief of Emil J. Pepke; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. BARD introduced a bill (S. 4428) providing for the purchase and making free of certain toll roads leading into and passing over the Yosemite National Park; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. NELSON introduced a bill (S. 4429) granting a pension to Alvira Randall; which was read twice by its title, and referred to the Committee on Pensions.

He also (for Mr. CLAPP) introduced a bill (S. 4430) to provide for allotments to Indians on White Earth Reservation, in Minnesota; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MARTIN (for Mr. DANIEL) introduced a bill (S. 4431) for the relief of the estate of James M. Catlett, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. HANSBROUGH introduced a bill (S. 4432) for the relief of Florence Hefty Hewetson; which was read twice by its title,

and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 4433) for the relief of William Wheeler Hubbell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4434) to pay just compensation to William Wheeler Hubbell for his invention of high-power steel guns, and improvements in other guns, made and adopted by the United States for its military service and Navy at the present time; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 4435) to correct the military record of Michael McGarry; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4436) granting an increase of pension to Caroline R. Boyd;

A bill (S. 4437) granting a pension to Reuben M. Mercer (with an accompanying paper);

A bill (S. 4438) granting a pension to Fidelia C. Losch;

A bill (S. 4439) granting an increase of pension to Benjamin K. Spangler; and

A bill (S. 4440) granting an increase of pension to Roderick Frazier (with an accompanying paper).

SECOND-CLASS MAIL MATTER.

Mr. HOAR. I introduce a resolution, for which I ask immediate consideration.

The resolution was read, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads be directed to inquire and report to the Senate whether the existing rules of the Post-Office Department concerning second-class mail matter, especially so much as excludes from the second-class matter papers published by religious or educational societies or institutions, be in accordance with law, and if found to be so in accordance, whether there should be further legislation on the subject.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none.

Mr. HOAR. Mr. President, I do not propose to ask the Senate to adopt the resolution at this time, because I do not want to have anything appear that might even be taken to be a criticism on the Post-Office Department. I have no doubt that the Post-Office Department has dealt and is dealing with this very difficult question in regard to second-class mail matter with great wisdom and prudence, and in general is right in its dealing. It has seemed to me, however, that the Department has erred possibly when it holds that periodicals, weekly or monthly, published by churches and other religious or educational associations, which are full of news, which have advertisements in them, but also contain a little of their own particular information (which they would have to print in the daily papers if they did not have this means of printing it), are not to be treated as ordinary newspapers. I should like to have that matter considered by the Committee on Post-Offices and Post-Roads. However, I will not ask the Senate to pass this resolution directing the committee to consider it, but only ask that the resolution itself be referred to that committee.

The PRESIDENT pro tempore. The resolution will be referred to the Committee on Post-Offices and Post-Roads.

SPANISH TREATY CLAIMS COMMISSION.

Mr. CULLOM submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8586) amending the act of March 2, 1901, entitled "An act to carry into effect the stipulations of Article VII of the treaty between the United States and Spain, concluded on the 10th day of December, 1898," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

The Senate recedes from its amendment to the House bill, and agrees to the same with an amendment as follows: Strike out all after the enacting clause and insert the following:

"That section 4 of the act entitled 'An act to carry into effect the stipulations of Article VII of the treaty between the United States and Spain, concluded on the 10th day of December, 1898,' approved March 2, 1901, is hereby amended by adding thereto the following provisions:

"'Such rules and mode of procedure shall conform, so far as practicable, to the mode of procedure and practice of the circuit courts of the United States. The said Commission created by this act is vested with the same powers now possessed by the circuit and district courts of the United States to compel the attendance and testimony of parties, claimants, and witnesses, to preserve order, and to punish for contempt, and to compel the production of any books or papers deemed material to the consideration of any claim or matter pending before said Commission.

"'That the said Commission is also vested with all the powers now possessed by the circuit and district courts of the United States to take or procure testimony in foreign countries. Such testimony may be taken, pursuant to the provisions of existing laws and the rules and practice of the district and circuit courts of the United States, so far as applicable, before the Commission or any commissioner or commissioners appointed under the provisions of this act.

"'That the marshal of the United States for the District of Columbia or his deputies shall serve all processes issued by said Commission, preserve order in the place of sitting, and execute the orders of said Commission; and outside of the District of Columbia the writs of said Commission shall be executed by United States marshals or their deputies in their respective districts.

"'That said Commission or any commissioner appointed by it to take testimony in foreign countries is hereby authorized to appoint an officer to serve any subpœna or process issued by said Commission or commissioner.

"'When testimony is to be taken before any commissioner appointed by said Commission within any district or Territory, the clerk of any court of the United States for such district or Territory shall, on application of either party or of his agent, issue a subpœna for such witness, commanding him to appear and testify before the commissioner at a time and place stated in the subpœna; and if any witness, after being duly served with such subpœna, refuses or neglects to appear, or after appearing refuses to testify, not being privileged from giving testimony, and such refusal or neglect is proven to the satisfaction of any judge of the court whose clerk issues the subpœna, such judge may proceed to enforce obedience to the process or punish the disobedience, as any court of the United States may proceed in case of disobedience to process of subpœna to testify issued by such court; and the production before such commissioner of any paper or writing, written instrument, book, or other document may also be required in the manner prescribed in section 869 of the Revised Statutes of the United States.'"

The House recedes from its nonconcurrence with the Senate amendments, and agrees to the same with amendments as above set forth and stated.

S. M. CULLOM,
H. C. LODGE,
JNO. T. MORGAN,
Managers on the part of the Senate.

GEO. W. RAY,
JOHN J. JENKINS,
S. W. T. LANHAM,
Managers on the part of the House.

Mr. CULLOM. The conference report has been agreed upon by the House, but on further investigation it is believed that the Senate ought not to agree to the report which the conferees of the Senate agreed to. I therefore ask that the report be disagreed to.

The report was rejected.

Mr. CULLOM. I move that the Senate further insist on its amendments and ask for a further conference with the House of Representatives on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. CULLOM, Mr. LODGE, and Mr. MORGAN were appointed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the following acts:

S. 1355. An act granting a pension to Lura B. Rogers;

S. 2012. An act granting a pension to Catherine Conroy;

S. 2098. An act granting a pension to George H. Morton; and

S. 3204. An act granting an increase of pension to Mary T. Bruce.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 9332) to authorize the Dothan, Hartford and Florida Railway Company to construct a bridge across the East St. Andrews Bay, navigable water, at a point about 1 mile east of Farmdale, in the State of Florida; and

A bill (H. R. 10305) to amend section 14 of the act approved June 29, 1898, entitled "An act to provide for the construction of a bridge across the Niagara River."

The bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation to employees thereof was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

The joint resolution (H. J. Res. 61) granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Benjamin F. Stephenson, founder of the Grand Army of the Republic, was read twice by its title, and referred to the Committee on the Library.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. BERRY. Mr. President, I should like to make a statement in reference to a measure pending before the Committee on Privileges and Elections.

On the second day of the present session of Congress I introduced a joint resolution proposing an amendment to the Constitution providing for the election of United States Senators by a direct vote of the people. The Senator from Oregon [Mr. MITCHELL], I think, also on the same day, perhaps, introduced a similar joint resolution, and probably there were others introduced. Since that time the House of Representatives, by a unanimous vote, as I understand it, passed a joint resolution of that character. I think that this is the fourth time the House of Representatives has passed such a joint resolution, and there has been no vote upon it in the Senate.

I am constantly in receipt of letters from all parts of the country urging me to press the joint resolution and to know why a vote can not be had on it. I do not wish to make a motion to discharge the committee from the further consideration of it, but I should like to ask the chairman of that committee if it will be

reported probably soon. I want to have the joint resolution reported at such a time as will certainly secure a vote during the present session of Congress. I want the Senate to vote upon the question. If there are not two-thirds in favor of it, of course it will be defeated, but I wish to urge upon the committee that they bring in the joint resolution and let us have a vote upon it.

The question has been pending almost since the formation of the Government, and it has been argued and debated in one way and the other. I imagine that each member of the committee knows at this time how he will vote on it, and I should like to urge the committee to report the joint resolution at the earliest date possible.

Mr. BURROWS. Mr. President, I desire simply to say, as chairman of the committee, that what the Senator from Arkansas has stated is true; that several propositions have been introduced by Senators looking to an amendment of the Constitution so as to provide for the election of Senators by the people, and a measure of that character has already passed the House of Representatives and been referred to the Committee on Privileges and Elections.

I will say to the Senator that there is no disposition, so far as I know, on the part of the committee to shirk any responsibility in that matter, and the measure will be considered by the committee and action taken and a report made to the Senate.

Mr. BERRY. In time to secure a vote during the present session of Congress?

Mr. BURROWS. I have no doubt about it.

Mr. MITCHELL. Mr. President, as the Senator from Arkansas has said, the House of Representatives has heretofore passed this proposed amendment several times, and at the present session by a unanimous vote, as I understand it. I desire to supplement the Senator's statement by the additional fact that in April, 1896, the Committee on Privileges and Elections of the Senate as then organized reported favorably by a good majority a similar measure, but too late to receive action at that session.

I am receiving letters daily by the score urging me to do all I can toward securing early and favorable action on this proposed amendment to the Constitution of the United States. I sincerely hope that the Committee on Privileges and Elections will see their way clear at an early date to take action of some kind on this important matter and bring it before the Senate, so that the Senate can have an opportunity to discuss and vote upon it.

Mr. HOAR and others addressed the Chair.

The PRESIDENT pro tempore. Is there further morning business?

Mr. HOAR. I rose to ask leave to say something in addition to what the other Senators have said.

The PRESIDENT pro tempore. The debate of course is proceeding by unanimous consent. Is there objection? The Chair hears no objection, and the Senator from Massachusetts will proceed.

Mr. HOAR. Mr. President, I think the statement of the two Senators from Arkansas and Oregon ought not to pass without a word or two in addition.

This is one of the most important questions which has come up for consideration in the Congress of the United States since the adoption of the Constitution. It is the first serious proposition to destroy the principle upon which the Constitution is founded or to depart from it. Other amendments have either been amendments to secure human rights, in the nature of a bill of rights, or in one instance to change the mechanism for the election of a President. But this is a proposition to change the principle upon which the Constitution is founded, a principle without the adoption of which it is notorious as a matter of history the Constitution never would have been agreed to.

The States agreed with great difficulty, and after there was great danger that the convention would break up without accomplishing anything, that there should be a union of the federative and the representative principle; that the States should remain as they then were, equal, with national power and authority in part, and in part should be merged into a nation, voting as nearly as conveniently might be by a majority of the people, and the solemn pledge was given to every State, small and great, that the equality of the States in a Senate should never be destroyed without the consent of every one. It was not merely that they should have some other form of legislative chamber. It was to be a Senate whose members were to be chosen by one remove from a direct popular vote—by State legislatures. That was the Chamber which every State pledged should be preserved, and which no majority was ever to be at liberty to abolish.

Now it is sought to substitute for that arrangement two Houses of Representatives, chosen in a different fashion, but still chosen by a direct popular vote in the method in which officials are chosen by a direct popular vote. For one I do not believe that can be accomplished without a breach of a national pledge which lies at the very foundation of our Government and the adoption of which was essential to its formation.

Further, when you get two Houses of Representatives, only differing in that one has a larger constituency than the other, I do not believe that the great States, like New York, Pennsylvania, Illinois, Ohio, Massachusetts, and Indiana, will submit for a great while to an equality which makes two Senators from Rhode Island or from Nevada, admirably as both those States are represented here, in two Chambers elected in precisely the same fashion, able to hold in check and to vote down the fifteen millions of New York or Pennsylvania; and when this change is accomplished I believe that what is left of that whole promise will be swept away like a leaf before the wind.

Mr. President, this is a question upon which the American people may dwell for months and years, at least, if not for a generation. It is one of the greatest questions ever brought into legislative consideration and for legislative action on the face of the earth anywhere. If the Senate is not to defend itself against popular movements, sometimes hastily and lightly made, it is not to be defended at all.

It is true the House of Representatives have passed this proposition. It has been passed every time without debate there, I think as half a joke. The question is, Which speaks to us with most authority—the House of Representatives of to-day, without deliberation or discussion, or the Constitutional Convention of 1787, after long debate and anxious deliberation?

The Senator says he gets letters; and so do I. The letters show that they are all the product of one man's brain. We understand perfectly well the difference between a genuine popular feeling and one of these expressions that is worked up by some one man or some few men somewhere. I have had, I suppose, hundreds of letters from my State, where I have no doubt the sentiment is overwhelmingly opposed to this thing, although we are a large State, nearly every one of which ends with this phrase, "I hope to hear from you," or, "If you do not agree, please state your reasons." I wonder if there are any other Senators here who recognize that phrase in their correspondence.

Mr. BURTON and others. Yes; I do.

Mr. HOAR. If it is a real genuine popular movement, how does it happen that it comes in the correspondence on this subject as in no other, that every man ends his letter by saying, "I hope to hear from you," or "I hope you will state your reasons?"

Mr. President, I am willing to go to any representative assembly of intelligent American people and meet this proposition to strike at the very heart of our Constitution, and to strike at the constitution of the greatest legislative assembly on the face of the earth, and to meet any champion, however he may be my intellectual superior, secure of success in the goodness of the cause. But I do not mean without a struggle to consent to overthrow this body until the American people have thoroughly and fully understood and considered what they are about.

When the Constitution of the United States was adopted, and ever since, as the great thinkers on jurisprudence and constitutional law have declared their opinion, the homage of mankind has been paid to the men who sat in that great assembly and the generation who adopted their work for two reasons. The first is that they established that great tribunal—the Supreme Court of the United States—which, by its simple authority, sitting in that quiet and silent chamber, keeps State and nation, popular movements and popular excitements, great imperial interests of business or of party, each in its appointed orbit as the stars are kept in their courses. The other is this great assembly, never greater in its capacity to do the will of a free people, to carry out the deliberate and sober second thought of a free people, than it is at this moment.

It is worth waiting six weeks to see whether we are going to strike down one of the two great glories of our Republic and let it perish from the face of the earth. I for one mean to do my duty on that committee, but I will not be hurried, and the Senate shall not be hurried if I can help it.

Mr. BERRY. Mr. President——

The PRESIDENT pro tempore. Is there objection to further debate? The Chair hears none, and the Senator from Arkansas will proceed.

Mr. BERRY. I will occupy only a very few moments, if the Senate will permit me.

Mr. President, this is not the time nor the place to discuss the merits of the joint resolution. If the Senator from Massachusetts will urge his committee to bring the joint resolution before the Senate, where it can be debated in a proper way and at a proper time, then we will take up the question and answer his arguments.

I simply wish to say now, as the Senator says he will not be hurried, that the Senate has a right to insist that a report of one kind or the other shall be made from that committee. With all his opposition to this joint resolution, I do not think that he will stand here and say that a committee has the power to deprive the Senate of the right to vote one way or the other upon this

great proposition. We want to have the joint resolution reported. We want to debate it in the Senate and to take a vote upon it.

I say again, the Senate has the right to insist that the committee shall report the joint resolution either favorably or adversely. I am certain so far as the chairman of that committee is concerned he intends to report it and wants to report it, and I trust the Senator from Massachusetts alone can not prevent a report of one kind or the other from being made.

Now, one word in regard to the popular sentiment. The Senator from Massachusetts says that it all originates from one man.

Mr. HOAR. No.

Mr. BERRY. I understood the Senator to say that it had been worked up by one man.

Mr. HOAR. Mr. President, will the Senator permit me?

Mr. BERRY. Certainly.

Mr. HOAR. I said that the hundreds of letters which I got manifested that they, the letters, were all the product of one brain; that they ended with the phrase, "I hope to hear from you," or "I hope that you will state your reasons;" and there are twenty Senators about me who showed either by some expression or by their assent that they get the same kind of letters

Mr. BERRY. I am certain the Senator from Massachusetts left the idea that there was no general sentiment throughout the country in favor of this proposition. Mr. President, is it to be supposed that the man to whom the Senator alludes had the influence to create such a great sentiment in favor of any proposition as that which exists to-day throughout the United States in regard to this measure?

The Senator says he can go before any intelligent assembly and defeat this proposition in debate. It is remarkable, if that is true, that in a body as intelligent as the House of Representatives of the United States of America there was in that great body not one man who recorded his vote during the present session of Congress against the joint resolution. It seems that there is a sentiment over and beyond what has been created by the letters to which the Senator refers.

Mr. DUBOIS. Mr. President, I desire the indulgence of the Senate for only a moment in continuation of the remarks that have been made.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Idaho will proceed.

Mr. DUBOIS. Mr. President, I am very loath, being a layman, to differ with my distinguished friend from Massachusetts [Mr. HOAR] in regard to the Constitution; but the impression I have from my reading of the Constitution and the debates on it is that the fight revolved around the question as to whether each State should have two Senators, and not at all as to the manner in which they should be elected. The great contention was that the smaller States should be equally represented in this great body, and, while it might have been spoken of that the legislature should elect, the impression on my mind made by my reading is that the main contention was that each State should have two Senators.

I would call the attention of the Senator from Massachusetts to the fact—I think it is a fact—that 29 States, through their legislatures, have from time to time demanded that Congress shall allow the States an opportunity to vote as to whether they would amend the Constitution so that the people may elect their Senators.

There is a provision of the Constitution which says in case Congress fails to act upon the demand of the people, if two-thirds of the States through their legislatures shall pass a resolution, the question shall be taken out of the hands of Congress, and must be submitted to the legislatures of the States. Five States have recently done that, and I think that unless the Senate is allowed to debate this question enough States will act to take it out of our hands. Now, it is a simple proposition. I come from a State which has petitioned and enacted, so that it is one of the five States demanding that the people shall be allowed in that State to elect their Senators.

I submit to the Senator from Massachusetts and to those who are opposed to this measure that it would be much better to allow a debate in the Senate on the proposition. I was very much gratified at what the chairman of the committee, of which I have the honor to be a member, said—that he would allow the Senate to discuss this proposition. I object very much to the intimation conveyed by the Senator from Massachusetts, that Senators would pursue the tactics which they have pursued for the last eight or ten years and not allow this question to come before this body.

Mr. STEWART. Mr. President, may I have a moment by unanimous consent?

The PRESIDENT pro tempore. Is there objection?

Mr. GALLINGER. Mr. President, after the Senator from Nevada has been heard, I shall insist upon the regular order.

Mr. STEWART. I thank you.

Mr. President, I do not wish to prolong this debate, but I wish to indorse the argument of the Senator from Massachusetts [Mr. HOAR]. I believe that it would be a fatal movement to the equality of the States. When Senators are elected by popular vote of States and not by the legislatures thereof it will be forcibly argued that the constituents of Senators should be equal. The most difficult problem which the framers of the Constitution were called upon to solve was the preservation of the equality of the States and at the same time giving to the people of the United States at large their full share in the Government.

After a long controversy it was finally decided to have a Senate, representing the equality of the States, and a House of Representatives, representing the people of the United States at large. The States in their corporate capacity elect Senators, the people in their primary capacity elect members of Congress. This framework has produced a Senate the equal, if not the superior, of any legislative body which has ever existed. It is dangerous to tamper with the fundamental principles upon which our Government is founded.

There is another consideration which will appeal to the good sense of the people against electing Senators by popular vote. The dominant party would, of course, elect the Senator. The election of a Senator would be inaugurated in the primaries where political bosses, abundantly armed with ready money, are powerful factors. The suggestion has been made that the election of Senators by popular vote would avoid the scandal which sometimes attaches to their election by the legislature, and also secure full representation at all times for each State.

Would not the scandal of the primaries where millionaires would be contending for the prize eclipse all irregularities of State legislatures? Besides, Congress has it in its power to secure full representation from all the States. I was a member of the Committee on the Judiciary at the time the present law regulating election of Senators was passed. It was passed to avoid a method of preventing the election of Senators by the legislature, which had become quite prevalent. It was necessary for a joint meeting of the two houses to elect the Senator, and by the refusal of one house to meet the other a tie up was secured.

The election law removed that difficulty, but another method has since been adopted to prevent the election of Senators. The law requires a majority vote of all the members of both houses. The method now in vogue to prevent an election is the failure of any candidate to secure a majority. That difficulty is easily remedied by legislation. Let Congress provide that if after a reasonable time no one has secured a majority of all the members of the two houses, that a plurality may elect.

Thus that difficulty might be easily overcome by legislation of Congress. But the demoralization of State politics which would result from electing Senators by popular vote would sap the foundation of the Government. The governors and State officers of the various States are nominated in political conventions. Ordinarily good men are selected and good government is secured in every State. The State offices are not a sufficient prize to tempt millionaires, and consequently the will of the people is fairly represented in the political conventions of the two parties. But a seat in the Senate of the United States might be a sufficient prize to induce millionaires to arm the local bosses with sufficient funds to pack conventions.

Does anybody doubt that it would be much easier to pack conventions by the use of money than it would be to corrupt a legislative body chosen by the people? I do not believe that there is any general corruption in the election of United States Senators. I am aware of charges of corruption against legislatures, Congress, and even the President of the United States, but the people at large have faith in their legislatures, in their State officers, in Congress, and in the Executive. The Constitution is admirably framed to guard against usurpation and corruption.

The States in their corporate capacity have a Senate. The people at large have a House of Representatives, and the Executive is elected by a college of delegates chosen by the people of the various districts. I hope my friend from Massachusetts will press his bill to allow a plurality of the legislature to elect a Senator after a failure of any candidate to secure a majority. Such legislation would secure full representation of the States and remove the only reasonable excuse for election of Senators by the people.

I am surprised that any Senator from a small State should advocate the election of Senators by popular vote. When the constituents of Senators are the people and not the States, why should not each Senator have an equal constituency to every other? If it is the people and not the States, why should the people of Nevada have as many Senators as the people of the State of New York?

If the original compact by which it was agreed that each State should have an equal representation in a Senate is brushed aside and the people of the State are represented in the Senate and not the State in its sovereign capacity, upon what ground can the people of small States claim an equal vote in the Senate with the people of the large States?

I am glad the Senator from Massachusetts has called attention to the magnitude of this question. It is revolutionary. It is the most important question discussed since the adoption of the Constitution. It may be right to destroy the original compact and deny the States representation in the Senate, but before the revolution is effected the people ought to understand what the proposed amendment means. It means the destruction of this body on the principle upon which it was originally organized.

The pretext that the failure of certain States to elect Senators is a sufficient excuse for this revolutionary movement is idle. Legislation, as I have already shown, can remedy that difficulty by providing that in case of failure to secure a majority of the legislature that a plurality may elect, as in other elections. A plurality elects members of Congress, governors, State officers, and the President of the United States. The person receiving the greatest number of votes in the electoral college is declared President. Why should not, with equal propriety, the person receiving the greatest number of votes in a State legislature be declared elected Senator? This would remove the deadlocks that have deprived States of their representation in this body.

The pretense is that this revolution would prevent corruption, when everybody who is familiar with political conventions will understand at once that if there are millionaires in the country who would obtain a seat in this body by the use of money, the opportunity to accomplish such a result afforded by primary elections would be vastly superior to the opportunities now existing to corrupt State legislatures. Besides, the bosses who would control primaries to secure the election of United States Senators would have control of the State conventions to nominate other officers.

The good government which the States have uniformly enjoyed would be in danger. It is well that this question should be discussed. It is well that the people should consider whether they will break down the equality of the States and furnish a motive for the use of money in corrupting State conventions and thereby deprive themselves of the orderly government that they now enjoy, or whether they will stand by the compact of the Constitution and adhere to a Senate representing sovereign States, a body of men the equal of any other legislative body on earth and as competent now as it ever was to perform all the duties imposed by the Constitution.

Whatever may be said of the past, there can be no doubt that the Senate of the United States to-day is as competent to meet the increasing obligations which the growth of the United States imposes as the Senate one hundred years ago was to meet the exigencies which then existed.

Mr. HOAR. Will the Senator allow me to make one suggestion right there?

Mr. STEWART. Certainly.

Mr. HOAR. The question to my mind is not what the House of Representatives does without debate or without consideration, but what our fathers, who framed the Constitution, did after very long debate.

Mr. STEWART. The great question and the one which was considered most difficult to solve was finally solved in a satisfactory manner, which has produced the results which we all know. It produced a body, I repeat, equal to any legislative body on earth, capable of conducting the affairs of the Government, capable of satisfying the whole country.

The clamor to destroy the Senate of the United States as ordained by the fathers of the Constitution ought not to prevail. Those who do not know that the Constitution could not have been formed if the equality of the States had not been recognized in the Senate, those who do not realize that the proposed movement is revolutionary, those who do not realize that the election of Senators by State legislatures is a safeguard against the corruption of primaries by the rich would do well to inform themselves before they take part in undermining the foundation of the Government of the United States ordained by the Constitution. No amendment heretofore made has changed the original framework of the Constitution. But the one now offered, if successful, I fear, would be the beginning of the end of our magnificent representative system.

JOHN Y. COREY.

The PRESIDENT pro tempore. The morning business is closed, and the Secretary will report the first bill on the Calendar.

Mr. GALLINGER. I desire to make a report from the Committee on Pensions. I am instructed by the Committee on Pensions, to whom was referred the bill (S. 4366) granting a pension to John Y. Corey, to report it with an amendment.

I will state that this soldier's claim rested in the Bureau of Pensions over fifty years. He is an old soldier of the Mexican war, over 80 years of age, and entirely blind. I ask that the bill be now considered as the first pension case this morning.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent for the consideration of the bill reported by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4366) for the relief of John Y. Corey, which had been reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "twelve" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Y. Corey, late of Company B, Eighth Regiment United States Infantry, and pay him a pension at the rate of $25 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE H. EVANS.

The bill (S. 2379) granting an increase of pension to George W. Evans was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the name "George," to strike out the leter "W" and insert "H;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George H. Evans, late of Company B, Eighty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to George H. Evans."

THOMAS E. SAULS.

The bill (S. 2046) granting an increase of pension to Thomas E. Sauls was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas E. Sauls, late of Company H, Sixth Regiment Kansas Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM R. UNDERWOOD.

The bill (H. R. 3747) granting an increase of pension to William R. Underwood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William R. Underwood, late of Company L, Eighth Regiment Missouri State Militia Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

M. CALLIE GLOVER.

The bill (H. R. 6869) granting a pension to M. Callie Glover was considered as in Committee of the Whole. It proposes to place on the pension roll the name of M. Callie Glover, widow of Albert D. Glover, late major, Third Regiment Missouri Volunteer Cavalry, and to pay her a pension at the rate of $25 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED N. MOSIER.

The bill (H. R. 8954) granting an increase of pension to Alfred N. Mosier was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred N. Mosier, late of Company C, Sixteenth Regiment Iowa Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD THOMPSON.

The bill (S. 2976) granting an increase of pension to Edward Thompson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Regiment," to strike out "of," and in line 7, after the word "Infantry," to insert "and ordnance-sergeant, United States Army, war with Mexico;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward Thompson, late of

Company B, Sixth Regiment United States Infantry, and ordnance-sergeant, United States Army, war with Mexico, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES ALLEN.

The bill (S. 3390) granting an increase of pension to Charles Allen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Allen, late of Company A, Seventy-third Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EMORY S. FOSTER.

The bill (S. 880) granting an increase of pension to Emory S. Foster was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "major," to strike out "of the," and in line 8, before the word "dollars," to strike out "one hundred" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emory S. Foster, late major, Seventh Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

Mr. COCKRELL. I ask, now, to have read a part of the report of the Committee on Pensions. I will not ask that the whole of the report be read, but I ask the Secretary to read the part of the report commencing on page 2 with the words "Major Foster's wound is in the abdomen," and then the affidavit of Dr. McNutt. It will only take a moment.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read from the report submitted by Mr. BURTON, from the Committee on Pensions, on the 3d instant, as follows:

Major Foster's wound is located in the abdomen. When wounded, he was left upon the field of battle in a supposed dying condition, but was afterwards taken from the field and for months lay in a hospital lingering between life and death. His partial recovery was a marvel to the surgeons and those who were familiar with the nature of his wound. In the spring or early summer of 1863 he rejoined his regiment, but in a very feeble condition. Nothing but his indomitable will and unconquerable spirit enabled him to continue with his regiment to the end of the war. He has suffered from his wound and its effects all these years while struggling to make a living for himself and dependent family. His vitality has been wonderful, but it has about given way under the continuing effect of his wound, until now he is disabled from further work and is in a very dependent condition.

There is ample evidence on file as to Major Foster's bravery and loyalty as a soldier and of his years of suffering from his terrible wound. His present condition and the serious nature of his disability are clearly shown by the following evidence of Dr. I. N. McNutt, of Pevely, Mo.:

STATE OF MISSOURI, *County of Jefferson:*

Personally came before me, a notary public in and for the aforesaid county and State, I. N. McNutt, a citizen of Pevely, county of Jefferson, State of Missouri, well known to me as responsible and entitled to credit, and who, being duly sworn, declares in relation to the case of Maj. Emory S. Foster, of St. Louis, State of Missouri, that he has this day examined said Maj. Emory S. Foster and finds his condition as follows: Bowels constipated; kidneys acting well; action of heart irregularly intermittent, varying during the four hours under observation from 40 beats regularly intermittent to 65 irregularly intermittent, and 80 and regular; pulse sometimes strong and full, then weak and small; again full and strong. This has been the character of his pulse for the last thirty-four years to affiant's certain knowledge, and in his opinion is due to some injury of the sympathetic nerves received at the time of the gunshot wound described in a former affidavit. While these symptoms are of the same character as they were more than thirty years ago, they have become intensified with increasing age.

The affiant further declares that the dragging sensation at the old site of the bullet in the front abdominal wall, which in his opinion is caused by adhesions between the abdominal wall and some part of the intestines, gives Major Foster more pain than it did at the time of former affidavit, especially when sitting erect or leaning a little back. The affiant further declares that a halt or inability to control the action of the left leg, with loss of sensation in the leg, a prominent symptom thirty years ago, and which had to some extent disappeared, though the anesthesia remained, has returned to the extent that unless he or his attendant is constantly on the watch the leg is liable to give way—that is, fails to perform its function—and the result is a fall, of which the abrasions and black spots on his knees testify he has had many since last affidavit.

Affiant further declares this trouble, in his opinion, is due to injury of the spinal nerves, received at the time of the gunshot wound.

Affiant further declares that there seems to be mental as well as physical exhaustion, as evidenced by loss of memory as to dates and words, and in a disposition to repeat incidents of early life, and an indisposition to mental effort, all of which were absent in former years.

Affiant further declares that said Maj. Emory S. Foster's mental and physical condition totally incapacitates him for any manual labor, and that he is entirely dependent on his ever-faithful wife, who devotes her whole time to him.

Affiant further declares that he has no interest, either direct or indirect, in the prosecution of this claim.

I. N. McNUTT, M. D.

Sworn to and subscribed before me this 15th day of November, A. D. 1901; and I hereby certify that the affiant is a practicing physician of good standing, and that all the words added and all the words erased were done before the execution of this paper; and that I have no interest, either direct or indirect, in the prosecution of this claim.

[SEAL.] CLARA E. ZOLLMANN,
Notary Public.

(My term expires January 19, 1905.)

Mr. COCKRELL. Mr. President, it is a very rare thing that I differ with the Committee on Pensions or undertake to change any report they have made, for I believe they aim to do exactly right. This report changing the proposed amount of the pension from $100 per month to $50 is in accordance with their rule; but I submit that what has already been read from the report proves beyond the shadow of a doubt the total physical disability for which, under the pension laws, the claimant is entitled to $72 per month. Therefore I move to amend the amendment of the committee by making the amount $72 per month. I hope there will be no opposition to it.

Mr. GALLINGER. I will not resist the motion; but I will venture to suggest, and I think the Senator will agree with me, that this is one of the cases which shows that the soldier has not received what is due him at the Bureau of Pensions.

Mr. COCKRELL. I think so myself.

Mr. GALLINGER. He got only $25 a month there, and we proposed to increase the pension to $50 per month, but I think, as the Senator suggests, this man is entitled to the full rating for disability requiring the constant aid and attendance of another person.

Mr. COCKRELL. I happen to know this gentleman from boyhood. He was wounded at Lone Jack in one of the most desperate battles ever fought between two volunteer commands, one of them under Major Foster and the other under my brother.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Missouri [Mr. COCKRELL] to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM T. PRATT.

The bill (H. R. 3297) to correct the military record of William T. Pratt was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 7, before the word "died," to insert "substitute therefor;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion now standing against the record of William T. Pratt, late a private of Company A, Fifty-first Regiment Indiana Volunteer Infantry, and substitute therefor "died November 28, 1864."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BENJAMIN WYLIE.

The bill (H. R. 3694) granting a pension to Benjamin Wylie was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin Wylie, late an unassigned private, First Regiment Minnesota Volunteer Heavy Artillery, and to pay him a pension of $10 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIAS LONGMAN.

The bill (H. R. 4035) granting an increase of pension to Elias Longman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elias Longman, late of Company H, Forty-fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. V. DAVIS.

Mr. MARTIN. I notice that in going over the Calendar the Clerk has passed over Order of Business 603, being the bill (H. R. 1381) for the relief of J. V. Davis.

The PRESIDENT pro tempore. That is not a pension case.

Mr. MARTIN. I did not know that there had been an agreement merely for the consideration of pension cases; I thought we were going on with the Calendar regularly.

The PRESIDENT pro tempore. The agreement was limited to pension cases and bills for the correction of military records.

Mr. MARTIN. Very well.

BENJAMIN F. H. LUCE.

The bill (S. 3849) granting an increase of pension to Benjamin F. H. Luce was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. H. Luce, late principal musician Fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY A. HOUSE.

The bill (H. R. 3515) granting a pension to Mary A. House was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "nurse," to strike out "army" and insert "late;" and in line 7, before the word "war," to insert "Medical Department, United States Army;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. House, late nurse, Medical Department, United States Army, war with Spain, and pay her a pension at the rate of $12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CHARLES H. BAKER.

The bill (H. R. 4827) granting an increase of pension to Charles H. Baker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles H. Baker, late of Company E, Twelfth Regiment Vermont Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE C. LEIGHTON.

The bill (H. R. 1018) granting an increase of pension to George C. Leighton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George C. Leighton, late of Company E, First Regiment Massachusetts Volunteer Infantry, war with Mexico, and to pay him a pension of $15 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH W. GRANT.

The bill (H. R. 1350) granting an increase of pension to Joseph W. Grant was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph W. Grant, late of Company F, Fourteenth Regiment Maine Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CARLETON A. TRUNDY.

The bill (H. R. 6515) granting an increase of pension to Carleton A. Trundy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Carleton A. Trundy, late of Company G, Seventh Regiment Maine Volunteer Infantry, and acting master's mate, United States Navy, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALICE M. BALLOU.

The bill (H. R. 7907) granting an increase of pension to Alice M. Ballou was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alice M. Ballou, widow of Schuyler S. Ballou, late of Company E, Forty-ninth Regiment New York Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving, provided, however, that in the case of the death of the helpless child, Gilbert T. Ballou, on whose account the pension of Alice M. Ballou is increased, the pension of said Alice M. Ballou shall continue only at the rate of $8 per month from and after the date of death of said helpless child, Gilbert T. Ballou.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH FRANCES TAFT.

The bill (S. 4021) granting a pension to Sarah Frances Taft was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to insert "acting;" and in line 8, before the word "dollars," to strike out "twenty-five" and insert "seventeen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Frances Taft, widow of Charles Sabin Taft, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $17 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN G. HUTCHINSON.

The bill (S. 2768) granting an increase of pension to John G. Hutchinson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John G. Hutchinson, late of Company E, Fourth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEANDER PARMELEE.

The bill (S. 3514) granting an increase of pension to Leander Parmelee was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Leander Parmelee, late of Company G, Seventh Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES W. FOSTER.

The bill (S. 4086) granting a pension to Charles W. Foster was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Volunteer," to insert "Light;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Foster, late of Company A, First Regiment Maine Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Charles W. Foster."

SARAH A. CARTER.

The bill (S. 3650) granting a pension to Sarah A. Carter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah A. Carter, dependent mother of Joseph S. Carter, late of Captain Cobb's company, Maine State Guards Militia, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ABNER J. PETTEE.

The bill (S. 4111) granting an increase of pension to Abner J. Pettee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abner J. Pettee, late of Company E, Twenty-sixth Regiment Maine Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ABBIE GEORGE.

The bill (S. 1872) granting an increase of pension to Abbie George was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the words "widow of," to strike out "the late;" in the same line, after the name "George," to insert "late;" and in line 9, before the word "dollars," to strike out "twenty" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abbie George, widow of Rufus L. George, late of Company F, Twenty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $16 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES H. STONE.

The bill (S. 6) granting a pension to Charles H. Stone was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles H. Stone, late of Company H, Fifteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Charles H. Stone."

MARY MORGAN.

The bill (S. 1095) granting an increase of pension to Mary Morgan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Morgan, mother of Algernon Morgan, late of Company C, First Regiment Maine Volunteer Heavy Artillery, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE DANIELS.

The bill (S. 13) granting an increase of pension to George Daniels was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Regiment," to strike out "Fifteenth" and insert "Eleventh;" and in the same line, before the word "Cavalry," to insert "Volunteer;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Daniels, late of Company A, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNIE E. BROWN.

The bill (S. 4022) granting an increase of pension to Annie E. Brown was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie E. Brown, widow of Frederick T. Brown, late chaplain Seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM WHEELER.

The bill (S. 2079) granting an increase of pension to William Wheeler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of" and insert "captain;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Wheeler, late captain Company D, Ninety-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUSAN E. CLARK.

The bill (S. 3995) granting a pension to Susan E. Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Indiana," to insert "Regiment;" in line 8, before the word "Volunteer," to strike out "Regiment;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan E. Clark, mother of James M. Clark, late of Company B, One hundred and eighteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KEPHART WALLACE.

The bill (H. R. 2175) granting an increase of pension to Kephart Wallace was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Kephart Wallace, late of Company M, Nineteenth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES HARPER.

The bill (H. R. 5160) granting an increase of pension to James Harper was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Harper, late of Company K, Thirty-sixth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM RHEUBY.

The bill (H. R. 6014) granting an increase of pension to William Rheuby was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Rheuby, late of Company A, Thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOSEPH K. ASHBY.

The bill (H. R. 6861) granting an increase of pension to Joseph K. Ashby was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph K. Ashby, late private Company E, First Regiment Missouri Mounted Volunteers, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. MITCHELL.

The bill (S. 3916) granting an increase of pension to John S. Mitchell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Mitchell, late of Company B, Second Regiment Mississippi Volunteers, war with Mexico, and to pay him a pension of $25 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SARAH ANNE HARRIS.

The bill (S. 3378) granting a pension to Sarah Anne Harris was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the name "Harris," to strike out the word "Lieutenant" and insert "Theodore F.;" in line 7, after the word "late," to strike out "of" and insert "second lieutenant;" and in line 8, after the words "New Jersey," to strike out "Volunteers" and insert "Volunteer Infantry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Anne Harris, mother of Theodore F. Harris, late second lieutenant Company C, Twelfth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN S. HUNTER.

The bill (H. R. 9220) granting an increase of pension to John S. Hunter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Hunter, late of Company M, Third Regiment Missouri Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SELDEN E. WHITCHER.

The bill (H. R. 4488) granting an increase of pension to Selden E. Whitcher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Selden E. Whitcher, late of Company H, Fourteenth Regiment United States Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

Mr. GALLINGER. I move to amend in line 8, before the word "dollars," by striking out "twenty" and inserting "twelve;" so as to make the rate of pension $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SAMUEL M. HOWARD.

The bill (S. 1979) granting a pension to Samuel M. Howard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel M. Howard, late of Companies A and H, Twenty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Samuel M. Howard."

EUGENE J. OULMAN.

The bill (S. 1982) granting a pension to Eugene J. Oulman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eugene J. Oulman, late of Company B, Thirty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Eugene J. Oulman."

THOMAS FENERAN.

The bill (S. 1924) granting an increase of pension to Thomas Fenerau was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the name "Thomas," to strike out "Fenerau" and insert "Feneran;" and in line 7, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Feneran, late of United States Navy, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Thomas Feneran."

JAMES LEHEW.

The bill (S. 2006) granting an increase of pension to James Lehen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the name "James," to strike out "Lehen" and insert "Lehew;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Lehew, late of Company A, Twenty-eighth Regiment Iowa Volunter Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to James Lehew."

PETER BITTMAN.

The bill (S. 2329) granting an increase of pension to Peter Bittman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter Bittman, late of Company P, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

Mr. GALLINGER. I think that amendment ought not to be agreed to. I have examined the report.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JESSE W. BICE.

The bill (S. 3252) granting an increase of pension to Jesse W. Bice was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments.

The first amendment was, in line 6, after the word "major," to strike out "of."

The amendment was agreed to.

The next amendment was, in line 7, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse W. Bice, late major, Third Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

Mr. GALLINGER. I ask that the amendment be disagreed to.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH STEELE.

The bill (S. 1285) granting an increase of pension to Elizabeth Steele was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the words "widow of," to strike out "the late;" in the same line, after the word "late," to strike out "of" and insert "first lieutenant;" and in line 9, before the word "dollars," to strike out "twenty" and insert "seventeen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Steele, widow of James Steele, late first lieutenant Company K, First Regiment Nebraska Volunteer Cavalry, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES L. PROCTOR.

The bill (H. R. 718) to correct the military record of James L. Proctor was considered as in Committee of the Whole. It directs the Secretary of War to grant an honorable discharge to James L. Proctor, of the county of Kings, State of New York, late a private in Company F, Nineteenth Regiment of New York Veteran Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD FRISTOE.

The bill (H. R. 5247) granting an increase of pension to Richard Fristoe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard Fristoe, late of Company G, First Regiment Missouri Mounted Volunteers, war with Mexico, and to pay him a pension of $12 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NARCISSA TAIT.

The bill (H. R. 9383) granting a pension to Narcissa Tait was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Narcissa Tait, widow of Felix Tait, late a private in Captain Green's company, First Texas Mounted Rifles, war with Mexico, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADELLA C. CHANDLER.

The bill (H. R. 597) granting a pension to Adella C. Chandler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Adella C. Chandler, widow of Bartley M. Chandler, late of Captain West's company of Tennessee Volunteers, Cherokee disturbances, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES G. BRIGHAM.

The bill (S. 1809) to remove the charge of desertion now standing against Charles G. Brigham was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 7, after the word "discharge," to insert:

As of date July 22, 1861: *Provided*, That no pay, bounty, or allowance shall accrue by virtue of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to remove the charge of desertion now standing against Charles G. Brigham, private, of Company B, First Massachusetts Volunteer Infantry, and issue to him an honorable discharge as of date July 22, 1861: *Provided*, That no pay, bounty, or allowance shall accrue by virtue of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY BURNS.

The bill (H. R. 7997) granting an increase of pension to Henry Burns was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Burns, late of Company H, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRY H. SIEG.

The bill (H. R. 8493) granting a pension to Harry H. Sieg was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the words "United States," to insert "Regiment;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harry H. Sieg, helpless and dependent son of Henry A. Sieg, late of Company F, Ninth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CHARLES A. SHEAFE.

The bill (H. R. 7432) granting a pension to Charles A. Sheafe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles A. Sheafe, late captain of Company I, Fifty-ninth Regiment Ohio Volunteer Infantry, and to pay him a pension of $36 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMANUEL KLAUSER.

The bill (H. R. 3762) for the relief of Emanuel Klauser was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 4, after the words "directed to," to strike out:

Remove the charge of mutiny against Emanuel Klauser, late corporal of Company H, Fifty-fourth Illinois Volunteer Infantry, and grant said Emanuel Klauser an honorable discharge to date from the 1st day of April, 1865: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

And insert:

Revoke and set aside General Orders, No. 10, headquarters United States forces, Pine Bluff, Ark., July 31, 1865, issued by G. M. Mitchell, colonel commanding, approving the proceedings, findings, and sentence of the general court-martial in case of Emanuel Klauser, of Company H, Fifty-fourth Regiment Illinois Volunteer Infantry, and to issue to said Klauser an honorable discharge as of date July 31, 1865: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to revoke and set aside General Orders, No. 10, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

THOMAS CORDINGLY.

The bill (S. 1634) to remove the charge of desertion against Thomas Cordingly was considered as in Committee of the Whole. It directs the Secretary of the Navy to remove the charge of desertion now standing against the name of Thomas Cordingly, a seaman, charged with desertion from the U. S. S. *Flag and Vermont* April 27, 1865.

The bill was reported to the Senate without amendment ordered to be engrossed for a third reading, read the third time, and passed.

MARY LOUISE WORDEN.

The bill (S. 3182) granting an increase of pension to Mary Louise Worden was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Louise Worden, widow of Charles A. Worden, late captain, Seventh Regiment United States Infantry, and pay her a pension at the rate of thirty dollars per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SARAH C. NICKLIN.

The bill (S. 3662) granting a pension to Sarah C. Nicklin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah C. Nicklin, widow of Arthur I. Nicklin, late of Benjamin Hayden's company, Capt. B. F.

Burch's company, and Capt. Marion Goff's company, Oregon Volunteers, in the Oregon and Washington Indian wars of 1855 and 1856, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RICHARD A. LAWRENCE.

The bill (H. R. 1697) granting an increase of pension to Richard A. Lawrence was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard A. Lawrence, late of Company K, First Regiment New Hampshire Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES ARMSTRONG.

The bill (H. R. 1688) granting an increase of pension to Charles Armstrong was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Armstrong, late of Company L, Third Regiment Massachusetts Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. STRADLING.

The bill (H. R. 280) for the relief of James M. Stradling was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 6, before the word "day," to strike out "nineteenth" and insert "sixteenth;" and in the same line, after the words "day of," to strike out "July" and insert "September;" so as to make the bill read:

Be it enacted, etc., That James M. Stradling shall be held and considered to have been mustered into the service of the United States as a second lieutenant of the First Regiment of New Jersey Cavalry Volunteers on the 16th day of September, 1864, and that the Secretary of War be, and he is hereby, authorized and directed to issue to him a certificate of discharge as a second lieutenant of said regiment, to date from the 16th day of September, 1864: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ELMER J. STARKEY.

The bill (H. R. 3288) granting an increase of pension to Elmer J. Starkey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elmer J. Starkey, late of Company G, Second Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSAN P. CRANDALL.

The bill (H. R. 6435) granting a pension to Susan P. Crandall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan P. Crandall, widow of Henry B. Crandall, late of Company A, First Regiment Rhode Island Volunteer Light Artillery, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATTHEW T. LEWIS.

The bill (S. 2293) for relief of Matthew T. Lewis was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 4, after the word "directed," to strike out:

To grant an honorable discharge to Matthew T. Lewis, late of Company K, Third Michigan Cavalry: *Provided*, That no pay, bounty, or emolument shall become due by virtue of the passage of this act.

And insert:

To remove the charge of desertion on the records of Matthew T. Lewis, of Company K, Third Regiment Michigan Volunteer Cavalry, and to grant him an honorable discharge as of date April 18, 1864.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion on the records of Matthew T. Lewis, of Company K, Third Regiment Michigan Volunteer Cavalry, and to grant him an honorable discharge as of date April 18, 1864.

The amendment was agreed to.

Mr. COCKRELL. Let the usual proviso be added. It must have been left out by mistake.

The SECRETARY. It is proposed to add at the end of the bill the following:

Provided, That no pay, bounty, or emoluments shall become due by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIZZIE C. YOUNG.

The bill (H. R. 2609) granting a pension to Lizzie C. Young was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lizzie C. Young, widow of Richard J. Young, late of Company G, Third Regiment United States Volunteer Infantry, and to pay her a pension of $8 per month and $2 per month additional for each of the minor children of said soldier until such children shall have arrived at the age of 16 years.

Mr. COCKRELL. Let the report in the case be read.

The Secretary read the report submitted by Mr. FOSTER of Washington on the 7th instant, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 2609) granting a pension to Lizzie C. Young, have examined the same and report:

The report of the Committee on Invalid Pensions of the House of Representatives, hereto appended, is adopted and the passage of the bill is recommended.

The House report is as follows:

"This bill proposes to pension the beneficiary named in the bill at $12 per month.

"The records of the War Department show that Richard J. Young, the soldier named in this bill, was enrolled on October 17, 1864, at Rock Island, Ill., in Company G, Third Regiment United States (rebel) Volunteers, and that he was mustered out with his company November 29, 1865; that at the time of his enlistment he was a rebel prisoner of war in the hands of the United States military authorities, and that from April 12 to April 25, 1865, he was under treatment for intermittent fever.

"The records of the War Department also show that this soldier enlisted July 16, 1861, at Arkadelphia, Ark., in Company E, Thirty-third Arkansas Volunteers, C. S. A.; that he was originally a member of Company A, Twelfth Arkansas, C. S. A.; that the rolls for August and October, 1862, and February and April, 1863, show him present for duty, and the roll of June and August, 1863, as left sick at Monroe, Ga., August, 1863.

"He was pensioned in 1881 under the general law at $8 per month from the date of his discharge, on account of an injury to the left leg, with resulting disease to bone and ulceration, which injury was received by him on the march from Fort Riley, Kans., to Fort Kearney, about April, 1865. He died February 5, 1897, of pneumonia.

"The claims of the beneficiary as the widow of the soldier, filed under the provisions of the act of June 27, 1890, was rejected March 30, 1897, upon the ground that title to such pension could not obtain, for the reason that the records of the War Department show that the soldier engaged in the late rebellion against the United States, and her claim under the general law was also rejected, in 1898, upon the ground of claimant's declared inability to furnish the necessary evidence to connect her husband's death, in 1897, from pneumonia, with the military service. The beneficiary was married to the soldier on June 26, 1888, and the soldier left surviving him three minor children, all of whom are still under 16 years of age.

"The claimant alleged that her husband had been unable most of the time since the war to perform manual labor; that he had been under medical treatment, but that she was unable to obtain the affidavit of the physicians who had treated him.

"Pension Office papers also show that the beneficiary is in destitute circumstances.

"Your committee is of the opinion that section 4716, Revised Statutes, as to disloyalty should not be a bar to pension under the act of June 27, 1890, and that, following precedents, the beneficiary named in the bill should be entitled to the rate provided by the act of June 27, 1890, to widows whose husbands served ninety days or more in the military service of the United States and were honorably discharged, etc.; hence report the bill back with the recommendation that it pass."

Mr. COCKRELL. Mr. President, I wish now to read Senate joint resolution No. 8, introduced by the Senator from North Carolina [Mr. PRITCHARD] on the 4th of December, 1901, and reported by him on February 10, 1902:

A joint resolution construing the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," is construed and held to include all persons who served for ninety days in the military or naval service of the United States during the late war of the rebellion, and who have been honorably discharged therefrom: *Provided, however*, That the foregoing shall not apply to those who served in the First, Second, Third, Fourth, Fifth, and Sixth Regiments United States Volunteer Infantry, who had a prior service in the Confederate army or navy, nor to those who, having had such prior service, enlisted in the military or naval service of the United States after the 1st day of January, 1865.

I wish to know if the Committee on Pensions have reversed their decision in this case. In this joint resolution they expressly exclude from the benefits of the pension law all the members of the First, Second, Third, Fourth, Fifth, and Sixth Regiments, most of whom were in prison at the time those regiments were organized.

Mr. GALLINGER. I will ask the Senator from Missouri if this soldier was in one of those regiments? If so, it has escaped

my attention. He was a member of Company G, Third Regiment United States Volunteer Infantry.

Mr. COCKRELL. Certainly. The joint resolution says the First, Second, Third, Fourth, Fifth, and Sixth regiments.

Mr. GALLINGER. I will say that the committee have not reversed the opinion they expressed in reporting the joint resolution, and for that reason I would ask that the pending bill be passed over.

Mr. COCKRELL. I wish to say just a few words more. As I understand from a report made at the last session of Congress, those six regiments were made up of Confederate prisoners——

Mr. GALLINGER. That is right.

Mr. COCKRELL. Who were in prison there, and I infer from that report that it was distinctly understood at the time when they were mustered into the service that they were not to be made to fight against their former comrades.

Mr. GALLINGER. That was the agreement.

Mr. COCKRELL. And they were therefore sent out to the West, and for that very reason they were excluded in the last bill from the operations of the pension law of June 27, 1890.

Mr. GALLINGER. The Senator states it with precise accuracy. That was the reason.

Mr. COCKRELL. Now, then, there is another point. There were a considerable number of men both in Arkansas and Missouri who in the beginning of the war were either in the Missouri State Guard or in some Arkansas organization. They afterwards went into the Union Army and served. A great many of them were pensioned, and their names have all been stricken from the pension rolls on the ground that under the law of June 27, 1890, no one could be pensioned who had seen voluntary service in the Confederate army.

Now, I want all those men treated alike. Not a week passes that I do not get a letter from some of them, wanting his pension restored. I have answered them all alike—that it all depends upon the passage of joint resolution No. 8, and therefore I do not want any special favoritism shown. Let them all stand alike or fall alike, and it is for the Senate to determine what action shall be taken.

Mr. GALLINGER. The Senator is undoubtedly right in that contention. I will state to the Senator that during the Fifty-sixth Congress the Senate passed a joint resolution similar to the one now on the Calendar, or substantially the same.

Mr. COCKRELL. Exactly. It was passed here and reported favorably in the House, but not acted upon in the House.

Mr. GALLINGER. It was reported there with amendments. That is right.

Mr. BATE. Mr. President, in addition to that, it is a part of the history of these matters that there were some Federals who enlisted in the Confederate service and did service in camp and battle. I know whereof I speak, as some of them were assigned to my own command. Some of them came from Andersonville prison. These men, some of then, have occasionally made application for restoration to the rolls with a view of getting pensions, and the Military Committee, of which I am a member, has invariably set them aside on the same principle. While this party here may not belong to one of those regiments designated in the order just read by the Senator from Missouri [Mr. COCKRELL], yet the principle should hold good in this and all other such cases, and this application should be denied.

Mr. GALLINGER. This bill coming from the House evidently failed to get that careful scrutiny which the committee always gives to every bill, and I will now move that it be recommitted to the Committee on Pensions.

The motion was agreed to.

JAMES E. DEXTER.

The bill (S. 3481) granting an increase of pension to James E. Dexter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. Dexter, late surgeon Fortieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE C. TILLMAN.

The bill (S. 4071) granting an increase of pension to George C. Tillman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Alabama," to insert "Regiment;" in the same line, before the word "Infantry," to insert "Volunteer;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George C. Tillman, late of Company C, First Regiment Alabama Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN M'DONALD.

The bill (S. 4214) granting an increase of pension to John McDonald was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John McDonald, late of Company E, Ninety-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NATHANIEL C. GOODWIN.

The bill (S. 1039) granting an increase of pension to Nathaniel C. Goodwin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nathaniel C. Goodwin, late of Company F, Seventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AUGUSTA TURNER.

The bill (S. 4346) granting a pension to Augusta Turner, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augusta Turner, widow of John E. Turner, late of Company C, Fourth Battalion, District of Columbia Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HENRY M. TAYLOR.

The bill (S. 3216) grantin an increase of pension to Henry M. Taylor was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word " dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry M. Taylor, late of Company H, Sixteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FREDERICK SHAFER.

The bill (H. R. 9227) granting an increase of pension to Frederick Shafer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word " dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick Shafer, late of Company F, Twenty-eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN BARNARD.

The bill (S. 2505) granting an increase of pension to John Barnard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Barnard, late of Company B, Brackett's Battalion Minnesota Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDWARD H. ARMSTRONG.

The bill (S. 3696) granting an increase of pension to Edward H. Armstrong was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward H. Armstrong, late of Company I, One hundred and eighteenth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

J. J. GROFF.

The bill (S. 142) granting a pension to J. J. Groff was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of J. J. Groff, late scout and guide in the United States Army, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES AMBROOK.

The bill (S. 951) granting an increase of pension to Charles Ambrook was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Ambrook, late of Company K, Second Regiment Michigan Volunteer Cavalry, and first lieutenant Company B, Fifth Regiment United States Colored Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE H. SMITH.

The bill (S. 952) granting an increase of pension to George H. Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George H. Smith, late musician, band, Fifteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIZA B. GAMBLE.

The bill (S. 965) granting a pension to Eliza B. Gamble was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza B. Gamble, widow of David C. Gamble, late captain Company E, Sixty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW J. FELT.

The bill (S. 2371) granting a pension to Andrew J. Felt was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. Felt, late of Company B, Seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT pro tempore. The thirty minutes have expired.

ORDER OF BUSINESS.

Mr. HALE. Now, I hope we will proceed with the Calendar under the five-minute rule, and we can easily dispose of all cases in perhaps an hour——

Mr. BERRY. I hope the Senator from Maine will not insist upon that. The Senator from Alabama [Mr. PETTUS] has a bill which is very important to my State, and it will take but a little while to pass it.

Mr. HALE. Is it not on the Calendar?

Mr. BERRY. He has not yet reported it. He is ready to report it from the Judiciary Committee, and I should like to have it passed now, if possible. I hope the Senator from Maine will permit it to be passed.

Mr. PETTUS. I ask leave to make a report from the Committee on the Judiciary.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Maine yield to the Senator from Alabama?

Mr. HALE. Before I yield I wish to make an appeal to the Senate. The Calendar has never been reduced to so small a number and in so small a space as it is to-day, and the reason is that, contrary to the usage which we have had for years of taking up particular bills on the Calendar and passing them at the request of Senators, we have for several days gone to the Calendar and taken them up in order, and bills in which Senators are interested have been passed, and we have almost cleared the Calendar. By doing that every Senator is put on the same basis. We reach his bill in order. He is not obliged to ask the unanimous consent of the Senate.

Now, I do not propose, if that course has not vindicated itself to the Senate, and if it is better to fall back on the old way, when every Senator scrambles for his own bill and gets it through and other Senators who have bills upon the Calendar do not get theirs in, I am not going to stand alone. The interest I have taken in the Calendar is in the interest of all the members of the Senate who have bills in which they or their constituents are interested.

I will not resist the appeal now of the Senator from Alabama, but I give notice that to-morrow morning after the routine business I shall object to the consideration of any particular bill and I shall ask the Senate, as it has done for several days heretofore, to go to the Calendar and take up bills in their order.

COURTS IN ARKANSAS.

Mr. PETTUS. Mr. President, by instruction of the Committee on the Judiciary, I report back without amendment the bill (H. R. 7458) to re-form the western judicial district of the State of Arkansas. It is simply to establish another court in the western district of Arkansas, which is very much needed there, and I have also been instructed by the committee to ask that the bill be now put on its passage.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent for the present consideration of the bill. Is there objection?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE MILITARY ESTABLISHMENT.

Mr. PROCTOR. I ask that the bill (S. 3327) in amendment of sections 22 and 26 of an act approved February 2, 1901, entitled "An act to increase the efficiency of the permanent military establishment of the United States," be taken up.

The PRESIDING OFFICER. The Senator from Vermont asks for the present consideration of a bill which will be read for the information of the Senate.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Military Affairs with an amendment, in section 2, page 4, after line 12, to add the following:

Vacancies which shall occur in the position of Chief of the Corps of Engineers, the Medical Department, or the Judge-Advocate-General's Department shall be filled by detail from the corps where the vacancy occurs for the term of four years, and at the expiration of such detail or of a redetail such chief shall be returned to his proper grade in his corps in the manner provided in this section for the return of the chiefs of other corps to their proper grade.

Mr. PROCTOR. From the committee, in lieu of the amendment at the close of the bill, I submit an amendment which is the same in substance, but expressed in another form.

The PRESIDING OFFICER. The proposed amendment will be read.

The SECRETARY. It is proposed to add at the end of the bill, in lieu of the committee amendment, the following:

The provisions of this section relative to the appointment, duration of service, and return to proper grades of the chiefs of the staff, corps, and departments hereinbefore named shall also apply in the case of any officer who shall hereafter be appointed to the Chief of the Corps of Engineers, of the Medical Department, or of the Judge-Advocate-General's Department, except that the chief of the corps or of either of the departments last named above shall be selected from the corps or department in which the vacancy as chief shall occur.

The amendment was agreed to.

Mr. PROCTOR. I propose a further amendment. On page 3, line 23, I move to strike out the word "redetailed" and to insert the word "reappointed."

The amendment was agreed to.

Mr. PROCTOR. In line 25, just below, I move to strike out the word "detailed" and to insert the word "appointed."

The amendment was agreed to.

Mr. HALE. Mr. President, it is difficult to see from the reading of these meager amendments, which carry nothing of intelligence in them, but which may be all right, what is their effect. Now, I want the Senator to tell me and to tell the Senate, after this bill passes as amended here to-day, how it leaves the appointments of the heads of these corps in the War Department as to their time of service. Are they all hereafter to be appointed or detailed—whichever phrase may be used—for four years?

Mr. PROCTOR. Mr. President, they are to be. That is the purpose of the single amendment of section 22. By a slip in the purpose of the committee in the act called the reorganization bill of February 2 of last year, in reference to the Engineer Corps, the line was inserted, "*Provided*, That the Chief of Engineers shall be selected as now provided by law." As then provided by law, the Chief of Engineers was selected for the term of his active service.

Mr. HALE. And he remained until he retired?

Mr. PROCTOR. He remained until he retired. A few months since, when Colonel Gillespie was made general and Chief of Engineers, the nomination was first sent in as a detail for four years. Then attention was drawn to this line, and the nomination was withdrawn, and he was nominated during his active service. It makes no practical difference in that case, because his active service only continues about five months beyond the four years' detail, but of course we wish to have it conform to the principle we adopted of a four years' detail.

Mr. HALE. I am very much in favor of the scheme that has been adopted by the committee of selecting these heads of corps with the limitation of time that has always applied in the Navy Department. It works well in the Navy Department, and there has never grown up in the Navy Department the feeling that there has been with reference to the long duration of terms in the corps of the Army. There is less jealousy on the part of the line and staff of the Navy of the heads of these bureaus than has heretofore been seen and known by us all in the Army. I believe that the new scheme will work well, I only rose for the purpose of seeing whether that is to be applied hereafter in all these cases.

Mr. PROCTOR. The question was a pertinent one. I will say that this measure has been gone over very carefully by the Senator from Missouri [Mr. COCKRELL] and myself as a subcommittee, and the purpose of it was to correct some slight errors (and we were surprised there were not more) in the large bill that was passed last winter, so as to make the whole thing symmetrical and harmonious, in accordance with the general plan that was then fixed upon.

Mr. PLATT of Connecticut. Mr. President, I think I am in favor of this measure, but I had the impression that when we passed the Army reorganization bill at the last session we deliberately excepted the Engineer Corps, the Judge-Advocate's Corps, and perhaps one other from the application of this principle of a four-years' detail. I wish to inquire whether that was the case, and if we are now changing the Army reorganization bill in that respect?

Mr. PROCTOR. Those corps—the Engineer Corps, the Judge Advocate's, and the Medical Corps—were excepted from the general detail system. The engineers are not obliged to go to the line, but the chief of those three corps. It was the purpose of the bill last winter to make the chief, and the chief only, subject to the four-years' detail.

Mr. COCKRELL. But only detailable from the corps.

Mr. HALE. These corps do not interchange?

Mr. PROCTOR. No; they do not interchange. We provide in this bill a clause which was not fully expressed, but it was our purpose that the selection of chiefs of those three corps shall be made from the corps.

Mr. PLATT of Connecticut. You do not change the existing law in that respect in this bill?

Mr. PROCTOR. No.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROMOTION OF COMMERCE.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which is Senate bill 1348.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. MALLORY rose.

Mr. ALLISON. Before the Senator from Florida proceeds I ask that the pending amendment, if there is any pending amendment, may be read. I wish to know the state of the bill.

The PRESIDING OFFICER. The Chair is informed that no amendment is now pending.

Mr. ALLISON. No amendment is pending?

The PRESIDING OFFICER. No amendment is pending.

Mr. MALLORY. Mr. President, this bill is an expression of the sentiment of the dominant party of the country to-day and is in keeping with the policy which, since that party first came into power, has animated it. It is in keeping with that system of legislation which for many years has proceeded on the theory that it is proper and just for the Government to lend its aid to individuals for the purpose of building up industries in which such individuals may be engaged on the plea and theory that by so doing they are contributing to the public weal.

This bill is divided into three separate and distinct parts, each part relating to an apparently different subject, but all three bearing directly in their ultimate analysis on the result sought to be attained by the Republican party in its policies in the past, namely, building up of private enterprises at the expense of the taxpayers.

The bill is divided into three titles. Title 1 proposes to provide a system of increasing the mail communications of this country with foreign countries. Title 2 proposes to add to the merchant marine of the United States engaged in foreign commerce by giving a subsidy or bounty to those who own ships engaged in foreign commerce, and title 3 is devoted to the purpose of conferring bounties upon persons engaged in what is known as the deep-sea fisheries of this country.

The reasons alleged in the bill for the provisions relating to title 1, whereby it is sought to promote the means of postal intercourse between the United States and foreign countries, are that it is necessary in order to advance our trade; that we must take advantage of the opportunities which are presented to us by the fact that our products can be placed in foreign markets at rates that will compete with the products of foreign countries and thereby secure the exchange of our products with foreign products and at the same time open a new commercial evangel between the United States and the nations of the world.

The argument of the eloquent Senator from Maine [Mr. FRYE], who is the father of this bill, and who was a very able exponent of a measure not entirely dissimilar from this which occupied the attention of the Senate something like a year ago, is that our postal communications are so inefficient at present that it is absolutely necessary in order to carry on business with foreign countries that the facilities for communication should be increased at any cost. For the purpose of doing that, and to facilitate the passage of a large postal subsidy through Congress, it is contended that we can at the same time provide a number of vessels of such size and of such character as will, in the event of a maritime war, become very useful to the United States as an adjunct to its naval power.

The bill contains a provision to that effect, that such vessels as shall have the benefit of the contracts provided for in the bill for the transmission of the mails shall undergo inspection while under construction, and shall be favorably reported on by naval inspectors as to their capacity and qualifications for auxiliary cruisers.

Under title 1—the postal-subsidy title—provision is made whereby the vessels which receive the benefit of the immense subsidy provided in the bill may in the case of necessity, in the event of war between this nation and any great maritime nation, be utilized as auxiliary cruisers; and much stress is laid upon the advantage which would accrue to the Government from having at its command a number of swift ocean-going vessels that may be used for the purpose of scouting or preying upon the enemy's commerce.

Now, Mr. President, to one who examines closely that argument it would seem that it is hardly a justification for the extraordinary expenditure which is proposed under this bill. The Senator from Maine estimates that up to five years from now the expenditure authorized under this title, or under the entire bill, will not exceed the sum of $6,000,000. That is purely a guess. It is impossible to say what will happen within the next five years. Very probably the Senator from Maine has figured it out very carefully, taking into view all the possible contingencies that occur to his mind, but, Mr. President, it strikes me as being rather a wild conjecture to say that within that time any particular number of vessels will or will not be built in the event this bill becomes a law.

The question of encouraging the building of swift trans-Atlantic steamers for the purpose of furnishing auxiliary cruisers in case of war with foreign nations is one which has not been examined very closely, as far as I have been able to observe, either in this body or in the other. We did have some little experience, in our recent war with Spain, with what are called auxiliary cruisers, inasmuch as two vessels of the American Line were employed as aids or scouts to our fleet down in the West Indian waters, and I believe they rendered some good service. But I hardly think that our experience in the Spanish war will furnish a just and proper criterion for our guidance when we come to legislate with reference to a war with a great maritime nation.

Spain had no fleet except the unfortunate fleet that came across the ocean and, like a flock of partridges, sought shelter in the nearest cover they could find and were finally destroyed. In the event of war with a maritime nation such as Great Britain or Germany, Russia, or France, these auxiliary cruisers would not be left alone to scour the seas and to scout from port to port.

The policy of the maritime nations of the world to-day is to build vessels, armored cruisers, protected cruisers, and even battle ships of such speed as to be able to overtake on the high seas any of those fleet greyhounds of the ocean that are referred to as such desirable material for auxiliary cruisers; and it is a fact that we have now in the course of construction 10 cruisers of 22 knots capacity, any one of which would be able in a four or five hours' chase to run down any one of the vessels which are contemplated by this bill. Besides a large fleet of 22-knot cruisers, we are also constructing and have constructed a large number of torpedo-boat destroyers, vessels of small tonnage, averaging probably about 400 tons, but seagoing vessels of great power and speed, well armed, and with great steaming capacity and ability to carry coal.

Some of those torpedo-boat destroyers are of a speed of 30 knots an hour; others are of a speed of 29 knots an hour, and a number of a speed of 26 knots an hour. All of them could run down at sea any merchant vessel that now flies the flag of any nation in the world. There would be no earthly chance for one of those auxiliary cruisers to escape from one of those torpedo-boat destroyers or from one of the armored cruisers of the 22 or 23 knot capacity; and I take it that if we were to add a large number of such auxiliary cruisers to our Navy we would be simply weakening our offensive strength and adding nothing whatever to our defensive power. Therefore I hold that there is but little in the suggestion contained in this bill and given forth in the arguments of those gentlemen who have undertaken to sustain it, that the auxiliary-cruiser feature of the measure is one of very great importance and worthy of much consideration.

It will be observed on a close examination of the measure that the compensation under title 1 is based principally upon tonnage. It is true that it requires also certain speed rates, which are fixed in the measure. I will state the provision which is made for compensation for the different classes of vessels which are provided for in the measure.

There are seven distinct classes. Under the act of 1891, of which this particular chapter of the bill is an amendment, there were only four classes of ships. It has been thought proper—and I think perhaps the distinction is well founded—that there should be a larger division of classes, so that vessels of varying speed should be paid according to the differences in their speed ability.

The maximum size of vessels provided for in this bill is 10,000 tons and over, and under that head of 10,000 tons, which constitutes one class, there are included two classes of speed, namely: Vessels of 20 knots or over, and vessels of 19 knots and less than 20 knots. The 19-knot vessels are of 10,000 tons, but are put down as of the second class. Then the bill provides that there shall be vessels of 5,000 tons, and under that description there are four distinct classes, namely: The third class, which is to be 18 knots or over; the fourth class, 17 knots and less than 18 knots; the fifth class, 16 knots and less than 17 knots, and the sixth class, 15 and less than 16 knots. These vessels all must be over 5,000 tons. Then the last division, based upon tonnage, is for vessels of over 2,000 tons, which of themselves constitute the last and seventh class, which are required to have a speed of 14 knots or over.

The chairman of the Committee on Commerce, in his speech on this bill the other day, stated very frankly what his purpose was in making this classification and in providing the payments which are provided in the measure upon the different classes of ships here provided for. He stated that he desired to encourage the building of ships of great tonnage in order that freights might be cheapened, because freights by vessels carrying very large cargoes can be reduced to lower rates than are the freights of vessels carrying small cargoes. Therefore he takes the first class of vessels of 10,000 tons and 20 knots or over and provides that they shall receive 2.7 cents per ton for every hundred miles traveled.

Steamships of the second class, that is, of 10,000 tons, of 19 knots speed and less than 20 knots, shall receive 2.5 cents per ton for every 100 miles traveled. Vessels of the third class, that is, vessels over 5,000 tons and of 18 knots or over, are to receive 2.3 cents per ton for every 100 miles traveled. Of the fourth class, namely, vessels of 5,000 tons or over and 17 knots or over in speed, shall receive 2.1 cents per ton. Vessels of the fifth class, of 5,000 tons or over and 16 knots or over, are to receive 1.9 cents per ton; and vessels of the sixth class, of 5,000 tons or over and 15 knots and less than 16 knots, are to receive 1.7 cents per 100 miles per ton. Finally, the last, steamships of the seventh class, that is, of 2,000 tons or over and which have a speed of 14 knots or over, shall receive 1.5 cents per ton.

The Senator from Maine contends that this will contribute to the construction of a fleet of very large-sized vessels, and his argument is very powerful in leading to the conclusion that it will greatly facilitate the transportation of the products of this country to foreign nations; but, Mr. President, it seems to have been forgotten that there must be a limitation upon the size of ships. It is a fact, which statistics demonstrate, that the great bulk of the carrying trade of the world on the ocean is done by vessels of less than 6,000 tons; in fact, it is done by vessels of very much less than 6,000 tons.

The reason for that is very obvious, if one undertakes to give the matter consideration, because, as you increase the size of the ship, you increase its draft, and a vessel of 10,000 tons must necessarily draw more water than a vessel of 5,000 tons, build them as you may, and it has been a problem, which shipbuilders have been striving with for a number of years, to put the largest carrying capacity, together with a safe character of ship, on the least possible draft. It is a fact that south of Newport News or the Chesapeake Capes there is but one port in the United States into which a vessel drawing over 27 feet of water can enter, and that is a port on the Gulf. There is said to be 27 feet of water between the jetties at New Orleans, but if there are 27 feet of water there, a vessel drawing 26 or 26½ feet sometimes runs aground in going out of the Passes.

The shipbuilders of the world and the shipowners of the world are aware of the fact that the deep-water ports of the world are very limited in number, and that, if they want to do the commerce of the world successfully, they must accommodate themselves to the conditions which qualify that commerce; and with the exception of the relatively very few ports in the United States, and a very few ports in South America, it is an absolute necessity that vessels of smaller tonnage than 6,000 tons must be employed in that trade. Because of their great draft vessels drawing more than 22 or 23 feet when loaded will not be able to enter such ports. Therefore I do not think there is any occasion for us to proceed hastily with the idea that it is essential that all the merchant ships of the United States should be great carriers.

The tramp steamers of Great Britain, the ships that constitute the great majority of the mercantile fleet of Great Britain, are vessels under 4,000 tons. They pass into every port of the world; they visit our ports, the ports of Africa, the ports of Europe, and the ports of Asia; and they transport the products of the Tropics and of the Temperate zones from one part of the world to another, and really control the carrying trade of the world. We have none. I think there are no such vessels in the United States merchant marine.

Take our own seagoing fleet. On page 14 of the last report of the Commissioner of Navigation I find a list of vessels, with their

tonnage and their speed, belonging to the United States, in which are set forth our ocean-going steamships. We have 113 steam vessels, ranging from 1,000 tons to 10,000 tons. Of that number 106 are vessels of less than 6,000 tons. The rest run up to 10,000 tons. We have four vessels of 10,000 tons or over. We have no vessels of 9,000 tons, none of 8,000 tons, and none of 7,000 tons. All the balance of our vessels are from 6,000 tons down to 1,000 tons.

So far as speed is concerned, we have four vessels of 20 knots or over; we have no vessel of 19 knots; one vessel of 18 knots; five of 17 knots; four of 16 knots; eleven of 15 knots; sixteen of 14 knots; six of 13 knots; nine of 12 knots, and fifty-seven under 12 knots, making a total of 113, of which number 99 are less than 16-knot vessels. I have compared the tables of the world's commercial marine with ours and I find about the same ratio exists in all sea-going ocean vessels of the world—the same ratio of small vessels—that is, vessels under 6,000 tons to vessels over that tonnage.

The Senator from Maine proposes to upset, by this bill, this natural arrangement of proportion of ships of fairly ordinary size and to substitute ships of large and exceedingly great size. The commerce of the world has so adjusted itself that it has been found necessary for the great majority of the steam tramps to be vessels of less than 6,000 tons; and I take it, notwithstanding the very excessive aid which is proposed to be given by this bill to the building of ships, that the construction of vessels of over 6,000 tons will not be advanced in any special degree. Certainly this bill will not increase the number of vessels of the class of the *St. Louis*, the *St. Paul*, the *New York*, and the *Philadelphia*, which constitute, I believe, the four fast ships of the American merchant marine.

The Senator from Ohio [Mr. HANNA], in his very able speech delivered in this Chamber about a year ago upon the subsidy bill which was then pending, gave it as his opinion that that bill would not contribute one ship of that class to the merchant marine of the United States. He used this language:

> As to this bill offering any further inducement, even at the advanced compensation, for the people in this country engaged in that trade to continue the construction of fast liners as a matter of business investment, I doubt if anyone would venture any further in that direction. We all know that in the competition in trans-Atlantic lines to-day England and Germany and France are all competing to have and to operate the ship which will cross the Atlantic Ocean between Sandy Hook and the ports on the other side in the shortest time.
>
> We also know that that spirit of competition is in the way of advertising for the passenger traffic. Therefore I say that it is only a question, as far as American interests are concerned, how much loss they are prepared to meet in order to advertise their ships as the swiftest ships crossing the Atlantic Ocean. There is no profit in the business; there never has been to that line, and there never will be under these conditions. And I say that in my own judgment and from my own standpoint there will not be another dollar, for years to come, of American capital invested in 21 or 22 knot ships.

Therefore it may be contended, I think very properly, if we accept the authority of the Senator from Ohio, who, I believe, is an authority upon this subject, that, unless the subsidy which is provided for in this bill is larger than that which was provided for in the bill which was before the Senate last year, there will be no addition of the 21-knot or 22-knot class of vessels to our merchant marine.

This bill, Mr. President, does not propose to make as large an appropriation as the bill which we had last year. I did have a comparison of the rates—I can not lay my hand on it now—but it is a fact that the provisions in regard to pay in this bill are considerably less than they were in the bill which was considered at the last session; and if the Senator from Ohio is correct in his judgment that that bill would not add one ship to the swift greyhound class of vessels that we then had, certainly we are justified in concluding that it is his opinion to-day that this measure will not add anything to that class of ships.

I find that the figures furnished by the bill that was under consideration last year, when worked out on the lines of this bill, give us the following: Vessels over 10,000 tons of 20 knots were to receive 1½ cents up to 1,500 miles, and 1 cent thereafter per gross ton for every 100 miles sailed. The general subsidy, 2 cents in addition, would make 3½ cents per gross ton up to 1,500 miles, and 3 cents per gross ton thereafter. Vessels of 21 knots were to get the same general subsidy, and $2\frac{3}{10}$ cents per gross ton per 100 miles up to 1,500 miles each way, making 3⅘ cents per ton for 3,000 miles and $3\frac{3}{10}$ cents per ton for distances over 3,000 miles. The figures of the present bill, as I read them a while ago, indicate very plainly that the amount of money which will be realized by vessels on their trips under this measure is considerably smaller than it would have been under the other measure.

The Senator from Ohio has given us to understand that nothing is to be expected from this measure in the way of an addition of 21 or 22 knot vessels to our fleet. The Senator from Maine [Mr. FRYE], in his speech the other day, gave us to understand, unless I have misinterpreted his language, that this bill adds nothing whatever to the inducement for the construction of vessels of less than 6,000 tons. Not to misstate the language of the Senator, I will read what he said:

> Below 16 knots there could not be any increase over the present law. Indeed, the price would be lower than the present law. The lower-powered vessels received more than it was necessary to pay. Higher-powered vessels did not receive so much as was necessary. Quite a number of contracts made with the low-powered classes have been made for considerable less than the maximum amount named in the existing law.

Therefore I take it that vessels under 16 knots will receive no additional benefit from this bill over what they have been receiving under the act of 1891. Further on, in explanation of his view upon this subject, the Senator from Maine said:

> Broadly speaking, all the mail steamers, 14 knots or over, of 7,000 tons or over, may be paid at higher rates than under the present law, except 20-knot steamers under 10,000 tons. Steamers of 4,000, 5,000, and 6,000 tons are to be paid at rates not differing greatly from those payable under the present law.

Therefore, Mr. President, so far as this bill is concerned, vessels of 6,000 tons and less and vessels of 16 knots speed and less are not to be advantaged to any great extent over the position which they hold under the act of 1891, of which this title is in amendment, and then the only advantage which is proposed to be conferred upon the merchant marine of this country is upon vessels between 7,000 and 10,000 tons, or, say, 7,000 tons and over, and vessels of over 16 knots.

Mr. FRYE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Maine?

Mr. MALLORY. Certainly.

Mr. FRYE. The Senator will please read that inclusive of the 16-knot ships—16 knots and upward. I said below 16.

Mr. MALLORY. Below 16?

Mr. FRYE. Below 16.

Mr. MALLORY. He included the 16-knot ship in the upper class. I do not remember exactly how I spoke of it, but the language of the Senator is below 16 knots.

Mr. FRYE. Below 16 knots.

Mr. MALLORY. Including 16-knot vessels, which would be benefited; but in the other statement of 4,000, 5,000, and 6,000 ton vessels, he includes the 6,000-ton vessels among the vessels which would not be benefited by this alleged improvement.

To pass on from this explanation of the first title, we go on to the second title, which passes from the matter of ocean mail steamships and takes up what is designated as general subsidy. Under this provision all vessels, with the exceptions hereafter to be named, owned and duly registered by a citizen or citizens of the United States shall have the benefit of the subsidy provided for in this bill. The Secretary of the Treasury is authorized and directed to pay to the owners of those vessels the subsidy which is provided for in the second and third clauses of that title. Clause (a) provides:

> (a) On each entry, not exceeding 16 entries in any one fiscal year, of a sail or steam vessel, 1 cent per gross registered ton for each 100 nautical miles sailed.

And the third clause, known as clause (b), provides:

> (b) On each entry, not exceeding 16 entries in any one fiscal year, and for a period of five years from the date of registration of a vessel of over 1,000 gross registered tons, which shall be completed and registered after the passage of this act, one-fourth of 1 cent per gross registered ton for each 100 nautical miles sailed, in addition to the compensation provided in paragraph (a)

In other words, a vessel up to the time she is five years old shall receive 1¼ cents per gross ton for every hundred knots sailed, provided she does not make more than 16 entries in a year.

Mr. President, that is a very long and bold step; but it is sought to qualify this donation by excepting certain descriptions of vessels from its application. Excepted from its application are the following:

> (a) A vessel on a voyage extending only to a foreign port less than 150 nautical miles from her last port of departure in the United States or from a foreign port less than 150 nautical miles from her first port of arrival in the United States.
>
> (b) A vessel on a voyage less than one-half of the whole length of which, on her outward and homeward voyages, respectively, shall have been on the sea between a port of the United States and a foreign port.
>
> (c) A vessel which shall not be at least of the Class A1, as classified either by the Record of American and Foreign Shipping or the United States Standard Owners, Builders, and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit.
>
> (d) A vessel of which less than one-fourth of the crew shall be citizens of the United States or such persons as shall be within the provisions of section 2174 of the Revised Statutes.

Which, as I understand it, are individuals who have declared their intention to become citizens.

> (e) A vessel without motive power of its own, or a tugboat, or a vessel engaged in wrecking.
>
> (f) A foreign-built vessel, hereafter admitted to American registry pursuant to the provisions of section 4136 of the Revised Statutes.

Which means that a vessel that has been wrecked in American waters, and which has been admitted to carry the American flag and to registry, shall not, however, get the advantage of that provision. And lastly:

> (g) A vessel while employed in the coasting trade,

All other vessels engaged in our foreign commerce, except

those just specified, are to receive the benefit of this 1½ cents up to and including the fifth year and 1 cent thereafter, whether they carry any cargo or not and irrespective of what business they may be engaged in.

There are qualifications attached to this donation, and I invite the attention of the Senate to those qualifications, because it is upon them I think there is based the claim that the donation may be justified.

Section 10 provides:

That any vessel, before receiving compensation—

Mark the word "compensation," and that word is used throughout this title—

That any vessel, before receiving compensation under this title, shall, when required so to do by the Secretary of the Treasury, carry on each foreign voyage, as a member of the ship's company, one American boy, under 21 years of age and suitable for such employment, and one such boy in addition for each 1,000 gross registered tons, who shall be taught in the duties of seamanship or engineering, or other maritime knowledge, as the case may be, respectively, and receive such pay as shall be reasonable.

The vessel has to carry them if the Secretary of the Treasury says so. If the Secretary of the Treasury does not say so, it is not essential. It is not a prerequisite that it shall be complied with, but if the Secretary says so a vessel shall carry one American boy under 21 years of age, and one such boy in addition for each 1,000 gross registered tons. In other words, a registered vessel of 10,000 tons could be required to carry 11 young men or boys, ostensibly for the purpose of preparing them to take part, after they reached manhood, in the carrying trade of the United States upon the ocean.

Section 11 provides—

That the owner of any vessel, before receiving compensation pursuant to this title, shall agree in writing—

And it is well to notice the solemnity that marks this proceeding. He shall agree—

in writing that said vessel may be taken or employed and used by the United States for the national defense or for any public purpose at any time; and in every such case the owner of any such vessel so taken or employed shall be paid the fair value thereof, if taken, at the time of the taking; and if employed, shall be paid the fair value of such use. And if there shall be a disagreement as to such fair value the question of the valuation shall be submitted to and determined by three impartial appraisers.

These constitute the provisions of title 2. Title 1, as I have undertaken to show, professes to be a postal subsidy measure, simply an amendment to the act of 1891, which has been in force ever since the date of its passage and under which now fast mail is transported across the Atlantic and the Pacific. But title 2 comes in under an entirely different heading and under different auspices.

Title 1 professes at least to be for the benefit of the postal service, and as we have a right to establish post-offices and post-roads there is probably no reason why we could not go on and establish post-offices and post-roads all over the world. Certainly there is no question about our right to do so in our possessions, and I am not disposed to take any issue with the advocates of this measure on that point.

Title 1 also proposes to justify itself by a provision which is therein made for auxiliary cruisers for the United States, however inadequate and however incapable of being carried out such a provision may be. But there is a pretext, at least, Mr. President, of a public purpose. It is for the purpose of public defense, and is a justification undoubtedly in the minds of gentlemen who advocate this extraordinary measure for the provisions set forth in title 1.

But under title 2 the only pretense that even squints at a public purpose is that the vessel shall carry a certain number of young men, subject to the control of the Secretary of the Treasury, who may or may not require it, as suits his pleasure, and that the owners of the ships receiving this bounty shall pledge themselves in writing that when the Government needs the services of such vessels it can require their services, and will pay whatever is a fair and reasonable compensation therefor. In the event of war I take it there would be no difficulty on the part of the United States, if we had a merchant marine, in getting, so far as concerns the purposes for which such vessels are included in this provision, all the vessels that might be desired.

But it is to this title particularly that I should like the attention of the Senate to be directed. Heretofore I do not think we have ever passed a measure of this character. Congress has enacted many laws whereby individuals received great benefit under the profession or pretense that it was a public purpose, but I do not think Congress has ever in the history of the country gone to the extent of passing a measure so absolutely bold and bald in its character as a donation from the public Treasury for private purposes.

Mr. FRYE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Maine?

Mr. MALLORY. Certainly.

Mr. FRYE. Congress has not, but the Senate, in 1891, passed a bill precisely like title 2, only the subsidy allowed in it was 3 cents a mile for the outward voyage, which would be a cent and a half for the round voyage, which is half a cent more than this bill provides for.

Mr. MALLORY. Yes, sir; I understand that. I understood that the Senate had done so, but I was speaking of the enactment into law by the legislative power of this Government; and I think I am correct in saying that never before in the history of this country has any such measure been put into the shape of legislation. In its protean forms the idea has come before Congress time and time again. We had it here last year in a different shape, but it was the same old purpose of bestowing benefits from the public Treasury upon individuals. But it never yet has succeeded in getting the support of a majority of both Houses of Congress, although I am free to admit that I think it very possible this year the thing will be accomplished.

Upon this point I desire to call attention to the utterances of one or two gentlemen, whose opinions in the past have held some position of respect in this country, upon questions akin to this that I am now presenting to the Senate. It is like repeating a twice-told tale, Mr. President, to read these authorities. They have been read here before and we are all familiar with them; but I take it that the principles which they enunciate are so sound, that they appeal so strongly to the best judgment of the intelligent men and patriotic people of this country, that even at the risk of wearying my hearers and overloading the RECORD I am justified in calling the attention of the Senate and the country to them.

Judge Cooley, who as an authority on constitutional law stands among the highest in this country, speaking on the subject of special privileges conferred upon individuals in the shape of donations from the Treasury, says:

However important it may be to the community that individual citizens should prosper in their industrial enterprises, it is not the business of government to aid them with its means. Enlightened States leave every man to depend for his success and prosperity in business on his own exertions, in the belief that by doing so his own industry will be more certainly enlisted and his prosperity and happiness more likely to be secured. It may therefore be safely asserted that taxation for the purpose of raising money from the public to be given or even loaned to private parties, in order that they may use it in their individual business enterprises, is not recognized as a public use. In contemplation of law it would be taking the common property of the whole community and handing it over to private parties for their private gain, and consequently unlawful. Any incidental benefits to the public that might flow from it could not support it as legitimate taxation.

One would be justified in thinking Judge Cooley, in giving utterance to this expression, had this particular provision of the pending measure in view.

Another eminent jurist of this country, whose weight as an authority in matters of this kind is unquestioned, in a very prominent case before the Supreme Court, namely, the case of the Loan Association against Topeka, to be found in 20 Wallace, page 655, gave utterance to the expression which I will read. Justice Miller said:

The power to tax is, therefore, the strongest, the most pervading of all the powers of government, reaching directly or indirectly to all classes of the people. * * * This power can as readily be employed against one class of individuals and in favor of another, so as to ruin the one class and give unlimited wealth and prosperity to the other, if there is no implied limitation of the uses for which the power may be exercised. To lay with one hand the power of the Government on the property of the citizen, and with the other to bestow it on favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law, and is called taxation. This is not legislation. It is a decree under legislative forms.

Justice Sharswood, of Pennsylvania, a name eminent in the judicial history of this country, speaking in a case that was before him, namely, Durach's Appeal, 62 Pennsylvania Reports, used this language:

No doubt all taxation should be general, and, as far as practicable, equal. Legislation either to benefit or burden particular classes under the idea that it is for the good of the State at large infringes upon the natural and guaranteed right of acquiring, possessing, and protecting property, subject to fair and equal contributions to the just and necessary expenses of government in the exercise of its proper and legitimate functions. A government which assumes the office of controlling and directing the lawful industry of the citizens into the channels which it may choose to deem best assumes what does not legitimately belong to it. Some States in modern times, in undertaking to find work for the people, have discovered that it was a sure way to make work for themselves.

I take it that no one will dispute the wisdom or the patriotism embodied in these expressions from the eminent jurists from whom I have just quoted. I do not think anyone will question the application of their ideas to this particular piece of legislation. To say that money taken from the pocket of the citizen by the strong hand of taxation and deposited in the Treasury for a public purpose, and only for a public purpose, can be taken therefrom and delivered gratuitously to individuals for their private gain is to utter a statement which certainly can not be justified as correct under any system of government. Certainly it could not be sustained as right and proper under our system of constitutional government.

Now, Mr. President, let us see how the practical working of

title 2 will affect vessels engaged in navigation. I find that we have probably several hundred vessels which would be affected by this provision of 1 cent and 1½ cents, the quarter of a cent depending upon the age of the vessel. Among them are all classes of vessels—vessels engaged in commerce for the benefit of the general trade of the country and vessels engaged in commerce for the benefit of certain particular lines of transportation of the country.

I find that there are building to-day among the numerous vessels under construction in this country ships that are intended for certain specific lines of transportation. At New London there are two vessels now under construction, probably the largest vessels in the world—vessels of 21,000 tons, of 14 knots. Their slow speed will probably not permit them to have the advantage of the postal subsidy, if they desire it. They are being built for the Great Northern Railroad Company, to run in connection with the western terminus of the Great Northern Railroad and connect with the Asiatic countries. Those vessels would come in for benefit under this subsidy if they chose to avail themselves of it, and it is not unreasonable to suppose they would. I have figured out what those two vessels will realize from this title.

Under the table furnished by the Commissioner of Navigation, on page 25 of his report of this year, we have the speed of various vessels put down, and in an opposite column the number of miles per annum which vessels of that rate of speed will probably make.

I find that each one of these vessels of 14 knots will make 58,000 miles per annum. These two ships, of 21,000 tons, traveling 58,000 miles per annum, with a bonus or a subsidy of one and a quarter cents per ton per hundred miles, will realize $152,250 per annum for attending to the business of one great railroad system; not for the general public, but simply in the interest of a particular railroad. This is on condition that they will carry a certain number of apprentice boys, if required, and will charter to the United States in time of war, if the United States needs them, for which they are to receive fair and reasonable compensation.

I find further on that the Arthur Sewell Company, of Bath, Me., is building some large sailing vessels. They are the *Acme*, already launched, the *William P. Frye*, which has already been launched, and the *Atlas*, which was to have been launched in December, 1901, and I suppose has been launched. These are very large sailing vessels, 3,300 tons. The *Acme* and the *Atlas* belong to the Standard Oil Company. The Standard Oil Company, I suppose, in constructing those vessels has done so for the purpose of transporting its own products. Its business requirements make it necessary that it should own its own peculiar vessels—peculiar, because many of them carry oil in bulk, and in order to economically carry on that business the interior of those ships is constructed in a way to adapt them to this purpose.

But here is an illustration to which I should like the attention of the Senate to be especially directed. One of the most powerful and richest corporations in the world, which certainly needs no governmental aid or assistance, builds two ships in this country for the purpose of transporting its own products, and because it puts those vessels on the ocean and transports its own product it is to receive a subsidy, on the basis of the payment provided for in the second title of this bill, of $11,312.50, on the theory that those vessels will travel 25,000 miles per annum, which is a reasonable assumption.

Now, the sum is small. It is a bagatelle as compared with donations which go to other vessels, particularly steam vessels. But, Mr. President, it is money which has been wrung from the taxpaying public of this country. I do not know that I should use the word "wrung." However, it has been exacted from the taxpaying people of this country only for governmental purposes. I take it all patriotic men are perfectly willing to donate their due proportion to the expense which the Government has to bear, but the patriotic people of this country are unwilling to pay a single, solitary cent to the Government for the purpose of having it transferred to the coffers of any individual or corporation.

I do not know that there could be a better illustration of the wrong and the injustice which are sought to be perpetrated by this particular title of the bill than is furnished by the instance I have just given. No one for an instant will question the right of the Government to exact the last dollar from the citizen if necessary, to meet the emergencies of the Government, for the just dues of the Government, to meet the necessities of the public defense or the general welfare; but when it comes to exacting one cent from one individual for the purpose of conferring it upon another, with no public purpose in view, as Judge Miller has said, it is robbery and is not legislation.

Why is this? What is the pretext that is alleged by the advocates of this measure both for the postal subsidy and for this very astounding provision? It is that the merchant marine of the United States has fallen into the sere, the yellow leaf; that the effects of the war between the States upon it have never been overcome; that Great Britain and the other nations of the world have resorted to subsidies and aids for the purpose of building up their mercantile marine, and that there is nothing else for us to do if we wish to hold up our heads in the face of the world and to carry our flag proudly to the ports of the great nations of the earth.

The eloquent Senator from Ohio [Mr. HANNA] delivered a most stirring oration the other day upon this subject, in which he thought that it ought to appeal to the patriotism and the sense of right of every citizen to do away with the existing condition of things and to build up the merchant marine, so that the American flag could be flaunted in the face of all the nations of the world at all times.

Mr. President, I come from a seacoast State, a State that has more seacoast than any other in the United States. It has more ports and bays and harbors than any other State in the United States, and I am deeply interested in the rehabilitation of the mercantile marine of the United States. My home is an important port, and I experience humiliation almost every time I visit the water front of my city. The fact is, that with the exception of schooners and coasting vessels, the American flag is never seen upon a mast in that harbor, and I will go as far as any Senator, I will do anything that I believe we conscientiously and consistently can do to once more put the American mercantile marine upon a footing of equality with that of other nations. But, sir, notwithstanding my full appreciation of the importance and the necessity of taking some step to advance progress in that direction, I can not indorse a measure that is so absolutely at variance with every principle of right and justice as is this particular provision of the bill.

It is not a fact, Mr. President, as has been asserted here, that our merchant marine is in a condition of stagnation. It is a fact which we gather from the official reports that it is, so far as last year and this year are concerned, in a most promising condition. It is small it is true, but the increase in shipbuilding and ship owning in this country within the last twenty-four months has been absolutely phenomenal. I am inclined to think that the advantages we possess in having all the materials necessary for shipbuilding in abundance and cheaply at hand will in the natural course of events give us an immense advantage over the other nations of the world in shipbuilding; but if it is necessary, and it may be so, to resort to some legislative measure to advance the interests of shipping, I am perfectly willing to do anything that we can consistently do in accordance with the provisions of the Constitution to that end. Upon this question of the upbuilding of the United States merchant marine I read from page 18 of the Report of the Commissioner of Navigation for 1901. He says:

> Construction during the current fiscal year promises nearly, if not quite, to equal the greatest in our history. In 1855 we built 583,000 tons. The strike in the shipbuilding trade about the end of the past fiscal year delayed work on some vessels nearing completion which under ordinary conditions would have been included in last year's figures. Four large steamers for the Pacific, aggregating over 60,000 tons, will have been under contract for two years and should be completed before next July. Two of these, *Korea* and *Siberia*, the finest vessels yet designed by any nation for trade with Asia, have been launched. In the winter and early spring, when the passage of shipping legislation seemed probable, contracts were made for eight large steamers, and part of this tonnage will be completed before the close of the current fiscal year.

The Senate will note the expression used by the Commissioner in the last sentence, "when the passage of shipping legislation seemed probable." The Commissioner evidently in preparing this report had in mind the fact that such a measure as this would be before the Senate and the other body of Congress this winter, and there will be found throughout this report such expressions as that, implying that proposed legislation of this character has given this remarkable impetus to shipbuilding and shipowning in this country, and is the cause and only cause thereof.

He further on gives a table in which it appears briefly that in 1901 there were constructed 25 ocean-going steamships, of a gross tonnage of 95,242 tons, while in the year 1902 it is estimated that there will be constructed 33 ocean-going trans-Atlantic, trans-Pacific, and foreign-going steamships, of a total tonnage of 255,325 tons, the greatest amount of tonnage built in this country since the year 1855. Commenting on that the Commissioner says:

> The table appears to promise that 33 steel screw ocean steamers of 255,325 gross tons will be built in the United States this year, compared with 25 of 95,242 gross tons for the past year. This promise will not be made wholly good, but, barring strikes or other unforeseen causes, it is reasonably certain that nearly 200,000 gross tons will be added to our ocean steel steam fleet before July 1, 1902—a tonnage equal to 70 per cent of the recent Leyland purchase by Americans.
>
> The possible addition of 10 steamers of 110,800 tons to our trans-Atlantic fleet within twelve months presumably rests on anticipated legislation by Congress.

There we are again. The Commissioner of Navigation can not forbear giving us his belief. He says it "presumably rests on anticipated legislation." He recognizes the fact that there has been within the past three years a wonderful increase and impetus in the shipbuilding of this country, and he does not assert but

suggests that presumably it was the anticipated legislation by Congress which gave occasion to this wonderful increase in shipbuilding.

I think, Mr. President, that that is rather a wild and a violent presumption. When vessels cost from one to two million dollars, it is not likely that the individuals who are to pay for them will be willing to invest that amount of money dependent upon the possible passage of a particular measure, and that a very extraordinarily exceptional measure, through Congress.

There are some other reasons, Mr. President, why the shipbuilding interest in this country has begun to look up, and I certainly believe that with ordinary care and attention on the part of Congress to that interest there will be no difficulty whatever as to its continuing to improve.

It is necessary, say the advocates of this measure, that this wonderful subsidy should be given because foreign countries are obliged to give it to their merchant marine. It has been said upon this floor from time to time that Great Britain, which owns something more than one-half of the merchant steamships of the world, gives an immense subsidy to her ships. It is a fact that Great Britain pays a higher rate of wages to her masters and crews engaged in her merchant fleets than any other nation in the world, unless we except the United States, and I believe that she pays fully as high a rate of wages as the shipowners of the United States, notwithstanding the figures that have been presented here to the contrary.

But though she does pay a great deal more to her seamen, her firemen, her mates, her masters, her engineers, her assistant engineers, than do France, Germany, Italy, Norway, or Sweden, it is a fact that Great Britain to-day controls more than one-half of the merchant tonnage of the world. She has controlled it for years. She controls it to-day, and notwithstanding the frantic efforts on the part of France to build herself up by means of general subsidy, or of Italy by the same means and in other shapes, Great Britain to-day stands the leading shipowning nation in the world.

We are told that this is due to the fact that Great Britain subsidizes very extensively. That, Mr. President, is not sustained by the facts. Great Britain does not pay a larger subsidy for her postal service than is proposed in this bill. She does not pay a larger subsidy combined for all her service than is proposed, or at least is sought to be proposed, by the gentlemen who advocate this measure.

Great Britain never has given one single dollar of general subsidy to any of her fleets. Of the immense number of ships which fly her flag in all the ports of the world only 5 per cent receive any aid whatever from the Government of Great Britain. She does pay postal subsidies, but she bases her payments upon weight of mails and not, as is proposed in this bill, upon the tonnage of the vessel. She has what is called an admiralty subvention, whereby vessels, as is proposed under title one of this bill, which can be utilized as auxiliary cruisers in the event of war, are provided for, but she makes no provision whatever for any subsidy or any aid to her ocean commerce that is not given for a good and valid consideration.

Notwithstanding that, Mr. President, Great Britain to-day leads all the nations in her commercial power and her ability to take charge of the ocean transportation of the world. Yet we are told again and again that it is essential that we should go into the business of donating to private individuals large sums of money for the purpose of carrying on their business because Great Britain has been doing so in the past. That, Mr. President, is not so. Other nations have done it, it is true, and in every instance where they have resorted to that means for the purpose of bolstering up their decaying fleets their decaying fleets have continued to retrograde.

But, say the advocates of this measure, it is necessary that the American ship should be sustained because of the increased expense that the American owner has to go to in building his ship, and we have been furnished here with some evidence, or something that purports to be evidence, in the shape of letters whereby it is professed to be shown that as much as a difference of 25 per cent exists between the cost of building certain classes of American ships and the same classes of British ships. That has been harped on, Mr. President, and was advanced here last year in the face of the fact that twelve years ago we had the testimony of expert shipbuilders in this country to the effect that even such vessels as the *New York* and the *Paris* could be built in this country at an expense over what it costs in England not exceeding 8 per cent.

Whether that is true or not, it is a fact that all the shipyards of this country are busy. They are all engaged in doing most of the work that is within their capacity, and the report of the Commissioner of Navigation, if I read it aright, bears me out in the statement that most of the shipyards of this country to-day are engaged on the maximum amount of work that they have the capacity for doing.

I have here an editorial from the Scientific American of January 25, this year, in which some reference is made to the work that is being done on the Pacific coast. I will read a short extract from it:

> The increasing trade of the Territory of Alaska, sure to be increasingly permanent, employs at least 400 vessels, sail and steam, where less than 40 were required four years ago. In the Hawaiian and Philippine Islands commerce is increasing by leaps and bounds, and will before long require hundreds of vessels to accommodate it, while trade with all the ports of all the countries bordering on the Pacific is growing rapidly. All the indications point to an immense augmentation of the national marine. Every shipyard on the coast, from Puget Sound south to San Diego, for three years past has been working at full capacity to execute orders for new ships, and many shipyards of the Atlantic coast have been kept busy in the attempt to supply the Western demand. Though Pacific shipyards have turned out hundreds of vessels, there is apparently no let-up in the demand.

Mr. President, that is a reputable journal, a paper which is esteemed as an authority in matters of that kind generally, and I take it that that statement is correct. I take it that it is not necessary, in view of the very glowing report as to the increase in shipbuilding in this country made by the Commissioner of Navigation, to go beyond or behind this statement. There we have the fact asserted that every shipyard on the Pacific coast from Puget Sound down to San Diego is so busily engaged in the building of ships that it has really not the facilities for building any more and the overplus has been carried over to the Atlantic shipyards. Yet the advocates of this measure would have the country believe that the shipbuilding interest is in such a poverty-stricken condition and so languishing and moribund that it is necessary in order to stimulate it into life to provide a gratuity to the ships of the United States in order that shipbuilding may be stimulated.

In addition to the point that the original and first cost of a ship in this country is 25 per cent greater than it is in Great Britain or any other nation of Europe, it is urged that the operating expenses are greater on American ships than they are on foreign ships; and that has been urged here with as much vehemence and energy and persistency as any other error upon which this measure has been based. It is said that the American sailor receives about 25 per cent higher wages than the sailor of any other nation, and figures have been brought in here to demonstrate that fact.

The Commissioner of Navigation has furnished us detailed statements of the operating or running expenses of American steamships, German steamships, British steamships, and, I believe, also of French steamships in the Atlantic trade between New York and England and the continent of Europe, and he has shown by those figures that the expenses incident to the mates, to the engineers, to the coal passers, and the firemen on the part of American ships, as compared with vessels of corresponding size of other nationalities, and particularly of England, are greater by one-fourth. That, Mr. President, I think, is not sustained either by the experience of those who have traveled, or by the experience of those who have observed the practice with regard to men following the sea in the ports of this country.

It was said the other day by the Senator from Maine that it was absurd to talk about having a portion of the crew composed of American sailors, or American citizens paid at a certain rate, while the other portion, not Americans, were paid at a less rate. Before the session had closed that evening we were furnished with a statement by the master of a vessel engaged in the trade between California and Asiatic ports to the effect that about two-thirds of the employees, the men on the line with which he was connected, were Asiatics, and that they were drawing pay considerably less than that paid to Americans sailing on the same vessels from the same port.

The Commissioner of Navigation has furnished us with page after page of statistical figures showing the rates of wages which prevail in the United States and in Europe, and he would have us draw the inference that because wages in certain ports of the United States are quoted in certain years at an advance over what they were in European ports for the same period necessarily the sailor or the employee on a ship who is an American receives greater wages than the employee on the ship of one of the foreign nations. But anyone who has lived for any length of time in a seaport, or who has had an opportunity of studying this question, knows at once that this is fallacious—knows at once that the wages on the ordinary ship, whether it be a British tramp or a Norwegian sailing ship or an American schooner—the wages of the men employed on those ships are dependent upon the rate of wages which is given at the ports at the time they are employed.

They may be employed for particular voyages, they may be employed by the month for a certain length of time, and the wages change in accordance with that. The wages will also differ according to the port of destination of the vessel. There are certain ports of the world to which sailor men are opposed to going if they can avoid it. The port of Rio de Janerio or any of the South American ports north of Rio, during the yellow-fever season are ports which are avoided by seamen if they can possibly do so, and when solicited to ship aboard a vessel bound for Rio, anticipating that she will strike Rio about the beginning of the

yellow-fever season, they will demand a higher rate of wages than they would to go to a port on the North Atlantic. Those differences will be observed in every port, and they will be found by reference to the statistics furnished by the Commissioner of Navigation to differ in the same ports from time to time.

The rate of wages does not depend upon the nationality of the ship; and if it did there would be every reason in the world why the wages on an American ship would be less than they would be on ships of any other nationality, because the provisions and conditions for health, the hygiene of the sailor, provided for by law on American ships, are better than they are on the ships of any other nations of the world. If a man is seeking a comfortable berth, one where he will at least have such comforts as a man pursuing that rugged life can have, he will find that he will have more of them while serving on a ship under the American flag than while serving on a ship under any other flag.

I think, Mr. President, that so far as these two headings or chapters of this bill are concerned, I have adverted to most of the points that I had contemplated criticising.

The last chapter, heading, or title of the measure relates to the deep-sea fisheries, and proposes to give a bounty to vessels engaged for three months during the year in that occupation, and also a bounty to the men themselves engaged in that occupation. The conditions are:

(a) To the owner or owners of a documented vessel of the United States engaged in the deep-sea fisheries for at least three months in any one fiscal year, $2 per gross ton per annum: *Provided*, That at least one-third of the crew shall be citizens of the United States, or such persons as shall be within the provisions of section 2174 of the Revised Statutes.

(b) To a citizen of the United States serving as a member of a necessary and proper crew of a vessel of the United States documented and engaged in deep-sea fisheries for at least three months during any one fiscal year, $1 per month during the time necessarily employed in the voyages of such vessel.

The vessel must have at least one-third of her crew American citizens, or men who have declared their intention to become American citizens, in order to receive this bonus. That, Mr. President, is an old subsidy that is sought to be revived by this measure. Its object is apparent on its face. Originally, when the sailing ship constituted the battle ship of the Navy, it was essential for the Navy that there should be a reserve of skilled, active, and capable seamen to man the men-of-war of the nation; and for the purpose of providing a training school for them it was thought advisable to give a fishing bounty to the men on the New England coast engaged in the deep-sea fisheries along that coast. As time passed and the character of the naval vessels of the world changed this necessity seemed to pass away and the law was repealed.

I can see, Mr. President, how the deep-sea fisheries may possibly be a useful school for the training of seamen, not only for the Navy, but also for the sailing fleet of the country. The sailing fleet of the country is very large proportionately with our steam tonnage; and I differ with those gentlemen who have expressed the opinion here that in only a very few years the sailing vessels of the world will pass away. Conditions are changing and the sailing vessel is becoming more and more the means for the transportation for long distances of the heavy products of the mine, of the field, and of the manufactory.

Articles of trade and commerce which are so bulky and weighty as to render it impracticable to transport them by rail from the Pacific to the Atlantic across our continent are now transported by sailing vessels to a large extent around Cape Horn, and it is found profitable by the owners of such vessels to engage in that trade. The construction of the Nicaragua Canal will shorten that voyage very materially; and the new device of building 4, 5, and 6 masted schooners of very great tonnage, which is being resorted to now by the shipbuilders of this country, will, I think, make that style of ship part of the commercial marine of the United States for a great many years, and it will be desirable that they should have a sufficiency of men to man them.

Therefore, Mr. President, while I do not think that the original reason for this fishing bounty exists to-day as potently as it did in years gone by, I do not antagonize it with the same feeling with which I antagonize the first and, particularly, the second title of this measure.

There are means by which the object sought to be gained by this bill can be attained. They can be attained without doing violence to the Constitution or straining in any way the sense of right or justice of any man of proper feeling in the land. We have but simply to follow the path marked out in the past by those who were first confronted with the necessity of building up the American merchant marine.

I do not admit, Mr. President, that there has been any evidence here of the necessity for Congress to take any action in that direction, but conceding, for the sake of argument, that there is such necessity, a method is within our grasp that is constitutional, and one which in the past has been resorted to beneficially and appropriately. If the necessity is so great, if it is a fact that, leaving our merchant marine to itself, to build itself up by its own inherent strength and the advantages which our position give us—if that is not sufficient, and it is absolutely essential that we should resort to legislation to build it up, a method has been prescribed. It is true the Senator from Maine said the other day that in order to resort to that method we would have to abrogate a certain number of treaties, I think he said some 31.

Mr. PERKINS. Twenty-one.

Mr. MALLORY. No; he said 31, I think.

Mr. TELLER. Afterwards he said 34.

Mr. MALLORY. Well, 34. I have it here, but I will not stop to look for it. But those treaties, Mr. President, are not absolutely beyond our power of abrogation. If I am not mistaken, every one of those treaties contains a provision whereby, after due notice—a year or two years, as the case may be—they can be abrogated.

There is no question, Mr. President, that we have the absolute right to impose a discriminating tariff for the purpose of building up the merchant marine. It is a right which is given to us by the Constitution, and if we choose to avail ourselves of it no one has any right to object to the exercise of that constitutional power. Even if our treaties did not contain the clause providing for their abrogation I would not hesitate—if the necessity were such as to require it—if I believed, as the Senator from Maine believes, that something in the way of legislation is immediately and absolutely necessary to build up our commercial marine, I would not hesitate I say, to favor their abrogation, without notice, and run the risk of retaliation on the part of the nations with whom those treaties were formed.

Certainly this idea is not a new one with me, and I think that there is high Republican authority for it. Only so late as 1896 the late President McKinley, in a letter accepting the nomination for the Presidency of the United States, referring to this subject, said:

The declaration of the Republican platform in favor of the upbuilding of our merchant marine has my hearty approval. The policy of discriminating duties in favor of our shipping, which prevailed in the early years of our history, should be again promptly adopted by Congress and vigorously supported until our prestige and supremacy on the seas are fully attained.

That, Mr. President, was the expression of view of a gentleman whose opinion in such matters certainly is entitled to great weight on the other side of the Chamber; and while I do not now contend that it is desirable that we should resort to discriminating duties for the purpose of building up the merchant marine, I do say that a resort to that constitutional method, which would not only do no violence to the Constitution, but would do no violence to the sentiment of right and justice of any fair-minded man, is far preferable to the method which is proposed by this bill, a method which certainly can not meet with the approval of a majority of the thoughtful, disinterested people of this country.

We can, Mr. President, if it is necessary, resort to other methods of building up the merchant marine, and I am perfectly willing to give the matter as careful consideration as it is in my power to give it, to consider whether or not it is advisable for us to pass any legislation at this time on this subject. Certainly, by the showing that is made by our Commissioner of Navigation, by the interest which is being demonstrated in the development of shipping, there appears to be no urgent necessity for any hasty action on the part of Congress in this matter.

The first part of this measure, relating to the postal subsidy, is brought in by the Senator from Maine; but the Senator from Maine has not furnished the Senate with anything from the Post-Office Department to indicate that there is in its judgment any urgent necessity for the establishment of the mail routes that have been outlined by the Senator from Maine as desirable. I am free to say, Mr. President, that I think that some of the routes which he proposes to establish, or at least which he thinks will be established, under this measure are desirable and will inure to the benefit of the country. If the measures came before Congress separately and on their own merits and Congress had an opportunity to consider their claims in each individual case, I do not think that such routes as are proposed between San Francisco and the Asiatic ports, touching at Honolulu, and from Puget Sound to Hongkong, via the Japanese ports, and communicating with Manila, would meet with any very serious objection.

But, Mr. President, this measure, acting upon the line indicated by the act of 1891, vests in the Postmaster-General absolute power to establish mail routes anywhere that in his judgment it is proper to do so, without reference to whether they may be absolutely desirable or not. I do not question the ability or the rectitude of motive of the Postmaster-General, and I doubt not that he would be able, probably, to determine those routes which are best to be established for the interests of the country more satisfactorily than I could, or possibly better than a good many others could, but I do not think it is good policy or good principle to delegate to that Cabinet officer a power which ought to be confined in Congress and in Congress alone.

As we have acquired new territory in the Pacific—the Hawaiian Islands, the Samoan Islands, and the Philippines—it is necessary,

undoubtedly, that we should establish mail communication, and regular mail communication, with those possessions, and for that reason I agree with the Senator from Maine in thinking it eminently desirable that some such mail routes should be established.

But, in addition to that, we are told there is to be immediately, or there ought to be established right away, another trans-Atlantic mail between New York and Southampton—a semiweekly mail. I am utterly ignorant as to the necessity for it. The Senate has received no information upon the subject. We have the aspiration expressed by the Senator from Maine that it will be done, and I have no doubt after this bill passes it will be done, and I have sufficient confidence in the judgment of the Senator from Maine to believe that if it is done on his advice or suggestion it will be because it is desirable; but, at the same time, that is not the way in which we should legislate. I am expected to vote upon this measure intelligently, and to vote intelligently upon it I should know something about the necessity which has suggested it. The Senate is without any information whatever.

But that, Mr. President, is only a side issue. My main objection to this measure is that it is an illustration of a principle which I regard as extremely vicious, but which is manifesting itself in the legislation of this country from year to year more and more, a principle which turns its back upon the constitutional limitations, which undertakes to treat the Constitution as the Declaration of Independence has been treated, as simply a text for a holiday oration, something that is not really practical or which applies to this great country under the conditions of an expanding trade and an expanding public policy.

We can not afford to give way to that tendency. There are some of us, at least, who believe that the Constitution is big enough and broad enough to meet all the exigencies of any conditions that may arise in the experience of this country; that within that Constitution will be found a reason for everything that may be found necessary to be legitimately done, and when invasions of it are attempted it is the duty of everyone who appreciates the fact that invasion is attempted to resist it. That is my purpose in devoting as much time as I have to the consideration of this measure.

I know the Senator from Maine is exceedingly anxious that this bill shall become a law, because, patriot as he is, he believes it will redound vastly to the welfare of the country in building up our commercial marine. I only wish, Mr. President, that I could agree with the Senator from Maine that that result would be accomplished by this measure; but even if I believed that the measure would accomplish the result for which he has strained for so many years, I could not, in view of what I believe to be my constitutional duty, what I believe to be an obligation which I owe to myself and to the constituency I have the honor to represent, favor a measure so replete with error and disregard of constitutional obligation.

Mr. MCCUMBER. Mr. President, I wish to give notice at this time that after the routine morning business to-morrow I will address the Senate very briefly on the pending measure.

Mr. DEPEW. I wish to give notice that at the conclusion of the remarks of the Senator from North Dakota [Mr. MCCUMBER] to-morrow I shall ask the consideration of the Senate for a brief period, in order that I may submit some remarks upon the pending bill.

Mr. TELLER. I wish to ask a question of the Senator who has this bill in charge, with his permission. I have no doubt he can furnish it. I desire to know what amount of tonnage owned by American citizens is now engaged in the foreign trade.

Mr. FRYE. I think it is about 600,000 tons.

Mr. TELLER. About 600,000?

Mr. FRYE. That is my impression.

Mr. TELLER. I desire to ask another question. I wish the Senator would tell us, if he can, what amount of tonnage is now being constructed in our American shipyards with reference to the foreign trade.

Mr. FRYE. There are two being constructed by the International Line—the American Line; there are six being constructed by the American Transport Company, of Baltimore; there are two just about ready to be launched for the Pacific Mail. I know of no others. Nearly all the others are for the coast or the lake trade.

Mr. TELLER. Has the Senator included the ships being built by Mr. Hill?

Mr. FRYE. Mr. Hill is building two at New London.

Mr. TELLER. What is the total tonnage?

Mr. FRYE. My impression is about 600,000 now afloat, engaged in the foreign trade.

Mr. TELLER. What is the total tonnage of those being built?

Mr. FRYE. Mr. Hill's vessels are said to be 40,000 tons—the two—and the six vessels of the American Transport Company, I think, average about 8,000 tons each. The American Line vessels, my impression is, are 16-knot ships, of 10,000 tons. The Pacific Mail vessels, my impression is, are 10,000 tons each—two. I can not be exact about it, but that is my impression.

Mr. TELLER. I did not expect the Senator to be exact as to it. I wish to ask one other question—whether it would not be well to consider in this connection the wisdom of doing, with reference to American-owned tonnage now under some other flag, what we did ten years ago at the suggestion of the Senator with respect to the *Paris* and the *New York;* that is, to make some arrangement by which they could come into American registry on condition that their owners complete the same number of tons in American yards, as we did in that case?

Mr. FRYE. We had that provision in the bill under consideration during the last session of the last Congress.

Mr. TELLER. It does not seem to be in this.

Mr. FRYE. And it provoked very great opposition. It was left out by me in drafting this bill on account of the opposition which it provoked. There would be very serious trouble about admitting those ships, because Americans, known in the newspapers as the Morgan syndicate, have recently acquired, I think, about 800,000 tons of foreign-built ships.

Mr. BERRY. In addition to the 600,000 tons already owned? Is it 800,000 tons more?

Mr. FRYE. They have acquired, I understand, by the recent purchase of the Leyland Line and vessels of that sort, about 800,000 tons.

Mr. BERRY. That would made 1,400,000 tons altogether?

Mr. FRYE. The 600,000 are already under our registry.

Mr. BERRY. I understood the Senator to say that American capital was invested in 600,000 tons of foreign ships.

Mr. FRYE. No. There are 600,000 tons of our own ships.

Mr. TELLER. What I inquired, if the Senator will allow me, was how much tonnage under foreign flags is owned by United States citizens.

Mr. FRYE. Oh, I could not tell.

Mr. TELLER. That is what I asked.

Mr. FRYE. If that is the question, it is very much more than that, because the American Line has at least 12 ships under the Belgian flag, and the Morgan syndicate alone is said to have 800,000 tons by their recent purchase.

Mr. TELLER. Is there no way in which we can determine what that amount is?

Mr. FRYE. I think there is, on inquiry at the office of the Commissioner of Navigation. He probably has reports by which he knows how much it is.

I desire to make a little amendment to the pending bill.

The bill, on page 6, section 6, reads as follows:

SEC. 6. That from and after the 1st day of July, 1902, the Secretary of the Treasury is hereby authorized and directed to pay, subject to the provisions of this title, out of any money in the Treasury not otherwise appropriated, to the owner or owners of any vessel of the United States duly registered by a citizen or citizens of the United States.

It is claimed by some, although I do not admit myself that the claim is justified, that that would place under the provisions of this bill all these foreign-built ships if they should be admitted to American registry. It is not the intention of the bill to admit them under the subsidy at all. Therefore I move to amend by striking out, in lines 19 and 20, the words "of the United States" and inserting "hereafter built and registered in the United States or now."

The PRESIDING OFFICER (Mr. TALIAFERRO in the chair). Will the Senator from Maine please restate his amendment?

Mr. ALLISON. Will that cover exactly what the Senator wants?

Mr. FRYE. It will then read:

To the owner or owners of any vessel hereafter built and registered in the United States or now duly registered.

I do not require them to have been built in the United States, because when Hawaii was admitted there were quite a number of fine ships which were admitted with Hawaii itself, and there are two or three other ships. There are four or five transports, bought by the United States, which were admitted to American registry.

Mr. ALLISON. "Duly owned and registered." But they can not be registered without being owned by Americans?

Mr. FRYE. No; they can not be registered without being so owned.

The PRESIDING OFFICER. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. In lines 19 and 20, page 6, it is proposed to strike out the words "of the United States" where they occur and insert "hereafter built and registered in the United States or now."

Mr. FRYE. That is the amendment.

Mr. ALLISON. I wish the Senator, if he can, would give us an estimate—he may have done so before, when I had not the

opportunity to hear him—of the amount that will be paid annually from the public Treasury under the provisions of the first title.

Mr. FRYE. I gave that in the speech I made the other day. Of course it depends entirely upon whether or not the rules which have been mentioned in the report shall be established by the Postmaster-General. If they are established by the Postmaster-General, within the next five years the amount would be $4,700,000. That amount would be reached in the course of five years. There is not a single vessel of this speed to-day that I know of which could be used by the Postmaster-General. Vessels with a speed of from 16 knots, including 16 knots up to 20 or 21 knots, will necessarily have to be built after the Postmaster-General makes a contract. It takes from a year to a year and a half and two years to build one of those vessels.

Mr. ALLISON. Therefore the Senator is of the opinion that very little will be required during the next five years?

Mr. FRYE. Next year there will be none required, or about——

Mr. BERRY. Will the Senator permit me a moment? I understood the Senator to say in his speech the other day that he very much hoped the Postmaster-General would make a contract with the International Company for a semiweekly service from New York to Southampton. If that is done more will be required, and it will be required at once.

Mr. FRYE. It would not.

Mr. BERRY. Why not?

Mr. FRYE. From the fact that the American Line has but four ships. Nobody would ever dream of establishing a mail line from New York to Southampton short of 10,000-ton 20-knot ships, and there are only four in existence in the United States now. Those four are owned by the American Line. If the service should be doubled, it would not only require four more ships, but it would require two in reserve all the time, which would make six more, and these six would necessarily have to be built in the future, and they could not be built in the next three years.

Mr. DEPEW. Mr. President——

Mr. ALLISON. One moment.

Mr. DEPEW. I merely wish to ask a question.

Mr. ALLISON. I wanted to ask a question for information, but I will yield to the Senator from New York.

Mr. DEPEW. I think the Senator from Maine, in stating at $4,700,000 the aggregate which would be reached if all these routes were furnished with ships, neglected to state what would be the deductions in the earnings of mail service.

Mr. FRYE. That would be at least $3,000,000, because we would receive $3,000,000 annually from the mail itself. So that the balance would be only $1,700,000.

It has been stated here that Great Britain does not pay any subsidies for commercial purposes. That is an entire mistake. That has been discussed in Parliament over and over again. This last year it was discussed in the English Board of Trade. There was not a single member of the English Parliament or of the Board of Trade who did not admit that the postal subsidies were for commercial purposes; and it must be remembered, too, that every year Great Britain falls back over $2,000,000; she does not meet her postal subsidies by $2,000,000 by the pay for her letters and papers, etc.

Mr. ALLISON. I do not wish to discuss the question respecting new lines, but it has seemed to me that the necessity for new lines is so apparent that we ought here to provide for them if we intend to have them. As I read the bill there is no provision whereby the Postmaster-General can compel any vessel to enter upon the carrying of the mail. It is entirely optional with any vessel owner to make such a contract. The Postmaster-General, in his discretion, may not make such contracts as we here believe ought to be made as respects new routes and new lines of commerce. I should be perfectly willing at any time to vote for a liberal subsidy to establish a route between North and South America. I see nothing here that assures that.

Mr. FRYE. The bill directs the Postmaster-General to advertise for bids, and establish routes for the carrying of the United States mail. He is obliged to do so under this measure. Under the old law he was only empowered.

Mr. SPOONER. But nobody is obliged to bid?

Mr. FRYE. Nobody is obliged to bid, but the American citizen is ready to bid almost any time.

Mr. SPOONER. If the Senator from Iowa will pardon me for a moment——

Mr. ALLISON. Certainly.

Mr. SPOONER. Will the subsidy of itself warrant any company in bidding?

Mr. FRYE. My judgment is it will, above 14 knots.

Mr. SPOONER. But not below?

Mr. FRYE. Below the subsidy is ample, because already the contracts made under the old law have been made for less than the amount named in the law as it stands. There is competition always on the sea, and on the short 2,000-mile route there is already competition enough to reduce the price, and they are ready to put on their ships under the old law.

Mr. ALLISON. Can the Senator make an estimate of what is likely to be paid out under title 2?

Mr. FRYE. Under title 2 the Commissioner of Navigation, under my instructions, took all of the United States ships engaged in the foreign trade and duplicated their voyages, and then found what amount of subsidy under this bill they would have received, and he made it about $1,000,000. But those same vessels, where we have no mail lines and will not be likely to have mail lines—a number of short routes—carried $213,000 worth of mail. Under title 2 they are obliged to carry the mail for nothing. So he deducted from the $1,000,000 the $230,000, for it is estimated by the Postmaster-General that it will require $230,000 next year. That deduction left $800,000.

Now, suppose that should be correct, and it is nearly as correct as it can be arrived at, anyway. Go one step further. Suppose under this bill in a year there should be built, under title 2, 40,000 tons of sailing ships. No optimist would think of going any further than that—40,000 tons in a year. That would require under title 2 a subsidy of $100,000, increasing the $800,000 and making it $900,000. Suppose there should be 200,000 tons of steamships built in a year in the United States.

It is well understood how many miles a ship can make in a year. Fifty thousand miles is all she can make. She has to be laid up at dock and at wharves and all that sort of thing. We will take an average of 50,000 miles for any ship. The average of the sailing ship is 20,000 miles. Suppose you built in a single year 200,000 tons of steamships. You can tell exactly what, under this subsidy, it will amount to—$1,300,000; and in building those 200,000 tons of ships you would be building in American shipyards in the neighborhood of fifteen or sixteen million dollars' worth of ships.

Suppose next year you build 200,000 tons more, then it would be increased by $1,300,000 more, making $2,600,000 in the three years, provided you did it. You could not do it unless you nearly doubled the capacity of the present shipyards in the first instance. But suppose you did it. It would be one of the most signal successes of law that ever was attained. There is no doubt about that.

If this bill becomes law and that shall be done under it, it would mean the expenditure of twenty or thirty million dollars immediately, and that alone would put us ahead of Germany.

It was stated by the Senator from Missouri [Mr. VEST] the other day that I said that under the postal-subsidy act we would have a larger merchant marine within a certain length of time than Great Britain had. I never said anything of the kind. I would not, on any account, interrupt the Senator from Missouri while he was making his speech, because I have the profoundest possible respect for him, and I did not wish to disturb him. What I said was this: If the mail lines, which I referred to, to be established under this bill were established, then we would have an auxiliary navy on those lines equal to that of Great Britain and superior to that of Germany. That is what I said. And it is true. We should have.

Mr. ALLISON. Now, under title 2, as I understand it, all vessels now in the United States, whether steam or sail, can receive the subsidy.

Mr. FRYE. Above 1,000 tons.

Mr. ALLISON. Above 1,000 tons?

Mr. FRYE. Yes; above 1,000 tons.

Mr. ALLISON. I should like the Senator to point out that provision to me.

Mr. FRYE. It is in the bill.

Mr. ALLISON. I know there is a provision on page 7 which reads as follows:

> On each entry, not exceeding 16 entries in any one fiscal year, and for a period of five years from the date of registration of a vessel of over 1,000 gross registered tons, which shall be completed and registered.

But I can find no limitation as to the value or size of either a sail vessel or a steam vessel that are now owned in the United States.

Mr. FRYE. I will find it for the Senator when I have a few moments. It is there.

Mr. ALLISON. If it is there, then the point of my question is answered.

Mr. FRYE. In 1891 we had a general bounty bill something like this, only providing for 3 cents a mile instead of 1. That passed the Senate, and under that bill all vessels above 500 tons were included. It was increased in this instance to a thousand tons, because it was not regarded as prudent to encourage the building of ships smaller than 1,000 tons under any circumstances on account of the rates of freight.

Mr. ALLISON. I notice another thing. As we are having some explanations, and have a little time, I should be glad to have

the Senator answer a suggestion or two. On page 7 there is this language:

(b) On each entry, not exceeding 16 entries in any one fiscal year, and for a period of five years from the date of registration of a vessel of over 1,000 gross registered tons, which shall be completed and registered after the passage of this act, one-fourth of 1 cent per gross registered ton for each 100 nautical miles sailed, in addition to the compensation provided in paragraph (a).

That, of course, is an inducement for new vessels to be constructed.

Mr. FRYE. Yes.

Mr. ALLISON. I observe, in looking over the report of the Commissioner of Navigation, a great many steam vessels and a great many sailing vessels as well which would come under this provision, some of them ten, some of them fifteen years old. They are of various ages.

Mr. FRYE. Yes.

Mr. ALLISON. I suggest whether it would not be wise in some way—I do not know that it would be, but it seems to me it would—to diminish the subsidy to vessels which have been registered, say, for fifteen years or more. I notice also, and I think the Senator made that statement, that 5 per cent of any vessel owned by any company is charged off annually for deterioration. We will assume that a vessel at the end of twenty years is charged to profit and loss. It is not quite the proper thing, it seems to me, to allow a vessel fifteen years old, whether steam or sail, to receive the same bounty that a newer and better vessel would receive. In other words, it seems to me there will not be an incentive to the renewal of vessels.

I observe that the French act, which I had the opportunity of looking at the other day, passed by the French Assembly, provides that no subsidy shall be given to a vessel that has been registered more than seven years. Should there not be some provision here which would make it certain that the ships which we have now and to which we are going to pay this subsidy—and I am glad to know it is no larger than the Senator indicates—shall give place in our commercial marine to other vessels newer, perhaps, and in many respects improved vessels?

Mr. FRYE. My reply to that is that the bill requires that these ships shall be A1 in all of the registers.

Mr. ALLISON. Yes; but——

Mr. FRYE. If the Senator will pardon me, an A1 ship is first class in every single respect, and if she is not an A1 ship she can not receive a dollar.

Mr. ALLISON. I understand it. But I understand that there are many ships that are ten years old which are A1.

Mr. FRYE. Yes; because they keep them in splendid shape. They are at work on them all the while.

Mr. ALLISON. Then, there must have been some other reason why the French Government in making this universal subsidy, which we have followed here, have provided that there should be a diminution of the subsidy dependent upon the age of the ship. I see that we followed a part of their suggestion by increasing it for new ships, but we have made no suggestion that looks to a diminution of the subsidy as the ships grow old and feeble, although they may be in the register A No. 1.

Mr. FRYE. If they are in the register A No. 1 they are in every respect first-class vessels. They can not get in there——

Mr. ALLISON. No vessel can sail on the ocean that is not practically A No. 1?

Mr. FRYE. Oh, yes; lots of them.

Mr. PERKINS. If the Senator will permit me, I will state that one of the safeguards of this bill is the classification. It provides not only for the American bureau class, but for the English Lloyds and other well-known classification bureaus that classify ships.

Mr. ALLISON. I understand the classification.

Mr. PERKINS. They must be placed on the dry dock every year in order to be examined to see if they maintain their class. The life of the boiler in an ordinary steamship is not more than eight years; and frequently, owing to galvanic action or where the water has been full of lime, the life of a boiler may not be longer than five years. The boilers are renewed. A ship may have an ordinary engine and they convert it into a compound engine, a triple-expansion engine, a quadruple engine. The surveyor representing the British Lloyds or whatever classification the ship is in inspects the vessel and she is virtually new, so to speak. Every time when the life of a boiler ends the ship is virtually new.

Mr. ALLISON. I know the bill provides for an inspection and that the vessel shall be A No. 1 when it is entered, but shall it continue A No. 1 during all the period of the subsidy? That is the question.

Mr. PERKINS. If the boiler is made to carry 160 pounds of steam to the square inch it must maintain that pressure while it is in existence, or else the vessel can not maintain her advance and the steam is cut down on the boiler.

Mr. ALLISON. I will yield to my nautical friends here. Of course they understand the subject perfectly well. What I know about the vessels I derive from books chiefly, and from occasionally having an opportunity of getting on board one of these seagoing vessels and listening to the Senator from Maine and the Senator from California.

Mr. FRYE. I am glad the Senator has listened.

Mr. ALLISON. But what I am interested in is to know what are the safeguards thrown around this bill that will enable us to protect the Government in making this expenditure as respects details?

Mr. PERKINS. I can not better illustrate than by an object lesson the criticism of my friend from Arkansas [Mr. BERRY] who is to speak upon the bill and who was here a few moments ago. Take the amount of money expended upon the United States transports, which were foreign vessels purchased for the use of the Government. Since we purchased those vessels in some instances we have expended more money in repairs than the vessels cost, in order to keep them up to their classification, or what not. Engineering men would say that the expenditure was a proper one to be made.

Mr. ALLISION. As some of us know, that not only applies to transports, but it applies to naval vessels.

Mr. FRYE. Does it not apply to the insurance companies? They insist upon it.

Mr. HOAR. I should like to put a question which might possibly, although I know infinitely less than the Senator from Iowa on this subject, be a test question in regard to an estimate of the value of a ship. Would the vessel described by the Senator from California, kept up and inspected in this way, sell for as much in the market or would she recover as much of the insurance if she were lost if she were ten years old as when she was one year old?

Mr. ALLISON. Now, that is a very pertinent and valuable question, and I will leave the Senator from California to answer it.

Mr. PERKINS. I will state that the insurance companies base their insurance risk upon the vessel upon her classification.

Mr. HOAR. Without regard to the question whether the vessel is new or old?

Mr. PERKINS. That is, as to her condition; as to what corrosion may have taken place.

Mr. HOAR. But my question is, whether new or old, independent of examination.

Mr. DEPEW. Age does not govern the insurance.

Mr. PERKINS. Age does not govern the insurance.

Mr. ALLISON. Let me elucidate the valuable suggestion of the Senator from Massachusetts. If he, the Senator from California, was in the market to buy a ship, and saw a new one just off the stocks, would he prefer to buy the new one or to buy one fifteen years old at the same price?

Mr. PERKINS. It would depend on how she was built. If both were built the same, I would certainly prefer the new ship. I wish to say, parenthetically, that I have seen and sailed on board a wooden ship that was only five years old that was condemned on the next voyage, and I have seen a Dutch galliot, a wooden ship, that was one hundred years old and she was as sound as the day she was built. I have seen an iron ship, where I have been in the forepeak with a hammer, and because she had not been properly scaled or kept in condition the hammer striking those scales have scaled them off until if I had continued thirty or fifty strokes more of the hammer it would have gone through the vessel. I have seen other vessels that were twenty years old that were in perfect condition, because their interior had been cemented and properly cared for from time to time.

Mr. ALLISON. I am glad to know that a ship never grows old.

Mr. FRYE. If the Senator will allow me, it does grow old. Let me take an illustration. Take the *City of Paris*, now the *Philadelphia*. She ran on the rocks, and has been practically repaired. The *Philadelphia* is worth more to-day than the *Paris* was when they bought her.

Mr. ALLISON. Very likely, because the *Philadelphia* was rebuilt after it went out of the service of the Government.

Mr. FRYE. It was repaired after it went out of the service of the Government. After that it went onto the rocks and has since been repaired, and of course in repairing they have taken advantage of all the modern machinery and of every improvement that has been made, and the *Philadelphia* is worth more to-day than the *Paris* was.

Mr. ALLISON. It has been a very well cared for and a very tender child. I have no doubt it is a valuable ship now.

I am asking these questions, of course, for information and for nothing else.

Now, I find some other things here that I want to inquire about, as we seem to have an opportunity and no one desires to take the floor. I notice here on page 8 certain exceptions under title 2 of

which one is exception f, "a foreign-built vessel, hereafter admitted to American registry pursuant to the provisions of section 4136 of the Revised Statutes."

Section 4136 of the Revised Statutes simply applies to a vessel wrecked on our coast. I wondered why it was that was inserted. It occurred to me that it might be well to simply say a "foreign-built vessel hereafter admitted to American registry," and leave the question as to whether it should be in f or out of it to be settled when we give an American registry to a foreign ship.

Mr. FRYE. The bill provides now, since the amendment was adopted, and I understand it was adopted as I proposed——

The PRESIDING OFFICER. It has been adopted.

Mr. FRYE. That no foreign vessel can be admitted to American registry and receive a subsidy. The reason of that provision is that these wrecks are bought all the way from $1,000 to $1,500 and $2,000, and sometimes $10,000, and they are then repaired in our American shipyards at $20,000, $30,000, $40,000, and $50,000, and when the ship is completed it has not cost more than half that it would cost if built here, and exception f will come in so as not to encourage the placing of a wrecked ship in our merchant marine.

Mr. ALLISON. That is absolutely true; but I understood the general scope of the bill to eliminate foreign-built ships, and therefore I thought, apparently, that it would be sufficient to say "a foreign-built vessel hereafter admitted to American registry." If they are now prohibited, of course——

Mr. FRYE. If the Senator will allow me, the law assumes under that wrecking legislation that they are practically American-built ships, because it requires three-fourths of the value of the ship to be expended in American shipyards; and that is the theory on which they are admitted to American registry at all.

Mr. ALLISON. Now, Mr. President, I wish to make another suggestion, because these suggestions had better be made now; it will save time later. I understand note *g* to be an exception of "a vessel while employed in the coasting trade." To me that is rather indefinite. I will illustrate the point I have had some doubt about. Suppose one of these foreign ships shall start upon its voyage to any South American port and on its way it stops at Fortress Monroe.

Mr. SPOONER. You mean a ship engaged in the foreign trade?

Mr. ALLISON. Any ship engaged in the foreign trade. It stops at Fortress Monroe, Charleston, Savannah, and so on along the coast, and during that period it is employed in the coasting trade.

Mr. FRYE. Yes.

Mr. ALLISON. Under the clause would it not receive a subsidy?

Mr. FRYE. No.

Mr. ALLISON. Now, what I should like to know is whether that is fair. To give an illustration, this coasting trade of ours is like a special train of cars. Nobody can get on board that train except those having authority. In other words, no foreign ship can engage in our coasting trade. That is an absolute trade of our own and we make it exclusive. But we now go further in this bill, if I am not mistaken, and provide that any vessel in the coasting trade, whether a sailing vessel or a steamship, can step out of that trade and enter the foreign trade.

Mr. FRYE. Oh, no.

Mr. ALLISON. Is not that so?

Mr. FRYE. Oh, no. The language is, "while employed in the coasting trade."

Mr. ALLISON. I understand; but have coastwise vessels no opportunity of registering for the foreign trade under this bill?

Mr. FRYE. Undoubtedly; and the very case which the Senator states will illustrate it. Suppose she takes a cargo from New York to Savannah.

Mr. ALLISON. Being a coastwise vessel?

Mr. FRYE. Well, she could not take it unless she was a coastwise vessel. That is coastwise trade. She takes it from New York to Savannah. At Savannah she loads with coal for Brazil. She gets a registry at Savannah and is no longer engaged in the coastwise trade. She simply is excluded from the benefits of this bill from New York to Savannah because she is perfectly protected. Then she gets her registry and proceeds on her voyage to Brazil and gets the subsidy from Savannah to Brazil instead of from New York to Brazil.

Mr. ALLISON. Very well. Then a coastwise vessel not only has the exclusive benefit of the coastwise trade, but she also has the benefit of the foreign trade with the exception of that portion of her voyage wherein she is on our own coast?

Mr. FRYE. She does.

Mr. ALLISON. Now, there is another point that troubles me about these vessels. The bill provides that—

If during the voyage the vessel shall enter at two or more foreign ports or ports in the Philippine Islands, the distance by the direct customary route between such ports shall also be included in the mileage upon which compensation shall be paid under this title.

Now, can not the vessel, under this provision of two or more ports, make a clearance from New York to Hongkong, if you please, or some very distant port, and stop along the line of her voyage, wherever she chooses to stop, and take on and unload cargo at each stopping place, whether going or returning, and receive this bounty of 1 cent per gross registered ton? I only want to know whether that is the understanding or not.

Mr. FRYE. In the first place, no ship would go rollicking around in that way at sea.

Mr. ALLISON. I am inapt, of course, in my illustration; but can not a ship on any voyage stop at any intervening port under this bill between the outlying port to which she is destined and the port of the United States where she expects to land?

Mr. FRYE. I think she can take a cargo for Manila and sail from Manila with another half of a cargo to Hongkong and receive under the terms of the bill a subsidy.

Mr. ALLISON. Then could she not take a cargo or a part of a cargo at Hongkong and come back to Nagasaki and take another part of a cargo and come along and take other cargoes and still receive the subsidy wherever she goes on either the outgoing or returning voyage?

Mr. FRYE. I do not think myself that that is a practical question.

Mr. ALLISON. It says "two or more foreign ports or ports in the Philippine Islands."

Mr. FRYE. That is true; but where the demurrage is worth anywhere from $300 to $500 a day a ship is not going to be coasting around in a dozen different ports to reach her destination at Shanghai or Nagasaki. She would not do it at all. If she stopped at Hawaii she would not get any subsidy from here to Hawaii.

Mr. ALLISON. That is another point which I wanted to understand.

Mr. FRYE. She would not get any subsidy. She would have to register at Hawaii for foreign trade.

Mr. PERKINS. Hawaii is under the coasting provision.

Mr. ALLISON. So I know. If a ship starts from San Francisco for Manila, if you please, and stops at Hawaii——

Mr. PERKINS. Honolulu is the port.

Mr. ALLISON. She stops at Honolulu. The subsidy begins at Honolulu?

Mr. FRYE. Yes, sir.

Mr. ALLISON. And not before, because she is in the coasting trade?

Mr. FRYE. Yes.

Mr. ALLISON. That comes to another question which I wanted to ask, because I desire to know about these things. We passed a tax bill the other day in which we provided (rather against my judgment, but still I yielded to it, and I do not know but that it was the wisest and best thing to do) that our coasting trade shall be extended to the Philippine Islands on the 1st of July, 1904?

Mr. FRYE. Yes.

Mr. ALLISON. Now, I see here that the Philippine Islands are included. I think it occurs twice. Should we not provide that the Philippine Islands shall be excluded until the 1st of July, 1904?

Mr. FRYE. The Senator from Iowa has gotten something now.

Mr. ALLISON. I think so. I expected to strike it sooner or later. Is it the intention and the purpose that we shall not only have the coasting trade to the Philippine Islands but that we shall also have the foreign provisions as respects subsidy?

Mr. FRYE. I think if the Senator offers an amendment to that section he had better not limit it to 1904, because there is a possibility that that time may be extended. We may not have ships enough then. It is understood that the reason was because we did not have ships to do the business of the coastwise trade and were obliged to employ foreign ships. I think it would be safer to make that amendment up to such time as the Philippine Archipelago becomes coastwise, or something of that kind.

Mr. ALLISON. The Senator will observe that I have not offered any amendment to this bill. I am trying to get an interpretation of the provisions which were a little blind to me. The Senator, I think, will pardon these questions.

Mr. FRYE. Will the Senator pardon me?

Mr. ALLISON. Certainly.

Mr. FRYE. The moment the Philippine Archipelago becomes coastwise that moment, under this bill, no American vessel between the United States and the archipelago will receive any subsidy, because she would be engaged in the coastwise trade with the Philippines. I take it that if a vessel started the next day after July 1, 1904, from New York and sailed for the Philippine Archipelago, and that day the Philippine Archipelago was coastwise, under the decision of the court that vessel could not receive pay, because she would be engaged in the coasting trade of the United States, and she would not be entitled to a subsidy, although

it might be just as well to express it in the bill itself. I noticed that myself on looking the bill over this morning. I had not noticed it before.

Mr. ALLISON. My attention was called to it in reading over the bill hastily and hurriedly. There are one or two other points that I had in mind and to which I wanted to call attention, but I will refer to them at another time.

Mr. FRYE. A catechism is an awful thing.

Mr. ALLISON. It is; but here we have a curious way of debating these bills. A Senator rises in his place and debates it two or three hours, and then somebody moves to go into executive session. The next day we have two or three hours or more again, and then the hour of 3 o'clock on Monday next arrives. Those of us who want to get information about the bill seem to have no other opportunity of ascertaining what we want to know about it. So I think I am excusable——

Mr. FRYE. I think you are.

Mr. ALLISON. I think I am excusable in undertaking at this early period to get some information upon points I was in doubt about.

Mr. FRYE. I knew, of course, what the Senator meant.

Mr. DEPEW. Does the Senator mean to say that these four or five hour speeches do not give any information?

Mr. ALLISON. I mean to say that they have given information, but it is information upon a wider range. I have been intensely interested in the address to-day made by the Senator from Florida [Mr. MALLORY], in which he analyzed the whole question of subsidy, the constitutional power, and various other points; but the little points which have been troubling me now and then were not alluded to by the Senator from Florida and perhaps will not be alluded to by other Senators who will speak upon the subject.

Even the chairman of this committee, who elucidated the bill most graphically the other day in his opening observations, I think did not allude to one of the points that I have referred to. They were not regarded as of sufficient importance to elicit the attention of gentlemen who are engaged in debating these great questions. They only come up in the minds of those of us who are in the habit now and then of looking rather carefully at phraseology and language and seeing how far it is that the Congress of the United States abdicates its power. I have satisfied myself that the subsequent proceedings as respects this bill will interest us no more here.

Although I can ask the Senator from Maine what the cost will be this year of these three classes of subsidy, and I can make some estimate of what it will cost next year, that will be of no interest to us except as philosophers or in studying current history after this bill passes, because it goes into the maelstrom of executive power and one department draws a warrant upon another department and until the end of time the process goes on, unless this law is repealed. It is without limitation. It lasts as long as the Republic lasts.

Therefore, I have gone into the subject somewhat with a view of seeing if we shall spend hours and hours in the study of the question whether the head of a department shall have another clerk and whether it shall be a $1,400 clerk or a $1,600 clerk, because we can not trust the Secretary to expend money enough to carry on the necessary clerical operations of the Department, and then we shall come in and open wide this gate of expenditure without having any accurate knowledge of the number of ships that are to be benefited.

I am very glad to have the Senator from Maine say that the Commissioner of Navigation has given him a list of these vessels. I hope that list will be produced by to-morrow morning, and printed in the RECORD if it be not too long.

Mr. TELLER. Why not have it done to-night?

Mr. ALLISON. I hope it contains a statement giving the tonnage of the vessels. I want also to ascertain the number of steam vessels that are in the class known as A1 and the number of sailing vessels that are included; whether they are square-rigged or what may be their particular character, and whether they are of 1,000 tons or 3,000 tons or 200 tons or 500 tons.

This is information to which we are entitled, and the Senate is not in any condition, at least I am not, to have it intimated that it is embarrassing to be asking questions about this bill.

Mr. FRYE. I hope the Senator did not understand me as objecting to being catechised. I was only reflecting upon myself, because I remember when I was a boy it was pretty hard work to be catechised.

Mr. ALLISON. I know the Senator did not mean to object to being catechised.

Mr. FRYE. No; not in the slightest degree.

Mr. SPOONER. Mr. President, this is a technical subject to me, and I want to address a single inquiry to the Senator from Maine [Mr. FRYE]. What is the comparison of these subsidies fixed under title 1 as to steamships provided for in this bill with the subsidies provided for vessels of the same description in the bill which we considered at the last session; are they the same, or are they more or less?

Mr. FRYE. They are less than in the bill of last session.

Mr. SPOONER. How much less?

Mr. FRYE. I can not tell you exactly how much, but they are less than those provided in the bill of last session, because under that bill I have no doubt the limitation of $9,000,000 would have been reached in three or four years, but it will not be reached under this bill for a long time. The rates are a little less than they were in the bill which passed the Senate in 1891; on the highest class of vessels a little more than they are in the existing law; on the lower class of vessels less than in the existing law, under the postal subsidy. Under the second title they are less than in the last bill, because that was a cent and a half for the first 1,500 miles and a cent after that. This is 1 cent for the entire voyage.

Mr. SPOONER. Take steamships of the first class, 2.7 cents. Is that less than the same steamship would have received under the bill which we considered at the last session; and if so, how much less?

Mr. FRYE. I can not tell you without looking at the figures.

Mr. MALLORY. The rates under the present bill are decidedly less than in the previous bill for steamships of 20 and 22 knots.

Mr. SPOONER. How much less?

Mr. MALLORY. About 1 cent.

Mr. SPOONER. How about steamships of the second class?

Mr. MALLORY. The rates vary; but this bill is less than the other all the way through.

Mr. SPOONER. The amount received per voyage would be frequently less?

Mr. MALLORY. There is a decided difference so far as the 20-knot and 22-knot steamers are concerned. The bill of last year provided for a larger payment than the pending bill, there being a difference of about 1 cent per ton per 100 miles in the case of the 20 and 22 knot vessels.

Mr. SPOONER. What would it amount to in the aggregate?

Mr. MALLORY. That would have to be figured out carefully.

Mr. FRYE. I can not give the amount, but there is no question that it is less than in the bill of last year.

Mr. SPOONER. Is it 35 per cent less.

Mr. FRYE. I do not dare to say.

Mr. SPOONER. Who can inform us—the Commissioner of Navigation?

Mr. FRYE. Very likely he has the figures. We have had to send to him for figures before.

Mr. SPOONER. I think that is important to know.

Mr. FRYE. I know it is less than in the prior bill, but how much less it is impossible for me now to say.

Mr. BACON. Mr. President, we are engaged in rather an informal manner on this bill, and I should like to ask the Senator from Maine, with his permission, a question in reference to one provision in it. I do so for information.

I note on page 6, title 2, this language under the head of "General subsidy:"

That from and after the 1st day of July, 1902, the Secretary of the Treasury is hereby authorized and directed to pay, subject to the provisions of this title, out of any money in the Treasury not otherwise appropriated, to the owner or owners of any vessel of the United States duly registered by a citizen or citizens of the United States (including as such citizens any corporation created under the laws of the United States or any of the States thereof).

Stating first that, according to my reading of it, that would entitle to subsidy any foreign ship which by act of Congress is allowed American registry; in other words, if I am correct in my understanding of that provision, any foreign ship—a ship not built in this country—if it shall come under American registry or secure the right to registry will be entitled to subsidy. I want to ask the Senator from Maine whether or not I am correct in that, or whether the expression "any vessel of the United States" is intended to limit it to ships built in the United States?

Mr. SPOONER. We cured that by an amendment to-day.

Mr. BACON. I beg pardon.

Mr. FRYE. I did not cure it, because I thought it was absolutely unnecessary, for my construction of the law is different from that of the Senator from Georgia. I believe that "duly registered" means American-built ships duly registered; but, in order to save any question regarding it, I offered an amendment to-day, which was adopted, which makes the intent perfectly clear.

Mr. BACON. And confines it to American-built ships?

Mr. FRYE. To American-built ships.

Mr. BACON. I did not know of that amendment. I beg pardon of the Senator for making the inquiry.

IMITATION DAIRY PRODUCTS.

Mr. PROCTOR. Mr. President, I wish to give notice that after the bill (S. 3653) for the protection of the President of the United States, and for other purposes, is disposed of, I shall move that the Senate proceed to the consideration of Order of Business 552,

being House bill 9206, known as the oleomargarine bill, and will ask that it be made the unfinished business.

JOHN GLASS—VETO MESSAGE.

The PRESIDING OFFICER. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Secretary read as follows:

To the Senate of the United States:

I return without approval Senate bill No. 1258, entitled "An act to remove the charge of desertion from the naval record of John Glass."

There can be no graver crime than the crime of desertion from the Army or Navy, especially during war; it is then high treason to the nation and is justly punishable by death. No man should be relieved from such a crime, especially when nearly forty years have passed since it occurred, save on the clearest possible proof of his real innocence. In this case the statement made by the affiant before the committee does not in all points agree with his statement made to the Secretary of the Navy. In any event it is incomprehensible to me that he should not have made effective effort to get back into the Navy.

He had served but little more than a month when he deserted, and the war lasted for over a year afterwards, yet he made no effort whatever to get back into the war. Under such circumstances it seems to me that to remove the charge of desertion from the Navy and give him an honorable discharge would be to falsify the records and do an injustice to his gallant and worthy comrades who fought the war to a finish. The names of the veterans who fought in the civil war make the honor list of the Republic, and I am not willing to put upon it the name of a man unworthy of the high position.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 11, 1902.*

Mr. GALLINGER. Mr. President, as a member of the Committee on Naval Affairs, from which that bill was reported, I desire to put in the RECORD with the veto message the report made by the senior Senator from New York [Mr. PLATT] on this bill. A similar bill was reported during the Fifty-sixth Congress, and the report then made was as follows:

It appears from the papers before your committee that the said John Glass enlisted in the Navy January 25, 1864, as a first-class boy, for one year; served on board the U. S. S. *Moose*, and is recorded as having deserted from the service March 4, 1864. His age at the time of enlistment was 16 years.

It further appears from the papers before your committee that the said John Glass, having been a witness to circumstances of a compromising nature affecting the second officer of the vessel on which he was serving on March 3, 1864, was taken by the said second officer ashore on the following day, presented with money to purchase a civilian suit, and told not to report back to his ship for duty. The said John Glass, being very young at the time, and supposing it to be his duty to obey the injunctions of his superior officers, failed to report back for duty, in consequence of which he was recorded as a deserter. There is no evidence tending to show intentional desertion, and it is the opinion of your committee that the relief intended to be afforded by the accompanying bill should be granted.

I simply desired that this should go in the RECORD in connection with the veto message.

Mr. SPOONER. The man deserted under orders?

Mr. GALLINGER. Well, you can judge of that for yourself. He was a 16-year-old boy.

I move that the message of the President be referred with the bill to the Committee on Naval Affairs.

The motion was agreed to.

RAILROADS IN CUBA.

Mr. TELLER. Mr. President, I want to make an inquiry. On the 13th of February, about a month since, the Senate passed a resolution in these words:

Resolved, That the Secretary of War be, and he hereby is, directed to inform the Senate what railroads, if any, are now being built in the island of Cuba, by whom, and under what authority of law.

Also what permission, if any, has been given by the military authorities of the United States in the island of Cuba for the building of any railroad, public or private, and under what provisions of law such permission has been granted.

I rise to inquire whether there has been any answer to that resolution? I suppose the Presiding Officer can inform us.

Mr. FRYE. I think the RECORD will show whether it has been answered or not.

Mr. TELLER. Does the Senator remember?

Mr. FRYE. No, I do not remember, but the RECORD will show.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Chair is informed that a reply has not been received.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 12, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 11, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

EXTRA CLERKS FOR ASSESSOR OF DISTRICT OF COLUMBIA.

Mr. McCLEARY. Mr. Speaker, I am directed by the Committee on Appropriations to ask immediate consideration of a joint resolution which I send to the desk.

The joint resolution (S. R. 65) to provide for the employment of extra clerical force in the office of the assessor of the District of Columbia was read, as follows:

Resolved by the Senate and House of Representatives, etc., That the sum of $1,000 is hereby appropriated for the compensation of extra clerical force in the office of the assessor of the District of Columbia to assist in the additional work incident to carrying out the provisions of the act of Congress approved February 15, 1902, permitting the payment of arrears of taxes in the District of Columbia at the rate of 6 per cent per annum; one-half of said sum to be paid out of the revenues of the District of Columbia and the other half out of any money in the Treasury of the United States not otherwise appropriated.

The SPEAKER. Is there objection to the present consideration of this joint resolution?

Mr. RICHARDSON of Tennessee. Is this reported from the Committee on Appropriations?

Mr. McCLEARY. It is.

Mr. RICHARDSON of Tennessee. It has been considered by them?

Mr. McCLEARY. Yes, sir.

Mr. RICHARDSON of Tennessee. Unanimously reported from that committee?

Mr. McCLEARY. Yes, sir.

There being no objection, the House proceeded to the consideration of the joint resolution; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. McCLEARY, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. LOUD. I move that the House resolve itself into Committee of the Whole on the state of the Union for the consideration of House bill 11354—the Post-Office appropriation bill.

DUTIES ON SUGAR.

Mr. THAYER. I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. THAYER. It is a question of the highest privilege, affecting, it seems to me, the dignity of this House and the safety of every member of it. I can briefly state the substance of this question by reading a resolution which I have prepared. With the permission of the Chair, I would like to state it briefly in this form.

The SPEAKER. The gentleman will proceed to state his question of privilege.

Mr. THAYER (reading):

Whereas it has been currently reported in many reputable newspapers, and by many Republican members of this House, that in the event of a reduction of the duty on sugar imported from Cuba the American Sugar Refinery, commonly known as the "sugar trust," will be the chief beneficiary; and

Whereas it has been currently reported from reliable sources that the entire crop of Cuban sugar has already been purchased from the Cubans at ruinously low prices by the said sugar trust, and is only awaiting shipment until a reduction of the duty on the same can be secured through the action of Congress, and that any concessions intended to be for the alleviation of the deplorable condition of the Cubans by admitting their sugar this year at reduced rates of duty will serve only to benefit the sugar trust, and that the Cubans will receive no benefit whatever from it; and

Whereas it has been currently alleged by many reputable newspapers that the American Sugar Refinery Company (commonly known as the "sugar trust") has, by subsidizing the press, establishing literary bureaus, and by spending large sums of money, and in other ways, attempted to create a public sentiment in favor of a radical reduction of the tariff on sugar imported from Cuba; and

Whereas it is due to the dignity of this House that the truth or falsity of these charges should be clearly established before the House proceeds to a consideration of the question of reducing the duty on sugar imported from Cuba, as recommended by the President of the United States in his annual message to Congress: Therefore,

Be it resolved, That a special committee of seven members of this House be appointed by the Speaker to investigate the subject-matter of this resolution——

Mr. LOUD (interrupting). I rise to a point of order—that this is not a question of privilege.

The SPEAKER. The gentleman from Massachusetts [Mr. THAYER] will suspend. The gentleman from California makes the point of order that this is not a question of privilege. The Chair sustains the point of order.

Mr. THAYER. I appeal from the decision of the Chair.

The SPEAKER. The gentleman from Massachusetts appeals from the decision of the Chair.

Mr. PAYNE. I move to lay that appeal on the table.

Mr. THAYER. Upon that question I demand the yeas and nays.

The question being taken on ordering the yeas and nays, there were ayes 48.

The SPEAKER. In the opinion of the Chair, there is a sufficient number. The yeas and nays are ordered.

Mr. BARTLETT. I rise to a parliamentary inquiry. As I understand, we are called upon to vote to sustain or not to sustain the Speaker's ruling. I can not intelligently vote upon the question without knowing precisely what it is.

The SPEAKER. The Chair will state the situation again. The gentleman from Massachusetts [Mr. THAYER] rose to a question of personal privilege, reading a certain document. The gentleman from California [Mr. LOUD] made the point of order

that it was not privileged matter. The Chair sustained the point of order. From that ruling the gentleman from Massachusetts takes an appeal to the House. The gentleman from New York [Mr. PAYNE] moves to lay that appeal on the table, and the vote is now about to be taken upon the question, Shall the appeal be laid on the table? The Clerk will call the roll.

Mr. THAYER. Allow me a word. I did not claim that this was a question of personal privilege, as I understood the Chair to state.

The SPEAKER. It is neither a question of personal privilege nor a question of privilege in any form. The Chair sustained the point of order.

The question was taken; and there were—yeas 125, nays 87, answered "present" 18, not voting 125; as follows:

YEAS—125.

Adams,	Esch,	Littlefield,	Schirm,
Alexander,	Evans,	Long,	Scott,
Allen, Me.	Fleming,	Loud,	Shattuc,
Aplin,	Fletcher,	Lovering,	Shelden,
Bartholdt,	Foerderer,	McCleary,	Sherman,
Bates,	Fordney,	McClellan,	Showalter,
Bishop,	Gardner, Mich.	McLachlan,	Sibley,
Boutell,	Gardner, N. J.	Marshall,	Skiles,
Brick,	Gillet, N. Y.	Martin,	Smith, Ill.
Bromwell,	Gillett, Mass.	Mercer,	Smith, H. C.
Brown,	Graham,	Miller,	Smith, S. W.
Brownlow,	Grosvenor,	Minor,	Smith, Wm. Alden
Burke, S. Dak.	Grow,	Mondell,	Southard,
Burton,	Hamilton,	Moody, Mass.	Sperry,
Calderhead,	Hanbury,	Moody, N. C.	Stevens, Minn.
Cannon,	Haskins,	Moody, Oreg.	Stewart, N. J.
Capron,	Haugen,	Morris,	Storm,
Cassel,	Hedge,	Mudd,	Sutherland,
Connell,	Henry, Conn.	Needham,	Tawney,
Conner,	Hepburn,	Otjen,	Thomas, Iowa
Corliss,	Hill,	Overstreet,	Tirrell,
Cousins,	Hitt,	Parker,	Tompkins, N. Y.
Crumpacker,	Holliday,	Payne,	Tompkins, Ohio
Curtis,	Howell,	Pearre,	Van Voorhis,
Cushman,	Jackson, Md.	Perkins,	Wachter,
Dalzell,	Jones, Wash.	Powers, Me.	Wadsworth,
Deemer,	Knox,	Powers, Mass.	Warner,
Dick,	Kyle,	Prince,	Warnock,
Douglas,	Lacey,	Ray, N. Y.	Woods.
Draper,	Lawrence,	Reeves,	
Driscoll,	Lessler,	Rumple,	
Emerson,	Lewis, Pa.	Russell,	

NAYS—87.

Allen, Ky.	Gaines, Tenn.	Little,	Ruppert,
Ball, Tex.	Gilbert,	Livingston,	Ryan,
Bartlett,	Goldfogle,	Lloyd,	Selby,
Brantley,	Gordon,	McCulloch,	Sims,
Brundidge,	Griffith,	McLain,	Slayden,
Burleson,	Griggs,	Maddox,	Small,
Caldwell,	Hay,	Mahony,	Smith, Ky.
Candler,	Hooker,	Moon,	Spight,
Cassingham,	Jackson, Kans.	Mutchler,	Stark,
Clayton,	Johnson,	Naphen,	Sulzer,
Cochran,	Jones, Va.	Neville,	Swanson,
Conry,	Kehoe,	Padgett,	Taylor, Ala.
Cowherd,	Kern,	Patterson, Tenn.	Thayer,
Creamer,	Kitchin, Claude	Randell, Tex.	Thomas, N. C.
De Armond,	Kitchin, Wm. W.	Rhea, Ky.	Thompson,
De Graffenreid,	Kleberg,	Rhea, Va.	Underwood,
Dinsmore,	Kluttz,	Richardson, Ala.	White,
Dougherty,	Lamb,	Richardson, Tenn.	Wiley,
Edwards,	Lanham,	Rixey,	Williams, Ill.
Finley,	Latimer,	Robb,	Wilson,
Fitzgerald,	Lever,	Robinson, Ind.	Zenor.
Fox,	Lindsay,	Rucker,	

ANSWERED "PRESENT"—18.

Adamson,	Foster, Vt.	Jett,	Trimble,
Bell,	Green, Pa.	Ketcham,	Wright,
Burkett,	Heatwole,	McRae,	Young.
Coombs,	Irwin,	Metcalf,	
Crowley,	Jenkins,	Otey,	

NOT VOTING—125.

Acheson,	Dahle,	Kahn,	Robertson, La.
Babcock,	Darragh,	Knapp,	Robinson, Nebr.
Ball, Del.	Davey, La.	Landis,	Salmon,
Bankhead,	Davidson,	Lassiter,	Scarborough,
Barney,	Davis, Fla.	Lester,	Shackleford,
Beidler,	Dayton,	Lewis, Ga.	Shafroth,
Bellamy,	Dovener,	Littauer,	Shallenberger,
Belmont,	Eddy,	Loudenslager,	Sheppard,
Benton,	Elliott,	McAndrews,	Smith, Iowa
Bingham,	Feely,	McCall,	Snodgrass,
Blackburn,	Flood,	McDermott,	Snook,
Blakeney,	Foss,	Mahon,	Southwick,
Boreing,	Foster, Ill.	Mann,	Sparkman,
Bowersock,	Fowler,	Maynard,	Steele,
Bowie,	Gaines, W. Va.	Meyer, La.	Stephens, Tex.
Breazeale,	Gibson,	Mickey,	Stewart, N. Y.
Bristow,	Gill,	Miers, Ind.	Sulloway,
Broussard,	Glenn,	Morgan,	Talbert,
Bull,	Gooch,	Morrell,	Tate,
Burgess,	Graff,	Nevin,	Tayler, Ohio
Burk, Pa.	Greene, Mass.	Newlands,	Tongue,
Burleigh,	Hall,	Norton,	Vandiver,
Burnett,	Hemenway,	Olmsted,	Vreeland,
Butler, Mo.	Henry, Miss.	Palmer,	Wanger,
Butler, Pa.	Henry, Tex.	Patterson, Pa.	Watson,
Clark,	Hildebrant,	Pierce,	Weeks,
Cooney,	Hopkins,	Pou,	Wheeler,
Cooper, Tex.	Howard,	Pugsley,	Williams, Miss.
Cooper, Wis.	Hughes,	Ransdell, La.	Wooten.
Cromer,	Hull,	Reeder,	
Cummings,	Jack,	Reid,	
Currier,	Joy,	Roberts,	

So the appeal from the decision of the Chair was laid on the table.

The following pairs were announced:

For the session:

Mr. MORRELL with Mr. GREEN of Pennsylvania.
Mr. METCALF with Mr. WHEELER.
Mr. DAYTON with Mr. MEYER of Louisiana.
Mr. KAHN with Mr. BELMONT.
Mr. WRIGHT with Mr. HALL.
Mr. WANGER with Mr. ADAMSON.
Mr. BULL with Mr. CROWLEY.
Mr. COOMBS with Mr. DAVEY of Louisiana.
Mr. MAHON with Mr. OTEY.
Mr. BOREING with Mr. TRIMBLE.
Mr. HEATWOLE with Mr. TATE.

Until further notice:

Mr. CROMER with Mr. MIERS of Indiana.
Mr. FOSTER of Vermont with Mr. POU.
Mr. LITTAUER with Mr. SALMON.
Mr. BLACKBURN with Mr. WOOTEN.
Mr. BABCOCK with Mr. REID.
Mr. IRWIN with Mr. GOOCH.
Mr. JACKSON of Maryland with Mr. LINDSAY.
Mr. KETCHAM with Mr. SNODGRASS.
Mr. HULL with Mr. COONEY.
Mr. LANDIS with Mr. CLARK.
Mr. BURKETT with Mr. SHALLENBERGER.
Mr. EDDY with Mr. SHEPPARD.
Mr. HITT with Mr. DINSMORE.
Mr. BARNEY with Mr. MCRAE.
Mr. DOUGLAS with Mr. VANDIVER.
Mr. JENKINS with Mr. ELLIOTT.
Mr. HEMENWAY with Mr. LIVINGSTON.

For this day:

Mr. WATSON with Mr. TALBERT.
Mr. TAYLER of Ohio with Mr. SHAFROTH.
Mr. SULLOWAY with Mr. SCARBOROUGH.
Mr. STEWART of New York with Mr. ROBINSON of Nebraska.
Mr. MORGAN with Mr. NORTON.
Mr. HUGHES with Mr. MICKEY.
Mr. GIBSON with Mr. MAYNARD.
Mr. NEVIN with Mr. LEWIS of Georgia.
Mr. DAHLE with Mr. LASSITER.
Mr. DARRAGH with Mr. HOWARD.
Mr. CURRIER with Mr. HENRY of Texas.
Mr. GAINES of West Virginia with Mr. HENRY of Mississippi.
Mr. FOWLER with Mr. GLENN.
Mr. MCCALL with Mr. FOSTER of Illinois.
Mr. GILL with Mr. FEELY.
Mr. JACK with Mr. FLOOD.
Mr. SMITH of Iowa with Mr. RANSDELL of Louisiana.
Mr. LOUDENSLAGER with Mr. DAVIS of Florida.
Mr. HILDEBRANDT with Mr. BUTLER of Missouri.
Mr. GREENE of Massachusetts with Mr. MCDERMOTT.
Mr. FOSS with Mr. MCANDREWS.
Mr. HOPKINS with Mr. COOPER of Texas.
Mr. SOUTHWICK with Mr. PUGSLEY.
Mr. STEELE with Mr. NEWLANDS.
Mr. DOVENER with Mr. SPARKMAN.
Mr. BUTLER of Pennsylvania with Mr. BURGESS.
Mr. BURLEIGH with Mr. BROUSSARD.
Mr. BRISTOW with Mr. BREAZEALE.
Mr. BOWERSOCK with Mr. BOWIE.
Mr. BEIDLER with Mr. BELLAMY.
Mr. YOUNG with Mr. BENTON.
Mr. BINGHAM with Mr. STEPHENS of Texas.

For this vote:

Mr. DAVIDSON with Mr. LESTER.
Mr. COOPER of Wisconsin with Mr. BURNETT.
Mr. VREELAND with Mr. ROBERTSON of Louisiana.
Mr. BURK of Pennsylvania with Mr. WILLIAMS of Mississippi.
Mr. JOY with Mr. CUMMINGS.
Mr. ACHESON with Mr. BANKHEAD.
Mr. KNAPP with Mr. PIERCE.
Mr. MANN with Mr. JETT.

For one week:

Mr. BALL of Delaware with Mr. SHACKLEFORD.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is upon the motion of the gentleman from California [Mr. LOUD], that the House resolve itself into the Committee of the Whole House on the state of the Union, for the consideration of the Post-Office appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union, Mr. LITTLEFIELD of Maine in the chair, for the consideration of the bill H. R. 11354.

The Clerk proceeded to read the bill.

Mr. LOUD. Mr. Chairman, I ask unanimous consent that the first reading of the bill may be dispensed with.

The CHAIRMAN. The gentleman from California asks that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. LOUD. Mr. Chairman, it is my purpose to take but a few moments in a general explanation of the provisions of this bill.

The estimates of the Post-Office Department for the support of the postal service for the fiscal year 1903 are $134,731,576. The bill, as you will observe, recommends an appropriation of $137,916,598.75, or $3,185,022.75 more than the estimates. For a committee to recommend an amount of money in excess of the amount recommended by the Department would under ordinary circumstances seem strange, to say the least. Yet the committee have only recommended such an amount of money as they believe is necessary to support the postal service.

Some portion of the increase over the estimates comes from the fact that the Department for some items does not estimate the amount of money that it absolutely knows will be necessary to continue the service. The policy grew up—I do not know when, but before I became a member of this body—of cutting down certain appropriations that were continuous, where the service had to be performed whether we appropriated the money or not, and to come in later for a deficiency appropriation.

Some four or five years ago the Post-Office Committee inaugurated the policy of endeavoring to report, so far as they could find out, the amount of money that they knew was necessary to support the service. The policy had been to cut off a million and a half from the item of railway-mail pay, because the accounts were not presented until after the end of the fiscal year, and the railroad companies could wait until Congress convened, when the deficiency would be made up. On the item of the pay of postmasters, the postmasters pay themselves, substantially, and whether Congress appropriated the money or not the post-offices went on and they continued to pay themselves just the same, it being a mere matter of bookkeeping; and you will find in looking at this bill that in that one item alone we have appropriated a million dollars more than the estimate of the Post-Office Department, that being for the pay of postmasters, and the Department quite freely acknowledged that they had not estimated the amount of money that was necessary to pay the postmasters for that fiscal year.

The committee have recommended an appropriation of $17,139,800 for clerks in post-offices, this sum being $811,600 more than the amount submitted in the Book of Estimates. I will say that for the larger portion of this money, after the estimates had been submitted, the Post-Office Department found that the business was increasing to such an enormous extent throughout the country that in January they were quite positive it would require a large sum in addition to the amount they had estimated, and there were 600 additional clerks provided on this subsequent estimate, to bring the service down as nearly as possible to the basis of eight hours' work, etc. This increase in clerk hire carried by this bill is $2,776,100, an amount of money that almost staggers the average person when he contemplates the increase.

This is the fourth year—and I think the last year—in which the Post-Office Committee have undertaken in the appropriation bill and within the law, by a segregation that we have, gradually to increase the salaries of the post-office clerks until they were brought to a basis that we thought was just to those clerks. When we undertook this gradual promotion the average salary of the post-office clerk was a little less than $700 a year. When this bill is passed the average salary of the post-office clerk will be as nearly $900 a year as it can be figured—that is, from $890 to $900—so that after this year the committee do not believe it will be necessary to make as large an increase in the clerk-hire account as we have in this bill. Later on, however, I propose to submit to the committee some comparisons that I have made, showing where the enormous increases come from in the postal service, and I think I will be able to show the committee and the country that the large increase that comes in the appropriation bill comes substantially from salaries, while in the other great branch of our service, which involves the expenditure of more than one-half the money, the increase is hardly normal. In that portion of the bill that provides salaries the increase has been abnormal.

Your committee recommend an appropriation of $11,222,540 for pay of railway mail clerks, which is $184,044 more than the estimates, and $907,840 more than the appropriation for the current fiscal year.

I have no criticism to make, generally, of the increase of salaries under the supervision of the Second Assistant Postmaster-General's department. I have been a member of the Post-Office Committee for a great many years, and I can say this of that department, that they seem to estimate with all the care that a man could possibly estimate if he had to pay the money out of his own pocket. The $184,044 above the amount estimated comes from a slight increase of the salaries of the railway mail clerks, which proposition we took up in this House two years ago. Up to two years ago it had been the policy to appropriate a lump sum of money for the pay of railway mail clerks, the law fixing the maximum salary which they might receive.

That is, the maximum class of $1,400; and then there are the classes of $1,200, $1,000, $900, and $800. In 1885 Congress did not appropriate a sufficient amount of money for the maximum classes of $1,400 and $1,200, and the Post-Office Department, instead of creating a deficiency, cut the salaries of the railway mail clerks of the $1,400 class to $1,300 and of the $1,200 class to $1,100. Two years ago we made a segregation in the bill and restored the $1,400 class and the $1,200 class. This year your committee have recommended the establishment of a $1,300 class and a $1,100 class, and $184,000 is provided for these new clerks of these two classes—that is, we have taken in the segregation 491, I believe, of that class out of the $1,200 class and put them into a $1,300 class and some 800 from the $1,000 class and put them into a new class we have created of $1,100.

The committee believed that a $200 advance was a greater advance than should be made. We believe this system of equal advantage to the clerks themselves, in that they will get an advance to $1,300 and $1,100 each one, two, three, or possibly five years before they would get an advance to $1,400 or $1,200, and will just as soon get into the classes of $1,200 and $1,400. In arriving at that we take into consideration the different character of work performed by the clerks. The Second Assistant's department have certain ironclad rules. One of them is that no clerk on an apartment car shall receive more than a thousand dollars.

Well, now, we found the same wide divergence of duty and service of clerks in charge of apartment cars that the committee found in relation to rural-delivery carriers, and we did not believe that an ironclad rule could be laid down that an apartment-car clerk should receive a thousand dollars, traveling a certain number of miles, because as a matter of fact some apartment cars are of equal importance with full cars. You can readily see the absurdity of a clerk having charge of a 30-foot apartment car at a thousand dollars a year, and when perchance the railroad company has provided a full car 40 feet long he can receive under their regulations $1,200, so that, many other inequalities existing, we suggest to the Second Assistant's department that they make a division and submit to us the number of men who should be promoted, taking into consideration the class and character of work they perform rather than the number of feet that the car might be.

The committee have recommended an increase of free-delivery service, $1,349,550. I will make no comment upon it. The increase is large—larger than I believe it should be—and the question can readily be asked, and perhaps will be asked, why we recommend an amount in excess of that our best judgment would dictate. The Committee on the Post-Office and Post-Roads I think quite understand the sentiment of Congress, after it has been impressed upon them three or four times, at least. They have discovered this about the free-delivery service, that no matter whatever amount of money we may appropriate, that department will use such an amount of money as it sees fit to use. We have but to call to your mind the act of this House within the last five years when a deficiency was created in the free-delivery service.

I will not attempt to say but what there should have been an additional amount of money expended in excess of what we recommended; but I believe that any officer that deliberately creates a deficiency in an item of this character ought to be impeached and punished. But we have got a powerful Department to deal with, and when we deal with the postal employees we are dealing with people that come very close to everybody. I call to mind that occasion. Allow me to say to you that December and January passed with this House in session, and no intimation was made that a deficiency would be needed. They did not come to Congress and suggest that the service would suffer unless they had an additional appropriation; but they created a deficiency, and did not even do Congress the honor to consult it. Now, when the deficiency came in some members of this House called the attention of this body to the danger of the position which confronted us. I was one of those unfortunate individuals.

The press of the country, under the suggestion of the department, immediately began its attack upon this body. Now, what did the Department do on this occasion? They had appointed more carriers than they should have appointed, because their first duty was to keep within the law. They let this matter run until March, when they began to create a deficiency in September, and they replied to Congress: "We will let this service run until about the 15th of June, and unless you appropriate the deficiency we will stop the service." Now, imagine the condition of that Department saying to Congress, "We have created a deficiency; we have hired more help than we should have employed; we will not cut off the additional help that we have hired, but if you do not give us this deficiency we will stop the service."

Mr. BURNETT. What particular service was that?

Mr. LOUD. The free-delivery service.

Mr. McCLEARY. The rural free delivery?

Mr. LOUD. No; that was before we had the rural free delivery. I do not think there is any doubt but what Congress would have appropriated that money if they had come to the Committee on Appropriations in the first instance and suggested that the necessities of the service demanded that they have this deficiency, but they did not do that. Congress, without the censure of more than three members on the floor of the House by voice, bowed their heads in obedience to the Department, and we have now very nearly approached the position where the necessity for appropriation committees has almost ceased. If the Department can create a deficiency on subjects of this character, then why not allow them to simply submit to Congress such an amount of money as they desire, and have them become the law of the land without the scrutiny of a single individual? Because in this instance we substantially said to them, "Hereafter you may use what amount of money you see fit regardless of what Congress may give you."

Now, the Post-Office Committee finds itself in that position. In those days they tried to give to the House their best judgment. Where we thought the appropriations for clerk hire were too large we cut them down.

Mr. BURKETT. May I ask the gentleman how these deficiencies were created—were they carried as due bills against the service? The money was not paid out, was it?

Mr. LOUD. I will say that the actual deficiency had not been created when the matter was presented to Congress. We will say that we appropriated twelve millions for free-delivery service, and that would have employed so many carriers. They had put enough carriers on the roll on the 1st day of December to demand an appropriation of twelve million three or four hundred thousand dollars.

That is, they had a service already in operation which would demand a larger appropriation than Congress had provided for. The service would have run, as they said, until about the 15th of June, and then they said to us, as they said to the country—and the country very quickly responded, because they could not afford to have the delivery service shut off from the 15th of June to the 1st of July—you must give us this deficiency or we will stop the service. Congress quickly responded, without condemnation of those who had created it, and appropriated the money. Since that time deficiencies of that kind have not been infrequent. They will continue to become more frequent until Congress asserts its proper and just authority; and the longer Congress continues to submit its neck the lower it must necessarily become, not alone in the contempt of the country, but in the contempt of ourselves.

I submit these few remarks to show that while I think the Post-Office Committee believes that the increased appropriation for clerk hire and—I refer to carriers, etc.—is too large, yet we dare not make it less. I would much prefer to give them too much than to run the chance of having them more frequently defy the will of Congress and expend such an amount of money as they see fit and then come to Congress.

I will append to my remarks some tables to which I have referred. I want to call the attention of the House to the fact that for clerk hire there was appropriated in 1885 $4,875,000. The appropriation for the fiscal year of 1903 is $17,139,800. You will see that it has increased more than three and one-half times. Take the item of "necessary and miscellaneous items." In 1885 it was $87,000; in 1903, $250,000. These are expenditures over which we have substantially no control under the existing conditions.

The expenditures of the Post-Office Department in 1885 were $50,462,350, and in the fiscal year of 1901, which is the last year that we can get at, they were $115,554,920, a little more than double. That is, the expenditures in the Post-Office Department have a little more than doubled since 1885, and the expenditure for clerk hire is more than three and one-half times as great.

A person might naturally say, "Why is there not a greater deficiency?" Because there is more than $60,000,000 expended in some other way; an amount of money sufficient to keep this end from toppling the whole establishment over. Every portion of the postal business which is done by contract—and that refers to all of its supplies, every character of supplies furnished the Department is furnished under contract, and I do not think that any man would criticise that—the increased expenditure there has been hardly anything by reason of the fact that supplies do not cost as much to-day as they did in 1885.

Take the stationery for the postal service. In 1890 it was $51,000,000; in 1903, $70,000,000. Take the wrapping twine. In 1890 it was $78,033; in 1903 it is $125,000. So you will see that I have not taken all the service, but just enough to illustrate that where there is competition, and where the bidding to the Post-Office Department is done upon a business basis, then the increase hardly meets the increase of the service.

Take the star-route service, which I know our friends are roundly condemning, yet I do not believe there are ten men on the floor of this House that are agonizing to put the star-route system under a salary system. Of course, the argument sounded well to us last week; but yet I do not believe there is a man who is anxious to put the star-route service, with its 37,000 contractors and probably 100,000 employees, on a salary basis.

Let us see about that service. In 1885 the appropriation was $5,403,259; in 1902 it was $5,580,000. So competition—natural competition, too—has kept that character of service substantially the same, notwithstanding the increase in the mileage of the star-route service.

In connection with that I want to say that for the fiscal year 1903 the estimate is $6,715,000. You see there a very marked increase, and that increase has been discussed upon this floor when we were not cool; but now we can look at the situation from a business standpoint, because nothing is depending upon it.

Now, the increase of thirteen or fourteen hundred thousand dollars arises from various causes, all, I think, perfectly legitimate. Three or four hundred thousand dollars of this increase comes from an increaseed service in Alaska—a most expensive service. A part of the increase may arise, and probably does arise, from the new regulations adopted by the Post-Office Department compelling the contractor to personally supervise at least the service and to live within the limits of the route served. How much that may amount to no one can tell; but the greatest amount of increase, in my opinion, arises from the fact that in every new contract let in the first section of the country, which, as gentlemen know, embraces New England, New York, Pennsylvania, Maryland, and the Virginias, and the fourth section, which has just been let, comprising substantially all the States west of the Missouri River—in every new contract the contractor has entered into an agreement to deliver the mail to every resident along his route.

I know some people will say that these contractors do not deliver to everybody along the route; but that being the provision in his contract, the contractor in making his bid naturally makes the bid upon the assumption that he has to deliver the mail to everybody and will be compelled to do so if so desired. Now, from these various causes comes the increase in the appropriation bill this year.

Mr. GAINES of Tennessee. The gentleman spoke a few minutes ago about the question of competition which possibly reduces the cost of the service. Does that competition come from the new star-route service having to compete with the rural service?

Mr. LOUD. I do not know that I understand the purport of the gentleman's question.

Mr. GAINES of Tennessee. The gentleman says that we have an old star-route service and a new star-route service and a rural-delivery service. Does the competition which it appears has reduced the cost of transportation arise from the fact that the new star-route service competes with the rural service?

Mr. LOUD. Oh, no. I thought I had dwelt at considerable length upon the condition that confronts us—that the star-route service during the last year has increased, not decreased.

Mr. GAINES of Tennessee. The new service according to the report of the Postmaster-General has cost more, the increase being, I believe, about 13 per cent.

Mr. LOUD. If the gentleman had only paid attention to me without concentrating his mind upon the question he had to ask, he would have heard as plain an explanation of that as I am able to make to the House. If I have failed to make the gentleman from Tennessee understand——

Mr. GAINES of Tennessee. The gentleman from California is always interesting to me, and I try to hear him as well as I can. But the gentleman knows the difficulty we have in hearing every word that a member on the floor utters.

Mr. LOUD. You have been standing right there.

Mr. GAINES of Tennessee. I have heard everything the gentleman said since I have been standing here. I left my seat, 20 feet away, for the purpose of hearing the gentleman.

As I was remarking, the gentleman said a few minutes ago that he did not know how much the increased cost of the new star-route service was.

Mr. LOUD. Oh, I can give the exact figures if he wants them. I said it was about $1,300,000.

Mr. GAINES of Tennessee. The per cent is about 13 per cent. I did not at first hear those figures, and that is the reason I am trying to get an explanation from the gentleman.

Mr. LOUD. I have given the figures substantially. It is immaterial whether the exact amount was $1,300,000 or $1,400,000 or $1,350,000. I said that the increase in this appropriation bill was much greater than it ever had been before. I stated that the appropriation had been substantially the same from 1885 to the fiscal year 1902; that it then took a sudden jump because of certain

new conditions which I sought to explain—the condition in Alaska, the condition imposed upon the contractors to deliver the mail to every resident on the route——

Mr. GAINES of Tennessee rose.

Mr. LOUD. If the gentleman—provided he wants to find out the facts—will just pay attention to what I am saying and will not be too anxious to puncture my remarks with an interjection——

Mr. GAINES of Tennessee. I am not trying to puncture, but to listen; go ahead.

Mr. LOUD. Much of this increase comes from the service in Alaska. Much of it comes from the provision in the contracts compelling the contractor to deliver the mail to every person who lives along the route.

Mr. GAINES of Tennessee. Has not the mail service in Hawaii and Porto Rico helped to cause the increase?

Mr. LOUD. A very small part of the increase—probably not exceeding $40,000; I do not think so much—has arisen from that cause.

Mr. GAINES of Tennessee. How much has been paid out during the last two years in those two Territories?

Mr. LOUD. For the star-route service?

Mr. GAINES of Tennessee. For the mail service.

Mr. LOUD. I should say not exceeding $40,000. My impression is that it does not exceed $20,000.

Mr. GAINES of Tennessee. In each of those Territories?

Mr. LOUD. No, both. It is a very small sum. I should say that $40,000 is the extreme limit. There is not much star-route service in those islands. Now, you take inland mail transportation by steamboat routes, where we do business on a business basis. You will find that the expenditures in 1896 were $389,854.18. Follow the years up until you get to 1900, and there you have an expenditure of $497,938.04, and in 1901 $508,444.48. There is where we feel the effect of the annexation of Porto Rico and Hawaii, because all of the service between those islands and the mainland is under the head of steamboat service. The line of segregation between steamboat service and ocean mail service is that ocean mail service is a foreign service, but all domestic service upon the water is known and graded under the head of inland mail transportation by steamboat routes.

Take the item of mail-messenger service. The expenditures in 1896 were $1,175,741.11; in 1901, $973,471.98; and if the gentlemen will follow it back through the years it will be found a constantly increasing service in mileage and the number of post-offices, with a very slight increase in the expenditures therefor. I thought it my duty, at least it was a pleasure to me, to submit, not so much to the House but to the country, certain thoughts that are in my mind regarding the increased expenditures of the Post-Office Department, which carry out, to my mind, the thought I have expressed many times before, that if the Post-Office Department was managed upon business principles we would have a very large surplus. That is all I have to suggest.

Mr. FITZGERALD. Will the gentleman permit a question?

Mr. LOUD. Certainly.

Mr. FITZGERALD. I have not read the bill, but I would like to know whether there is any provision made for pneumatic-tube service.

Mr. LOUD. I will say to the gentleman there is no such provision in the bill. Such a provision clearly, without proper legislation to guard it, would be subject to a point of order.

Mr. FITZGERALD. Will the gentleman inform the committee whether his committee proposes to consider the question of appropriating by another bill for pneumatic-tube service?

Mr. LOUD. I would say to the gentleman, Mr. Chairman, that the committee have been considering that question, and after this bill is out of the way—you know we have been pretty busy the last week or ten days—we will immediately resume the consideration of that subject, which is before us in the shape of a bill.

Mr. BURKETT. May I ask the gentleman a question?

Mr. LOUD. Certainly.

Mr. BURKETT. I notice on page 15 of the bill and at the top of page 16 there is something about the carriers being hired by contract. Is not that the same matter that we have been discussing for a week?

Mr. LOUD. I would say to the gentleman that was reported in the Post-Office appropriation bill, and if I did not tell the House I think I ought to tell the House now how that was put upon the appropriation. I think I went over this question on another subject some time ago. Early in the session the Post-Office Committee realized, as we realized last winter, that legislation was necessary for the rural free-delivery service. We consulted such members, as the gentleman knows, without referring to them directly, as to what was best to do—to legislate on a bill by itself, that would have to go to the Senate and receive the signature of the President before it became a law, or to put the legislation on the appropriation bill with an appropriation of money.

In view of the fact that we had to legislate, that is, assuming that we had a rural free-delivery service at all—because in the condition it was the objection of one gentleman on the floor could throw it out—we had the assurance and had the right to believe when this bill was reported that this legislation would be considered upon this appropriation bill; but lo and behold, when it was reported some opposition was made to giving a rule to consider it in this way; so you see it is here. It was immaterial whether we considered this on the appropriation bill or whether we considered it in a separate bill. Where it should have been considered was where the money is appropriated for the service. But possibly some acute gentleman thought that if on the reporting of this bill to the House the word would be sent, and permit me to say it was sent, over the country that the Committee on Rules, our leaders—not yours—our leaders, Republicans who mark out the course that we shall pursue in legislation, had turned the committee down and had refused to give us a rule, some benefit might come to the opponents of that measure. If they did not benefit from that, permit me to say they benefited in this, that they gained nearly a month's time until this great machine of the Government got to work.

Mr. BURKETT. What I want to know is what it is doing in here, and if it is the same matter.

Mr. LOUD. Why, it was there and we could not take it out until we got to it. It was there because of promises made and assurances given that a rule would be reported to consider it.

Mr. BURKETT. It is the intention to take it out after the decision on this point that was made yesterday?

Mr. LOUD. I will say, so far as the chairman of the Post-Office Committee is concerned, that he proposes to keep absolute faith with this House, and not to support any provision in this measure here that was not supported by the House yesterday.

Legislation makes very little difference to me personally. I, as chairman of the committee, and the members of the Post-Office Committee, give the House the benefit of our best judgment. It is our business to do that. If you refuse to take our judgment, we are at the service of the House, and we take your judgment when our judgment is turned down. I am speaking now for myself. I can not afford, and neither can any other man afford in any way to attempt to deceive this House. If he ever does it once he does not deserve and can not again command the confidence of the most humble member of this House.

Mr. BELLAMY. I see this bill calls for an appropriation of $138,000,000, in round numbers, for the fiscal year ending June 30, 1903.

Mr. LOUD. Yes.

Mr. BELLAMY. What increase is that over the appropriation for 1902? I see for 1901 it was $115,000,000, according to the report, but I do not see the amount for the fiscal year ending June 30, 1902.

Mr. LOUD. The appropriation for the fiscal year ending the 30th of June next, commonly spoken of as the appropriation for the fiscal year 1902, is $123,782,688.75.

Mr. BELLAMY. And the increase for 1903 is about $15,000,000.

Mr. LOUD. Very nearly; $14,133,000 and some odd.

Mr. BELLAMY. What is that increase for? There is only $1,000,000 increase for the rural free-delivery service, is there?

Mr. LOUD. Oh, the appropriation for rural delivery service this year is nearly eight million dollars. For the current year the appropriation was three and a half million dollars, so you will see that there is an increase of nearly four and one-half million dollars for the rural-delivery service. This bill carries $7,000,000 for the pay of rural carriers alone, and for the supervisory force there is an appropriation of about $850,000, $375,000 of which, however, is in the legislative appropriation bill. So, as I say, there is an increase of nearly four and a half million for rural delivery service, an increase of a million dollars for postmasters, an increase of $2,700,000 for post-office clerks, an increase of a million dollars for railway-mail clerks, and those items pretty nearly make up the increase. There are, of course, increases in the item for the payment of railroads, and for other branches of the service.

Mr. GAINES of Tennessee. Mr. Chairman, just a moment. Will the gentleman explain a paragraph in the bill?

Mr. LOUD. Oh, I desire to yield the floor.

Mr. GAINES of Tennessee. On page 17, paragraph 4, appears the following:

For pay of letter carriers of rural free-delivery service, $7,000,000. In all, for rural free-delivery service, $7,529,400.

Then this is the language which I desire to have the gentleman explain:

Provided, That hereafter all mail service on rural free-delivery mail routes shall be performed by carriers designated pursuant to an advertisement inviting competitive bidding, except as herein otherwise provided:

First. That before any person shall be designated to carry the mail on any mail rural free-delivery route, the Postmaster-General shall cause an advertisement to be posted for not less than ten days, in a conspicuous place accessible to the public, in the post-office from which the mail is to be carried, inviting proposals, in such form as he may prescribe, for the service to be performed. The service shall be awarded to the lowest bidder.

Is not that practically the same provision that we voted upon and defeated yesterday in the House?

Mr. LOUD. Why, Mr. Chairman, I have just completed as full an explanation of that as it would be possible, I think, for even the gentleman from Tennessee to have given if he had the floor. I do not like to go over it again.

Mr. GAINES of Tennessee. I beg the gentleman's pardon, but I did not hear one word of what he said.

Mr. LOUD. Why did not you come over and hear it?

Mr. GAINES of Tennessee. I do not wish to offend the gentleman.

Mr. LOUD. Let me say to the gentleman that he can not offend me. While lots of people make the statement here that LOUD is cross and is mad, and all that kind of business——

Mr. GAINES of Tennessee. I think the gentleman might have given me an answer before this if he had undertaken to do so.

Mr. LOUD (continuing). Nobody can offend me; but I have just completed an explanation of that very thing. That paragraph appears in the bill, I will say to the gentleman, because it was there when the bill was reported.

Mr. GAINES of Tennessee. Then it does refer to the contract system?

Mr. LOUD. Why, certainly it does; I have explained that fully already. Substantially the same provision is included in the appropriation bill that was in the bill that we disposed of yesterday. Remember that the appropriation bill was reported before that bill was even introduced, upon the assurance that a rule would be given to consider it.

Mr. GAINES of Tennessee. I thank the gentleman for explaining the paragraph. I did not understand it.

Mr. LOUD. Mr. Chairman, I will insert the following tables for the information of the House, and reserve the balance of my time, if I have any:

Expenditures in the Post-Office Department, 1885 to 1901.

COMPENSATION TO CLERKS IN POST-OFFICES, INCLUDING SUBSTITUTES, TEMPORARY CLERKS AND SEPARATING MAIL, AND ASSISTANT POSTMASTERS.

1885	$4,878,568
1886	4,982,345
1887	5,391,620
1888	5,510,035
1889	5,926,840
1890	6,527,934
1891	7,361,983
1892	7,919,890
1893	8,338,631
1894	8,768,748
1895	9,414,135
1896	9,972,496
1897	10,374,568
1898	10,589,039
1899	11,095,554
1900	12,400,393
1901, including assistant postmasters	14,180,072
1901, assistant postmasters	1,339,333
1902, appropriation, including assistant postmasters	15,923,000
1902, appropriation, assistant postmasters	1,559,300
1903, estimated, including assistant postmasters	18,841,300
1903, estimated, assistant postmasters	1,701,500

RENT, LIGHT, AND FUEL

First and second classes:	
1885	$464,464
1886	471,184
1887	476,819
1888	508,297
1889	544,704
1890	597,033
1891	645,083
1892	691,491
1893	738,717
Third class:	
1889	353,086
1890	424,925
1891	464,300
1892	514,635
1893	543,164
First, second, and third classes:	
1894	1,294,000
1895	1,424,000
1896	1,450,000
1897	1,506,000
1898	1,581,649
1899	1,695,586
1900	1,801,994
1901	1,942,692
Appropriation for 1902	2,100,000
Estimate for 1903	2,350,000

NECESSARY AND MISCELLANEOUS ITEMS, FIRST AND SECOND CLASS OFFICES.

1889	$87,299
1890	109,342
1891	111,226
1892	119,784
1893	108,406
1894	113,758
1895	119,644
1896	142,489
1897	149,631
1898	146,531
1899	175,131
1900	196,109
1901	$221,709
Aappropriation for 1902	250,000
Estimated for 1903	250,000

Expenditures of Post-Office Department, 1885 to 1901, inclusive.

1885	$50,046,235
1886	51,004,743
1887	53,006,194
1888	55,408,315
1889	62,317,119
1890	66,259,547
1891	73,059,519
1892	76,980,846
1893	81,581,681
1894	84,994,111
1895	87,179,551
1896	90,932,669
1897	94,077,242
1898	98,033,523
1899	101,632,160
1900	107,740,267
1901	115,554,920

Stationery for the postal service.

1890	$51,971
1891	51,938
1892	53,019
1893	56,026
1894	32,488
1895	53,302
1896	49,902
1897	49,887
1898	54,915
1899	54,881
1900	64,991
1901	69,695
Appropriation for 1902	70,000
Estimate for 1903	70,000

Wrapping twine.

1890	$78,033
1891	79,303
1892	84,783
1893	108,952
1894	81,603
1895	79,989
1896	79,936
1897	79,971
1898	84,990
1899	89,999
1900	100,000
1901	159,622
Appropriation for 1902	165,000
Estimate for 1903	125,000

Star-route service.

1885	$5,403,259
1886	5,452,456
1890	5,320,732
1891	5,360,000
1892	5,534,957
1893	5,680,572
1894	5,598,855
1895	5,753,579
1896	5,586,221
1897	5,313,300
1898	5,286,614
1899	4,999,280
1900	5,041,338
1901	5,143,211
Appropriation for 1902	5,580,000
Estimate for 1903	6,715,000

Inland mail transportation by steamboat routes.

The appropriations for a series of years have been—

1896	$420,000.00
1897	402,515.32
1898	434,000.00
1899	450,000.00
1900	515,000.00
1901	545,000.00
1902	586,000.00

The expenditures have been—

1896	389,854.18
1897	402,505.91
1898	418,635.14
1899	434,200.98
1900	497,938.04
1901	508,444.48

Mail-messenger service.

The appropriations for a series of years have been as follows:

1896	$1,265,000.00
1897	1,130,000.00
1898	1,000,000.00
1899	950,000.00
1900	950,000.00
1901	950,000.00
1902	1,038,000.00

The expenditures have been—

1896	1,175,741.11
1897	950,886.63
1898	987,163.91
1899	907,068.25
1900	915,186.10
1901	973,471.98

Mail bags, cord fasteners, etc.

For a series of years the appropriations have been—

1897	$345,000.00
1898	320,000.00
1899	275,000.00
1900	275,000.00
1901	275,000.00
1902	275,000.00

The expenditures have been—

1896	269,847.10
1897	341,965.16
1898	314,867.33
1899	274,624.42
1900	268,224.12
1901	265,077.86

Mr. GRIGGS. I yield one hour to my colleague [Mr. BRANTLEY].

Mr. BRANTLEY. Mr. Chairman, there is no phase of the Cuban question but what presents a topic of interest and concern to the American people, but there is one phase of it that to-day overshadows all others in our concern, and that is the one presented by the problem of furnishing relief to that long-time unhappy island from the distressing economic condition in which we are assured it is about to become involved, and will be involved, unless relief is furnished. I do not question the existence of a condition in Cuba that calls for relief, nor do I question the duty of this Congress to furnish the relief needed, but, in what I shall say on this subject, I do not assume to speak for any member of this body other than myself.

I believe that the problems presented by Cuba's pressing need call for a free and honest discussion among us, in order that they may be wisely and justly solved, and so believing I enter upon this discussion to contribute what little, if anything, I can to that much to be desired end.

In my judgment, whatever the American Congress is going to do upon this important subject should be speedily done. If we are going to grant relief, it should be granted now, for it is needed now. If we are not going to grant it, then it is due to Cuba to let her know that fact, so that she may cease feeding upon an unfounded hope. It is also due to our own sugar producers and the commercial interests connected therewith to have the question of relief or no relief to Cuba speedily determined. The atmosphere of doubt and uncertainty, into which the agitation for a reduction plunges the sugar trade, does and will do more harm than can possibly be done by any reduction of the tariff on Cuban sugar that is at all likely to be made.

Let us, therefore, proceed to this discussion, and let us reach a determination of it with all reasonable and proper dispatch. I would venture to suggest, too, that in considering the question we should ever keep in mind the great principles of justice and equity in their comprehensive sense as applied to us as a nation dealing with Cuba, and also as applied to us as a Government dealing with matters affecting its own people, and having regard for the greatest good to the greatest number.

THE RECOMMENDATIONS OF OUR OFFICIALS.

In reaching our conclusions, if we purpose being influenced by the opinions of those officers of our Government charged with the duty and responsibility of studying and knowing, as well as caring for the needs of Cuba, we have ample authority from them for granting the relief that is prayed for.

President McKinley, in his message to us of December 5, 1899, said:

> This nation has assumed before the world a grave responsibility for the future good government of Cuba. We have accepted a trust, the fulfillment of which calls for the sternest integrity of purpose and the exercise of the highest wisdom. The new Cuba yet to arise from the ashes of the past must needs be bound to us by ties of singular intimacy and strength if its enduring welfare is to be assured. Whether those ties shall be organic, or conventional, the destinies of Cuba are in some rightful form and manner irrevocably linked with our own, but how far, is for the future to determine in the ripeness of events.

President Roosevelt, in his annual message to us last December, said:

> Elsewhere I have discussed the question of reciprocity. In the case of Cuba, however, there are weighty reasons of morality and of national interest why the policy should be held to have a peculiar application, and I most earnestly ask your attention to the wisdom, indeed to the vital need, of providing for a substantial reduction in the tariff duties on Cuban imports into the United States. Cuba has in her constitution affirmed what we desired—that she should stand in international matters in closer and more friendly relations with us than with any other power—and we are bound by every consideration of honor and expediency to pass commercial measures in the interest of her material well-being.

The Secretary of War, in his annual report for 1901, said:

> Our present duty to Cuba can be performed by the making of such reciprocal tariff arrangements with her as President McKinley urged in his last words to his countrymen at Buffalo on the 5th of September. A reasonable reduction in our duties upon Cuban sugar and tobacco in exchange for fairly compensatory reductions of Cuban duties upon American products will answer the purpose, and I strongly urge that such an arrangement be promptly made.

And again:

> Aside from the moral obligation to which we committed ourselves when we drove Spain out of Cuba, and aside from the ordinary considerations of commercial advantage involved in a reciprocity treaty, there are the weightiest reasons of American public policy pointing in the same direction; for the peace of Cuba is necessary to the peace of the United States; the health of Cuba is necessary to the health of the United States; the independence of Cuba is necessary to the safety of the United States. The same considerations that led to the war with Spain now require that a commercial arrangement be made under which Cuba can live. The condition of the sugar and tobacco industries in Cuba is already such that the earliest possible action by Congress upon this subject is desirable.

Major-General Wood, military governor of Cuba, in an authorized statement recently published, said:

> On the other hand, unless action is taken, and taken promptly, on the question of tariff reduction, Cuba will be a monument, not to the good effects of our intervention, but to the ruin which has followed the destruction of her great industry.

We may disagree among ourselves or with all these high officials as to the proper measure of relief that the Congress should grant to Cuba, or as to whether Congress should grant any relief whatever, but it does not seem to me that we can disagree, after reading the statements accompanying these recommendations, to the proposition that Cuba needs, and needs urgently and immediately, relief of some kind and from some source, and, so far as I am concerned, I am prepared to say that I do not see how we can disassociate ourselves from an interest in the results to come to Cuba if relief be not granted her.

THE CONDITION AND NEEDS OF CUBA.

What Cuba wants and needs is a market for her products, and her chief want is a market for her sugar. Her sugar crop for 1901–2, it is estimated, will amount to something like 850,000 tons, and practically all of it raw sugar, as she refines but little of it. This crop must soon be put on the market, and it is now worth in New York only about 3½ cents per pound, out of which must come transportation and insurance charges, while the tariff on it is about 1.685 cents per pound, leaving only about 1.46 cents per pound with which to defray the expenses of cultivation, manufacturing, and all the charges incident to the business of making and selling sugar.

The marketing of it at this price means a great loss, the paralyzing effect of which will go into every avenue of life and trade in the island. Cuba, in her present condition, can not stand such a loss. She has neither resources or credit with which to meet it. In our 1899 census report of the island we find given "as an indication of the financial distress prevailing in the island" the figures showing that approximately 58 per cent of the rural real estate of the island is under mortgage and approximately 79 per cent of the city real estate is likewise mortgaged, in addition to an amount equal to 10 to 14 per cent of the entire value of all the real estate due as quitrents (censos).

This same report also says:

> While the ten years' war was not without disastrous effects on the economic development of Cuba, they were trifling as compared with the war of 1895–1898, which resulted in a large decrease of population and of the wealth-producing power of the country. It may be said in general on a conservative estimate that the population of the island decreased 12 per cent and its wealth two-thirds.

Having no means, therefore, with which to meet the great loss that selling her sugar at less than the cost of production would entail upon her, having no way to counteract the fearfully devastating and demoralizing effect of this loss, and having no power to increase the market price of her sugar, she appeals to us to make such reduction of our tariff rate on her sugar as will enable her to avert the loss, and, if possible, give some profit to her people, so long famished and impoverished by her destructive wars.

THE EFFECT OF THE PLATT AMENDMENT.

Among those who oppose making the reduction in the tariff asked for, it is said—and with my knowledge I would say justly so—that the United States has always been Cuba's chief market for her sugar, and that there is now no discrimination in our tariff against her. Upon this statement the argument is made that if before our war with Spain she could pay our tariff, competing with other foreign countries, and live, she can do so now. I join issue on this argument, although I take no issue with the proposition that the United States, when it engaged in the glorious work of freeing Cuba from the oppression of Spain and when it completed that work by hauling down from Morro Castle the Spanish flag, never there to be unfurled again, did not thereby obligate itself to furnish alms to Cuba, to furnish her sustenance, or to furnish bread upon which her people might live.

Whatever obligation arose from the beneficent and humane acts of our Government in driving out of Cuba her Spanish oppressors were not obligations due from the United States. Our Government, however, whether wisely or unwisely, was not content with its great work of dethroning the power of Spain in Cuba. It went further, and as a condition precedent to finally bestowing the freedom and independence upon that unhappy island for which it had so long been struggling, required that there should be incorporated into the organic law of the island certain provisions

contained in what is known as the Platt amendment. Those provisions were as follows:

Provided further, That in fulfillment of the declaration contained in the joint resolution approved April 20, 1898, entitled "For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect," the President is hereby authorized to "leave the government and control of the island of Cuba to its people" so soon as a government shall have been established in said island under a constitution, which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

I.

That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization, or for military or naval purposes, or otherwise, lodgment in or control over any portion of said island.

II.

That said government shall not assume or contract any public debt, to pay the interest upon which and to make reasonable sinking-fund provision for the ultimate discharge of which the ordinary revenues of the island, after defraying the current expenses of government, shall be inadequate.

III.

That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

IV.

That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

V.

That the government of Cuba will execute and, as far as necessary, extend the plans already devised or other plans to be mutually agreed upon for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba as well as to the Southern ports of the United States and the people residing therein.

VI.

That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

VII.

That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

VIII.

That by way of further assurance the government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

Now, whatever may be said for or against these provisions, they expressed the desire upon the part of our Government, to use the language of President Roosevelt, that Cuba "should stand in international matters in closer and more friendly relations with us than with any other power." She has acceded to our desire and has incorporated these provisions into the constitution that she has framed. No other country in the world has done so, and none other has been asked to do so. We therefore bear a different relation to Cuba from that borne by us to any other country in the world. We bear a different relation for many other reasons. Cuba is at our door. Any internal disturbance there affects us. Should an internecine war among her people occur, there would be the same reason for us to interfere that prompted us to end her war with Spain.

Should pestilence stalk abroad in her cities, there would be every reason for us to want to check and hold it there and keep it from our shores. Should any European power seek to invade her territory, or to wrest from her one single foot of her soil, we could not submit to it. We are interested, too, in having the work of freedom and independence, so well begun by us, carried to its full fruition. Of what avail would be the blood and treasure given with lavish hand by us for Cuba's cause if the end must be a weak and bankrupt government, a poverty-stricken people, and a dismantled, torn, and divided Cuba?

A happy and a prosperous people and a strong and efficient government must exist in Cuba before our war in her behalf will have accomplished the end for which it was waged and before we can expect her to live up to the obligations she assumed to us "to establish a stable government, capable of maintaining order and observing international obligations."

It is idle to say that she can make commercial treaties of mutual concession with other countries and thereby acquire a market or markets for her products. Whatever country might be disposed to treat with her would be confronted with the knowledge that it could not enforce any demand against her without the consent of the United States. It would be confronted with the knowledge of the indissoluble union between her and the United States. It could not treat with her as a full, free, and independent sovereign, for, in the language of the Secretary of War, "Cuba has acquiesced in our right to say that she shall not put herself in the hands of any other power, whatever her necessities." Under the first clause of the Platt amendment, no foreign power can, for any purpose—the collection of a just demand, the enforcement of a treaty obligation, or for any other pretext or cause—obtain lodgment in or control, permanently or temporarily, over any portion of the island.

The limitation that we put upon her power to contract a public indebtedness, the right given us to intervene in her affairs, and the other conditions imposed in the Platt amendment all detract from her sovereignty. I am not discussing the wisdom or unwisdom of these conditions, so far as the ultimate good of Cuba is concerned, but I am discussing them as affecting her efforts now to make treaty regulations with other countries in which she must promise something in order to receive something. I therefore return to my original proposition that it is idle to talk about her going to some other country to obtain the relief that she is now asking from us, even though we could close our eyes to the events of the last four years and feel justified in our own hearts in closing our doors and turning our backs upon her and sending her out in the world to ask and receive alms wherever she might.

THE SUGAR OF THE WORLD.

Eliminating, however, the question as to whether or not, under the Platt amendment, Cuba remains free and untrammeled to negotiate treaties and enter into contractual relations with other countries, and assuming, if you please, that she is free as the air to go where she pleases and contract where she pleases, we find that, with or without the Platt amendment, there is no place in all the wide world, except to us, that she can go to sell her sugar. We are bound to get her sugar. We are bound to use her sugar. She can not refuse it to us, if she would, and the question is, Shall we pay her a price for it at which she can live, or will we take it at a price at which she must starve? She can not compel us. She can not coerce us. The power is in our hands, absolute and complete, to make or destroy her, and the only thing to determine is, How shall we use our power?

When we examine into the present situation, we find that when our present tariff laws were first imposed and before Cuba could pay the rate of duty we exacted from her, but she can not do so now. The trouble is easily stated. There is in the world to-day an immense overproduction of sugar. It is estimated that for this year the overproduction will not be less than 1,500,000 tons. This overproduction has of necessity depressed the price, and to-day the price is abnormally low. The whole sugar world feels the depression, but Cuba feels it more, and the depression is more disastrous to her than to almost any other part of the world. It is patent that she is in a worse condition than are the sugar producers of the United States, for they do not have to pay the 1.685 cents duty which she has to pay and which in itself is more money than Cuba receives net for her sugar.

She must sell in the United States and at the same price as our own producers sell, and out of this price must pay this enormous duty. What is said of our own producers applies also to the producers in the Hawaiian Islands and Porto Rico, whose sugar comes in free of duty. It takes no argument, therefore, to demonstrate that, so far as any of these producers are concerned, in the present low state of the market Cuba is in infinitely worse condition than they are. So far as the rest of the sugar-producing world is concerned her condition is no better, for when she undertakes to compete with the beet-sugar producers of Germany, Austria, France, Russia, and other countries across the water she finds them protected by a system of bounties and cartels under which they are enabled to sell sugar in foreign countries at a price far below the actual cost of making it.

How can Cuba, impoverished by a long war, with a new government just being established, with no funds, protect her producers in any such way? In order to compete with these bounty countries she would have to resort to bounties, and this is of course an impossibility now for her to do, and I for one hope, however able she may become, that she will never resort to them. She can not sell sugar to the beet-sugar producing countries, for, with their bounties and cartels and their tariffs, they have effectively shut her out. They have with equal effectiveness shut her out of the nonsugar-producing countries.

If she goes to England, she finds the Englishman eating German sugar at 2 cents per pound, the same sugar that the German consumer in his own country must pay 8 cents per pound for. This is what the bounty and the cartel has done for the German consumer. It has taxed him with taxes upon taxes, in order that the German producer of sugar and the German refiner might flourish and might carry their goods into all the countries of the world. The end of this unrighteous and unjust system of taxation has not yet come, but already the mutterings of the people against it are being heard, already its destroying effects are being felt, already the trouble and disaster that must result from it are beginning to appear, and some day, soon or late, I know not when, the German people and all other bounty-ridden people are going

to revolt. The prospect of their revolt, however, does not help Cuba. Her trouble is now, and the relief she wants is not in the future, but in the present.

It is interesting to note, in connection with bounties, the rapid growth in the production of sugar throughout the world, and the comparison between the growth of cane sugar and beet sugar. Going back to the year 1853-54, we find a total production of 1,277,000 tons of cane sugar and 304,000 tons of beet sugar, or more than four times as much cane sugar as beet sugar. From that date on the total production has increased year by year, but year by year the percentage of increase of beet sugar has been greater than that of cane sugar, until, coming down to the year 1901-2, we find the estimates to be 3,850,000 tons of cane sugar as against 6,860,000 tons of beet sugar, an increase in the production of cane sugar during the forty-eight years of 201 per cent and in beet sugar of 3,263 per cent, and a total increase of all sugar of 637 per cent.

We find, too, that while Cuba in one year, 1894, produced slightly more than 1,000,000 tons of sugar—the highest production in her history—yet that in the depression and disturbances caused by her last war her production decreased, and in one year, 1899, she only produced 308,000 tons. We note, however, that during the period in which her production was less, and the sum total of cane sugar produced was thereby decreased, that the production of beet sugar throughout the world was steadily increasing, so that when Cuba comes this year with a crop of sugar, estimated at about 850,000 tons, she finds no place to market it. She finds enough sugar to feed the world and 650,000 tons to spare. Her sugar is not only not needed for consumption anywhere, but, in addition to her 850,000 tons not needed, she finds 650,000 other tons that the consuming world has no use for, and she also finds that by means of bounties and tariffs the markets of the world, overburdened as they are, are completely closed to her.

CUBA'S FINANCIAL CONDITION AND OUR DUTY TO HER.

This statement, however, does not complete the statement of her deplorable condition. Her total exports for the year 1899 were $49,967,188, and of this amount her sugar exports represented $19,330,847. In 1900, out of total exports amounting to $51,391,095, her sugar furnished $17,528,815 of it, and in 1901 she exported $32,033,830 worth of sugar, while her total exports amounted to only $66,505,491. It will be remembered that these three years represent the period of her lowest sugar production, so that we can well understand how, under conditions approaching the normal, sugar represents half, if not more, of her total exports. With one-half, then, of her total output now to be sold at a loss, her condition could not be anything but deplorable.

The figures speak more eloquently of her needs than words and phrases, however well selected or however skillfully put together, could possibly speak. There are still other figures that appeal for her, for in these same three years she imported and was compelled to import goods in excess of what she exported to an amount in the three years exceeding the sum of $40,000,000. The balance of trade was against her to that extent. She bought and was compelled to buy, in excess of what she sold, more than $40,000,000.

In the face of all these figures, in the face of conditions that I have endeavored to describe, can anyone question the sincerity, the righteousness, or the justice of the recommendations for concessions to Cuba that have come to us from the President and from our officers beneath him who have been charged by us with the duty of safeguarding Cuba? In the face of these facts, can any one doubt the honesty of the Cuban appeal?

With her condition fully pictured to and understood by us, and with the glorious record of the great achievements in her behalf that the American people, in humanity's name, have already performed, can we stop now and turn the other way? Must we not go on until the means to live and the means to work have been placed in her hands? What greater mockery than gaunt and hungry Freedom, than weak and starving Liberty? The crimson is yet upon San Juan Hill, the smoke of battle still lingers over Santiago Bay—the deeds there done live in reality and have not yet reached the age of memory. They command us that the liberty for which they were wrought shall take the form of the goddess we love, and not be left a hideous deformity.

THE OBJECTION TO HELPING CUBA, AND THE TARIFF.

What objection is there to heeding Cuba's appeal? What objection is there to adopting the urgent recommendation of the President? Who, in all this broad, rich land denies the need of Cuba, or our duty to relieve that need? Does the objection come from the body of the great American people? Does it come from the same generous, patriotic hearts that four years ago offered to do and to die that Cuba might be free? Be it said to the everlasting credit of the American heart, No! many times No! I would not assail the patriotism, the generosity, or the American manhood of those who make the objection. I recognize in them a valuable, necessary, and patriotic part of our citizenry. I believe they are prompted to their objection—some of them, at least—by an honest apprehension of serious injury to their business—the making of sugar.

Some of them—I do not know how many—may be prompted by greed alone. This spirit of greed—perhaps self-interest would be a more polite term—is not confined to our sugar producers alone. I do not know of one single tariff-fed, tariff-protected class in all our land—I care not how high the tariff or how rich the protected class—but what would rise in arms—and they would be strong arms, too—to protest against any, even the slightest, reduction of that tariff. I know, too, the potent influence of that protest. I see protected classes to-day using the tariff to sell to American consumers at higher prices than they sell to foreign consumers, using the principle of the German cartel that we condemn; and there are none to say them nay.

I saw them restrain an American Congress from doing that which one high in authority said was its "plain duty" to do. I saw their representatives swarm before our highest judicial tribunal when the "insular cases" were being argued. I noted what was said of their presence by the Chief Justice in his great dissenting opinion. He said: "Briefs have been presented at this bar purporting to be on behalf of certain industries and eloquently setting forth the desirability that our Government should possess the power to impose a tariff on the products of newly acquired territories so as to diminish or remove competition." I noted also the revolutionary opinion of the court in these historic cases, revolutionary certainly in overturning the long-settled policy of our Government, if not, as many of us believe, in changing the plain meaning of the Constitution.

Who can blame the sugar producers from traveling along the path that they and so many others have so successfully trod in the past? I am not here to criticise them, for it is the system and not those who make use of it that merit most our condemnation.

The charm, the fascination, and the profit of protection to those who have it none can gainsay. A taste of it but whets the appetite for more, and the recipient of it, however brief the period, becomes a veteran in its defense. Witness the Hawaiian Islands ever since we gave them free trade, and even little Porto Rico, only recently favored by us, protesting against any concession to Cuban sugar. The leaven of protection has worked speedily and well, and now, with these possessions, the one great duty of the American Government is to feed them out of the protection spoon. Sympathy and tears they may have for Cuba, but Cuban sugar must not compete with their sugar. Their isolation and their suffering are all things of the past. The memory of them has gone. They only know that their market has been found—let other people find one the best they can.

A REDUCTION WILL NOT INJURE OUR SUGAR PRODUCERS.

But the time is not opportune to discuss the doctrine of protection, except as an incident. For the purpose of my contention and my argument to-day I am content that it be admitted that our beet-sugar producers and our cane-sugar producers are entitled to protection, and even to the extent that they now receive it. My position is that the fears of Cuban sugar, by those of them who are honest in that fear, is unfounded, and upon the others I have neither time nor patience to waste. I maintain that a reasonable concession on Cuban sugar, enough to grant the needed relief to Cuba, will not and can not affect them. The situation is simple and easily understood.

The total consumption of sugar in the United States for the year 1901 was 2,372,316 pounds. The average annual increase of consumption for the past twenty years is nearly 7 per cent, so that the consumption for 1902 will be in excess of that for 1901, probably less than 7 per cent, but some considerable increase. Now, the total yield of sugar in the United States for the present year is estimated to be, from cane sugar, about 300,000 tons; from beet sugar, about 150,000 tons; or a total of 450,000 tons. From the Hawaiian Islands it is estimated that we will get about 300,000 and from Porto Rico about 100,000 tons, making all told about 850,000 tons, or only about one-third of our actual consumption; so that if all the Cuban sugar made this year, amounting to about 850,000 tons, comes in, we will still have to buy from other sugar-producing countries 700,000 to 800,000 additional tons.

We have duties against all sugars and duties and countervailing duties against all bounty sugars. Then how are our domestic producers to be hurt by a concession to Cuban sugar? So long as we get no more sugar from Cuba than, added to our domestic production, we can consume, how is anyone to be injuriously affected?

THE FEARS OF OUR SUGAR PRODUCERS.

Our friends, the domestic producers, realize the force of this answer, given from the protectionist standpoint to their objections, and how do they meet it? They procure experts who, upon hypothetical data and assumptions, figure out that an increased price to Cuba for her sugar will so stimulate its production that

ten years from now she will produce more than 2,000,000 tons, and twenty years hence a great deal more than that, and it is against this estimated increased production that the domestic producer now asks, ten and twenty years in advance, that he be protected.

I would like to know what we have to do to-day with the production of sugar in Cuba ten or twenty years from now. We are dealing with the Cuba of to-day and the immediate future. We want to help her now. Ten years from now she, in all probability, will not need the help of our tariff. If we reduce our tariff to her to-day, does that mean that it must stay perpetually reduced? No tariff law was ever made for time and eternity. The McKinley tariff, giving free trade and bounties to sugar, came into life in 1890 and died in 1894. The Wilson tariff, with its 40 per cent ad valorem duty on sugar, only lived from 1894 to 1897.

The Dingley tariff, established in 1897, is already showing signs of decay. Only a few days ago we witnessed in this House the spectacle of its autocratic rulers forcing the passage of a bill repealing the war taxes under a rule that prohibited the offering of a single amendment or even a motion to recommit, and all because they feared that under a less strenuous rule the Dingley tariff would be butchered in the house of its friends. The conditions that may exist in Cuba two, four, or ten years from now or that may exist in our country at that time will be taken care of as they arise. We can not evade our duty of to-day through fear of future conditions any more than we can legislate to-day to meet those future conditions.

When we come to consider further the fears of the domestic producer, it will be well to remember that his fear is easily aroused and has become chronic. Away back in 1876, when it was first proposed to admit Hawaiian sugar free of duty, our cane-sugar producers feared that such action by our Government would stamp out their industry and wipe them out of existence, a fear that was as silly as it was unfounded. When the framers of the McKinley tariff proposed to let in free all sugar below a certain grade, and to pay a bounty of 2 cents to our sugar producers, a distinguished gentleman (Governor Warmoth), representing the cane-sugar interests of Louisiana, said this action would destroy the cane-sugar industry.

His fear was that a direct bounty would not be long continued, and that its effect would be to disclose the fact that a protective tariff was but a bounty and the people would protest against that tariff and destroy it. How poorly founded his fear was is shown in the enormous duty that seven years later the Dingley tariff gave him. The fears of the sugar people are close to the surface, and any suggestion of a change in the tariff quickly brings them to view. But as their fears of Hawaiian sugar and their fears of the bounty alike proved groundless, so will their fears of the pending proposition prove equally groundless. They have not only survived their past fears, but they survived the 40 per cent ad valorem duty under the Wilson bill, and yet to-day they seek to excite our interest upon the expressed alarm that any concession to Cuba, even a 10 per cent reduction, would destroy them root and branch.

THE BEET-SUGAR INDUSTRY.

Examination into the status of the beet-sugar industry shows 41 factories in operation in our country and 9 getting ready for next year's crop, according to the report of Mr. Saylor, the special agent of the Department of Agriculture to investigate the beet-sugar industry. He furnishes also a list of 100 additional factories in contemplation, or as reasonable possibilities in the near future, and claims that they represent a proposed investment of capital amounting to $49,000,000.

A further examination shows us that each new factory to be organized always issues a bright and glowing prospectus, showing ample returns assured to investors in the stock. One is privileged to believe, from the capital already invested in beet-sugar manufacturing and from the new capital going into it and the invitation to still more capital to enter, that it has been found to be a profitable industry, and yet if we listen now to the tales of woe and distress as to the condition of that business, when it is proposed to make some concession to Cuba, the marvel is that anyone is engaged in it at all. The fears of the sugar people seem centered in and around and about the tariff, and the higher the tariff the keener and more sensitive the fear at any suggestion of reducing it.

The wonder of the age is that $49,000,000 additional capital is preparing to enter the manufacture of beet sugar if it be true, as claimed by some of those in the business, that any concession to Cuba, even a 10 per cent reduction, would wipe the industry off the face of the earth. I had not been taught to believe that capital was prone to enter upon such an uninviting and uncertain field. The sugar producers also, while telling us that reducing the duty on Cuban sugar will lower the price of sugar in the United States and thereby injure them, tell us at the same time that the price of sugar the world over is made by the price of beet sugar at Hamburg. It seems to me, if this latter statement be true—and I assume that it is—that when the Hamburg market fixes the price it takes into consideration the quantity of Cuban sugar in existence, and whether that sugar comes into the United States at one rate or at another can have but little effect in fixing the price.

THE SUGAR TRUST.

Our sugar producer has not exhausted his arguments when he denies that Cuba needs relief and claims that any proposed relief will ruin him. He goes further and charges that any reduction in the tariff, ostensibly for Cuba, will not benefit Cuba, but will all go to swell the coffers of the American sugar refiners, known as the sugar trust. If this claim be true, then I assume—I trust it is not a violent assumption—that no member of this body would vote for the reduction.

If it be true, then pitiable indeed is our condition and that of the American people. If it be true that the American Congress is so impotent and helpless, is so encompassed and surrounded by the trust, that it has not the power to respond to the generous impulse in humanity's name of the great people whom it represents, then, bad as is the condition of Cuba, infinitely worse is ours. If this be our condition, the quicker we know it the better. If this Congress, acting from high and lofty motives, grants the relief prayed for to Cuba, and that relief is diverted from Cuba into the pockets of the trust and Cuba left to starve, then I believe that deed will mark the beginning of the final overthrow of the trust. There is a limit, beyond which the trust can not go, and that limit will be reached, when, with ghoulish greed, it robs the starving of the sustenance offered by a generous people.

For my part, I am willing to vote a reduction in the tariff to Cuba, in the belief that the benefit will go where it is intended.

I know it is suggested that if the reduction is made on raw sugar—and that is practically the only kind of sugar that Cuba has—that the sugar refiners here composing the trust, and being the only purchasers for it, will get the benefit of the reduction, because they will play the producers of other countries against the Cuban producers and thereby force Cuba, in order to sell at all, to concede the amount of the tariff reduction in the price that she will get.

I have heard it also vaguely suggested that the sugar trust has already bought the present crop of Cuban sugar, and for that reason that any reduction made in the tariff will go entirely to it. It seems to me, however, that in order to believe these things we must charge either gross ignorance or excessive bad faith, not only to the various commercial bodies and leading men in Cuba's official and business life who are daily urging the reduction, but as well to our own trusted officials in the highest stations at home and in Cuba, who urge it and recommend it for and on behalf of the Cubans.

I am not ready to accept the claim of ignorance or the charge of bad faith that is thus implied. In this connection, but a few days ago—on the 1st instant—there appeared in the public press a letter written from Cuba by Bishop Warren A. Candler, of the Methodist Episcopal Church South, one of the ablest men and closest observers and clearest thinkers in or out of his church. He is now in Cuba, and in that letter he said:

> If the well-nigh unanimous judgment of all intelligent observers in the island may be accepted as correct, the situation in Cuba urgently requires immediate relief by the reduction of the duties now imposed upon Cuban products imported into the United States. If there is anybody who dissents from this view, I have not met him since coming here, although I have talked with men of all classes, foreign and native, from Habana to Cienfuegos.

This statement is very far from disclosing that the sugar trust owns all the sugar in Cuba and that the people there have no interest in its price. I beg to quote the bishop further as to only one of the results to follow a failure upon our part to grant relief to Cuba:

> Under the military government over $2,000,000 are annually spent on public education. When Cuba's own government is set up it will be difficult to maintain the schools now in existence, even under the most favorable conditions. But if the present tariff rates are to be maintained by our Government these schools must die outright for lack of funds to sustain them.

As to where the benefit of the reduction will go, I am very much inclined to trust to the faith of those in Cuba who implore us to grant it. If the people in Cuba who have spent their lives making and selling sugar have any knowledge of anything it is a knowledge of tariffs. They have made and sold sugar to us under all our tariffs, and they have been as diligent students of our tariff laws, although from a different standpoint, as have our own producers. They ask for the reduction in the confident belief that they will be benefited by it, and I am willing to be guided by their faith in this regard, until it has been proven to be unfounded.

Mr. HAMILTON. Will the gentleman permit me to interrupt him?

Mr. BRANTLEY. Certainly.

Mr. HAMILTON. As a Democrat, would the gentleman be in favor of removing all duty from raw sugar from Cuba?

Mr. BRANTLEY. I will state to the gentleman that so far as I am concerned, if I had an opportunity to vote a reduction all along the line, so that I could vote to our sugar producer a reduction upon the things he has to buy as well as upon what he has to sell, I would make the reduction much lower than I might make it now.

Mr. HAMILTON. Would the gentleman remove the duty entirely from Cuban raw sugar?

Mr. BRANTLEY. I am not in favor of reducing the duty on raw sugar any further at this time than is necessary to give relief to Cuba.

Mr. HAMILTON. How much would the gentleman estimate would be necessary?

Mr. BRANTLEY. I should say that it ought to be reduced not less than 33⅓ per cent at this time.

Mr. HAMILTON. Are there any other Cuban products from which the gentleman would remove the duty?

Mr. BRANTLEY. I would remove it on all, from 33⅓ to 50 per cent.

Mr. HAMILTON. How about the duty on German sugar?

Mr. BRANTLEY. Mr. Chairman, if the gentleman will just pause a moment, I was coming to the question of refined sugar; and, if he will pardon me, I will get to that.

Mr. HAMILTON. Then the gentleman does not believe in absolute free trade, but simply to reduce the duty about 33⅓ per cent?

Mr. BRANTLEY. I am not a free trader any more than I am a protectionist. I believe in a duty for revenue; and I believe, Mr. Chairman, that so long as we maintain the high Dingley tariff upon every article that the sugar producer in this country has to buy it would be unjust to him if the duty upon his product is put too low. [Applause on the Democratic side.]

Mr. HAMILTON. The gentleman will pardon me the interruption. I simply wanted to get his views.

Mr. BRANTLEY. I was perfectly willing to yield to the gentleman. If he will allow me, I will now state what I was about to say about refined sugar.

It seems to me that the only way by which the refiners could profit by reducing the price of raw sugar purchased from the Cubans, after the reduction in the tariff is made, would be by maintaining the price of refined sugar to their customers. In other words, if simultaneously with the reduction of the price on raw sugar a similar reduction is made in the price of refined sugar, the refiner has not profited at all by the reduction. If, however, the price of the raw sugar is reduced and the price of refined sugar is not, then by whatever the reduction in the price of raw sugar amounts to the refiner has profited.

The question, therefore, as to whether or not the refiners will get the benefit of a reduction to Cuba of the tariff on her raw sugar all hinges upon their ability to maintain the price of refined sugar; and as to whether or not they can maintain the price of refined sugar, I submit, is entirely in the hands of the Congress. It is perfectly clear that the only way for the refiners to maintain the price of refined sugar is through and by the tariff fixed by Congress on refined sugar. Congress, it appears, has always been good to the sugar refiner. In framing the sugar schedules of our tariff laws, care has always been taken to let the raw sugar in and keep the refined sugar out.

The result has been that the American market has been secured to the American refiners to the practical exclusion of the foreign refiners, and this in turn has resulted in the sugar trust. The trust, therefore, is the direct creature of the sugar tariff, and whether this trust shall live or die, or whether it shall rob Cuba of that which we intend to give her, can be determined at any time by the Congress. Should the reduction to Cuba be made, and should it appear that the trust and not Cuba was getting the benefit of it, the remedy is in our hands. We have but to reduce the tariff on refined sugar and open the trust to the competition of the foreign refiners and the deed is done. With such a power in the hands of Congress, why should Congress fear the trust? The beet-sugar producers have not suggested the use of this power in order to help Cuba, and I apprehend that they have not because they happen to be refiners of sugar themselves. The power exists, however, and appears to be ample to prevent any perversion of justice in the matter we are considering.

REDUCTION SHOULD ONLY BE ENOUGH TO RELIEVE CUBA.

I think the reduction of our tariff to Cuba should be made, and from all the evidence accessible to me I do not think we will accomplish what we seek to accomplish by a less reduction than 33⅓ per cent, and I believe that 50 per cent would be better. A reduction of 33⅓ per cent at the present price of sugar would give the Cuban producer net for his sugar about 2.02 cents per pound, barely amounting to, if it really does amount to, the actual cost of production, while a reduction of 50 per cent would cause his sugar to net him about 2.3 cents per pound, giving him probably a small amount of profit. So far as I am concerned, I have no disposition to agitate at this time for any further reduction than is necessary to supply Cuba with the needful funds to enable her to develop her resources and perform her obligations to us and to the world. Beyond this I do not feel any duty at this time compelling me to go.

I have no desire to injure any class of our people, or even to seem to do so, and I believe that before we throw any of our producers into competition, on equal terms, with the producers of Cuba or the world we should first take down the bars of our tariff that operate to increase the price of the material and supplies necessary for them to buy. To-day we have no opportunity to reduce the tariff on anything that our sugar people have to buy, and, therefore, I am content to go no farther in reduction than is necessary to accomplish the stated ends we have in view, and I am firm in the belief that we can go this far with great benefit to all and without injury to anyone, as I purpose hereafter to demonstrate.

NO REASON TO RESTRICT CUBA'S IMMIGRATION.

Nor do I see any reason in making this reduction to require Cuba at this time to adopt our immigration laws. The only reason assigned for requiring her to do so of which I am aware is the fear that in her haste to develop her sugar industry to large proportions she will import an undesirable class of cheap labor, against which the labor of this country ought not to be required to compete. To my mind, so long as Cuba does not send to us enough sugar when added to our own production to supply our own consumption, it is immaterial to us with what kind of labor she makes that which she does send, and when she sends enough sugar that, added to our own production, will more than supply our own consumption, then I apprehend our sugar producers will complain, regardless of the kind of labor with which she produces it; so that at the present time, at least, I fail to see why we should disturb ourselves about her immigration laws.

Indeed, I think that, so far from making new exactions of Cuba, it is time to call a halt in dictating to her the kind of laws that she must enact about anything, and least of all do I think we should dictate to her about her citizenship. The problem of her citizenship is one of great moment to her. Her population is now reduced and she must necessarily devise ways and means to augment it. With a population of only a million and a half, where she can easily maintain a population of ten to twelve millions or more, the time is not opportune to forestall her efforts to rise to the occasion and necessities that confront her by placing a still further limitation upon the power of her government to think and act for the people subject to it.

If Cuba is ever to have the stable and independent government that we planned for her, then at some time something must be left to the wisdom and the patriotism and the statesmanship of the island. In this particular matter the record of Cuba does not show that we have anything to fear, at this time at least, from her citizenship.

Mr. FORDNEY. Will the gentleman allow me to interrupt him?

Mr. BRANTLEY. Certainly.

Mr. FORDNEY. The gentleman says he would make a reduction on the imports from Cuba for the relief of Cuba or the people of Cuba.

Mr. BRANTLEY. Yes, sir.

Mr. FORDNEY. Does the gentleman not know from the statements made to the Committee on Ways and Means that labor is scarce in Cuba; that the wages have never been so high before; that there is now a most bountiful crop, and that there is no suffering in existence to-day in Cuba?

Mr. BRANTLEY. I have read all the evidence submitted to the Ways and Means Committee, and if my friend had done the same he would not have asked me that question——

Mr. FORDNEY. I have done the same.

Mr. BRANTLEY (continuing). Because the situation in Cuba that confronts us is not so much what exists to-day, but what must exist when she puts her present crop of 850,000 tons of sugar on the market.

Mr. FORDNEY. Did not the testimony show that the crop will be marketed and out of the way by the 15th of March?

Mr. BRANTLEY. I know that crop is being held back in the hope of getting something for it, so that these people can get some of the money out of it that they have put into it.

Mr. FORDNEY. Does the gentleman know whether that will affect the cane raiser and sugar producer?

Mr. BRANTLEY. I can not tell, Mr. Chairman, how many people it will affect; but I do know, and perhaps know as much about it as my friend does, that these people will be plunged into distress whenever their 850,000 tons of sugar are sold at the enormous loss that they will have to be sold at if sold at the present market price.

Mr. FORDNEY. If the gentleman will permit me, I want to make one correction. I do not pretend to know all about it. I

am taking it from the testimony of Mr. Atkins, who claimed to be the owner of a plantation that yielded 12,000 tons, and president of another concern that produced 15,000 tons, and it was stated in his statement that unless the relief was given by the 15th day of March it would not do the producers of the present crop any good.

Mr. BRANTLEY. I will refer my friend to the calendar and let him see whether or not the 15th of March has arrived.

Mr. HAMILTON Will the gentleman yield to me for a question?

Mr. BRANTLEY. Certainly.

Mr. HAMILTON. By whom is the cane-growing land in Cuba mostly owned, natives or foreigners?

Mr. BRANTLEY. Mr. Chairman, if the gentleman wants to discuss that question, I am perfectly willing that he give his understanding of it in his own time.

Mr. HAMILTON. I ask for information.

Mr. BRANTLEY. I have some little knowledge of that, not only from the testimony, but from personal observation on the island, and among other things I know that there are a great many small planters on the islands who raise cane and send their cane to those people who own the mills. I can not give the number. I can not even give an approximate estimate.

Mr. HAMILTON. Can the gentleman give the proportion of acreage owned by native Cubans as compared with foreigners?

Mr. BRANTLEY. I can not give those figures. The Secretary of War was asked some little time ago, by a resolution of this House, to give them, and if he has furnished them I have not seen them.

Mr. HAMILTON. Is it not a fact that five-eighths of the sugar produced is on land owned by American planters, as shown by the testimony?

Mr. BRANTLEY. Not that I know of, sir.

Mr. HAMILTON. The gentleman will pardon the interruption.

Mr. BRANTLEY. I have no objection to the interruption.

Mr. Chairman, I was discussing the question of immigration. The report on her census for 1899, prepared by our War Department, says:

> The native whites constituted 57.8 per cent or considerably more than one-half of the population of Cuba. The foreign whites constituted but 9 per cent; the colored, including the negro and mixed element, amounted only to 32 per cent, or less than one-third, while the proportion of Chinese was trifling, being less than 1 per cent.

The report also says:

> While the statistics of Cuba show a larger proportion of colored than white criminals, the colored population is in some respects superior to the colored population of the Southern States, being more self-reliant, temperate, frugal, and intelligent, and since the abolition of slavery showing a strong desire to own their homes, to educate their children, and to improve their condition.

The history of Cuba also shows that she has in the past experimented with Chinese labor, and presumably without profit, as the quotation made above shows that the Chinese have practically disappeared from the island.

In the face, then, of this record and of existing conditions I see no reason now, even if we were charged with a duty in the premises, to fear that Cuba will fill up with an undesirable citizenship, and nothing to justify us in adding a new limitation to her sovereignty or in expressing a new distrust of the ability and patriotism of her statesmen to legislate wisely for her people.

AMERICANS IN CUBA.

I also fail to see any argument against making the reduction asked for because certain American citizens may have become interested in making sugar in Cuba. The fact of their citizenship here is scarcely a reason for their own Government to refuse to do justice to them, and we must realize that every dollar invested by them in Cuba helps to develop the island. Cuba needs immigrants, but more than immigrants she needs capital, and, in my judgment, we have not only no moral right to interpose a bar to capital going there, but we should take down a few of the bars that already exist, and to that extent help on the day that will see Cuba a prosperous country, regulated and controlled by its own "stable and independent" government.

REBATES.

The most effective way to remove some of the bars and to bring the now needed relief, and, in my judgment, the only way, is by a reduction in our duties. No system of rebates that has so far been suggested can accomplish the desired end. I do not desire to enter upon any discussion of this phase of the matter further than to suggest that our Constitution, in Article I, section 8, limits the power of Congress to lay taxes, duties, and excises to three specific objects—to pay the debts and provide for the common defense and general welfare of the United States, and to call attention to my belief that laying a duty on Cuban sugar, collecting it, and then donating any part of the amount so collected either to the Cuban government or to the Cuban planters would not be the laying of a duty either to pay the debts or to provide for the common defense or for the general welfare of the United States, however much it might be for the welfare of Cuba.

I want to suggest also that no equitable plan could possibly be devised by us by which the money we might so donate would be fairly distributed among the Cuban planters, and, further, that any system of rebates is lacking in the elements of mutual concession that constitute true reciprocity.

RECIPROCAL DUTIES BY CUBA.

The one condition that I think we should add to our reduction of the tariff is the condition requiring a reciprocal reduction by Cuba in her tariff rates to us, so that in exchange for our furnishing a market to her she shall open her market to us. This condition she is not only willing to accede to, but it is her own proposition, and I desire now to speak briefly of this condition.

So far my discussion has been from the standpoint of our duty as a nation, from the standpoint of Cuba, and from the standpoint of our own sugar producers. I have endeavored to demonstrate that from the standpoint of duty—moral duty—our course is plain, and that we ought to make the concession. I have endeavored to demonstrate that such a concession would not for the present, at least, injure our sugar producers. The question, however, is susceptible of a much broader treatment than I have as yet given it. I have so far only considered the rights of our sugar producers and of the Cubans. I have ignored all of our other producers and all of our consumers.

When we consider that less than 1 per cent of the people of the United States are interested in the cultivation of sugar—probably considerably less than one-half of 1 per cent are interested—we not only have the right but it is our duty to inquire into the rights of the remaining more than 99 per cent of our people in any proposition affecting the commercial relations of the United States with a foreign country. When we consider, too, that our entire population are sugar consumers, have not the consumers some rights, even as to sugar, as against the less than 1 per cent of producers? The question grows more interesting when we find that the per capita consumption of sugar in the United States last year was 68.4 pounds, while in Germany it was only 33.9 pounds, in France 36.9 pounds, in Holland 32.4 pounds, and in Russia only 14 pounds.

Mr. HAMILTON. Will the gentleman allow me an interruption?

Mr. BRANTLEY. Certainly.

Mr. HAMILTON. If the gentleman had to decide in a commercial matter affecting his own State of Georgia and affecting Cuba, in favor of which would he decide?

Mr. BRANTLEY. In favor of Georgia. But I will say to the gentleman I am not confronted by any such condition; neither is my friend from Michigan in his own State.

Mr. HAMILTON. I would not interrupt the gentleman except that his position——

Mr. BRANTLEY. I do not object to the interruption. Of course, it is only my opinion that it does not affect the gentleman's State.

Mr. HAMILTON. I am much interested in the gentleman's statement.

Mr. BRANTLEY. We are the greatest sugar consumers in the world and only produce about one-third of what we consume, including that which comes to us from our island possessions, while Germany produces three times as much as she consumes and exports two-thirds of it, and France, Russia, Austria, Belgium, and other countries are all exporters of sugar. This statement, I think, clearly reveals a substantial interest on the part of our sugar consumers in this question.

THE ADVANTAGES OF RECIPROCITY.

Now, Cuba has not come to us seeking alms, she has not come as a supplicant at our door begging bread, she has not come beseeching us to perform a duty to her for which she is to give nothing in return. Upon the contrary, she comes with plentiful acknowledgment of all that she owes us, and while she asks us for a market for her products, she proffers to give us dollar for dollar for all that this market means to her. It is not for alms, but for reciprocity that she pleads. She asks a concession in our tariff to her, and she will give a concession in her tariff to us.

The reciprocity she wants has been a cardinal principle in the Democratic faith from the day of Jefferson, and it was for reciprocity that our late lamented President plead in his last public address. A reciprocity that has its beginning and its ending in the action of the President and the Senate, without reference to the House, is not, in my judgment, in consonance with the true functions of the House or in keeping with the true theory of a representative government; but a reciprocity in which the Congress and the President concur should be the aim of all who seek enlarged markets, increased trade, and the growth and extension of our commerce with the world.

But, returning to reciprocity with Cuba, an extended market for all our producers, an enlarged trade for all our country, is a

question of far greater importance than the market and the trade of one small class of our citizens. Let us see, then, what Cuba has to offer us and what she does offer us in the way of trade in exchange for the concessions that she asks. Her total imports for the year ending June 30, 1901, were $65,050,141, and of this the United States furnished $28,078,702, leaving approximately $37,000,000 imported by Cuba from other countries.

All this, or the major part of it, she proposes giving us by a discriminating tariff in our favor, in exchange for a discriminating tariff by us in her favor; and if our own sugar producers are even partially correct as to the strides that Cuban commerce will make under an increased price for its largest commodity, and if the Cubans have not many, many times overstated what their commerce can do under more favorable conditions, then these figures of $37,000,000 of increased commerce to come to us represent but a part of the commerce that is to come in the future.

Mr. FORDNEY. I would like to ask the gentleman a question. His idea is that reciprocity is to find a market for some American products in Cuba. Does he know of an industry in the United States that is suffering for a better trade in Cuba?

Mr. BRANTLEY. If my friend will be patient, I am going to discuss that question.

Mr. FORDNEY. Very well; after answering that, will the gentleman state if it is not true that Cuba is suffering to get into our market one of her products that would come in direct competition with one of our products?

Mr. BRANTLEY. I have endeavored to show that it will not come into injurious competition with our products.

Mr. HAMILTON. I want to ask the gentleman if he is in favor of the Republican policy of reciprocity?

Mr. BRANTLEY. I am in favor of the reciprocity that Thomas Jefferson declared for, which has been the cardinal creed of the Democratic party ever since I belonged to it, which has been all my life.

Mr. HAMILTON. What is it?

Mr. BRANTLEY. It is reciprocity. [Laughter.] I am not in favor of the kind of reciprocity that the Republican party has been practicing by building a high tariff wall around our country.

Mr. HAMILTON. Is the gentleman in favor of the James G. Blaine policy of reciprocity?

Mr. BRANTLEY. I am in favor of that kind that gives us an extended market for our products.

Mr. HAMILTON. Well, that is good. [Laughter.]

Mr. WEEKS. If the gentleman from Georgia will yield to me, I would like to ask the gentleman a question.

Mr. BRANTLEY. I will yield to the gentleman.

Mr. WEEKS. Does the gentleman think that an exchange of the products of sugar manufactured in our own country with the sugar manufactured in Cuba, the same product, comes within the definition of reciprocity? Do you think that is reciprocity?

Mr. BRANTLEY. I will let my friend wrestle with that problem himself. I am not proposing to swap sugar with Cuba. [Laughter.]

Mr. WEEKS. What product are you proposing to swap?

Mr. BRANTLEY. If the gentleman will be patient, I am going to state the products, and I hope I will satisfy my friend before I get through.

Mr. HAMILTON. I dislike to interrupt the gentleman again, but I would like to ask him if he has considered what effect the reduction of duty on Cuban raw sugar will have upon the Louisiana sugar growers, and if he will discuss that somewhat in this connection?

Mr. BRANTLEY. I will state that I have already discussed the question as to the effect of a 33⅓ per cent and a 50 per cent reduction of our duty, and stated in my opinion that such reductions can not affect the sugar producers of Louisiana or the beet-sugar producers, because with us the beet-sugar and the cane-sugar producers are protected by duties and countervailing duties against the rest of the world, and with protection against Cuba amounting to almost a cent a pound, which they would have under a 50 per cent reduction, and with the demand for sugar in this country unsatisfied by one-third when all the Cuban sugar comes in, such a reduction could not affect the Louisiana sugar producer or the beet-sugar producer.

Mr. HAMILTON. Will my friend permit me to read in this connection a telegram from C. A. Farwell, president of the American Cane Growers' Association of the United States?

Mr. BRANTLEY. I would prefer that the gentleman should read that in his own time.

Mr. HAMILTON. Certainly; but it describes——

Mr. BRANTLEY. I am aware that it satisfies my friend that his position is correct; and with that acknowledgment on my part I think he should be satisfied.

Mr. HAMILTON. Certainly; I wish to be entirely courteous.

Mr. BRANTLEY. Cuba last year bought over $6,000,000 worth of cotton goods, of which we supplied less than $500,000; nearly $700,000 worth of woolen goods, of which we supplied less than $22,000; over $2,000,000 worth of vegetables and vegetable fibers, of which we supplied but $171,000; over $2,700,000 worth of wines, of which we supplied but $329,000; nearly $2,598,000 of oils, etc., of which we supplied but $713,000; $1,053,000 worth of chemicals, drugs, etc., of which we supplied but $422,000; $8,000,000 worth of animals and animal products, of which we supplied but $1,994,000; $1,638,000 of manufactures of leather, of which we supplied but $405,000; $3,335,000 worth of rice, of which we supplied but $3,000.

Mr. ROBERTSON of Louisiana. Will the gentleman yield a moment?

Mr. BRANTLEY. Always, to my friend.

Mr. ROBERTSON of Louisiana. I would state to the gentleman that the character of rice imported into Cuba comes in so cheaply that it is impossible for us ever to supply Cuba with rice.

Mr. BRANTLEY. I thank my friend for the statement, although I am not prepared now to accept the accuracy of his information. We sold to Cuba last year goods to a greater amount than we bought sugar from her——

Mr. BROUSSARD. If the Cuban people are under this great obligation to the American people, why have they not bought these goods from American producers instead of getting them from some other countries?

Mr. BRANTLEY. Well, Mr. Chairman, I am a little surprised that my friend particularly should ask the question as to why any country has not sometimes bought from us, when we have had the great high Dingley tariff wall between them and us.

Mr. BROUSSARD. Did the tariff wall prevent their purchasing in this country the goods they wanted?

Mr. BRANTLEY. They were probably able to buy the goods cheaper elsewhere.

Mr. UNDERWOOD. Let me make this suggestion to my friend from Louisiana [Mr. BROUSSARD]. When the people of any country ship a cargo out, it is desirable that they should buy from the country to which the ship goes rather than bring home an empty vessel. After carrying out a cargo it is cheaper for the vessel to come back loaded than to come back empty.

Mr. BROUSSARD. The gentleman from Georgia is arguing that there is no market for their sugar in Europe and yet they buy the majority of their goods from the European markets. The argument of the gentleman from Alabama does not hold. Now, I ask the gentleman from Georgia [Mr. BRANTLEY] this question: If, as he is arguing here to-day, the Cuban people are under an everlasting obligation to the American people, and the tariff laws of this country do not affect their purchases for their own consumption, why have they not given the preference to the American producer instead of purchasing the goods in other markets, and how will the reduction of the tariff on sugar give the people of this country the market among those people, unless they propose to buy, with or without the reduction, from the American producer?

Mr. BRANTLEY. My friend must know that so far as trade is concerned it is not a matter of sentiment, but a matter of dollars and cents. It is a question of making the best trade that can be made. Commerce is but an interchange of products; and I presume that our people—and in fact our tariff laws show it—have not made the effort to take the trade of the Cuban people. I presume the Cubans have gone where they were accustomed to go when they belonged to Spain because the inducement was not given them to come here. But it is proposed now to gain control of their markets, not alone by giving them a concession upon their sugar and other products, but by their giving us a concession by which they will discriminate in their tariff in our favor against the balance of the world, so that trade would then come to us as a matter of business and not as a matter of sentiment.

Mr. FORDNEY. Will the gentleman kindly state on which side is the balance of trade since the Spanish war as between Cuba and the United States, and how much. Will he state when at any time Spain took 5 per cent of Cuba's sugar, and when at any time the United States took less than 75 per cent of Cuba's sugar.

Mr. BRANTLEY. I have discussed all that question as to why Cuban sugar comes here and has always come here—the most of it. I do not care to go back and repeat that statement. I am sorry I have not the figures with me as to the trade last year; but I have just ceased making the statement that we sold to Cuba last year goods to a greater amount than we bought sugar from her.

Mr. FORDNEY. If you will permit me, I will give them to you. For the past three years the balance of trade between the United States and Cuba is more than $32,000,000 against the United States.

Mr. BRANTLEY. Well, I do not know whether that is correct or not. I presume my friend has looked into the matter.

Mr. FORDNEY. They are the official figures.

Mr. BRANTLEY. They but emphasize the point I am discussing now.

We sold to Cuba last year goods to a greater amount than we bought sugar from her, and now it is proposed by her to more than double her purchases from us if we will but enable her to sell her sugar at a price that will give her the means with which to buy. Surely this is a proposal in which no alms are asked. It is the tender of more than is asked for. It is a business proposition and should be treated as such. Our country is to-day slaughtering the brown man and the white man, and expending millions upon millions of dollars in the far-off Philippine Islands, seeking, among other things, to find there and elsewhere in the Orient a market for our surplus products. Here is a proposition to open up a market for $37,000,000 of this surplus without the sacrifice of a single life, and yet we hesitate and delay about accepting it.

Our people to-day are paying $85,000,000 per year, in our sugar-tariff taxes, as a bounty, in the interest of our sugar producers, and yet when it is suggested to reduce this enormous bounty, not more than $10,000,000, by a 50 per cent concession to Cuba, in order that our other producers might find a market for $37,000,000 of their products and that our Government might perform a national duty, objection is made by our sugar producers.

In the section of the country from which I come, and I can speak more authoritatively for that than for any other, the stimulus that would come from opening the Cuban market to it would be felt in every branch of trade and industry. The velvet bean and cassava, recently introduced there, would multiply many times over, and stock raising would be a large and profitable industry; our immense rice fields would take on new life, and a languishing industry would thrive; our cotton planters and cotton factories would feel the benefit of a new market, and so it would be in all the other lines of our industry. And what is true of one section would be true of other sections of our country; and, whether the benefit to some of them would be large or small, it would be something, and, whatever it would be, they are entitled to it at our hands.

OBJECTION TO DONATING MONEY TO CUBA.

Gentlemen representing our sugar producers say, "Don't help the Cubans at our expense." They say, "If you must do something for them, do it as a nation to a nation. Vote some money to the Cuban Government, and let all our people help pay it." This is a narrow and restricted view to take of this important matter. It does not begin to comprehend the scope or breadth of purpose of what is being proposed to be done.

A sum of money voted to the Cubans would be but a donation of alms, and that they do not ask. And it would be, moreover, of the briefest temporary relief. The Cubans ask not money, but the opportunity, out of their own soil, with their own labor, and under their own bright sunshine, to make money. It is not charity they want, but an opportunity to work. Should we give them money and keep our markets closed to them, and should the present low price of sugar continue, they would soon be in a worse condition than they were before the money was given. Should we pursue such a course we not only would not help the Cubans but would impose a never-ending and ever-increasing burden upon ourselves. Should we pursue such a course we would place Cuba where she could not maintain the "stable" government that we have enjoined upon her, and would, I fear, bring about the same "intolerable" conditions in the island that forced our intervention in 1898.

Again, those who advocate a donation of money to Cuba lose sight of the reciprocal arrangement proposed and of the advantages to come to us. The question involved is but half stated when only help to Cuba is mentioned. Help to all our producers and all our consumers is involved. While helping Cuba, it is our intention, and also the intention of Cuba, that we shall at the same time help ourselves.

THE PROTECTION TO US FROM PESTILENCE.

There is another consideration about this matter and a most important one that is lost sight of by those proposing a money donation. In the Platt amendment that we forced Cuba to adopt, the fifth provision thereof is:

That the government of Cuba will execute and, as far as necessary, extend the plans already devised, or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the Southern ports of the United States and the people residing therein.

This provision, in its letter and spirit, Cuba must live up to. We must and will demand of her that she do it; but before we can demand it we must see to it that she is provided with a government of sufficient means to do it. Laying aside every other condition that we have exacted from her and looking solely to this one, we can not afford in the beginning of her government to paralyze her chief industry and thus strip her of the resources necessary to enable her to comply with this condition.

It means too much to the people it was designed to protect, namely: The people of the Southern ports of the United States. A successful compliance with its conditions by Cuba will be worth to us many times over all that our war to free her people cost. No man familiar with the destruction to life and commerce wrought by yellow fever in some of the Southern States can doubt this statement. The present sanitary condition of Habana is the best in her history, and it must at all hazards be maintained. The work of our medical officers there has been well-nigh phenomenal, and too much praise can not be bestowed upon them for what they have done.

In their work we people of the South see the dawning of the day when the gaunt specter of yellow fever will no more arise to alarm and destroy us, and we wish for that work an ever-increasing and successful progress. Realizing, as I do, the vast importance of this work to the South, I shall cast my vote to give Cuba the means to live up to what she has undertaken in this regard, and if I err in this, I know that I will err on the side of the safety and interest of my people. I feel that I could commit no greater act of recreancy to the trust committed to me by my constituents than to aid by my vote in the destruction of the power of Cuba to protect the lives and commerce of the South from the frightful pestilence of yellow fever. My vote can not be cast that way.

BUT SCANTY JUSTICE TO CUBA.

In my judgment this consideration alone justifies us in yielding to Cuba's appeal. The advantages to us in this one regard will more than compensate us for all that the reduction costs. When we add to it the increased trade to come to our people it will appear that the great preponderance of the benefits to flow from the reduction will come to us. A retrospective view of our tariff laws shows that our average duties against all countries on dutiable articles have been as follows:

	Per cent.
Under the tariff-commission law in 1883	42¼
Under the McKinley law in 1891	46
Under the Wilson law in 1895	41¼
Under the Dingley law in 1899	52¼

An examination of the Dingley law to-day shows that, at the present market prices, it imposes a duty against Cuba amounting to from 100 to 115 per cent. That is to say, as against the world our duties average about 50 per cent, but as against Cuba, the country more closely bound to us than any other, the country to which we have promised the most and from which we have demanded the most, we exact a duty of 100 per cent. Years before the Hawaiian Islands were annexed, and when we owed them nothing, and when they had practically nothing to give us in exchange, we gave them absolute free trade with us. In the face of this precedent, why should we hesitate to make a slight concession to Cuba, to whom we owe a duty, and who offers us a substantial trade in return for the concession?

Surely it is but scanty justice to Cuba, viewing the matter from whatever standpoint we may, to put her in her trade relations with us somewhat nearer on an equality with the other countries of the world than she now is, and that is all that a reduction of the duty to her will do.

We can count ourselves fortunate, too, that we can do this justice, confer the great benefit that goes with it, not only to Cuba, but to ourselves, and at the same time not injure any fractional part of our people. But even should some little injury come to some, can we not afford—nay, ought we not—to reduce a little the protection now given to one bounty-fed class, if thereby we can benefit all classes here and in Cuba and be assured the protection from yellow fever of the lives and commerce of all our South Atlantic and Gulf coast cities?

Mr. SHAFROTH. Will the gentleman yield a moment for a question?

Mr. BRANTLEY. I will.

Mr. SHAFROTH. Was not the trade concession given to the Hawaiian Islands on account of the fact that they gave us the right to Pearl Harbor in the Hawaiian Islands? Was not that the basis of the agreement that was made?

Mr. BRANTLEY. Well, Mr. Chairman, I do not recall for the moment all that took place at that time, but undoubtedly the record shows. My statement here, however, is strictly accurate, that we gave her free trade when we owed her nothing and when she had no trade to give us in exchange.

Mr. SHAFROTH. I will state that Pearl Harbor was considered as the great place for a naval station in the Pacific.

Mr. BRANTLEY. We are taking all the harbors and ports that Cuba has now.

Mr. HAMILTON. Oh, no.

Mr. BRANTLEY. We are taking all we want; there is no limit.

Mr. HAMILTON. What does the gentleman mean by that?

Mr. BRANTLEY. I mean that under the Platt amendment we are entitled to such coaling stations and ports as we select and determine upon by agreement and treaty.

Mr. HAMILTON. Yes; by treaty—by treaty. We do not take all we want, do we?

Mr. BRANTLEY. But we would require the treaty, if my friend will allow me, from Cuba in the same way that we required the Platt amendment to be put into her constitution. She had no voice in the matter.

Mr. HAMILTON. But it must be ratified by treaty.

Mr. BRANTLEY. Yes.

Mr. HAMILTON. Yes.

Mr. BRANTLEY. And our Platt amendment had to be put into her constitution, not because she wanted it, but she put it there because she could not help it.

Mr. HAMILTON. As American citizens, permit me to suggest, we ought to be fair to ourselves. Will the gentleman not concede that we have done all that equity and good conscience could require of us hitherto for Cuba; that we have done as much as any nation has done hitherto for any other nation? Will the gentleman not concede that?

Mr. BRANTLEY. If the gentleman has followed the trend of my remarks——

Mr. HAMILTON. Let us be fair to ourselves as American citizens.

Mr. BRANTLEY. I have stated what we have done, and I have stated the value that Cuba was to us after what we have done. We have done a great work there, but I maintain that we have still a further duty to perform, and I have been endeavoring to demonstrate that. Now, so far as my friend suggests, as to Pearl Harbor, in the Hawaiian Islands——

Mr. MADDOX. Will the gentleman permit me to interrupt with a question?

Mr. BRANTLEY. In a moment, when I have answered the gentleman from Colorado [Mr. SHAFROTH]. We purpose to get from Cuba, not only all the advantages in the way of harbors that we got from the Hawaiian Islands, but, in addition, we purpose getting a trade that we did not get from the Hawaiian Islands.

Mr. SHAFROTH. Did we not, in consideration of these concessions that we expect to get from Cuba, give her millions of dollars with which to gain her freedom, and is not that the compensation as against us? Whereas the contract between the United States and the Hawaiian Islands as to Pearl Harbor was directly to give free sugar to the Hawaiian Islands.

Mr. BRANTLEY. I think my friend knows that we gave millions, not to, but for Cuba, and that the United States has a substantial interest in the welfare of Cuba at all times, and we have done what we thought was our duty to do, not only to Cuba, but to ourselves; but we still have a duty to perform.

Does my colleague from Georgia [Mr. MADDOX] wish to ask a question?

Mr. MADDOX. Is it not true that we somewhat trespassed our original declaration of war when we forced on Cuba this Platt amendment? Did we not agree not to do that very thing?

Mr. BRANTLEY. I will state to my friend that I took that view of it and voted against the Platt amendment, but in my argument to-day I have not discussed that question at all. I have simply discussed the Platt amendment as being an existing fact and as to what it imposed upon and required of Cuba. Now, I hope, Mr. Chairman, in view of the fact that I have already consumed so much time, that I may be allowed to conclude.

Mr. FORDNEY. Will the gentleman permit one question?

Mr. BRANTLEY. If my friend insists upon it, I will.

Mr. FORDNEY. The gentleman will remember that France came to our relief and helped us gain our independence from England. Did we go to her and ask her to insure business prosperity in our country after that?

Mr. BRANTLEY. Well, Mr. Chairman, my friend may not be able to appreciate the difference between the United States and Cuba, but I am——

Mr. FORDNEY. I think I do.

Mr. BRANTLEY. I think a knowledge of the difference answers the gentleman's question.

THE FUTURE OF SUGAR PRODUCTION IN THE UNITED STATES.

It has been suggested and urged that if Congress will but keep up the present high tariff on sugar for a few years longer our sugar development will be so great that we can produce all the sugar that we can consume. Upon what this faith is builded I do not know. If we look to the statistics, we see that Louisiana and other Southern States in the year 1853–54 produced more sugar than they did last year, and yet we find a tariff on sugar since 1792. All the friends of sugar do not agree as to the development of the production of sugar by means of a tariff. In 1890 one of the speakers in this House, Mr. O'Donnell, in urging the sugar-bounty feature of the McKinley bill, said:

> We have essayed for a century to develop our sugar industry in the Southern States. The people reluctantly conclude that sugar is no longer entitled to protection by the system of import duties. The reason is apparent. After all these decades of attempted stimulation, at such a cost, the cane does not give us one-ninth of the needed supply. Under such circumstances the longer continuance of sugar duties is indefensible.

How much more defensible is it to-day, nearly twelve years later, when our cane and beet-sugar production combined, aside from that produced in our island possessions, does not furnish one-fifth of what we consume?

A bounty system of 2 cents per pound was resorted to in the McKinley law for the avowed purpose of stimulating the growth of our beet-sugar production, and yet with four years of bounties and five years of high protection under the Dingley law our output of beet sugar it is hoped this year will reach the magnificent proportions of 150,000 tons! At this rate of increase in the production of beet sugar, with no increase of cane sugar in forty years, who can figure when our combined beet and cane sugar production will reach the 2,300,000 tons that we now consume?

I wish that we could produce all the sugar that we consume, but we can not do it now, we never have done it, and there is no prospect that we can do it in either the early or the remote future, and we should deal with the situation as it actually exists.

If it be important, as has been claimed, that we should provide ourselves with our own sugar, as against the day of war, when we might be cut off from our supply, then is it not the part of wisdom, without detracting from our present efforts to make sugar at home, for us to lay hold of Cuba, taking her into our trade, binding her still closer to us, cementing the union of law with the cement of mutual interest, and thus insure ourselves, now and always, against the machinations and devices of war and trade, a bounteous supply of the sugar we need?

Gentlemen tell us, if Cuba can not make sugar against our tariff, let her make rice, let her raise fruit, let her raise other things, while we make sugar; and yet these same gentlemen tell us that the God of nature has smiled so benignantly on Cuba that all the labor necessary to grow her cane is to stick a hole in the ground, put in a joint of cane, and the work is done, and that from that simple process of labor crops are gathered without more planting from five to twenty years.

The proposition is to take the juicy cane from the sun-kissed isle of Cuba, from the home builded and fashioned for it by the Great Architect of the Universe, from the home so richly and lavishly provided with its every need, and transport it to a less-favored land, to a far inferior home, where the aid of science and of law must be invoked to protect its existence and to do the work of nature and where the difference is all the difference between the real and the artificial. Such a proposition, it seems to me, insults nature, outrages good judgment, and lays the foundation for a wealth of useless extravagance. If American sugar we must have, it would be cheaper for us to make Cuba a part of America.

ONE THING TO REMEMBER.

There is one thing, if we will but remember it, that frees this question of all difficulties: Cuba is not seeking to compete with our sugar. She asks not to be put on an equality with it. She will be glad to come here, paying 50 per cent of our duty. She is willing thus to be discriminated against in favor of our sugar to the amount of nearly 1 cent per pound. All she can bring will not supply our needs. Surely, then, our producers, with our market free to them, with our demand greater than they and Cuba combined can supply, and with a discriminating duty in their favor against Cuba of nearly 1 cent per pound, can not be hurt by making the reduction asked for to Cuba.

What Cuba asks and what she needs is protection, not against our producers, but against the producers of the bounty-fed countries of Europe. She comes to our Government as her one friend and ally, as one claiming and having a protective power over her, and asks that she be admitted just a little way within the circle of the protection that we have set up against the bounties of Europe, and in exchange for this partial protection, which in itself can not harm us, she tenders value for value, and more.

CUBAN CIGARS AND TOBACCO.

I have not sought in this discussion to consider the question of a reduction of our tariff on any of Cuba's products except on her sugar, for I regard the lowering of the duty on her sugar as of paramount importance. So far as her tobacco and other products are concerned, the same principles that I have endeavored to apply to sugar apply to them, though perhaps with far less urgency. We now buy for consumption or for export 90 to 95 per cent of Cuba's total export of cigars, and these constitute only about three-fourths of 1 per cent of American cigar consumption, and as her leaf tobacco is distinctly adapted for use as cigars, and really has no competitor in our country, it offers no competition with our plug-tobacco people and the competition with our cigar people is too small to be seriously considered.

While the world's market for cigars, tobacco, and other Cuban products is not in the overcrowded condition that the world's sugar market is, and therefore Cuba's need for our market for these things is not so great as is her need for our sugar market, the need

nevertheless exists, and supplying it to her means much to her while promising no considerable, if any, detriment to any of our people. Cuba's great crops are sugar and tobacco, and whatever her capability for other productions may be remains yet to be determined. She grows other things that some of our people grow, but with our producers protected by a duty of 50 per cent of that now existing there is nothing that Cuba has that promises or suggests any injurious competition with them, and nothing that should delay or prevent the discharge of our duty to her and to ourselves in this important matter.

It seems to me that our duty is plain and that every reason exists for us to give Cuba our every market, asking hers in return for all that we have.

CUBA AS A PART OF THE UNITED STATES.

I trust there is no one who would, by a denial of our market to Cuba, hope to bring about such distress and destitution among her people that they would, against their pride and wishes, be forced to ask us, in pity's name, to make them a part of the American Republic. Such an appeal from Cuba, if granted, could not bring about a union that would carry with it any pride, respect, or love for the American name. It would be a union in name, but not in heart, for there would be no loyalty to our starry flag or to our blood-bought institutions, or to any of the priceless principles that we revere.

Such a union, too, coming at this time, would bring upon our own sugar people the complete realization of whatever it is that they fear or affect to fear now from even a slight concession to Cuban sugar. The time is not yet opportune to take Cuba into our Republic, but some day, in the fullness of God's appointed time, she will be a part of our system. The question of incorporating her into our Union is not a new one. It is almost as old as the Republic itself. It was discussed as far back as 1825, when John Quincy Adams was President. During the Administration of President Polk Spain was offered $100,000,000 to relinquish to the United States her sovereignty to Cuba. President Pierce endeavored to bring about a similar transfer. President Buchanan recommended it, and at least two national Democratic conventions have declared for it.

We have already seized upon the advantages of her strategical position, and from her ports and her magnificent harbors we already propose to control the entrance to the Gulf and the approaches to our great isthmian canal when we build it. The relations we have already established with her are close, and destiny says they must be closer still, for her interest and ours will demand it.

When the time comes, however, to bring to full completion our union with her, let us hope that it will be accomplished through the free and voluntary act of both her people and ours. Let our treatment of her be such that it can be accomplished in that way, when accomplished it must be. Let us hope that the day is passed forever when the American people will again attempt by force and power to subdue and "assimilate" an alien race.

The president-elect of the Cuban republic, Mr. Palma, has said of our country, in speaking for the Cubans:

The only country that we care for, the only country that can befriend us, the only country that we look to for a market.

The sentiment he expresses, the faith he feels, and the hope he utters merit and should receive a quick and sympathetic response at our hands. It is not much that Cuba asks, but what she asks means everything to her. Let us befriend her now, in the hour of her economic need, and by this deed add tenfold and more to the blessings that we have already given her and earn for ourselves now and always the gratitude, love, and admiration of our friends, the Cubans.

CUBA'S FUTURE.

If we but perform the duty of to-day—the duty to conscience and to Cuba, the duty to our own people—the man does not live who can foresee or foretell the possible results that from this small beginning may eventually come. It is more than probable that when the dream of "Cuba libre" is transformed into a reality; when groans and blood and suffering are supplanted by smiles and blossoms and ease; when poverty gives way to wealth; when anarchy is driven from every corner, and law and order sit in supreme command; when oppression and undue exactions are finally and completely succeeded by freedom and liberty and justice, that there will come as if by magic a new and a regenerated Cuba.

As the new Cuba unfolds to the world, its beauty and its richness will dazzle the most high. Favored by sun and soil, blessed by wind and climate, endowed with all the gifts that a bountiful and generous nature can bestow, Cuba needs but the revivifying touch of just laws and stable government to bloom and thrive and grow as no country has ever done before. No man can measure her possibilities and none foresee the heights to which she may climb. For four hundred years she has been the prey of Spanish plunderers and the victim of cruelty, treachery, and crime. Her hills and valleys are rich in the bones of her martyed sons who have died to throw off the hated yoke.

Amid the ravages of war and pestilence and oppression her riches have been obscured and her beauties trampled under foot, but they have not been destroyed. They but await the summons to come forth, increased, enhanced, and glorified by the baptism of blood and tears through which they have passed. Four hundred years of darkness, of despair, of hopeless struggle, and then freedom! Who can paint the picture?

From glorious America came the freedom that to-day illumines the blood-stained island and throws into the background the long, dark night, and from the same glorious America must come the help by which the means can be had to use and enjoy the priceless freedom she gave. Our duty leads us on until we have fulfilled our high mission—until the means have been given to enable Cuba, "the gem of the Antilles," to come into her inheritance and to stand forth in the plenitude of her long-denied glory and power.

When we have done this we must ever exult and be glad at the excellence of our handiwork, for if she be a part of us, she will be a rich and incomparable part, and if she be but a sister republic, nestling close beside us, we will be proud to call her our friend and ally. [Loud applause.]

Mr. HILL. Mr. Chairman, on the 13th of January the Committee on Coinage, Weights, and Measures reported, by unanimous vote of the Republican members of that committee, a bill which now stands at the head of the Union Calendar. No action has been taken upon it thus far; but while Congress is hesitating a waiting country is beginning to speak, and I hold in my hand the report of the largest commercial body in the world, signed by a committee, the names of the members of which will command respect in any deliberative body or in any council of any nation in the world. The first name is that of John Harsen Rhoades, the president of the Associated Savings Banks of the State of New York, representing more than a billion of dollars of deposits, and more than 2,000,000 depositors. The second name is that of Henry W. Cannon, president of the Second National Bank. The third is that of Edward H. Perkins, jr., president of the Importers and Traders' National Bank.

Mr. SULZER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SULZER. A parliamentary inquiry.

The CHAIRMAN. The gentleman from New York.

Mr. SULZER. I would like to inquire as to who has the floor, the gentleman from Connecticut or the gentleman from Ohio?

The CHAIRMAN. The gentleman from Connecticut has the floor. The committee will please be in order. Conversation will be suspended. Members of the House will please be seated. Those desiring to converse will retire to the rear. The committee is now in order. The gentleman from Connecticut. [Laughter and applause.]

Mr. HILL. The fourth name is one which will be promptly recognized in this House, August Belmont, and the fifth, George G. Williams, president of the Chemical National Bank. I desire to have read as a part of my remarks the report upon this measure.

Mr. GAINES of Tennessee. The gentleman from Connecticut [Mr. HILL] played a very active and a very successful part yesterday in fighting for the farmers of the country. Now, up to this time the gentleman has not given us the name of any farmer who is in favor of this coinage bill, nor has he in his great speech heretofore.

Mr. HILL. It was farmers' day yesterday.

Mr. GAINES of Tennessee. Will you please give me the names of some farmers who favor this bill?

Mr. HILL. Oh, I have not time for such questions. I will hand the report to the Clerk, and ask that it be read.

The Clerk read as follows:

Report of the committee on finance and currency of the Chamber of Commerce of the State of New York on the following measure pending in Congress: A bill to maintain the legal-tender silver dollar at parity with gold, and to increase the subsidiary silver coinage. Adopted by the chamber March 6, 1902.

REPORT.

To the Chamber of Commerce:

At the last meeting of the chamber there was referred to the committee on finance and currency the following bill for their consideration and report:

A bill reported from the Committee on Coinage, Weights, and Measures in the House, called "A bill to maintain the legal-tender silver dollar at parity with gold, and to increase the subsidiary silver coinage," as follows:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized to coin the silver bullion in the Treasury, purchased under the act of July 14, 1890, into such denominations of subsidiary silver coin as he may deem necessary to meet public requirements, and thereafter, as public necessities may demand, to recoin silver dollars into subsidiary coin; and so much of any act as fixes a limit to the aggregate of subsidiary silver coin outstanding, and so much of any act as directs the coinage of any portion of the bullion purchased under the act of July 14, 1890, into standard silver dollars, is hereby repealed.

"The Secretary of the Treasury is hereby directed to maintain at all times at parity with gold the legal-tender silver dollars remaining outstanding;

and to that end he is hereby directed to exchange gold for legal-tender silver dollars when presented to the Treasury in the sum of $5 or any multiple thereof; and all provisions of law for the use or maintenance of the reserve fund in the Treasury relating to United States notes are, in the discretion of the Secretary of the Treasury, hereby made applicable to the exchange of legal-tender silver dollars."

They now beg to report as follows:

The bill reported to the House of Representatives by the Committee on Coinage, Weights, and Measures is accompanied by a report from the majority of that committee, so full, exhaustive, and, in the judgment of your committee, so convincing in favor of the proposed legislation that little remains to be added in the way of argument.

It is a fact that Congress, on March 14, 1900, did declare for the gold standard in the United States, and made the dollar, consisting of 25.8 grains of gold, nine-tenths fine, the standard unit of value. It is true that it did not, aside from providing for the redemption of United States notes in gold, prescribe any method by which such parity should be maintained; and it is true that the purpose of this legislation is to remedy that defect.

From the report made it is evident that there is need for an increase in the volume of subsidiary coin in circulation to meet the needs of commerce, and in the judgment of your committee no wiser use can be made of the stock of bullion on hand than to turn it into subsidiary coinage as needed, giving the Secretary of the Treasury a free hand in reducing from time to time the volume of silver certificates or silver dollars now in circulation or lying idle in the vaults of the Treasury.

It seems to your committee that it is the part of good judgment and wise procedure, having on hand a large and burdensome stock of silver bullion, to utilize it in such forms as will keep it in circulation either in coin or small bills represented by bullion deposited, for in this way, at least, it can be made of some use, and through small coinage the risk of its return to the Treasury in volume at unseasonable and perilous periods is largely reduced. The rapid growth of the country in trade and population will enable it to absorb and keep in circulation a much larger per capita volume of silver coinage than now exists, while the enormous increase in our stock of gold, which will probably continue, will be adding an ample gold reserve to offset the issue of silver coinage.

But the vital essence of the bill in question is to make the legal-tender silver dollars remaining outstanding exchangeable at all times into gold when presented in sums of $5 or multiples thereof. If the act of March 14, 1900, really means what it says, that the standard dollar of issue shall be the gold dollar, then every dollar issued other than gold should be exchangeable into gold, for the maintenance of parity, as the committee truly say, "is not only a moral obligation resting upon the nation, but it is one which the Government can not evade, for, whether exchangeable or not, they must be accepted by the Treasury for all Government dues in lieu of gold."

The minority report of the Congressional committee on this bill gives as one reason why this legislation should not be enacted that it will put upon the $150,000,000 of gold held in reserve to maintain the gold standard the additional strain of redeeming silver certificates in gold, and that this strain will be too heavy, and, in consequence, a continuance of gold payments at all times might be imperiled. By this course of argument they practically admit that a danger exists, and the fear which they express would, in our judgment, under existing conditions, create a similar fear in the minds of the public when the strain comes upon the Treasury to maintain gold payments, which fear, if it exists, will only intensify the danger of financial disaster to the country. Remove the fear and the danger ceases to exist.

"The way to resume is to resume," was once said by a distinguished Secretary of the Treasury. The way to maintain a gold standard and gold payments at all times is to declare openly and frankly that every dollar of circulation issued by the Government shall, at the will of the holder, be redeemable at all times into a gold dollar. If this is done, the danger ceases, and the credit of the nation, at one bound, is placed on a parity in strength with that of the most favored nations of the earth; and not until this nation has so declared itself will its credit so rank in the judgment of the civilized world.

For the government of no civilized nation can permanently enjoy the best of credit when it issues over five hundred millions of currency for circulation based upon a metal not the standard unit of value, compels the people to accept such issues at their face value in gold, and refuses to commit itself to a pledge to pay gold for such issues when payment is demanded by the holder thereof. They may think their credit is of the best, but their own people will not so regard it, and the world at large will not so regard it. When the strain is put upon the system, when gold is needed and silver certificates in large volume pour into the Treasury of the nation, while gold is being hoarded, then confidence grows weak, and the system becomes a rope of sand.

In our judgment nothing now prevents silver dollars from going to a discount except the abiding faith of the people that the Government will, at all times, keep them worth their face value in gold; and if it is the intention of the Government to do this, as is undoubtedly the case, then why should not the Government prove their intention by their act, and by declaring silver dollars exchangeable into gold at the will of the holder forever end all doubt, even if the strain upon the gold reserve proves to be too great and a larger reserve is needed. Even now, if the strain does come—and come it will—gold must be bought to maintain the parity, or the parity will cease to exist.

The members of this chamber have repeatedly declared themselves in favor of the gold standard and of a reform in the banking system of the country so as to make it adequate to the demands of trade and commerce, and capable of resisting the strain of commercial disaster which is sure to follow a period of unexampled prosperity in a country developing as we are with enormous rapidity. The first stone in the foundation of the structure of national credit is the inviolate character of its unit of value, by which all its mercantile transactions are measured, and now is the time to complete the act of March 14, 1900. Therefore your committee recommend the adoption of the following resolutions:

Resolved, That the members of this Chamber are in favor of the legislation embodied in a bill known as "A bill to maintain the legal-tender silver dollar at parity with gold, and to increase the subsidiary silver coinage," which bill was introduced in the House of Representatives by the Committee on Coinage, Weights, and Measures on January 13, 1902.

Resolved, That we are in accord with the majority report as presented by that committee and accompanying the bill, and heartily indorse the reasons given by them why the bill should be adopted; and we respectfully urge upon the members of the Senate and House of Representatives in Congress assembled prompt and favorable action upon the same, believing that the commercial interests of the country require such action on their part.

Respectfully submitted.

JOHN HARSEN RHOADES,
HENRY W. CANNON,
EDWARD H. PERKINS, JR.,
AUGUST BELMONT,
GEORGE G. WILLIAMS,
Committee on Finance and Currency.

NEW YORK, *March 5, 1902.*

Mr. HILL. Mr. Chairman, I yield back the balance of my time.

Mr. SHAFROTH. I would like to ask the gentleman a question.

Mr. HILL. Certainly.

Mr. SHAFROTH. I will ask you whether at the National Bankers' Convention which met at Milwaukee, in the State of Wisconsin, a resolution was even introduced recommending this bill.

Mr. HILL. I do not know.

Mr. SHAFROTH. I will state to the gentleman that I have read the whole of the proceedings and there is not a single resolution of that kind introduced.

Mr. HILL. There was no such resolution introduced in the congress of the Daughters of the Revolution that met here a few weeks ago, and I do not think it has anything to do with it.

Mr. SHAFROTH. I suppose the gentleman will concede that the bankers' conventions discuss financial questions more than any other body.

Mr. HILL. Some of them.

Mr. SHAFROTH. And it was composed not only of New York bankers, but bankers from the whole country.

Mr. HILL. The Indianapolis monetary convention heard, approved, and heartily indorsed and recommended it. I do not see that that has anything to do with this particular question.

Mr. SHAFROTH. Oh, no. When everybody approves it, that is something; but when somebody does not approve it, that is nothing.

Mr. HILL. I am glad that the gentleman admits it is something.

Mr. McCLEARY. Did the body disapprove?

Mr. SHAFROTH. I will state that the convention had under consideration various currency measures, among which was the asset currency. The matter was discussed by the Secretary of the Treasury, Mr. Gage, and there was no reference whatever made to this bill, although this bill was reported last session of Congress and must have been fresh in the minds of the gentlemen who were present.

Mr. HILL. Has the gentleman any other question? I yield the balance of my time.

Mr. BURLESON. Mr. Chairman and gentleman of the committee, I was much pleased to read in this morning's daily newspapers another of the characteristic letters of regret, which have now become "the looked for" letters from my Lord Kitchener, announcing another glorious Boer victory. As is well known to us all, the British Empire at this time is engaged in an effort to destroy the last vestige of republican government upon the Dark Continent.

In their efforts to crush the South African Republics and in attempting to carry into effect this policy, the war office of the British Empire has been driven to the adoption of concentration of noncombatant Boer women and children in detention camps; and, as a result of this policy, there has been a degree of mortality there among those children and women that is without parallel in history, not even excepting the horrible scenes which were enacted prior to the Spanish-American war in Cuba.

The charitable people of the great State of Illinois, moved by impulses of humanity, have recently raised a large fund for the purpose of sending it to South Africa to be expended for the relief of those noncombatant Boer women and children. An effort has recently been made to secure a passport or permit for the gentleman who was to undertake the intelligent disbursement of this fund. I now send to the desk, for the purpose of having read, in order that the House may understand its end and purpose, a resolution relating to efforts made in this direction, which resolution I introduced a few days ago.

The Clerk read as follows:

Whereas the following allegations are made in an editorial printed in The Public, a publication printed in Chicago, Ill.:

"It is hard to believe that the 'understanding between statesmen,' to which the British minister, Mr. Chamberlain, referred a year or so ago, has gone as far as Secretary Hay implied when refusing to ask for passports for Mr. and Mrs. Thomas to enable them to succor the reconcentrado prisoners in South Africa.

"A committee organized by Governor Yates, of Illinois, has raised funds for the relief of these hapless noncombatant prisoners, and in order to secure its fair distribution had asked the Rev. Hiram W. Thomas, a well-loved clergyman of Chicago, and his wife, to go to the South African camps and superintend the distributing work. Mr. and Mrs. Thomas consented.

"But passports from the British Government being necessary, Secretary Hay was duly requested to apply for them to the British ambassador, Lord Pauncefote. Mr. Hay refused to do so, giving as his reason that President Roosevelt would object. To such a laudable application it would seem that the British Government itself should have been left to make the objection. Neither Mr. Roosevelt nor Mr. Hay was required to act as a 'buffer.' But our Government, evidently, wished to avoid placing the tory Government of Great Britain in an embarrassing position.

"Had Mr. Roosevelt requested the passports, and there is no legitimate reason why he should not have done so, but abundant reasons why he should, the British Government would have been obliged either to grant the request or to disclose a cruel churlishness which it prefers to conceal. From this

alternative President Roosevelt saves it. These 'understandings between statesmen,' with their little side courtesies in connection with coronations, are curious developments in imperial diplomacy."

Therefore, be it

Resolved, That the Secretary of State be, and he is hereby, respectfully requested, if not incompatible with the public interests, to inform the House of Representatives whether he declined to comply with the request of the said Rev. Hiram W. Thomas to ask the British Government for passports for the said Rev. Dr. Thomas and his wife to visit South African military camps for the purpose of distributing funds raised in the United States for the relief of noncombatant prisoners.

Mr. BURLESON. Of course, Mr. Chairman, I do not pretend to know whether the statements embodied in the article which appeared in The Public are true or not. The purpose of this resolution introduced by me was to ascertain whether the official representing the American people in the Secretary of State's office had declined to lend his good offices to aid in accomplishing this worthy and charitable purpose. And bearing upon that issue, I now send to the desk a communication which I received yesterday afternoon, and ask that it be read.

The Clerk read as follows:

Hon. A. S. BURLESON,
House of Representatives, United States Capitol.

SIR: In view of the resolution introduced by you into the House on the 8th instant, and based, as I understand it, upon a statement published in a Chicago periodical known as The Public, in which you ask that respectful inquiry be made of Secretary Hay as to whether or not he had declined to make request upon the British ambassador in Washington for passports for Dr. Hiram W. Thomas and his wife to visit the noncombatant concentration camps in South Africa to do relief work, I take occasion, having had that matter in charge, to make a specific statement to you regarding the matter that was brought to the attention of Secretary Hay.

Dr. Thomas, for many years pastor of the People's Church in Chicago, and one of the most widely known ministers in the West, recently expressed his willingness to go to South Africa to carry relief to the sick in the noncombatant camps maintained by the British military authorities, and his wife wished to accompany him in his work of mercy. Their services were tendered to the Chicago committee recently appointed by Governor Yates as trustees for funds subscribed for relief work in noncombatant camps by citizens of the State of Illinois. The committee consists of Mayor Carter H. Harrison, Judge E. F. Dunne, and Peter Van Vlissingen, of Chicago. They are in possession of several thousand dollars subscribed within the last few weeks, and were glad to accept the proffered services of Dr. Thomas, as his name alone was regarded as a guaranty that the funds would be wisely used and administered in the charitable way that contributors intended.

In order to secure the admittance of Dr. Thomas to the concentration camps, however, it was realized that it would be necessary to first secure passports from the British war office to enable him to proceed to his destination, since the noncombatant camps to which he wishes to go are situated within the districts now under martial law and controlled by the British. The regular passports issued by our own State Department would not, of course, under such circumstances, serve his purposes, as he would still be subject to the orders of all the local British officers with whom he might come in contact, and might not be permitted to proceed to his destination at all.

At first the plan was entertained of having Dr. Thomas go direct to London and make his application there, but this was afterwards rejected, on the ground that such a trip would incur heavy expense and might be without satisfactory result. It was then decided to bring the matter directly before our own State Department, have the matter brought, if possible, by our Secretary of State to the attention of the British ambassador here, and laid by him before the London war office.

I was commissioned to take this matter in charge, and came to Washington for the purpose of using my best efforts to secure the passports. I first went to Senator CULLOM, of Illinois, and explained to him the nature of my mission. He then gave me a note to Secretary Hay, again explaining what I sought, as it had been stated to him, and speaking a high word of praise for the character of Dr. Thomas, with whom he is personally acquainted.

On being granted an audience with Secretary Hay I stated to him that Dr. Thomas wished to go to the noncombatant camps of South Africa to work among the sufferers and to disburse the funds in the hands of the Chicago committee for purchase of foods, medicines, clothing, or whatever might be most needed by the sufferers; that it would be necessary to secure passports from the British war office to enable him to reach his destination, and that I had been sent to him (Secretary Hay) to request him to use his good offices to bring Dr. Thomas's application for passports before the British ambassador, Lord Pauncefote, with a view to having it passed upon by the British war office.

Secretary Hay declined to do this, stating that such action on his part might be considered meddlesome and a remissness in the observance of neutrality; that to make such a request upon Lord Pauncefote would not be in accordance with his own views nor, he felt sure, those of President Roosevelt. It would be impossible, he stated, to take up the matter informally with Lord Pauncefote, as any request which he (Secretary Hay) might make relative to the matter would become official, on account of the very nature of his office. Secretary Hay stated that he would be very glad to issue passports from our own State Department for Dr. Thomas and his wife, but these have not yet been taken out, as they would be valueless without some assurance that indorsement of them can be secured by the British military authorities in control of the district in which the South African noncombatant camps are situated.

Respectfully submitted.

JOHN O. KNIGHT.

HOTEL RALEIGH,
Washington, D. C., March 10, 1902.

Mr. BURLESON. Mr. Chairman, I have no acquaintance with this gentleman, and I can not vouch for the truthfulness of the statements set forth in his letter; but it seems that his character is such that he has been measurably credited by the committee appointed by the Republican governor of the sovereign State of Illinois.

It seems his character was such that he obtained the entrée to the chairman of the great Committee on Foreign Relations of the Senate, and secured from him a letter to our Secretary of State; and it occurs to me that the matters of fact set forth in his letter are of such serious character as to call for an explicit statement in reply to the resolution which has been introduced.

If the statements embodied in his letter are true, then we are driven to the conviction that our foreign office is so saturated with pro-British spirit and feeling that it can not respond to the ordinary appeals of charity when made in behalf of the unfortunate Boers, or to the dictates of humanity which should prompt anyone to lend aid to the dying women and children of these patriotic people struggling against the British army.

Another application has been made for the good offices of the Secretary of State to aid in this worthy purpose. I now ask the Clerk to read, from the desk, this paper.

The Clerk read as follows:

The honorable SECRETARY OF STATE,
Washington, D. C.

SIR: By virtue of the proclamation issued by the governor of the State of Illinois, calling upon the citizens of that State to contribute for the relief of suffering among the Boer women and children in South Africa, a large amount of money has been collected.

The committee appointed by the governor, as well as the contributors, strongly desire that this sum should be effectively distributed by an American delegate of repute, whose primary purpose would be to ascertain where the suffering was greatest, and to apply such relief as, under the circumstances, seem to call for the most pressing consideration.

Secondly, it would be the duty of such a delegate to inquire what further relief might be required, either in money or supplies of any kind, so that a fresh appeal might be issued upon his report.

The Chicago committee has requested Dr. Hiram W. Thomas and Mrs. Thomas to proceed to South Africa, and they have accepted this commission. It will thus be seen that their duties are purely philanthropic.

The committee is aware that it would be easy to procure passports in the ordinary way, and that Mr. and Mrs. Thomas could proceed to Cape Town or one of the other South African ports, but it is absolutely necessary that before undertaking the expense of the mission they should receive the assurances of the British authorities that no obstacle will be placed in the way of their visiting the concentration camps.

I have, therefore, the honor to request your good offices to procure, through Lord Pauncefote, the British ambassador at Washington, or such other agency as you may deem best, a permit from the British authorities for Dr. and Mrs. Thomas to visit the Boer concentration camps for the purposes recited in this letter.

I have the honor to be, sir, very respectfully,

JOHN O. KNIGHT,
Acting for Chicago Boer Relief Committee,
Appointed by Governor Yates.

HOTEL RALEIGH,
Washington, D. C., March 11, 1902.

Mr. BURLESON. Now, Mr. Chairman, if the facts stated in the first letter which was read are true, and public opinion does not drive the officials who now occupy the State Department from office, then, indeed, in my opinion, will it be plain to all that we have arrived at the period in our history when the decadence of the Republic has commenced.

My object in having these communications read to-day is, if possible, to fasten the attention of the American people to the pendency of this application for the permit, and thereby arouse a real American, republican, public opinion which will prevent the officers of the State Department from manifesting this pro-British spirit.

I have an abiding faith and confidence in the love of liberty, the broad and generous humanity of the American people for the suffering women and children of the gloriously patriotic Boers, and feel that the effort to bring these sufferers aid need only be brought to the attention of the American people in order to enlist the tenderest sympathy.

A just public opinion when aroused will aid us, will aid charitable Chicago in its charitable endeavor to bring assistance to these unfortunate women and children who are dying by the scores in South Africa, while their patriotic brothers and husbands make the last struggle for civil liberty and independence and republican institutions which is to be made upon the Dark Continent.

Mr. Chairman, this policy of concentration of noncombatants in detention camps which has been adopted by the war office in Great Britain, the effects of which the charitable people of Chicago are endeavoring to obviate or relieve, is the same infamous policy that aroused the patriotism and the love of liberty and the feelings of humanity on the part of the American people that finally drove tyrannical Spain from Cuba and made the name of Weyler, because of his camps of reconcentrados, synonymous with brutality and cruelty.

Mr. Chairman, I have accomplished my purpose.

Mr. HITT. Mr. Chairman, I ask the gentleman in charge of the time to yield to me for a moment.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois.

Mr. HITT. The remarks of the gentleman from Texas [Mr. BURLESON] are a singular surprise. He introduced a resolution last Saturday, which he has just caused to be read, which was referred to a committee. The committee has adjourned to a day fixed by him, on his motion, for hearing it. He has the assurance of the chairman of that committee that it will be voted for by him, and I suppose by every member; yet he rushes in before the resolution is considered and before the answer of the Secretary of State, which we all await, is received, to make a speech prejudging a question touching our international affairs.

Mr. BURLESON. Will the gentleman permit a question?

Mr. HITT. Certainly.

Mr. BURLESON. The gentleman is not saying anything in contravention of what I have said. I candidly announced that my purpose was to influence the action that is probably to be taken to-morrow by an official of a coordinate branch of the Government.

Mr. HITT. Well, I thought we usually spoke here for the House of Representatives, inasmuch as we are Representatives. The gentleman admits, however, that his speech is not for us. I am speaking to this House for that which concerns its usages and its rights. The House will, if it chooses, pass the resolution when brought before it, and the Secretary of State, upon the request of the House, as upon its direction, will make answer. When that comes, we can consider it. That is the proper time; that is the ancient usage of this body toward the public servants. Whether they are humble or whether they are eminent, they are entitled to fair treatment and to some hearing.

Mr. BURLESON. Mr. Chairman, if the gentleman will permit me——

Mr. HITT. Certainly; I yield.

Mr. BURLESON. The gentleman has evidently mistaken the situation. I am not asking for any action at this time upon the part of this body. I am content to let the resolution be considered when the proper time arrives. I candidly announced what my purpose was, and I have accomplished my purpose.

Mr. HITT. The purpose, as candidly announced by the gentleman, is to prejudge a question upon which we are to have the evidence submitted. It is for the purpose of influencing public opinion.

Mr. BURLESON. The gentleman surely does not want to put me alone in the attitude of attempting to prejudge my resolution when he himself admits that he is going to vote for my resolution.

Mr. HITT. I can say that, because it is before me for action.

Mr. BURLESON. I have not prejudged it any more than the gentleman has.

Mr. HITT. It will be my duty to pass upon it, and I can speak of my action. I have no right to anticipate what the House will do. The resolution presents a question on which we will probably have to inquire; but it led me to revert at once in memory to what would have been the answer to a similar request if it had been made to this country by a committee of those in London who were sympathizing with that powerful organization struggling with our own in 1863 and 1864.

What would have been the answer if such a request had come to Mr. Stanton, to let a committee from London who were in sympathy with the Confederate forces go through our armed lines to distribute money among Confederate prisoners? There is something in international law. These gentlemen are private citizens. We have The Hague convention providing for exactly this thing, in so far as it is proper, by the recognized officers of the Red Cross International Association and Bureau of Relief and Information. This is not for the distribution of medicine, clothing, or the comforts of life now proposed, but money; but never——

Mr. BURLESON. Mr. Chairman, I should like to ask the gentleman a question, with his permission. Does he mean to impugn the motives and purposes of the citizens of Illinois who contributed this fund? Does he mean to say they have any other purpose than that which they themselves declare, to relieve the unfortunate Boer women and children in reconcentrado in South Africa? I can construe the gentleman's language in no other way.

Mr. HITT. No; I am only stating what is the rule and usage of nations under international law and what is the precise question presented. The question presented is whether our Government will ask another to permit those in sympathy with the other belligerent to go through their fortified lines. Now, there is an organization which, by international convention, has charge of such things, namely, the Red Cross Association and the Bureau of Relief and Information.

This is not for the conveyance of supplies. Now, anyone present who dates back to the days when the North had prisoners, remembers perfectly well the rule that no man was permitted to go into the camps. Senator Thurman, who went to the camp at Columbus, Ohio, was compelled to stay outside and our officers took the comforts in to the rebel prisoners. Never have I heard the suggestion that any government in hostility to any other would allow its lines to be passed and prisoners to be reached.

In the Transvaal our consul took supplies to the British prisoners from those who wanted to aid them, but the Boers never admitted them into the fortified lines. I do not know anything about the facts in this matter, nor will I until we hear from the Secretary of State, but any answer made by him to a proposition of that kind must have been made in view of well-known international law.

The rule that our Government followed in our war was established by the instructions drawn by Lieber in that famous order which was a code of international law on that subject, and has been since adopted by all civilized nations. It was to our honor as a nation and to our glory that at the time we were achieving the unity of the people of the United States we established rules of war which have been adopted throughout the world.

Mr. BURLESON. Mr. Chairman, I would like to ask the gentleman a question.

Mr. HITT. Very well.

Mr. BURLESON. Do I understand the gentleman to express the opinion here that the Secretary of State ought not to lend his good offices to secure a permit which has been asked for by the people of Illinois for Mr. Thomas and his good wife to go to relieve the distress of the Boer women and children who are concentrated in the British camps of detention in South Africa and dying by the hundred?

Mr. HITT. I have not said anything of the kind. I have said nothing about the Secretary's withholding his sympathy or good offices. There is another pro-Boer committee like the one in Chicago, long since organized and very active, in London, and they send their money right forward to South Africa through recognized agents. I know those in this town who sent their money to that committee, the pro-Boer committee in London, which was sent or taken by the neutral officers into the camps and distributed there. Our consul distributed a good deal early in the war.

Mr. BURLESON. If the gentleman will permit the observation, it was that very condition which the people of Chicago are trying to avoid—distributing their charity through London sources.

Mr. HITT. The imputation that the officers of the army would be dishonest, or anything of the kind, is not, I suppose, what the gentleman means. In our war the money was honestly paid to the prisoners on both sides. It was given to those to whom it was addressed.

No one assumes that the officers are thieves, but forces at war do not permit the eye of the outsider to look through their camps. War is not a jest or play; there is no coquetry of politeness within its territory filled with armed men under martial law. I do not know what the Secretary said, but I call attention to what every old soldier must remember if he ever was a prisoner in a camp on the Union side or on the Confederate side.

There is no need of a passport from the Government. You must get your pass or permit from the absolute ruler of the place, the military officer. I never heard of a belligerent allowing provisions or comforts to be distributed in a camp of prisoners by anybody but their own officers. Jefferson Davis would not have permitted people to perambulate through the Southern camps filled with Union prisoners, giving them money and provisions. He would have said, Hand us the money and the provisions and our government will convey it and distribute it. No man will question the integrity of the officers, and the hardihood of a gentleman asking the Government to depart from that usage is to me astonishing.

The gentleman has intimated that the Secretary of State has shown that he was hostile, or that he was out of sympathy with this body of prisoners. I think that everybody here and everywhere else is in sympathy with the unhappy and distressed in war.

Mr. BURLESON. Does not the gentleman think that this denial of the permit or passport, if it is to be made, should come from British sources rather than from American sources?

Mr. HITT. I think the proper way would have been to do as was done during our war. It is not a passport that is required——

Mr. BURLESON. Certainly not.

Mr. HITT. The word "passport" is a misnomer in this connection. A passport is a document which takes a person through a country where there is no extraordinary condition impeding travel and intercourse. What was wanted was a military permit to visit, not to enter, these camps or fortified lines—a pass, not a passport. It would have been granted at once upon the presentation of the facts to the consul.

Mr. BURLESON. Then I understand the gentleman to say that the officials of our State Department should make the denial of this request and thereby avoid going to British sources for the purpose of giving them the opportunity to make the denial?

Mr. HITT. Does the gentleman think it would be wise in conducting the affairs of our country to make a demand which is out of all precedent, when there is another and better and unobjectionable way in which the object could be obtained? Does the gentleman think we should try to put a foreign nation into an adverse position by making a demand in that way, with the effect simply of putting our Government in conflict needlessly with another?

We all know the international rule in such cases; the gentleman knows it perfectly well; he is not a novice in these matters. It was not without good reason that he was assigned by the

Speaker to the Committee on Foreign Affairs. He knows the rules of international intercourse in the time of war. Every book on the elements of the laws of war and peace shows that no people can demand of a belligerent, on any pretense, right to send persons through a military or fortified camp. Any person attempting to secure entrance to such a camp would be liable to be taken and shot as a spy.

I know Dr. Thomas. I have known of him for many years. There is no doubt of the sympathy of everyone with his purpose. I would like to see his mission effected. I would like to see him accomplish his purpose without any such prejudice being aroused as would be excited by making on the British Government a demand such as has not been known before.

Mr. BURLESON. The people of Chicago have been endeavoring to follow exactly what the gentleman from Illinois says would be the proper course. They have been endeavoring to send Dr. Thomas to South Africa to do this work of charity. Does the gentleman say that he ought not to be sent there; that he ought not to be allowed to secure this permit?

Mr. HITT. The permit is not essential in the least. As has been stated in the letter read here, the Secretary of State has offered to do everything he could to put Dr. Thomas in the way of getting to the point desired without making a demand which might result in a slap on the face perhaps from a foreign government which would be intrenched behind the rules of international law.

But there is no reason to believe that there would be any impediment against securing such a pass as would permit Dr. Thomas to reach those people with funds. Nothing of that kind is indicated in the conduct of the Secretary of State. The impression I caught from the reading is that Mr. Knight in his letter showed what has been the kindly spirit of the Secretary, who offered him letters of introduction and offered to do everything which would forward his mission.

Mr. BURLESON. But the State Department officials, so Mr. Knight says, declined to do the very thing which the gentleman from Illinois admits was absolutely necessary in order to reach the people whom they desired to relieve.

Mr. HITT. No; it was not necessary to have a pass to get the funds to prisoners in a military camp. Without such a pass he certainly would not be admitted himself.

Mr. BURLESON. Not with a permit from the war office of Great Britain?

Mr. HITT. Oh, no.

Mr. BURLESON. That is exactly the point. We wanted to utilize the good offices of the Secretary of State of the greatest Republic on earth in order that this permit might be obtained for the minister and his wife to visit those unfortunate people to relieve their distress.

Mr. HITT. No doubt he could do all that—that is, relieve their distress; but he would not be permitted to go through the armed camps or fortifications. It was never done in our war. I never heard of its being done North or South. If the object is to put our Government in conflict with another for the sake of political capital, I do not think that effort ought to succeed.

Mr. BURLESON. As to what occurred during the unfortunate period of 1861–1865, I am unable to speak from personal knowledge or recollection, inasmuch as I was not of age to participate in the occurrences of that time.

Mr. HITT. I spoke of it because it illustrated a rule universally accepted, a rule that nations generally have adopted.

I beg the pardon of the House for taking so much time.

Mr. GAINES of Tennessee. You said just now that we have no right as a government to make a demand for this relief.

Mr. HITT. Oh, no; if I said that, it was a hasty expression. We have a right to demand almost anything.

Mr. GAINES of Tennessee. I was trying to draw the distinction between a demand and a request. Have we not a right to make a request as a government?

Mr. HITT. Undoubtedly we may make most singular requests.

Mr. GAINES of Tennessee. It seems that is what the Secretary of State has refused to do.

Mr. SULZER. Just another question, if the gentleman will yield a moment.

Mr. HITT. Yes; if I have the time.

Mr. SULZER. Did we not make a similar demand on Spain, and did not Spain engage to do it?

Mr. HITT. That was done under organized forces, sent as officers of this Government, and the Red Cross was the one that had charge of it, and the Red Cross by international convention is charged with that particular duty.

Mr. SULZER. Is it not a fact that the English nation to-day in the war in South Africa refuses to permit the Red Cross people to minister to the Boers?

Mr. HITT. I have heard that asserted and I have heard it contradicted. I have heard it is contradicted by those in official position, who seem to be in possession of knowledge, but I do not know; however, for the purpose of a speech either might be asserted. I do not know the facts about it at all. South Africa is a long way off, and that is a controverted detail.

Mr. SULZER. Let me suggest that the information I have regarding that proposition comes from the Boer commissioners who are now in this country.

Mr. HITT. I am not in communication with the British or the Boer Government. [Laughter.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MCCLEARY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, one of its reading clerks, announced that the Senate had passed bills and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. R. 62. Joint resolution to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota;*

S. 1568. An act to restore Henry D. Hall to the Revenue-Cutter Service;

S. 3361. An act providing for the removal of the port of entry in the Albemarle collection of customs district, North Carolina, from Edenton, N. C., to Elizabeth City, N. C.;

S. 277. An act for the relief of Mathias A. Young;

S. 3990. An act authorizing the use, under the direction of the Secretary of the Interior, of certain moneys in the Treasury to the credit of the Sioux Indians of the Crow Creek Reservation in South Dakota, under the act of March 2, 1895, and for other purposes;

S. 3848. An act granting a deed of quitclaim and release to Lorillard Spencer, his heirs and assigns, of all the right, title, and interest in and to certain land in the city of Newport, R. I.;

S. 3513. An act authorizing the construction of a bridge across the Missouri River at or near Parkville, Mo.;

S. 3231. An act to legalize and maintain a new steel bridge in lieu of the present wooden structure across the Little Tennessee River, at Niles Ferry, Tennessee, by the Atlanta, Knoxville and Northern Railroad;

S. 2172. An act to provide for the payment of medical expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough;

S. 4096. An act to provide for a site for a depot for the Revenue-Cutter Service;

S. 3130. An act to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes;

S. 3449. An act to establish an additional land office in the State of Montana;

S. 3439. An act to amend an act entitled "An act to license billiard and pool tables in the District of Columbia, and for other purposes;"

S. 257. An act to establish a light-house and fog-signal station at Mukilteo Point, near the city of Everett, State of Washington;

S. 3488. An act to authorize the Commissioners of the District of Columbia to appoint superintendents of chimney sweeps, to prescribe their duties, and for other purposes;

S. 3663. An act to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes;"

S. 1673. An act for the relief of the officers and crew of U. S. S. *Charleston*, lost in the Philippines November 2, 1899;

S. 4003. An act to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia; and

S. 3800. An act to grant certain lands to the State of Idaho.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 646) for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 1381. An act for the relief of J. V. Davis;

H. R. 7458. An act to re-form the western judicial district of the State of Arkansas;

H. R. 597. An act granting a pension to Adella C. Chandler;

H. R. 718. An act to correct the military record of James L. Proctor;

H. R. 1018. An act granting an increase of pension to George C. Leighton;

H. R. 1350. An act granting an increase of pension to Joseph W. Grant;

H. R. 1688. An act granting an increase of pension to Charles Armstrong;

H. R. 1697. An act granting an increase of pension to Richard A. Lawrence;
H. R. 2175. An act granting an increase of pension to Kephart Wallace;
H. R. 3288. An act granting an increase of pension to Elmer J. Starkey;
H. R. 3694. An act granting a pension to Benjamin Wylie;
H. R. 3747. An act granting an increase of pension to William R. Underwood;
H. R. 4035. An act granting an increase of pension to Elias Longman;
H. R. 4827. An act granting an increase of pension to Charles H. Baker;
H. R. 5160. An act granting an increase of pension to James Harper;
H. R. 5247. An act granting an increase of pension to Richard Fristoe;
H. R. 6435. An act granting a pension to Susan P. Crandall;
H. R. 6515. An act granting an increase of pension to Carleton A. Trundy;
H. R. 6861. An act granting an increase of pension to Joseph K. Ashby;
H. R. 6869. An act granting a pension to M. Callie Glover;
H. R. 7432. An act granting a pension to Charles A. Sheafe;
H. R. 7907. An act granting an increase of pension to Alice M. Ballou;
H. R. 7997. An act granting an increase of pension to Henry Burns;
H. R. 8954. An act granting an increase of pension to Alfred N. Mosier;
H. R. 9220. An act granting an increase of pension to John S. Hunter; and
H. R. 9383. An act granting a pension to Narcissa Tait.

The message also announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8586) amending the act of March 2, 1901, entitled "An act to carry into effect the stipulations of article 7 of the treaty between the United States and Spain, concluded on the 10th day of December, 1898," and had still further insisted upon its amendments disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CULLOM, Mr. LODGE, and Mr. MORGAN as the conferees on the part of the Senate.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. SIBLEY. Mr. Chairman, I yield forty minutes to the gentleman from Louisiana [Mr. MEYER].

Mr. MEYER of Louisiana. Mr. Chairman, I do not propose to treat this question altogether from the standpoint that my friend from Georgia [Mr. BRANTLEY] in his captivating and rhetorical speech of to-day has pursued, nor do I desire, at this time, to go into the discussion as to the effect a certain rate of reduction of duty upon Cuban sugars may have upon the price of that commodity in the American markets.

"Sufficient unto the day is the evil thereof" is my motto, and I trust and believe that the vigorous action on the part of my colleagues on the other side of this Chamber—who are now sometimes called insurgents—will render it unnecessary at any time in the near future to enter upon that feature of the controversy.

I shall speak in a general way of the relations of our country with Cuba, and also incidentally upon the question of reciprocity and of annexation of that island.

Mr. Chairman, the active discussions of the future relations of the island of Cuba with the United States by statesmen, agriculturists, promoters, and all parties involved has renewed interest in a subject of high importance to this country until now it is the vital question. The tardy acceptance by the Cuban constitutional convention of the terms prescribed by Congress in the act of March 2, 1901, is not an end of the controversy. It is merely a step in the progress of events, and does not possess all the importance usually ascribed to it. This constitutional convention endeavored in every possible way to avoid acceptance of these terms of Congress defining the relations of the two countries.

They yielded reluctantly at last, and this reluctance really expressed public sentiment. The dominant forces in Cuba wanted a free hand. The leaders gave up simply in order to get rid of the American occupation and to grasp the reins and spoils of government as quickly as possible. They were not conscious of any special obligation to the people of this country. All our expenditure of blood and treasure and our grand historical pose of disinterested intervention for outraged humanity went for nothing. A distinguished Senator rightly says that the great majority of the Cuban people are ignorant and utterly incapable of appreciating the humane sentiment that finally compelled this great Republic to espouse the cause of a suffering people on a neighboring island. He is probably right also in asserting that they viewed the interposition and friendly offices of the United States as "the selfish usurpation of another dominant power than Spain, governing by might without right." It is natural, therefore, that the leaders of the constitutional convention, brought to the front by the revolution, should now assume that "they secured the independence of the island," whereas in truth and fact, as the same Senator observes—

> When the United States intervened they were really driven from the field and were only able to maintain themselves in the fastnesses of the mountains, from which they emerged at irregular intervals to carry on guerrilla warfare.

It was to this class of soldiers that we gave $3,000,000, the aid of the United States Army and Navy, an expenditure of one to two hundred millions of money, and other sacrifices in war, and unstinted sympathy and admiration. It was magnificent, generous, emotional; but the world did not admire us for it as much as we had hoped, and the people for whom we did all this have forgotten, if they ever realized it, that we did anything for them at all. This may be a surprise, but it is not necessarily a misfortune. Perhaps it is a boon in recalling us from the episode of sentimentalism and hysterics to the old paths of wise and practical statesmanship. The well-known Platt amendment was a long stride in this direction. It was an appeal from Philip drunk to Philip sober.

AMERICAN INTERESTS PARAMOUNT.

The sum and substance of the Platt amendment was that, without wrong or injustice to Cuba, the great national interest and safety of the American people in respect to Cuba and other West Indian interests were to be made paramount and kept strictly in view. The amendment may not be perfect in terms; it may be apparently in conflict with the Teller proposition, as some persons assert; but in substance it means that the rights and interests of the United States in relation to Cuba, cherished by us for a century, are not to be suffered to be impaired, but will be upheld both in our own interest and in that of Cuba.

Cuba is to be independent for all practical purposes of home rule, but not enough so as to be utilized by any foreign powers or interests to strike us a blow. The keen and watchful eye kept on Cuba while a Spanish colony for long years is to be kept on those rulers who are to succeed Spain in its government. The problem is one that the Government can not afford to dismiss by reason of a formal technical acceptance of the Platt amendment. Indeed, it is by no means certain that the island of Cuba, whether as an independent State or under a quasi-protectorate, or as a State of the Union, or a colony of the Porto Rican type, may not be a greater cause of anxiety to the United States than she was as a dominion or colony of Spain. The difficulty of the question is disclosed by the very different suggestions of treatment made by public men who appear by their very different conclusions to have exhausted the study of the subject. In whatever aspect the question be considered, it is to be hoped that the epoch of sentimental sacrifices is at an end and that henceforward the interests of the American people, the taxpayers and the toilers of this land, may not longer be regarded as something of secondary and minor importance. [Applause.]

THE PLATT AMENDMENT.

The reasons for the Platt amendment, Mr. Speaker, have been so ably stated by Senator MONEY, of Mississippi, by Senator PLATT himself, and by others, as to render unnecessary any further exposition. The policy was accepted by the two Houses of Congress, approved by the Executive, embodied into public law, and has been indorsed by public sentiment. The concessions of one or two points for naval stations might fairly have been granted by Spain long ago, and if Cuba is to be defended against European aggression, and the interests of the United States in the West Indies properly guarded, the work of their construction can not begin too soon. The late war with Spain demonstrated the necessity of meeting a want long since felt by the intelligent officers of the Navy Department. Such naval stations in no wise impair the sovereignty or independence of Cuba, but will serve to assure and protect it if necessity should unhappily arise. The great advantage of the Platt amendment is that it translates the Cubans as well as ourselves from sentimentalism and dreamland to the domain of practical statesmanship.

CUBAN SUGAR COMPETITION.

The advocates of the policy of concession claim that the success of any Cuban government is dependent on Cuban commercial success. Her resources, they say, are limited to the production of sugar, tobacco, fruit, and possibly coffee. For these her natural market is the United States, yet here she comes into direct competition with the sugar and tobacco producers of the United States. Senator Thurston, in his statements, underrates the cane-

producing capacity of the United States, but rightly says a large portion of this country is adapted to the profitable production of beet sugar. The United States has nothing to gain financially or commercially by the liberation of Cuba. The trade exchange benefits Cuba.

The argument does not logically conduct us to annexation, if the interests of our own people are to be first considered, and yet surely this point is or ought to be the one paramount consideration.

AMERICAN SUGAR SACRIFICED.

Cuba may have a great immediate interest in securing the American market which annexation would give her, and this might make great fortunes for the Cuban planters or for others who have options on Cuban plantations, but for those in this country, white and black, who grow sugar cane, and for the beet-sugar grower of New York, Nebraska, Kansas, California, Michigan, and other States, it is small satisfaction to be told that he is to be butchered to make a Cuban holiday, to eke out a balance sheet in Habana, and to pacify the discontented guerrillas and coolies of the Ever-Faithful Isle. It is claimed, however, that this country is large enough to absorb Cuba, Porto Rico, Hawaii, and the Philippines "without any permanent derangement of our own agricultural and industrial affairs—yes; and other portions of the globe."

There may be temporary inconvenience and suffering to the American sugar grower and tobacco planter. The trade may be "insignificant" compared with our trade to European countries, China, Canada, and those living in the temperate regions of the earth, but this is as unimportant as the suffering of those whose taxes helped to secure the liberation of Cuba.

Other advocates, notably Senator LODGE, in a late magazine article present us with a glowing picture of the wealth and undeveloped resources of Cuba—coal, iron, copper, forests of mahogany practically untouched, a soil of "unrivaled richness and fertility, capable of producing almost anything. In sugar and tobacco alone there is untold wealth for the island." Spain was the wicked stepmother that defeated the development of all this untold wealth; but Spanish rule is now only a hideous dream, a thing of the past.

EXPLOITATION FOR SPECULATORS.

One would suppose that an island "capable of producing almost anything," once relieved of grievous taxation and Spanish tyranny, would need only to be let alone in order to thrive and prosper. Capital has a keen eye for "untold wealth," and would naturally pour into a land thus ready to flow with milk and honey. A few steamers from Boston or New York, some sugar machinery, sawmills, and other notions, and a horde of enterprising speculators and exploiters would speedily work such a change in the island that the Cuban treasury would become plethoric and everybody be made rich and happy. But no; this is not enough. We are informed that, economically, their fortunes are involved with ours. The prosperity of Cuba, it is said, depends principally on the markets of the United States. The abrogation of the Harrison reciprocity treaties by us, it is alleged, brought on the insurrection of 1895.

PREVENT CATASTROPHE.

This catastrophe we are told must not be allowed to occur a second time. We have given Cuba freedom and peace, provided for her safety in foreign relations and her financial arrangements, and the Almighty in his bounty has given Cuba the richest area on the globe, with "untold wealth" all ready to be evolved. It would certainly seem that Providence had done its share, and that the American people had also attended to this end of the line, and that all that was now necessary was to secure a good stand and witness the Cuban boom with respectful sympathy and admiration. But no such rest awaits our patient American public. We are told we must do much more for Cuba. We must "secure her economic prosperity" by "assuring" to her a market for her sugar. We are told we must give to Cuba a "preferential duty" on her sugar and tobacco. There is nothing said about a "preferential duty" for the untouched forests of mahogany, the coffee, "almost anything" and everything that the island can produce; but logically all this would follow.

It is now suggested that a small preferential duty of 20 per cent would suffice for the purpose, but once admit that it is necessary to assure Cuba the American market for her products, big or little, and a trifling matter of 10 or 20 per cent would not be allowed to stand in the way. In all of the elaborate argument of the question there is hardly enough of solicitude for the American producer to challenge attention. Cuba is one of the richest portions of the habitable globe, and we have given her the chance to be foremost in the race for wealth.

GENERAL CUBAN COMPETITION.

If the island possesses only half of the natural advantages which the advocates of this policy portray, and if it is capable of producing "almost anything," what show would the American producer have, either with annexation or with the tariff so cut down by preferential duties as to "assure" her the American market for whatever she can raise—iron, copper, sugar, tobacco, mahogany, fruits, and a hundred other things besides? The question does not merely concern the beet or cane sugar grower of California, New York, Nebraska, Michigan, and Louisiana, or the tobacco planter of Connecticut, Pennsylvania, and other States. It concerns all those in this country who trade with them and supply them; the wheat grower of the upper Mississippi Valley; the manufacturers of New England, Pennsylvania, and Ohio; the stock farm of Kentucky, and all our varied industries, so bound together that you can not hurt one interest without striking a blow at all the others.

TARIFF QUESTION.

And all this brings us back to the great question, On what principle will you base your tariff and how shall it be framed? In the past there have been serious divisions in this country on the dividing lines of a tariff for revenue or a tariff for protection, or, what is equivalent to the last, a tariff for revenue with incidental protection and such adjustment of the schedules as will insure adequate protection against the pauper labor of Europe, Asia, and the Antilles. I do not seek to revive this old controversy; it seems to be settled. The trend of public opinion is obviously for such protective duties as will "assure" the American laborer his own market. The party that opposes this sentiment will be apt to come to grief. The party now in power won power in 1896 by loudly professing allegiance to the protective creed. If they go back upon it—if they apply the doctrine to some industries and leave others out in the cold—they will be at some disadvantage in the next Presidential election, and even sooner in the contest for the House of Representatives in 1902; and this is only three-fourths of a year off.

PROTECTION BETRAYED.

And yet there could not be a more insidious and dangerous betrayal of the protective policy than is involved in the scheme and theory of reciprocity treaties and legislation. It was probably for this reason that Mr. McKinley, who was an ardent and sincere protectionist, left out any provision for reciprocity in the bill which he passed through the House of Representatives in 1890. It will never do to suggest that this was an accidental omission. There was no oversight. It was no new topic to him; his policy was deliberate, and, as a friend of the protective system, he was eminently wise. The old free-trade proposition was to impose low revenue duties and to take the chances of other nations meeting you halfway. The reciprocity treaty also surrendered our control over our own markets in a large number of articles, and said to the foreigner, "Come in." It abandoned the old protective idea of a self-supporting country, equipped for war or for peace in all the essentials of life.

The moment we should begin to offer advantages and preferential duties to the foreigner there would be the temptation for him to ask and for us to concede to him competition with us in industries and productions which might not indeed be able to control or influence the Senate, but yet gave employment to many hundred thousands of our own people. It is obvious that if the protective principle is to stand at all it must be fair, honest, and must not discriminate against any American industry. Certainly it can not discriminate against agriculture or any other interest directly and openly, as is done in the case of the reciprocity treaties. The argument made against the protective policy by its opponents has always been that it pampered and enriched certain interests at the expense of other interests, and that it "robs Peter to pay Paul."

This may be true or not, but in the case of the reciprocity treaty it does so directly and boldly. The process of sacrifice once begun would not stop. Throw overboard the sugar beet and sugar cane producers and on what grounds will you refuse our markets to the foreign wool grower or to the Canadian farmer, with his numerous farm products, or to the Canadian lumberman? What stronger claim does the American farmer all along our northern frontier have to protection for his eggs, poultry, potatoes, barley, hops, and what not than the Michigan grower of beets or the negro in Louisiana who earns his living by working in the cane field? There is no surer way of sapping and mining the protective system than the reciprocity treaty. The valuable iron ores of Cuba and the copper and coal described by her exponents would have an equal claim, with sugar and tobacco, to the American market at the expense of our own producers under this reciprocity treaty.

CONSTITUTIONAL POWER OF SENATE.

It may be idle in these days to cite the Federal Constitution, but I may be pardoned for referring to it very briefly. This instrument, section 8, declares that "Congress shall have power to lay and collect taxes, duties, imposts, and excises;" and in section 7 it says that "All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills." There can not be a

doubt that the purpose of the Constitution was to give to the two Houses of Congress exclusively the function of imposing taxes and imposts of every character and description. This prerogative is of the highest dignity, and most intimately concerns the people of the land. It affects every citizen. Primarily the tax, tariff, or impost bill must originate in the popular branch of the Government, the House of Representatives, a body chosen directly by the American people in their Congressional districts every two years, and responsible to them for their action.

The Senate is associated, it is true, in this duty of adjusting taxes, but it can do nothing without the initiative of the House. Surely, there could not be a more palpable departure from the true theory and express language of the Constitution than to assume that the Senate alone can lay and define the taxes and imposts that are to be raised and elbow the House from its undoubted function of originating bills of revenue. Yet this is just what is proposed if the policy of reciprocity treaties adjusting tariff imposts with foreign countries is to prevail. In this important and serious work Nevada, Delaware, Idaho, and other States with scanty population are to have an equal voice with New York, Pennsylvania, Ohio, and Illinois. I can not concede that such was the purpose of the Constitution. It may be argued that after the Executive and the Senate, acting secretly, probably, shall have made the treaty the House of Representatives shall pass on the work. They may come in at the tail end of the procession, when the Constitution expressly said they should be first. Why the first? Because the House of Representatives directly represents the people of the United States.

In the House of Representatives a tariff bill is usually carefully prepared by a committee. There are public hearings in the committee, and public debates on the floor when the bill comes up for action. The galleries are open to the press and the public. If any burden is grievous, imposed by mistake, ignorance, or undue means and agencies; if there is a job cunningly wrapped up in phraseology, there is an opportunity for the public to detect and for the press to expose it. There is also the ordeal on the floor of question, debate, retort, cross-examination. If, after all this, the bill passes, it goes to the United States Senate for inspection and concurrence. There is committee work on it once more, though not any public hearings, and there is debate on the floor, with the President at the close of all, able to sign or not, according to his judgment and conscience. This is the way in which the American people like to have laws passed which may affect their dearest and most vital interests. This is the mode of legislation our Constitution provides for. [Applause.]

HIGH-HANDED TREATIES.

The reciprocity treaty is fashioned on a very different style. The people are not taken into the confidence of its authors until they are bound hand and foot. The press can get no information. If they did they might make trouble. The executive department takes counsel in secret, whether wisely or unwisely. The foreign government is conferred with secretly. A bargain is patched up. The treaty is made. It is not published. No; that would never do. The treaty is sent in confidence to the Senate. There it is in all its stages a confidential matter. No Senator may confer about its provisions even with the Representatives of his own State or with a friend, or with the interests vitally affected, or with a constituent, and still less with the press. If he does this he has violated the Senate rule and may be dealt with accordingly.

The wisdom and knowledge of the Senate itself and of the Executive are assumed to be all that he requires. In all this business there are few of the guards and securities usually deemed desirable to protect legislative bodies against undue influence. On the contrary, by this process of usurping the functions of the House of Representatives and thus enlarging their own, the domain of Senatorial and Executive power is greatly augmented, and with it the temptations to mutual favors between these two branches. Is it necessary to argue that the opportunities for clean, healthy, intelligent, and wise legislation are vastly greater in the public joint action of the two legislative bodies as provided by the Constitution than in any secret conclaves? After all, this Government is assumed to be of the people and for the people. Are not their chances against fraud, jobbery, and injustice better under the public constitutional methods of adjusting tariff taxes?

GENERAL TARIFF REVISION.

I think it clear, Mr. Speaker, that a general policy of reciprocity treaties would necessarily involve a large loss of revenue and would constrain us to resort to fresh taxes, which would have to be paid in part by the very producers whose interests were sacrificed by the reciprocity arrangements. This would naturally lead to a demand for a general revision by Congress of the tariff and taxation system. It may be argued that it is possible to make a reciprocity treaty with Cuba and there stop, but this is not the plan of those who favor this mode of tariff arrangements. Even if the policy were limited to Cuba the loss of revenue would be very large, and there would still be need for a general readjustment of the revenue system.

This subject rises above party and should be discussed without party bias or feeling. The division will not, I apprehend, be on party lines. The Secretary of Agriculture, Mr. Wilson, who has enjoyed great popularity by his attention to agricultural interests, tells us that the aim of his Department is to enable the people of the United States to produce the agricultural products we are now purchasing from foreign countries; that we bought during 1900 about $429,000,000 worth of agricultural goods, sugar being the principal product. Mr. Wilson thinks that we can produce all the sugar we require. The gentleman from Georgia says we can never produce sufficient sugar to meet the demand.

According to the reciprocity theory, this view of Secretary Wilson hardly deserves consideration; there is nothing gained by a country producing its own food supply, and, pushing the argument to its logical conclusion, the Department might well be closed or at least subordinated to the treaty-making power. The Secretary of State has had a number of difficult questions to handle, requiring great tact and skill; but he is to be loaded up with new duties, new responsibilities, involving a study of foreign productions and our own trade relations, matters of customs, tariffs, and what not, which, in the organization of the Government, it was considered by Mr. Alexander Hamilton and other great men had better be devolved upon a separate and independent organization known as the Treasury Department.

The placating of foreign countries, each one perhaps contending that this or that reciprocity treaty of ours was unfair to its own citizens, would take considerable time, even if the incidental friction between these two great executive departments of the Government could be smoothed over. Already there have been serious tariff controversies with Russia, Italy, and Austria, tasking all our diplomacy.

LET CONGRESS ADJUST DUTIES.

Perhaps, after all, it would be better to run along in the old way of the Constitution and leave to the House and Senate the adjustment of import duties. [Applause.]

Mr. Speaker, there is no considerable number of the American people who desire tariff agitation and controversy. The farmers and planters dread any unfriendly legislation by treaty, Congress, or otherwise. They care nothing about the success of the Cuban boom if they are to pay the piper. The business interests of the country deprecate agitation and change. They have always had a wholesome fear of the doctrinaire, the literateur, and even of the orator in politics. They may not render full justice to this interesting class, but this is the way they feel. They prefer a safe course and a safe man. Even Mr. BABCOCK's proposition, designed to check the trusts by tariff changes, has not met the favor of the great Republican leaders. But if the reciprocity line of business is to be pushed, there can be no reason for Congress refusing to consider Mr. BABCOCK's proposition. Still, for the Republican party to open the tariff controversy again might lead them to the Caudine forks. It would be a blunder.

The defeat of the last river and harbor bill, so important to the merchants, farmers, and commerce of the country, by questionable methods, was a fatal error for a party to make. The improvement of the waterways and harbors of a nation commensurate with the needs of its commerce and shipping is one of the grandest achievements of modern civilization. No party can stand in the way. Not less serious is the proposition to cut down arbitrarily the representation of certain Southern States, and thus reopen the old sectional controversy, repudiating, as it were, our late President's known policy of peace and reconciliation. It would not be wise to add on to these terrible blunders a renewal of tariff agitation. "Those whom the gods wish to destroy they first make mad." I am, however, not one of those partisans who desire their opponents to do wrong in order to reap a profit by their blunders. Whatever party be in power, the country is interested in a wise, prudent, and just policy. [Applause.]

Yet many of our fellow-citizens seem to think that there is no limit to the sacrifices to be made for Cuba by the American people. I submit that the armed intervention of the United States to secure the liberation of Cuba, the sacrifices of our soldiers and sailors, the expenditure of two hundred millions of money for the war, the payment of three millions in cash to her guerrillas to keep them from relapsing into brigandage, the generous aid given to the starving, and the rescue of the municipalities from filth and fever are costly and sufficient sacrifices, to say nothing of our lasting protection of Cuba against European rapacity and aggression. It is time to think something about the American taxpayer and producer. [Applause.]

The Speaker of this House, in a very able letter, has lately expressed some of the principal and improper influences which are at work to bring about the introduction of Cuban products at the

expense of our own industries. The letter throws so much light on the situation that, with permission of the House, I shall take the liberty to print it as an appendix to this general treatment of the question.

APPENDIX.

I am just in receipt of your letter, which I have read with care and interest. It seems to me that you do not segregate the questions before Congress. There are three theories or questions pending or pressed upon us. First, the wiping out of all war taxes, which the party promised to do when we put them upon the people to carry on the war with Spain, and no one of any intelligence can say that the time has not come for wiping out these taxes, since we have $176,000,000 surplus in the Treasury, with a working balance of about $50,000,000 in the hands of disbursing agents for current work. If this pledge is ever to be fulfilled, it seems clear that it ought to be now. This first question stands alone without reference to any other.

The second question is, What are we going to do for Cuba? It is a separate and distinct proposition, and this is the situation: Those contending for Cuba want a reduction of 50 per cent or a clean sweep of duties between us and that country Contending for this doctrine is, first, the American sugar trust, which is here in the person of its ablest managers; second, the money—the capital that has been put into the construction of railroads in Cuba, where a system of railroads extending along what may be termed the backbone of the island, with arms extending from the backbone into each part of it, is in process of construction.

All the money in this enterprise is anxious, of course, to build up the commerce of Cuba. Third, there are millions of dollars that have gone into Cuba buying up plantations, cheap lands, and with large syndicates formed, are seeking to make fortunes out of the sugar industry. Then, again, there are Americans over there with vast sums of money in various enterprises who are all anxious for this. Then, again, the Cubans themselves who have the capital are anxious to have free trade relations with the United States. These all touch elbows and are working together.

On the other hand, the beet-sugar industry of the United States and the cane-sugar industry are fighting most vigorously against any reduction. The beet-sugar industry has developed to a wonderful extent, and so much so in the States of California, Colorado, Nebraska, Wisconsin, and Michigan that the delegations from those States have their faces set vigorously, firmly, and most determinedly against any reduction, their contention being that for the first time in the history of the country the farmer finds a direct interest in protection. They stand upon the doctrine of protection. The Secretary of Agriculture tells me that every acre of land in Iowa is capable of raising the sugar beet, and this is true of every State throughout the West and in the Mississippi Valley.

Now, in regard to my own position. You have accepted the lies sent out by the press, which is being manipulated in the interest of free trade with Cuba. I have never expressed an opinion against doing something, whatever we possibly can, to strengthen the hand of Cuba. I have stood side by side with the President and the Ways and Means Committee trying to devise some plan to do this without injuring the farmers of our own country and at the same time give encouragement to Cuba. The contention is brought to us from our own people that we have shed blood and money enough for Cuba, now an independent government, so to speak, without slaughtering the farming interests of our own country, and the most intense feeling exists.

I doubt if, with all the combined influence we have to bring to bear, we can dislodge or change the views of the States that I have named, that are operating in the beet-sugar industry, with sufficient force to carry the House. It may be that we can hit upon some other plan and harmonize matters, but I beg of a man of your intelligence and experience not to accept the flying reports and dispatches sent out and stimulated by the concrete organization, as I have indicated, who, indifferent to our own farming interests in this country, want to break down all the barriers between us and Cuba.

Mr. LOUD. Mr. Chairman, before making the motion that the committee rise, I will ask what is the status of the Chairman's list of speakers? I have not paid much attention to that myself. Is there a demand for further time?

The CHAIRMAN. The requests which the Chair has received would cover something like four or five hours of debate.

Mr. LOUD. Then I would move that the committee do now rise, hoping that we may close the general debate possibly tomorrow.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the Chair, Mr. LITTLEFIELD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Post-Office appropriation bill (H. R. 11354) and had come to no resolution thereon.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. R. 62. Joint resolution to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota*—to the Committee on Naval Affairs.

S. 1568. An act to restore Henry D. Hall to the Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

S. 3361. An act providing for the removal of the port of entry in the Albemarle collection of customs district, North Carolina, from Edenton, N. C., to Elizabeth City, N. C.—to the Committee on Ways and Means.

S. 277. An act for the relief of Mathias A. Young—to the Committee on Claims.

S. 3990. An act authorizing the use, under the direction of the Secretary of the Interior, of certain moneys in the Treasury to the credit of the Sioux Indians of the Crow Creek Reservation in South Dakota, under the act of March 2, 1895, and for other purposes—to the Committee on Indian Affairs.

S. 3513. An act authorizing the construction of a bridge across the Missouri River at or near Parkville, Mo.—to the Committee on Interstate and Foreign Commerce.

S. 2172. An act to provide for the payment of medical expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough—to the Committee on War Claims.

S. 4096. An act to provide for a site for a depot for the Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

S. 3130. An act to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

S. 3449. An act to establish an additional land office in the State of Montana—to the Committee on the Public Lands.

S. 3439. An act to amend an act entitled "An act to license billiard and pool tables in the District of Columbia, and for other purposes"—to the Committee on the District of Columbia.

S. 257. An act to establish a light-house and fog-signal station at Mukilteo Point, near the city of Everett, State of Washington—to the Committee on Interstate and Foreign Commerce.

S. 3488. An act to authorize the Commissioners of the District of Columbia to appoint superintendents of chimney sweeps, to prescribe their duties, and for other purposes—to the Committee on the District of Columbia.

S. 3663. An act to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes"—to the Committee on Indian Affairs.

S. 1673. An act for the relief of the officers and crew of the U. S. S. *Charleston*, lost in the Philippines November 2, 1899—to the Committee on War Claims.

S. 3800. An act to grant certain lands to the State of Idaho—to the Committee on the Public Lands.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 4381. An act to authorize the Central Railway of West Virginia to build a bridge across the Monongahela River at or near Morgantown, in the State of West Virginia.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 646. An act for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg.

V. W. M'FARLANE.

By unanimous consent, on motion of Mr. POWERS of Maine, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of V. W. McFarlane, Fifty-sixth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BALL of Delaware, for one week, on account of important business.

To Mr. ELLIOTT, for the remainder of this week, on account of important business.

And then, on motion of Mr. LOUD (at 4 o'clock and 49 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Interior, transmitting a copy of a report from the Commissioner of Indian Affairs and accompanying agreement and memorial of the Kansas or Kaw Indians of Oklahoma—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, recommending an addition to the court-house and post-office building in New York City—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for proving ground at Sandy Hook—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. RUSSELL, from the Select Committee on the Census, to which was referred the bill of the Senate (S. 1833) providing for the transfer of census records and volumes to the Census Office, and for other purposes, reported the same without amendment,

accompanied by a report (No. 855); which said bill and report were referred to the House Calendar.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 305) providing for a monument to mark the site of the Fort Phil Kearny massacre, reported the same without amendment, accompanied by a report (No. 870); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the Senate (S. 3083) providing for the adjudication of certain claims by the Court of Claims, reported the same without amendment, accompanied by a report (No. 871); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOODY of Oregon, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 4393) reserving from the public lands in the State of Oregon as a public park for the benefit of the people of the United States and for the protection and preservation of the game, fish, and timber and all other natural objects therein a tract of land herein described, etc., reported the same without amendment, accompanied by a report (No. 872); which said bill and report were referred to the House Calendar.

Mr. HAY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 185) to provide for a macadamized approach and roadway to the national cemetery at Wilmington, N. C., reported the same with amendment, accompanied by a report (No. 875); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8587) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, with Senate amendments thereto, reported the same, nonconcurring in the amendments of the Senate, accompanied by a report (No. 856); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8192) granting extra pay to officers and enlisted men of United States Volunteers who entered the service under act of March 2, 1899, reported the same without amendment, accompanied by a report (No. 857); which said bill and report were referred to the Private Calendar.

Mr. HENRY C. SMITH, from the Committee on War Claims, to which was referred the bill of the House H. R. 10081, reported in lieu thereof a resolution (H. Res. 162) for the relief of William T. Trammell, accompanied by a report (No. 859); which said resolution and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 5486) for the relief of John M. B. Walker, administrator of the estate of James Walker, deceased, reported the same without amendment, accompanied by a report (No. 860); which said bill and report were referred to the Private Calendar.

Mr. OTJEN, from the Committee on War Claims, to which was referred the bill of the House (H. R. 10940) for the relief of Erick Haugen, reported the same without amendment, accompanied by a report (No. 861); which said bill and report were referred to the Private Calendar.

Mr. CALDWELL, from the Committee on War Claims, to which was referred the bill of the House (H. R. 11558) for the relief of James S. Frizzell, reported the same without amendment, accompanied by a report (No. 862); which said bill and report were referred to the Private Calendar.

Mr. THOMPSON, from the Committee on War Claims, to which was referred the bill of the House 9655, reported in lieu thereof a resolution (H. Res. 163) for the relief of the legal representatives of James M. Alexander, deceased, accompanied by a report (No. 863); which said resolution and report were referred to the Private Calendar.

Mr. CALDWELL, from the Committee on War Claims, to which was referred the bill of the House (H. R. 11982) for the relief of Joseph B. McClintock, reported the same without amendment, accompanied by a report (No. 864); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11559) for the relief of Thomas V. Stirman's estate, reported the same without amendment, accompanied by a report (No. 865); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11562) for the relief of Thomas C. Isgrigg, reported the same without amendment, accompanied by a report (No. 866); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on War Claims, to which was referred the bill of the House 11781, reported in lieu thereof a bill (H. R. 12402) for the relief of the Indiana State board of agriculture, accompanied by a report (No. 867); which said bill and report were referred to the Private Calendar.

Mr. CALDWELL, from the Committee on War Claims, to which was referred the bill of the House (H. R. 11560) for the relief of the administrator of the estate of Marcus L. Broadwell, reported the same without amendment, accompanied by a report (No. 868); which said bill and report were referred to the Private Calendar.

Mr. OTJEN, from the Committee on War Claims, to which was referred the bill of the Senate (S. 1902) for the relief of Flora A. Darling, reported the same without amendment, accompanied by a report (No. 869); which said bill and report were referred to the Private Calendar.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 1256) to remove the charge of desertion from the military record of Stephen A. Toops, reported the same without amendment, accompanied by a report (No. 873); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table as follows:

Mr. KYLE, from the Committee on War Claims, to which was referred the bill of the House (H. R. 10960) for the relief of Gustav Augerstein, reported the same adversely, accompanied by a report (No. 858); which said bill and report were ordered to lie on the table.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 5852) for the relief of Aliza C. C. Armin, reported the same adversely, accompanied by a report (No. 874); which said bill and report were ordered to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 8003) granting an increase of pension to Louisa M. MacFarlance; and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LITTLEFIELD: A bill (H. R. 12399) requiring all corporations engaged in interstate commerce to file returns with the Secretary of the Treasury, disclosing their true financial condition, and of their capital stock, and imposing a tax upon such as have outstanding capital stock unpaid in whole or in part—to the Committee on the Judiciary.

By Mr. JENKINS: A bill (H. R. 12400) to amend the charter of the East Washington Heights Traction Railroad Company—to the Committee on the District of Columbia.

By Mr. BRICK: A bill (H. R. 12401) to provide for the purchase of a site and the erection of a public building thereon at Juneau, Alaska—to the Committee on Public Buildings and Grounds.

By Mr. HOLLIDAY, from the Committee on War Claims: A bill (H. R. 12402) for the relief of the Indiana State board of agriculture, as a substitute for H. R. 11781—to the Private Calendar.

By Mr. MUDD: A bill (H. R. 12403) authorizing the Commissioners of the District of Columbia to enter into a contract or contracts for the dredging and improvement of the Anacostia River and the reclamation and improvement of its flats from the line of the District of Columbia to the Pennsylvania Avenue Bridge—to the Committee on the District of Columbia.

By Mr. MONDELL: A concurrent resolution (H. C. Res. 40) that there be printed 3,500 copies of the "List of books on irrigation (with reference to periodicals)," compiled under direction of A. P. C. Griffin, chief of Division of Bibliography, for use of Congress—to the Committee on Printing.

By Mr. HENRY C. SMITH: A resolution (H. Res. 162) that the bill (H. R. 10081) for the relief of William T. Trammell and all accompanying papers be, and the same are hereby, referred to the Court of Claims for a finding of facts under the terms of the act of March 3, 1887, and generally known as the Tucker Act—to the Private Calendar.

By Mr. THOMPSON: A resolution (H. Res. 163) that the bill (H. R. 9655) for the relief of the legal representatives of James M. Alexander, deceased, and all accompanying papers be, and the same are hereby, referred to the Court of Claims for a finding of facts under the terms of the act of March 3, 1887, and generally known as the Tucker Act—to the Private Calendar.

By Mr. FLETCHER: Memorial from the legislature of the State of Minnesota, urging the enactment of a certain bill introduced by Senator HOAR, of Massachusetts, to limit the meaning of the word "conspiracy"—to the Committee on the Judiciary.

By Mr. McCLEARY: Memorial of the legislature of Minnesota, relative to the meaning of certain technical terms—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BENTON: A bill (H. R. 12404) granting an increase of pension to Westley Stone—to the Committee on Invalid Pensions.

By Mr. BULL: A bill (H. R. 12405) granting a deed of quit-claim and release to Lorillard Spencer, his heirs and assigns, of all right, title, and interest in and to certain land in the city of Newport, R. I.—to the Committee on the Judiciary.

By Mr. CROWLEY: A bill (H. R. 12406) for the relief of John W. Foote, helpless child—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12407) for the relief of Amos C. Tewell, helpless child—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12408) granting an increase of pension to John A. Eveland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12409) granting an increase of pension to J. M. Peck—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 12410) granting an increase of pension to Mary Nichols—to the Committee on Invalid Pensions.

By Mr. DAVIDSON: A bill (H. R. 12411) granting an increase of pension to Joseph Bart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12412) granting an increase of pension to Albert P. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12413) granting an increase of pension to William Zickerick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12414) granting an increase of pension to William E. Wheeler—to the Committee on Invalid Pensions.

By Mr. FLYNN: A bill (H. R. 12415) to reimburse Ulysses G. Winn for moneys erroneously paid into the Treasury of the United States—to the Committee on Claims.

By Mr. GAINES of Tennessee: A bill (H. R. 12416) for the relief of John M. Lea—to the Committee on Claims.

By Mr. HANBURY: A bill (H. R. 12417) for the relief of Frederick G. Klein—to the Committee on Claims.

By Mr. HILL: A bill (H. R. 12418) granting a pension to Matilda E. Clarke—to the Committee on Pensions.

By Mr. HOLLIDAY: A bill (H. R. 12419) granting an increase of pension to Edward Bland—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: A bill (H. R. 12420) granting a pension to Wesley Brummett—to the Committee on Invalid Pensions.

By Mr. LANHAM (by request): A bill (H. R. 12421) to correct the military record of Isaac Chrisman—to the Committee on Military Affairs.

By Mr. LEWIS of Pennsylvania: A bill (H. R. 12422) granting an increase of pension to David Topper—to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 12423) granting a pension to Annie H. Zoll—to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 12424) granting an increase of pension to Wallace K. May—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 12425) to correct the military record of Timothy Crowley—to the Committee on Military Affairs.

By Mr. PAYNE: A bill (H. R. 12426) for the relief of the widow of the late Capt. Henry B. Noble, Eighth Infantry, United States Army (retired)—to the Committee on War Claims.

By Mr. PEARRE: A bill (H. R. 12427) for the relief of the estate of Christian Turner—to the Committee on War Claims.

Also, a bill (H. R. 12428) granting an increase of pension to Elizabeth G. Getty—to the Committee on Pensions.

By Mr. POWERS of Maine: A bill (H. R. 12429) granting an increase of pension to James Speed, jr.—to the Committee on Invalid Pensions.

By Mr. RHEA of Virginia: A bill (H. R. 12430) granting a pension to Abner H. Lester—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama (by request): A bill (H. R. 12431) for the relief of William Beavers—to the Committee on War Claims.

Also, a bill (H. R. 12432) for the relief of the heirs of the estate of Curtis McCollum—to the Committee on War Claims.

Also, a bill (H. R. 12433) for the relief of Henry Green—to the Committee on War Claims.

Also, a bill (H. R. 12434) for the relief of Stephen Fanning—to the Committee on War Claims.

Also, a bill (H. R. 12435) for the relief of George Stovall—to the Committee on War Claims.

By Mr. SHACKLEFORD: A bill (H. R. 12436) granting a pension to Samuel Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12437) granting a pension to Reuben M. Birdsong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12438) granting a pension to Martha J. Derrington—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 12439) to authorize the Navy Department to disinter and transport to his former home the remains of Jesse J. Everett—to the Committee on Naval Affairs.

By Mr. SOUTHARD: A bill (H. R. 12440) granting an increase of pension to Demas L. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12441) granting an increase of pension to Peter Whitmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12442) granting an increase of pension to Nelson Turner—to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 12443) granting an increase of pension to Samuel N. King—to the Committee on Invalid Pensions.

By Mr. STEWART of New Jersey: A bill (H. R. 12444) to remove the charge of desertion from the record of Thomas Holmes, of Company E, Seventy-ninth New York Infantry Volunteers—to the Committee on Military Affairs.

By Mr. THOMPSON: A bill (H. R. 12445) for relief of Mrs. A. E. Hardin—to the Committee on War Claims.

By Mr. WHITE: A bill (H. R. 12446) granting a pension to Mary Shearer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12447) giving military record to James Grooms—to the Committee on Military Affairs.

Also, a bill (H. R. 12448) giving military record to Henderson Robinson—to the Committee on Military Affairs.

Also, a bill (H. R. 12449) giving military record to Henderson Angel—to the Committee on Military Affairs.

Also, a bill (H. R. 12450) giving military record to William R. Flannery—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolution of Typographical Union No. 262, of Uniontown, Pa., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Typographical Union of Uniontown and citizens of McKeesport and Dunbar, Pa., favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. ADAMS: Resolutions of Flint Glass Workers' Union No. 19, of Philadelphia, Pa., favoring restriction of immigration of persons, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Stone Masons' Union No. 34, of Philadelphia, Pa., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. BABCOCK: Resolution of Brotherhood of Railway Trainmen, of Baraboo, Wis., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, petition of Allen McVey Post, No. 154, Grand Army of the Republic, Department of Wisconsin, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolution of Brotherhood of Railway Trainmen, of Baraboo, Wis., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. BARTLETT: Resolutions of Bricklayers' Union No. 4, of Macon, Ga., urging the enactment of a Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of J. W. Woodall and other citizens of Bibb County, Ga., and of George W. Barfield, L. B. Calhoun, and 35 other citizens of Bibb County, protesting against change of appointment of rural free-delivery carriers to contract system—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL: Resolutions of Interstate Irrigation Convention, favoring irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Labor Union No. 1, of Denver, Colo., and Labor Union No. 5, of Florence, Colo., favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolutions of Cigar Makers' Union of Cripple Creek, Carpenters' Unions of Colorado City and Canon City, Railway

Conductors of Salida; Typographical Union, Stonecutters' Union, and Plasterers' Union, of Colorado Springs; Upholsterers' Union, Carpenters' Union, and Brotherhood of Locomotive Engineers, of Pueblo, Colo., for the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BENTON: Resolution of Brewery and Ice Workers' Union of Joplin, Mo., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers' Union No. 8 and Typographical Union No. 350, of Joplin, Mo., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Electrical Workers' Union No. 95, and Typographical Union No. 350, of Joplin, Mo., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, papers to accompany House bill 12404, granting a pension to Westley Stone—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: Resolution of the Interstate Irrigation Congress, with reference to reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. BRICK: Resolutions of Broom Makers' Union No. 6, of South Bend, Ind., favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolutions of Broom Makers' Union No. 6, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of George H. Thomas Post, No. 17, Grand Army of the Republic, relative to establishment of Army post near Indianapolis—to the Committee on Military Affairs.

By Mr. BROMWELL: Resolutions of Stereotypers' Union No. 5; Division No. 95, Locomotive Engineers, and Division No. 107, Railway Conductors, all of Cincinnati, Ohio, concerning immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Sign Writers' Union No. 224, Wood Workers' Union No. 89, and citizens of Cincinnati, Ohio, favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. BURK of Pennsylvania: Petition of Joe Porter, J. W. Bishop, and J. H. Autrobus, committee, asking the restoration of P County, now known as Woods County, Okla.—to the Committee on the Territories.

Also, resolution of American Paper and Pulp Association, New York, favoring the establishment of a permanent Census Bureau—to the Select Committee on the Census.

Also, resolution of Interstate Irrigation Congress, favoring the irrigation of the arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolution of American Flint Glass Workers' Union and Carpenters' Union No. 463, of Philadelphia, Pa., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. DALZELL: Petition of sundry citizens of McKeesport, Pa., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, petition of Brown Chapel, African Methodist Episcopal Church, Allegheny, Pa., for an amendment to the Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

By Mr. DINSMORE: Paper to accompany House bill granting an increase of pension to William Shields, of Washington County, Ark.—to the Committee on Invalid Pensions.

Also, paper to accompany House bill to amend the military record of George W. Glenn—to the Committee on Military Affairs.

By Mr. DRAPER: Resolutions of Interstate Irrigation Congress of Colorado and Nebraska, favoring irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. ESCH: Resolutions of Interstate Irrigation Congress, with reference to reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. FITZGERALD: Resolution of Frank Head Post, No. 16, Grand Army of the Republic, Department of New York, favoring the building of war ships in the navy-yards—to the Committee on Naval Affairs.

Also, resolution of National Shoe Wholesalers' Association, for removal of the tariff on hides—to the Committee on Ways and Means.

Also, resolutions of Interstate Irrigation Congress and of the Commercial Club of Omaha, Nebr., favoring irrigation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

Also, resolution of American Pulp and Paper Association, urging the establishment of a permanent Census Bureau—to the Select Committee on the Census.

By Mr. GRAFF: Paper to accompany House bill 5357, for the relief of William Leech—to the Committee on Claims.

By Mr. GRAHAM: Resolution of American Paper and Pulp Association, favoring the establishment of a permanent Census Bureau—to the Select Committee on the Census.

Also, petition of the Pennsylvania State Grange, Patrons of Husbandry, Catawissa, Pa., in relation to various matters of legislation pending in Congress, principally relating to agriculture—to the Committee on Agriculture.

Also, resolutions of Iron Molders' Union No. 77, of Allegheny, Pa.; Glass Bottle Blowers' Union of Sharpsburg, Pa., and Branch No. 95, of Tarentum, Pa., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. GORDON: Petition of Electrical Workers' Union No. 32, of Lima, Ohio, favoring the construction of war vessels at the United States navy-yards—to the Committee on Naval Affairs.

Also, evidence to accompany House bill 9719, granting a pension to Sally Ann Horner—to the Committee on Invalid Pensions.

By Mr. HAMILTON: Petition of citizens of Three Oaks, Mich., relative to restriction of immigration into the United States—to the Committee on Immigration and Naturalization.

By Mr. HILL: Paper from the Bureau of Pensions, relating to the claim of Matilda E. Bietry, now Clarke, for a pension—to the Committee on Pensions.

By Mr. HOWELL: Petitions of Carpenters' Union of Orange, N. J., and Bricklayers' Union of Perth Amboy, N. J., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. KAHN: Resolution of Los Angeles Division, No. 111, Order of Railway Conductors, favoring the passage of the anti-injunction bill—to the Committee on the Judiciary.

Also, petition of officers of the National Guard of California, favoring House bill 11694, increasing the efficiency of the militia—to the Committee on Militia.

By Mr. KETCHAM: Petition of Typographical Union of Poughkeepsie, N. Y., favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, petition of Typographical Union of Poughkeepsie, N. Y., for restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

By Mr. KNAPP: Resolutions of Lowville Grange, No. 171, Patrons of Husbandry, of Lowville, N. Y., opposing appropriation for deep-waterway canal through the State of New York—to the Committee on Railways and Canals.

Also, resolution of Parish Grange, No. 575, Patrons of Husbandry, of Parish, N. Y., favoring the enactment of the Sherman cheese-branding bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Central Trades Assembly of Watertown, N. Y., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. LACEY: Resolution of Brickmasons' Union No. 9, of Ottumwa, Iowa, favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of G. C. Northrop and others, of Bloomfield, Iowa, for the establishment of a station for the employment of labor on the public domain—to the Committee on the Public Lands.

Also, resolutions of Interstate Irrigation Congress at Sterling, Colo., in relation to the irrigation and reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. LANHAM: Paper to accompany House bill to correct the military record of Isaac Chrisman—to the Committee on Military Affairs.

By Mr. LINDSAY: Petition of Cigar Makers' Union No. 132, of Brooklyn, N. Y., against any reduction of tariff on imported cigars that come from the Philippine Islands—to the Committee on Ways and Means.

Also, petition of Hopkins & Hopkins, Washington, D. C., in relation to foreign-built vessels in competition with American vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. LITTLEFIELD: Petition of Iron-ship Builders' Union No. 168, of Bath, Me., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. McCLEARY: Petition of Hopkins & Hopkins, relative to American registry for a foreign-built ship—to the Committee on the Merchant Marine and Fisheries.

Also, petition of W. M. Hays, of Minnesota Agricultural School, in relation to the appropriation for physiological and pathological investigation of the Bureau of Plant Industry—to the Committee on Agriculture.

Also, resolution of International Association of Machinists, relative to leaves of absence in United States navy-yards—to the Committee on Labor.

By Mr. MOODY of North Carolina: Petition of Charles Moore, of Buncombe County, N. C., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. OTEY: Papers to accompany House bill 559, for the relief of E. W. Donnelly—to the Committee on War Claims.

By Mr. PATTERSON of Tennessee: Petition of Jemima Chambers, of Fayette County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. PEARRE: Petition of Frank Thomas Post, No. 30, Grand Army of the Republic, Department of Maryland, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, petitions of Robert L. Beeman and 49 citizens of Lonaconing, Md., and W. E. Wagus and 50 other citizens of Frostburg, Md., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. POWERS of Maine: Paper to accompany House bill granting a pension to James Speed, jr., Bradford, Me.—to the Committee on Invalid Pensions.

By Mr. RAY of New York: Resolutions of Order of Railway Conductors, Corning, N. Y., urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, petitions of citizens of Washington, D. C., in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of Union No. 222, of Fort Wayne, Ind., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. RIXEY (by request): Petition of William Bushby, of Washington, D. C., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RYAN: Petition of Journeymen Barbers' Union No. 141, Buffalo, N. Y., favoring the passage of House bill 9350—to the Committee on Labor.

Also, resolution of American Paper and Pulp Association, for the establishment of a permanent Census Bureau—to the Select Committee on the Census.

Also, resolution of Western New York Horticultural Society, concerning irrigation—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Lake Seamen's Union of Buffalo, N. Y., urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Iron Molders' Union No. 13, Buffalo, N. Y., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of McMahon Post, No. 208, Grand Army of the Republic, Buffalo, N. Y., favoring House bill 10150—to the Committee on Invalid Pensions.

By Mr. SCHIRM: Resolutions of Glass Bottle Blowers' Union No. 9; Baltimore Division, No. 337, Order of Railroad Conductors, and petition of citizens of Baltimore, Md., relating to Chinese exclusion and immigration—to the Committee on Foreign Affairs.

By Mr. SCOTT: Petition of citizens of Pittsburg, Kans., for reciprocity measures with Cuba—to the Committee on Ways and Means.

By Mr. SHERMAN: Resolutions of Union No. 90, Order of Railroad Telegraphers, Utica, N. Y., for the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. HENRY C. SMITH: Resolutions of Edward Pomeroy Post, No. 48, in favor of House bill 7924, placing the name of Joseph R. Smith on the retired list of the United States Army—to the Committee on Military Affairs.

By Mr. SAMUEL W. SMITH: Resolutions of Brotherhood of Railroad Trainmen, Union No. 436, of Pontiac, Mich., and of Bricklayers' Union No. 12, of Flint, Mich., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Post No. 455, Grand Army of the Republic, of Montrose, Mich., and of United Association, Local Union No. 241, American Federation of Labor, of Flint, Mich., urging the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Pontiac Lodge, No. 436, of Railroad Trainmen, for legislation requiring greater safety in operating trains—to the Committee on Interstate and Foreign Commerce.

By Mr. SOUTHARD: Resolutions of Core Makers' Union No. 70, International Brotherhood of Blacksmiths, Carpenters and Joiners' Union No. 557, and of Bricklayers Union No. 3, of Toledo, Ohio, favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Allied Metal Mechanics' Union No. 18, of Granite Cutters' Union, of International Brotherhood of Electrical Workers' Union No. 8, of Bricklayers' Union No. 3, of Freight Handlers' Union No. 121, of International Association of Machinists No. 105, of International Brotherhood of Blacksmiths No. 98, and of Core Makers' Union No. 70, all of Toledo, Ohio, favoring passage of the Chinese-exclusion bill—to the Committee on Foreign Affairs.

Also, resolutions of Brass Workers' Union No. 2 and Carpenters' Union No. 25, of Toledo, and Post No. 110, of Bloomdale, Ohio, Grand Army of the Republic, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Egbert Command, No. 101, Corps of Ohio, Spanish War Veterans, Toledo, Ohio, favoring thanks of Congress and presentation of gold medal to Miss Clara Barton—to the Committee on Military Affairs.

By Mr. SULZER: Resolutions of Interstate Irrigation Congress, Colorado, favoring the irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. THAYER: Resolutions of Team Drivers' International Union No. 196, of Worcester, Mass., favoring a further extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Worcester Lodge, No. 339, International Association of Machinists; Team Drivers' International Union, Local Union No. 196; International Union of Steam Engineers No. 78, and of Stone Masons' Union No. 29, of Worcester, Mass., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. THOMAS of Iowa: Resolution of Sanborn Division, No. 11, of Mason City, Iowa, and Division No. 113, of Des Moines, Iowa, Brotherhood of Locomotive Engineers, favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of Fort Dodge Division of Order of Railway Conductors, for the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. TOMPKINS of New York: Resolution of Lucky Thought Lodge, No. 232, Brotherhood of Locomotive Firemen, Middletown, N. Y., favoring the anti-injunction bill—to the Committee on the Judiciary.

Also, petition of citizens of Orange County, N. Y., for the protection of native races in the islands of the Pacific and elsewhere against the sale of opium and intoxicants—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of Typographical Union No. 305, of Newburgh; Bricklayers' Union No. 68, and Cigar Makers' Union No. 488, of Middletown, N. Y., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Carpenters' Union No. 574, Cigar Makers' Union No. 488, and Bricklayers' Union No. 68, all of Middletown, and Typographical Union of Newburgh, N. Y., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. TOMPKINS of Ohio: Petition of Stereotypers' Union No. 14, Columbus, Ohio, against foreign immigration—to the Committee on Immigration and Naturalization.

Also, petition of Stereotypers' Union No. 14, Columbus, Ohio, favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. WILSON: Resolution of Watchcase Makers' Union of Brooklyn, N. Y., favoring restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

By Mr. WOODS: Resolutions of Interstate Irrigation Congress of Colorado and Nebraska in joint convention, favoring irrigation surveys and the construction of reservoirs for flood-water storage—to the Committee on Irrigation of Arid Lands.

Also, petitions of the officers of First Artillery, Second Brigade, National Guard of California, of San Francisco, favoring the passage of House bill 11654, to increase the efficiency of the militia—to the Committee on Militia.

By Mr. WILLIAMS of Illinois: Petition of C. C. Moore Post, No. 774, Department of Illinois, Grand Army of the Republic, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

SENATE.

WEDNESDAY, *March 12, 1902.*

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BERRY, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

PROMOTION OF COMMERCE.

Mr. BERRY. Mr. President, I desire to give notice that when the ship-subsidy bill comes before the Senate for consideration to-morrow I shall ask permission to address the Senate upon it.

KANSAS INDIANS OF OKLAHOMA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a report from the Commissioner of Indian Affairs and accompanying agreement and memorial of the Kansas or Kaw tribe of Indians of Oklahoma relative to their tribal lands and funds; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

RAILROADS IN CUBA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 13th ultimo, a letter from the military governor of Cuba, together with a report of the minister of public works, relative to the granting of permits for the building of railroads in the island of Cuba; which, with the accompanying papers, was referred to the Committee on Relations with Cuba, and ordered to be printed.

HEIRS OF JOHN CLEMSON AND JOHN G. COOKSON.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of the heirs of John Clemson, deceased, and of John G. Cookson, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

GERTRUDE A. LEFTWICH.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Gertrude A. Leftwich, widow of John Leftwich, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

J. G. COOPER.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of J. G. Cooper, administrator of Eliza Lawrence, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

FRANK B. TOMS AND SALLIE T. ELLIOTT.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Frank B. Toms and Sallie T. Elliott, sole heirs of Henry C. Toms, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 646) for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg.; and

A bill (H. R. 4381) to authorize the Central Railway of West Virginia to build a bridge across the Monongahela River at or near Morgantown, in the State of West Virginia.

PETITIONS AND MEMORIALS.

Mr. HOAR presented the petition of R. O. White and sundry other citizens of Orange, Mass., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented the memorial of Frederick B. Allen, of Boston, Mass., remonstrating against the management and control of vice by the board of health in Manila, P. I.; which was referred to the Committee on the Philippines.

He also presented a petition of Local Union No. 2, American Federation of Labor, of North Adams, Mass., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented petitions of Cigar Makers' Local Union No. 169, of Cambridge; of Typographical Union No. 276, of New Bedford; of Local Union No. 36, of Greenfield, and of Typographical Union No. 216, of Springfield, all of the American Federation of Labor, in the State of Massachusetts, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of Typographical Union No. 6, American Federation of Labor, of New York City, praying for the enactment of legislation to increase the salaries of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HALE presented a petition of the Central Labor Union, American Federation of Labor, of Portland, Me., and a petition of the Atlantic Coast Seamen's Union, International Seamen's Union of America, of Portland, Me., praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which were referred to the Committee on Privileges and Elections.

He also presented a petition of E. H. B. Wilson Post, No. 116, Department of Maine, Grand Army of the Republic, of Orono, Me., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of West Minot, Winterport, West Madison, and Thorndike, all in the State of Maine, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Dixfield and Bluehill, of Granite Cutters' National Union of St. George, of the Central Labor Union of Portland, of Granite Cutters' National Union of Norridgewock, of Cigar Makers' Local Union No. 179, of Bangor, and of Granite Cutters' National Union of Portland, all of the American Federation of Labor, in the State of Maine, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. WELLINGTON presented a petition of 309 citizens of Maryland, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Potomac Lodge, No. 2, American Federation of Labor, of Cumberland, Md., and a petition of the Independent Trades Council, American Federation of Labor, of Cumberland, Md., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of 50 citizens of Queen Anne County, 22 citizens of Kennedyville, and of 51 citizens of Frostburg; of Local Division No. 337, Order of Railway Conductors, of Baltimore; of Glass Bottle Blowers' Local Union No. 9, of Baltimore; of Bakers and Confectioners' Local Union No. 12, of Baltimore; of the Granite Cutters' Union of Granite; of Tobacco Workers' Local Union No. 70, of Baltimore, and of Granite Cutters' Local Union No. 1, of Guilford, all of the American Federation of Labor, in the State of Maryland, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. CLARK of Montana presented a petition of members of Companies K and M of Montana Volunteers, of Anaconda, Mont., praying for the enactment of legislation providing for the relief of volunteer officers and soldiers who served during the Spanish-American War and who served beyond the period of their enlistment; which was referred to the Committee on Military Affairs.

He also presented a memorial of Typographical Union No. 256, American Federation of Labor, of Great Falls, Mont., remonstrating against the adoption of certain amendments to the copyright law; which was referred to the Committee on Patents.

He also presented the petition of R. Lee McCulloch, adjutant-general of the State of Montana, of Hamilton, Mont., praying for the enactment of legislation to promote the efficiency of the militia; which was referred to the Committee on Military Affairs.

He also presented petitions of the Iron Molders' Local Union No. 309, of Anaconda; of Typographical Union No. 256, of Greatfalls; of Cigar Makers' Local Union No. 361, of Butte; of Bricklayers and Masons' Local Union No. 1, of Butte; of Bricklayers and Masons' Local Union, No. 3, of Greatfalls, and of Bricklayers' Local Union No. 2, of Anaconda, all of the American Federation of Labor, and of National Park Lodge, No. 295, Brotherhood of Railroad Trainmen, of Livingston, all in the State of Montana, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. GAMBLE presented the petition of John D. Small and 50 other citizens of Milbank, S. Dak., and the petition of Lars Berglund and 50 other citizens of Frank, S. Dak., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of J. H. Carleton Post, No. 17, Department of South Dakota, Grand Army of the Republic, of Parker, S. Dak., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. DILLINGHAM presented a petition of the Granite Cutters' National Union, of Williamstown, Vt., praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was referred to the Committee on Immigration.

Mr. GALLINGER presented a petition of sundry citizens of Temple, N. H., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Mount Washington Lodge, No. 461, Brotherhood of Locomotive Firemen, of Woodsville, N. H., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of

"restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of East Manchester, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Chester, N. H., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of Typographical Union No. 6, American Federation of Labor, of New York City, praying for the enactment of legislation to increase the salaries of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. CARMACK presented petitions of Local Unions Nos. 261, 135, 24, 3, 111, 49, 127, 20, and 4349, of Knoxville, Nashville, Jackson, Memphis, and Chattanooga, all of the American Federation of Labor, in the State of Tennessee, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FOSTER of Washington presented a petition of sundry citizens of Buckley, Wash., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of T. P. Price Post, No. 82, Department of Washington, Grand Army of the Republic, of Centralia, Wash., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a memorial of Typographical Union No. 202, American Federation of Labor, of Seattle, Wash., remonstrating against the immigration of cheap labor from the south and east of Europe; which was referred to the Committee on Immigration.

He also presented petitions of Typographical Union No. 202, of Seattle; of Bakers and Confectioners' Local Union No. 126, of Tacoma, and of Stonemasons' Local Union No. 4, of Spokane, all of the American Federation of Labor, in the State of Washington, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. SPOONER presented memorials of Typographical Union No. 23, of Milwaukee, and of Typographical Union No. 211, of Oshkosh, of the American Federation of Labor, in the State of Wisconsin, remonstrating against the passage of Senate bill No. 2894, to amend the copyright law; which were referred to the Committee on Patents.

He also presented petitions of Typographical Union No. 211, of Oshkosh, and of Kaukauna Lodge, No. 474, International Association of Machinists, of Kaukauna, in the State of Wisconsin, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a petition of Local Union No. 375, Retail Clerks' International Protective Association, of Marinette, Wis., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented a memorial of Julius Fierek and 28 other citizens of Torun, Wis., remonstrating against the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented petitions of Bricklayers and Masons' Local Union No. 7, of Janesville; of Musicians' Protective Union No. 182, of Neenah and Menasha; of Retail Clerks' Local Union No. 453, of Neenah; of Paper Makers' Local Union No. 25, of Neenah; of Cigar Makers' Local Union No. 363, of Waukesha; of the Order of Railway Conductors, of Baraboo; of Typographical Union No. 211, of Oshkosh, and of Bricklayers and Masons' Local Union No. 11, of Sheboygan, all in the State of Wisconsin, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. QUARLES presented a memorial of Typographical Union No. 25, American Federation of Labor, of Milwaukee, Wis., remonstrating against the adoption of certain amendments to the copyright law; which was referred to the Committee on Patents.

He also presented petitions of Local Division No. 68, Order of Railway Conductors, of Baraboo; of Typographical Union No. 211, of Oshkosh; of the Musicians' Protective Union No. 182, of Neenah and Menasha; of Bricklayers and Masons' Local Union No. 9, of Oshkosh; of Paper Makers' Local Union No. 25, of Neenah; of Cigar Makers' Local Union No. 168, of Oshkosh; of Bricklayers and Masons' Local Union No. 11, of Sheboygan; of Boot and Shoe Workers' Local Union No. 282, of Neenah; of Cigar Makers' Local Union No. 85, of Eau Claire, and of Longshoremen's Local Union No. 56, of Port Wing, all of the American Federation of Labor; of the Lake Seamen's Union, International Seamen's Union of America, of Milwaukee, and of Marine Council No. 1, International Seamen's Union of America, of Milwaukee, all in the State of Wisconsin, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. HEITFELD presented a petition of Typographical Union No. 271, of Boise City, Idaho, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Burke, Idaho, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. BATE presented a petition of sundry citizens of Shop Spring, Tenn., praying for the enactment of legislation imposing a tax of 10 cents per pound on oleomargarine sold in imitation of butter; which was ordered to lie on the table.

Mr. FORAKER presented petitions of Federal Labor Union No. 6876, of Chillicothe, and of the Watch Case Engravers' International Association of Canton, in the State of Ohio, praying for the enactment of legislation authorizing the construction of irrigation works for the reclamation of the arid lands of the country; which were ordered to lie on the table.

He also presented petitions of United Brotherhood of Carpenters and Joiners' Local Union No. 705, of Lorain; of Ship Carpenters' Local Union No. 6976, of Toledo; of Amalgamated Wood Workers' Local Union No. 134, of Piqua; of the Central Labor Council of Cincinnati; of International Association of Machinists Lodge No. 407, of Canton, and of International Association of Machinists Lodge No. 241, of Hamilton, all in the State of Ohio, praying for the repeal of the so-called desert-land act; which were referred to the Committee on Public Lands.

He also presented petitions of 102 citizens of Newark, of 71 citizens of Cleveland, of 42 citizens of Utica, of 8 citizens of Homer, and of sundry citizens of Collingwood, Independence, and East Liverpool, all in the State of Ohio, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of 136 members of Montville Grange, No. 136, Patrons of Husbandry, of Medina, and of sundry citizens of Galena, Salem, Kingston, Sullivan, Fremont, Snyder, Fayette, Lenox, Mulberry Corners, Buford, Reily, Brighton, Meade, West Mansfield, Bellville, Rapids, Sylvania, Huntsburg, Dennison, Orangeville, Canton, Harrisville, and Youngstown, all in the State of Ohio, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Cigar Makers' Local Union No. 481, of Cincinnati; of Stationary Firemen's Local Union No. 49, of Cincinnati; of Beer Drivers and Stablemen's Local Union No. 175, of Cincinnati; of Boot and Shoe Workers' Local Union No. 68, of Cincinnati; of Cigar Makers' Local Union No. 4, of Cincinnati; of International Jewelry Workers' Local Union No. 4, of Cincinnati; of Howe Federal Labor Union, No. 6697, of Cincinnati; of Boot and Shoe Cutters' Local Union No. 210, of Cincinnati; of Theatrical Stage Employees' Local Union No. 12, of Columbus; of Boot and Shoe Workers' Local Union No. 241, of Columbus; of Painters, Decorators, and Paper Hangers' Local Union No. 248, of Columbus; of Amalgamated Wood Workers' Local Union No. 174, of Columbus; of Typographical Union No. 5, of Columbus; of Carriage and Wagon Workers' Local Union No. 16, of Columbus; of Belmont Lodge, No. 46, Amalgamated Association of Iron, Steel, and Tin Workers, of Martins Ferry; of Eagle Lodge, No. 15, Amalgamated Association of Iron and Steel Workers, of Ironton; of Iron City Lodge, No. 9435, American Federation of Labor, of Ironton; of Lodge No. 105, International Association of Machinists, of Toledo; of the Central Trades and Labor Council of Zanesville; of the Central Trades Council of Sidney; of the Central Labor Council of Cincinnati; of Local Branch No. 20, Glass Bottle Blowers' Association, of Zanesville; of Painters and Decorators' Local Union No. 490, of Chillicothe; of Federal Labor Union No. 8170, of Coshocton; of Amalgamated Wood Workers' Local Union No. 134, of Piqua; of Longshoremans' Local Union No. 98, of Conneaut; of Oil and Gas Well Workers' Local Union No. 1, of Bowling Green; of Iron Molders' Local Union No. 352, of Bucyrus; of Operative Potters' Local Union No. 31, of East Palestine; of Job Pressmen's Assistants' Local Union No. 12, of Dayton; of Operative Potters' Local Union No. 9, of East Liverpool; of Chair Makers' Local Union No. 22, of Kent; of Wood Workers' Local Union No. 179, of Mansfield; of Cigar Makers' Local Union No. 79, of Sandusky; of Painters, Decorators, and Paper Hangers' Local Union No. 93, of Marietta; of Carpenters and Joiners' Local Union No. 171, of Youngstown; of Operative Potters' Local Union No. 24, of Wellsville; of Bakers and Confectioners' Local Union No. 96, of Springfield; of Tin Plate Workers' Local Union No. 12, of Martins Ferry; of 50 citizens of Wade; of 80 citizens of

Kyger; of 18 citizens of Dayton; of 15 citizens of Condit; of 3 citizens of Croton; of 48 citizens of Urbana; of 3 citizens of Galena; of 47 citizens of Marion; of 22 citizens of Sunbury; of 76 citizens of Marietta; of 27 citizens of Hillsboro; of 27 citizens of Hannibal, and of 52 citizens of Cleveland, all in the State of Ohio, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. ELKINS presented petitions of sundry citizens of Moundsville, Arnettsville, Branch, Perry, and Spilman, all in the State of West Virginia, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Bricklayers' Local Union No. 4, American Federation of Labor, of Fairmont; of Bricklayers' Local Union No. 6, American Federation of Labor, of Parkersburg, and of sundry citizens of Marshall county, Belleville, Dobbin, Harrison County, and Wise, all in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FRYE presented petitions of J. H. True and 36 other citizens of North Fayette, of E. G. Lander and 45 other citizens of Thorndike, of Pomona Grange, Patrons of Husbandry, of Sagadahoc County, and of Minerva Grange, Patrons of Husbandry, of Levant, all in the State of Maine, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. KITTREDGE. I present a joint resolution of the legislature of South Dakota, requesting Congress to grant to that State an absolute title to the one section of land of the Fort Sisseton Military Reservation and buildings thereon. I ask that the memorial be printed in the RECORD and referred to the Committee on Public Lands, to accompany a bill which I shall introduce when that order is reached.

The memorial was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

House joint resolution No. 13. A joint resolution and memorial requesting Congress to grant to the State of South Dakota an absolute title to the one section of land of the Fort Sisseton Military Reservation and the buildings thereon.

Be it resolved by the house of representatives (the senate concurring), Whereas there was granted to the State of South Dakota by act of the Congress of the United States, October 1, 1890, a certain tract of land which was comprised of one section of land of the Fort Sisseton Military Reservation, to be held by the State of South Dakota under certain conditions therein provided; and

Whereas the State of South Dakota desires to secure a complete and perfect title to the same: Therefore be it

Resolved, That we respectfully petition and memorialize the Congress of the United States to grant to the State of South Dakota, at an early date, a complete and perfect title to the said land and buildings thereon; and be it

Further resolved, That we request our Senators and Representatives in Congress to use their best efforts to compass this end; and the secretary of state is hereby instructed to forward copies of this memorial to the President of the Senate, Speaker of the House of Representatives, and each of our Senators and Representatives in Congress.

Mr. SCOTT presented a petition of sundry citizens of Elkins, W. Va., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Commerce, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 9332) to authorize the Dothan, Hartford and Florida Railway Company to construct a bridge across East St. Andrews Bay, navigable water, at a point about 1 mile east of Farmdale, in the State of Florida; and.

A bill (H. R. 10305) to amend section 14 of the act approved June 29, 1898, entitled "An act to provide for the construction of a bridge across the Niagara River."

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4414) granting an increase of pension to Albertine Schoenecker; and

A bill (H. R. 11144) granting an increase of pension to Anderson Howard.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to whom was referred the bill (S. 3908) granting homesteaders on the abandoned Fort Bridger Military Reservation, in Wyoming, the right to purchase one-quarter section of public land on said reservation as pasture or grazing land, reported it with amendments.

Mr. ELKINS, from the Committee on Commerce, to whom was referred the bill (H. R. 11719) to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River," reported it without amendment.

Mr. BURTON, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the bill (S. 4363) granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve, reported it without amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1298) to provide for the purchase of a site and the erection of a public building thereon at Colorado Springs, in the State of Colorado, reported it with an amendment, and submitted a report thereon.

MONUMENT OF COUNT DE ROCHAMBEAU.

Mr. CULLOM, from the Committee on Foreign Relations, reported a joint resolution (S. R. 68) authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of General de Rochambeau to be unveiled in the city of Washington; which was read the first time by its title.

Mr. CULLOM. Mr. President, this is a matter that I think ought to be attended to without delay, as it will be but a little while before the occasion referred to in the joint resolution will take place, and if we are going to send an invitation to be present on the occasion it ought to be done at once. I ask, therefore, that the joint resolution be read in full and that it be put on its passage.

The joint resolution was read the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and is hereby, authorized and requested to extend to the Government and people of France and the family of General de Rochambeau, commander in chief of the French forces in America during the war of independence, a cordial invitation to unite with the Government and people of the United States in a fit and appropriate dedication of the monument of General de Rochambeau to be unveiled in the city of Washington on the 24th day of May, 1902; and for the purpose of carrying out the provisions of this resolution a sum not to exceed $20,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated, the same, or so much thereof as may be necessary, to be expended under the direction of the Secretary of State.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. HOAR. Mr. President, I should like to move an amendment to the joint resolution, with the leave of the gentleman who has it in charge, so as to make it read "the families of Admiral Rochambeau and of Lafayette."

Lafayette stands in a relation to our war of independence which no other person occupies, and he has always had the gratitude and affection of the American people. He was, more than any other man, as a son to Washington, and he was regarded not merely as an individual who sympathized with us, but as the representative of the sympathy and affection of the whole French people. He was received afterwards as the nation's guest when he visited this country in 1824.

I did not know this matter was coming up until a minute ago, but I take this special opportunity to call attention to it because of one circumstance which may probably be thought to indicate an indifference on our part to the memory of Lafayette and a chill in our gratitude toward that beloved benefactor.

The Continental Congress, after the peace of 1783, voted a monument to General Lafayette, which vote was never carried out until within very recent years. But when any Frenchman or any friend of Lafayette called attention to the omission the answer always was that we have paid to him the most conspicuous honor ever paid to any person save Washington alone; that the portrait of Lafayette by Ary Scheffer, the great artist, hangs on one side of the door of the Speaker of the House of Representatives, the picture of Washington hanging on the other, the portrait of no other person being admitted to the Chamber occupied by that great assembly.

Now, for some reason which I do not know, within the past two or three months the picture of General Lafayette has been removed from the single most conspicuous place of honor, in the judgment of all Americans, in this world. I hope it may be restored, and I believe it will be restored before long; but in the meantime I think this invitation to Rochambeau should be accompanied by a similar honor to the family of Lafayette, who took part, as is well known, in the great transaction which completed the Revolutionary war.

The PRESIDENT pro tempore. The Senator from Massachusetts proposes an amendment which will be read.

Mr. CULLOM. I have no objection to the amendment.

Mr. HOAR. Substitute the word "families" for "family" and insert "General Lafayette" after the name of Rochambeau.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator to the amendment as it will be read.

Mr. CULLOM. Let it be read.

The SECRETARY. After the word "Independence" insert "and

to the family of Marquis de Lafayette," so that if amended the joint resolution will read:

Resolved by the Senate, etc., That the President be, and is hereby, authorized and requested to extend to the Government and people of France and the family of General de Rochambeau, commander in chief of the French forces in America during the war of independence, and to the family of Marquis de Lafayette, a cordial invitation to unite with the Government and people of the United States in a fit and appropriate dedication of the monument of General de Rochambeau to be unveiled in the city of Washington on the 24th day of May, 1902, etc.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CULLOM. There seems to be a question whether the word "General" is proper there. Probably it ought to be "Count" instead of "General."

Mr. MORGAN. Count de Rochambeau.

Mr. GALLINGER. Count.

Mr. CULLOM. Count is the proper term, I think, to be used.

Mr. BACON. I am sure the Senator from Illinois is correct. He is universally known in France as Count de Rochambeau.

Mr. CULLOM. Let that amendment be made.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. Strike out "General" where it appears before "de Rochambeau" and insert "Count."

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of Count de Rochambeau to be unveiled in the city of Washington."

BILLS INTRODUCED.

Mr. FRYE introduced a bill (S. 4441) granting an increase of pension to Silas C. Thomas; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 4442) to correct the military record of Sylvester Weaver; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4443) granting an increase of pension to Thomas Bassett; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4444) granting an increase of pension to Ephraim R. Knoy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KEARNS introduced a bill (S. 4445) to amend section 2322 of the Revised Statutes of the United States, and for other purposes; which was read twice by its title, and referred to the Committee on Mines and Mining.

Mr. MILLARD introduced a bill (S. 4446) to provide for the purchase of a site and the erection of a public building thereon in the city of Kearney, State of Nebraska; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Buildings and Grounds.

Mr. CARMACK introduced a bill (S. 4447) for the relief of S. R. McAlexander; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4448) for the relief of the estate of Charles W. Moorman, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 4449) granting a pension to James P. Hopkins; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for pension of $12 per month of James P. Hopkins, Company D, Fifteenth United States Reserve Corps, Missouri Home Guards, with affidavits of Dr. W. G. Hopkins, A. M. Potts, William Underwood, Henry J. Eaton, and Clark H. Grant, and reports from War Department and Auditor for the War Department. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. KITTREDGE introduced a bill (S. 4450) confirming in the State of South Dakota title to a section of land heretofore granted to said State; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SPOONER introduced a bill (S. 4451) granting an increase of pension to Dolphus S. Woolley; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. ALLISON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4452) to restore William W. McAllister to the pension roll;

A bill (S. 4453) granting a pension to Halle W. Dale;

A bill (S. 4454) granting an increase of pension to John D. Sullivan; and

A bill (S. 4455) granting an increase of pension to Hallowell Goddard.

Mr. FORAKER introduced a bill (S. 4456) to apportion the term of office of seven senators elected at the first general election of the Territory of Hawaii; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

He also introduced a bill (S. 4457) granting an increase of pension to William B. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. RAWLINS introduced a bill (S. 4458) ratifying the act of the Territorial legislature of Arizona, approved March 2, 1901, providing a fund for the erection of additional buildings for the University of Arizona; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 4459) for the relief of Navajo County, Ariz.; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 4460) authorizing the adjustment of the rights of settlers on certain Executive order Indian reservations in the Territory of Arizona; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MORGAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4461) for the relief of the estate of Ransom Day, deceased;

A bill (S. 4462) for the relief of John Edwards; and

A bill (S. 4463) for the relief of Joseph Lightfoot.

Mr. MARTIN (for Mr. DANIEL) introduced a bill (S. 4464) for the relief of Bettie Eppes Minetree, sole heir of John W. Eppes, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (for Mr. DANIEL) introduced a bill (S. 4465) for the relief of John A. Fairfax; which was read twice by its title, and referred to the Committee on Claims.

Mr. ELKINS introduced a bill (S. 4466) granting a pension to Archibald McIntire; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 4467) granting a pension to Richmond L. Weston; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE (by request) introduced a bill (S. 4468) granting to the Telephone Company of America, a corporation organized under the laws of the State of Delaware, its successors and assigns, the right and privilege to construct and maintain conduits for telephone and telegraph lines, and to construct, maintain, and operate a telephone exchange system and telegraph lines in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COCKRELL introduced a bill (S. 4469) extending the time for the completion of a wagon motor bridge across the Missouri River at St. Charles, Mo., as provided by an act approved June 3, 1896, and as extended by the act approved January 27, 1900; which was read twice by its title, and referred to the Committee on Commerce.

Mr. COCKRELL. I present a petition of the city officials and citizens of St. Charles, Mo., praying for an extension of the time for completing the bridge as provided for in an act approved June 3, 1896, and extended by the act approved January 27, 1900, together with copies of each act. I move that the petition and papers be referred to the Committee on Commerce, to accompany the bill.

The motion was agreed to.

Mr. CULLOM introduced a bill (S. 4470) for the relief of Thomas J. Spencer; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BURTON introduced a bill (S. 4471) for the relief of David Hogan; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. PETTUS introduced a bill (S. 4472) to refer the claim of Mrs. Sarah Autrey to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4473) to refer the claim of John Sampey to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4474) to refer the claim of Mrs. Addie E. Amos to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4475) granting to the Mobile,

Jackson and Kansas City Railroad Company the right to use for railroad purposes the tract of land at Choctaw Point, Mobile County, Ala., and now held for light-house purposes; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENTS TO BILLS.

Mr. McLAURIN of South Carolina submitted an amendment to be proposed by him to the bill (H. R. 3341) for the allowance of certain claims for property taken for military purposes within the United States during the war with Spain, reported by the Secretary of War in accordance with the requirements of an item contained in the sundry civil appropriation act approved June 6, 1900, authorizing and directing the Secretary of War to investigate just claims against the United States for private property taken and used in the military service within the limits of the United States, etc.; which was referred to the Committee on Claims, and ordered to be printed.

Mr. TALIAFERRO submitted an amendment proposing to increase the appropriation for improving the St. Johns River, Florida, from Jacksonville to the ocean, from $350,000 to $500,000, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $300,000 for improving Biscayne Bay, Florida, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. HEITFELD submitted an amendment proposing to appropriate $465,566.09 to be paid to the Delaware tribe of Indians residing in the Cherokee Nation, in the Indian Territory, as such tribe in council shall direct, the same being the aggregate difference between the coin value of payments made in currency during the years 1862 and 1878, both inclusive, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. HEITFELD. I present the memorial of Richard C. Adams, representing the Delaware Indians, together with sundry other papers relative to the claim of these Indians. I move that the memorial and accompanying papers be printed as a document and referred to the Committee on Indian Affairs, to accompany this amendment.

The motion was agreed to.

RESTRAINING ORDERS AND INJUNCTIONS.

On motion of Mr. HOAR, it was

Ordered, That the bill S. 1118, Fifty-seventh Congress, first session, be reprinted for the use of the Senate.

REORGANIZATION OF THE CONSULAR SERVICE.

On motion of Mr. LODGE, it was

Ordered, That 500 extra copies of S. 1618, "to provide for the reorganization of the consular service of the United States," and the report (No. 499) thereon, be printed for the use of the Committee on Foreign Relations.

HEIRS OF J. W. FLANAGAN.

Mr. BAILEY (by request) submitted the following resolution; which was referred to the Committee on Privileges and Elections:

Resolved by the Senate of the United States of America, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to Webster Flanagan, James W. Flanagan, Mrs. Fannie Swan, Mrs. Emma Flanagan, Mrs. Marion Gates, R. B. Flanagan, and Mrs. Laura Stewart, or to their legal representatives, heirs of J. W. Flanagan, formerly a Senator from the State of Texas, $5,256.16, due him as a Senator of the United States in the Forty-first Congress, from the 4th of March, 1869, to the 29th of March, 1870, to be paid from the miscellaneous items of the contingent fund of the Senate.

SHIPMENTS IN GOVERNMENT TRANSPORTS.

Mr. RAWLINS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War is directed to send to the Senate the reports of inspectors Carpenter and Maus and any other information, if any, in possession of the War Department relating to the free shipment or transportation of goods for private firms or individuals, to or from the Philippine Islands, in Government transports.

RATES OF MAIL PAY.

Mr. SPOONER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate at the earliest practicable day to what extent the mail pay provided for by Senate bill 1348 increases the mail pay now authorized by law; and also whether the rates of mail pay and general subsidy provided by said bill are more or less in effect than the subsidy rates provided by Senate bill 727, introduced December 6, 1899, first session Fifty-sixth Congress; and if more, how much more; and if less, how much less.

CONSIDERATION OF THE CALENDAR.

Mr. HALE. Mr. President, I gave notice yesterday that at the end of the routine morning business to-day I should ask the Senate to proceed to the Calendar. It is now very small and can easily be disposed of in one day. But the Senator from North Dakota desires to address the Senate this morning, and I shall not insist upon the request, but will call up the Calendar to-morrow morning.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. McCUMBER. Mr. President, so far the shipping bill has been discussed almost wholly by those who claim to have a special knowledge of the subject, by those who reside in and who represent States on the seacoast. I regarded it, therefore, as possibly appropriate that it might also be considered by one representing almost purely agricultural interests and a State which is about midway between the two oceans.

Mr. President, as I am not a member of the Committee on Commerce, therefore, in considering this bill, I do not feel called upon to discuss it minutely and follow its provisions into all possible details. I have no expert knowledge of shipping and its particular interest. The bill, however, is one which, while it deals with only one industry, by its very nature vitally and directly affects every interest in the United States, none more than the agricultural interests.

I, however, believe that I understand quite fully the general scope and effect of the provisions of the proposed act, and I purpose briefly to apply it to the general conditions of the country at the present time, and determine from such application what I believe to be its fair effect.

The Senator from Arkansas [Mr. BERRY], in his address on the general subject of ship subsidy in the Fifty-sixth Congress, said, in substance, that he did not understand how any person representing an agricultural section could conscientiously support a bill of that character. He could not see how anyone representing the farming element in the country could vote for that bill. As this bill is of the same general nature, and has identically in view the same objects, I assume that it is viewed by him in the same light. And inasmuch as I represent a purely agricultural section of the country, I feel justified in considering this bill and, consequently, replying to this statement, and considering it from the standpoint of the Western agriculturalist.

My State, as I have suggested, lies about midway between the two oceans. Ninety per cent of its entire product must be either shipped to Pacific or to Atlantic ports, and about that proportion of its products must go outside of the United States. We can easily see, therefore, how vitally interested we are in anything that affects either rail or ocean transportation.

The object of this bill is to advance into another field of operation that governmental policy of protection to American industries that has resulted so favorably in the past in the welfare of the American people, and has been so strongly indorsed by them during the last forty years. The objects sought to be attained by this bill, and, if the optimistic views of the framers—of the majority of the Committee on Commerce—are well founded, will be secured, are as follows:

First. A restoration of the merchant marine, affording in time of war and public necessity a sufficient number of ships convertible into transports or cruisers, which may by requisition be brought into public service;

Second. A saving of a very large sum of money, estimated at $150,000,000 or more per annum, to the American people which is now paid to foreign shipowners and their crews for the transportation of articles of American commerce;

Third. Enabling the American people, by the extra sums to be paid under this bill, to compete with foreign shipowners, so that the American commerce, or at least a fair and honest proportion thereof, may be carried in American vessels; and

Fourth. That in time of conflict between any of the nations who are now carrying the bulk of our commerce we may not suddenly be thrown into a position where we are at the absolute mercy of foreign shipowners whose countries are so involved.

Now, Mr. President, every one of these objects deserve the patriotic consideration of American legislators. Our lost prestige upon the ocean ought to intensify our desire to restore our old supremacy. The fact that only 8 per cent of the exports and imports of this country are carried in American bottoms under the American flag is a condition, when compared with the greatness of the country and its excelling proportions in all other matters, that ought not to be tolerated.

Mr. President, in the year 1826 92½ per cent of all our foreign commerce, both exports and imports, was carried in American bottoms and only 7½ per cent in foreign vessels. In 1901, seventy-five years thereafter, this condition is absolutely reversed, and in the last year only 8⅓ per cent of our exports and imports were carried in American bottoms and 91⅔ per cent in foreign vessels.

To say that this is a matter of deep chagrin is putting it too lightly. In my opinion it is a matter of deep disgrace to the American people. The provisions of this bill, reduced to their simplest form, consist of a proposition for the protection of

American shipping. It is the protection policy of the Government pressed into a new channel where its potency for building up and reviving is sadly needed. Our comparatively weak position in the merchant marine of the world must be a glaring object lesson of the inefficiency of anything bordering upon free trade with the balance of the world. Protection to our goods and to the industries which produce them is fast giving us the supremacy of the world. The nonprotection of American ships which carry that commerce is fast losing for us our merchant marine, if it has not already reduced it to such an extent that the remnant is scarcely worth the honor of that name.

The rather anomalous condition presents itself that while we have been outstripping the balance of the world in the enormous proportion of our manufactured and agricultural exports and the increase of our foreign commerce, we have been losing in a corresponding ratio our merchant vessels, so that at the present time we are compelled to carry almost wholly in foreign ships.

The same rules and regulations which govern in fixing protective rates and in determining whether any protection is necessary as against foreign goods are necessarily applicable in the determination of the question of protection to our merchant marine.

It is needless to say that every American citizen must sympathize with every one of the objects of this bill, and the only question which naturally presents itself is whether the object sought can best be obtained in any other form than that which is practically a subsidy, calling it by whatever name you may see fit.

I have tried, in the time which I could properly allot to the subject, to consider justly and fairly all the matters I could secure bearing upon this important question. I have found no propositions or theories which would appeal to my judgment in favor of any other character of remedy.

No bill has been introduced, to my knowledge, certainly none pressed, which presents any other theory as opposed to the one adopted in this bill in dealing with the question. Vague theories, Mr. President, often find their best refutation when sought to be crystallized into effective legislation. The obstacles, often many and serious, are then brought into prominence.

It has been suggested, for instance, that a bounty upon American exports would be the proper remedy. It is obvious that, other things being in harmony, a bounty on exports would be the most direct and effective remedy which could be devised to stimulate and make profitable our export trade. By a varied scale we could so adjust these bounties that all products could secure proper and adequate protection, according to their interests. The great staple productions of the country—that which makes the wealth of the populace—could secure special privileges corresponding to their importance.

An examination of our many treaties with foreign countries will show us that the granting of a bounty upon American exports or giving preferential duties would be against the direct provisions of the treaty conventions with all the great commercial countries. It has been stated that these treaties provide for their own abrogation, and many of them may be avoided upon one year's notice. It is evident, however, that these treaties should remain in force until new ones are adopted. How long it would require to formulate and secure mutual agreements by other countries interested in such treaties is a question which can not be answered.

But what we know of the changed conditions existing between this country and these other great commercial countries when the treaties were made and we were exporting comparatively little, and the condition which now exists when our exports have become enormous and are threatening the industries of those very countries, leads me firmly to the belief that if those treaties were once abrogated we would never again secure treaties so favorable. But even if favorable treaties could be secured, my opinion is that the conditions are such in the world to-day that nearly all these great commercial powers, in the event of preferential rates being fixed by law for American vessels, could very successfully retaliate.

It is true, also, that we might purchase ships in a foreign market cheaper than we could produce them here, but that is equally true of almost every character of goods, and it is just as reasonable that we should take off our tariffs on the many articles of imports, thus affording no protection whatever to our own industries, as to refuse to grant to the industry of shipbuilding and ship commerce a protection in harmony with all other conditions.

No commercial country is safe—and it takes no argument to verify this—unless it has the facilities and ability to construct and man a large navy in time of war or threatened war, and no nation can do this unless it has at all times extensive shipyards, capable of doing the work, and enough of a merchant marine to be able to man the proper number of ships.

I am therefore constrained to the opinion that the objects sought can better be secured by the methods indicated in the present bill, and that subsidies for American vessels, to an extent sufficient to enable them to compete with foreign vessels, is the most proper method of disposing of the subject.

To me the one grand object, and the object which is worthy of the greatest consideration, is the reduction of freights on our exports. We have long maintained a position of high and expensive living in this country, more universal among our people, from the laborer to the capitalist, than in any other country in the world. Our peculiarly favorable conditions and situations have enabled us to do this. Having within our own borders, or capable of producing therein, every article of industry or commerce, of food or raiment, we have been enabled to exact commercial tribute from all nations not so favorably situated. We have been enabled, by reason of this, to compel payment of important tariffs as a condition of opening up our great field of consumption to the commerce of the world, while they, in turn, have been compelled for the most part to receive our exports free.

Accustomed to higher wages—to a higher plane of living—than the inhabitants of any other country, any downward step toward an equality with the rest of the world would be followed by consternation and ruin which would bode enormous evils to the country.

Our great prosperity to-day is due to our great trade balance. When we export $580,000,000 worth of goods a year more than we import, we are $580,000,000 better off than we were at the beginning of the year. Keep that going for years; keep that money home circulating in the business of our country, and in ten years we would have in property and wealth $5,000,000,000 as a result of that trade balance alone. Turn that trade against us ten years, and we would bankrupt every industry in the United States.

It is evident, Mr. President, that continued prosperity requires a continuation of the policy which produces it, and to maintain it eternal vigilance and foresight must be exercised, and we must constantly create new fields for enterprise and trade whenever the old show signs of exhaustion.

No nation has ever been a great and prosperous nation until it had become a commercial nation, and no nation has ever become a great commercial nation until it reached a point where its exports exceeded its imports, and its prosperity always has been and always must be in proportion to that excess.

I know that this could not be carried on indefinitely with any single country, but so long as a nation is blessed with particularly favorable conditions so long should it take advantage of those conditions, though it be at the expense of the balance of the world.

That which is threatening our agricultural interest to-day is the enormous and rapidly increasing competition in the agricultural products of the world. The vast increasing exports of grain from South American countries and Russia is having a more or less disastrous effect upon the wheat raisers of our country.

I have here, Mr. President, a number of tables prepared by the Secretary of Agriculture, showing the exports of wheat alone, not considering flour and the manufactures of wheat, of all the great commercial exporting countries of the world:

Wheat exports of the United States, 1891–1901.

Year ended June 30—	Bushels.	Value.
1891	55,131,948	$51,420,272
1892	157,280,351	161,359,132
1893	117,121,109	93,534,970
1894	88,415,230	59,407,641
1895	76,102,704	43,805,663
1896	60,650,080	39,709,803
1897	79,532,020	59,920,178
1898	148,231,261	145,684,659
1899	139,432,815	104,259,169
1900	101,950,389	73,287,080
1901	132,060,667	96,771,743

Wheat exports of Argentina, 1890–1901.

Calendar years.	Quantity.	
	Kilograms.	*Bushels.*
1890	327,894,151	12,048,000
1891	395,555,180	14,534,000
1892	470,109,617	17,273,000
	Metric tons.	
1893	1,008,137	37,042,000
1894	1,608,249	59,092,000
1895	1,010,269	37,121,000
1896	523,001	19,217,000
1897	101,845	3,742,000
1898	645,161	23,705,000
	Kilograms.	
1899	1,713,429,306	62,957,000
	Metric tons.	
1900	1,929,676	70,903,000
1901	904,289	33,227,000

Wheat exports of Canada, 1891-1901.

Year ended June 30—	Bushels.	Value.
1891	2,108,216	$1,583,084
1892	8,714,154	6,947,851
1893	9,271,885	7,060,033
1894	9,272,208	6,133,452
1895	8,825,689	5,359,109
1896	9,919,542	5,771,521
1897	7,855,274	5,544,197
1898	18,963,107	17,313,916
1899	10,305,470	7,784,487
1900	16,844,650	11,995,488
1901	9,739,758	6,871,939

I take now, Mr. President, the wheat exports of Roumania, of Russia, of Bulgaria, and of British India, and I find that there has been a great increase in the wheat exports of all of these wheat-exporting nations, with the exception, possibly, of India.

Now, Mr. President, what remedies are available to the American wheat grower? He can not stop the foreign production, which is ever driving the value of his product downward. There are but three remedies: Increase the demand for home consumption by such legislation as will increase the manufacturing and commercial population of the country, augmenting thereby the home consumption. Secure new foreign fields of consumption. And the answer to this ever beckons us toward the Orient. Lower the freight rates on agricultural exports.

And here we are brought face to face with one of the objects of the bill. Will its effect be to lower freight rates generally? The rule of competition must play as important a factor in the matter of freight rates as in any other avenue of business. Obviously, it must be less liable to be overcome by combinations when the competition is not between citizens of the same country, but between the people of nations foreign to each other, and whose natural competitive policies necessitate the application of the rule.

Of course, freight rates can not be expected to drop below the point of profitableness to those engaged in shipping, but we have a right to expect a reduction compatible with the higher wages paid for shipbuilding, the higher prices paid for American ships, the higher salaries paid to American sailors, and the higher expenses of operating American vessels.

On pages 493 and 494 of the report of the Commissioner of Navigation for the year 1901 is a table showing the tonnage of American and foreign vessels entered and cleared in foreign trade from 1821 to 1901. These figures may be interesting to the Senator from Colorado [Mr. TELLER], who asked concerning them in last evening's debate. It will be seen therefrom that the total amount of American tonnage entered and cleared from American ports in 1901 was 12,798,652 and of foreign tonnage of 46,799,262—21 per cent American and 79 per cent foreign.

Now, Mr. President, if we could increase our tonnage, even to the extent of furnishing half of that engaged in our commerce, we would have to increase it about 400 per cent—at the present time fourfold. Assuming that we could do this, and also assuming that the number of foreign vessels would increase with the increased commerce of the world and that there are now enough vessels, and therefore with such increase in the future will be enough to carry all of that commerce, it is obvious that the result would mean either idle foreign vessels or a reduction in freight rates to the lowest profitable point.

The Senator from Georgia [Mr. CLAY], in his address the other day, said:

> If the friends of this bill are supporting the measure for the purpose of encouraging shipbuilding and increasing our merchant marine, why did they not provide that such owners of vessels engaged in our foreign trade, before receiving the benefit of the subsidy provided in this bill, should be required to obligate themselves to build new ships to correspond with those receiving the benefit of the subsidy? If the majority are so anxious to build up the merchant marine, why do they not say to the shipowners engaged in our foreign trade, Before you shall go into the public Treasury and receive aid from the Government you shall at least obligate yourselves to build and put in operation similar ships to those receiving Government aid?
>
> How can the majority sustain the position that the prime object of this bill is to increase our merchant marine and to stimulate shipbuilding in the United States, when all vessels, both sail and steam, now in existence are subsidized and permitted to draw from the public Treasury without the owners being required to build other ships to correspond with those receiving the subsidy? This legislation indicates that our friends on the other side of the Chamber are more solicitous about giving aid and encouragement to the owners of ships now in existence than they are to encourage the building and operation of new ships.

Mr. President, the same Senator in his address last year showed, at least to his own satisfaction, and attempted to show to the satisfaction of Senators on this side, that this bill, in the feature in which he now criticises it for not having the same matter as was in the last bill, would be most disastrous and nothing would be obtained therefrom. I do not know how he can justly now criticise this bill for not containing that which he declared in his speech in the Fifty-sixth Congress could not be accomplished for the benefit of American shipping.

On the whole, the argument of the Senator from Georgia was a double-edged sword which cut deeper backward than it did forward. He claims to have established the fact beyond question, first, that ships can be built as cheaply in this country as anywhere else; secondly, that they can be operated as cheaply; and, thirdly, inferentially, that the amounts received in freights now are reasonably remunerative and profitable.

Now, Mr. President, if the Senator has established that to his own satisfaction, I can not understand how he can deny to the results obtained by him the natural conclusion, which is, that if capital invested in shipping industry is now receiving a fair remuneration and you add greatly to that compensation and contract that it shall be paid for a period of at least fifteen years, an enormous amount of capital will necessarily go into shipbuilding and thereby increase the number of American ships. Certainly they will do that if it is made more profitable.

My own belief is that with the impetus this subsidy will give to shipbuilding and construction and the enlargement of our shipyards, with their labor-saving devices, we will in the course of fifteen years, and possibly sooner, be enabled, without the continuation of this subsidy, to compete in shipbuilding with the balance of the world. If this does come about within that time, then we need not continue these payments, and, as I understand the bill, the subsidies paid under Article II may be repealed at any time; not so, however, with the contracts for carrying the mails.

If this experiment should show that it has accomplished its purpose in a few years, we need not continue it further. On the other hand, if we find it is working harmoniously and find it proper to continue it with like or with less protection, I think the country will rise to the occasion and do what justice may require. Here now is an important feature, Mr. President, to me as important as anything in the bill.

Last year the value of imports and exports of this country amounted to the sum of $2,151,935,411. Had we retained our proportionate share, that share which we held in 1826, we would have carried in our ships $1,990,540,155, in round numbers about $2,000,000,000. Just what proportion of that would be paid out for American ships, to American mechanics, and for American seamen, I do not know, but have been informed that we are now paying out about $500,000 per day to foreign ships and shipowners for carrying our commerce.

As this would be about 20 per cent of the value of the articles of commerce, I think it is reasonably accurate, although I have not verified it. That would make $182,500,000 per year. Even, therefore, if the effect of this bill did not operate to reduce rates, as I certainly believe it will, if the rates were to remain the same as now, still I insist that the retention of this vast sum of from $150,000,000 to $180,000,000 per year would itself justify the expenditure of these three to five million dollars per year extra which this bill calls for.

In my mind the only justification for the payment of public funds in furtherance of semiprivate business is that the returns from the investment of these public funds to the whole of the people will be in benefits received in excess of the amount paid, which of course must be paid by all of the people. Not only this, but the justification must be based upon the same policy and the same theory which justifies the tariffs upon imported goods, namely, the protection of American industries, and not less important, the retention of the sums paid for articles of consumption as much as possible in our own country.

There are, Mr. President, two important considerations which lie at the very base of the moral right to levy a tax upon foreign importations. The one is, that by so doing we are enabled to develop our own internal resources, and the other, that which to me is far more important, or certainly as equally important, is that the sums which we necessarily expend for the necessaries or luxuries of life are kept within our own borders.

A protectionist by education, I deny that the benefits of our protective policy should be limited to the mere protection of infant industries. Mr. President, we shall soon, if we have not already in some of our articles of production, be brought face to face with the question whether this Government shall cut off its protective policy the moment that we find that any character of goods no longer needs protection in this country as against foreign competition.

I deny the proposition that when an article needs no further protection against the invasion of a foreign article we should necessarily cease our protective policy. So long as I support my own family, and so long as a member of that family produces an article which I might need, I am justified, not only morally, but financially, in paying that member of my family 95 per cent premium for the articles so required by me more than I would pay to a stranger.

And no amount of argument and no character of discussion can convince me that if the expenditure of three or five or ten million dollars per year, taken from the public Treasury, will in the course of a very few years operate to retain within this country $150,000,000 or $200,000,000 per year to be paid out to American workmen in our shipyards, to American seamen and American sailors and the owners of American vessels, and as income from the investment of American capital—that such expenditure is not for the best interest of the American people, and is not a most profitable and sensible investment, and this whether the effect of the bill is to reduce freights or not.

If, however, these foreign ships, which are now carrying about 92 per cent of our trade, will, after the enactment of this bill into law, be still enabled to make the same profit, they will continue to hold their proportion of the trade, and the increase of the number of our ships would be proportionally equal to the increase of the foreign ships engaged in our trade. Unless the operation of this bill results in reduction of freights, whereby the field of American commerce will be less profitable to foreign investment and more profitable for American investors, the effect of the bill, so far as the reduction of freight rates is concerned, would, to my mind, be a failure.

And if we are to reap the most beneficial object and intent of this bill, the retention of this vast sum of money paid to foreign owners by citizens of this country, it certainly can only be done because we are thereby enabled, not only to compete with, but underbid, foreign vessels in the carrying trade, and thus, in proportion to the extent of the increase in our merchant marine, expel from our trade a corresponding proportion of foreign marine.

I contend, therefore, that the amount to be paid should be sufficient to enable American shipowners, not merely to meet the foreign owners upon an equal basis, but to be enabled to protect themselves against great foreign competition, and this can only be done by lowering freight rates.

It will not take a great number of those ships, which are provided for in this bill, to equal the carrying capacity of the foreign ships engaged in American commerce. As shown by the report of the Commissioner of Navigation for 1900, page 40, the number of steam vessels of over 2,000 tons and of 12 knots speed and over is only 1,109. Of this number 883 are of 14 knots and less, leaving only 323 vessels of this character above 14 knots. There are only 90 vessels above 15 and less than 16 knots, 53 of 16 and less than 17 knots, 49 of 17 and less than 18 knots, 8 of 19 and less than 20 knots, and 19 of 20 knots and over.

I insert the table referred to:

The number of ocean screw steamships over 2,000 gross tons and of 12 knots or over owned by the several countries of the world are as follows:

Nationality of fast steamships.

Nationality.	Speed.									Total vessels.
	20 knots.	19 knots.	18 knots.	17 knots.	16 knots.	15 knots.	14 knots.	13 knots.	12 knots.	
British	7	....	12	23	29	44	61	173	248	597
American	4	....	....	3	7	19	25	23	13	94
French	2	2	....	17	5	1	3	44	36	110
German	5	2	4	2	4	10	4	29	46	106
Italian	....	....	....	1	4	1	3	12	13	34
Spanish	....	....	....	....	2	2	4	5	11	24
Chilean	....	....	....	....	....	....	9	....	1	10
Japanese	....	....	....	3	....	5	3	21	9	41
Austrian	....	....	....	....	2	2	2	6	5	17
Russian	1	4	....	....	....	2	....	1	13	21
Dutch	....	....	....	....	....	3	6	3	17	29
Portuguese	....	....	....	....	....	....	4	4	2	10
Belgian	....	....	....	....	....	1	1	11	....	13
Roumanian	....	....	1	....	....	....	....	....	....	1
Brazilian	....	....	....	....	....	....	....	2	....	2
Total	19	8	17	49	53	90	125	334	414	1,109

Much has been said in the argument here in reference to the larger sums which will be received by the fast mail ships; that these vessels carry but a small portion of our products, and that only in concentrated form. This is true. I have a right to assume, however, that vessels of the most profitable size and speed are the ones which will be used to the greatest extent, and that is not always the ship which will receive the greatest subsidy under this bill.

An article by Winthrop Marvin on the shipping bill of the Fifty-sixth Congress, published in the February, 1901, number of the Review of Reviews, gives a table showing the amount that would be received by vessels from 10 to 21 knots, respectively, under that bill, and contains an itemized cost of operating the same. So far as the subsidies or excess of subsidies in that table are concerned, they may not be important here. I, however, insert the entire table.

Knots per hour.	Tons of coal per day.	Number of firemen.	Cost of coal and handling per annum.	Subsidy.	Excess of subsidy.
10	44	15	$33,180	$48,300	$15,120
11	53	18	40,194	53,130	12,936
12	65	22	49,392	83,160	33,768
13	79	26	60,060	90,090	30,030
14	96	32	72,912	126,420	53,508
15	117	39	88,830	141,750	52,920
16	144	48	108,864	157,920	49,056
17	173	58	131,376	187,070	50,694
18	209	70	158,004	207,900	49,896
19	254	85	192,318	235,410	43,092
20	305	102	231,000	264,600	33,600
21	371	127	281,358	304,290	22,932

Mr. President, I assume that this is substantially correct. From this table it will be observed that a 10-knot ship will pay out per annum for coal and handling $33,180, one of 20 knots, of the same character, $231,000; that the double speed instead of doubling the expense increases it nearly eightfold. According to his table, even the difference of 1 knot, that between a 20-knot ship and a 21-knot ship, is $150,350 per annum, and we must consider not only this extra expense in coal and handling, but the diminution in freight space for the extra amount of coal required.

From the fact that large mail steamers do not carry agricultural products, except in the most concentrated form, I had hoped that the committee could find its way clear to base subsidies upon the amount of cargo actually carried, instead of the gross tonnage of the vessel. This would especially benefit the slower and more exclusively freight ships and induce the building of such vessels, thereby lowering ocean freights. However, the question of what character of ships will be built will not depend wholly on what subsidy particular ships may earn, but on what will be the net earning after considering all expenses. The table I have referred to will give a rather clear understanding on this point.

As suggested before, Mr. President, I believe the interest of our Western wheat growers can best be subserved by securing special low rates on the Pacific, so as to make it profitable to move the crop of the Pacific States westward. This bill is particularly favorable to the Pacific trade.

On account of the great distance, the most economical ship on the Pacific must be one of large tonnage capacity. By basing the amount of payment on the gross tonnage, and not on the actual cargo taken, these Pacific trade ships would reap a higher benefit.

So much of their storage capacity must be taken up with fuel on a long voyage that, on a cargo basis, they would necessarily receive a much smaller relative payment than an Atlantic liner. A comparison of distances between foreign Atlantic and Pacific seaports from our own seaports will make this clear. I shall insert a table of that character, which will speak for itself, and which will show that the distance traveled on the Pacific is, on an average, more than double the distance between important seaports upon the Atlantic.

Distances to foreign ports.

ATLANTIC.

	Miles.
New York to Copenhagen	3,408
New York to Sleswick	3,620
New York to Bremen	3,465
New York to London	3,010
New York to Newcastle	3,255
New York to Amsterdam	3,355
New York to Calais	3,206

PACIFIC.

	Miles.
San Francisco to Bombay	9,838
San Francisco to Calcutta	8,841
San Francisco to Melbourne	6,954
San Francisco to Canton	6,164
San Francisco to Hongkong	6,086
San Francisco to Nagasaki	5,048
San Francisco to Manila	6,252

It is obvious from this table that, comparatively, the Pacific-trade ships will receive a higher proportion than they would receive were the basis of subsidy made upon cargo and not upon gross tonnage, because they would suffer no relative loss on account of the extra space utilized for coal. This would be of especial benefit to the agricultural sections of the Northwest.

The object of this bill is to increase the number of vessels in our ocean commerce, and no one will claim that it will be increased unless the investment in vessels is made reasonably profitable, and no one will deny that, if investments are made in ships under this bill, they will be made in that class which will be most profitable to the investor.

Hence the investor will not consider merely the amount of subsidy that will be paid to any one ship, but he will naturally take into consideration the necessary operating expenses, and if it be

found by an investigation of the facts, which a prospective investor will judiciously consider, that, notwithstanding the greater amount paid to the owners of the fast mail steamers, a larger profit can be made upon an investment in the slower class, or those whose business is almost exclusively freighting, certainly the effect of the bill will be to increase our Navy not in such ships as the *St. Paul* and the *St. Louis*, but in the profitable freighters of, say, from 5,000 to 7,000 gross tonnage and from 12 to 16 knots.

What the wheat growers west of the Mississippi want to-day is that the surplus grain of the west coast States find an oriental market instead of being thrown back into the interior to swell competition there.

The interest of the people of my section in the future must necessarily be directed toward the Pacific trade, and the vast and rapidly growing surplus of our agricultural products must find a field for consumption in China, in Japan, in the Orient, and in the Philippines; and I believe it to be the duty of the Government to exercise all its powers and to shape its legislation so that this desired result may be attained.

I make no complaint whatever when I say that the agricultural interests of this country have not received their proportionate attention—that attention which they justly deserve at the hands of our National Legislature. There are reasons for this—reasons which grow out of conditions, and are not the result of intentional disregard. The owners of the great manufacturing industries, as compared with the owners of the millions of farms, are comparatively few, can act in harmony, and make their influence more directly felt.

Those influences are naturally directed toward legislation that will enhance the value of their products and guard their future interests. The greater number of laborers employed by these few, intent upon their own interest, organized into effective combinations, pressing for higher wages, crowd the employers to the extreme, and the latter, to meet the additional demands of laborers, press so much the harder upon the Government for legislative benefits and care, and between these forces the agricultural interests are not always benefited, but are often ground. I do not claim that we are not benefited by the additional prosperity which follows.

On the contrary, I fully admit it. I simply desire to express what I feel to be the fact, that we have not the corresponding benefit justly due to our importance and the amount of property invested in the farms and in operating them in the purely agricultural sections. We are enabled to protect to a great extent our manufactured articles. The protection said to be given by our laws to our agricultural products, while it does give them protection as against like imports, can not by any possibility reach beyond our own borders and still leaves us subject to the competition of the world in the sale of at least the wheat of the country, and as about half of the grain raised is for export, it becomes a most important factor.

Mr. President, no tariff law, however well intended, can give adequate protection to agricultural products which must necessarily look to the outside world for consumers. So long as we are unable to control foreign production of wheat we can give no adequate protection to our wheat raisers. What we can do by legislation and what we should do is to legislate so as to produce lower ocean and rail freight rates upon these productions.

I believe that such a result will naturally follow from this legislation. I believe we will be benefited by it. It may be that we will not receive entirely equal benefits, but if our people gain 5 or 10 per cent under any character of legislation, it is not sufficient for me to vote against such proposed legislation because some other interest might possibly receive 1 or 2 per cent greater benefit. My duty is done when I have tried as much as possible to equalize these benefits according to the burdens.

Mr. President, if the effect of this bill, as I have suggested, independent of tariff rates, will in a number of years save to this country $150,000,000 or $200,000,000 per year, if that many dollars by reason of its operation remain at home which otherwise would go abroad, if that many dollars a year are put in circulation in this country and paid out to labor in this country, then I certainly can not see how it can do aught but benefit the American farmer.

Every extra dollar spent in New York or New England which gives the laborer or the person who receives it extra opportunity to better furnish his table, every extra laborer who secures work by reason of the money invested in shipyards, every extra seaman who obtains employment by reason of this bill must require so much additional farm products for his support. If it requires in the shipyards 100,000 extra laborers, that means an additional half million bushels of wheat to feed them. But this is not all.

The very life and prosperity of the wheat growers of the United States, more than any other class of people in the country, depend upon the continuance without cessation of abundant facilities to carry their products to foreign markets. Stop this flow for a month or so, make it impossible, either by exorbitant rates or by reason of the vessels now conducting our commerce being called into other fields of labor, and you hold the whole surplus of wheat production—double the amount that could possibly be consumed by this country—within our own borders, producing a congestion of the most ruinous character.

Mr. President, I put but little faith in the use of these new vessels for anything other than transport service in case of war. If the evolution in war vessels and naval warfare in the past twenty-five or thirty years is any criterion, we may safely assume that the vessels of the type which could be used in our merchant marine with profit would not be practicable, or properly constructed, for use as cruisers in time of war. The instruments of naval warfare are now undergoing such rapid metamorphosis that no person can predict that ships of the present type will be adapted whatever to naval warfare twenty or thirty years hence.

But, Mr. President, therein does not lie the danger. War between the great powers of Europe is ever imminent, and, when turning to the table which I have referred to we find of the vessels above 2,000 gross tons and 12 knots speed Great Britain has 597, Germany 110, France 106, making a total of 813 against only 94 owned by Americans, we can get some conception of the disasters which might follow to our commerce, both agricultural and in manufactured goods, in case a conflict should occur between these three European countries, and they should call their merchant marine into transport service. Such an imminent danger no thoughtful American citizen can look upon without feeling a patriotic duty to take steps for the self-preservation of our people against such a contingency.

Mr. President, what more glaring example of false economy confronts us to-day than the expenditure of many millions of dollars every year for war ships to defend and protect our merchant marine in case of war, which, between this country and any foreign power of importance, is one of the most remote contingencies possible, while at the same time we subject 92 per cent of all our commerce to almost total annihilation in case of war between the great European powers, which is a hundredfold more imminent?

Mr. President, the people of the United States can not longer afford to walk in the shadow of this ever-threatening danger, and no class of people in the country are more interested in avoiding such peril than the wheat growers, one-half of whose product must go to a foreign market. The wheat grower, above all persons, can least afford to have our ocean transportation facilities checked or crippled, and I believe I best subserve his real interest, as well as the interest of all our people, when I cast my vote in favor of this bill. I shall do so, Mr. President, in the sincere hope, the earnest desire, and the honest belief that it is a step, and a right step, toward reinstating our lost prestige on the seas, and that our glorious marine record of 1826 shall be equaled if not eclipsed by our record of 1926.

PUBLIC BUILDING AT HASTINGS, NEBR.

Mr. DIETRICH. I ask unanimous consent that the Senate take immediate action upon the bill (S. 1798) for the erection of a public building at Hastings, Nebr.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment, in line 1, page 2, before the word "dollars," to strike out "fifty" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to cause to be erected in the city of Hastings, Nebr., on the site acquired, under the provisions of the act of Congress approved March 2, 1899, a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States courts, post-office, and other Government offices in said city, the cost of said building, including said vaults, heating and ventilating apparatus, and approaches, not to exceed the sum of $125,000, exclusive of the cost of the site. Said building shall be unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. DEPEW. Mr. President, there has been so much said upon this subject, it has been illuminated by so many eloquent speeches on both sides, that I do not feel like occupying the time of the Senate except for a brief period. But, as a member of the Committee on Commerce and of the majority which reported the bill, I think that I ought express my dissent from some of the views

and some of the arguments which have been advanced by gentlemen upon the other side.

Mr. President, the junior Senator from Georgia [Mr. CLAY], the Senator from Missouri [Mr. VEST], and other Senators upon the Democratic side have made exceedingly interesting and eloquent contributions to the discussion of this bill. I find, however, on reading their speeches, that I must take issue with them upon the essential points which they make. For instance, the eloquent Senator from Georgia said:

I favor legislation which will give to the United States a foreign mail service equal, if not superior, to England, Germany, and France.

He fails to explain, because it can not be explained, by what process such a mail service is to be secured by the United States except with the assistance of the Government. Every year for a quarter of a century the demands of our foreign mails and their tonnage have been constantly increasing. With the enlargement of our commerce and its extension around the world there has naturally been an increase of mail. With the constantly increasing volume of American travel, tourist and commercial, there has been still further increase of mail, but there has been no addition, or practically none, to American mail facilities in the foreign service.

We are still dependent upon foreign nations for the efficiency and the regularity of our mail service. We are deriving no benefits in a commercial sense from its growth and expansion. Great Britain requires that all of her outward-bound ocean mails shall be carried under the British flag and by steamers under British control. Germany since 1885, when the North German Lloyd Asiatic contracts were made, has made practically the same requirement, and all outward-bound German mails are carried to North America, to Asia, to Africa, to Australia, in German steamers.

Germany is also now engaged, by the assistance of the Government, in establishing mail routes to South American points. The French mails to all parts of the world are carried upon French steamers and under the French flag. In order to accomplish this result, Great Britain expends $2,000,000 per year in mail subsidies in excess of her receipts. France spends two millions, though her mail service is much less, and Germany and Japan each spends a million in excess of receipts in order to accomplish this result. These commercial nations, who have a heredity of hundreds of years of ocean transportation and foreign trade, and who look with unusual scrutiny at expenditures and receipts, would never conduct their mail business with foreign countries at so great an annual loss unless they were certain of a compensating gain. That compensating gain is found in the fact that every mail steamer is an ambassador of trade, is an agent for the expansion of commerce, is a means for the opening and the enlargement of markets for the surplus products of the countries whose flag the mail steamer carries.

We all join in the patriotic aspiration of the Senator from Georgia that our mail service shall be equal if not superior to that of England, Germany, and France, but so long as our mail service is carried on the vessels of those countries we are putting them each year still farther onward in the race for equality or supremacy, and making it that much more difficult for the United States to catch up. This sensitiveness on the part of our friends on the other side to a remunerative mail service and loss in the carrying of the mail has never been exhibited in our domestic service. The strength and value of the post-office service of the United States, inland and domestic, is that, regardless of profit or loss, it has been constantly extended with the settler to new regions and outlying settlements.

The mail service through the new Territories is always run at a great loss to the Government for the time, but with incalculable profit to the Government in the assistance which it has rendered to settlement, cultivation, and production. We have not passed the period in our internal mail service of unproductive routes. There is not a Senator in this Chamber who would cast a vote for the abandonment of one of these services which, by the report of the Post-Office Department upon our desks, is managed at a loss to the Government.

Under the contracts which Great Britain, Germany, and France have with their subsidized mail steamers—I use the word "subsidized" because the whole remuneration is practically that—when the loss is so great, they insure that regularity of the service without which, commercially, a mail route is of little value. While this is true of the mail service and its value to Great Britain, Germany, and France, the United States in its mail service to South America, to the Orient, to almost all parts of the world, is dependent upon the policy, or the whim, or the accident of the foreign ship which carries the mail.

We may have a valuable trade at some point or many points, and the foreign mail ship which reaches that place may be taken off by its government because that government does not find it necessary or profitable to longer help a line to run there or because that line or ship may be used as an auxiliary cruiser. Then the American service, the American communication, the American connection utterly fail, and this great Government is helpless so far as that section of the world is concerned. The German Government permits its lines to lay off their fast steamers during the winter season, and during that period the American mail service must follow the line of policy and the wishes and the business opportunities of the owners of the German line.

During the Boer war so many British mail ships were withdrawn by the Government into their service as auxiliary cruisers and transports that the mail service between the United States and Europe was seriously impaired, and we were utterly helpless. I admit that we save money by the present process. We would probably save two millions per year when all the mail routes were established, but we would save it at the expense of our commercial independence; would save it in order to contribute to the efficiency and the strength of foreign merchant marines and foreign naval service.

Our friends upon the other side are fond of quoting the Declaration of Independence, Washington's Farewell Address, and the patriotic literature of the Revolution. But it was Washington who said that "It is folly in one nation to look for disinterested favors from another; it must pay, with a portion of its independence, for whatever it may accept under that character." I commend to our fellow-Senators that part of Washington's Farewell Address.

The Senator from Georgia [Mr. CLAY], always exceedingly careful to be accurate in his figures, will sometimes make mistakes in his comparisons.

Mr. BACON. The Senator from New York will permit me to interrupt him to say that my colleague is necessarily absent. He is uniformly here when not so detained.

Mr. DEPEW. I understand that.

For instance, when he says that England's foreign mails are more than three times what our foreign mails are, the statement conveys an impression which I am sure he did not intend. The foreign mails of Great Britain are three times greater than our foreign mails, but how distributed? Half of the British mails for Europe go only across the channel, from Dover to Calais, an hour's trip, or from Harwich to the Hook of Holland, or from New Haven to Dieppe, a four or six hours' trip. But the foreign mail service of Great Britain, mile for mile and pound for pound, is not greater than the foreign mail dispatched from the United States.

On the contrary, the United States mail is the larger. The difficulty with this statement of my distinguished friend is when he says that we would pay two millions annually for our foreign mails in excess of receipts, while Great Britain pays about $4,500,000 for hers, meaning that, while Great Britain's mail tonnage is three times ours, it pays for it only a little over twice as much as we do. But when you compare mile for mile and pound for pound and find that by that method the United States mail is greater than the foreign mail dispatched from England and nearly equal to the foreign and colonial mails combined dispatched from that country, then you discover it is the real secret of the success of the English mail service, that as a matter of fact they pay over twice as much as does the United States, and by that method secure mail service, not only to their colonies, but all around the globe.

All the Senators who have spoken against this measure have laid stress upon the statement that there is no limit of time, and that therefore there is no sum which the subsidy may not attain. But, gentlemen, this question is always in the power of Congress. It is as much in the power of Congress as it was when Congress withdrew the subsidy from the Collins Line fifty years ago and crushed that line out of existence. Every year Congress will have the reports of the Post-Office Department, showing the amount of subsidies paid and the amount of mail service earnings. Every year the committee in charge of these questions in the two Houses will be investigating rigidly whether the point of maintenance has been so far passed in profit as to create monopoly or undue revenue; so that Congress itself will be to blame if at any time there is an abuse under this measure.

If the hopes of the friends of this bill are realized, ships will be built cheaper and cheaper in the shipyards of the United States, the efficiency of the service will grow with its magnitude, competition, working the same on the sea as it has on land, will reduce prices, and the beneficiary will be the Government as well as the individual.

One of the most eloquent and charming and attractive speakers upon this or any other question whom the Senate and the country are privileged to hear is the distinguished Senator from Missouri. He presented in its most formidable way the current impression that American shipyards have more orders than they can fill in the next two or three years. The Commissioner of Navigation reports that there have been 18 vessels, aggregating about 100,000 tons, which have been launched from American shipyards

during the last eight months; but the ways from which these ships were launched are now vacant, and the workmen who were employed upon these ships are now idle.

He reports that it would require, in addition to present orders, 75,000 tons of steamers in the course of construction to keep the yards to their limit and their men fully employed during the coming summer. It is a curious fact that during the last twelve months not a single steamer for foreign trade has been contracted for in an American shipyard, though most of such yards would be glad to receive the orders.

Mr. BACON. Will the Senator permit me to ask him as to the building of the ship *Korea*?

Mr. DEPEW. I take the report of the Commissioner of Navigation.

Mr. BACON. I will state to the Senator that the *Korea*, I understand, has just been completed for the service of the Pacific Mail Steamship Company. It is the largest steamship, probably, that will be on the Pacific Ocean, and was built for the trade between San Francisco and Hongkong.

Mr. DEPEW. I mean ships built for the foreign trade under the American flag.

Mr. BACON. That will be under the American flag, in the service of the Pacific Mail Steamship Company.

Mr. DEPEW. If that is true, then I stand corrected as to that one ship. Are there any more ships?

Mr. BACON. I understand that there is another one, but I can not recall it. I will state to the Senator that while I do not profess to have any very great familiarity with this subject, I happen to know about that ship from the fact that I am personally acquainted with the captain, who formerly commanded the *China*, and who has been transferred from the *China* to the *Korea*. In that way my attention was particularly called to the fact. Though I will not state it as a fact, it is my impression that there is still another, but of that I am not certain. I am, however, positively certain about the *Korea*, and she will be the largest ship afloat on the Pacific Ocean; that is, crossing the Pacific Ocean from America to Asia.

Mr. DEPEW. The other ship, I understand, is being built under the subsidy mail contract which the Spreckels have with the United States and with Australia and New Zealand.

Mr. BACON. I had the impression that there was another ship, but I was not prepared to give the information.

Mr. DEPEW. I now recall that the two ships are the *Korea* and the *Sierra*, and they are both included in the total tonnage which I have before mentioned as having been launched from American shipyards within the last year. These two steamers were contracted for about three years ago, when the annexation of Hawaii and the application of the coasting laws to that trade, under which these steamers could do an exclusive and therefore a profitable business, were inevitable. Well, upon the question as to what has been done in American shipyards I have here interesting statistics. Of course the contention of my friend, the Senator from Georgia, and his friends is that the American shipyards are doing all that they can; that they are working at a profit; that they at least need no assistance and no help, and that no measure of this kind will add or could add to their present efficiency or the amount of business they do or the number of ships that they turn out.

I think it will be admitted that American talent, American skill, American workmanship, American material are just as good as those of any other country in the world. I think it will be admitted that in many respects they are better. That being the case, if ships could be constructed as cheaply in our shipyards as they can in those of Great Britain, then there would be in the competition a fair share of their business coming to the shipyards of the United States.

Under present conditions there seems to be little prospect after this year for work in our shipyards except for the American Navy and coastwise vessels. That this is a large business we admit, but we ought not to rest satisfied with the building of American naval ships and the construction of vessels for our coasting trade. The demand for shipping under the American flag to go all over the world should be such as to enormously increase our present shipyard capacity, both in old yards and in new.

The writers in magazines and in reviews have been quoted extensively to prove that the American ships can be built as cheaply and run at as little cost as those of foreign nations. Against this I present the official report of the Commissioner of Navigation for 1901. He takes the best ship of the American, the British, and the German lines—the *St. Louis*, of the American; the *Oceanic*, of the British, and the *Kaiser Wilhelm der Grosse*, of the German Line. It shows that the total number of officers and men in every department on the *St. Louis* is 380; on the *Oceanic*, 427, and on the *Kaiser Wilhelm der Grosse*, 500; and yet the wages, month by month, of the *St. Louis* are $11,306.09; of the *Oceanic*, $9,891.32; of the *Kaiser Wilhelm der Grosse*, $7,715.55.

The report of the Commissioner shows that these averages of from 20 to 30 per cent run equally distinct through the vessels of less tonnage and of slower speed. It distinctively establishes the fact of this difference of operation under the American, the British, and the German flag. Our friends the enemy admit that wages are higher in American shipyards than they are in the British, the German, or the Scandinavian, but they claim that this difference is made up in efficiency of service. The reports of the Commissioner of Navigation year by year and the statistics gathered by the distinguished Senator from Maine apply to ships of equal tonnage and exact counterparts built at shipyards in the United States and abroad.

In each case the difference in cost has been not less than 25 per cent in favor of the foreign shipyard. If this were not so, Yankee skill, ingenuity, push, and energy would be competing for and securing these contracts for foreign ships which are filling the yards of Great Britain and Germany while our yards could successfully do so much more work. We have overcome this difference in wages in locomotives and in steel rails and in other manufactures because of the volume of the product and the magnitude of the demand.

We can not overcome it in shipbuilding until we expand from a retail to a wholesale business. Where we build one large ship foreign shipyards build a hundred, while the reverse is true in the output of those manufactures with which we are successfully competing in the markets of the world. On this subject I quote an authority which I am sure my Democratic friends will not dispute.

The Democracy of the country, in looking for an issue, has also been trying to escape from the handicaps upon their race. One of these handicaps has been Tammany—Tammany government, Tammany mismanagement, and Tammany corruption.

Now, however, there is rejoicing all over the land in the Democratic households, camps, and conventions that Tammany has reformed; that a gentleman of education, of high honor, and of distinction has been placed at the head of the organization, and the Democracy of the country through its press and every organ of opinion welcomes him as an evangel of light and truth. Mr. Louis Nixon, the new leader, is a shipbuilder, as well as a highly educated engineer. I read an extract from a paper presented by Mr. Nixon at the annual meeting of the Society of Naval Architects and Marine Engineers within a few months. This society is composed of experts who could not be misled and to whom a statement could not be successfully made unchallenged unless it was absolutely true. The following is the abstract:

> When we are in such a position that we can build several hundred merchant ships a year, we will then have the demand which will enable us to so arrange the building of merchant ships that we can build with reasonable economy, and I have no doubt in the world that by that time we shall be able not only to meet the price of the foreigner, but to come under it. But in order to bring about that condition it is absolutely necessary that there should be a demand for ships which we have not now, and until we can get that it is absurd to talk of building merchant ships as cheaply as they can be built abroad.
>
> In one of the largest shipyards in this country there are five slips, each capable of building a *Campania*. On one was a tug, on another was a battle ship, on another was a ferryboat, on another a yacht, and on another a revenue cutter. It is absolutely impossible to practice economies under such circumstances and build the ships so that they would compare favorably in cost with ships built abroad.

The same rule in regard to this difference of from 20 to 30 per cent in the cost which has thus been demonstrated in the construction and in the operation is continued in the maintenance. Thus the three elements of cost, operation, and maintenance, upon which depends profit or loss in ocean navigation, are all against the ship built in America and sailing under the American flag. But if these things are true, "why," says the distinguished Senator from Georgia, "why," says the distinguished Senator from South Carolina, "why is it that Mr. Morgan has purchased the Leyland line of steamers? Why is it that so acute, so able, and so distinguished an investor should put his money and that of his friends in this business?"

I do not know whether they have or not, but, accepting the public reports that they have, the reason is very plain. It is because ocean navigation is profitable. It has been found so by all the maritime countries of the globe. It is profitable, however, only under conditions where competition is upon equal terms. In the close transactions of modern business, whether on land or on the ocean, competition settles the survival of the fittest. If the terms upon which the contest is carried on are equal, then skill, enterprise, and genius for business have their opportunity and win; but a sufficient handicap can make success impossible for the greatest genius in the world.

If these American capitalists have bought these lines, it is not to place them under the American flag; it is not to run them under American conditions; it is not to be handicapped by the difference between American wages and American food as prescribed by law and the wages and the food of the British and the German and the Scandinavian and the Belgian lines; but it is to

run them under the flags of those countries where conditions will place the ships and the business on that equality which enable business efficiency to do the business at a profit.

There are millions of American money now invested in shipping—invested because it is a money-making business. But the ships which this American capital owns and runs are run under alien flags because of the inhospitable conditions under our own, because we will not make it possible for these enterprising gentlemen to use their capital under the flag which they love quite as well as we do, and under which they would far prefer to sail their vessels.

There were constructed in the United States during the ten years up to 1901, exclusive of the coasting trade and naval vessels and inclusive only of steamers built exclusively for the foreign trade, ships aggregating 83,715 gross tons. This includes the ships from San Francisco to Australia by way of Hawaii, built since Hawaii was annexed; 5 steamers, built since Cuba was occupied, for that trade and 4 for the trade between New York, Boston, Philadelphia, and Jamaica; 2 for Venezuela; and 1, the Pacific mail steamer, between San Francisco and Japan and China.

The output of the British yards during that period of ten years I have not been able to obtain, but of steel steamers of over 1,000 tons burden the British yards launched last year 1,327,979 tons. I ask Senators to place these figures together. I ask Senators who are claiming that we can do as well in the construction of ships as any nation in the world to put these figures upon the walls of their study, carry them in their memorandum books, and paste them in their hats. As against British construction for one year of 1,300,000 tons is the beggarly showing of the United States for ten years of 83,000 tons.

Mr. BACON. If I do not interrupt the Senator, Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Georgia?

Mr. DEPEW. Certainly.

Mr. BACON. In the absence of some other Senators who are more immediately in charge of this matter, I should like to ask the Senator a question.

The Senator speaks of the construction of ships in the British shipyards, certainly recognizing the fact that Great Britain has no such trade as we have, which we denominate our coastwise trade. Therefore the statistics as to the tonnage manufactured in Great Britain is practically a statement of the entire manufacture of ships by the British shipyards. With us, much the larger part of our manufacture of ships is for the coastwise trade. In order to make a fair comparison the Senator ought not simply to give the work of the shipyards in America in building ships engaged in foreign trade, but he should also include in his statement the amount of manufacture of ships by the American shipyards to be engaged in the coastwise trade.

I will ask the Senator, in order that we may have the advantage of a perfectly correct statement when we go to paste it upon our walls, that he will state not simply the amount of tonnage represented in ships manufactured in the United States shipyards to be engaged in the foreign trade, but that he will add to it and give us the sum total of the tonnage, not only of ships manufactured for the foreign trade, but those also to be engaged in the coastwise trade.

Mr. DEPEW. I will let my friend the Senator gather these figures.

Mr. TELLER. Mr. President——

Mr. DEPEW. I yield to the Senator from Colorado.

Mr. TELLER. Will the Senator allow me to call his attention to a statement made by the Commissioner of Navigation on page 28 of his report, where he says:

> Eight, possibly ten, trans-Atlantic steamships will be built in the United States during the next two years, which by 1903 will increase the American representation absolutely.

Then he goes on to say that it will not be increased so much in proportion to the other countries, perhaps, as it ought to be.

Mr. DEPEW. I have the figures here only for 1898. I find that the total seagoing tonnage of the world is 11,163,000 tons, probably this year about 12,000,000 tons. Of this, 7,310,000 is British and 3,853,000 is the rest of the world. There were built in British shipyards about 1,400,000 tons, and in all other shipyards of the world 672,000 tons.

Now, the other shipyards of the world included those of Germany, which has been wonderfully stimulated; of Scandinavia, of France, and of Belgium. Without having accurate figures, the Senator will still see that the figures which he has in his hat will not make him proud of his country.

Mr. BACON. They are very vastly different, though, from those suggested by the Senator in his previous statement.

Mr. DEPEW. Within the last ten years the United States has become a creditor nation. During the period of development and construction we drew upon the capital of the world to build our railroads and telegraphs, to dig our canals, to open our mines, and to develop our resources; but the development of the past forty years has been such that our financial position is reversed. In the last decade we have discovered our strength and resources. We have paid off our indebtedness to Europe and repurchased, as far as possible, our securities which were held upon the other side.

American capital, the accumulation from the products of farms and factories and mines, of industry and of labor, has been seeking investment in every direction. Our national wealth was estimated in 1890 at $65,000,000,000 and in 1900 at about ninety-five billions. In round numbers there has been an increase in the national wealth of $30,000,000,000 in the last decade. While much of this is the increase in values of properties which existed ten years ago, a portion of it is profit in cash, which must go somewhere for profitable employment. It has diligently pursued every channel, first through the cautious investor, seeking security at the lowest rate of interest, and next through the venturesome and enterprising, who are willing to take risks for larger gains.

There has been invested in the construction of railways during this period $1,800,000,000, seeking an average return of 4 per cent interest. There has been invested in the enlargement of old and the building of new manufacturing enterprises $3,300,000,000. There have been loaned to Europe at 3½ and 4 per cent over $50,000,000. Other millions have gone into mines in Mexico, in the different countries of South America, and in exploitations in Asia and Africa.

Never in the history of the world, in any nation, has there been such vast wealth controlled by such energetic, able, and informed capitalists, ready to take up, in this country or abroad, on the land or on the sea, any enterprises which would promise returns. If the contentions of the opponents of this bill are correct, why has it gone into speculative undertakings, into these operations involving risk and loss, into these investments giving such small returns of interest, if American ships could be built and navigated as cheaply as the ships of any other country of the world?

Why, Mr. President, if that proposition was true we would not be here to-day discussing measures for the promotion of the American mercantile marine, nor lamenting the disappearance of American merchant vessels from the ocean and seas of the earth, nor wondering why the United States alone of nations has no place in the maritime calculations of shippers, but we would be rejoicing in the fact that the American flag, now unknown and unseen on almost all of the routes of commerce, was again a familiar sight to the eyes of the American traveler in every port, and the place of the United States among maritime nations was as high as it is among those same nations in competitive industries and in finance.

The eloquent Senator from Missouri characterizes this measure as "class legislation." But never, in any country, has any measure which added to the national defense been regarded as class legislation. The $26,000,000 a year in bounties, or subsidies, or mail contracts, or whatever form it may take, which are paid by European nations, has the double motive of the promotion of commerce and the command of the sea. These ships become auxiliary cruisers. England has fifty such vessels, swift, made of steel, up to every modern requirement and subject at all times to the requisition of the British Government.

Without this auxiliary fleet she would have been practically helpless in the transportation of the 300,000 troops she sent to South Africa. One of the most enlightened and progressive rulers in the Old World is the present Emperor of Germany. All of his powers are bent to the promotion of German interests, the extension of German commerce, the employment of German labor and markets for German productions. Within the last ten years he has brought Germany to practically a unanimous support of the subventions, or mail contracts, or direct subsidies, or rebates upon German railways, which amounts to the same thing, by which the German merchant marine has been rapidly overtaking that of Great Britain. He has built up German shipyards by making it a condition that those ships should be built by German labor and in German yards; he has emancipated the German shipper from dependence upon Great Britain, to which, until within recent years, he was subject.

All these great ships are auxiliary cruisers and part of the German navy. The performance of the *Kaiser Wilhelm der Grosse* and of the *Deutschland* across the ocean, surpassing all records, at once receives by proclamation the plaudit of the Emperor and by resolution the plaudit and encouragement of the German Parliament. Not only is direct pay given to encourage this mercantile marine, but indirectly the Government-owned railways of Germany are made to contribute. Both exports and imports passing over the German railways have part of the freight remitted to the steamship in order to increase the earnings of the vessels. In addition to that, Germany has recently inaugurated a system of preferential rates to the German manufacturer upon the German rail-

way for goods exported to the competing markets of the world. This operates in the nature of a bounty to enable the German manufacturer to outbid his competitors or to sustain himself against their activity, energy, and cheaper production.

I read from the Board of Trade Journal of February 20, 1902, a report of the British consul at Hamburg on this subject. He says:

His Majesty's consul-general at Hamburg has forwarded to the foreign office a memorandum on the subject of preferential rates for German iron and steel on German railways, of which the following is a copy:

"It has recently been notified by the German newspapers that from and after January 1, 1902, the rates charged on German railways according to the preferential special 'seaport tariff,' which hitherto were applicable only to German steel and iron destined for oversea exportation to Asiatic ports east of Aden, to Australia, and to islands of the Pacific Ocean, have now been extended and made applicable to German steel and iron destined for oversea exportation to all non-European countries, without exception"—

That includes the United States—

"It is evident that the extension of the advantages accorded by the rates of this preferential tariff to the German steel and iron trade and industries has taken place in view of the comparatively unfavorable position in which those industries (and many others) are placed at present; but it is also probable that once introduced for steel and iron intended for oversea exportation, those rates will become permanent, especially in order to enable the German steel and iron industry to compete with that of the United States of America. The rates in question have, for the above first-described destinations, been in force since 1890, and amount to 2.2 pfennigs per metric ton per kilometer, plus 12 pfennigs for working expenses (in place of 3.5 pfennigs plus 12 charged for iron and steel according to the ordinary tariff rates).

"Up to the present these preferential rates have been chiefly advantageous to the North German Lloyd steamers which run from Germany to the far East and Australia, as they have attracted goods to those destinations. There can be little doubt that the further extension of the advantages offered by these reduced rates will give an impulse toward the oversea export trade of German steel and iron to other countries besides those just named—for instance, to South America."

It gives about 25 per cent of the freight rates to the German manufacturer as a rebate when he exports goods from that which he pays when he sends them locally to the seaboard for local purposes, and that 25 per cent goes into the pockets of the German manufacturer in order to enable him to compete in the American market in spite of our tariff.

Mr. President, I was curiously impressed in finding on investigation that 95 per cent of the American mail is carried mainly in English, German, and French vessels; that all over the world, except for immediate communication between the United States and Europe for certain points, and in this one line that runs via Hawaii to Australia and one Pacific mail steamer running to the Orient, the vast volume of American mails is carried under foreign flags.

Here is the situation which has a side to it that is anything but flattering to American pride. Upon the heads of our postage stamps we have the faces of Franklin, of Washington, of Jackson, of Lincoln, of Grant, of Garfield, of Sherman, of Webster, of Clay, of Jefferson, of Perry, of Madison, and of Chief Justice Marshall.

Mr. President, there is a galaxy of patriots, of worthies, of men distinguished in arms, in statesmanship and diplomacy, such as has never been seen before. They were all patriotic Americans; they were all builders of our country; but they can not get their images anywhere in the world except under a British or a German or a French flag. What would be the feelings of George Washington, who had such sentiments hostile to foreign alliances and dependence upon foreign countries, if he knew that his face and figure when carried upon an American letter had to go under a British or a French or a German flag all over the world?

What would be the feeling of General Jackson, rising, as he might, from behind the cotton bales at New Orleans, if he discovered that he was dependent upon the vessels of foreign nations in order to get his features upon an American postal card or an American letter to any part of the world? There would be heard the familiar imprecation from the old hero: "By the Eternal, you degenerate representatives of my principles and party have turned my victory over the British for American independence on the seas into a pitiful surrender to England of the carriage of the mails of our country and the commerce of our people around the earth." This may not be much of an argument, but in any event some tribute ought to be paid to the feelings of these deceased statesmen that their country, now rich and powerful beyond any dreams in which they ever indulged, should not subject their images to such humiliation.

"Class legislation" has been the cry against protection since the organization of our Government. The cleavage upon this question is upon lines as old as the first acts to promote American shipping and to give an impulse to American manufactures in the first term of General Washington. The statesmen to whose genius we owe our institutions saw as clearly a hundred years ago, as Captain Mahan did when he wrote his famous book, that the sea power controls the world. They saw that if the United States was to be capable of sustaining in comfort a population equal to that which its territory invited it must be independent of other countries both on the land and on the sea. They advised the protective measures first for the ocean and then for the land.

By tonnage dues and preferential rates to goods shipped in American vessels they built up an American merchant marine which at one time carried 72 per cent of the foreign commerce of the United States. But the cry of "class legislation," ineffective against protection at home, because protection at home was brought to the door of every citizen, was fatal to our position upon the sea. Upon one pretext and another we made treaties which prevented our continuing these privileges to our citizens. The high tide of opposition to the efforts to equalize our shipping with the shipping of other nations on the ground of "class legislation" was reached when the mail subsidy was withdrawn from the Collins Line, and we retired as a nation from the sea.

The energy and activity of our people, their skill as constructors and sailors, enabled us to hold the sea with our wooden clipper ships for a while, but when the iron ships were substituted the superiority of Great Britain in the manufacture of iron, that industry being in its infancy then with us, gave the monopoly of this construction to England. Now, while we talk of being a world power, with our limitless resources, with our genius for trade and commerce, we carry only 8½ per cent of our own products in American ships under the flag of the United States.

It is the wonder of political economists that Great Britain, with a trade balance against her of about $700,000,000 a year, should remain so rich. The problem which the English statesman has to face is how to feed 42,000,000 of people in the British Isles and furnish them with remunerative industries when the British Isles have to import food for 30,000,000. It is this which makes this enormous balance of trade of $700,000,000 a year against her. If she had to take it out of her capital she would soon be exhausted and impoverished.

The steam tonnage of the world is about 11,000,000 tons, of which Great Britain owns 7,300,000, leaving 3,700,000 for all the rest of the world. The output of new vessels from the British yards is about 1,400,000 tons, against 672,000 tons for all the rest of the world. This vast preponderance of British shipping earns nearly the whole of the balance of trade against her, its earnings being about $700,000,000 a year. Of course, the enormous investment of British capital and the tremendous loans of British money to other nations, which do not appear in the balance of trade, make Great Britain still the creditor nation of the Old World.

But while protection has been withdrawn, in deference to the cry of "class legislation," from the ocean, happily for the United States, fortunately for our people, the policy has been maintained in our internal affairs. I will not go over the old story of the financial cataclysms and industrial paralysis which have followed the interference with this policy at different times during the last century. For forty years this policy of protection to American industries has been practically supreme. In that forty years we have made the phenomenal progress which astonishes no one more than ourselves. There is no lesson so clear, no fact so irrefutable as those based upon the operations of the protective policy in our land. We successfully compete in the open and the opened markets of the Orient; we successfully compete in their own markets with the highly organized industrial nations of the Old World.

The sale of the surplus of our industries abroad prevents the congestion of our labor and keeps it at a scale far higher than that of any other country and constantly advancing. But for the protective policy we would have congestion, paralysis, and suffering upon the land, though we might not reach the condition of absolute poverty which is ours upon the ocean. By the protective policy we are receiving an average of $500,000,000 a year of trade balance in our favor, and then we pay of that about $200,000,000 to foreign shipping to carry American products. If we had upon the ocean an adequate merchant marine, it is difficult to picture the benefit to American labor which would accrue from the employment of this vast sum in our own industries and among our own people.

The great difficulty with our friends upon the other side is the Democratic conscience. It is a conscience which believes every act or policy unconstitutional for which explicit authority can not be found plainly written in the Constitution. For one hundred years it has suffered and been sorely tried. It bobs up serenely in opposition whenever the nation endeavors to do anything which will add to its wealth, greatness, and power, and then becomes elastic when the people will no longer respond to its rigid constructions. It was created by Thomas Jefferson, but was the plague of his life. No proposition so clear was ever presented to a statesman as the acquisition of Louisiana and the control of the Mississippi; but it was against the Democratic conscience which he had just brought into life and made exceedingly virile. Nevertheless, he took in Louisiana, which now contains fifteen of our most prosperous States, and opened the Mississippi to the nation as an American highway, and stepped on that conscience.

When the Democratic President Polk and the Democratic President Pierce and the Democratic President Monroe took territory

from Spain and from Mexico and governed them by means which were not recognized in the strict letter of the Constitution the Democratic conscience again received frightful wrenches. But we took the territory and we governed it. The Democratic conscience is opposed to internal improvements by the Government, but Democratic Senators and Members of Congress and Presidents all support them.

The Democratic conscience denounces the river and harbor bill and its appropriations, by which the Government steps within the limits of States and beyond the line of national control of navigable and unnavigable waters, but it votes every time for the old flag and an appropriation. We had before us a few days ago the subject of irrigation. It was clearly "class legislation" upon Democratic arguments and Democratic contention. It was not for the national defense, but for the promotion of the interests of a certain section of the United States and of peoples living exclusively within those jurisdictions.

Mr. DIETRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Nebraska?

Mr. DEPEW. Certainly.

Mr. DIETRICH. The money received from the sale of public lands is to be used for the reclamation of arid lands belonging to the Government and to be sold to settlers.

Mr. DEPEW. Nevertheless it was contrary to Democratic principles. I voted in favor of it, and I am in favor of it; but all I am speaking of is the difficulty that the Democrats had in voting for it. That difficulty was explained in this way: That it was a beneficent measure? No; they did not say that. That it would develop public lands and make them fit for settlement? No; they did not say that. What they did say was that in the distribution of the unconstitutional river and harbor appropriations these several States and Territories where the arid lands are received no direct benefit, and therefore they should have unconstitutional money in order to even them up. It is not the expense to be incurred under the provisions of this bill, but it is the Democratic conscience—so eleastic for one hundred years, so yielding whenever party necessity requires it—which is fighting this bill.

We will spend during the next year probably $145,000,000 for pensions, $130,000,000 for the Army, $100,000,000 for the Navy, and $133,000,000 on the Post-Office, and yet for this measure, which, if successful, will enormously help, enormously strengthen the American Navy, our highest possible expenditure for the coming year is $800,000. Our highest possible expenditure under the postal clause, over and above receipts, is $2,000,000, and that only when the postal routes all over the world have been opened and in successful operation.

Under the subsidy provision for vessels not receiving mail pay it would be impossible for us to build over 200,000 tons every two years at an expenditure of $30,000,000 and the employment of a vast number of American workingmen. So that the highest expenditure possible, with our mail routes built and our merchant service full—and this will take from five to ten years—would be $7,500,000 a year. The river and harbor bill this year, which will carry nearly $60,000,000, is purely for domestic trade and domestic commerce. There is no doubt of its beneficence.

To establish an ocean mail service which would enable us to earn $4,700,000, which would be $2,000,000 in excess of receipts from the mails, will require 24 new, large, fast ocean mail steamers, aggregating 240,000 gross tons. It would take more than three years and largely increased shipbuilding facilities to construct and place upon the ocean these vessels. The total cost of this number of mail steamers constructed within that period would be nearer forty than thirty-five millions of dollars. It would mean the steady employment of 18,000 men and an expenditure in wages of at least $18,000,000.

In considering the vessels which are to be paid a bounty, as distinct from mail service, and for that bounty to carry the mails free, we find this: That during the calendar year 1900 these subsidy ships, excluding mail steamers, would have earned in the voyages which they made during that year $1,000,000, from which deduct the $200,000 for mails which they carry free, and that would leave the subsidy for the present year $800,000. If this $800,000 should increase in the next few years to the extent of $800,000 more in subsidies, it would be necessary to add 100,000 tons of ocean steamers and 40,000 tons of sail vessels to our mercantile fleet. If this output were doubled and the subsidy doubled, the United States then as a shipbuilding nation would be ahead of Germany.

One of the most significant facts, which illustrates with startling emphasis our poverty upon the ocean, are the statistics gathered by the Senator from California [Mr. PERKINS] upon the relations of the revenues derived through the custom-house service of the United States, and the amounts paid to foreign ships for freight upon American exports. For thirty-one years prior to 1901, the total revenue from customs service received by the United States was $5,999,449,241. During the same period of thirty years there were paid by American farmers, manufacturers and other shippers to foreign ships for carrying American products abroad $5,867,671,350. So that during these three decades the people of the United States have paid to foreign vessels owned by foreign capitalists and sailing under foreign flags for the carrying of American products nearly the whole of the vast sums collected through our protective tariff at the various ports of the country and paid into the Treasury of the United States.

It has been said in the debate that the American Line would receive the whole of this subsidy. I have looked into the matter, and I find that the American Line has only four ships which by any possibility could under this bill receive a penny of this subsidy. Those four ships are now under contract which will not expire for three years, so that during that period they will receive no benefits from this bill. If the American Line does receive benefits from this bill, it must enter into competition with all the capitalists of the country who desire to go into the shipbuilding business and who believe that under this subsidy ships sailing under the American flag will be a profitable investment.

We read in the reports of the consuls in Asia and in Africa that they have not seen an American flag among the crowded shipping of the places to which they are accredited during their terms of service. Our late American minister to Siam says that in going up and down for four years the whole coast of the Orient he never once saw an American flag on a merchant vessel among all the vast fleet which carries the interchanges of that coast. If the expectations of this bill are realized, then for this comparatively small expenditure of $7,100,000 a year this reproach will be removed from American enterprise and American progress.

Then, again, the American flag, floating over American steam and sailing vessels, will be seen in every port of the world. Then, with the American flag and American skipper, will come the American commercial agent and the American financial exchanges, and we can have the methods for that competition in which we believe we should be more successful than any other nation, but which is as yet only a dream and a hope.

The financial expert who rises from the appropriations of a billion dollars a year to be frightened by the expenditures possible under this bill in the coming years must remember that the bill is always subject to repeal and modification and that if abuses occur it will be the fault of American Presidents, American Secretaries of the Treasury, and of commerce, the American Congress, the American people, and the American press.

I am in favor of protection on land and on sea; I am in favor of the improvement of our rivers and harbors; I am in favor of an irrigation system which will make fruitful the waste places of our land; I am in favor of the isthmian canal, built and owned by the United States Goverment, and so, to be entirely consistent, I must be in favor of and the country should be in favor of any measure or any system which will give to us once more the command of the ocean; which will make more valuable the lands redeemed by irrigation and the rivers and harbors improved by legislation; which will make useful to us, as well as to the rest of the world, that great canal which is to connect our eastern with our western coast; which is to give us, if we have a merchant marine, the Pacific as almost an American lake, a leading place in the commerce of the Orient, and the gaining of what we ought to have, and are entitled to, the trade of our sister republics of South America. [Applause in the galleries.]

The PRESIDENT pro tempore. No demonstrations of applause or disapprobation are permitted under the rules of the Senate. A repetition will lead to a direction to the Sergeant-at-Arms to clear the galleries.

DESTRUCTION OF USELESS PAPERS.

Mr. COCKRELL. I ask unanimous consent at this time to present the report of the Joint Select Committee on the Destruction of Useless Papers in the Executive Departments. The committee have discharged their duty, and submit a report, and I ask that it may be read. It is very short.

The PRESIDENT pro tempore. The Senator from Missouri, from the Joint Select Committee on the Destruction of Useless Papers, submits a report which will be read to the Senate.

The Secretary read as follows:

The Joint Select Committee of the Senate and House of Representatives, appointed on the part of the Senate and on the part of the House of Representatives, to which were referred the reports of the heads of departments, bureaus, etc., in respect to the accumulation therein of old and useless files of papers, which are not needed or useful in the transaction of the current business therein, respectively, and have no permanent value or historical interest, with accompanying statements of the condition and character of such papers, respectfully report to the Senate and House of Representatives, pursuant to an act entitled "An act to authorize and provide for the disposition of useless papers in the Executive Departments," approved February 16, 1898, as follows:

Your joint committee have met and carefully and fully examined the said reports so referred to your committee and the statements of the condition and character of such files and papers therein described, and we find and report that the files and papers described in the report of the Secretary of the

Treasury in Senate Document No. 97, Fifty-seventh Congress, first session, dated January 8, 1902; and in H. R. Document No. 397, Fifty-sixth Congress, second session, reprinted therein; and in the report of the Secretary of War in H. R. Document No. 243, Fifty-sixth Congress, second session, dated December 26, 1900; and in the H. R. Document No. 325, Fifty-sixth Congress, second session, being the report of the Postmaster-General, dated January 12, 1901; and in the report of the Secretary of the Interior in H. R. Document No. 273, Fifty-sixth Congress, second session, dated December 31, 1900 (with the exception of 60 copies of volume 1, 31 copies of volume 9, and 87 copies of volume 10 of the life and works of John Adams, which we recommend to be transferred and delivered to the Superintendent of Documents, Hon. L. C. Ferrell); and in Senate Document No. 88, Fifty-seventh Congress, first session, being the letter of the president of the United States Civil-Service Commission, dated December 2, 1901, are not needed in the transaction of the current business of such departments and bureaus, and have no permanent value or historical interest, and should be sold as waste paper or otherwise disposed of, upon the best obtainable terms as provided by law.

Respectfully submitted to the Senate and House of Representatives.

F. M. COCKRELL,
BOIES PENROSE,
Members on the part of the Senate.

E. S. MINOR,
C. F. CUSHMAN,
Members on the part of the House.

The PRESIDENT pro tempore. What disposition does the Senator from Missouri desire to have made of the report?

Mr. COCKRELL. That ends the matter. It authorizes the departments to dispose of the papers. Let the report be printed.

The PRESIDENT pro tempore. It will be printed and laid on the table. Should it not be agreed to by the Senate?

Mr. COCKRELL. No.

The PRESIDENT pro tempore. There is no need of that?

Mr. COCKRELL. It is just simply a statement for information, so that it may be known. The object is to prevent the destruction of papers that might be valuable without the consent of Congress.

LITTLE KANAWHA RIVER NAVIGATION COMPANY.

Mr. CULLOM. If there is no disposition to proceed further with the discussion of the shipping bill at this time, I move that the Senate proceed to the consideration of executive business.

Mr. SCOTT. Will the Senator from Illinois yield for a moment, till I can obtain unanimous consent to call up a very short bill?

Mr. CULLOM. I yield.

Mr. SCOTT. It is one that was passed over on account of the absence of my colleague from the Chamber. I ask unanimous consent for the present consideration of the bill (S. 297) for an examination of the property of the Little Kanawha River Navigation Company.

The PRESIDENT pro tempore. The Senator from West Virginia asks unanimous consent for the present consideration of a bill, which will be read to the Senate in full for its information.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to appoint a board of three engineers, whose duty it shall be to examine, in all their relations to commerce, the property and appurtenances of the Little Kanawha River Navigation Company, a corporation of West Virginia, with a view to their acquirement by the United States; to consider their value, and all other matters connected with their usefulness to navigation. The said board shall report to the Secretary of War, who shall lay its report before Congress at its next session, together with the views of himself and of the Chief of Engineers of the United States Army thereon. And the sum of $1,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to pay the expenses of said examination.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. ALLISON. I do not intend to object to the consideration of the bill. Has it been considered by the Committee on Commerce?

Mr. SCOTT. Yes, sir.

Mr. ALLISON. If it has been reported from that committee I shall not object.

Mr. SCOTT. It has been reported by my colleague. While my colleague has been temporarily absent from the Chamber it has come up and been passed over.

Mr. ALLISON. Our experience in buying water powers and canals has not been very successful, but if the Committee on Commerce think this is a wise measure I shall not object to it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH B. SARGENT.

Mr. PLATT of Connecticut rose.

Mr. CULLOM. I withdraw my motion until the Senator from Connecticut [Mr. PLATT] makes known what he desires.

Mr. PLATT of Connecticut. I am obliged to be away from the Senate Chamber a good deal on business in connection with the Committee on Indian Affairs. I should like to have taken up at this time by unanimous consent the bill (S. 2393) for the relief of James B. Sargent. We practically reached it on the Calendar.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment, in line 4, to strike out the name "James" and insert "Joseph;" and in line 7 to strike out the name "James" and insert "Joseph;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Joseph B. Sargent, out of any money in the Treasury not otherwise appropriated, the sum of $583.67, the same being the value of property belonging to the said Joseph B. Sargent and illegally seized, and for money improperly and unlawfully collected from him as alleged duties and penalties by United States officials at the port of El Paso, Tex.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Joseph B. Sargent."

PUBLIC BUILDING AT SHERMAN, TEX.

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from Texas?

Mr. CULLOM. I yield to the senior Senator from Texas.

Mr. CULBERSON. I ask unanimous consent for the present consideration of the bill (S. 3834) to provide for the purchase of a site and the erection of a public building thereon at Sherman, in the State of Texas.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment, on page 1, line 12, before the word "thousand," to strike out "two hundred" and insert "one hundred and fifty;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and to contract for the erection and completion thereon of a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States court-house, post-office, and other Government offices, in the city of Sherman and State of Texas, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of $150,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HAWAIIAN SILVER CURRENCY.

Mr. FORAKER rose.

Mr. CULLOM. I withdraw the motion for an executive session immediately, as one of the purposes for which I desired it is not capable of accomplishment to-day.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (S. 2210) relating to Hawaiian silver coinage and silver certificates.

The PRESIDENT pro tempore. The Senator from Ohio asks unanimous consent for the present consideration of a bill, which will be read for the information of the Senate.

The Secretary read the bill, as follows:

Be it enacted, etc., That the silver coins that were coined under the laws of Hawaii, when the same are not mutilated or abraded below the standard of circulation, shall be received at the par of their face value in payment of all dues to the government of the Territory of Hawaii and of the United States, and the same shall not again be put into circulation, but they shall be recoined in the mints as United States coins.

SEC. 2. That when such coins have been received by either Government in sums not less than $500 they shall be deposited as bullion in the mint at San Francisco, Cal., and shall be recoined as subsidiary coinage of the United States. And the superintendent of the said mint shall pay for such coins, at their face value, to the proper officer or agent of the government depositing the same, the sum so deposited, in standard silver coins of the United States. The expenses of transmitting said coins to and from the Hawaiian Islands shall be borne equally by the United States and the government of Hawaii.

SEC. 3. That any collector of customs or of internal revenue of the United States in the Hawaiian Islands shall, if he is so directed by the Secretary of the Treasury, exchange standard silver coins of the United States that are in his custody as such collector with the government of Hawaii, or with any person desiring to make such exchange, for coins of the government of Hawaii, at their face value when the same are not abraded below the lawful standard of circulation, and the Treasurer of the United States, under the direction of the Secretary of the Treasury, is authorized to deposit such silver coins of the United States as shall be necessary with the collector of customs or of internal revenue at Honolulu or at any Government depository for the purpose of making such exchange under such regulations as he may prescribe.

SEC. 4. That any silver coins struck by the government of Hawaii that are mutilated or abraded below such standard may be presented for recoinage at any mint in the United States by the person owning the same, or his or her agents, in sums of not less than $50, and such owner shall be paid for such coins by the superintendent of the mint the bullion value per troy ounce of the fine silver they contain in standard silver coin of the United States, and such bullion shall be coined into subsidiary coinage of the United States.

SEC. 5. That silver coins heretofore struck by the government of Hawaii shall continue to be legal tender for debts in the territory of Hawaii, in accordance with the laws of the republic of Hawaii, until the 1st day of January, 1904, and not afterwards.

SEC. 6. That no seigniorage, or mint dues, or charges shall be made or retained for the recoinage of the silver coins of the government of Hawaii at any mint of the United States under the provisions of this act.

SEC. 7. That any silver certificates heretofore issued by the government of the Hawaiian Islands, intended to be circulated as money, shall be redeemed by the Territorial government of Hawaii on or before the 1st day of January, 1904, and after said date it shall be unlawful to circulate the same as money.

SEC. 8. That nothing in this act contained shall bind the United States to redeem any silver certificates issued by the government of Hawaii, or any silver coin issued by such government, except in the manner and upon the conditions stated in this act for the recoinage of Hawaiian silver.

Mr. PLATT of Connecticut. Let the Secretary read section 2 again.

The PRESIDENT pro tempore. It will again be read.

The Secretary again read section 2.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pacific Islands and Porto Rico with an amendment, on page 3, line 21, section 7, to strike out the word "four" and insert "five;" so as to make the section read:

SEC. 7. That any silver certificates heretofore issued by the government of the Hawaiian Islands intended to be circulated as money shall be redeemed by the Territorial government of Hawaii on or before the 1st day of January, 1905, and after said date it shall be unlawful to circulate the same as money.

Mr. FORAKER. That extends by one year the time during which the silver certificates that may be in circulation can pass as lawful money.

The amendment was agreed to.

Mr. TELLER. I should like to ask the Senator what is the purpose anyway of making it a crime to circulate those silver certificates if people choose to do it? The people will not take them. I do not see why that should be done?

Mr. FORAKER. The only purpose of this provision is to make more certain the redemption of these silver certificates by the Hawaiian government. There are very few of them in circulation. Most of those issued have already been taken up. There are some few still outstanding, and it is thought that when it is no longer lawful to circulate them they will be brought in and redeemed and a better money will be substituted in their place.

I should perhaps say to the Senate that the aggregate of silver coins in circulation is only about $900,000. It was coined by the government of Hawaii as Hawaiian coins in dollars and half dollars and quarters and dimes, and we simply provide by this bill for substituting our coins in lieu of those coins, the provision being, however, that those coins when taken up shall be recoined as subsidiary coins; that is, shall not be coined into dollars to take the place of the dollars taken up, but coined as half dollars and quarters and dimes, the people needing the subsidiary coins there and not needing the other.

Mr. TELLER. I should like to know what are the denominations of the coins they have over in Hawaii?

Mr. FORAKER. The denominations are precisely the same as ours.

Mr. TELLER. Have they dollars and halves and quarters?

Mr. FORAKER. There are some dollars and some half dollars and some quarters and some dimes.

Mr. PLATT of Connecticut. At what rate do these coins pass in Hawaii?

Mr. FORAKER. They pass there precisely the same as ours. It is a mere substitution of our coins for their coins, the only difference being that their coins when taken up will be altogether recoined as subsidiary coins.

Mr. TELLER. How will they be paid for?

Mr. FORAKER. We pay for them by our own money as they are taken up. The first provision is that each Government to which payment shall be made of these coins shall have authority to turn them in to the mint as they are received and collected.

Mr. TELLER. In line 2, page 2, section 2, the bill provides:

And the superintendent of the said mint shall pay for such coins, at their face value, to the proper officer or agent of the Government depositing the same, the sum so deposited, in standard silver coins of the United States.

Does the Senator mean by that in standard dollars, or in silver coins?

Mr. FORAKER. In standard silver coins of the United States.

Mr. TELLER. That might possibly be construed to mean dollars instead of standard silver coins. I think if the Senator would say "silver coins"——

Mr. FORAKER. I think the superintendent of the mint may, under this provision, pay in any kind of coin he may see fit to pay in. He may pay in dollars if he sees fit; when it comes to recoining what he has received he shall recoin only in subsidiary coins.

Mr. TELLER. I suppose the purpose is to replace that money with American coins.

Mr. FORAKER. Precisely.

Mr. TELLER. We ought to send over to those people some dollars and some 50-cent pieces. I think the word "standard" ought to go out, and let it read:

So deposited, in silver coins of the United States.

Mr. COCKRELL. Does not the word "standard" there simply refer to the purity of the metal?

Mr. TELLER. If that is so, it is not necessary to put it in. We have no coin that is not standard. It might be construed to be "dollars."

Mr. FORAKER. I think that is true; it is a superfluous word; but I did not object to it in the bill. However, I did not myself draft the bill.

Mr. COCKRELL. The word "standard" is applied to the silver in the silver coin.

Mr. TELLER. I do not care to make any suggestion. If the Treasury Department drafted the bill, I suppose they are aware that the people of the islands must have quarters and half dollars, and they will supply them.

Mr. COCKRELL. Oh, yes.

Mr. CULLOM. I should think the money ought to be paid back in any denominations that the people want.

Mr. TELLER. That is perfectly proper.

Mr. CULLOM. The money over there is stamped as Hawaiian money; and we do not want to have two or three coins circulating as money of the United States. So the arrangement proposed is to have it all recoined in United States money and paid back.

Mr. TELLER. I am not complaining of that. That is a proper thing to do, of course. They can not have any independent money over there any more than the Territory of New Mexico can have it. It is very proper that we should get it into the mint and give it back to them in such coin as the community wants; that is all.

Mr. CULLOM. I have no doubt that that will be done.

Mr. ALLISON. I should like to ask the Senator from Ohio whether these silver dollars or fractional coins are coins that have been created in Hawaii?

Mr. FORAKER. Yes.

Mr. ALLISON. And they have the same standard of fineness that our coins have—nine-tenths fine?

Mr. FORAKER. Precisely the same.

Mr. ALLISON. How many of them are there?

Mr. FORAKER. About $900,000 in the aggregate.

Mr. ALLISON. All told?

Mr. FORAKER. All silver.

Mr. ALLISON. Does that include subsidiary silver as well as dollars?

Mr. FORAKER. It includes dollars, half dollars, quarters, and dimes, and the aggregate is about $900,000.

Mr. CULLOM. It was supposed to be a million when we were there.

Mr. ALLISON. I quite agree that these coins ought to be melted and United States coins substituted. It occurs to me that under section 2 there is perhaps an amount, I do not know how much, that ought to accrue as seigniorage to the United States:

That when such coins have been received by either government in sums not less than $500 they shall be deposited as bullion in the mint at San Francisco, Cal., and shall be recoined as subsidiary coinage of the United States. And the superintendent of the said mint shall pay for such coins, at their face value, to the proper officer or agent of the government depositing the same, the sum so deposited, in standard silver coins of the United States.

There are no standard silver coins that I know of under our law except silver dollars.

Mr. TELLER. That is what I said.

Mr. ALLISON. We recognize two kinds of silver coin in our country, one being what we call standard silver dollars and the other being subsidiary coin.

Mr. TELLER. It is of lighter weight.

Mr. PLATT of Connecticut. Those subsidiary coins are coined according to a statute, and I should suppose it might be said that they were coined according to another standard—that the silver dollar is coined according to one standard and the subsidiary coins are coined according to another standard.

Mr. ALLISON. The subsidiary coins are worth 10 per cent less than our standard coins. Now, these identical coins are to be coined into subsidiary coinage. I do not know precisely why it is that they should be coined into subsidiary coinage and then paid for at the par value of these coins to the government of Hawaii.

Mr. FORAKER. If the Senator will allow me to answer, they are to be coined into subsidiary coins, as I understand it, because in Hawaii they do not want any more silver dollars. They seem to have a sufficient proportion for circulation in the aggregate.

Mr. ALLISON. Do they have our silver dollar?

Mr. FORAKER. A great many silver dollars have been taken there and are now in circulation.

Mr. ALLISON. How is it as respects our subsidiary silver?

Mr. FORAKER. They are short of subsidiary coin, and that is the reason why as this coin is taken up they want to have it all recoined into subsidiary coin. They have a need for more subsidiary coins, and they do not have a need, as they think, for more standard silver dollars at this particular time.

Mr. ALLISON. I suggest to the Senator that under section 2

it appears to me the government of Hawaii will receive the seigniorage, or profit, which arises from the coinage into subsidiary silver. Now, I think that profit ought to inure to our mints. If we give them back American silver dollars or American subsidiary coin, which we are bound to redeem in gold, they ought to be satisfied without making a profit of 10 per cent, it seems to me; and if this section 2 is correctly interpreted I think that would be the result.

Mr. CULLOM. They are a part of our people.

Mr. ALLISON. They are a part of our people, it is true; but why should we give them the profit instead of giving it to the Mint of the United States? That is the question which occurs to me. So I should think we ought to repay them in silver dollars and let them get our subsidiary coin as other people get it. It is always available to people who want subsidiary silver.

Mr. FORAKER. I am at a loss to clearly understand the Senator from Iowa. If I do understand him, the case is just the opposite of what he presents. We are to take up their standard silver dollars, if I may use that term without being misunderstood, and we are to pay them in our subsidiary coins, which are coined, as the Senator has stated, at 10 per cent less in value proportionately than the standard silver dollars. So the seigniorage would be due to the Hawaiian government instead of to us, as I understand it.

Mr. ALLISON. If it be true that we put into our mints these silver dollars and pay them in subsidiary coin, then the Senator is right. If that is the true interpretation of the section, of course I was wrong about it.

Mr. FORAKER. That is the understanding I have of it.

Mr. ALLISON. Now I call the attention of the Senator to section 6.

Mr. FORAKER. Section 6 is put there simply to avoid any question of the character suggested by the Senator from Iowa. It is a prohibition against the retention of seigniorage or mint dues or charges of any kind on behalf of either government. In other words, it is a transaction that is for the primary benefit of the people in Hawaii, where this coin is to be used, and yet at the same time for our benefit as well as theirs.

Mr. ALLISON. Mr. President, of course this is a matter of no very great consequence, I know, but if the seigniorage was only the cost of coinage that would seem to be all right. However, the seigniorage in this particular case, taking section 2 and section 6 together, is, it seems to me, the seigniorage that we gain by coining fractional silver instead of standard silver dollars. I do not think that section 6 ought to remain there. I should say not.

Mr. TELLER. Nor section 7 either.

Mr. ALLISON. As to section 7, I wish to ask a question, if the Senator will allow me. A silver certificate was issued by the government of the Hawaiian Islands. I wish to know if those silver certificates so issued are now in circulation?

Mr. FORAKER. They are in circulation, but only to a very limited extent.

Mr. ALLISON. Is there not a silver dollar somewhere against them?

Mr. FORAKER. Certainly; there is a silver dollar on deposit in the treasury of the Hawaiian government with which to redeem the silver certificate that is outstanding. Under the law authorizing the issuing of the silver certificates there was a provision made for their redemption by the Hawaiian government. We do not interfere with that at all.

Mr. ALLISON. That is going on?

Mr. FORAKER. That is going on; and the silver certificates are circulating in the meanwhile. The only provision we make on that point is one calculated to hurry up the redemption of them by saying that after the 1st day of January, 1905, they shall no longer circulate as money.

Mr. ALLISON. I do not think there will be any trouble about it. I would suggest that section 6 be stricken out. I think there is no objection to section 7.

Mr. FORAKER. I had nothing to do with the preparation of this bill, but the drafter of it, I understand, prepared it in its present form after consultation with the Secretary of the Treasury.

Mr. COCKRELL. Why not strike out of section 6 the words "retained for the recoinage of the silver coins," because we turn back the equivalent of them? We make no charge for recoining the standard silver dollar, because we give back the same quantity of them that there was.

Mr. ALLISON. If there are fractional silver coins there, I see no reason why we should not, at our own expense, recoin those fractional silver coins; but the question of seigniorage should not enter into the matter at all, as it appears to me.

Mr. FORAKER. Allow me to suggest to the Senator from Iowa that in the Porto Rican case we dealt with a similar generosity to that which is now suggested by the Senator from Iowa.

Mr. ALLISON. I know, but——

Mr. FORAKER. We did that without complaint. Everybody thought it was a very proper thing to give them a safe margin. The number of dollars that will be paid in to be recoined I do not know. It can not be any very considerable amount. The seigniorage can not be any very large sum. All that was no doubt considered by the Secretary of the Treasury and those who drafted the bill.

Mr. ALLISON. The Porto Rican matter presented a very different situation.

Mr. FORAKER. It was different in some respects.

Mr. ALLISON. We paid them, I understand, more than their silver coins were worth in bullion.

Mr. FORAKER. Yes.

Mr. ALLISON. We did that because our Army officers had fixed the value of those coins at 60 cents when they were worth only 50 cents. But I do not know of anything which requires us now to deal with Hawaii as we then dealt with Porto Rico.

Mr. NELSON. Mr. President, I suggest to the Senator from Iowa and the Senator from Ohio this fact. The bulk of the coin that we exchange and get from Hawaii is subsidiary coinage, as I understand it.

Mr. FORAKER. Yes, sir.

Mr. NELSON. It is of the same fineness as our subsidiary coins?

Mr. FORAKER. It is just the same.

Mr. NELSON. In respect to that the question of seigniorage can not arise. It can only arise so far as relates to the silver dollars of Hawaii. If we take them and coin them into silver dollars there is a little seigniorage; but in respect to the subsidiary coin that question can not arise. As I understand it, there is only a limited amount of silver dollars. Most of the Hawaiian silver is subsidiary silver; so there can be no question of seigniorage in respect to that. The fineness of one coin is equivalent to the fineness of the other.

Mr. ALLISON. I thank the Senator from Minnesota for reenforcing my argument. Therefore I suggest that section 6 be stricken out.

Mr. FORAKER. Is that made in the form of an amendment?

Mr. ALLISON. I will move it as a formal amendment.

Mr. FORAKER. Before the Senator makes it, I wish to suggest that we might meet the objection he offers by providing here that "no seigniorage or mint dues or charges shall be made or retained for the coinage of any coins except the standard silver dollar." But that provision would be against the United States instead of in favor of the United States, because a provision of the bill is that all that we take up is to be coined into subsidiary coins. So we can not lose anything in any event. We are going to pay in our depreciated coin (if I may use that expression without being misunderstood) for the coin that we gather in from Hawaii.

Now, inasmuch as it is indefinite to what extent there will be any seigniorage, I hope the Senator will not insist upon his amendment, but let it go as it is, because our Government is certainly not losing anything, in so far as there is not any seigniorage at all, if the measure stands in its present shape. That is the way I understand it.

Mr. ALLISON. We are not losing anything of course.

Mr. TELLER. Mr. President, if this question is settled, I want to make what I think is a correction in the bill. Section 2 contains this provision:

> The expenses of transmitting said coins to and from the Hawaiian Islands shall be borne equally by the United States and the government of Hawaii.

There is not any government of that character in existence that I know of.

Mr. CULLOM. It is a Territory now.

Mr. TELLER. It went out of existence when it became a Territory of the United States. In another place in the bill it is properly treated as a Territorial government.

Mr. FORAKER. It ought to read "the Territorial government of Hawaii."

Mr. TELLER. That is what ought to be there. It is all right in the first section, where the bill speaks of dues to the government of the Territory. I think in another place perhaps the correction ought to be made. In section 5 it is all right. It is "Territory of Hawaii" there.

Mr. FORAKER. In section 6 it should read "the Territorial government of Hawaii."

Mr. TELLER. Yes. In the next section it refers to what the original Territory did, and that is all right enough. In section 8 it says, "Certificates issued by the government of Hawaii," and that is right. It was the former government that issued the certificates.

The PRESIDENT pro tempore. The Senator from Colorado proposes two amendments.

Mr. TELLER. I want simply to correct the text by saying "the Territorial government of Hawaii" instead of "the government of Hawaii."

The PRESIDENT pro tempore. Is the amendment accepted?

Mr. FORAKER. Yes; I understand that on motion of the Senator from Colorado the word "Territorial" will be inserted before the word "government" in line 8 on page 2, and also before the word "government" in section 6.

Mr. TELLER, Let it read "Territorial government" in line 8 on page 2 and in section 6, line 15 on page 3. Those corrections I want to have made. In a part of the bill it is all right and in a part it was not.

Mr. FORAKER. I accept those amendments.

The PRESIDENT pro tempore. The amendments will be agreed to, without objection.

Mr. ALLISON. I wish to suggest to the Senator from Ohio that I know no reason why we should take in these coins and appropriate money for recoining them when the cost of recoining can be paid out of what we usually call seigniorage. If the Senator thinks, and if it is the best judgment of the Senate, that we are under some obligation to recoin all these coins at the expense of the United States, I shall not oppose it any further.

Mr. HOAR. I do not know much about these matetrs, but I should like to inquire what is our obligation. This is, of course, in the nature of a debt of Hawaii to keep good the coins there. Now, what is our obligation for the debt? Does it not come under our obligation to the Hawaiian debt?

Mr. FORAKER. Answering the Senator from Massachusetts, I will state that this is not in the nature of a debt obligation. It is simply a bill providing for the retirement of the Hawaiian silver coins now in circulation in Hawaii, coins that were coined by the Hawaiian government.

Mr. HOAR. I understand it.

Mr. FORAKER. They are marked Hawaiian coins, and the provision is that those coins shall be received at their face value in payment of dues to both the Hawaiian government and to our Government, and that in sums of not less than $500 they may be turned over to the superintendent of the mint at San Francisco for coinage——

Mr. HOAR. I understand that.

Mr. FORAKER. And that they shall be recoined into subsidiary coin.

Mr. HOAR. But I understand the Senator from Iowa inquired why it was that in recoining the Hawaiian coins, as this bill provides, the burden of seigniorage on the recoinage should fall on the United States, upon which my question was, saying that I did not know much about it, and I do not, whether it was not required that we should assume it and not have the holder of the coinage assume it, because we had undertaken on examination to be responsible for the indebtedness of Hawaii, and that, though not a bonded debt, it still is a Government obligation. That was the question I put.

Mr. ALLISON. As I understand it, the question is simply this. Here are silver coins in Hawaii, standard silver and subsidiary silver. I am repeating, I know, what I said. It is the purpose of this bill to substitute for those coins coins of the United States. In that substitution the bill provides that these Hawaiian coins shall be coined into subsidiary silver. If they are so coined, they will get 10 per cent more dollars than they have now.

Mr. HOAR. Why?

Mr. ALLISON. Because the subsidiary silver is worth 10 per cent less—that is, 10 per cent less silver is in them than in the standard coin. Now, then, if we give them more dollars than we take of them, which we are bound to do if we coin this bullion into subsidiary silver, we are not paying for this coin, but at the expense of the United States Government we give them 10 per cent more dollars than they give us.

Mr. HOAR. Suppose these were subsidiary coins of the United States and they had become worn or degenerate for any reason whatever, we should in some way give to a man who brought them to the mint other subsidiary coins at their face value, without any regard to what was the value of the metal in them, as an obligation of the Government. You would not let a man with a worn-out quarter of a dollar or a worn-out nickel that got so bad it could not pass any longer lose that subsidiary coin. You would give him a new one or something equivalent in value to its face value.

Now, is not that just what this bill is doing for the Hawaiian coinage, and nothing else? If we do it as an obligation of the Government to the citizens of the United States, ought we not to do exactly the same thing as an obligation of the Government, having assumed the government of Hawaii and its indebtedness of all kinds? Is it doing anything more for them than we do for our own citizens with our own coin? That is the question.

Mr. CULLOM. They are now our citizens.

Mr. HOAR. They are now our citizens.

Mr. ALLISON. If these coins are a debt and we are bound to pay them in gold, then I agree with the Senator. If they are not, then the question I submit to the Senator from Massachusetts, is whether we are bound to take a silver dollar from a citizen and coin it into four quarters and give him a 10-cent piece besides for his dollar, or whether it is not enough for us to give the man four quarters for his dollar, coining it at our own expense, leaving that 10-cent piece, if there be one, in the Treasury itself. That is all there is about it.

Mr. HOAR. I agree that if you give him the actual current value of that he brings to you you have done all you ought to do.

Mr. FORAKER. Mr. President, the Senator from Iowa says that is all there is about it. Truly he has got it wrong end foremost. There is not anything about it that he has stated. We do not take the silver dollar and coin it into subsidiary coin and give a man 10 per cent for the operation in addition to the full value, but we charge him, and take from him 10 cents. It is just the opposite.

Mr. TELLER. We give him two half dollars.

Mr. FORAKER. We give him two half dollars or four quarters, worth only 90 cents, as compared with the standard silver dollar. We take the standard silver dollar that is worth 100 cents, and we give him back four quarters or two half dollars, whichever we may see fit, in full payment. In other words, we make 10 cents by the transaction. Now, if anybody has a right to complain it is the Hawaiians.

Mr. ALLISON. Mr. President, that is a very beautiful story, half told. When we issue United States quarter dollars we agree by our law to redeem those quarters in gold. When we give him four quarters we give him exactly what he had, except that we do what we do not do in the case of our standard dollar when he brings those four quarters to our Treasury. We give him a gold dollar for it. Therefore, in theory, according to the Senator from Ohio, we have substituted a better currency for this standard dollar. So we are now, at our own expense, coining these four quarters and giving him 10 cents for the difference. He ought to be satisfied if we will give him the same kind of money that we take from him and pay the cost of doing it. That is my criticism. It is a matter of no moment to me, except that when Senators say I do not understand it I simply make the suggestion.

Mr. FORAKER. Mr. President, the Senator will not find in the RECORD any statement from me to the effect that he does not understand it. If there is anybody who understands what he is talking about in the Senate it is the Senator from Iowa. He always knows what he is talking about, except when he gets on the wrong side. [Laughter.] That does happen once in a while. I appreciate fully the point he has made here, but the trouble about it is that it has no application to this case. We have not been discussing anything about the effect of substituting silver coin to be redeemed in gold for silver coins that are not redeemable. That is a new proposition altogether.

These coins are circulating in Hawaii on a par with our silver coins. There is no distinction whatever between Hawaiian coins and United States coins as they are in circulation in Hawaii today. Their payment is guaranteed and they circulate at their full value, just as though they also were specifically made redeemable in gold, as the Senator suggests ours are.

Mr. CULLOM. If the Senator will allow me, I will give a statement from the report of the Hawaiian Commission as to what this money consists of:

THE HAWAIIAN CURRENCY.

The gold coins of the United States are the only unlimited legal tender. (Civil laws, sec. 665.)

Hawaiian silver coins are legal tender for amounts not exceeding $10. United States dimes and half dimes are also legal tender in limited amounts. (Civil laws, secs. 666 and 667.)

COINAGE.

During the years 1884, 1885, and 1886 the following Hawaiian coins were put in circulation, having theretofore been coined at the United States mint in San Francisco (Biennial Report Minister of Finance, 1890, p. 7):

Dollars	500,000
Halves	350,000
Quarters	125,000
Dimes	25,000

This is the only Hawaiian coinage ever executed.

That is the character of silver money those people had when the commission was there.

Mr. TELLER. That was coined in San Francisco?

Mr. CULLOM. Yes.

PAPER CURRENCY.

By session laws 1895, act 19 (civil laws, secs. 672-675), the minister of finance was authorized to issue gold and silver certificates of deposit upon setting aside sufficient of the respective coins for the payment of such certificates. The act also provided for the retirement of all outstanding certificates of deposit.

Under this authority certificates of deposit have been issued to the amount of $272,500, for the redemption of which silver coin is now held in the Treasury. These certificates have been issued in the following denominations:

5 dollars	$12,500
10 dollars	35,000
20 dollars	50,000
50 dollars	75,000
100 dollars	100,000

Mr. FORAKER. I am very much obliged to the Senator from Illinois for giving us the information which he has just imparted.

The PRESIDENT pro tempore. The bill is still in the Senate, as in Committee of the Whole, and open to amendment.

Mr. ALLISON. What has become of my amendment to strike out section 6?

The PRESIDENT pro tempore. The Chair was not aware that the Senator had offered an amendment.

Mr. ALLISON. Then I will offer it now.

Mr. FORAKER. I was about to add another remark, if the President of the Senate and the Senator from Iowa will allow me.

Since the accurate information which has been given us by the Senator from Illinois we know that there were coined originally 500,000 of these standard silver dollars. No one knows how many of them are still in circulation, and no one knows how many of them will be brought in for redemption. It was estimated that there were 1,000,000 silver dollars in the aggregate originally coined in subsidiary coin. There is not now probably more than $900,000 in circulation, but assuming that the whole 500,000 silver dollars will be brought in to be recoined, we would make by the transaction, if the bill stands as it is now worded, $50,000, or 10 per cent, on all standard silver dollars that will be recoined—that is, the bill provides that for these silver dollars we shall substitute subsidiary coins, which are said to be 10 per cent less in value.

Mr. TELLER. Mr. President, it seems to me that the Senator from Ohio is a little off in that statement. If we get, say, $500 in silver dollars and coin it into half dollars, we would have 10 per cent more. I think section 6 means that Hawaii shall get the entire amount of coinage; otherwise, what was the use of putting in the bill this language:

SEC. 6. That no seigniorage, or mint dues, or charges shall be made or retained for the recoinage of the silver coins of the government of Hawaii at any mint of the United States under the provisions of this act.

It seems to me that with section 6 in the bill the Hawaiians do get the seigniorage.

Mr. FORAKER. If the Senator will allow me to interrupt him, I am very much obliged to him for suggesting that construction of the language. I think he is correct about it, and that is, perhaps, exactly what the drafter of this bill intended, that in issuing subsidiary silver coinage as standard silver coins there should be no mint charges, but there should be issued the equivalent of such coin. Taking the other view of it, the one suggested by the Senator from Iowa [Mr. ALLISON], if the view suggested by the Senator from Iowa be the true one, we are not losing but making by the transaction. If the view suggested by the Senator from Colorado [Mr. TELLER] be the true one, neither party is making anything, but there is an exactly fair exchange of this coin. I think we can very well afford either interpretation of the law, and I hope the bill will be allowed to stand.

Mr. TELLER. Those people are now just as much citizens of the United States as are the people of the District of Columbia or those of any section of the country, and I think we are under the same obligation to them. If coins of the United States in use there have become worn, so that they are not current, or if the money is not of good character, we should recoin it. We do not in this country make the party who holds a dollar when it is worn out bear the loss, but we have a system of taking that money and recoining it, and the Government and not the citizen loses the wastage.

Mr. COCKRELL. That is, unless they get below the standard.

Mr. TELLER. Yes; we recoin them unless they get below the standard prescribed by the statute. These coins are not such as we want in circulation, and we take them up. I do not see why we should not extend the same advantages to those people as we extend to all other people in this country.

Mr. CULLOM. I certainly do hope that the people of Hawaii will not be discriminated against in this matter. They should be treated the same as all the rest of our people.

Mr. ALLISON. I merely want to call attention to these two sections taken together, and they are ingeniously drawn, to say the least. The first section provides:

That the silver coins that were coined under the laws of Hawaii, when the same are not mutilated or abraded below the standard of circulation, shall be received at the par of their face value in payment of all dues to the government of the Territory of Hawaii and of the United States, and the same shall not again be put into circulation, but they shall be recoined in the mints as United States coins.

Those coins are now receivable by the government of Hawaii and by the Government of the United States. Then section 2 provides:

That when such coins have been received by either government—

That is, by the government of Hawaii or the Government of the United States—

in sums not less than $500 they shall be deposited as bullion in the mint at San Francisco, Cal., and shall be recoined as subsidiary coinage of the United States. And the superintendent of the said mint shall pay for such coins, at their face value, to the proper officer or agent of the Government depositing the same, the sum so deposited, in standard silver coins of the United States.

The point I raise in relation to section 2 is this: These coins when deposited as bullion in the mint are required to be recoined into subsidiary coinage. Then should not that bullion be coined into so many sudsidiary coins at our standard of subsidiary coinage as would make an equivalent in fractional currency?

Mr. TELLER. I think so.

Mr. ALLISON. In other words, if $500, as is proposed here, of standard coins are deposited in the mint of San Francisco, they are to be recoined as subsidiary coinage of the United States. Is it to be $500 in subsidiary coin, or is it to be received as bullion? That would make more than $500 in fractional silver.

Mr. TELLER. I will tell the Senator what I think that means.

Mr. ALLISON. Very well.

Mr. TELLER. A silver dollar contains 412½ grains of silver, 900 fine, and I suppose if it is melted up it will be, of course, in the same relative proportion. When you take two half dollars out you have 384 grains. The difference between that and 412½ grains is what the Senator is calling "the seigniorage."

Mr. ALLISON. Yes.

Mr. TELLER. But it is the property of the Hawaiian people and, it seems to me, it ought to be put into coin for those people and not put into the Treasury of the United States. We lose nothing except the bare cost of recoining it, which is 75 per cent on a hundred.

Mr. ALLISON. I understand that perfectly well. I think, as I stated in the beginning, that this matter is not worth a great deal of controversy. My only point is that we are proposing to make a recoinage here of all the coins in Hawaii, and we are proposing to give the Hawaiians 10 per cent upon those coins. While it is a small matter to us, we are proposing to give them that percentage in coin. We lose nothing by it in one sense, of course, but we coin it for nothing, whilst in any other case of subsidiary coinage we coin the silver, taking ourselves the seigniorage. If Senators desire to make a present to those people, I shall not object to it. The sentiment seems to be that we ought to give Hawaii $90,000 as a present in addition to recoining these coins at our own expense. If that is the sentiment of the Senate, I shall offer no amendment to the bill.

Mr. TELLER. Nothing of the kind is proposed to be done. We do not give to the people of Hawaii $90,000 or any other sum, but we coin their silver, figuring it at 192 grains to a half dollar, and I suppose when we coin two half dollars it cost a little more than it would cost to coin one silver dollar.

Mr. ALLISON. Allow me to interrupt the Senator.

The PRESIDENT pro tempore. Does the Senator from Colorado yield?

Mr. TELLER. Certainly.

Mr. ALLISON. There are 412½ grains of silver in the standard silver dollar.

Mr. TELLER. If not worn too much.

Mr. ALLISON. There are 384 grains of silver in two half dollars. Therefore there are 28½ grains of silver somewhere which belong to somebody. Who shall have it? We are giving back to the people of Hawaii substantially the same dollar in two halves that we took from them. I appeal to the Senator from Massachusetts [Mr. HOAR], and I will ask him this question: If we take from the Hawaiians a dollar and coin it into two half dollars, do we not give back to them as much in the way of currency and coin as we took from them?

Mr. HOAR. Mr. President——

Mr. ALLISON. I should like to have the Senator's view upon that particular question.

Mr. HOAR. I am going to tell you that, but I am going to state it in my own way, because there may be something in the particular phrase of the honorable Senator of which I do not see the full application. I am rather diffident of expressing my opinion in the presence of the wise men who deal with these great questions, but as we all have got to vote upon this matter, I should like to understand it.

When this first section goes into effect there will be a lot of men in Hawaii who have got half dollars or quarter dollars or dollars, or whatever they are, in their pockets, which are worth so much for the purposes of currency, in buying goods and paying debts, because they are legal tender.

Mr. ALLISON. They are receivable for all dues.

Mr. HOAR. Very well. Those people give those coins to the Government of the United States, and they get something back of exactly the same value for the same purpose. Now, absolute justice has been done——

Mr. ALLISON. To them.

Mr. HOAR. To that people. The Hawaiian government is expected to receive some of these coins, and we shall have some paid directly to us. The Hawaiian government then gets into its treasury a lot of half dollars or quarter dollars or whatever the coins may be——

Mr. ALLISON. Or dollars.

Mr. HOAR. Or dollars, which they can pay out and expend

for the payment of men for working on the roads or anything else, and for what they have got they got the exact value, no more and no less, and when this coin is deposited they are entitled to get the exact value from the United States Government, no more and no less.

Mr. ALLISON. That is right.

Mr. HOAR. So we have done absolute justice to all concerned, because they have got just what they had before in value, and we have paid them what is exactly the equivalent in value to what they had before, and we have got it now.

Now, what becomes of it after that time? These two parties having been dismissed with absolute justice—the government of Hawaii and the Hawaiian people—it is the business of the United States, and it ought to be the business of the United States, if there is any loss by that transaction, as we now are the Government for all purposes of currency in Hawaii—and Hawaii has gone out of the business of government—if there is any loss in such a performance we ought to bear it, just as we should with our own citizens, and if there is any gain in such a performance we ought to get it, because nobody on earth has any right to complain when we are only doing what is the absolute duty of the Government. That is the way it strikes me.

Mr. ALLISON. The Senator is precisely right.

Mr. HOAR. Very well. Then I hope the Senator will vote in the same way I shall.

Mr. ALLISON. I want now to show that the Senator is right, so that other Senators will follow him and me in this vote.

I inquired of the Senator from Colorado [Mr. TELLER] what would become of this 28¼ grains of silver that had not been used in recoining these dollars into half dollars. Will it go into the Treasury of the United States, where it ought to go? But if I construe aright section 6, it will not go into the Treasury of the United States. Of course all that is paid into the Treasury will go to the Government of the United States, but the portion of it which is paid to the government of Hawaii will go into the Hawaiian treasury; otherwise the circumlocution that we find here would not be found to be necessary in the framing of this bill.

Mr. MCLAURIN of Mississippi. Will the Senator from Iowa allow me to ask him a question?

Mr. ALLISON. Certainly.

Mr. MCLAURIN of Mississippi. This bill proposes to pay a dollar for four quarters or a dollar for two halves?

Mr. ALLISON. That is not what it proposes. Of course, if it proposed that there would be no difficulty, but it proposes that this coin turned over by the government of Hawaii shall be coined into subsidiary coinage.

Mr. MCLAURIN of Mississippi. If we coin $500 of bullion into quarters or halves, it will make more than $500, will it not?

Mr. ALLISON. Five hundred and fifty dollars in round numbers.

Mr. MCLAURIN of Mississippi. Then this bill proposes to pay $550 for $500?

Mr. ALLISON. I think, taking the two sections together, the bill is intended to accomplish just that purpose. I want the bill framed so that it can not be so construed; but it seems that I am all wrong about it. So I leave the question now to Senators who want to give to the Hawaiians the seigniorage which will arise from this process.

The PRESIDENT pro tempore. Does the Chair understand the Senator from Iowa to offer an amendment?

Mr. ALLISON. I do. I offer an amendment to strike out section 6.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Iowa [Mr. ALLISON] will be stated.

The SECRETARY. It is proposed to strike out section 6, in the following words:

SEC. 6. That no seigniorage, or mint dues, or charges shall be made or retained for the recoinage of the silver coins of the government of Hawaii at any mint of the United States under the provisions of this act.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Iowa. [Putting the question.] By the sound the "ayes" have it.

Mr. FORAKER. I call for the yeas and nays, Mr. President.

["No!" "No!"]

The PRESIDENT pro tempore. Does the Senator from Ohio insist on his demand for the yeas and nays?

Mr. FORAKER. I will withdraw the demand, Mr. President.

The PRESIDENT pro tempore. Then the amendment is agreed to.

Mr. HOAR. I can not myself see what earthly difference it makes whether the section is in or out of the bill. I can not see the slightest use of it.

Mr. FORAKER. There may not be, but I am still clearly of the opinion that the Senate has voted under an absolute misapprehension. Of course I have not any right, perhaps, to say that, in view of what has been said; but I do say it, for it is as clear a misapprehension as ever was impressed on a legislative body.

Mr. NELSON. Will the Senator allow me to suggest a compromise?

The PRESIDENT pro tempore. The debate seems to be out of order.

Mr. FORAKER. It is out of order and can not proceed, I recognize, except by unanimous consent.

Mr. NELSON. Will the Senator from Ohio allow me to make a suggestion?

Mr. FORAKER. Certainly.

Mr. NELSON. I suggest a compromise between the Senator from Ohio [Mr. FORAKER] and the Senator from Iowa [Mr. ALLISON] in section 6, on page 3, line 13, by striking out the words "seigniorage or;" so as to read:

SEC. 6. That no mint dues or charges shall be made or retained for the recoinage of the silver coins of the government of Hawaii at any mint of the United States under the provisions of this act.

I think that will accomplish the object and be fair.

Mr. FORAKER. The whole section has been stricken out.

The PRESIDENT pro tempore. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

Mr. FORAKER. There was an amendment, on page 3, recommended by the committee. Has that been acted upon?

The PRESIDENT pro tempore. That amendment has been agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAM ACROSS RAINY RIVER.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (S. 3375) relating to the construction of a dam across Rainy River.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Commerce with amendments, in section 2, page 2, line 4, after the word "and," to strike out "for the purpose of improving the navigation of Rainy Lake;" in line 9, after the word "will," to strike out "in the judgment of the Secretary of War," and in line 12, after the word "stream," to insert the following proviso:

And provided further, That nothing in this act contained shall be construed as relieving the Koochiching Company, its successors or assigns, from liability for any damage inflicted upon private property by reason of the raising of the waters of the lake as aforesaid.

So as to make the bill read:

Be it enacted, etc., That the time for the construction of a dam across the Rainy River by the Koochiching Company, its successors and assigns, as provided by chapter 238 of volume 30 of the Statutes at Large and chapter 346 of volume 31 of the Statutes at Large, is hereby extended to May 4, 1907.

SEC. 2. That the Koochiching Company, its successors and assigns, is hereby authorized to construct and maintain said dam, subject to the terms of said chapter 238 of volume 30 of the Statutes at Large, upon the plans now on file with the Secretary of War, or any modification of said plans which the Secretary of War may approve; and the Koochiching Company, its successors and assigns, is hereby authorized to construct such dam at such height as will raise the waters of Rainy Lake to high-water mark: *Provided*, That said dam shall be furnished with such openings or gates or waste ways as will carry the waters of the river at flood stage without raising the water higher than it would rise in the natural condition of the stream: *And provided further*, That nothing in this act contained shall be construed as relieving the Koochiching Company, its successors or assigns, from liability for any damage inflicted upon private property by reason of the raising of the waters of the lake as aforesaid.

SEC. 3. That this act shall take effect and be in force from and after its passage.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT CHARLOTTESVILLE, VA.

Mr. MARTIN. I ask unanimous consent for the present consideration of the bill (S. 1510) providing for the erection of a public building in the city of Charlottesville, Va.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It appropriates not to exceed $100,000 to purchase, or acquire by condemnation proceedings, a site for a building to be erected thereon, and to cause to be erected at Charlottesville, Va., a suitable building for the use and accommodation of the United States courts, revenue office, post-office, and other Government offices in that city, with fireproof vaults extending to each story; the building thereon to be completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AIDS TO GENERAL OFFICERS OF THE ARMY.

Mr. WARREN. I ask unanimous consent for the consideration at this time of the bill (S. 3400) to amend section 1098 of the Revised Statutes of the United States.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Military Affairs with amendments, in line 9, after the word "captains," to insert "or lieutenants;" and in the same line, after the words "of the," to strike out "line" and insert "Army;" so as to make the bill read:

Be it enacted, etc., That section 1098 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"Each major-general shall have three aids, who may be selected by him from captains or lieutenants of the Army, and each brigadier-general shall have two aids, who may be selected by him from captains or lieutenants of the Army."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

APPRAISERS AT PHILADELPHIA AND BOSTON.

Mr. HOAR. I ask unanimous consent to call up the bill (S. 4139) to diminish the number of appraisers at the ports of Philadelphia and Boston.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that hereafter there shall be one appraiser of merchandise at each of the ports named, instead of two, at a salary of $5,000 each per annum, instead of $3,000 each.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH L. W. BAILEY.

Mr. GALLINGER. I ask unanimous consent for the consideration of the bill (S. 2388) for the relief of Elizabeth L. W. Bailey, administratrix of the estate of Davis W. Bailey, deceased.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. Let a part of the report in the case be read.

The Secretary proceeded to read the report submitted by Mr. GALLINGER on the 10th instant, which is as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 2388) for the relief of Elizabeth L. W. Bailey, administratrix of the estate of Davis W. Bailey, deceased, have examined the same and report:

In 1883 Davis W. Bailey instituted a suit at law against the District of Columbia in the supreme court of the District to recover damages in the sum of $25,000 for an alleged breach of contract, for laying and resurfacing asphalt pavement, and for extra work done under said contract in Washington, D. C.

In 1885, upon the death of Contractor Bailey, his widow, as his administratrix, was, by order of the court, made plaintiff in his place in said action, and is now the beneficiary named in the bill under consideration.

In 1892 the plaintiff and defendant mutually agreed to submit the pending case to arbitration, and the parties in interest chose J. J. Johnson, a member of the District bar, as their arbitrator to hear and determine all matters at issue in said case and to make a final award thereon.

Thereupon the said arbitrator entered upon his duties, gave the parties to the cause a full and fair hearing, and made a written award in which he found that there was due from the District of Columbia to the plaintiff, on account of the contract which formed the basis of the case, the sum of $10,519.20.

Following the filing of this award the District contested the same, and in March, 1893, the plaintiff, relying in good faith upon the agreement that the submission of the pending case by the litigants to Johnson was to be a finality, and believing that the award operated as a discontinuance of the pending case, brought suit direct against the District in the supreme court of the District to enforce the award. To this suit the defendant District pleaded that there never had been any agreement to submit to final arbitration the matters in dispute in the suit upon the contract, and that therefore there never had been an award.

Upon this issue the suit upon the award was, in January, 1896, brought to trial in the supreme court of the District of Columbia, before Justice McComas and a jury, and the jury found a verdict for the plaintiff for the said sum of $10,519.20, with interest from the date of filing the award, to wit, the 18th day of July, 1892.

From the judgment entered upon this verdict the defendant District appealed to the court of appeals of the District of Columbia, and the court of appeals affirmed the judgment. (See 9 Appeal Cases, D. C., 380.)

From this judgment the defendant District appealed to the Supreme Court of the United States, and the Supreme Court of the United States reversed the judgment upon the sole and technical ground that the Commissioners of the District of Columbia, under the act of June 11, 1878, which may be termed the charter of the District, were without authority to agree to submit a matter in controversy to the final award of an arbitrator.

The Supreme Court did not in any way pass upon the merits of the case. (See 171 U. S., 161.)

This statement of facts is based upon the judicial records in the cases and upon the following letter from the chairman of the Board of Commissioners of the District of Columbia, Hon. B. F. Macfarland, under date of August 7, 1901:

In the matter of the claim of Elizabeth W. Bailey.

This is a claim for compensation for extra work and damages under a contract between the Commissioners of the District of Columbia and the Bailey French Paving Company dated July 30, 1879, to resurface with asphaltum pavement certain streets in the city of Washington.

Davis W. Bailey was the general agent of said company and claimed to be said company in fact. He instituted an action at law in the supreme court of the District of Columbia against said District for damages, etc., growing out of said contract. On June 19, 1883, Bailey died, but the action was revived in the name of his widow, who was appointed administratrix.

On January 11, 1892, the Commissioners of the District of Columbia appointed J. J. Johnson referee in the case.

The referee reported $10,518.20 due the claimant, and that report became the subject of a suit in the supreme court of the District of Columbia, in which judgment for said amount was rendered. The action of that court was sustained by the court of appeals, but the decision of the court of appeals was reversed by the Supreme Court of the United States upon the technical ground that the Commissioners of the District of Columbia had not the power to bind the District by common-law submission of the pending suit for breach of contract to a referee.

There is nothing in the papers to lead the Commissioners to infer that the supreme court of the District and the court of appeals did not thoroughly consider the merits of the claim before affirming the referee's award. Neither have the Commissioners at their command any facts bearing on the case that were not accessible to those tribunals, and it might be presumptuous in them to review their proceedings, especially in view of the lapse of time and the absence of any new testimony in the matter. It therefore seems that if Congress should not deem the judgments of the supreme court of the District and of the court of appeals conclusive as to this claim, it should be referred to the United States Court of Claims.

HENRY B. F. MACFARLAND,
Commissioner.

Upon this statement of facts your committee find:

That the suit upon the contract was actually submitted to final arbitration by both the plaintiff Bailey and the defendant District, and that both parties would have been bound by the award but for the technical limitation of authority found by the United States Supreme Court in the final decision to exist in the Commissioners of the District of Columbia to submit any case to arbitration.

That no claim is anywhere made in this matter impeaching the integrity of the award or the competency or honesty of the arbitrator, Johnson, who was a member of the bar of the District of Columbia and a commissioner of the supreme court of the District.

That all the testimony that the District of Columbia had or has was submitted to the arbitrator upon the hearings before him.

That the United States Supreme Court did not pass upon the merits of the controversy, but reversed the judgment upon the award upon the sole ground that the Commissioners of the District of Columbia were without authority under the act of June 11, 1878, to submit the matter in controversy to the final award of an arbitrator. (See 171 U. S., 161.)

That because the Commissioners of the District of Columbia erred in the assumption of authority in the submission of the matter to an arbitrator is no good reason why the plaintiff, who acted in good faith, and who duly established the merits of her case before a competent arbitrator and before court and jury of the supreme court of the District of Columbia and the court of appeals of the District of Columbia, should be deprived of her rights thereby.

Your committee regard this case as one especially calling for and meriting Congressional relief, and therefore report the bill back with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MILITARY BADGES.

Mr. WARREN. I ask unanimous consent to call up the joint resolution (S. R. 57) relating to military badges.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It provides that the distinctive badges adopted by military societies of men who served in the armies and navies of the United States during the Chinese relief expedition of 1900 may be worn upon all occasions of ceremony by officers and men of the Army and Navy of the United States who are members of such organization in their own right.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. COCKRELL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 13, 1902, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate March 12, 1902.

MELTER AND REFINER.

Charles M. Gorham, of California, to be melter and refiner of the mint of the United States at San Francisco, Cal., in place of Alexander Martin, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 12, 1902.

ASSOCIATE JUSTICE OF ARIZONA.

Richard E. Sloan, of Arizona Territory, to be associate justice of the supreme court of the Territory of Arizona.

POSTMASTERS.

F. A. Turner, to be postmaster at Avoca, in the county of Pottawattamie and State of Iowa.

John Bird, to be postmaster at Parkersburg, in the county of Butler and State of Iowa.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 12, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

STATUTES AT LARGE FOR HOUSE LIBRARY.

Mr. McCLEARY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of a resolution, which the Clerk will report to the House.

The resolution was read, as follows:

Resolved, That the Superindent of Documents be, and he is hereby, authorized and directed to issue to the library of the House, for use in said library, 25 copies of volume No. 27 of the United States Statutes at Large.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

On motion of Mr. McCLEARY, a motion to reconsider the last vote was laid on the table.

CLERK, UNITED STATES COURT, WILMINGTON, N. C.

Mr. BELLAMY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for the present consideration of a bill which will be reported by the Clerk.

The Clerk read the bill (H. R. 184), to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C., as follows:

Be it enacted, etc., That section 3, chapter 282, of the United States Statutes at Large, volume 17, be amended by adding thereto, at the end of said section, the following:

"And the circuit and district judges for the eastern district shall appoint, besides a clerk of said court held at Raleigh, an additional clerk, who shall reside and keep his office at Wilmington and be clerk both of the district and circuit court held at Wilmington, and who shall have the custody and control of the records of said courts, shall give the same bond required of circuit and district courts of said district, and shall receive the same fees and compensation for services performed by clerks of such courts now fixed by law."

The following amendment, recommended by the Committee on the Judiciary, was read:

On page 2, in line 1, after the word "required," insert the words "of the clerk."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

POST-OFFICE APPROPRIATION BILL.

On motion of Mr. LOUD, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post-Office appropriation bill (H. R. 11354), with Mr. LITTLEFIELD in the chair.

Mr. SIMS. Mr. Chairman, I do not rise for the purpose of discussing the features of this bill. It will be remembered that on Monday I arose to a question of privilege, and when my privileged question was stated it was held by the Speaker not to be a question of privilege. I desire, therefore, to take up what I intended to state as a matter of privilege at this time. In order that the House may understand exactly what I wish to bring before it, it will be necessary to make some preliminary statements. It will be remembered by the members of the House that a bill was brought in here and favorably reported to create a permanent Census Bureau. The bill was very short, had but few details, but reenacted the law in existence, modifying it only by repealing such parts as were inconsistent. There was considerable discussion, and it was made manifest in that discussion that the desire of this House was that the employees of the Census Bureau who had been in service from the day they were appointed to that time should be covered into the classified service and placed upon the eligible list and made subject to transfer.

A motion to recommit the bill with instructions was made. A part of the instructions were that the employees of the Census Office should be placed in the civil service. In my remarks I will give the exact motion to recommit. The bill was brought into this House as reported under instructions, with the following section in it:

SEC. 5. That all employees of the Twelfth Census Office at the date of the passage of this act above the grade of skilled laborer shall be, and they are hereby, placed under the provisions of the civil-service act approved January 16, 1883, and the amendments thereto and the rules established thereunder; and all new appointments in the Census Office hereby created shall be made in accordance with the requirements of the civil-service act above referred to.

The bill was passed with the clause exactly as contained in the bill and reported by the committee. After it was passed it went to the Senate, and was reported over there and passed exactly as I now read it. Section 5 was passed in the Senate retaining every word that was in the bill passed by the House and added simply this—or rather struck out and added—as follows: Line 25, of page 3, the word "twelfth" was stricken out by the Senate, and in line 1, page 4, the words "above the grade of" were stricken out; in line 2 the words "skilled laborer" were stricken out. These were all the words of the House section that were stricken out. In the Senate were added after the words "of this act," in line 1, page 4, the words "except unskilled laborer, holding positions which are classified in other departments of the Government." Then, at the end of line 4 and at the beginning of line 5, these words were added, "without further examination." Then, after the word "thereunder," in line 8, this provision was added by the Senate, "and persons who have served as soldiers in any war in which the United States may have been engaged, and the widows of soldiers, shall have preference in the matter of certification;" and in line 11, after the word "appointments," the words "to the clerical force" were inserted.

These were all the additions to section 5 as it passed the House; not a word in the amendment changed in any manner the object, purpose, or aim of section 5. Not a word of the Senate amendment had any effect whatever, except to make it more specific and more definite, with the exception of that added of giving soldiers the preference, which was not inconsistent with the chief object and purpose of the section. The Senate made other amendments. The bill, as amended by the Senate, came over to the House, and the Senate amendments were nonconcurred in. The bill went to conference. The conferees made a report. It was brought to this House, members of the House will remember, on Friday, the day set apart under the rules for the consideration of private pension bills.

Mr. BOUTELL. What day of the month was that?

Mr. SIMS. The day of the month was February 28, as I now remember.

It was brought here when the Committee of the Whole was in session. The committee rose. We all know that on those days set apart for the consideration of private pension bills there is a great hurry, there is a great rush, in order to get as many considered and acted upon as possible, because they can not be considered and acted upon on any other day. Therefore any other business which would seriously interfere with the consideration of private pension bills would be objected to and not meet with favor from members of the House; and therefore any action questioning this conference report or going into details would have met with disfavor, and, as gentlemen also remember, few members are usually present on pension days. The committee rose. The report was sent to the desk by the chairman of the Select Committee on the Census, the gentleman from Illinois [Mr. HOPKINS], who made this statement:

Mr. Speaker, I desire to call up the conference report on House bill 10908. I ask that the statement of the House conferees may be read in lieu of the report.

What reason did the distinguished chairman give for asking that the statement be read instead of the report?

A MEMBER. What page are you reading from?

Mr. SIMS. I am reading from page 2256 of the RECORD:

The statement covers the question fully.

That was the statement of the chairman.

"The statement covers the question fully." Did we have the right to rely on that statement? Most assuredly we did. Therefore no objection was made to the report not being read. The statement was read.

Mr. LOUD. Is the report printed in full as well as the statement?

Mr. SIMS. Yes; and I am going to read it in order that the House may see that the statement was not full as to section 5 in the report; and I will read the section from the report, and ask your close attention. Section 5 of the report of the conferees reads thus—after speaking of the other amendment, it says:

Strike out all of the amended section and insert in lieu thereof the following—

The amended section was section 5, which I have read. The report says strike it all out, and then this follows:

SEC. 5. That all employees of the Census Office at the date of the passage of this act, except unskilled laborers, may be appointed by the Director of the Census, with the approval of the head of the Department to which said Census Office is attached, and when so appointed shall be, and they are hereby, placed, without further examination, under the provisions of the civil-service act approved January 16, 1883, and the amendments thereto and the rules established thereunder; and persons who have served as soldiers in any war in which the United States may have been engaged, who have been honorably discharged from the service of the United States, and the widows of such soldiers, shall have preference in the matter of employment; and all

new appointments to the permanent clerical force in the Census Office hereby created shall be made in accordance with the requirements of the civil-service act above referred to.

This is what was put in in place of section 5—an entire new section, entirely opposite in meaning, and necessarily must be so in execution. Here is section 5 as passed by the House and Senate:

SEC. 5. That all the employees of the Twelfth Census Office, at the date of the passage of this act, above the grade of skilled laborer, shall be, and they are hereby, placed without further examination, under the provisions of the civil-service act approved January 16, 1883, and the amendments thereto and the rules established thereunder; and all new appointments to the clerical force in the Census Office hereby created shall be made in accordance with the requirements of the civil-service act above referred to.

What further does the statement show in connection with section 5? The statement as to section 5 is this:

Section 5 of the proposed bill provides for the appointment of the present employees of the Census Office by the Director of the Census, with the approval of the head of the Department to which said office is attached. The conferees examined a number of the decisions of the Supreme Court of the United States and found that the chief officer of a bureau attached to an executive department is not the "head of a department" within the meaning of Article II, section 2, of the Constitution so as to authorize Congress to vest in him the power of appointment. (United States v. Germaine, 99 U. S., 508.) It is proper, however, to provide that the chiefs of bureaus shall make the appointments with the approval of the head of the executive department. (United States v. Hartwell 6 Wallace, 385.) It is believed that the section submitted by the conferees will effect the wishes of the members of the House.

How in the world could these conferees suppose that that section could effect the wishes of the members of the House? After a long discussion in both House and Senate they had voted to pass the employees of the Census Office as a body under the civil-service law. This section does not pass anybody under the civil-service law except such as are appointed thereafter. What else do the conferees say in their statement? They say:

In conclusion, the conferees on the part of the House desire to state that the bill finally agreed upon and now reported to the House is substantially the same as the one passed by the House January 30, 1902.

I want to know how this House, from that statement, after it being said that the bill was substantially the same as that passed by the House on a specific date, could be enlightened by this statement; how could it be anything else than grossly outraged and deceived? That statement does not inform, but it is misleading and deceives, and it was passed without the House knowing a word except what the chairman said, and I will read it in full. It is as follows:

Mr. HOPKINS. Mr. Speaker, the statement presented by the conferees on the part of the House so fully covers all of the items of disagreement between the two bodies that I take it it will be unnecessary for me to make any further statement. The bill is practically the same as it passed the House.

This is the oral statement of the chairman, accompanied by the written statement that the bill is practically the same. Section 5 in the report is of no kin to section 5 in the bill.

Mr. LOUD. Will the gentleman allow an interruption?

Mr. SIMS. I will; yes, sir.

Mr. LOUD. The gentleman's position is that the committee deceived the House. That is what he is trying to show?

Mr. SIMS. The conference committee; not the Select Committee on the Census.

Mr. LOUD. It is the conference committee that we are talking about. That is the gentleman's complaint?

Mr. SIMS. That is my complaint,

Mr. LOUD. Now, the gentleman need not answer this unless he chooses, but I would like his opinion as to whether he thinks that deception was more honest in its results and better for the interest of the civil service of the country than if we had done what we were attempting to do. We were attempting to steal something and did not accomplish it. [Laughter.]

Mr. SIMS. I am coming to that; I am glad the gentleman asked the question. My contention is that the House was deceived, and deceived by the action of the conference committee, in violation of the rules of the House and of all parliamentary rules. I contend that a conference committee has no right to strike out the text that has been agreed upon by the two Houses and substitute therefor a new text entire, and then state to this House that it is substantially like the act that passed the House on a specific day, when it is not substantially the same, but entirely different.

Mr. Chairman, bills when they are introduced into this House are printed. We have time to read and study them. The reports upon them from the committees are printed, and we have time to read and study them. But here comes in a conference report of the highest privilege, not printed, acted upon suddenly under the idea that a result might follow, which I will refer to in a moment, if the bill was passed speedily, brought in on a day on which great impatience is manifested—to wit, on the day that private pension bills are considered—if any other business is presented, and through an absolutely misleading statement disposed of in haste and without full consideration. I ask this House if the integrity of the House has not been assailed? If it has got so that conferees can not be believed, if the House has got to investigate every conference report in every detail and can not take the word of honorable gentlemen, to what pass have we come? The injury which has been inflicted upon this House reaches far above the few census clerks that might be affected by it. If such action has been done willfully, it calls for the strongest censure upon any member of this House so offending, if no stronger punishment is inflicted; but inasmuch as one of the distinguished gentlemen affected by the remark is not here I will not propose at this time any punishment.

Mr. WARNOCK. May I ask the gentleman a question?

Mr. SIMS. Certainly.

Mr. WARNOCK. There has been so much confusion that I have not been able to hear distinctly what the gentleman says is the difference between the section as passed by the House and this report that was agreed upon by the conferees.

Mr. SIMS. I will be glad to state it more specifically. In substance, section 5 provided that those who should be in the Census Office at the passage of the act should be entitled to the privilege of the civil-service law without further examination, and thereby become subject to transfer. It was not the object of section 5 to demand that the Director of the Census should keep a number of useless clerks. The object was to make those clerks subject to transfer—to give them a place under the civil-service law, so that they might be transferred to any other department upon the demand of the head of such department as though they had gone through in the usual way.

Section 5 of the report of the conferees does not even deal with this question; but it designates who may appoint and how employees may be appointed, and provides that when so appointed they shall become subject to the civil-service law. While the report says that the section was stricken out, the statement does not show it. At the request of the chairman of the conference committee the report was not read, but the statement was.

Now to the point. I consider that the fact that certain census clerks were to be affected by the law as passed by the adoption of the conference report is a matter of utter insignificance as compared to the gravity of the action of the conferees, or whoever of them has done this thing. It goes to the integrity of the House.

Mr. Chairman, even if the bill as passed is better than the one this House supposed it was acting on, the question is, How was it passed? Have we any right to legislate in this way? I challenge the statement that the law as actually passed is better than the law as this House intended to pass it. Let us see. What does the civil-service examination do? It shows that the person who has stood the examination possesses certain qualifications. With these qualifications he may be appointed to a place in the public service. When he has successfully passed that examination and goes upon the eligible list, what has he got? Simply a slim opportunity to be appointed—no certainty; it is a mere chance to be appointed; and when he is appointed he is to be further trained by actual service in order that he may be fitted for the duties to be performed in the position to which he is appointed.

Now, we have 1,800 or 2,000 clerks who have passed an examination which, as shown by the discussion in the Senate and the House, is, as a test of the qualifications of the appointee, superior to the regular civil-service examination. In addition to that, these employees of the Census Bureau have had eighteen or twenty months' service—possibly two years. None of the permanent employees have served less than eighteen or twenty months. They have had this much actual experience in clerical work of a high, technical order.

Now, my friends, looking to the good of the country, looking to the good of the service, when the head of a Department wishes to call for a clerk why should he not consider the service which has been performed and take a clerk who has had all the benefits of a higher order of examination than the civil-service examination, as provided under the law, and in addition has had an experience of over one year of actual clerical work?

Therefore, I say, in answer to the gentleman from California, that in providing that these clerks should be placed under the benefits of the civil service, so that they might be called for by the heads of the different Departments, we acted in the interest of the whole country—in the interest of the public service. We were not moved alone by the claims of the clerks who without such legislation were liable to discharge. I will not deny that that consideration formed a part of the case as we acted upon it.

Mr. TALBERT. Will the gentleman yield for a question?

Mr. SIMS. Certainly.

Mr. TALBERT. If it is a fact that a member of this House at the head of a conference committee has brought in here a report which has actually misled and deceived the House, and thereby nullified a paragraph or some portion of the bill as we intended to pass it—if that is the fact, and the gentleman in speaking about it seems to think it is true—what redress have we? What course would the gentleman suggest—what plan of redress? In case the thing is true, what would he have us do in the premises?

Mr. SIMS. Inasmuch as the chairman of the conference committee is not present this morning, I do not wish to state what I think ought to be done if these matters are true, as they appear to be. I should prefer to have the gentleman make his statement before we determine what should be done, if anything. All the statements I have made are matters of record, and appear in the CONGRESSIONAL RECORD.

Mr. TALBERT. In other words, what can the House do? Can there be a committee appointed——

Mr. SIMS. The House can do anything, even expel, if it thinks the offense grave enough.

Mr. LOUD. Now, will the gentleman yield to a suggestion?

Mr. SIMS. Certainly.

Mr. LOUD. I know the gentleman wants to be fair, and I do not believe in anybody "deceiving the House;" but in view of the fact that nobody had discovered the effect of the provisions contained in that conference report until the Attorney-General (it is so reported) gave a learned decision upon the meaning of the section, is it not possible that even the chairman of the committee may not have understood just how somebody else might construe that provision?

Mr. SIMS. I think it is very possible that such may have been the case. But the gentleman from South Carolina [Mr. TALBERT] made a hypothetical statement, based upon a supposed statement of facts.

Mr. LOUD. If any gentleman has deceived the House, he ought to be and will be punished in his own conscience. But I have some doubt whether the gentleman referred to did intend any deception, in view of the fact that many members of Congress who looked at the provision as passed could not determine its meaning; and it may be possible that two of the best lawyers in the country in determining a legal question like this might give different interpretations. Is not that possible?

Mr. SIMS. Mr. Chairman, let me ask the gentleman a question. Has any member of this House examined the section as reported by the conferees and passed in connection with section 5, which was stricken out, that does not know that they do not mean the same thing?

Mr. LOUD. That I do not know; but it is currently reported, however, that the Attorney-General took some three or four days to determine what this provision did mean.

Mr. SIMS. If it is permissible, I will make a statement which I think will throw some light on that question. When this report was printed—and I saw it on Saturday, after it went into the RECORD on Friday—I read that section, and in connection with Mr. SNODGRASS, my colleague from Tennessee, on Saturday, the day after it was passed, went to the Census Office to see the Director, but he was not present. We then called on the chief clerk in the appointment division, Mr. Langley, and called his attention to this and wanted to know what it meant. The best we could get out of it from his statement was that this had application to the appointments to be hereafter made in a permanent Census Office; and he further said, as I understood him, though I might be mistaken, that to remove all doubt a list was then being made out, and just as soon as the act was passed that every clerk then in the Bureau would be reappointed, with the approval of the Secretary of the Interior.

Mr. LOUD. Then he so understood that provision after it was passed——

Mr. SIMS. He understood, in order to get around the provisions of a law passed through this House that was never intended, that they could accomplish the purpose in that indirect way by having the whole force reappointed. That section did not deal with appointments as passed by the House and Senate.

Mr. LOUD. Will the gentleman allow me to make one more suggestion, and then I will stop and allow the gentleman to have all the time he desires?

Mr. SIMS. Certainly.

Mr. LOUD. Outside of the bare proposition of deceiving the House, if we look at it from the ultimate results, I should say that the conference committee deserve the eternal thanks of Congress for what has been accomplished.

Mr. SIMS. That is a question on which I must take issue with the distinguished gentleman.

Mr. LOUD. That is, we tried to steal something, but they prevented us from accomplishing it, metaphorically speaking.

Mr. SIMS. I must take issue with the language of the gentleman. This House, in the most open manner, after we had discussed the measure several hours in the House, and it was also discussed at length in the Senate, in which the intention of the House was stated to cover into the service men well qualified to be therein, men better qualified than could be had in the regular way, passed this bill. Does the gentleman call that stealing?

Mr. LOUD. Well, it is taking an office or two.

Mr. SIMS. How does it show stealing?

Mr. RUCKER. May I ask the gentleman a question?

Mr. SIMS. Certainly.

Mr. RUCKER. Do I understand the gentleman from California says that the House attempted to steal something?

Mr. LOUD. Oh, metaphorically speaking.

Mr. RUCKER. The gentleman from Tennessee objects to the language, Mr. Chairman, and I want to know if the gentleman from Tennessee objects to the gentleman from California making a confession if he wants to make it.

Mr. SIMS. The gentleman from California does not need to make any confession.

Mr. RUCKER. That is a wholesale accusation against us all.

Mr. LOUD. You all voted for it.

Mr. RUCKER. I did not try to steal anything, however.

Mr. LOUD. I will say that I would never have voted for it if I had had the opportunity of voting.

Mr. BARTLETT. I desire to call the attention of the gentleman from Tennessee to the fact that the House did the same identical thing with reference to temporary clerks in the War Department and in the Treasury Department, in the appropriation bill for the executive, judicial, and legislative departments.

Mr. SIMS. Well, Mr. Chairman, I have not examined those bills, but I have no doubt that my distinguished friend from Georgia is entirely correct.

Mr. RUCKER. If one was a steal, then the other is a steal.

Mr. SIMS. Certainly, and the gentleman from California may take the same view. I want to defend the House from the charge of having stolen anything. Stealing is done secretly; it is not done openly. It is done more like this section was gotten through in this report.

Mr. SNOOK. I want to ask this question: If a casual reading of the section as contained in the original bill, and comparing it with the section as contained in the report of the conference committee, will not show that they are on totally different subjects?

Mr. SIMS. I want to answer the gentleman from Ohio and state that not only a casual reading but a careful reading shows that they are on totally different subjects.

Mr. SNOOK. One more question: Taking that in connection with the statement of the committee that there were some grave doubts about the constitutionality of section 5 as it was reported to the House by the conference committee, did not that tend to mislead the House directly as to what was in that section?

Mr. SIMS. Why, certainly, Mr. Chairman, the report of the conferees, or the statement, speaks about a doubt as to the constitutionality of section 5, when section 5 does not say one word about who is to make the appointment, but——

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. RUCKER. I ask unanimous consent that he have ten minutes more.

Mr. SIMS. I will not use much time.

The CHAIRMAN. Unanimous consent is asked that the gentleman be granted ten minutes more. Is there objection? [After a pause.] The Chair hears none. The time of the gentleman is extended.

Mr. RUCKER. May I interrupt the gentleman?

Mr. SIMS. Certainly.

Mr. RUCKER. I should like to know if it is any more of a steal for the House and the Senate, after full discussion, to pass this bill placing people in the classified service who have stood an examination and shown their qualifications than it is for the Chief Executive Officer of this Government to place all of the postal employees in the classified service without examination?

Mr. SIMS. Why, Mr. Chairman, if the President has acted within the law, he has acted within his right and duty, and I have no criticism of that; but, I want to say, this Congress made the civil-service law. Congress created every provision in it. Can not Congress repeal it absolutely, or modify or amend? And this expression of Congress, placing a certain body of ladies and gentlemen, whose qualifications were well known, under the provisions of that act is, it seems to me, as much within the power of Congress as was the passage of the original act itself.

Mr. CRUMPACKER. Will the gentleman allow a question?

Mr. SIMS. Certainly.

Mr. CRUMPACKER. I understand the gentleman to be a lawyer, and a good one. Has the gentleman examined the constitutionality of section 5 as it was contained in the bill passed in the House?

Mr. SIMS. I have not, Mr. Chairman; neither can I conceive that there could be a constitutional question involved in it.

Mr. CRUMPACKER. Those clerks were appointed or employed in the Census Bureau by the Director of the Census alone, without the approval of the Secretary of the Interior. The Constitution vests the power of appointment in the President, the judges of the Supreme Court, and the heads of the departments; and I understand it was the judgment of the lawyers on the committee of conference that the original appointment of the clerks

in the Census Office was of doubtful validity, and they thought, as a matter of prudence, it was necessary to have these clerks reappointed by or with the approval of the Secretary of the Interior, and that explains why this change was made in conference.

Mr. SIMS. Now, Mr. Chairman, I have had that suggestion made to me before, but not, however, any more forcibly or clearly than the gentleman from Indiana has made it.

If the question had come up that every appointee in that office was not in fact an appointee, because his appointment had been made in violation of the Constitution, why, then, there would be some reason for adding a section or offering an amendment which would legalize their appointment; but section 5 in the bill has no reference to the manner of the appointment. It simply designates a certain class of persons, called clerks, in the Census Office to be placed under the civil-service law; and I ask the gentleman from Indiana if this Congress has not the power to place certain persons, either by name or as a class, under the provisions of the civil-service law who never were clerks and never took an examination?

Mr. CRUMPACKER. It might have the power, but it was not the purpose of the House. The House passed the bill with the understanding that these clerks had been legally appointed. There is no question about that; and the conferees, on a careful and critical examination of the question, thought it was one of doubtful constitutionality, and to save any question that provision was included in the conference report, with the understanding, of course, that the clerks were all to be reappointed.

Mr. SIMS. If I understand the gentleman from Indiana, the conferees were intending to provide for a legal appointment, in view of certain constitutional troubles which had been discovered by themselves?

Mr. CRUMPACKER. Yes.

Mr. SIMS. And they also provided that when so appointed they should be subject to the civil-service law?

Mr. CRUMPACKER. Yes.

Mr. SIMS. Therefore it left it entirely discretionary with the Director of the Census or the Secretary of the Interior as to who should become subject to the civil-service law, whereas this House had said that all of them should be subject to it.

Mr. CRUMPACKER. The theory of the conferees, on an investigation of the matter, was that it was necessary to reappoint all of these clerks in order that their pay might be legal and the accounts of the Director of the Census might be properly audited. They thought some question might arise as to the validity of his expenditure of the appropriation, and it was to cover that question that the conferees, I am informed, made the report.

Now, I was not one of the conferees. I knew nothing about the change in section 5 until I saw the bill after the conference report had been concurred in by both Houses, and I confess I was as much surprised as the gentleman or anybody else, but I can not believe that the conferees attempted to deceive the House in making that report.

Mr. SIMS. I have not made that statement. I do not make it. I want to ask the gentleman from Indiana, who is a fair man, an able lawyer, and a worthy member of this House, if it was not the solemn duty of these conferees in making their statement, both written and orally, to make it so clear and explicit that no one could fail to understand it.

Mr. CRUMPACKER. It was; and the statement made by the conferees and read in the House contains the substance of section 5 as it was agreed upon. It was read by the Clerk of the House, and it was known that the report was going to be made that day, and no question was asked in regard to it. The RECORD shows that it was read.

Mr. SIMS. And why? Because the chairman said that the bill was substantially as it passed this House. Does the gentleman contend that it is substantially as it passed this House.

Mr. CRUMPACKER. The chairman believed it to be.

Mr. SIMS. I am asking the gentleman the fact about it.

Mr. CRUMPACKER. An interpretation was afterwards placed upon it which was not contemplated or expected by any member of the conference committee from either House. That originated in another quarter. [Laughter.]

Mr. SNOOK. I want to ask the gentleman from Indiana this question: Do I understand the gentleman to say that his idea was that the conferees thought that all of these employees in the Census Office would be reappointed immediately upon the passage of this bill?

Mr. CRUMPACKER. That was the earnest and sincere belief of the conferees, and was the purpose and intention of the Director; and I know personally he had a list made up of every employee of the office ready to be sent at once to the Secretary's office for approval as soon as the bill was signed by the President.

Mr. SNOOK. I call the gentleman's attention to the language of the section, in which it says they "may" be appointed by the Director. Does the gentleman think that the idea of the conferees was that that would make it the duty of the Director to appoint?

Mr. CRUMPACKER. That form is frequently employed even in mandatory provisions. It is usual to use the term "may," and where it is used it is often construed to be mandatory, and it was doubtless intended to be as to this provision.

Mr. SIMS. Now I yield to my colleague to ask a question.

Mr. GAINES of Tennessee. The gentleman from Indiana stated that the conference report was read. Does the RECORD show it was read?

Mr. CRUMPACKER. The statement was read.

Mr. SIMS. The RECORD shows that the report was not read, upon the request of the chairman that the statement be read.

Mr. CRUMPACKER. The statement was read.

Mr. GAINES of Tennessee. Now, the statement was made that the bill was substantially as reported to the House and as it passed from the House. Is that correct?

Mr. CRUMPACKER. Yes.

Mr. GAINES of Tennessee. The gentleman just now asked my colleague what is the duty of a chairman in reporting a bill to the House.

Mr. SIMS. This is a conference report.

Mr. GAINES of Tennessee. A report of a committee of conference is just the same. Such committee has a chairman—a mouthpiece. That question was raised and answered in the United States Senate by the late Senator Sherman, and he said it was the duty—and the Senate agreed—of the chairman and as chairman in reporting a bill to explain the bill—what it meant section by section—and he was right.

Mr. CRUMPACKER. There is no question of that kind about this.

Mr. GAINES of Tennessee. That was not done in this case.

Mr. CRUMPACKER. The rules of the House require that the conferees shall submit a written statement, showing what changes have been made in the bill. That statement was submitted, was read in full, and showed exactly what changes had been made in this section 5. The RECORD shows that.

Mr. SIMS. Now let me reply to that, while it is fresh. The report shows that section 5 had been stricken out, which was the fact, and had the statement shown that, we could blame ourselves for sleeping while it was read; but the statement does not show that section 5 was stricken out. The statement shows that the bill is substantially as it passed the House.

Mr. TALBERT. In view of all this uncertainty, ambiguity, and difference of opinion, does not the gentleman think that the best way out of the hole is to have a committee appointed to investigate the whole matter, so that all parties concerned can have a hearing, and make a report to this House, so that some proceedings might be taken?

Mr. SIMS. I can not make that motion now. I propose only to discuss the facts and try to have the House understand them, as well as to get a little information.

Mr. MANN. What is the difference in effect upon the future transfer of these clerks of the Census Office to other departments between the bill as it has become law and the bill as it passed this House?

Mr. SIMS. Why, the difference is this: If the bill had become law as it passed the House and went to the Senate and passed the Senate, and had become law without the changes made in the conference report, every employee of the Census Office on the signing or approval of the bill would be in office or in the classified service subject to transfer.

Mr. MANN. Subject to transfer by the head of the executive department of the Government.

Mr. SIMS. At the request of the heads of the departments.

Mr. MANN. But not subject to transfer to the extent to make them all transferred?

Mr. SIMS. Subject to transfer; but by virtue of this if the head of the department can not call for one of them they are out.

Mr. MANN. In the one case the President must consent to the transfers being made first, and in the other case he must consent to their being reappointed first. The power is left under the control of the President in either case.

Mr. SIMS. That is your statement.

Mr. MANN. Is not that the fact?

Mr. SIMS. Now, I want to discuss another matter before it gets out of my mind.

The gentleman from Indiana [Mr. CRUMPACKER] has stated, and has given reasons for it, that the whole force in the Census Office below the Director himself was illegally appointed, and that in order for them to be legally appointed they must be reappointed; and in order to be reappointed was the excuse for striking out the section and putting in a new one. That bill has been the law since the 6th of March and this is the 12th. Have you heard of a single employee in the Census Office being reappointed?

Mr. CRUMPACKER. Now, just a word in answer to that question. Immediately on the passage, or soon after the passage, of the act of March 3, 1899, the question of the validity of the appointment of the Director of the Census alone was submitted to the Attorney-General, and the Attorney-General decided that appointments made by the Director alone were valid, inasmuch as the control of the Secretary of the Interior over that Bureau was purely nominal and technical; and he gave quite an extensive opinion on the subject, and it is published in his published official opinions, but the Attorney-General did not discuss the constitutional question.

That was raised, I understand, by the conferees on the part of the Senate. It was regarded as a serious question, and it was thought necessary to reappoint; but now you have the views of two tribunals, of two functionaries. The Attorney-General has said that the appointments by the Director of the Census are valid, and the conferees of the Senate and House have stated that there is a question about their validity; and in the statement which was read they cite two decisions of the Supreme Court of the United States holding that appointment of officers by anyone but the heads of departments is invalid. Now, the Director of the Census is going on under the opinion of the Attorney-General rendered something like three years ago. There have been no reappointments, and the present order states that there shall be none until the 1st day of July of this year.

Mr. SIMS. The whole question at issue is that we can not by law pass these clerks under the provisions of the civil-service law because they have not been appointed as the conference committee think they ought to be appointed.

Mr. CRUMPACKER. I think the power of Congress to do that was not up, but it was one of propriety. Doubtless it occurred to the minds of the conferees as a peculiar exercise of the legislative power, to take a body of men who were not in the employment of the Government, who had not passed the civil-service examination, and say that they should be eligible to transfer. They have the power to do it, I concede, but it would be an unusual exercise of legislative power to incorporate any such force that was not legally in the service of the Government and had not passed the civil-service examination.

Mr. SIMS. Does the gentleman want to surrender the judgment of the House to a conference committee to make changes and then make no reference to them in their report?

Mr. CRUMPACKER. The conferees reported to the House, and they complied with the rules and custom of the House in supplying information. They brought in a report and a written statement. The report was not read by unanimous consent, but the statement was read, and there was a full compliance with the rules of the House.

Mr. SIMS. I want to ask the gentleman another question, because he always answers candidly: Could you, or did you, from the reading of the written statement, think for one moment that section 5 of the House and Senate bill had been stricken out?

Mr. CRUMPACKER. I confess I did not.

Mr. SIMS. Then, how could the gentleman have been informed by the statement of the conferees, and was not the House justified for any dereliction or lack of duty?

Mr. CRUMPACKER. The gentleman from Tennessee must bear in mind that the statement complies with the rules and custom of the House, and if there is any fault at all it was the fault of the usage and custom of the House in transacting its business.

Mr. SIMS. Does the gentleman contend that this conference report is substantially what the House passed? Why, he knows he does not for a moment. The statement that it did substantially contain it was a misstatement. I want to say for one of the conferees, the gentleman from Indiana, Mr. GRIFFITH, whom I know very well, and who is a friend of mine and I am a friend of his, that I believe him incapable of doing anything wrong.

Mr. KLUTTZ. And I want to say the same thing for the gentleman from Illinois, one of the conferees, Mr. HOPKINS, and also for the gentleman from Connecticut, Mr. RUSSELL.

Mr. SIMS. I am not so well acquainted with them as I am with the gentleman from Indiana, but I hope some explanation can be given that will be satisfactory to the House, and I do hope that the discussion here upon this bill will forever prevent this kind of a conference report being again made to the House. We know the whole country was stirred from center to circumference about the demonetization of silver in 1873 by means of a conference report. It was hoped that that report would never have a successor.

Mr. CRUMPACKER. Does the gentleman think this came in in gum shoes and walked through like a cat? [Laughter.] Let me ask the gentleman whether he has read the statement in relation to section 5.

Mr. SIMS. I read it right here in the course of my remarks.

Mr. CRUMPACKER. That statement seems to be a quite full explanation of the change that was made in section 5 as it passed the House.

Mr. SIMS. Well, that has all been gone over, and I do not think it worth while to go over it again.

Now, I want to conclude these remarks, which have probably not been very entertaining; and there may be others who want to say something. I am the last man in this House who would seek to cast any insinuation upon any member. I presume that all members are as good as I am, and many may be better, but I do think it is the duty of somebody to call the attention of the House to what I consider was a flagrant violation of the rules, which has led to a misunderstanding and the passage of a bill in a form in which I do not believe this House, if it understood the effect of its action, would have passed.

Mr. KLUTTZ. Will the gentleman allow me a question?

Mr. SIMS. Certainly.

Mr. KLUTTZ. Presuming the gentleman, as a lawyer, has examined this case, I wish to ask him whether in his opinion it would not have been entirely possible for the President of the United States to have effectuated the known and expressed desire of the House under the amendment as made by the conference committee, as well as under the original section?

Mr. SIMS. I am not talking for the President. I am not his keeper by a great deal. But if the Director of the Census had reappointed, with the approval of the Secretary of the Interior, every clerk in the Bureau, they would have come under the provisions of the act as passed, because they would have been appointed after the passage of the act, with the approval of the Secretary of the Interior. But the President saw proper in signing the bill to write a letter to the Secretary of the Interior, which I hold in my hand and will now read.

Mr. KLUTTZ. One more question: Does the gentleman think that the conferees could have foreseen this unexpected action of the President?

Mr. SIMS. Mr. Chairman, the conferees had nothing to do with that. They had to deal alone with the disagreeing votes of the two Houses upon the amendments of the Senate; and what we wanted to know was what action had been taken, in order that we might act intelligently; and that we did not find out from the conference committee.

Mr. GRIFFITH. If the gentleman will yield, I wish to ask a question, prefacing it with this statement: In view of three decisions of the Supreme Court of the United States, section 5, as it passed the House, would have been totally inoperative, and by the same decisions, section 5, as passed by the Senate, would also have been inoperative. In view of that fact, what was the duty of the conferees? Was it not their duty to perfect that section so as to reflect just what was the legislative will—the intent of both the House and the Senate; and is it not the construction that has been placed upon the section, not by the Supreme Court, but by the President of the United States, that has brought about this discussion? If such a construction had not been placed upon this measure by the President, and the question had afterwards been raised in the courts, would not the conferees have been considered at fault for not having perfected the measure?

I take it that it was the duty of the conferees to frame the section in such a way as to carry out the will of both legislative bodies. The conferees on the part of the House and the conferees on the part of the Senate were equally anxious to provide for the clerks in that bureau; and they thought they were doing so by the action that they proposed.

While on the floor let me take occasion to say that it was far from my intention, as I believe it was far from everybody else's intention, to purposely deceive or mislead the House. If the bill, including section 5 as originally passed by the House or Senate, the President would have signed the measure, but he and the Secretary of the Interior would have disregarded section 5, and the employees would have been in much worse condition than at present. The trouble arises from a construction given to the law by the President, which is clearly in violation of the legislative intention, as was well known by the President.

Mr. SIMS. Mr. Chairman, in answer to the very long question of the gentleman—and I am not complaining of its length, for I was glad to yield to him all the time he wanted—there is no man in the House for whom I have a higher regard—let me say, in the first place, I can not see how the decision of the Supreme Court which the gentleman has referred to can have any effect whatever on section 5. That section provided for the transfer into the civil service—it proposed to place under the protection of the law—certain persons designated. That provision had nothing in the world to do with the question who was to appoint them, and when they were to be appointed. And another part of the section says the same law shall apply to new appointments and has nothing to do with who makes the appointments, while the decision of the Supreme Court referred to deals with the question as to who of the officers makes the appointment, and has nothing whatever to do with the application of the civil-service law, which was the object and purpose of Congress.

Now, to the other question, have we as legislators or did that committee have the right or contemplate that they would make a law which, by the circuitous outside aid of other officers, would carry out the will of Congress, or did we have the right to carry out our own will in our own way by our own provision?

Mr. GAINES of Tennessee. Do you think the House was deceived?

Mr. SIMS. Oh, I notice the language of the gentlemen. I will not use the word "deceive" in the sense of willfulness, but I say the House was misled and deceived in voting for something they did not know they were voting for, and the statement of the conference committee ought to have shown it, so that there would be no mistake about it. The gentleman from Indiana [Mr. CRUMPACKER] says he personally knows, and therefore puts it beyond doubt or cavil, that the Director of the Census was making up a list of all these employees, that they were going to be appointed with the approval of the Secretary of the Interior, and that the word "may" was a mandate.

I am surprised to hear the gentleman say that the word "may" when it is used merely in a permissible sense is a mandate. That section says that the employees of the Census Office of the present force may be appointed upon the approval of the Secretary of the Interior, and that when so appointed they then become subject to civil service.

Now, then, to the other question or criticism indirectly made by some gentlemen. The Director of the Census, in order to please Congressmen—and I did not know that they had exacted any promise from him or that he has made us any—makes up a list of those to be appointed, and the Attorney-General of the United States construed the law; and certainly no member of this House will for a moment controvert that that was a correct construction. The section is absolutely clear so far as the appointees not being covered by civil-service law by the passage of the act. The President writes this letter addressed to the Secretary of Interior, which I will now read:

WHITE HOUSE, *Washington, March 6, 1902.*

SIR: I have signed the act providing for a permanent Census Bureau. Section 2 of this act provides that the work pertaining to the Twelfth Census shall be carried on by the Census Office under the existing organization until the 1st day of July, when the permanent Census Office herein provided for shall be organized by the Director of the Census. Section 5 provides that with your approval the Director of the Census may appoint into the permanent census force in two ways.

You see—the President took the plain view and the only view you can take of it, that section 5 had reference to the appointment into the permanent census force, and provides how that may be done, in the first place, from the present employees of the Census Office; and the Attorney-General and the President certainly very correctly construed the act, that it had no reference whatever to covering the present employees into the civil service. I will continue with the letter:

In the first place, from the present employees of the Census Office, and in the second place, all new appointments to be made in accordance with the civil-service law. After any of the present employees of the Census Office have been appointed upon the permanent force they become part of the classified service.

I have been over these two sections with the Attorney-General, and their construction seems to be perfectly clear. You will please inform the Director of the Census that his office will continue to be administered as it has been administered until the 1st of July. On that day he will, with your permission, appoint such members of the present force under him as will constitute the permanent census force, appointing only so many as are to be permanently employed. After that date all appointments will be made under the regulations of the civil-service act.

Very truly, yours,

THEODORE ROOSEVELT.

Hon. E. A. HITCHCOCK, *Secretary of the Interior.*

Now, the construction of the President and the Attorney-General of the intention of Congress was given on the face of the act; and I want to see the member in this House that will controvert for a moment that they gave it the correct construction. I would like to know if Congress can not, upon the face of its own act, make known to the President what it intended to do; or shall he go on the outside? Shall he be compelled, by an indirect method, to determine what Congress wanted to do? The criticism of the President in this case, if it should be called one, goes to the effect that he did not come to the help of this body, who did not know how to do what they wanted to do by direction, and enable us to accomplish its purpose by indirection.

Mr. MANN. Will the gentleman yield for a question?

Mr. SIMS. Why, certainly.

Mr. MANN. I suppose the gentleman will readily admit that, under the bill as it became a law, the President had the power to have all of these clerks covered into the classified service by reappointment.

Mr. SIMS. Mr. Chairman, I do not understand that the President was called upon to make reappointments.

Mr. MANN. No; the President was not called upon, but the Director of the Census practically was, and it was by direction of the President that he was instructed not to do it, as I understand it.

Mr. SIMS. Why, Mr. Chairman, he is not instructed not to appoint. He is instructed to appoint, from the present force, the permanent employees only.

Mr. MANN. But he is instructed not to reappoint and cover into the classified service any clerks before the 1st of July or any clerks that are not needed in the permanent Census.

Mr. SIMS. He does not use the word "not," but he says after that appointments shall be made according to the civil-service act.

Mr. MANN. Is it the gentleman's construction of that letter that the Director of the Census or the Secretary of the Interior will still make appointments?

Mr. SIMS. I have no information; but my opinion is that the President was appealed to to save Congress in this dilemma, and he would not do it.

Mr. MANN. Would it not have had the same effect—I should like to have the gentleman's opinion, because he has studied this question—if the law had remained as it passed the House and the President had then written a letter, addressed to the various Secretaries under him, suggesting to them that they ask for no transfers from the classified service in the Census Bureau? Would they have complied?

Mr. SIMS. Why, Mr. Chairman, I will not dare to presume that the President of the United States would be guilty of so high-handed, so imperialistic, so czar-like an act as that.

Mr. MANN. The President has the appointing power. There is no czar-like act about it at all. He is the one who is responsible for appointments, and as I warned the House when the census bill was being considered here, in view of his attitude upon civil-service reform, he would not permit these clerks to be covered into the classified service for the purpose of having them transferred; and if the bill had passed Congress as it passed the House, I have no doubt that the President would have suggested to the Secretaries under him that these clerks be not transferred.

Mr. SIMS. He would not have had the letter of the law behind him in that case, and I do not believe that the President would deal with a matter of that kind so indirectly; and if we had passed the law as we intended to pass it, and the President had objected to it, I think he has the boldness to have vetoed it, instead of signing it and then directing his Cabinet officers not to call for transfers. I do not believe he would have signed and approved an act and then nullified it by orders to his subordinates. That is a thing of which I can not believe he would be guilty.

Mr. MANN. Transfers are like kissing; they go by favor. There is no legal right for a transfer from one place to another. Transfers must be called for before they can be made.

Mr. SIMS. But the gentleman says, could not the President have instructed the heads of departments not to have called for transfers?

Mr. MANN. Yes; and is not that practically what he has done now?

Mr. SIMS. Will the gentleman say he has any idea that the President would have done such a thing?

Mr. MANN. I never had the slighest doubt about it. I so stated before the House when the bill was under consideration here.

Mr. SIMS. I do not believe that the President of the United States will ever undertake in an indirect manner to nullify a law of Congress.

Mr. MANN. No; but when Congress undertakes in an indirect manner to force the President to permit transfers which he does not wish to make he has the power to decline, and he would have declined.

Mr. SIMS. Does the gentleman call this section 5 in the bill an indirect method?

Mr. MANN. An indirect method of making appointments, certainly. It covers people into the classified service for what? Not to keep them in the service in the departments in which they were; not for the purpose of keeping them in the Census Bureau; not for the purpose of keeping them at the work that they were then doing, but for the purpose of permitting them to be transferred to the Post-Office Department, to the War Department, to the Navy Department, to country post-offices or city post-offices, in an indirect method of appointment which Congress had no power to make.

Mr. SIMS. That is a question of judgment. I do not call it an indirect method, but most direct and specific.

Mr. MANN. You admit he could do it.

Mr. SIMS. And do it openly, and not go behind the bush to do it.

Mr. MANN. It is the Executive who makes the transfer, and not Congress, and yet Congress had the power to do it directly; but Congress can not compel the President to do it; and in this case I think he is determined, and he has the power, to stand by the civil service and refuse to make the transfer.

Mr. SIMS. I want to say this once for all as to that matter. I do not believe the President would have done anything of the

kind. If we had passed the bill as it had passed the House and Senate before it was sent to conference, if he did not like the bill he would have vetoed it. There is no question as to the power to do what he has done, and no question even as to the propriety.

Mr. MANN. The suggestion that I want to get to the mind of my friend from Tennessee is this: I have no doubt that the conferees in making the report in this case knew that in either case the power lay with the President—that in one case he could clothe it in this kind of a letter, and in the other case he could clothe it in another sort of a letter just as easily written as this was, and that it left the matter so that the President could or could not, as he pleased, make the transfers.

Mr. SIMS. I am not discussing the possibilities. I am talking about what was done in this House. All who are acquainted with the facts know that if the House had known the change in section 5 had been made so as to strike it out that the bill could not have been passed.

Mr. MANN. The gentleman from Illinois probably thought there was something else in the Census Bureau besides a few clerks to be transferred.

Mr. SIMS. I have not the least question as to that. That is not the question. The question for this House is that of the method by which the section was changed in the conference report, and which was accepted without time to examine it, without any previous print of it, that we ought to have had the very fullest information possible, and that the conference committee should have fully stated the changes to the House, and any failure to discharge that duty fully is a matter of the gravest consequence and importance in legislation.

I thank the committee for its long indulgence. I have nothing further to say. [Loud applause.]

Mr. GARDNER of New Jersey. Mr. Chairman, it seems to me that a word ought to be said at this time in behalf of the conference committee. I do not think it is fair that gentlemen should give way to excitement about this matter. Members can not afford to exculpate themselves from the effects of inexcusable oversight or neglect by attacking the committee of conference. The whole question involved here is a simple one, to wit, Are the employees of the Census Office, above the grade of laborer, "officers" within the meaning of the Constitution? We all ought to have known that before now.

I take it that almost every man upon the floor, certainly every lawyer upon the floor, who had occasion to look into the validity of various appointments when the Spanish-American war broke out, knew that if these employees were "officers" there was not one of them who had been legally appointed if he had not been appointed by the head of a Department. Every one of us ought to have known that; ought to have known that the constitutional question, and the whole question involved, was, Are these employees "officers?" Well, it has been held by the Senate committee and conference committee that they are.

Mr. Chairman, I remember distinctly that when the chairman of the conference committee brought in the report and it was read it clearly stated that section 5 had been changed to bring it within the decisions of the Supreme Court holding that these appointments must be made by the head of a department. The gentleman who says that he wanted a fuller statement than that says that he wanted kindergarten information. If that change was made to bring it within this decision, it was on the ground that these employees were "officers," and as "officers" they must be appointed by the head of a department. It followed that every one of them in order to be legally employed must be reappointed.

If this House has been buncoed, it buncoed itself when it sent this bill to the Senate with section 5 in it. If you had made it to apply to the persons at work in the Census at a particular day, you would have got in the bill what you intended. If you had provided that the persons who had performed certain duties in the Census Office a given length of time, or in a score of other forms of phraseology, you would have expressed your meaning; but the section went out of here limited to the employees of the Census Office, and if they were not legal employees of the Census Office they were not really employees, and your section accomplished nothing.

Now, in the report of the conferees they say that the change was made to bring these appointments within the Constitution, as interpreted by the courts. You knew, then, and everybody else knew, that they all had to be reappointed, and we were not deceived about that. Why, the clerks in the Census Office understood it. Clerks that never studied law understood it. That section was copied from the Evening Star of the day it passed the Senate and brought up here to members, and the clerks not learned in the law pointed out that they would all have to be reappointed to come under the bill. If we were deceived about it, it was either because we were negligent, willfully blind, or had less intelligence than the girls in the Census Office on a matter of interpretation. The difficulty arose when? When the President issued an order to the Secretary of the Interior.

Mr. Chairman, gentlemen ought not to complain here and anathematize the committee of conference about that. The House passed a bad section under the Constitution without paying attention enough to the section to raise the question. If any committee is culpable, it is not for what was done in conference and the report, but in reporting the original section in that form. That is what you should criticise them for if you criticise them at all. But finding themselves in the conference in a dilemma, as the Senate committee believed and they came to believe; finding that there was not a single legal appointee in the Census Office and that that section applied to a blank, the question was, if possible, to cover the matter in a legal way without exploiting it.

The conference report is full enough and it did cover it, and the conference committee, in my judgment, were honest enough about it, and informed the House fully enough if we were carrying our intelligence around with us. Now, we suddenly arise to criticise the committee because the President has issued an order to the Secretary of the Interior. Well, you have gained something by the committee of conference's correction of the bill of the House, whoever is primarily responsible for that blundering, bungling section. You will get the permanent force of the Census Office after the 1st of July taken from your census clerks. Under your section you would have been entitled to nothing. That much you owe to the conference committee.

In conclusion, Mr. Chairman, in justification of the committee of conference, I simply want to repeat that when they stated to this House that it had been concluded that these clerks must be appointed by the head of a department, that was full notice to every one of us that there was not a clerk down there legally appointed. That carried with it the information that every one of them must be reappointed, and they provided that the Director of the Census might reappoint them, knowing, I might add, that he had the disposition to do so.

The committee of conference is not responsible for the Executive order. That is a matter unforeseen alike by them and by you. But do not any longer blame the committee of conference. Blame the Census Committee, if you will, for bringing in that ineffectual section; criticise the authority that issued the order, if you will; criticise this House for passing that section without observing that it accomplished nothing whatever, but do not criticise any more the committee of conference, who give you everything you got under this bill, when under your own you would have got nothing.

Mr. SIMS. Will the gentleman allow me a question?

Mr. GARDNER of New Jersey. Yes.

Mr. SIMS. In view of your judgment of the law, these gentlemen down there, employees, are in there without authority, as they have not been reappointed.

Mr. GARDNER of New Jersey. I say the whole question is involved in the other question, whether they are officers or not. That is the question for you to discuss.

Mr. SIMS. But, in your judgment, that is the fact?

Mr. GARDNER of New Jersey. Yes. If you want to criticise, raise the point that they are not officers and not within the Constitution, and then you have something to discuss. My judgment is, however, that they do come within the constitutional provision for "minor offices." But that is a matter of judgment. If you have got any grounds on which to attack anybody, it is upon the question whether they are officers or not. If they are not, this fifth section was unnecessary, the whole proceeding was unnecessary and misleading. If they are, the original section in the bill is bad. I have nothing more to say, Mr. Chairman, except that hereafter gentlemen should criticise those who have merited their criticism, whether the Census Committee or themselves, and not the committee of conference.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. BOUTELL having taken the chair as Speaker pro tempore, a message from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who informed the House of Representatives that the President had approved and signed bills of the following titles:

On March 10, 1902:

H. R. 2678. An act to incorporate the Eastern Star Home for the District of Columbia; and

H. R. 8581. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1903, and for other purposes.

On March 11, 1902:

H. R. 4748. An act authorizing the President of the United States to nominate Lieut. Commander R. M. G. Brown, now on the retired list, to be a commander on the retired list;

H. R. 8336. An act to amend section 3 of chapter 480 of the laws of the United States approved June 23, 1874;

H. R. 7933. An act providing for the communication for townsite purposes of homestead entries in certain portions of Oklahoma;
H. R. 5106. An act for the relief of Rasmussen & Strehlow;
H. R. 969. An act granting an increase of pension to Silas H. Cronk;
H. R. 1280. An act granting a pension to Lizzie A. Campbell;
H. R. 8620. An act granting a pension to Thomas Hall;
H. R. 2561. An act granting a pension to Sarah O. Fields;
H. R. 7623. An act granting a pension to Aaron M. Applegate;
H. R. 668. An act granting an increase of pension to Henry N. Tracy;
H. R. 1808. An act granting an increase of pension to William M. Strode;
H. R. 1852. An act granting an increase of pension to James A. Edmonds;
H. R. 2219. An act granting an increase of pension to Francis M. Gilman;
H. R. 2225. An act granting an increase of pension to James Morris;
H. R. 2465. An act granting an increase of pension to James F. Charlesworth;
H. R. 3412. An act granting an increase of pension to William H. Pierce;
H. R. 3422. An act granting an increase of pension to James D. Elderkin;
H. R. 3688. An act granting an increase of pension to John Gagan;
H. R. 4115. An act granting an increase of pension to William Engas;
H. R. 5218. An act granting an increase of pension to Joel Metz;
H. R. 5957. An act granting an increase of pension to Wright H. Auchmoody;
H. R. 5957. An act granting an increase of pension to Francis Pearson, alias James F. Pearston.
H. R. 7237. An act granting an increase of pension to Eva H. McColley;
H. R. 8304. An act granting an increase of pension to Angeline Murray;
H. R. 8306. An act granting an increase of pension to Thomas W. Robinson;
H. R. 9670. An act granting an increase of pension to Aaron C. Badger;
H. R. 1939. An act granting an increase of pension to Penrose W. Reagan;
H. R. 5863. An act granting an increase of pension to Benjamin Brittingham;
H. R. 1796. An act granting an increase of pension to Hiram Cronk; and
H. R. 202. An act to amend section 2294 of the Revised Statutes of the United States.

On March 11, 1902:

H. R. 11611. An act to divide the State of Texas into four judicial districts; and
H. R. 3830. An act for the relief of William C. Marr.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. COWHERD. Mr. Chairman, I desire to be recognized in my own right, as a member of the committee, for one hour.

The CHAIRMAN. The gentleman from Missouri is recognized for one hour.

Mr. COWHERD. I now desire to yield to my colleague, Mr DOUGHERTY, for twenty minutes.

Mr. DOUGHERTY. Mr. Chairman, I appreciate the favor which is conferred upon me by my colleague, and I shall not abuse this opportunity by consuming any great length of time; perhaps not so much as has been allowed me, knowing, as I do, that there are others who desire to be heard on this occasion.

I desire, Mr. Chairman, to address myself quite briefly to a portion of the bill that is under consideration, that part of it which relates to the rural free-delivery service.

I would feel that I had been derelict of my duty to that honorable constituency whom I am commissioned to represent on this floor if I failed to employ every opportunity that comes to me and what little influence I may exert to promote the cause of rural free delivery.

I take no mean degree of pride in the fact that for the major part I represent here a rural constituency, and right well may I be proud of the honor of representing such a district, where the wealth is not aggregated in the hands of a few, but is comparatively well distributed; where, in proportion to population, as many citizens own their own homes and till their own soil, and where the general intelligence has attained as high an average as in any other district in the Union.

There the fertility of the soil is not surpassed by any other on the habitable globe; there the orchard and the vine yield prodigiously, and the clover that carpets the earth vies with the sweet-scented meadows to burden the summer air with delightful perfume. Its vast fields of waving corn reflect back the sunshine, while the wheat locks it in its bearded sheaf. Upon its hills great herds of live stock grow fat in pastures of succulent blue grass, from which specimens are annually selected which prove prize winners in open competition with the world. And the fame of the Missouri horse and mule is not circumscribed by the boundaries of this continent, for they have done cavalry and artillery service in Europe, Asia, and Africa.

The incident is doubtless fresh in the memory of all of certain mules which, upon a time, drew the artillery of the British forces in South Africa, and, breaking away from the British and dragging the cannon with them, ran precipitately into the Boer ranks. Those were Missouri mules.

The poet doubtless had Missouri in contemplation when he described—

> A later Eden, planted in the wilds,
> With not an inch of earth within its bounds
> But if a slave's foot press it makes him free.
> Here, it is written, toil shall have its wage,
> And honor honor, and the humblest man
> Stand level with the highest in the law.
> Of such a land have men in dungeons dreamed,
> And, with the vision brightening in their eyes,
> Gone smiling to the faggot and the sword.

With such environments, so conducive to good citizenship and love of country, it follows logically that this great Commonwealth in the matter of high ideals, lofty patriotism, and devotion to the Federal Constitution should by precept and example teach the older States the lessons of their better days. And, sir, from such associations even the Missouri mule imbibes that spirit of courage and love of freedom and independence which moves even him, upon occasion, to swiftly fly to the side of any people, wherever found on this earth, who seek to light the torch of liberty at the fires that glow upon the altars of our American free institutions. [Applause.]

I therefore could not be otherwise than proud of the district which I have the honor to represent, and advocate with enthusiasm this measure, which contributes so materially to their welfare and comfort. And I will very cheerfully vote for a sufficient appropriation to organize, establish, and maintain the most efficient rural-delivery service.

I may also say at this time that I feel, in common with all others here, great interest and corresponding pride in the general excellence and efficiency of the Post-Office Department. It is with this Department that the people, perhaps, come in more frequent and direct contact than any other branch of the public service, and in the nature of the case it should be in fact, as it is held to be in theory, altogether nonpartisan in its management.

It was therefore with great regret that I witnessed the recent defeat, by the Republican majority of this House, of the following proposed amendment to the bill then pending:

> Any carrier in the free-delivery service who shall use his official position to promote the interest of any political party or candidate for office shall, upon proof of such fact, be dismissed from the service.

The spirit of that proposed amendment should be the law governing all the employees in the Post-Office Department and in every division thereof, and in the interest of good service it should be strictly enforced.

But it is the rural free-delivery service to which I desire more specifically to address my remarks.

In his last annual message to Congress President McKinley characterized the rural free-delivery service as the "most striking new development in the continued and rapid growth of the postal service." In this department of the postal service there has been no backward movement, but its extension has kept pace with the energy put forth and the appropriations made by Congress for its introduction and maintenance.

According to the last annual report of the First Assistant Postmaster-General, the origin and progressive development of the service may be epitomized as follows:

Fiscal year.	Appropriation.	Services in operation.	Fiscal year.	Appropriation.	Services in operation.
1894	$10,000	(a)	1898	$50,000	148
1895	10,000	(a)	1899	150,000	391
1896	10,000	(a)	1900	450,000	1,276
1897	40,000	44	1901	1,750,000	4,301

[a] Not used.

The last Congress appropriated $3,500,000 for the maintenance and extension of rural free delivery for the fiscal year ending June 30, 1902, and it is estimated that by the end of that time there will be in successful operation more than 8,600 routes.

It is further reported that every State in the Union, except

Montana, a mountainous State with few rural settlements, is represented in this aggregation of services, and every Territory, except New Mexico, where two applications for rural free delivery are under investigation, and Hawaii, which is too new an acquisition to be considered in this connection. Even in our most northern territory of Alaska, within a short distance of the Arctic circle, an exceptional rural service was operated during the past summer between Nome and Gold River for the accommodation of thousands of miners congregated in that vicinity.

With the appropriation of $7,529,400 for rural delivery which this bill carries for the ensuing fiscal year, there should be thousands of new routes established and put in operation, and at the same time, to a large extent, the service should be revised and better systematized.

This is not the time or place to begin the enforcement of too strict economy. The great desideratum should be a sufficient appropriation, and no more and no less. We should be liberal, but not extravagant; economical, but not parsimonious.

While I am disposed to think that the city carriers are not overpaid, I am convinced that the rural carriers are yet underpaid. It must be remembered that the rural carrier is a sort of traveling postmaster. He is required to carry and sell stamps, receipt for money for money orders, registered letters, and do many other things which, perhaps, the other carriers are not required to do. The distances he has to travel varies from 15 to 30 miles and over the dirt roads of the country and not on paved streets. He must furnish his own team and conveyance and feed and keep the same in repair at his own expense.

Great circumspection should be exercised in the matter of selecting suitable able-bodied persons to do the service promptly and with dispatch, in all kinds of weather, if the service is to be acceptable and efficient. And when you deduct the necessary expenses from the gross salary of $50 per month, there is but a pittance left the rural carrier for his net salary.

The farmers of this whole country are entitled to have the best free-delivery service attainable. They are entitled to have delivered at their doors every day the market reports and the daily press; they are entitled to have, on the easiest terms, that literature placed in the hands of their sons and daughters which is calculated to make them intellectual, moral, and patriotic men and women.

Do they deserve it? Sir, I but speak the simple truth when I say that it is this class of our citizens upon whom the burden of taxation for governmental expenses falls most heavily and inequitably. And yet they are most prominent among those who make the nation's wealth in time of peace and defend the honor of the flag in time of war.

Whether my term of service here be long or short, yet if I may be privileged by my vote and voice to bear some humble part in the matter of promoting, systematizing, and rendering efficient this rural-delivery service, then with conscious pride I may say, in the language of Othello, "I have done the State some service, and they know it." [Loud applause.]

Mr. DOUGHERTY. Mr. Chairman, I yield back to the gentleman from Missouri [Mr. COWHERD] that portion of his time which I have not consumed.

The CHAIRMAN. Does the gentleman from Missouri [Mr. COWHERD] desire now to occupy further time, or does he reserve his time?

Mr. COWHERD. I understand the gentleman from Michigan [Mr. CORLISS] desires to proceed now. I will resume the floor after he has concluded.

The CHAIRMAN. The gentleman from Michigan [Mr. CORLISS] is recognized for thirty minutes.

Mr. CORLISS. Mr. Chairman, last week the gentleman from Alabama [Mr. RICHARDSON] assumed to question my zeal and conduct by discussing the pending measure with reference to the construction of a Pacific cable before the report of the committee was printed. He seems to forget two important facts. First, that the subject-matter has been under consideration by both branches of Congress for a number of years; secondly, that the majority report was ready, but was withheld for nearly a week at the request of the gentleman from Alabama [Mr. RICHARDSON], who delayed its presentation to the House in order to incorporate the views of the minority, and to attach thereto the proposition of the Commercial Pacific Cable Company filed with the Attorney-General on the 8th day of February last, after the bill had been ordered reported to the House by the committee, and with the evident intention of meeting the effect thereof upon the members of this House.

The gentleman from Alabama does not seem to know that the same proposition was made last November to the President of the United States, with the hope of obtaining permission from the Executive to lay this cable across the Pacific. The gentleman does not seem to know that the President declined to assent to that proposition, because the Commercial Cable Company was unable to accept without qualification the express conditions that have been heretofore applied to all cables landing upon our shores.

He questions my zeal and seeks to find the motive which prompts such action. He should go back to the records of the Fifty-fifth and Fifty-sixth Congresses and note the efforts made by private interests to secure this great public utility then opposing my measure, and study the scheming methods by which the Commercial Cable interests have been transformed from an active ally of a Government cable in the Fifty-fifth and Fifty-sixth Congresses into a partnership with an English corporation holding exclusive privileges and the monopoly of the cable rights in the Far East.

To illustrate his disinterestedness, he placidly tells us that in his long experience at the bar he has never represented corporations. I am glad he imparted this information, for the zeal and ability with which he championed the cause of the cable monopoly might have led us to think he had been schooled in the arts and ingenuity with which such corporations obtain control of public utilities.

I wonder what motive prompted the gentleman from Alabama to display such zeal as he manifested in his effort to defend this corporation, which, in defiance of the conditions heretofore imposed upon cable companies, seeks to usurp, without permission or authority, one of the most important privileges held by our country.

Why did not the gentleman from Alabama wait until the consideration of this measure had been properly brought before the House? What purpose has the gentleman in mind, or object to attain in rushing to the defense of this corporation?

From my long experience in the practice of the profession to which the gentleman belongs, I am led to believe that there is a motive back of every act in human life, whether in private or official capacity, and I would be glad if the gentleman would enlighten us upon the subject, and explain his own zeal and motive upon this measure.

If I were the only member of this House affected by his untimely assault upon the rights of the people, I might remain silent; but unfortunately the fair fame and noble record of the Democratic leader upon this floor has been unjustly maligned through the zealous defense of this grasping corporation by his namesake from Alabama.

I hold in my hand the leading Democratic paper of Michigan, in which in large headlines the Democratic leader upon this floor is placed in the humiliating attitude of defending a cable monopoly.

There may be little in a name, but when it confounds us with the interests of combines, trusts, and monopolies we may justly pray to be delivered from the blunders of our namesakes and the evils of such association.

But the gentleman from Alabama is not the only one who has volunteered to bolster up the acts of the Commercial Pacific Cable Company. I hold in my hands a circular letter, which has been mailed to the business men all over our country. It is signed by the United States Export Association, F. B. Thurber, president. This sinister old hypocrite appeared before our committee in the Fifty-fifth and Fifty-sixth Congresses in support of a Pacific cable with a Government subsidy, since which time he has changed his clientage. His great interest has prompted me to investigate the association he represents, and I find that the United States Export Association is a corporation under the laws of the State of New York, with a capital of only $500, barely enough money to pay for office furniture. Its president, Francis B. Thurber, is described as a lawyer; its directors are Thurber, lawyer; Charles H. A. Dougherty, broker, and Erastus N. Root, publisher. They may be justly described as a combination for the circulation of misinformation of a pettifogging shyster, curbstone jobber, and a printing press.

This is not the only trust for whom they have appeared and circulated letters with the hope of deceiving and misleading the business men of our country. Their circular letters are ingenious and misleading, but the influence of such disreputable methods will soon react upon the corporations using such villainous agencies. They may fool some people, but I am glad to note by communications I am constantly receiving that they are not fooling all the people.

The character of this man Thurber and his United States Export Association will become better known when we reach the consideration of the sugar trust and his disreputable conduct in connection with our Government in Cuba.

My friend from Alabama has another associate in the cause of the cable monopoly which I must not overlook—Mr. John Ford, who describes himself as the secretary of the American Asiatic Association of China. He came in company with and in the same saintly demeanor as his companion Thurber, and assumed to speak for a large foreign interest.

They may be just described as the "Devil's Duet" in the garb

of the "Heavenly Twins," seeking to mislead the public and conceal the iniquity of the cable monopoly in its effort to steal the most valuable public franchise now held by our people.

The gentleman from Alabama admits that Great Britain is constructing a government cable down through the Pacific, in order to hold and control for her navy and people the benefit of cable communication with her possessions, but he is mistaken when he says that Great Britain offered the privilege of building this cable to a private company. Let me read for the information of the gentleman and members of the House the report of the committee presented to Parliament in 1899. In the summary of the report, under title of "Ownership," the committee states:

The committee are of opinion that the cable should be owned and worked by the governments interested—

Referring to Canada, Australia, New Zealand, and the other British colonies. Again the committee say:

If government assistance, in some form or other, is necessary, the committee think that a scheme under which the cable would be constructed and owned by the governments interested is much to be preferred to a private company working under a government subsidy.

Does that sound as though Great Britain was willing to give a subsidy for the construction of her cable in the Pacific?

Mr. Chairman, I repeat that Great Britain has purchased, owns, and controls over 20,000 miles of cable in addition to the one now being constructed in the Pacific, and it matters not whether she acquired it by direct government construction or obtained it as she did the Suez Canal, by buying stock of the corporations holding the cables when she desired them for the purpose of protecting her military power and expanding her trade and commerce. What difference can the gentleman find between the government construction and the government purchase, operation, and control of public utilities?

It is stated in the report and in my remarks upon this floor that the Eastern Extension Cable Company claims to hold the exclusive right to lay and operate cables connecting the island of Guam and the Philippines, and the absolute monopoly of cable communication with China.

Lest some one hereafter questions this statement, I submit a paragraph from the contract held by the Eastern Extension Company, giving them a monopoly of the cable privileges until 1940, as follows:

First. The concession of an extension for twenty years (which will expire May 8, 1940) of the monopoly enjoyed by the aforesaid company for the working of the Hongkong-Manila cable, until which date no other submarine telegraph line can be laid between the points mentioned.

Second. The extension of the landing privilege for a period of twenty years of the cables the concession for which may be granted for the purpose of joining all the Spanish possessions in the Pacific Ocean and of connecting them with other countries, such period to be reckoned from the date on which the new cable is opened for working.

I repeat that the Commercial Pacific Cable Company, by the admissions of Mr. Ward, has become a partner for the purpose of extending the monopoly held by the Eastern Extension Cable Company in the Pacific Ocean.

The gentleman from Alabama does not seem to comprehend, or purposely misconstrues, the dangerous modifications in the proposal of the Commercial Cable Company with reference to laying cables upon our shores.

As long ago as 1875, President Grant forbid the landing of a French cable upon our shores because the company seeking to make the landing held exclusive privileges from France which would deny to American citizens and companies the right to land cables in France, and the conditions that have always been imposed upon cable companies landing cables upon our shores provide "that neither company nor any cable with which it connects shall hold exclusive privileges" which would prevent the establishment of an American cable upon such land.

Does the gentleman deny that such exclusive privileges are held covering the island of Guam and the Philippines, as well as China? Does he deny that the Commercial Pacific Cable Company has made a contract which will give to it the right to land upon Guam and the Philippine Islands and deny to every other citizen or corporation of the United States like privileges?

I insist, Mr. Chairman, that before the Commercial Cable Company can land its cable upon our islands in the Pacific the exclusive privileges held by its partner must be abrogated and set aside.

I also charge that the Commercial Pacific Cable Company has combined with the Eastern Company, with whose lines it connects, for the purpose of regulating rates, and that this contract is in direct violation of not only the conditions to which I have referred with reference to landing of cables, but also a violation of the act of 1890, known as "the antitrust law."

Does the gentleman from Alabama desire to stand before his people advocating a measure that will extend the influence and power of the greatest trust of modern times? Does he forget the declaration of the Democratic party in its national platform against trusts? Does he desire to be confronted in the next campaign with the charge that he upholds the hands of the cable monopoly?

Mr. Chairman, we have not quite finished with our investigations of the methods and the combining schemes of the Commercial Pacific Cable Company. Let me read the testimony of Mr. George G. Ward, vice-president of this company, wherein he admits a combination by his company with other cable lines for the control of the tariff rates across the Atlantic. This should command the attention of Congress:

Mr. CORLISS. The cables across the Atlantic Ocean have a uniform tariff rate, have they not?
Mr. WARD. Yes.
Mr. CORLISS. Those rates—they did not always exist, did they?
Mr. WARD. No, sir.
Mr. CORLISS. There was a time when the rate was only 12½ cents per word, was there not?
Mr. WARD. Yes; but that was a fighting rate, and existed only for two months.
Mr. CORLISS. And as a result of a mutual understanding they established a higher rate?
Mr. WARD. Yes, sir; in consequence of the great loss of the lower rate, the companies agreed to charge a reasonable rate of 25 cents per word.
Mr. CORLISS. Had the companies agreed among themselves that they would establish a rate?
Mr. WARD. Yes, sir.

* * * * * * *

Mr. CORLISS. You admit that there is an understanding or agreement with reference to tolls crossing the Atlantic?
Mr. WARD. There is.

Mr. Chairman, how much more time have I remaining of my thirty minutes?

The CHAIRMAN. The gentleman has six minutes.

Mr. CORLISS. I want to conclude by calling attention to the testimony of Mr. Ward, given before the committee, in which he admitted that a combination had been formed by the Atlantic cable companies to regulate tolls, and in the few minutes that I have remaining I want the Clerk to read a joint resolution which I will offer and have referred in the proper way to the committee, and which I will bring before this House at a later date, for the purpose of determining whether or not a combination for the regulation of tolls can be made without some one taking action to suppress such a monopoly.

The Clerk read as follows:

Whereas it is admitted by Mr. George G. Ward, an officer of the Commercial Cable Company, that said company has made a combination with other cable companies for the purpose of establishing a uniform rate for cable messages across the Atlantic Ocean in direct violation of paragraph 2 of the conditions imposed upon cable lines heretofore laid; and

Whereas said combination is a direct violation of section 2 of the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies;" and

Whereas it has been held by the Supreme Court of the United States that monopolizing telegraphic communication with a foreign country is within the description of the aforesaid act: Therefore,

Resolved, That the Attorney-General be, and he is hereby, directed to institute such proceedings as may be deemed necessary to destroy such combination and monopoly and to punish the violation of said act.

Mr. CORLISS. Now, Mr. Chairman, it appears from the testimony of Mr. Ward that a combination exists in direct violation of the Sherman antitrust law. At the proper time I will present to this House the decisions of the Supreme Court of the United States showing that this law applies to telegraph and cable communications. I call the attention of members at the present time to its violation, because this admission is boldly and brazenly made to the committee, and the same people to-day are defying our Government, claiming that they have a right to lay this cable without permission of the President or Congress.

I submit that it is time that some one should call public attention to these flagrant violations of law.

Mr. GAINES of Tennessee. Will the gentleman yield a moment for an interrogatory?

Mr. CORLISS. Yes; certainly.

Mr. GAINES of Tennessee. You state that there is a trust, prohibited by the Sherman antitrust law, which is controlling the cable service between this country and Manila, and other places?

Mr. CORLISS. The cable that I refer to is across the Atlantic.

Mr. GAINES of Tennessee. Is it in a trust?

Mr. CORLISS. The testimony is that an agreement was made to control cable tolls across the Atlantic. The cable tolls at one time were 12½ cents a word. They are now 25 cents a word, in consequence of this agreement.

Mr. GAINES of Tennessee. Now, will the distinguished gentleman state whether or not he has called this trust or combine to the attention of the Attorney-General of the United States or of the President?

Mr. CORLISS. That is in the resolution which I have just had read, directing the Attorney-General to take proceedings against them, and if I can get a hearing I will have it adopted.

Mr. GAINES of Tennessee. It is not necessary that Congress should do that. It may be done by an individual. I ask the gentleman the question: Can not an individual call it to the attention of the Attorney-General, and has the gentleman done that?

Mr. CORLISS. The matter is being presented in an official way. I think that is the better manner of reaching public matters.

Mr. GAINES of Tennessee. I hope the gentleman will succeed in reaching the Attorney-General and in making him do his duty.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BOUTELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4366. An act granting a pension to John Y. Corey;

S. 2379. An act granting an increase of pension to George W. Evans;

S. 2046. An act granting an increase of pension to Thomas E. Sauls;

S. 2976. An act granting an increase of pension to Edward Thompson;

S. 3390. An act granting an increase of pension to Charles Allen;

S. 880. An act granting an increase of pension to Emory S. Foster;

S. 3849. An act granting an increase of pension to Benjamin F. H. Lence;

S. 4021. An act granting a pension to Sarah Frances Taft;

S. 2768. An act granting an increase of pension to John G. Hutchinson;

S. 3514. An act granting an increase of pension to Leander Parmelee;

S. 3327. An act in amendment of section 2226 of an act approved February 2, 1901, entitled "An act to increase the efficiency of the permanent military establishment of the United States;

S. 4086. An act granting a pension to Charles W. Foster;

S. 3650. An act granting an increase of pension to Sarah A. Carter;

S. 4111. An act granting an increase of pension to Abner J. Pettee;

S. 1872. An act granting an increase of pension to Abbie George;

S. 6. An act granting a pension to Charles H. Stone;

S. 1095. An act granting an increase of pension to Mary Morgan;

S. 4022. An act granting an increase of pension to Annie E. Brown:

S. 2079. An act granting an increase of pension to William Wheeler;

S. 2329. An act granting a pension to Peter Bittman;

S. 3995. An act granting a pension to Susan E. Clark;

S. 3916. An act granting an increase of pension to John S. Mitchell;

S. 3378. An act granting an increase of pension to Sarah Annie Harris;

S. 13. An act granting an increase of pension to George Daniels;

S. 1982. An act granting a pension to Eugene J. Oulman;

S. 1924. An act granting an increase of pension to Thomas Feneran;

S. 2006. An act granting an increase of pension to James Lehen;

S. 3252. An act granting an increase of pension to Jesse W. Bice;

S. 1285. An act granting an increase of pension to Elizabeth Steele;

S. 1809. An act to remove the charge of desertion now standing against Charles G. Brigham;

S. 1634. An act to remove the charge of desertion against Thomas Cordingly;

S. 3182. An act granting an increase of pension to Mary Louise Worden;

S. 3662. An act granting a pension to Sarah C. Nicklin;

S. 2293. An act for the relief of Matthew T. Lewis;

S. 3481. An act granting an increase of pension to James E. Dexter;

S. 4071. An act granting an increase of pension to George C. Tillman;

S. 4214. An act granting an increase of pension to John McDonald;

S. 1039. An act granting an increase of pension to Nathaniel C. Goodwin;

S. 1979. An act granting an increase of pension to Samuel M. Howard;

S. 4346. An act granting a pension to Augusta Turner;

S. 3216. An act granting an increase of pension to Henry M. Taylor;

S. 2505. An act granting an increase of pension to John Barnard;

S. 3696. An act granting an increase of pension to Edward H. Armstrong;

S. 142. An act granting a pension to J. J. Groff;

S. 951. An act granting an increase of pension to Charles Ambrook;

S. 952. An act granting an increase of pension to George H. Smith;

S. 965. An act granting an increase of pension to Ella B. Gamble; and

S. 2371. An act granting a pension to Andrew J. Felt;

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 9227. An act granting an increase of pension to Frederick Shafer;

H. R. 280. An act for the relief of James M. Stradling;

H. R. 3762. An act for the relief of Emanuel Klauser;

H. R. 8493. An act granting a pension to Harry H. Sieg;

H. R. 4488. An act granting an increase of pension to Selden E. Whitcher;

H. R. 6014. An act granting an increase of pension to William Rhenby;

H. R. 3515. An act granting an increase of pension to Mary A. House; and

H. R. 3297. An act to correct the military record of William T. Pratt.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. COWHERD. I believe, Mr. Chairman, that I had forty-five minutes remaining. I desire to yield such time as the gentleman may desire to the gentleman from Kansas [Mr. JACKSON].

Mr. JACKSON of Kansas. Mr. Chairman, in my judgment the few remarks which I desire to submit are very appropriate in view of the able speech on Government ownership of the cable just made by the distinguished gentleman from Michigan [Mr. CORLISS]. As a basis for my remarks I desire the Clerk to read the joint resolution which I send to the desk, in order that it may be incorporated in the RECORD.

The Clerk read as follows:

Joint resolution (H. J. Res. 79) providing for the purchase and operation of certain telegraph lines.

Resolved, etc., That in pursuance of section 93 of the postal laws, which is in words and figures as follows:

"SEC. 93. Companies to file acceptance.—Before any telegraph company shall exercise any of the powers or privileges conferred by law, such company shall file their written acceptance with the Postmaster-General of the restrictions and obligations required by law." (Rev. Stat., pp. 52-68.)

And in pursuance of section 96 of the postal laws, which is in words and figures as follows:

"SEC. 96. Postmaster-General to select appraisers for the United States.—The United States may, for postal, military, or other purposes, purchase all the telegraph lines, property, and effects of any or all companies acting under the provisions of the act of July 24, 1866, entitled 'An act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, or other purposes,' or under this title, at an appraised value, to be ascertained by five competent, disinterested persons, two of whom shall be selected by the Postmaster-General of the United States, two by the company interested, and one by the four so previously selected." (Rev. Stat., pp. 52-67.)

And in pursuance of section 97 of the postal laws, in words and figures as follows:

"SEC. 97. The following-named companies have filed acceptances pursuant to section 93 prior to December 5, 1892, and on the dates respectively stated: Western Union Telegraph Company, July 8, 1867; Postal Telegraph Company, August 31, 1882."

The United States of America purchase the Western Union Telegraph Line and the Postal Telegraph Line and operate and maintain the same in connection with the postal department, under such laws and rules as may be provided.

SEC. 2. That for the purchase and operation of said telegraph companies the Postmaster-General be, and he is hereby, directed, within thirty days from taking effect of this resolution, to appoint two disinterested persons for each of said telegraph companies to act as appraisers for the United States, and that immediately thereafter he shall notify said telegraph companies of such appointment and demand that each appoint two disinterested persons to act as appraisers and that the four thus selected appoint a fifth person to act as an appraiser, and that the five persons thus selected shall proceed to appraise all property belonging to the telegraph companies which is used in the operation of its lines at its actual value.

SEC. 3. That it shall be the duty of each of said telegraph companies, within thirty days from such notification by the Postmaster-General, to appoint two disinterested persons as appraisers, and within ten days from the selection by the telegraph companies of said appraisers the four persons thus selected shall appoint a fifth person, and the appraisers thus selected shall, within one year from such selection, appraise all of the property of said telegraph companies which is necessary in the operation of their lines at its actual value, and within thirty days from said time report the result thereof to the Postmaster-General.

SEC. 4. That the Postmaster-General shall submit the report of the appraisers to the first Congress which shall convene after said report is made, and if the report thus submitted shall be approved by Congress, then there shall be appropriated an amount sufficient, out of any money in the Treasury not otherwise appropriated, to pay said appraisement; and upon such payment the Government shall be the owner of said telegraph companies, together with all of their instruments, poles, wires, rights, franchises, and easements which are necessary in and about their operation.

SEC. 5. That upon the consummation of said purchase Congress shall pass such laws as may be necessary in and about the operating of the telegraph companies in connection with the postal laws, and that the said telegraph companies thus purchased shall be known and named as the United States Telegraph.

SEC. 6. If either of said telegraph companies fail, neglect, or refuse to appoint the appraisers, after being notified by the Postmaster-General as aforesaid, then it shall be the duty of the appraisers appointed by the Postmaster-General to select a third person, and the three persons thus selected shall proceed to appraise said property in the manner aforesaid and make their

report to the Postmaster-General, who shall submit said report to Congress as hereinbefore provided.

SEC. 7. That each of said appraisers appointed by the Postmaster-General shall receive the sum of $15 per day for each and every day in actual service, and in addition thereto his necessary expenses in and about said appraisement; and he shall, under oath, render an itemized account of his expenses and the number of days in actual service. And the cost and expenses of the fifth person as an appraiser shall be divided equally between the Government and the telegraph company, and is not to exceed the sum of $15 per day and expenses.

Mr. JACKSON of Kansas. This resolution, Mr. Chairman, was introduced by me in the usual and ordinary manner as provided by the rules of this House. It was referred to the Committee on Post-Offices and Post-Roads, and there it met a most cruel fate.

It is a beautiful custom which has existed from the time when the mind of man runneth not to the contrary that the friends of the deceased should on some appropriate occasion speak feelingly and fittingly in his memory. In conformity with this ancient custom, and in response to my own feelings and convictions, I desire to say a few words as to the life of this resolution, its hopes, its aspirations, and its untimely fate. [Laughter.] I regret that its life is seemingly of short duration, and that it is to be cut down in the heyday of its existence. It possibly did not live long enough to exert any influence per se. It was not all it should have been, it was not all it would have been had it received the attention of more loving hearts and the assistance of more helping hands. It came and has now apparently passed away, leaving us to wonder whether or not it has left its footprints so that others who may come after can by some heroic effort accomplish its object and purpose.

It is also a custom when speaking in memory of the dead, if the deceased displayed any acts of heroism on the eve of his death, or gave utterance to some soul-inspiring words, that these should be duly extolled. But, Mr. Chairman, my subject did not have an opportunity either to display heroism or to speak a word. It was subjected to the most cruel punishment imaginable—suffocacation in the pigeonholes of this committee. So much, Mr. Chairman, for its life and its fate, save and except who knows that the time may yet come when the vicious rules of this House will be so far modified that there will be a grand and a glorious resurrection of its victims. [Applause on the Democratic side.] Sir, as this resolution has been cast aside as a thing of no moment, I beg of you to remember that "the stone the builders rejected became the chief corner stone."

But what of its object and purpose? Did it come in the interest of peace, happiness, and the betterment of mankind, or did it come for avarice and greed? Did it come championing the cause of equality or inequality? Did it come as a messenger for the masses or for the classes? It is a trite saying that "coming events cast their shadows before." Sir, events have taken place in this House since the convening of this Congress which foretold the death of this resolution. When I heard one of the distinguished leaders on the Republican side, in closing the argument—no, not argument, but sophistries—in behalf of the Philippine tariff bill, deny that the power to govern is derived from the consent of the governed, and that the old maxim stated an untruth; when I heard it asserted that we should judge of the capabilities of a foreign nation for self-government, and that it was our duty to invade their country against their wish and desire and to assume to govern and control them as subjects over their protest, then I knew this resolution's doom was sealed.

When I observed that the policy of the majority in this House was to trample under foot the Declaration of Independence as a thing of no moment, and when I heard the cry that we should become a world power by force of arms, then I knew that reason had left her throne and that avarice and greed were rampant in this House. I then knew that justice and equality dare not appeal to such a sentiment. But, Mr. Chairman, I ask why should this resolution be subjected to such cruel punishment? It sang no new song, it preached no new doctrine, it advocated no fad. Government ownership of the telegraph is nothing new. The ultimate object and purpose sought by this resolution is not original. So much has been written and said in behalf of Government ownership of the telegraph that nothing new remains to be said. Repetition, tedious repetition, is all that is left in the discussion of the question.

The most eminent men in this nation have championed Government ownership of the telegraph lines. As far back as 1844 Henry Clay, the gifted orator and astute statesman, gave forth these words of warning. He said: "It is quite manifest that the telegraph is destined to exert great influence on the business affairs of society. In the hands of private individuals they will be able to monopolize intelligence and to perform the greatest operations in commerce and other departments of business. I think such an engine should be exclusively under the control of the Government." Such men as Sumner, Grant, Edmunds, Hamlin, Chandler, Dawes, Butler, and others were all earnest advocates of Government ownership.

Postmasters-General Johnson, Randall, Maynard, Howe, Creswell, and Wanamaker were zealous advocates of such ownership. Boards of trade, labor organizations, chambers of commerce, legislatures, and city councils have at one time or another petitioned for the same. Some of the most influential metropolitan papers of the country have advocated Government ownership. In fact, sir, the farmer, the merchant, the mechanic, and the laboring classes all demand it. Is it not strange that with such a sentiment and with such a consensus of opinion this mighty and powerful nation has been unable to accomplish this purpose? Is it not strange that when we boast of our marvelous progress and improvement the Government has not adopted a plan whereby we could convey intelligence in the quickest and most improved manner?

Is it not strange that the Government, the sole object and purpose of which is the welfare of its citizens and to bestow the greatest good to the greatest number, permits private interest to usurp the rights of the public? Notwithstanding the great unanimity for Government ownership of the telegraph, there has been and is to-day one active and energetic opposition, and this is confined to a few capitalists who insist on the exclusive right to transmit our language by the electric current. They are aided and assisted by a select number of politicians who in some manner and in some way have been able to delay legislation and by artful words and facile pen make it impossible for the friends of Government ownership to agree upon any plan. In some way and in some manner the enemies of Government ownership have been able to poison the minds of its friends against each and every plan which has been suggested for such ownership.

It is not my purpose to say anything harsh or unkind of or concerning the capitalists. When we give a person the authority to do a given thing, we should not criticise him for the act performed. We are constantly told that this is the age of "the survival of the fittest," and our present policy seems to justify us in getting all we can and keeping all we get. Therefore, it is but a waste of time to heap opprobrious epithets upon the capitalists, as they are simply doing what we, the people, have by our acts and conduct said they could do. We have resolved, but we have never executed. We have declaimed, but we have never performed. We have permitted private interests to supplant the rights of the public with only a feeble protest. If the friends of Government ownership would concentrate their forces, if they would agree upon a plan for the accomplishment of such ownership, we would not delay much longer righting the great wrongs from which we have suffered. The trouble has been and is to-day that when a plan is suggested for Government ownership its friends immediately criticise and find fault with the plan, and we have a confusion of ideas and tongues.

I stand to-day to plead for concert of action. Let us be of one mind and of one purpose. Let us agree upon some plan and then accept for our motto that of the grand old Commonwealth of Kentucky, "United we stand, divided we fall." Let us remember that no plan on which we may agree will be perfect and free from criticism. Let us remember that whatever mistakes we may make in the adoption of a plan will be amply recompensed in the accomplishment of a purpose. I did not offer this resolution as one of perfection. I did not offer it as the best that the mind might conceive. I understand and know that objections may be made to this as well as to any other plan, but why should the friends of Government ownership seriously object to this plan? I can understand that if you are not a friend of Government ownership this plan is objectionable, as any other would be, but if you are honestly and in good faith in favor of such ownership, I invite your careful consideration of the plan which I have suggested. It simply seeks to carry out the object and purpose intended when the franchise was granted. This resolution discloses that at the time the franchise was granted the Government reserved the right to purchase the property, its value to be determined by appraisers.

Mr. COWHERD. Will the gentleman allow me an inquiry at this point?

Mr. JACKSON of Kansas. Certainly.

Mr. COWHERD. Has the gentleman examined the provision close enough to say whether if the Government purchases it must buy all of its property, physical or otherwise, or only that which is used in the operation of its line?

Mr. JACKSON of Kansas. I have no objections to giving the gentleman my opinion with reference to that matter, yet in my judgment the question is not at present germane to the issue involved. I had not intended discussing the legal phase of this matter, because, in my judgment, it would be more appropriate upon a report made by the appraisers who would be appointed under this resolution. The resolution simply provides for the appraisement of the property, this appraisement to be reported to Congress, and then the matter would be subject to a general discussion as to the property appraised and the respective rights of the Government and the companies.

However, I am perfectly willing to state that in my judgment there is not a lawyer but who will agree that this reservation or compact gave the Government better terms than under the law of eminent domain. If this was not so intended, then it was meaningless and a waste of words. It is also my opinion that this compact only contemplates that the Government may purchase such property as is used in the operation of the lines. In its very nature it could not mean that the Government would be under obligations to purchase all the property of the corporation which is not necessary and not used in and about the operation of its lines. The company may own real estate; it may invest its money in different ways, and hold property in the name of the company, and yet the Government would be under no obligation to purchase such property because it is not used in the operation of the lines, but is the accumulation and profits of such an operation.

Now, Mr. Chairman, this resolution proceeds upon the principle of law that every individual will do that which is right. Inasmuch as it was provided that the value of this property should be determined by appraisers we have no right to assume that an unreasonable, unfair, and fictitious value will be placed on this property. While we have had many investigations as to the feasibility of Government ownership and its probable cost and expense, yet we have never made a definite proposition to either of these companies as to what we would be willing to give, nor have we ever received from either of them a definite statement as to what they would take. It is conceded by all friends of Government ownership that if these companies would sell at a just and a reasonable price it would be the most sensible thing for this Government to purchase. The plan suggested in this resolution is an ordinary business proposition.

If I have property for sale, either voluntarily or by operation of law, it is the duty of the individual to first determine whether or not he desires to become the owner of that property, and if he so desires, then determine whether or not he is willing to pay the price. This resolution proceeds upon the theory that we desire Government ownership. Of course, those who are opposed to Government ownership, as we have heretofore suggested, would be against this resolution or any other plan which had that for its object and purpose. Therefore, conceding that you are in favor of Government ownership, in my judgment, this resolution is a practical solution as to how to obtain it. You should bear in mind that there is nothing in this resolution which commits the Government to the acceptance of the report of the appraisers, but, upon the contrary, it expressly provides that the report shall be submitted to Congress, and it is for Congress to determine whether or not it will approve the same.

There is nothing drastic in this measure, nor does it seek to confiscate property. It simply assumes that a just, fair, and equitable appraisement will be made. For my part I am unwilling to pay something for nothing, and I am sure there is not a member of this House who will not consent to this statement. Nor do I desire to take something for nothing, and I feel sure that there is not a member in this House but who agrees with this statement. This resolution makes no fight on capital. As the laborer is worthy of his hire, so should capital receive just and fair compensation for its investment. I wage no war against the capitalist, but I strive to do that which is for the betterment of my fellow-citizens as I see and understand it. If in my effort to accomplish this purpose capital stands as a barrier, then it must give way to that inexorable law of the greatest good to the greatest number, for the rights of the many are paramount to those of the few. If the report of the appraisers is unfair and inequitable, then we are not compelled to accept the same, and yet the report may be valuable information to aid us in taking the next and second step for Government ownership. The cost and expense incident to carrying out the terms of this resolution would not exceed $20,000, which would be a mere bagatelle compared to the good that would be accomplished and to what we have heretofore paid for investigations.

Mr. Chairman, by this resolution we give the two companies an opportunity to dispose of their property at a fair and reasonable valuation, and if they refuse to accept the opportunity thus offered the fault will not be ours. If they refuse a fair and equitable price, then this resolution paves the way for another step in behalf of Government ownership. By this resolution we show our good faith and that we are willing to give the companies an opportunity to make a disposition of their property on reasonable terms. Upon their refusal so to do, then we should introduce a bill establishing schedule rates for telegraph companies and at the same time providing for the Government to erect, purchase, operate, and maintain a postal telegraph. Then let us proceed to build, not all at once nor in a year or several years, but let our progress be as fast as good judgment and common business sense will permit. If, during the time we are building, either of these companies desires to sell its lines or any part thereof at a price which we think is reasonable, fair, and equitable, then we can purchase.

In my judgment, when the companies understand and know that the Government will have, own, and operate its telegraph lines, and that it is proceeding as fast as possible to accomplish that object and purpose, they will be exceedingly anxious and willing to meet us on just terms and at a reasonable price. So long as we dally, so long as we hesitate, so long as we falter, just so long will these private companies govern and control the means of transmitting the English language by the electric current. Just so long as we delay legislation for Government ownership, so long will there be a monopoly for the transmission of our language. and the masses of our people will be the victims.

Therefore, Mr. Chairman, I beg for some affirmative act on the part of the Government for the postal telegraph, knowing how necessary it is that a start be made at once, as it will take many years to accomplish the undertaking.

Mr. COWHERD. Will the gentleman pardon an interruption for a question?

Mr. JACKSON of Kansas. Certainly.

Mr. COWHERD. Would the recent experiments of Marconi with wireless telegraphy affect the question of Government ownership of the present system?

Mr. JACKSON of Kansas. I am very glad to give the gentleman my views with reference to this question. It seems to be one which has been discussed more or less in connection with Government ownership. I have received many letters from different parts of the country asking substantially the same question. In each letter the writer assures me that he is for Government ownership, but doubts the wisdom of doing anything just now by reason of wireless telegraphy. In many papers the editors of which I know to be heartily in favor of Government ownership the same suggestion has been made. I have given the matter some thought and have read the views of different experts. From all I can learn there is nothing yet which gives us any assurance that wireless telegraphy will be a commercial success. I do not mean to underestimate the invention. Indeed, a man would be a fool to prophesy as to what to-morrow will bring forth in either the physical or scientific world.

This is an age of progress, growth, and improvement, and the wonders of to-day will be the common things of to-morrow. The fact that electricity travels in a wave is not new or original, but the wonder is that an instrument has been invented to receive the impression so that it may become intelligible. Two things are necessary for the commercial success of telegraphy. They are secrecy and certainty. As an illustration, if you desire to send a message from here to New York by the wireless system, the wave by which you undertake to send this message goes in every direction and extends to the uttermost parts of our country. While seeking to send your message only to New York, it would also go by the wave to San Francisco or New Orleans. Marconi makes no claim that he can control the direction of the wave, and until some instrument is invented which will only receive from its companion sender there can be no secrecy in this system, and without secrecy it will not be accepted by the commercial world. Then, again, we have no assurance of its certainty. It travels by waves, and is therefore subject to all the elements. I am sure I could not make a better answer or explain more satisfactorily than by reading the opinion of Hiram Maxim, of London, as given in the papers a few days ago:

An enemy in time of war might set up a wave-making apparatus of very great power, giving off waves of all amplitude, and making it absolutely impossible to work any system of wireless telegraphy.

The attuning of a transmitter or receiver to a certain pitch is only feasible to a limited extent—say a dozen different kinds of waves. Supposing that in war two hostile fleets were concerned, No. 1 depending on the ordinary system of signaling, No. 2 depending on wireless telegraphy. It would be possible to provide fleet No. 1 with apparatus for making such a confusion of waves as to render the apparatus of fleet No. 2 absolutely useless.

Marconi now has the atmosphere to himself, but when others enter the field and all are making their little waves, though they may not interfere with each other, nevertheless the operator who receives them and reduces them to the English language will have a rather difficult task.

The Marconi system undoubtedly has enormous value, chiefly for ships signaling each other or with the shore during fogs. The cable companies and Marconi can both live in the same world in perfect accord. One system will not interfere with the other. The Marconi system can perform new services without encroaching on the cable companies' sphere.

You are to understand from this that I am no skeptic, and I refuse to be placed in the position of a prophet. For myself, I would not be surprised at anything which may happen in the scientific world, but simply insist that the present experiments with wireless telegraphy should not deter us from taking the first step for Government ownership. If this resolution should pass, it possibly would take several years to consummate the deal, and before the Government accepted or declined the appraisement if wireless telegraphy should have demonstrated its commercial success, then we need not proceed further along the line suggested in this resolution. This sentiment of delay, as suggested by wireless telegraphy, has never contributed to our growth,

progress, and improvement. It did not subdue our prairies or build our cities. It never built a railroad, ship, or boat. Delay has nothing in common with progress. It is a sworn enemy of industry, and without industry we have degeneration. Suppose I should suggest that it would be foolish to build any more railroads, boats, or ships because Santos-Dumont has navigated around Eiffel Tower? But a few days ago I read this dispatch in the morning papers:

CHARLESTON, W. VA., *February 7.*

The Myers Transportation Company, of Pittsburg, incorporated here yesterday, states that the company is "to manufacture, build, operate, and equip airships, and to engage in the business of transporting freight and passengers through the air."

The authorized capital is $100,000.

The incorporators are G. F. Myers, C. M. Thorp, S. L. Ruslander, of Pittsburg, and J. R. Windle and G. F. Rubner, of Allegheny.

Now, our Republican friends are insisting on a ship subsidy, and I am sure all of my Democratic brethren are against the measure; but if the only argument we can urge is the experiment of Dumont with his flying machine, and that nothing should be done with reference to our building ships until that had been fully investigated, I feel confident that you would regard the argument as foolish. Yet who knows but that airships may come, and no one can tell when that will be. We can not question the possibilities of the future. Many marvelous things in the physical and scientific world will come in God's own appointed time, and until they do come we deal with conditions which confront us. God forbid that this mighty and powerful nation should wait for some inventive genius to relieve us of the burdens of monopoly.

Mr. Chairman, the necessity for Government ownership of the telegraph is based on the elementary principle of justice and right. The fundamental object and purpose of the Government is life, liberty, and happiness. It is not mercenary. It is not for dollars and cents. It is not to amass fortunes, but for justice, human development, pure lives, and happy homes. When the Government loses sight of this object and purpose, then it ceases to be that for which it was created. In order that its object and purpose may be accomplished it is necessary that it should champion—yes, practice—"equal rights to all and exclusive privileges to none." Any infringement on this self-evident truth, any impairment of the rights thus conferred can not be other than hurtful to our institutions and citizens. The supreme test for the perpetuity of a republican form of government is manhood, virtue, progress, and industry. Wealth when rightly obtained is beneficial, but should be regarded as the crude material for a higher and a nobler civilization. Therefore, Congress in legislating should always have in mind the peace, happiness, and welfare of the American people.

I do not believe, Mr. Chairman, that the individual should be unmindful of his duty and indifferent to his responsibilities. I do not believe that the Government should do for the individual that which he could by industry and the exercise of his political rights do for himself; but, sir, I maintain that on matters which are public and which the individual in the very nature of things can not do for himself it is the duty of the Government to guard and protect those public rights. When this Government was created, it was recognized by the fathers that the individual could not with convenience and dispatch, yea, that he could not successfully follow his vocation in life and at the same time carry his messages to the uttermost parts of the country, and therefore the Government undertook to do it for him by our postal system.

The reason which suggested the postal system is the same reason which suggests the necessity for Government ownership of the telegraph. In the very nature of things the individual can not send intelligence by the electric current. He is dependent wholly upon some one else. The telegraph has become a part of our commercial life. Under our present system the individual is subject to the convenience, the extortion, and the pleasure of the private company in doing that which has long since become recognized as a public necessity. We have recognized the necessity of the electric current to transmit intelligence, and it is the modern and improved means for transmission, yet we subject the individual to the mercy of a few capitalists. The capitalists are selfish. The question of service is only an incident to the profit they can derive from the business. They only seek territory for operation where a handsome dividend will be paid.

The question of service is not the controlling thought, but it is a question of dividends. The Government does not consider the question of dividends, but of service. If the Government were the owner of the telegraph, there would be no discrimination in favor of certain classes at the expense of others. The Wall-street speculator would have no advantage over the farmer or tradesman. Our present telegraph system is not as great as it should be. It should serve the public as a whole. Now, the question is, How large a dividend can be declared on about seventy millions of watered stock? If the Government were the owner of the telegraph lines, it could place an office in each and every post-office in the country, and thereby the farmer, the laborer, and the mechanic could enjoy the service of the same.

The charges for service of the telegraph in the hands of the private company are unreasonable and unjust and founded solely on profits and large dividends. If the Government were the owner, the charges would be decreased and the service increased. They tell us that the private company must be confined to business territory, and speak of Wall street, the metropolitan cities, boards of trade, and chambers of commerce as having paramount rights. We recognize their necessity and importance, but insist that there are other business interests which of right should be considered. The man who tills the soil has a business interest; the man who feeds the cattle and hogs has a business interest; the man who delves in the bosom of mother earth and extracts therefrom its precious ore has a business interest. Yea, the great producing classes of this nation have a business interest, and they receive the least benefit from the present system of telegraph.

Be it said to our shame that Canada and America are the only two highly civilized nations that have not accepted the most improved way of transmitting intelligence. Let us keep pace with the times. Let us more fully realize the object and purpose of this Government and strive to so legislate that it will bring peace, happiness, and prosperity to our own people. Let us stop this hypocritical pretense of benevolent assimilation. Let us cease this cry of a world power by force and arms until at least we can deal justly and fairly with our own citizens in our own land and under our own flag.

Mr. RICHARDSON of Alabama. Mr. Chairman, some few days since I took occasion to express my views on the subject of the Pacific telegraphic cable; that is, whether Government ownership or individual ownership should prevail in reference to that enterprise. Mr. Chairman, I would not trespass any further upon the indulgence or the kindness of this House had it not been for the remarks just made by the gentleman from Michigan of a character personal to myself.

I regret, Mr. Chairman, that the distinguished gentleman from Michigan, who has taken occasion to refer to me in a certain manner, is at present out of his seat. I am glad to see that he has just entered the House. There is one thing that I will say about the gentleman from Michigan: He has the most remarkable, as well as the most unique, and I think the most exclusive, facilities for reaching the public ear in advance of the delivery of his speeches; more so, probably, than any gentleman on this floor.

In the remark just made, Mr. Chairman, I do not mean to reflect upon the members of the "press gallery" in any manner whatsoever. My intercourse with them and my observation is that they are gentlemen of the very highest character and are disposed to treat all just and fair alike. I hold in my hand, Mr. Chairman, not my own speech, but the speech of the gentleman from Michigan [Mr. CORLISS], which, if you will permit the expression, has been "lying in soak" for two weeks from to-day. I say that is something quite singular. Now, I do not intend to complain of what purports to be his speech in any way or manner—I know that is sometimes customary—but what I do complain of, Mr. Chairman, is the caption of what purported to be the gentleman's speech, which has been in the hands of correspondents for two weeks from to-day and which reflects upon me personally, or impugns my motive, appearing as though it were written by a correspondent, while in fact and in truth, as I believe, it was written by the gentleman from Michigan himself. I read now the caption of the speech that he has given out to the correspondents and which has been in their hands for two weeks past. What is it? It is as follows:

Representative CORLISS, of Michigan, author of the bill to construct a Government cable to Manila, has taken grave offense at the language of Representative RICHARDSON of Alabama, who took occasion yesterday to attack the bill and its author. To-day Representative CORLISS made a sharp rejoinder to Representative RICHARDSON, in which he went at the Commercial Cable Company, which is opposing the bill, "hammer and tongs," questioning the sincerity of Mr. RICHARDSON and intimating very broadly that he had some ulterior motive in making his speech against the bill.

That is the part to which I object, Mr. Chairman. The gentleman improperly makes a correspondent, as the caption of his speech, use language that questions the sincerity of my motives, when he wrote it himself. Armed with that caption, I would have been authorized and allowed, under a "question of privilege," to have asked the respectful attention of this House.

Mr. CORLISS. Surely the gentleman does not make the charge that I wrote any articles for newspapers?

Mr. RICHARDSON of Alabama. I am bound, from the circumstances and surroundings, to say that I believe you wrote that caption.

Mr. CORLISS. I want to say to you that that is absolutely untrue.

Mr. RICHARDSON of Alabama. How is it there, then?

Mr. CORLISS. I do not know, sir.

Mr. RICHARDSON of Alabama. "Referring to Mr. RICHARDSON as follows"——

Mr. CORLISS. Well, sir; I do not know.

Mr. RICHARDSON of Alabama. This caption accompanied your speech when it was placed in the hands of the correspondents and has been a part and parcel of it ever since. You made an addition to the speech a short time since and that was attached to the same caption.

Mr. CORLISS. Will the gentleman permit an interruption?

Mr. RICHARDSON of Alabama. No; I do not want to be interrupted.

Mr. CORLISS. I submit there is no justification for any such statement.

Mr. RICHARDSON of Alabama. Now, I am going on. I say that I found it in this condition, all printed on the same paper—caption and speech. Mr. Chairman, having read the caption, I now wish to read a few extracts from the gentleman's speech, in which he took occasion to speak of myself.

Here is the first one I call attention to:

Does he desire to be confronted in his next campaign with the charge that during his first session in Congress he sought to uphold the hands of a cable monopoly?

Mr. Chairman, there is just about as much truth as to facts in that paragraph as there is in any paragraph or statement that the gentleman has made on this floor during his three speeches which he has so industriously and assiduously scattered throughout the country. In the first place, let me say that I did not expect the gentleman from Michigan to know that I was in the Fifty-sixth Congress. Of course I did not expect that, but by examining the records he could have found out the fact that I was in the Fifty-sixth Congress. So there is an error at the start. My information is that the gentleman entered the Fifty-fourth Congress. He has been through the Fifty-fifth and the Fifty-sixth and is now a member of the Fifty-seventh. In what I hope was an unobtrusive way, looking on to catch the drift of matters and the rules of the House and all its entanglements in a quiet manner, I have observed that sometimes a long term as member in Congress for different sessions succeeding each other is a great benefit to the member himself and to his constituents, and sometimes it is not. Which one of the class of the "sometimes" the gentleman from Michigan belongs I will leave to the impartial verdict of this House.

Again, Mr. Chairman, he says about me, and I read from the same speech:

Why did not the gentleman from Alabama wait until the consideration of this measure had been properly before the House? What purpose has the gentleman in mind or object to obtain in rushing to the defense of this corporation? From my long experience in the practice of the profession to which the gentleman belongs, I am led to believe that there is a motive back of every act in human life, whether in private or official capacity, and I would be glad if the gentleman would enlighten us upon the subject and explain his own zeal and motive upon this question.

Mr. Chairman, I am a member of the Committee on Interstate and Foreign Commerce with the gentleman from Michigan. I know of no special reason why, as a member that committee, I or any other member having equal rights and privileges with the gentleman from Michigan should sit still and allow him, without contradiction, to make three speeches disseminating alleged facts that are erroneous and multiplying misstatements upon this great question. I ask

"Upon what meat doth this our Cæsar feed,
That he hath grown so great?"

Now, Mr. Chairman, I do not intend to allow any of these personal insinuations to divert me. I take them in the right spirit, fully conscious of what my motives are, knowing that consciousness of that kind gives courage at all times and under all circumstances to a man to speak his honest sentiments. I have not the remotest fear that my motives will be misjudged by this House. I am not going to let these matters divert me from what the real issue is. "The raw head and bloody bones" nursery pictures and tales conjured from the fertile mind of the gentleman from Michigan [Mr. CORLISS] in denouncing monopolies are in my judgment the veriest claptrap. They are an appeal to the "peanut gallery" of the country and ought not to have any consideration at the hands of the members of this House or of the country.

Why, look for a moment, if you please. I said that he had wonderful facilities for reaching the public. Why, would you recognize this picture which I have here? Suppose I were an artist and could transform it and put it upon the pages of my speech and send it to the country. I am told my friend is disseminating these pictures, which represent a great anaconda, an octopus stretching from San Francisco to Manila, in the Philippine Islands, and *my friend* CORLISS *standing* there with his little sling to slay the great Goliath. Here is the picture. But such matters shall not take me away from the great business proposition—the economic question of dollars and cents involved in the construction and ownership of the Pacific cable. I am no capitalist nor monopolist. This is chiefly a business question, and as such it will and ought to be considered.

What is this proposition that we have to discuss? The gentleman from Michigan and his friends propose that the Government of the United States shall lay this cable from the coast of California to Manila at a cost, on a conservative estimate, of $15,000,000. What next? That the annual outlay for its maintainance will be $1,500,000; that the reasonable annual income that the Government can expect to receive will not exceed $150,000. That is the proposition that they make, and that is the proposition that this House will pass upon.

What is the counter proposition? I call the attention of the House to it. I am not basing my contention in favor of private ownership and a private corporation building this cable at this time upon my opposition to the Federal Government invading the field of private enterprise. We know what the result of that is. The result is that it destroys industry and enterprise, fossilizes management, prevents improvements, blocks progress, and finally results in political revolution. That is the experience of Great Britain to-day. She is realizing the same effect that she realized under the old trade guilds, which the first Reform Parliament of 1833 wiped from the statute books. The facts were fully developed a short time since at a dinner given by a branch of the London Chamber of Commerce to Robert P. Porter, American statistician, that Government ownership subjects cities and towns to the most grasping monopolies. These proceedings have been published.

What is the proposition for which we are contending? It is this: Here is the "Commercial Pacific Cable Company," competent, qualified, financially and otherwise, experienced in its work, with men of the necessary skill. They propose to build this cable from the coast of California to Manila by January, 1905, without a single dollar of cost, aid, or subsidy from the Government. Ah, Mr. Chairman, that strikes the common sense and the business sense of the country with some force. What next do we find about this Commercial Pacific Cable Company? They have entered into a contract to build this cable from San Francisco to Honolulu and to complete it by the 1st day of January, 1903. They have expended on that contract $180,000. It will cost them to build to Honolulu something over $2,000,000. It is conceded by everybody and unquestioned by anyone, under the evidence that was submitted to the Interstate and Foreign Commerce Committee, that a line from California to Honolulu could not possibly pay the running expenses; that there was not enough business there to justify the laying of such a line.

Then I say that when this company gives such an earnest evidence as the spending of over $2,000,000, it is an absolute guaranty that it will proceed and build the line to Manila, where the business will pay. Now, what is the next guarantee made by the Commercial Pacific Cable Company? It proposes to build an all-American line, if possible, and, as said before, there is no question about that, except the deep water around Guam. What else does it propose? It proposes to take Government messages at half rates, and not only that, but that the Postmaster-General shall regulate the cable rate, and that the Secretary of State, whenever in his opinion an emergency arises, shall have the right, in the name of the Government of the United States, to take possession of that line and to use it and operate it for the Government until the necessity is past. And what else does it do? These are the questions that we propound to those who raise this cry of "monopoly and octopus." It proposes to reduce existing rates from $1.66 per word to $1 per word from San Francisco to Manila and $1 to China.

What else does it do? Why this company gives a guaranty—pledges itself that the Government can step in and buy the cable the moment it sees proper at its appraised value, the appraisers being agreed upon in the usual way. Now, I say, what stronger argument, what more convincing facts, can I give for the purity of my motive for my advocacy of private ownership than the simple business proposition that has been stated? Why, I ask, with all of these safeguards, should we be willing to thrust the Government, at the behests of private interests and dictation, into a line of policy of Government ownership, invading private enterprise, destroying private energy and industry, by bringing the people into competition with its immense resources? Now, right on that line I will read just for one moment. There is something behind all this. We will find it and see it.

Mr. Scrymser, who is to-day advocating Government ownership (standing by my friend from Michigan), who has changed his front from what he was a few years ago. Listen to what he says, and I read from the hearings of the committee of 1900:

Our route is known as the "Via Galveston" route, and with that route we are in connection with the Western Union and its allied cables, and also with the Commercial Cable Company. All these foreign cable companies are interested in diverting South American European traffic this way in order that they shall get their portion of tolls from London to New York, or London to Galveston, as the case may be. A careful study of our telegraph records

shows that about 1,470 customers do the whole telegraph business of Central and South America. Of that 1,470 customers 400 do 90 per cent of the whole traffic, and of those 400 who do 90 per cent of the whole traffic 300 are European, thereby showing that only about 100 of them are American firms and corporations. It stands to reason that the establishment of a United States Government Pacific cable will be for the sole benefit of about 100 American firms and 300 European firms. I ask you, gentleman, if it is fair to tax 75,000,000 American people to the extent of $25,000,000 for the benefit of 400 firms who are to use a Pacific cable—300 of whom are Europeans?

Mr. Chairman, I repeat that interrogatory of Mr. Scrymser to-day as part of my remarks.

Now, Mr. Chairman, any Pacific cable that the Government would build will necessarily stop at Manila, unless we propose to expend untold millions in building a cable around the world. The bill which the gentleman introduced admits that it is to stop at Manila. I respectfully call attention to another feature of that bill that has not heretofore been commented upon, and it is this: I read first section 8 of the bill that has been eliminated, and it will give you some idea why this was done. Who is moving in it? Where is the great octopus and anaconda? Where is the great combination and monopoly? That is the question that will propound itself in the face of facts to these business men in this House.

SEC. 8. That for the promotion of our commercial interests, the President of the United States is hereby authorized to enter into negotiations and establish international and governmental cable communications with Japan between the island of Luzon and Formosa, and with China, between the island of Luzon and some commercially desirable Chinese port.

Now, that was stricken out from the bill.

Mr. CORLISS. At whose suggestion?

Mr. RICHARDSON of Alabama. And this was substituted:

SEC. 8. That for the promotion of our commercial and other interests, the Postmaster-General, Secretary of War, and Secretary of the Navy are hereby authorized to enter into negotiations and establish cable communication through existing cable lines.

It does not stop there.

Or cable lines hereafter constructed.

There is the gist and the gravamen of that clause. Who is going to construct them? I read now something that will shed light on that transaction from the testimony that was taken before the Committee on Interstate and Foreign Commerce. The chairman was questioning Mr. Clark who is the managing man and vice-president of the great Western Union Telegraph Company. I have no words of abuse for this or any other company:

The CHAIRMAN. If I understand your statement, the Commercial Pacific Cable Company now have arrangements by which they could gather up and could distribute general telegraphic business from Manila throughout China and Japan, and so forth?

Mr. CLARK. Yes, sir.

The CHAIRMAN. They have that arrangement now?

Mr. CLARK. As I understand it; yes, sir.

The CHAIRMAN. Then they have an arrangement through the ownership of the Postal Telegraph Company by which they could gather up and distribute messages here in the United States?

Mr. CLARK. Yes, sir.

The CHAIRMAN. You have that also here in the United States?

Mr. CLARK. Yes, sir.

The CHAIRMAN. You do not have that facility from Manila, we will say, or from the Philippine Islands, throughout China and Japan?

Mr. CLARK. Only as the business is apportioned by the Eastern Company now.

The CHAIRMAN. You have no right?

Mr. CLARK. We have no right.

The CHAIRMAN. No right at this time?

Mr. CLARK. No, sir.

The CHAIRMAN. Now, the Pacific Cable Company propose to put in that missing link at their own expense?

Mr. CLARK. Yes, sir.

The CHAIRMAN. Connecting San Francisco with the islands; and they, you think, would use their company here, in the United States?

Mr. CLARK. Yes, sir.

The CHAIRMAN. To the exclusion of your own?

Mr. CLARK. Yes, sir.

The CHAIRMAN. Now, while they are willing to do all this at their own expense, you object to their doing it unless your own company can be a participant in the advantages of building that cable?

Mr. CLARK. No, sir; I say that a Government cable will serve all a great deal better and give us our share—that is the whole truth of it.

The CHAIRMAN. Then you want some method adopted by which, without any additional expense to you—to your company—you can have these advantages which the other company is willing to pay for?

Mr. CLARK. That is my chief desire; yes, sir.

There is the milk in the cocoanut. They are trying to use the Government to pull out "the hot chestnuts" from the fire for them. They get the benefit of the expenditure of a vast amount of money by the Government.

What else in that connection? Why, Mr. Clark, vice-president of the Western Union Telegraph Company, says: "But they are laying one, so they say. I will say frankly that we are not willing to invest $12,000,000 in that enterprise."

And listen, again, Mr. Chairman. Here is Mr. Baylies, who was the attorney for the Western Union Company:

The CHAIRMAN. When you have appeared before this committee on other occasions you were not, my recollection is, in favor of a governmental cable?

Mr. BAYLIES. No, sir; we strongly opposed it.

The CHAIRMAN. At that time you came asking substantially for a contract with the Government that would be in the nature of aid to your enterprise?

Mr. BAYLIES. Yes, sir.

The CHAIRMAN. You now propose, if the Government cable is established, to exercise your right, which you now possess, of the construction of a cable from Manila to China and Japan?

Mr. BAYLIES. If we have the Government's assistance to the extent of breaking up the existing monopoly by building a cable to the Philippines; the money for the rest we propose to supply.

The CHAIRMAN. You are now an advocate of the Government building a link between your other cables that may land in this country and Manila and the cables which you propose to establish between Manila and other points?

Mr. BAYLIES. Yes.

The CHAIRMAN. Then you are still here asking for aid from the Government, but simply in a different form?

Mr. BAYLIES. We are asking its moral support, not its financial aid.

The CHAIRMAN. You ask its financial aid in the construction of the link in the cable that you proposed yourself to build two years ago with a subsidy?

Mr. BAYLIES. Yes.

The CHAIRMAN. So that your attitude of interest is perhaps as great now as then, but simply changed in form?

Mr. BAYLIES. That is also true. We certainly have been working for a great many years to establish a Pacific cable, and this is the only way of doing it.

So, Mr. Chairman, the Commercial Pacific Cable Company proposes to build this link between the coast of California and Manila at their own expense, and the Western Union Telegraph Company, Mr. Clark, and Mr. Scrymser, with the several companies he represents, do not want it done, because, they say, "We want the Government to do it and for us to get the benefit of it." Which proposition, as a business matter, will this House accept?

Mr. CORLISS. Will the gentleman permit a question?

Mr. RICHARDSON of Alabama. Yes.

Mr. CORLISS. Does not the gentleman admit that there are exclusive privileges existing on the island of Guam and the Philippines that would deny to the Western Union Company or any other interest in this country the right to lay a cable, if this one was permitted, and would deny it until 1940?

Mr. RICHARDSON of Alabama. I have the same objection to the gentleman's question that the Tennessee lawyer had to the demurrer that was interposed in a case once in court. The judge asked him once or twice what his objection to the demurrer was, and he said, "Why, judge, it is too long." [Laughter.] The gentleman's question is too long. I do not know and I do not admit that it is true at all.

That is not my information. What I know is that the great bugaboo, "jack-o'-lantern" light that the gentleman from Michigan so persistently follows through the murky and miry swamp of his imagination is that the Eastern Extension Pacific Cable Company that runs from Manila to Hongkong, about 700 miles, is the one company that the Commercial Pacific Cable Company will form a combination with to regulate through rates. It is unnecessary to discuss the question of connections. The fact is that under the Spanish grant giving the Eastern Extension Cable Company the right to lay the line from Manila to Hongkong can be bought to-day for $25,000 annually for the balance of the lease of about sixteen years. I know that is a fact, and that disposes of that matter.

Now, I will revert to the speech of the gentleman from Michigan. I pass by as idle and not deserving attention the references of the gentleman to my distinguished friend from Tennessee [Mr. RICHARDSON], our minority leader, as to what had been said about him in the State of Michigan in the confusion of our identity. We will be in a woeful condition of distress and "dire straits" when the Democratic party needs the defense of my friend from Michigan. We should certainly be in a bad, bad fix. [Laughter.] We do not ask that. I certainly can bear my name being connected with the distinguished gentleman from Tennessee, if he can.

Now, again, the gentleman says that "Great Britain never offered the privilege of building a cable to Vancouver through the Pacific to a private company; so that Mr. RICHARDSON was mistaken when he said it had." What about that? Now, I call this to the attention, Mr. Chairman, of the House, and this is the report of the committee appointed to consider the proposal for laying a telegraph cable between British North America and the colonies of Australasia. They say:

In arriving at this conclusion—

This is the British committee speaking—

they do not underrate the importance of allowing all commercial undertakings to be carried out whenever possible by private enterprise unassisted by the Government.

"Whenever possible." What do you understand that language to mean?

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that my colleague may be allowed to conclude his remarks.

The CHAIRMAN. The gentleman from Alabama asks that his colleague may be allowed to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. RICHARDSON of Alabama. The committee says:

In arriving at this conclusion they do not underrate the importance of allowing all commercial undertakings to be carried out whenever possible by private enterprise unassisted by the Government.

The meaning of that is that they could not get any help from private enterprise. It was impracticable. That is all, and there is no other construction to give it. "But," they say, "in the present case there seems to be no possibility that private capital will be forthcoming for the purpose of laying a Pacific cable without a larger subsidy than the Governments interested in the project would be prepared to grant."

That is just what they were doing here in the last Congress, asking a subsidy, and to-day the Commercial Pacific Cable Company comes up and says: "We will build the line; will guarantee it; will safeguard the interests of the Government in times of peace and in war, and will ask no subsidy for doing it whatever."

I refer also to the remarks of Sir John Pender, published in the Electrician Magazine, London, of the 13th day of December, last year, page 308.

The gentleman, in his speech, says:

I repeat that Great Britain has purchased and owns and controls over 20,000 miles of cable, in addition to the one constructed in the Pacific, and it matters not whether she acquired it by direct government construction or obtained it as she did the Suez Canal, by buying stock of a corporation, holding the cables when she desired them for protecting military property and expanding her trade and commerce.

Now, the gentleman has fallen into a fatal error again, if I understand the matter. I read, Mr. Chairman, from a document furnished by the Auditor for the War Department and published some time since in the hearings of the Committee on Interstate and Foreign Commerce. I read from the title, "Cables owned by British Government administration," page 47. The fact is, and it stands uncontradicted, that Great Britain owns two thousand and a fraction—2,016—miles of cable, and the longest cable that she has, according to this report, is 122.63 miles.

Now, what else is there about that? I hold in my hand a map showing the "Submarine and Land Telegraph Systems of the World." If Great Britain owns 20,000 miles, as the gentleman from Michigan says, surely that fact would appear upon this map, which is published by the chief of the bureau. What are the great submarine and land telegraph systems of the world? They are designated upon this map as A, B, C, etc. Here are the names: Anglo-American Telegraph Company, The Commercial Cable Company, Western Union Telegraph Company, Compagnie Francaise du Telegraph, Eastern Telegraph Company, Brazilian Submarine Telegraph Company, Eastern and South African Telegraph Company, Eastern Extension, Australasia and China Telegraph Company, Great Northern Telegraph Company, West India and Panama Telegraph Company, Central and South American Telegraph Company, and German Atlantic Cable Company.

That statement shows, and it can not be contradicted, what are the great submarine and land telegraph systems of the world. The gentleman from Michigan and those who are acting with him are undertaking to show that Great Britain has established all the precedents in connection with this question. Now, Mr. Chairman, I do not take any part in this great abuse of corporations and monopolies. There is no argument in that. It appeals simply to prejudice. We should not overlook the vital question of whether we are prepared to establish the precedent of Government ownership, with the untold evils that will rise up to vex and harass us in the wake of such a precedent.

Now, Mr. Chairman, I have delayed the House longer than I had intended. Tradition—whether true or untrue, I know not—is to the effect that the gentleman from Michigan when he entered Congress for the first time—in the Fifty-fourth Congress—came here as the protégé or the pupil of the much-lamented Governor Pingree, of his State, a man of great national reputation. If that is so, I can easily account for the many startling and appalling idiosyncrasies that the gentleman has demonstrated in this debate about the cable question.

The gentleman from Michigan refers to various commercial organizations that have indorsed Government ownership of the Pacific cable. I refer him to the canceled resolutions of the Los Angeles Chamber of Commerce. I also refer to the letter written to the gentleman from Michigan by the Chamber of Commerce of Baltimore, which I have leave to print.

The letters referred to are as follows:

LOS ANGELES CHAMBER OF COMMERCE,
Los Angeles, Cal., February 18, 1902.

Commissioner R. R. HAINES,
Manager Postal Telegraph Cable Company, Los Angeles, Cal.

DEAR SIR: Responding to your request of recent date with reference to the chamber's action in the matter of the Pacific cable, will state that the following resolutions were adopted December 18, 1901:

"Whereas the ownership and control of the Hawaiian and Philippine Islands in the Pacific Ocean have greatly advanced the possibilities and commercial progress of our country, and, with the construction of the Nicaraguan Canal, will enable our people to develop a merchant marine and advance our trade and commerce with the Orient; and

"Whereas Great Britain has largely controlled the trade and commerce of the seas by the construction, ownership, and control of cable lines and canals: Therefore, be it

"*Resolved*, That a Government cable connecting the islands owned and controlled by our country in the Pacific Ocean is a public necessity for the proper advancement of our trade and commerce, as well as our naval and military protection; also

"*Resolved*, That such cable should be laid, owned, and controlled by our Government, and operated the same as the Post-Office Department at the least possible expense to the people; that the pending measure, known as the Corliss bill, commends our hearty approval, and in our judgment should be speedily adopted.

"*Resolved*, That the foregoing resolution be submitted to Congress and a copy thereof be submitted to each Member and Senator of this State."

On January 15, 1902, by resolution introduced by Director Forman, the above action was rescinded, and the plans of the Commercial Cable Company were indorsed.

Yours, very truly, FRANK WIGGINS, *Secretary.*

—

BALTIMORE, *February 13, 1902.*

Hon. JOHN B. CORLISS,
Chairman, etc.

DEAR SIR: Your communication of some weeks ago addressed to the "Officers and members of the chamber of commerce," relative to the construction, ownership, and control of a Pacific cable extending from California to Hawaii, Manila, Japan, and China by our Government, came duly to hand, and the delay in acknowledging same has been due to our desire to await the report of the committee on law and transportation of this exchange, to which it was referred soon after its receipt by the board of directors. It was not, however, until last Monday, at the regular monthly meeting of the board, that the above committee submitted its report upon the subject, which is reproduced in full herewith.

Your committee reports as follows:

In view of the fact that we have good evidence before us that one of the great ocean cable companies is now laying a cable upon this route, over which the Government will have complete control (see accompanying report of this committee), we would deem it against business principles for the Government to embark in an operation which is both unnecessary and destructive of private rights and enterprise.

This proposition for a Government cable is a new departure, entirely outside of and entirely different from the operation of our Post-Office Department, under whose wing it is proposed the operation of this cable should be conducted. At the same time the Postmaster-General has in his control the fixing of the rates for Government business upon the proposed private cable, and retains in his hands the power to purchase the same in case the Government at any time should see fit to be owner of its own cable lines.

Your committee, therefore, does not recommend the adoption of the "Corliss bill," which recites that a Government cable across the Pacific Ocean is a public necessity, and that such cable shall be laid, owned, and controlled by the Government, and operated in the same manner as the Post-Office Department.

Yours, very truly,
BLANCHARD RANDALL,
DOUGLAS M. WYLIE,
Committee on Law and Transportation.
W. F. WHEATLEY,
Secretary Chamber of Commerce.

—

BALTIMORE, MD., *February 7, 1902.*

The President and Board of Directors
of the Baltimore Chamber of Commerce.

DEAR SIRS: Your committee on transportation and law begs to report on the question contained in your letter of the 5th of February, inclosing a letter from the Baltimore manager of the Postal Telegraph Cable Company; also a pamphlet entitled "Pacific Cable; Should the Government Parallel the Cable of the Pacific Cable Company?"

Your committee has endeavored to get at the principal points embodied in this pamphlet of 40 pages, published entirely from an ex parte standpoint and giving but one side of the question, namely, that of the Commercial Cable Company.

The history of the case may be summed up in a few words; that in the acquisition of our Pacific island dependencies the Government of this country needed better cable facilities. A Government cable was the first idea. A private corporation, to be granted the subsidy of $300,000 for twenty years, seems to have been the second project. A year or more later the Commercial Pacific Cable Company writes to the Secretary of State that it intends to lay this cable itself, as a business venture, making no conditions and asking no Government help, and proceeded with their own business and in their own way to lay their cable. Other projects for laying Pacific cables are evidently before Congress.

The chamber of commerce is asked to express disapprobation of any other company, but to distinctly state that the Pacific Cable Company, which is backed by the Postal Telegraph Cable Company, is entitled to all encouragement that can be extended to it by the Government. It seems to us that, as this company undertook this work as a business proposition, it is a business question which they and their rivals in business should settle among themselves.

As to the other point—that we should deprecate the passage of bill or bills by Congress which call, first, for a Government cable, and, second, for a subsidy of $300,000 a year for twenty years to a company for the construction and operation of such a cable—it seems to this committee that our honorable body should not bestir itself, or give time to the consideration of such questions, for the reason that the Mackay cable (Pacific Cable Company), now building can be bought by the Government at any time at an appraised value, and the Postmaster-General can himself set the rate of cable tolls for the Government under the post-road act of Congress.

Again, it would seem almost impertinent for this body to warn Congress against so unbusiness-like a proceeding as to subsidize a company with $300,000 per annum for twenty years when another company stands ready to do this work at reasonable, and presumedly at the same, rates, without the additional payment of $5,000,000. We do not think it is the duty of the Chamber of Commerce to so put itself on record.

Respectfully,
BLANCHARD RANDALL,
DOUGLAS M. WYLIE,
Committee on Law and Transportation.

Mr. RICHARDSON of Alabama. Now, if the Chairman and gentlemen of the House will excuse me, I would like to repeat a piece of poetry, which, according to my judgment, applies to the conduct of the gentleman from Michigan in this discussion. It comes back to me from the days gone by. It is this:

He wires in and wires out,
Leaving the House still in doubt
Whether the snake that crossed the track
Was coming forward or going back.

[Laughter and applause.]

Mr. SWANSON obtained the floor.

Mr. CORLISS. I would like to ask the gentleman from Alabama a question before he takes his seat.

The CHAIRMAN. The gentleman from Virginia [Mr. SWANSON] has the floor.

Mr. CORLISS. Before the gentleman from Alabama concludes his remarks, as he has plenty of time, I would like to ask him one or two questions.

Mr. RICHARDSON of Alabama. Well, I did not ask you any, and I do not believe——

Mr. CORLISS. Are you unwilling to answer?

Mr. RICHARDSON of Alabama. No; ask them.

Mr. CORLISS. Have you ever examined the grants held by the Eastern Extension Cable Company over Guam and the Philippine Islands?

Mr. RICHARDSON of Alabama. I have.

Mr. CORLISS. Do they not include exclusive privileges, giving the absolute control——

Mr. RICHARDSON of Alabama. I do not think so.

Mr. CORLISS. And the only way they can be obtained is to purchase by Government those rights?

Mr. RICHARDSON of Alabama. That I am not prepared to answer.

Mr. CORLISS. Does not the gentleman admit that the Commercial Cable Company have made an agreement with the company holding these monopolistic rights for landing privileges?

Mr. RICHARDSON of Alabama. No; in answer to that, Mr. Chairman, I would say the Commercial Pacific Cable Company guarantees that the rate of $1.66 charged now from San Francisco to Manila shall be reduced to $1, not only from San Francisco to Manila, but from San Francisco to China. Do not you admit that?

Mr. CORLISS. The gentleman denies——

Mr. RICHARDSON of Alabama. Well, I will simply play a Yankee habit and answer your question by asking another.

Mr. CORLISS. I will answer your question by saying that they propose to reduce the rate from $1.66 to $1; but I want you to answer my question.

Mr. RICHARDSON of Alabama. And did not the Commercial Cable Company do more in that direction than any other?

Mr. CORLISS. No, sir, never; and I will prove that to the satisfaction of this House. It raised the rate from 12½ cents to 25 cents, by means of a combination.

Mr. RICHARDSON of Alabama. Do not you admit that when the Commercial Cable Company went into operation the Atlantic charges were 50 cents?

Mr. CORLISS. No; they were 12½ cents until they combined, and they raised them to 25 cents.

Mr. RICHARDSON of Alabama. Do not you admit that it was 50 cents, and they went into a cable war and fought it out for two or three years and it was cut down to 12½ cents, and the Commercial Cable Company did that, and that the other companies then "threw up their hands" and cried for help, and asked them to leave it at 25 cents?

Mr. CORLISS. Will you answer the question——

Mr. RICHARDSON of Alabama. Do not you admit that is true?

Mr. CORLISS. It is not true in the way the gentleman states it.

Mr. RICHARDSON of Alabama. Oh, well, we will never agree.

Mr. CORLISS. No, we will not; but I want to ask you this question, and if you want to be fair to the House you will answer it.

Mr. RICHARDSON of Alabama. I will be fair, perfectly fair, to the House; but I think, Mr. Chairman, that I have taken up too much of the time of the House already, and the gentleman from Virginia [Mr. SWANSON] is waiting for his time.

Mr. SWANSON. I yield thirty minutes to the gentleman from Pennsylvania [Mr. GREEN].

[Mr. GREEN of Pennsylvania addressed the committee. See Appendix.]

The CHAIRMAN (Mr. BURKETT). The time of the gentleman has expired.

Mr. GRIGGS. I ask unanimous consent that the gentleman be given fifteen minutes longer.

The CHAIRMAN. Unanimous consent is asked that the gentleman be permitted to continue for fifteen minutes. Is there objection?

Mr. LOUD. Mr. Chairman, if the gentleman from Georgia [Mr. GRIGGS] will listen to me for a moment, there is a great desire on the part of a number of gentlemen to close the general debate to-night. The House, of course, will ultimately do what it desires to do. There are one or two gentlemen who, long before this bill was in Committee of the Whole, asked for time to speak upon it. If my colleague from Georgia [Mr. GRIGGS] will agree, I will ask that the general debate on this bill close with the session of to-day.

The CHAIRMAN. The gentleman from California [Mr. LOUD] asks unanimous consent that the general debate upon this bill close to-day.

Mr. GAINES of Tennessee. Mr. Chairman, will the House adjourn at the regular time, 5 o'clock?

Mr. LOUD. That will be about the time when I think we ought to adjourn.

Mr. GAINES of Tennessee. How many intervening speeches will there be between this and 5 o'clock?

Mr. LOUD. I do not know who wants to speak.

The CHAIRMAN. Is there objection?

Mr. GOLDFOGLE. Will that order interfere with the present list on the Chairman's desk?

Mr. GAINES of Tennessee. Yes; it does.

Mr. LOUD. Oh, yes; it will interfere.

Mr. GRIGGS. I ask my friend from California to let the debate continue for one hour to-morrow?

Mr. LOUD. I will make that request. I withdraw the other, and make the request that the general debate close to-morrow, one hour after we go into Committee of the Whole.

The CHAIRMAN. The gentleman from California asks unanimous consent that the general debate close after one hour in Committee of the Whole to-morrow.

Mr. CRUMPACKER. Before that question is submitted to the House, I should like to state that I want thirty minutes' time to discuss this bill. I want to speak against the subsidy feature of it, and I should like to have it arranged so that I could have the thirty minutes' time to-morrow.

Mr. LOUD. I will then add to the request that the time to-morrow be equally divided between the two sides represented by the gentleman from Virginia and myself, and I will yield the thirty minutes allotted to me to the gentleman from Indiana [Mr. CRUMPACKER].

The CHAIRMAN. The request of the gentleman from California is that the time to-morrow be equally divided.

Mr. LOUD. Between the gentleman from Virginia and the gentleman from California, and I will yield all my time to-morrow to the gentleman from Indiana.

The CHAIRMAN. The gentleman from California now makes the request for unanimous consent that the debate close after one hour on to-morrow, and that the time to-morrow be equally divided between the two sides, the gentlemen from Virgina [Mr. SWANSON] to control half for that side of the House, and the gentleman from California [Mr. LOUD] to control the other half. Is there objection?

Mr. MOON. I want to state to the Chair that on the question to be discussed the gentleman from California [Mr. LOUD] and the gentleman from Virginia [Mr. SWANSON] are on the same side. I wish to be heard on that question when it is discussed; therefore I shall object now.

The CHAIRMAN. Objection is made.

Mr. TALBERT. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from South Carolina will state it.

Mr. TALBERT. My point of order is this, that the Committee of the Whole can not fix the time for closing general debate. I ask a ruling by the Chair on that question.

The CHAIRMAN. By unanimous consent the Committee of the Whole can agree to close general debate.

Mr. GRIGGS. Mr. Chairman, I should like to have the Chair put my request that the gentleman from Pennsylvania [Mr. GREEN] be allowed fifteen minutes further time.

The CHAIRMAN. The gentleman from Georgia [Mr. GRIGGS] asks unanimous consent that the gentleman from Pennsylvania [Mr. GREEN] be permitted to continue for fifteen minutes. Is there objection?

Mr. CRUMPACKER. I understand that I am on the list for to-night. I do not want to talk to-night, and with the understanding that I can have thirty minutes to-morrow or at some time in the future before the bill is voted on I make no objection.

Mr. GOLDFOGLE. Mr. Chairman, I am in the same position.

The CHAIRMAN. Is there objection?

Mr. GAINES of Tennessee. Objection to what?

The CHAIRMAN. To the request that the gentleman from Pennsylvania be allowed fifteen minutes additional. The Chair hears no objection, and the gentleman from Pennsylvania [Mr. GREEN] is recognized for fifteen minutes.

[Mr. GREEN of Pennsylvania addressed the committee. See Appendix.]

Mr. GAINES of Tennessee rose.

Mr. LOUD. I will say to the gentleman from Tennessee that there seems to be a desire that the committee should now rise.

Mr. GAINES of Tennessee. Is there any agreement about general debate to-morrow?

Mr. LOUD. None whatever. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BURKETT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Post-Office appropriation bill and had come to no resolution thereon.

DEATH OF HON. WILLIAM J. GLENN, DOORKEEPER.

Mr. PAYNE. Mr. Speaker, I offer the following resolutions, which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. William J. Glenn, Doorkeeper of the House.

Resolved, That as a mark of respect to his memory the Speaker appoint a committee of seven to attend the funeral services.

The resolutions were unanimously agreed to.

The SPEAKER, in pursuance of the resolutions, appointed the following committee: Mr. VREELAND, Mr. SHERMAN, Mr. GILLET of New York, Mr. ALEXANDER, Mr. RYAN, Mr. LOUDENSLAGER, and Mr. WILSON.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2379. An act granting an increase of pension to George W. Evans—to the Committee on Invalid Pensions.

S. 2046. An act granting an increase of pension to Thomas E. Sauls—to the Committee on Invalid Pensions.

S. 2976. An act granting an increase of pension to Edward Thompson—to the Committee on Invalid Pensions.

S. 3390. An act granting an increase of pension to Charles Allen—to the Committee on Invalid Pensions.

S. 880. An act granting an increase of pension to Emory S. Foster—to the Committee on Invalid Pensions.

S. 3849. An act granting an increase of pension to Benjamin F. H. Luce—to the Committee on Invalid Pensions.

S. 2768. An act granting an increase of pension to John G. Hutchinson—to the Committee on Invalid Pensions.

S. 3514. An act granting an increase of pension to Leander Parmelee—to the Committee on Invalid Pensions.

S. 4111. An act granting an increase of pension to Abner J. Pettee—to the Committee on Invalid Pensions.

S. 1872. An act granting an increase of pension to Abbie George—to the Committee on Invalid Pensions.

S. 6. An act granting a pension to Charles H. Stone—to the Committee on Invalid Pensions.

S. 1095. An act granting an increase of pension to Mary Morgan—to the Committee on Invalid Pensions.

S. 4022. An act granting an increase of pension to Annie E. Brown—to the Committee on Invalid Pensions.

S. 2079. An act granting an increase of pension to William Wheeler—to the Committee on Invalid Pensions.

S. 3995. An act granting a pension to Susan E. Clark—to the Committee on Invalid Pensions.

S. 3916. An act granting an increase of pension to John S. Mitchell—to the Committee on Pensions.

S. 13. An act granting an increase of pension to George Daniels—to the Committee on Invalid Pensions.

S. 3252. An act granting an increase of pension to Jesse W. Bice—to the Committee on Invalid Pensions.

S. 1235. An act granting an increase of pension to Elizabeth Steele—to the Committee on Invalid Pensions.

S. 1809. An act to remove the charge of desertion now standing against Charles G. Brigham—to the Committee on Military Affairs.

S. 1634. An act to remove the charge of desertion against Thomas Cordingly—to the Committee on Naval Affairs.

S. 3662. An act granting a pension to Sarah C. Nicklin—to the Committee on Pensions.

S. 2293. An act for the relief of Matthew T. Lewis—to the Committee on Military Affairs.

S. 3481. An act granting an increase of pension to James E. Dexter—to the Committee on Invalid Pensions.

S. 4071. An act granting an increase of pension to George C. Tillman—to the Committee on Invalid Pensions.

S. 4214. An act granting an increase of pension to John McDonald—to the Committee on Invalid Pensions.

S. 1039. An act granting an increase of pension to Nathanial C. Goodwin—to the Committee on Invalid Pensions.

S. 3216. An act granting an increase of pension to Henry M. Taylor—to the Committee on Invalid Pensions.

S. 2505. An act granting an increase of pension to John Barnard—to the Committee on Invalid Pensions.

S. 951. An act granting an increase of pension to Charles Ambrook—to the Committee on Invalid Pensions.

S. 965. An act granting an increase of pension to Ella B. Gamble—to the Committee on Invalid Pensions.

S. 2371. An act granting a pension to Andrew J. Felt—to the Committee on Invalid Pensions.

S. 2329. An act granting an increase of pension to Peter Bittman—to the Committee on Invalid Pensions.

S. 1979. An act granting an increase of pension to Samuel M. Howard—to the Committee on Invalid Pensions.

S. 3696. An act granting an increase of pension to Edward H. Armstrong—to the Committee on Invalid Pensions.

S. 3327. An act in amendment of sections 2226 of an act approved February 2, 1901, entitled "An act to increase the efficiency of the permanent military establishment of the United States"—to the Committee on Military Affairs.

CHANGE OF REFERENCE.

By unanimous consent, the following changes of reference were made:

The bill (S. 2082) granting an increase of pension to Louise Ward, from the Committee on Invalid Pensions to the Committee on Pensions.

The bill (S. 1681) granting an increase of pension to Maria Louisa Michie, from the Committee on Invalid Pensions to the Committee on Pensions.

And then, on motion of Mr. LOUD (at 4 o'clock and 35 minutes) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, relating to the use of part of an appropriation for purchase of a device for filing money-order statements in the office of the Auditor for the Post-Office Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Agriculture submitting an estimate of appropriation for printing and binding—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William B. Horner against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Julia Walsh, administratrix of estate of Murtha Walsh, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of A. G. Cadle, administrator of estate of Mark Cadle, against the United States—to the Committee on War Claims, and ordered to to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of David G. Orr against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, relating to the appropriation for lights on Isle aux Peches, Michigan—to the Committee on Interstate and Foreign Commerce.

A letter from the Acting Secretary of the Interior, transmitting, with a communication from the Commissioner of the General Land Office, a request that the manual of surveying instructions be legalized—to the Committee on the Public Lands, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. FOERDERER, from the Committee on Banking and Currency, to which was referred the bill of the Senate (S. 176) to provide for the extension of the charters of national banks, reported the same without amendment, accompanied by a report (No. 876); which said bill and report were referred to the House Calendar.

Mr. BRICK, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 89) to construct a road to the national cemetery at Dover, Tenn., reported the same without amendment, accompanied by a report (No. 878); which said bill

and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MINOR, from the Joint Select Committee on Useless Papers in the Executive Departments, to which was referred sundry documents, submitted a report (No. 882); which was ordered printed, and referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 5357) for the relief of William Leech, reported the same with amendments, accompanied by a report (No. 877); which said bill and report were referred to the Private Calendar.

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 9870) to correct the military record of Reinhard Schneider, reported the same with amendment, accompanied by a report (No. 881); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6015) to remove the charge of desertion against Patrick Cassidy, reported the same adversely, accompanied by a report (No. 879); which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 7289) for the relief of Thomas McEntee, reported the same adversely, accompanied by a report (No. 880); which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 5908) granting an increase of pension to Mrs. Clara W. McNair, widow of Rear-Admiral F. V. McNair—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12406) for the relief of John W. Foote, helpless child—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. TAYLOR of Alabama: A bill (H. R. 12451) amending the statutes relating to patents, relieving medical and dental practitioners from unjust burdens imposed by patentees holding patents covering methods and devices for treating human diseases, ailments, and disabilities—to the Committee on Patents.

Also, a bill (H. R. 12452) granting to the Mobile, Jackson and Kansas City Railroad Company the right to use for railroad purposes the tract of land at Choctaw Point, Mobile County, Ala., and now held for light-house purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. NEVILLE: A bill (H. R. 12453) to amend an act entitled "An act to provide for the opening of certain abandoned military reservations, and for other purposes," approved August 23, 1894—to the Committee on the Public Lands.

By Mr. RICHARDSON of Tennessee: A memorial of the legislature of Tennessee, favoring the election of United States Senators by popular vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BLAKENEY: A bill (H. R. 12454) for the relief of William W. Kurz—to the Committee on Claims.

Also, a bill (H. R. 12455) granting an increase of pension to James L. Smith—to the Committee on Invalid Pensions.

By Mr. BOREING: A bill (H. R. 12456) for the relief of Edward Combs—to the Committee on Military Affairs.

By Mr. CROWLEY: A bill (H. R. 12457) to correct the military record of Brice Prater—to the Committee on Military Affairs.

By Mr. DARRAGH: A bill (H. R. 12458) granting an increase of pension to William M. Barstow—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 12459) granting a pension to George H. Daddysman—to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 12460) to correct the military record of John E. Wool—to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 12461) to correct the military record of Frederick Soloten—to the Committee on Military Affairs.

Also, a bill (H. R. 12462) granting a pension to Hannah Waldron—to the Committee on Pensions.

By Mr. FOSS: A bill (H. R. 12463) granting an increase of pension to Samantha Williams—to the Committee on Invalid Pensions.

By Mr. FOSTER of Vermont: A bill (H. R. 12464) granting a pension to Frances A. Wilkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12465) to provide for the payment of medical expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough—to the Committee on Military Affairs.

By Mr. GILLET of New York: A bill (H. R. 12466) granting an increase of pension to Philip Peterson—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 12467) to remove the charge of desertion from Thomas Morgan, member of Company H, One hundred and twenty-sixth Regiment Illinois Infantry Volunteers—to the Committee on Military Affairs.

By Mr. HOWELL: A bill (H. R. 12468) for the relief of Phineas Curran—to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 12469) granting an increase of pension to Mary Mershon, widow of Thomas Mershon, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12470) granting a pension to Maranda Birkhead, widow of William O. Birkhead, deceased—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 12471) granting a pension to John H. Ayres—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12472) granting a pension to John T. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12473) granting a pension to Alfred Melvin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12474) granting a pension to Levin W. Bothum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12475) granting a pension to James H. Weston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12476) granting a pension to J. Mitchell Collins—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 12477) for the relief of Simon R. Hampton—to the Committee on Military Affairs.

By Mr. LEWIS of Pennsylvania: A bill (H. R. 12478) granting an increase of pension to Conrad Laukenman—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 12479) for the relief of the First Presbyterian Church, Dalton, Ga.—to the Committee on War Claims.

By Mr. McCLEARY: A bill (H. R. 12480) granting an increase of pension to Phoebe L. Peyton—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 12481) for the relief of the estate of James H. Huey, deceased—to the Committee on War Claims.

By Mr. RAY of New York: A bill (H. R. 12482) granting an increase of pension to Eunice A. Smith—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 12483) granting a pension to John F. Yeargin—to the Committee on Invalid Pensions.

By Mr. SCHIRM: A bill (H. R. 12484) granting an increase of pension to Joseph Inlose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12485) to remove the charge of desertion from the naval record of Philip Berger—to the Committee on Naval Affairs.

By Mr. HENRY C. SMITH: A bill (H. R. 12486) to pay and reimburse William J. Miller, Ann Arbor, Mich.—to the Committee on Claims.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12487) for the relief of William Leech—to the Committee on Claims.

By Mr. SOUTHARD: A bill (H. R. 12488) for the relief of Silas Borton—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 12489) granting an increase of pension to Ebenezer Wilson—to the Committee on Invalid Pensions.

By Mr. TALBERT: A bill (H. R. 12490) granting an increase of pension to Joseph Culbreath, late second lieutenant Company

L, Palmetto Regiment South Carolina Volunteers, in war with Mexico—to the Committee on Pensions.

By Mr. DRISCOLL: A bill (H. R. 12491) granting an increase of pension to Harvey Linsley—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 12492) granting an increase of pension to Callie West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12493) for the relief of James Hilliard—to the Committee on War Claims.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 12494) to correct the military record of Thomas W. Miller—to the Committee on Military Affairs.

By Mr. SNOOK: A bill (H. R. 12495) granting a pension to Amelia Hollinshead—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Flint Glass Workers' Union No. 65, of Homestead; Operative Potters' Union No. 51, of Canonsburg, Pa., and Lathers' Union of Charleroi, Pa., for the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BULL: Resolution of Electrical Workers' Union No. 99, of Providence, R. I., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of the New England Shoe and Leather Association, urging the creation of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Division 57, Locomotive Engineers; Lodge No. 66, Railway Trainmen; Stereotypers' Union No. 53, and Cigar Makers' Union No. 10, all of Providence, R. I., favoring restriction of immigration of persons, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

By Mr. BUTLER of Pennsylvania (by request): Resolutions of Carpenters' Union No. 587, Coatesville, Pa., and Boiler Makers' Union No. 17, of Chester, Pa., concerning immigration—to the Committee on Immigration and Naturalization.

By Mr. CALDERHEAD: Resolutions of Interstate Irrigation Congress, with reference to reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolution of National Shoe Wholesalers' Association, for removal of the tariff on hides—to the Committee on Ways and Means.

Also, resolutions of Railroad Trainmen's Lodge No. 155, of Herrington, Kans., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. CAPRON: Resolution of the New England Shoe and Leather Association, in favor of the establishment of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Rhode Island Lodge, Mule Spinners' Association, Pawtucket, R. I., asking for a further restriction of the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. CONRY: Petition of Newspaper Mailers' Union, of Boston, Mass., favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolution of National Shoe Wholesalers' Association, for removal of the tariff on hides—to the Committee on Ways and Means.

Also, petition of Penny Pouch Express Company, Boston, Mass., in relation to handling third and fourth class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Typographical Union of New York City, favoring increase of letter carriers' salaries to $1,200 per annum—to the Committee on the Post-Office and Post-Roads.

By Mr. CORLISS: Resolutions of Bricklayers' Union No. 2, of Detroit, Mich., urging the enactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Box Makers and Sawyers' Union No. 124, Stonecutters' Association, Tile Layers' Union, Street Railway Employees' Union, Steam Fitters' Association, Plasterers' Union, Bricklayers' Union, Upholsterers' Union, and Pattern Makers' Association, all of Detroit, Mich., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution directing the Attorney-General to institute proceedings under act of July 2, 1890, against Commercial Cable Company—to the Committee on Interstate and Foreign Commerce.

By Mr. CROMER: Resolutions of Indiana Engineers' Society, urging that the Census Bureau should include municipal statistics—to the Committee on the Census.

Also, resolutions of Typographical Union No. 332, of Muncie, Ind., against the passage of bills amending the copyright law—to the Committee on Patents.

Also, resolution of Company F, Second Infantry, Indiana National Guard, favoring House bill 9972, increasing the efficiency of the militia—to the Committee on Militia.

Also, resolution of Perkinsville Post, No. 523, Grand Army of the Republic, Department of Indiana, favoring the building of war ships in the navy-yards—to the Committee on Naval Affairs.

Also, resolution of the Commercial Club of Muncie, Ind., indorsing the bill providing for increase of salaries of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Indiana State Board of Commerce, favoring amendment of the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Bricklayers' Union No. 16, of Alexandria; Midland Lodge No. 23, and Lodge No. 115, Mine Workers' Union, of Muncie; Bricklayers' Union No. 8, and Union No. 2, American Flint Glass Workers' Union, of Muncie, Ind., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers' Union No. 19, of Elwood; Trades Council of Dunkirk and Elwood; D. G. Reid Lodge, No. 15, of Elwood; W. A. Carney Union, No. 13; Alexandria Labor Union No. 55; Bricklayers' Union No. 16, of Alexandria; Retail Clerks' Union No. 29, and Local Assembly No. 2529, of Dunkirk; Typographical Union No. 332, and Junior Order United American Mechanics, of Muncie, and citizens of Boundary, all in the State of Indiana, favoring passage of the Chinese-exclusion bill—to the Committee on Foreign Affairs.

By Mr. DARRAGH: Petition of Stanton Post, No. 37, Grand Army of the Republic, of Stanton, Mich., requesting an investigation of the administration of the Pension Bureau—to the Committee on Rules.

Also, resolution of Bricklayers' Union No. 8, of Traverse City, Mich., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Bricklayers' Union No. 8, of Traverse City, Mich., favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. DEEMER: Petition of General Mansfield Post, No. 48, Grand Army of the Republic, Department of Pennsylvania, for an investigation of the administration of the Commissioner of Pensions—to the Committee on Rules.

Also, resolution of Bartenders' Union No. 9, and Bricklayers' Union No. 19, of Williamsport, favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolutions of Machinists' Lodge No. 140, and Division 184, Street Railway Employees, Williamsport, Pa.; Division 98, Railroad Telegraphers, Castanea, Pa.; Division 168, Railroad Conductors, Vilas, Pa., and Cigar Makers' Association No. 108, of Lockhaven, Pa., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. EDWARDS: Resolutions adopted by the Bricklayers and Masons' Union No. 1, of Butte, Mont.; of Bricklayers' Union No. 2, of Anaconda, Mont.; of Bricklayers and Masons' Union No. 3, of Great Falls, Mont.; of Typographical Union No. 256, of Great Falls, and of Cigar Makers' Union No. 361, of Butte, Mont., favoring the exclusion of Chinese laborers from the United States and their insular possessions—to the Committee on Foreign Affairs.

Also, resolutions adopted by Bricklayers and Masons' Union No. 3 and of Typographical Union No. 256, of Great Falls, Mont., favoring an educational restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. EMERSON: Resolution of S. M. Weed Lodge, Brotherhood of Railroad Trainmen, of Plattsburg, N. Y., in regard to immigration laws—to the Committee on Immigration and Naturalization.

Also, resolution of W. H. Stevenson Post, No. 102, Grand Army of the Republic, of Moriah Center, N. Y., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, paper to accompany House bill 12460, to amend the military record of John E. Wool—to the Committee on Military Affairs.

By Mr. FITZGERALD: Resolution of Typographical Union No. 6, of New York City, urging the passage of bill increasing the salary of letter carriers in cities of first class to $1,200, and in cities of the second class to $1,000—to the Committee on the Post-Office and Post-Roads.

By Mr. FLEMING: Resolutions of Marshall Division, No. 449, Americus, Ga., Brotherhood of Locomotive Engineers, favoring

bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

By Mr. FOSS: Papers to accompany House bill 12463, granting a pension to Samantha Williams—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Petition of Mellville Thomas Post, No. 515, Grand Army of the Republic, Department of Indiana, requesting an investigation of the administration of the Pension Bureau—to the Committee on Rules.

Also, resolution of Lodge No. 207, Brotherhood of Railroad Trainmen, Seymour, and Lodge No. 15, of Elwood, Ind., favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolution of Huckleberry Post, No. 391, Grand Army of the Republic, Department of Indiana, favoring the building of war ships in the navy-yards—to the Committee on Naval Affairs.

By Mr. HASKINS: Resolutions of Iron Molders' Union No. 337, of St. Johnsbury, Vt.; Machinists' Lodge No. 461, of Barre, Vt., and Railway Trackmen's Lodge No. 113, of South Barton, Vt., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. HEDGE: Petition of Cigar Makers' Union No. 155, Mount Pleasant, Iowa, and Typographical Union No. 68, of Keokuk, Iowa, in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, memorial of Reformed Presbyterian Church of Wyman, Iowa, for the amendment or radical modification of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Leather Workers' Union No. 86, Burlington, Iowa, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. HITT: Resolution of E. B. Carr Lodge, No. 115, Brotherhood of Railway Trainmen, of Freeport, Ill., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. HEMENWAY: Petition of Marine Engineers' Beneficial Association No. 26, of Evansville, Ind., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. JACKSON of Kansas: Resolutions of Steam Engineers' Union No. 75, of Coffeyville, Kans.; Locomotive Engineers of Chanute, and Railway Conductors of Arkansas City, Kans., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, papers to accompany House bill for the relief of Mrs. N. E. Bridges—to the Committee on Pensions.

By Mr. KEHOE: Petition of Woodworkers' Union No. 161, of Ashland, Ky., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. LAMB: Resolutions of Machinists' Lodge No. 10 and Tobacco Workers' Union of Richmond, Va., concerning immigration—to the Committee on Immigration and Naturalization.

By Mr. LANHAM: Resolutions of Tailors' Union No. 99 and Carpenters' Union No. 339, of Fort Worth; Carpenters' Union No. 608, of Weatherford, and Lampasas Union, No. 140, of Lampasas, Tex., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LINDSAY: Resolution of Typographical Union No. 6, of New York, N. Y., in favor of increasing the compensation of letter carriers of first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Interstate Irrigation Congress, favoring irrigation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

By Mr. LIVINGSTON: Resolution of Granite Cutters' Union of Lithonia, Ga., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

Also, resolutions of Carpenters' Union No. 317, Atlanta, Ga., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Chamber of Commerce of Atlanta, Ga., favoring a reciprocity treaty with Cuba—to the Committee on Ways and Means.

Also, resolution of the Chamber of Commerce of Atlanta, Ga., for the construction by the Government of a Pacific cable—to the Committee on Interstate and Foreign Commerce.

By Mr. LOUDENSLAGER: Petition of various citizens of Haddonfield, N. J., for an amendment to the Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

Also, resolutions of Bricklayers' Union No. 7; Division No. 170, Order of Railroad Conductors, and Typographical Union No. 132, all of Camden, N. J., favoring passage of the Chinese-exclusion bill—to the Committee on Foreign Affairs.

Also, resolutions of Carpenters' Union No. 620, Vineland, N. J.; Garment Workers' Union No. 101, Rosenhayn; Trenton Lodge No. 38, Railroad Trainmen; Division No. 22, Locomotive Engineers, and Carpenters' Union No. 121, of Bridgeton, N. J., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. McCALL: Petition of Cigar Makers' Union No. 169, of Cambridge, and International Union No. 35, of Lynn, Mass., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. McRAE: Resolutions of the Switchmen's Union, Lodge No. 147, of Texarkana, Ark., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. MORRELL: Resolutions of Union No. 19, American Flint Glass Workers, Philadelphia, Pa., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of Interstate Irrigation Congress, with reference to reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. NEVILLE: Resolutions of L. S. Cook Division, No. 389, of Fremont, Nebr., and of Division No. 303, Brotherhood of Locomotive Engineers, of Chadron, Nebr., favoring an educational qualification for immigrants, and for other purposes—to the Committee on Immigration and Naturalization.

Also, resolutions of the Interstate Irrigation Congress at Sterling, Colo., relating to irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. RAY of New York: Resolution of Chenango Lodge, No. 252, Railroad Trainmen, of Norwich, N. Y., for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers' Union No. 17, of Ithaca, N. Y., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill 12492, granting an increase of pension to Mrs. Callie West—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12493, for the relief of James Hilliard—to the Committee on War Claims.

By Mr. RIXEY: Resolutions of United Glass Bottle Blowers' Association, of Alexandria, Va., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Indiana: Resolutions of Order of Railway Conductors No. 119, of Fort Wayne, and of Brotherhood of Railroad Trainmen, Lodge No. 586, of Ashley, Ind., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of Journeymen Stonecutters, A. of N. A. (Fort Wayne Branch), favoring an educational qualification of immigrants—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Nebraska: Paper to accompany House bill 5693, granting a pension to Mrs. Sarah Harlow—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 9475, granting a pension to John W. Genung—to the Committee on Invalid Pensions.

Also, papers to accompany House bill relating to the correction of the military record of Peter Coyle—to the Committee on Military Affairs.

By Mr. RUMPLE: Resolutions of Barbers' Union No. 116, Journeymen Barbers' International Union of America, of Davenport, Iowa, urging educational test in restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Painters, Paperhangers, and Decorators' Union No. 199, American Federation of Labor, of Davenport, Iowa, urging the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. RUPPERT: Resolution of Retail Grocers' Association of Brooklyn, N. Y., urging the passage of the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 6, of New York City, urging an increase in the pay of certain letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Resolutions of Grain Shovelers' Union No. 109, of Buffalo, N. Y., favoring enactment of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Outside Freight Handlers' Union No. 242, and of Buffalo Harbor, No. 41, American Association, Masters and Pilots of Steam Vessels, of Buffalo, N. Y., favoring enactment of House bill 9053, to enforce law of domicile—to the Committee on Labor.

Also, resolutions of Buffalo Harbor, No. 41, Masters and Pilots' Association, against House bill 10158—to the Committee on the Merchant Marine and Fisheries.

By Mr. SHERMAN: Resolution of Bakers and Confectioners' Union No. 141, of Utica, N. Y., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SIBLEY: Resolutions of Bricklayers, Masons, and Plasterers' Union No. 23, of Bradford, Pa.; of Central Labor Union of Kane, Pa.; of Journeymen Barbers' International Union of America, Union No. 91, and of Union No. 25, of Oil City, Pa., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petitions of Oil City Division, Order of Railway Conductors, No. 163; of Journeymen Bricklayers' International Union of America No. 91; of Brotherhood Boiler Makers and Iron Ship Builders' Union No. 156; of Iron Molders' Union No. 148, and of International Union No. 37, Plumbers and Gas and Steam Fitters, of Oil City, Pa.; of International Association of Machinists No. 422, of Bradford; of Franklin Lodge, No. 256, International Association of Machinists, of Franklin, and of Bottle Blowers' Union No. 47, of Sheffield, Pa., asking for the prohibition of immigrants other than wives and children who can not read—to the Committee on Immigration and Naturalization.

By Mr. HENRY C. SMITH: Paper to accompany House bill 7924, for the relief of Joseph R. Smith—to the Committee on Invalid Pensions.

Also, resolutions of Order of Railway Conductors, Wolverine Division, No. 182, asking that railroad trains be equipped with automatic couplers, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of Comstock Post, No. 352, Grand Army of the Republic, of Michigan, for investigation of administration of Bureau of Pensions—to the Committee on Rules.

By Mr. WM. ALDEN SMITH: Petitions of H. P. Clark Post, No. 153, Grand Army of the Republic, Department of Michigan, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, petition of Bricklayers' Union No. 1, of Grand Rapids, Mich., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SPERRY: Resolution of Bridgeport Typographical Union, No. 329; R. J. Costello Lodge, No. 423, Brotherhood of Railroad Trainmen, of Waterbury, Conn.; Carpenters' Union No. 804, of Nantucket; Elm City Lodge, No. 201, Railroad Trainmen; Excelsior Lodge, No. 259, of Derby; Association of Machinists No. 362, of Ansonia, Conn.; and Coremakers' Union No. 85, of New Haven, Conn., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. STEWART of New York: Resolution of Brotherhood of Boiler Makers and Shipbuilders of Schenectady, N. Y., advocating the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SULLOWAY: Petitions of Woman's Christian Temperance unions of East Manchester, Littleton, West Unity, Webster, Boscawen, and Rindge, N. H., for the passage of the anti-polygamy amendment bill—to the Committee on the Judiciary.

By Mr. SUTHERLAND: Resolutions of Ogden Lodge, No. 127, International Association of Machinists, of Ogden; of Salt Lake Typographical Union, No. 115; of Iron Molders Union No. 231, and of Express Drivers' Local Union No. 108, of Salt Lake, Utah, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Order of Railway Conductors Division No. 124, of Ogden; of Tailors' Local Union No. 111, of Ogden, and of the Salt Lake Typographical Union, No. 115, of Salt Lake, Utah, favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SULZER: Resolution of Typographical Union No. 6, of New York City, favoring increasing the salaries of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of United Retail Grocers' Association of Brooklyn, N. Y., in favor of House bill 9353, known as the pure-food bill—to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Alabama: Petition of Bricklayers' Union No. 2, of Mobile, Ala., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. WEEKS: Resolutions of Plumbers' Union No. 106, Team Drivers' Union No. 122, and Railroad Trainmen's Union No. 241, of Port Huron, Mich., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Typographical Union No. 300, of Port Huron, Mich., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 6, of New York City, relating to salaries of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

By Mr. ZENOR: Resolutions of Iron Molders' Union No. 187, of New Albany, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

SENATE.

THURSDAY, *March 13, 1902.*

Prayer by Rev. TEUNIS S. HAMLIN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. It is approved.

RATES OF MAIL PAY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 12th instant, a statement prepared by the Commissioner of Navigation, relative to the rates of mail pay; which, with the accompanying paper, was ordered to lie on the table and be printed.

CREDENTIALS.

Mr. WELLINGTON presented the credentials of Arthur Pue Gorman, chosen by the legislature of the State of Maryland a Senator from that State for the term beginning March 4, 1903; which were read, and ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 280) for the relief of James M. Stradling;

A bill (H. R. 482) granting a pension to Sarah Bowers;

A bill (H. R. 3515) granting a pension to Mary A. House;

A bill (H. R. 4488) granting an increase of pension to Selden E. Whitcher;

A bill (H. R. 6014) granting an increase of pension to William Rhenby; and

A bill (H. R. 8493) granting a pension to Harry H. Sieg.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8541) granting an increase of pension to Mahlon C. Moores.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 9227) granting an increase of pension to Frederick Shafer, asks a conference with the Senate on the disagreeing votes of the two houses thereon, and had appointed Mr. CALDERHEAD, Mr. RUMPLE, and Mr. MORTON managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 184) to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C.; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented petitions of Terre Haute Division, No. 92, Order of Railway Conductors, of Terre Haute, and of Seymour Division, No. 301, Order of Railway Conductors, of Seymour, all in the State of Indiana, praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented petitions of R. E. Weidler and sundry other citizens of Garrett, of Edward Maidlow and sundry other citizens of Inglefield, of J. W. McCarty and sundry other citizens of Franklin, of C. M. Curtis and sundry other citizens of Osceola, of J. S. Denny and sundry other citizens of Campbellsburg, of G. A. Hottell and sundry other citizens of Georgetown, of B. A. Penn and sundry other citizens of Logansport, of W. H. Baynes and sundry other citizens of Salem, of Peter Soller and sundry other citizens of Shelbyville, of C. W. Lismon and sundry other citizens of Carlisle, of George Collins and sundry other citizens of South Bend, and of St. Joseph Grange, No. 584, of South Bend, all in the State of Indiana, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. HOAR presented a petition of Local Division No. 237, Order of Railway Conductors, of Worcester, Mass., praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy," and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a petition of Bricklayers and Masons' Local Union No. 40, American Federation of Labor, of Beverly, Mass., and a petition of Journeymen Plumbers' Local Union No. 127, American Federation of Labor, of Cambridge, Mass., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of Local Division No. 237, Order of Railway Conductors, of Worcester, Mass., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. DOLLIVER presented a memorial of the Retail Grocers' Association, of Dubuque, Iowa, remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of David Harding Post, No. 28, Department of Iowa, Grand Army of the Republic, of Allerton, and of Machinists' Local Union No. 273, American Federation of Labor, of Boone, in the State of Iowa, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Tri-City Bricklayers' Local Union, No. 7, of Davenport; of Stereotypers and Electrotypers' Local Union No. 40, of Des Moines; of Wood Workers' Local Union No. 167, of Lyons; of Bricklayers' Local Union No. 16, of Fairfield; of Bricklayers and Masons' Local Union No. 9, of Ottumwa; of Printing Pressmen's Local Union No. 63, of Sioux City; of Local Union No. 273, International Association of Machinists, of Boone; of Journeymen Tailors' Local Union No. 63, of Ottumwa, and of Division No. 164, Order of Railway Conductors, of Eagle Grove, all in the State of Iowa, praying for the enactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Local Division No. 391, Brotherhood of Locomotive Engineers, of Fort Madison, and of Local Division No. 164, Order of Railway Conductors, of Eagle Grove, in the State of Iowa, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. BLACKBURN. I present the petition of John G. Rogers & Co., of Winchester, Ky., relative to the adulteration of Kentucky blue-grass seed, and accompanying the petition is a letter from the Secretary of Agriculture addressed to me on the same subject. I move that the petition and accompanying letter be referred to the Committee on Finance.

The motion was agreed to.

Mr. BLACKBURN presented a petition of sundry citizens of Bracken County, Ky., and a petition of Stove Mounters' International Union No. 20, American Federation of Labor, of Louisville, Ky., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. WARREN presented a petition of the Interstate Irrigation Congress of Colorado and Nebraska, of Sterling, Colo., praying for the enactment of legislation providing for the reclamation and irrigation of the arid lands of the West; which was ordered to lie on the table.

Mr. PROCTOR presented a petition of Frontier Post, No. 70, Department of Vermont, Grand Army of the Republic, of Richford, Vt., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Granite Cutters' National Union, American Federation of Labor, of Williamstown, Vt., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a memorial of Local Union No. 264, American Federation of Labor, of Rutland, Vt., remonstrating against a reduction of the duty on cigars imported from Cuba; which was referred to the Committee on Relations with Cuba.

He also presented a petition of the Granite Manufacturers' Association of New England, of Boston, Mass., praying for the enactment of legislation granting to the Interstate Commerce Commission the power to carry out the provisions of the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. MILLARD presented petitions of sundry citizens of Elwood, David City, and Wilber, all in the State of Nebraska, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of 123 citizens of Madison, and of sundry citizens of Lincoln, Paxton, Strang, and Harrison, all in the State of Nebraska, praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by direct vote of the people; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of sundry citizens of Winchester, N. H., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Boscawen, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. SCOTT presented a petition of sundry citizens of Hovatter, W. Va., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. BERRY presented a petition of sundry citizens of the Choctaw Nation, Ind. T., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. FORAKER presented a memorial of the Lake Seamen's Union, International Seamen's Union of America, of Toledo, Ohio, and a memorial of the Lake Seamen's Union, International Seamen's Union of America, of Cleveland, Ohio, remonstrating against the enactment of legislation to change the title of the United States Marine-Hospital Service; which were referred to the Committee on Commerce.

He also presented a petition of the Trade and Labor Council, American Federation of Labor, of Chillicothe, Ohio, praying for the enactment of legislation providing for a national eight-hour daily labor for women and minors in all mercantile establishments in the United States; which was referred to the Committee on Education and Labor.

He also presented a petition of the Trades and Labor Assembly, American Federation of Labor, of Columbus, Ohio, and a petition of the Trades and Labor Council, American Federation of Labor, of Chillicothe, Ohio, praying for the enactment of legislation providing for the classification of clerks in the railway postal service; which were referred to the Committee on Post-Offices and Post-Roads.

He also introduced petitions of Painters, Decorators, and Paperhangers' Local Union No. 206, of Canton; of Electrical Workers' Local Union No. 178, of Canton; of Steam Engineers' Local Union No. 81, of Cleveland; of Stove Mounters' Local Union No. 29, of Cleveland; of Carpenters' Local Union No. 749, of Mount Vernon; of Iron Moulders and Helpers' Local Union No. 7321, of Mount Vernon; of Typographieal Union No. 199, of Zanesville; of Shirt Waist and Laundry Workers' Local Union No. 81, of Zanesville; of Cigar Makers' Local Union No. 173, of Zanesville; of Local Union No. 105, International Association of Machinists, of Toledo; of Oil, Gas, and Well Workers' Local Union No. 48, of Toledo; of Stationary Firemen's Local Union No. 2, of Toledo; of Granite Cutters' Local Union of Toledo; of the Lake Seamen's Union of Toledo; of 49 citizens of Cedarville, of 83 citizens of Cincinnati, of 47 citizens of Macksburg, of 46 citizens of Middletown, of 23 citizens of New Weston, of 12 citizens of Greenville, of 31 citizens of Tradersville, of 30 citizens of Champaign County, of 21 citizens of Hamilton County, and of 31 citizens of New Moorefield, all in the State of Ohio, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Local Unions Nos. 25, 94, 7446, 38, 9252, 52, 9117, 7321, 43, 9027, 122, 9195, 11, 9102, 637, 84, 260, 8993, 12, 749, 37, 111, 448, 28, 45, 372, 41, 108, 100, 98, 21, 679, 254, 115, 648, 647, 267, 445, 310, 561, 3, and 189, of Toledo, Springfield, Cincinnati, Cleveland, Mount Vernon, Hamilton, Chillicothe, Akron, Cutler, Uhrichsville, Dennison, Lowellville, Columbus, Sidney, and Findlay, all of the American Federation of Labor; of Grand Army Posts Nos. 37, 111, 446, 28, 45, 372, 41, 108, 100, 98, 21, 679, 254, 115, 648, 647, 267, 445, 310, 561, 3, and 189, Cuyahoga Falls, Bloomdale, Lorain, Geneva, Springfield, Neptune, Wapakoneta, Fayette, Van Wert, Urbana, Mount Vernon, Kansas, New Holland, Yellow Springs, Bolivar, Huron, Lewisville, Versailles, Newton Falls, North Georgetown, Eaton, and Cleveland, all of the Department of Ohio, Grand Army of the Republic, in the State of Ohio, praying for the enactment of legislation authorizing the construction of war vessels in navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Granges Nos. 124, 1426, and 121, of Delaware, Emerson, and Westland, Patrons of Husbandry; of the Farmers' Institute of Amanda; of the Farmers' Institute of Lucas County; of the Horticultural Society of Portage County; of 4 citizens of Amanda, 3 citizens of Ashville, 36 citizens of Bellevue, 102 citizens of Circleville, 48 citizens of Eaton, 2 citizens of Gratiot, 47 citizens of Hamersville, 42 citizens of Hinckley, 2 citizens of Mansfield, 43 citizens of Pandora, 79 citizens of Selma, 21 citizens of Thompson, 34 citizens of West Andover, and 25 citizens of Canal Winchester, all in the State of Ohio, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. KITTREDGE presented a memorial of the Cigar Makers' Local Union No. 491, American Federation of Labor, of Huron, S. Dak., remonstrating against a reduction of 20 per cent of the tariff on cigars; which was referred to the Committee on Finance.

Mr. HAWLEY presented the petition of Charles S. Blake and 46 other citizens of East Cornwall, Conn., praying for the passage of a bill to place a tax of 10 cents per pound upon oleomargarine colored in semblance of butter; which was ordered to lie on the table.

He also presented the petition of Moses W. Rathbun and 16 other members of Washington Council No. 7, Junior Order of United American Mechanics, of Noank, Conn., praying for a more rigid restriction of immigration and the exclusion of Chinese laborers; which was referred to the Committee on Immigration.

Mr. CULLOM presented the memorial of W. W. Thayer and 72 other citizens of Edwards, Ill., remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented memorials of Cigar Makers' Local Union No. 191, of Morris; of Cigar Makers' Local Union No. 259, of Bloomington, and of Cigar Makers' Local Union No. 174, of Joliet, all in the State of Illinois, remonstrating against the reduction of the duty on cigars imported into this country from Cuba and the Philippine Islands; which were referred to the Committee on Finance.

He also presented petitions of Local Union No. 253, International Association of Machinists, of Chicago; of Brick Masons' Local Union No. 5, of Jacksonville Lodge No. 22, Illinois Valley Division, of Chillicothe, and of Cigar Makers' Local Union No. 99, of Ottawa, all in the State of Illinois, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Carpenters and Joiners' Local Union No. 363, of Elgin; of Carpenters and Joiners' Local Union No. 631, of Spring Valley, and of R. H. Graham Post, No. 312, Department of Illinois, Grand Army of the Republic, of Moline, all in the State of Illinois, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented the petitions of Charles C. Shupe and 18 other citizens of Mendon, of C. A. Miller and 24 other citizens of Edwardsville, and of S. J. White and 80 other citizens of Wenona, all in the State of Illinois, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. DEPEW presented a petition of Frontier City Lodge, No. 92, Brotherhood of Locomotive Firemen, of Oswego, N. Y., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy," and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented petitions of Welden Post, No. 256, of Richfield Springs; of E. S. Young Post, No. 33, of Amsterdam; of Joseph H. McPherson Post, No. 449, of York; of Cushing Post, No. 231, of Brooklyn; of Philander Cook Post, No. 389, of Panama, and of John P. Jenkins Post, No. 421, of Suffern, all of the Department of New York, Grand Army of the Republic; of Laborers' Protective Union No. 8856, of Middletown; of Garment Workers' Local Union No. 36, of Utica; of Typographical Union No. 5, of Rochester; of Metal Polishers' Local Union No. 125, of Watertown; of Laborers' Protective Union No. 9259, of Fort Edward; of Hod Carriers' Local Union No. 9166, of Mamaroneck; of Local Union No. 284, Brotherhood of Painters, Decorators, and Paperhangers of America, of Liberty; of Fiber Pressmen's Local Union No. 9331, of Lockport; of Painters' Local Union No. 217, of Little Falls; of Butcher Workmen's Local Union No. 13, of Utica; of Paper Mill Workers' Local Union No. 9355, of South Glens Falls; of Japanners and Finishers' Local Union No. 9069, of Jamestown; of Journeymen Tailors' Local Union No. 289, of Orleans; of Bakers' Local Union No. 105, of Geneva; of Boat Builders' Local Union No. 8808, of New York; of Stove Mounters and Pattern Workers' Local Union No. 10, of Troy; of Garment Workers' Local Union No. 36, of Utica; of Coopers' Local Union No. 68, of Rochester; of Longshoremen's Local Union No. 217, of Ogdensburg; of Cigar Makers' Local Union No. 370, of Jamestown; of the Central Trades and Labor Assembly, of Elmira; of Longshoremen's Local Union No. 238, of Ogdensburg; of Typographical Union No. 315, of Poughkeepsie; of Boilermakers and Iron Shipbuilders' Local Union No. 36, of New York; of Journeymen Horseshoers' Local Union No. 23, of Buffalo; of Machinists' Local Union No. 196, of Waterwhet; of the Pattern Makers' League of Seneca Falls; of Typographical Union No. 135, of Oneonta; of Cigar Makers' Local Union No. 81, of Peekskill; of Typographical Union No. 167, of Schenectady; of Saw Smiths' Local Union No. 9099, of Brooklyn; of Journeymen Bakers' Local Union No. 148, of Newburg; of the United Trades and Labor Council of Hornellsville; of Typographical Union No. 149, of Saratoga Springs; of Garment Workers' Local Union No. 44, of Binghamton; of Glass Bottle Blowers' Local Union No. 52, of Brooklyn; of Retail Clerks' Local Union No. 146, of Lockport; of Polishers, Buffers, and Platers' Local Union No. 156, of Geneva; of the Trades and Labor Council of Olean, and of Local Union No. 106, of Poughkeepsie, all of the American Federation of Labor; of Harry Lee Post, No. 21, of Brooklyn; of Erastus T. Tefft Post, No. 355, of Brooklyn, and of Brooklyn City Post, No. 233, of Brooklyn, of the Department of New York, Grand Army of the Republic, all in the State of New York, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Bakers and Confectioners' Local Union No. 141, of Utica; of Bricklayers' Local Union No. 9, of Brooklyn; of Typographical Union No. 315, of Poughkeepsie; of Shirt Collar and Waist Cutters' Local Union No. 50, of Glens Falls; of Typographical Union No. 443, of Herkimer; of Bricklayers' Local Union No. 42, of Binghamton; of Bricklayers' Local Union No. 24, of Jamestown; of Bricklayers' Local Union No. 47, of New York; of Electrical Workers' Local Union No. 139, of Elmira; of Painters and Decorators' Local Union No. 113, of Auburn; of Boot and Shoe Workers' Local Union No. 159, of Syracuse; of Bakers' Local Union No. 179, of Auburn; of Bricklayers, Masons, and Plasterers' Local Union No. 44, of Poughkeepsie; of Cigar Makers' Local Union No. 89, of Schenectady; of Brick and Stone Masons' Local Union No. 15, of Lockport; of Journeymen Bakers' Local Union No. 178, of Jamestown; of Japanners and Finishers' Local Union No. 9069, of Jamestown; of Painters, Decorators, and Paper Hangers' Local Union No. 324, of Elmira; of Carpenters and Joiners' Local Union No. 369, of North Tonawanda; of the Granite Cutters' Local Union, of Albany; of Typographical Union No. 135, of Oneonta; of Upholsterers' Local Union No. 35, of Rochester; of Bricklayers and Masons' Local Union No. 6, of Albany; of Topographical Union No. 15, of Rochester; of Federal Labor Union No. 8631, of North Tonawanda; of Bricklayers and Masons' Local Union No. 25, of Binghamton; of Bricklayers, Masons and Plasterers' Local Union No. 54, of Oswego; of Local Union No. 90, Order of Railroad Telegraphers, of Utica; of Typographical Union No. 205, of Jamestown; of Bricklayers and Plasterers' Local Union No. 39, of Rochester; of Typographical Union No. 468, of Yonkers; of Bricklayers, Masons, and Plasterers' Local Union No. 19, of Utica; of Journeymen Barbers' Local Union No. 301, of Seneca Falls; of Typographical Union No. 62, of Utica; of Boiler Makers and Iron Ship Builders' Local Union No. 7, of Buffalo; of the Pattern Makers' Association, of Buffalo; of Bricklayers and Masons' Local Union No. 68, of Middletown; of Bricklayers' Local Union No. 4, of New York, and of Typographical Union No. 305, of Newburg, all in the State of New York, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. MITCHELL presented a memorial of sundry citizens of Linn County, Oreg., remonstrating against the enactment of legislation providing for the leasing of the arid and semiarid public lands of the West; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Roseburg, Oreg., praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of sundry citizens of Columbia County, Oreg., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Ben Butler Post, No. 57, Department of Oregon, Grand Army of the Republic, of Portland, Oreg., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of Painters' Local Union No. 10, of Portland; of the Amalgamated Association of Street Railway Employees, Union No. 181, of Portland; of Multnomah Typographical Union, No. 58, of Portland; of United Brewery Workmen's Local Union No. 201, of Portland; of Journeymen Barbers' Local Union No. 75; of Bricklayers' Local Union No. 1, of Portland; of Capitol Typographical Union, No. 210, of Salem, all of the American Federation of Labor, and of sundry citizens of Portland, all in the State of Oregon, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FRYE presented the petition of A. P. Clements and 20 other citizens of Whites Corner, Me., and the petition of Elmer E. Harris and 160 other citizens of Skowhegan, Me., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11471) making appropriations

for the diplomatic and consular service for the fiscal year ending June 30, 1903, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 6, 8, and 12.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, 7, 10, 13, 14, 15, 16, 17, 19, 20, 23, 24, 25, 26, 28, 29, 30, 31, 32, and 33, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$390,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$75,150;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with amendments as follows: In line 18 of said amendment strike out the word "Munich;" in lines 19 and 20 strike out the words "fifteen thousand" and insert in lieu thereof "twelve thousand five hundred:" in line 21, after the word "Maracaibo," insert the word "Munich;" in line 22 strike out the word "eight" and insert in lieu thereof the word "ten," and in lines 25 and 26 strike out the words "one hundred and twenty-four" and insert in lieu thereof the words "one hundred and twenty-three thousand five hundred;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: Insert after the words "Canton, China," as a paragraph, the words:

"Dawson City, Northwest Territory."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: Strike out in line 10 of said amendment the words "Dawson City, Northwest Territory;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$467,500;" and the Senate agree to the same.

EUGENE HALE,
S. M. CULLOM,
H. M. TELLER,
Managers on the part of the Senate.

ROBERT R. HITT,
ROBERT ADAMS, JR.,
HUGH A. DINSMORE,
Managers on the part of the House.

The report was agreed to.

REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (H. R. 3690) for the relief of Jacob L. Hanger; and

A bill (S. 3371) removing the charge of desertion from the name of Jacob Bowman.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 3826) for the relief of Catharine Brown, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the joint resolution (S. R. 64) authorizing the Secretary of War to loan tents to the Texas Reunion Association, reported it without amendment.

Mr. HARRIS, from the Committee on Military Affairs, to whom was referred the bill (S. 140) granting to the University of Utah additional lands adjacent to its site, reported it with amendments, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 270) to prevent trespassers or intruders from entering the Mount Rainier National Park, in the State of Washington, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 311) to provide for the purchase of a site and the erection of a public building thereon at Laramie, in the State of Wyoming, reported it without amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Indian Affairs, to whom was referred the bill (S. 2418) to ratify an agreement with the Indians of the Devils Lake Reservation, in North Dakota, and making appropriation to carry the same into effect, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Pensions, to whom was referred the bill (H. R. 2673) granting an increase of pension to John Vale, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 10956) granting an increase of pension to Frances K. Morrison, reported it without amendment, and submitted a report thereon.

Mr. HANNA, from the Committee on Commerce, to whom was referred the bill (S. 3302) to grant registry to the steamship *Manauense*, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them adversely with amendments, and submitted reports thereon:

A bill (S. 2109) granting an increase of pension to Charles C. Davis; and

A bill (H. R. 6018) granting a pension to Lue Emma McJunkin.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1363) granting an increase of pension to James A. McKeehan; and

A bill (H. R. 5289) granting a pension to Malvina C. Stith.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the fcllowing bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2669) granting a pension to Isabella Compton;

A bill (H. R. 9296) granting a pension to Mary E. Chapman;

A bill (H. R. 7320) granting an increase of pension to James Mantach;

A bill (H. R. 1325) granting an increase of pension to William J. Wallace;

A bill (H. R. 3769) granting a pension to Susan Terry; and

A bill (H. R. 2547) granting an increase of pension to William M. Guy.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11241) to amend an act entitled "An act to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes," approved January 25, 1898; and

A bill (H. R. 11474) for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 3902) to amend an act entitled "An act to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes," approved January 25, 1898, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4304) granting a pension to John S. Nelson; and

A bill (H. R. 597) granting a pension to Adella C. Chandler.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3278) to correct the military record of C. R. Dickson, reported it with an amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Commerce, to whom was referred the bill (S. 3504) to provide an American registry for the steamer *Brooklyn*, reported it without amendment, and submitted a report thereon.

Mr. NELSON. I am also directed by the Committee on Commerce, to whom was referred the bill (S. 1792) to amend an act entitled "An act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property," to report it with an amendment, and to submit a report thereon. This is the bill relating to London dock charges, and I ask that double the usual number of the report of the committee be printed.

The PRESIDENT pro tempore. The bill will be placed on the Calendar. The Senator from Minnesota asks that double the ordinary number of the report be printed. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. MORGAN, from the Committee on Interoceanic Canals, to whom was referred the bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans, reported it without amendment.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. MORGAN. Mr. President, I wish to state that the printing of the hearings is almost completed, and I think that by to-morrow or the next day copies will be on the desks of Senators.

Mr. FOSTER of Washington (for Mr. SIMON), from the Committee on Pensions, to whom were referred the following bills, reported them without amendment, and submitted reports thereon:

A bill (H. R. 7846) granting a pension to Michael Tynan; and

A bill (H. R. 5109) granting an increase of pension to Frederick M. Hahn.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (H. R. 4468) granting an increase of pension to John B. Kurth, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 7823) granting an increase of pension to Jacob D.

Caldwell, reported it with an amendment, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 7074) granting a pension to Benjamin F. Draper; and

A bill (H. R. 10132) granting an increase of pension to John Garner.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (H. R. 5073) granting a pension to Christina Daniels, reported it without amendment, and submitted a report thereon.

He also (for Mr. TURNER), from the same committee, to whom was referred the bill (S. 1629) granting a pension to James W. Humphrey, reported it with amendments, and submitted a report thereon.

He also (for Mr. TURNER), from the same committee, to whom was referred the bill (H. R. 6487) granting a pension to Kazier Washburn, reported it without amendment, and submitted a report thereon.

He also (for Mr. TURNER), from the same committee, to whom was referred the bill (H. R. 3272) granting an increase of pension to Israel P. Covey, reported it with an amendment, and submitted a report thereon.

Mr. FORAKER, from the Committee on Military Affairs, to whom was referred the bill (S. 3673) to correct the military record of Jacob Cooper, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2845) to purchase from the compiler, Francis B. Heitman, the manuscript of the Historical Register, United States Army, from 1789 to 1901, reported it with amendments, and submitted a report thereon.

Mr. SCOTT, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6847) to correct the record of Michael Hayes, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. PENROSE. I am directed by the Committee on Immigration, to whom was referred the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent, to report it with amendments. I give notice that I will submit a written report to accompany the bill early in the coming week.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

BILLS INTRODUCED.

Mr. PROCTOR introduced a bill (S. 4476) to establish a national military park at the battlefield of Fort Stevens, in the District of Columbia; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HARRIS introduced a bill (S. 4477) granting a pension to Ida P. Rankin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 4478) for the relief of the estate of Emily R. Martin, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. FORAKER introduced a bill (S. 4479) to restore to the pension roll the name of William H. Iliff; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4480) to refer the claim of William T. Scales to the Court of Claims; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. MCLAURIN of Mississippi introduced a bill (S. 4481) for the relief of T. M. Patrick, jr., administrator of the estate of T. M. Patrick, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DEBOE introduced a bill (S. 4482) for the erection of a public building at Henderson, Ky.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MCMILLAN introduced a bill (S. 4483) to amend section 553 of an act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DEPEW introduced a bill (S. 4484) to correct the military record of Calvin A. Rice; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4485) granting an increase of pension to James R. Fluent; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 4486) granting an increase of pension to Myra W. Robinson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 4487) to relieve the property owners from the assessments laid for benefits for the extension and widening of Columbia road and present Sixteenth street; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BERRY (for Mr. JONES of Arkansas) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4488) granting an increase of pension to Dina Breedlove (with an accompanying paper);

A bill (S. 4489) granting an increase of pension to Matilda C. Mitchell (with an accompanying paper); and

A bill (S. 4490) granting an increase of pension to James K. P. McGill (with an accompanying paper).

Mr. MITCHELL introduced a bill (S. 4491) for the relief of S. S. Cook; which was read twice by its title, and, with the accompanying petition, referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MCMILLAN submitted an amendment proposing to appropriate $40,600 for grading and macadamizing Fourteenth street from its present terminus to the northern limit of the "Saul tract," in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

He also submitted an amendment proposing to appropriate $8,000 for a survey for an additional conduit for the Washington water supply, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. SIMMONS (by request) submitted an amendment relative to the proposed holding of court in the towns of Tishomingo and Ada, in the Chickasaw country, Indian Territory, etc., intended to be proposed to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PETTUS submitted an amendment proposing to appropriate $15,000 for improving Coosa River, between Wetumpka and Railroad Bridge, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $75,000 for the maintenance and continued improvement of Coosa River, Georgia and Alabama, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

PROMOTION OF COMMERCE.

Mr. PATTERSON. I submit an amendment intended to be proposed by me to the ship-subsidy bill, which I should like to have read.

The PRESIDENT pro tempore. The amendment will be read.

The Secretary read the amendment, as follows:

Add at the end of the bill the following:

"SEC. 16. That none of the compensation, subsidy, or allowance herein provided for shall be paid for or upon any vessel for any voyage thereof that has employed in its crew any Chinese person not entitled to admission to the United States or to the territory thereof."

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

PERSONS IN CLASSIFIED SERVICE FROM NEW HAMPSHIRE.

Mr. GALLINGER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Civil Service Commission is hereby directed to transmit to the Senate a list of persons in the classified service charged to the State of New Hampshire, giving names, legal residence, when appointed, and amount of salary in each case.

Mr. HALE rose.

The PRESIDENT pro tempore. Does the Senator from Maine rise to this order?

Mr. HALE. No; I wish to go to the Calendar as soon as this order is concluded.

MARITIME AND SHIPPING INTERESTS.

On motion of Mr. FRYE, it was

Ordered, That the compilation prepared under the direction of the Committee on Commerce by authority of the resolution of the Senate of March 2, 1901, being the "Congressional history of legislation relating to the maritime and shipping interests of the United States," be printed.

PROMOTION OF COMMERCE.

Mr. FORAKER. I wish to give notice that if I do not get the opportunity to speak to-day on the ship-subsidy bill I shall make

some remarks to the Senate immediately after the close of the morning business to-morrow, if I may be allowed to do so.

MAHLON C. MOORES.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8541) granting an increase of pension to Mahlon C. Moores, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

J. H. GALLINGER,
JAMES P. TALIAFERRO,
Managers on the part of the Senate.
C. A. SULLOWAY,
S. W. SMITH,
ROBERT W. MIERS,
Managers on the part of the House.

The report was agreed to.

IMITATION DAIRY PRODUCTS.

The PRESIDENT pro tempore. The morning business is closed, and the Calendar under Rule VIII is in order. The Secretary will announce the first bill on the Calendar.

The bill (H. R. 9206) to make oleomargarine and other imitation dairy products subject to the laws of any State or Territory or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, was announced as the first in order.

Mr. PROCTOR. Let the bill be passed over, retaining its place on the Calendar.

The PRESIDENT pro tempore. It will be passed over without prejudice.

J. V. DAVIS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1381) for the relief of J. V. Davis.

The PRESIDENT pro tempore. The bill has heretofore been read, and the report from the Committee on Military Affairs has been read.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADJUDICATION OF PENSION CLAIMS.

The bill (S. 1685) providing for the adjudication by the Court of Claims and Supreme Court of pension claims involving difficult or important questions of law, as a means of establishing judicial precedents for the guidance of the Secretary of the Interior and the Commissioner of Pensions, was announced as next in order.

Mr. LODGE. The bill had better go over.

The PRESIDENT pro tempore. The Chair did not understand the Senator.

Mr. GALLINGER. Let the bill go over for the present.

The PRESIDENT pro tempore. It will be passed over.

Mr. COCKRELL. The Senator desires to have it retain its place on the Calendar.

Mr. GALLINGER. Yes; I desire to have it retain its place.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

Mr. COCKRELL. Retaining its present place.

ANATOMICAL BOARD OF THE DISTRICT OF COLUMBIA.

The bill (S. 2291) for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, in section 2, on page 3, line 18, after the word "delivered," to insert "if the deceased person during his last illness, without suggestion or solicitation, requested to be buried or cremated; or;" so as to read:

But no such body shall be delivered if the deceased person during his last illness, without suggestion or solicitation, requested to be buried or cremated; or if within the time specified above and before the actual delivery thereof any person claiming to be and satisfying the officer in charge of such body that he is of kindred or is related by marriage to the deceased shall claim the said body for burial or cremation, or request in writing that it be buried at public expense, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN L. SMITHMEYER AND PAUL J. PELZ.

The bill (S. 167) for the relief of John L. Smithmeyer and Paul J. Pelz was announced as next in order.

Mr. LODGE. Let the bill go over, Mr. President.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

Mr. STEWART. Is the bill objected to?

The PRESIDENT pro tempore. It was objected to.

Mr. STEWART. I hope it will be considered.

Mr. LODGE. It is a bill which will require a good deal of consideration, I think. We had it under consideration before.

Mr. STEWART. It was passed after full debate in the last Congress.

Mr. LODGE. The Senator from Maine [Mr. HALE], who is absent, I know desires to discuss it, and I want to look into it myself pretty carefully. I was opposed to it before.

Mr. STEWART. It is the same bill that passed the Senate after debate in the last Congress.

The PRESIDENT pro tempore. Objection is made. Shall the bill go over without prejudice? It will be passed over without prejudice.

Mr. STEWART. I give notice that I shall move to call it up at the first opportunity.

HUGH C. PRESTON.

The bill (H. R. 9280) for the relief of Hugh C. Preston was considered as in Committee of the Whole. It directs the accounting officers of the Treasury, in the settlement of the accounts of Hugh C. Preston, late first lieutenant, Thirty-first Infantry, United States Volunteers, to allow him credit for $737.03, the same being the amount of funds of the United States stolen from his tent at Zamboanga, in the island of Mindanao, P. I., on or about December 31, 1900, while he was acting as commissary of subsistence, in accordance with the finding of the board of survey.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JEAN LOUIS LEGARE.

The bill (S. 1475) for the relief of Jean Louis Legare, of the Dominion of Canada, was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 3, after the words "sum of," to strike out "thirteen thousand four hundred and twelve" and insert "eight thousand;" so as to make the bill read:

Be it enacted, etc., That the sum of $8,000 be, and the same hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, for full compensation to Jean Louis Legare, of the Dominion of Canada, for services and money expended in bringing into the United States and procuring the surrender of Sitting Bull and his followers, under the direction of the War Department; and that the Secretary of the Treasury is hereby authorized and directed to make payment of the same.

Mr. KEAN. I should like to have the report read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. CLAPP on the 5th instant, as follows:

The Committee on Claims, to whom was referred the bill (S. 1475) for the relief of Jean Louis Legare, of the Dominion of Canada, beg leave to submit the following report:

That the bill be amended by inserting $8,000 in lieu of $13,412, and as so amended report the bill favorably and recommend its passage.

This claim is for money expended and for services rendered by Legare in procuring the surrender of Sitting Bull and his band of Indians. After the battle of the Little Big Horn, in the year 1876, in which General Custer was killed, Sitting Bull and his band, being pursued by the army, escaped from the United States into the territory of Canada, stopping in the Wood Mountain region in the Northwest Territory of Canada. The Indians were a constant disturbance to the government of Canada, and were a menace to our own Government through their raids across the line between the two countries, and it was necessary for the United States to maintain a large number of troops on the frontier to protect the citizens from plunder and murder. During the years 1877 to and including 1881 frequent attempts were made to secure their surrender to the authorities of the United States. A commission was sent for that purpose in 1878, but the attempt was not successful; the Indians refused to come back.

In 1879 one Ellison was sent as the agent of Major Brotherton, U. S. A., with provisions and presents, and he endeavored to induce the Indians to come back, but was unable to do so. In 1881 Major Crozier, of the mounted police of Canada, held a council, gave them presents, and tried to induce them to come back. His efforts extended over a period of three months, and a letter was sent to Major Crozier by Major Brotherton, U. S. A., to be read to Sitting Bull. After receiving this letter Major Crozier gave a feast to the Indians and read the letter to them, but Sitting Bull and his band did not have faith in the mounted police and were afraid to come back to the United States.

In this condition of affairs Walter B. Jordan, then a merchant at Miles City, Mont., and now president of the First National Bank there, advised Maj. D. H. Brotherton, who was then in command at Fort Buford, to secure the services of Jean Louis Legare in connection with the return of Sitting Bull and his band. Mr. Jordan had known Legare for a number of years and he introduced Legare to Major Brotherton, assuring the latter that Legare was a man of influence with the Indians and thoroughly reliable. Being convinced that Legare was what Jordan represented him to be, Major Brotherton made an arrangement with him by which he was to exert his efforts to secure the return of the Indians, and he assured Legare that the United States would compensate him well for his services and expenses in that connection.

Legare was then, and for some time previously had been, a trader and freighter, living in a remote region of northwest Canada, and necessarily unfamiliar with the laws of the United States. He had no knowledge or intimation that Major Brotherton, of the Army, was without power to bind his Government by a contract, and the services that he rendered and the money he expended thereafter were in the belief that he had a contract with

the United States which would assure reimbursement and compensation. The services and expenditures of Legare are as follows:

(1) 1881, April 20. Provisions, tobacco, and pipes furnished Sitting Bull and followers	$350
(2) Transportation and board for Indians from Wood Mountain, Canada, to Fort Buford, Dak. T., 150 miles, at $32 per Indian:	
1881, April 26, 16 Indians	512
1881, May 22, 32 Indians	1,024
1881, July 11, 200 Indians	6,400
(3) Transportation and board of Indians from Fort Buford, Dak. T., to Wood Mountain, Canada, 150 miles, at $32 per Indian:	
1881, May 4, 4 Indians	128
1881, June 1, 3 Indians	96
1881, July 19, 1 Indian	32
(4) Provisions furnished 12 lodges of Indians, about 50 or 60 persons, from April 26 to July 2, 1881	990
(5) 1881, July 2. Provisions and tobacco furnished Sitting Bull and followers, 300 Indians	225
(6) 1881, July 3. Twelve sacks of flour furnished Sitting Bull and three headmen, at $12	144
(7) 1881, July 11. One revolver to Sitting Bull	15
(8) 1881, July 11. One looking-glass to Sitting Bull	25
(9) 1881, July 11. To one lodge	12
(10) 1882, April 12. Board and clothing for 1 Indian, 9 months, at $40	360
(11) 1882, April 20. One year's services	3,000
(12) 1882, April 22. One pony, turned over to scout	45
(13) Use of pony, from August 25, 1881, to April 22, 1882	54
Total amount claimed	13,412

Legare, at great bodily peril, entreated the Indians to return to the United States, and as a means of reaching their judgment he made presents to many of them and feasts for all of them. These things he did because he knew the Indian character and knew that by these methods only could he secure favorable action on their part. He fed 50 or 60 of them from April 26 to July 2, 1881; furnished provisions and tobacco for the band at various times, and transported and furnished them with food from Wood Mountain, Canada, to Fort Buford, Dak. T., a distance of 150 miles, through a wild and barren country. He not only transported the Indians in person, but he also carried their tepees, poles, and blankets. He was obliged to carry all the provisions, so as to provide them with everything they required on the way; also to carry wood, and for a part of the way water.

In transporting these Indians, Legare made several journeys, taking a portion of the band each time, and after arriving at Fort Buford and remaining there for a short time, returning to Woody Mountain, taking with him a small number of the Indians to verify his statement that those who surrendered themselves and came over the border were well treated by the United States Government. That the services and expenditures of Legare were appreciated by the officers of the Army is shown by the following correspondence:

[Copy telegram.]

FORT BUFORD, D. T., *May 29th, 1881.*

I have considered it best to retain Mathey's troop, as sending it away would reduce the garrison to one hundred and eighty-six (186) present for duty. I expect more Indians in very soon—perhaps the greater portion of those at Woody Mountain—and it may be some from Sitting Bull at Lake Qu'Appelle. They [are?] at the two places about sixty (60) lodges, in most cases. I am informed, two (2) families to a lodge, and in all about three hundred men, women, and children.

Mr. Legare, a trader at Woody Mountain, who has brought in his last two trips forty-eight (48) Indians, came [brought?] in on the twenty-sixth (26th) instant thirty-two (32); these were sent with the others to Yates. I sent back with him two of those he brought in, after they had seen and talked with their friends here. Mr. Legare tells me that the fact of their friends have [ing?] gone below peaceably, and were so well treated while here, will, he thinks, produce a movement at once of the Indians at Woody Mountain in this direction to surrender, as they are starving where they are, and also that there is now a strong probability that Sitting Bull himself, finding so many of his adherents leaving him, even his own daughter, will have to come in.

I have known Mr. Legare since last summer; he is well known, reliable, and I have every reason, from the way things look now, to believe his impression will be realized. He has been here quite a number of times, but usually very reticent on the subject of Indians company [coming?] in, but is now outspoken, and seems thoroughly convinced that all will come in. With this in view, I thought best to retain Mathey's troop, as I presume all that will come in will be shipped to Yates.

The Indians shipped the other day embarked cheerfully and willingly to all appearance. I sent with them Allison and Running Antelope. Mr. Legare left here yesterday with his train for Woody Mountain; said he would return in about two weeks with all the Indians who desired to come in. He brings these Indians in, hauling their plunder on his carts, and has so far fed them on the way. Can not he be reimbursed in some way?

D. H. BROTHERTON,
Major, Seventh Infantry, Commanding.

Gen. A. H. TERRY,
Commanding Department of Dakota, St. Paul, Minn.

[Telegram.]

HEADQUARTERS DEPARTMENT OF DAKOTA,
Fort Snelling, Minn., June 6, 1881.

COMMANDING OFFICER, *Fort Buford:*

Department commander regrets he has no funds applicable or available for paying Mr. Legare for bringing Indians into Fort Buford to surrender and feeding them en route.

BRECK, *Assistant Adjutant-General.*

Mr. Legare was not a man of large means, and he spent everything he had except a few dry goods in getting these Indians from Wood Mountain to Fort Buford. He has made repeated efforts through the War Department, the Court of Claims, and Congress to be compensated for his services and expenses, but has never received a dollar from this Government in any way. After failing to get anything through the War Department, he filed a petition in the Court of Claims. Testimony was taken, and the claim was so thoroughly established that no controversy was made as to the facts of his performing the services or to their value, but he was unsuccessful in his litigation for the reason that the court found that Major Brotherton had no authority to contract on behalf of the United States to pay Legare for services rendered or supplies furnished the Indians during their journey to Fort Buford, and the court held that the claim was not a legal demand against the United States cognizable in the Court of Claims for that reason, and it also held that most of the claim was barred by the statute of limitation at the time the suit was commenced, and therefore the petition was dismissed.

This case is No. 15713 in the Court of Claims, and the opinion of the court is reported in 24 Court of Claims, 513.

Since the dismissal of his claim by the Court of Claims, Legare has been constantly endeavoring to obtain relief through Congressional action, and in the Fifty-first Congress the Committee on Indian Affairs of the House of Representatives reported favorably upon his claim, to the extent of $9,000, but for some reason no bill has ever passed either House for his relief.

Realizing the great importance to both countries of the services rendered by Mr. Legare in thus insuring peace upon the border, the Canadian government, without any request from Legare, and without his knowledge, by act of Parliament voted him the sum of $2,000 as a gratuity. The evidence shows that in expenditures and in services rendered there should be paid Legare $13,412. Of course this is exclusive of interest for the more than twenty years which have elapsed since these things were done. In addition to the expense of transporting the supplies furnished the Indians, from Wood Mountain to Fort Buford—a distance of 150 miles—Legare had to pay duties thereon, ranging from 5 to 40 per cent of their value, to the Canadian government.

The testimony of all the witnesses shows that Legare is a man of the highest integrity. Alexander R. MacDonell, in command of the northwest mounted police, stationed at Wood Mountain Post, testified in the case, in the Court of Claims, that he had known Legare for many years; knew of the services which he had rendered the United States in returning Sitting Bull and his band, and when asked what he knew as to Legare's character, he said:

"Without exception, he is the most honest man I ever met. I do not think he is capable of doing a dishonest act."

In the judgment of your committee, payment of the amount claimed by Legare should be made without further delay, and it will be far from an adequate return for the saving of property and lives and the expenditures for military forces, which would have been made necessary if these Indians had remained in Canada, making forays across the border from time to time. We therefore recommend that the bill do pass for the sum of $8,000.

The PRESIDENT pro tempore. The question is on the amendment reported by the Committee on Claims.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. JULIA L. HALL.

The bill (S. 1308) for the relief of Mrs. Julia L. Hall was considered as in Committee of the Whole. It directs the Treasurer of the United States, as ex officio sinking-fund commissioner of the District of Columbia, to sell the bonds authorized to be issued under the provisions of the sixth section of the act of Congress entitled "An act to provide for the settlement of all outstanding claims against the District of Columbia and conferring jurisdiction on the Court of Claims to hear the same, and for other purposes," approved June 16, 1880, and out of the proceeds of the sale of said bonds to pay and satisfy the claim of Joseph T. H. Hall, of Washington, D. C., now deceased, against the District for $18,664.19, without interest, that being the amount found due him by the judgment of the Court of Claims under date of June 22, 1895, under the provisions of the act approved February 13, 1895, entitled "An act to amend an act entitled 'An act to provide for the settlement of all outstanding claims against the District of Columbia and conferring jurisdiction on the Court of Claims to hear the same, and for other purposes,' approved June 16, 1880," and to pay that amount to Mrs. Julia L. Hall, his widow.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FIRST LIEUT. JOSEPH M. SIMMS.

The bill (S. 3360) for the promotion of First Lieut. Joseph M. Simms, Revenue-Cutter Service, was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. MARTIN on the 6th instant, as follows:

The Committee on Commerce, to whom was referred the bill (S. 3360) for the promotion of First Lieut. Joseph M. Simms, Revenue-Cutter Service, having considered the same, report thereon with a recommendation that it pass without amendment.

The bill has the approval of the Treasury Department, as will appear by the following letter:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, February 3, 1902.

SIR: I have the honor to acknowledge the receipt of your letter of the 30th ultimo, referring to me the bill S. 3360, Fifty-seventh Congress, first session, for the promotion of First Lieut. Joseph M. Simms, Revenue-Cutter Service, now on the "permanent waiting orders" list, to the grade of captain on that list.

The highly creditable and meritorious record of Lieutenant Simms, as set forth in the papers accompanying your letter, which are herewith returned, proves the merit and deserving of that officer. I therefore return the bill and recommend that it be passed without amendment.

Respectfully,

L. M. SHAW, *Secretary.*

The CHAIRMAN COMMITTEE ON COMMERCE,
United States Senate.

Following is brief sketch of Lieutenant Simms's record:

He enlisted, in 1861, in the volunteer service, and served as first corporal in District of Columbia Volunteers, in the defense of Washington, for three months, receiving honorable discharge at the expiration of his term.

In August, 1863, was appointed acting master's mate in the United States Navy.

May 5, 1864, the commander of the U. S. S. *Daylight*, in his report to the admiral on the destruction of Confederate salt works, said:

"Colonel Jourdan informs me that a detachment under the command of Acting Ensign J. W. Willard and Acting Master's Mate J. M. Simms were conspicuous in all their movements, especially in the charge through the thicket under fire."

In April, 1864, while in pursuit of the torpedo boat *Squib*, he received a slight wound in the face. The officer in charge of the second launch, in his report to the admiral, said:

"I am very gratified to say that Mr. Simms, officer of the piece in the second launch, was remarkably cool, and directed the working of the gun in a most creditable and skillful manner."

During the bombardment of Fort Fisher Mr. Simms had charge of the 11-inch pivot gun on the *Minnesota*, and commanded a company of 44 men from that ship in the assault upon the fort. When within 50 yards of the fort he was shot, the bullet entering near the right knee, passing upward 14 inches and out at the hip. The executive officer, Lieut. Commander James Parker, wrote as follows to the mother of Mr. Simms:

"Your gallant son yesterday, in assaulting Fort Fisher, was wounded. His wound is not dangerous, though severe. No bones broken. He goes to the naval hospital at Norfolk, Va., by the same vessel with this. His conduct was splendidly gallant, and I regret that he did not escape unhurt. He will be recommended for promotion."

Reference to "Mentions" in official records:

"The conduct of Acting Master's Mate Joseph M. Simms was splendidly gallant.

"Acting Master's Mate Joseph M. Simms and Arthur F. Aldrich are fine young men. Simms I know to be eminently worthy. Both men were severely wounded while in the extreme front; both richly merit their promotion."

Mr. Simms was granted sick leave and taken home.

As late as May, 1865, Mr. Simms was on crutches with two bad openings in thigh and hip. In February, 1866, he was ordered to the South Pacific Squadron; broke down in a year, and was sent to the naval hospital at Washington, having been promoted to acting ensign.

In July, 1868, Simms was appointed third lieutenant in the Revenue-Cutter Service, having received honorable discharge from the Navy.

James Parker, late lieutenant-commander, United States Navy, under date of August 6, 1869, wrote to Lieutenant Simms as follows:

"It affords me pleasure to state that during the period of your service as mate on board the U. S. frigate *Minnesota*, (of which vessel I was the executive officer), your conduct as an officer and a gentleman was everything that could be desired in either. You were always prompt and precise in the discharge of your duties and perfectly correct in conduct and morals. Your bravery displayed in the various actions with Fort Fisher, both on shipboard and in the naval assault upon that fortress, your patience and fortitude while suffering from the severe wound you received in the assault, won the admiration of all who observed or knew of either. It was my pleasure to recommend you for promotion; and at the close of the war, when the volunteer branch of the service was largely reduced, to recommend you for retention in the service. You have my warmest wishes for your future welfare, and particularly for your success in your coming examination."

In March, 1872, Simms was promoted to second lieutenant, and in November, 1879, to first lieutenant, having to pass both physical and professional examinations.

In March, 1893, Lieutenant Simms was examined for promotion to the grade of captain, but failed to pass a satisfactory physical examination. He was kept on duty for one year, when he was detached and placed on "waiting orders."

April 24, 1895, after Congressional act approved March 2, 1895, relating to the examination of officers of the Revenue Service, providing for a "permanent waiting orders" list, Lieutenant Simms was examined, and on May 3, 1895, placed permanently off duty, the board having reported him permanently incapacitated.

In the spring of 1898 Lieutenant Simms tendered his service to the Navy and to the Revenue-Cutter Service in the war with Spain. He was informed by the Treasury Department that in the absence of the necessary legislation the Department could not order officers en the "permanent waiting orders" list to active duty.

The passage of the bill will provide for the advancement of Lieutenant Simms to a grade which he would have attained but for physical failure, which failure was due to his wounds and arduous service. It will give him an increase in pay amounting to $900 a year.

Mr. COCKRELL. After the word "authorized," in line 4, I move to strike out the words "and directed." I do not think it is proper for us to direct the President to do so and so. If amended as I propose, the bill would read:

That the President of the United States be, and he is hereby, authorized, etc.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Missouri to strike out the words "and directed."

The amendment was agreed to.

Mr. HOAR. Let that bill be read once more, Mr. President.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill as amended, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to advance Lieut. Joseph M. Simms, Revenue-Cutter Service, one grade, from first lieutenant to that of captain, on the "permanent waiting orders" list in the Revenue-Cutter Service, for meritorious acts of public service and wounds received in the United States service, as appears upon the public records of the volunteer service of the Army and Navy and of the Revenue-Cutter Service.

Mr. HOAR. Of course I make no objection to a bill based on such satisfactory reasons as those; but I should like for information to ask the Senator from Missouri if the President has not in the Revenue-Cutter Service that power now without an act of Congress?

Mr. COCKRELL. Not now.

Mr. HOAR. Why not?

Mr. COCKRELL. Because this officer was found physically incapacitated for promotion, and the President can not promote an officer who is on what is called the "Waiting orders list."

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DESERT-LAND PAYMENTS.

The bill (S. 314) for the relief of persons who made the first payment for desert lands under the act of March 3, 1877, but who were unable to perfect entry thereof, was considered as in Committee of the Whole. It proposes that in any case where, before March 3, 1891, under an act of Congress entitled "An act to provide for the sale of desert lands in certain States and Territories," approved March 3, 1877, any person made the first payment into the local land office and filed a declaration of his intention to reclaim a tract of desert land pursuant to the provisions of that act, and where such person was unable from any cause, other than his own fraudulent or unlawful act, to make final entry of such land, or any part thereof, the Secretary of the Interior shall, upon proper application, cause to be repaid to the person making such payment, or to his heirs or assigns, all the money so paid as such first payment upon lands of which he was unable to make final entry as aforesaid. But an assignment of the desert-land claim, or an error on the part of the original claimant in filing upon land not subject to desert entry, shall not defeat such repayment; that application for repaymenl must be made within three years after the passage of this act, or the right thereto will be deemed abandoned; and that assignees shall be entitled to such repayment only where the assignment was made before December 6, 1899, etc.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM C. DODGE.

Mr. WARREN. I should like to call up——

Mr. PLATT of Connecticut. I hope the Senator will let the next case on the Calendar come up.

Mr. WARREN. Very well.

Mr. COCKRELL. Regular order, Mr. President.

The bill (H. R. 299) for the relief of William C. Dodge was considered as in Committee of the Whole. It proposes to pay to William C. Dodge, of Washington, D. C., $10,000 for a cartridge-loading machine furnished by him to the United States upon an order from the Ordnance Department, and for the use of his invention of the same, and of the patent therefor, dated July 17, 1866, and for his improvement in cartridges, patented July 4, 1865, and for the infringement of such patents by the United States; and provides that the $10,000 shall be in full satisfaction of all claims for such use and infringements and for the relinquishment of all right to claim any further compensation for the use of the same by the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NEBRASKA JUDICIAL DISTRICTS.

The bill (S. 2443) to divide Nebraska into two judicial districts was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FORT NIOBRARA MILITARY RESERVATION.

The bill (S. 3666) to authorize the sale of a part of the Fort Niobrara Military Reservation in the State of Nebraska was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment in line 11, to strike out "nine hundred" and insert "one thousand four hundred and forty;" so as to read:

That the Secretary of the Interior be, and he is hereby, authorized to sell to the village of Valentine, Nebr., the northwest quarter of section 29, and the northeast quarter of section 30, and the east one-half of the southeast quarter of section 30, and the east half of section 31, all in township 34 north of range 27, west of the sixth principal meridian, Cherry County, State of Nebraska, now a part of the Fort Niobrara Military Reservation, for the sum of $1,440.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AGREEMENT WITH SIOUX TRIBE.

The bill (S. 2992) to ratify an agreement with the Sioux tribe of Indians of the Rosebud Reservation in South Dakota, and making appropriation to carry the same into effect, was announced as the next business in order.

Mr. PLATT of Connecticut. I shall desire to discuss this bill at a greater length than is allowed under the rule. It is not a unanimous report of the Indian Affairs Committee. It involves the whole question of public policy about what we are going to do with these Indian reservations, and I shall desire to take some time in its discussion. I think the bill had better stand over, retaining its place on the Calendar.

The PRESIDENT pro tempore. The bill will be passed over, retaining its place on the Calendar.

LIEUT. ROBERT PLATT, UNITED STATES NAVY.

The bill (S. 3317) authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander, was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report in the case be read.

The SECRETARY read the report submitted by Mr. HANNA on the 7th instant, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 3317) authorizing the President to appoint Robert Platt, United States Navy, to the rank of commander, having considered the same, report thereon with a recommendation that it pass.

The bill has the approval of the Navy Department, as will appear by the following letter, written in response to a request of this committee for its views on a like bill in the first session of the Fifty-sixth Congress, which then passed the Senate, but failed in the House:

NAVY DEPARTMENT, *Washington, February 24, 1900.*

SIR: Referring to your communication of the 20th instant, inclosing a copy of the bill (S. 3077) authorizing the President to appoint Lieut. Robert Platt, U. S. N., to the rank of commander, and requesting the views of the Department in regard thereto, I have the honor to submit the following statement:

In consideration of long and faithful service in the Volunteer Navy, Mr. Platt was, by special act of Congress approved June 7, 1878, appointed an acting master, not in the line of promotion, and when, by virtue of the act of March 3, 1883, the grade of master was changed to that of lieutenant (junior grade), he became a lieutenant (junior grade), not in line of promotion.

The position occupied by Lieutenant Platt in the Navy is unique. On the 14th of March, 1897, he reached the age of 62 years, at which age he would, if of or above the rank of commander, have been placed on the retired list, but such action in the case of an officer of his rank is expressly prohibited by section 1445 of the Revised Statutes.

This officer would some years ago have attained the rank to which it is the purpose of the bill now to advance him, and would thereafter have received the pay of that grade, had it not been for the fact that he was not in the line of promotion, having been an acting officer only.

In consideration of the peculiar status occupied by Lieutenant Platt and the meritorious features which an examination of his entire record discloses, the Department views with favor the purpose of the bill above mentioned, which is understood to be to place this officer on the retired list as a commander. It is suggested, however, that while the bill in its present form, if enacted into law, would perhaps bring about such result, it would seem better to effect it by an express provision. This suggestion is made in view of the terms of section 11 of the "personnel act," which might be held to call for the retirement of the officer concerned with the rank of captain, instead of that of commander, which is understood to be the measure of reward in contemplation. It is recommended, therefore, that the latter clause of the bill be so amended as to directly authorize the retirement of Lieutenant Platt as a commander, and a draft embodying this suggestion is inclosed. With such modification, the bill is commended to the favorable consideration of the committee.

In this connection the attention of the committee is invited to H. R. Report No. 2806, Fifty-fourth Congress, second session, and S. Report No. 380, Fifty-fifth Congress, first session.

Very respectfully, JOHN D. LONG,
Secretary.

Hon. EUGENE HALE,
Chairman Committee on Naval Affairs, United States Senate.

A bill authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and is hereby, authorized to appoint Robert Platt, lieutenant of the junior grade, United States Navy, not in the line of promotion, to rank of commander, United States Navy, and to place him upon the retired list of the Navy as such.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANNIE S. HUMMEL.

The bill (H. R. 8486) granting a pension to Annie S. Hummel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Annie S. Hummel, widow of David Hummel, late captain Company C, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES H. WICKHAM.

The bill (H. R. 4084) granting an increase of pension to Charles H. Wickham was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles H. Wickham, late of Company H, One hundred and forty-second Regiment New York Volunteer Infantry, and to pay him a pension of $17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS BUTLER.

The bill (H. R. 4209) granting a pension to Thomas Butler was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Thomas Butler, late of Company M, Third Regiment United States Cavalry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL M. GRAVES.

The bill (H. R. 1743) granting a pension to Samuel M. Graves was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel M. Graves, late of Company G, Tenth Regiment New York Volunteer Heavy Artillery, and to pay him a pension of $20 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HERBERT A. BOOMHOWER.

The bill (H. R. 4821) granting an increase of pension to Herbert A. Boomhower was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "seventeen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Herbert A. Boomhower, late of Company D, First Regiment Vermont Volunteer Cavalry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

DANIEL SCHRAM.

The bill (H. R. 5536) granting an increase of pension to Daniel Schram was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Schram, late of Company B, Thirty-second Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE AT BURLINGTON, IOWA.

The bill (H. R. 11306) to extend the time for the costruction of a bridge across the Mississippi River at Burlington, Iowa, was considered as in Committee of the Whole. It provides that the time for the beginning of the construction of a bridge across the Mississippi River by the Citizens' Bridge Company shall be extended for one year from the 2d day of March, 1902, and the time for its completion shall be extended for three years from the 2d day of March, 1902.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUIS WEBER.

The bill (H. R. 1375) for the relief of Louis Weber was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report be read.

The Secretary read the report submitted by Mr. HANNA on the 11th instant, as follows:

The Committee on Naval Affairs, to whom was referred the bill (H. R. 1375) for the relief of Louis Weber, having considered the same, report thereon with a recommendation that it pass.

The bill has the approval of the Navy Department, as will appear by the following letter of the Secretary of the Navy in the following House report:

"The Committee on Naval Affairs, to whom was referred the bill (H. R. 1375) for the relief of Louis Weber, beg leave to submit the following report and recommend that said bill do pass without amendment:

"This is a bill enacting that Louis Weber, of Fauquier Springs, Va., be declared entitled to the benefits of the acts of August 4 and 5, 1854, as to reenlistment pay during his last service, from August 25, 1864, to July 9, 1867, in the United States Marine Corps.

"The facts are substantially set forth in House Report No. 1820 of the third session, Fifty-fifth Congress, which is appended to and made a part of this report."

[House Report No. 1820, Fifty-fifth Congress, third session.]

The Committee on Naval Affairs submit the following report on the bill (H. R. 8124) which asks that Louis Weber be declared entitled to the benefits of the acts of August 4 and 5, 1854, for reenlistment pay from August 25, 1864, to July 9, 1867, in the United States Marine Service.

Louis Weber enlisted as a musician in the United States Marine Corps at Washington on the 15th day of December, 1842, and served practically continuously until July 9, 1867—something over twenty-four years.

On October 5, 1862, claimant reenlisted under an advertised promise by the United States recruiting officers of a bounty for all who should reenlist at that time. It was afterwards held, however, by the proper accounting officer that there was no law for such a bounty, and claimant was therefore discharged under date of August 18, 1864, for the purpose of permitting him to reenlist in a legal manner.

Claimant went to New York and, under date of August 25, 1864, reenlisted as a substitute and was assigned for duty with the United States Marine Corps at Washington, and was regularly mustered out of the service under date of July 9, 1867.

The act above referred to, of August 4, 1854, section 1284 of the Revised Statutes, provided that every soldier who, having been honorably discharged from the service of the United States, shall within one month thereafter reenlist shall be entitled to $2 per month in addition to the ordinary pay of his grade for the first period of five years after the expiration of his previous enlistment, and a further sum of $1 per month for each successive period of five years so long as he shall remain continuously in the Army.

By act of August 5, 1854, section 1612, Revised Statutes, the benefits of the act of August 4, 1854, were extended to noncommissioned officers, musicians, and privates of the United States.

Claimant has received no bounty from his State or Government, and claims the reenlistment pay from the date of last enlistment, August 25, 1864, to July 9, 1867, thirty-four and one-half months.

This bill was referred to the honorable Secretary of the Navy for his recommendation, and the reply is herein incorporated as a part of this report:

"NAVY DEPARTMENT, *Washington, April 7, 1898.*

"SIR: Referring to the bill (H. R. 8124) for the relief of Louis Weber, and in response to the request of the committee for its views thereon, the Department has to state that the claim of Weber for the benefits of the acts of August 4 and 5, 1854, has been considered and adversely decided by the Assistant Comptroller of the Treasury. (See Decisions of the Comptroller of the Treasury, vol. 3, p. 640, and numerous authorities cited therein.) It thus appears that in the opinion of this officer, which seems to have been carefully considered, Weber is not entitled, under existing law, to the benefits of said acts. It nevertheless remains true that if Weber had voluntarily reenlisted he would have been entitled to the benefits of the acts, and that the Comptroller's construction of the law debars him from these benefits because he entered the service as a substitute. It seems, therefore, to the Department that, Congress having the power to give him the benefit of the act, there is no reason why it should not do so.

"Very respectfully,

"JOHN D. LONG.

"CHARLES A. BOUTELLE,
"*Chairman Committee on Naval Affairs, House of Representatives.*"

It will thus be seen that the honorable Secretary of the Navy is of the opinion that the claimant should be allowed to receive the benefits of the reenlistment pay. In this opinion the committee concur. The claimant's long and honorable service—twenty-four and a half years in the Marine Corps—in the opinion of the committee, justly entitles him to the modest claim, which he prefers, for reenlistment pay for thirty-four and a half months, and they therefore report the bill favorably with a recommendation that it pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MEDALS FOR OFFICERS AND CREW OF THE KEARSARGE.

The bill (S. 3791) to provide suitable medals for the officers and crew of the United States vessel of war *Kearsarge*, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Navy be, and he is hereby, authorized and directed to ascertain the number and names of the officers and crew now surviving and the heirs of those deceased of the United States vessel of war *Kearsarge* who were on board said vessel at the time she engaged and sank the Confederate vessel of war *Alabama*, off Cherbourg, France, January 19, 1864; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to provide each of said officers and crew now surviving, and the heirs of those deceased, with a bronze medal, with proper superscription and design.

SEC. 2. That the Secretary of the Navy is hereby authorized to see that such medals are properly distributed to said surviving officers and crew and the heirs of those deceased.

The amendment was agreed to.

Mr. COCKRELL. Let the report be read.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The Senator from Missouri asks for the reading of the report. The report will be read.

The Secretary read the report submitted by Mr. HALE on the 11th instant, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 3791) to provide suitable medals for the officers and crew of the United States vessel of war *Kearsarge*, having considered the same, report thereon with a recommendation that it pass with an amendment as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Navy be, and he is hereby, authorized and directed to ascertain the number and names of the officers and crew now surviving and the heirs of those deceased of the United States vessel of war *Kearsarge* who were on board said vessel at the time she engaged and sank the Confederate vessel of war *Alabama*, off Cherbourg, France, January 19, 1864; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to provide each of said officers and crew now surviving, and the heirs of those deceased, with a bronze medal, with proper superscription and design.

"SEC. 2. That the Secretary of the Navy is hereby authorized to see that such medals are properly distributed to said surviving officers and crew and the heirs of those deceased."

The bill as amended has the approval of the Navy Department, as will appear by the following letter:

NAVY DEPARTMENT, *Washington, February 27, 1902.*

SIR: Referring to the bill (S. 3791) to provide suitable medals for the officers and crew of the United States vessel of war *Kearsarge*, I have the honor to state that the Department has no objection to urge to the passage of the measure, it appearing to be appropriate to recognize in the manner proposed an important historical event such as the destruction of the *Alabama*. It is observed that, as worded, the bill authorizes the Secretary of the Navy "to appropriate out of any money in the Treasury not otherwise appropriated," * * * which is, however, doubtless an oversight on the part of those that drafted the measure, and, although authorizing in the first section medals to the heirs of those deceased who participated in the engagement, directs that only the names of the survivors shall be ascertained by the Department.

I transmit herewith a draft of a measure in amendment for the convenience of the committee if it deems advisable to change the bill in the particulars herein mentioned, and commend the same to its favorable consideration.

Very respectfully,

JNO. D. LONG, *Secretary.*

Hon. EUGENE HALE,
Chairman Committee on Naval Affairs, United States Senate.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EAST ST. ANDREWS BAY BRIDGE.

The bill (H. R. 9332) to authorize the Dothan, Hartford and Florida Railway Company to construct a bridge across East St. Andrews Bay, navigable water, at a point about 1 mile east of Farmdale, in the State of Florida, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NIAGARA RIVER BRIDGE.

The bill (H. R. 10305) to amend section 14 of the act approved June 29, 1898, entitled "An act to provide for the construction of a bridge across the Niagara River," was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERTINE SCHOENECKER.

The bill (S. 4414) granting an increase of pension to Albertine Schoenecker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albertine Schoenecker, widow of John W. Schoenecker, late captain Company C, Forty-fifth Regiment New York Volunteer Infantry, and to pay her a pension of $30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANDERSON HOWARD.

The bill (H. R. 11144) granting an increase of pension to Anderson Howard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anderson Howard, late of Company D, Palmetto Regiment, South Carolina Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GRAZING LAND IN WYOMING.

The bill (S. 3908) granting homesteaders on the abandoned Fort Bridger Military Reservation, in Wyoming, the right to purchase one quarter section of public land on said reservation as pasture or grazing land, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with amendments, in line 4, page 1, after the word "Reservation," to insert "or on the Fort Sanders or the Fort Laramie abandoned military reservations;" and in line 6, after the word "Wyoming," to insert "and is now residing on said reservations under the provisions and requirements of the homestead law;" so as to make the bill read:

Be it enacted, etc., That each person who has exercised the right of homestead entry on the abandoned Fort Bridger Reservation, or on the Fort Sanders, or the Fort Laramie abandoned military reservations, in the State of Wyoming, and is now residing on said reservations under the provisions and requirements of the homestead law, or who is the owner in fee of 160 acres thereon by purchase, shall, upon proper proof of settlement, homestead, or other legal title upon said reservations, be entitled to the right to purchase, under such rules and regulations as the Secretary of the Interior may prescribe, at $1.25 per acre, not exceeding one quarter section of the public lands on said reservations as pasture or grazing land not otherwise disposed of: *Provided*, That land so purchased be unfitted for cultivation and homestead entry by reason of lack of water for irrigating purposes or otherwise: *And provided further*, That said purchase of pasture or grazing land shall not, with the land heretofore entered by the applicant, exceed in the aggregate 320 acres.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting homesteaders on the abandoned Fort Bridger, Fort Sanders, and Fort Laramie military reservations in Wyoming the right to purchase one quarter section of public land on said reservations as pasture or grazing land."

HOUSE BILL REFERRED.

The bill (H. R. 184) to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C., was read twice by its title, and referred to the Committee on the Judiciary.

FREDERICK SHAFER.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 9227) granting an increase of pension to Frederick Shafer, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I move that the Senate insist upon its amendment and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. GALLINGER, Mr. BURTON, and Mr. PATTERSON were appointed.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business.

Mr. BERRY. The Senator from Washington [Mr. FOSTER] asked me to yield to him for a moment, and I yield.

WASHINGTON STATE SOLDIERS AND SAILORS' HOME.

Mr. FOSTER of Washington. I ask that the Senate proceed to the consideration of the bill (S. 1912) granting to the State of Washington 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Washington State Soldiers and Sailors' Home.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. BERRY. Mr. President, one of the reasons I have heard given most frequently why this bill should be passed is that it is not altogether so bad as a bill which was pending during the last Congress, which failed to pass. This is somewhat faint praise, I think, for a bill, and faint praise is said to be at times more damaging than direct criticism.

Mr. President, I state that in my judgment this bill is better than that bill in one particular, and one only; that in many other ways it is a worse bill, and that in every way except in one it is equally bad with the bill which failed in the last Congress. It is better in the fact that for the first five years it will not cost as much money as the bill to which I have alluded.

It is worse in the fact that, if it accomplishes the purpose which its friends hope, in coming years it will cost many million dollars more than the other bill. It is worse in the fact that there is no limitation in this bill as to the amount which may be expended in any one year, while the other bill was limited to $9,000,000 a year. It is worse in the fact that there is no limitation whatever as to the time when these appropriations shall continue, while the other bill limited it to a period of twenty years. It is worse in the fact that the other bill required that these ships which receive the benefit should carry freight equal to 50 per cent of their cargo capacity.

This bill does not require them to carry any freight whatever. It is worse than the other bill, in the fact that this bill does not compel a single beneficiary of it to build a single ship in the United States at the United States shipyards, while there was a requirement in the other bill which insured the building of some ships. It is equally bad with the other bill in the fact that it gives preference to the fast liners, those which do not carry freight, and especially it gives a special benefit to the International Navigation Company, and in that particular I want say that the bill is worse than the former measure, because it seeks to cover up, under the name of pay for carrying the mails, the idea of a direct and specific subsidy to these fast-line steamers. It is equally bad with the other bill in violating that principle of equality upon which the States were united into the Union and upon which the Republic was founded. It is equally bad, in my judgment, in being contrary to the fundamental law of the land and unconstitutional.

I am going to dare to say a few words about the Constitution, Mr. President, although the distinguished Senator from New York [Mr. DEPEW] yesterday sneered at the Democratic conscience and ridiculed the idea that any Senator could be moved or actuated by his belief in the constitutionality or unconstitutionality of a measure. Notwithstanding his sneers and his ridicule I hope there are many thousands of people in this Republic, Democrats and Republicans, who still believe that the oath we take to defend and abide by and support the Constitution of the United States is binding upon the conscience of the man who takes it. I then say that if a bill is obnoxious to the Constitution it ought not to pass the Senate.

I am fully aware, Mr. President, that there is a modern school composed, I fear, of a great many who believe that this Government has outgrown the Constitution, who believe that we should no longer be hampered by it, and the result is that we find new rules of construction. The result is that we find men seeking every pretext that they can find in order to avoid that written instrument which we all swear to obey. On the 27th of last month in the House of Representatives I heard the distinguished Secretary of State, in delivering a memorial address, lay down this proposition. In speaking of President McKinley he said that—

> He believed in a strong, aggressive nationality; in a liberal construction of the Constitution. What any self-reliant nation might rightly do, he felt this nation had power to do, if required by the common welfare and not prohibited by our written charter.

Mr. President, in the olden times I think that every court in the United States, every State and Federal court, including the Supreme Court of the United States, have said again and again that the Government of the United States is one of limited powers and these powers were defined by the Constitution, and beyond that we could not go. One of the first things that every lawyer has to learn is the difference between what a legislature of a State might do and what the Congress of the United States could do. It was taught in many of the schools of the country that a State legislature could do any act that was not prohibited by the Constitution of the United States or the constitution of the State; that the Congress of the United States could do no act unless it was authorized by the Constitution of the United States; and the most liberal constructionists never went beyond the idea that you could only do what the Constitution authorized or such necessary acts as to carry into effect those provisions which were authorized.

I say that was the former construction. All of the courts of the country said that was the law. Yet we find the Secretary of State laying down a new rule and asserting that Congress can do anything unless it be prohibited by the Constitution, although the Constitution says in specific and direct words "all powers not granted are reserved to the States or to the people thereof."

I therefore repeat that the modern idea to construe away the written instrument and leave the Congress of the United States free to do any act that the majority of its members may think will promote the general welfare is contrary to all the rulings and the belief that existed in the days of the past. It is contrary to the rulings of the Supreme Court of the United States made again and again. As to what a majority of the present court might rule I confess I am utterly unable to say, but such has been the ruling in the past.

If that rule be applied to this bill, then, Mr. President, the bill can not stand. If I stood alone upon this, I might hesitate to state my opinion, but I want to read a short extract from a letter written by ex-Senator Edmunds, of Vermont. Bear in mind that at the time he wrote it he was the employed counsel of the International Navigation Company. He was seeking, as the attorney for that company, to have that bill passed through the Congress of the United States. It had been asserted by men upon this floor, and especially by the Senator from Missouri [Mr. VEST], that if that was constitutional, then it would be constitutional to grant a bounty to the wheat raisers and corn raisers of the West and the cotton raisers of the South.

Ex-Senator Edmunds, in order to show that a proposition which granted such a bounty to the farmers would be unconstitutional, laid down the following proposition, and I assert that no definition has ever been given in such a concise and direct way that more completely expresses the true idea of the Constitution than these words used by ex-Senator Edmunds. In a letter directed to the chairman of the Committee on Commerce, something more than a year ago, he said:

> The Constitution of the United States as it now stands is designed to prevent Congress as well as the States from enacting any class legislation whatever. Equal rights and equal opportunities to engage in any business or enterprise, and to receive equal or corresponding benefits from public expenditures, are among the fundamental principles embodied in that instrument.

It is true that in the same letter the ex-Senator from Vermont sought to show that this bounty to these ships was an exception to the rule which he had so admirably laid down, and he contended that because these ships might be used in time of war, therefore Congress could grant this ship subsidy.

Mr. President, it seems to me that Mr. Edmunds would never have made that argument upon the floor of the Senate. He had voted against the subsidy bill here while he was a Senator. Now he put it upon the narrow and untenable ground, and that only, that they might be used in time of war to aid the Navy of the United States. But, Mr. President, does it not occur to any man that because they may be useful in time of war the same rule would apply to the farmers throughout the land that applies to the shipowners? If these ships can be used in time of war, I ask if wheat and corn, the two great food products of the world, without which armies can not be marched and maintained, can not and must be used in time of war?

Mr. President, if it is constitutional to give a subsidy to those ships because they may be used in time of war, I would ask some Senator upon the other side of the Chamber to say why it is not equally constitutional to give a bounty or a subsidy to the raisers of horses and mules throughout the country. No war can be carried on without either. They are not only most useful, but an absolute necessity in war. Then, how can any lawyer say that because one is used in war it is constitutional to subsidize it and unconstitutional to subsidize the other?

To carry the illustration further, no army can be raised or maintained without cotton and wool to clothe them, and the same reasoning would carry the idea that a bounty or a subsidy might be given to the cotton raisers of the South and the wool raisers of

the West. No, Mr. President; Mr. Edmunds, ex-Senator from Vermont, confidently laid down the constitutional proposition, and then sought, like many a lawyer before him, to bring the particular case with which he was employed at that time within an exception, but the exception did not apply.

I shall not now go further in regard to this; but I assert again that in the earlier days of the Republic this bill would not have stood the test of the courts. I say that in the earlier days of the Republic its injustice, its inequality, the character of class legislation embodied in the bill, would have damned it forever in the estimation of a great majority of the American people. It is only recently, when the great combinations of wealth have united to increase that wealth, that every means is sought to get around the fundamental law of the land whenever a bill pending will benefit that class, and yet when it is sought to pass an antitrust law or an income-tax law the majority of the Supreme Court stand ready to say that such laws are unconstitutional.

Before I proceed to argue as to the different clauses of this bill, I want the Senate of the United States and I want the people of the United States to know who are going to be the beneficiaries of the bill. I think the Senator from North Dakota [Mr. McCUMBER] yesterday referred to something I had said in regard to the farmers in a speech made during the last Congress. I want the farmers of the great Northwest, of the wheat-growing regions, and the farmers throughout the Southern country who grow cotton, and I want the people who labor on those farms, and those who labor in the shops throughout this great Republic of ours to know who is to get the money which the majority of their Representatives are going to take out of the Treasury and give to certain individuals. Therefore I ask that the Secretary read from the article which I send to the desk the part I have marked. Then we shall begin to understand what is behind this bill.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Without objection, the article referred to will be read.

The Secretary read from the Journal of Commerce and Commercial Bulletin of New York, of Tuesday, March 11, 1902, as follows:

IMPORTANT PROGRESS IN THE STEAMSHIP DEAL—WHITE STAR LINE BOUGHT BY MORGAN SYNDICATE—TERRITORIAL ARRANGEMENT CONCLUDED BETWEEN BRITISH AND GERMAN LINES—ANNOUNCEMENT OF THE DEAL AWAITING THE PASSAGE OF THE SUBSIDY BILL—OBJECT OF THE STEAMSHIP MEN'S VISIT.

It was learned last evening from what is considered an authoritative source that arrangements have been tentatively made—if, indeed, the matter has not already taken definite and final shape—whereby the White Star Line will pass under the management and control of the Morgan steamship syndicate. With the acquisition of this line the syndicate are now credited with controlling the following companies:

The White Star Line, with its world-wide connections.
The American Line to Southampton.
The Red Star Line to Antwerp.
The Leyland Line to Liverpool.
The Atlantic Transport to London.
The Dominion Line to Liverpool and London and the Mediterranean from Boston.

It is understood that the decision to take over the White Star Line was virtually concluded at the dinner given by Mr. Widener at Philadelphia on February 5. This dinner, it will be recalled, was announced to be merely an incidental in a trip of pleasure by Mr. Morgan to see Mr. Widener's art collection, and that Mr. Widener had invited a few friends to dine with Mr. Morgan. It may be stated definitely, however, that matters of weighty importance aside from the White Star deal were discussed at that gathering.

Among those present at the dinner who may be said to have an interest in the steamship deal were Clement A. Griscom, president of the International Navigation Company; A. J. Cassatt, president of the Pennsylvania Railroad; Bernard M. Baker, president of the Atlantic Transport Line; H. H. Rogers, representing Standard Oil Company interests, and Henry Wilding, of Richardson, Spence & Co., English agents of the American Line. Mr. Wilding is also chairman of the Leyland Line. In addition Messrs. Widener and Elkins, of the Widener-Elkins syndicate, who are commonly credited with being interested in the big steamship syndicate, were at the banquet. It will be seen that a very representative list of steamship men were on hand, and it is also significant that the dinner was held the same day that Mr. J. Bruce Ismay, manager of the White Star Line, sailed on the *Oceanic* for home, evidently after leaving his final proposition to be acted on. It will be recalled that the Right Hon. William James Perrie, a director in both the Leyland and White Star lines, accompanied Mr. Ismay to this country and returned with him.

No meeting of the shareholders of the White Star Line has yet been held to ratify the proposed scale, though no doubt is entertained by those familiar with the situation that Mr. Ismay would not have allowed matters to progress as far as they have unless he had the consent of a sufficient majority of the stock to make his own action binding.

As to the terms of the new deal, there is no definite information. It may be taken for granted, however, that the transaction will to a considerable extent be a cash one, and will not involve a very large transfer of securities of Mr. Morgan's new company in payment of the White Star property. The White Star Line is one of the closest of close corporations. It is not a public company in any sense, and shareholders desiring to sell must, under the by-laws, first offer their shares to their fellow-stockholders at a price definitely established. The capital stock is only £750,000, which is less than the value of one of the steamers, the *Oceanic*, and the stockholders have been receiving yearly dividends of 10 per cent on the capital stock. It is quite evident, therefore, that any agreement that has been made with the Morgan syndicate must have been on a very satisfactory basis to the stockholders, since they have been asked to sell and have not been the ones seeking a buyer.

WAITING THE SHIP-SUBSIDY BILL.

It is understood that in the fall or early in the new year it is the intention of the Morgan syndicate to organize a company which shall take over the various lines and that the stock of this company will be offered to investors. It is not expected, however, that any immediate official announcement of either the purchase of the White Star Line or the proposed new company will be made, at any rate at the present stage of the ship-subsidy bill. It is pointed out by interests friendly to the new company that under its present form the subsidy bill provides for vessels owned in the United States in contradistinction from American-built vessels, and it may be possible to admit a very considerable part of the tonnage Mr. Morgan's syndicate has purchased to American registry, so that this tonnage may participate in the Government's distributions. Such a condition would naturally furnish a very substantial impulse when the stock is offered for public subscription. As a matter of fact, steamship interests which are particularly well informed on the progress of affairs in Washington are looking for changes in the present ship-subsidy bill which will further benefit the syndicate lines before the final enactment of the bill.

Mr. BERRY. That is not all of the article, but sufficient for my purpose.

Mr. President, we now begin to see what many have long believed, that it is the intention and the purpose to form a syndicate which will control the entire foreign shipments on American vessels; not only that, but Mr. Morgan, united with those who have purchased the Leyland Line, has now purchased the White Star Line and has united with the president of the Pennsylvania Railroad Company, and also, as the article states, he has purchased what is known as the International Navigation Company's Line, of which Mr. Griscom is the president.

Mr. HANNA. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Ohio?

Mr. BERRY. Certainly.

Mr. HANNA. I should like to ask the Senator whether he states upon his own knowledge that Mr. Morgan has purchased the White Star Line and has purchased the other lines to which the Senator has referred?

Mr. BERRY. I have made the statement upon knowledge received from the article which has just been read. I have no other knowledge. It was published in the New York Journal of Commerce, which is not a political paper in any sense of the word, but is universally regarded as a reliable paper on commercial matters.

Mr. HANNA. If the Senator bases his statement upon a newspaper article——

Mr. BERRY. I have based it upon that. Does the Senator say that it is not true?

Mr. HANNA. I do not know anything about it, any more than does the Senator from Arkansas.

Mr. BERRY. If the Senator from Ohio has no means of knowing whether it is true or not, I certainly have not.

Mr. HANNA. But the Senator does not believe all the articles that are published in the newspapers.

Mr. BERRY. No, I do not; but I believe Mr. Morgan bought the Leyland Line, and I believe that he and Mr. Griscom are uniting to form a syndicate to control the entire shipments that are made in American-built ships or American-registered vessels. I believe that, Mr. President. I have no shadow of doubt but what they and those united with them are the parties who will be the beneficiaries under this bill if it becomes a law.

Mr. HANNA. May I interrupt the Senator again?

Mr. BERRY. Certainly.

Mr. HANNA. Does the Senator contend that under this bill a single vessel now a foreign vessel could receive any benefit?

Mr. BERRY. Not unless it was admitted to American registry.

Mr. HANNA. How could it be admitted to American registry?

Mr. BERRY. It could be admitted to American registry by an act of Congress.

Mr. HANNA. Under certain conditions.

Mr. BERRY. Under the conditions that Congress sees fit to impose.

Mr. HANNA. Is there any precedent for any such admission, except in the case of the *New York* and the *Paris*?

Mr. BERRY. Those are the most notable cases, but a number of vessels have been admitted to American registry, some during the present Congress, and one was reported by the chairman of the Committee on Commerce this morning.

Mr. HANNA. That was a special case, was it not?

Mr. BERRY. That was a vessel wrecked in Cuban waters and not coming within the law; but the Committee on Commerce reported it, and the committee also reported in favor of granting an American registry to a vessel plying on Puget Sound, which passed during the last Congress. Numerous vessels have been admitted to American registry.

The article which has been read states, and it is true, that this bill in its subsidy clause refers to vessels owned by American capital and admitted to the registry. It does not require that those vessels shall be built at the shipyards of the United States, but it says under the second head, which I am talking about and not of the mail pay, that if the vessels be owned by American citizens and be admitted to American registry, then the owners of those vessels are the beneficiaries under this bill.

I admit, Mr. President, that foreign-built vessels can not be admitted to American registry without an act of Congress, but they can be so admitted with an act of Congress. If it be

true that Mr. Morgan and those gentlemen I have named, who have the controlling interest in these lines, want vessels admitted to American registry, I have no doubt that they will be able to convince a majority of the Congress of the United States that those vessels ought to be so admitted.

I have had this article read because it proves what has been charged and believed by a great many people heretofore, that this is simply an effort to take money out of the Treasury to aid those men who are united and combined, and who represent the very greatest wealth in the United States—the president of the Pennsylvania Railroad Company, the president of the International Navigation Company, and Mr. J. Pierpont Morgan, who, I think, is regarded as one of the wealthiest men in the United States, if not in the world.

There was united with them heretofore—I do not know whether such is the case now or not—the Huntington interest and the Southern Pacific Railroad. All those men are combined and united, as I believe—men who are already immensely wealthy—to increase that wealth by taking money which belongs to all the people of the United States. That is the bill, and that is what you are called upon to vote for.

Mr. President, before I take up the specific provision relating to the mail subsidy there is one matter I desire to refer to, a statement made by the chairman of the Committee on Commerce, the Senator from Maine, the presiding officer of this body. I am sorry that he is sick to-day and unable to be here. I wanted to ask him some questions in regard to this bill, but later on I may put some of them perhaps to the Senator from Ohio.

But I want to call the attention of the Senate to a most remarkable admission made by the Senator from Maine in his opening speech. He said that he did not think he could be accused of selfishness when he said that the only way by which our carrying trade could be restored was to take from the Treasury of the United States a sufficient sum of money to make up for the difference in the cost of the construction and operation of American ships as compared with foreign ships. He did not stop there, Mr. President. He said, "You have been doing that for years; you are doing it to-day for every protected interest throughout the United States;" that is, you are taking money out of the Treasury and paying it to every protected interest in the United States. I think, coming from so distinguished a protectionist as the Senator from Maine, a leader in the cause, that that is a remarkable admission.

In 1896 on every stump, on every rostrum, and at almost every schoolhouse throughout the land, the Republican speakers said that the foreigner paid the tax, that it did not come out of the people of the United States, and the late distinguished President of the United States, in a speech made in Ohio, is reported to have said that this protective tariff is paid by the foreigner; and yet we now have the Senator from Maine declaring that it is paid out of the Treasury of the United States to every one of these protected industries.

I do not agree with the accuracy of the statement of the Senator from Maine that it comes out of the Treasury. It is taken, Mr. President, from the consumers, from the men who buy the manufactured products; it is taken from their pockets and transferred to the pockets of the manufacturers of the United States.

Now, after having done that, and after these men have grown enormously rich, the Senator from Maine proposes to go one step further. He wants to take that money, which came into the Treasury by reason of the laws which enabled these manufacturers to take it from the consumers throughout the land, and give that also to these protected interests.

It is a beautiful system you have established by means of these laws. In the first place, you enable the manufacturers to take this money out of the consumers, and then in the process you put money into the Treasury which belongs to all the people, and now this bill proposes to take that and divide it also. I was astonished when the Senator from Maine stood here and admitted that every dollar of this money was taken out of the Treasury of the United States and went to the protected manufacturers throughout the country.

Having said this much, I want to give a few reasons why I believe this bill in many particulars—not in all particulars—is worse than the bill which was defeated in the last Congress. Under the act of 1891, the postal subsidy law, we paid for carrying the mails of the United States $1,826,026, and out of this sum we paid to foreign steamers $575,665. That is the act of 1891. I do not want the people of the country to misunderstand this fact. It is heavy pay for carrying the mails.

I want to say that, even under the present law, the money is not all used for the purpose of carrying the mails. I want to say that more than one-half of it now, under the act of 1891, is a direct subsidy to the ships of this country, and in order to prove that and show it beyond the shadow of a doubt I simply want to state a fact which proves it, and which no man can deny. We paid the International Navigation Company for carrying the mails—that is the American company, that is Griscom's company, that is the one which J. Pierpont Morgan is said to have bought in the article which has been read—we paid them last year $528,526 for carrying the United States mails. We paid the Cunard Line, an English line of steamers, $213,103. Now, bear in mind the first amount is $528,526 paid to the American line, and $213,103 to the English line, and yet the English company carried almost double the amount of mail that was carried by the American company. Therefore I say that it is not true and it is misleading to say that this money is paid for carrying the mail. A portion of it is paid for that purpose, but the greater part of it is a direct subsidy to the American company.

Mr. President, with every other citizen of the United States I should be glad to see our mails carried in American vessels; with every other citizen of the United States I should be glad to see our farm products, which are shipped abroad, go in American-built and American-registered vessels; but, as a business proposition, when you come to contract for carrying the mails, the Government ought to make that contract as any business man would contract in the transaction of his business—that is, by securing the service desired for the least possible amount of money. I state to-day that however patriotic a man may be—you can take the shipowners and the owners of these shipyards in the United States themselves—if an English line of steamers will carry their freight cheaper than an American line they will patronize the English line at all times. It is human nature; it is part of the business instinct of a man to secure the lowest price possible for the work that is to be done. Therefore I assert that it is not just and fair to say that this money now paid under the act of 1891 is paid for carrying the mails. Part of it is paid for that purpose, and the remainder is a subsidy.

Now, let us see what this bill will do with them. We paid $1,826,026. Under this bill the committee say, and the chairman of the committee stated on this floor, that if a semiweekly mail was established from New York to Southampton, as he hoped and believed would be done if this bill became a law, the amount paid to the International Navigation Company, instead of being $575,000, would be $1,713,000; and yet we are told that this bill is not so bad as the bill which was under consideration at the last session. The other bill was bad because it gave to the International Navigation Company so many advantages, and yet this bill, which we are now considering, instead of giving that company $575,000 would give them $1,713,000. Yet Senators tell us that this bill is not bad; that it is a great deal better than the other bill.

Here is a question which I desire to put to the Senator from Ohio in the absence of the Senator from Maine. In answer to my inquiry the other day, whether, if this bill passed and the Postmaster-General saw proper to contract with the International Navigation Company for a semiweekly service, the expenditures for subsidy under this bill would not begin at once, the Senator from Maine said they would not, for the reason that the company only owned four ships, and it would take them one or two or three years—I do not know how long—to build other ships. Now, Mr. President, I want to ask the Senator from Ohio why in this bill there was stricken out that provision, which was in the act of 1891, which required the company with which the Postmaster-General should contract to carry the mails to Great Britain to carry such mails in ships of at least 8,000 tons, with a speed of not less than 20 knots an hour? That provision is not contained in this bill, and there is no limit as to the speed of the vessel that shall carry such mails. Under the act of 1891 the Postmaster-General can not contract with any company for the transportation of mails to Great Britain in vessels of a less speed than 20 knots an hour; but under this bill he can contract without regard to the speed.

It is stated and admitted that this same International Navigation Company has now two ships being constructed and almost ready to be launched from the Cramp shipyards in Philadelphia. They have two ships of 17 knots speed and 12,500 tons burden. Now, I ask the Senator from Ohio, the inhibition or prohibition in regard to the speed of vessels being removed, why the International Navigation Company could not put these two ships, and other ships which they can secure, in service and get this additional subsidy at once? If he knows why the provision in regard to speed was taken out of this bill, I should be glad to have him tell us.

Mr. President, I do not say there was any particular reason, but when I remember how the International Company has been petted, when I remember how its president, Mr. Griscom, from day to day and week to week, stayed in these lobbies, around the Marble Room, and in the committee rooms, I say it looks strange to me, when it is known that he is building additional ships with a speed of only 17 knots an hour, that the provision in the act of 1891 requiring mail to Great Britain to be carried in a ship of not

less than 20 knots is stricken out and there is no longer any limitation upon the speed of the vessel. I state that to be a fact, and if the Senator will examine the bill he will see it.

While I think of it, in connection with Mr. Griscom, I wish to state here that some three years ago when he was before the Committee on Commerce, when he had testified that it was impossible to run ships in competition with the English and the German ships; that by reason of the greater wages paid on American ships he could not do it; that it would not pay to do it; that it was necessary to make up the difference, I put the question to him: "Mr. Griscom, you ran those ships last year; did you make or lose money?" He hesitated and said: "That has nothing to do with it." Senator Edmunds said to him: "I think you had better answer the Senator's question;" and he did answer it. He said: "We did make money." Yet we are told that the steamship companies are losing money. We are told that it is a question of wages, and that unless the United States steps in and pays the difference the American ships can not compete.

It is admitted that under this clause the mail pay will be increased to the amount of $4,700,000, I believe, and yet the $1,800,000 now is more than double what is required to pay really for the carrying of the mail. If it were let to the lowest bidder, including foreign lines, I say it could be had for less than one-half. But the distinguished Senator from New York [Mr. DEPEW] would wave the flag in this Chamber, and in an enthusiastic, high, lofty, and patriotic manner would say "Oh, it would never do; we must see the American flag in every port throughout the world."

This reminds me that the Senator from New York in his speech here a year ago stated that if that bill became a law, within a few years we would equal and pass Germany in the carrying trade and in a few years longer we would overtake Great Britain. But he said nothing less than that proposed law would accomplish the purpose. He said it must be that; that it was scientifically arranged. I do not undertake to quote his exact language, but this is his idea: "This bill and nothing else will do it." Yet that bill authorized the expenditure of $9,000,000 a year. The Senator from New York said yesterday, "If you pass this bill, within five years the American carrying trade will surpass that of Germany and will soon equal that of Great Britain." "Yet," he said, "this bill, even at the end of five years, can not cost more than $6,000,000 a year." I should like to ask him and other Senators who are supporting this bill, and who say it will accomplish the purpose, what they wanted to do with the other $3,000,000 that was in the bill last year? If $6,000,000 per annum is enough to enable us to pass Germany and equal Great Britain, why did you from week to week press a bill for $9,000,000 a year, continuing for twenty years?

I wish to ask now, and that is what I wanted to ask the Senator from Maine, why did you have in the bill $9,000,000 when you say that $6,000,000 will accomplish the purpose, and the Senator says it will accomplish it within five years? The Democrats, then, according to the statement of the Senator from New York, if they did not do anything else at the last session but defeat that bill, now have the admission that we defeated a bill which provided for the expenditure of $9,000,000 a year for twenty years, when they now say that a measure providing for $6,000,000 at the end of five years will accomplish all that the other would. I think, then, we are entitled to some credit at least for saving that sum, if no more.

One more word in regard to the postal subsidy. It is not so much with me a matter of the dollars and cents involved in it as it is that it seeks to cover up and mislead the people of the United States. You seek to make them believe that it is necessary in order to carry their mails, when you know that that is not the purpose of a great part of it; that the purpose is to give it to the owners of these ships, and that is the main purpose. Then, if you are going to give this subsidy, I think it would be more honest to have provided for the carrying of the mail and boldly said, "We are going to take this money out of the Treasury and give it to those beneficiaries."

I will pass from the mail part of it. I am not going at length into these figures. The Senator from Georgia [Mr. CLAY] early in the session, and later the Senator from Florida [Mr. MALLORY], presented figures in such a way as to show that each of them has an accurate and thorough knowledge of the question. They showed beyond the shadow of a doubt that this appropriation is unnecessary. They showed that the shipbuilding industry in the United States was being revived. They showed that more ships were built last year in America than were built in any year for the last fifty years. They showed all this by the figures which they presented, and I shall not repeat them.

The Senator from Maine said that if we hoped to find in foreign countries a market for our products we could only get that market by carrying our products in American vessels and having American officers in command of the ships which carry them. He said that the mail had to precede the trade, and unless we had it in our own ships we never could find a market. Yet the Senator said in the same speech:

> The year before Mr. McKinley became President of the United States our exports amounted to $882,000,000. Last year they amounted to $1,487,000,000, nearly double. The year before Mr. McKinley became President of the United States our exports of manufactured products amounted to $228,000,000. Last year they amounted to $412,000,000, nearly double.

And yet he says we can get no foreign markets unless we have American-built ships with American captains, and he said we never had so few as last year; and yet in the face of that statement he says our exports have grown from $882,000,000 to $1,487,000,000, and our exports of manufactured products from $228,000,000 to $412,000,000. It seems to me we have been doing fairly well without these American captains. It seems to me that meets the argument of the Senator from Maine, that it is necessary in order to secure this trade that our products should be carried in American bottoms.

I pass to the other proposition in regard to the subsidy direct. It provides 1 cent a mile for all ships, both ways, outgoing and incoming. It is not required that these ships shall carry one pound of freight. The avowed object and purpose of this bill is that American freight and American goods shall be carried in American ships. Yet here is a cent a mile, going and coming, for 16 trips a year, and the ship which receives it is not required to carry one single pound of freight. The other bill of last year, which was said to be worse than this, required that ships should carry 50 per cent of their cargo capacity. But here is this bill giving this money to these ships when they can go out in ballast and not carry one pound of freight either one way or the other. Then there are the old ships to which the Senator from Iowa referred, some of which are on their last trip. They are to be paid this money and carry no freight. What kind of a bill is this? Do you think the Government of the United States should take this money and pay it to these men for their ships in this way?

The Senator from Iowa [Mr. ALLISON] was anxious to know from the Senator from Maine [Mr. FRYE] whether one of these ships could go to Manila and there unload part of its freight and go to Nagasaki. It is not necessary under this bill to unload any freight at Manila. The ship does not have to carry any freight to Manila under the bill in order to get the subsidy provided. It could go from Manila to Nagasaki and back around any route it saw proper and still get the subsidy and carry no freight. That is one way in which the bill is worse than the bill of last year.

The bill of last year provided that not more than $9,000,000 a year should be expended under it. There is no limit upon the amount which may be expended under this bill. It may be $5,000,000. It may be $9,000,000. It may be $15,000,000. Whatever it is the Government under this bill is bound to pay it. There is no limit on the amount to be paid every year; nor is there a limit as to how long the subsidy shall be paid.

It is true, as the Senator from Maine says, that the act could be repealed by Congress; but does any man believe that if this subsidy is once begun to these parties, if they are able now to secure the passage of a law which subsidizes the ships that carry no freight, which subsidizes these fast lines and pays them three times more than the cost of carrying the mail—does any man believe we will ever be able to repeal such a law?

No, the Senator from Maine will come again as he comes now. He said the bill of 1891 would have succeeded, but it did not give enough. He now comes and asks that we give more. If this bill becomes a law and fails to accomplish its purpose, he will say "the only difficulty is you did not give quite enough," and instead of repealing the law we will be asked to increase the amount.

Mr. President, in the argument of the Senator from Maine, made a year ago, he dwelt at length upon the proposition that we ought to pay a subsidy because the English and German and French nations were paying it, and it was in order, he said, to equalize ourselves with what they paid. In the argument he has made this year he has almost, if not quite, abandoned that proposition, and he bases it solely, as he said, upon the question of wages.

He has abandoned the idea that it is necessary for us to give a subsidy because Great Britain gives it, because the Senator from Missouri [Mr. VEST] showed in his speech the other day that the tramp ships of England, which are seen in every port in the world, are the ships which carry the products of the world. They are the ships in which 53 per cent of the foreign commerce is carried, and these English ships which do the carrying trade receive not one dollar by way of subsidy from Great Britain. I say, then, the Senator from Maine has practically abandoned the argument that it is necessary for us to give a subsidy because other nations give it.

He also a year ago laid great stress on the fact that in the building of ships we could not compete on account of the increased cost of labor. While he argued that here the other day, but not

at length as he did a year ago, he based his principal argument upon the wages paid on board ship. Now, on the first question, as to whether or not we can compete with foreign shipbuilders, the Senator from Georgia [Mr. CLAY] placed in the RECORD the other day a statement from the Blue Book of American Shipping showing the number of ships that were constructed, giving the names of the shipyards, where constructed, stating the exact place, the tonnage, and to whom they belonged, and showed by that book that more ships were being built this year than had been built at any time within the last fifty years.

Not only that, but I have a statement here from Mr. Hyde, who is president of the Bath Iron Works, I believe. He says:

The output of the American shipyards for the present fiscal year will be larger than any year for nearly half a century.

Forty-five years ago the American shipyards were building nearly as many merchant vessels and of a tonnage almost as great as that of Great Britain. During the four years preceding the civil war the product of the American shipyards represented a greater carrying capacity in tons than that of the rival shipyards of England. There is no good reason why the American shipyards should not now construct a greater tonnage that Great Britain.

American shipyards are already constructing ships for European and Asiatic nations, and there is no good reason why a large amount of the shipbuilding trade from the Clyde and the Thames should not be brought to the yards of this consolidated company, which will possess such enormous advantages over any other company in the world.

There is a statement from him that there never has been a time when the shipbuilding interest was so prosperous as it is. Not only that testimony, but the Senator from Georgia and the Senator from Missouri referred to other testimony and statements from various shipbuilders and established the fact that Mr. Hill was building ships and established a new shipyard for that purpose. The entire testimony shows that our shipbuilders can compete with those of Great Britain and Germany.

I would be glad if the Senator from Maine or anyone who favors this bill would tell me why it is not true. It is admitted that we compete with them in the building of railroad engines, railroad cars, farm implements of every character and description. We are shipping this year railroad engines and cars and farming implements to many of the ports of the world. If we can compete with those countries in building engines and cars and farming implements, why can not we compete with them in the building of ships? The men who manufacture the cars and engines and farming implements pay the tariff duties imposed by the United States. The owners of shipyards can import all of their raw material free of any charge. They have that advantage of the other manufacturers, and if these others can manufacture their goods and sell them in competition with the whole world, why can not the shipbuilders, with the advantage of free raw material, do the same?

Not only that, but the shipbuilders have the monopoly of the building of vessels for the entire coasting trade of the United States. It seems to me, with this protection, for them to say that it is impossible for them to build ships is not justified by the facts.

In addition to that, we have the evidence that Mr. Cramp's company underbid every shipbuilder throughout the world in building ships for the Russian and Italian, I believe, and the German navies—at least for the Russian, and I think for one of the other governments. If they could compete with them and be the lowest bidder and build those vessels, why can not they compete with the balance of the world without asking the Government to help them?

Mr. President, many of these great shipbuilders are known to be prosperous and rich, and it is unjust and unfair in a Government which claims to protect all of its citizens alike to ask it to levy a tribute upon the balance of the people of this country in order to put it into their own pockets. The statement that on account of the wages paid they can not compete is not true. The Senator from Georgia showed that the output of labor here is double what it is in Germany and England, and therefore the wages paid in proportion to the work produced are not any greater here than in those countries. That is proved by the statement filed by him and contained in his speech. If we pay double wages and the wage workers produce double the amount of work, then we do not pay any greater wages than in other countries.

Mr. President, the statement that we can not compete is shown in this debate to be without foundation in fact. All the proof shows that there is a revival of the shipping interest throughout this country. All the proof shows that the time has come when our shipbuilders can compete with other nations, and that the shipbuilding industry is going to be as prosperous as any other.

The Senator from Kansas [Mr. BURTON] the other day asked why it was that the ships had not been built. He might have asked why it was in times past that we did not ship any or but little of our manufactured products abroad.

The same cause that has enabled us to compete with foreign nations in manufactured articles is operating to revive the shipping and the shipbuilding industry of this country, and if you will let it alone and not contribute money out of the Treasury of the United States to build up a syndicate which will have the absolute monopoly of building ships, then that interest will be revived and come to stay. If you enable a few men with the immense wealth of Mr. Pierpont Morgan and Mr. Cassatt, of the Pennsylvania Railroad, and Mr. Griscom, of the International Steamship Company, to aid themselves out of the Treasury to form a combination which will control the shipping business, then it will not be revived. But if left to itself, to fair competition, it will take its pace with other manufacturing interests, and the time is not distant when we will have American ships built in American shipyards.

But, Mr. President, the last resort of the Senator from Maine, and that which he says makes it absolutely necessary to pass the bill, is that the wages paid on shipboard to the sailors and to the crew is so much higher on American ships than it is on foreign ships that therefore they can not operate an American ship in competition with those of other nations. The Senator from Maine furnished what he called the pay roll of an American ship and an English ship. He gave the salaries paid the officers and the sailors, except, I believe, that the master or the captain was not included. He showed by that that we paid for wages about one-third more than the wages paid on the English ship, and about one-half more than the wages paid on a German ship.

The Senator from Georgia [Mr. CLAY] also filed a list of wages on an English ship and an American ship, giving the wages of each one, as the Senator from Maine had done in his case, by which he showed that the wages paid on an American ship and an English ship are almost identical.

Now, where they got these lists I do not know. In all human probability they were both furnished by the Commissioner of Navigation. The Commissioner of Navigation in 1894 produced figures and facts that showed it was impossible to revive the shipbuilding interest in the United States except by free ships. He said there was no other way than by the repeal of the navigation laws. That was while he was Commissioner under a Democratic President. He remained Commissioner under a Republican administration, and one year ago he showed that the only possible way to revive shipping was by granting subsidies to American ships, and figured out that nothing less than $9,000,000 a year would accomplish that purpose under any circumstances. That bill failed, and that Commissioner now comes forward with facts ready to meet every emergency and shows beyond the shadow of a doubt that under a bill which he says will not cost more than $6,000,000 for five or six years, there is not a doubt in the world that shipbuilding will be revived and that American ships will sail under the American flag.

I say it is not impossible that a Commissioner of Navigation who can furnish facts and figures of that character could furnish the Senator from Georgia with a pay roll which showed that the pay was equal, and the Senator from Maine one which showed that we paid one-third more.

But, Mr. President, there is another thing. It has been asserted on this floor again and again that you could not hire seamen to work upon American vessels as cheaply as you can hire them to work on Norwegian, German, or English vessels. The Senator from Maine has repeated again and again, and he said it during the present session, that if you undertake to pay the Norwegian sailor or any other sailor less than you pay the American sailor he will not work upon the ship, and you can not sail with such a crew.

The Senator from Ohio [Mr. HANNA] the other day, when it was asserted here that Chinese were employed on the Pacific mail steamships, doubted the proposition, and wanted to know what American ships carried Chinese, and said he never heard of it; and yet the proof was furnished that three-fourths of that crew was made up of Chinese labor, and that they were paid $7.50 a month—that is, $15 in Mexican, which amounts to $7.50 in our money—while the American sailor gets paid $30, and yet no such catastrophe as the Senator from Maine predicted happened. They sailed along together, the Chinaman with his 15 Mexican dollars and the American sailor with his 30 American dollars, and yet no difficulty was produced.

I say, then, that the statement made that you could not hire cheaper has been disproven. It is not true. The Senator from Florida [Mr. MALLORY] tells us that at Pensacola and the other ports there it does not depend upon the ship in which the man is to sail, but that the amount of wages is the same whether he be hired for English, German, or American ships. When it is claimed, as the Senator from Maine does claim, that the fare on board an American vessel is far better than it is on the other vessel, it is unreasonable to say that these sailors will not work upon the American vessel at the same price that they work upon a German or an English vessel.

I repeat that this was the last foundation and the last hope of the Senator from Maine. If he has failed to show that it does

not cost more to operate the American ships, I repeat there is no foundation for the passage of the bill.

But suppose it be true that there is a slight difference in wages paid, does that justify us in breaking down the principle of equality upon which our Government was founded? Does it justify us in passing a law which many of the best lawyers in the country believe to be not authorized by the Constitution? I think even if it were true, there can be no excuse for the Congress of the United States to take this money which belongs to the whole people, and to take it from that class who need it most, and give it to the men who have been named in the article which was read at the Clerk's desk, who need it not at all. I think, Mr. President, it is an act of injustice for which there could be no excuse.

I repeat what I said in effect a year ago. If you can do this, if you can take this money to aid these ships, why can you not take it to aid the farmers, the wheat growers, of Kansas, Minnesota, or any other State, when by chance it may be that their crops are destroyed? If you can give these men a subsidy, why can you not give the cotton farmers of the South a bounty, where often the raising of the cotton costs more than the price received? Why can you not give them a bounty upon the amount of cotton shipped abroad?

I would not vote for such a proposition because I believe it to be outside of the Constitution of the United States. The Senator from New York upon yesterday sneered at what he called Democratic conscience, and referred to the river and harbor bill. He stated in his speech that the Democrats claimed the river and harbor bill to be unconstitutional.

I do not think I have ever heard a Democratic speaker make such an assertion as that. Certainly since I have been here I have never heard any man stand upon this floor and say that we did not have the right to appropriate money to improve the rivers and harbors of the country. The navigable rivers and the harbors upon our coasts are under the control and jurisdiction of the Congress of the United States. Congress can control them. Congress can keep bridges from being built across them; it can prevent all obstructions. It is directly and specifically within the power of the Constitution for Congress to appropriate for their improvement.

How the Senator from New York, who I believe to be on the Judiciary Committee, could in any way associate the improvement of rivers and harbors under the Constitution with the proposition to give money for subsidies passes my comprehension. I believe we have the right to improve our rivers and harbors. I know that there can not be a question but that we have the undoubted right, and it is the duty of Congress to appropriate for the improvement of the rivers and harbors of the country.

The Senator also alluded to the arid-land act, which passed the Senate a few days ago. Mr. President, I did not vote for that act. I voted against it in committee, and I stated upon the floor of the Senate that I could not vote for it. My objection to it was that I doubted its constitutionality. I thought that in all probability it was not in the power of Congress to pass the bill. I sympathized with the people who live in the arid-land States, and I would have been glad to have aided them in any way I could; but believing that, I was unwilling to vote for the bill.

Yet I should say, Mr. President, that there is far more constitutional warrant for that appropriation than there is for this subsidy bill. The constitutionality of such an act can be well argued, inasmuch as Congress has the right to dispose of the public lands of the United States. Congress has granted lands for school purposes again and again. If Congress could do that, it can appropriate the proceeds which arise from them for the purposes indicated in the bill which has already passed.

Congress years ago appropriated $15,000 a year to all the agricultural colleges throughout the United States. A doubt was then expressed as to whether it had the power to make such an appropriation, and in order to meet that doubt the then Senator from Vermont, Mr. Morrill, who prepared the bill, provided that the proceeds of the public lands from the various States should be used for that purpose. If that bill be constitutional, then the arid-land bill is constitutional, though, as I have before said, the remarks of the Senator from New York do not apply to me, because I did not vote for the arid-land bill.

The Senator from Ohio [Mr. HANNA] said the other day that this was merely a question of dollars and cents; that much had been said about placing everything upon a dollar-and-cent basis, and yet the opponents of the bill were opposing it on that ground. Mr. President, I speak alone for myself when I say that the question of dollars and cents is the least objectionable part of the bill to me. That to which I object is the inequality and the injustice of taking the people's money and giving it to this syndicate, this corporation. Such a policy is calculated to weaken the love and affection of the people of this nation for the Government under which they live. Such a policy builds up enormous wealth in a few hands, and when thus it is united it enables the owners of it to commit wrongs upon the remainder of the people of the United States.

When you combine great wealth and great interests in a few hands it enables them to control legislation. I say it is an injustice to the people, and it is upon this ground that I object to the bill. Such legislation when it comes to be known will sooner or later cause discontent and dissatisfaction among the thousands and hundreds of thousands of laboring men, those who work in the shops and upon the farms, who toil from the rising to the setting of the sun. It will weaken their love and confidence and faith in the Government under which they live.

Mr. President, the government which will protect the weak against the strong, that government which will deal out equal and absolute justice to every class and every citizen will endure longest and will longest command the love and admiration of the people of a nation.

I oppose this bill because it is not fair to other interests. I oppose it because it uses and appropriates money for a class, and not for the whole people.

The Senator from Maine said that the justification of the measure is that it is protection. He said that the money would go to protect these great interests which are to be paid out of the Treasury of the United States, and he said we had been doing it for years, and that we are doing it to-day. He said that on account of the difference of wages it was necessary and proper that we should do it.

Well, Mr. President, if you want to open up the flood gates, what will be the consequences? It will not be many years before the cry will be raised that the labor in Maine and Massachusetts and in New England is higher paid than the labor in Georgia and South Carolina and North Carolina. If you can pass this bill because foreigners work for less wages than American workmen, the same power, the same influences but a few years from now will come and say that the cotton mills of New England can not compete with the negro labor in the South, and therefore you must take from the Treasury of the United States a sufficient amount to make up the difference and pay it to the manufacturers of New England. There can be no objection made to such a bill which can not be made to this measure. It is the precedent, it is the injustice, it is the wrong which is to be perpetrated upon the American Government to which I object more than the amount involved. I want to see this Government administered fairly, in the interests of all. I want to see each man have an equal chance, with special benefits to none—each man an equal chance in the race of life. That is all that any man could ask. That is what any American citizen has a right to demand.

Mr. HANNA. Mr. President, the Senator from Arkansas [Mr. BERRY] directed a question to me in the absence of the Senator from Maine [Mr. FRYE]. I did not care to interrupt him at the time, and I will now undertake to answer it.

Mr. BERRY. I did not hear the Senator; I beg pardon.

Mr. HANNA. I wish to reply to the question of the Senator from Arkansas. I did not care to interrupt him during his speech. He asked why in this bill provision is not made for the fast-mail contracts, the same as in the bill of 1891.

The Senator is well aware that one of the principal objections urged by the other side to the bill of 1891 was that in limiting the speed for carrying the United States mails to fast ships it was class legislation, and put it entirely without the power of any other line except the American Line, so called, to compete for that class of service. Now, the objection comes that provisions are not made for fast ships at all, leaving it optional. Of course it is left optional; and if the Senator will study the provisions of the bill he can understand why that is done. It is because certain mail routes are provided for to the Orient, to South America, and to Australia, on which it would not be profitable to put 20-knot ships.

Mr. SPOONER. Will the Senator from Ohio allow me to ask him a question?

Mr. HANNA. Certainly.

Mr. SPOONER. I have heard that statement made several times. Where are these routes provided for?

Mr. HANNA. Where are they provided for?

Mr. SPOONER. Yes. They are not in the bill.

Mr. HANNA. The bill specifies a weekly line to the Orient, one from Seattle and one from San Francisco, or one from Puget Sound and one from San Francisco.

Mr. BERRY. Will the Senator from Ohio permit me a moment?

Mr. HANNA. Certainly.

Mr. BERRY. That which I spoke of as not being in this bill, but which was in the act of 1891, did not refer to the character of ships of which the Senator is talking. I said the bill of 1891 provided specifically that the mail from New York to Great Britain should be carried in not less than a 20-knot ship. It was a provision applying to the mails to Great Britain. I did not complain

that it was taken out, but I said it had been taken out and that my belief was it had been done in order to let the International Navigation Company bring in the two new ships that are now being built in the Cramps' shipyard and get this subsidy, although they are only 17-knot ships. That is what I said.

Mr. CLAY. Will the Senator from Ohio allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Georgia?

Mr. HANNA. Certainly.

Mr. CLAY. I understood the Senator in his remarks just now in reply to the question of the Senator from Wisconsin——

Mr. HANNA. I have not gotten through with my reply to the Senator from Wisconsin.

Mr. CLAY. To state that this bill provides for new routes to be established. If it does I have not properly read it, and I would be glad to have the Senator point out the page.

Mr. HANNA. It is in the report on the bill.

Mr. CLAY. The report of the committee says that in all probability certain routes will be established, but the bill makes no provision for any route whatever.

Mr. SPOONER. I suppose the Senator from Ohio means——

Mr. CLAY. I should like to have the Senator from Wisconsin tell me what the Senator from Ohio means.

Mr. SPOONER. I do not know what the Senator means if he adheres to the statement as he made it.

Mr. HANNA. I have not got through making my statement.

Mr. SPOONER. That is a good reason why I do not know what the Senator means, then.

Mr. HANNA. That is satisfactory. The Senator from Arkansas was discussing and taking for granted what the bill means, and he spoke about the limitation of $9,000,000 in the bill of 1891, and the reduction of this bill to $6,000,000 per annum.

Mr. BERRY. Not the bill of 1891, Mr. President.

Mr. HANNA. I mean the bill of 1901. I beg pardon.

Mr. BERRY. Yes; the bill of the last Congress.

Mr. HANNA. The Senator spoke as to what it was the purpose to do with the other $3,000,000. The Senator knows full well that the $9,000,000 in the bill of 1901 was the sum paid as a maximum amount that could be expended under any conditions. Whether they reached that point or not would depend entirely upon whether the bill was to be a success to that extent. It simply placed a maximum amount. The operations of the bill might carry it to $6,000,000, or to $7,000,000, or even to $9,000,000, but it must stop at that figure. As to the carrying of the mails upon fast lines, it was stated then that the only postal contract under the provision of the bill of 1891 would be with the American Line, a line to Australia, a line to Central America and the West Indies. Beyond that there had been no increase under the bill of 1891.

The provisions of the bill of 1902 extend the postal service to vessels of seven classes, making a knot per hour as the difference between the class for which consideration must be paid. It begins with 20 knots and goes to 14. Under those provisions the Postmaster-General is authorized to make his contracts. To assume that the Postmaster-General, acting for the Government of the United States, would do other than that which was for the best interests of the United States, is going, in my judgment, Mr. President, too far by way of argument; and to say of those on this side of the Chamber who are favoring this measure for public interests and for the development of our merchant marine that the power behind that motive is to build up monopolies or to favor any syndicate for the control of ocean freights is unfair. If a newspaper article, as read at the desk to-day, is to be taken as the authority to prove that statement, I think it is hardly worth consideration. It does not make any difference who buys foreign ships, or how many, not one ton of those ships under the provisions of this bill could be admitted to the American register; not one ton of those ships could avail itself of the benefits of this bill, and the Senator from Arkansas is fully aware of that fact.

Mr. BERRY. Mr. President, will the Senator from Ohio permit me?

Mr. HANNA. Certainly.

Mr. BERRY. I said the ships could not be admitted to American register without an act of Congress. I said Congress could admit them to the American register, as it had frequently done before.

Mr. HANNA. And the Senator went further and insinuated that because of the power and control of this syndicate and the enormous amount of money in their hands that influence would affect the action of Congress if application was made to admit these vessels to American registry. If they could be admitted to American registry there is inducement enough to enjoy the privileges of our coastwise trade. There would be no inducement to be admitted to American registry to enjoy the benefits of the provisions of this bill as compared with the benefits that would come to them by an American register for the benefit of our coastwise trade.

I did not intend, Mr. President, to go into any further discussion of the bill, but in the absence of the Senator from Maine who has charge of the measure I want to assure the Senator from Arkansas that those who drafted the bill and who are urging its provisions to-day upon this floor are actuated by just as high motives of patriotism as the Senator from Arkansas and they are just as free from any embarrassment to control their feelings and their votes upon this great economic question.

Mr. CLAY. Does the Senator from Ohio still insist that the bill contains a provision which sets forth the new routes to be established?

Mr. HANNA. No; I do not, because I was referring to the report.

Mr. CLAY. I thought the Senator was mistaken.

Mr. PERKINS. Mr. President, I should not venture to trespass upon the time of the Senate for the purpose of discussing the pending measure were it not for the fact that I am the only member west of the Rocky Mountains upon the Committee on Commerce who joined with the majority in making a report in favor of the passage of the bill. We who come from the Far West—from the Pacific coast States—have a great interest, as well as the whole country, in reviving and rehabilitating if possible the merchant marine of our country. The time was when the United States had the supremacy of the maritime commerce of the world. The time was when, if any of us visited a foreign port, be it Liverpool, Havre, Antwerp, or any great commercial port, whether a sailor before the mast or walking the quarter deck of the ship, he was greeted by the Stars and Stripes floating at the peak of eight-tenths of the ships engaged in the carrying trade of the world in every great commercial port of Europe, while to-day you may visit those ports and if out of one hundred ships you see one flying the Stars and Stripes you will be fortunate indeed.

Many plans have been proposed whereby we might rehabilitate and restore our flag to its place in the carrying trade of the ocean, among them differential duties, export bounties, premiums on home-built ships, exemption from taxes and tonnage dues, subventions, and free ships. All these have been discussed from time to time. Many measures have been presented to Congress and have been considered session after session, but none have materialized and been enacted into laws and placed upon our statute books. So, Mr. President, the chairman of the Committee on Commerce, the author of this bill, in 1891 presented a bill which he believed embodied the correct principles whereby the end which we so much desire might be brought about. This bill is an amendment to that bill, an amendment carrying out the general principles, and I am surprised at my friend from Arkansas [Mr. BERRY] when he states that this bill has no redeeming features. I think he said it was a bad one in every respect, that one of its bad features is that it does not provide a limitation in time. It seems to me that is one of the good features of the bill.

I want to say in passing, Mr. President, that I can not see why this should be made a partisan measure, for I believe as firmly as I know that I stand here that every patriotic American wants to see the commerce of our country restored to where it properly belongs in the carrying trade of the world on the ocean, on the great waterways of nature. We only differ as to the mode and manner by which we may arrive at that end. So I can not see, as I have said, why this should be a party question. I expected my Democratic friends would join hands with us in enacting this bill into law, for there has been eliminated from it every bad feature, it seems to me.

ENCOURAGEMENT TO FOREIGN SHIPPING THE FORMER POLICY OF THE DEMOCRATIC PARTY.

I have been more or less connected all my life with maritime affairs. I know something of them by experience. A wise man may learn from the experience of others, and one not wise ought to learn something from his own experience. So I thought my Democratic friends would join hands with us in this matter. I can not understand why they do not do so, unless it is that the principles of the Democratic party to-day are very different from what they were in 1845, when a Democratic Congress and a Democratic President enacted the first subsidy law, and American-built ships were successfully operated for ten years in the trans-Atlantic trade. That sterling Democrat, James Madison, led his party in Congress in 1789 in the enactment of laws that gave American ships decided preferences in the carrying of our foreign commerce.

Under that wise and beneficent legislation, American ships gained the carrying of all but about 7 per cent of that trade, and held it for sixty years. The Democratic party placed on our statute books eighty-five years ago a law which is there to-day, prohibiting foreign-built vessels engaging in our coastwise trade. The very eloquent and able speech of the Senator from Missouri

[Mr. VEST] advocates the repeal of the law prohibiting the registry in the United States of foreign-built ships, a law which was enacted by Democrats. The Democratic party has been in power a great many years since that law was enacted; they have had both branches of Congress and the Presidency during many years since the law was placed upon our statute books, but they have not had the temerity to repeal it, because they knew full well that the people would not sustain them at the ballot box if they did.

Thomas Jefferson, the revered founder of the Democratic party, was an earnest advocate and defender of legislation giving advantage to American ships in competition with foreign vessels. He declared that agriculture, manufactures, commerce, and navigation constituted the four pillars of our prosperity. I beg to commend the study of Jefferson's Encyclopedia to my friends who are opposing this bill. As I read it here it seems to me that he advocated then what are to-day the principles of the Republican party, and if I read it correctly, if he were alive to-day and here in this Senate we should find him advocating and voting for so wise and beneficent a measure as this appears to me to be.

But my friends say that this bill is contrary to the principles of Democracy. Mr. President, none know better than your honorable self [Mr. BACON in the chair] that in 1845 a Democratic Congress passed a subsidy law which, in effect, authorized the Postmaster-General to pay a certain subsidy for the transportation of the mails across the ocean, and in 1852, under the provisions of that act, we were paying $2,000,000 a year for the transportation of our mails across the ocean. Two million dollars was more in amount, so to speak, in value than $10,000,000 is to-day; at least it was harder to get such an amount then than it would now be to get the larger amount I have named.

But my distinguished friend from Missouri says, once you enact this law, it will be like the right of suffrage, it can never be taken away; it is but the beginning of the end. I do not know much about the denial of the right of suffrage, but if the truth is half told in the public press, which seems to be authority here, and which is read from the Secretary's desk from time to time, some of our States, at least, have been quite successful in restricting the right of suffrage within their borders.

DUTY OF CONGRESS TO TRY THE EXPERIMENT.

But we need not go to that. Our own experience since we have been in Congress brings before us most vividly the fact that in 1891 Congress passed an act giving a bounty of 2 cents a pound upon cane and beet sugar produced in this county of 90 degrees polariscopic test. Congress then made a contract, so far as it was possible for Congress to make a contract, that this bounty should continue for fourteen years; and yet, in a political cyclone such as comes over the country at times, three years later the political complexion of Congress changed, and that act, after it had been in force only three years, was repealed. Therefore, Mr. President, if Congressmen under another Administration differing politically from the present could repeal an act solemnly enacted, whereby they agreed to do a certain thing for fourteen years, surely, when we fix no time, the next Congress can repeal this act, if it should become a law, should they desire to do so. It seems to me we have nothing to fear in that respect.

Mr. President, I believe, as I have stated, that it is our duty as legislators to try this experiment; it is our duty to profit by the experience of other countries and to carry out this plan of legislation, which has been carefully considered and matured. If it does not prove wise and expedient and patriotic to continue it, then the same power which created it can repeal it in one year or two years, or whenever it is proven to be a failure. I hope, however, that it will be a grand success and that it will continue in operation until we shall have regained our place in the commerce of the world.

I want to say to my friend from Arkansas, who drew such a doleful picture of the monopoly of these great corporations that are to enjoy the benefits or the privileges which he claims this bill will give them, that there are no special privileges on the great ocean, which is nature's highway; there is no special right of way; there is no franchise required. Anyone can navigate the pathless ocean who has the necessary credit, and many men have it, to build a vessel to sail the ocean and compete with any corporation in the world.

There can be no special privileges under this bill. It gives none to any corporation, to any company, or to any individual. An association of cotton growers, an association of wheat growers, of corn growers, or of cattle raisers can build a vessel and transport what they have to sell to Europe, to South America, to Asia, or to any country in the world, and they can navigate their ship without asking the privilege of anyone while doing so.

CONDITION OF AMERICAN CARRYING TRADE ON THE OCEAN.

Mr. President, during the past fiscal year the foreign commerce of the United States amounted to $2,151,935,000. Of this immense amount of goods, American vessels carried only $177,398,000 worth, or 8.2 per cent. Nearly $2,000,000,000 worth of exports and imports were carried on vessels flying a foreign flag. Of a total tonnage of 59,597,000 entered and cleared in the foreign trade a foreign flag covered 79 per cent. Of our exports and imports from Europe American vessels carried only 3.07 per cent; British North America, Central America, and the West Indies, which lie at our very doors, only 45.74 per cent; South America, 13.45 per cent; Asia, 6.42 per cent; Oceania, where we have extensive possessions, 41.28 per cent.

The tonnage of American vessels engaged in the foreign trade in 1901 was 889,129, against 1,410,648 tons in 1872, a decrease of 37 per cent in thirty years. During the same period Germany's tonnage increased from 1,098,846 to 2,720,054 tons, and Great Britain's fleet engaged in foreign trade from 4,392,056 tons to 8,290,413 tons. The comparison should make every American citizen blush. If it does not, the following facts I am sure will, if he will only consider them:

The total tonnage of American steamships engaged in foreign trade is 327,284 tons. The North German Lloyd Company—a single German private enterprise—has 424,475 tons of steamships engaged in the same trade, 25 per cent more than the total steam tonnage under the American flag. The Peninsular and Oriental Steamship Company alone has 286,515 tons of steamships in the foreign trade, and the French Messageries Maritimes has 246,277 tons. One of the foreign steamship lines, therefore, greatly exceeds in tonnage the entire American steam tonnage in foreign trade, and each of two more companies nearly equals it, while every one of these companies surpasses our entire foreign merchant fleet, sail and steam combined, by 20 to 100 per cent in tonmiles, which represent the amount of business done. These three foreign steamship companies—one English, one French, and one German—alone do five times the business that the entire sail and steam merchant fleet of America performs in the ocean-carrying trade of the world.

While we have an immense trade with Europe, aggregating $1,468,000,000 in 1900, not a single American vessel entered or cleared at a port of Germany, Russia, Sweden, Norway, Denmark, the Netherlands, Italy, Austria-Hungary, or Greece. This foreign trade in 1901 increased very materially over the previous year, but only 62,435 tons net were added to American registered steam tonnage, while a single foreign steamship company has under construction 96,000 tons of ocean steamships for its international trade.

SINGLE FOREIGN COMPANIES EXCEED THE ENTIRE AMERICAN TONNAGE.

We thus see that in the matter of a merchant marine engaged in foreign trade the United States bears hardly an appreciable relation to European maritime nations, but only to single private commercial companies. We have indeed sunk to that low level. In a field where we once occupied a position second to Great Britain, with every prospect of surpassing that nation and becoming the ocean carriers of the world, we are as a nation hardly even a rival of a single German, English, or French company.

Mr. CLAY. Will the Senator from California permit me to ask him a question?

The PRESIDING OFFICER (Mr. BACON in the chair). Does the Senator from California yield to the Senator from Georgia?

Mr. PERKINS. Certainly.

Mr. CLAY. As the Senator from California is perfectly familiar with the ship business—I understand he has been in the business all his life—I will ask him a question. Take the trans-Pacific trade. It is about 7,000 miles from the Pacific coast to Japan and China, and in that trade we employ largely Chinese labor. It is about 11,000 or 12,000 miles, as I understand, from England, France, and Germany to China through the Suez Canal. I desire to ask the Senator how we can possibly have any trouble in competing with England, France, or Germany in the China trade when our Pacific coast is 5,000 miles nearer and our shipping men employ the cheapest labor in the world?

Mr. PERKINS. Mr. President, under the provisions of this bill those vessels that are to receive any benefit from it must for the first two years have at least 25 per cent of their respective crews composed of American citizens, during the next three years 33⅓ per cent, and after that 50 per cent. No American ship can therefore employ Chinese as a crew, because they are not American citizens and can not become American citizens; and my friend from Georgia, who has, I believe, crossed the Pacific, is aware that while Chinese may be employed, as they now are by the Pacific Mail Steamship Company, as firemen and coal passers, yet no white man will associate with them on shipboard. Therefore, if shipowners wish to derive benefit from this bill it will be necessary for them to employ American citizens or those who are capable of becoming American citizens by making a declaration of their intention to become such.

I want to say to my friend from Georgia [Mr. CLAY], to my friend from Florida [Mr. MALLORY], and to the other Senators who are opposing this bill that the trouble is not with their reasoning, for that is generally correct, but the trouble is they have

arrived at a wrong conclusion. They are not to be blamed, perhaps, for we frequently read the decisions of some of the great courts of the United States and are left in doubt as to what the conclusion will be until we come to the end. The reasoning of the Senators is correct, but the result at which they arrive, not to vote with the majority on this side in favor of this bill, shows that though they reason well, their conclusions are wrong.

THE AMERICAN SAILOR.

I believe in the American sailor. I believe that his is an honorable vocation. I believe this bill will encourage more people to follow the sea and become American seamen than any other legislation that has been enacted since I have been in Congress. I believe that this law will offer an inducement to the cotton raisers in the State of Georgia, where there are such splendid forests of pine, to build ships and man them with American sailors representing the homes of Georgia. I believe Alabama will find need for her iron and her coal. Her iron ore she will send to the furnaces, where it will be turned into pig iron, from that into billets of steel; then to the rolling mills, where it will be rolled out into sheets and fashioned and framed and made into ships.

I believe there will be a local pride in this, and that a new stimulus will be given to the industry of the South. That is why I thank the Senator for calling my attention to this point. It seems to me that is the very kernel, that is the very gist of this bill. It builds up and fosters American industry. Every vessel that is built in this country is a matter of interest, directly or indirectly, to everyone. Every head of a family represents five persons, as our census shows; he is a taxpayer in the community; he builds churches and supports the schools, where he educates his boys and girls in the great duties of American citizenship. There is a commendable pride and a feeling of patriotism which comes to him when he is conscious that he is helping to build something that is going to plow the ocean; that he is helping to build a vessel, helping to create something that will be a benefit to the world and to commerce.

I opposed the measure that was before the Senate a year ago because it permitted vessels built on the Clyde and built in other countries to come in here and compete with those built by our own people.

When a ship is built in England it is customary for the managing owner of the vessel to go among his friends and propose to divide the ownership of that vessel among twenty or thirty people. They all put something into the vessel, and so it becomes a family affair, so to speak. We ought to have such a system here. The splendid forests of yellow pine of Georgia will furnish the spars and decks and the houses to help build these splendid ships; Alabama will furnish the steel and iron to help construct them; Missouri will send her lead and zinc to help construct them; and so every State in the Union will add something toward building this beautiful specimen of nautical architecture that is to be the pride and glory of this country, and above it all is to fly the Stars and Stripes at her peak.

OUR FLAG ABROAD.

Mr. President, when, as a sailor boy, I was in foreign countries—in Norway, Sweden, Russia, and elsewhere—as I approached the residence of the American consul and saw flying there the Stars and Stripes, I almost felt as if a voice came to me like that which came to Moses out of the burning bush, and I felt I stood upon sacred ground. I involuntarily raised my hat. So I want every American boy to feel to-day that he ought to support this measure, because it helps to make American seamen, and helps to make American mechanics feel pride in the work in which they are engaged.

But, returning again to these companies in Germany, in England, and in France, this condition of affairs, mortifying in the extreme to a nation such as ours, which was once successfully striving for the mastery of the seas, is not due to lack of enterprise on the part of our people. They are putting their money into ships engaged in foreign trade by the tens of millions of dollars. American capitalists now own 672,455 tons of steamships engaged in ocean commerce, more than twice the tonnage of the entire American steam fleet, but all these ships sail under a foreign flag—British, German, Mexican, or Cuban.

For the life of me I can not understand why my friend from Arkansas, or my friend from Georgia, or any other Senator, should object to Americans putting their money into foreign vessels if they wish to do so. They can not come under the American flag, and unless they are built in this country and constructed by American mechanics, and unless one-half of the crew are American citizens, they can not enjoy any benefits that may accrue to them by reason of the enactment of this bill into law.

How much money these foreign vessels are yearly earning—most of which vast sum is paid by our own producers and taken abroad to aid foreign producers to compete with our own—is far larger than the patriotic American likes to contemplate. The figures representing the freight charges now exceed those of the entire revenue of the United States derived from the tariff on imported goods.

FOREIGN SHIP FREIGHT CHARGES EQUAL OUR TARIFF REVENUE.

I sent to the Treasury Department a few days ago, out of curiosity, to ascertain what in the past thirty years we had paid out, on an average, for foreign transportation of our own products in foreign vessels and how much we had received in revenue from our protective tariff. I will not weary the Senate by going through year by year from 1870 to 1901, but I shall embody the table in the RECORD, if there be no objection.

The table referred to is as follows:

Year.	Revenue from tariff.	Foreign ship freight charges.
1870	$194,538,374	$95,312,000
1871	206,270,408	121,102,800
1872	216,370,286	127,100,250
1873	188,089,522	146,136,900
1874	163,103,833	141,725,550
1875	157,167,722	143,449,700
1876	148,071,984	155,500,800
1877	130,956,493	129,654,000
1878	130,170,680	132,268,500
1879	137,250,047	137,450,300
1880	186,522,064	184,233,090
1881	198,159,676	191,018,400
1882	220,410,730	182,736,000
1883	214,706,496	189,908,310
1884	195,067,489	170,386,200
1885	181,471,939	162,893,640
1886	192,905,023	162,052,500
1887	217,286,893	175,848,000
1888	219,091,173	177,361,440
1889	223,832,741	183,948,450
1890	229,668,584	207,083,310
1891	219,522,205	217,512,253
1892	177,452,964	234,683,948
1893	203,355,017	214,247,485
1894	131,818,531	190,253,368
1895	152,158,617	192,884,429
1896	160,021,752	236,696,028
1897	176,554,127	228,863,065
1898	149,575,062	237,373,872
1899	205,128,482	249,939,579
1900	233,164,871	224,166,664
1901	238,585,456	296,180,519
Total	5,999,449,241	5,867,671,350
Annual average	187,482,789	183,367,542

Mr. PERKINS. I will state that the annual average revenue for thirty years from the tariff, of which we have heard so much from time to time, was $187,482,789. We have paid out in thirty years to foreign shipowners for freight carried by their vessels, as near as it is possible for the Treasury to give me the information, on an average of $183,367,542. There was nearly as much paid to foreign shipowners, and the money has gone across the Atlantic; gone into foreign countries to keep up their palatial homes, their preserves for hunting, and for luxuries, which some of us Americans are imitating. But I hope it never will become a fad in this country to the extent that it is there. We have contributed this much money, which they are enjoying. So we are not ahead, financially speaking, on our tariff.

It is an object lesson which appeals most strongly to the student of political economy who will give this question the thoughtful consideration that he should in considering a matter of this magnitude—one so far-reaching in its importance to the welfare and prosperity of our country as a nation and which affects every individual and every home in the land.

WHY AMERICAN CAPITAL IS NOT PUT INTO AMERICAN SHIPS IN THE FOREIGN TRADE.

Mr. President, do not misunderstand me. I have the greatest respect and admiration for our good friends across the water. I do not envy them anything. I would profit by their example and by their experience. I would emulate them in their business enterprise. I would emulate them in what they are doing in fostering and building up the great steamships and the great vessels of their countries, and if we do profit advantageously we will sow the seeds of prosperity in our own country which will yield a hundredfold in its harvest.

Considering the fact that American capital is and has been willing to enter into the ocean carrying business, what is the reason why our ocean merchant marine has diminished steadily from year to year in spite of a rapid increase in the business to be done, and that it has been left far behind, both as to tonnage and work performed, by single foreign steamship companies? Capital is invested that it may make interest. If interest could have been earned by American ships, it is undoubtedly true that capital would have been invested in them. Why interest could not be earned is plain. It is because of the greater cost of American-built vessels and the greater cost of running them as compared with ships built and run under foreign flags.

This increased cost in both cases is due to the higher wages of the American workingman. They increase the cost of building the ship and of manning it after construction. The difference eats up the profits which would result if the cost of the ship had

been that of a foreign-constructed vessel and if the expenses of running it had been only that of vessels manned by foreign crews. And besides this, the margin of profit is still further reduced by the fact that American ships would lack those payments by the government to foreign lines, which are made for the encouragement of foreign commerce. In order to compete and secure a fair share of business, an American vessel must be in a position to earn at least as much as a foreign vessel of the same class. Whenever conditions are such that this can be done, American capital will go into American ships, and not before.

THE COASTING TRADE.

I wish to say in passing that our friends from Arkansas and Georgia have laid great stress upon the shipbuilding industry of this country and its increase. It is principally brought about because of our increased coasting trade. We have, I think, about 10,000 miles of coast from Maine to California—from Maine to Galveston, from San Diego to Point Barrow—and the great development, especially on the Pacific coast and in Alaska, has increased the demand for vessels which has at once given a new impetus to shipbuilding in this country.

This coasting trade is what has helped to make American sailors. It is what has stimulated and built up the commerce of our coast. By implication my friend the Senator from Arkansas stated that the citizens of no other country enjoyed similar privileges in their country. He is mistaken in that respect. While in the coasting trade of England and Germany there may not be vessels of other nationalities, no privilege is given to foreigners to trade there to advantage; and while England permits coasting vessels from other countries to go there, I do not know of a single instance on record where a foreign vessel is engaged in the trade on the coast of England. England is very jealous of her colonies. She protects their coasting interests, and no American vessel can go on the coast of Nova Scotia or Canada or British Columbia and there engage in the coasting trade.

An incident came to my knowledge a short time since where a vessel leaving the port of Victoria, in British Columbia, for Nanaimo, in the same country, a distance of only 80 miles, as a special accommodation took on board a passenger. It made no charge, because it was a personal accommodation to take him. He was a merchant, and desired to go from Victoria to Nanaimo, and he had no other means of going for a week or ten days. This vessel took him as a personal accommodation, and the authorities of British Columbia fined that ship $50 and refused to remit the penalty. England is jealous of the coasting trade of her colonies, and is careful in protecting it against inroads of the United States or any other country whose vessels might be sent there to compete for a part of the coasting business.

WHAT THE BILL WILL DO.

The purpose of this bill is to create these necessary conditions. Some of our friends do not like the word "subsidy." So I will use a new word. By this bill we propose, by means of differential payments, to accomplish certain results. That is a better term than "subsidy" perhaps. It is not very much different perhaps in reality, but it is like music—there is no discord in it. It is euphonious.

The purpose of this bill is to create those necessary conditions. By it we propose, by means of certain differential payments, to make up to the shipowner the increased cost of construction, the increased cost of running his vessel, and to give him a sum of money to offset that given by foreign governments to his rivals. And I believe that this bill will effect that end. But in return for this aid the bill provides that certain public services shall be performed, and encouragement is given to create new lines of transoceanic communication under the American flag which will have an important economic bearing on the future progress of the United States.

The Senator from Maine, who is the author of this bill, as also of the shipping act of 1891, has, I think, fully demonstrated the ability of the measure to place American-built vessels on an equal footing with those of foreign construction and sailing under foreign flags. I need not, therefore, refer to this point again, as I think no one will question his demonstration, unless perhaps our friends on the other side, perfect in all respects excepting one, are like some of our sea captains. Some of our sea captains who have been successful navigators for a great many years, who have taken their ships across the trackless ocean, were by recent order of the Treasury Department directed to undergo a new examination for color blindness.

Men who thought they were physically perfect, with no defects, were found, when the basket of worsted was placed before them, unable to tell the difference in the shades of green and red; and so the Government in its wisdom took from them their licenses as pilots. They can not navigate their ships within a league of the shore. So our friends on the other side, in order to find some fault with this bill, are color-blind to its virtues, and they are color-blind when we try to show them its merits and what it will do for them.

We are always trying to do for our Democratic friends something that will benefit them. You know what we told them when they passed the Wilson-Gorman bill some years ago. We said, "It will injure you. It will bring distress to your homes and to your families. Stand with us, and we will help you. We will keep this great evil from you." They said, "No; the decree has gone forth. It must pass." And so they suffered as the children of Israel did in Egypt when for a time they were obstinate and failed to observe the commands of the Great Ruler of all things. They were kept there until we elected a Republican President and a Republican Congress, and then we brought them relief, and to-day they are sitting in their own beautiful homes, under the protection of their fig leaf and vine, and they are getting 7 and 8 cents a pound for cotton, when under their bill they were getting only about 4 cents, or very much less than it cost them to produce it.

So, after this bill has been in force for a few years, they will say, "We thank you very much." My friend the Senator from Virginia is taking a seat near me. We will do more for Virginia by this bill and we have done more under the McKinley Act than was done by forty years of Democratic administration. Go with me to the Newport News yard and see the magnificent specimens of naval architecture there, a plant putting money into the pockets of citizens of that State.

Mr. CLAY. I should like to ask the Senator whether he thinks the bill we are now considering is responsible for that condition?

WHAT THE DISCUSSION OF THE QUESTION HAS DONE.

Mr. PERKINS. In a great measure. They knew the wisdom of the majority of the Republican party, and, profiting by their experience, they knew we would do something good and wonderful for them, and so we are doing it now against their protest. We are doing it for them in spite of their protest, and I know they will thank us, as they do for the other measure which has been so wise and beneficial to all citizens in our land.

Newport News has one of the grand shipyards of the country to-day. My friend the Senator from Virginia may not vote for this bill, because my Democratic friends can not all do as they would like to do. They say that about us Republicans, but yet we sometimes think we are quite independent about it. We may let somebody hold the reins, but we drive. So our friend the Senator from Virginia may not vote for this bill, and yet in his heart of hearts he knows what it means for Virginia and for Newport News.

I expect shipyards to be located in Georgia—in Savannah. I expect shipyards to be established in Charleston, S. C. My friend the Senator from South Carolina is not present to-day, but I think I can convince him that it will be to the interest of the country, under the provisions of this bill, to have shipyards immediately established in two or three ports in his own State. We have secured 20 feet of water over Brunswick Bar, so that we may have a shipyard there.

I wish to say, parenthetically, as it occurs to me now, that this story of full shipyards and that we can not build any more ships is a bogy man of the sea. Times are different now from what they were when a ship was built in a single yard. Take the Cramp plant at Philadelphia. The work there done is practically an assembling, so to speak, of the different parts which have been made at rolling mills and machine shops throughout the country. The Bethlehem works have forged the great shaft; a machine shop has cast the cylinders and bored them out and trued them up. Another one has fashioned the frames. Another has rolled out the great sheets of steel. They are all sent forward to this yard, and there, under the direction of the naval architect, they are assembled by skilled American workmen. Thus the vessel is constructed.

On the Pacific coast alone—take my own home, San Francisco—during the past three years we have constructed there and at Oakland four new shipyards, which are prepared to turn out ships of any size. On Puget Sound there is room for twenty more splendid shipyards if the business offers. So in Oregon, so in Delaware, Maryland, and at every coast port and in every State on the Atlantic or the Gulf of Mexico.

The more I think of this measure, the more I consider it, the more deeply am I impressed that it is a blessing which comes to our friends undisguised. They do not seem to realize the good it will confer upon them, or else they would make it unanimous and say, "We will try it, at least for a few years."

I did not mean to digress so much, but there are so many things that can be said, and I do not know but that it is better to get away from the text than to confine one's self to it.

THE COMMERCIAL FUTURE OF THE UNITED STATES.

During the past few years the United States has made vast strides industrially and politically. The position which they now occupy is, in the opinion of more than one close observer, tending to change the current of the world's trade. We have invaded European markets with our wares, and are in a position to compete with European nations in the markets of the Orient. Our

production is fast exceeding our power of consumption, and we must reach out for purchasers beyond our shores, as England has done and as Germany is doing, not only by giving large sums of money to her vessels, but by an export bounty upon beet sugar and Government aid to other industries.

The shores of the Pacific are to be the future commercial battle ground of the nations—the Pacific shores of Asia and of North and South America. An isthmian canal is to be constructed which will place us in the center of the trade of the two great oceans of the globe, but to secure to ourselves the vast benefits which should be ours from that position we must have the power to influence that trade, and that can be done only through ships bearing the American flag and manned by Americans whose interests lie in this country and not in another. To be the focus of the world's trade we must be connected with all the continents by constantly and imperceptibly turning attention to our own shores. We have a large trade with Japan, which is carried on in part by a line of Japanese steamships larger and better than those of any American line on the Pacific.

JAPAN'S AID TO HER COMMERCE.

Why they are better is because the Japanese Government gives to the company owning them the most liberal aid given to any existing line of shipping, aggregating $2,362,148 per year, in addition to the large sums paid for the encouragement of navigation and for the encouragement of shipbuilding. Think of that! Japan, a country hardly known to the outside world a few years ago, is paying to-day a subsidy aggregating $2,362,148 per year. As the result of this liberality to the company 12 fine vessels have just been added to the already large merchant fleet of Japan, each of which, according to the Marine Journal, receives $50,000 per trip, the expenses of which are $75,000. Thus the aid given by Japan averages two-thirds the actual cost to the company of each voyage.

This calls to my mind one of the defects of this bill, as pointed out by the Senator from Arkansas. He said it was a vicious bill; that it had no good features in it, because there was no provision which would compel the owners of a vessel to carry at least 50 per cent of its capacity in cargo. What a logical, what a splendid argument! In order to get this subsidy a ship would sail in ballast. In order to earn a hundred dollars the ship would pay out a hundred and fifty dollars, for that is about the proportion it would be. Aye, more than that. In order to earn a hundred dollars subsidy under this bill a ship would go in ballast and pay a hundred and seventy-five dollars for doing so. The Americans are enterprising and liberal, but they do not do business in that way. I do not think such an argument is particularly logical. I am sure my friend the Senator from Arkansas if he had operated a vessel, would realize the fact that the subsidy paid does not begin to pay one-half of the operating expenses of the ship, to say nothing of the insurance, to say nothing of the interest upon the investment and the wear and tear of the vessel. I think that effectually disposes of that charge against the bill. If not, we will refer to it later.

It is true that the Japanese vessels take our goods to Yokohama, but it is also true that when they are landed in Japan they have not behind them the prestige which a well-equipped line of American steamships would give, and we lose the benefits of that influence which is always behind the idea of vigor and power that is given by a great merchant fleet. England has pushed her trade throughout the world by this means. Germany has begun in the same way, and her success is marked. We, too, must prepare to enter the commercial battle equally well equipped if we are to hold our own, for the advantages which labor-saving machinery are now giving us will soon be shared by our foreign competitors in manufactures, and we shall have to rely more and more on the universally successful policy of controlling the distribution of our products. If we can in part control the distribution of the products of other nations, so much the better for us—so much nearer we shall be to controlling the trade of the world that our own may not suffer from competition.

NECESSARY FOR AMERICAN INFLUENCE IN FOREIGN MARKETS.

We are lacking in transportation lines through which our influence may be extended to foreign markets. We have an American line to England and France, which has been of great benefit to our commerce on the other side of the Atlantic. Suppose that all the trans-Atlantic lines were American, is it not recognized that the American influence in every great European port would push the sale of American goods in every European country? The extension of our trade there thus far has been by main strength, as it were. We are young, and vigorous, and fresh, and have advantages which foreign nations do not possess, but may soon have. Our goods have been brought to their shores by their own vessels, and have been purchased because they are good and cheap. But had what has been called "the American invasion" been backed by a fleet of American vessels as large, in comparison, as the volume of our trade, and increasing in like proportion, is it not conceivable that our invasion would now have taken on the character of a conquest?

We have at our doors in Central and South America large markets to which not an American vessel practically ever goes. Those markets are, as everyone knows, supplied principally by our industrial rivals across the Atlantic, the English and the Germans, whose vessels take thither the products of their shops. Had we in existence lines of steamships as efficient, is it possible that our goods would not be more widely known than they are and their sale much greater than it is likely to be for years to come? If the mere presence in the harbor of Hongkong of Dewey's battle fleet resulted in an increased demand for American goods—which was announced by Consul-General Wildman—and which demand has since increased, what would be the effect of American steamship lines, bearing thither the American influence, in every port of eastern Asia? And eastern Asia is now the prize for which the commercial world is striving. Trade is beginning to flow in that direction, and as it increases the nation that can exercise control over it will reap benefits proportionate to that control. Already there would have been great lines of American steamers from Pacific coast ports to Japan, Korea, China, Manila, Singapore, and Australia had there been a chance to compete with existing foreign lines.

AN ILLUSTRATION OF THE EVILS OF OUR POSITION.

I am reminded that in a conversation, a few days since, with a gentleman who represents a large agricultural-implement manufactory in this country, he stated that he recently visited the Argentine Republic and Brazil, and there was a great demand for our agricultural implements in those countries, but it was impossible to send them there at a rate of freight which was advantageous, or in a manner which would give that dispatch to their orders which was necessary in order to make a successful sale. He said our only way for shipping to Rio and the Argentine Republic is by sending our goods to England and there having them reshipped back to South America.

There is to my mind, Mr. President, an answer to the observation made by the Senator from Wisconsin a few minutes since, that there is no feature of this bill which provides for the establishment of new lines of steamships. The bill, if I remember it correctly, provides that the aid shall be equitably divided between the Atlantic coast ports, the Gulf ports, and the Pacific coast ports. To South American ports, to Asia, and to every other country our merchants are endeavoring to build up trade by sending samples of their goods and showing the people there the superior quality of American manufactures. They will soon see the opportunities that are presented to them, and people are always ready to make an investment that promises fair returns.

I believe that the provisions of this bill will afford an incentive for the establishment of new lines of transportation, and where you can not force trade now, under the inducement held out by the representatives in Congress here, they will avail themselves of the provisions of this measure, and they will at once build vessels in our own shipyards and send them on these missions of commercial enterprise.

I wish to say, in passing, that I have been a member of the Naval Committee some six years or more, and during the past five years we have made appropriations of about $58,000,000 per annum for the support and equipment and rebuilding of the Navy.

Is there a member of the Senate, is there a patriotic American in this land, who does not approve of such a wise investment where the honor and the dignity and the patriotism of our country are at stake? We pay $58,000,000 per annum for the building of our Navy, while under this bill $6,000,000 per annum will be the largest amount, I believe, which can be paid out in the next five years. If by doing this we can give a new impetus to these great commercial maritime enterprises, is it not our duty to do it? Where the flag goes, there trade follows the flag. What is the good of our Navy except to maintain the honor and dignity of our flag and to serve as a beacon light of patriotism, going about the world showing that this is a country of the people, by the people, and for the people?

I voted for the appropriations for the building of war ships, and I look back upon it with more satisfaction, perhaps, than any other official act that I have performed since I have been here. We have had ample reward not only by the brilliant naval victories in Manila Harbor and Santiago de Cuba, but we have shown to the world that we are a great living sea power, as well as land power.

GOVERNMENT AID TO INLAND TRANSPORTATION.

Mr. President, Congress in its wisdom has given to the railroads of this country 200,000,000 acres of land. We have given bounties in the way of guaranteeing interest upon loans, national, State, and municipal. That investment has come back to us a hundredfold in cheap transportation from the Dakotas, from Nebraska, from Wisconsin, from the different inland States to the seaboard. It was a wise investment, I believe, and it was that policy which

was commended by, I think, the distinguished Senator from Georgia when he told of the low rates of freight that prevail from Kansas and other inland States to the coast.

Had it not been for the aid given by Congress to those railroads freight to-day would be perhaps three times what it is. I remember that within my own recollection freight rates on the Great Lakes, from Buffalo to some of the ports on Lake Superior, ranged from $3 to $4 a ton. To-day the rate ranges from 60 cents to $1 per ton. This is due to the fact that Congress assisted by river and harbor appropriations in giving them good harbors and in clearing out channels where there was shoal water and helping them, as we have helped Brunswick, in Georgia, where we have made a splendid harbor; as we are helping Savannah, and as we are helping other seaports. The river and harbor bill this year will carry $60,000,000, and I expect to vote for every item in the bill, because I think it is a wise and a judicious expenditure to be made by Congress.

Mr. President, this is a $60,000,000 country, and we ought not to hesitate to appropriate many times $60,000,000 when there is any great improvement required in rivers and harbors or in our Navy, or in anything that tends to develop this country or to build it up for the common good of the general public. As I said, it is, then, our duty to make the appropriation.

This bill gives no special privileges to anyone. As I stated before, there is no single track on the ocean, nature's great highway; there is no special franchise, there is no special privilege. Everyone who has a compass and a quadrant, with a mathematical eye with which he can look at the sun and the stars, can navigate a vessel from any port in the United States to any port in any other country without asking permission from any corporation or any monopoly, as my friend from Arkansas says that corporations and monopolies want to control the provisions of this bill, which he says is to be enacted for their benefit.

I know the Senator does not mean that. He reminds me very much of a chap I once knew in a seaport where I went. The minister was remonstrating with him for swearing. He became quite penitent, and he said, "Parson," and he used a strong adjective, "You pray a great deal and I swear a great deal, and neither of us mean anything by it." [Laughter.] So it is with my friend from Arkansas. He had to talk against the bill, but I do not think he means it, because he is a very excellent gentleman, and ordinarily, especially upon appropriations for rivers and harbors, I have always found him to be most liberal and generous. [Laughter.]

ENCOURAGEMENT OF SHIPBUILDING.

Mr. President, pass the bill which we have under consideration, and you will at once see a revival of shipbuilding from Maine to Texas, from San Diego Bay to Puget Sound. I do not know but that we will carry it up into Alaska, even as far as Point Barrow. My friend from Indiana started there, but the ice kept him away. I do not know but that we will even go that far. It will soon make the industry one of the most important in our country.

Existing plants will be enlarged to execute orders for ships and new ones will be built. The iron, zinc, and lead mines of the Southern States will be called upon to furnish the metals for construction, and the Southern pine forests for wood for decks and spars. All the coast States' resources that can be drawn on for shipbuilding will feel the impulse of increased demand. More blast furnaces, as I have already said, will be erected in Alabama and Georgia, more mines of iron and coal will be opened in Alabama and West Virginia, and new shipyards constructed in Pennsylvania, Delaware, Maryland, Virginia, and South Carolina, as well as other coast States on the Atlantic and Pacific.

We will send increased quantities of coal to be burned in the furnaces that generate the steam and drive these great nautical vehicles through the waters of the ocean laden with the products of our farms. General prosperity will come to us; all will be more or less benefited by it. Every industrial interest will be benefited through the increased prosperity given by the growth of shipbuilding. The prosperity of New England while it was building ships in competition with England is a fact that should not now be lost sight of. Pass this bill, and American lines will at once be organized and American steamships will soon be extending our trade all along the Asiatic, Central and South American coasts.

Pass the bill, and we shall soon be placed by American lines in a position to compete with Europeans in the markets of South America. Pass the bill, and we shall have American lines carrying American ideas and American products to South Africa. Pass the bill, and we shall push our products, through our ships, into the teeming markets of the Mediterranean. American ships will open the world to our producers, will assist them in selling their products, will help them resist competition, and will place behind American goods a force and vigor that will make them "go."

AMERICAN MONEY IN FOREIGN SHIPS.

In consequence of the inability of American ships to compete with those built and sailed under a foreign flag, we have the anomaly of American capital owning and sailing under a foreign flag foreign-built steam vessels of tonnage nearly twice as great as that of American ships in the same trade. Indeed, one purchase of foreign ships last spring nearly equaled the total tonnage of American steamships in the foreign trade. While it is true that the profits of capital thus invested come to America, the prestige of this great fleet goes to Great Britain, and by so much we are the loser. Had it been possible for American vessels to compete with foreign built, the vast cost of the ships of the Leyland Line, purchased in one lot, would have been expended in America among American workingmen, and our increased strength on the ocean would have been measurably augmented and our prestige in the world increased. Had all the foreign ships owned by Americans been built in America, we should have had as remarkable an expansion of the shipbuilding interests of the country as has marked the stupendous development of shipbuilding in Germany, and we should now, with our cheap materials, be able to compete with the world in the work of building ships, with a chance of once again being in a position of becoming the rival of England on the seas.

The German policy of building up a merchant marine to extend and protect German trade has resulted in the development of shipbuilding plants that are second to none in the world, and has thereby added materially to the industrial welfare of Germany. And all this has been accomplished by the simple means of a differential payment to those who will build their ships in German yards and sail them under the German colors. And we have the contrast of a nation that was nonmaritime when the United States was the second maritime country of the world now standing high above us as a sea power, and building for a single company steamships exceeding in tonnage the entire steam registered tonnage of this country. All this has been accomplished through a simple differential payment to offset the advantages of rivals, like that which is proposed by this bill. If such results can flow from the German policy, they can surely result from an American differential payment of the same character and made for the same purpose.

CHANCES FOR FOREIGN TRADE IN COAL.

What may be accomplished for the benefit of one American industry by a fleet of American ocean carriers is set forth incidentally in recent special consular reports dealing with foreign markets for American coal. From all parts of Europe and South America it was reported that there were notable openings for the products of our coal mines, especially from West Virginia, the only thing standing in the way being ocean freights. As long as these rates can be controlled by England, which is the present source of supply, it is not probable that she will ruin her coal-mine owners by carrying American coal to European markets. On this subject our consuls make some interesting statements. Consul Roosevelt, at Brussels, says that Mr. Henry S. Fleming, secretary of the Anthracite Coal Operators' Association, New York, after personally looking over the ground, said that he—

was of the opinion that there was a good market in Europe for American coal, but in order to make it profitable we should establish a line of steamers to carry our coal to Europe.

Consul Tourgee, at Bordeaux, reports that—

A party at Bayonne took an option from a coal company in Baltimore on terms that seemed to promise a successful importation, but on wiring to London for freighters to bring over 100,000 tons it was found that freight could not be secured at a rate to make it profitable, and the effort had to be abandoned.

In Consul Tourgee's opinion the question of a profitable export trade in coal depends upon three considerations: The number and capacity of ocean steamers carrying passengers as well as freight; the sailing bounties paid to ships of different nationalities; the number of ships plying direct between the United States and French ports.

It is true—

He says—

that a very large portion of American freight still comes by way of Southampton, Liverpool, and Hamburg, but it is at a great loss to American shippers, who do not seem to realize the facts.

Consul A. M. Thackara, at Havre, writes:

In my opinion the future of an American coal-export trade will greatly depend on the ability of our shippers to secure cheap and expeditious ocean transportation.

Consul John C. Covert, at Lyons, gives a copy of a letter written by Edouard Francon, coal dealer of that city, who says:

I am convinced that if freight rates, which are now very high, could be reduced, American coal would find a very important market in all Mediterranean ports, not only in Marseilles, but also in Italy, defying the competition of English coal, which now monopolizes those markets.

Consul R. P. Skinner, at Marseilles, writes:

As soon as we are prepared to make the sacrifice necessary to reestablish our merchant marine, we shall save for distribution among our own people not only the amount now annually paid out for ocean freights, but we will develop our inexhaustible beds of coal and secure a permanent and profitable trade.

Consul Hugh Pitcairn, at Hamburg, says that—

Unless coal is carried in American bottoms at lower rates of freight, its introduction will be gradual.

WHAT GERMANY'S AID TO HER MERCHANT MARINE HAS ACCOMPLISHED.

In face of the fact that the merchant marine of foreign countries, which stand high above us as ocean carriers, have and do receive Government aid, the opponents of this bill argue that the United States should not give aid to its foreign shipping. The assertion is made, even, that the aid given by foreign nations to their fleets has not been a factor in securing for them the enviable position they now occupy as the world's carriers on the ocean. Let us consider what the lessons are that the experience of our maritime competitors teach. Take first that most recent and most notable example of the acquisition of sea power—Germany—which has the two largest, most powerful, and wealthiest steamship companies that the world has ever seen.

In 1870, Germany had, of vessels of 17½ tons and upwards, 900,361 tons under sail and 81,994 under steam. What proportion of this fleet was seagoing is not given, but probably not much over one-half. The result of the Franco-German war, just concluded, was the creation of the German Empire which thenceforth was to be a mighty factor in the world's history, if German brain and energy could assure to it the prestige it had attained by its great victory. It was invincible on land; it became necessary to become a power on the sea as well, and the first effort of the new Empire was to create a naval and a merchant fleet. Germany was handicapped by want of resources, lack of experience in iron working, and by absence of confidence among German shipowners that their shipyards could turn out vessels that could compete with those of British construction.

The Government, however, began the building of a navy, but its own yards were inadequate for the task and it placed a contract with the Vulcan works, which turned out the fine armored cruiser *Preussen*. This was the beginning of a maritime growth which has resulted in the vast shipyards at Hamburg, Kiel, Stettin, and Danzig, and the huge steel works of Krupp at Essen. But for ten years the energies of the German Empire were expended principally in creating a navy. After a fair start had been made it turned its attention to the merchant marine, which in 1880 had—coastwise and ocean-going—increased only 200,000 tons, of which 130,000 was steam.

SUBSIDIES TO STEAMSHIP LINES.

Shortly after 1880 the Imperial Government granted important subsidies to the North German Lloyd for an extension of its service to Asia and Australia, with a stipulation that the ships receiving the subsidy must be built in Germany, and as far as possible of German materials. Reduced freight rates on materials for shipbuilding were granted, and every monetary obstacle to acquiring such material at the lowest cost was removed. Six imperial mail steamers were constructed by the Vulcan works, coming up to the best standards of British and French construction. The effect of this success, coupled with the subsidies to steamship lines and the further government aid given in the shape of bounties for construction, of low railroad rates on material, etc., was, as Consul Mason reports, a rush of orders for merchant steamers to the Hamburg, Kiel, Danzig, Stettin, and other yards.

The result was that the German steam marine increased from 215,758 tons in 1880 to 723,652 tons in 1890, to 1,038,391 in 1898, and to 1,150,159 tons in 1899. Of this fleet the seagoing steamers numbered 1,171, of 969,800 tons, manned by 28,266 men, and 2,522 sailing vessels of 585,571 tons, manned by 14,162 sailors. Details of the increase since 1899 are lacking, only the aggregates being available. These show that in 1901 the growth of the German merchant marine has been from a total of 1,737,798 tons in 1899 to 2,966,950 tons, of which steamers have increased from 1,150,159 tons to 2,430,206 tons. Of this immense increase only 208,000 tons of German shipping has been built in British yards since 1897.

But note the contrast, assuming that all German vessels in 1870 were seagoing, while all the other figures represent seagoing tonnage:

	1870.			1898.		
	Steam.	Sail.	Total.	Steam.	Sail.	Total.
Germany	81,994	900,361	982,355	969,800	585,571	1,555,371
United States	192,544	1,324,256	1,516,800	294,064	443,645	737,709
Excess of United States	110,550	423,895	534,445			
Excess of Germany				675,736	141,926	817,662

And since 1898 Germany has turned out from German shipyards probably over a million tons of merchant steamships. The tonnage built in 1900 and building in 17 German yards in 1901 aggregated alone 609,884, nearly as great as the total tonnage, steam and sail, of the American fleet engaged in foreign trade to-day. It is not necessary to add more figures of German increase to those given above. They are humiliating enough to us as they stand.

Perhaps I should turn for one moment to France. France has not been as successful as Germany. I should like to tell the other side of the story and dwell upon her effort to increase her strength on the ocean and the reasons why the conditions have not been so favorable there.

THE UNITED STATES AND GERMANY COMPARED.

But when we consider the wonderful stride Germany has made in increasing her great commerce we should remember that her area is 208,725 square miles and her population 53,000,000, while the United States has an area of 3,622,933 square miles.

Mr. ELKINS. Outside of Alaska?

Mr. PERKINS. No; that includes Alaska. It does not include the Philippines, but includes Alaska, Hawaii, and Porto Rico. The United States has an area of 3,622,933 square miles, with a population, according to our last census, of 76,000,000. Our coast line, as I have stated to-day, excluding the lake line, is about 10,000 miles. Germany has, if I recollect correctly, about 500 miles of coast line. The State of California, which I have the honor to represent, in part, has a coast line of 800 miles, or 300 miles more than the whole coast of Germany.

Mr. President, consider what Germany has accomplished by these subventions. I will not say subsidies, because, as I said in the early part of my remarks, that is a harsh word and I do not like to hear it. It has been done by differential duties, by differential favors given for the purpose of building ships in Germany and operating them under the German flag and under the laws governing the maritime commerce of Germany. Germany is making such wonderful strides that it seems to me it ought to make every American blush that we have not made better progress.

THE GERMAN POLICY.

The German policy, which has done so much for the Empire, was inaugurated by Bismarck, who, in a memorial to the German Parliament, based his request for Government aid on the subsidies given by France, England, Austria, and Italy to their merchant shipping. He had, says Consul Mason—

the sagacity to see that the time would soon come—had indeed come—when Germany must have new and extended foreign markets for her surplus manufactured products or languish from congestion as her productive energies overran the purchasing power of her people.

The results of his efforts were subsidies to steamship lines and bounties for constructing new vessels, which, Consul Mason states, have equaled in amount the payments for mail service. The aid given by the Government, through which the German merchant marine has grown to its present vast dimensions, has been payments under the guise of mail subsidies for the establishment of new lines and the improvement of existing service, bounties for the construction of new vessels, reduction of all possible items in the cost of materials for shipbuilding, and encouragement and honor given to it by the Imperial Government, which, says Consul Mason—

In a country like this, where royal favor is so potent and eagerly sought for, is an important element of success. * * * No capitalists or business men are more honored in Germany than those who have contributed to these results. * * * There are not lacking conservatives—mainly agrarians and social reactionaries—who have opposed this policy as they oppose the improvement in the canals and internal water routes of this country, but they do not control the policy of Germany, and, in all probability, never will.

THE EXPERIENCE OF FRANCE.

Now let us look at France. This country has not been so successful as Germany in her efforts to increase her strength on the ocean, and for the reason that the conditions surrounding shipbuilding there are entirely different from those obtaining in Germany. In France the shipyards are branches of the national arsenal, and depend on orders from the State for warships, seeing only a side profit in building merchant vessels. The laws passed to encourage the growth of the merchant marine, therefore, have not been productive of such results as are found in Germany, where the whole force and influence of the Government has been thrown to the side of the merchant vessel. Moreover, as the Marseilles Society for the Defense of Commerce has pointed out—

Great Britain has coal and iron at lower prices than France, and with its innumerable shipyards and machine shops can produce tonnage on terms with which our builders are incapable of competing. Not only are the ships supplied at lower cost, but they are supplied more promptly.

But even France can show what benefits may flow from government encouragement to the merchant marine by money payments. By the law of 1893 the provisions of that of 1881, which had not produced the benefits expected, were changed. The bounty for construction was increased, the sailing bounty for steamships reduced from 28.95 to 21.23 cents per net ton per 1,000 miles, that for sailing ships increased from 28.95 cents to 32.81 cents, vessels engaged in international coasting trade were given two-thirds the bounty allowed in oversea traffic, and the extra navigation bounty increased from 15 to 25 per cent.

The results of this law were what might be expected of it. The steam tonnage, whose bounty had been diminished, showed an increase of only 66,961 tons from 1893 to 1898, and that was confined to the subsidized lines or those lines reserved entirely to French vessels. Under the law of 1881 the tonnage of vessels

taking part in foreign competition increased in 1885 from 322,000 tons to 501,000 tons, but under the law of 1893, reducing the sailing bounty, the tonnage in this trade actually diminished. But in the case of sailing vessels, whose sailing bounty was increased, there was a remarkable increase of tonnage. According to United States Consul A. M. Thackara, of Havre, under the stimulus of the increased bounty the French sailing fleet "has increased more in proportion during the last five years than the sailing fleet of almost any other nation."

THE FRENCH FLAG ON THE SEAS.

And the effects of this increase are seen in almost every part of the world. In the harbor of San Francisco, during the past six or seven years, the French flag has been seen with a frequency which has called forth remark from those who give no attention to nautical affairs. The increase of this class of French shipping forced itself upon the notice of even the least observing. And now the French Government is about to apply the same stimulus to its steam merchant marine, for it has again amended the law and will increase the sailing bounty for steamships from 21.23 cents per 1,000 miles to 32.81 cents; but with that fatuity which has marked France's efforts in this direction it will diminish its sailing bounty to sailing ships. With such backing and filling, with such inadequate adaptation of means to ends, with such disregard of plain lessons, it is no wonder that France does not make great headway in the direction in which the wise and steadfast German policy has sent its merchant marine so far. And then comes prominently forward another cause of this lack of success in the following sentences from the report of the committee on the budget of the minister of commerce:

The French yards being almost entirely absorbed by orders for naval vessels, both from the French and from foreign governments, are fatally led to make demands from private sources wait. Cheapness and quick delivery have decided our owners to buy their ships in foreign markets.

And so a bounty will be given to modern French steamers built abroad, instead of, as in Germany, reducing the items of cost of raw material for shipbuilding, that ships may be built as cheaply as in foreign yards, and then by wise payments encouraging the construction of ships at home. Under the German policy, the number of shipyards has increased to 29, while France has only 3 of any consequence, with only 1 new one projected. Yet with all the disadvantages of unwise policy and lack of facilities for construction, the seagoing merchant marine of France stands third in relative importance, Germany being second, and Great Britain first.

PAYMENT FOR CARRYING THE MAILS ONLY AN INCIDENT.

If I correctly understand the position of the junior Senator from Georgia, his objection to the bill is that it does not provide for payment on account of carrying the mails on the basis of a given sum for a certain weight per mile; that is, that the bill does not confine itself to payment for the actual expense of the steamship companies for transporting certain bags of letters and papers. I would answer that no government which gives aid to its steamship lines confines itself to the narrow limits which the Senator from Georgia would set. If Germany, England, or France had done so they would not now have upon the ocean the magnificent ships which connect those countries with all parts of the world.

The object of these payments is not simply to insure the carrying of letters and papers from one port to another, but to build up lines of steamships between home and foreign ports that will surpass in speed, accommodation, and effectiveness for general commerce the lines of foreign competitors, that the facilities extended to trade and the prestige gained by general superiority may increase the commercial prosperity of the home country. This is the object of the large payments made by foreign nations to its great steamship lines, and whenever it is apparent that the sums granted are not sufficient to insure successful competition or to afford the desired facilities for general commerce, they are increased.

I do not think that the Senator from Georgia will assert that the payments made to the North German Lloyd were solely to compensate the company for carrying the mails. Such compensation would have had little effect in building up that magnificent steamship service. It was almost exclusively to create that perfection of service as to speed, carrying capacity, accommodation, regularity, and freight charges that aid was given, with the incidental advantage of possessing a magnificent fleet for war purposes in time of need. Therefore the tonnage of mail and the cost of handling it cut absolutely no figure in the bargains made with the North German Lloyd. In the Reichstag in 1888 there was introduced a bill to improve the mail service with eastern Asia and Australia, double the service with China, and guarantee the subsidy for fifteen years. In the report accompanying the bill is the following:

Quick and well-managed regular steam communication, experience has taught, is the backbone of oversea navigation. It is indispensable to passenger and postal travel; by its speed and regularity it does most to encourage commerce in the greatest and smallest industries. The closer and greater the connection between the commerce and industries of two countries the greater the need for steam navigation. In the attainment of this necessity, Germany, with her steadily growing industries and constant increase of power among the nations, should no longer remain under the protection of alien flags, but beneath her own flag and with her own steam navigation should bring her home products to a prominent position.

On these grounds the report recommended an increase of 1,500,000 marks in the subsidy of 4,090,000 marks and a renewal of the fifteen years' contract. The mere work of carrying the mails did not figure in the case.

THE EXTENSION OF TRADE ABROAD.

The policy of Germany is further shown in a report of J. C. Monaghan, consul at Chemnitz, Germany, who says:

If coarse cottons can be spun and woven in the South; if Alabama can make iron rails as cheap or cheaper than England; if Europe buys our machines, locomotives, tools, agricultural instruments, etc., we must carry these products to the East. Chemnitz is looking forward to a time when China will wear the hose and underwear of Western people. Germany has made up her mind to carry her own products in her own ships, built in her own yards. Her example might well be followed by the United States.

This Empire neglects nothing that aids her foreign commerce. Her interest in home industries is equaled by her efforts for trade in far-off lands. A year ago a commission of experts went to the Orient to study its needs and to gather information. Subsidies have been voted to steamship companies with a view to the extension of the Empire's exports. In ten years Germany has increased the number of her large establishments in China from 56 to 92, and in Japan from 38 to 57. The exports from Germany to China went up from $5,871,500 to $10,769,500 in the years between 1889 and 1896, an increase of 86.7 per cent; to Japan the increase was from $4,426,800 to $8,490,000, or 92.2 per cent. The imports are relatively larger—from $2,023,000 to $4,760,000, or 136.5 per cent, from China, and from $833,000 to $2,142,000, or 162.7 per cent, from Japan.

The Senator from Georgia [Mr. CLAY] is absolutely correct when he says that—

The object and purpose is not to provide steamers purely for mail purposes, fixing the compensation on just and reasonable lines in proportion to the services performed, but really to give a certain amount to shipowners for commercial purposes and to build up a certain line and class of business at the expense of the public Treasury under the cover and guise of postal services.

It is, indeed, the purpose to build up a certain line and class of business at the expense of the public Treasury—a line and class of business that will extend our commerce to all parts of the world, that will promote the sale of our agricultural products and our manufactures, that will place behind them the visible signs of the wealth, energy, and power of the United States. The carrying of mails is only an incident. It is therefore not surprising, as the Senator asserts, that the Postmaster-General was not called on to give reasons for the proposed changes. The reasons are found in the needs of our commerce, not in the necessities of the Post-Office Department.

ANOTHER MERIT OF THE BILL.

If I understand the Senator from Georgia on another point, it is that he objects to the bill because it provides a greater compensation than the bill of 1891 for similar services. In my opinion, that is one of the merits of the bill. Our experience under the bill of 1891 has demonstrated that the compensation authorized has not been sufficient to induce the establishment of new lines of communication or to permit the improvement of service on existing lines so they may keep abreast of their competitors. If we are to receive any benefit from our merchant marine it must be second to none in the facilities it offers to trade.

The American Line, established under the law of 1891, has not shown the same development that has been observed in its German and English competitors since its ships were first placed in commission. It is falling behind, and the prestige which we at first had on account of its four fine ships is fast passing to the German, the Englishman, and the Frenchman. Clearly the compensation given has not produced the same result as that given to competing lines, and for the reason that it has not been so liberal; and it has not been so liberal because the extra interest on increased cost of construction and the greater expense of maintenance on account of greater wages eat up a larger share of the receipts. And new lines have not been organized because it was seen that these items of extra expense were not fully compensated for by the payments authorized by the Government.

It has been seen in the case of France, which can not build vessels as cheaply as can be done in England, that when the sailing bounty to steamships was reduced beyond a given amount, there was no longer an increase in that class of tonnage; that when the sailing bounty for sailing ships was increased beyond a given sum, their construction was immediately promoted, that the tonnage of sailing ships increased at a rapid rate, and that the French flag was carried by magnificent square riggers to the four corners of the earth. There was, then, a margin of difference in the cost of vessels which had to compete with those most cheaply made, which in one case was not compensated for by the bounty and was in the other.

A differential payment to compensate for such difference was therefore necessary to stimulate the construction of French ships in French yards. What France did for her sailing ships we, by this bill, propose to do for our sailing and steam vessels, independently of payments for the establishment of lines of fast mail

steamers, whose special services to commerce demand special recognition. These payments to ordinary steamships and sailing vessels are differential in character, as were those of France, and for the same purpose, namely, to compensate for the increased cost of construction, and in our case for the additional increased cost of maintenance.

WHY AMERICAN BUILT SHIPS COST SO MUCH.

What the United States has to contend with in our effort to place our flag again on the sea can be seen at a glance from the following tables. remembering that the principal cost of a ship is the labor expended in shaping the iron and steel and placing it in position. The rates of wages given below, obtained from consular reports and the report of the Industrial Commission, exhibit in a manner that can not be gainsaid the disadvantages under which our shipbuilders labor in striving to build a ship as cheaply as can be done by our competitors. The figures given represent the average weekly wages in the yards of the great maritime nations:

Workmen.	France, private yards.	Germany, Vulcan Works.	England, Liverpool yards.	United States, average.
Pattern makers	$10.42	$6.00	$9.60	$18.00
Riveters	9.26	4.80	8.75	12.00
Joiners	6.94	6.00	9.11	16.50
Machinists	6.53	7.50	7.29	15.00
Ship carpenters	8.68	6.00	9.48	18.00
Riggers	10.42	----------	8.75	11.00
Sheet-iron workers	8.10	5.10	9.36	15.00
Furnace men	10.42	6.00	5.59	10.80
Molders	----------	5.10	9.00	14.50
Laborers	6.00	4.20	4.20	9.00

The wage table shows conclusively why we can not construct a ship as cheaply as can Germany, France, or England, and why Germany has emancipated herself from the British shipbuilders and can send her ships to all parts of the world. The greater cost of her iron, coal, and other shipbuilding materials probably about counterbalances her advantages as to wages, while in the case of France she is at a disadvantage, which demands a general bounty of a considerable amount. In our own case we are clearly beyond the hope of competition without aid, and that aid is to be given in part to make up the increased expense of maintaining the ship incident to her greater cost.

It would seem to me to be beyond dispute or question that if we are to have a merchant marine we must compensate in some way for the greater cost of our ships, which we should do for the reason that the services rendered by a large fleet flying the American flag is national and affects every industrial interest.

WHY IT COSTS SO MUCH TO OPERATE AMERICAN SHIPS.

The additional expense of maintenance of American vessels on account of the wages of officers and seamen is as fully shown in the following table of monthly wages paid on French, German, English, and American vessels, all but the last being furnished by the United States consul at Marseilles:

	France.	Germany.	England.	United States.
Captain	$96.50	----------	----------	----------
First mate	57.90	$35.70	$53.53	$120.00
Second mate	34.74	23.80	38.93	70.00
First engineer	77.20	89.25	63.26	150.00
Second engineer	48.25	52.36	48.66	100.00
Third engineer	38.60	33.32	38.93	85.00
Steward	24.12	14.28	30.00	62.50
Fireman	23.16	16.66	18.24	40.00
Seaman	12.54	16.66	17.02	25.00
Coal passer	14.47	15.47	14.59	30.00

The above shows as conclusively as the former table why a differential payment should be made to American shipowners. It proves the contention of the supporters of this bill that the wages paid to American workmen are responsible for our inability to compete with foreign nations on the sea without Government aid. Were it merely to permit American capitalists to make money by investing in ships to sail under our flag, I should oppose this or any other bill of similar import. Were it simply to facilitate the carrying of mails in American vessels, I should likewise oppose it. These two results of the bill are, however, merely incidental.

The great object, the end which overshadows all and makes puerile opposition on the score of rendering it possible to secure profits in a business which now yields none, of making payments for carrying mail out of proportion to the actual cost of the work, is the extension of American commerce to all parts of the world. What an extension of commerce means is, I think, plain to all. It is simply a means for increasing the demands for our products. If we have chances to sell more than we now do we shall be so much the better off. It is business expansion that is aimed at. It is to create markets for all we can possibly produce, without danger of glutting the home market by overproduction.

A SAFETY-VALVE FOR OUR PRODUCTIVE INDUSTRIES.

It is to create a safety valve for business which will prevent disaster when domestic industrial conditions change. It is one of the greatest results of Germany's policy of aiding its merchant marine that during the period of overproduction through which it is now passing the foreign markets opened up through its munificent aid to its merchant vessels have prevented an economic convulsion that would have worked wide havoc. Our industrial conditions are to-day all that could be wished for, but we can not forever absorb the products of that restless energy that is characteristic of America. Our home markets will be more than supplied by first one product and then another, and at last we shall have competition from abroad in the very fields that are now our own. Our only safety will then be a market beyond our borders controlled by Americans through a merchant fleet on the ocean flying the American flag.

Mr. President, during the speech of the Senator from Arkansas I made notes with the intention of answering some of his points in regard to constitutional privileges and other matters in this bill, but I shall leave that to the Senator from Ohio [Mr. FORAKER], who is to answer the Senator from Arkansas in the morning.

I wish, however, to say a few words about the deep-sea fisheries, and then I shall conclude my remarks. Senators on the other side have said that the provision as to the deep-sea fisheries was a subsidy. My friend from Vermont [Mr. PROCTOR] is very fond of fishing, but he will not get any benefit under this bill, because it applies only to deep-water fishermen. [Laughter.]

THE DEEP-SEA FISHERIES.

In justice to my friend the Senator from Maine [Mr. FRYE], who is unfortunately absent, I feel that I ought to say a word or two further before closing. It was charged that the Senator from Maine was advocating the provision for deep-sea fisheries in behalf of New England alone. Be that as it may, if he did so, it was a commendable act on his part, for if he was not faithful to his own he would be condemned by the good book, which says:

But if any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel.

Mr. President, under this bill half of those who are engaged in the deep-sea fisheries who are to receive its benefits must be American citizens and engaged for there months in the year in the service, for which there is to be paid $1 per ton on the vessel and $1 to each fisherman so engaged. It is estimated that in the aggregate it will amount to about $175,000 a year.

Canada pays an annual subsidy of $160,000 to her fishermen on the coast of Nova Scotia, distributed in accordance with the plan of that government, and other special privileges are also given to them. I think the provision in regard to the deep-sea fisheries in this bill is a very wise one for many reasons. First, it assists in bringing to the market a cheap food, for fish is certainly not only a brain food, but it is a food that is both palatable and nutritious, one that invigorates and fortifies us all physically.

To secure cheaper articles of food for the people the Government is spending millions and tens of millions of dollars annually for the improvement of agriculture by experimental stations. Congress has carried out this policy in establishing fish-cultural stations in every State in this Union. There are 25,000 or more sailors engaged in the fisheries. They will man our merchant marine and afford most valuable material for our Navy. In the early wars of this country the fishermen of New England in the end made the best sailors. I should like to enlarge upon this subject, but I shall not trespass upon the patience of the Senate.

Last year we expended for the fish hatcheries in this country $553,620, as will be seen by the table which I ask to have inserted in my remarks.

COST OF INLAND FISHERIES,

The PRESIDING OFFICER (Mr. NELSON in the chair). The paper referred to by the Senator from California will be inserted in the RECORD, in the absence of objection.

The paper referred to is as follows:

Cost and yearly expenses of certain fish hatcheries.

Missouri (Neosho), cost	$24,500
Yearly expense for employees	3,540
Colorado (Leadville), cost	56,500
Yearly expense for employees	6,900
Montana (Bozeman), cost	39,900
Yearly expense for employees	3,400
Texas (San Marcos), cost	38,100
Yearly expense for employees	4,020
Tennessee (Erwin), cost	23,018
Yearly expense for employees	4,020
Georgia (Cold Springs), cost	25,000
Yearly expense for employees	3,480
North Carolina (Edenton), cost	21,000
Yearly expense for employees	3,480
Mississippi (Tupelo), established last session, cost	22,000
North Carolina, establishment of marine fishery in, established 1901	25,000

West Virginia, established 1901	$25,000
Iowa (Manchester), cost	33,216
Yearly expense for employees	4,020
New York (Cape Vincent), cost	14,500
Yearly expense for employees	5,700
Maine (Green Lake and Craigs Brook), cost (2 stations)	42,543
Yearly expense for employees	7,920
New Hampshire, cost	37,000
Yearly expense for employees	3,480
Vermont (St. Johnsburg), cost	37,000
Yearly expense for employees	4,320
Total appropriations for Fish Commission for 1902	553,620

Mr. PERKINS. Mr. President, only a week ago my friend from Arkansas introduced a bill, which passed the Senate, appropriating $25,000 for the establishment of a fish hatchery in his State. He found no objection to that, although it will cost the Government probably $10,000 more to complete it, and then several thousand dollars additional each year to support it. I voted for the measure; I thought it a wise and beneficent one; but I want to say, in passing, that somehow or other our friend seems color-blind when he comes to measures which do not seem to benefit his State or come directly home to his own people.

Mr. President, I want to repeat again and again as to the general provisions of this bill that I believe they are wise and patriotic. I believe that we have profited not only by the experience of the past fifty years, but by the act of 1891, which was framed by the author of the pending bill. I believe that the objectionable features which were contained in the bill that was before us for consideration at the last session have all been eliminated. I have no question but that this bill will result in adding to the general welfare and prosperity of our country. Not only will it result in benefit to the seaboard, but I believe every industry in our country will be benefited by it.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 14, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 13, 1902.

APPOINTMENT AS MEDICAL OFFICER OF VOLUNTEERS.

William S. Lowe, of Maryland, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, March 11, 1902, vice McLaughlin, resigned.

MARSHALS.

Morgan Treat, of Virginia, to be United States marshal for the eastern district of Virginia, a reappointment, his term having expired February 18, 1902.

S. Brown Allen, of Virginia, to be United States marshal for the western district of Virginia, a reappointment, his term having expired January 31, 1902.

SURVEYOR-GENERAL.

Edward W. Beattie, of Helena, Mont., to be surveyor-general of Montana, his term having expired. (Reappointment.)

REGISTERS OF LAND OFFICES.

Clarence C. Schuyler, of Fargo, N. Dak., to be register of the land office at Fargo, N. Dak., vice Charles N. Valentine, term expired.

George B. Winship, of Grand Forks, N. Dak., to be register of the land office at Grand Forks, N. Dak., vice Ernest H. Kent, term expired.

RECEIVER OF PUBLIC MONEYS.

Harvey J. Rice, of Huron, S. Dak., to be receiver of public moneys at Huron, S. Dak., vice John Westdahl, term expired.

POSTMASTERS.

William W. Millikin, to be postmaster at Dothan, in the county of Henry and State of Alabama, in place of Rachel E. Booth. Incumbent's commission expires March 31, 1902.

Everett F. Pilkington, to be postmaster at Searcy, in the county of White and State of Arkansas, in place of Everett F. Pilkington. Incumbent's commission expires March 22, 1902.

Alexander McLean, to be postmaster at Lompoc, in the county of Santa Barbara and State of California, in place of Wright H. Peck. Incumbent's commission expired February 25, 1902.

William E. Hull, to be postmaster at Peoria, in the county of Peoria and State of Illinois, in place of William E. Hull. Incumbent's commission expired March 9, 1902.

John W. Fornof, to be postmaster at Streator, in the county of La Salle and State of Illinois, in place of John W. Fornof. Incumbent's commission expired February 23, 1902.

Herbert E. Becktel, to be postmaster at Albion, in the county of Noble and State of Indiana, in place of John Q. Knox. Incumbent's commission expires March 17, 1902.

Laban F. Maple, to be postmaster at Chariton, in the county of Lucas and State of Iowa, in place of Laban F. Maple. Incumbent's commission expires March 30, 1902.

Paul Maclean, to be postmaster at Creston, in the county of Union and State of Iowa, in place of Paul Maclean. Incumbent's commission expires March 17, 1902.

Clinton O. Kinne, to be postmaster at Alma, in the county of Wabaunsee and State of Kansas, in place of Clinton O. Kinne. Incumbent's commission expired March 9, 1902.

George I. Barndollar, to be postmaster at Coffeyville, in the county of Montgomery and State of Kansas, in place of Alexander B. Powell. Incumbent's commission expired January 14, 1902.

Thomas E. Dittemore, to be postmaster at Eureka, in the county of Greenwood and State of Kansas, in place of Thomas E. Dittemore. Incumbent's commission expired March 9, 1902.

George W. Minchin, to be postmaster at Evart, in the county of Osceola and State of Michigan, in place of George W. Minchin. Incumbent's commission expires March 22, 1902.

James Wallace, to be postmaster at Yale, in the county of St. Clair and State of Michigan, in place of James Wallace. Incumbent's commission expires March 31, 1902.

Harvey G. Wire, to be postmaster at St. Cloud, in the county of Stearns, and State of Minnesota, in place of Harvey G. Wire. Incumbent's commission expires March 31, 1902.

Lizzie Baldwin, to be postmaster at Canton, in the county of Madison and State of Mississippi, in place of Lizzie Baldwin. Incumbent's commission expires March 22, 1902.

Reuben N. Shanks, to be postmaster at Clarence, in the county of Shelby and State of Missouri, in place of Reuben N. Shanks. Incumbent's commission expired February 22, 1902.

Henry Grass, to be postmaster at Hermann, in the county of Gasconade and State of Missouri, in place of August W. Dietzel. Incumbent's commission expired January 12, 1902.

R. D. Cramer, to be postmaster at Memphis, in the county of Scotland and State of Missouri, in place of Harry Buttles. Incumbent's commission expired March 9, 1902.

John M. Glenn, to be postmaster at Sedalia, in the county of Pettis and State of Missouri, in place of John M. Glenn. Incumbent's commission expired March 9, 1902.

Ross L. Hammond, to be postmaster at Fremont, in the county of Dodge and State of Nebraska, in place of Ross L. Hammond. Incumbent's commission expired February 11, 1902.

J. W. Huntsberger, to be postmaster at Pender, in the county of Thurston and State of Nebraska, in place of Benjamin F. McDonald. Incumbent's commission expired March 9, 1902.

Jerry P. Wellman, to be postmaster at Keene, in the county of Cheshire and State of New Hampshire, in place of Jerry P. Wellman. Incumbent's commission expires March 14, 1902.

Frank E. Holmes, to be postmaster at New Berlin, in the county of Chenango and State of New York, in place of Frank E. Holmes. Incumbent's commission expires March 22, 1902.

George M. Mayer, to be postmaster at Olean, in the county of Cattaraugus and State of New York, in place of George M. Mayer. Incumbent's commission expires March 31, 1902.

Charles H. McOmber, to be postmaster at West Troy, in the county of Albany and State of New York, in place of Edmund S. Hollands. Incumbent's commission expired February 25, 1902.

Herbert Newhard, to be postmaster at Carey, in the county of Wyandot and State of Ohio, in place of Herbert Newhard. Incumbent's commission expires March 22, 1902.

Abner Allison, to be postmaster at Mount Gilead, in the county of Morrow and State of Ohio, in place of Abner Allison. Incumbent's commission expires March 22, 1902.

Newton C. Clyde, to be postmaster at Troy, in the county of Miami and State of Ohio, in place of Samuel D. Frank. Incumbent's commission expires March 16, 1902.

William T. Little, to be postmaster at Perry, in the county of Noble and Territory of Oklahoma, in the place of Corydon Crawford. Incumbent's commission expired February 11, 1902.

Eli A. Warren, to be postmaster at Bristol, in the county of Sullivan and State of Tennessee, in place of Eli A. Warren. Incumbent's commission expires March 16, 1902.

William C. Smith, to be postmaster at Bowie, in the county of Montague and State of Texas, in place of William C. Smith. Incumbent's commission expired June 17, 1901.

Frank W. Reast, to be postmaster at Whitesboro, in the county of Grayson and State of Texas, in place of Jacob Mayfield. Incumbent's commission expired January 10, 1902.

Hiram J. Smith, to be postmaster at Racine, in the county of Racine and State of Wisconsin, in place of Jackson I. Case. Incumbent's commission expires March 22, 1902.

Frank E. Riley, to be postmaster at Two Rivers, in the county of Manitowoc and State of Wisconsin, in place of Frank E. Riley. Incumbent's commission expires March 31, 1902.

George B. Hayden, to be postmaster at Upland, late North Ontario, in the county of San Bernardino and State of California, in place of George B. Hayden. Name of office changed.

William I. Madeira, to be postmaster at Hilo, in the county of Hawaii and Territory of Hawaii, in place of Luther Severance, removed.

Warren S. Randall, to be postmaster at Poplar Bluff, in the county of Butler and State of Missouri, in place of Simon Lederer, resigned.

Hardy C. Fryer, to be postmaster at Blakely, in the county of Early and State of Georgia. Office became Presidential January 1, 1902.

J. W. McFarland, to be postmaster at Homer, in the parish of Claiborne and State of Louisiana. Office became Presidential January 1, 1902.

Mary Truly, to be postmaster at Fayette, in the county of Jefferson and State of Mississippi. Office became Presidential October 1, 1901.

WITHDRAWAL.

Executive nomination withdrawn March 13, 1902.

Wright H. Peck, to be postmaster at Lompoc, in the State of California.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 5, 1902.

POSTMASTERS.

Joseph E. Euwer, to be postmaster at Natrona, in the county of Allegheny and State of Pennsylvania.

William Kerr Galbraith, to be postmaster at Canonsburg, in the county of Washington and State of Pennsylvania.

Norman K. Wiley, to be postmaster at California, in the county of Washington and State of Pennsylvania.

Lewis S. Fisher, to be postmaster at Sparta, in the county of Monroe and State of Wisconsin.

F. A. R. Van Meter, to be postmaster at New Richmond, in the county of St. Croix and State of Wisconsin.

Matthew J. Connors, to be postmaster at Hurley, in the county of Iron and State of Wisconsin.

Charles R. Henderson, to be postmaster at Mayville, in the county of Dodge and State of Wisconsin.

Elisha W. Keyes, to be postmaster at Madison, in the county of of Dane and State of Wisconsin.

Harry Swaney, to be postmaster at Gallatin, in the county of Sumner and State of Tennessee.

Executive nominations confirmed by the Senate March 13, 1902.

MELTER AND REFINER.

Charles M. Gorham, of California, to be melter and refiner of the mint of the United States at San Francisco, Cal.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

Third Lieut. Walter A. Wiley, of Ohio, to be a second lieutenant in the Revenue-Cutter Service of the United States.

POSTMASTERS.

Hugh Barnhill, to be postmaster at Wellston, in the county of Jackson and State of Ohio.

Benjamin W. Hall, to be postmaster at Mount Sterling, in the county of Montgomery and State of Kentucky.

Virgil L. Bacon, to be postmaster at Madisonville, in the county of Hopkins and State of Kentucky.

Frederick A. Van Rensselaer, to be postmaster at Owensboro, in the county of Daviess and State of Kentucky.

George T. Taylor, to be postmaster at Union City, in the county of Obion and State of Tennessee.

Charles R. Brent, to be postmaster at McConnelsville, in the county of Morgan and State of Ohio.

Reuben A. Roether, to be postmaster at McComb, in the county of Hancock and State of Ohio.

Albert Haworth, to be postmaster at Crestline, in the county of Crawford and State of Ohio.

Andrew J. Worsham, to be postmaster at Henderson, in the county of Henderson and State of Kentucky.

Frank A. Knapp, to be postmaster at Bellevue, in the county of Huron and State of Ohio.

Fenton Bagley, to be postmaster at Zanesville, in the county of Muskingum and State of Ohio.

Robert A. Patton, to be postmaster at South Pittsburg, in the county of Marion and State of Tennessee.

John R. Gow, to be postmaster at Bellaire, in the county of Belmont and State of Ohio.

Robert R. Perry, to be postmaster at Winchester, in the county of Clark and State of Kentucky.

Edwin F. Blodgett, to be postmaster at Atlanta, in the county of Fulton and State of Georgia.

Peter J. Clarke, to be postmaster at Pulaski, in the county of Giles and State of Tennessee.

Robert S. Brown, to be postmaster at Murfreesboro, in the county of Rutherford and State of Tennessee.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 13, 1902.*

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

Eternal and ever-living God, our Father, whose ways are past finding out, yet whose presence manifests itself in a thousand displays of infinite wisdom, power, and goodness day by day, illustrating our utter dependence upon Thee for life and all its blessings, who can understand the mystic ties of love and affection which bind us together into families, communities, and nationalities, so that when death comes and takes away we are shocked, overwhelmed, cast down with grief and sorrow; but we thank Thee for that faith which, like an angel, comes whispering—

Be still, sad heart, and cease repining,
For behind the clouds is the sun still shining.

Once more Thou hast touched one of the Congressional family and taken him from our midst, and we are left to wonder and mourn. Help us to be ready for the summons which must come to all. Comfort us in our sorrows, and especially be very near to the widow and orphans left desolate and grief stricken. May time, with its softening hand, assuage the grief and fill their hearts with hope and comfort and the faith expressed in the lines—

I long for household voices gone,
For vanished smiles I long,
But God hath led my dear ones on,
And He can do no wrong.

I know not what the future hath
Of marvel or surprise,
Assured alone that life and death
His mercy underlies.

So comfort and bless us all in the name of Christ our Saviour. Amen.

The Journal of yesterday's proceedings was read and approved.

SELDEN E. WHITCHER.

The SPEAKER laid before the House the bill (H. R. 4488) granting an increase of pension to Selden E. Whitcher, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

JAMES M. STRADDLING.

The SPEAKER also laid before the House the bill (H. R. 280) for the relief of James Straddling, with Senate amendments.

The Senate amendments were read.

Mr. GARDNER of New Jersey. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

WILLIAM RHEUBY.

The SPEAKER also laid before the House the bill (H. R. 6014) granting an increase of pension to William Rheuby, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

FREDERICK SHAFER.

The SPEAKER also laid before the House the bill (H. R. 9227) granting an increase of pension to Frederick Shafer, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur and ask for a conference.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to ask the gentleman from New Hampshire if this Senate amendment reduces the pension as it was allowed in the bill as it passed the House?

Mr. SULLOWAY. It does.

Mr. RICHARDSON of Tennessee. From $40 to $30?

Mr. SULLOWAY. It does.

Mr. RICHARDSON of Tennessee. If I understood correctly, the preceding bills in which we have concurred in the Senate amendments each reduce the amount appropriated by the House.

Mr. SULLOWAY. They do.

Mr. RICHARDSON of Tennessee. Does not the gentleman think that we ought to follow this example set by the Senate and reduce this also in the interest of economy?

Mr. SULLOWAY. I do not, because this bill ought to have been fixed at the rate of $50 on the evidence, for that is the amount that the man is entitled to. The others were reduced under a rule which the Senate has.

Mr. RICHARDSON of Tennessee. Your motion is to nonconcur and ask for a conference?

Mr. SULLOWAY. Yes.

The SPEAKER. The question is on agreeing to the motion of the gentleman from New Hampshire to nonconcur in the Senate amendments and ask for a conference.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. CALDERHEAD, Mr. RUMPLE, and Mr. NORTON.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3848. An act granting a deed of quitclaim and release to Lorillard Spencer, his heirs and assigns, of all the right, title, and interest in and to certain land in the city of Newport, R. I.—to the Committee on the Judiciary.

S. 3182. An act granting an increase of pension to Mary Louise Worden—to the Committee on Pensions.

S. 4346. An act granting a pension to Augusta Turner—to the Committee on Invalid Pensions.

S. 4021. An act granting a pension to Sarah Frances Taft—to the Committee on Invalid Pensions.

S. 3650. An act granting a pension to Sarah A. Carter—to the Committee on Invalid Pensions.

S. 4086. An act granting an increase of pension to Charles W. Foster—to the Committee on Invalid Pensions.

S. 2006. An act granting an increase of pension to James Lehew—to the Committee on Invalid Pensions.

S. 1924. An act granting an increase of pension to Thomas Feneran—to the Committee on Invalid Pensions.

S. 1982. An act granting an increase of pension to Eugene J. Oulman—to the Committee on Invalid Pensions.

S. 142. An act granting a pension to J. J. Groff—to the Committee on Pensions.

PENSION BILLS WITH SENATE AMENDMENTS.

The SPEAKER laid before the House bills of the following titles; which were respectively taken up, the amendments of the Senate read, and, on motion of Mr. BROMWELL, concurred in:

A bill (H. R. 3515) granting a pension to Mary A. House;

A bill (H. R. 428) granting a pension to Sarah Bowers; and

A bill (H. R. 8493) granting a pension to Harry H. Sieg.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CASSEL, until Tuesday next, on account of important business.

To Mr. BELMONT, for ten days additional, on account of illness.

MAHLON C. MOORES.

Mr. SULLOWAY. I desire to call up a conference report.

The SPEAKER. Does the gentleman desire to have the report read or only the statement of the House conferees?

Mr. SULLOWAY. I presume the statement will be sufficient.

There being no objection, the reading of the conference report, which is as follows, was dispensed with:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 8541, "An act granting an increase of pension to Mahlon C. Moores," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

C. A. SULLOWAY,
S. W. SMITH,
ROBERT W. MIERS,
Managers on the part of the House.

J. H. GALLINGER,
JAMES P. TALIAFERRO,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The result of the conference on H. R. 8541, "Granting an increase of pension to Mahlon C. Moores," is that the Senate conferees recommend that the Senate recede from its amendment. The bill passed the House of Representatives at $40 per month, but was amended in the Senate to $25 per month. The effect of the adoption of the report of the conferees would be to grant to Mahlon C. Moores a pension of $40 per month, as originally passed by the House.

C. A. SULLOWAY,
S. W. SMITH,
ROBERT W. MIERS,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The report was agreed to.

On motion of Mr. SULLOWAY, a motion to reconsider the last vote was laid on the table.

POST-OFFICE APPROPRIATION BILL.

Mr. LOUD. I move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of the Post-Office appropriation bill, and pending that motion, I desire to see whether we can not reach an agreement touching the closing of general debate.

Mr. JENKINS. Can the gentleman give me twenty minutes?

Mr. LOUD. I can not make any agreement as to the disposition of the time until the House has disposed of the matter. I ask unanimous consent that general debate on this bill may close in two hours, one hour on each side, one-half the time to be controlled by the gentleman from Tennessee [Mr. MOON] and the other half by myself.

The SPEAKER. Is there objection?

Mr. GOLDFOGLE. Will this order interfere with the list of speakers which the Chairman of the Committee of the Whole has been following?

The SPEAKER. The presiding officer of the House knows nothing about "the list" which may be in the possession of the Chairman of the Committee of the Whole; that is merely an informal memorandum.

Mr. FITZGERALD. I should like to inquire whether the chairman of the Committee on the Post-Office and Post-Roads [Mr. LOUD] intends that the two hours shall be devoted solely to the discussion of the subsidy proposition contained in the bill?

The SPEAKER. The gentleman from California can not control that question. Under the rules and practice regulating general debate, the subject to be discussed is under the control of the gentleman occupying the floor, subject only to the requirement that the remarks be parliamentary. Is there objection to the proposition of the gentleman from California?

Mr. GOLDFOGLE. I object.

Mr. LOUD. Then I ask unanimous consent that general debate close in three hours, under the same conditions I have just stated.

The SPEAKER. Is there objection to this request?

Mr. JENKINS. I object.

Mr. LOUD. Then I will move that general debate on this bill close in two hours, the time to be controlled as already suggested by the gentleman from Tennessee and myself.

The SPEAKER. The gentleman from California moves that general debate in Committee of the Whole on the Post-Office appropriation bill be limited to two hours. The other part of his motion is not in order.

Mr. RICHARDSON of Tennessee. I rise to a parliamentary inquiry. Did the objection to the request of the gentleman from California, that general debate be limited to three hours, come from this side of the House or the other? My attention was diverted at the time.

The SPEAKER. The gentleman from Wisconsin [Mr. JENKINS] objected.

Mr. JENKINS. I am perfectly willing to withdraw my objection for the purpose of asking the gentleman from California if he will give me twenty minutes.

Mr. RICHARDSON of Tennessee. If three hours be allowed, can not the gentleman from Wisconsin have twenty minutes and the gentleman from New York twenty?

Mr. LOUD. I will be perfectly frank and say that such time as I may control I shall yield to gentlemen who desire to discuss this bill. If there is any time left, I will say that I should yield it to the gentlemen who desire to discuss some other subjects.

Mr. JENKINS. Then I renew my objection.

Mr. LOUD. I will change my motion to close debate to three hours.

The SPEAKER. The gentleman from California moves that the general debate on this subject be limited to three hours.

The motion was agreed to.

The SPEAKER. The question now is on the motion of the gentleman from California, that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post-Office appropriation bill, H. R. 11354.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post-Office appropriation bill, H. R. 11354, with Mr. LITTLEFIELD in the chair.

Mr. CRUMPACKER rose.

The CHAIRMAN. The committee will be in order. The House is in Committee of the Whole House on the state of the Union for the further consideration of the Post-Office appropriation bill, H. R. 11354, and the gentleman from Indiana [Mr. CRUMPACKER] has the floor.

Mr. LOUD. Well, Mr. Chairman——

The CHAIRMAN. The gentleman from California.

Mr. LOUD. My understanding was that the time was to be controlled by the gentleman from Tennessee [Mr. MOON] and the gentleman from California [Mr. LOUD].

The CHAIRMAN. The Chair understands that any agreement as to the control of time is subject to the unanimous consent of the committee.

Mr. LOUD. Well, that was included in the motion that I made. I did not repeat exactly the words, but I made the motion to close the debate in three hours, under the same condition proposed before.

The CHAIRMAN. The Chair understood the Speaker to hold that he could not include in the motion the condition that the time was to be controlled by the gentleman from California and the gentleman from Tennessee. The Chair will take the instruction of the committee upon the control of the time.

Mr. LOUD. If that is so, I will say that my motion would have been different. I understood that the Speaker held that way. I will now ask unanimous consent that the time may be divided in that way.

The CHAIRMAN. The gentleman from California asks unanimous consent that the time now to be occupied shall be controlled in equal parts by the gentleman from California and the gentleman from Tennessee. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. MOON. Mr. Chairman, I yield thirty minutes to the gentleman from Indiana [Mr. CRUMPACKER].

Mr. LOUD. I reserve my time, Mr. Chairman, and the gentleman from Tennessee yields thirty minutes to the gentleman from Indiana.

The CHAIRMAN. Will the gentleman from California and the gentleman from Tennessee be kind enough to furnish the Chair with the division of control upon which they agree?

Mr. LOUD. Just as soon as we can, Mr. Chairman.

Mr. CRUMPACKER. Mr. Chairman, I shall direct the remarks that I have to make upon this bill to that paragraph making an appropriation for special railway mail facilities upon the line between the city of Washington and the city of New Orleans, by way of Atlanta. There are 2,746 railway mail routes in the United States, aggregating over 183,000 miles, and the expense to the Government of transporting mails by means of railways amounts to nearly $34,000,000 a year.

There are over 183,000 miles of railroad carrying mail, running into all parts of the country, ramifying every town and hamlet, and constituting a splendid, a magnificent, system for the diffusion of intelligence which is the just pride of every citizen of the country, and no man can have any just ground of objection to necessary appropriations for its proper maintenance. The enormous sum appropriated, in the main, is judiciously expended. The maximum pay for the carriage of mails by railways is fixed by positive statutes, and I understand that in making contracts the maximum amount is always paid.

The average expense for carrying mails by rail in the United States is a little above $184 per mile per annum. Out of the 2,746 railway mail routes all excepting half a dozen lines carry the mails for the regular statutory pay. A number of years ago special-facility appropriations were made, in addition to the regular pay, for the purpose of expediting the mails between important commercial centers. These special appropriations were afterwards gradually withdrawn by the Post-Office Department, and by action of Congress, without in the slightest degree affecting or impairing the efficiency of the splendid railroad-carrying service.

In 1877 special appropriations were made for the expedition of mails from New York and New England along the Atlantic coast line to Tampa, Fla., with a view of accelerating the foreign mail into the West Indies. That run on for a few years and was finally withdrawn, and the result was that the efficiency of the mail carriage from New York and New England to the West Indies by way of Tampa did not suffer in the remotest degree.

The same service precisely, continued after the discontinuance of the special appropriation as existed before, but when that appropriation was withdrawn from the Atlantic Coast Line, Congress in its wisdom vested in the Postmaster-General power to expend about $170,000 a year toward the expedition of a line of mail from the city of New York, by way of Washington and Atlanta, to the city of New Orleans, and every year from that time to the present a special appropriation for that line has been made.

I am prepared to demonstrate to every fair and candid mind in this House that if there was ever any justification for that subsidy the time has long since past, and that it can be withheld now without in the slightest measure affecting the efficacy of the mail service between New York and New England and points in the South and Southwest.

In former Post-Office appropriation bills—from 1893 to the present bill—appropriations amounting to about $27,000 a year were given to the Pennsylvania Company as additional pay for expediting the mails from the city of New York to the city of Washington, with the view of making connections with through lines over the Southern and other railroads to New Orleans.

It has all along been the understanding of Congress and the understanding of the country that for that extra $27,000 an additional train was put on, a fast train between the city of New York and the city of Washington; but an investigation of the facts has shown that the Pennsylvania Company did not add a new train nor a single car to its service between those points. It did not even change its schedules, but continued to run trains and carry mails after it received the subsidy in precisely the same manner that it did prior to the granting of the extra pay.

There is no question, Mr. Chairman, but that that appropriation was a subsidy, a gratuity pure and simple, for which the people of the United States did not receive one single farthing's benefit in return.

The Pennsylvania Railroad from New York to Washington is paid more for carrying mails than any other line of equal length in the United States. It receives regular pay, under the statute, to the amount of over $3,400 per mile per year.

As I said in the beginning of my remarks, the average of statutory pay for all the railroad routes throughout the United States is $184 per mile per year, but this line of road from New York to Washington, receiving $3,400 a mile in regular pay, was voted a bonus nine years ago of $28,000 a year and has been receiving it ever since; and I assert, without fear of successful contradiction, that it has not yielded one single farthing's benefit to the country in consideration of that appropriation.

The subsidy has been voted upon the statement made on the floor of the House that the Pennsylvania company had put on an extra train, leaving the city of New York at 4.30 o'clock in the morning with the view of expediting the mail to the city of Washington, when in fact no such train was ever put into service. Not an additional car was added to the mail service on that line, and not an additional facility was made.

Conditions became so rank respecting that appropriation that they seemed to be developing into a small-sized scandal, and this year the committee have omitted the special appropriation altogether, but I understand that a motion is to be made in the House to restore it when the times comes to offer amendments to the bill.

Mr. BOUTELL. Will the gentleman yield for a question?

Mr. CRUMPACKER. Certainly.

Mr. BOUTELL. Has not the proviso contained at the top of page 23 in the present bill always been contained in the prior bills relating to this appropriation, under which the sum is only to be expended in case the Postmaster-General shall deem such expenditure necessary in order to promote the interests of the postal service? In other words, has not the entire discretion in this matter been thrown upon the Postmaster-General to determine whether or not it was necessary?

Mr. CRUMPACKER. There is now the same attempt to vest in the discretion of the Postmaster-General the power to expend this special appropriation that has always been connected with the appropriation; but the Post-Office Department has explained time and again to the Post-Office Committee and to Congress that since the Department has refused to recommend or to make estimates for the appropriation, that since it has declared repeatedly that the public did not receive a fair equivalent for the outlay, and that it ought to be discontinued, the persistent voting of the money by Congress and the conferring of power upon the Post-Office Department to expend it was considered to be equivalent to a direction, and they have continued to expend it under that proviso and will continue to do so until doomsday.

The Committee on Post-Offices and Post-Roads know the interpretation the Department puts upon that proviso. The House has been informed repeatedly of the interpretation the Department puts upon the proviso and why it is done. We all know that the Department will construe the appropriation as a direction to expend it as long as it is made.

Mr. BROMWELL. May I ask the gentleman a question?

Mr. CRUMPACKER. Yes.

Mr. BROMWELL. Is the gentleman aware of the fact that the officials of the Pennsylvania Railroad have indicated their perfect willingness that this appropriation, which has heretofore been given, or that portion of the appropriation which has heretofore been given to the Pennsylvania Railroad, may be omitted this year?

Mr. CRUMPACKER. I understood that such willingness had been expressed, although I have not heard it definitely, but I do not wonder at it. Why should it not? Is there a man in this committee who can for a single moment justify that appropriation, when he knows that not an iota of benefit has been afforded to the people of the country from its expenditure?

In the arguments upon this question in times past I have heard gentlemen in support of these appropriations stand and insist that a new train was put in the service from New York to Washington and that that justified Congress in authorizing the

payment. If that was the impression or the understanding of members, Congress has been acting in the dark; has been making the appropriation upon a misunderstanding of the facts.

I am not surprised that officers of the Pennsylvania Company should come to the committee and willingly yield any claim upon the appropriation. What right have they to it? They have gotten near a quarter of a million dollars of a bonus in the last nine years. I repeat, it is the heaviest-paid mail line in the United States and yields absolutely no return for this special pay.

Now, when the special appropriation was first made for the purpose of expediting mails between the city of Washington and New Orleans by way of Atlanta an additional fast mail train was added to the line. There had been one train making fast time from New York to New Orleans by way of Washington and Atlanta over the lines benefited by the special appropriation.

In 1892 or 1893 the Southern Railroad and its southern and southwestern connections converted a local train into a fast train, and later on put on a new train to accommodate local traffic. The new fast train was put in this service in consideration of the subsidy of $140,000 a year, which the line is still drawing.

If there was any justification for this special appropriation in the first place, it can be demonstrated that the reason has ceased to exist. When the appropriation was first made, in 1893, the total pay of this line of railroad for carrying mail from Washington to New Orleans was about $382,000 a year. That was the regular pay. It amounted to $335 a mile—$1,051 a day.

The pay of this same line for 1901—the regular pay, the statutory pay—exclusive of the bonus, amounted to $795,866—$700 a mile for the year—not including what is known as the railway post-office pay. The regular statutory compensation this line of railroad receives from the Government for the transportation of mails from the city of Washington to the city of New Orleans has increased since the special appropriation began over 107 per cent. It receives now, in the way of regular pay, exclusive of the subsidy, $271,000 a year more than it received in 1893, in the form of regular pay and subsidy combined.

I submit, Mr. Chairman, that if this line could institute and maintain two fast trains between the city of Washington and New Orleans in 1893, for the sum of $524,000 a year of regular pay and subsidy, it can maintain the same two trains now for the regular pay of $795,000 a year without the subsidy. I desire to impress upon the minds of gentlemen composing this committee the important, the significant fact that the regular pay of this line now amounts to $271,000 a year more than the regular pay and subsidy combined amounted to when the special appropriation was first made.

I assume, Mr. Chairman, that the increase in the mail carriers' pay on the road between Washington and New Orleans is a fair index of the increase in business in general on that line—the increase in freight, passengers, and express business. Is there a man within the sound of my voice who will contend that this line of railroad can afford to withdraw one of those fast trains if it did not receive the subsidy? Why, the necessities of its business demand them both.

Contemplate for a moment the splendid increase of business that has gone on throughout the United States during the last nine or ten years; the magnificent improvements that have been made in railroad transportation in all of its phases. Great improvements have been made in methods of railroading, and the genius of consolidation in transportation matters is such that magnificent systems have been organized and splendidly equipped trains are dispatched throughout the country upon the fastest time possible, carrying mails for the statutory pay. The line from Washington to New Orleans is one of the most important in the United States, and it can well afford to do what other roads are doing.

Now, Mr. Chairman, if the time has not come to cut off this subsidy, this gratuity—for it is nothing else—when, let me ask, will that time arrive? The Postmaster-General has year after year recommended that it be discontinued. The Second Assistant Postmaster-General says that it is an injury to the railway mail-carriage service throughout the country. He says it can be discontinued without impairing the efficiency of the mail-carriage service between Washington and the great city of New Orleans.

The Postal Commission which was appointed by action of Congress a few years ago to investigate the whole question of railroad-carriage service reported in favor of the discontinuance of the subsidy. Let me ask again, in view of the fact of the enormous increase of business, the enormous increase in the receipts of this system of railroads from the Government for the carriage of mail, in view of the fact that the Post-Office Department says it is a positive injury to the railroad-carriage system of the country, in view of the recommendation of the Postal Commission that it be discontinued, what justification is there, Mr. Chairman, for Congress persisting year after year in making this gift?

Mr. BROMWELL. I would like to ask the gentleman this question. We have tried for several years to pass a bill in this House, known as the Loud bill, controlling the violation of the law in regard to second-class matter. Year after year we have failed to pass that bill, but at last we have found a Third Assistant Postmaster-General who has the nerve and the courage to enforce the law and make it unnecessary for us to attempt to legislate further on that subject. I would like to ask the gentleman from Indiana whether, if the Second Assistant Postmaster-General had a little of the nerve of the Third Assistant Postmaster-General, this subsidy would not have been cut off years ago?

Mr. CRUMPACKER. I presume so——

Mr. FLEMING. Will the gentleman allow me a question?

Mr. CRUMPACKER. Let me answer the gentleman from Ohio first. I presume so, and yet it is a very natural position for the Post-Office Department to take, when Congress knows of the interpretation it puts on the provision—to construe it to mean a mandate to expend it as it has in years past.

Mr. BROMWELL. Is it any more so than when we, in attempting to prevent a violation of the law in regard to second-class mail matter year after year, refused to pass the Loud bill, and yet the Third Assistant takes upon himself the responsibility to do it?

Mr. CRUMPACKER. Perhaps not; but the question is up to Congress now, and I am endeavoring to illustrate the fact that there is absolutely no justification on the part of Congress to make the appropriation when we know that the Post-Office Department will expend it in the face of these adverse recommendations as long as we appropriate the money.

Mr. BROMWELL. I fully agree with the gentleman.

Mr. FLEMING. In the question put by the gentleman from Ohio, does he not place the responsibility on the wrong man? Is it not the Postmaster-General himself who is responsible for the conduct of his office?

Mr. CRUMPACKER. I think it is, but I think the responsibility is primarily located on Congress and Congress can not escape it.

Mr. GAINES of Tennessee. Mr. Chairman, I rejoice that the distinguished lawyer, the gentleman from Indiana, is addressing the House on this question. I want to ask him, as a lawyer, is it not now and has it not always been a direct perversion of the statute appropriating this subsidy for the Postmaster-General, or his subordinate, to declare that it is mandatory and not a matter of discretion.

Mr. CRUMPACKER. That is a question, perhaps, of ethics with the Department, which I have not the time to discuss. Mr. Chairman, the only conceivable benefit that has been received for this appropriation from Washington to New Orleans of late years is the claim that it is a stimulus to fast trains to make the schedule time. It has been said that the Post-Office Department fixes the schedule for the trains. That is a mistake.

The Post-Office Department has nothing to do whatever in establishing the schedules. They are established by the railroad to accommodate its own business. They are established with a view of making important connections that will contribute to the benefit of the railroad company, and the Second Assistant Postmaster-General says when the railroads have established their schedules the Post-Office Department simply approves them. They are established, first, to subserve the convenience and meet the requirements of the passenger and express business of the line of railroad between Washington and New Orleans, and when they have once been established they can not be changed without the consent of the Postmaster-General.

Now, it is said that if any one of these fast trains fails to make its schedule time at junctional points it is fined. Fined how? The Postmaster-General does not pay that train its subsidy for that particular trip. That is all. It gets its regular pay; it gets the same pay that every other railroad in the United States that is carrying the mails gets and is glad to transport the mails for.

This road that is receiving per mile per annum over three times as much as the average pay of all the railroads throughout the United States continues to receive its regular pay, and if it fails to make schedule time at some important connection the Post-Office Department withholds the subsidy only for that particular train on that particular day. The Second Assistant Postmaster-General testified before the Committee on Post-Offices and Post-Roads that the system of fines and forfeitures once existed to stimulate railroads to make schedule time with mail trains, but, he said, the demands of the public had become such that it was a good safeguard against unnecessary delays of mail trains and the fines and forfeitures had become obsolete.

It might be that we could spend $10,000,000 a year in bonuses to be paid to railroads as a reward for making their schedules. It might result in some slight benefit, but the outlay would be altogether out of proportion to the results. There would be no fair equivalent for the expenditure.

But this subsidy is an invidious discrimination against other

railroads, and breeds jealousy and discontent. Other roads carry the mails as expeditiously as this particular line, for the regular statutory pay. We are getting just as efficient service from other lines without any subsidy. Why should we pay this line this bonus of $142,000 a year, when the returns from the expenditure are not a fair equivalent?

I make the assertion that no one can investigate the facts in connection with this appropriation and its history for the last nine years without coming to the conclusion that the appropriation can be withheld now without impairing in any degree the efficiency of the service. Every train that is run now under the stimulus of this bonus will continue to be run.

Every schedule that is maintained now will be continued, because the enormous passenger and express business of this important trunk line connecting New England with the South, the Southwest, Texas, and the Pacific coast, over the Southern Pacific—*the* exigencies of this great business peremptorily require that this line furnish the same accommodations between the great centers of commerce that competing lines furnish.

The Louisville and Nashville road, running from Cincinnati to New Orleans, runs two trains a day between those points, making substantially the same time as the subsidized trains, and it is done on the regular mail pay. The Illinois Central road, running from Chicago to New Orleans, runs two, and I do not know but more, trains a day on the same time as the subsidized trains are run over the Southern and its connecting lines, and this is done for the regular pay, which is regarded by the country as ample. All trunk lines are compelled by the demands of the public to maintain fast trains and the best accommodations. It has come to be a public necessity and subsidies are not demanded for its continuance.

[Here the hammer fell.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BUTLER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills and joint resolutions of the following titles; in which the concurrence of the House of Representatives was requested:

S. 1798. An act for the erection of a public building at Hastings, Nebr.;

S. 2210. An act relating to Hawaiian silver coinage and silver certificates;

S. 297. An act for an examination of the property of the Little Kanawha River Navigation Company;

S. 2393. An act for the relief of James B. Sargent;

S. 3834. An act to provide for the purchase of a site and the erection of a public building thereon at Sherman, in the State of Texas;

S. 3375. An act relating to the construction of a dam across Rainey River;

S. R. 57. Joint resolution relating to military badges;

S. 2388. An act for the relief of Elizabeth L. W. Bailey, deceased;

S. 1510. An act providing for the erection of a public building in the city of Charlottesville, Va.;

S. 3400. An act to amend section 1098 of the Revised Statutes of the United States;

S. 4139. An act to diminish the number of appraisers at the ports of Philadelphia and Boston; and

S. R. 68. Joint resolution authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of Count de Rochambeau to be unveiled in the city of Washington.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8541) granting an increase of pension to Mahlon C. Morris.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 9227) granting an increase of pension to Frederick Shafer, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. BURTON, and Mr. PATTERSON as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11306. An act to extend the time for the construction of a bridge across the Mississippi River at Burlington, Iowa;

H. R. 11144. An act granting an increase of pension to Anderson Howard;

H. R. 10305. An act to amend section 14 of the act approved June 29, 1898, entitled "An act to provide for the construction of a bridge across the Niagara River;"

H. R. 9332. An act to authorize the Dothan, Hartford and Florida Railway Company to construct a bridge across East St. Andrews Bay, navigable water, at a point about 1 mile east of Farmdale, in the State of Florida;

H. R. 9280. An act for the relief of Hugh C. Preston;

H. R. 8486. An act granting a pension to Annie S. Hummel;

H. R. 5536. An act granting an increase of pension to Daniel Schram;

H. R. 4209. An act granting a pension to Thomas Butler;

H. R. 1743. An act granting a pension to Samuel M. Graves;

H. R. 1381. An act for the relief of J. V. Davis;

H. R. 1375. An act for the relief of Louis Weber; and

H. R. 299. An act for the relief of William C. Dodge.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. LOUD. I now yield one hour to the gentleman from Georgia.

The CHAIRMAN. The gentleman from Georgia is entitled to one hour, for thirty minutes of which the gentleman from Alabama [Mr. UNDERWOOD] is recognized.

Mr. UNDERWOOD. Mr. Chairman, in this debate it has been customary for a number of years for those who are opposed to this proposition to assail it as a "subsidy," thinking, I suppose, that it may prejudice the minds of some people against the proposition, because it is claimed to be a "subsidy." Well, so far as I am individually concerned, it is a matter of no concern to me whether gentlemen designate this appropriation as a "subsidy" or as pay for special facilities. As a matter of fact, we all know that it is not a subsidy. A subsidy is something paid by the Government to individuals to aid in their individual transactions. The Government pays railroad companies and other persons for carrying the United States mail and for conducting the Government business; and the only question involved in this case is whether the Government is paying more to these railroad companies for doing this particular mail service than it ought to pay.

It is proposed in this bill to pay to the railroads carrying mails from the city of Washington, via Atlanta, to the city of New Orleans $142,000, for special facilities put on by those companies. Now, the question is whether it is wise for the Government to spend this money for that purpose, and whether the people of the United States or a portion of them receive any adequate return for the money expended. That is all there is in the question.

There is no disputing the fact that before this special pay was granted by the Government of the United States for these special facilities the mail in reaching the Southern post-offices was from an hour to twelve hours later than it is now. The record shows that. This subject has been thrashed over here for many years, and that proposition has never been disputed. Any man living along the line of the route knows that before 1893, when this special pay was granted, the mail was delivered many hours later than it is now.

Mr. SIMS. Allow me one moment. As I understood the gentleman from Indiana [Mr. CRUMPACKER], he said that the portion of this subsidy heretofore paid to the Pennsylvania Railroad has dropped out of this bill.

Mr. UNDERWOOD. It has.

Mr. SIMS. Does the gentleman know why that has been done?

Mr. UNDERWOOD. I understand from a gentleman connected with the road that the Pennsylvania Railroad Company was not willing to allow the Government any longer to control the schedule of these two trains for $28,000 a year. It preferred to have the management of its own trains rather than receive this pay.

Mr. SIMS. That being the case, will not the entire scheme fail by the Pennsylvania not keeping up its part of the special facilities?

Mr. UNDERWOOD. No; because the Post-Office Department can order this train running from Washington to Atlanta to wait here for the New York mail, even if it is slow coming from New York, and when it gathers up that mail it leaves when the Post-Office Department directs it shall leave.

Mr. SIMS. In fact, will not the Pennsylvania portion failing relatively affect it all along the line?

Mr. UNDERWOOD. Oh, it may delay it a few minutes. The time of the train running from here to New York is only five hours and it is twenty-four hours from here to Birmingham and nearly thirty-six hours from here to New Orleans.

Mr. SIMS. My recollection, however, is that it has always been stated that one of the chief objects in giving these special

facilities was to get the New York and Eastern mail that much earlier, and if one of the main links drops out——

Mr. UNDERWOOD. Oh, well, the Pennsylvania Railroad is not going to quit carrying the Government mail. It may not carry it quite as rapidly as it did before. I do not know whether it will or not, but it will deliver it here and these trains can be held to take it up when it comes. Now, if the gentleman wants to argue his case, I prefer to have him argue it in his own time. I am willing to answer questions.

Mr. SIMS. I do not think it is an argument. Has the subsidy given to those roads south of Washington been decreased any by reason of this additional slowness, we will call it, of the Pennsylvania trains?

Mr. UNDERWOOD. The special pay to the Pennsylvania Railroad is cut off. The amount of pay to the other railroads is not cut off, because they render the same services to-day, and will continue to render them, that they have rendered in years past, and there is no reason to cut it off, if they are going to be paid for special facilities at all.

Mr. CRUMPACKER. Will the gentleman permit a question?

Mr. UNDERWOOD. Yes.

Mr. CRUMPACKER. Does he not know that the Pennsylvania Company run the same trains on the same schedule time between New York and Washington for years before this special facility was granted that it has been running since?

Mr. UNDERWOOD. I would state to the gentleman candidly that I am not familiar with the schedule times of the Pennsylvania trains and never have been. I do not know what the schedules were and the times of trains from Washington south before this was put on and what they are now; but as to the schedules of the Pennsylvania Railroad bringing the mail in here I do not know. I have always heard it claimed on the floor that the reason the Pennsylvania Railroad asked for this additional pay was that it started a train out of New York at 4 o'clock in the morning, when it could not do much passenger business, but now as to that part of the line I do not know and I am not prepared to speak. I am merely addressing myself to the necessity of keeping this special pay on for the roads from Washington south.

Mr. FLEMING. May I ask the gentleman a question there?

Mr. UNDERWOOD. Well, yes; but I have only a few minutes left, and I do not like to spend all of my time in answering questions.

Mr. FLEMING. I understood the gentleman to say that the railroad officials gave as the reason for surrendering this $28,000 pay that they wished to control the schedule of their trains. Does the gentleman mean to say that the surrender of that subsidy gives them any more or less control over the schedule than with the subsidy?

Mr. UNDERWOOD. Why, certainly.

Mr. FLEMING. Why, undoubtedly not.

Mr. UNDERWOOD. Certainly.

Mr. FLEMING. No.

Mr. UNDERWOOD. They were required to have their trains that carried this mail leave New York at a time fixed by the Department and they were required to leave at a time fixed by the Department. They are not now required to do so when they no longer receive this special pay. I beg to say, if the gentleman wants to argue the case, that is what has been stated to me and what I believe, and if the gentleman has other information I will ask him to state it in his own time.

Mr. FLEMING. The withholding of the special pay has nothing whatever to do with control over the schedule.

Mr. UNDERWOOD. Well, that is the opinion of the gentleman from Georgia. I will state that I believe to the contrary. Now, there is nothing new in this question. When the Government first began carrying mail by railroad, additional pay was given to many railroads for quick service. It was paid all over the Northern States, but the reason for appropriating money for the roads that run through the States of the North to-day is that since the Railway Mail Service grew up special cars are put on by the railways for the clerks in the Railway Mail Service, where they can run out from New York to Chicago or from New York to Boston, out of the great cities, and the mail trains practically carry nothing but mail cars. These roads are paid a rental for those cars, and that rental operates as a special pay for the running of those trains; and they can be run without local stops—without stopping for local passengers—but run as mail trains and receive the additional pay by reason of the rental of their cars.

Therefore in the thickly settled portions of the country they can afford to run these great trains carrying nothing except mail without a special appropriation such as we have here, because they get their returns in the rental of the cars, but on the Southern roads, where the population is sparse, where they can not afford to run a full mail train, they have to carry the mail on a passenger train. They have to connect their mail car with a train carrying passengers and that does some passenger business. Now, if you want to stop at every station to pick up passengers, you can not make fast time. If you are not going to stop at the local stations to pick up passengers, then it is going to affect the compensation of the railroad running the train, and the railroad is entitled so some additional pay for the loss of the passenger service. That is all there is in that particular proposition.

As a matter of fact, before this special pay was granted the Southern Railroad ran out of the city of Washington to New Orleans two mail trains a day, but there was a difference of some twelve hours in the running time between Washington and New Orleans, and a difference of four or five hours in reaching Atlanta, the time being that much longer than it is now. Why did that occur? Because those two trains did local passenger business. They stopped at the local stations and picked up the local passengers and carried them on to their destination.

Since the Government has taken control of these two trains, No. 35 and No. 37, on the Southern Railroad, the railroad has been compelled to put on four trains instead of two. Now, the gentleman from Indiana [Mr. CRUMPACKER] asks, Do you suppose that the Southern Railroad is going to take off those two passenger trains if you do not grant these special facilities? No, but they will take off the trains that are doing the local business and allow the two through trains to do the local business. Therefore, it will drop back to the old schedule, because when they stop at the small stations to pick up the local passengers they must necessarily take more time in reaching their destination than when they run through.

Train No. 37, that leaves Washington with the mail in the morning for the South, leaves here at 11.15 a. m., and does not stop at all between Washington and Charlottesville. From Charlottesville it runs through to Lynchburg, and then to Danville, and then to Charlotte, and then, with only a few stops, on down to Atlanta. Now, there are a number of small towns in between those stations. It is necessary for them to take care of that passenger business, and how do they do it? Why, they start a local train out of here at 8 o'clock in the morning that runs ahead of the fast train and picks up the passengers and carries them down to Charlotte, and at Charlotte, if they are through passengers, they are transferred to the through train. The through train leaving here at 11.15 catches the local train at Charlotte when it reaches there.

The railroad companies can not run two trains at the same cost at which they can run one. The gentleman says that the amount of mail that they have carried has greatly increased since this appropriation was originally made. Well, I have no doubt it has, but they have got to carry more cars. What has been the result? They have had to put on an extra night train carrying this mail out of here a half an hour before the regular night passenger train goes through, and they are running two trains carrying that mail now instead of one. That costs them more. The mail has increased and probably they are making some more profits, but the expenditure is a great deal more running the two trains to carry the mail at night, as well as in the day, than it was before.

Mr. GAINES of Tennessee. If subsidizing one of these trains makes it go faster and get to New Orleans sooner, how is it that it was demonstrated in the hearings in the last session of the Fifty-sixth Congress that the unsubsidized train got to New Orleans in just one minute longer time than the subsidized train?

Mr. UNDERWOOD. Well, I have attempted to explain. This time was not made by either of these trains before this subsidy was granted. Both of these trains, No. 35 leaving at night and 37 leaving in the morning, are controlled by the Southern Railroad.

Mr. GAINES of Tennessee. But it took the unsubsidized train just one minute longer than the subsidized train to run to New Orleans.

Mr. UNDERWOOD. If the gentleman desires to call it a subsidy, I have no objection to what he calls it. The special pay for these facilities is paid to train No. 37, while the Government controls the time of both 37 and 35.

Mr. GAINES of Tennessee. Do you mean to say that it controls both the subsidized and the unsubsidized train?

Mr. UNDERWOOD. That is what the Postmaster-General says here.

Mr. GAINES of Tennessee. What is the use of having a subsidy at all if the unsubsidized train is also under control of the Post-Office Department?

Mr. UNDERWOOD. As I tried to explain, train No. 37 catches the morning mail from New York and takes it down South on a schedule fast enough so that it can deliver the mail in the southern towns during business hours, instead of delivering it late at night when business is over, making the real time of the mails twelve to twenty-four hours longer for the business men of that portion of the country.

Mr. GAINES of Tennessee. Does the subsidy make the train run in the day time instead of in the night?

Mr. UNDERWOOD. I am sorry the gentleman could not understand the explanation I have made.

Mr. GAINES of Tennessee. I do not understand the explanation the gentleman has made, and it is the first time I have ever known the distinguished gentleman to fail to explain any subject that he undertook to explain.

Mr. UNDERWOOD. I suppose the gentleman was out when I explained it.

Mr. GAINES of Tennessee. No; I have heard everything that was said by the gentleman, I think.

Mr. UNDERWOOD. That train is run out of here by the Government at 11 o'clock in the morning.

Mr. GAINES of Tennessee. Does is not run at night, too?

Mr. UNDERWOOD. Of course it runs at night before it gets to New Orleans, because it takes about twenty-four hours to get there.

Mr. GAINES of Tennessee. Of course it does.

Mr. UNDERWOOD. I say that train leaving here in the morning gets to Birmingham at 12 o'clock in the day, and it used to get there at 6 or 7 o'clock in the evening, after the day's work was done, and it saves a day's business.

Mr. GAINES of Tennessee. One more question and then I am done. Is this provision about paying the subsidy to this railroad or any of these railroads, so far as that is concerned, made mandatory, or is it discretionary with the Post-Office Department?

Mr. UNDERWOOD. Well, the gentleman is able to read the provision in the bill as well as I am, and I will leave it to his own construction. The bill provides that no "part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interests of the postal service."

Mr. GAINES of Tennessee. Has the Post-Office Department not held that to be mandatory?

Mr. UNDERWOOD. I do not know whether the Postmaster-General has held it to be mandatory or not.

Mr. GAINES of Tennessee. I say to the gentleman that he has done so, and so stated in hearings before the Postal Committee.

Mr. UNDERWOOD. The gentleman from Indiana claimed that.

Mr. GAINES of Tennessee. It is in the testimony, and I have read the whole of it, I will state to the gentleman.

Mr. UNDERWOOD. I am perfectly willing for the gentleman to put it in the RECORD, but I will ask him to allow me to proceed.

Mr. GAINES of Tennessee. It is in the hearings. I do not want to interrupt the gentleman, if he is not willing.

Mr. UNDERWOOD. I would be glad if the gentleman would not, as I would be glad to continue what I have to say.

Mr. Chairman, it does not make any difference to me whether it is mandatory or not mandatory. I say we have discussed this question before in the House long enough, and we know enough about it to know whether we think this special pay ought to be granted for this special service or not. We are just as capable of coming to a conclusion about that matter as the Postmaster-General. We have discussed it for years here, and if the members of the House think the people along the Southern Railway are not entitled to these additional facilities in the carrying of the mail and giving it to them many hours ahead of the old schedule time, and not willing to pay this $142,000 to grant them that privilege, then they can vote against it. As for myself, I want my people and the people along the line of this railroad to get the benefit of this quick mail delivery; and for that reason I intend to vote for the appropriation and endeavor to facilitate the Southern mails.

Now, I want to say that the Post-Office Department has prescribed the schedules for train No. 35, which leaves at night at 10 o'clock, and No. 37, which leaves in the morning at 11 o'clock, and holds the Southern Railroad to a strict adherence to the schedules of these two trains as fixed for this special facility in delivering the mail. In case the morning train arrives at Danville five minutes or more late, the Department will deduct the special facility pay, amounting to $40.79; if the same train continues on down the road and arrives at Charlotte more than five minutes late on the schedule time, the Department deducts $24.31 more for that day, and if it continues and goes on down the road to Atlanta and arrives there five minutes late, it deducts $40.78 for that day. In other words, if this train that leaves in the morning arrives at Danville, at Charlotte, and at Atlanta, all three places, five minutes late, it has forfeited its special pay for that day's run and can not get it.

Mr. WILLIAMS of Mississippi. Has the gentleman got the figures to show what proportion of the time it is late?

Mr. UNDERWOOD. I have not got the figures, but I know that it has forfeited a considerable portion of this special facility pay.

Mr. WILLIAMS of Mississippi. I ask the gentleman the question, because from my experience in traveling over that road it so often happens to be an hour or an hour and a half late that I supposed it forfeited about all the pay.

Mr. UNDERWOOD. I think that it has forfeited a great portion of this special pay to the Government because of its being late; and after it is forfeited the railroad has repeatedly put in claims and excuses for being late, and asked that this be not deducted, but in not one single instance since this special pay was granted, I am informed, have the Department ever taken any excuse and allowed them the pay when they did not live up to the schedule; and Mr. Shallenberger states that in his report.

Mr. WILLIAMS of Illinois. Is the gentleman able to state whether they forfeited that pay when it was profitable to them or when they would consider that it was profitable to them?

Mr. UNDERWOOD. I do not suppose my friend thinks a railroad company wants intentionally to run its trains behind time. It is, of course, more profitable, as the gentleman knows, for the train to meet its connections. The gentleman knows that when it misses its connections it disturbs the business on the line, and the trains have to go to the side tracks, which costs the railroad company a great deal of money. So I hardly presume there is anything to be made by a railroad missing its schedule time.

Now, Mr. Chairman, that is practically all that I have to say in reference to this matter. I believe that if you cut off this special appropriation for these special facilities that the Southern Railroad will not cut off trains 37 and 25, that are the two mail trains, but they will cut off the local trains that run in conjunction with those two trains; that they will make those two through trains do the local passenger business, and arrive at their points of destination from four to twelve hours later than they do now. That would be good business judgment. These other trains can do that by running a slower schedule; they can work the local points, and they would not lose any passenger traffic by doing it, because the passengers that have to come up and down that road have to travel it anyhow. It is not paralleled by any other road close enough to take away its passenger traffic, and it is simply common business sense and judgment to believe if they could work their local points with the through trains, that they would do it, and relieve themselves of the necessity of running these two additional trains to do the local business.

If that is the case, we go back to the old condition, and we would have slower mail facilities in the South. Our mails would arrive there in my town at supper time instead of 12 o'clock in the day. It would be the same in many other Southern towns. The whole day would be lost in the transaction of business. We are not alone the beneficiaries of this system. Every merchant that lives in New York, New England, or Pennsylvania, or those sections of the country who want to do business with us, has that business facilitated by being put on this extra mail facility. I do not blame the gentleman from Indiana or the gentleman from Cincinnati, who have repeatedly fought this proposition. They know that, and they know that it brings the Eastern merchant and the Eastern manufacturer into closer competition for the Southern trade, and they would like to exclude that competition. They would like, of course, to take the entire trade of the South for the Queen City of the West. Cincinnati would like to exclude New York in competition with our trade, but as far as we are concerned we want to deal with both the Middle West and the great East. We want all the trade facilities, as well as the rapid mail facilities, by reason of this special appropriation, and therefore we ask that it be continued in the bill. [Applause.]

Mr. MOON. Mr. Chairman, I now yield to the gentleman from New York [Mr. GOLDFOGLE].

Mr. GOLDFOGLE. Mr. Chairman, the pending bill to provide appropriation for the Post-Office Department suggests to my mind several matters relating to the postal service which may well at this time be urged for early consideration by this House. For years the building in which the present post-office in New York City is located has been inadequate to the needs of the postal system in that city.

The New York post-office, for want of proper accommodation, lacks the facility for handling the tremendous amount of mail that passes through that office. The postal officials there have time and time again implored that the Government furnish the much-needed improvements. The public press has for years agitated the subject, and Congress has been repeatedly appealed to; yet for some mysterious or unknown reason the requests from this city, of such vital importance to the whole country, have gone unheeded by this House, and the relief to which the people are entitled in the way of having a suitable and adequate post-office commensurate with the needs of the great and ever-growing city of New York has been most grievously and, permit me to say, Mr. Chairman, shamefully delayed by this Congress.

It is from no mere sense of local pride, nor is it to simply satisfy the demands of a particular locality, that I rise to call the attention of the gentlemen of this House, as well as the attention of the country at large, to the urgent and imperative demand for

the erection of a post-office in the city of New York of a size and with accommodations ample to meet the requirements of the postal service of the country transacted through the office at New York. It is because, to use the words of the New York Herald, in an editorial from which I propose hereafter to more fully quote—

The New York post-office is an institution not of local, but of national, scope, and the people of the entire country are interested in its operation.

In asserting its demand for a suitable post-office and a reasonable appropriation therefor, New York City comes to this House asking no favor, seeking no special privilege, begging no gracious concessions; she comes in her right as the foremost city of the Union, the metropolis of the Western Hemisphere, the destined greatest city of the world, demanding that she be accorded at the hands of Congress adequate quarters for the busiest post-office in any of the States of this Union. She demands this in no selfish spirit, not for herself alone; she demands it for the benefit which will accrue and the general advantage which will inure to the entire people of this land.

Strange, indeed, that it should require so much agitation as well as repeated insistence of a united and entire delegation to bring about this much-needed improvement. Surely no one in this House can fail to understand our wants. With a comprehension of the needs of the postal service such as I assume is possessed by the distinguished gentleman from Nebraska, who is at the head of the Public Buildings and Grounds Committee, it may well be wondered why and wherefore is this delay on the part of the committee in reporting the measure so earnestly urged for a new post-office. Why is it that New York is discriminated against? Why is it that from the other side of the Chamber comes no ready response in the shape of legislation for what is so sorely needed to facilitate the mail service in the Empire City of the United States?

Surely no man, from whatever section he may come, will deny to New York the title she has richly earned as the foremost city of the Union. She is the radiating center of this country's commerce and finance. To and from her magnificent harbor, unequaled anywhere in the world, come and go the shipments of freight, making and upbuilding trade, "the calm health of nations," enriching your markets, upbuilding your commerce, promoting your industries, advancing your prosperity, adding to your wealth, and augmenting your greatness.

In her streets and avenues of finance the business man and financier conduct their operations to an extent unequaled anywhere else in the land, Her business highways afford evidences of mercantile activity not seen in any other place in the world. Her population is the most composite on earth and her wealth almost boundless. Travel where you will and you find no such gigantic structures for business purposes as meet your gaze in this energetic city. Its numerous and well-appointed hotels are the most commodious and beautiful of any throughout the country, and so great are the accommodations they afford that be the event what it may which attracts visitors to our city, they accommodate them without apparent inconvenience or overcrowding.

Her busy workshops, numbering thousands upon thousands; her numerous stores, her countless places of mercantile pursuits, her many banks and banking houses, her well-filled warehouses, her many docks encircling the entire island of Manhattan, to which come the steamships and the vessels from almost every portion of the earth; her busy railway stations, her much-traveled ferries, all attest and quickly suggest to the mind the necessity for ample postal facilities. It would be needlessly consuming the time of this committee to dwell in detail on what makes up the magnitude and eminence of the city populated by 3,000,000 people. Think of it, gentlemen, 3,000,000 people! Many of the States, each of which under the Constitution is represented by two Senators, and one or two Representatives in Congress, have not by far a population as great as this metropolis.

Enough, however, has been said to indicate that in such a city the accommodations for mail service should be the very best that this nation can afford, and yet there seems hesitation in granting what, under the circumstances and in view of the statistics, to which I shall call your attention, is a comparative insignificant sum of money for this great public purpose. It has been suggested by the delegation from New York that $2,500,000 should be appropriated for a new post-office building. Do you know that this sum is but about 35 per cent of what was last year's net revenue from the New York City post-office alone? Do you realize that one-tenth of the gross receipts of the entire postal system is obtained from New York alone? Do you realize that year by year the population of New York is growing larger and its postal demands greater, that each year the receipts from our post-office are greater, and go to swell the coffers of our public Treasury.

Let me read some of the statistics furnished me by the Post-Office Department and then answer whether in common fairness there ought to be a single day's delay in acceding to the request for the required appropriation.

I want to read, Mr. Chairman, a letter transmitted from the postmaster at New York to the Department at Washington in reply to my inquiry for the information. It is as follows:

POST-OFFICE, NEW YORK, N. Y.,
FIRST DIVISION, AUDITOR'S OFFICE,
March 8, 1902.

Hon. FIRST ASSISTANT POSTMASTER-GENERAL,
Division of Salaries and Allowances, Washington, D. C.

SIR: In compliance with request contained in your letter of the 27th ultimo, I submit below a comparative statement of the receipts, etc., of this office for the years 1899, 1900, and 1901, as detailed in letter of the Hon. H. M. GOLDFOGLE, returned herewith:

Year.	Gross receipts.	Expenses.	Net revenue.
1899	$9,126,051.78	$3,547,118.39	$5,578,933.39
1900	9,869,689.69	3,762,719.45	6,106,970.24
1901	11,022,927.01	4,031,136.61	6,991,790.40

Matter mailed at New York post-office (main office).

	1899.	1900.	1901.
First class	195,583,770	222,402,443	236,306,225
Second class (bulk rate)	173,150,483	177,721,472	203,522,904
Third class (circulars)	95,090,464	95,297,989	95,924,591
Third class (other matter)	48,645,852	43,271,885	45,655,259
Third class (foreign circulars)	356,493	663,550	1,793,792
Fourth class	2,848,753	2,624,751	2,790,743

Matter mailed at New York post-office (branches).

	1899.	1900.	1901.
First class	939,172,785	1,046,124,223	1,183,751,248
Second class	21,002,024	22,890,742	27,608,348
Other matter	328,273,162	364,016,494	421,916,307

Mail matter delivered in New York City (general office and branches).

	1899.	1900.	1901.
Letters	596,968,635	644,707,423	708,899,848
Postal cards	103,009,347	117,078,792	129,978,975
Circulars, papers, etc	177,318,753	194,237,551	206,705,055
Total			1,045,583,878

NOTE.—The figures for second-class matter indicate the number of pounds. The number of pieces can not be given. The figures for all other classes of matter indicate the number of pieces mailed.

RECAPITULATION.

Total number of pieces delivered at general office and branches.

	1899.	1900.	1901.
First, third, and fourth class	1,609,971,279	1,778,979,324	1,988,138,165
Second class (pounds)	194,152,507	200,512,214	231,131,252

Total number of pieces delivered in boroughs of Manhattan and Bronx.

1899	847,316,715
1900	956,023,766
1901	1,045,583,878

Number of letter carriers at general office and branches.

1899	1,492
1900	1,533
1901	1,627

Number of other employees, clerks, etc., at general office and branches.

1899	1,952
1900	2,085
1901	2,267

There are 33 stations in Manhattan and Bronx and 161 substations.

Very respectfully,

C. VAN COTT, *Postmaster.*

I would wish that each one of you had visited our principal post-office at New York. I have seen much better, much finer, much more handsome, certainly much more commodious post-offices in many other cities. For want of sufficient room we are compelled to put second and third class matter in the cellars, where the light of day never enters.

There it is piled up from floor to ceiling, and in the busy months and during holiday seasons, when the needs of the community for postal-service are greatest, the mail becomes congested and delays in transmission result. These delays are not attributable to our able, efficient, and painstaking postmaster, Mr. Van Cott, nor to his hard-worked staff or corps of employees. They are due to the lack of proper quarters—to the want of sufficient space to handle the mails. Yet there is hesitation to establish a proper post-office in the face of all these facts.

The views of New Yorkers—nay, of all men who are interested in the mail service at New York and who have an interest in the proper and prompt transmission of the mails and the handling of mail matter—are briefly epitomized in an editorial published in the New York Herald of February 28, 1902, which I request the Clerk to read.

The Clerk read as follows:

AN OUTRAGE ON NEW YORK—SEND A DELEGATION TO WASHINGTON.

It's an infernal outrage!

That's the plain English of it. There's no other phrase to adequately describe the manner in which New York's appeal for an uptown post-office is treated by the House of Representatives, and particularly by the Committee on Public Buildings, of which Mr. MERCER, of Nebraska, is chairman.

For years the postal officials of this city have been begging for sufficient space in which to handle the mails. The whole country knows the facts and the whole country is interested in obtaining the needed improvement. New York is no way station. This is the clearing house for the bulk of the mail matter of the United States going to foreign countries or received from them.

The speed with which one of Mr. MERCER'S mercantile neighbors in Omaha gets a letter from Europe depends upon the postal work done in this city. Whether an important letter from Omaha shall catch a fast steamer leaving this port or be held over for days turns upon the facilities at the disposal of the postmaster here. The New York post-office is an institution not of local but of national scope, and the people of the entire country are directly interested in its operation.

One-tenth of the gross receipts of the entire postal system is obtained from New York. The work here is equal to that of seven other large cities combined. It is increasing faster here than anywhere else in the Union, and the old building erected in lower Broadway a generation ago has been outgrown so long that the fact is ancient history. Mr. MERCER knows that. With members of his committee he came here several years ago and made a thorough inspection, and expressed his conviction that a new building was then sorely needed.

Early in the present session he declared that New York's need was aggravated, and expressed himself strongly in favor of an appropriation for the purpose. The amount asked for is less than three month's postal receipts in this city, but the appropriation was blocked last year on the ridiculous pretext that if the new building were given to New York it would be necessary to furnish money for public buildings in towns that the average citizen does not know where to look for on the map. This year the bill granting two and a half millions has passed the Senate, and is hung up in the House Committee on Public Buildings.

A special dispatch from Washington to this morning's Herald describes the situation, and it is one to make the people of this city boil with indignation. Mr. MERCER and other advocates of the measure apparently believe that the House will not pass the bill as it came from the Senate, and they plan to include the appropriation in an omnibus bill to carry tens of millions for various projects, and which will be reported late in March. Thus the modest sum needed to furnish vital necessaries for the transaction of postal business in this metropolis—the distributing center for the country's mails—is to be made contingent upon the success of a scheme for the distribution of a dozen times or twenty times the amount to the constituents of these narrow-minded, logrolling Representatives.

THE SALARIES OF LETTER CARRIERS SHOULD BE INCREASED.

Mr. GOLDFOGLE. The time allotted to me is about expired. I had intended to discuss another matter relating to the postal service. It is on the subject of the pay of letter carriers. In my judgment their pay should be increased. They are underpaid in cities; they certainly are underpaid in the city of New York. They constitute an important branch of the public service. Their work is efficiently and faithfully performed. They deserve higher pay.

In my city they are frequently overworked. The cost of living in the city is high, and I regret that any man in this House should object to pay decent and living wages to a faithful employee. The fact that the employee is in the service of the Government should make no difference. "The laborer is worthy of his hire" is a maxim as applicable to Government employees as to those in private service. In my judgment a letter carrier who has been in the service for a period of three years or more in the cities of the first class ought to have at least $1,200 per annum.

But time does not permit me to now discuss this question as fully as I desire. I shall avail myself of the opportunity at a later stage and at a more appropriate time to present, as I understand it, the just claim for an increase in the salaries of the carriers. Gentlemen, in dealing with New York, be just, be fair. You may not desire to be generous, but accord to the metropolis of the nation, to the city which is America's pride and part of America's glory, that justice to which her position and station entitles her at your hands. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

[Mr. SMITH of Illinois addressed the committee. See Appendix.]

Mr. COCHRAN. Mr. Chairman, a few days ago, in the course of a discussion in Committee of the Whole, the chairman of the Committee on Foreign Affairs [Mr. HITT] made certain observations which should not be allowed to go unchallenged. In defending the course of the Secretary of State in refusing to apply to the British Government for safe conduct for Americans who seek to relieve the suffering of the Boer women and children imprisoned in the concentration camps in South Africa, he contended that respect for international law compels our State Department to ignore these requests.

I deny that any hard-and-fast rule of international law governs this question.

Before proceeding to discuss briefly the position taken by the gentleman from Illinois [Mr. HITT] it is probably advisable that I should cursorily call attention to the reasons which incline the British Government at this time to exclude from its lines in South Africa all persons, by whomsoever sent there for the purpose of relieving the distress incident to that terrible conflict.

Not only has Lord Kitchener excluded surgeons sent to South Africa by the Swiss Government, six in number, for the purpose of ministering to sick women and children in the concentration camps; he has refused admission to English women, who find no fault with the war or the purposes for which it is waged, but who have witnessed the horrors of the concentration camps, who have attempted to go to the rescue of the sufferers, and who have excoriated the British Government for its inhumanity in unmeasured terms.

What is the rule of international law in reference to this matter? The gentleman from Illinois cites what took place during our civil war thirty-five years ago. Does he not know——

Mr. BURLESON. If the gentleman will permit, I would like to place in his hands a letter I have received bearing on this point.

Mr. COCHRAN. I thank the gentleman.

Mr. Chairman, does not the gentleman from Illinois know that at least two international conferences—notably the recent gathering at The Hague—have since the period to which he referred entirely modified the rules and usages of war?

He says that under the rules of The Hague conference the Red Cross Society was adopted as the medium through which relief may be extended in cases such as exist in South Africa. That is true. But is there anything in the proceedings at that conference declaring that no other humane agency devised for the purpose of relieving distress, and especially for the purpose of relieving women and children and noncombatants, shall be recognized?

He said that Mr. Davis, the President of the Southern Confederacy, would not have permitted unauthorized persons to enter the Confederate lines for the purpose of distributing relief; that had such a person applied for such permission, it would have been unconditionally refused. I thank the gentleman from Texas [Mr. BURLESON] for handing me a letter from a Union soldier, received by the gentleman from Texas [Mr. BURLESON] since the discussion of the other day. A part of this letter, which I will now read, answers this part of the argument of the gentleman from Illinois [Mr. HITT]. Listen to it:

I read in the newspapers that Mr. HITT said:

Jefferson Davis would not have allowed Northern sympathizers to perambulate through Southern camps to distribute relief.

My brother, Herbert Withington, was taken prisoner with his colonel, O. P. Wilcox, of the First Michigan, in the civil war. The prisoners were in need of everything. Their friends in Michigan gathered supplies, and the Confederate authorities permitted Mrs. Marie Wilcox, the imprisoned colonel's wife, to distribute the relief.

This is a sufficient reply to the statement made by the gentleman from Illinois.

The gentleman's contention from beginning to end was predicated upon a false assumption. He said repeatedly that no government would allow people to pass to and fro through fortified lines during war as a means of extending relief to suffering people. Of course not. Who has proposed to request permission to enter fortified places? Who is seeking to tramp to and fro through the fortified camps in South Africa?

Are the British compelled to maintain fortified camps in South Africa? Is it conceivable that valuable information as to military operations or as to British fortifications might be communicated to the Boers by the men and women who seek an opportunity to go to the rescue of the sick and dying women and babies who are in the horrible prison pens of South Africa? The camps in which these prisoners are confined are in a country occupied by 250,000 British soldiers. Opposed to this great army are forces which to-day, according to the best accounts, number less than 20,000.

Does the gentleman from Illinois—does our Secretary of State—believe that the real cause of objection to allowing charitable inhabitants of neutral countries to relieve these sufferers is the fear that those who go to South Africa with food, clothing, and medicine for women and babies who are starving, clad in rags, and dying for want of medical aid, will somehow help the military operations of the Boer army?

Nations, like individuals, must take cognizance of facts concerning which there is no room for doubt. Why should the American Republic not take cognizance of conditions prevailing in South Africa? Why, we upbraided and finally went to war with Spain for her cruelty to the Cubans. May we not be permitted to relieve the victims of Kitchener's far more brutal policy in South Africa?

Upon what pretext could the British Government withhold its consent?

Mr. Chairman, what a travesty it is—this pretense that in order to maintain strict neutrality we must abstain from asking permission to bestow charity upon suffering women and children. Sir, I charge that the State Department has not maintained the

strict neutrality of this country. It has winked at the deliberate violation of a rule of international law laid down by the Hague conference, and has made no protest against England's violation of every rule of civilized warfare laid down at the Hague.

One of those rules prescribed that private property should not be taken or wantonly destroyed by an invading army, and yet upon the pretense of military necessity the British army has applied the torch to three-fourths of the habitations of the farmers of South Africa, reducing a prosperous and wealthy community to a condition of desolation and despair.

Another rule of The Hague conference forbids war upon noncombatants. It is incontrovertible that having burned the houses over the heads of the women and children, the British soldiery have piled farming utensils and vehicles upon bonfires and burned them, and that when women, thus made homeless and beggared, have begged they might be conveyed in their own comfortable conveyances to the barbed-wire prison pens, where they are starving by thousands, they have seen these vehicles wantonly destroyed and have then been conveyed long distances in army transport wagons to the horrible prison camps in which they are confined.

Thus women and children numbering 25,000 have been imprisoned in the Transvaal Republic alone. And what about the rations issued for their sustenance? The British medical officer in charge of that camp at Johannesburg stated in an official report that the rations were not sufficient to preserve the prisoners in good health, and the British officer having charge of the police regulation of the camp reported that the ration furnished was not sufficient to keep body and soul together.

But that is not all. In issuing rations a distinction was made between women and children whose husbands and fathers were still in the ranks fighting for their country and those whose husbands had been killed or had surrendered or had never been engaged in the war. Bear in mind that the full ration was insufficient to keep body and soul together, according to the statement of a British officer; and yet it was ordered that women and children whose husbands and fathers were still fighting for their country should receive only half of it.

Here, Mr. Chairman, is the explanation of England's aversion to the relief of the sufferers: The world would thereby be afforded a glimpse of the hell which British cruelty has created in South Africa. Miss Hobhouse, a philanthropic British woman, went there with money, raised by the good people of England, to relieve the distress, and made a report that so shocked and shamed the British nation that she was prohibited from returning with additional relief. Oh, what a pity it is—what a reproach to all humanity—that no hand is outstretched to save this heroic people from destruction! No wonder that Chamberlain and Kitchener have closed the door to prevent humanity from even a glimpse of the charnel house which is relied upon to destroy a race and overthrow republican institutions in South Africa.

Think of it! The prevailing mortality among the children is so great that if it continues, in two years the 25,000 children confined in prison pens in South Africa will be dead. Think of it! Twenty-five thousand children made prisoners of war and deliberately starved to death by order of the commander of the army of a power professedly Christian and presumably civilized! And we are told that the rules of international law prohibit our Government from respectfully asking safe conduct for philanthropic men and women who would go to the relief of these unfortunates.

Such talk might have sounded well in the dark ages, but, thank heaven, there has been at least an attempt to so modify the laws and usages of war that at least theoretically they are somewhat in consonance with the laws of good conscience and humanity. Thank heaven, it is no infraction of international law to offer clothing to the naked, food to the starving, and medicine to the sick, whose misfortune it is to dwell in a country ravaged by war. And thank heaven that the laws of civilized war prohibit, even if the nations do not prevent, wars of extermination. Women and children, those too old or too young to be dangerous to belligerents, may not be lawfully killed or even impounded as prisoners of war.

In explanation of his pro-English proclivities, will the Secretary of State dare to plant himself upon the defense attempted by the gentleman from Illinois [Mr. HITT] and say that some rule of international law prohibits him from asking of the British monarchy permission to send relief to this suffering people? If so, what becomes of the rules laid down at The Hague conference? He may say that the Boers are unreasonable in such prolonged and desperate resistance of Great Britain.

What of it? A rule laid down at The Hague conference declares that when a country is suddenly invaded and the people take up arms spontaneously in its defense they are entitled to be treated as belligerents and that the war against them must conform to the code laid down at the conference; and it was also declared that in defending their country they shall have a right to determine for themselves how far resistance shall go. The Boers—subject to the rules of civilized warfare themselves, of course—may prolong their resistance indefinitely, and the rules of The Hague conference accords to them all the rights of a belligerent power.

I say that any person who will read the deliberations of The Hague conference will find that many of the most wise and beneficent regulations there, established for the control of the operations of armies, were placed in the body of international law at the instance and on the initiative of the British representatives and sanctioned by our representative, and that the British Government and our own have been guilty of the deliberate violation of these rules.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. COCHRAN. I should like five minutes more.

Mr. BARTLETT. I ask unanimous consent that the gentleman from Missouri have five minutes more.

The CHAIRMAN. The committee understands that the time for general debate is limited to three hours. The gentleman from Georgia submits the request that the gentleman from Missouri may be allowed to proceed for five minutes. Is there objection?

There was no objection.

Mr. COCHRAN. At the suggestion of the British representative in The Hague conference horses were declared contraband of war. Can the United States under this rule permit the further maintenance of a British military supply depot on American soil from which thousands of horses are being shipped to South Africa? Every horse that leaves the coast of the United States for South Africa could be lawfully seized upon the high seas, if only the Boers had armed vessels and were capable of making the seizure. Why has not the Secretary of State taken notice of facts well known to the children of the country?

Why has he permitted the establishment upon the American coast of a British military depot of supplies, conducted by British officers, who do business publicly in their capacity as British officers and unhesitatingly say: "These horses are destined for the British army in South Africa?" The nature of their business, the fact that they are British military officers, is known to every man, woman, and child in the United States, and they are maintaining on our soil publicly a depot for the collection of military supplies with the knowledge and consent of the American Government. The supplies thus collected are publicly shipped to the theater of war, to be used against a country with which we were on friendly terms.

And do not tell me that the South African Republics are not to be regarded as nations. Until their invasion nobody disputed their right to be treated as such. There never was any pretense that the relation of the British Government to the South African Republics deprived them of a place in the family of nations. Formerly, Great Britain asserted and was accorded by treaty suzerainty over the Republics—that is, the right to a controlling voice as to their treaty relations with foreign powers.

Subject to that one limitation, these Republics were free and independent when the war broke out. At what point did they lose their independence? Did they lose it at Spionkop? Did they lose it in the recent battle where Lord Methuen was taken prisoner? They have not yet lost the right to be regarded as nations, and I pray God they never may. They are still in the field, fighting for liberty and independence, and while the clouds of adversity seem so dense as to forbid the hope of future sunshine, when we reflect that the cause of the American army at Valley Forge and at different stages of the Revolutionary war seemed hopeless, and yet they achieved the final victory, we have grounds for the hope that South Africa may also escape out of the hands of the destroyer.

Mr. Chairman, as a nation we have ignored the rights of these Republics, and we have trampled upon the law of nations in doing it. We have an anglomaniac in the State Department, who sees nothing sacred in the cause of the Boers and who sympathizes with the unlawful pretentions of Great Britain. [Applause on the Democratic side.] At the very outbreak of this war every question involved was decided adversely to the Boers by the Secretary of State.

The contention for which they are fighting—the claim to independent nationality and to a place in the family of nations on a plane of equality with Great Britain—was cast aside, and every unlawful assumption of power and authority asserted by Great Britain was confirmed. And now it has come to pass, when the wails of the suffering wives and children of the heroic Boers provoke a responsive chord in the hearts of philanthropists, and they seek to relieve the sufferings of the unfortunates, our Secretary of State discovers some rule of international law that thwarts the promptings of mercy and palsies the hand of charity. [Applause on the Democratic side.]

Shame upon this farce! Shame upon the hippodrome so long carried on by English and American officials by which this Republic is yoked in the companionship of the infamous power that is strangling liberty and independence in South Africa! Shame upon the cowardice of the American Congress in permitting all this! Every day, I say, "How long, O Lord, how long!" [Applause on the Democratic side.]

[Here the hammer fell.]

The CHAIRMAN. The gentleman from Wisconsin [Mr. JENKINS] is recognized for twenty minutes.

Mr. JENKINS. Mr. Chairman, the few minutes I shall have will be disposed of in discussing the question of reciprocity between the United States and Cuba, and I would not under any circumstances interpose myself at this time if it were not for the fact that in a public place lately I insisted, as I still insist, that the island of Cuba is domestic territory. I said at that time just exactly what I repeat now, word for word. I said then, Mr. Chairman, that the island of Cuba was domestic territory, and consequently could not be foreign territory; and, if it was domestic territory, it was useless for the Congress of the United States to take its valuable time in discussing the question of reciprocity with Cuba. My words were then as follows:

What I say at this time is supplemental only to my speech on Cuba in the CONGRESSIONAL RECORD of January 13, 1902. At this time we hear a great deal said about reciprocity with Cuba, and much to the effect that Cuba is a foreign country, i. e., foreign territory. I assert that this country can not have reciprocity with Cuba, and I deny that Cuba is a foreign country or a foreign territory, but insist that Cuba is domestic territory, as much territory belonging to the United States as Porto Rico or the Philippine Islands, and the title as good in the case of Cuba as that of Porto Rico and the Philippine Islands. This nation can acquire foreign territory in two ways only—by treaty and conquest. The United States acquired Cuba from Spain by conquest.

When Spain struck her flag and withdrew her forces from Cuba, the sovereignty of this nation over Cuba and its title to the island were complete. It was strengthened when the treaty of Paris was ratified. By that treaty Spain relinquished all claim of sovereignty over and title to Cuba. By the withdrawal of Spain from Cuba, independent of the treaty of Paris, it followed, ipso facto, that sovereignty over and title to Cuba passed to the United States. And there is nothing in the treaty of Paris to change the result acquired by war. Neither sovereignty nor title lapsed. Neither sovereignty nor title could go to Cuba. No one can question that sovereignty over Cuba and title to the island of Cuba passed by international law to the United States. Sovereignty is nothing more or less than power, and the United States is exercising power in Cuba to-day, as effective as on the day the occupation of the island of Cuba by the forces of the United States was complete.

Under the Constitution of the United States, Congress has power to dispose of and make all needful rules and regulations respecting the territory belonging to the United States. Congress has never undertaken to dispose of or make any rules or regulations respecting the island of Cuba. Congress did provide, by the act of March 2, 1901, that upon conditions named in the act the President is authorized to leave the government and control of the island of Cuba to its people. That has not been done, but if done it would not alter the status of sovereignty or title.

The people of Cuba would be permitted to erect a government, but not one of sovereignty. The people of the island would still be under the sovereignty of the United States, and the title to the island would still remain in the United States. By the express terms of the act itself, after affirmative action by the President, the United States would be exercising sovereignty over the island. We are concerned with the status at this time irrespective of what the President may do in the future, and irrespective of what effect the action of the President would have upon the question of sovereignty and title.

Therefore, until the President acts it is useless for Congress to talk about reciprocal relations with Cuba. All the President can do is to withdraw the troops. There has been no attempt on the part of Congress to delegate to the President the power to transfer sovereignty or title—something Congress could not do even if the act expressly directed the President to do so. Hence it is plain to be seen by an examination of the whole question that, at least for the present, sovereignty and title remain with the United States, with at least the debatable proposition that, under the law, after the President has acted in accordance with the terms of the act, the island of Cuba will still be domestic territory.

Therefore it is useless to talk about annexation. This nation can not annex what belongs to it. The only possible question is, Shall the United States continue its sovereignty over the island?

I have been somewhat amazed and surprised at the various criticisms made with reference to that statement. Now, Mr. Chairman, I appreciate this—that the Supreme Court of the United States has decided in terms that the island of Cuba is foreign territory; but I propose, as I have the book here before me, to demonstrate by the decisions of the Supreme Court of the United States that the island of Cuba is domestic territory; and therefore if it is domestic territory, it is, I say, absolutely useless for this Congress to spend its time in talking about reciprocity with Cuba on the part of the United States of America.

I have been asked if I am familiar with the Neely case. I have answered that I am—that I assisted largely in drafting the act which returned Neely to the island of Cuba for prosecution and punishment. That case will be found in 180 U. S. Reports, page 109, and, as I say, I am perfectly willing to concede in that case that the Supreme Court of the United States decided that Cuba was foreign territory. It may be valuable for us at this time to first ascertain what is foreign territory and what is domestic territory. Several decisions have been made in relation to this subject. We all know that it is held by the courts that foreign territory is a country belonging to some other country outside of your own jurisdiction.

It has been decided by the Supreme Court of the United States that:

> A foreign country is a country under a sovereignty other than that of the United States. By a foreign port may be understood a port within the dominions of a foreign sovereign and without the dominions of the United States. (Mr. Justice Story, in United States *v.* Heyward, 2 Gall., 501. See also Chief Justice Spencer in King *v.* Parks, 19 Johns, 375; also Treasury Regulations, 835, approved in Stairs *v.* Paislee, 18 Howard, 526.)

Therefore, under the decisions of the courts of this country, including the decision of the Supreme Court of the United States, a foreign country is a country outside of our jurisdiction; yet it has been said that the Supreme Court of the United States has held that the island of Cuba is foreign territory. Now, we will see what the Supreme Court of the United States says in the case of Neely against Henkel. The language of the court is as follows:

> That at the date of the act of June 6, 1900, the island of Cuba was "occupied by" and was "under the control of the United States," and that it is still so occupied and controlled can not be disputed. This court will take judicial notice that such were, at the date named, and are now, the relations between this country and Cuba.

Now, Mr. Chairman, there is an absolute inconsistency between the statement of the court in the Neely case and the statement of the Supreme Court when they were deciding the question as to what is a foreign country. When we look at the question independent of the authorities, we can determine the question for ourselves. We can tell that so far as Cuba is concerned this country went to war with Spain and landed her troops on the island of Cuba. It is well known that as fast as our sovereignty extended itself over that island that the territory within our limits became subject to the power of the United States. It may be a serious question as to where the line might be drawn, but if there was nothing said in the treaty or there was nothing said subsequent to the ratification of peace with reference to the line of demarkation, all of the territory that was within our lines would become subject to the jurisdiction of the United States, and all of the people living within that territory would owe allegiance to the United States if the occupancy was permanent, and they would have to abandon their allegiance to their own government.

I say this because I do not want to commit the House to my views or spend the time to argue, Mr. Chairman, as to whether or not the territory that thus falls to us becomes a part of the territory of the United States without action by Congress. We know gentlemen divide very largely in reference to that question. But I am certain to-day, independent of the decision of the Supreme Court of the United States, as a matter of reason that the island of Cuba is domestic territory and not foreign territory, because it is purely a question of sovereignty. Our sovereignty extended over the island of Cuba when the sovereignty of the Government of Spain was relinquished. We do not want the assistance of the Supreme Court of the United States to emphasize that statement. I have it here corroborating my statement that when the sovereignty of Spain was relinquished over Cuba the sovereignty of the United States was established there. Now the fact that our sovereignty extended over the island gives us the title.

Therefore it follows, as I say, without citing any decision in support of that position, that the sovereignty of the United States extended over the island of Cuba and that the United States holds the title to the island of Cuba, and in this statement I am supported by the Supreme Court of the United States, notwithstanding that court makes the declaration that Cuba is a foreign country. Now, Mr. Chairman, under the language I have quoted—that we were occupying the island of Cuba and that the island was under our control—it is useless for the court to spend time in saying, as a matter of law, that it is foreign territory and not domestic territory, for it is a question of sovereignty that determines that question, and not any other question. The court

makes a long argument to demonstrate that the sovereignty of the United States extended over Cuba. There was no necessity for taking time to explain that, for the country knew full well that our sovereignty extended over Cuba. The court further says, Mr. Chairman, that after we had occupied the island of Cuba there was an order made by the President of the United States creating a military division of Cuba, which was the territorial limits of the island of Cuba, and when we erected a military government over that island we created a civil government there.

Now, that is exercising sovereignty which draws after it the title. They say that on the 1st day of January, 1899, the sovereignty of Spain was relinquished. Now, if the sovereignty of Spain was relinquished, to whom was it relinquished? It could not be to the people of Cuba, because they had no government. Sovereignty belongs to government and can not be separated from it. But I do not need to spend any time with reference to that branch of the case, because the Supreme Court says, what is an undisputed fact, that that sovereignty has been transferred to the United States, and it has never been transferred or relinquished. We not only exercised sovereignty by the erection of a civil government, but we changed the function of government and created four different divisions of government. We also erected a court of criminal jurisdiction and created a postal code, and abrogated all laws inconsistent with that postal code. We also created crimes and provided for punishment of any offenses against the postal code. We went further than that—we have absolute sovereignty over that island.

Mr. Chairman, inasmuch as some gentlemen have differed with me with reference to my statement and have relied upon the Neely case and said, "Have you read the Neely case, which decides that Cuba is foreign country?" I have said "Yes." Now, let us see what the Supreme Court of the United States says with reference to this question. It is, in effect, like the court of any State finding as matter of fact that it is 10,000 miles distant from one place to another, and that an infant under the tender age of 2 years walked that entire distance inside of two hours. Here is what the Supreme Court of the United States said in this case with reference to this question:

> It is true that as between Spain and the United States—indeed, as between the United States and all foreign nations—Cuba, upon the cessation of hostilities with Spain and after the treaty of Paris, was to be treated as if it were conquered territory. But as between the United States and Cuba that island is territory held in trust for the inhabitants of Cuba, to whom it rightfully belongs and to whose exclusive control it will be surrendered when a stable government shall have been established by their voluntary action.

Now, Mr. Chairman, here is an express declaration on the part of the Supreme Court of the United States that the sovereignty over Cuba, and the title to that island, is held by the United States and not by Cuba. Therefore if we are exercising sovereignty to-day, and are holding the title to that country to-day, there is no use talking about entering into reciprocal relations with the island of Cuba, because, so far as that is concerned, it is just as much our territory as is Porto Rico or the Philippine Islands. It is true the Supreme Court says that we are holding it in trust, but it makes no difference as a matter of law how we are holding the title; the question is whether we are holding the title, not as to the manner of it, not as to the extent of it. I am demonstrating and simply arguing that the title to the island of Cuba, the sovereignty of that island, rests in the United States, and there is this opinion of the Supreme Court back of it. Now, the court further says:

> It can not be doubted that when the United States enforced the relinquishment by Spain of her sovereignty in Cuba and determined to occupy and control that island until there was complete tranquillity in all its borders and until the people of Cuba had created for themselves a stable government, it succeeded to the authority of the displaced government so far, at least, that it became its duty under international law, and pending the pacification of the island, to protect in all appropriate legal modes the lives, the liberty, and the property of all those who submitted to the authority of the representatives of this country.

Here is an express judicial declaration that the title to the island and the sovereignty of that island passed to the United States, and up to this time it has never been transferred.

Now, Mr. Chairman, it may be well to consider in this connection, as I have not the proper time to separate it, that when this question was pending in the Senate of the United States they tried to make it a part of the law that "the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of the island." That was stricken out, as far as the House of Representatives was concerned. It simply shows that as legislation was proceeding Congress was extremely careful, and there was no intention upon the part of Congress to commit itself either in favor of a permanent annexation or immediate separation.

The Supreme Court further said in this case:

> Yet from the beginning to the end of the war the supreme authority in all military operations in Cuba and in Cuban waters against Spain was with the United States, and those operations were not in any sense under the control or direction of the troops commanded by Cuban officers.

Therefore it is proved conclusively, not only by international law but by the express decision of the Supreme Court of the United States in this Neely case, that the title and sovereignty over Cuba rests with the United States and the United States has never parted with it. I am mindful of what this Congress said when we were making the declaration of war. I am also mindful of the declarations of Congress when passing the appropriation bill with reference to what the President might under certain circumstances do.

But so far as the question is now concerned it is neither here nor there. The President of the United States has never exercised any authority under the law.

Now, this question was further discussed in 182 United States Reports. In the first declaration that was made by the Supreme Court in reference to this question in the Philippine cases they say, on page 199:

> We are unable to acquiesce in this assumption that a territory may be at the same time both foreign and domestic.

Therefore the island of Cuba is either foreign or it is domestic; that must be determined by the question of sovereignty. The Government that exercises sovereignty over the island is supreme; and if it can not be both foreign and domestic it must certainly, under the express language of the Supreme Court, be domestic territory.

The court further discusses this question on page 205. I want to call attention to the inconsistent statement there made by Mr. Justice McKenna in his dissenting opinion in De Lima *v.* Bidwell:

> Cuba is under the dominion of the United States.

If it is under the dominion of the United States and we are exercising sovereignty over that island, I want to ask my friends here or anywhere, who are in favor of entering into reciprocal relations with that country, whom they can deal with? There is the express declaration of the Supreme Court that "Cuba is under the dominion of the United States." If so, how can Cuba be foreign territory? The court further says, to be fair about this matter—

> We held in the Neely case that it is a foreign country.

But how inconsistent, then, to say we are exercising dominion over certain territory and yet the territory is foreign.

Mr. GAINES of Tennessee. Does the gentleman say that Cuba is in the domain or under the dominion of the United States?

Mr. JENKINS. Under the dominion.

Mr. GAINES of Tennessee. Of course it is; and the opinion which the gentleman just read states that we hold this territory in trust, not for ourselves, but for Cuba. Any law we may make for that territory we make as a trustee.

Mr. JENKINS. It does not make any difference whether we hold it in trust or absolutely. I am saying that the title and sovereignty are with us, and in this I am sustained by the Supreme Court.

On page 343 in this same case the Supreme Court further expresses itself with reference to this subject. It says, confirming my judgment:

> It can not, it is submitted, be questioned that under this provision of the treaty, as long as the occupation of the United States lasts, the benign sovereignty of the United States extends over and dominates the island of Cuba.

We might just as well talk about entering into reciprocal relations with the State of Texas as talk about entering into reciprocal relations with Cuba, a part of our own country, with this statement before us.

The court further says:

> Likewise it is not, it seems to me, questionable that the period when that sovereignty is to cease is to be determined by the legislative department of the Government of the United States in the exercise of the great duties imposed upon it and with a sense of the responsibility which it owes to the people of the United States and the high respect which it of course feels for all the moral obligations by which the Government of the United States may, either expressly or impliedly, be bound.

Now, here again is an express declaration on the part of the Supreme Court of the United States that we hold not only the title and the sovereignty, but that it will require an act of Congress to return that sovereignty and divest ourselves of that title.

The President has not acted under the provisions of the act of March 2, 1901, and if so, what could he do? He could not transfer sovereignty and title, but in any and all events he has not acted, and Congress can not anticipate his action; but should he exercise all powers under the statute the sovereignty and title would still be with us, for, as the Supreme Court says, it will take an act of the legislative branch of Government to transfer sovereignty and title.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired, and the gentleman from New York [Mr. FITZGERALD] is recognized.

Mr. FITZGERALD. Mr. Chairman, the bill under consideration provides for an increase in the pay of certain postal clerks and certain railway mail clerks. These increases are justified by the conditions of the service and are proper. I am glad that they

have been incorporated in this bill. The clerks affected are indeed fortunate that some consideration has at last been given to their just demands.

It is very much to be regretted, however, that the committee has not made provision for two other equally pressing and deserving betterments of the service. I know of no reason for the failure to provide in this bill for an increase in the pay of the letter carriers, and for the restoration of the pneumatic-tube service in those cities where it had formerly been installed.

The men employed by the Government as letter carriers should receive some consideration from Congress. They are an industrious class of men. They are worked as hard as any body of men in the Government service. For years they have asked for a slight increase in the salary allowed them, and no attention has been paid by Congress to their just and respectful requests and petitions.

My colleague from New York [Mr. SULZER] introduced in the Fifty-fourth, Fifty-fifth, and Fifty-sixth Congresses a bill providing for an increase in the pay of the letter carriers. Despite his constant appeals to the Committee on Post-Offices and Post-Roads, no action was ever taken on the bill. It was put to sleep in the committee, and from that sleep there is never an awakening. It is difficult to understand why no action was taken on this most meritorious bill. Hardly a member of this House denies the justice of its provisions, the people of the country have made no protest against it, members have not displayed any open antagonism to the bill, yet no action was taken by the committee.

Again the bill has been introduced. It was presented in December, early in the present session. It has been referred to the Committee on Post-Offices again, as the rules of the House require. Some hope has been had that the gentleman from Michigan [Mr. WM. ALDEN SMITH], having more influence with his Republican colleagues than my colleague [Mr. SULZER] has had, will be able to obtain a favorable report on his bill.

I am not of a very pessimistic nature, Mr. Chairman. Anxious as I am to see justice done to this deserving body of employees I am disposed to be as charitable in my opinion of the committee in charge of the proposed legislation as any member of this House. From my experience and observation, however, I can not find anything in the committee's action this session upon which to base a belief that any more favorable action will be had on the bill now before the committee than was secured in other Congresses.

The provisions of the bill are simple. It requires no great time nor effort nor study to understand its provisions. It merely provides that after a certain date, in cities of more than 75,000 in population, letter carriers shall receive $600 for the first year of service, $800 for the second year of service, $1,000 for the third year of service, and $1,200 for the fourth year and thereafter. In cities of less than 75,000 population the provisions are the same, except that the maximum salary is fixed at $1,000 after the third year of service.

On the 20th of February of the present year my colleague [Mr. SULZER] publicly called attention to this bill and urged the committee to report it. He promised for it the solid support of the Democrats of the House. Nothing, however, has been done. The committee has taken no action. The minority in this House are powerless to force action. Few persons, outside of the members of the House, realize how powerless the minority is under the rules adopted by the majority.

The committees of the House are controlled by the majority. It is not possible, under the rules, for a member to enter a motion for the discharge of a committee from the consideration of any bill that it refuses to act upon, without the consent of the Speaker. Such a procedure is practically unknown to this body. The business of the House is regulated by the Committee on Rules, consisting of five members, three of whom are Republicans. It is apparent to the most casual observer how helpless the Democrats are in this House, how little responsible they are for the failure to pass legislation.

Responsibility for the failure to pass the bill for the benefit of the letter carriers can not be shifted. There is no excuse for inaction. Why should it not be passed? What is the objection to the bill? What reason can be advanced for refusing a maximum salary of $1,200 to carriers in cities of more than 75,000 population.

Within the past few days provision has been made for the permanent increase in the pay of rural free-delivery carriers. I believe that that was proper legislation. Earlier in this session I expressed the opinion that the rural carriers should be given adequate compensation for their work. I am not in favor of extravagant expenditures of public moneys.

I believe that the Government should be administered as economically as possible. But I do not believe that a niggardly policy toward faithful employees will result in efficient service. Government employees should be paid a fair wage. Advantage should not be taken of them by a great Government like this. It pays to treat men fairly. Good service will be more easily secured where men receive adequate remuneration for the services which they render.

The position of a carrier of mail in the large cities is not a sinecure. In heat and in cold, in the most inclement weather, the mail must be delivered. No excuse justifies a failure to perform the carriers' work. The Government is an inexorable taskmaster. The carrier must shoulder his heavy burdens and go through the snow and sleet and enervating heats and deliver the mail to the residents of his route. No work is more faithfully done. Complaints against the carriers are few. Efficient, courteous, and faithful, they are a credit to the service and to the people. The maximum salary paid these men is $1,000.

What is asked for them? Only that in their fourth year of service and thereafter they be paid $1,200. This is not an exorbitant salary nor an unreasonable request. The cost of living in great cities is much more than in rural communities. It costs more for rent, it costs more for provisions, and clothing is more expensive than in the country. It is difficult for men of the capacity of those in the service to live decently and support a family in a fair degree of comfort on their salary of $1,000. It certainly is not possible for them to put anything aside for their old age.

Letter carriers should be on a plane with police officers and firemen. In the great metropolis of this country—the city of New York—the police and firemen are much more favored than the letter carriers. Their salaries are higher; provision is made for the support of those disabled in the service; retirement upon a pension after a certain period of service is possible, and some provision is made for dependent widows.

Contrast their condition with the man employed as a letter carrier. His salary is $1,000. He can never retire on partial pay. No provision is made for him if disabled in the service, no matter how long he serves the Government faithfully and efficiently. When he ceases to be able to perform his duties he is cast aside as useless. No destitute widow or minor child can obtain any help from his lifelong employer.

How little consideration is given to the letter carrier by Congress. For several years they have urged the enactment of a law that would permit the establishment of a fund for the pensioning of superannuated members of the force. The plan entailed no expense to the Government. These men ask that a certain sum be retained from their salaries each month for the purpose of providing for them when old age or infirmity or disability renders them unfit for the service.

The Postmaster-General in his annual report heartily indorses the plan. It appeals to all men as proper and fair and just and reasonable. Yet nothing is done toward its enactment into law. No attention is paid to the matter. These men are entitled to some consideration from Congress. Some one must demand action for them. By an order recently issued by the President of the United States they can no longer ask consideration of measures for their relief. The penalty for exercising one of the most sacred rights guaranteed to the citizens of this country—the right of petition—is dismissal from the public service.

I believe that employees of the Government have as much right to petition Congress for relief legislation, for enactments that would better their condition, as any citizen not in the Government employ. Why should an employee of the Government be discriminated against in this way? Why should his lips be sealed upon matters most important to himself? Who will look after their needs and their welfare if they are not to be permitted to speak in their own behalf? This order is indefensible; it is unfair; it is an injustice to faithful and efficient employees; it is a discrimination against men whose only offense is that they are faithfully serving the Government.

The Postmaster-General, in his annual report, calls attention to the fact that as the force of carriers grows larger, and as the men in the service age, the superannuated constantly increases. While there is time he recommends some action for their benefit. Start now while it is possible to provide for the few, and by the time the number increases to any appreciable extent the voluntary fund that the carriers are willing to establish will be sufficient to care for all who will be entitled to share in it.

Since the Government makes no provision for their retirement upon pay, why prevent the carriers themselves from establishing a fund for that purpose? From the compensation now given to them they can not put aside something year by year for their support when they are no longer able to remain in the Government service.

Mr. TALBERT. The gentleman states that the salaries of these letter carriers are inadequate, that they are dissatisfied with their condition, that they are unable to lay up anything for a

rainy day, and so on. Now, can the gentleman name any instance where any one of them has resigned on account of the inadequacy of the salary? In other words, do they not hold onto these positions?

Mr. FITZGERALD. They do. I have never known of a man refusing half a meal because he could not get a full one. These men are compelled, of course, to retain their places.

Mr. TALBERT. Are there no other positions open to them that they could seek?

Mr. FITZGERALD. The mere fact that a man does not get adequate remuneration and still continues in an employment is not an argument that sustains the proposition that the remuneration is adequate. In the city of New York there are at times probably 100,000 unemployed men, and I know of no place where the supply of labor is greater than the demand, where men can not be secured to fill places as they are vacated.

Mr. TALBERT. I ask the gentleman if he will not admit that the Government pays larger wages than any private industry, if the Government employees are not better paid than private employees?

Mr. FITZGERALD. I have just explained that in the city from which I come men whose duties are practically similar, or who are on the same plane as the letter carriers, namely, police officers and firemen, receive more than the letter carriers do. The policemen receive a maximum salary of $1,400, and the firemen a maximum salary of $1,200; and there are provisions of law that provide for their retirement when they are disabled or incapacitated for service, and after a certain period of service they are permitted to retire upon a percentage of their pay. That is an illustration that the letter carriers do not receive as much as men in somewhat similar employments.

Mr. TALBERT. Still they retain their positions. They do not resign.

Mr. FITZGERALD. Certainly, they do not resign.

Mr. TALBERT. They hold on.

Mr. FITZGERALD. When the gentleman is hungry and unable to get enough to satisfy his hunger does he refuse the food that he can get simply because he can not obtain a full meal?

Mr. TALBERT. That is begging the question. I only want to draw the attention of the gentleman and of the House to the fact that there is not an employee of the Government who is not asking for higher wages or an increase of salary, and I should like to know where it would end if we increased them as they ask.

Mr. FITZGERALD. These men are not unreasonable in their request. In the entire country there are only a few more than 16,000 carriers. Before they are permanently appointed they often serve as long as four years as substitutes. During that time they can not engage in other employment. They must be ready to take the place of a carrier on a moment's notice. Some years the money earned by them is a mere pittance. But these men are patient. They are faithful. Without complaint they wait for a permanent place, and then the salary is $600 a year.

It is not extravagance to propose to give them $1,200 a year after four years' more service. It is not an unreasonable proposition. The country will not condemn such legislation as unjustifiable. I believe that the people universally desire that the letter carriers shall be treated liberally. No other public servants come as closely in contact with the people. No other service is under the same constant observation and surveillance. The work of carriers is appreciated.

When no one can venture out of his home on account of disagreeable weather, the carrier of the mail is eagerly awaited, for he bears the messages of friends, the reports of business, and the consolation and cheer that comes from communication with men. Give these men the mite they ask. Make a little easier their conditions. Help to relieve them of their burdens, and in doing so the best interests of all of the people will be subserved by the improvement of the service and of that Department of the Government with which they are in closest contact. [Applause.]

Mr. MOON. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. SULZER].

The CHAIRMAN. The gentleman from New York is recognized for seven and a half minutes.

Mr. SULZER. Mr. Chairman, in substance I concur in the statements made by my colleague from New York [Mr. GOLDFOGLE] in regard to the urgency and the necessity of the bill for a new post-office in the city of New York.

For a great many years the city of New York has been most unjustly discriminated against by the Congress of the United States in the matter of appropriations for public buildings. I remember that after one of the hardest and the longest fights ever made in this House the Representatives of New York finally succeeded in getting an appropriation to build in the city of New York a new custom-house. For some reason or other the Congress never wants to do justice to the first city in our land. New York City, it seems, must shift for herself.

The post-office building in the city of New York to-day is entirely inadequate to transact the public business. This old post-office was built many years ago. At the time it was built it was no doubt a very good building and made a proper post-office; but at the present time it is practically useless, dilapidated, badly ventilated, and many of the Government employees who work in it are compelled to work down under the ground, where there is no daylight, poor ventilation, and great dampness, and this has in many cases seriously injured their health, and in some cases lives have been needlessly sacrificed.

At all times, I am reliably informed, on account of the insanitary condition of the New York City post-office, many of the men who work there are on the sick list and unable to perform their duties. This constant menace to health and life is a cruel injustice to the honest and faithful employees of the Government. For this reason alone a new post-office building is imperatively demanded in the metropolis.

The post-office of the city of New York yields to the Government every year a net profit of over $5,000,000. It is also the great distributing center of the mails in this country. It is of importance to every citizen of the United States that there should be in New York City a proper post-office, with adequate postal facilities—a building where the Government work can be done without endangering the lives of its inmates.

I can not possibly understand why it is that the Congress of the United States will not pass this appropriation bill for a new post-office in New York City. Its necessity is absolutely imperative, and the matter is so important that delay can not longer be tolerated. There is no politics in it. Every citizen of New York City, regardless of political affiliations, has been appealing to Congress for several years to pass this desirable legislation. Every newspaper in New York City has urged again and again a favorable report of this bill, but for some reason, inscrutable to me, the committee having the matter in charge fails to report the bill. Congress comes and Congress goes, but this bill never passes. It sleeps peaceably in the committee.

Why? I know not, but I do know, and I say, it is not the fault of the members from New York City. In season and out of season, in every session, they have done all that could be done to make this bill a law. In this Congress a determined effort has been made by the two United States Senators and by every member in the House from the State of New York to get the bill reported. After a hard fight the senior Senator from the State of New York succeeded in passing the bill through the Senate. That was some time ago, in January, I think, and ever since then the members from the State of New York have been appealing to the Committee on Public Buildings and Grounds to report the bill. Week in and week out we have done our best.

Only yesterday I went to see the chairman of that committee and appealed to him to take some action, to do something regarding this bill The gentleman informed me that he was going to report the bill at an early date, but would amend it in regard to the commission named to select the site. Now, I take it, the Representatives of the State of New York care very little about the commission named in the bill to select the site. We do not care very much whether it is the commission put in by the senior Senator from the State of New York or whether it be a commission put in the bill by the chairman of the committee.

That matter is immaterial to most of the citizens of New York. In the end public opinion in New York City will select the site. We can rely on that. All that we now ask for and what we now demand is that the bill be speedily reported and this House given an opportunity to vote on it. It is a disgrace to the Congress of the United States that the city of New York can not have a decent post-office. And the old post-office building is a disgrace to the city of New York.

It is a shame that the city of New York can not get fair treatment in legislation for public buildings, although little towns in almost every State in the Union are able to get large appropriations for public buildings. But the Representatives from New York do not antagonize appropriations for necessary public buildings in other States.

I do not believe that there is a Representative from the State of New York who has ever unjustly antagonized an appropriation for a Federal building in any other State; and yet for some reason or other the State of New York, with the largest delegation in this House, is unable to get the committee to report a reasonable appropriation bill giving the city of New York a safe, decent, and commodious post-office that will not be an injury to the lives and a constant menace to the health of the employees of the Government. and that will be a benefit to all the country in facilitating the distribution of the mails.

The bill only appropriates $2,500,000. It is a modest request for

an economically constructed building. Compare what New York asks with what other cities have recently received:

Chicago	$5,552,881	St. Louis	$6,055,737
Philadelphia	6,197,809	Cincinnati	5,796,408
Boston	5,952,218	San Francisco	3,555,055

Mr. GAINES of Tennessee. Does not my friend from New York know that they are working on that bill now?

Mr. SULZER. Oh, yes; I know that. I have been working on this matter for some time. I have just stated that yesterday I went to see the chairman of the committee again regarding it, and he promised that the bill would soon be reported. I have the greatest confidence in his statement. I believe at last New York City is going to get a new post-office. But we must not be blamed if we are impatient at delay. We know delays are dangerous. We intend to fight on until the object desired is accomplished. We are not asking for anything unreasonable.

What New York City wants is a new post-office. That great city is entitled to it. Every consideration of justice, of humanity, of business demands it. I say for one of the Representatives from the State of New York that if the committee does not speedily report this bill I will know the reason why, and I shall feel inclined to oppose every bill that comes from that committee carrying an appropriation for a Federal building elsewhere. I care not what town or what State it benefits. It is time for some one to make a stand in this House for justice to New York. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HOOKER. I ask that the time of the gentleman may be extended.

The CHAIRMAN. All the time that the gentleman from Tennessee had was yielded and is exhausted.

Mr. SULZER. Well, just a word more. I do hope that the chairman of the Committee on Public Buildings and Grounds, the distinguished gentleman from Nebraska, will at the earliest possible moment report the bill in favor of the New York City post-office. [Applause.]

Mr. GRIGGS. I yield thirty minutes to the gentleman from Tennessee.

The CHAIRMAN. Only twenty-seven and one-half minutes are remaining.

[Mr. GAINES of Tennessee addressed the committee. See Appendix.]

Mr. THOMPSON. May I ask the gentleman from Tennessee a question?

The CHAIRMAN. The gentleman's time has expired. The time limited for general debate having expired, the Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Salary and allowance division: For compensation to assistant postmasters at first and second class post-offices: 1 at $3,500; 17 at $3,000 each; 2 at $2,500 each; 4 at $2,000 each; 10 at $1,900 each; 20 at $1,800 each; 30 at $1,700 each; 75 at $1,600 each; 80 at $1,500 each; 70 at $1,400 each; 130 at $1,300 each; 270 at $1,200 each; 270 at $1,100 each, and 400 at $1,000 each; in all, for assistant postmasters, $1,701,500.

Mr. THOMPSON. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from Tennessee, who seems to be well versed in the Philippine question, why it is that the authorities of the Philippine Islands are paying the teachers sent over there by this Government at the rate of $2 for their work when it requires $2.10 of their money to make $1 of ours?

Mr. GROSVENOR. I object I make the point of order that that is not germane.

Mr. GAINES of Tennessee. It is simply because they want to change the ratio.

Mr. GROSVENOR. I object to any answer going into the RECORD.

Mr. GAINES of Tennessee. The gentleman does not want any inquiry as to the change of ratio that has taken place there under the action of the Philippine Commission.

Mr. GROSVENOR. Not at all.

The CHAIRMAN. The gentleman from Ohio makes the point of order that this is not germane. The Chair sustains the point of order.

Mr. GAINES of Tennessee. I hope those teachers over there will find it out.

The Clerk read as follows:

Three thousand two hundred clerks in charge of stations and substations, janitors, messengers, porters, watchmen, stampers, carpenters, firemen, laborers, pressmen, waste-paper examiners, mail messengers, general utility clerks, assorters, general-delivery clerks, inquiry clerks, paper distributers, raters of third and fourth class matter, record clerks, separators, special-delivery clerks, stock clerks, supply clerks, timekeepers, weighers of second-class matter, directory clerks, dispatchers, letter distributers, mailing clerks, money-order clerks, nixie clerks, registry clerks, and stamp clerks, at $600 each, $1,920,000.

Mr. MANN. Mr. Chairman, I move to strike out the words, in line 21, page 3, "three thousand two hundred" and insert in place thereof "two thousand six hundred."

The Clerk read as follows:

In line 21, page 3, strike out "three thousand two hundred" and insert "two thousand six hundred."

Mr. MANN. Mr. Chairman, the amendment which I have offered proposes to decrease the number of $600 clerks from 3,200 to 2,600. And, if this amendment prevails, I propose to offer an amendment increasing the number of $700 clerks from 1,000 to 1,600, making the total number of clerks in the two classes the same, but giving an increased opportunity for promotion.

As gentlemen on the floor of this House well know, I have consistently urged an increase in the postal facilities in the large cities. I have done this partly in the interest of the postal service itself and partly because I have been convinced that many of the postal employees in Chicago were worked too hard and were too poorly paid. And I presume the same condition exists in other large cities. I have great admiration for the gentleman from California [Mr. LOUD], who is in charge of this bill. I believe he is an earnest advocate of sufficient postal facilities, and, like the rest of the members here, I have great confidence in his judgment on postal matters.

But, Mr. Chairman, I know from personal investigation that the situation of the clerks in the Chicago post-office for a number of years past has been almost too horrible to believe. Clerks who have been employed in that office for years still remain without an increase in salary, and yet are compelled to work from ten to fifteen hours per day. We all know that the handling of mail is tiresome, both physically and mentally, and that it requires a fairly high grade of intelligence to make a good distributer of mail matter.

I know that it has been frequently suggested here that these clerks in the employ of the Government are not required to stay in its employ and that they may at any time resign. The gentleman from South Carolina [Mr. TALBERT] asked some one on the floor to-day whether any of the post-office employees had resigned because of their low salaries. I do not know how it may be elsewhere, but I do know that in Chicago many of the postal employees have resigned and have left the post-office service because of the low pay and long hours.

I know, further, that many of the employees who have remained in the service have been discouraged mentally and weakened physically by the hard work and the failure to receive promotion. Many of the best ones have left the service, and many of those now in the service would be able to do more efficient work than they now perform if they were given shorter hours, pay enough with which to buy good food and to live in a comfortable place, and the hope and expectation of an increase of salary as a reward for faithful service. I regret to say that they have not had this expectation, as a rule, in the past.

At the beginning of this session, Mr. Chairman, I introduced into the House a bill proposing to amend the national eight-hour law so as to include post-office clerks within its terms. I am aware, however, that under many circumstances it might be somewhat disastrous to the postal service to have a stringent eight-hour law as to postal clerks, and I have consulted over this matter both with the chairman and members of the Committee on Post-Offices, and also the head officials of the Post-Office Department.

The pending bill goes a long ways toward a solution of the difficulty about the length of hours as well as the increase in salaries. If the amendment which I have suggested can be adopted and one or two other amendments adopted, the bill will absolutely relieve the present difficulty in regard to the post-office clerks.

The bill as reported by the gentleman from California [Mr. LOUD], chairman of the Committee on Post-Offices, increases very largely the number of postal clerks and makes an increase of two or three million dollars in the amount of salaries to be paid for such clerks.

Under the bill there is a small increase in the number of post-office clerks who draw over $1,500, but for the purpose of computation I have assumed that there will be probably as many appointments from outside of the classified service as there will be increases in the number of clerks drawing over $1,500. The bill increases the number of $1,500 positions from 90 to 110. If we assume, for the purpose of computation, that promotions in each case are made to one class from the next lower class, then this increase would promote 20 clerks now in the $1,400 class, and as there are now 200 clerks in the $1,400 class, it would leave 180 of the present clerks without promotion.

For the purpose of comparison I call attention to a memorandum which I have made showing the number of clerks in first and second class post-offices under the present law and the number proposed by the pending bill, at the various salaries.

Clerks in first and second class post-offices.

Salary.	Number under present law.	Number under bill.
$100	1,000	1,300
200	300	350
300	200	250
400	100	100
500	1,600	2,120
600	2,800	3,200
700	1,000	1,000
800	3,900	3,900
900	1,800	1,900
1,000	1,500	2,100
1,100	700	1,100
1,200	800	1,400
1,300	225	300
1,400	200	250
1,500	90	110
1,600	100	110
1,700	118	125
1,800	60	80
2,000	60	75
2,100	7	7
2,200	29	30
2,400	22	25
2,500	7	10
2,600	17	25
2,700	10	14

The bill proposes 250 clerks in the $1,400 class, and in order to fill up this number it would take 70 clerks out of the 225 now in the $1,300 class, and would leave 155 of the present clerks in that class without promotion.

But the pending bill proposes to make 300 clerks in the $1,300 class, and in order to fill up this number it would require the promotion of 145 clerks from the 800 clerks now in the $1,200 class and would leave in the $1,200 class 655 clerks not promoted.

The bill proposes, however, to have 1,400 clerks in the $1,200 class, and in order to fill up this number it would require the promotion of all of the 700 clerks now in the $1,100 class and 45 clerks now in the $1,000 class. That would leave 1,455 clerks in the $1,000 class.

But the bill proposes 1,100 clerks in the $1,100 class, which would promote 1,100 clerks more out of the $1,000 class and leave therein unpromoted only 355.

The bill proposes to increase the number of clerks in the $1,000 class up to 2,100, and in order to fill up this number it would require the promotion of 1,745 clerks from the $900 class to the $1,000 class and leave in the $900 class only 155 not promoted.

But in order to provide the 1,900 clerks in the $900 class it would require the promotion of 1,755 from the present $800 class, and that would require promotions from the $700 class, and so on down.

It seems to me, Mr. Chairman, that if this bill becomes a law, and promotions under it are made with some degree of fairness and common sense, practically all of the clerks who are entitled will receive an increase in salary of at least $100 per annum. If the same sort of liberality prevails another year, then further increases in salary can be made to those who draw the lower salaries, and thereby establish the custom of increasing the salaries of those post-office employees who deserve it to the extent of at least $100 per annum until they get up in the higher grades of salary.

Last summer the present postmaster in Chicago was authorized by the Department to make, and did make, an increase of $100 per year in the salary of each of 500 employees in the Chicago office. That was good as far as it went. The present bill will do still more, and I believe will be carried out in the same spirit by the present postmaster.

I believe, sir, that with this increase in the number of clerks, the hours of labor required of the clerks will also be greatly shortened. The present bill, whether my amendment is adopted or not, will increase the salaries and decrease the hours of labor of the post-office clerks throughout the land.

I have called the attention of the Post-Office Department to the condition of affairs in the Chicago post-office, both in connection with the efficient postmaster at Chicago and with other members of Congress from that city, and there has recently been a considerable increase in the efficiency of the post-office there, partly brought about by an increased number of postal clerks and partly by a more efficient system of handling the mails. The clerks in the Chicago post-office in the past have been nearly worked to death. They are now beginning to get a breathing spell.

I have here a statement, which I call your attention to, showing the hours of work actually performed by the clerks in the Chicago post-office for every working day from November 29 last to March 1.

Memorandum showing number of hours of work performed by the postal clerks in the mailing division of the Chicago post-office.

Date.	Number of hours of longest working set.		Average for entire division.	
	Hours.	Minutes.	Hours.	Minutes.
1901.				
November 29	11	5	8	43
November 30	13	0	10	31
December 2	11	40	9	16
December 3	11	30	9	14
December 4	11	5	9	39
December 5	11	30	9	55
December 6	11	45	10	7
December 7	13	5	10	54
December 9	11	40	9	41
December 10	11	5	9	23
December 11	11	5	9	16
December 12	11	5	9	3
December 13	11	5	8	46
December 14	11	0	9	41
December 16	11	5	8	47
December 17	11	5	8	54
December 18	12	0	8	35
December 20	11	50	9	2
December 22	13	0	9	15
December 23	15	20	9	53
December 24	15	20	9	38
December 26	11	20	8	28
December 27	11	20	8	24
December 28	12	0	8	40
December 30	11	20	8	29
December 31	12	50	10	26
1902.				
January 2	12	15	9	0
January 3	10	30	8	59
January 4	11	0	9	18
January 6	10	0	8	19
January 7	9	45	8	42
January 8	11	0	8	46
January 9	10	20	8	55
January 10	10	30	9	8
January 11	10	20	8	41
January 13	11	5	8	23
January 14	10	30	8	37
January 15	9	55	8	41
January 16	10	25	8	47
January 17	9	55	8	37
January 18	11	19	8	37
January 20	10	30	8	6
January 21	9	22	8	19
January 22	9	30	8	27
January 23	9	30	8	22
January 24	9	20	8	17
January 27	10	5	8	14
January 28	8	50	8	8
January 29	10	20	8	18
January 30	9	45	8	12
January 31	10	45	8	56
February 1	10	30	8	54
February 3	10	15	8	44
February 4	9	50	8	46
February 5	9	45	8	43
February 6	10	30	9	3
February 7	10	20	9	2
February 8	10	20	8	45
February 10	9	30	8	29
February 11	10	0	8	38
February 12	10	20	8	4
February 13	12	20	10	17
February 14	11	0	9	5
February 15	9	50	8	38
February 17	8	30	8	7
February 19	8	50	8	26
February 20	10	0	8	6
February 21	9	40	8	2
February 24	11	0	8	5
February 25	9	30	8	1
February 27	8	20	7	50
February 28	9	30	7	59
March 1	9	30	8	17

This record shows that during December, which I will admit was a month of heavy work in all the post-offices of the country, the hours of one division of the office was all the way from eleven hours up to fifteen hours of work, leaving out the time which they took for meals, for luncheon, and for supper. Fifteen hours a day some days! During the entire month of December there was no day that at least one set of clerks in the office did not work more than eleven hours.

I would not be so insistent upon this point were it not for the fact that the mail service in the large cities is now suffering from the small salaries which have been paid to these clerks, and which have driven out of the postal service many of the brightest men who have attempted to enter it. It is an impossibility, Mr. Chairman, for any clerk in the office doing the amount of work the mail clerk is required to do, quick in mind to handle and distribute mail matter—it is an impossibility for such a clerk to do good service when he works over nine or ten hours a day. It is not right for the Government to ask it.

But the gentleman from South Carolina will say, Why does he

not resign? We have a right to say that the cities ought to be entitled to good postal service. The money that is used for the carrying on of the postal service comes mainly from the large cities. Out of the total revenues of the postal service New York last year contributed more than $10,000,000, and Chicago contributed more than $7,000,000, a contribution of $18,000,000 from these two cities to the postal receipts, which in all for the entire country amounted to a little over $100,000,000, and nearly one-fifth of the receipts of the postal service came from these two large cities. Now, I think they have the right to ask that their postal service be taken care of in better shape than it now is.

I am perfectly well aware, Mr. Chairman, that these receipts do not, as has been frequently said, turn in a net profit to the Government. But, on the other hand, of the receipts of these offices only 37 per cent in New York was used for expenses; only 36 per cent at Chicago was used for expenses in the local office. The rest of the receipts of these offices goes to help pay the rural free-delivery carriers throughout the country; goes to help pay for the transportation of the mail; goes to help pay the salaries of the fourth-class postmasters, who keep nearly all of the money they receive and compel the large cities to pay almost the entire cost of the railway mail transportation.

Under these circumstances it seems to me that the Government ought to be willing to pay to these postal clerks a reasonable salary for the long hours which they are compelled to work, not in the interest of the postal clerks, but in the interest of the postal service. Because it can not be expected to obtain and retain in the service the best of clerks upon salaries which are so small as these.

I call your attention to the following statement showing the receipts at a few of the principal post-offices in the country:

Statement showing the gross receipts at the principal post-offices for the fiscal year ended June 30, 1901.

Office.	Gross receipts, fiscal year ended June 30, 1901.	Population, 1900.
New York, N. Y	$10,384,623.21	3,437,202
Chicago, Ill	7,706,356.90	1,698,575
Philadelphia, Pa	3,698,501.10	1,293,697
Boston, Mass	3,317,274.39	560,892
St. Louis, Mo	2,145,068.70	575,238
Brooklyn, N. Y	1,500,855.52	(a)
Cincinnati, Ohio	1,370,035.36	325,902
Baltimore, Md	1,239,151.59	508,957
San Francisco, Cal	1,075,657.87	342,782
Pittsburg, Pa	1,030,533.41	321,616
Cleveland, Ohio	992,612.56	381,768
Buffalo, N. Y	925,224.90	352,387
Detroit, Mich	826,817.15	285,704
Kansas City, Mo	808,729.05	163,752
Minneapolis, Minn	740,664.44	202,718
Washington, D. C	739,778.15	278,718
Milwaukee, Wis	692,409.05	285,315
St. Paul, Minn	541,198.76	163,065
Indianapolis, Ind	509,590.87	169,164
New Orleans, La	505,924.92	287,104
Louisville, Ky	502,550.41	204,731
Denver, Colo	479,025.21	133,859
Rochester, N. Y	465,226.28	162,608
Newark, N. J	461,234.57	246,070
Providence, R. I	418,836.05	175,597
Columbus, Ohio	395,757.88	125,560
Omaha, Nebr	390,389.30	102,555
Atlanta, Ga	357,233.04	89,872
Toledo, Ohio	354,795.99	131,822
Des Moines, Iowa	334,533.85	62,139
Albany, N. Y	290,749.28	94,151
New Haven, Conn	287,971.44	108,027
Syracuse, N. Y	283,600.36	108,374
Richmond, Va	280,871.41	85,050
Los Angeles, Cal	280,736.15	102,479
Hartford, Conn	280,239.93	79,850
Jersey City, N. J	271,841.51	206,433
Dayton, Ohio	255,099.64	83,393
Worcester, Mass	250,147.87	118,421
Memphis, Tenn	247,292.94	102,320
Grand Rapids, Mich	246,247.60	87,565
Racine, Wis	243,294.76	29,102
Nashville, Tenn	240,905.13	80,865
Portland, Oreg	223,584.56	90,426
Springfield, Mass	221,042.52	62,059
Dallas, Tex	213,895.36	42,638
Seattle, Wash	206,621.36	80,671
Scranton, Pa	201,629.48	102,026

(a) Population included in census of New York.

These cities all turn over a large amount of net postal revenue to the Government. The wise Auditor for the Post-Office Department, in the last annual report, makes the following arguments concerning net revenues or net profits at various post-offices:

"NET REVENUES" OF POST-OFFICES.

Notwithstanding its manifest absurdity, the claim is still put forward in the public prints, on behalf of numerous cities, that their respective post-offices pay large "profits" to the Government. In support of this contention, the Auditor's report is quoted where, in Table 10, a certain amount is given in each case as "net revenues" of the office. But the term "net revenues" is very different from "profit."

There can be no profit at any office so long as the aggregate business of the Department is conducted at a loss. Collections of revenues at local post-offices, consisting almost wholly of the sale of postage stamps, postal cards, etc., are not only obliged to pay the necessary expenditures of that office, but also to pay for the transportation of the mails to their destination and their delivery to the addressees. Because a large amount of mail happens to originate at the New York City post-office, for instance, entailing a correspondingly large sale of stamps and collections for newspaper postage, it does not necessarily follow that the New York office pays any profit whatever in the transaction.

A railroad station would not be held to yield a "profit" simply because the amount of freight bills collected and passenger tickets sold at that station exceeded the salaries of its employees. A moment's reflection shows that in both cases the revenues must be earned outside the post-office or the railroad station and all the expenses incident thereto be paid before any "profit" whatever can be realized. * * * The ten principal cities of the country show a percentage of expense to gross receipts varying as follows:

New York, N. Y	37	Cincinnati, Ohio	37
Chicago, Ill	36	Baltimore, Md	53
Philadelphia, Pa	47	San Francisco, Cal	49
Boston, Mass	46	Pittsburg, Pa	36
St. Louis, Mo	35	Cleveland, Ohio	38

From this statement it will be seen that Baltimore ranks highest among the principal cities for expenditures in the post-office, while St. Louis stands lowest. Assuming the service to be equally efficient and other conditions similar, this showing would seem to be highly complimentary to the management of the St. Louis office, and almost equally so to the others which nearly approach its standard in economy of administration.

It is true in one sense that the net revenues of over $4,000,000 at the Chicago post-office are not net profits. It is also true in another sense that they are. We have the right to consider the surplus at one office as net profits when comparing that office with another post-office. For instance, a fourth-class postmaster who receives less than $50 per quarter keeps all the money which he takes in. As compared with the fourth-class offices of this character the surplus revenues at the large offices are net profits.

It is not true, as suggested by the Auditor, that there can be no net profit at a particular office so long as the Post-Office Department is conducted at a loss. You might as well say that one department in a great department store could not be conducted at a profit when the entire store was being run at a loss. A department in a store may bring in a net profit while the entire business is bringing a net loss. And the same might be true of post-offices. It is, of course, true that the receipts at the post-office must pay for the railway mail transportation.

It should not be forgotten, either, in considering the receipts and amount of business at the New York and Chicago offices, that a very large proportion of the amount of second-class mail matter in the country is mailed at and handled by those two post-offices, and that this class of mail matter is handled principally for the benefit of the other portions of the country. If this second-class mail matter were required to pay reasonable postage rates, then the receipts at the New York and Chicago offices would either very greatly increase or the amount of clerical help required to handle the mail matter would largely decrease.

I have a statement here showing the amount of second-class mail matter mailed and postage collected at the 34 largest post offices during the fiscal year ending June 30, 1901, and which is as follows:

Office.	Year ending June 30, 1901.	
	Weight.	Postage collected.
	Pounds.	
New York, N. Y	96,219,485	$962,194.85
Chicago, Ill	57,857,812	578,578.12
St. Louis, Mo	22,825,980	228,259.80
Philadelphia, Pa	22,069,548	220,695.48
Boston, Mass	18,967,888	189,678.88
Kansas City, Mo	10,861,478	108,614.78
Cincinnati, Ohio	9,279,964	92,799.64
Augusta, Me	9,001,134	90,011.34
Minneapolis, Minn	8,605,393	86,053.93
San Francisco, Cal	6,357,967	63,579.37
St. Paul, Minn	5,665,558	56,655.58
Pittsburg, Pa	5,553,085	55,530.85
Detroit, Mich	5,331,687	53,316.87
Milwaukee, Wis	5,294,267	52,942.67
Cleveland, Ohio	5,055,274	50,552.74
Springfield, Ohio	4,050,567	40,505.67
Omaha, Nebr	4,022,447	40,224.47
Denver, Colo	3,956,097	39,560.97
Atlanta, Ga	3,948,061	39,480.61
Des Moines, Iowa	3,942,254	39,422.54
Baltimore, Md	3,654,780	36,547.80
Springfield, Mass	3,421,056	34,210.56
Lincoln, Nebr	3,418,579	34,185.79
Louisville, Ky	3,237,462	32,374.62
Indianapolis, Ind	3,138,220	31,382.20
Washington, D. C	2,776,845	27,768.45
Elgin, Ill	2,530,548	25,305.48
Nashville, Tenn	2,334,936	23,349.36
Dallas, Tex	2,153,256	21,532.56
New Orleans, La	2,099,692	20,996.92
Toledo, Ohio	1,775,737	17,757.37
Buffalo, N. Y	1,593,192	15,931.92
Rochester, N. Y	1,099,487	10,994.87
Utica, N. Y	1,052,294	10,522.94
Total	343,152,000	3,431,520.00

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOUD. I ask that the gentleman's time may be extended five minutes.

There was no objection.

Mr. MANN. I have already called your attention to the receipts at the New York and Chicago offices, but permit me to call your attention further to the fact that the receipts at the New York post-office were greater than the entire receipts from all the offices in any State in the Union except New York and Illinois and that the receipts at the Chicago post-office were greater than the receipts of all the offices in any State in the Union except New York, Illinois, or Pennsylvania. And the receipts at the New York office were greater than the receipts of all of the other post-offices in the State of New York. The receipts at the Chicago office are greater than the receipts at all the other post-offices in the State of Illinois.

The receipts at the Chicago post-office for the last fiscal year were greater than the aggregate gross receipts of all the post-offices in the following-named States, to wit:

South Carolina, Alabama, Mississippi, North Carolina, Arkansas, Florida, Delaware, Utah, Idaho, Wyoming, Montana, Nevada, North Dakota, South Dakota, and Oregon.

And I shall insert in my remarks a statement showing the gross receipts of post-offices by States and Territories, etc.:

Table showing the gross receipts of post-offices, by States and Territories, arranged in order of rank in amount expended per capita in use of the mails; also the whole number of post-offices, by States and Territories, and their respective ranks.

States and Territories.	Gross receipts at post-offices.	Average amount expended per capita.	Rank of States in expenditure per capita.	Whole number of post-offices.	Rank in number of post-offices.
District of Columbia	$744,618.56	$2.67	1	6	53
New York	18,855,505.32	2.59	2	3,651	3
Illinois	11,295,174.49	2.34	3	2,545	12
Massachusetts	6,567,483.77	2.34	4	835	32
Colorado	1,232,778.10	2.28	5	751	33
Nevada	95,765.99	2.26	6	192	47
California	3,059,414.33	2.06	7	1,666	21
Connecticut	1,735,811.20	1.91	8	470	41
Montana	447,486.51	1.83	9	506	40
Vermont	601,054.03	1.75	10	570	37
Wyoming	156,251.72	1.69	11	341	44
Rhode Island	717,673.61	1.67	12	143	49
Maine	1,146,297.39	1.65	13	1,244	25
Washington	844,302.79	1.63	14	884	31
Idaho	250,787.60	1.56	15	467	42
New Hampshire	643,525.88	1.56	16	557	39
Ohio	6,482,952.91	1.56	17	3,303	4
Missouri	4,774,816.30	1.54	18	2,987	8
New Jersey	2,874,851.48	1.53	19	916	29
Pennsylvania	9,640,492.02	1.53	20	5,138	1
Oregon	629,408.03	1.52	21	890	30
Minnesota	2,621,696.33	1.49	22	1,687	20
Nebraska	1,557,665.51	1.46	23	1,053	28
Michigan	3,499,046.80	1.45	24	2,117	14
Arizona	176,438.19	1.44	25	238	46
Maryland	1,698,967.74	1.43	26	1,159	27
Iowa	2,998,389.51	1.33	27	1,837	19
Wisconsin	2,619,654.85	1.27	28	1,861	18
Utah	345,086.07	1.25	29	348	43
North Dakota	393,297.19	1.23	30	694	34
Kansas	1,756,400.09	1.20	31	1,605	22
South Dakota	475,828.64	1.18	32	683	35
Indiana	2,771,502.98	1.10	33	2,118	13
Florida	571,097.41	1.08	34	1,160	26
Delaware	195,336.90	1.06	35	167	48
Oklahoma	372,343.03	.94	36	666	36
New Mexico	164,563.05	.85	37	339	45
West Virginia	800,631.77	.83	38	2,038	16
Virginia	1,515,611.87	.82	39	3,668	2
Texas	2,440,220.87	.80	40	3,188	5
Louisiana	1,002,068.89	.73	41	1,270	24
Kentucky	1,502,483.90	.70	42	3,178	6
Hawaii	102,651.86	.67	43	90	50
Tennessee	1,353,723.71	.67	44	2,901	9
Alaska	29,162.44	.66	45	67	52
Georgia	1,421,303.00	.64	46	2,794	10
Indian Territory	252,238.88	.64	47	559	38
Arkansas	740,049.62	.56	48	1,998	17
North Carolina	945,002.29	.50	49	3,154	7
Alabama	887,242.80	.49	50	2,656	11
Mississippi	684,728.75	.44	51	2,068	15
South Carolina	552,243.21	.41	52	1,443	23
Porto Rico	63,261.04	.07	53	78	51

It seems to me, Mr. Chairman, that the gentlemen here who do not live in large cities misunderstand and misjudge some of us who happen to represent the large cities. We feel perfectly willing to extend to the more rural districts every proper facility which the Government ought to afford, whether postal or otherwise. We know that we are in the minority in this House. We know that the farmer reigns supreme here, but we insist that it is to the interest of the country, to the interest of the postal service, to the interest of the farmer, as well as the merchant, that the very best postal facilities be furnished to the cities, and we further insist that in view of the great surplus in postal receipts in the large cities, they ought to be given with willing hand the best facilities.

I believe that the gentleman from California [Mr. LOUD] in charge of the bill fully agrees with me upon this matter, and I have great faith that now that his attention has been so strikingly called to the situation in the Chicago post-office, he will continue to give, as I am sure he has recently given, his earnest consideration to the condition of affairs there with a view toward their constant betterment.

Mr. LOUD. Mr. Chairman, I sympathize very much with the position and with the remarks of the gentleman from Illinois. I want to say this of him, that since I have been a member of Congress with him his course has been consistent, and that he only wants a good service. The gentleman, however, I do not think really understands the situation as he looks at the bill. The clerks in the Chicago post-office have been working many more hours than they should have worked, and much of that, Mr. Chairman, comes from a mismanagement of that office. There are other post-offices in the country, permit me to say, where the same condition prevails.

In the early winter a commission was sent to investigate the Chicago post-office, and after they had completed their work the number of hours of work was very materially reduced. I want to make one suggestion about the gentleman's tables before I pass from that subject, and that is, I do not think those tables are absolutely true, or that they tell the whole truth. I have been in receipt of a communication from the Chicago post-office weekly for some time until about a month ago. I found that on that sheet they gave the hours of going to work and the hours at which they quit work. Seeing that table week after week, I replied to the party that sent the communication, asking if they did not eat. It showed that the clerks went to work, say, at 9 o'clock in the morning and worked until 10 o'clock at night without any intermission.

Mr. MANN. May I interrupt the gentleman at this point?

Mr. LOUD. Yes.

Mr. MANN. I want to say to the gentleman from California that I suppose his statements are based upon one set of reports which were sent out, I think, from the employees in the Chicago post-office, giving the number of hours employed without regard to the time they commenced or quit work. I will say that since the Commission has been to Chicago—since the changes have been made there—the number of hours of the clerks has been materially decreased, and during the month of February the average time in the office on almost every day in the month was only a little over eight hours a day. I say that in justice to the gentleman's position.

Mr. LOUD. Now, as to the sheets that came to me I knew it was impossible for a man to work from 9 o'clock in the morning until 10 or 11 o'clock at night without intermission, and I asked the gentleman if they did not take any time out for meals, and he replied, "Yes; that was a matter that had been overlooked; that he had included the time that was used for them to take their meals."

Personally, I have used every effort in my power to have the post-office put on an eight-hour basis. I think in a very few months there will not be a city in the country that will not practically be on an eight-hour basis. The condition that existed in Chicago, let me say again, resulted in a very great degree from very bad management of that office. Some men worked three or four or five hours a day and some eleven or twelve. The business of that office was in such a shape that the time of the men could not be properly utilized, which has been demonstrated by the work of the commission that is now in that city. The hours of work there have now been reduced to eight hours, with very little increase in the number of clerks.

Now, the amendment proposing to decrease the number of $600 clerks would result in this—that some new men going into office would go in at $700. The number of $600 clerks that we have provided takes practically every $600 man and promotes him to $700. Now, the gentleman, of course, will readily say that there are——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOUD. I ask five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LOUD. Of course the gentleman will very readily say, there is not room enough for them in the class above. That is true; but it must be remembered that in the $600 class are porters, janitors, watchmen, and superintendents of substations who are paid according to the amount of work they do. The maximum salary of the rest of these I have mentioned is $600, and they will remain in that class.

But the committee has the assurance of the Post-Office Department that substantially—I will not say every one, because there are some clerks in the post-offices at $600 who are, substantially, pensioners; many old men who are really not worth $600 a year—but every man in the $600 class who should be promoted will be promoted to the $700 class. As I have said, if this amendment

should prevail it would mean the putting of new men in office at $700 a year, and I do not think the gentleman wants to do that.

Mr. MANN. I understand, then, from the remarks of the gentleman from California that, in his opinion, with the changes already proposed in the bill, there will practically be in most of the post-offices an eight-hour basis of labor, and that $800 clerks that ought to be promoted will be promoted, and that the present $600 clerks will receive promotion.

Mr. LOUD. That is substantially correct. I am informed by the Post-Office Department that every large first-class office—I can not say every first-class office, because there are some small first-class offices—but every large first-class office will be absolutely upon an eight-hour basis. In some of the smaller first-class offices, where there is, for instance, only one money-order clerk or one delivery clerk, and there is no one to relieve those officers, the hours may be a little longer.

Mr. MANN. Oh, yes; I understand that.

Mr. LOUD. The committee recommend an increase of over $2,700,000; and we have the assurance that this will put the force on an eight-hour basis, and take care of all the increase of work for the coming year. I hope the amendment will be voted down.

Mr. TALBERT. Mr. Chairman, I move to amend by striking out the last word, and I do this in order that I may protest against this everlasting cry for increased salaries. If these demands which are eternally coming up here for increases of salary and which are so strenuously advocated, especially by the Representatives of these large cities, were granted, and given to all Government employees, the Treasury of the United States would soon be bankrupt. There is a demand here to-day, in one way and another, for an increase of salary for every man in the employ of the Government, from the President of the United States down to the most insignificant employee. Just as if money grew upon the trees, and nothing to do but to strike it down. "Increase! increase!" is the cry; and these demands have advocates on the floor of the House by members as if their very life depended upon increasing all around.

Now, Mr. Chairman, we would all like to see these salaries increased if it was right and we would like to see the employees of the Government better paid if it were possible to do so, if they are not adequately paid at present. But must we not stop in this mad rush to increase the expenses of the Government and ask, What is the Government? Of what does the Government consist? The Government is nothing more nor less than the people; and the Government has not a single dollar, and can not get a single dollar, with which to pay these salaries except by first taking it from the pockets of the people by direct or indirect taxation—people who are already tax-ridden to death. Then I say, in the name of the people, in the name of the taxpayers, and in the name of common sense, I want to enter my protest here and now against these increases, against burdening the people beyond endurance.

Just as we are entering upon a discussion, and while only upon the threshhold of this bill, the gentleman from Illinois rises and proposes in a word a measure to increase the salaries of all the mail clerks and mail carriers, especially in the large cities, declaring in loud tones that they are underpaid. A moment ago I asked a question of the gentleman from New York, who was discussing this subject, in regard to these hard-worked people. I asked him whether he could mention a single instance where any employee of this Government in this line of work had ever resigned on account of the inadequacy of his salary and he said he could not. I do not believe there is a man on the floor of this House who can get up and truthfully point out a single instance where any employee of the Government from the President down has ever resigned on account of the inadequacy of his salary. And yet members will howl themselves hoarse in declaring that these letter carriers and railway clerks are starving almost upon the salaries they are receiving from the Government, when not a single one of them would part with the job under any condition.

Why, Mr. Chairman, as a general thing the departments here could get along with a reduction of their force by at least one-third, and then the other two-thirds could do the work better. And in considering the salaries that these employees get we can not forget the fact that the Government pays the largest salary for the fewest hours of work of any private or individual industry throughout the length and breadth of the land anywhere and in any condition. Those people in the employ of the Government are better paid, get more privileges, and have a better time than any other people engaged in any other work in the country anywhere that can be known or mentioned, and why is it that men continually get up here and move to increase their salaries when they know that that increase must be paid by the people of this country, by the farmers of the country, by the mechanics of the country, by the brickmasons, and the laboring people all over the land; that they are the people who must run their hands in their pockets and pay for these increases of salary when their backs are almost broken with the present load?

Now, Mr. Chairman, to what will that eventually lead? What will be the final result of these appeals? Some gentleman to-day in his remarks said that there are now men and women who have grown old and gray in the service of the Government, and have failed to lay up a sufficiency for their old age. Whose fault is it that they have grown gray and old in the service of the Government and have failed to lay up an adequacy? Is it the fault of the Government? No. Is it the fault of the people? No. I ask: Then why should the people or the Government be called upon to support them now? If this be kept up the next demand will be that we have a civil pension list and pension these people, yea this has already been proposed, and I want to say that there are farmers in my district, old in the cause, who have not laid up a sufficiency.

What are you going to do with the farmers? What are you going to do with the carpenters and the blacksmiths, since they have failed through a long life of worry and toil to lay up a sufficiency to keep them in their old age? What are you going to do with all laboring people who have failed? I say, let every tub stand on its own bottom, and let these men who are in the pay of the Government still receive the wages they are getting, for it is ample. I, for one, am opposed to increasing it one cent, and I think it is unjust to the people of this country to have those salaries increased, and I hope it will not be done. [Applause.]

Mr. MANN. Mr. Chairman, after hearing the statement of the gentleman in charge of the bill, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to withdraw his amendment. Is there objection thereto?

Mr. TALBERT. I thought that I would drive the gentleman to do it.

The CHAIRMAN. There is no objection.

Mr. MANN. The gentleman's speech very nearly persuaded me not to withdraw it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

One thousand clerks in charge of stations and substations, janitors, messengers, porters, watchmen, stampers, carpenters, firemen, laborers, pressmen, waste-paper examiners, mail messengers, general utility clerks, assorters, general-delivery clerks, inquiry clerks, paper distributers, raters of third and fourth class matter, record clerks, separators, special-delivery clerks, stock clerks, supply clerks, timekeepers, weighers of second-class matter, directory clerks, dispatchers, letter distributers, mailing clerks, money-order clerks, nixie clerks, registry clerks, and stamp clerks, at $700 each, $700,000.

Mr. FEELY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois.

[Mr. FEELY addressed the committee. See Appendix.]

Mr. BELLAMY. Mr. Chairman, I do not rise for the purpose of making a speech; but I am not at all versed in post-office dialect or post-office law, and I should like to ask the chairman of the committee what is the meaning of "nixie clerk?" I see it in several places in the bill.

Mr. LOUD. If the gentleman will consult the dictionary he will find out what "nixie" means. "Nixie," as applied to a clerk, is a clerk who is designated to decipher substantially illegible addresses.

The CHAIRMAN. The Clerk will read.

The Clerk proceeding with the reading of the bill, read as follows:

For temporary clerk hire, $175,000.

Mr. MANN. Mr. Chairman, I move to amend by striking out of line 19 the word "one" and insert the word "two."

The CHAIRMAN. The gentleman from Illinois moves to amend by striking out of line 19 the word "one" and inserting in lieu thereof the word "two."

Mr. MANN. Mr. Chairman, my amendment, if adopted, will make the appropriation for temporary clerk hire $275,000 instead of $175,000.

The reason of the proposition is this: It is manifest to every person in the House that there are times in the year when the mail matter is very heavy, and other times in the year when it is not so heavy. I speak, of course, from the experience of the Chicago post-office, but the same is true elsewhere.

In the month of December last in the Chicago post-office the regular clerks were many of them employed eleven, twelve, thirteen, fourteen, and fifteen hours per day. On the 23d and 24th of December, which of course were heavy working days in the post-office, the longest-working set of employees in the Chicago post-office put in actual time of labor with mail matter of fifteen hours and twenty minutes. During that entire month the post-office clerks worked eleven, twelve, and thirteen hours per day for the longest-working set.

Now, it seems to me that it is in the interest of the postal service to increase the temporary or emergency clerk hire so that the postmasters can, by authority of the Department, put in temporary

clerks at these times of excessive mail matter and save the necessity for as great a number of permanent clerks.

The gentleman from South Carolina [Mr. TALBERT] said a moment ago that all Government employees were seeking increases in salary. I do not propose to controvert or to take issue with the gentleman upon that statement. Possibly it is true, and believe it is to be regretted; but this is not a proposition to increase anybody's salary. It is not a proposition to raise any salary.

Mr. TALBERT. It is a proposition to appropriate an extra sum.

Mr. MANN. It is a proposition to put in temporary clerks when the mail matter is excessive, as we all know that it is at certain times of the year. That will make the probable number of permanent clerks less.

I appeal to the gentleman in charge of the bill to permit this increase to be made. It will not be within the authority of the postmasters to expend the sum. It is only by permission of the Post-Office Department that any portion of this money can be expended, and certainly the sum of $275,000 for temporary clerk hire in the emergency seasons of the year is not an excessive sum.

Mr. LOUD. Mr. Chairman, I would gladly accede to the amendment which the gentleman has offered if I thought the money would be used if it was appropriated; but this is substantially a new item, having, I think, been included in the bill for the first time last year, when it carried $125,000. I am absolutely certain that if any greater amount of money is appropriated there will not only be no use for it, but they will not use it.

Mr. MANN. Will the gentleman permit me? Does not the gentleman believe that it would be in the interest of the service, instead of working the clerks in the month of December from ten to fifteen hours of actual labor, to have temporary clerks a few hours to do a part of the work?

Mr. LOUD. I do.

Mr. MANN. Does not the gentleman believe that a post-office clerk can do more efficient work working only eight, nine, or ten hours than he can do working twelve, thirteen, or fourteen hours?

Mr. LOUD. I do, Mr. Chairman; and the gentleman and myself can have no difference upon that subject. This item was put in the bill by my suggestion last year.

Mr. MANN. I understand that.

Mr. LOUD. In order that we might have a temporary force to meet emergencies that arise. That is what we have given that money for. I do not think we ought to give any more. Now, let me say another word. The increase that is made in the appropriation is more than $2,700,000 over the bill of last year, and we are satisfied a sufficient amount of money is carried in this bill in the several items for clerk hire to bring the work down to eight hours, in taking care of the office work, and will give them additional help during the holidays.

Mr. MANN. No one has a greater respect for the gentleman from California than I have, and no one has more confidence in his judgment with reference to the Post-Office Department than I have, but I remember last summer coming from Chicago to Washington for the purpose of interceding and urging for some additional temporary clerks in the Chicago post-office, because many of the clerks of that office were in a state of open rebellion, almost ready to quit the force, because they were worked beyond the limit of their endurance.

Mr. LOUD. That will not occur any more, and it would not have occurred last year, permit me to say—I thought that matter was finally disposed of—if the Chicago post-office had been properly managed. I do not want to refer to it, but you know there was mismanagement there.

Mr. MANN. If the gentleman will permit me, I do not think there was mismanagement in the Chicago post-office. I believe the postmasters of Chicago have been very fine officers.

Mr. TALBERT. Will the gentleman permit me to ask him a question?

Mr. MANN. Certainly.

Mr. TALBERT. Suppose they had left, would it have been a matter of impossibility to replace them at once with just as efficient clerks as they were? Were there not nine more standing at the door for every one that would have left, and ready to take the position?

Mr. MANN. It would not have been, I will say to the gentleman from South Carolina. There is no great demand in the city of Chicago for the position of clerk in the post-office. A man does not get to be a clerk in the post-office there until he serves a while as a substitute at a subordinate salary; and the demand for good clerks is more than the supply. People do not stand on the streets of Chicago seeking an opportunity to serve the Government as postal clerks by any means, I will say to the gentleman.

But, Mr. Chairman, with the indulgence of the gentleman from California, I would suggest that he must be perfectly aware that in times of holiday there is a great emergency, when help is needed to transact the business of the Post-Office Department. There are tons and tons of mail that is poured into the Chicago post-office, and I suppose into every other post-office throughout the country, during the month of December.

It seems to me that it is a sensible thing to do to employ temporary clerks. Most, of course, of the substitute clerks upon the list will be put to work temporarily to handle the mail matter and send it out properly by authority of the Post-Office Department here. It is impossible to employ clerks during the year and limit the number properly and be able to transact the business when the rush comes at the holiday season.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. LOUD. I am ready for a vote, and hope the amendment will be voted down.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

For rent, light, and fuel for first, second, and third class post-offices, $2,350,000: *Provided*, That there shall not be allowed for the use of any third-class post-office for rent a sum in excess of $400, nor more than $80 for fuel and light in any one year: *And provided further*, That the Postmaster-General may, in the disbursement of this appropriation, apply a part thereof to the purpose of leasing premises for the use of post-offices of the first, second, and third classes, at a reasonable annual rental, to be paid quarterly, for a term not exceeding ten years.

Mr. BELL. Mr. Chairman, I have an amendment I wish to offer there.

The Clerk read as follows:

Add after the word "dollars," in line 8, page 11, the following words, namely: "And that a reasonable rent shall be paid by the Government, within legal limitations, and no offer of free room or nominal rent by localities or property owners shall be considered by the post-office officials in locating post-offices."

Mr. LOUD. I raise the point of order upon that.

Mr. BELL. Now, Mr. Chairman, there is a system grown up in the West among these new settlements of trying to pull towns to one street or another by the aid of the United States post-offices. I am told that it is quite usual in Colorado, and I have just spoken to members from Kansas and some other Western States, and they say it is common there, also, for an inspector, when he goes into a town, to be importuned by someone having a block of buildings or an addition to locate the post-office there, and in consideration the rent will be donated by the owners or the neighboring business men.

Last year I had a petition for a post-office to be located in a central portion of the town, and an inspector was sent out. He found that the most of the people wanted the central location. The business men in a less central locality met this appeal of the people by an offer to the inspector of free rent. The Post-Office Department and the inspector informed me that most all of the patrons wanted the central location, and yet the location of this office was sold out for free rent.

When that decision was made, the sneer of contempt was on everybody's lips. You could hear from everybody that the Government put the location up at public auction, peddled it out to the highest bidder, etc.

When the inspector told me that he found that the people wanted the central location, but that he had an offer of a building in a less desirable locality for $1 per annum, I said: "But the Government will not allow you to sell the post-office to real-estate owners." He said: "I have a number of like cases in the State, and have from time to time been ordered to close these contracts, and now have a number of them leased for $1 a year." When this became generally known you can well imagine the pitiable aspect that this Government exhibited. I said to the inspector: "You locate the post-office where you see fit; but pay a fair rent for the building, and do not bring the Government into disrepute, as such an act smacks of a clean sell out of the location."

Here is a company trying to drag the town one way because it has a lot of property and offers it for nothing, and the people are marched out there by a great rich Government to get their mail, and it causes a sneer from every man that sees the post-office in one of these side places. I say the Government ought to pay a reasonable rent, and what this amendment is, and all it is, is that the Government shall not consider these offers in making a location of the post-office, providing it can get rent within reasonable limitations.

My friend from Kansas [Mr. MILLER] says that he has quite a number of cases in the same way, and my friends from farther West tell me it is common with them in new towns.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. GRIGGS. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the gentleman from Colorado may proceed for

five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BELL. Now, all I want to say is that I do not think any of us want these post-offices in this new country peddled around and the inspectors tampered with by the real-estate jobbers and the town-site speculators. This amendment simply provides that they shall not consider the offers of nominal rent or of free rent in any post-office location, but shall pay a reasonable value for rental within the legal limitations. That is all there is to it, and the question is whether we want to keep the Government dignified and above this peddling system that is going on in these new countries and constantly bringing contumely on the Government.

Mr. SWANSON. Would not the wishes of the gentleman be reached much better by offering an amendment that post-offices shall be located where the majority of the people want them?

Mr. BELL. I do not know. I suppose that is the presumption now. The question is whether or not we shall countenance this habit that has grown up of the inspectors peddling out the location to town-site boomers and the men who are trying to build up one portion of the town or another.

Mr. GARDNER of New Jersey. Would not the gentleman's amendment apply with equal force to an old town where two rival storekeepers each wanted the post-office and were willing to bid down the rent, and who is to determine when the bid gets too low?

Mr. BELL. I do not think the Government of the United States would want to put it up at auction or to make a location depend upon the lowest bid, but it would be willing to pay a reasonable rent.

Mr. GARDNER of New Jersey. But suppose the two locations were substantially the same and equally desirable?

Mr. BELL. It should be for the Government to say whether it wanted to go in here or there, and wherever it goes it should pay a reasonable rent and keep its inspectors from being tempted with speculators. This infamous practice has made many good citizens blush with shame, and it has greatly lowered the Department in the estimation of the people and it keeps the inspectors under constant suspicion. It would probably be difficult to find any considerable number of persons, where any of these $1 per year contracts exist, that do not believe that some unworthy motive actuated the inspector, however good his intentions may have been. These traveling officials should be protected from temptation and kept above suspicion.

Mr. TALBERT. May I ask the gentleman a question?

The CHAIRMAN. Does the gentleman from Colorado yield to the gentleman from South Carolina?

Mr. BELL. Certainly.

Mr. TALBERT. I suppose, as the gentleman states it, it is now let to the lowest bidder, and the gentleman wants to obviate that.

Mr. BELL. Yes; they are let to the lowest bidder or auctioned off to some locality for free rent.

Mr. TALBERT. And the gentleman wants to prevent the Government letting it to the lowest bidder?

Mr. BELL. I want the Government to select the location best suited to the people and pay a reasonable rent for it.

Mr. TALBERT. I understood the gentleman voted for the contract system in reference to the free rural-delivery carriers, and I would suppose that he would be in favor of the contract system here.

Mr. BELL. I do not know that I voted for that at all. I believed in it, and if I was present, I voted for it.

Mr. TALBERT. I want to say that I am in favor of the gentleman's amendment.

Mr. COWHERD. May I ask the gentleman a question?

Mr. BELL. Certainly.

Mr. COWHERD. Would the gentleman have any objection to the Government getting the least rental it could for the proposed location?

Mr. BELL. No, but here is a practice where they are putting up the location of post-offices at auction. The inspector comes into a town and then the real estate men take him in hand and the highest bidder takes the office. It ought to be beneath the dignity of a great Government.

Mr. COWHERD. But they do not let it to the lowest bidder.

Mr. BELL. They let it at $1 a year; and that of course is no rent at all.

Mr. COWHERD. The gentleman does not mean they actually put it up to the lowest bidder; he means that they try what bids they can get, and then the inspector fixes the amount that he thinks best.

Mr. BELL. The inspector gets into very questionable company when he begins to connive with real estate boomers. He should be removed from such temptations and should not be allowed to besmirch the good name of this great Government in the estimation of the people. The Government has no right to rent without due compensation. I am told that localities often club in and pay the rent, then tender a building in an undesirable locality to some ambitious inspector, and, overanxious to serve the Government, he takes such a place rent free and humiliates and brings the Government into contempt,

Mr. SWANSON. The gentleman's amendment would, as I understand, prevent the Government from considering a low rental for a post-office, even where it is located according to the wishes of the people. It seems to me the gentleman's purpose would be reached by saying that these offices should be located where the majority of the patrons could be best served.

Mr. BELL. No; that is not true. I oppose the despicable traffic in post-office sites. This thing has become humiliating and disgraceful. It has degenerated in many places into a low dickering brokerage. This is too small and contemptible for a great Government.

Mr. LOUD. The difficulties in regard to post-office locations will continue so long as men have a desire to accomplish anything in this way. The gentleman's amendment could not possibly accomplish anything. Therefore I insist upon my point of order that it is a change of existing law.

The CHAIRMAN. The gentleman from California raises the point of order that the amendment limits the discretion now vested in the Post-Office Department and is to that extent a change of law. The Chair is of opinion that that is the effect of the amendment, and therefore sustains the point of order.

Mr. GOLDFOGLE. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "dollars," line 24, page 12, insert "That after June 30, 1902, the pay of letter carriers in cities of more than 75,000 population for the first year of service shall be $800; for the second year of service shall be $800; for the third year of service shall be $1,000; for the fourth year of service and thereafter shall be $1,200. And after June 30, 1902, the pay of letter carriers in cities of a population of under 75,000 for the first year of service shall be $600; for the second year of service, $800; for the third year of service and thereafter, $1,000."

Mr. LOUD. I reserve a point of order on that amendment.

Mr. GOLDFOGLE. Mr. Chairman, the amendment I have offered is one to which I trust no objection will be made by the distinguished chairman of the Post-Office Committee, or by any gentleman of this House. It contemplates an increase in the salaries of the letter carriers, who, together with the postal clerks, constitute the most meritorious class of Government employees. It is an increase that ought to have been made long ago. For days and for weeks we have listened in this Chamber to eloquent speeches of many members of this House on the subject of the rural free delivery, and in the course of that discussion we were told of the hardships, the worth, the merit, the labor, the underpay of the rural mail carrier, and for one I recognize the principle that when employees of this great Government render efficient and valuable service they ought to be adequately and properly compensated.

But the Congress of this country has failed to do justice to the letter carriers in cities, especially in the city of New York, a part of which I have the honor and privilege to represent on this floor. For what period of time the letter carriers have received the salaries now paid them I do not know, but it is certainly at least a score of years since the present schedule of salaries was fixed by law. During these years this nation has made wonderful progress, has prospered and increased. Its cities have grown to gigantic proportions, its business and commercial interests have increased to an extent as astonishing and surprising as they are unparalleled in the history of any other country in the world. Through our activity, our industry, our increased population, our educational facilities, and our American spirit of progress we have become during this score of years the most progressive nation on the face of the earth.

Advancement in trade, in finance, in science, in mechanics, in inventions, in art, in everything which goes to make and build up a prosperous people has marked our history within that time and has been our boast and our pride; and yet, Mr. Chairman, the letter carrier in cities where the march of improvement and the increase in population is ever going on and the scene of activity and strenuous life is ever present—there where his labors are ever growing greater and heavier, where his work is constantly on the increase and his living expenses are growing larger under conditions that naturally obtain in cities—the letter carrier has not been receiving an increase in his pay.

I would ask you whether if an employee in your private business had rendered faithful service and you found that his work had grown greater and greater, month by month and year by year, and that the employee had been prompt and diligent, earnest and intelligent, you would not raise his pay commensurate with his increased duties and his greater experience, yet as the representatives of a nation that ought to act upon broad and liberal lines some of you hesitate to grant to the letter carrier what you would readily grant to one in your own employ.

Why do you hesitate to give the same justice to the letter carrier who serves the Government and the people so faithfully and

so well as you would to an employee in a well-conducted business concern? Why do you deny to him an increase in his pay although you are conscious of his burdensome work and his increased labor? Why should the letter carrier be refused the compensation which he ought to have in cities, where the cost of living is high and where to decently support himself and family he ought to receive decent and living wages.

True, no gigantic trusts nor any of the great monopolies who constantly seek special privileges and valuable concessions stand behind or urge the proposition for an increase in letter carriers' pay. Perhaps if they did the measure for an increase might fall upon willing ears and receive more ready consideration in this House. The letter carrier is the faithful public servant, who obediently, courteously, patiently performs his work and with meekness awaits at your hands the justice to which in all fairness and humanity he is entitled. In his request for an increase of pay he has exhibited a modesty that is indeed commendable.

I was astonished at the recent Executive order forbidding carriers, as well as other Government employees, from petitioning or approaching members of Congress with a view to having their salaries or compensation increased. For one, I believe that whether in Government employ or in the service of private concerns a citizen has an absolute constitutional right to petition or request a member of Congress for an increase of his pay, provided he does it in a respectful manner.

The right to petition the Government for a redress of grievances is the prerogative of every American citizen under the Constitution of the land. [Applause.] And this prerogative exists whether the citizen holds office or not, or whether or no he draws pay from the public Treasury. In my opinion, the letter carrier, or any other Government employee, has the same unlimited, untrammeled, unfettered right to respectfully petition Congress for the betterment of his condition as any other man in the land, and the Executive order, in my judgment, constitutes an unjustifiable abridgment of and an invasion upon the constitutional rights of the citizen.

But the letter carriers, trained to strict discipline and obedient at all times to duty and to their superiors, are a most patient class, and since the promulgation of the Executive order none of them have approached me, nor do I believe they have approached any other member of Congress, upon the subject of increasing their pay. But we know what is their fond expectation and their hearts' desire. We know of the request they have made in the past. As men of sense, with an understanding of metropolitan conditions; as men of mature years, who know and appreciate what it costs to support and maintain a man and his family; as men who know of the work daily performed by the letter carriers, we ought not to delay in voting an increase in the pay of these men.

I confidently believe that the community at large is not only willing, but anxious, to have the salaries of the carriers increased. I am sure I speak the sentiments of the masses when I say that the people are willing that these salaries shall be raised. Every labor organization in the cities of this country has given expression of sympathy for the carriers and have requested and implored that their salaries be increased. And why not? Carriers are part of the laboring element of this country. They are ceaseless, untiring, hard-working laborers in the service of the Government.

In my city the Central Federated Union, an influential and powerful organization composed of hard-toiling, honest workingmen, men of brawn, of muscle, and of brain, just such men as have helped to build up the greatness of America, have petitioned that the salaries of these letter carriers in New York City be increased. At this moment I have not at hand the resolutions of the Central Federated Union. I submitted them a short time ago to the consideration of this House and they are on file. They tersely and plainly express not only the demands of the Central Federated Union, but the hopes and the desire and the demands of the other great labor organizations spread throughout this country.

Let me read one of the resolutions of a great and important labor organization existing in my city. It is composed of men of great intelligence, though they may not be blessed with an ample sufficiency of this world's fortune, but in point of high hopes, patriotic aspirations, honesty of purpose, and general intelligence, they are the peers of any average citizen. I have reference to the well-renowned organization known as New York Typographical Union No. 6. Let me read the resolution:

NEW YORK TYPOGRAPHICAL UNION NO. 6,
16-20 Chambers street, New York, March 12, 1902.

To the Members of Congress:

At a meeting of Typographical Union No. 6 held on the 2d of this month the resolutions printed below were adopted unanimously.

We believe that the bill to increase the compensation of the letter carriers should have the support of every Congressman who desires to truly represent his constituents. The workers of the United States are unanimously in favor of the measure:

Resolved, That in our judgment the present salary of letter carriers is not a just compensation for the arduous and exacting duties required of this efficient body of public servants.

Resolved, That in our opinion the bill before Congress increasing the salary of letter carriers in first-class cities to a maximum salary of $1,200 per annum, and in second-class cities to a maximum salary of $1,000 per annum, is a just measure and should be immediately passed.

Resolved, That a copy of these resolutions be sent to the Committee on Post-Offices and Post-Roads of the House of Representatives and Senate of the United States, also to the Postmaster-General, Representatives in Congress and Senators from the State of New York.

Your attention is most respectfully directed to the above resolutions, and it is hoped that you can conscientiously give the bill your active support. We should be pleased if you will advise us as to your views of the proposed legislation.

Yours, very respectfully, J. F. HEALY, *Secretary.*

You see how "One touch of nature makes the whole world kin," and how the failure to adequately pay the carriers for their arduous and efficient service has wounded the feelings and touched the hearts of the laboring classes of this country. If you still delay granting this increased pay, the people will know where and on whom to place the responsibility. The failure to adequately pay the letter carriers must fall upon the Republican party, who control the Administration and control and manage the affairs of this House. There can be no question about this responsibility, and I implore the gentlemen on both sides of the Chamber to place no obstacle in the way of giving to the letter carrier the increased salary he so richly deserves.

Much of the time of this present Congress has been consumed in speeches in which we spoke of outraged rights, of downtrodden and oppressed humanity, of fairness to our fellow-men, of downtrodden Filipinos, of unfortunate and starving Cubans. I would sympathize with all downtrodden and oppressed humanity. I would join in every movement for the betterment of conditions and the uplifting of my unfortunate brethren, whether at home or abroad, but in this I would be, as I want you to be, practical.

I would, as I want you to do, carry professions into practice. One way to do this is to remedy existing wrongs and to correct existing injustice. To underpay the letter carrier is wrong; to deny him an increase to which his labors entitle him is a grievous injustice. It is a meanness not worthy of this country; it is a false economy unbecoming and unworthy of the American Congress. It is in opposition to the principle that I would advocate in the case of every wage-earner, "an honest day's wages for an honest day's toil." [Applause.]

There is no class of public employees, whether Federal, State, or municipal, who work so hard as the letter carrier, unless we also except the clerks in the postal service in the large cities. In sunshine and in storm, in rain and in snow, under the burning sun of summer, and in the cold and icy blasts of winter, whatever may be the weather and whatever the season, the letter carrier, carrying and distributing his heavy mail, works day in and day out, from early morn until late in the evening, going upstairs and downstairs time without number, until at the end of each day's work he goes to his humble home, tired and weary and footsore from the work he diligently performs. And in all this work he exercises great intelligence. In the delivery of mail he must be careful and discriminating; he deciphers every conceivable kind of handwriting, and displays an expertness of which many and many a better paid Government employee is not at all capable.

I have often witnessed on the excessively hot days of summer the letter carriers traveling along their routes carrying heavy mail bags, sweltering and almost overcome by the heat, trudging up and down flights of stairs, running in and out of houses, continuing their work until the last mail of the day was punctually delivered. They never wavered; they knew the importance of a prompt delivery of the mails. In the bitter months of winter we find them working like beavers, never fearing hail or sleet or storm, and carrying during the busy months loads of mail that bear them down and under which they often fairly groan. Yet they do this work with apparent cheerfulness; they do it without grumbling, and what is more, they do it to the satisfaction and approval of the community.

When to-day I occupied the floor on the subject of providing a new post-office for the city of New York, I took occasion to speak of the enormous amount of mail work done in our city. I spoke of the large revenue which flowed into the coffers of the Treasury from New York City alone. The figures I then read demonstrated the enormous amount of labor incident to the postal service of our metropolis. Briefly, again, let me refer to some of the figures appearing in the communication made to me by the Post-Office Department. Why, in 1901 there was delivered in New York City, in the boroughs of Manhattan and the Bronx, 1,988,138,165 pieces of first, third, and fourth class mail matter and 231,131,252 pounds of second-class matter.

It is needless to dwell at greater length upon the tremendous amount of mail daily distributed in the great city of New York. But many in this House, and I venture the assertion that even

many otherwise well-informed citizens in my own city, are not fully aware of the prodigious amount of labor entailed upon the carriers. You may get a slight idea of the tremendous requirements of the postal service and the consequent labor upon the letter carriers when I tell you—and my figures were obtained in a personal interview I had with the New York postmaster—that there are six buildings alone (and they are only a few of the many hundred of the great structures in the metropolis) that have a business population, or, to use the phrase of the postal authorities, "a daily population" of 24,500; in other words, in the six office buildings to which I have reference, almost 24,500 people receive mail matter daily.

This may be astonishing to many of the gentlemen of this House, and of course astonishing to many of the business men of New York. For instance, in the Broad Exchange Building we have 6,500; in the Park Row Building, 4,000; in the Equitable Building, 3,000; in the Bowling Green Building, 3,000; in the Syndicate Building, 2,000, and in the Mutual Life, when it shall be completed, 5,000. Of course these are approximate figures, but they tell of the gigantic work incident to the postal service in our great commercial city. Did time permit I would like to picture the conditions prevailing in the thickly populated sections of New York where the tenement and apartment houses stand, where the carrier mounts stairs. goes on his rounds from door to door delivering his mail until when evening comes he goes exhausted to his humble home. In that portion of New York embraced in the boroughs of Manhattan and the Bronx we have as many as 3,000 letter boxes from which mail is daily, and almost hourly, collected.

Surely after a recital of the figures contained in the letter of the Post-Office Department which I read to-day, as well as those to which I have called attention in the course of these remarks, you may get some idea of the exceedingly heavy work entailed upon everyone, whether carrier or clerk, connected with the postal service of the city.

What has been the net revenue derived from New York City alone? Why, in 1899 it was $5,578,933.39; in 1900 it was $6,106,970.24, and in 1901 it was $6,991,790.40. Think of it! We contributed, through the energy and activity of New York life and its conditions, the enormous annual revenue of nearly $7,000,000. We do one-tenth of all the postal work of the United States, and we certainly ask for nothing unfair when we ask that in the face of the enormous labor entailed upon the carriers their salaries be raised after the third year of their service to $1,200.

My friend and able colleague from New York [Mr. FITZGERALD] took occasion to say, when the proposition for a new post-office was under discussion, that firemen and policemen in our city were much better paid than our letter carriers. So they are. They, too, constitute an important branch of public service. The letter carriers' work is just as hard as theirs, and in many instances a good deal harder, and in some respects more responsible.

We believe in paying proper salaries in our city to the men who serve the community in protecting human life as well as guarding public and private property, and we want the nation to adequately pay the letter carriers for their work. I reiterate what I declared in a former discussion. "The laborer is worthy of his hire" is a maxim as applicable to Government employees as to those in private service. It is not putting the case too strong when I assert that it is a disgrace to the country that the letter carriers are not better paid. Congress has treated them shamefully; it has treated them niggardly. To them the sympathy of every honest and fair-minded man is due. It is unbecoming to treat these men in the spirit of narrowness and illiberality. It is unfairly taking advantage of their situation.

When the letter carrier has grown old and gray in the service, when bowed down with age or tottering with infirmity, he no longer can trudge along the public highway, climb stoops and stairs, and carry and distribute the mail, he is forced to retire from public service. When that time comes he finds himself as a rule without means, and compelled to depend either on the family he has raised or kind-hearted friends for support and maintenance in his declining years. For him there is no pension; he can not look to the Government, after years of faithful service, for his maintenance in old age.

I was surprised to hear it said by some of the members of the House, "Why doesn't the letter carrier lay up something for his old age?" What! Lay up something for his old age out of $1,000 a year, after undergoing the cost of living even in the humble fashion in which necessarily the letter carrier must live under conditions incident to city life? Really it can not be that any man understanding conditions obtaining in city life can seriously believe that a man with a family can lay up enough to protect him in declining years out of a salary of $1,000 a year.

I was amused by the remarks of the chairman of the Committee on Post-Offices and Post-Roads [Mr. LOUD] when he spoke of how letter carriers had importuned and annoyed him. He said that when the time would come that he passed out of Congress he could sit down in peace and happiness and enjoy his breakfast. I am glad he is so well situated. I congratulate him upon enjoying so comfortable a position.

I am delighted to know he is so contentedly fixed, but in the enjoyment of his fortune I beg him to remember that the letter carrier, when worn out with service, will not be able without aid from other quarters to sit down as peacefully and as happily as the able and distinguished gentleman has told this House he would when his time came to finally retire from Congressional life. I trust he will remain in the public service for many years, but I want him to display a liberality and a generosity which will testify that he is willing to pay living wages and make proper remuneration for the service of the worthy men whose cause I am pleased to advocate and in whose interests I earnestly plead to this House.

My friend and able colleague from New York [Mr. SULZER] introduced in the Fifty-fourth, Fifty-fifth, and Fifty-sixth Congresses bills for the increase of pay to letter carriers in cities. He endeavored to secure action upon these bills, yet his earnest and persistent efforts were in vain. The bills were allowed to sleep the sleep of death; they were smothered in committee, and no good reason has ever been assigned why this House was not given an opportunity to squarely vote upon the measure. Let the bill now pending see the light of day. Let it be reported. Let us vote on it, and you who help to stifle it will see how it will receive the favorable vote of this body. Bring it out. Let us vote on it. That is the square way of dealing openly with a matter of this kind.

No, gentlemen on the Republican side of the Chamber, you can not escape the responsibility of stifling action on the just demands for an increase of the carriers' pay. You may put the bills to the sleep that knows no waking, but the people will know that the fault is yours. The people, irrespective of party or party lines, want the pay of the carriers increased. The press, I think, throughout the country—I mean in the cities throughout the country—are unanimous and agreed that the demand for an increase of salary is a fair and a just one. The press in my city has advocated the increase, and the New York Journal, ever and always advocating the cause of labor and the protection of the industrial class and the oppressed, has most warmly espoused this meritorious cause.

Mr. Chairman, I am not unmindful of the fact that under a strict application of the rules of this House my amendment to increase the pay is subject at the present time to the point of order raised by the gentleman from California [Mr. LOUD]. He has courteously reserved that point of order until the conclusion of my remarks. For that indulgence I thank him; but if he has been generous to me, I want him to be generous to the letter carriers. No; he need not be generous. I want him to be just, I implore him to be fair, I entreat him not to allow himself to look upon the request for increased pay in any narrow light; but I want him and his Republican colleagues, as I want my Democratic colleagues, to face conditions as they are.

I want them to harken to the voice of labor; I want them to respect the timely expressed wishes of the workingmen of this land; I want them to deal fairly and squarely with the letter carriers, and provide for them decent living wages and honest pay. Talk of humanity! There is no more humane act you can do than to pay the industrious, overworked, efficient letter carrier, who serves the public so well and so diligently, a fair rate of wages. Tell me who objects to that. Some of the members of this House, yes. But not the public. The American people love fair play [applause], and I challenge any member of the House to produce a single protest from any reputable citizen against the proposition to increase the salaries of letter carriers in large cities.

This Congress has, as the preceding Congresses have, voted away moneys generously, liberally, lavishly. Handsome and magnificent sums have been voted away for causes much less meritorious and for services less of value and of far less importance than those performed by the carriers. In a few days more this House will proceed to consider the river and harbor appropriation bill. It will, no doubt, liberally, bountifully, and it is not too much to prophesy, extravagantly vote away the moneys of the people. But in the fullness of your bounty, in the exercise of your liberality, in the munificent distribution you will make of the public funds, I beseech you to do the right thing to the letter carriers. Be just to them, for justice to them is justice to the people.

If the proposed increase were extravagant, I should join in opposing it, for I am as much as any man can be opposed to wasteful extravagance of public moneys. I believe that governmental affairs should be economically administered, but economy does not mean meanness, it does not mean that employees should be underpaid. I desire this great Republic, this mighty nation of 80,000,000 people, this wonderfully progressive Government that now merits and receives the respect and challenges the admiration

of the entire world to pay honest and fair wages to the men whose work for it has been properly and zealously performed, who never shrank from the performance of duty, who delivered the mail diligently and regularly, who unceasingly labor and work without murmur day in and day out, year in and year out, until worn out with service they must finally retire. There is no class of employees in the public service doing an equal amount of work who receive so little pay as the letter carriers.

So, then, Mr. Chairman and gentlemen, on behalf of these carriers, on behalf of the labor organizations who have espoused their cause, on behalf of the people in general who appreciate their magnificent work, on behalf of the city of New York, which contributes so largely to the public Treasury from its postal service, on behalf of that exceedingly large class of the community of every shade of political opinion and moving in every walk and sphere of life who believe in paying living wages for honest toil, I earnestly ask for a favorable consideration of my amendment increasing the pay of letter carriers. Let justice to them be no longer delayed, but deal with them fairly, manfully, and in a spirit of liberality becoming the Government of the United States. [Applause.]

Mr. SULZER. Just a word, Mr. Chairman, in regard to this amendment.

The CHAIRMAN. In opposition to the amendment?

Mr. SULZER. No; in favor of the amendment.

The CHAIRMAN. The Chair is obliged to recognize some one first in opposition to it.

Mr. SULZER. Then I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. SULZER. Just a few words, Mr. Chairman. For several years, as is well known, I have been talking and working day in and day out, week in and week out, month in and month out, in favor of some legislation that will do justice to the faithful and deserving letter carriers of our country. During all that time I have never been able definitely to find out just who was opposed to them and to their just and fair bill for an increase of pay by a graduated system of compensation based on efficient length of service.

Now, my colleague from New York [Mr. GOLDFOGLE] has offered the letter carriers' bill as an amendment to this bill, and if no objection is made it will be adopted and pass into law with the general appropriation bill. There have been cases where this has been done by the House, and I sincerely hope it will be done in this case, for a more worthy, honest, and commendable bill was never offered in the House of Representatives than this same letter-carriers' bill.

Several weeks ago I made a short speech in favor of it, and I would not address the House on the matter again to-day, especially after the able and eloquent remarks of my friend and colleague from New York [Mr. GOLDFOGLE], if it were not for the reason that this amendment now brings the matter in a new way before the House, and it can only be rejected by someone making a point of order against it. Every parliamentarian knows it is subject to a point of order.

I rise now to appeal to all my friends, to every man who believes in justice, to every man who loves fair play, to every man who has a spark of the fire of humanity in his breast, not to raise the point of order, to let the amendment be adopted. This amendment brings the question squarely before us. If you are in favor of doing justice to the letter carriers, you will not object and the amendment will become a law. This is the whole situation in a nutshell. I trust, therefore, as a friend of the letter carriers, that no member of this House will make a point of order against this amendment.

If you are in favor of the letter carriers' bill, if you believe in paying them decent wages, if you think the Government should pay them enough to support themselves and their families decently, if you believe they should live as men, as American citizens, ought to live, then you will raise no objection to this amendment; but if you are opposed to all this, to all I have said, I still plead that you make no objection at this time. Let the matter come up in the House in the regular way and give us a chance to get a roll call—to have an aye-and-nay vote—so that a record can be made and the country know who is in favor and who is against the letter carriers' bill. I think this is only fair.

It seems we can not get the committee to report the bill, and this is the only way to test the judgment of the House. Let us hope, then, that no member of this House, no Democratic member, no Republican member, no Populist member, will raise his voice against justice to the letter carriers by making a point of order against the amendment.

I want especially to appeal to the genial, courteous, able, and fearless chairman of the committee, the distinguished gentleman from California, not to raise the point of order. Let us dispose of this question now——

Mr. LOUD. Let me say to the gentleman——

Mr. SULZER. I only have five minutes. Let us dispose of this question now by allowing the amendment to be adopted, and then if anyone is against it let him move to strike it out when the bill under consideration is reported to the House. That is the only way to get a vote—a record. If the gentleman wants to take a vote on the merits of this amendment, as I suggested, the friends of the bill are perfectly willing to vote on it when the bill comes up in the regular way in the House; but at this time I trust that no man who has any justice in his heart, who wants to be fair, who wants to do something for the men who work for the Government harder than any other class of men in this country—the letter carriers—I hope that this point of order will not be raised, and the amendment unceremoniously side tracked without giving us an opportunity to get an aye-and-nay vote.

Mr. GAINES of Tennessee. How much is the bill supposed to raise their salaries?

Mr. GOLDFOGLE. Only $200 per annum after three years of service.

Mr. SULZER. That is all—a mere pittance. The Representatives from the cities ask for this simple act of fair play. We appeal to our colleagues from every section of the land to aid us in passing this bill for the letter carriers.

We representatives of the great cities of this country are generally broad gauged; we are not illiberal; we believe that the Government does not pay the letter carriers decent wages for honest work. The letter carriers work harder than any other class of employees of the Government. Sometimes they are obliged to work from ten to eighteen hours out of the twenty-four.

They are honest; they are industrious; they are faithful; they are courteous, and they toil day in and day out, in winter and in summer, in sunshine and in storm, night and day, in all kinds of weather. And yet, take them all in all, they are long-suffering, uncomplaining, and assiduous. How few of our citizens ever think of their trials, their wants, their health, and their little ones at home. Again and again I have watched them and sympathized with them—with their hopes and their sorrows.

I can not refrain from making this appeal in their behalf for simple justice. How I wish it were in my power to aid them, to pass and enact into law this bill they all want, they all pray for; this bill that is so fair and so just, that appeals to every right-thinking citizen in all the land, and that challenges adverse criticism. How much time and money we waste here for useless and worthless things! It is terrible when one soberly considers it all—and then, again, so much for the few, so little for the many.

How poorly, how miserably, the letter carriers are paid! Under the present law they do not, and can not, earn enough, no matter how long they have been in the service of the Government or how many hours a day they labor, to keep body and soul together. And what do they get? Not enough to economically support one man. It is a disgrace, a crying shame. Many of these letter carriers have wives and children—little homes—and these wives and children in many cases are to-day in want.

The head of the household does not get paid enough by the Government to live halfway decently. But it is not the Government's fault; it is the fault of a few men in Congress. I want to appeal to them in the name of justice and fair play, in the name of decency, that they do not object now to this amendment. Let it go to a vote in the House. The friends of the bill will abide by that decision, confident of the result. If we are defeated on the merits of the bill in the House, on an aye and nay vote, we shall not complain; but I predict that we will not, but that it will pass by an overwhelming majority. In my judgment at least two-thirds of the members of this House are in favor of this bill for the letter carriers.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRIGGS. Mr. Chairman, I ask unanimous consent that the time of the gentleman from New York be extended five minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the time of the gentleman from New York be extended five minutes. Is there objection?

There was no objection.

Mr. SULZER. I am very much obliged to my friend from Georgia.

Mr. TALBERT. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from South Carolina?

Mr. SULZER. Certainly; I am always glad to yield to the gentleman whom I hope will be the next governor of South Carolina. [Laughter and applause.]

Mr. TALBERT. The gentleman from New York has worked somewhat upon my sympathy [laughter] in picturing the hardships of these letter carriers and in telling us of the very hard work that they have to do. The question I want to ask is this: Is it not a fact that for every one appointed to these positions

where they have to work so very, very hard, there are 25 other applicants, each of whom would be willing to accept the position?

Mr. SULZER. Mr. Chairman, I will not deny that may be the fact, and it may also be true that there are 25 applicants for the seat of every member in this House. [Laughter.]

Mr. TALBERT. I do not hear anybody advocating an increase in the salaries of Congressmen, and I am opposed to the raising of any man's salary. I want to ask the gentleman again, is it not a fact that these carriers are working under the eight-hour system, notwithstanding you say they work twelve, fourteen, or fifteen hours?

Mr. SULZER. That is so, I believe, but the letter carriers often have to work overtime——

Mr. TALBERT. And are they not paid for all overtime that they work?

Mr. SULZER. The letter carriers are obliged to carry and distribute the mail so many times a day on their respective routes according to schedule, and if there are not enough men to do it in eight hours, then the letter carrier must work on and on until the mail is delivered, according to schedule, no matter if it takes ten, twelve, fourteen, sixteen, or eighteen hours out of the twenty-four.

Mr. TALBERT. I ask the gentleman if they do not get extra pay for this extra time they work, so that they get pay for all the work they do over eight hours; these hard-worked people who never resign and hardly ever die?

Mr. SULZER. I know my friend from South Carolina is in favor of economical government.

Mr. TALBERT. I want to do what is right.

Mr. SULZER. We know the gentleman does not want to spend a dollar of the people's money unless it is absolutely necessary. I agree with him in that. Because he stands for that principle of government, I commend him, not alone to his constituency, but to the country. I want to convince him, however, as I believe I have convinced many members of this House, that if there are any employees of this Government who work hard, who work faithfully, who are compelled to toil diligently day in and day out, who are honest and industrious at all times, and who, in my judgment, are the poorest paid, take it all in all, in the employ of the Government—they are the letter carriers; and I trust that the gentleman from South Carolina, in his magnanimity and love of justice, will not raise a point of order against this amendment.

I also desire to appeal to my good friend from California [Mr. LOUD], the chairman of the committee, who, in my judgment, is one of the hardest-worked men in this House, and who deserves great credit for what he has done for the postal service——

Mr. TALBERT. I should like to ask the gentleman from New York if these carriers do not also get fifteen days leave of absence?

Mr. SULZER. Doubtless; but what of that? Most employees of the Government get twice as much; some a great deal more. But I am now appealing to the gentleman from California, and I hope, Mr. Chairman, that the gentleman from California will not make a point of order against the amendment. Let us decide this matter on its merits, not on a technical rule of practice.

Let us pass this bill for the letter carriers. Let us be fair and just. Let us pay them decent wages. If this bill should become a law, it would cost the Government very little more money than at present, because this bill simply graduates the salaries according to length of service. It is in the nature of a just reward and a reasonable recognition for long and faithful performance of public duty. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOUD. Mr. Chairman, I must insist on the point of order.

The CHAIRMAN. The gentleman from California insists on the point of order on the ground that the amendment involves a change of existing law. The Chair is of the opinion that that is the effect of the amendment, and therefore sustains the point of order.

Mr. LOUD. I move that the committee do now rise.

Mr. SULZER. Mr. Chairman, I know the gentleman from California is always ready to take the responsibility for his acts, but I am afraid in this matter he has assumed a greater responsibility than he imagines.

The CHAIRMAN. The gentleman from California moves that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LITTLEFIELD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Post-Office appropriation bill (H. R. 11354) and had come to no resolution thereon.

ORDER OF BUSINESS FOR SATURDAY.

Mr. SULLOWAY. Mr. Speaker, under the rules to-morrow would be private-pension day. The chairman of the Committee on the Post-Office and Post-Roads informs me that he is very desirous of completing this bill to-morrow, and I send to the desk a request that Saturday, the 15th, may be substituted for to-morrow for the transaction of the business that would otherwise be in order under the rule to-morrow.

The SPEAKER. The gentleman from New Hampshire, chairman of the Committee on Invalid Pensions, submits the following request:

The Clerk read as follows:

Ordered, That Saturday, March 15, be substituted for Friday, March 14, for the consideration of private pension bills and bills removing charges of desertion under the order of December 2, 1901.

The SPEAKER. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 7432. An act granting a pension to Charles A. Shaefe;

H. R. 7907. An act granting an increase of pension to Alice M. Ballou;

H. R. 5247. An act granting an increase of pension to Richard Fristoe;

H. R. 1697. An act granting an increase of pension to Richard A. Lawrence;

H. R. 1688. An act granting an increase of pension to Charles Armstrong;

H. R. 597. An act granting a pension to Adella C. Chandler;

H. R. 7997. An act granting an increase of pension to Henry Burns;

H. R. 4827. An act granting an increase of pension to Charles H. Baker;

H. R. 1018. An act granting an increase of pension to George C. Leighton;

H. R. 3288. An act granting an increase of pension to Elmer J. Starkey;

H. R. 6435. An act granting a pension to Susan P. Crandall;

H. R. 5160. An act granting an increase of pension to James Harper;

H. R. 4035. An act granting an increase of pension to Elias Longman;

H. R. 3694. An act granting a pension to Benjamin Wylie;

H. R. 9220. An act granting an increase of pension to John S. Hunter;

H. R. 6515. An act granting an increase of pension to Carlton A. Trundy;

H. R. 2175. An act granting an increase of pension to Kephart Wallace;

H. R. 1350. An act granting an increase of pension to Joseph W. Grant;

H. R. 6861. An act granting an increase of pension to Joseph K. Ashby;

H. R. 280. An act for the relief of James M. Stradling;

H. R. 718. An act to correct the military record of James L. Proctor;

H. R. 6869. An act granting a pension to M. Callie Glover;

H. R. 8954. An act granting an increase of pension to Alfred N. Mosier;

H. R. 3747. An act granting an increase of pension to William R. Underwood;

H. R. 7458. An act to reform the western judicial district of the State of Arkansas; and

H. R. 9383. An act granting a pension to Narcissa Tait.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. R. 65. Joint resolution to provide for the employment of extra clerical force in the office of the assessor of the District of Columbia.

ENROLLED BILL PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval a bill of the following title:

H. R. 199. An act to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes," approved March 3, 1901.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1798. An act for the erection of a public building at Hastings, Nebr.—to the Committee on Public Buildings and Grounds.

S. 2210. An act relating to Hawaiian silver coinage and silver certificates—to the Committee on Coinage, Weights, and Measures.

S. 297. An act for an examination of the property of the Little Kanawha River Navigation Company—to the Committee on Rivers and Harbors.

S. 2393. An act for the relief of James B. Sargent—to the Committee on Claims.

S. 3834. An act to provide for the purchase of a site and the erection of a public building thereon at Sherman, in the State of Texas—to the Committee on Public Buildings and Grounds.

S. 3375. An act relating to the construction of a dam across Rainey River—to the Committee on Interstate and Foreign Commerce.

S. R. 57. Joint resolution relating to military badges—to the Committee on Military Affairs.

S. 2388. An act for the relief of Elizabeth L. W. Bailey, administratrix of the estate of Davis W. Bailey, deceased—to the Committee on Claims.

S. 1510. An act providing for the erection of a public building in the city of Charlottesville, Va.—to the Committee on Public Buildings and Grounds.

S. 3400. An act to amend section 1098 of the Revised Statutes of the United States—to the Committee on Military Affairs.

S. 4139. An act to diminish the number of appraisers at the ports of Philadelphia and Boston—to the Committee on Ways and Means.

S. R. 68. Joint resolution authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of Count de Rochambeau to be unveiled in the city of Washington—to the Committee on Appropriations.

SELDEN E. WHITCHER.

Mr. SULLOWAY. Mr. Speaker, this morning I moved that the House concur in the amendment of the Senate to the bill (H. R. 4488) granting an increase of pension to Selden E. Whitcher. I did it under a misapprehension of the facts. I now move that the House reconsider the vote by which the amendment of the Senate was concurred in.

The SPEAKER. The gentleman from New Hampshire states that under a misapprehension this morning he asked for concurrence in an amendment of the Senate to the bill H. R. 4488. He now proposes to reconsider that vote. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. SULLOWAY. I ask now that the House nonconcur and ask for a conference.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The Chair announces the following conferees: Mr. CALDERHEAD, Mr. RUMPLE, and Mr. NORTON.

CHANGE OF REFERENCE.

The bill (S. 3743) granting an increase of pension to Frances Gurley Elderkin, formerly referred to the Committee on Invalid Pensions, was referred to the Committee on Pensions.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. EMERSON obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of Ozra F. Cheney, Fifty-seventh Congress, no adverse report having been made thereon.

By unanimous consent, Mr. MANN obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of Oscar B. Knight, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BURKE of South Dakota, for two days, on account of important business.

To Mr. STEWART of New Jersey, indefinitely, on account of sickness in family.

Mr. LOUD. I move that the House do now adjourn.

Mr. CANNON. Will the gentleman withdraw that a moment?

Mr. LOUD. Certainly.

DEDICATION OF THE MONUMENT TO MARSHAL DE ROCHAMBEAU.

Mr. CANNON. Mr. Speaker, I am directed by the Committee on Appropriations to report back to the House the House joint resolution 162 with amendments and with the recommendation that it do pass. I ask unanimous consent, by the instruction of the committee, to consider the joint resolution at this time.

The SPEAKER. The gentleman from Illinois, chairman of the Committee on Appropriations, by direction of that committee, reports back House joint resolution 162 and asks unanimous consent for its present consideration. The Clerk will report the joint resolution.

The Clerk read as follows:

Joint resolution authorizing and requesting the President to extend to the Government and people of France and the family of General de Rochambeau an invitation to join the Government and people of the United States in the dedication of the monument of General de Rochambeau to be unveiled in the city of Washington.

Resolved, etc., That the President be, and is hereby, authorized and requested to extend to the Government and people of France and the family of General de Rochambeau, commander in chief of the French forces in America during the war of independence, a cordial invitation to unite with the Government and people of the United States in a fit and appropriate dedication of the monument of General de Rochambeau to be unveiled in the city of Washington on the 24th day of May, 1902; and for the purpose of carrying out the provisions of this resolution the sum of $10,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the same, or so much thereof as may be necessary, to be expended under the direction of the Secretary of State.

The amendments recommended by the committee were read, as follows:

In line 5 strike out the word "General" and insert the word "Count."

In line 7, after the word "independence," insert the words "and to the family of Marquis de Lafayette."

Amend the title, as follows:

"Joint resolution authorizing and requesting the President to extend to the Government and people of France, and to the families of Count de Rochambeau and Marquis de Lafayette, an invitation to join the Government and people of the United States in the dedication of the monument of Count de Rochambeau, to be unveiled in the city of Washington."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendments.

Mr. HITT. I would like to ask my colleague why Rochambeau's name was changed?

Mr. CANNON. Because I understand he was a count and not a general.

Mr. HITT. He was a marshal.

Mr. CANNON. Well, I will say to my friend, while I lived nearly back that far, that I defer to my friend's recollection about it. [Laughter.]

Mr. HITT. The only reason I state that is that that gentleman has once before been the guest of the United States. He was here when we had the celebration at Yorktown, and the resolution which has just been read is a copy of the resolution which was adopted at that time, inviting the Lafayettes and Rochambeaus to be here.

Mr. CANNON. If the gentleman would rather have it marshal, I have no objection.

Mr. HITT. He was a marshal.

Mr. CANNON. How does my friend want it?

Mr. HITT. These are the family or descendants of Marshal Rochambeau. That was his title when he commanded the troops.

Mr. GAINES of Tennessee. While the amendment is being fixed, I would like for the gentleman from Illinois to tell me—and I ask it in all seriousness—the reason for removing from the Hall of the House the fine picture that we had of Washington and of Lafayette that hung there on the wall?

Mr. McCLEARY. To give it a better position in the lobby.

Mr. HITT. I could not hear the gentleman's inquiry.

Mr. GAINES of Tennessee. I asked why the picture of Lafayette had been removed from the Hall of the House, and also why the picture of Washington had been taken out of this Chamber.

Mr. HITT. I am glad to be able to state that we have a member of the House who is in charge of all objects of art and matters of esthetics—the gentleman from Illinois—my colleague. [Laughter.]

The SPEAKER. Does the gentleman from Illinois propose to amend his amendment?

Mr. CANNON. I am willing to accept the amendment offered by my colleague to strike out "General" and insert "Marshal."

The SPEAKER. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Wherever it occurs in the proposed amendment strike out the word "Count" and insert the word "Marshal."

The SPEAKER. The question is on agreeing to the amendment to the amendment.

Mr. GAINES of Tennessee. Mr. Speaker, I would like to ask my friend from Illinois in all seriousness why these pictures of Washington and Lafayette have been moved out of the Hall and put into the lobby?

Mr. CANNON. I will say to my friend from Tennessee that if there was no other reason, I think the removal is perfectly justified because it gives my friend an opportunity to challenge the removal.

Mr. GAINES of Tennessee. I asked the gentleman in all seriousness. I do not see why we should let the light go out in the Statue of Liberty in New York Harbor and then have these illustrious lights taken out of here. Now, I am satisfied that my distinguished friend is not going to live always; then what are we going to do?

Mr. CANNON. I still have hopes; my friend looks healthy. [Laughter.]

The SPEAKER. The question is on the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The other amendment of the committee was agreed to.

The resolution as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The SPEAKER. Without objection, the amendment to the title will be agreed to.

There was no objection.

Mr. LOUD. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 12 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting a recommendation in relation to the old custom-house and post-office building at Indianapolis—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, recommending legislation relating to the refund of certain duties—to the Committee on Ways and Means, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CAPRON, from the Committee on Military Affairs, to which was referred the joint resolution of the House (H. J. Res. 161) authorizing the Secretary of War to loan tents to the Texas Reunion Association, reported the same without amendment, accompanied by a report (No. 945); which said bill and report were referred to the House Calendar.

Mr. SMITH of Arizona, from the Committee on the Territories, to which was referred the bill of the House (H. R. 8752) authorizing the board of supervisors of Santa Cruz County, Ariz., to issue bonds for the erection of a court-house and jail for said county, reported the same without amendment, accompanied by a report (No. 946); which said bill and report were referred to the House Calendar.

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 3136) for a public building for a marine hospital at Pittsburg, Pa., reported the same with amendment, accompanied by a report (No. 948); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. McCLEARY, from the Committee on the Library, to which was referred the joint resolution of the House (H. J. Res. 155) granting permission for the erection of a monument in Charlotte, N. C., for the ornamentation of the public grounds in that city, reported the same without amendment, accompanied by a report (No. 949); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WHITE, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12130) granting a pension to Christopher S. Stevens, reported the same with amendments, accompanied by a report (No. 883); which said bill and report were referred to the Private Calendar.

Mr. DE GRAFFENREID, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12315) granting an increase of pension to James Todd, reported the same with amendment, accompanied by a report (No. 884); which said bill and report were referred to the Private Calendar.

Mr. BROMWELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8309) granting an increase of pension to Sylvester Holiday, reported the same with amendment, accompanied by a report (No. 885); which said bill and report were referred to the Private Calendar.

Mr. BOREING, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8212) granting a pension to Alice Angel, reported the same with amendments, accompanied by a report (No. 886); which said bill and report were referred to the Private Calendar.

Mr. WEEKS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7613) granting an increase of pension to Evaline Wilson, reported the same with amendments, accompanied by a report (No. 887); which said bill and report were referred to the Private Calendar.

Mr. WILEY, from the Committee on Pensions, to which was referred the bill of the House (H. R. 3910) granting a pension to Dennis J. Kelly, reported the same with amendments, accompanied by a report (No. 888); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2115) granting an increase of pension to Benjamin W. Howard, reported the same with amendment, accompanied by a report (No. 889); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10404) granting a pension to John Y. Corey, reported the same without amendment, accompanied by a report (No. 890); which said bill and report were referred to the Private Calendar.

Mr. BOREING, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9144) to increase the pension of James R. Wilson, a blind Mexican soldier, reported the same with amendments, accompanied by a report (No. 891); which said bill and report were referred to the Private Calendar.

Mr. WEEKS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6617) granting an increase of pension to Hugh Cool, reported the same with amendments, accompanied by a report (No. 892); which said bill and report were referred to the Private Calendar.

Mr. BOREING, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9171) granting an increase of pension to William R. Housley, reported the same with amendments, accompanied by a report (No. 893); which said bill and report were referred to the Private Calendar.

Mr. WHITE, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11619) granting an increase of pension to David A. Frier, reported the same with amendment, accompanied by a report (No. 894); which said bill and report were referred to the Private Calendar.

Mr. WEEKS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11292) granting an increase of pension to Mary Louise Worden, reported the same with amendment, accompanied by a report (No. 895); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11418) granting an increase of pension to Hannah T. Knowles, reported the same with amendments, accompanied by a report (No. 896); which said bill and report were referred to the Private Calendar.

Mr. DE GRAFFENREID, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12136) granting an increase of pension to Stephen May, reported the same with amendments, accompanied by a report (No. 897); which said bill and report were referred to the Private Calendar.

Mr. BROMWELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2618) granting an increase of pension to Michael Mullin, reported the same without amendment, accompanied by a report (No. 898); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11145) granting an increase of pension to Mary Ann Key, reported the same with amendments, accompanied by a report (No. 899); which said bill and report were referred to the Private Calendar.

Mr. BOREING, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10532) granting an increase of pension to John L. Bowman, reported the same with amendments, accompanied by a report (No. 900); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 3021) granting a pension to India Stewart, reported the same without amendment, accompanied by a report (No. 901); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3026) granting an increase of pension to Marie U. Nordstrom, reported the same without amendment, accompanied by a report (No. 902); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2520) granting an increase of pension to

Emma McLaughlin, reported the same without amendment, accompanied by a report (No. 903); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6020) granting an increase of pension to Russell A. Williams, reported the same with amendments, accompanied by a report (No. 904); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1331) granting a pension to Ann Eliza Trout, reported the same without amendment, accompanied by a report (No. 905); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2207) granting an increase of pension to Louis Hahn, reported the same with amendment, accompanied by a report (No. 906); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 628) granting a pension to Annie E. Taggart, reported the same with amendment, accompanied by a report (No. 907); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11831) granting an increase of pension to John W. Acker, reported the same with amendment, accompanied by a report (No. 908); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3036) granting an increase of pension to Jason Leighton, reported the same without amendment, accompanied by a report (No. 909); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7572) granting an increase of pension to John Costello, reported the same with amendments, accompanied by a report (No. 910); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 665) granting a pension to Kate Pearce, reported the same without amendment, accompanied by a report (No. 911); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7998) granting an increase of pension to William H. Allen, reported the same with amendment, accompanied by a report (No. 912); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1086) granting a pension to Charlotte H. Race, reported the same without amendment, accompanied by a report (No. 913); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6401) increasing the pension of David E. Hall, reported the same with amendments, accompanied by a report (No. 914); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2562) granting a pension to Emma R. Pawling, reported the same without amendment, accompanied by a report (No. 915); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7290) granting an increase of pension to Lizzie B. Green, reported the same with amendment, accompanied by a report (No. 916); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2267) granting an increase of pension to Clara A. Penrose, reported the same without amendment, accompanied by a report (No. 917); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3677) granting an increase of pension to James F. Gray, reported the same with amendment, accompanied by a report (No. 918); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1800) granting an increase of pension to Jennie C. Ruckle, reported the same without amendment, accompanied by a report (No. 919); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 291) granting a pension to Christina Heitz, reported the same with amendment, accompanied by a report (No. 920); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3559) granting an increase of pension to George E. Houghton, reported the same without amendment, accompanied by a report (No. 921); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7897) granting a pension to Michael John Daly, reported the same with amendments, accompanied by a report (No. 922); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3328) granting an increase of pension to Heber C. Griffin, reported the same without amendment, accompanied by a report (No. 923); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8696) granting an increase of pension to William B. Rowe, reported the same with amendment, accompanied by a report (No. 924); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1041) granting a pension to Abbie M. Packard, reported the same without amendment, accompanied by a report (No. 925); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9069) granting a pension to Erastus D. Canfield, reported the same with amendments, accompanied by a report (No. 926); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3269) granting an increase of pension to Jane E. Tompkins, reported the same without amendment, accompanied by a report (No. 927); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3876) granting an increase of pension to Theophile A. Dauphin, reported the same with amendment, accompanied by a report (No. 928); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2929) granting an increase of pension to Jacob Barton, reported the same without amendment, accompanied by a report (No. 929); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4994) granting a pension to Lydia Carr, reported the same with amendment, accompanied by a report (No. 930); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2643) granting an increase of pension to Peter C. Cleek, reported the same without amendment, accompanied by a report (No. 931); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8048) granting an increase of pension to James A. Bramble, reported the same with amendment, accompanied by a report (No. 932); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3482) granting an increase of pension to Ida C. Emery, reported the same without amendment, accompanied by a report (No. 933); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8913) granting an increase of pension to Mrs. Joseph Lyman, reported the same with amendments, accompanied by a report (No. 934); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2531) granting an increase of pension to William H. H. Scott, reported the same without amendment, accompanied by a report (No. 935); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1326) granting an increase of pension to Thomas Thatcher, reported the same with amendments, accompanied by a report (No. 936); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3420) granting a pension to Anna O. Brush, reported the same

without amendment, accompanied by a report (No. 937); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3704) granting an increase of pension to Frederick E. Rogers, reported the same without amendment, accompanied by a report (No. 938); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3826) granting an increase of pension to George W. Dodge, reported the same with amendments, accompanied by a report (No. 939); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2619) granting a pension to William Holgate, reported the same with amendments, accompanied by a report (No. 940); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6438) granting an increase of pension to Mathew C. Medbury, reported the same with amendments, accompanied by a report (No. 941); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9791) granting an increase of pension to John Reep, reported the same with amendment, accompanied by a report (No. 942); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the House (H. R. 3502) for the relief of the estate of M. J. Grealish, deceased, reported the same with amendments, accompanied by a report (No. 943); which said bill and report were referred to the Private Calendar.

Mr. CAPRON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 5096) to place the name of Paul Crum on the muster rolls of Company B, First Regiment, North Dakota Volunteer Infantry, reported the same without amendment, accompanied by a report (No. 947); which said bill and report were referred to the Private Calendar.

ADVERSE REPORT.

Under clause 2 of Rule XIII, Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 9464) to remove the charge of desertion from the military record of Ephriam W. Reynolds, reported the same adversely, accompanied by a report (No. 944); which said bill and report were ordered to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were thereupon referred as follows:

A bill (S. 1681) granting an increase of pension to Maria Louisa Michie—Committee on Invalid Pensions discharged, and referred to the Committee of Pensions.

A bill (S. 2082) granting an increase of pension to Louise Ward—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5207) for the relief of the Cumberland Presbyterian Church at Clifton, Wayne County, Tenn.—Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SULZER: A bill (H. R. 12496) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897—to the Committee on Ways and Means.

By Mr. JENKINS: A bill (H. R. 12497) to amend section 58 of the Code of Laws for the District of Columbia—to the Committee on the District of Columbia.

By Mr. JOY: A bill (H. R. 12498) extending the time for completing the bridge across the Missouri River at St. Charles, Mo.—to the Committee on Interstate and Foreign Commerce.

By Mr. SUTHERLAND: A bill (H. R. 12499) to annex a portion of Arizona Territory to the State of Utah—to the Committee on the Territories.

By Mr. PAYNE: A bill (H. R. 12500) to provide for the purchase of a site and the erection of a public building thereon at Geneva, in the State of New York—to the Committee on Public Buildings and Grounds.

By Mr. LIVINGSTON (by request): A bill (H. R. 12501) to reorganize and increase the efficiency of the Marine-Hospital Service, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. LACEY: A bill (H. R. 12536) to further amend section 2399 of the Revised Statutes of the United States—to the Committee on the Public Lands.

By Mr. MONDELL: A bill (H. R. 12541) amending section 86 of an act to provide a government for the Territory of Hawaii—to the Committee on the Territories.

By Mr. RANDELL of Texas: A joint resolution (H. J. Res. 167) expressing recognition and sympathy for the people of the two South African Republics—to the Committee on Foreign Affairs.

By Mr. BROWNLOW: A concurrent resolution (H. C. Res. 41) to print and bind in cloth 15,000 copies of the three separate memorial addresses delivered before the two Houses of Congress, viz, on February 12, 1866, by Hon. George Bancroft, on the life and character of Abraham Lincoln, late President of the United States; on February 27, 1882, by Hon. James G. Blaine, on the life and character of James A. Garfield, late President of the United States, and on February 27, 1902, by the Hon. John Hay, on the life and character of William McKinley, late President of the United States, for the use of the House of Representatives and the Senate of the United States—to the Committee on Printing.

By Mr. CRUMPACKER: A resolution (H. Res. 165) for the appointment of a select committee to investigate the suffrage laws of the several States—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. BRISTOW: A bill (H. R. 12502) removing charge of desertion from record of Nicholas Clarkson, a sailor in war of rebellion—to the Committee on Military Affairs.

Also, a bill (H. R. 12503) to correct the military record of Sanford H. Platt—to the Committee on Military Affairs.

By Mr. BROWNLOW: A bill (H. R. 12504) granting a pension to J. B. Hashbarger—to the Committee on Invalid Pensions.

By Mr. COWHERD: A bill (H. R. 12505) for the relief of the heirs of David G. Stockwell—to the Committee on War Claims.

By Mr. CUSHMAN: A bill (H. R. 12506) granting an increase of pension to George A. Tyler—to the Committee on Invalid Pensions.

By Mr. GLENN: A bill (H. R. 12507) granting an increase of pension to Ebenezer W. Oakley—to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 12508) granting an increase of pension to James Jones, quartermaster Sixty-sixth New York Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 12509) granting an increase of pension to Samuel Hendrickson—to the Committee on Invalid Pensions.

By Mr. HUGHES: A bill (H. R. 12510) for the relief of W. D. Catlett—to the Committee on Claims.

By Mr. LITTAUER: A bill (H. R. 12511) to pay to Silas W. Edgerton three months' extra pay proper as an officer in the United States Army—to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 12512) granting an increase of pension to Charles B. Wingfield—to the Committee on Pensions.

By Mr. LONG: A bill (H. R. 12513) granting an increase of pension to Frederick J. Griffith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12514) granting an increase of pension to Joseph Gray—to the Committee on Invalid Pensions.

By Mr. LOVERING: A bill (H. R. 12515) authorizing the reference to the Court of Claims of the claim of Capt. Andrew H. Russell and Lieut. Col. William R. Livermore against the Government of the United States—to the Committee on Claims.

By Mr. MERCER: A bill (H. R. 12516) granting an increase of pension to John H. Morris—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: A bill (H. R. 12517) for the relief of Isaac Sutton, late Company C, Twentieth Regiment Pennsylvania Cavalry—to the Committee on Military Affairs.

By Mr. NEVILLE: A bill (H. R. 12518) granting an increase of pension to William H. Covert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12519) granting a pension to Hugh McFadden—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 12520) granting an increase of pension to Margaret A. Johnson—to the Committee on Invalid Pensions.

By Mr. PUGSLEY: A bill (H. R. 12521) to remove the charge of desertion from the military record of James H. Epps and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 12522) for the relief of Albert H. Geering—to the Committee on Claims.

Also, a bill (H. R. 12523) to remove the charge of desertion against the name of Edward P. Kain and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. SCHIRM: A bill (H. R. 12524) granting an increase of pension to Elvira M. Cooper—to the Committee on Pensions.

By Mr. HENRY C. SMITH: A bill (H. R. 12525) granting an increase of pension to Daniel H. Russ—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 12526) granting a pension to Samuel M. James—to the Committee on Invalid Pensions.

By Mr. McRAE: A bill (H. R. 12527) to revive the right of action under the captured and abandoned property acts, and for other purposes—to the Committee on War Claims.

By Mr. HILDEBRANT: A bill (H. R. 12528) granting an increase of pension to Samuel J. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12529) to remove the charge of desertion from the military record of Alexander D. Patton—to the Committee on Military Affairs.

Also, a bill (H. R. 12530) granting a pension to Nancy McIntire—to the Committee on Invalid Pensions.

Also a bill (H. R. 12531) granting a pension to Mary C. Parsons—to the Committee on Pensions.

Also, a bill (H. R. 12532) granting a pension to Elbert H. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12533) granting an increase of pension to Thomas B. Jones—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 12534) granting a pension to William H. McKeny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12535) granting an increase of pension to Varnel G. Compton—to the Committee on Invalid Pensions.

By Mr. DICK: A bill (H. R. 12537) granting a pension to Sadie C. Steadman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12538) granting an increase of pension to M. M. Cornelia Harmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12539) to remove the charge of desertion and grant an honorable discharge to Marshall N. Murphy, alias William R. Hallam—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 12540) for the relief of Nora G. Hazlett—to the Committee on Indian Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of Youghiogheny Lodge, No. 218, Railroad Trainmen, Connellsville, and No. 370, Locomotive Engineers, Pittsburg, Pa., in regard to immigration laws—to the Committee on Immigration and Naturalization.

By Mr. ADAMS: Resolutions of Philadelphia Printing Pressmen's Union No. 4, against the passage of House bill No. 5777 and Senate bill No. 2894, amending the copyright law—to the Committee on Patents.

By Mr. ALEXANDER: Resolution of United Retail Grocers' Association of Brooklyn, N. Y., favoring the passage of House bill No. 9352, the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Division No. 54, Order of Railway Conductors, and Lodge No. 316, Locomotive Firemen, Buffalo, N. Y., favoring the anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of Typographical Union, No. 6, of New York City, favoring increase of letter carriers' salaries to $1,200 per annum—to the Committee on the Post-Office and Post-Roads.

Also, petition of American Association of Masters and Pilots, Buffalo Harbor, No. 41, protesting against the passage of House bill 10158—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of American Association of Masters and Pilots, Buffalo; Now or Never Lodge, No. 517, Railroad Trainmen; Division 419, Locomotive Engineers, and Carpenters' Union No. 374, Buffalo, N. Y., for an amendment to the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. BOWERSOCK: Resolutions of New York Typographical Union, No. 6, favoring an increase of salary to letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Coopers' Local Union No. 18, of Kansas City, and of International Association of Machinists, Lodge No. 27, of Kansas City, Kans., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. BURLESON: Petition of Barbers' Union No. 183, of Austin, Tex., concerning immigration—to the Committee on Immigration and Naturalization.

Also, petition of citizens of Williamson County, Tex., favoring House bill 9972, increasing the efficiency of the militia—to the Committee on Militia.

By Mr. CANNON: Resolutions of Journeymen Tailors' Union No. 152, of Danville, Ill., urging the unlimited continuance of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Journeymen Tailors' Union No. 152, of Danville, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. CONRY: Resolution of Hardware Finishers' Union No. 109, of Boston, Mass., urging the enactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. CROMER: Resolutions of Typographical Union No. 332, Muncie, Ind.; of Operative Plasterers' International Association of America, Elwood, Ind.; of Cigar Makers' Union No. 214, of Bluffton, Ind.; of Bakers' and Confectioners' Union No. 130, of Munice, Ind.; of Journeymen Barbers' International Union No. 190, of Hartford City, and of Coopers' Lodge, of Anderson, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of George H. Thomas Post, Grand Army of the Republic, of Indianapolis, recommending the establishment of United States Army post of four companies at Indianapolis—to the Committee on Military Affairs.

By Mr. DALZELL: Petition of sundry citizens of Perry, Pa., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. DARRAGH: Resolution of Carpenters' Union No. 226, Traverse City, Mich., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of William Moyer Post, No. 152, Grand Army of the Republic, Alma, Mich., advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. DRISCOLL: Protest of Typographical Union No. 55, of Syracuse, N. Y., against the passage of House and Senate bills relating to the copyright law—to the Committee on Patents.

By Mr. EDWARDS: Petition of Beer Drivers' Union No. 231, of Helena; Division No. 54, Order of Railroad Telegraphers; Association of Machinists, Lodges 88 and 79; Monumental Division No. 52, Locomotive Engineers, of Butte; Black Eagle Lodge, No. 287, Machinists' Association; Plasterers' Association No. 110; Trades and Labor Council; Stonecutters' Association, and Order of Railway Conductors, all of Great Falls, Mont., favoring the prohibition of immigrants, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

By Mr. EMERSON: Letters of Yale & Towne Manufacturing Company and from Lidgerwood Manufacturing Company, New York City, protesting against the passage of House bill No. 3076—to the Committee on Labor.

By Mr. ESCH: Resolutions of Brewers' Local Union No. 81, of La Crosse, Wis., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, resolutions of New York Typographical Union, No. 6, favoring an increase of salaries for letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. FITZGERALD: Petition of the American Chamber of Commerce of Manila, P. I., urging Congress to permit cooly labor to enter the Philippine Islands under such restrictions as the Philippine Commission may from time to time enact—to the Committee on Insular Affairs.

By Mr. GILLET of New York: Resolution of Local Union 324, Elmira, N. Y., Brotherhood of Painters, Decorators, and Paper Hangers, and Central Labor Union of Seneca Falls, N. Y., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Central Labor Union of Seneca Falls, N. Y., favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolutions of G. M. Halsted Division, No. 432, Elmira, N. Y., Brotherhood of Locomotive Engineers, favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

By Mr. GORDON: Petition of Brotherhood of Oil and Gas Workers No. 52, of St. Marys, Ohio, favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. GRAHAM: Resolution of Typographical Union No. 6, of New York, N. Y., in favor of increasing the compensation of letter carriers of first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Pennsylvania Shoe Manufacturers' Association, for removal of the tariff on hides, the creation of a department of commerce, and the reorganization of the consular service—to the Committee on Ways and Means.

Also, petition of R. B. Hawkins Division, No. 114, Pittsburg,

Order of Railway Conductors, in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. GRIFFITH: Resolutions of Division 39, Locomotive Engineers, of Seymour, Ind., and Woodworkers' Union No. 165, of Columbus, Ind., favoring an educational restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. GREEN of Pennsylvania: Petitions of Shirt Waist and Laundry Workers' Union No. 74 and of Plumbers' Local Union No. 42, of Reading, Pa., and of Carpenters and Joiners' Union No. 135, of Allentown, Pa., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Railroad Trainmen Lodge No. 172, Reading, Pa., and citizens of Wescosville, Pa., relating to Chinese exclusion—to the Committee on Foreign Affairs.

By Mr. HANBURY: Paper to accompany House bill 12417, for the relief of Frederick G. Klein—to the Committee on Claims.

Also, paper to accompany House bill 11320, for the relief of Mary Leary and children—to the Committee on Claims.

By Mr. HASKINS: Resolutions of Granite Cutters' National Union of Williamstown, Vt., favoring a Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. HILL: Resolution of Bricklayers' Union No. 2, of Bridgeport, and No. 14, of Greenwich, and Sheet Metal Workers' Union No. 21, of Greenwich, Conn., asking passage of an exclusion law that will apply to Asiatic labor generally—to the Committee on Foreign Affairs.

Also, resolution of Mahackemo Union, No. 142, of South Norwalk, Conn., favoring the building of war ships in the navy-yards—to the Committee on Naval Affairs.

Also, resolution of New Haven Pressmen's Union, No. 74, of New Haven, Conn., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. HOLLIDAY: Resolution of Lodge No. 231, Railroad Trainmen, of Terre Haute, and Team Drivers' Union No. 93, of Clinton, Ind., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. JACKSON of Kansas: Petition of Smeltermen's Union No. 124, of Girard, Kans., asking for a further restriction of the immigration laws—to the Committee on Immigration and Naturalization.

Also, papers to accompany House bill for the relief of Col. Edward Colyer, of Howard, Kans.—to the Committee on Invalid Pensions.

By Mr. KLEBERG: Petition of citizens of Nordheim, Tex., asking Congress to pass resolutions of sympathy for South African Republics—to the Committee on Foreign Affairs.

By Mr. KYLE: Petition of Boiler Makers and Shipbuilders' Union No. 18, of Springfield, Ohio, for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Boiler Makers and Shipbuilders' Union No. 18, of Springfield, Ohio, favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. LACEY: Resolutions of Brotherhood of Locomotive Engineers, Division 181, of Elden, Iowa; of Wapello Lodge, No. 269, International Association of Machinists, of Ottumwa, Iowa; Ottumwa Division, No. 216, Order Railway Conductors; of Amalgamated Association of Street Railway Employees of Ottumwa, and of Railroad Telegraphers, Oskaloosa Division, No. 71, of Lacey, Iowa, in favor of an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. LINDSAY: Resolution of United Retail Grocers' Association of Brooklyn, N. Y., in favor of House bill 9352, the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Association of Eccentric Engineers No. 2, Brooklyn, N. Y., favoring the passage of House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. LITTAUER: Paper to accompany House bill for the relief of Silas W. Edgerton—to the Committee on Military Affairs.

By Mr. LONG: Resolution of Lakin Post, No. 364, Grand Army of the Republic, Department of Kansas, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Bricklayers' Unions No. 6, of Iola, and 7, of Wichita, Kans., favoring Chinese exclusion—to the Committee on Foreign Affairs.

By Mr. MARTIN: Petition of E. P. Fowler and others, of Whitewood, S. Dak., relative to the leasing of public lands—to the Committee on the Public Lands.

By Mr. McDERMOTT: Petitions of Central Division 157, Brotherhood of Locomotive Engineers, and of Cigar Makers' Union, of Jersey City, N. J., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. MERCER: Resolutions of Bricklayers' Union No. 11, Omaha, Nebr., for the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

Also, resolutions of Interstate Irrigation Congress and Nebraska Real Estate Dealers' Association, favoring irrigation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Steam Engineers' Union; Journeymen Stonecutters' Association; Bricklayers' Union; Railroad Telegraphers, Division No. 6; Locomotive Engineers, Division No. 389; Gas and Steam Fitters' Union No. 16, and Beef Butchers' Union No. 28, all of Omaha, Nebr., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MICKEY: Petitions of Royals Douglas Post, No. 179, and Colonel Horney Post, No. 131, Grand Army of the Republic, Department of Illinois, for an investigation of the administration of the Commissioner of Pensions—to the Committee on Rules.

By Mr. MUTCHLER: Resolution of Typographical Union No. 256, of Great Falls, Mont., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, resolutions of Iron Molders' Union No. 54, of Easton; Carpenters' Union No. 248, of Weissport; Patternmakers' Union of Easton, and Bricklayers' Union No. 8, of Bethlehem, Pa., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Bricklayers' Union No. 37 and Bartenders' Union No. 181, of Easton, Pa., favoring Chinese exclusion—to the Committee on Foreign Affairs.

By Mr. OVERSTREET: Petition of post-office clerks of Indianapolis, Ind., favoring House bills Nos. 5286 and 5287—to the Committee on the Post-Office and Post-Roads.

By Mr. PEARRE: Petition of Cigar Makers' Union No. 1, of Baltimore; of Brunswick Division, No. 26, Railroad Telegraphers, and citizens of Lonaconing and Creagerstown, Md., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Brunswick Division, No. 26, Railroad Telegraphers, of Brunswick, Md., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Indiana: Resolutions of Wayne Division, No. 119, Order of Railway Conductors, Fort Wayne, Ind., and Lodge 586, Railroad Trainmen, Ashley, Ind., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RUMPLE: Resolutions of Bricklayers' Union No. 7, of Muscatine, Iowa, urging the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Dewey Lodge, No. 283, International Association of Machinists, of Clinton, Iowa, and of United Order of Boxmakers and Sawyers of America, of Muscatine, Iowa, favoring an educational test in restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RUSSELL: Resolutions adopted by Cigar Makers' Union No. 407, of Norwich, Conn., favoring an extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of the Baltic Spinners' Union, of Baltic, Conn.; of International Association of Machinists of New London, Conn.; of Mule Spinners' Association of Taftville, Conn., and of Bricklayers, Masons, and Plasterers' Union of Danielson, Conn., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of New England Shoe and Leather Association, of Boston, Mass., in favor of the establishment of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Resolution of National Shoe Wholesalers' Association, for removal of the tariff on hides—to the Committee on Ways and Means.

Also, resolution of Interstate Irrigation Congress, favoring irrigation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

Also, resolution of Carpenters' Union No. 369, of North Tonawanda, N. Y., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of New England Shoe and Leather Association, favoring the establishment of a department of commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. SELBY: Resolution of Brickmakers' Union No. 5, of Jacksonville, Ill., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. SHERMAN: Resolutions of Trades Assembly of Utica, N. Y., protesting against the passage of Senate bill No. 2894 and House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. SMITH of Illinois: Numerous petitions of citizens of the States of Connecticut, Delaware, Indiana, Illinois, Maine,

Maryland, Michigan, Massachusetts, Minnesota, New Jersey, New York, New Hampshire, Ohio, Pennsylvania, Vermont, Virginia, West Virginia, Wisconsin, and numerous letters, urging the passage of House bill No. 3040, reducing letter postage to 1 cent per ounce; also to amend postal laws regulating the admission of second-class matter to the mails—to the Committee on the Post-Office and Post-Roads.

By Mr. SPERRY: Resolution of Liberty Bell Council, No. 3, Junior Order United American Mechanics, of New Haven, Conn., favoring Chinese exclusion—to the Committee on Foreign Affairs.

By Mr. SUTHERLAND: Resolution of the Irrigation Convention of Utah, in favor of the cession of public lands to the State—to the Committee on the Public Lands.

Also, resolution of the Irrigation Convention of Utah, in favor of annexing a portion of Arizona to the State of Utah—to the Committee on the Territories.

By Mr. THAYER: Resolution of Typographical Union No. 6, of New York, N. Y., in favor of increasing the compensation of letter carriers of first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, petition of Order of Railway Conductors, Division 237, Worcester, Mass., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

Also, resolutions of Order of Railway Conductors, Division 237, Worcester, Mass., urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. THOMAS of Iowa: Papers to accompany House bill No. 9826, granting an increase of pension to B. S. Tower—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: Resolution of Retail Clerks' Union No. 489, of Tonawanda, N. Y., favoring the enactment of a law excluding the Chinese without limitation from this country—to the Committee on Foreign Affairs.

Also, resolution of Post No. 91, of Medina, Grand Army of the Republic, Department of New York, favoring the building of war ships in the navy-yards—to the Committee on Naval Affairs.

By Mr. WANGER: Petition of Lackawanna Division, No. 12, Order of Railway Conductors, Scranton, Pa., for legislation requiring greater safety in operating trains—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Pennsylvania Shoe Manufacturers' Association, in favor of department of commerce, the reform of consular service, and for removal of the tariff on hides—to the Committee on Ways and Means.

Also, resolutions of M. Edgar Richards Post, No. 595, Grand Army of the Republic, of Pottstown, Pa., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Bricklayers' Union No. 49, of Pottstown, Pa., and R. B. Hawkins Division, No. 114, Order of Railway Conductors, Pittsburg, Pa., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. WILEY: Resolutions of the Board of Trade of Birmingham, Ala., favoring the establishment of a trans-Pacific cable—to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of Illinois: Petition of Varnel G. Compton, for increase of pension—to the Committee on Invalid Pensions.

By Mr. WOODS: Resolution of Team Drivers' Union No. 240, of Sacramento, Cal., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. WRIGHT: Resolution of Valley Lodge, No. 12, of Sayre, Pa., Switchmen's Union, for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

SENATE.

FRIDAY, *March 14, 1902.*

Prayer by Rev. WALLACE RADCLIFFE, D. D., of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SPOONER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 4488) granting an increase of pension to Seldon E. Whitcher, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CALDERHEAD, Mr. RUMPLE, and Mr. NORTON managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (H. R. 280) for the relief of James M. Stradling;

A bill (H. R. 597) granting a pension to Adella C. Chandler;

A bill (H. R. 718) to correct the military record of James L. Proctor;

A bill (H. R. 1018) granting an increase of pension to George C. Leighton;

A bill (H. R. 1350) granting an increase of pension to Joseph W. Grant;

A bill (H. R. 1688) granting an increase of pension to Charles Armstrong;

A bill (H. R. 1697) granting an increase of pension to Richard A. Lawrence;

A bill (H. R. 2175) granting an increase of pension to Kephart Wallace;

A bill (H. R. 3288) granting an increase of pension to Elmer J. Starkey;

A bill (H. R. 3694) granting a pension to Benjamin Wylie;

A bill (H. R. 3747) granting an increase of pension to William R. Underwood;

A bill (H. R. 4035) granting an increase of pension to Elias Longman;

A bill (H. R. 4827) granting an increase of pension to Charles H. Baker;

A bill (H. R. 5160) granting an increase of pension to James Harper;

A bill (H. R. 5247) granting an increase of pension to Richard Fristoe;

A bill (H. R. 6436) granting a pension to Susan P. Crandall;

A bill (H. R. 6515) granting an increase of pension to Carlton A. Trundy;

A bill (H. R. 6861) granting an increase of pension to Joseph K. Ashby;

A bill (H. R. 6869) granting a pension to M. Callie Glover;

A bill (H. R. 7432) granting a pension to Charles A. Sheafe;

A bill (H. R. 7458) to re-form the western judicial district of the State of Arkansas;

A bill (H. R. 7907) granting an increase of pension to Alice M. Ballou;

A bill (H. R. 7997) granting an increase of pension to Henry Burns;

A bill (H. R. 8954) granting an increase of pension to Alfred N. Mosier;

A bill (H. R. 9220) granting an increase of pension to John S. Hunter;

A bill (H. R. 9383) granting a pension to Narcissa Tait; and

A joint resolution (S. R. 65) to provide for the employment of extra clerical force in the office of the assessor of the District of Columbia.

PETITIONS AND MEMORIALS.

Mr. WETMORE presented a petition of 41 citizens of Portsmouth, R. I., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented petitions of Bricklayers and Masons' Local Union No. 2, of Newport, R. I., and of sundry citizens of Rhode Island, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. FAIRBANKS presented the petition of Charles W. Slick and sundry other citizens of Misawaka, Ind., praying for the enactment of legislation requiring oleomargarine or butterine to be sold on its merits; which was ordered to lie on the table.

He also presented petitions of German-American Typographical Union, No. 15, of Evansville; of Local Union No. 1544, United Mine Workers of America, of Brazil; of Blacksmiths' Local Union No. 1920, of Brazil; of Bricklayers and Masons' Local Union No. 4, of Elkhart; of Terre Haute Division No. 92, Order of Railway Conductors, of Terre Haute; of Bricklayers and Masons' Local Union No. 16, of Alexandria; of Bricklayers and Plasterers' Local Union No. 17, of Brazil, and of Window Glass Snappers' Local Union No. 2529, of Dunkirk, all in the State of Indiana, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. BURNHAM presented the petitions of Jacob Kendall and 24 other citizens of Temple, and of Philip W. Pierce and 43 other citizens of Winchester, in the State of New Hampshire, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Boot and Shoe Workers' Local Union No. 21, of Manchester, N. H., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Unions, of East Manchester and Boscarven, in the State of New Hampshire, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. GAMBLE presented a memorial of Cigar Makers' Local Union No. 491, of Huron, S. Dak., remonstrating against the proposed reduction of the duty on tobacco; which was referred to the Committee on Finance.

He also presented the petitions of Fred J. McArthur and 16 other citizens of Aberdeen; of A. Nolting & Son and of 23 other citizens of Harrison; of D. E. A. Lundquist and of 40 other citizens of Irene; of A. G. McGilvra and 26 other citizens of Harrison, and of C. H. Werder and 40 other citizens of Eagle, all in the State of South Dakota, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Typographical Union No. 6, of New York City, praying for the enactment of legislation to increase the salary of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PERKINS presented petitions of sundry citizens of San Luis Obispo, Valley Center, Morro, Chino, Sierraville, Colusa, Bolsa, Hynes, Merton, Santa Cruz, and Petaluma, all in the State of California, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of the officers of the National Guard of the State of California, praying for the enactment of legislation to increase the efficiency of the militia; which was referred to the Committee on Military Affairs.

He also presented petitions of Federal Labor Union No. 8921, of San Pedro; of the Sailors' Union of San Pedro, and of the Sailors' Union of Eureka, all in the State of California, praying for the adoption of the so-called seamen's clause in the Chinese-immigration bill; which was ordered to lie on the table.

He also presented petitions of Bakers and Confectioners' Local Union No. 24, of San Francisco; of Bakers and Confectioners' Local Union No. 90, of San Diego; of Retail Clerks' Local Union No. 47, of Oakland; of Railway Conductors' Local Union No. 364, of Oakland; of Typographical Union No. 231, of San Jose; of Vallejo Lodge, of Vallejo; of Boiler Makers and Iron-ship Builders' Local Union No. 238, of Oakland; of the Granite Cutters' Local Union of Raymond, and of sundry citizens of Oakland, all in the State of California, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented a petition of El Capitan Division, No. 115, Order of Railway Conductors, of San Francisco, Cal., praying for the passage of the so-called Foraker-Corliss safety appliance bill; which was referred to the Committee on Interstate Commerce.

Mr. BARD presented petitions of Local Division No. 111, Order of Railway Conductors, of Los Angeles; of Typographical Union No. 46, American Federation of Labor, of Sacramento; of Granite Cutters' Local Union, American Federation of Labor, of Raymond; of Cigar Makers' International Union No. 253, American Federation of Labor, of Oakland, and of 21 citizens of Oakland, all in the State of California, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented a petition of Local Division No. 111, Order of Railway Conductors, of Los Angeles, Cal., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

Mr. GALLINGER presented a petition of sundry citizens of Ashland, N. H., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of the Bar Association of the State of New Hampshire, praying for the adoption of the changes suggested by the judges of the Federal courts of the first circuit; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Concord, N. H., praying for the enactment of legislation to regulate vice in the Philippine Islands; which was referred to the Committee on the Philippines.

Mr. DILLINGHAM presented a petition of Granite Cutters' Local Union, American Federation of Labor, of Waterbury, Vt., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of Bricklayers and Masons' Local Union No. 1, American Federation of Labor, of Rutland, Vt., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Arlington, Vt., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. BURTON presented petitions of sundry citizens of Waverly and Abilene, in the State of Kansas, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Baldwin, Stuttgart, Belleville, Oakley, Floral, Overbrook, Walton, Conway, Jetmore, Berryton, Ovallah, Tescott, Gorham, Westphalia, Bushton, Columbus, Welda, Talmage, Norwood, Alexander, Pomona, Wakefield, Walnut, Solomon, Hill City, Alma, Concordia, and Brookville, all in the State of Kansas, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Grand Army Posts, Nos. 293, 18, 100, 271, 357, 337, 112, 361, 200, 54, 244, 12, and 364, of Fort Dodge, Ottawa, Manhattan, Agra, Belle Plaine, Fall River, Pawnee Rock, Hallowell, Galena, Wichita, Lawrence, and Lakin, all of the Department of Kansas, Grand Army of the Republic; of Machinists' Local Union No. 149, of Pittsburg; of Retail Clerks' Local Union No. 62, of Leavenworth; of Retail Clerks' Local Union No. 421, of Parsons, and of the Journeymen Barbers' International Union No. 87, of Leavenworth, all of the American Federation of Labor, in the State of Kansas, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. DRYDEN presented petitions of sundry citizens of Lambertville, Cranbury, Oxford, and Mullica Hill, all in the State of New Jersey, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Madison, Basking Ridge, and East Orange, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of Local Unions Nos. 5, 7, 18, 16, 40, 188, 91, 26, 33, 4, 92, 3, 165, and 22, of Orange, Camden, Elizabeth, Jersey City, Bridgeton, Newark, Hudson, Paterson, Morristown, Trenton, Atlantic City, Rosinhayn, Bloomfield, and Long Branch, all of the American Federation of Labor, in the State of New Jersey, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. FORAKER presented petitions of the Retail Grocers' Associations of Salem and Washington Court-House, in the State of Ohio, praying for the passage of the so-called pure-food bill; which were referred to the Committee on Manufactures.

He also presented a petition of Erie Railway System Division, No. 42, Order of Railroad Telegraphers, of Ashland, Ohio, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a memorial of 17 citizens of Bellefontaine, Ohio, remonstrating against the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented petitions of the Carpenters' Local Union of Findlay; of Carpenters and Joiners' Local Union No. 940, of Sandusky, and of the Pattern Makers' Association of Cincinnati, praying for the enactment of legislation to restrict immigration; which were ordered to lie on the table.

He also presented petitions of 32 citizens of Melmore, of 40 citizens of Cincinnati, of 101 citizens of Nelsonville, of 15 citizens of Westchester, of 45 citizens of North Fairmount, and of 42 citizens of Morgan County, all in the State of Ohio, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of Hill Post, No. 197, of New Straitsville; of Frank H. Wood Post, No. 443, of Felicity; of John H. Mosely Post, No. 470, of Dexter City; of William Nelson Post, No. 186, of Cincinnati, all of the Department of Ohio, Grand Army of the Republic; of Brewery Workers' Local Union No. 147, of Columbus; of Typographical Union No. 364, of Coshocton; of Federal Labor Union No. 8170, of Coshocton; of Lewis Avon Lodge, No. 34, Amalgamated Association of Iron, Steel, and Tin Workers, of Martins Ferry; of Machinists' Local Union No. 22, of Springfield; of Local Union No. 143, of Ashtabula; of Typographical Union No. 364, of Coshocton; of Local Union No. 44, of Conneaut; of Local Union No. 57, of Dayton; of Local Union No. 128, of Lorain; of Machinists' Local Union No. 19, of Fremont; of Iron Molders' Local Union No. 143, of Mount Vernon; of Local Union No. 34, of Springfield; of Local Union No. 513, of Sidney; of Blacksmiths' Local Union No. 98, of Toledo; of Machinists' Local Union No. 314, of Waterloo; of Local Union No. 76, of

Zanesville; of Local Union No. 174, of Canton; of Journeymen Tailors' Local Union No. 155, of Cincinnati; of Bricklayers' Local Union No. 18, of Cincinnati; of Bartenders' Local Union No. 252, of Mansfield; of Cigar Makers' Local Union No. 86, of Mansfield; of Local Union No. 147, of Columbus, and of Local Union No. 266, of Columbus, all of the American Federation of Labor, in the State of Ohio, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of 41 citizens of Rosemont, 38 citizens of Reynoldsburg, 26 citizens of Snyder, of 61 citizens of Spencer, 26 citizens of Springfield, 70 citizens of Ashville, 56 citizens of Alpha, 17 citizens of Amanda, 47 citizens of Angus, 46 citizens of Bellville, 36 citizens of Berkey, 101 citizens of Brighton, 33 citizens of Canfield, 51 citizens of Canton, 41 citizens of Cincinnati, 21 citizens of Chester Hill, 47 citizens of Columbiana, 25 citizens of Carroll, 46 citizens of Campbellstown, 90 citizens of Chesterland, 224 citizens of Circleville, 40 citizens of Durant, 47 citizens of Dalton, 45 citizens of Degraff, 23 citizens of Decatur, 25 citizens of East Ringfield, 47 citizens of Gratiot, 37 citizens of Hibbetts, 47 citizens of Hollowtown, 132 citizens of Harrisville, 23 citizens of Independence, 43 citizens of Kinsman, 47 citizens of Louisville, 40 citizens of Mount Hope, 44 citizens of Mesopotamie, 51 citizens of Millersburg, 46 citizens of Mantua, 118 citizens of Pennsville, 46 citizens of Pandora, 39 citizens of Oxford, 21 citizens of Orangeville, 35 citizens of Olmsted Falls, 31 citizens of Oberlin, 47 citizens of North Royalton, 67 citizens of Trotwood, 26 citizens of Vigo, 33 citizens of Whipple, 24 citizens of West Mansfield, 52 citizens of Westboro, 47 citizens of Reily, and 44 citizens of Richfield, all in the State of Ohio, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. HOAR presented the petition of C. E. Smith and sundry other citizens of Westboro, Mass., and the petition of E. L. Boardman and sundry other citizens of Sheffield, Mass., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a memorial of Cigar Factory Tobacco Strippers' Local Union No. 8156, of Boston, Mass., and a memorial of Local Union No. 28, Cigar Makers' International Union, of Westfield, Mass., remonstrating against any change being made in the tax on cigars imported from Cuba; which were referred to the Committee on Finance.

He also presented a petition of Cigar Makers' Local Union No. 326, of Taunton, Mass., and a petition of Piano and Organ Workers' Local Union No. 20, of Westfield, Mass., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. McCOMAS presented a petition of sundry students of Morgan College, Baltimore, Md., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of Local Division No. 354, of Hagerstown, of Local Division No. 263, of Cumberland, and of Local Division No. 337, of Baltimore, all of the Order of Railway Conductors, in the State of Maryland, praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Flintstone, Cecil County, Frederick, Woodfield, Grantsville, Philopolis, Howard County, Warwick, New London, and Travilah, all in the State of Maryland, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of the Granite Cutters' National Union, American Federation of Labor, of Guilford, of Local Union No. 26, Order of Railroad Telegraphers, of Brunswick, and of sundry citizens of Laurel, Cumberland, Frostburg, Kennedyville, Lonaconing, Queen Anne County, Baltimore, and Mount Pleasant, all in the State of Maryland, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. CLARK of Montana presented a petition of Sun River Lodge, No. 405, Brotherhood of Railroad Trainmen, of Great Falls, Mont., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a memorial of the State Horticultural Society of Montana, remonstrating against the enactment of legislation authorizing the leasing of the public domain; which was referred to the Committee on Public Lands.

He also presented a petition of the Central Labor Union, of Anaconda, Mont., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of the State Horticultural Society of Montana, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. LODGE presented petitions of Bricklayers and Masons' International Union No. 35, of Lynn; of the Central Labor Union of Cambridge; of Newspaper Mailers' Local Union No. 1, of Boston; of Granite Cutters' National Union of Worcester; of Boot and Shoe Workers' Local Union No. 272, of Holyoke; of Bricklayers' Local Union No. 27, of Boston; of Painters' Local Union No. 381, of Fitchburg; of the Central Labor Union of Taunton; of Stonemasons' Local Union No. 47, of Northampton; of Bricklayers and Masons' Local Union No. 4, of Northampton; of Bakers and Confectioners' Local Union No. 180, of Brockton; of Car Workers' Local Union No. 27, of Fitchburg, and of Agam Lodge, No. 20, of Mittineague, all in the State of Massachusetts, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. COCKRELL presented a petition of Beef Butchers' Local Union No. 76, American Federation of Labor, of St. Joseph, Mo., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of the Central Trades and Labor Union, American Federation of Labor, of St. Louis, Mo., praying for the enactment of legislation to increase the salary of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. ALLISON presented a resolution adopted at a meeting of the Sioux County Farmers' Institute, Hull, Iowa, favoring the establishment of a national park in the State of Minnesota; which was referred to the Committee on Public Lands.

He also presented a petition of the Meeting of Friends of Bangor, Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors to native races in the Philippine Islands; which was referred to the Committee on the Philippines.

He also presented a petition of the Trade and Labor Council of Dubuque, Iowa, praying for the repeal of the desert-land law; which was referred to the Committee on Public Lands.

He also presented petitions of Mrs. A. H. Conant and sundry other citizens of Toledo, of Etta Miller and sundry other citizens of Waucoma, of Rev. Andrew Herron and sundry other citizens of Walnut, and of Mrs. Culbert and sundry other citizens of Howard County, all in the State of Iowa, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of Local Division No. 232, Order of Railway Conductors, of Sioux City, Iowa, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of restraining orders and injunctions in certain cases; which was ordered to lie on the table.

He also presented petitions of Grand Army Posts Nos. 20, 28, 206, 168, 125, and 156, of Mount Pleasant, Allerton, Marion, Decorah, Traer, and Lake City, all of the Department of Iowa, Grand Army of the Republic; of Local Unions Nos. 379, 178, 128, 22, 219, 212, 90, and 9145, of Dubuque, Sioux City, Fort Madison, Oelwein, Des Moines, and Burlington, all of the American Federation of Labor, in the State of Iowa, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Harness Makers' Local Union No. 11, of Davenport; of Printing Pressmen's Local Union No. 63, of Sioux City, and of Painters' Local Union of Ottumwa, all in the State of Iowa, praying for the enactment of legislation to provide an educational test for immigrants to this country; which were ordered to lie on the table.

He also presented petitions of Local Division No. 232, Order of Railway Conductors, of Sioux City; of Local Unions Nos. 223, 68, 126, 22, 172, 246, 26, 314, 16, 167, 40, 118, 7, 88, 63, 9, 7, 55, 11, 160, 9145, 55, 92, 12, 22, 1, 251, and 178, of Des Moines, Keokuk, Ottumwa, Sioux City, Davenport, Burlington, Waterloo, Fairfield, Lyons, Muscatine, Dubuque, Clinton, and Cedar Rapids, all of the American Federation of Labor, in the State of Iowa, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. SCOTT presented a petition of sundry citizens of Wellsburg, W. Va., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary:

He also presented a petition of sundry citizens of Brandonville, W. Va., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. PENROSE presented petitions of A. F. Jones Post, No. 204, of Coudersport, and of Edgar Richards Post, No. 595, of Pottstown, of the Department of Pennsylvania, Grand Army of the

Republic, in the State of Pennsylvania, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of 33 citizens of Markleton, and of 43 citizens of Philadelphia, in the State of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of Post No. 67, Department of Pennsylvania, Grand Army of the Republic, of Erie, and of Alpha Tent, No. 1, Knights of the Maccabees of the World, of Erie, in the State of Pennsylvania, praying for the enactment of legislation to promote the efficiency of the clerical service of the Navy; which were referred to the Committee on Naval Affairs.

He also presented petitions of the Typographical Union of Erie; of Federal Labor Union, No. 7174, of Jermyn; of the Axle Workers' Local Union of Wilkesbarre; of 291 citzens of West Elizabeth; of 46 citizens of Williamson; of 35 citizens of Corry; of 24 citizens of Saratoga; of 47 citizens of Birchardville; of 23 citizens of Hamlin; of 46 citizens of Millville; of 47 citizens of Daggett; of 50 citizens of Kimberton; of 40 citizens of Clarion County; of 46 citizens of New London; of 47 citizens of Hecktown; of 22 citizens of Mainsburg; of 47 citizens of Willow Hill; of 47 citizens of Jobs Corner; of 73 citizens of Rebersburg; of 47 citizens of Forest Lake; of 23 citizens of Columbus; of 13 citizens of Mount Pleasant; of 30 citizens of Carbondale; of 46 citizens of Tulpehocken; of 27 citizens of Corry; of 28 citizens of Salfordville, and of 42 citizens of Maple Lake, all in the State of Pennsylvania, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of 50 citizens of Punxsutawney; of 51 citizens of Derry Station; of 28 citizens of Tyrone; of 25 citizens of Columbia; of Honest Workers Lodge, No. 25, Amalgamated Association of Iron, Steel, and Tin Workers, of Reading; of Liberty Bell Lodge, No. 587, Brotherhood of Railway Trainmen, of Philadelphia; of the Central Labor Union of Hanover and McSherrytown; of Cigar Makers' Local Union No. 436, of Olyphant; of Bricklayers' Local Union No. 40, of Johnstown; of Bricklayers' and Plasters' Local Union No. 37, of Easton; of Local Union No. 3, United Mine Workers of America, of Belle Vernon; of John F. Ward Lodge, No. 9, Amalgamated Association of Iron, Steel, and Tin Workers, of New Castle; of Patriotic Order Sons of America Camps of Berks County, and of Local Union No. 615, United Mine Workers of America, of Fayette; all in the State of Pennsylvania, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. PATTERSON presented a petition of Local Union No. 40, United Mine Workers of America, of Cripple Creek, Colo., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented a petition of the Interstate Irrigation Congress of Colorado and Nebraska, of Sterling, Colo., praying for the passage of the so-called desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented petitions of sundry citizens of Teller County, Victor, and Idaho Springs, of Retail Clerks' Local Union No. 346, American Federation of Labor, of Leadville, and of Bakers and Confectioners' Local Union No. 162, American Federation of Labor, of Pueblo, all in the State of Colorado, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. CULLOM presented a memorial of the Cigar Makers' Local Union No. 201, American Federation of Labor, of Rock Island, Ill., remonstrating against a reduction of the duty on cigars imported from Cuba and the Philippines; which was referred to the Committee on Finance.

He also presented the petitions of Thomas H. Straw and 39 other citizens of Shannon, of A. Nolting and 47 other citizens of Elgin, of H. L. Waterman and 47 other citizens of Ringwood, of C. H. Gurler and 45 other citizens of Malta, of W. K. Tindall and 46 other citizens of Malta, of Joseph Heimann and 43 other citizens of Albers, and of J. R. Peck and 48 other citizens of Elmoville, all in the State of Illinois, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Painters and Decorators' Local Union No. 288, of Decatur; of Retail Clerks' Local Union No. 45, of Streator, and of Machinists' Local Union No. 124, of Joliet, all of the American Federation of Labor, in the State of Illinois, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Charles C. Rose and 7 other citizens of Peoria; of Local Unions Nos. 98, 10, 124, 375, 495, 174, 644, 288, 17, 15, and 119, of Aurora, Chicago, Joliet, Streator, Galesburg, Pekin, Champaign, Rock Island, and East St. Louis, all of the American Federation of Labor, in the State of Illinois, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. FRYE presented a memorial of the Woman's Christian Temperance Union of Palmyra, Me., remonstrating against the appointment of Hon. John W. Griggs to the Supreme Court of the United States; which was referred to the Committee on the Judiciary.

He also presented the petition of E. W. Burrell and 18 other citizens of Dedham, Me., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented petitions of Local Division No. 120, Order of Railway Conductors, of Huntington, Ind.; of Local Union No. 12, Order of Railroad Telegraphers, of Parkersburg, W. Va., and of Atlantic Division, No. 120, Order of Railway Conductors, of Huntington, Ind., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. CLARK of Wyoming, from the Committee on Public Lands, reported an amendment proposing to appropriate $500 to pay to Roberta J. Brockenbrough, widow of John Brockenbrough, late special agent of the Interior Department, for expenses necessarily incurred in funeral expenses, etc., intended to be proposed to the general deficiency appropriation bill, and moved that it be printed and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. FOSTER of Washington, from the Committee on the District of Columbia, to whom was referred the amendment submitted by Mr. CULLOM January 8, 1902, proposing to appropriate $5,000 for paving Holmead avenue from Whitney avenue to Lydecker avenue and Lydecker avenue to Thirteenth street, intended to be proposed to the District of Columbia appropriation bill, reported adversely thereon; and the amendment was postponed indefinitely.

Mr. DEBOE, from the Committee on Pensions, to whom was referred the bill (H. R. 5543) granting an increase of pension to Samuel W. Skinner, reported it with an amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on the District of Columbia, to whom was referred the bill (S. 4409) to amend an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes," approved March 1, 1899, reported it without amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 4260) to correct the military record of James A. Somerville; and

A bill (S. 3283) to remove the charge of desertion from the military record of Charles K. Bolster.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 3554) granting an honorable discharge to Thomas J. Brown, reported it with amendments, and submitted a report thereon.

Mr. MCMILLAN, from the Committee on the District of Columbia, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 3241) to require the proprietors and drivers or operators of vehicles for the conveyance of passengers for hire in the District of Columbia to pay a license tax; and

A bill (S. 3971) to prevent the filling of street cars beyond their seating capacity within the District of Columbia.

Mr. HEITFELD, from the Committee on the District of Columbia, to whom was referred the bill (S. 4076) to provide for the construction of a sea wall and grand boulevard from the old Naval Observatory site around the Potomac Flats and across the Anacostia River, in the District of Columbia, without issuing interest-bearing bonds, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the amendment submitted by Mr. BEVERIDGE on the 11th ultimo, proposing to appropriate $2,500 for warden of the jail of the District of Columbia, to be paid under the direction of the Attorney-General, intended to be proposed to the District of Columbia appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom were referred Senate bills 246 and 1540, to report

them adversely, a similar bill having been favorably reported and passed by the Senate. I ask that these bills be indefinitely postponed.

The bills were indefinitely postponed, as follows:

A bill (S. 246) to extend the provisions, limitations, and benefits of an act entitled "An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war," approved July 27, 1892; and

A bill (S. 1540) to amend an act entitled "An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war," approved July 27, 1892.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (H. R. 8293) granting a pension to Amanda Jacko, reported it with an amendment, and submitted a report thereon.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (H. R. 4607) to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr., reported it with an amendment.

Mr. MONEY. From the Committee on Agriculture and Forestry, on behalf of a minority of the committee, I submit an amendment in the nature of a substitute for the bill (H. R. 9206) to make oleomargarine and other imitation dairy products subject to the laws of any State or Territory or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "an act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, which I ask to have printed.

I also, from the same committee, submit the views of the minority on the bill. I ask permission that other names may be added to the views of the minority.

The PRESIDENT pro tempore. Without objection, the request of the Senator from Mississippi will be granted. The amendment and the views submitted by the minority will be printed under the rule.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 26) authorizing the Secretary of War to negotiate with John T. Dolan, of Portland, Oreg., for purchase of original manuscript copy of "Order book of Gen. Arthur St. Clair," reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. RAWLINS introduced a bill (S. 4492) for the reimbursement of the State of Utah for expenses incurred in suppressing Indian hostilities; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 4493) granting an increase of pension to Michael Volz; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for the increase of pension of Michael Volz, Company G, Nineteenth United States Infantry, together with affidavits of Dr. G. C. Abbott, Dr. John W. Hayes, and M. Y. Setzer, and also a letter from the Pension Office. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. GIBSON introduced a bill (S. 4494) granting an increase of pension to Oscar Van Tassell; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. McCOMAS introduced a bill (S. 4495) to provide for refunding internal-revenue taxes paid upon legacies and bequests for uses of a religious, literary, charitable, or educational character, or for the encouragement of art, under the "war-revenue act" of 1898; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 4496) to confirm title to lots 3, 4, and 5, in square 979, in Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4497) for the relief of the heirs of Mary Anderson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4498) for the relief of Elizabeth Thomas; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4499) granting a pension to Mary Louise Lowry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 4500) granting an increase of pension to Beverly Waugh; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4501) granting a pension to Samuel B. Wilson;

A bill (S. 4502) granting a pension to Jane Harbeson;

A bill (S. 4503) granting an increase of pension to Benjamin Bissell;

A bill (S. 4504) granting an increase of pension to Reuben M. Worthen;

A bill (S. 4505) granting an increase of pension to George Kerr;

A bill (S. 4506) granting an increase of pension to Ann E. Collier (with an accompanying paper);

A bill (S. 4507) granting an increase of pension to Daniel S. Graves (with an accompanying paper);

A bill (S. 4508) granting an increase of pension to William Stackhouse (with accompanying papers); and

A bill (S. 4509) granting an increase of pension to Robert Lemon (with accompanying papers).

Mr. PENROSE introduced a bill (S. 4510) to correct the military record of Aaron Loughner; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4511) to correct the military record of Abraham Gibson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. McMILLAN introduced a bill (S. 4512) authorizing the Commissioners of the District of Columbia to make a rearrangement of streets in certain subdivisions; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4513) for the relief of John J. Sanborn; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. TELLER introduced a bill (S. 4514) granting an increase of pension to Mary Beals; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4515) granting an increase of pension to Alfred O. Blood; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 4516) to correct the military record of James T. Kiley; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FORAKER introduced a bill (S. 4517) for the relief of Priscilla R. Burns; which was twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 4518) for the extension of Bacon street; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McLAURIN of Mississippi introduced a bill (S. 4519) making an appropriation to construct a gravel road from Shiloh National Military Park to the city of Corinth, Miss., together with all necessary bridges; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PATTERSON introduced a bill (S. 4520) granting a pension to Martha C. Richdale; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4521) granting an increase of pension to David F. Crampton; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MASON introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 4522) granting an increase of pension to Sampson Parker;

A bill (S. 4523) granting an increase of pension to James T. Gilkison;

A bill (S. 4524) granting a pension to Mary E. Poole;

A bill (S. 4525) granting an increase of pension to George Meisner;

A bill (S. 4526) granting an increase of pension to Henry Ginnett;

A bill (S. 4527) granting a pension to Caroline Bigel;

A bill (S. 4528) granting a pension to Corydon Millard; and

A bill (S. 4529) granting an increase of pension to Robert B. Graves.

Mr. MITCHELL introduced a bill (S. 4530) for the relief of settlers on lands in Sherman County, in the State of Oregon; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. WARREN introduced a bill (S. 4531) to provide for the organization of private corporations in the district of Alaska, and

for other purposes; which was read twice by its title, and referred to the Committee on Territories.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. HEITFELD submitted an amendment authorizing the Delaware Indians residing in the Cherokee Nation to bring suit in the Court of Claims against the United States on account of lands ceded to the United States, etc., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. PENROSE submitted the following amendment; which was read and referred to the Committee on Privileges and Elections, and ordered to be printed, as follows:

Amendment intended to be proposed by Mr. PENROSE to the joint resolution (H. J. Res. 41) proposing an amendment to the Constitution providing for the election of Senators of the United States, viz:

Strike out all after the word "Constitution," in line 10, page 1, and insert as follows:

"SEC. 3. The Senate of the United States shall be composed of at least two Senators from each State and one additional Senator for every ratio of 500,000 persons, who shall be elected by direct vote of the people thereof for a term of six years, and each Senator shall have one vote. A plurality of votes cast for candidates for Senator shall elect, and the electors shall have the qualifications requisite for electors of the most numerous branch of the State legislature. Vacancies in the representation of any State in the Senate shall be filled in the same manner as such vacancies are now filled in the case of vacancy in the House of Representatives.

"It shall be the duty of Congress, when fixing and apportioning Representatives from the several States in the House of Representatives after every census, to likewise fix and apportion the representation of Senators from each State in the Senate: *Provided*, That each State shall have at least two Senators.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution."

CHINESE EXCLUSION.

Mr. PENROSE. Mr. President, I desire to give notice that after the disposition of Senate bill 3653, for the protection of the President, etc., I shall move that the Senate proceed to the consideration of the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent.

Mr. SPOONER. What is the Senator's proposition?

The PRESIDENT pro tempore. The Senator from Pennsylvania gives notice that following the unfinished business he will move that the Senate proceed to the consideration of the Chinese-exclusion bill.

Mr. SPOONER. The Senator from Vermont [Mr. PROCTOR] gave notice the other day that following the anarchy bill, or the bill to protect the President, he would move to proceed to the consideration of the oleomargarine bill. I only wanted to remind the Senator of that notice.

Mr. PENROSE. I was aware of that fact.

Mr. HOAR. I should like to be permitted to correct one phrase which the Senator from Wisconsin used. The bill which has been set down for a hearing after the shipping bill and has been popularly spoken of as the anarchy bill——

Mr. SPOONER. I changed that.

Mr. HOAR. I know—I understand the Senator from Wisconsin—but I wish to state that the bill does not in the least undertake to deal with the matter which I hope will be dealt with—the question of suppressing the carrying into practical effect of the doctrine of anarchy. It is a proposition to protect the life of the President of the United States against all forms of crime. Only one of the three assassinations has been by an anarchist.

LOCK IN THE DAM AT ROCK ISLAND, ILL.

Mr. MASON. I submit a concurrent resolution, and ask that it may be read and go to the Committee on Commerce.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring therein), That the Secretary of War be, and he is hereby, authorized and directed to obtain from the Government engineers at Rock Island, Ill., a survey, estimate, and report as to the cost, necessity, and practicability of a lock in what is known as the dam between Sears Island and the main island of Rock Island.

The PRESIDENT pro tempore. Does the Senator from Illinois desire to have the resolution referred to the Committee on Commerce?

Mr. MASON. If it is in conformity with the rules I should be glad to have it adopted now, but I understand that under the rule it must be referred.

The PRESIDENT pro tempore. Not necessarily.

Mr. MASON. Then I ask unanimous consent, if it is the custom, that the resolution be put on its passage.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. COCKRELL. Let it be read for information.

The PRESIDENT pro tempore. It has been read, but it will be read again.

Mr. MASON. It is for a preliminary survey and estimate.

The Secretary again read the resolution.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none; and, without objection, the resolution is agreed to.

Mr. HALE. Is it not customary for the Committee on Commerce to consider these propositions for surveys and embody them in the river and harbor bill?

Mr. MASON. I will state for the information of the Senator from Maine that it is the custom to pass them, I understand, and they have passed when presented by other Senators, when the resolution simply requests information as a basis, so that it may be reported in time to go in the river and harbor bill if the Secretary of War recommends it. I hope the Senator from Maine will not object. The resolution has been passed.

Mr. HALE. I have no objection to this project if it is simply a preliminary inquiry.

Mr. MASON. There is no appropriation that goes with it.

Mr. HALE. I know; but the question is whether the Department shall make a survey preliminary to an appropriation. The river and harbor bills are full of such provisions. The Presiding Officer is chairman of the Committee on Commerce. He knows what the ordinary custom has been. I make no point on this matter as against the ordinary course pursued.

The PRESIDENT pro tempore. The resolution does provide for a survey.

Mr. HALE. Not simply an inquiry, but a survey.

Mr. MASON. One resolution does and the other does not.

The PRESIDENT pro tempore. It appears that the resolution which has been read does not make that requirement. It simply requires a report to be made upon what has already been done.

Mr. HALE. I have no objection to that.

The PRESIDENT pro tempore. The resolution will be considered as agreed to.

MISSISSIPPI RIVER IMPROVEMENT.

Mr. MASON submitted the following concurrent resolution; which was referred to the Committee on Commerce:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made on the east bank of the Mississippi River, commencing at the city of Quincy and running along the east bank of the Mississippi River to Sny Levee, with a view to improving navigation by preventing the water from overflowing the natural and artificial banks along that part of the river and deepening the channel.

SEC. 2. That sufficient money is hereby appropriated, from any money in the Treasury not otherwise appropriated, to carry this resolution into effect.

HEARING ON PURE-FOOD BILLS.

Mr. MCCUMBER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Manufactures be, and it is hereby, authorized to employ a stenographer to report the hearing before said committee on the pure-food bills now pending before it, said stenographer to be paid from the contingent fund of the Senate.

HEARINGS ON ISTHMIAN CANAL ROUTES.

Mr. MORGAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the testimony taken on the hearings before the Committee and sub-Committees on Interoceanic Canals be printed for the use of the Senate, and that 100 copies thereof be bound in cloth for the use of Senators.

2. That the chairman of said committee shall cause to be prepared a table of contents and an index of said hearings, and also a table of contents and an index to the appendices to the report of the Isthmian Canal Commission, heretofore ordered by the Senate to be printed, to accompany such hearings and documents.

Mr. HALE. I hope we may now proceed with the Calendar, unless some Senator desires to address the Senate upon the unfinished business.

The PRESIDENT pro tempore. Is there further morning business?

Mr. FORAKER. Mr. President——

The PRESIDENT pro tempore. The Senator from Ohio gave notice that he will address the Senate on the unfinished business.

Mr. HALE. I understand.

The PRESIDENT pro tempore. Will the Senator from Ohio excuse the Chair for one moment?

Mr. FORAKER. Certainly.

SELDEN E. WHITCHER.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 4488) granting an increase of pension to Selden E. Whitcher, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I move that the Senate insist upon its amendment and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. MCCUMBER, Mr. SCOTT, and Mr. CARMACK were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed the following bills:

A bill (S. 3261) authorizing the Eldorado and Bastrop Railway Company to construct and maintain a bridge across the Ouachita River, in the State of Arkansas; and

A bill (S. 3312) for the establishment of a light-house at the mouth of Oyster Bayou, near the Louisiana coast, in the Gulf of Mexico.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903.

The message further announced that the House had passed a concurrent resolution requesting the President of the United States to return to the House of Representatives the bill (H. R. 5224) providing for the relief of Edward Kershner; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 299) for the relief of William C. Dodge;

A bill (H. R. 428) granting a pension to Sarah Bowers;

A bill (H. R. 1375) for the relief of Louis Weber;

A bill (H. R. 1381) for the relief of J. V. Davis;

A bill (H. R. 1743) granting a pension to Samuel M. Graves;

A bill (H. R. 3515) granting a pension to Mary A. House;

A bill (H. R. 4084) granting an increase of pension to Charles H. Wickham;

A bill (H. R. 4209) granting a pension to Thomas Butler;

A bill (H. R. 5536) granting an increase of pension to Daniel Schram;

A bill (H. R. 6014) granting an increase of pension to William Rheuby;

A bill (H. R. 8486) granting a pension to Annie S Hummel;

A bill (H. R. 8493) granting a pension to Harry H. Sieg;

A bill (H. R. 8541) granting an increase of pension to Mahlon C. Moores;

A bill (H. R. 9280) for the relief of Hugh C. Preston;

A bill (H. R. 9332) to authorize the Dothan, Hartford and Florida Railway Company to construct a bridge across East St. Andrews Bay, navigable water, at a point about 1 mile east of Farmdale, in the State of Florida;

A bill (H. R. 10305) to amend section 14 of the act approved June 29, 1898, entitled "An act to provide for the construction of a bridge across the Niagara River;"

A bill (H. R. 11144) granting an increase of pension to Anderson Howard; and

A bill (H. R. 11306) to extend the time for the construction of a bridge across the Mississippi River at Burlington, Iowa.

EDWARD KERSHNER.

Mr. LODGE. I ask that the concurrent resolution from the House requesting the return of a bill which has been sent to the President may be laid before the Senate.

The PRESIDENT pro tempore laid before the Senate the concurrent resolution, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the bill H. R. 5224, an act providing for the relief of Edward Kershner.

Mr. LODGE. I ask for the present consideration of the concurrent resolution.

The concurrent resolution was considered by unanimous consent, and agreed to.

PROMOTION OF COMMERCE.

Mr. FORAKER. Mr. President, I ask that the unfinished business may be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. FORAKER. Mr. President, the debate on this bill is already quite extended. It has been, I think I can safely say, as thorough and as fair and quite as exhaustive a debate as any I have seen since I have been a member of this body. I very much doubt if there can be said at this time anything on either side that will excite interest or be profitable to this discussion. Under such circumstances, one might very well forego his privilege of participating in the debate, and I have been very strongly inclined to do so. And yet it has occurred to me that I shall feel better satisfied if, in addition to casting my vote for this measure, as I intend to do, I shall also take advantage of this opportunity to briefly, at least, express the views that impel me to that action.

In the first place, before taking up this measure to discuss it on its merits, I want to frankly say that I am not entirely satisfied with it. My lack of satisfaction is due to the fact that ever since I first had occasion to investigate the condition of our merchant marine and to study the question of its restoration, I have been clearly and unqualifiedly of the opinion that the best and most equitable and most scientific and satisfactory way to accomplish that object, so far, at least, as our freight-carrying vessels are concerned, would be to reinaugurate the policy of discriminating duties, under which, in the earlier days of the Republic, our fathers made our merchant marine the pride and the boast of every American.

I know what the objections are to a return to that policy. They were stated briefly but very forcibly by the Senator having the bill in charge when he opened this debate.

Mr. BACON. Will the Senator pardon me? Mr. President, I ask that there may be order in the Chamber. There is such a buzz of conversation that while we can hear the Senator, of course, it very much interferes with the satisfaction of hearing him.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. FORAKER. I was just saying, before the Senator from Georgia kindly interrupted me, and I thank him for it, that the objections to a return to the policy of discriminating duties were well stated by the chairman of the Committee on Commerce, the Senator having this bill in charge, in his opening speech when he presented the measure to the Senate. They are that there are commercial treaties—34 of them, I think he said—which stand in the way, and if we should return to that policy it is contended that we would incite retaliatory measures that would do us more harm than a pursuit of the policy would do us good.

So far as the treaties are concerned, they all provide by their terms for their abrogation upon notice, so that as a practical question there is no difficulty there. So far as retaliation is concerned, it is a matter of speculation what the result would be in that regard. I would not fear it. I do not see how those who carry to-day more than 90 per cent of our foreign commerce could very seriously retaliate upon the less than 10 per cent that we carry in American bottoms.

But, Mr. President, I do not refer to this policy for the purpose of discussing it. I refer to it simply in justice to my own record on this subject. It is a matter of no consequence to any other Senator here, but it is a matter of a good deal of satisfaction to me that I be consistent with myself. I have had occasion to speak frequently on this subject in public, and I have uniformly expressed the view, and contended for it, that I have just now announced. One notable occasion when I contended for that view was at the national Republican convention in 1896, when I happened to be a member of the committee on resolutions and assisted in the framing of a plank which made that proposition Republican policy.

But, Mr. President, although I am still of that view, I have found during my service here in the Senate that it is an idle thing to undertake to legislate so as to provide for a return to the policy of discriminating duties. When you want to accomplish something by legislation in a parliamentary body, it is highly important that you have a majority in favor of the proposition, and there is not a majority here in favor of it; but, on the contrary, I have learned after very diligently addressing myself to this subject that there is a majority of the contrary opinion.

Therefore I put the policy of discriminating duties aside as impossible, and that being impossible I look for the next best thing, and in my opinion we have it in the subsidy measure that is presented by this bill.

Mr. TELLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. FORAKER. Certainly.

Mr. TELLER. I wish to inquire of the Senator from Ohio if he means that there has ever been any expression by this body on that question. I have no knowledge of any such expression.

Mr. FORAKER. No.

Mr. TELLER. We have some of us wanted to vote for it, but we never had an opportunity.

Mr. FORAKER. I did not mean that there had ever been any expression by this body. I simply mean that having a good deal of interest in this subject in a general way I have taken occasion to find out the views of other Senators, particularly my colleagues on the Republican side, and I know that they are generally of the opinion, for the reasons expressed by the chairman of the Committee on Commerce to which I referred, that a return to the policy of discriminating duties would be impracticable; and, therefore, if we are to aid the merchant marine at all we must aid it in some other way, and this is the way which, in their judgment, is most practicable.

Mr. TELLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield?

Mr. FORAKER. Certainly.

Mr. TELLER. I suppose, then, the Senator means simply to say that the Republicans of this body are opposed to that system.

Mr. FORAKER. I simply mean to say that in my belief a majority of the Republican members of the Senate are of the opinion that a return to the policy of discriminating duties is impracticable for the reasons mentioned, because of the commercial treaties that stand in the way and because of the fear they have that there would be retaliation upon our merchant marine.

Mr. TELLER. Notwithstanding the platform of 1896?

Mr. FORAKER. Mr. President, it may be that I ought to take upon myself a good part of that responsibility. I happened to be chairman of the committee on resolutions. I am so constituted by nature that I must have rather positive views, if I have any at all, on any subject in which I become interested. I had given some attention to that subject and I had views about it. That was my view, and I contended for it in the committee. I think the Senator from Colorado, who was a member of the subcommittee and assisted in the framing of that plank, will well remember what I refer to and that I was very contentious about it.

Mr. TELLER. I should like to say, if it does not interfere with the Senator, that I recollect very well the effort the Senator made on that occasion, and it seemed then to be the sentiment, as I supposed, of the Republican party, at least so far as the committee was concerned. I joined with him in the desire to return to those duties, believing myself that, as he says, it would restore our foreign commerce.

Mr. FORAKER. All I wanted to say, Mr. President, was that I have not changed my view about that policy. But what I want is a restoration of the merchant marine, and if I can not get it in one way because a majority of this body think that way is impracticable, if I can not induce them to accept my opinion and my judgment, then I am willing to do the next best thing and accept their opinion and their judgment as to what is most practicable and what is the best way to accomplish this object.

I am not a member of the Committee on Commerce. I do not know all that has occurred in that committee room, but I do know that the members of that committee are capable men and patriotic men. I know that they are interested in this subject. I know that they have given years of study and thought to it, and I know that some of them have been attempting to legislate about it for many years. I am disposed, therefore, when they do not accept my view, rather than have everything come to naught, to accept their view, which in all probability is the wiser view.

Therefore it is, Mr. President, that I am here not contending for what I think would be the best way to restore the merchant marine, but to contend for the way proposed by the Committee on Commerce in the bill which they have reported to us.

Now, this is a bill which provides for restoring the merchant marine by a grant of subsidies. We heard a good deal about this only yesterday. The Senator from Arkansas [Mr. BERRY] made one of his usually eloquent and impassioned addresses to the Senate. He told us that the proposition of this measure to pay subsidies was class legislation; that it was in violation of that spirit of equality to all classes which was at the bottom of our Constitution and our institutions, and he had a great deal to say as to who are to be the beneficiaries of this measure if it shall be enacted into a law.

Mr. President, I am not surprised to hear the Senator from Arkansas talking about this being class legislation, for the Senator from Arkansas belongs to a school of American statesmen who have been talking about class legislation whenever we have undertaken to protect and develop an industry during the last hundred years. Ever since the beginning of our Government, ever since we have undertaken by legislation to protect and foster and develop industries in this country, there have been men to stand up and oppose it—honestly, sincerely, no doubt—upon the ground that it was an effort to take the money of the people out of the common Treasury and put it into the pockets of some favored class who were to get the benefit of it.

We can all remember within the time of the Senator from Arkansas how we had to meet here in the halls of Congress and all over the United States the same contention when we wanted to levy a tariff duty for the development of the iron industry in this country. They told us it was class legislation; that we were but undertaking to take money out of the pockets of the people and put it into the pockets of the ironmasters of the country; that we were robbing the farmers and we were robbing the laboring men. They said the same thing when we undertook to protect the steel industry, the glass industry, the tin-plate industry, and every other industry that we have legislated about for the purpose of protecting it and fostering and developing it. Now, when we undertake to legislate about this industry, they make the same contention. There is nothing new in it. In the language of patent law, it is not invention but only "a new use of an old article." We are entirely familiar with all that the Senator said, and know from long experience how to appreciate it.

Therefore, Mr. President, I want to say at the beginning that in favoring a proposition that provides that the Government shall pay subsidies for the restoration of our merchant marine I do not regard myself as favoring class legislation in the sense in which that contention was made yesterday by the Senator from Arkansas any more than we were favoring class legislation when we enacted the protective tariff law, under which the prosperity that came with the Republican party in 1860 was set into operation and by virtue of which legislation it has continued ever since. It was not class legislation to provide that we should develop our own resources, that we should vary our industries, that we should employ our labor, that we should have home markets. That was not for the benefit alone of the ironmaster, or the steel manufacturer, or the tin-plate manufacturer, or any other particular class.

In the presence of the magnificent results we have witnessed all ought to be able to see that instead of this having been class legislation it was legislation that has benefited all classes and all sections alike, for the prosperity that has come to our people is a prosperity which all enjoy, which is not limited to any class or any section or any part of this country. And as, Mr. President, when we were legislating to develop these home industries, when we were legislating to establish home markets, we were legislating for the benefit of the farmer as well as for the benefit of the manufacturer, so is it true that now, legislating to restore our merchant marine, we are not legislating for a single class, but we are legislating for the benefit of all the people of the United States, for the farmers and the wage workers of our country as much as for any other class. They are not the direct beneficiaries in the sense that the money will be paid to them, but they are the direct beneficiaries in the sense that they will share in the benefits that are to be derived from having a merchant marine.

Before I pass from that I want to call attention to another statement made by the Senator from Arkansas on yesterday. He told us in the course of his remarks not only that this was class legislation, but that the beneficiaries of this class legislation would be the purchasers of the Leyland, the White Star, and the other lines referred to; and in that behalf the Senator caused to be sent to the desk and read and incorporated into the RECORD an article from the New York Journal of Commerce, in which there was a very extended and rather sensational account of a purchase by American capitalists of a number of foreign steamship lines. I have the article before me and will refer to it. The lines said to be purchased were the White Star, the American Line to Southampton, the Red Star Line to Antwerp, the Leyland Line to Liverpool, the Atlantic Transport Line to London, the Dominion to Liverpool and London, and the Mediterranean from Boston.

Now, Mr. President, I do not know whether all these lines have been purchased by these capitalists or not. I have no information on that subject other than the Senator seemed to have, and he did not seem to have any except what he got from this newspaper article. I do know that the Leyland Line has been purchased; that is, I know it in the sense that I have been officially informed to that effect, as every other member of the Senate has been, in the report of the Commissioner of Navigation—that is, I believe, his title—Mr. Chamberlain, who has been quite frequently referred to in the course of these debates on both sides. In his annual report he tells us that Mr. Morgan and his associates purchased the Leyland Line and they are now its owners. I do not know whether any other line has been purchased or not.

But, Mr. President, let us stop and consider what of it if there have been other purchases. In the first place, it is not possible for the purchasers of those lines to get any benefit whatever for those lines or any ship in those lines under the bill now under consideration. The ships belonging to those lines are all foreign built and heretofore have been foreign owned.

Mr. BERRY. Not all of them, Mr. President. Will the Senator permit me?

Mr. FORAKER. Of course.

Mr. BERRY. It was alleged that Mr. Morgan bought the American Line, that is the line belonging to the International Navigation Company.

Mr. FORAKER. That is already an American line. That would not change the situation.

Mr. BERRY. The Senator said all the lines were foreign lines. He was mistaken in that statement.

Mr. FORAKER. I said all the lines I mentioned were foreign lines. I was not speaking of the American Line. I will speak of that presently.

Mr. BERRY. But the Senator read the name of that line, too.

Mr. FORAKER. Then I beg the Senator's pardon. I did not intend to do so. I intended simply to call attention to what this

article said as to foreign lines. So far as those lines are concerned, every one of them is a foreign line except the American Line, and every ship in those lines is foreign built and has been heretofore a foreign-owned ship, and is now a foreign-built ship but American owned.

That being the case, this bill can not, if it becomes a law, be of the slightest benefit to the owners of these lines. The Senator from Arkansas was mistaken, therefore, when he said Mr. Morgan and his associates, as these purchasers, were to be the beneficiaries of the legislation. The bill itself conclusively answers that claim.

In the bill as it has been amended, on page 6, occurs this provision under "Title II, general subsidy:"

SEC. 6. That from and after the 1st day of July, 1902, the Secretary of the Treasury is hereby authorized and directed to pay, subject to the provisions of this title, out of any money in the Treasury not otherwise appropriated, to the owner or owners of any vessel hereafter built and registered in the United States or now duly registered by a citizen or citizens of the United States, etc.

So, Mr. President, the benefits of this bill are confined to vessels hereafter built and vessels now duly registered. These foreign lines can not be hereafter built and they are not now duly registered or otherwise. Therefore by the terms of this bill they are absolutely barred out from all participation in the benefits of this subsidy, and properly so.

But, Mr. President, I want now the attention of the Senators. What does it signify that Mr. Morgan and his associates have bought the Leyland Line, as we know they have, according to the official report before us, and what does it signify, if it be true, that they have also recently bought these other lines, as has been stated? What is the significance of it? It has an impressive lesson for us. It has been referred to here in this Chamber in the course of this debate as though some great crime had been committed. Mr. President, I will not say a great crime, but I will say a great offense has been committed; but it has not been committed by the men who purchased these lines. It has been committed—and it is putting it not too strongly for me to say it—it has been committed by the Congress of the United States, and, in large part, here in this Chamber.

When did Mr. Morgan buy these lines? I am not here to defend him; it is not necessary; but I am here to defend this measure. He bought these lines in May, 1901, after the Congress had adjourned without taking action on the bill providing subsidies for the merchant marine and providing otherwise for its restoration. That bill failed of favorable consideration in the Senate, fell to the ground, and Congress adjourned; and when it fell to the ground the last hope fell to the ground with it of the men who wanted to invest capital in an American merchant marine to carry our products to the markets of the world; and when we had made it impossible, by failing to legislate, for them to safely invest capital in American ships to sail under the American flag, they of necessity looked elsewhere for the ships they needed. We have no right to complain of their action, for it was our inaction that drove them to it. They went and bought the Leyland Line, and perhaps since they have bought these other lines. I should not be at all surprised to hear the report confirmed. It is only what we might expect.

Mr. President, suppose the Congress of the United States had refused to impose tariff duties on the importation into this country of steel rails, what would have been the consequence? We would have gone on building railroads, but we would have bought our steel rails in England manufactured by English labor, thus constituting a home market for the English farmer; we would have bought them there and we would have been driven to that; but the Congress, instead of refusing to protect that industry, protected it, and, as a result, our steel mills were started in this country, and steel rails were manufactured here by American workmen, who were fed by American farmers, and from our own mills our railroads supplied their wants. But as in that case we would have driven our railroads to purchase rails from Great Britain if we had not made a home supply possible, so is it that failing to make American ships possible we drive those needing them to buy them abroad.

It is the same question precisely, only occurring in a different form. We want ships; we have not got them. What is the reason? We do not lack capital. We have got more capital to be employed in that way, or in any other way that is profitable, than any other country on the face of the earth. We have the ablest and most capable business men to handle that capital. We all desire a merchant marine, not only because of the benefit it will be to us, but because of the pride we take in seeing our flag floating over the seas upon American vessels. We have not got the ships. What is the trouble? Our capitalists can not, because of the increased cost of construction and the increased cost of operation, safely invest in the building of ships and in their navigation.

That is the whole of it, and the Congress of the United States, year after year for twenty years now having this matter almost constantly under consideration, has failed to come to the rescue of this great industry. As a result of it all, men who can no longer do without ships—men who would want to invest their capital in ships of American build and have the American flag float over them—are driven, in order that they may conserve the great business interests with which they are identified, to go abroad and spend their millions in making purchases of steamship lines from the British, instead of spending their millions in the shipyards of the United States. That is the whole of it. Who suffers, or, rather, who does not suffer?

Mr. President, I say that the only offense that has been committed has been committed by this body—I mean by the Congress of the United States—and that is an offense against every shipyard in this country, against the mechanics of this country, against the farmers of this country, against the whole people of this country, who are interested not only in a business point of view but in a patriotic sense in seeing our merchant marine restored.

I do not know what purchases Mr. Morgan has made beyond the Leyland Line, but I do know that I am not at all surprised to hear that he has made that purchase, and that he has probably made the other purchases which have been referred to. It is just what should have been expected. If we had not protected our industries, established and developed them here under a protective-tariff policy, we would not have had them here; they would have been across the water. And just so it is, that so long as you refuse to make it safe and profitable to invest capital in an American merchant marine, so long shall we not have one, and our capital will be invested, as it has been in this instance, in the purchase of lines that belong to foreigners.

Mr. President, I am not going into the details of this measure. I want to continue to speak of it in the general, broad way in which I have been trying to speak of it. I have said that the reason these purchases of foreign lines have been made is that we have not done our duty to the merchant marine of this country, and I have said that the reason legislation is necessary is because we are at a disadvantage on account of the difference in the cost of construction and the difference in the cost of operation between this and other countries.

Well, now, when I say that, I am at once told by Senators on the other side that this, that, and the other man has made a statement to the contrary, and that is true. They have cited and put into the RECORD one statement after another—not a great many in the aggregate, but quite a number—to the effect that we can build ships in this country as cheaply as they can be built anywhere else, and that we can operate them as cheaply, and therefore there is no necessity for any subsidy. On the other hand, there are statements quite equal in number, quite equal in positiveness, to just the opposite effect. Let the statements offset the one the other. They are only opinions at best. But there are some statements of fact that show conclusively, Mr. President, the necessity for coming to the rescue of our merchant marine if we would restore it to anything like its former greatness, to anything like the proportions it should have.

What I have just been talking about is a most conclusive argument. Why have Mr. Morgan and his associates made these investments and expended millions in ships built abroad, to be navigated under the flags of other nations, subject to all the disadvantages in consequence? Why, if they want ships, would they not rather invest their money at home in the extension of our shipyards, in the employment of our mechanics, in the construction of an American merchant marine to be sailed under our own flag? Why, Mr. President, the fact that they would submit to the disadvantage of investing their capital under foreign flags, instead of under our own, is of itself, I say, conclusive evidence that there is a controlling reason for it, and the only reason for it that anyone has suggested is the fact that they can not invest their capital safely in American ships.

Mr. TELLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. FORAKER. Certainly.

Mr. TELLER. I want to ask the Senator if he means by his emphasis on the fact that they are flying another flag over these ships to have us understand that they can not fly the American flag over them if they see fit to do so?

Mr. FORAKER. They can not, as I understand it.

Mr. TELLER. I understand the contrary, and the Senator will find it so laid down in the regulations. They can not document the vessel or have it placed under American registry, but they may fly any flag they may see fit, and they can fly ours if they want to do so.

Mr. FORAKER. That may be true. I have not looked at the statute to know what its provisions are, but it never occurred to me that the American flag could be floated over any ship that was foreign built and not documented in America and admitted to American registry. If I am in error, I am glad to be corrected.

Mr. TELLER. If the Senater will look at the regulations, which he will find in the report of the Commissioner of Navigation, he will find what I have said to be the fact.

Mr. FORAKER. So let it be.

Mr. TELLER. There is nothing to prevent an American citizen from flying the American flag over any ship he owns no matter where it is documented.

Mr. HANNA. I should like to ask the Senator from Colorado a question. If a portion of the stock of such a corporation is owned by American citizens and the balance by foreigners, how would it be about the flag?

Mr. TELLER. I do not think it would make any difference.

Mr. HANNA. It would take a majority of the stock to determine under what flag the ship should be sailed.

Mr. TELLER. The rule is that a corporation gets its character largely from the place where it is incorporated, but where a majority of the stock in a corporation is owned by American citizens we treat it as an American corporation.

Mr. HANNA. As to the question of the flag, it would take a majority of the stock to control.

Mr. TELLER. I do not wish to interfere with the Senator from Ohio [Mr. FORAKER] who has the floor but I shall later present some facts regarding this matter. If Mr. Morgan has bought the majority of that stock, as I understand he and other citizens of the United States have done, they can fly the American flag from those vessels, or the Belgium flag, or the English flag, or any other flag they see fit, but they can not document the vessel or register in this country.

Mr. HANNA. But if they have the American flag at their peak they will have to pay American wages, which are from 25 to 30 per cent more than the wages paid in other countries, though it is not an American ship.

Mr. FORAKER. I do not know how it is as to the flag. That is a statutory provision as to which I had not the thoughtfulness to consult the statute. I supposed the flag went with the registry and that unless a ship was regularly documented as an American ship it could not carry the flag. But it is true, notwithstanding all that has been suggested by the Senator's interruption, that these foreign lines can not be documented and can not be registered as American ships and they can not, therefore, have the benefit of our navigation laws, and that is the point of importance——

Mr. SPOONER. The Supreme Court of the United States decided a great many years ago that a ship owned by a corporation not an American corporation was not a ship of the United States within the meaning of the navigation laws.

Mr. FORAKER. Well, I was referring to this purchase as a fact which of itself is the strongest evidence that I can think of why these gentlemen could not successfully invest their money under existing conditions in American shipping.

Mr. TELLER. I do not desire to interrupt the Senator, but I call his attention to the regulations, which he will find on page 418 of the Report of the Commissioner of Navigation, where the statement is made unequivocally that an American citizen may fly the American flag upon a vessel if he sees fit. I assert, after some examination, that there is not any law anywhere which I can find against it, and if there is, I have overlooked it, and so has the Treasury Department.

Mr. FORAKER. I read what I understand the Senator from Colorado to call my attention to—regulation No. 347, on page 418 of the Report of the Commissioner of Navigation:

347. Right to fly the flag.—The privilege of carrying the flag of the United States is under the regulation of Congress, and it may have been the intention of that body that it should be used only by regularly documented vessels—

That is what I supposed—

No such intention, however, is found in any statute. And as a citizen is not prohibited from purchasing and employing abroad a foreign ship, it is regarded as reasonable and proper that he should be permitted to fly the flag of his country as an indication of ownership and for the due protection of his property. The practice of carrying the flag by such vessels is now established. The right to do so will not be questioned, and it is probable that it would be respected by the courts.

I am glad to find something in the report of the Commissioner of Navigation that is cited with approbation on the other side in this debate. I am very glad, indeed, and I feel very much obliged to the Senator from Colorado for calling my attention to it. I was not aware of the regulation.

Mr. TELLER. I would cite something more, if it would not interrupt the Senator, that he may not have heard of, and shall do so before the debate is concluded.

Mr. FORAKER. The Senator knows that I never complain of interruptions. I am quite glad to be interrupted, particularly when I am in error about anything.

I did not suppose that vessels not documented and not under American registry had the right to fly the American flag; but the fact remains, and it is an important fact, that they have no right to register these ships, no right to invoke the protection of our navigation laws in their favor. But my contention is, they would not willingly do the thing they had done, and that, in view of the fact that they have done it, we have an argument that seems to me to be controlling, to the effect that they have invested capital there because it is not profitable, or at least not equally so, to invest it here.

Now, I want to call attention to some other facts. I do not want to call attention to anybody's opinion. One man can indulge in conjecture as well as another, but facts, when they are indisputable, speak for themselves and can not be contradicted.

I call attention to a letter, which has already been put in the RECORD in the progress of this debate, but which ought to go into the RECORD again, and which ought to be made familiar to everybody in this country who takes an interest in this subject. I refer to the letter of Mr. B. N. Baker, president of the Atlantic Transport Line. I want to read it, in order that it may appear in my remarks in the RECORD:

ATLANTIC TRANSPORT LINE, OFFICE OF THE PRESIDENT,
Baltimore, October 17, 1901.

DEAR MR. CHAMBERLAIN: Referring to my letter of March 16, 1901, and replying to your request with regard to relative difference in cost of ships, our company at present have a contract for two ships with Messrs. Harland & Wolff, Limited, Belfast (one of which will be completed very early in the spring, and the other a little later, say during the summer), of exactly the same size, dimensions, and all particulars as two ships we have contracted for with the New York Shipbuilding Company, of Camden.

The cost of the English-built ship, as near as possible (we having just completed two of exactly the same size, dimensions, and speed), will be about £292,000 ($1,419,120). The same identical ship built at the works of the New York Shipbuilding Company will cost us a little over £380,000 ($1,846,800).

More than $400,000 additional cost.

In addition to this, we are building two steamers with the New York Shipbuilding Company of smaller dimensions, for which we have a contract, at £150,000 each ($729,000). Also two ships of exactly the same dimensions with the Maryland Steel Company, Sparrows Point, for £150,000 each ($729,000). We have two ships of identically the same detail, delivered to us in the last twelve months, built by Messrs. Harland & Wolff, Belfast, one of which cost us £110,000 ($534,600) and the other £100,000 ($486,000).

Yours, very truly,

B. N. BAKER, *President.*

EUGENE T. CHAMBERLAIN, Esq.,
Commissioner of Navigation, Washington, D. C.

Mr. President, that is nobody's opinion—that is nobody's conjecture. There is an actual fact. Here is the president of a great steamship company seeking to do the best he possibly can in the administration of his trust for his stockholders. He has ships built abroad and ships built in this country, of identically the same dimensions, the same plans, the same specifications throughout. What is the result? In the first case he gives there is a difference of more than $400,000 in favor of the construction abroad, the cost there being that much less than the cost here in this country.

In the other case, as against $729,000 for a ship built in this country of identically the same dimensions and identically the same character in every respect as one built abroad, he paid but $534,000. As to the other case, he paid $729,000 in this country and he paid $486,000 in Belfast. These figures need no comment.

It is argued that because we can send locomotives abroad and sell them in successful competition with locomotive builders abroad, that therefore we ought to construct ships as cheaply here as they are constructed abroad. That argument is not sound, because it overlooks the fact that locomotives are built in large numbers and to standard size. There is no difficulty therefore about their construction, and the cost of labor upon a locomotive can be cheapened on that account far beyond what you can cheapen the cost of labor on a ship which is not built according to a standard.

But I want to avoid opinion and speculation and rely on facts. Therefore, notwithstanding the criticisms that were made by the Senator from Arkansas of Mr. Griscom, I want to read now a statement made by him which I find to be reported by the Commissioner of Navigation. It is to the same effect. I find it at page 47 of the Commissioner's report. He says:

If we had built these two ships, the *St. Louis* and *St. Paul*, in Great Britain instead of the United States we could have procured them for $1,100,000 less money than we had to pay for them.

It was some time ago when these ships were built, and some time ago when he made that statement; as long ago as when he testified before the Committee on Commerce, two or three years ago perhaps, but the fact remains that whenever it was, whether four or five years ago or longer, when these ships were built they cost $1,100,000 more for their construction in this country than they would have cost had they been constructed abroad. I know Mr. Griscom and know his statement is reliable. In addition to what he says, we have the fact undisputed and indisputable, given by Mr. Baker, the president of the other company, that only last year he was compelled to pay at the rate of 25 or 30 per cent more for the construction of ships in this country than he could have secured their construction for abroad.

So it seems to me it is pretty well established by such facts as these—and I might cite many others, but I do not want to detain

the Senate unduly—not by somebody's opinion, not by somebody's argument, somebody's reasoning, but by facts of which men engaged in this business tell us, that it costs 25 to 30 per cent more to construct ships in this country, notwithstanding all our facilities, than it does to construct them abroad.

Now, what about the operation of the ships? I do not know where the Committee on Commerce got the data which they have embodied in their report, but they have given us some very instructive facts, which I have no doubt are absolutely reliable. At any rate these facts are given us by our committee, and we are under every proper obligation to accept them. They tell us, at page 21 of their report, about wages, for I do not intend to spend any more time on the question of the cost of construction. I come now to the question of the operation, the navigation of the ships. They say:

Based on an examination of the monthly pay rolls of 20 ocean steamers in foreign trade—American, British, German, and Norwegian, ranging from small cargo steamers to the highest types of trans-Atlantic mail steamers—the total monthly pay roll of 1,508 men of all ratings on American steamers is $56,116; of 1,504 men on British steamers is $39,202, and of 1,507 men on German and Scandinavian steamers is $27,047. The average monthly pay is thus: American, $37.21; British, $26.07; German and Scandinavian, $17.95.

Now, Mr. President, in the face of facts of this character, gathered from actual experience officially reported to us, it seems to me there is no room to argue about the cost relatively of navigating our ships under our flag. We have this result laid before us—why should we not accept it? It is the only explanation that has been given, that anybody has attempted to give, of why it is that we have not a merchant marine—that we are at a disadvantage in our competition with the merchant marines of other countries.

Mr. VEST. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. FORAKER. With pleasure.

Mr. VEST. From the table the Senator has just read, which has been emphasized by the statement of the chairman of the Committee on Commerce, if foreign-built ships were given to the people of the United States they could not run them on account of the difference in wages on foreign ships and our own ships. Will he be kind enough to tell us why it is that England, paying the largest wages upon the ocean, except those of the United States, to-day commands 53 per cent of the carrying trade of the world, and that Germany, France, and Norway, paying much less wages, as shown by the very table which the Senator has quoted, are unable even to approximate the supremacy of Great Britain?

Mr. FORAKER. It is not necessary for the purposes of this debate or in the consideration of this measure to explain why there should be a difference in the wages paid by Great Britain and Norway and other countries, and that there should yet be success, notwithstanding higher wages, in the development of the British merchant marine. I can say this, however. We all know from reason, as a matter of fact, that there can not be successful competition where there are disadvantages for the one party to labor under unless such disadvantages be overcome by a countervailing advantage of some kind or another. I have not studied this question as to relative conditions in foreign countries. I do not know why, therefore, if it be true, as the Senator has stated, that France and Norway and other countries have an advantage over Great Britain in the matter of wages, Great Britain can yet successfully compete with them in her merchant marine. But if there were any propriety in it, I could suggest a great many reasons that occur to me on the spur of the moment why Great Britain, mistress of the sea for generations, with her great merchant marine, retains her advantage in spite of the disadvantages to which the Senator from Missouri refers.

I am speaking of the practical situation here in America. Why is it that Senators are unwilling to receive, as the explanation for the absence of an American marine, the explanation which has been given by the committee? Why is it that they are unwilling to accept for that explanation the facts for which indisputable figures are offered, that there is a difference in the cost of labor in this country, whether in the construction of the ship or in the navigation of the ship?

Now, that brings me to another feature of this bill. It has been said in this debate that masters of vessels have a right in every port to employ their crew; that they can take Chinese or Japanese; that they can take anybody. In a sense, that is true; but one purpose of this bill looks to the national defense, to the establishment of auxiliary cruisers, and in that behalf to the making of a nursery for seamen, and therefore it is provided, not only that the ships which carry the mails shall be suitable to be converted into cruisers, but that one-fourth of the crew for the first two years, I believe it is, shall be Americans, 33⅓ per cent Americans after two years, for the next three years and after that 50 per cent of the crew shall be Americans.

You can not have two rates of wages for men who work alongside of each other. If you are going to have 25 per cent of your crew Americans, you will have to pay American wages to that portion of your crew, and if you pay American wages to 25 per cent of your crew you will have to pay American wages to the whole of your crew; and so from the beginning in considering this matter you have to depend upon it that when you come to man your vessels after they have been put in commission, when you come to select your crew in this way, although you may be allowed to employ three-fourths of your crew from other countries who would be willing to accept lower wages under other circumstances, for the reason I have indicated, you will have to pay them all American wages. There is not, therefore, any advantage in the matter of wages, even if it be true that you can ship the crew in any port.

Now, Mr. President, I do not care to go into the detail of this bill. That I leave to the judgment of the committee. But I wish nevertheless to say a word or two as to some of the provisions. The committee have seen fit to amend the law of 1891 in some particulars. They have been criticised for doing it. I think they are to be commended for doing it.

The first criticism is that they "direct" the Postmaster-General instead of simply empowering him to make these contracts. We do not want a Postmaster-General exercising a discretion in this matter. We want our mail carried on lines such as this bill undertakes to provide for, and we want to have the Postmaster-General directed to do it, so that he may not consider it an optional matter with him as one Postmaster-General did, and not proceed under the bill to take the action which it is desired he shall take.

Another provision of the law which is to be amended is that which provides for the payment of the subsidy at so much per mile. The amendment is that it shall be paid according to tonnage. The purpose of that is explained by the committee in their report. It was explained by the chairman who presented the bill to the Senate. It is a good purpose. The purpose is to encourage a larger tonnage, the building of larger vessels. If you pay only so much per mile, there is no inducement to increase the tonnage. If you pay by the ton, then everyone who takes a contract of this character is interested in having the larger tonnage which modern wants require.

Mr. BACON. Will the Senator from Ohio permit me?

Mr. FORAKER. Certainly.

Mr. BACON. The Senator speaks of the improvement of the present bill in the fact that the discretion is taken, as alleged by him, from the Postmaster-General. I wish to call his attention to the fact that the discretion is now almost entirely lodged with the Postmaster-General, and to ask him whether, in view of his commendation of the taking away of that discretion from the Postmaster-General, the pending bill is not so defective in this regard as to call from him or from some other a proper amendment in this respect. I will read it, with his permission.

Mr. FORAKER. Is it as to routes?

Mr. BACON. Yes, sir. I will read it, if the Senator will pardon me for a moment:

The Postmaster-General is hereby authorized and directed to enter into contracts, for a term not less than five nor more than fifteen years in duration, with American citizens for the carrying of mails on American steamships between ports of the United States and such ports in foreign countries, the Dominion of Canada excepted, as in his judgment, having regard to the national defense, will best subserve and promote the postal, commercial, and maritime interests of the United States.

Now, the Senator will observe that the bill gives to the Postmaster-General the absolute discretion as to what routes shall be selected upon which the vessels shall be run with which these contracts shall be made. I have thought and still think that this bill is very gravely defective in that regard, and that we ought to do as I understand the British Government does, and if the bill should become a law the routes should be specified; and not only should the routes be specified, but the character and the magnitude of the service should be specified. This is a discretion which ought not to be lodged in any single man, but it should be prescribed by Congress.

Mr. FORAKER. The point made by the Senator from Georgia had not escaped me. I would have been better satisfied with this bill, I will frankly state, if it had specified the routes and established them. Then we would have known precisely what was going to be established. What we want is the establishment of the lines recommended in the report. I wish that part of the report were a part of the bill, but I was not disposed to criticise the committee, for I can understand very well how they might conclude, thinking the matter over, that that was a matter of detail which they could safely intrust to the Postmaster-General.

He is not an indefinite somebody. He is a distinguished and capable officer of the Government, charged with a great responsibility, and in all my time, as far back as I can recollect, we have never had a Postmaster-General to whom it would not have been safe to intrust that discretion. I do not know what the Postmaster-General will do in regard to it, but the Senator can not have any

debate with me over that suggestion. I, after thinking it over, concluded that the committee had taken that view of it. I can understand well why they should take it. If they had put in the bill a provision for certain specific lines, Senators would have taken exception, possibly, if not to all, to some of them. It might have been said, "better leave that to the official who will be charged with the duty of executing the law, who will take time to look into the matter and act upon his judgment and responsibility."

Mr. BACON. Will the Senator pardon me for a moment?

Mr. FORAKER. Certainly.

Mr. BACON. In order that I may not be misunderstood by acquiescing without any reply to what the Senator says in reference to the capacity of the present Postmaster-General and other Postmasters-General, I do not mean in any wise to reflect upon the capacity and integrity of either the present or any other Postmaster-General, but I do mean to say most emphatically that not only has there never been a Postmaster-General since the foundation of the Government who ought to be intrusted with such power as this bill gives, but I do not think the man has ever existed since the foundation of the Government who ought to have been given such large discretion as the bill gives to the Postmaster-General in empowering him to decide for himself as to the routes to which he will give these contracts, giving him the power to make contracts from five to fifteen years in duration. It is no reflection upon any Postmaster-General, either present or past, to say that no such power ought to be given either to him or to any other man who ever lived in this country or ever will live.

Mr. FORAKER. I did not take such an extreme view of the magnitude of the power intrusted to the Postmaster-General as the Senator from Georgia has expressed. I know it is an important power, but it seems to me there are certain limitations that any Postmaster-General would be bound to respect. Public sentiment has called for the establishment of certain routes, and public sentiment is generally a safe control in such matters.

Mr. HANNA. May I offer a suggestion?

Mr. FORAKER. Certainly.

Mr. HANNA. It must be remembered that, looking to the increase of our merchant marine, there is a third party who has to be taken into consideration in the establishment of these routes, and that is the party who proposes to build the steamers and operate them. The subsidy paid by the Government will not alone be an inducement for capital to be invested in these postal contracts. and that party must have some discretion as to whether he will operate a postal line from one place to another. The Postmaster-General, being a party to negotiate the contract, must find parties willing to make and carry out such contracts, and there must be some discretion left to the Postmaster-General.

Mr. BACON. If the senior Senator from Ohio will not consider it an intrusion, I desire to make a suggestion in response to the suggestion of the junior Senator from Ohio, and that is that that emphasizes, to my mind, this grave defect in the pending bill. It is important, if this scheme is to be carried out, that there should be lines not simply upon the most profitable routes, but that there should be lines upon routes to be developed and heretofore not developed, possibly from the fact that they are not the most profitable. Therefore it seems to me important that the routes should be specified and that it be not left entirely within the control of the Postmaster-General and a third party designated by the Senator from Ohio to limit these routes to those which in themselves may be the most profitable.

Mr. HANNA. Let me ask the Senator if he would be willing to increase the subsidy to an amount which would cover the absolute cost of operating a line, irrespective of the interest of the third party?

Mr. BACON. The Senator asks me if I would be willing to increase the subsidy. I speak with the permission of the senior Senator from Ohio?

Mr. FORAKER. Certainly.

Mr. BACON. He must not understand me as approving of the giving of any subsidy whatever, but I do say that if the bill is to be passed, it ought to be made as proper for the purpose designed as possible, and it ought not to be left simply to the question of what may be most desirable to the parties who may enter into the contracts.

Mr. HANNA. Those of us who are interested in the passage of the bill want to make it effective at the same time.

Mr. BACON. I do not recollect to which particular provisions of the report the senior Senator from Ohio referred, but if those provisions would make the bill more perfect, it seems to me the friends of the bill ought to incorporate them in the bill. It is not for those who are opposed to it.

Mr. FORAKER. What I referred to as to specified routes is what is said in the report as to that. It is in contemplation to establish a route from San Francisco by way of Honolulu to Japan and China and, I believe, on to the Philippines, and then to establish another route from Puget Sound to Japan and China direct.

Mr. BACON. What page?

Mr. FORAKER. Pages 10 and 11, commencing at the bottom of page 10. And still another route, an alternating route, I believe, from San Francisco by way of Pango-Pango to Australia. Those are all, it seems to me, desirable routes. Whether or not the Postmaster-General will be able to get somebody to contract with him under the subsidy provided for the carrying of the mails over those routes I do not know. That remains to be seen. I can understand and I appreciate fully the force of all the Senator says, but at the same time I understand and appreciate what must have been in the mind of the committee when they said that was a matter of detail which they must leave to the Postmaster-General.

Now, there is only one other thought I wish to add, and I intend with that to conclude. I have called attention to the change in the manner of paying the subsidy. We are to pay the subsidy, under this bill, by the gross ton instead of by the mile, as under existing law, and that, I said, has among other purposes that of increasing tonnage.

They are to pay more subsidy under this bill than they do under existing law, and the reason of that is that our experience has demonstrated that the subsidy provided by the existing postal subsidy law of 1891 is insufficient for the purposes to be subserved. What has been our experience? That is the best test as to whether or not the subsidy is sufficient. We have established a trans-Atlantic line.

We entered into a contract with the Pacific Mail Company for a trans-Pacific line. After the contract had been performed for a year and a part of another year it was abandoned simply because there was so much loss attending it, they having all the subsidy the law would allow, that they could not afford to go along any further with it. and under the provision of the contract made to meet such an emergency the contract was canceled.

We have had precisely the same experience as to a contract made with the New York and Brazil Line of ships establishing a route to South America. After, I think, only three trips the company that took the contract, under the provision allowing it, abandoned it, simply because they could not successfully compete with the ships subsidized for the carrying of its mails by Great Britain.

So, as the result of the law of 1891, in existence now for more than ten years, we have this one trans-Atlantic line, the International Navigation Company, with four ships—a weekly service. I do not know what the fact is; I do not know that anybody here knows, but I have been told that that company has made no money whatever, and does not want a renewal of the contract on the terms upon which it holds the present contract. I do not know what the fact is, but it is said that it has been a loss continuously, and there is, therefore, a necessity, if we are to continue that line, and certainly a commanding necessity if we are to establish any new mail routes across the Pacific and to South America, where we most need them, that the subsidy shall be increased, and therefore it is that the subsidy provided here is an increase of the subsidy authorized by the law of 1891.

Mr. President, in all this matter there is no mystery whatever. When heretofore we have been legislating in pursuance of our protective tariff policy we have frankly and openly discussed the rates which in our judgment it was necessary to impose on goods imported coming into competition with home products, and the rates imposed have always been governed by the disadvantage which we were seeking to overcome. Just so it is here. We want to rehabilitate this industry. We want to have again a merchant marine of which every American will be proud. We can not have it to-day because American labor will not accept, and nobody ought to want American labor to accept, the wages that would enable us to successfully compete. We have established in this country the highest standard of wages known to the world, and we have done so under the policy we have been pursuing. We intend to maintain that standard. We do not want to lower it; but if we maintain that standard and at the same time have this industry, we must overcome the disadvantage to which we are subjected on account of cheaper wages elsewhere.

This is a bill the purpose of which is to overcome that disadvantage. We propose to pay out of the Treasury of the United States to these ship companies carrying our mails, and, under the general subsidy provision, to the freight-carrying vessels, a portion of our revenue, limited, reasonable in amount, not burdensome on anybody, enough, in our judgment, to overcome the disadvantage to which our ships have been subjected and to which we are subjected yet. This great, rich, powerful nation, with its 80,000,000 of people, with all its wealth and all its influence and all its power and all its glory, ought to have a merchant marine.

It has been well said in the course of this debate that it is humiliating to Americans who travel abroad, that scarcely anywhere do they find the flag of the United States in the commerce of the world. I do not wonder that these Americans feel mortified and humiliated to see only foreign flags flying everywhere. It is our duty to remedy this condition. Here is the Leyland Line, which has been purchased, 44 ships in all, and every one of them flying a foreign flag, but owned by American capital. If those other lines have been purchased there will be I do not know how many, but perhaps a hundred other vessels added, all flying a foreign flag, all documented abroad, all registered abroad, not one of them registered here, not one of them an American ship in any sense of the word, except only that our capital is invested in them.

What we want, Mr. President, is legislation that will enable us in our own shipyards, employing our own mechanics, the best, the most intelligent, the brainiest and most capable workmen in the world, to build our own ships, and with American bottoms, laden with American products, manned by American seamen, sail the seas and go into every port of the world.

Mr. MCLAURIN of Mississippi. Mr. President, I approach this argument with a great deal of diffidence, because I feel that the discussion of the bill is practically exhausted. I do not undertake to discuss it with the belief that I can add any thought to the controversy which has not already been presented to the Senate, but because I have some ideas in reference to the measure now pending which I wish to place before the Senate, and I ask the indulgence of the Senate for a short while in doing so.

I am opposed to the bill. I am opposed to the principle contained in the bill. The measure may be considered in various points as involving moral, legal, political, and business questions. The moral question involved is whether it is right for the Congress of the United States, because it has the power to do so, to take from one man his property—whether it be money, goods, or land—and give it to another. The legal question involved is whether the Constitution of the United States gives Congress the power to do that. The political question involved is whether it is expedient to do so if the Constitution has delegated that power to the Congress of the United States. The business proposition involved is whether it is profitable as an investment.

. There may be and there is difference of opinion among lawyers as to whether there is any constitutional power in Congress to grant this subsidy; but whether or not there is any power in the Constitution, under which the Government is organized, to take from one man his money, his goods, or his land and give it to another, there is one proposition about which there ought not to be any controversy in the minds of men. There is an inhibition in the constitution of morals and of right against the taking of a man's property, whether it is money, or goods, or land, and giving it to another.

Mr. President, I propose to submit a few suggestions in reference to the legal question involved in this measure—the question whether the Constitution gives power to the Congress of the United States to do this—before taking up the practical question and examining the bill in its details.

Just here I wish to say that the Constitution, in its original conception and in its amendments, has provided that the power that Congress has is a delegated power, and that there is no power in Congress to enact any law except that which is delegated to it by the Constitution. In other words, the Congress of the United States must look to the Constitution for the power that it exercises in the framing of any law to see whether that power is granted or not, whereas the legislatures of the different States may enact any law that is not prohibited by the constitution of the State.

There is a provision in the Constitution that private property shall not be taken for public use without compensation to the owner of it. Surely it must have been contemplated that no Congress would take the private property of one man and give it to a private individual, if it was thought proper to embody in the Constitution an inhibition against the taking of the private property of an individual for public use without giving him compensation for it, I do not care whether that private property is money that is taxed out of the individual or whether it is his property in goods or land or anything else that he may own.

But I go further, and I will cite the Senate to a provision in the Constitution which seems to me to be clearly prohibitory of the enactment of this bill. Granting that it is within the power of the Congress given by the Constitution under which the Government is framed to grant subsidies, yet I do not believe, even if that power exists, that it is within the power of Congress to enact this bill, which does more than grant a subsidy. It undertakes to discriminate between the ports of different States.

I know that the Constitution has been sneered at by the Senator from New York [Mr. DEPEW]. I know that men who measure their judgment and their votes upon questions under discussion in the Senate of the United States by that instrument which they are supposed to observe, and which they are sworn to observe, are twitted for being overconscientious. That instrument under which each Senator in this body holds his seat, under which each Senator in this body draws his compensation for the services he renders to his country, under which the armies of the United States are levied and the Navy of the United States provided and maintained, is sneered at if Senators dare to say that before they will vote for any measure that comes before the Senate of the United States they will investigate and see whether it contravenes that instrument or not. Still that ought not to prohibit our going into a discussion as to whether a measure is constitutional or not.

Now, I want to read to the Senate a provision of the Constitution of the United States, and then read the title of this bill:

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another, nor shall vessels bound, etc.

This is paragraph 6 of section 9 of the first article of the Constitution.

I grant that Congress has the power, if it sees proper to do so, to establish postal routes. It has the power to establish postal routes between any two different stations that it sees proper to do so. It has the power to establish a postal route between New York and Liverpool, New York and Southampton, New York and Constantinople, or any other place. However, this bill is not for the purpose of establishing postal routes, but it is actually for the purpose of subsidizing ships, as it is said, to promote commerce. Let us see what the bill says in its title:

To provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Now, I want to see the construction of that by one of those who has debated this bill in favor of it. Mark you, the title of the bill is not confined to providing an ocean mail service, nor to providing for the common defense, but to promote commerce. It has been the argument of every Senator who has supported this measure that it is intended to benefit the commerce of the United States. No one has contended that the object of the bill is alone the establishment of the mail service, and no one has contended that that is the main purpose of the bill; but the purpose is to give a subsidy, and a subsidy that benefits one port and discriminates against another port in another State in the Union.

The Senator from California [Mr. PERKINS], who debated this bill yesterday, who is, I understand, a shipowner and understands something about commerce, says that—

Were it simply to facilitate the carrying of mails in American vessels, I should likewise oppose it.

That being so, it being for the purpose of commerce, the power is placed in the hands of the Postmaster-General. His power is unlimited in this respect. There is not a line in the bill that limits the Postmaster-General. He may establish a mail service under the bill between New York and Liverpool or between New Orleans and Liverpool or between Philadelphia and Liverpool and anywhere else. He is not required to establish a mail service from any other port of the United States. If the bill itself had provided for subsidizing ships to run between New York and a port in any foreign country or between Philadelphia or Baltimore or any other seaport, and had left out the seaports of any State in the Union, it would have been discriminating against ports of the States thus left out. If the Congress of the United States could not select certain ports, but must select the ports in all the States and give them all the benefit of a bounty, because this is nothing more than a bounty, surely it has no right to delegate that power. It can not delegate to the Postmaster-General a power that it does not have itself.

I contend that the bill, therefore, contravenes that provision of the Constitution which I have heard read, namely, paragraph 6 of section 9 of Article I of the Constitution. But I am not alone in that. The Senator from Maine [Mr. FRYE], in his introductory speech on the bill, in opening this debate, used the following language:

Some have suggested bounties, but they are clearly repugnant to the Constitution and in violation of 24 treaties.

It is not claimed that they are against the Constitution because they are in violation of the treaties, but it is claimed that the bounties are against the Constitution and in violation of the treaties. What is a bounty but a subsidy? What is a subsidy but a bounty? Either one as defined is something given by the Government to encourage an industry. If it is unconstitutional to give a bounty directly, as is contended by the Senator from Maine, who is in charge of the bill and who is chairman of the committee, then it surely is unconstitutional to undertake to do so indirectly.

I leave that branch of the subject, though, with the suggestions which I have made, and I come now to discuss the expediency of this measure—whether it ought to be enacted or not. It is contended by Senators, as said by the Senator from Maine in his opening speech, that last year was the year in which came the final

climax of the decadence of our merchant marine; and in order to establish that the fact is referred to that but a small per cent of the immense amount of American commerce was carried in vessels floating the American flag.

Mr. President, there is one authority to which reference has been made by those who have favored the bill in this discussion as being not only unquestioned but unquestionable, and that is the report of the Commissioner of Navigation. I find on the ninth page of that report, following the table of contents, but on the first page really of the report, language which may give some reason for the decadence of our ships on the high seas; that is, it may give some reason why such a large amount of the commerce of the United States is carried abroad in foreign ships, or in ships floating foreign flags instead of ships floating American flags. He says:

Our shipping is now virtually absorbed in our systems of internal and domestic communication.

But let us see whether it is the fact that the last year has shown a decadence of American shipping. A few days ago there was put into the RECORD a prospectus of the United States Shipbuilding Company. In that prospectus we find a proposition to organize into a syndicate, or into a trust, 7 of the 46 establishments for building ships in this country. It is proposed that a little less than one-sixth and a little more than one-seventh of the shipbuilding establishments of this country shall be combined into a shipbuilding trust, and in that trust is to be taken, I suppose, three of the great railways of this country. At least, the presidents of two of them and the vice-president of one are men who have signed this prospectus. In that the aggregate of orders now in hand is stated of the constituent companies; that is, of the 7 companies of the 46, because 46 is the number given by the Commissioner of Navigation as being the number of establishments in this country building ships. Of these, 7 have combined, as I stated before, and the aggregate orders now in hand of the constituent companies exceeds $63,000,000, covering an average of eighteen months for completion, on which the estimated profit is over $7,000,000.

Now, then, is it necessary in order to encourage our shipbuilding that we should give a bonus to those who are engaged in shipping when 7 out of the 46 shipbuilding establishments in this country have $63,000,000 of orders on hand for the building of ships to be completed within eighteen months and out of which they expect to get profits of over $7,000,000? Whatever is given by the bill is a pure and simple subsidy and nothing else. It is so stated by the Senator from Maine [Mr. FRYE]; it is so stated by both the Senators from Ohio; it is so stated by the Senator from North Dakota [Mr. MCCUMBER], and everyone who has discussed the bill has stated that it is a subsidy. If we give this subsidy to those who are engaged in shipbuilding, is it not a contribution by the Government to the dividends of those who are engaged in shipping instead of being for the purpose of encouraging shipbuilding in this country?

But that is not all. It is said that the estimated net earnings for 1901 for this syndicate that is formed, this trust, this combination, was $4,223,000; the estimated net earnings for 1902, $5,612,500; the estimated net earnings for 1903, $7,500,000, making a total of $17,335,500 of estimated net earnings for three years of 7 out of the 46 shipbuilding establishments in the United States. When there are orders to the extent of $63,000,000 in less than one-sixth of the shipbuilding establishments in the United States, is it a fact that we are in the decadence of shipbuilding?

But that is not all. We have the report of the Commissioner of Navigation, who says:

While our tonnage, with the increase of the past three months, is greater than at the outbreak of the civil war, the nature of its operations is radically changed.

Again, on page 12 of the report, he says:

While the increase in registered steam tonnage, 88,380, is the largest in our history—

That is the increase in the registered tonnage for the year ending the 30th of June, 1901. If this be a fact, as was stated by the Senator from Ohio [Mr. FORAKER] who has just addressed the Senate and as is the belief of everyone because it is officially brought to us, can it be true that we are in the climax of the decadence of our shipbuilding industry?

Right here I want to call attention to one fact. When Senators decry the information that is derived from sources nonofficial, they are decrying the sources of the information of the Commissioner of Navigation himself, because he states that he gets his returns from the replies of those who are engaged in the shipbuilding industry. On page 21 the Commissioner of Navigation, who seems to have made this report with a view to presenting an argument to the people of the United States and to the Congress in favor of granting the subsidy, says:

The returns of capital invested are very incomplete, but on the basis of reports made this year and last year the capital actually invested undoubtedly exceeds $68,000,000. The number of men directly employed is approximately 46,000. The value of the merchant vessels covered in the tabulation is approximately $36,000,000, and the naval contracts call for an expenditure of $78,000,000.

Further on he says:

The table shows 89 steel merchant vessels, of 355,645 gross tons, under construction or contract at the beginning of the current fiscal year. At the beginning of the past fiscal year a similar return showed 68 steel steam vessels, of 277,689 tons, under construction.

Showing that at the beginning of the current fiscal year there were nearly 100,000 tons more of steel vessels under construction than there were at the beginning of the last fiscal year, denying the proposition that we have reached the climax of decadence.

There is no decadence in our shipbuilding. On the contrary, reports from the shipbuilders themselves, and the report of the Commissioner of Navigation, and every source of information to which we have any avenue show that the shipbuilding industry is now on a boom such as it has not had in the last fifty years. It does seem that this bill might have been framed with a view to getting in ahead of the procession and getting the flag and bearing it, and after the bill is passed, and after the results are obtained which are being obtained every year, claim the credit through this bill for the improvement going on.

"The last three years," says the Commissioner of Navigation, "have been prosperous years in shipbuilding." "The last fiscal year," says the Commissioner of Navigation, "was the most profitable of those three." "The present fiscal year," says the Commissioner of Navigation, "is more prosperous in its outlook, in its prospect, than last year, so that it will be more prosperous in shipbuilding than any of the four years past, including the current fiscal year."

The information that is before the Senate and that can not be doubted is a fact just as indisputable, just as well established, as any fact that has been put before the Senate. The information is that the shipbuilding establishments are now crowded with work, that they have work ahead for several years, and that there is a rise in the shipbuilding industry such as has not been here for many years before.

I give the statement from the prospectus of the shipbuilding companies that have combined and have formed a trust, and one of the purposes of that trust I want to show. I give the statement also of the Commissioner of Navigation, who has access probably to more sources of information than any member of the Senate and probably more sources of information than anybody except those who are engaged in shipbuilding themselves. These statements establish the fact that we are building more ships now in our shipbuilding establishments than we have built at any time in many years previous.

Why is there this combination of these shipbuilding establishments? Here they are given:

The acquirement by this corporation of all the plants and properties above stated presents distinct advantages, as stated by Naval Constructor F. T. Bowles (now rear-admiral and chief constructor of the United States Navy) in his report dated December 22, 1900, as follows—

The acquirement of these seven plants by this company presents these distinct advantages:

1. Each concern builds that for which it is best fitted and equipped or that which its character, location, and labor can accomplish most economically.

The argument has been made here that this is for the purpose of benefiting labor. I have always had this objection to this mode of benefiting labor. The proposition to benefit labor is to give the money outright to the capitalist and to require the laborer to toil for it. That has been the policy of protection under the system of the Republican party. That is the kind of protection against which I enter my protest and to which I object.

This combination is not for the purpose of elevating labor; not for the purpose of giving employment to labor at higher and better wages; not for the purpose of increasing the wages of the laborer, but for the purpose of getting the work done by the laborer as economically as possible. That is the proposition. By this combine labor seeks employment at the hands of one corporation, instead of at the hands of seven corporations. When two employers are running after one laborer, the price of laber is high; but when two laborers are running after one employer for the same job, labor is cheap. So if there are seven of these establishments seeking to employ the same laborer to do the same work, the wages of labor necessarily go up; but if they combine in one institution or shipbuilding company, and there is only one employer seeking for labor and two laborers seeking for employment, the price of labor would go down, as one of the results of the protective policy of which we have heard so much in this discussion.

While it is on my mind and lest I forget it, I wish to call attention to another matter. The question was asked a while ago by the Senator from Ohio [Mr. FORAKER] what would have been the result if we had not given protection to the steel industry in this country, and then he answered that we would have built railroads just the same, but all the steel rails would have come from England. No; this would have been the result if there had been no prohibitive tariff put upon steel and iron: We should have had just as much steel and iron manufactured in this country as we

have to-day. All reason goes to prove it, because the steel manufacturers of this country are not only able to compete here with the manufacturers of steel and iron in England, but with the makers of steel rails in England, to compete at the Englishman's home.

If that be true, there is no necessity in the world for a protective policy which would protect the steel manufacturer except to allow him to monoplize the entire American market and to charge the American consumer of steel higher rates than he charges the English consumer of steel, so that he can make the American consumer of steel rails pay a part of the price of steel rails which are purchased and consumed by the foreigner. The result would not have been that we should have been building railroads in this country out of steel rails purchased from England, but we should have been building railroads in this country out of steel rails that we purchased at home, domestic steel rails, at a cheaper price than is now charged. One of the results would have been the prevention of the immense steel combine or trust that has absolute control and monopoly of the steel business in this country. We should have been building railroads at a cheaper rate than they have been built, we should have given employment to more people in the United States, and we should have built more railroads. The country would have been threaded with railroads, and more labor would have been employed in building them.

But, another thing:

2. Structural materials, steel, iron, timber, etc., can be purchased at the lowest rates, a prompt supply secured at points where it is most needed.
3. The technical knowledge of design, which comes from experience, records, and data of each concern, will be combined, thus giving confidence to customers that the results contracted for shall be attained.
4. The healthy professional rivalry of the various yards can be utilized to produce the best results in design, construction, and administration—

Now, listen—

without the disastrous and narrowing devices of destructive competition.

There has not been a debate on the tariff question which I have heard in the Senate, or which I have read since the tariff has been before the American people, in which it has not been urged that we must give protection to these infant industries so as to build them up, and after they are built up the competition will reduce the price, so that the people of the United States will get the benefit of competition in manufactured articles in all these interests that are protected.

I say that there has been no debate where any other position was taken until the day before yesterday in this body, when the Senator from North Dakota [Mr. MCCUMBER] said that he did not confine his doctrine of protection to the protection of infant industries, but that he stood upon a broader plane and was in favor of protecting not only infant industries, but after they had grown to manhood—I am not giving his language, but I quote the substance of what he said—he was in favor of continuing the protective policy as to them, and yet before he had gone but a little distance in his argument of the question he said after this policy of subsidizing ships—he denominated it "protection"—had gone so far as to build up the merchant marine and give us a merchant marine which would enable us to compete with the other countries of the world we could take it off, and that he was in favor of taking off this subsidy. That is the first time I have heard that stated in any discussion or debate on the part of those who are in favor of the protective policy. They have always stated that their idea was to build up these infant industries, and after a large number had been established, had gotten on their feet and were able to take care of themselves, we were then to get the advantage of the competition which they would give to the people.

This company is to be composed of seven shipbuilding establishments in the United States, and it is said:

It can be administered without the disastrous and narrowing devices of destructive competition.

Another reason is:

5. The standardization of the numberless details of ship fittings, auxiliaries, and appliances, which are now almost as various and incongruous in design as they are in number, and their production in quantity by those best qualified, would produce enormous economies.

I have read from this and I have read from the report of the Commissioner of Navigation to show that we are not in any decadence. I might read from a great number of statements, to which I have the references, but I shall not detain the Senate for that purpose. I want to take up the bill and discuss it for a few moments, and then I shall have done.

This bill, as I stated, fixes no limit to the discretion of the Postmaster-General. It provides that—

The Postmaster-General is hereby authorized and directed to enter into contracts—

That is as far as he is directed in this bill, except as to the amount that he shall not exceed in these subsidies—

for a term not less than five nor more than fifteen years in duration.

I desire to ask this question of Senators who support this bill: What is the necessity for putting in here a contract for fifteen years? Would not a contract for five years be sufficient? It has been said that this bill can be repealed; but no contract that is made under the bill can be repealed. If a law authorizes the Government to make a contract, then, even if the Congress of the United States had the authority to repeal it, good faith would require that whenever a contract had been made the party with whom the Government contracted should keep faith, and that the Government of the United States should keep faith and carry out its part of the contract. That being so, if we contract for fifteen years for the carrying of the mails——

Mr. MALLORY. May I make a suggestion to the Senator?

The PRESIDING OFFICER (Mr. PETTUS in the chair). Does the Senator from Mississippi yield to the Senator from Florida?

Mr. MCLAURIN of Mississippi. Certainly.

Mr. MALLORY. Right at that point I desire to call the Senator's attention to the fact that this bill contemplates encouraging shipbuilding, and vessels can not be constructed suitable for transporting the mail inside of two or three years. There is nothing in the bill to prevent the Postmaster-General from making a contract in futuro, to take effect beginning three or four years hence, after the ships shall have been built on certain lines, which would run it considerably over fifteen years from this date.

Mr. MCLAURIN of Mississippi. Certainly. I thank the Senator from Florida for the suggestion. This bill provides for a contract—

for a term not less than five nor more than fifteen years in duration, with American citizens for the carrying of mails on American steamships between ports of the United States and such ports in foreign countries, the Dominion of Canada excepted, as in his judgment, having regard to the national defense, will best subserve and promote the postal, commercial, and maritime interests of the United States.

Under this bill the Postmaster-General may make a contract with an American citizen; and I do not think it is straining the construction of this bill to say that an American citizen may be a corporation, because the bill expressly includes corporations by saying:

Including as such citizens any corporation created under the laws of the United States or any of the States thereof.

A corporation being an artificial person, its stockholders may be foreigners or Americans or mixed. I say if the contract commences five years after this and runs for fifteen years that would make it twenty years, and if it commences ten years after this that would make it run for twenty-five years. The Postmaster-General may make a contract with any ship he sees proper to engage, and he may make it at the highest rate mentioned in this bill.

It was said by the Senator from Maine [Mr. FRYE] that no Postmaster-General would think of making a contract for carrying the mails from this country to Southampton in any ship with a speed of less than 20 knots an hour; and he admitted the fact, as stated in the report of the Commissioner of Navigation, that there are but 4 ships of 20 knots an hour, and they all belong to the same line. So that if a contract be made for carrying the mails between this country and Southampton, the Senator from Maine being the judge, it is bound to be made with the line owning these 4 ships, and without any competition at all.

Not only that, but the Secretary of the Navy must have an officer to examine each ship and pass upon its fitness for the purpose for which it is intended, and give his approval to those ships before they can compete at all. Then they may compete, not by advertising for bids, as stated by Senators here, because there is nothing in the bill that requires advertisement, but bids may be received privately, so that the contract is let to the lowest responsible bidder, according to the estimate placed upon the responsible bidder by the Postmaster-General.

I say that it is put into the power of the Postmaster-General to make these contracts without limit. They may be made to Southampton, or to Constantinople, or to Hongkong, or to Nagasaki, or to any other place the Postmaster-General sees proper, and he may give them to any port which he desires, the only requirement being what may be his judgment as to what is an equitable distribution among the Atlantic, the Mexican, the Gulf, and the Pacific ports. He may make contracts that will run, I say, for twenty or twenty-five years from this time, only limiting them to the proposition that the contracts can exist for but fifteen years from the time they commence.

Within that time many ships may be built, shipping may be a great deal cheaper than it is now, and it may not be necessary to give any subsidy, even according to the judgment of the Senators who have framed this bill, in order to enable our merchant marine to compete with the merchant marine of foreign nations, yet we are bound down by contract, made under a law of Congress, that is binding morally, legally, and constitutionally upon the Government of the United States, to continue this subsidy, because, at last, as stated by Senators who have discussed this bill, and especially by the Senator from North Dakota, who said it was a subsidy pure and simple, we shall be giving a subsidy when the necessity for it shall have long since ceased. Not only that, but

it may be unlimited in amount. You take a 20-knot ship of 10,000 tons and let that carry the mail to Constantinople, which I believe is about 5,000 miles, and on its voyage going and returning that ship will be entitled to $27,000. That $27,000 may be repeated sixteen times a year. When we examine the matter carefully we find that for the sixteen trips it will amount to $432,000 for one ship.

If you make the subsidy contract with a ship for carrying the mail to Southampton from New York, then that ship will be entitled to subsidy in the proportion to $27,000 that 3,100 miles is to 5,000 miles, which would make it a little more than $12,000, probably $15,000 or $16,000.

There is no limit to the authority of the Postmaster-General to make these contracts. He may make just as many of them as he sees proper to make, and bind the Government of the United States to pay these subsidies for thirty years from now, because he can make the term commence fifteen years from now.

Mr. ALLISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Iowa?

Mr. McLAURIN of Mississippi. Certainly.

Mr. ALLISON. I do not wish to interrupt the Senator——

Mr. McLAURIN of Mississippi. It is no interruption at all.

Mr. ALLISON. But I should like to have his construction again of the provisions of this statute. I understood the Senator to state that the Postmaster-General would not be required to advertise.

Mr. McLAURIN of Mississippi. Yes, sir.

Mr. ALLISON. That, I think, depends upon how much of the act of 1891 remains in force. It took me some time to ascertain whether or not the sections of the act of 1891 which are not proposed to be amended by this bill are still in force, but I think they are, and if so, I think the Postmaster-General will be required under section 2 of the act of 1891 to make public advertisement.

Mr. McLAURIN of Mississippi. Now, let us see what that section will be if this bill shall become a law.

Mr. ALLISON. I was misled for a time in studying this question——

Mr. MALLORY. This bill does not amend at all section 2 of the act of 1891. It leaves it in force.

Mr. ALLISON. It does not amend it at all?

Mr. MALLORY. No; it does not.

Mr. ALLISON. Then that section is still in force.

Mr. MALLORY. That section is still in force, requiring advertisement in different cities of the country.

Mr. ALLISON. Yes; and it is to be done for a period of ninety days.

Mr. McLAURIN of Mississippi. I stand corrected. I had not examined that section in the law of 1891. I had only examined section 1, where it speaks of the lowest responsible bidder. Will the Senator kindly read the section of the act of 1891 to which he has referred?

Mr. ALLISON. Section 2 of the act of March 3, 1891, provides:

That before making any contract for carrying ocean mails in accordance with this act the Postmaster-General shall give public notice by advertising once a week, for three months, in such daily papers as he shall select in each of the cities of Boston, New York, Philadelphia, Baltimore, New Orleans, St. Louis, Charleston, Norfolk, Savannah, Galveston, and Mobile, and when the proposed service is to be on the Pacific Ocean, then in San Francisco, Tacoma, and Portland. Such notice shall describe the route, the time when such contract will be made, the duration of the same, the size of the steamers to be used, the number of trips a year, the times of sailing, and the time when the service shall commence, which shall not be more than three years after the contract shall be let.

I understand that particular provision to mean that a contract may be let three years in advance of the construction of a ship and that the person making the contract will, under that provision, have three years in which to construct the ship, but not a longer period.

The section then provides:

The details of the mode of advertising and letting such contracts shall be conducted in the manner prescribed in chapter 8 of Title XLVI of the Revised Statutes for the letting of inland mail contracts so far as the same shall be applicable to the ocean mail service.

Chapter 8 of Title XLVI of the Revised Statutes, referred to in section 2 of the act of 1891, provides for the inland service. So that if section 2 of that act be still in force—as I think it will be after this bill shall become a law—then the advertising must be made according to section 2 of the act of 1891, which will require that the service shall be commenced not later than three years after the contract shall be entered into.

Mr. McLAURIN of Mississippi. I agree with the Senator. Then that will make it eighteen years from the time the contract is made.

Mr. ALLISON. It will make it eighteen years if the contract should be made now.

Mr. McLAURIN of Mississippi. Yes, sir, until the subsidy would cease; but suppose the contract is made five years from now, then it will be twenty-three years.

Mr. ALLISON. That is correct.

Mr. McLAURIN of Mississippi. Then, Mr. President, the contract that is made to commence in future can only commence three years after the contract is made, but there is no limitation upon the time when the contract can be made? It can be made at any time so long as this law shall be in existence; and from the time that it shall be made it will be eighteen years until it shall have ceased to operate and the subsidy shall cease to be paid to the party or parties with whom the contract is made.

It is true that the Postmaster-General is required to advertise for bids, but, nevertheless, in making contracts or receiving bids for contracts for carrying the mails on ships of the capacity of 20 knots an hour there can be no competition, because there is but one line having steamers with sufficient speed to comply with the law to carry the mail, and that line has four steamers. There can be no competition with them.

Then, again, before any vessel can compete, it has to be examined by the Secretary of the Navy, or by an officer selected by him, whose report must be approved by the Secretary of the Navy, before a man can become a bidder for one of these contracts.

And upon each departure from the United States the following proportion of the crew shall be citizens of the United States, to wit: During the first two years of such contract for carrying the mails, one-fourth thereof.

The crew must be composed of one-fourth of American citizens at the time of its departure from the United States, but it is not necessary that they shall remain in the crew until the ship returns. There may be a crew selected one-third of them American citizens, and they may leave the American port and at the first port to which they come the Americans may be discharged and foreigners taken, even Chinese, at the rate of $15 a month, Mexican money, which is seven dollars and a half a month, as testified to by Captain Seabury, and they may be kept on the ship until she returns and every dollar of subsidy be collected.

I will not detain the Senate longer with that feature of the bill; but I wish to call the attention of the Senate to a question that was propounded the other day by the Senator from Iowa and the answer which was made to it by the chairman of the Committee on Commerce and to show that the chairman, the Senator from Maine, was mistaken in his answer. This is the colloquy between the Senator from Iowa and the Senator from Maine:

Mr. ALLISON. Now, under title 2, as I understand it, all vessels now in the United States, whether steam or sail, can receive the subsidy.

Mr. FRYE. Above 1,000 tons.

Mr. ALLISON. Above 1,000 tons?

Mr. FRYE. Yes; above 1,000 tons.

Mr. ALLISON. I should like the Senator to point out that provision to me.

Mr. FRYE. It is in the bill.

Mr. ALLISON. I know there is a provision on page 7 which reads as follows:

"On each entry, not exceeding sixteen entries in any one fiscal year, and for a period of five years from the date of registration of a vessel of over 1,000 gross registered tons, which shall be completed and registered."

But I can find no limitation as to the value or size of either a sail vessel or a steam vessel that are now owned in the United States.

Mr. FRYE. I will find it for the Senator when I have a few moments. It is there.

Mr. ALLISON. If it is there, then the point of my question is answered.

Mr. FRYE. In 1891 we had a general bounty bill something like this, only providing for 3 cents a mile instead of 1. That passed the Senate, and under that bill all vessels above 500 tons were included. It was increased in this instance to a thousand tons, because it was not regarded as prudent to encourage the building of ships smaller than 1,000 tons under any circumstances on account of the rates of freight.

Here is the provision in the bill which the Senator from Maine overlooked:

SEC. 6. That from and after the 1st day of July, 1902, the Secretary of the Treasury is hereby authorized and directed to pay, subject to the provisions of this title, out of any money in the Treasury not otherwise appropriated, to the owner or owners of any vessel of the United States duly registered by a citizen or citizens of the United States (including as such citizens any corporation created under the laws of the United States or any of the States thereof), and being at the time of entry engaged in the foreign trade of the United States, which shall be entered in the United States from a foreign port or from any port in the Philippine Islands, compensation as hereinafter provided, that is to say:

(a) On each entry, not exceeding sixteen entries in any one fiscal year, of a sail or steam vessel, 1 cent per gross registered ton for each 100 nautical miles sailed.

If Senators will examine that, they will see that there is no limitation to a vessel of more than a thousand tons, but if the vessel is of any tonnage and is in the foreign trade it is entitled to this bounty of 1 cent per ton for every 100 nautical miles. But the section to which the Senator from Iowa alluded is a section limiting the additional bounty to vessels of more than a thousand tons. Every vessel, it does not make any difference whether it is a vessel of a thousand tons or less than a thousand tons or more than a thousand tons, is entitled to the 1-cent bounty; but in addition to that, vessels of more than a thousand tons are entitled to this bounty. I read paragraph b:

(b) On each entry, not exceeding 16 entries in any one fiscal year, and for a period of five years from the date of registration of a vessel of over 1,000 gross registered tons, which shall be completed and registered after the passage of this act, one-fourth of 1 cent per gross registered ton for each 100

nautical miles sailed, in addition to the compensation provided in paragraph (a).

Now, the 1-cent bounty is given to every vessel whether of a thousand tons or less or more, but every vessel of over a thousand tons is given a quarter-cent additional bounty.

Section 7 provides:

SEC. 7. That compensation under this title shall not be allowed in respect of any of the following-named vessels:

(a) A vessel on a voyage extending only to a foreign port less than 150 nautical miles from her last port of departure in the United States or from a foreign port less than 150 nautical miles from her first port of arrival in the United States.

(b) A vessel on a voyage less than one-half of the whole length of which, on her outward and homeward voyages, respectively, shall have been on the sea between a port of the United States and a foreign port.

(c) A vessel which shall not be at least of the Class A1, as classified either by the Record of American and Foreign Shipping or the United States Standard Owners, Builders, and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit.

(d) A vessel of which less than one-fourth of the crew shall be citizens of the United States or such persons as shall be within the provisions of section 2174 of the Revised Statutes.

(e) A vessel without motive power of its own, or a tugboat, or a vessel engaged in wrecking.

(f) A foreign-built vessel, hereafter admitted to American registry pursuant to the provisions of section 4136 of the Revised Statutes.

(g) A vessel while employed in the coasting trade.

Those are the vessels which are not admitted to this bounty, and I read them all to show that there is nothing here that precludes a vessel of less than a thousand tons from the bounty of 1 cent.

Right here, to show that that is the correct construction, in the speech of the Senator from Maine on the 3d of March he said what I am about to read. The bill had been amended.

The next amendment was, in section 7, on page 8, line 8, in subdivision (e), after the article "A," to strike out "barge, canal boat, or;" so as to make the clause read:

"(e) A vessel without motive power of its own, or a tugboat, or a vessel engaged in wrecking."

Mr. FRYE. I am not exactly satisfied with that amendment proposed in subdivision (e): "A barge, canal boat, or vessel without motive power of its own." There are some few barges which have small masts and small sails sufficient to keep their heads to the wind to provide for safety in case the tug breaks loose from them that might be counted to a certain extent "motive power of its own." I do not think there was any intention on the part of anybody to allow such barges to come in under this subsidy provision, and therefore I move to strike out subdivision (e), as it stands in the bill, and to insert as a substitute for it what I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Maine to the amendment of the committee will be stated.

The SECRETARY. It is proposed to strike out subdivision (e) and in lieu thereof to insert:

"(e) A barge, canal boat, or vessel proceeding from port to port in tow, or a tugboat or a vessel engaged in wrecking."

Before I pass from section 6 of the bill I wish to call attention to what may be done under the provisions of the bill as far as it has been amended. Those citizens of the United States are embraced within the bill who are corporations created under the laws of the United States or of any State thereof. So the suggestion made by the Senator from Wisconsin as to what was decided by the Supreme Court of the United States can have no reference to this matter, for the reason that the statute can change the law and the Supreme Court only decides what the law is at the time the decision is made. The statute can change the law, and it is provided in this bill itself that these corporations can receive the bounty. So if there is a corporation in the United States engaged in shipping, which is chartered under the laws of the United States or the law of any State, and if that corporation is composed entirely of citizens of a foreign country, then the citizens of the foreign country would, as stockholders in the corporation, be entitled to the bounty that would be paid under this proposed law.

Now, it was said in the argument for the bill that there are millions of dollars paid by the American people to foreigners for the conveyance of their commerce to and from foreign countries which ought to be retained in the pockets of the people of the United States. It was not remembered at the time that a great many of these foreign ships are owned in America, and in the case mentioned the other day I believe it was stated that 800,000 tons of foreign shipping had been bought by an American syndicate, not registered in the United States, not sailing under the United States flag, but sailing under the flag of foreign countries, documented in foreign countries. But the money they received belonged to the people of the United States—that is, the owners of the vessels, who are citizens of the United States—just as much as if the vessels were sailing under the American flag and the per cent was added to the per cent of the commerce of the United States that is carried under the American flag.

Here, under the provisions of this bill, a foreign corporation, nominally an American citizen, because a corporation is an ideal existence, an artificial person under the law, owned possibly entirely in its stock by foreigners, nevertheless is an American citizen, and it is included by express terms in the provisions of this bill. I refer to section 6 of the bill. Each one of them would be entitled to this subsidy, and that is one of the reasons why I desire to see the bill amended so as to require that the names of all these firms with whom the Postmaster-General shall contract shall be given, and the names of the incorporators and of the stockholders in the corporations who receive the bounty shall be registered and a record kept, so that the people who pay the money may have an opportunity to examine the record and know to whom they pay it and who are the recipients of the bounties that have been granted out of their pockets to the shipping interests of the country.

This is called "compensation" in the bill. Compensation for what? Compensation presupposes that there shall be a quid pro quo; that there shall be something given for the compensation. "Compensation" is put in the bill, for what reason I do not know; for euphony, I suppose. It may have a better sound than "subsidy" or "bounty." Nevertheless, in the discussion of this bill by nearly all the Senators who have spoken in its advocacy it has been called a subsidy. One Senator said it was a subsidy pure and simple—a subsidy for the purpose of cheapening freight rates and benefiting the wheat producers. If freight rates are cheapened, it will benefit the cotton growers in the section to which I belong as much as the wheat growers, for nearly all the cotton goes abroad. But it makes no difference to the producers of cotton and of wheat whether their produce goes in foreign bottoms or in American bottoms. The only point with them is whether freight is cheaper or higher; and at the very time when it is said that we are building up our merchant marine, because it is intended by the Congress of the United States to give a bounty to those who are engaged in the shipping industry, there is a combination and a trust in the shipbuilding of the United States.

I believe I have said all I desire to say in reference to these features of the bill. I wish to say just a little in reference to the amendment, and possibly something may come across my mind while I am doing that to which I may incidentally allude. I offered the other day an amendment to the bill, embracing four sections. I suppose there can be no objection to the amendment. I can not see how any Senator can vote against the amendment.

It provides in the first place for ascertaining to whom the subsidies are paid, the names of the firms and of the members of the firms; those who are interested in the contract; if they are corporations, the names of the incorporators and the names of the stockholders, so that the people who pay the bounties or subsidies may know to whom they are paid, whether the stockholder in a corporation is an American citizen or whether he is not an American citizen; if he is not an American citizen, then of what country he is a citizen or of what foreign potentate he is a subject. There can be no objection to that.

It can not affect the principles that are involved in this bill. If the purpose is to build up the shipping interests of our country, and if the American people are to be taxed for that purpose, how can it be objected to by those who are levying the tax upon them and requiring them to pay the tax, that they shall have an opportunity to know where the money goes? It seems to me no reasonable man, Senator or Representative, could object to that.

But there is another provision to which I think no man can object, and that is that no Senator or Representative in Congress, no President of the United States, no judge of any court of the United States, shall be interested in any way in these contracts or in the receipt of money under these contracts. Can there be any objection to that? Is it possible that a Senator of the United States or a member of the House would want to vote a subsidy to himself or that a President would want to sign a bill giving a subsidy to himself? Then there is the strongest reason why the members of the Congress of the United States, both in the Senate and House of Representatives, should not want to participate in the bounties that are to be given under this bill.

Not only so, but there ought to be the strongest reason why everyone should want to say that he is disinterested in it. I do not suppose there is any Senator who has any interest in it. I certainly know of none, nor do I know of any Representative or President who has any interest in it. Yet there can be no objection to putting a provision of that kind in the bill, so that a Senator will not be voting a subsidy to himself, nor will any Representative be voting a subsidy to himself or be voting for a bill to give him a subsidy. Every legislator, it does not make any difference in what body he votes, ought to be entirely disinterested in every vote he gives. How can he be disinterested when he is voting on a matter in which his financial interests are involved?

Now, the framers of the Constitution, in section 6 of Article I of the Constitution, paragraph 2, provided:

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office.

The framers of the Constitution did not think it reflected upon members of the Senate or members of the House of Representatives to put a provision in the Constitution that "no Senator or

Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall be increased during such time," removing all temptation to any Senator or Representative to vote for the increase of the salary of any office in which he might be placed. Recognizing the fallibility of human judgment, recognizing, as was said by the Senator from California [Mr. PERKINS] in his very able and learned discussion of this question yesterday, the fact that a man would provide for himself and for his own household, the Constitution of the United States intended to put the temptation out of his reach and to provide that he must decide a question disinterestedly.

Suppose a sheriff is selling property at auction under a fieri facias, he can not bid at his own sale. Why? Because his duty is to make the property bring as much as possible. His interest is to make it bring as little as possible, and where his duty and his interest conflict, the law has provided that his interest shall be eliminated; and he is not allowed to bid at all.

The same with a tax collector when he is selling property, personal or real, to raise the taxes of a defaulting taxpayer. He is not allowed to bid at his own sale for the reason I have indicated with reference to the bidding of the sheriff. His interest and his duty conflict, and the law eliminates his interest in order that he may more impartially perform the duty which the law devolves upon him. So it was in the case of the framers of the Constitution. They provided in this document that a Senator or a Representative shall not have a conflict of his interest and his duty. His duty is to decide it impartially.

Now, to illustrate that, I read in this morning's paper, the Washington Post, the following article:

Mr. Theall, local counsel for Mr. Mealy, the American citizen who is held under an order of court in Mexico for contempt, has submitted to the State Department, through United States Senator NELSON, a long statement of the case from Mealy's side, which reflects upon United States Ambassador Powell Clayton.

It is alleged that the ambassador has misrepresented the facts in the case to the Department, and that he is interested in a rival mining company, which has affected his attitude toward Mealy and his legal fight with the development company, which forms the basis of the present action against him.

I wish to remark right here that I do not know anything about the merits of this matter. I do not read the article for the purpose of reflecting upon the American minister to Mexico. His side is not heard in this statement. It is only the statement of one side, and there may be nothing in it at all, and I do not condemn him unheard. He may be perfectly innocent of it. I hope he is. I give him the benefit of the doubt in my opinion and hold him to be innocent until there is some evidence convicting him. But what I want to show is the opinion of a very learned and very able Senator in this Chamber as to the necessity for impartiality in all the duties that pertain to any office under the Government of the United States; that is, the necessity of eliminating one's interest when it conflicts with his duty as an official of the United States. I read further:

In sending the papers to the State Department Senator NELSON wrote quite a lengthy letter and refers to the accompanying papers, among which is an affidavit in Spanish by Juan Barrera, with an English translation showing the alleged connection of Ambassador Clayton with certain mining companies in Mexico, in which Mexican Government officials also are interested. Senator NELSON refers to what he calls the serious import of the charges, and suggests the impropriety of a minister from this country being a member of a large mining company which is looking for favors from the Mexican Government.

He says such a minister will not be in a condition to protect an American citizen against the encroachments of a company in which many of the leading officials of the Mexican Government are interested. He says there is a rule as to consuls which does not allow them to engage in trade in countries to which they are sent, and states that the necessity for such a rule should be much stronger in preventing a diplomatic officer from engaging in speculative mining enterprises. The Senator suggests that the questions involved in the Mealy case are important, especially as they affect the status of the ambassador to Mexico.

Now, then, it is held that the American ambassador to Mexico ought to be disinterested in this matter. Here is an American citizen calling upon the American ambassador to intercede for him with the Mexican Government, to appeal to the Mexican Government for justice in his behalf, where the American citizen claims that the Mexican Government has not done him justice; and yet that ambassador, it is alleged, has interests in mining companies in Mexico which make it to his interest to appeal for favors to the Mexican Government, the Government which he must antagonize to some extent in pleading the cause of an American citizen who has been condemned by the Mexican Government, calling upon them to reverse their action, showing them the injustice of their action, showing them the justice of the cause of the American citizen. And yet it is alleged that he is interested in mining interests there, which makes it incumbent upon him to go before the Mexican Government for favors.

I do not know whether that be true or not; I care nothing, so far as this question is concerned, whether it be true or not; but it illustrates the proposition that the officer who is to do his duty must not have his duty on one side and his interest on the other. It illustrates the proposition that if his duty and his interest conflict, or are likely to conflict by any law, that that law ought to provide that his interest shall be eliminated.

And so this bill ought to provide that no Senator or Representative shall be the recipient of a bounty. No Senator ought to vote a bounty to himself. No Senator can do so conscientiously. He is not a fair judge in his own case. No Representative in Congress should vote a bounty to himself. He can not vote impartially if he is interested, nor can a President decide impartially the question whether the bill ought to be signed or vetoed if his duty is on one side and his interest on the other, if he is interested in the result of the bill. I mean directly, because of course everybody is interested in an indirect way in all the laws enacted by the Congress of the United States. The President is indirectly interested in the laws because he is interested in having good laws for the Government of the United States, he being a citizen of the United States. What I mean is that if he is directly interested, he can not be impartial in considering the question whether he ought to sign the bill or veto it. For that reason I hope the amendment will be adopted.

There is one other thing I want to say which occurs to me. It slipped my memory a while ago. The junior Senator from Ohio [Mr. HANNA] said if this bill shall be enacted into law—I am not giving his exact language, but this is the substance—within five years there will be under construction in this country $50,000,000 of shipping. I can not find it, but that is the substance of what he said. I have shown here that at this time there are $63,000,000 of orders for shipping on hand in 7 of the 46 shipbuilding establishments of the United States, the report of the Commissioner of Navigation being the judge of the number of establishments and the prospectus of this shipbuilding trust being the judge as to the number of orders in these establishments.

Mr. President, I am as anxious for the American flag to float over the seas as any Senator on this floor. I have as much pride in it as any Senator on this floor. But I do not want it to float at the expense of injustice to the vast mass of the taxpayers of the country. The money that gets into the Treasury must get there some way out of the pockets of the people. It does not get there out of anybody else's pocket. No foreign people are going to pay the taxes for the administration of our Government. The money does not drop into the Treasury from above. It gets into the Treasury by indirect taxation and by direct taxation. It gets in there by the addition of the price of the customs taxes to the price of the goods of foreign manufacture that are sold to our people under the customs-revenue system. It gets there under the excise system, by indirection to be sure, but all the internal-revenue collections are paid by the consumers. They are nominally paid by the manufacturers of tobacco, for instance, or by the manufacturers of liquor. They are nominally paid by the man who takes out the license for carrying on the business, but at last they are paid by the consumer.

This money being obtained in this way, the tax upon the people of the United States is not equitable and just, because the man who owns a small amount of property, $500 worth of property, $1,000 worth of property, $5,000 worth of property, is compelled to have and to consume a certain amount of goods for himself and for his family to keep up his existence and their existence. When he does so, he pays a large tax upon them. He pays it indirectly, to be sure, but he pays it just as surely as if he were to pay it directly. The man who is worth hundreds of millions of dollars does not pay in proportion to the man who is worth a small amount of money. The large capitalist, the multimillionaire, does not pay in proportion to the laborer the customs taxes and the excise dues.

This money gets into the Treasury in this way. The people pay it indirectly, as I have said. When you take it out of the Treasury and give it to the men engaged in shipping you are taking the money out of the pockets of the laboring men, the poor men, the men of moderate means and giving it to the capitalists. It is not needed to benefit the shipbuilding in the United States, because the facts which have been put in evidence in this debate develop the truth that we are now on the rising tide of our great shipping industry. Heretofore the ships that have been built have been absorbed in our coasting trade and in our inland trade; but there is a sufficient number of ships to carry that trade, and now the shipping industry is going out over the ocean and large steamers are being built—four, as shown by the report of the Commissioner of Navigation, aggregating 60,000 tons—so there is no need for this subsidy to encourage our shipping industry, and whatever subsidy is given is that much money taken out of the Treasury of the United States to contribute to the dividends of those who are growing rich in the business.

Our manufacturers compete with foreign capital and foreign manufacturers, notwithstanding the fact that the laborers in our factories are getting higher wages than are paid in England or other foreign countries. We compete successfully with them not

only at home, but we carry our commerce to their very doors and sell it cheaper than they do. Our products, manufactured by labor that is paid higher wages, better wages, safer wages than are paid by foreigners, are carried to their doors. Steel rails, engines, woolen goods, cotton goods, all the products of our factories, are taken to foreign ports and there compete, after paying the expense of transportation, with the foreign products. Why is it that the shipping industries of the United States can not do the same thing?

A little while ago the senior Senator from Ohio [Mr. FORAKER] read a letter from Mr. Baker, the president of the Atlantic Transport Line, which will be found in the report of the Commissioner of Navigation, and that letter showed that Mr. Baker had contracted to have built certain steamers in the shipyards of the United States and duplicate them in the shipyards of England. Mr. Baker claims that it costs $700,000 more to build a ship in the United States than in England; and then the Senator said this was not the opinion of anybody; that he did not want any opinion; that what he wanted was facts, and he stated this as being a cold, established fact where there was no controversy about it.

Now, I want to say this in reference to Mr. Baker: Mr. Baker, of course, if this bill shall pass, will be a recipient of these bounties. He is therefore an interested witness. In the next place, Mr. Baker says that in order to test the difference he contracted with the American shipyards and with the British shipyards and found the difference in favor of the British shipyards.

What should cause us to scrutinize his testimony rather carefully, it seems to me, is that it is very unreasonable that a president of a transport line should actually have to make the contract in order to test the difference. If you go into a store for the purpose of buying an article of merchandise and price it, and go into another store for the same article of merchandise and price it, you have the difference there just as well without buying it as if you had bought it.

Mr. HANNA. Will the Senator from Mississippi allow me to ask him a question?

Mr. McLAURIN of Mississippi. Certainly.

Mr. HANNA. He makes the statement that Mr. Baker made the contract in order to test the difference in the cost. I should like to know where he finds the authority for saying that that was the purpose for which he made the contract?

Mr. McLAURIN of Mississippi. If that was not the purpose, will the Senator state what it was?

Mr. HANNA. The Senator said that in order to test the difference between the cost of construction in American shipyards and British shipyards he made this contract; that the purpose of his making the contract was in order to make a test case.

Mr. McLAURIN of Mississippi. Will the Senator state what his purpose was?

Mr. HANNA. I am not stating it. I am asking the Senator where he gets the authority for that statement?

Mr. McLAURIN of Mississippi. His letter is all the authority I have.

Mr. HANNA. That he made the contract for the purpose of making a test?

Mr. McLAURIN of Mississippi. I infer that from his letter.

Mr. HANNA. I do not think a man would go on and make a contract for four or five ships for the sake of making such a test when one ship would answer the purpose.

Mr. McLAURIN of Mississippi. That is exactly what I was saying. It was that that put me to questioning his testimony. One of the rules of deciding as to the worth and merit of the testimony of a witness is whether he is an interested witness or not. If he is an interested witness, we take it with a grain of salt. Then another rule of testing the weight of a witness' testimony is the reasonableness or unreasonableness of it; and that is exactly what I was saying, that it is an unreasonable proposition that he should make that kind of a contract. Now, will the Senator say that Mr. Baker simply wanted to pay $400,000 more for the American-built ship than he did for the British ship? Will the Senator say that the shipbuilder, the president of this transport line——

Mr. FRYE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Maine?

Mr. McLAURIN of Mississippi. Certainly. I want to get all the information I can about this matter.

Mr. FRYE. Mr. Baker, in a letter to the New York Times, stated as his reason for contracting for six ships in American yards that at that time he believed that Congress was going to do something to encourage the merchant marine, and while he contracted for eight ships abroad, he concluded to take the risk of making contracts for six ships in American yards. He also says in the same letter that if that turns out to be a failure and Congress does not encourage the merchant marine he will be obliged to put these six American-built ships under a foreign flag, as he can not afford to sail them under the American.

Mr. McLAURIN of Mississippi. Now, I understand from the Senator from Maine that Mr. Baker is speculating in prospective legislation of the Congress of the United States to the extent of millions of dollars. It would have been certainly as easy for Mr. Baker to have waited to determine whether this bill was going to pass or not. Men of good business tact, in my judgment, do not pay a larger sum for the construction of any article when they can get it constructed for a less sum somewhere else.

As I was going on to say, there was no necessity for Mr. Baker to make this contract in order to ascertain the difference in price. This is an interested witness. His statement about it is unreasonable. Why is it that Mr. Baker did not have all these ships built in American shipyards if he believed it was a fact and was willing to base his money on it that the Congress of the United States would give him a bounty? To put it in the mildest shape, Mr. Baker is having his ships constructed with a view of having the United States Government pay for their building, or at least for a large proportion of their building.

Right here I wish to say a word in reference to putting American-built ships under foreign flags. I have not examined the report of the Commissioner of Navigation thoroughly. I have not read it entirely through, because until a day or two ago I did not expect to make any speech on the bill other than to suggest some thoughts in reference to the amendment which I introduced. But I am told it is stated by the Commissioner of Navigation that there has been no case where an American-built ship has ever been put into foreign register. If that is not true, I have been so told by a Senator who is very familiar with this question.

Mr. President, let us compare the testimony of two witnesses. I have shown that Mr. Baker is interested, because he expects to get the bounty under this bill. I have shown that his statement is unreasonable. Now, let us take the testimony of another witness, and I suppose what he says about it is as much a fact as what Mr. Baker says. Mr. Cramp, one of the largest shipbuilders, as is stated in the report of the minority of the committee, the largest shipbuilder in the United States, says in answer to a question that was put to him:

> The proper form in which to put the question is, Can you build a ship to do the work of the *City of New York* or the *Majestic* or the *Columbia* in all respects for the same cost? To that question I would reply: "Yes; or within as small a margin as would be likely to prevail in a similar case between any two British shipyards."

There is the testimony of a man who is engaged in shipbuilding. I suppose he knows as much about it as Mr. Baker, the president of the Atlantic Transport Line. That is his testimony, and he is disinterested, because he is not expecting to get any bounty on any ship to be built under the provisions of this bill. It can not be said that he is interested in the prevention of the passage of the bill except as an American citizen is interested in seeing justice done between citizen and citizen of the United States. It can not be said that he will be harmed by the passage of this proposed act, because if, as is claimed, there is a decadence in shipbuilding in this country, as he is a shipbuilder, if the bill is intended to promote and will promote the building of ships, he will be benefited by it. So his testimony, so far from benefiting him, would be against him, and it is worth more than the testimony of a witness who testifies that it will benefit his case.

Mr. FRYE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Maine?

Mr. McLAURIN of Mississippi. Certainly.

Mr. FRYE. Mr. Cramp was theorizing a bit in a magazine. When he made his next contract with the American Line to build two ships, he charged them for the building just $1,100,000 more than they could have been built for in the English shipyards.

Mr. McLAURIN of Mississippi. For whom did he build those ships?

Mr. FRYE. He built them for the American Line.

Mr. McLAURIN of Mississippi. Well, the American Line, I thought, were pretty good business people, but they are not very good business people if they paid a million one hundred thousand dollars more for building two ships than they could have had them built for somewhere else. If that is true, it must argue that the shipbuilding industry was at a pretty good stage of prosperity in the United States, and if he did not have plenty of business on hand he would not have forced such a favorable bargain to himself and such an unfavorable bargain to the American Line. Now, let us see what he says:

> It is the fact—

Says Mr. Cramp—

> that the "first cost" of ships is not only not a prime factor, but it is not even a serious factor in any competition that may occur between this country and Great Britain for a share of the traffic of the ocean.

This was ten years ago, it will be remembered.

> American shipyards have built or are building about 40 naval vessels of numerous rates and types, all of the very highest and effective class in the world; and this development has been crowded into a space of about seven years. * * *

The disparity of cost of naval ships between our yards and those of Great Britain, ton for ton, gun for gun, and performance for performance, has dwindled in seven years until, in the case of the three latest battle ships, the margin between our classes and those of similar construction abroad may be expressed by a very small figure. * * *

Now listen—

If the current policy of naval reconstruction be pursued for another decade (1902), coupled with a vigorous and consistent execution of the measures recently enacted in behalf of the merchant marine, the question which forms the subject of this paper will be asked no more; unless, indeed, its point should be reversed and Englishmen be asking one another, Can we build ships as economically as they can in the United States?

The fact that all the shipyards of the United States are crowded with work, the fact that they have contracts for years ahead, the fact that seven of them have contracts aggregating $63,000,000, on which the net profit is expected of $7,000,000, shows that his prediction is right and that the question will soon be asked one Englishman by another whether they can construct ships for as little cost and as economically as they can be constructed in the United States by American shipbuilders.

Now, Mr. President, I put this witness against Mr. Baker. I put a disinterested witness against an interested witness. I put a witness who will get none of the bounty under this proposed act against one who is expected to get the benefit of the bounty under it. I do not know whether that is a fact or not, but it certainly is worth as much as a fact as the statement of Mr. Baker.

As I said before, I am as anxious to see the American flag honored abroad as anybody. I am in favor of giving that encouragement to it which can be given in justice to all the people of the country and under the Constitution of the United States. But I am not in favor of giving to a private citizen the private property of other private citizens. I would prefer going abroad and not seeing the American flag at all to seeing it float over ships and at the same time remember that those ships are receiving as contributions to their dividends, not for the purpose of keeping them up but actually as contributions to the dividends of their owners, money from the American Treasury and from the hard earnings of the American people, money which can not, in my judgment, be constitutionally extracted from the people of the United States by the process of legitimate taxation. I would rather see no ship afloat than to see a ship that is tainted with the stain of money that does not legitimately belong to its owners.

Mr. HARRIS. Mr. President, the impression seems to prevail that this bill is going to pass, notwithstanding the arguments that may be offered against it and notwithstanding the general objections which were held on both sides to the subsidy bill which was under consideration last winter. Some of those objections are glossed over in this bill, but the principle underlying the two is absolutely the same. The people of the State which I have the honor in part to represent here were very much interested in the consideration of the former bill, and they are interested now in this bill, in knowing what are its purposes and why the public money should be taken from the Treasury in this manner. I desire, therefore, to go upon record as to my views upon this subject.

The bill at present under consideration is professedly a bill to provide for our foreign mail service and the common defense; also to promote our commerce and the deep-sea fisheries. Although it is not a large bill in point of size, it is open to an unusually large number of objections, so many in fact that it is a physical impossibility for anyone to discuss them all within the limits of an ordinary Senatorial address. I shall not by any means attempt to cover the whole ground, therefore, but shall confine myself to a review of some of the more salient objections, just as they happen to occur to me and without much reference to the consecutive arrangement of the topics in the bill.

I must confess that in reading the majority report, and especially the eloquent exordium, the first thought that presented itself to my mind was that contained in the threadbare quotation—

The lady doth protest too much.

And on further reflection and analysis of this remarkable measure, which is to give us the control of the Pacific and the Atlantic, to secure for us the best ocean mail service in the world, to send our victorious fleets to the four quarters of the globe, to crowd every sea with American shipping, and to transfer the shipbuilding of Germany and Great Britain to the United States, another quotation occurred to me as being very relevant, which it seemed to me might well be inserted at the head of the bill, as a kind of text or motto—our old friend Mulberry Sellers's patriotic aspiration:

The old flag—and an appropriation.

Against this text or principle of the bill and its supporters I would select as the text of the opposition a decision of the United States Supreme Court. This decision goes to the root of the matter and relates to the abstract principle of right or wrong which is involved in this bill, as it must necessarily be involved in every bill.

In Loan Association *v.* Topeka (20 Wallace, 655, 664) the Supreme Court of the United States, speaking by Mr. Justice Miller, said:

To lay with one hand the power of the Government on the property of the citizen and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.

Nor is it taxation. A "tax," says Webster's Dictionary, "is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or State." "Taxes are burdens or charges imposed by the legislature upon persons or property to raise money for public purposes," citing Cooley on Constitutional Limitations.

Coulter, J., in Northern Liberties *v.* St. John's Church (13 Pa. Stat., 104), says, very forcibly:

"I think the common mind has everywhere taken in the understanding that taxes are a public imposition, levied by the authority of the government for the purpose of carrying on the government in all its machinery and operations; that they are imposed for a public purpose."

We have established, we think, beyond cavil that there can be no lawful tax which is not laid for a public purpose. It may not be easy to draw the line in all cases so as to decide what is a public purpose in this sense and what is not.

It will at once be said, of course, that this bill is for a public purpose, because it is claimed that it will benefit the whole people. Even if it should benefit the whole people, Mr. President, it is none the less a private bill—a plan (to use the language of the decision just quoted) for bestowing a large amount of public money "upon favored individuals to aid private enterprises and build up private fortunes." The "favored individuals," or at all events the most favored individuals, in this case, are the members of the International Navigation Company and some other ocean mail lines; the "private enterprises" are these companies and our American shipbuilders; the "private fortunes" to be built up are these same shipbuilders and owners of fast mail steamers. Such legislation as this is generally termed, in mild, courteous, and parliamentary language, "class legislation." Sometimes, in a spasm of indignation, it is referred to as "unjust favoritism." Justice Miller, it is seen, went further than this and said it was not legislation at all, but a despotic "decree under legislative forms." In fact, he went even further and called it "robbery."

It is proposed now by the advocates of the bill to take the public money—that is, to tax the people—for the building up of the shipping interests of this country, for assisting the shipbuilders and shipowners to make money and become wealthy. As Justice Miller well observed, such use of the public funds is not taxation. Taxes are legitimately imposed and collected only for the support of the Government or for other public purposes, and they can not legitimately or rightfully be imposed or collected for any other purpose.

At the outset, therefore, this bill encounters the grave objection of illegality and unconstitutionality; and if all parties and all lawmakers had equal respect for the law and Constitution, as they ought to have, the fate of the bill would be decided at once without further parley. But the dominant party, to which most of the friends of this bill belong, has never been celebrated for troubling itself much about questions of constitutionality. Accordingly, it will be necessary for its opponents to criticise the bill, not only in the abstract, but also in the concrete; not only theoretically, but also practically; not only as a whole, but in detail.

Aside from the carrying of the mails, the only vestiges of public usefulness to be found in the bill are the provisions relating to auxiliary cruisers and the employment of American seamen.

All the talk about merchant vessels being useful as auxiliary cruisers is utterly idle. In time of war such vessels may be made use of as transports under naval protection, but they are evidently not fit for cruisers. A cruiser, in order to be successful, must possess both great speed and great strength. Speed alone is not sufficient now, as it was in former times. The fastest merchant vessels in the world are much slower than the torpedo-boat destroyers and no faster than the latest battle ships, and would soon be overtaken and destroyed unless so strong in construction as to be practically invulnerable—regular floating fortresses, like the battle ships themselves. No merchant vessel is constructed in such a fashion as that. No passenger or freight steamer in existence or hereafter to be built could escape by flight from the enemy's swift pursuers, nor could they avoid destruction thereby. The case could not be better stated than it was in the Reform Club's reply to Commissioner Chamberlain's argument for the subsidy bill of last year. The reply, after stating the conditions which prevailed formerly, when merchant and naval vessels were more equally matched, and after showing what an advance had taken place in naval construction of late years, went on to say:

The modern merchant steamer, armed or unarmed, would be absolutely at the mercy of a modern naval vessel. She could neither inflict injury on the warship nor could she run away. Merchant steamers are not only of no use as fighting vessels, but the existence of large fleets of these ships makes it necessary to provide naval protection for them wherever they go; that is, instead of being defenders they are hostages to a possible enemy.

In other words, instead of being defenders, they require to be defended.

The creditable part played by some armed merchant steamers in the Spanish war is not a precedent which can safely be followed. We were dealing

with an enemy, who were hopelessly outclassed in point of ability to fight and to handle guns and ships. In the two great naval battles of the Spanish war, where the Spanish fleets engaged were destroyed, only one American sailor was killed. Any unarmored vessel may safely brave such gunnery as this, but the fact that she is not destroyed does not prove that vessels of her class are fit to meet a navy really trained to its business. The element of national defense has, therefore, no place in the discussion of this question, whether to give or not to give a ship subsidy.

A valuable collection of facts regarding the operation of the French ship bounties was recently forwarded to the State Department by Mr. A. M. Thackara, our consul at Havre, and was published in volume 18 of the Special Consular Reports. In Mr. Thackara's report we notice the following statement by Mr. Charles Roux, a former deputy from Marseille and an authority on naval matters:

We must not place too much confidence in the fighting qualities of mail steamers armed as auxiliary cruisers. However excellent a cruiser of this kind may be, it would not take five minutes for the most ordinary battle ship or armored cruiser, with a well-directed shot, either to sink her or to place her in a disabled state that would surely lead to her capture. We admit that the auxiliary cruisers can be used in the movement of troops, but we firmly hope that a minister of the navy would never dare to embark 1,200 to 1,500 men on a vessel of this class to transport them to some distant point, leaving the ship to protect itself with its own armament in case of attack. He would have her convoyed: he would surround her with war vessels which would be ready to defend her in case of need. To act otherwise would be an imprudent folly.

Now, as to the tremendous impetus given by the bill to American seamanship, let us see what that amounts to. In the first place, the bill requires only one-quarter of the crew to be Americans, under the mail subsidy, for two years, and then one-third of the crew for three years more, and after five years one-half of the crew, while under the general subsidy it requires only one-quarter of the crew to be Americans for all time to come. This question as to American sailors, Mr. President, is greatly misunderstood. What is the reason why American sailors are so scarce now, in comparison with former times? One reason is that American boys and young men have found something better to do. They have found that they do better on land. In this free and progressive country boys can go into business in the towns and cities and work their way up to the top, and they prefer to do so rather than go to sea and to risk their lives in the hard and unprofitable life of a sailor.

So the provision of this bill in this regard would be, I fancy, quite difficult to carry out, even with the best intentions on the part of shipowners. If there were 100 or 1,000 new American vessels constructed next year under this bill, I doubt if the necessary quota of a quarter crew of American sailors for each of them could be obtained for love or money. Here, again, I quote briefly from the same document just mentioned:

The cause for the relatively small number of American sailors is a matter of wages; that is, Americans will not ship at the prices paid foreigners. They can earn more ashore than at sea at prevailing rates. The way to secure American seamen is, therefore, to tempt them by increased wages; and if the ship subsidy bill provided for any such increase and imposed some restrictions which would secure payment to the sailor and would prevent the shipowner from applying the Government aid to increase his profits, the bill would create a condition—although an artificial condition—which would increase the number of American sailors. But the bill contains no provision whatever with respect to the wages of seamen and no adequate guaranty that American seamen shall be employed. The owner, therefore, by reducing wages to the point at which Americans will not ship, can obtain a cheaper crew of foreigners.

Another reason for the present scarcity of American sailors is that sailors of the old-fashioned sort have become very scarce all over the world. Of course they are as numerous as ever on sailing vessels; but in all countries except our own the sailing vessel is rapidly being superseded by the steam vessel, and in our own country the same is true with regard to vessels intended for the foreign trade, which are the only vessels considered in this bill. Now, in former years there were still a good many sailors of the old style to be found on the steamers. The steamers of twenty or thirty years ago carried almost as much sail as a full-rigged ship, and sailors were busily employed on them all day and all night long in hoisting, lowering, and trimming these sails. But the steamers constructed nowadays have scarcely anything to do with sails. They carry masts and sails, but only for use when the machinery breaks down. Even the slow freight steamers rarely bother themselves about sails. Consequently there are few or no sailors, properly so called, on our modern steamers. As the Senator from Missouri well said the other day:

The sailor of to-day is the fireman, the stoker, the engineer. The few sailors who are found upon our steamships are now in the hold of the ship; and with the change of construction has come a change in the nature of our seamen.

When an American lad on our seacoast fifty years ago looked out upon the blue waters, there was something attractive to him in a life on the ocean wave; and, besides, there was no such disparity then as there is now between the rewards of labor on the land and labor on the sea. But now our young men, if they decide to follow the sea, must as a rule go down into the hold and shovel coal and ashes. No wonder they prefer to stay on land.

Thus vanish away these two vague and lonely vestiges of public usefulness in the bill, as I have already termed them.

I pass now to another point—the pretense of the examples of other nations—on which the champions of this bill greatly rely. This is a mere pretense and nothing else.

Take, first, the pretense of the alleged great ship subsidies paid by Great Britain. In point of fact Great Britain has never paid any real subsidy for shipbuilding, and her vast shipping interests and merchant marine have been built up without any such artificial aid. Great Britain pays, and has paid for many years past, a large amount of money, amounting of late years to four or five millions of dollars annually, for carrying her foreign mails across the oceans and small seas and channels separating her from the Continent. But in the case of these mail payments Great Britain simply pays for actual service rendered, and the deficit between the amount paid and the amount realized from foreign postage, perhaps two millions annually, is chargeable to the account of colonial government and is not properly to be considered as expended for the encouragement of shipbuilding. Payment for carrying mail should not be a subsidy, but a fair payment for work done. Legitimate mail pay is not properly subsidy at all. The word "subsidy" in this connection should be a misnomer. And the objection to the mail-subsidy feature of the pending bill is not that money is appropriated for the carriage of the ocean mails, but because the money appropriated for that purpose is excessive, as I shall hereafter show.

In regard to the British policy, our consul-general at London, Mr. William M. Osborne, recently reported as follows:

The Government of this country does not pursue any particular policy for the purpose of promoting its merchant marine. Subventions are paid for the use of certain vessels as armed cruisers in case of war, and payments are made for the carriage of mail.

These naval subventions amount now to about $300,000 a year. This, with the mail payments, is all that Great Britain does for her vast shipping interests. The case is still more definitely stated in a recent report by Mr. W. J. Sulis, our vice-consul at Liverpool. He says:

The Government does nothing to promote the merchant marine in the way of subsidizing it or the builders who construct it. Payments aggregating some $243,000 per annum are made to four companies for the call of certain steamers as armed cruisers in case of war, of which the two great trans-Atlantic companies receive about $72,900, the Pacific and Oriental Steamship Company $55,890, and the Canadian Pacific Company $36,450 toward the fast service between Vancouver and Australia. The number of steamers subsidized is 11, but the Admiralty has a further right to call upon 14 other steamers for transport service. The mail subsidies for the current year (1899) amount to $3,815,100, toward which the colonies and India contribute $850,500. This is exclusive of South Africa. These services are put up to competition and the cheapest bidder, having regard to efficiency, secures the contract.

In passing we may observe by the way that this shows, among other things, that there is a healthy competition for ocean mail service in that country, so that the contract for carrying the ocean mails can be kept down to a proper and reasonable figure. In this country, on the other hand, although the bill specifies that proposals for carrying the mails shall be thrown open to competition, it is well known that there will be but one possible bidder on each of the great routes, and that the contracts will be secured by those bidders at their own prices, which have hitherto been fully twice as large as the corresponding amounts are in Great Britain and fully twice as large as the prices which we would have to pay foreign companies for carrying the same mails on much faster and more reliable steamers. This very point, Mr. President, is the crux of the whole situation, so far as the mail subsidy part of the bill is concerned.

The example of France is often cited; but the experience of that country argues against rather than in favor of the subsidy system. France has been giving large direct bounties or subsidies to shipbuilders and shipowners for forty years, the amounts increasing steadily and gradually until they are now about $9,000,000 annually; but notwithstanding this her shipping refuses to increase to any proportional extent. Her steam merchant marine is now only about 1,000,000 tons, which is less than the United States has to show, and the shipbuilding activity in France at present is far behind our own shipbuilding activity. In the fiscal year of 1901 France added 53,000 tons to her steam merchant marine and the United States added 215,000 tons. It is altogether probable that the statistics for the present fiscal year will make a still better showing for the United States in comparison with highly subsidized France.

The report of Mr. Thackara, already quoted from, contains many figures and statements bearing on this point. He says, among other things:

It has been shown that the support given to the steam fleet of France, by means of the bounties granted by the law of 1893, has not developed that branch of the merchant navy to the extent hoped by the projectors of the law. * * * It is evident that the law of 1893, enacted for the purpose of improving the efficiency of the French merchant marine, has not accomplished its purpose. Many protests have been made against the workings of this law, and demands have been heard that the law be either repealed or that it be materially changed. The shipowners ask that the half bounty formerly allowed to vessels of foreign construction and registered under the French flag be restored. The question arises, why should French shipowners desire to purchase their vessels in foreign countries, especially in England? This question is answered as follows in the report of the committee on the budget of the minister of commerce for 1899: "This preference has several causes. The English shipbuilder is able to obtain his iron, coal, machinery,

and labor at a better price than ours. Besides, an English shipyard will deliver a vessel in nine months which would take twenty and even thirty months in a French shipyard. * * * Cheapness and quick delivery have decided our owners to buy their ships in foreign markets."

Mr. Robert P. Skinner, our consul at Marseille, also made a report recently which contains information bearing on these points, from which we quote:

The law (of 1893) stands to-day, although its amendment is probable. * * * Its effect was to divide the interests of shipowners and shipbuilders. The former, at first disposed to give orders to domestic builders, found the latter constantly increasing their prices, until the point was reached where the builders were accused of calculating the amount of premium which proposed constructions would command and adding that amount to their own cost price, thus absorbing the premium for navigation and the one for construction. * * * The Society (for the Defense of Commerce) urges the passage of the proposed law giving premiums to foreign-built ships. It argues: "To buy foreign-built ships will be to pay to foreigners a tribute much less than the amount we now pay in freight. The freight charges, once paid, are lost forever, while the foreign-built ship diminishes in nothing the national wealth and gives employment to a numerous population."

M. Bernard, president of the Compagnie Nantaise de Navigation, said to the parliamentary commission: "By the law of 1893 the French shipbuilders have not only gained an excessive protection—they have a monopoly. * * * Five years ago the shipowners in Germany were tributary to the English yards. To-day the German builders execute as well and as quickly, and seek outside orders for less, at times, than those who were for years their masters. One can count to-day 29 German shipyards which rival the greatest British yards, while our own yards, by common consent, are in a state of notorious inferiority. The Germans, first of all, created their material. They bought where best they could the ships they needed. Little by little, at first for the maintenance of their ships and then for their renewal, the German yards increased, and to-day produce shipping on conditions comparable with those of Great Britain."

So it will appear that the experience of France with ship subsidies, according to the testimony of our own officials and of her own best authorities, has been anything but satisfactory, and that even with the protection of a very high subsidy the French have been compelled to look to England for the production of her ships on any profitable scale. It also appears that the first steps taken by Germany on the road toward a healthy, self-supporting merchant marine was the judicious purchase of ships built in a foreign market.

The experience of Sweden and Norway is also striking and convincing. That composite nationality pays only about $150,000 for the ocean mails and about $25,000 more for general subsidy purposes; and with the aid of this very modest expenditure on the part of the State the enterprising and hardy Norwegians and Swedes, mainly by the exercise of their own individual energy and skill, have become a first-class sea power and have built up a merchant marine much larger than that of France, with her hothouse system of forcing shipbuilding by the aid of subsidies.

In respect to the general history of subsidies, which is exceedingly instructive to every student of public affairs, I perhaps could not do better than repeat here some statements and considerations which I put forth recently in another quarter, and which I would therefore reiterate at this point:

[From Collier's Weekly].

In early history the term subsidy was applied to a special land tax, usually of about one-fifth of the normal rental. In the latter part of the eighteenth and the beginning of the nineteenth century it denoted payments to an ally for assistance in carrying on war, but its modern use has been applied to any direct pecuniary aid rendered by the state to industrial enterprises. In its wisest sense it includes all such government aid as, for instance, the system of bounties on exports, which holds so important a place in the commercial policy of France. The First Congress of the United States, in 1789, imposed discriminating duties upon goods imported under a foreign flag, as well as a heavy tonnage tax. It further secured monopoly right by providing that none but American-built vessels should receive an American register and sail under the American flag. This law still holds good, and without doubt to it can be directly attributed much of the decline of the American merchant marine. A few years later the railroads which began springing up throughout the new country tried to persuade Congress to grant to them bounties and discriminations similar to those it had allowed the shipping industry, but even at that early date it was seen that it was not wise to extend such privileges.

The ship-subsidy scheme is not an untried experiment. Twice before, on a large scale, the United States Government has attempted it, but in both cases it was a sad failure, and was connected with a disgraceful chapter of Federal legislation. In 1850 the Government granted a subsidy of $385,000 to the Collins Line to ply between Liverpool and New York. From that date to 1859, when the company went out of existence in disaster, its ocean territory was repeatedly broadened and the subsidy raised until it reached $2,000,000, yet, despite it all, the project failed. Nor was the case of the Pacific Mail Company, in 1865-1875, any more successful. Fraud and misuse of funds was the record of both enterprises. Dr. Hadley, of Yale, says: "While the subsidized steamers are useful in providing a reserve in case of war, their commercial success is always doubtful. Experience proves that the system of bounties calls unnecessary ships into operation and diminishes the regular earnings of the business, for which the Government bounty furnishes scant compensation. It has caused waste instead of economy, loss rather than gain."

We hear it constantly quoted that Great Britain has built up the largest merchant marine of the world by its generous grants of Government subsidies, and that for that reason we should emulate her example. This has led to a general misunderstanding of the subject. Great Britain gives no such subsidies as the ship-subsidy bill calls for, nor are the cases parallel. A hundred years ago all of the nations of the globe were using wooden vessels for their ocean traffic. With our unbroken and limitless forests, reaching to the very sea edge, and with labor to be had for the asking, our shipbuilding industry forged to the front. For many years our merchant marine led the sails on all seas. But with the introduction of steam and steel craft, England, with its then larger supply of iron and steel, soon surpassed us in shipbuilding, and with our restricted navigation laws it was impossible for us to compete with her.

Steam craft were an experiment, and as an experiment Great Britain, in about 1838, began granting ship subsidies. This was rendered necessary by her large and far-separated colonies. The subsidies were continued under the Admiralty until 1860, but by that time the system had become so notoriously corrupt that it was taken entirely out of the control of the Admiralty and transferred to the post-office department of the Government. The system of private contracts was abolished; the whole enterprise was thrown open to public competitors; and the entire grant of subsidies was reduced to the carriage of ocean mails and the maintenance of the marine reserves. From that day to this this has been the extent of Great Britain's ship subsidies, and it is worthy of note that under these circumstances the Inman and other unsubsidized lines of England have paid as well as those which have received the Government grants.

It should be borne in mind that subsidies always mean increased taxation and that the ship subsidy of the proposed law will be no exception to the rule. Could it be shown that the beneficiary was an infant industry that needed Government aid, the reason for the introduction of the bill might be justifiable; but, as has been said, the chief beneficiaries of the law would be old and well-established fast passenger lines that have no more ground for asking for public money than have any of the prosperous merchants of any of our large cities. The legitimate object of taxation is public necessity. In what way can these steamship companies show that they are diving into the United States Treasury for "public necessity?" Verily, it has been said, with truth, "The bill would inaugurate as graceless a raid on the United States Treasury as was ever devised by human greed."

There is no necessity for the ship-subsidy law. The American merchant marine is bound in a very few years to become self-supporting without Government pap. If our antiquated and pernicious navigation laws could be remodeled and the restriction on foreign-built ships struck from the statute book, it would reach it with giant strides. The law against the registration of foreign-built ships under the American flag is a dead weight to competition. Give us free ships, and we could run them all over the waters of the globe and bid defiance to every competitor; but with the laws as they are there is no necessity for the ship-subsidy law. With our unlimited mines of steel, iron, and coal; with our abundant resources, not equaled elsewhere under God's canopy of blue, we are as certain as that day follows night to again take the leading place in the merchant marine of the world, as we are doing in every other branch of international commerce.

It is claimed that it costs more to build ships in the United States than in the maritime countries of Europe; that it costs more to run an American ship in wages and supplies, and that the European governments support their merchant-marine service by subsidies, against which our unsubsidized ships can not compete. Time is proving the fallacy of these claims. If the American shipping industry were in the sad plight the advocates of the ship-subsidy bill maintain, would our shipyards show their present flourishing condition? If the industry really does not pay, why do the International Company, the Atlantic Transport Company, the Pacific Mail, the Ward Line, and a dozen others that might be named continue to run? Surely it has not been purely a labor of love and mercy with them all of these years. Can it be that a broad philanthropy has incited them to remain in the business, although at a loss?

I repeat, there is no necessity for the ship-subsidy law. Never in our history have our shipyards been so busy. For the past two years they have been taxed to their utmost capacity to fill their increasing orders. Domestic shipbuilding has become a gigantic enterprise, and the present generation is sure to witness a marvelous growth of the American merchant marine. Not only are all shipyards busy now, but they are crowded with orders which extend over the next two years. New shipping docks are building, larger than any existing ones; old ones are enlarging their borders. Last year there was an addition to our merchant fleet of 420,000 tons gross, and 140,000 tons gross was used in the construction of war vessels. Besides this, 40,000 tons of ship plate was sold abroad, showing that it is only a matter of time until we will become the producing plant for even the maritime provinces of Europe.

The references which I have here made to the cost and condition of shipbuilding in America bring up for consideration another pretense on the part of the advocates of the pending bill, namely, that our American shipping and shipyards are in a languishing condition. In view of all the facts to the contrary which confront us on every hand this is a most extraordinary pretense. The last report of the Commissioner of Navigation shows that there has been a steady and rapid increase in our American shipbuilding during the last five or six years, until it reached last year the highest development which it has attained since 1855. Some of the particulars of the great progress of this industry in our country during the last three years will be both instructive and interesting in connection with this point. The Blue Book of American Shipping for 1899 described the situation in that year in the following language:

No single year in the third of a century that has been consumed in the development of iron and steel shipbuilding in the United States has witnessed progression as rapid or the introduction of innovations as numerous or radical as that which has elapsed since the last issue of the Blue Book of American Shipping. American triumphs in the foreign-trade field are gradually convincing the people of the whole country that the development of our shipping interests is not a matter that concerns only the shipbuilder or shipowner.

The development of the American mercantile marine and the American shipbuilding industry have gone forward hand in hand, both stimulated by the greater industrial activity following the Spanish-American war; the shipbuilding industry benefited especially by the severe drain made by Government purchases of available tonnage for the auxiliary naval fleet.

The report of the Commissioner of Navigation for the Treasury Department, fiscal year ended June 30, 1899, will show a growth unprecedented in the history of shipbuilding in this country, and the figures for the year just opening will be even more interesting. There are now building in our shipyards for the United States and foreign countries more than 50 naval vessels, valued at upward of $40,000,000, exclusive of armor and armament, and more than 200 merchant vessels (no small craft of any kind included), the aggregate value of which exceeds $30,000,000.

There has been turned out in this single year an Atlantic coast fleet of respectable size, in which the Cromwell, Morgan, Ward, Merchants and Miners', Old Dominion, Plant, Old Bay, and almost all other principal coast lines have been represented. For Pacific coast service there are building more modern steel freight and passenger steamers than have been constructed in any three previous years combined. On the western rivers steel hulls have made their appearance, with promise of the river fleet being gradually rebuilt along steel lines. The shipyards of the entire country have, in fact, orders sufficient on hand to keep them in operation for periods ranging from one to three years. The largest merchant vessels and vessels of war ever constructed on this side of the Atlantic are now on the stocks in American yards. The principal steamship companies of the country has been compelled to place orders abroad by reason of inability to secure

from any American builder a promise of delivery in anything like the time required. All the yards, great and small, are developing and expanding. At Newport News, Va., alone, the improvements under way will entail an expenditure of $2,000,000. A $3,000,000 shipyard is in progress of establishment on the Delaware, and another with a capital of $1,000,000 is projected. The Maryland Steel Company reopened its marine plant in obedience to a rush of work that enabled it to, six months later, have 7 steel steamers under construction. Southern energy embodied in the William R. Trigg Company converted Richmond, Va., into a shipbuilding port. The general extension of the use of pneumatic tools in the construction of steel vessels is a feature of the year's progress, as is also the more extended introduction of cantilever cranes and other equipment calculated to reduce costs by facilitating shipyard operations.

On the Great Lakes all the leading shipbuilding and dry-dock plants have been merged into the American Ship Building Company, one of the strongest of the recently formed industrial organizations, with a conservative policy, well defined, and with complete control still in the hands of the men who built up this industry in the lake region. This company already has in hand several orders for freight carriers of 9,000 net tons capacity on 18 feet draft, that are not to be delivered until May, 1900, but on which work must begin immediately, as they are to cost approximately $350,000 each, and with quadruple-expansion engines and water-tube boilers will represent the best practice that is to be found in shipbuilding anywhere in the world. A total value of about $6,000,000 is represented by all new tonnage now under way in shipyards of the Great Lakes, and there is every reason to expect that this aggregate will be kept up for a couple of years to come, notwithstanding the higher values now prevailing in labor, material, and supplies of all kinds. In short, it is the general opinion that under the influence of powerful corporations now controlling transportation affairs on the Great Lakes, practically the entire fleet is to be rebuilt on lines of the modern steel vessel.

The Cramps, of Philadelphia, and the Union Iron Works, of San Francisco, have completed the first war vessels for foreign powers turned out from American shipyards in many years. The American "tramp" steamer has made its appearance. New England districts are again witnessing quite a little activity in the construction of wooden vessels, even to the placing of an order for a six-masted ship that is to carry 5,500 tons dead weight. * * * Finally the United States has learned much from the foreign shipbuilder and his kindred artisans, and seemingly the British shipbuilder is ready to accord more attention to the trend of events in this country. An American firm recently furnished to Belfast builders a large consignment of ship plate for the *Oceanic*, the largest vessel ever constructed, and the British technical journals are universal in the concession that in America is to be found the future rival of Great Britain as a shipbuilding and shipowning nation.

Also, the following extracts from the Blue Book of American Shipping for the following year, 1900:

The development in iron and steel shipbuilding, which was noted in the last issue of the Blue Book, continues with unabated energy. New shipyards are springing up along the Atlantic and Pacific coasts. The New York Shipbuilding Company is building a new plant at Camden, N. J., which will be one of the largest in the country. Work is being rushed, and the company expects to bid for the new battle ships and cruisers to be built by the United States Navy. Ship construction will be begun there some time during the present year. At New London, Conn., the Eastern Shipbuilding Company is erecting an immense plant. The works of this company are primarily established to build two cargo carriers for the Pacific trade for James J. Hill, of the Great Northern Railway. These carriers will be of 34,000 tons and will exceed in size anything afloat. Something of their size may be appreciated when it is said that they will be bigger than the *Lucania* and *Campania* put together, and will have about 5 acres of deck space. As profit-earning capacity and not speed is the end sought, they will be slow boats, designed for moderate coal consumption.

The Wm. R. Trigg Company, of Richmond, Va., is adding extensively to its plant, being now engaged in an outlay of $800,000 in improvements. The new equipment will make it one of the largest shipbuilding plants on the Atlantic coast. The Fore River Engine Company, of Weymouth, Mass., one of the latest in the field, has grown so rapidly that it has just purchased 60 acres of land at Quincy Point, Mass., 2 miles from its present site, for a new plant. The Cramps, at Philadelphia, have extended their works by the purchase of an adjoining shipyard, and the Newport News Company, at Newport News, Va., is just completing a very large dry dock and other additions to its plant. A healthful sign is the appearance of the American "tramp" steamer, which, nomad though it be, is the sure forerunner of a reviving merchant marine. The New England shipyards, too, are still building a type of very large sailing vessels, one of them a six-masted schooner, the largest that has ever been constructed. In the handling of that class of freight which depends more on economy of movement than promptness of delivery, these vessels will have a distinct field of usefulness.

Since the opening of Alaska the Pacific coast has received a decided impetus in shipbuilding. The Risdon Iron Works, of San Francisco, has engaged in general shipbuilding. They are equipping a plant of sufficient capacity to build the largest type of ships. The Wolff & Zwicker Iron Works, of Portland, Oreg., is contemplating the erection of a shipbuilding plant at St. Johns. At the Union Iron Works, San Francisco, additions and improvements of considerable importance have been made of late, and the same is true in a proportionate degree of the smaller works. The development of trade with the Orient will make the Pacific coast an important center in shipbuilding. Of that there are sufficient signs already.

As to the growth of shipbuilding in the United States during the last decade of the nineteenth century, the following table bears eloquent witness. It is a compilation by the chief statistician for manufactures in the Census Office, and is a part of the new census of 1900. This table shows that during the decade the capital invested in shipbuilding enterprises in the United States increased 181 per cent; the number of wage-earners employed in that business increased 108 per cent; the wages increased 86 per cent, and the value of products increased 93 per cent. The table follows:

	1900.	1890.	Per cent of increase.
Number of establishments	1,083	1,006	7.7
Capital	$76,699,651	$27,262,892	181.3
Wage-earners, average number	46,121	22,143	108.3
Total wages	$24,288,109	$13,033,949	86.4
Miscellaneous expenses	$3,592,257	$1,398,551	157.2
Cost of materials used	$53,031,280	$16,521,246	99.9
Value of products, including custom work and repairing	$73,444,753	$38,065,410	92.9

Finally, as to the figures for the last fiscal year, ended June 30, 1901, the report of the Commissioner of Navigation shows that the total tonnage of the United States at that date was, with one single exception, greater than ever before recorded, comprising 24,057 vessels, of 5,524,218 tons, and that in that fiscal year we built 1,580 vessels, of 483,489 tons, the greatest tonnage ever built in one year in this country since 1855. It is also stated that "construction during the current fiscal year promises nearly, if not quite, to equal the greatest in our history."

In his recent document on The Shipping Industry of the United States, the Chief of the Bureau of Statistics bears similar witness. He states that—

there are abundant proofs that capital has so far lost its attitude of reserve, if not timidity, toward shipping under American registry as to be entering upon a large-scale system of shipbuilding for the first time in our national history. We seem at last to be laying new and broad foundations for this great industry, for which nature and history has fitted us, and which has hitherto failed to develop at the desired rate.

In view of all this testimony, added to the official returns from shipyards printed recently in the columns of the CONGRESSIONAL RECORD—returns which show in most cases that the shipyards are full of work—how can anybody assert that the American shipping industry and shipyards are in a languishing condition?

As to the mooted question of the cost of building ships in this country, on which the subsidy champions lay so much stress, that appears to me to be very easily disposed of. If the cost is as much greater here than in Europe as they contend, then not all the subsidy in the world will succeed in making an American merchant marine pay. If our ships are so much more expensive and cost so much more to navigate, they will demand higher freight and passenger rates, and must have them in order to maintain themselves. But people will not pay higher rates unless they are compelled to do so by law, and in such a case as is supposed the people would take passage and send their goods in the foreign vessels, which would offer cheaper rates. The American vessels, then, would be simply maintained by the subsidies, and those subsidies would be paid by the American people. In brief, the American people would be forced to pay out of their pockets the money for supporting these expensive American-built vessels, which could not support themselves on their own merits or without such assistance against competition by the less expensive foreign vessels. If this is not class legislation, surely there never was an instance of any.

Now, Mr. President, if the contrary is true, if it is not materially more expensive to build ships here, then no subsidy is needed or justified. And the latest figures and facts and occurrences all go to show that it is not more costly to build ships here than in Great Britain, or anywhere else. The crowded condition of our shipyards is one evidence of this; the figures of the current markets furnish further evidence. Steel, iron, and wood, and all other shipbuilding materials are now no more expensive here than they are abroad. Moreover, all such materials can be imported free of duty for shipbuilding purposes. Our plants are as complete as any in Europe. Our tools and machinery are better than those of Europe. Our workingmen are vastly better. They get higher wages, but they do much more in a given time, and do it much better, so that the factor of higher wages is thus eliminated. Here, again, we have the testimony of the Chief of the Bureau of Statistics:

The experience of the last seven years has enabled manufacturers of steel ship plates to bring the price of this particular material below that which rules at Middlesborough, England, so that, even though the relative cost of ship plates may have only recently fallen below the price which British and Scotch shipbuilders have to pay, the fact remains that the achievement in this one direction has been accomplished, and no one acquainted with the manufacturing industries on which shipbuilding is dependent for other materials will deny that it is only a question of time when a corresponding reduction will have been accomplished in enough other divisions of manufacture to put the shipyards of the United States on an equal footing with those of Great Britain.

The statements as to the increased cost of shipbuilding in this country vary considerably, as all must have noticed. The Senator from Maine and several Senators put it at 30 or 35 per cent; some call it 25 per cent; Mr. Dickie, of the Union Iron Works, in a paper read at a meeting of the naval architects in New York, said it was about 15 per cent, and so on down. In the discussion which followed Mr. Dickie's paper, Mr. W. I. Babcock made the following important suggestions:

As a matter of fact, if we are able to ship steel to England, there is hardly any reason to suppose that through a long term of years the shipbuilders in this country will have to pay more for the same steel when they have not got the ocean freight against them. I do not think the question of material need to worry us at all in that respect. There remains only the cost of labor, and that is by far the most important of all. I must admit that I do not quite follow Mr. Dickie's figures here. He says that our total labor cost on a ship is 25 per cent more than the British cost, and also that the labor cost of the steel work of construction alone is about the same in both countries. With this latter statement I agree, for I arrive at the same conclusion from such information as I was able to obtain from there three years ago. On the lakes the labor on the steel work alone of a ship is about 32 per cent of the total cost of that ship, and all other labor, painting, carpenter and joiner work, and outfit (excluding propelling machinery) ranges from 7 per cent in a bulk-freight steamer to 12 per cent in a package-freight steamer, the latter meaning

a boat with main deck, gangways, and hoisting machinery; and the former an ore, coal, or grain carrier.

Now, if the labor cost on the steel work is the same in both countries it is impossible that an addition of some 50 per cent to the cost of the other labor, which in any ship would be considerably less than that on the steel work, though perhaps not as much as on the lakes, would add 25 per cent to the total labor—that is, the labor on the hull is the principal labor on the ship, and Mr. Dickie says himself he thinks we can do that just as cheaply as they can on the other side—a steel hull. As I say, on the lakes the other labor is almost from 7 to 12 per cent of the total cost of the ship. Whatever you add to that is a very small proportion to add to the total labor. Mr. Dickie seems to think that the explanation of the equal costs in steel work lies in the piece-work system. But his own statement is that even on work supposed to be done by piece there is more day work than piecework. How, then, does he account for equal costs, even supposing piece rates are the same, when our day wages are so much greater—50 per cent he gives it, though I think it nearly 75 per cent? It seems to me the true explanation is that our men do much more work in a day, that they are very much steadier and lose a great deal less time, that the working day is better divided up, two periods instead of three, that our yards are better arranged and have better machinery, and our management is better. Now, if we can overcome the handicap in wages in steel work, why can we not do the same in everything else? We can. And all we want is work enough to keep our yards occupied all the time and a little more experience to prove it.

The mail-subsidy feature of the bill has been so thoroughly discussed already that I do not need to go into it extensively. As I said a while ago, the principal objection to the proposed mail subsidies is that they are too large. No one objects to a proper extension of the ocean mail service at a proper cost, but ever since 1891 we have been paying our American lines at least twice as much for such service as was proper or necessary, at least twice as much as Great Britain pays for similar service or as we pay foreign lines for carrying the excess mails which our American lines are not able to handle. A few figures from the official statistics will prove this statement.

In the last fiscal year the International Navigation Company (American Line) carried 71,000,000 grams of letter mail and 641,000,000 grams of printed matter, and was paid under the act of 1891 $528,537.

The Cunard Line (British) carried 137,000,000 grams of letters and 835,000,000 grams of printed matter, and was paid $213,103.

The White Star Line (British) carried 62,000,000 grams of letters and 326,000,000 grams of printed matter, and was paid $91,591.

In other words, we paid the American Line more than twice what we paid the Cunard Line for carrying not much more than half the amount of mail carried by the Cunard Line; and we paid the American Line about six times as much as we paid the White Star Line for carrying practically the same amount of mail matter.

On the Pacific the same discrepancy was noticeable. We paid the American Pacific Mail Line $52,533 for carrying 9,000,000 grams of letters and 118,000,000 grams of printed matter, and the British Occidental and Oriental Line $19,638 for carrying almost exactly the same amount of mail.

We also paid the New York and Cuban Company (American) about $200,000 for carrying 1,995 pounds of letters and 30,864 pounds of printed matter, which was at the rate of $6 a pound, whereas our rate for paying the foreign companies was only 44 cents per pound for letters and 4½ cents a pound for printed matter.

In addition to this, it must be taken into consideration that the foreign steamers were the quickest and the most frequent, and also that the pending bill proposes to still further increase the payments to American vessels for mail carriage by at least 30 per cent. These specimen figures are quite sufficient, in my opinion, to show the undesirable and inequitable nature of the mail-subsidy division of the bill.

I will not attempt, Mr. President, to go further into an analysis of this bill. Several other injurious features occur to me, which I will not take time even to mention. It occurs to me merely to refer to the omission of the former cargo clause, which would permit vessels to draw subsidies for going to sea without any cargo whatever or without any mail. Another point is that the bill makes no limit to the subsidy to be paid, as the former bill did. It is claimed that the amount to be derived from the bill at first would be only about $6,000,000 or so. But whatever the amount might be, there would inevitably be an extension of it as the years passed by. Such a bill as this, giving away the public money, and without any limit, will never tend toward smaller expenditures. Out in the Western country occasionally one comes across a grown-up ox which continues to bellow after its mother, and thereby creates general hilarity in all the region round about. This habit is due to a lack of proper discipline in its younger days, and the farmers have a saying that "such calves can never be weaned." This subsidy bill, Mr. President, is a calf that can never be weaned.

In brief, this bill ought not to pass because it is illegal and unconstitutional, being a scheme to spend the public money for the benefit of one particular industry; because it would not effect the objects which it proposes to effect, with regard to the promotion of commerce and the providing for the common defense; because its proposed subsidies for mail carriage are excessive and extravagant, and because the shipbuilding industry does not need and is not entitled to any such assistance. The shipbuilding industry is already protected far more than most of our industries. All materials from abroad that are used in the building of ships for the foreign trade are admitted to this country free of duty, no foreign vessel is permitted to engage in our coastwise trade, our Government is required to have all its naval vessels built in American yards, and our American mail-carrying vessels are paid at a rate more than double the rate received by foreign mail-carrying vessels.

These are but a few objections to the bill, and very imperfectly presented; but even so, Mr. President, I think they are amply sufficient to show beyond doubt or cavil that the bill should certainly be defeated.

Mr. TELLER obtained the floor.

Mr. PETTUS. I should like to inquire of the Senator from Colorado if it would suit his convenience to go on in the morning?

Mr. TELLER. I would rather proceed in the morning, if I can go on immediately after the routine morning business. I think I ought to do that if I yield the floor now.

Mr. KEAN and Mr. SPOONER. Give notice of it.

Mr. TELLER. I will yield now, and will resume the floor immediately after the conclusion of the routine morning business to-morrow.

The PRESIDING OFFICER (Mr. PERKINS in the chair). No objection being heard, the Senator from Colorado will proceed with his remarks immediately after the routine business to-morrow morning.

EXECUTIVE SESSION.

Mr. PETTUS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and thirty minutes spent in executive session the doors were reopened, and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Saturday, March 15, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 14, 1902.

APPOINTMENTS IN THE ARMY.

To be chaplains.

Rev. Paul Traugott Brockmann, of Wisconsin, March 13, 1902, to fill an original vacancy.

Rev. Francis Brooks Doherty, of California, March 13, 1902, to fill an original vacancy.

Rev. James Ossewaarde, of Michigan, March 13, 1902, to fill an original vacancy.

Rev. James Aloysius Dalton, of Pennsylvania, March 13, 1902, to fill an original vacancy.

Rev. Patrick Perfecto Carey, of New York, March 13, 1902, to fill an original vacancy.

Rev. George Herbert Jones, of Washington, March 13, 1902, to fill an original vacancy.

Rev. Julian Emmet Yates, of Kansas, March 13, 1902, to fill an original vacancy.

COLLECTOR OF CUSTOMS.

Howard S. Nyman, of the District of Columbia, to be collector of customs for the district of Georgetown, in the District of Columbia, to succeed William B. Todd, whose commission will expire by limitation May 27, 1902.

UNITED STATES ATTORNEY.

Carl Rasch, of Montana, to be United States attorney for the district of Montana, vice William B. Rodgers, whose term expired February 27, 1902.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 14, 1902.

RECEIVER OF PUBLIC MONEYS.

Harvey J. Rice, of Huron, S. Dak., to be receiver of public moneys at Huron, S. Dak.

INDIAN AGENT.

Charles R. A. Scobey, of Montana, to be agent for the Indians of the Fort Peck Agency in Montana.

APPOINTMENTS IN THE ARMY.

Artillery Corps.

William Patterson, of New Jersey, to be second lieutenant, February 27, 1902.

Earl Biscoe, of the District of Columbia, to be second lieutenant, March 5, 1902.

TRANSFERS IN THE ARMY.

Second Lieut. Charles E. Kilbourne, jr., Fourteenth Infantry, from the Infantry Arm to the Artillery Corps, with rank from August 1, 1899.

Second Lieut. Paul A. Barry, Fourth Infantry, from the Infantry Arm to the Artillery Corps, with rank from October 1, 1899.

Second Lieut. Albert U. Faulkner, Third Infantry, from the Infantry Arm to the Artillery Corps, with rank from February 2, 1901.

POSTMASTERS.

John A. Bingham, to be postmaster at Talladega, in the county of Talladega and State of Alabama.

Seborn E. York, to be postmaster at Athens, in the county of Limestone and State of Alabama.

John R. Roberts, to be postmaster at Slatington, in the county of Lehigh and State of Pennsylvania.

Seymour L. Billings, to be postmaster at Marion, in the county of Marion, and State of Kansas.

C. M. Higley, to be postmaster at Cawker City, in the county of Mitchell and State of Kansas.

Robert Cloud, to be postmaster at Tuscumbia, in the county of Colbert and State of Alabama.

Lewis W. Brannon, to be postmaster at Princeton, in the county of Mercer and State of Missouri.

Thomas Curry, to be postmaster at Oregon, in the county of Holt and State of Missouri.

John W. Presson, to be postmaster at Doniphan, in the county of Ripley and State of Missouri.

R. Titus Coan, to be postmaster at Albion, in the county of Orleans and State of New York.

Edward E. Eversole, to be postmaster at Monte Vista, in the county of Rio Grande and State of Colorado.

John C. Mitchell, to be postmaster at Alma, in the county of Harlan and State of Nebraska.

James A. Howarth, to be postmaster at New Haven, in the county of New Haven and State of Connecticut.

James T. Larmouth, to be postmaster at Jamestown, in the county of Chautauqua and State of New York.

John D. Van Nostrand, to be postmaster at Flushing, in the county of Queens and State of New York.

Nathan B. Needham, to be postmaster at Clifton, in the county of Washington and State of Kansas.

John McPherson, to be postmaster at Blue Rapids, in the county of Marshall and State of Kansas.

William C. Perdue, to be postmaster at Beloit, in the county of Mitchell and State of Kansas.

John R. Marshall, to be postmaster at Yorkville, in the county of Kendall and State of Illinois.

Jerome B. Stewart, to be postmaster at Wilmington, in the county of Will and State of Illinois.

Martin A. Gilson, to be postmaster at Harvey, in the county of Cook and State of Illinois.

Joseph H. Pierson, to be postmaster at Carrollton, in the county of Greene and State of Illinois.

Frank Yeager, to be postmaster at Lanark, in the county of Carroll and State of Illinois.

Peleg A. Coal, to be postmaster at Gibson City, in the county of Ford and State of Illinois.

Thomas Diller, to be postmaster at Sterling, in the county of Whiteside and State of Illinois.

Thomas A. Jewett, to be postmaster at Oregon, in the county of Ogle and State of Illinois.

Robert W. McKnight to be postmaster at Girard, in the county of Macoupin and State of Illinois.

Martin A. L. Olsen, to be postmaster at Dekalb, in the county of Dekalb and State of Illinois.

James W. Prouty, to be postmaster at Roseville, in the county of Warren and State of Illinois.

John G. Seitz, to be postmaster at Upper Alton, in the county of Madison and State of Illinois.

William Wiese, to be postmaster at Nashville, in the county of Washington and State of Illinois.

Henry C. Claypool, to be postmaster at Morris, in the county of Grundy and State of Illinois.

Michael F. Walsh, to be postmaster at Harvard, in the county of McHenry and State of Illinois.

William F. Hodson, to be postmaster at Delavan, in the county of Tazewell and State of Illinois.

Edward F. Ledoyt, to be postmaster at Sandwich, in the county of Dekalb and State of Illinois.

George R. Palmer, to be postmaster at Onarga, in the county of Iroquois and State of Illinois.

George S. Faxon, to be postmaster at Plano, in the county of Kendall and State of Illinois.

Harrison P. Nichols, to be postmaster at Maywood, in the county of Cook and State of Illinois.

William E. Ludlow, to be postmaster at Griggsville, in the county of Pike and State of Illinois.

John W. Fornof, to be postmaster at Streator, in the county of La Salle and State of Illinois.

William E. Hull, to be postmaster at Peoria, in the county of Peoria and State of Illinois.

Albert R. Maginnis, to be postmaster at Abingdon, in the county of Knox and State of Illinois.

Alden Lyle, to be postmaster at Golden City, in the county of Barton and State of Missouri.

Alvin Goodson, to be postmaster at Carrollton, in the county of Carroll and State of Missouri.

Edwin M. Wheelock, to be postmaster at Hopedale, in the county of Worcester and State of Massachusetts.

Robert M. Skillen, to be postmaster at Akron, in the county of Erie and State of New York.

Percy A. Brundage, to be postmaster at Tecumseh, in the county of Johnson and State of Nebraska.

David B. Hobson, to be postmaster at Willow Springs, in the county of Howell and State of Missouri.

R. E. Troutman, to be postmaster at Jacksonville, in the county of Cherokee and State of Texas.

David A. Perrin, to be postmaster at White River Junction, in the county of Windsor and State of Vermont.

William C. Froehley, to be postmaster at Hamburg, in the county of Erie and State of New York.

John H. Jacobs, to be postmaster at Norborne, in the county of Carroll and State of Missouri.

William H. Garanflo, to be postmaster at New Madrid, in the county of New Madrid and State of Missouri.

Cyrus H. Hartzell, to be postmaster at Holden, in the county of Johnson and State of Missouri.

John T. Robinson, to be postmaster at Elmhurst, in the county of Queens and State of New York.

Matthew G. Frawley, to be postmaster at Baldwinsville, in the county of Onondaga and State of New York.

Theodore C. Starr, to be postmaster at Roselle, in the county of Union and State of New Jersey.

Stott Mills, to be postmaster at Warwick, in the county of Orange and State of New York.

Melvin J. Esmay, to be postmaster at Schenevus, in the county of Otsego and State of New York.

John Dwyer, to be postmaster at Sandy Hill, in the county of Washington and State of New York.

George W. Jackson, to be postmaster at Fairmont, in the county of Fillmore and State of Nebraska.

George M. Prentice, to be postmaster at Fairfield, in the county of Clay and State of Nebraska.

Lucius G. Comstock, to be postmaster at Central City, in the county of Merrick and State of Nebraska.

William M. O'Leary, to be postmaster at Dallas, in the county of Dallas and State of Texas.

Isador Sobel, to be postmaster at Erie, in the county of Erie and State of Pennsylvania.

Festus Lloyd, to be postmaster at Ebensburg, in the county of Cambria and State of Pennsylvania.

Thomas A. Guthrie, to be postmaster at Thurber, in the county of Erath and State of Texas.

Augustus T. England, to be postmaster at Afton, in the county of Chenango and State of New York.

Fred G. Haskins, to be postmaster at Bristol, in the county of Addison and State of Vermont.

George A. Lyman, to be postmaster at Amboy, in the county of Lee and State of Illinois.

Lucian Bullard, to be postmaster at Forrest, in the county of Livingston and State of Illinois.

George I. Barndollar, to be postmaster at Coffeyville, in the county of Montgomery and State of Kansas.

William Caruthers, to be postmaster at Norwich, in the county of New London and State of Connecticut.

Samuel F. Davis, to be postmaster at South Paris, in the county of Oxford and State of Maine.

Frank C. Scott, to be postmaster at Valley Falls, in the county of Jefferson and State of Kansas.

Henry Mayo, to be postmaster at Ottawa, in the county of La Salle and State of Illinois.

Alfred R. Wilcox, to be postmaster at Minonk, in the county of Woodford and State of Illinois.

William G. Dustin, to be postmaster at Dwight, in the county of Livingston and State of Illinois.

H. D. Hill, to be postmaster at Augusta, in the county of Butler and State of Kansas.

Edward H. Allison, to be postmaster at Grundy Center, in the county of Grundy and State of Iowa.

Edward G. Thompson, to be postmaster at Springvalley, in the county of Bureau and State of Illinois.

W. J. Watson, to be postmaster at Pittsburg, in the county of Crawford and State of Kansas.

Luther Swensson, to be postmaster at Lindsborg, in the county of McPherson and State of Kansas.

George W. Doty, to be postmaster at Burlingame, in the county of Osage and State of Kansas.

Albert S. J. McRae, to be postmaster at McRae, in the county of Telfair and State of Georgia.

Frank P. Ware, to be postmaster at Brightwood, in the county of Hampden and State of Massachusetts.

Lorenzo B. Hill, to be postmaster at Togus, in the county of Kennebec and State of Maine.

Theodore C. Hacker, to be postmaster at Red Cloud, in the county of Webster and State of Nebraska.

Frank M. Kimmell, to be postmaster at McCook, in the county of Redwillow and State of Nebraska.

Oscar A. Ashbrook, to be postmaster at Hebron, in the county of Thayer and State of Nebraska.

Frank W. Hallock, to be postmaster at Millbrook, in the county of Dutchess and State of New York.

George N. Wimer, to be postmaster at Palmyra, in the county of Burlington and State of New Jersey.

A. F. Enos, to be postmaster at Stanton, in the county of Stanton and State of Nebraska.

Michael Delaney, to be postmaster at Waterville, in the county of Marshall and State of Kansas.

Lulu M. Farmer, to be postmaster at Thomson, in the county of McDuffie and State of Georgia.

Adelbert C. Brink, to be postmaster at Wolcott, in the county of Wayne and State of New York.

INJUNCTION OF SECRECY REMOVED.

The injunction of secrecy was removed from the following convention which was ratified March 14, 1902:

A convention with respect to the laws and customs of war on land, signed at The Hague July 29, 1899, by the plenipotentiaries of the United States and other powers.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 14, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HERNY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

LOAN OF TENTS TO TEXAS REUNION ASSOCIATION.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 161, authorizing the Secretary of War to loan tents to the Texas Reunion Associations.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to loan to the officers of the Texas Reunion Association such number of tents, poles, and pins as may be necessary for the accommodation of the Confederate reunion to be held at the city of Dallas, Tex., April 22 to April 25, 1902: *Provided*, That the Secretary of War shall, before delivering such property, take from such officers a good and sufficient bond for the safe return of said property in good order and condition; and the whole without expense to the United States.

The SPEAKER. Is there objection to the present consideration of the joint resolution? [After a pause.] The Chair hears none.

The joint resolution was ordered to be engrossed and read a third time; and it was read the third time, and passed.

On motion of Mr. LANHAM, a motion to reconsider the last vote was laid on the table.

TOWN SITE OF BASIN CITY, WYO.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11053) providing for the issuance of patent to the town site of Basin, Wyo., to the municipal authorities thereof for the use and benefit of said town.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue to the properly constituted authorities of the town of Basin, Wyo., for the use and benefit of said town, a patent to all that portion of the east half of the northwest quarter and the west half of the northeast quarter of section 21, township 51 north, range 93 west of the sixth principal meridian, which has not been sold by the United States at the time of the passage of this act, the above-described tract being the town site of the said town of Basin.

With the following amendments recommended by the committee:

In line 5, page 1, after the word "Basin," insert the word "City."

In line 1, page 2, after the word "Basin," insert the following:

"City: *Provided*, That separate patents shall be issued to Big Horn County, Wyo., for the court-house square, as shown upon the plat of said town, and to the properly constituted authorities of the school district in which the said town is located for the public-school square, as shown upon said plat."

Amend the title so as to read: "A bill providing for the issuance of patent to the town site of Basin City, Wyo., to the municipal authorities thereof for the use and benefit of said town, and for other purposes."

Mr. RICHARDSON of Tennessee. Mr. Speaker, I have not had an opportunity to look the bill over. I will be glad if the gentleman would make some explanation and state the amount of land involved.

Mr. MONDELL. Mr. Speaker, there are two general town-site laws. Under one of these laws the county judge of the county in which the proposed town site is situated enters the town site for the benefit of the inhabitants thereof, and payment is made to the Government of $1.25 to $2.50 an acre. Under that law every town site in the United States has been entered except the town site in question. When the people interested endeavored to have the town site entered under that law, they discovered that inasmuch as the county was not fully organized—there was no county judge—it would be impossible to have the town site established under that law.

As they were anxious for a town site, they entered the same under a law which provides for the establishment of a town site, the lots to be sold by the register and receiver of the land office and the proceeds to go into the Treasury of the United States. The amount of land entered was 160 acres. This land might have been entered, had the conditions been different, under the other town-site law for the sum of $200, or the land might have been homesteaded at a cost of $16.

Mr. RICHARDSON of Tennessee. If it had been entered under the first arrangement, the Government would have received $200 only?

Mr. MONDELL. Yes; and as it is the Government has received $2,100 for these 160 acres.

We now ask that the unsold lots be patented to the town authorities for the benefit of the town, the court-house square be patented to the county authorities, and the schoolhouse square to the authorities of the school district.

Mr. RICHARDSON of Tennessee. Has this been examined by the committee and recommended by the Commissioner of the Land Office or the Secretary of the Interior?

Mr. MONDELL. The committee reported unanimously. The Commissioner of the Land Office and the Secretary of the Interior made no special recommendation on this bill. The first bill introduced provided for the patenting of all the land to the town, but the Commissioner suggested that the schoolhouse square and the court-house square should be patented to the proper authorities and not to the town.

Mr. RICHARDSON of Tennessee. Well, if they are satisfied with it, I shall not object.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to.

The bill was ordered to be engrossed and read a third time; and it was read the third time, and passed.

On motion of Mr. MONDELL, a motion to reconsider the last vote was laid on the table.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. HITT. Mr. Speaker, I desire to present a conference report on the bill H. R. 11471, the consular and diplomatic appropriation bill. As the conference report, as everyone knows, is in technical language and not so easily understood, I will ask that the Clerk read the statement.

The SPEAKER. The gentleman from Illinois asks unanimous consent to dispense with the reading of the report and that the statement be read. Is there objection? [After a pause.] The Chair hears none.

[For conference report see page 2712 of the RECORD.]

The Clerk read the statement, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903, submit the following written statement in explanation of the effect of the action recommended in the accompanying conference report and each of the said amendments:

The amendment of the Senate raising the salary of the minister to Persia from $5,000 to $7,500 is disagreed to.

The salary of the secretary of the legation to Austria is increased $450, and of the second secretary of the same mission, which is to be elevated to an embassy, is provided for at $1,800.

Ten student interpreters at the Pekin legation, at $1,000 each, are to be selected in a nonpartisan manner, and who shall sign an agreement to continue in service as interpreters at legations and consulates so long as required within ten years.

Two thousand dollars is continued to provide for the International Prison Commission.

The post of secretary of legation to Belgium was created at $1,800 per year, the same as is paid at the adjoining and similar post, The Hague.

The salaries at Antwerp, Coburg, Munich, Lyons, Para (Brazil), Cologne, Lourenço Marquez (Africa), Belize, Geneva, Mannheim, Moscow, Rosario, Saltillo, St. Helena, are raised $500 each. Riga (Russia) is raised $250. Algiers (Africa), Ceiba (Honduras), posts now paid by fees, are salaried, respectively, at $1,500 and $1,000.

There are four increases of clerk hire, altogether amounting to $1,820.

The salary at Dawson City is retained at the same rate as it passed the House.

There is a decrease of $200 in the compensation of consular clerks.

The arrangements of the consular posts in alphabetical order which was adopted in the House bill was changed by the Senate restoring the old arrangement and to this your conferees assented.

Amount of estimates	$2,038,578.76
Amount of House bill	1,929,328.76
Increase by the Senate	34,696.93
Amount as passed by Senate	1,964,025.69
Reduction in conference	5,600.00
Amount as agreed in conference	1,958,425.69

Mr. HITT. Mr. Speaker, the statement of the managers, as just read, gives every detail so fully, and, I may add, details of points on which we had been disposed to agree in the House committee, but which we did not venture to put in the bill because of various considerations, that I do not think it necessary to take up the time of the House with any further explanation. The most important change was the one providing for ten student interpreters in China, but that is now safeguarded with such provision as we hope will secure their permanent services to the United States. I move the adoption of the conference report.

The motion was agreed to.

On motion of Mr. HITT, a motion to reconsider the last vote was laid on the table.

POST-OFFICE APPROPRIATION BILL.

On motion of Mr. LOUD, the House resolved itself into Committee of the Whole on the state of the Union and resumed the consideration of the Post-Office appropriation bill, Mr. LITTLEFIELD in the chair.

The Clerk proceeded to read the following:

Free-delivery service: For pay of letter carriers in offices already established, and for substitute letter carriers, and for temporary carriers at summer resorts, holiday, election, and emergency service, $17,430,450.

Mr. SWANSON (interrupting the reading). I want to reserve a point of order against all that part of the bill with reference to rural free delivery.

The CHAIRMAN. The gentleman from Virginia reserves a point of order.

Mr. SWANSON. I desire my point of order to apply to the paragraph beginning on line 14, page 10.

Mr. LOUD. If the gentleman desires to reserve a point of order upon this provision, he had better make it. He and myself, I thought, had a thorough understanding in regard to what was to be done. If the gentleman does not trust me, I insist on his making the point of order.

Mr. SWANSON. I did not want the matter to get out of the control of myself——

Mr. LOUD. Well, if the gentleman does not trust me, I insist that he make the point of order. He can not reserve it.

Mr. SWANSON. Mr. Chairman, I wish to say that when a paragraph has been read and no objection made to it, we can not get back to it except by unanimous consent, whatever the chairman of the committee [Mr. LOUD] might want to do with regard to the matter. I am not going to put myself in the attitude of allowing this matter to get beyond our control, because, as gentlemen understand, after a paragraph has been passed without any point of order being made, and without any reservation, it can not be recurred to except by unanimous consent. I simply desired to reserve the point of order so that it would not require the unanimous consent of 356 members to go back and raise objection to it.

The CHAIRMAN. Does the gentleman propose to raise the point of order at the close of the paragraph?

Mr. SWANSON. I want to reserve it either at the conclusion of the reading or before, whichever may be necessary.

The CHAIRMAN. It would have to be raised after the reading, if the gentleman from California insists that the gentleman from Virginia make a point of order at that time.

The Clerk resumed and concluded the reading of the paragraph.

The CHAIRMAN. Does the gentleman from Virginia desire to reserve a point of order?

Mr. SWANSON. I do, against each of these paragraphs.

Mr. LOUD. I insist that the gentleman can not reserve the point of order. If he wants to make a point of order he can make it.

Mr. SWANSON. I make the point of order against these paragraphs.

The CHAIRMAN. Does the gentleman from Virginia press his point of order at this time?

Mr. LOUD (after a pause). The gentleman from Virginia evidently does not know what he wants.

Mr. SWANSON. The paragraph just read is exactly the bill as agreed upon, and I withdraw the point of order.

The CHAIRMAN. The gentleman withdraws the point of order, and the Clerk will resume the reading.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having taken the chair, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 3791. An act to provide suitable medals for the officers and crew of the United States vessel of war *Kearsarge;*

S. 1685. An act providing for the adjudication by the Court of Claims and Supreme Court of pension claims involving difficult or important questions of law, as a means of establishing judicial precedents for the guidance of the Secretary of the Interior and the Commissioner of Pensions;

S. 2291. An act for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia;

S. 1475. An act for the relief of Jean Louis Legare, of the Dominion of Canada;

S. 1308. An act for the relief of Mrs. Julia L. Hall;

S. 3360. An act for the promotion of First Lieut. Joseph M. Simms, Revenue-Cutter Service;

S. 2443. An act to divide Nebraska into two judicial districts;

S. 3666. An act to authorize the sale of a part of the Fort Niobrara Military Reservation, in the State of Nebraska;

S. 2992. An act to ratify an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation to carry the same into effect;

S. 3317. An act authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander;

S. 4414. An act granting an increase of pension to Albertine Schoenecker;

S. 3908. An act granting homesteaders on the abandoned Fort Bridger Military Reservation, in Wyoming, the right to purchase one quarter section of public land on said reservation as pasture or grazing land;

S. 1912. An act granting to the State of Washington 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Washington State Soldiers and Sailors' Home; and

S. 314. An act for the relief of persons who made the first payment for desert lands under the act of March 3, 1877, but who were unable to perfect entry thereof.

The message also announced that the Senate had passed with amendment a bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 4821. An act granting an increase of pension to Herbert A. Boomhower.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 4084. An act granting an increase of pension to Charles H. Wickham.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the bill (H. R. 5224) providing for the relief of Edward Kershner.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 4488) granting an increase of pension to Selden E. Whitcher, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. MCCUMBER, Mr. SCOTT, and Mr. CARMACK as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution:

Senate concurrent resolution No. 30.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to obtain from the Government engineers at Rock Island, Ill., a survey, estimate, and report as to the cost, necessity, and practicability of a lock in what is known as the dam between Sears Island and the main island of Rock Island.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For incidental expenses, including letter boxes, furniture, satchels, straps, badges, etc., $150,000.

Mr. JETT. I wish to call attention to this item just read. Does it refer to receiving boxes?

Mr. LOUD. That means the boxes put up in the cities—the regular boxes—not the boxes that inhabitants on a rural route may provide for themselves. This paragraph does not relate to receiving boxes along the line of a rural-delivery route.

Mr. JETT. Is not that a large appropriation for that number? About how many do they usually have on a route?

Mr. LOUD. It is not all for boxes. There are incidental expenses, including the letter boxes, furniture, satchels, straps, badges, etc. Yes; I think it is a very large item.

Mr. JETT. Is it understood that these rural carriers have satchels, as they do in the cities?

Mr. LOUD. That is what I understand. They are furnished with satchels.

Mr. JETT. It is for the receiving boxes and not for the boxes along the line.

Mr. LOUD. No.

The Clerk read as follows:

For pay of letter carriers of rural free-delivery service, $7,000,000. In all, for rural free-delivery service, $7,529,400: *Provided*, That hereafter all mail service on rural free-delivery mail routes shall be performed by carriers designated pursuant to an advertisement inviting competitive bidding, except as herein otherwise provided.

Mr. DAVIDSON. Mr. Chairman, I desire to offer an amendment to line 25, on page 15, after the word "dollars."

Mr. LOUD. I desire to make a statement, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. DAVIDSON] yield?

Mr. DAVIDSON. Certainly, I yield to the chairman of the committee.

Mr. LOUD. I would state, Mr. Chairman, that it was understood when this bill was before the House that whatever action——

The CHAIRMAN. If the gentleman will suspend a moment I will state that the Chair is inclined to think that from line 22, on page 15, to line 8, on page 17, is substantially one paragraph, and that the Clerk may read, and then it will be subject to amendment or to the point of order, if it is desired to be raised.

Mr. LOUD. I have no objection to that.

The Clerk read as follows:

First. That before any person shall be designated to carry the mail on any mail rural free-delivery route, the Postmaster-General shall cause an advertisement to be posted for not less than ten days, in a conspicuous place accessible to the public, in the post-office from which the mail is to be carried, inviting proposals, in such form as he may prescribe, for the service to be performed. The service shall be awarded to the lowest bidder who shall furnish evidence satisfactory to the Postmaster-General that such bidder is a legal and actual resident of the district or territory in which the proposed service is to be performed; that he is a reliable and trustworthy person, of good moral character, able to read and write, and having sufficient intelligence and ability to properly perform the service, and who shall tender sufficient guaranties that he will personally perform acceptable service; but the Postmaster-General may reject all proposals submitted under any advertisement.

Second. That no additional compensation shall be allowed to a rural free-delivery carrier unless pursuant to an advertisement and award of service as herein provided.

Third. That under such regulations as the Postmaster-General may prescribe, a substitute carrier may be employed, at the expense of the regular carrier, to temporarily perform the service on any rural free-delivery mail route.

Fourth. That rural free-delivery carriers heretofore appointed, and now in the service, may be continued as carriers at a rate of compensation not exceeding $600 per annum, until such time as the Postmaster-General shall advertise for proposals and make awards for the several routes on which such carriers are now employed.

Mr. LOUD. I offer the following amendment.

The Clerk read as follows:

Strike out, in line 25, page 15, all after the word "provided;" also all of page 16 and lines 1 to 8, inclusive, of page 17, and insert the following:

"That on and after July 1, 1902, the Postmaster-General be, and is hereby, authorized to classify the rural free-delivery service and fix the compensation to employees in such service as follows:

"Special agents in charge of divisions at not exceeding $2,400 per annum.

"Special agents, four classes, graded in even hundreds of dollars, at $1,300, $1,400, $1,500, and not exceeding $1,600 per annum.

"Route inspectors, four classes, graded in even hundreds of dollars, at $900, $1,000, $1,100, and not exceeding $1,200 per annum.

"Clerks, four classes, graded in even hundreds of dollars, at $900, $1,000, $1,100, and not exceeding $1,200 per annum.

"Carriers at salary not exceeding $900 per annum and no other or further allowance or salary shall be made to said carriers. But the carriers shall not be prohibited from doing an express-package business provided it does not interfere with the discharge of their official duties.

"Under such regulations as the Postmaster-General may prescribe, a substitute carrier may be employed at the expense of the regular carrier, to temporarily perform the service on any rural free-delivery mail route.

"The Postmaster-General may allow such per diem and other incidental expenses in connection with the rural free-delivery service as Congress may from time to time provide."

Mr. LOUD. Mr. Chairman, that amendment is the act that passed the House the other day, word for word, which I offer here in place of that which is contained in the bill. This is in accordance with the understanding that was made at the time.

Mr. DAVIDSON. I offer the amendment which the Clerk will read.

The Clerk read as follows:

On page 15, line 25, after the word "dollars," insert the following:

"*Provided*, That the Postmaster-General shall cause to be prepared and distributed to those who may desire to make use of them specifications for mail boxes suitable for use on rural mail routes, and all boxes constructed according to such specifications and purchased and erected by patrons of rural routes shall be approved by the Post-Office Department without regard to the name of the person or firm which may have manufactured such boxes."

Mr. DAVIDSON. Mr. Chairman, I desire to be heard on the amendment. Let it be considered as an amendment to the amendment offered by the gentleman from California.

The CHAIRMAN. The gentleman from Wisconsin has the floor.

Mr. DAVIDSON. This amendment is in reference to the regulations under which boxes on rural mail routes are now procured.

Mr. LOUD. I reserve the point of order, Mr. Chairman, if it is not too late. My attention was distracted at the time, as you know the attention of the chairman of the committee often is.

The CHAIRMAN. I suppose, strictly speaking, the gentleman from Wisconsin would have to yield. Does the gentleman yield?

Mr. DAVIDSON. I will yield for that purpose.

The CHAIRMAN. Then the gentleman from California reserves the point of order.

Mr. DAVIDSON. This proposed amendment may possibly be subject to the point of order, but I desire to call the attention of the House to the manner in which boxes are selected for rural mail routes. Something like a year ago the officials of the Post-Office Department organized a commission, which requested manufacturers of different mail boxes to present samples for consideration. It was not understood by myself, and I do not think anyone expected, that that commission intended to select any particular box manufactured by any particular person or firm. Something like 70 samples of boxes were submitted to that commission and, much to the surprise of myself and others, the commission approved of 14 out of the 70, and since that time the Post-Office officials have insisted that upon every rural route established some one of these 14 varieties of boxes must be selected.

This regulation gives a monopoly to these 14 manufacturers of boxes. It allows 14 persons or firms to provide the boxes for all the rural mail routes in the country. I have no doubt the officials acted honestly and with the best intentions, and probably selected what they thought were the best boxes, but I believe there were other samples submitted which were just as weather-proof, made of just as good material, and in every way just as good boxes for rural mail service as some of these 14 varieties. Then, that being so, why should they be shut out from selling these boxes to patrons? I maintain that the only fair way, the only honest way, between man and man for the supplying of these boxes would be for the Department to make proper specifications, and if they desire they can provide that the box shall be weather-proof, that it shall be of certain dimensions, that it shall be made of material of certain weight, of tin or iron, whatever may be used, and then let these specifications be given to every manufacturer of tin and iron in the country who desires to manufacture rural mail boxes. The competition which would follow from the general manufacture of boxes would tend to lessen the cost, and thus benefit the patrons of rural routes who purchase them.

There are manufacturers of boxes in my district who submitted samples to that commission which were rejected. I believe their box was just as good as some of the boxes named in this list. I have examined them carefully, and that is my humble judgment. Yet those young men, who had invested a large amount of money for the purpose of manufacturing these boxes, who had orders for the delivery of boxes in Minnesota, in Wisconsin, in Indiana and Ohio, were obliged to cancel those orders and not manufacture any more, because, forsooth, their box was not one of the 14 selected out of the 70 submitted. If some manufacturer living in some section of the country can manufacture a box cheaper than any other manufacturer, he ought to have the right to do so.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. JETT. I ask unanimous consent that the gentleman from Wisconsin have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Wisconsin be extended five minutes. Is there objection?

There was no objection.

Mr. DAVIDSON. Just a moment more. I do not think there can be any possible objection to the Department making proper specifications, and then permitting anyone who wants to do so to manufacture these boxes. Let any hardware merchant or tin manufacturer in a town make these boxes and sell them locally to the people who are his regular customers, and who are going to have the benefit of a rural mail route in their locality, rather than compel them to send to Indiana, or Ohio, or some other State and buy from some particular manufacturer.

Now, upon the question of a point of order, it may be that this amendment changes existing law. I do not think, however, there is any law on the subject. I think it is purely a regulation of the Department. They have undertaken to establish a commission to select some particular boxes and then say that the patrons of rural mail routes must select one of the fourteen chosen. I do not think this practice ought to continue, and therefore I should like to have my amendment voted upon. If this amendment is not in order at this time, I sincerely hope some law or regulation may be enacted so that these boxes may be manufactured by anyone desiring to do so.

The CHAIRMAN. Does the gentleman from California insist on the point of order?

Mr. LOUD. I do.

Mr. GAINES of Tennessee. I want to say a word or two on that question.

The CHAIRMAN. On the point of order or against the amendment?

Mr. GAINES of Tennessee. I am against forcing the farmers all over this country to submit to a monopoly on this question of rural mail boxes. I could not hear the reading of the resolution, but I know of this outrage, and if it strikes at that I am for the resolution.

The CHAIRMAN. The gentleman from Tennessee.

Mr. GAINES of Tennessee. Mr. Chairman, I am in favor of the fair, square, just, and equitable thing in this matter. I expressed myself a few days ago by some interrogatories put to the gentleman upon my left [Mr. JOHNSON] whose speech has not been printed, and since then, by some misunderstanding, some of the friends of the rural-delivery system have quoted me incidentally as saying the farmer could furnish his own box. This has been the case in some parts of the country. The rule now seems to be otherwise. I am utterly opposed to the present system, because it forces the farmers of this country, as I am informed, to pay as much as $3.50 for a box in which the rural carrier places the mail of the farmers of this country.

I say, Mr. Chairman, that is an oppressive price. I say it is wrong. I say it is an outrage. I say it is oppression. I say that it will unpopularize this splendid rural-delivery system. The farmer himself can furnish as good a box as he needs or wants, or he can have it made in his little town or in the capital of his State, or he can have it made in a tin shop, or he can have it made in a blacksmith shop, or he can make it himself. I have made them. I know they can be made, and at a small price—much less than $3.50. Any man who has a hatchet, lumber, and some nails can do it, and it is wrong for the Postmaster-General to force, to compel, the farmers to whom we are trying to give the benefits of this splendid rural-delivery system to buy a particular box at $3.50. My friend from Wisconsin [Mr. DAVIDSON] is right on this proposition, according to my understanding of his speech.

The way these monopolists get their work in is this: They hear that a rural route agent is out in a certain territory, and these manufacturers of these boxes immediately anticipate the coming of the agent. They take the box there and show it to the people who want to get the service. They tell them, "This is the kind of box you must have in order to get this service," and so they impose upon the confiding and honest farmers of this country by making them believe they have to take this box in order to get the rural-delivery service. I have the names of a couple of gentlemen who are engaged in this business. I was told this a few nights ago in one of our hotels by one of our reputable newspaper men, who said he knew the facts, and he promised to give me a written statement that certain distinguished individuals, whose names I will not call, because he did not bring me the written statement, were interested in this matter.

This newspaper man said that they and their agents anticipated the route agents and imposed upon the farmers the statement that they must take the $3.50 box in order to get the rural-delivery service. I say that is a wrong, and one Congress should crush. I hope the Department does not want this wrong to continue, and I make this statement, based on the statement of a reputable newspaper correspondent whom I have known for years and whom every member of this House knows, so the Post-Office Department may have this information in dealing with this question in the future.

Mr. JETT. Mr. Chairman, I simply want to add a word to what has been said by the gentleman from Wisconsin. There appears in this bill a sum of over $7,000,000 for this service of rural free delivery of mail, and, as has been stated by the gentleman from Wisconsin, 14 manufacturers of these rural mail boxes are permitted to furnish the boxes for the patrons wherever these routes are established. Why is it that this must necessarily be confined to 14 manufacturers only? Where we are putting these routes in throughout the United States the patrons have to send a hundred and some of them more than a hundred miles in order to get boxes before they will be recognized by the Department.

I have known in some instances where they have served notice on the patrons through the local postmaster where the route is established that if any box is put up that is not recommended—meaning not one of the 14 recommended by this Commission—they would not be recognized by the Post-Office Department and not have the protection of the Government if any violations of law were committed in relation to these boxes, or the mails deposited in there, or for the destruction of the boxes. So, then, I want to say to the members of this House, so far as the question of order is concerned, that I believe it can not be said this is a change of existing law, because there is no law upon this subject at all.

Mr. LOUD. If there is no law, while it may not be a change of law, it is new law and legislation.

Mr. JETT. If it is making a law, then we will be making a law which ought to be made, because of the fact that it would furnish to the patrons of rural mail delivery throughout the country who are exceedingly anxious to have this service an opportunity to buy boxes that would supply their needs at a reasonable price, not controlled by a combination, as is so apparent today. What is to hinder this House from passing this bill, with the amendment of the gentleman from Wisconsin authorizing the Department to specify the kind and character of box that should be used, and when that is done any manufacturer of the country who wants to can manufacture this box and then give it the protection of the law?

So I want to say this: I believe the people can get their boxes much cheaper in many instances if this amendment is adopted than they do under the present system. Here is a card in which the price list is set out in full of the fourteen manufacturers of these boxes. They can be provided for the patrons of this mail system at a much cheaper rate. The farmers of this country who are familiar with the present policy would be pleased to see a change in the manner of furnishing them their boxes for the rural mail service.

Mr BROMWELL. I rise to a point of order. What is the pending question? Is there a point of order on this amendment pending?

The CHAIRMAN. If the gentleman wants to know the actual parliamentary condition, the matter before the House is the amendment proposed by the gentleman from California. That is the amendment really in order.

Mr. BROMWELL. Was not a point of order raised against the amendment of the gentleman from Wisconsin? I understood the gentleman from California to make the point of order.

Mr. LOUD. I reserved the point of order.

The CHAIRMAN. The gentleman from Wisconsin is moving an amendment against which a point of order has been reserved, and by common consent debate has been proceeding upon that amendment. The amendment offered by the gentleman from California should be considered first, and then the amendment offered by the gentleman from Wisconsin.

Mr. JETT. I will say, Mr. Chairman, in conclusion, that I understand the amendment of the gentleman from Wisconsin was offered as an amendment to the amendment offered by the gentleman from California.

The CHAIRMAN. No; it comes before it in order on the bill.

Mr. LOUD. I want to make one suggestion on this matter. The Post-Office Committee has considered this question of boxes. We find the Post-Office Department, or the First Assistant Postmaster-General, not in writing but verbally, recommended that they should be authorized to adopt one box and purchase it and sell it to citizens along the route. This committee can not come to any conclusion about that matter. We know the Post-Office Department have had jurisdiction in the matter of free-delivery boxes for a good many years, and we believe this is a matter of detail that must be intrusted to the Department, and that Congress can not intelligently legislate upon this question. Now, I insist on my point of order.

The CHAIRMAN. The Chair sustains the point of order. The question now recurs on the amendment offered by the gentleman from California.

Mr. McCLEARY. Let us have the amendment read.

The amendment was again reported.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Supply division: For stationery for postal service, $70,000.

Mr. BURLESON. Mr. Chairman, by the courtesy of the gentleman from California, the gentleman from Virginia, and the gentleman from Tennessee, I have been allowed fifteen minutes in which to address a few observations in reply to the masterly defense made by the gentleman——

The CHAIRMAN. The gentleman from Texas moves to strike out the last word, and asks unanimous consent that he may be allowed to proceed for fifteen minutes. Is there objection?

Mr. GILLETT of Massachusetts. I object, if the gentleman is not going to speak to the bill.

Mr. BURLESON. I will state to the gentleman from Massachusetts that I have made arrangements with the gentleman from California and the gentleman from Virginia, and they have courteously agreed——

Mr. GILLETT of Massachusetts. I do not wish to be discourteous; but I believe each member of the House has the right to see that the rules are enforced.

Mr. BURLESON. I hope the gentleman, who knows the reason why I am driven to this course and have thrown myself upon the courtesy of the gentleman from California——

Mr. GILLETT of Massachusetts. And the reason that I do know has made me think that I ought to object. [Laughter.]

The CHAIRMAN. Is there objection to allowing the gentleman from Texas to address the committee for fifteen minutes?

Mr. BURLESON. The gentleman might properly allow the gentleman from Illinois to put in any objection.

Mr. GILLETT of Massachusetts. I am acting on my responsibility—I object, Mr. Chairman.

The CHAIRMAN. Objection is made. Does the gentleman from Texas withdraw his amendment?

Mr. BURLESON. I do.

The CHAIRMAN. By unanimous consent, the gentleman is allowed to do so.

The Clerk read as follows:

For printing facing slips and cutting same, card slide labels, blanks, and books of an urgent nature for the postal service, and manifold books for the registry service, $50,000.

Mr. LOUD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 18, line 2, strike out the word "registry" and insert the word "postal;" so that it will read:

"For printing facing slips and cutting same, card slide labels, blanks, and books of an urgent nature for the postal service, and manifold books for the postal service, $50,000."

The amendment was agreed to.

The Clerk read as follows:

For mail-messenger service, $1,083,000.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

After line 18, page 19, as a new subdivision, insert:

"For transportation of mail by pneumatic tube or similar device, by purchase or otherwise, $500,000."

Mr. LOUD. Mr. Chairman, I raise the point of order against that.

Mr. FITZGERALD. Will the gentleman reserve it?

Mr. LOUD. If the gentleman desires to discuss it, I will reserve the point of order.

Mr. FITZGERALD. Mr. Chairman, for some years in several of the largest cities throughout the country pneumatic tubes were used for the transportation of mail under certain conditions. Some objection was made to the service on account of its expense, and Congress refused to appropriate for it after the fiscal year ending June 30, 1900. An expert commission was appointed under the act of June 2, 1900, which made a searching investigation of this system. From the report of this Commission it appears that this service has been of great value, and it fully upholds the system within defined limits as an important, valuable, and necessary accessory of mail communications.

The Postmaster-General in his annual report for the present year urges that an appropriation of $500,000 be made for the renewal of this system. The business interests of the country, which have been seriously injured by the delay consequent upon the discontinuance of this service, are unanimous in their demand and requests that the service be renewed.

The pneumatic tube that was in operation between the boroughs of Manhattan and Brooklyn, of the city of New York, was unique in its character. Through this tube was sent mail in both directions, and all the mail matter from New York to Brooklyn and from Brooklyn to New York, excepting the very large, bulky packages, were transmitted through it. The time that it took to send a pneumatic carrier from the Brooklyn post-office to the New York post-office was two and a half minutes. By wagon service it is twenty. The difference in the time of sending the mail from Brooklyn to the railroad station at Forty-second street was thirty-nine minutes. Mail matter can be sent through the tube in eleven minutes; it takes fifty minutes by car and wagon service. By having the pneumatic-tube service it was possible to close the mails in Brooklyn and down town in New York fifty-seven minutes later than without such service.

The Postmaster-General, in his report, points out the incongruity of the action of Congress in paying large sums for fast-train service only to have its object defeated by slow wagon service at the great terminal cities. More than that, the pneumatic-tube service is certain; it is never interfered with by reason of the weather. The testimony taken before this commission shows that in several instances in Boston and New York, on account of severe snowstorms, it was impossible to transmit the mails from the general post-office to the railroad stations in time for the regular trains. I understand that the committee has been giving some consideration to this matter. I had hoped that it would have reported in this bill an appropriation for the renewal of this service. While there have been some serious objections to it on account of its cost, I think it is safe to trust the Postmaster-General to make contracts that will be fair to the Government.

For one, I am willing to trust the Postmaster-General of this Administration, and I hope that the chairman of the committee, with the same confidence in a gentleman of his own political faith, will not insist upon this point of order. If it be necessary, considering the purpose for which these tubes are used, I believe it would be proper for the Government to acquire the control of them by purchase. I do not favor any extravagant price, but I do believe that if the Government were to pay a fair value for these tubes, and take them and operate them, great benefit would inure to the entire postal service.

Mr. MANN. Will the gentleman allow me an interruption?

Mr. FITZGERALD. Certainly.

Mr. MANN. The gentleman knows that we have been in accord very much on the pneumatic-tube service. In the city of New York you have had practical experiment with the pneumatic tube, and since that you have been without it. I would like to ask what is the effect upon the mail service in the city of New York through the abandonment of the pneumatic-tube service?

Mr. FITZGERALD. There is great delay, less efficient work by the clerks, and serious inconvenience to the business interests of the entire country.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SULZER. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the gentleman's time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Now, I want to ask whether there has been any protest by the commercial interests in New York against the abandonment of the pneumatic-tube service?

Mr. FITZGERALD. There has been a protest throughout the United States against the discontinuance of this service. It affects not only the residents of the city of New York, but it affects every man in the Union who has business with the business men in cities like New York and Chicago. The more expedition that can be had in transmitting mails the more the business interests of the country are advanced. It is pointed out in the report of this expert commission that where the mail is brought to and from the distributive points through pneumatic tubes, and, instead of being dumped in great bulk from the wagons, it arrives in small bundles the clerks are able to handle the mail more efficiently, with more dispatch, and with less trouble and labor. The establishment of this service results in a decrease in the expenditures in other branches of the service. It is not necessary to expend as much for messenger service and wagons. It is possible to decrease the wagon and car service between the points connected by the tubes. The commission points out that greater efficiency can be had from a smaller force doing this work with the tube service than from a larger force handling the same amount of mail without that service.

I hope the Committee on Post-Offices will listen to the petition of the business interests of the country; and that if the chairman of the committee insists upon his point of order to this amendment, that he will speedily report a bill providing for the rental service in those cities where it was discontinued and for its extension to cities where it has been pronounced to be absolutely essential for the benefit of the service.

In a résumé—the various questions involved in this matter—the expert commission that investigated the pneumatic-tube service pointed out in detail the advantages of the system. It points out that it is "a novel, a valuable, and a mechanically successful system, ingeniously elaborated and practically adapted in an admirable manner to the purposes of the Post-Office Department." It finds the system of immense advantage to the business interests of the country in its facilitation of mail transmission, both locally and generally throughout the United States. It points out that the cost of this advance in postal methods is found to be necessarily large, but yet to be productive of more than proportional advantages in the large cities. The plants that were in operation at the time the commission reported, in its opinion, should have been retained, and recommended extensions in a limited number of cases, specifically mentioned in its report.

The commission further stated in great detail precautions which should be taken to secure this service under reasonable terms to the Government.

Much time, labor, and expense have been spent in an investigation of this detail of the postal service. Its report, thorough in every respect, was sent to the last Congress. Ample time has elapsed for careful consideration. Its recommendations should be given effect. There should be legislation renewing this service at New York, Brooklyn, Philadelphia, and Boston. It should be extended to Chicago and the other cities recommended by the expert commission. Such legislation will be of material benefit to the postal service, which will thereby be immensely improved. The great business interests of the country will be benefited. There is a public demand for this service. It comes from men who seek to subserve no selfish interests, merely the improvement of the postal service in a legitimate way. [Applause.]

Mr. LOUD. I do not care to speak on the point of order unless the Chair wishes to hear me.

The CHAIRMAN. Does the gentleman from New York [Mr. FITZGERALD] desire to be heard on the point of order?

Mr. FITZGERALD. I concede that the amendment is subject

to a point of order, if the gentleman from California wishes to urge it.

The SPEAKER. The gentleman from New York concedes that the amendment is subject to a point of order. Therefore the Chair rules it out of order.

The Clerk read as follows:

Railway Mail Service: One General Superintendent, at $3,500; 1 Assistant General Superintendent, at $3,000; 1 chief clerk, office of General Superintendent, at $2,000; 1 assistant chief clerk, office of General Superintendent, at $1,800; 11 division superintendents, at $2,700 each; 11 assistant division superintendents, at $1,800 each; 22 assistant superintendents, at $1,600 each; 109 chief clerks, at $1,600 each; 1,292 clerks, class 5, at not exceeding $1,400 each; 491 clerks, class 5, at not exceeding $1,300 each; 1,504 clerks, class 4, at not exceeding $1,200 each; 823 clerks, class 4, at not exceeding $1,100 each; 3,461 clerks, class 3, at not exceeding $1,000 each; 2,188 clerks, class 2, at not exceeding $900 each; 680 clerks, class 1, at not exceeding $800 each.

Mr. BROMWELL. Mr. Chairman, I move to strike out the last word. I merely desire to present some facts in regard to the effect of this bill so far as the increase of salaries is concerned. The present force has been increased in every instance; that is to say, the number of employees at each salary, as now provided by law, has been increased; and in addition to that two of the classes—class 5 and class 4—have had an intermediate salary provided for—$1,300 and $1,100—and in the bill there have been a number of clerks provided for at those salaries. Without reading the details as to the number of the present force and the proposed number under this bill at each of the salaries, I will ask permission to print it in the RECORD:

Class.	Present force, salary.	Present number.	Proposed number.
5	$1,400	1,251	1,292
5	1,300	----------	491
4	1,200	1,752	1,504
4	1,100	----------	823
3	1,000	3,929	3,461
2	900	2,098	2,188
1	800	559	680

This bill keeps in the service all of the $1,400 clerks. It promotes 41 clerks from $1,200 to $1,400; 491 clerks from $1,200 to $1,300. It leaves 1,220 clerks at $1,200. It promotes 284 clerks from $1,000 to $1,200 and 823 clerks from $1,000 to $1,100. It leaves 2,822 clerks at $1,000. It promotes 639 from $900 to $1,000 and leaves 1,459 at $900. It promotes 729 clerks from $800 to $900. It provides for the appointment of 170 new clerks at $900; 510 at $800. The total promotions under this bill are 2,682 clerks receiving an increase of $100 each and 325 clerks receiving an increase of $200 each.

I withdraw the pro forma amendment.

Mr. TAWNEY. I send to the Clerk's desk an amendment, to strike out the last 4 lines of page 20 and all of page 21 down to and including line 13 and to insert the amendment which I send to the desk. I will not ask the Clerk to read it at the present time, but will briefly state what it is.

The amendment of Mr. TAWNEY was as follows:

Strike out all of lines 22 to 25, inclusive, on page 20, and lines 1 to 13, inclusive, on page 21, and insert in lieu thereof the following:

"That on and after the 1st day of July, 1901, employees of the Post-Office Department known as railway postal clerks shall be divided into 10 classes and be paid according to the following rates per annum: First class, not exceeding $800; second class shall receive $900; third class shall receive $1,000; fourth class shall receive $1,100; fifth class shall receive $1,200; sixth class shall receive $1,300; seventh class shall receive $1,400; eighth class shall receive $1,500; ninth class shall receive $1,600; tenth class shall receive $1,800.

"The Postmaster-General may, however, at his discretion, temporarily reduce the salary of any clerk as a penalty for delinquency or misconduct in such sum as he may deem necessary for the maintenance of discipline and efficient service; such reductions to based upon a demerit system, which shall be uniform throughout the service.

"That the original appointments to the position of railway postal clerk shall be made to class 1 for a probationary period of six months from the date of the same, less such time as the appointee may have performed service as a substitute clerk, as provided by the postal laws and regulations and the civil-service laws and regulations; and no permanent appointment shall be made before the expiration of the probationary period, and then only when the appointee shall have shown himself proficient in his duties, fully competent to perform the same, and has made a satisfactory record.

"Promotions shall be based solely upon efficiency, faithfulness, and good conduct, and the clerk must serve at least six months in each class before being promoted to a higher class: *Provided*, That on lines upon which full railway post-office cars have been authorized by the Postmaster-General a clerk appointed to a crew of five or more shall, after having passed the probationary period, be appointed a clerk of class 2, and if he proves himself proficient in his duties and has made a satisfactory record, he shall, within a year after receiving his permanent appointment, be promoted to class 3, and shall not be further promoted unless there is a vacancy in a higher class; but if he is appointed to a crew of 2, 3, or 4 clerks, and continues to make a satisfactory record, then he shall be advanced one grade each year until he shall have reached the maximum class of the lowest grade in the car to which he is assigned, as hereinafter provided for.

"On lines upon which full railway post-office cars have not been authorized by the Postmaster-General, where but 1 clerk to a car is appointed to perform the duties and who runs an average of 110 miles or more per day, he shall be of class 5.

"If the daily average of miles run is less than 110 and not less than 100, the clerk shall be of class 4; if less than 100 and not less than 90, the clerk shall be of class 3; if less than 90 and more than 80, the clerk shall be of class 2. If the average distance run is 80 miles or less the clerk shall be of class 1, and the salary shall be not less than $10 per annum for each mile of the daily average of miles run: *Provided*, That the clerks of these classes, assigned as above, are employed exclusively by the Post-Office Department.

"On lines upon which full railway post-office cars have not been authorized by the Postmaster-General, where more than 1 clerk is assigned to duty in a car, the additional clerks shall be of classes lower than the clerk in charge, except where the clerk in charge is of class 1, and in no case shall such additional clerks be of a class higher than class 4. Where helpers are assigned to duty on such lines they shall not be of a class higher than class 3.

"On lines upon which full railway post-office cars are run by the order of the Post-Office Department, and to which 2 clerks to a crew are assigned, there shall be 1 clerk of class 8 and 1 clerk of class 6 or lower, as hereinbefore provided for.

"On lines upon which full railway post-office cars are run by order of the Post-Office Department, and to which 3 clerks to a crew are assigned, there shall be 1 clerk of class 8, 1 clerk of class 6, and 1 clerk of class 5 or lower, as hereinbefore provided for.

"On lines upon which full railway post-office cars are run by order of the Post-Office Department, and to which 4 clerks to a crew are assigned, there shall be 1 clerk of class 8, 1 clerk of class 6, 1 clerk of class 5, and 1 clerk of class 4 or lower, as hereinbefore provided for.

"On lines upon which full railway post-office cars are run by order of the Post-Office Department, and to which 5 or more clerks to a crew are assigned, there shall be 1 clerk of class 8, 1 clerk of class 6, 1 clerk of class 5, 1 clerk of class 4, and others of class 3 or lower, as hereinbefore provided for.

"On lines where more than one distributing car is run in a train there shall be 2 additional clerks of class 6 for each additional distributing car.

"The clerk receiving the highest salary in any crew will be designated clerk in charge.

"Clerks employed on steamboat lines shall be of class 1; the salary to be determined by the amount of work to be performed and whether they are employed exclusively by the Post-Office Department.

"Clerks employed as porters in railway post-offices shall be of class 1 and shall be paid a salary not exceeding $600 per annum.

"The General Superintendent may, when necessary, detail clerks of such classes as the character of the work may indicate to duty at important railway junctions; such clerks to be designated as transfer clerks in charge and assistant transfer clerks; and it shall be their duty to look after the handling and transfer of mails at railroad depots and perform such other work pertaining to the Railway Mail Service as may be required of them. When more than one clerk is needed for such duty at the same depot the additional clerks shall be of classes below class 7, but in no case shall more than 1 clerk of the same class, above class 3, be so detailed at the same depot.

"Such clerks as may be assigned to duty in charge of one or more lines shall be of class 9 and be designated as chief clerks, and shall, when traveling on business of the Department, be paid from the appropriations for the transportation of mails on railroads their actual and necessary expenses, but not exceeding $3 per diem.

"There shall be 1 clerk detailed to duty in the office of each division superintendent, who shall be designated assistant superintendent Railway Mail Service, and who shall act as division superintendent in the absence of that officer. Such clerk shall be of class 10, and shall, when traveling on the business of the Department, be paid from the appropriation for the transportation of mails on railroads his actual and necessary expenses, but not exceeding $3 per diem.

"There may be detailed to duty in the office of the General Superintendent and of each division superintendent of the Railway Mail Service as many railway postal clerks, in the judgment of the General Superintendent, as may be necessary to transact the business of those offices properly; but there shall be but 1 clerk of class 10 detailed to duty in the office of each division superintendent.

"That all railway postal clerks whose duties require them to work six days or more per week, fifty-two weeks per year, shall be allowed an annual vacation of fifteen days with pay.

"No clerk shall receive less salary after the passage of this act than he was receiving prior thereto, and no clerk shall be reduced from a higher to a lower grade after his assignment thereto unless such salary or grade is properly reduced by reason of his inefficiency to perform the duties of such higher grade, unless temporarily reduced as a penalty for delinquency or misconduct, as hereinbefore provided for, or unless the status of the line to which he is assigned may be so changed by the reduction of mileage, withdrawal of full railway post-office cars, reduction of force or otherwise, as to bring him within a different class, as provided in this act, or unless he be transferred from one line to another at his own request or in the interest of the public service.

"SEC. 2. That there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, such sum as may be necessary to carry into effect the provisions of this paragraph, and that such appropriation be deemed an annual appropriation."

Mr. LOUD. I desire to reserve a point of order on this amendment.

The CHAIRMAN. The gentleman from California reserves a point of order.

Mr. TAWNEY. Mr. Chairman, the proposed amendment need not be read, as it is a familiar friend to the members of the House, but not to the Committee on Post-Offices and Post-Roads. It is known as the reclassification bill—the bill for the reclassification of the Railway Mail Service. It was first introduced in the Fifty-fourth Congress by a member of this House from Michigan, Mr. Linton; but owing to the Democratic deficiency in the public Treasury the bill was not at that time pressed for consideration.

In the Fifty-fifth Congress it was again introduced—introduced by the distinguished gentleman who now presides over this House as its Speaker. The outbreak of the Spanish war, involving the expenditure of large sums of money for the purpose of carrying on that war, made it practically impossible to increase the salaries of anyone. We then needed all the money available for carrying on the war with Spain. And the railway postal clerks realized the situation and patriotically ceased their efforts to secure the passage of their bill in that Congress. In the Fifty-sixth Congress this same measure was again introduced by myself, but never considered in the committee, and it was again introduced by me in this Congress. This amendment proposes to reclassify the Railway Mail Service and allow a small increase in the salaries of the clerks in that service.

It has had the approval of the Post-Office Department ever since 1889. It has been recommended to Congress by every Postmaster-General, except the present Postmaster-General, and it has been recommended by the General Superintendent of the Railway Mail Service in every annual report that has been made since 1889. That you may know the ground upon which this legislation is desired by the Department, the grounds upon which it is asked by the almost 9,000 railway postal clerks throughout the United States, I will read from the report of the General Superintendent of the Railway Mail Service, whose argument in favor of it is unanswerable:

Speaking of this proposed measure, the general superintendent says:

This subject has received more or less consideration in the annual reports made by this office since 1889. It believed then and believes now that what is contended for in the different bills that have been introduced in both Houses of Congress will not only advance the efficiency of the service and more nearly equalize the compensation and labor, but also act as fuel to quicken the faithfulness, energy, application, and inventiveness which have thus far driven the Railway Mail Service forward along the pathway of improvement even at the sacrifice of life and health.

Individual members of Congress, influential and intelligent people in commercial life, and the higher officers of the Post-Office Department have indorsed from time to time the different measures introduced in our National Legislature.

This measure, I may say, is the same bill that has been reintroduced in every Congress since the Fifty-fourth, and is the bill referred to here by the general superintendent.

The Fifty-sixth Congress, in its first session, acted favorably upon that portion of the recommendation of this office which related to those who may be regarded as part of the supervisory force of the service, and also which touched on the restoration of the maximum salaries of clerks of classes 4 and 5. The salaries of these clerks were reduced in 1876 in order to meet an emergency in the nature of a short appropriation for that year, and, although they expected every year to have their salaries restored to the old figures, it was not until June 2, 1900, that Congress saw fit to enact legislation placing their salaries back on the old basis.

The same Congress, in its second session, further recognized the value of the official corps, as shown by act of Congress of March 3, 1901; but while the beneficiaries of these provisions are exceedingly grateful for the consideration shown, it is believed that the full measure of recognition will not have been extended until those features of the proposed bill which relate particularly to increase in the salaries of what may be called the rank and file of the service have been provided for.

The records show that the labor required of the clerks at the present time, both as regards amount and quality, is vastly greater and more complicated than it was years ago, when they were receiving the same salaries as now.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. TAWNEY. I ask unanimous consent that I may be permitted to proceed for ten minutes more.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to continue his remarks ten minutes. Is there objection?

There was no objection.

Mr. TAWNEY continued the reading, as follows:

Taking the year 1877 and comparing it with the year under review, we find the following:

Year ending June 30, 1877.—Letters distributed, 484,909,308; pieces of other classes distributed, 379,823,619; whole number of pieces distributed, 864,732,927; number of clerks employed, 2,500; number of pieces correct to each error, 3,264.

Year ending June 30, 1901.—Letters distributed, 7,611,621,920; pieces of other classes distributed, 6,569,602,500; whole number of pieces distributed, 14,181,224,420; number of clerks employed, 8,978; number of pieces correct to each error, 10,626.

Per cent of increase in mail matter distributed, 1,539.95.

Per cent of increase in efficiency, 222.48.

Per cent of increase in force, 259.12.

This, in general terms, means that the clerk of the present day not only does nearly five times as much work as the 1877 clerk, but does it with one-third the number of errors for an equal amount handled.

There is another fact referred to here, which I will not stop to read, but one that should appeal to the sympathy as well as to the spirit of fairness and justice on the part of every member. It is the percentage of casualties and deaths that occur annually in the Railway Mail Service. During the year 1901 the death rate in the railway postal service was 3¼ per cent. Three and one-third per cent were the fatalities, death by accident, in the Railway Mail Service of last year. There is another fact alluded to in this report that is worthy of our most careful consideration, and that is the fact that about one-half of the time the majority of the railway mail clerks is spent away from home, and during these periods they are obliged to defray their own expenses out of their present small salaries. That is, they are obliged to defray this extraordinary expense while in the discharge of their duty. There is not another clerk or employee of the Government who is obliged when away from home in the discharge of his duty as a public servant to defray out of his salary his living expenses, and there should be no discrimination. These men risk their lives every day in the service. Their labor is more exacting, more arduous, and requires a higher degree of intelligence than that of any other subordinate employee of the Government, and notwithstanding the extra hazardous character of the service they are obliged while away from home to maintain their families at home and themselves away from home out of an average salary of about $1,050 a year. If you can not make the allowance as foreign governments do—and all foreign governments make allowance for this extra expense—then we should at least increase their salaries to enable them to pay this extra expense while away from home, so that they might have a little something left for themselves and their families at the end of the year. On this subject the general superintendent of the service says:

This extra expense that a postal clerk is put to on account of the peculiarity of his vocation is a feature that is recognized by foreign governments. They make him allowance to cover just such inroads into his usual stipend. In Great Britain the traveling sorters receive an allowance of from 75 cents to $1.25 per trip. In France they get from $140 to $300 per annum. In Germany they receive about one-half a cent a mile for subsistence, also an allowance of from 18 to 37 cents a day for a lay over of six hours or more. In Canada the clerks receive one-half cent a mile on day trains and 1 cent a mile on night trains, the night service lasting from 8 p. m to 8 a. m.

All these things, therefore, require consideration in connection with this increased-salary question.

Now, it may be said, Why is it that a bill having the indorsement of the Department, the indorsement of every Postmaster-General since 1889—a bill that has twice passed the United States Senate; a bill that has more merit in it, in my judgment, than any of the reclassification bills pending before this House—why is it that we are forced to attempt to put a bill of that kind on the appropriation bill, when under our rules it is subject to a point of order? Simply because the power that dominates the Committee on Post-Offices and Post-Roads refuses even to give the matter consideration or to allow the committee to consider it. That is why I am satisfied that a majority of this committee favor this proposition and would vote to report it favorably if they had an opportunity of doing so.

At the beginning of this Congress I endeavored to secure for those interested in the passage of this bill a hearing before the Committee on the Post-Office and Post-Roads. I was told that the matter would receive the consideration of the committee at a future date, but I have not been able to secure that hearing. My request was that the railway mail clerks themselves be given an opportunity to be heard on this proposition, and it was not long after that request was made of the chairman of the Committee on Post-Offices and Post-Roads that an order was issued by the executive head of this Government forbidding any railroad postal clerk appearing before a committee for the purpose of urging legislation that involved an increase of salaries or in any other manner doing anything in his own behalf. So I say to this House that there is absolutely no way whereby this measure, favored, as I know it is, by three-fourths of the membership of this House—there is absolutely no opportunity for its receiving any consideration at all on account of the attitude of certain members of the committee before which it is now pending.

[Here the hammer fell.]

Mr. GRIGGS. Mr. Chairman, I do not know that it is necessary to reply at length to the annual speech of my friend from Minnesota on this subject, for it matters not, it seems, what the Post-Office Committee may do in this matter, what we may recommend, the friends of the Railway Mail Clerks' Association of the United States do not seem to be satisfied.

Last year the committee proposed in the appropriation bill to promote the higher-grade clerks. We did not adopt their reclassification bill, for reasons that seemed good to the committee at that time and which yet hold good with the committee. This year the complaint came from the lower-grade clerks that all of the benefits given in the bill of last year were for the high-grade clerks, and the committee this year took up the lower-grades, and under this bill at least 3,000 of these lower-grade clerks will be promoted $100 apiece, and about 600 or a little over will be promoted $200 each. Now that is this bill.

Mr. TAWNEY. There will be no clerks receiving these higher salaries except the number specified in the bill, will there?

Mr. GRIGGS. No, sir.

Mr. TAWNEY. Do you mean to say that there are 3,000 in one class who will be promoted?

Mr. GRIGGS. No; but 3,000 in all the classes.

Mr. TAWNEY. Are there 3,000 in all the classes that are to be promoted?

Mr. GRIGGS. Yes.

Mr. TAWNEY. The record does not seem to correspond with that statement.

Mr. GRIGGS. That is the statement of Mr. White to the subcommittee, who made the calculation himself in the presence of the committee. The Second Assistant Postmaster-General said to the committee that this would be satisfactory to the Post-Office Department, and that it practically accomplished a reclassification of the railway mail clerks, or that it would enable the Department so to reclassify as practically to effect everything demanded in their bill.

Mr. TAWNEY. Let me ask the gentleman another question: Suppose it becomes necessary to employ a half dozen more men

in class 5 than you have provided for, how is the Department to furnish those men, under your arbitrary classification?

Mr. GRIGGS. We give them every man they ask for in class 5, and we give them every one they ask for in all other classes.

Mr. TAWNEY. It is impossible, is it not, for them to make a correct estimate of the number of men that they will need in these classes during the year?

Mr. GRIGGS. It has not been impossible in the past.

Mr. TAWNEY. It has been in the past, and it is this year. For four months the railway-mail service has required the work of men in the higher class, but having reached the maximum limit allowed, they have been obliged to throw the burden of that work on men who are in that class. They could not increase the number of men in that class, because you have fixed the number.

Mr. GRIGGS. For one, two, three, or at most six months. And men who are in the Government service, and who are so careful with their labor that they are not willing to go on in the same class for a few months before they are promoted, ought to get out of it. This is what the Post-Office Committee believe.

Mr. TAWNEY. Has the Department the power to make these men perform the duties of a different class than they were employed for without giving them the compensation due to other men who are performing work in that same class?

Mr. GRIGGS. Why, my friend knows that every year the Post-Office Department comes to this House with a deficiency. If there is not enough money appropriated in this bill to carry out the purposes and plans of the Department and to pay the employees of the Department, the work does not stop. It goes on and they come here for a deficiency appropriation, and always get it.

Mr. TAWNEY. But under the proposition that you make, your logical position would be that the Post-Office Department could require these men who are working in class 3 to do the work required of men in class 4, and that the men doing that work would have to wait for a deficiency appropriation in order to get the salary paid to other men in class 4.

Mr. GRIGGS. So far as the difference in the work is concerned, there is very little difference in the work of a man in the $900 class and of a man in the $1,400 class. There may be a difference in the experience of the man. There may be a difference in ability, but there is very little difference in the work. The work is nearly the same in all of them, and the real truth is the difference in pay is what makes the difference in the classes.

Mr. TAWNEY. Do you mean to say that the grade of ability required in one class can do the work in another class?

Mr. GRIGGS. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOUD. I have debated this question as far as I desire to under the head of general debate, and I insist upon the point of order.

The CHAIRMAN. The gentleman from California insists on his point of order. Does the gentleman from Minnesota [Mr. TAWNEY] desire to be heard on the point of order?

Mr. TAWNEY. I do not. I was heard in the last Congress on the same point.

The CHAIRMAN. The Chair understands that the amendment would work a radical change in existing law, and therefore sustains the point of order.

The Clerk read as follows:

For necessary and special facilities on trunk lines from Washington to Atlanta and New Orleans, $142,728.75: *Provided*, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

Mr. CRUMPACKER. Mr. Chairman, I move to strike out the paragraph just read.

This is the appropriation that is commonly known as the Southern Railroad subsidy, and for the last eight or nine years it has included an appropriation of $28,000, in addition, to the Pennsylvania Railroad Company for the alleged expedition of mails from the city of New York to the city of Washington. This appropriation bill omits the subsidy of the Pennsylvania Company from New York City to Washington, but appropriates $142,000 which is to be used for expedition of mails over the lines from Washington to New Orleans by way of Atlanta.

I am opposed to this appropriation because the line from Washington to New Orleans is one of the great trunk lines of the country and all the other lines of that character are performing similar service—equally as good, and many of them much better service than this line performs—for the Government for the regular statutory pay. The Post-Office Department has recommended against this appropriation. That Department has repeatedly said that it has a tendency to demoralize the general service. The Postal Commission appointed a few years ago to investigate this question recommended the discontinuance of this appropriation; and it seems to me, Mr. Chairman, that if the time is ever to come when in the interest of the people of the United States this special appropriation is to be discontinued that time is at hand.

When the appropriation was first made the line receiving the principal benefit was in a condition of insolvency. I want to say that to-day the evolution of railroad business throughout the United States has been such that this line is paying substantial dividends. When the appropriation was first made, in 1893, the regular pay that the company received from the Government, including the subsidy, amounted to $524,000, and to-day the regular pay to this line, exclusive of this bounty, is $795,866. If the company could perform this service in 1893 for $524,000, may it not perform the same service to-day for $271,000 in addition? The situation has so adjusted itself that this grant has come to be a bonus, a subsidy, a gratuity pure and simple, and the people of the United States receive no adequate return from it.

The Second Assistant Postmaster-General, in his statement before the Committee on Post-Offices and Post-Roads, stated:

We have never taken the position in the Department that additional appropriations to any railroad system would not secure a different and better service, perhaps, but the special-facility appropriation having been withdrawn from the New York and Buffalo line, the Buffalo and Chicago line, the New York and Pittsburg line, the Pittsburg and Chicago line, the Boston and New York line, and the Springfield and New York line, we think in the evolution of things the time has come when all special facilities might safely be withdrawn and we get substantially as good service as we now enjoy, not the full extent of the service we enjoy.

In the face of this recommendation, Mr. Chairman, and in the face of the history of this appropriation, there can be no question that this special appropriation—this subsidy—may be withheld without in any degree impairing the efficiency of the railway mail carriage service between Washington and New Orleans. The effect of continuing this appropriation, as the Postmaster-General has stated, is demoralizing to the service.

If this line fails to receive the $142,000 as a bonus for running fast trains between the city of Washington and New Orleans those trains would not be taken off. The trains are demanded by the exigencies of the service; they are demanded by the present progressive condition of the railroad business of the United States. I say that if this company is to have this $142,000 as a bonus, every other railroad in the United States is entitled to a similar gratuity. Every other road in the United States performing similar service has the right to come to Congress and insist upon a similar bounty. The fear has been expressed by gentlemen who support this subsidy that if it should be withdrawn one of the fast trains between Washington and New Orleans would be taken off. There is no foundation whatever for such apprehension.

The CHAIRMAN (Mr. SUTHERLAND). The time of the gentleman has expired. The question is upon the amendment proposed by the gentleman from Indiana, to strike out the paragraph last read.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CRUMPACKER. Division, Mr. Chairman.

The committee divided; and there were—ayes 26, noes 56.

So the motion was rejected.

The Clerk read as follows:

For miscellaneous items, including railway guides, city directories, and other books and periodicals necessary in connection with mail transportation, $1,000.

Mr. LLOYD. Mr. Chairman, I move to strike out the last word.

The pending bill carries an appropriation of $137,916,598.75 for the maintenance of the postal service. This is the largest amount ever carried for that purpose in the history of the Government in any one bill. There is an increase of $14,133,910 over the appropriation of the current year. Four million dollars of it goes to the rural mail service, nearly $3,000,000 to the railroads for carrying the mail, $1,000,000 for additional salaries to postmasters, nearly $3,000,000 for additional salaries to the Post-Office clerks, and over $900,000 increased pay to the railway mail clerks, and the other items are found in smaller sums in nearly every branch of the service.

The year which ended June 30, 1901, showed an excess of expenditure over receipts of $3,923,727.48, and the excess for the present fiscal year will probably be greater than that. It may be interesting to note the comparison of the expense of our postal system with that of other countries. The latest published comparison is that of 1899, when Great Britain had a surplus of $18,029,024.93; France, $13,201,713.90; Germany, $11,713,229.47; Austria, $2,769,802.45, while the United States had that year a deficiency of $6,413,885.81.

Some have argued that this condition is due to extravagance on the part of this country, and that an economical administration of our postal affairs would leave a large surplus on the postal account.

There are many things to be considered in determining this question. Our large area makes a necessity for a greater number

of offices. The countries named have the following number of post-offices:

Great Britain	21,945
France	9,872
Germany	43,613
Austria	6,235
While the United States has	76,285

Having this large number of offices it takes more men and a greater and more extensive service to run them. Great Britain has a post-office for every 14½ square miles of its territory; France has a post-office for every 54.6 square miles; Germany has one for every 14.9 square miles; Austria for every 51.2 square miles, while the United States has only one office in every section of 138 square miles. There is a post-office for a population of every 833 persons in the United States, while in Great Britain the average population to an office is 1,852; in France, 3,918; in Germany, 1,438, and in Austria, 4,079.

These facts easily establish the proposition that because of the compact population and the larger number of persons obtaining mail at a given post-office, the service may be furnished at a much less sum, other things being equal. Another important element of expense is shown in the fact that notwithstanding our mails are carried farther and distributed to a much greater number of offices, each individual receives and sends a much greater number of articles of mail than in other countries.

In Great Britain the number of articles in one year is 86.5 pieces to the person; in France, 50.8, and in Austria, 38 articles. In this country, however, the number is over 106.

Another element of difference is in the method of carriage. The most expensive transportation is by railroad, and yet we use nearly six times the mileage by rail as Germany; seven times that of France, and twelve times that of Austria.

It is not my purpose to follow this comparison further; but these various objects show the necessary expenditure of much greater sums of money to secure to the people of this country the same advantages of mail facilities as are furnished in other countries.

The people are not concerned so much, I take it, to know what it costs some crowned head or foreign government to carry on its postal service as to be informed whether our own excellent system is economically administered, or whether the annual deficits may be overcome without injury to the service. It has been urged that the deficit is due to two causes—the abuse of the second-class mail matter, and the extraordinary prices paid to the railroads for their services in carrying the mail.

There seems to be no doubt of the fact that the second-class mail, or that which is carried for 1 cent per pound, is transported at a loss to the Government of over $15,000,000 annually. Every pound of such mail transported costs the Government 5 cents, so that there is a net loss of 4 cents on each pound carried. Last year there were 430,000,000 pounds of mail of this character.

The abuse of this second-class rate lies in the violation of the existing law, by sending through the mails large numbers of publications for advertising purposes which have no list of subscribers, and in sending at this rate that which should be carried at 8 cents per pound.

The Postmaster-General admits that if the law were properly interpreted and enforced these abuses should be overcome; but he further alleges that there have been innovations from time to time, and these have become precedents, until it is now practically impossible to enforce the law as it was originally intended. The present Third Assistant Postmaster-General is trying to overcome some of these evils, and has made progress in that direction, but the misfortune has been that in his attempted corrective methods he has reached many innocent little publications—semireligious, educational, or local—that have comparatively no circulation through the mails, while many of the gigantic advertising enterprises still use the mail at the 1-pound rate. The people will indorse his action, no doubt, if he will lay the ax at the root of the evil and break up these great abuses. Although he may reach too far in increasing the rates of postage of the insignificant publications, if this officer can break up the abuses complained of by changing the precedent and living up to the spirit of the law, he will deserve the plaudits of the American people.

The second alleged abuse—the extraordinary amount paid to railroads for carrying mails—is a question of difficult solution. This House remembers well the work of the Commission sent out by it to investigate the question of what is the reasonable compensation for transporting the mails by railroad, as well as the unsatisfactory report and divergence of opinion thereon, which left this body in a worse quandary than before the investigation was made.

One feature of this bill, which has entered into every appropriation of this character for years, it seems to me should be omitted—that is, the item which adds $142,728.75 to the already exorbitant compensation to the railroads for carrying the mail from Washington to New Orleans; a direct subsidy, it would seem, granted because Congress has the arbitrary power to do so, and for the reason that the railroads ask it. What is needed, it seems to me, is greater caution and economy. If the Department is guarded in its expenditures at every point, I have no doubt that with a rigid enforcement of the law there may be a surplus on the postal account each year.

I desire to take this opportunity of calling attention to another important part of the service, known as the "rural mails." There is no branch of the Postal Department that is so important to the rural population as that which brings the farmer in direct touch with the outside world. No part of the Government service does more to make cheerful homes and remove the isolation of country life than the rural mail service. The first appropriation of $10,000, to make experiment of this system, was made in 1894, and as a result of the experiment has come the extension of this service and the enlargement of its operations until the current year expenditure will reach the enormous sum of $3,500,000. With one exception, every State in the Union has experimental routes, and every mail brings to the Congressman who has a country constituency earnest appeals for its further extension.

There had been established on February 1, 7,094 rural routes, and there were 7,955 applications then pending for consideration. Of these routes, 350 had been established in Missouri, but there were pending 473 applications which had not been inspected. There are 28 routes located in the first Missouri district. It will be observed that there are more applications pending than there are routes established. Farmers are clamoring for the service, and in many instances can not understand the delay in obtaining it. They charge the member of Congress or the Post-Office Department of willful neglect of their petitions in some cases.

I am not one of those who complain of the action of those who control this service. It seems to me that it has been unusually efficient. There has been some partisanship in the past and may be some yet, but I am sure that the Department realizes that it has erred whenever it has for the time allowed itself to be governed by motives of political advantage rather than public service. I have no doubt that it is in good faith endeavoring to get above and beyond such sordid purposes and to place this great branch of postal labor on the highest possible plane.

Some reflections have been made on this floor against one H. Conquest Clarke, who is chief of one of the divisions of the service. He may be a newspaper writer as alleged, but it must not be forgotten that very much original matter is required in the development of the service, in the instructions that are sent out, and the rulings that are made from time to time. If this work devolves upon him, in addition to that of supervising the work of thirty or forty employees under his immediate charge, he has a place of the greatest importance.

In hearings before the Post-Office Committee of the House, Mr. Machen, the superintendent of the rural mail service, entered into the following colloquy with the chairman of that committee concerning Mr. Clarke:

Mr. MACHEN. Clarke looks after the establishment of the service; gives his attention to that matter, and is of great assistance to us.
The CHAIRMAN. You regard him as a valuable man, do you?
Mr. MACHEN. I consider him a very valuable man in many ways.
The CHAIRMAN. In a clerical way?
Mr. MACHEN. No; not in a clerical way. I would say that his forte is not in clerical duties. Mr. Clarke's forte is in considering matters that come up for which we have no precedent—writing rulings, decisions, and reports, at which he is very apt.

If Mr. Machen does not overestimate his worth, he is invaluable to this mail service.

There is one serious objection that is urged against the rural service—that is, that it injures the village and cross-road post-offices, by either discontinuing the offices there or practically taking their post-office business from them. In other words, it builds up the salaries of the postmasters in larger towns and encourages business there, but takes from the village postmaster the little compensation he receives from the Government, and otherwise injures his business by encouraging his former post-office patrons to trade where their mail is sent.

This is an objection which I would like to see overcome, but I do not know how it can be done. It will not do to say to the farmer he can not receive his mail at home because incidental benefit is shifted from the smaller to the greater town; but I believe the Department should adjust itself to these conditions, so as to do the least possible injury to the village inhabitant.

There is another class who sometimes object to it—the star-route carriers. But to me this is not a serious objection, for they are displaced by rural carriers who receive greater compensation than they do.

I am in no sense in sympathy, however, with the abuse of the star-route carrier which has been engaged in on this floor. I believe there are no more faithful servants of the people in any

branch of the Government than the 23,000 carriers of the mail by private conveyance.

It is easy to make light of the blind mule and the ramshackle conveyance, but the star-route carrier, poor and unfortunate as he usually is, is honest and trustworthy, and does that which can not always be said of better paid Government officials, renders the best service he can. In my judgment he deserves the commendation of the people of the country.

I have been surprised at those who have counted his imperfections, pointed out his shortcomings, and bemoaned his incapacity, that they have not suggested something to alleviate his condition and to bring him out of the slough of inefficiency and place him on the firm rock of competency, so that they would not have occasion to cavil at his misfortunes or smile in derision at his environment.

The star-route carrier receives on an average 3⅝ cents per mile for each mile traveled in carrying the mail, while the railroads receive 10⅛ cents per mile for a similar service. The rural carriers thus far have received for their services 6⅔ cents per mile—nearly twice as much as the star-route carriers, and yet their salaries are increased by this bill 20 per cent. But nothing is said by anyone in the interest of the country carriers, who are over thirty thousand strong, except to belittle their misfortunes and complain because they can not afford to keep new conveyances or to have fat, sleek horses at all times.

I am interested in the extension of the rural service. The farmer class, so neglected in legislation, is the beneficiary. It brings these people in direct touch with the world. With a telephone in the house and his mail delivered at the gate, the farmer can keep up with all current events and can know what is happening elsewhere. He is not dependent then on information he may obtain once a week by going to town and gathering the news; but around his own hearthstone, with his family about him, he informs himself, and enjoys the associations which may mean much for the culture, morals, and happiness of the family, for their home may become the center of attraction for each member of it, rather than the little town elsewhere, which so often serves to estrange and degrade some of the brightest and most promising of the household.

The extension of the rural service is indirectly objected to on the ground of its cost to the Government; but experience has shown that but little extra cost accrues. The report of the Postmaster-General exhibits an astonishing increase of business on the rural routes, and he states as his candid judgment that the service will soon be self-sustaining. It is a matter of history that the objection first urged against city delivery was that it would impose upon the Government a burden too great for it to bear; but to-day, after forty years of experiment, it has become the great revenue-producing branch of the service.

So it may be with the rural delivery. Whether it is or not, there can be no question that with slight expense this service can be carried to the rural classes, and I believe its progress should be heralded as one of the greatest boons of the age.

The historian, Greene, author of the History of the English People, was asked, "What was the greatest achievement of the nineteenth century?" He did not answer, as most men would, referring to the commerce, manufacture, and education of the country, but replied in these simple words: "Cheap photographs." Because, he said, they had brought to every house, office, and shop the tokens of love and affection, and placed on the walls, tables, and desks thereof the pictures of their loved ones, and had kindled from day to day the beautiful fires which should burn on the altars of memory.

So this delivery service comes to the farmer at the beginning of the twentieth century as the "cheap photograph," to make more loved, prosperous, and happy the home life of the rural population.

I withdraw the pro forma amendment.

Mr. GAINES of Tennessee. I move to strike out the last word. I desire to read a little clipping from a newspaper touching upon the free rural delivery boxes that has been laid on my desk since I went down to lunch. It reads as follows:

Mail Box and Rural Delivery (W. A.).

DEAR SIR: There is a rural delivery route by our door, but the carrier says he won't leave our Inquirer or our mail in an ordinary wooden box; he says we are compelled to pay $2 for a mail box. We write and ask you if he can compel us to buy one.

The reply to this is as follows:

We are officially informed that all you have to do is to give notice in writing to the mail carrier that you desire all your mail matter to be placed in your box or in the trunk of a tree, or in the gutter, if you so choose; and if he does not do as you request him to report the matter to Superintendent James O'Sullivan at the post-office in this city, and your friend will be taught his duty in double-quick time.

This is a clipping from the Philadelphia Inquirer.

Mr. Chairman, there seems to be a great conflict as to this matter of rural-delivery boxes. If this statement is true, then a farmer can have a trunk in the tree, a hole in the ground, or a tin box or anything in which to receive his mail. We have been told time and again by those who profess to know that the farmers are required to buy a certain kind of metallic box that is patented; and you must take one of 14 kinds of boxes before you can receive this rural free-delivery service. Now, with the purpose of finding out what the law on the subject is, I am going to ask the learned, distinguished, and patient chairman of this committee what the law is as to the question of furnishing the boxes to the farmers along these mail routes.

Mr. LOUD. There is no law governing the subject.

Mr. GAINES of Tennessee. Is not there a rule?

Mr. LOUD. I believe the Department has adopted regulations which require that the patrons shall select one of the number of boxes that have been selected by the commission.

Mr. GAINES of Tennessee. Then the answer to this inquiry is wrong. They say that all you have to do is to give notice in writing to the mail carrier that you desire your mail matter placed in your box, or in the trunk of a tree, or a hole in the ground.

Mr. LOUD. I would not say about that.

Mr. LAMB. As I understand, there are three or four different boxes designated by the Department from which the patron can make the selection.

Mr. LOUD. There are 14 adopted by the Commission.

Mr. GAINES of Tennessee. Mr. Chairman, I have found the regulation on this point, and I want to place by the side of my remarks the rule of the Department applying to this subject, which is found on page 123 of the annual report of the Postmaster-General of the Post-Office Department. It is as follows:

On the 28th of March the report of the Commission (including the list of approved boxes submitted) received the formal approval of the Postmaster-General, and has since been promulgated with the following instructions:

"Before service will be established it will be necessary for the patrons to make selection from this list of approved boxes and to agree to equip the route with them. While the Department desires, it does not require, that the boxes on each route shall be of uniform construction. The prices of these boxes range from $1 up to a little over $3, including locks. When a rural free-delivery route has been equipped with boxes of the above-named description, the Department will consider these boxes as falling under the protection of section 5406 of the United States Revised Statutes, which provides severe penalties for any person who shall willfully or maliciously injure, deface, or destroy any mail matter deposited in any letter box, pillar box, or other receptacle established by authority of the Postmaster-General."

The law officers of the United States have accepted this construction of the United States Revised States, and in several recent instances have secured the indictment, in the United States courts, of persons guilty of destroying, defacing, or tampering with the approved rural-delivery boxes established by authority of the Postmaster-General.

This regulation shows these boxes must be bought. The farmer can not make his own box. He must, he is forced to, buy or do without the service, and he must pay from $1 "to a little over $3" for each box, "including locks." This rule takes away from the farmer his own right to have a certain kind of a mail box—his own box, a private box. This is cramping his personal rights mighty far, if not too far.

The Clerk proceeded with and completed the reading of the bill.

Mr. LOUD. Mr. Chairman, I move that the committee do now rise and report the bill and amendments to the House with the recommendation that the amendments be adopted and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SUTHERLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11354) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1903, and had directed him to report the same back with certain amendments, with the recommendation that the amendments be adopted and that the bill as amended do pass.

Mr. LOUD. Mr. Speaker, I move the previous question on the bill and amendments to its passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment? If not, they will be submitted to the House in gross.

The amendments were submitted in gross, and agreed to.

The bill was ordered to be engrossed and read the third time; and it was read the third time, and passed.

On motion of Mr. LOUD, a motion to reconsider the last vote was laid on the table.

EDWARD KERSHNER.

Mr. BUTLER of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the concurrent resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President is hereby requested to return to the House of Representatives the bill (H. R. 5224) providing for the relief of Edward Kershner.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. What is the object of having the bill returned?

Mr. BUTLER of Pennsylvania. For the gentleman's information I will say that the bill was passed through the House two or three weeks ago providing for the relief of Edward Kershner. It went to the Senate, passed the Senate, and was forwarded to the President for consideration. In that bill the President was authorized to appoint Edward Kershner to the Navy as a medical director. It has been discovered that objection was made to the approval of the bill because of the rank he would receive when appointed. When dismissed from the Navy he was a medical inspector, a grade lower than medical director, and therefore the Committee on Naval Affairs has asked for the introduction of this resolution, so that the bill may be recalled from the consideration of the President.

Mr. RICHARDSON of Tennessee. How long has the bill been in the hands of the President?

Mr. BUTLER of Pennsylvania. To the best of my information a week or eight days.

The SPEAKER. Is there objection to the present consideration of the concurrent resolution? [After a pause.] The Chair hears none.

The concurrent resolution was agreed to.

REPRINT OF AN ACT.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the reprint of Public Document 162 of the Fifty-fifth Congress, known as the "Curtis Act," relating to the conditions in the Indian Territory. It is a document that we need to use very often in the Indian Committee, and the supply has been exhausted.

The SPEAKER. The gentleman from New York asks for the reprint of House Document 162, known as the "Curtis Act." Is there objection? [After a pause.] The Chair hears none.

DISPOSITION OF PATENT SPECIFICATIONS, WESTERN DISTRICT OF PENNSYLVANIA.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 103, relative to the disposition of patent specifications and drawings in the western district of Pennsylvania.

The Clerk read as follows:

Resolved, etc., That the set of United States patent specifications and drawings now on deposit in the clerk's office of the United States district court for the western district of Pennsylvania, pursuant to section 490, Revised Statutes, be removed therefrom and deposited in the patent department of the Carnegie Library, in the city of Pittsburg, Pa., subject to the uses specified in sections 490 and 894 Revised Statutes; and that hereafter the said patent department of the said Carnegie Library of Pittsburg shall be the place of deposit for the United States patent specifications and drawings referred to in section 490, Revised Statutes, instead of the clerk's office of the United States district court for the western district of Pennsylvania.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. I would like to have the gentleman make some explanation about this matter.

Mr. DALZELL. Mr. Speaker, under a section of the Revised Statutes the patent specifications are directed to be deposited in the clerk's office of the various Federal courts throughout the country. They have so grown that there is no room for them in the clerk's office in the western district of Pennsylvania, in Pittsburg, and the judges of the circuit and district courts and members of the bar have asked for the passage of this resolution, so that those that are now there may be transferred, and those that are to be deposited hereafter shall be transferred, into a room specially fitted up for the purpose in the Carnegie Institute. The Commissioner of Patents has approved of the resolution.

There being no objection, the House proceeded to the consideration of the joint resolution, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

LIGHT-HOUSE, OYSTER BAYOU, LOUISIANA.

Mr. BROUSSARD. I ask unanimous consent for the present consideration of the bill (S. 3312) for the establishment of a light-house at the mouth of Oyster Bayou, near the Louisiana coast, in the Gulf of Mexico.

The bill was read, as follows:

Be it enacted, etc., That there be established at the mouth of Oyster Bayou, near the Louisiana coast, in the Gulf of Mexico, a light-house, at a cost not to exceed $5,000.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

The SPEAKER. Without objection, the House bill corresponding in its provisions with this Senate bill will lie on the table. [A pause.] Has the House committee reported this bill favorably?

Mr. BROUSSARD. Yes, sir.

The SPEAKER. The Senate bill?

Mr. BROUSSARD. No, sir; the House committee has reported the bill introduced into the House.

The SPEAKER. But the Senate bill does not appear to be here.

Mr. BROUSSARD. The Senate bill has been referred to the committee. I have not the original bill; I have merely a copy of the Senate bill. The two bills are exactly the same.

The SPEAKER. In view of the situation of the bill, the action just taken by the House was out of order. The Chair was not advised of the circumstances. The committee must be discharged from the consideration of the bill before it can come up in the House. If there be no objection, the action just taken with reference to this bill will be vacated. The question would now be on the discharge of the committee.

Mr. BROUSSARD. I move that the committee be discharged from the further consideration of the Senate bill.

The SPEAKER. The trouble, however, is that the Senate bill is not in the possession of the Clerk. There is no evidence here that it has been reported back.

Mr. BROUSSARD. The Senate bill has not been reported back; it is in the committee room now; but it is identical with the House bill.

The SPEAKER. The Chair will recognize the gentleman to bring up this question again at an early opportunity.

SIGNING OF LETTERS PATENT.

Mr. REEVES. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12095) to amend section 4883 of the Revised Statutes, relating to the signing of letters patent for inventions.

The bill was read, as follows:

Be it enacted, etc., That section 4883 of the Revised Statutes be, and is hereby, amended so as to read as follows:

"SEC. 4883. All patents shall be issued in the name of the United States of America, under the seal of the Patent Office, and shall be signed by the Commissioner of Patents, and they shall be recorded, together with the specifications, in the Patent Office in books to be kept for that purpose."

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. RICHARDSON of Tennessee. I can not definitely understand what the bill does. It seems to make a radical change in the law with reference to patents. I should be glad to hear some explanation of it before consent is given.

Mr. REEVES. Mr. Speaker, this bill changes a section of the Revised Statutes and authorizes a patent to issue signed only by the Commissioner of Patents under the seal of his office, instead of being signed by the Secretary of the Interior and countersigned by the Commissioner of Patents under the seal of his office. This amendment of the law is requested by the Secretary of the Interior and the Commissioner of Patents as a mere matter of convenience in the business of the Patent Office, there being, as the Commissioner states, about 500 of these patents to be signed each week. The bill has been considered by the committee and unanimously reported.

Mr. RICHARDSON of Tennessee. As I understand, this bill contemplates that both officers shall sign these documents, but reverses the order in which they do so.

Mr. REEVES. No; the object is simply to avoid the necessity of the Secretary of the Interior signing them at all—to let them be signed by the Commissioner of Patents alone, under the seal of his office.

Mr. RICHARDSON of Tennessee. Then, it dispenses with the signature of the Secretary of the Interior?

Mr. REEVES. That is the object entirely—to relieve the Secretary of the Interior of the mere clerical work of signing about 500 of these patents every week. The Secretary of the Interior exercises no discretion in regard to their issue; they are issued in accordance with the determination of the Commissioner of Patents and are signed by the Secretary of the Interior and countersigned by the Commissioner of Patents. The Secretary of the Interior wishes to be relieved of this duty.

Mr. RICHARDSON of Tennessee. Has the Committee on Patents considered this matter and recommended the adoption of this measure?

Mr. REEVES. Unanimously.

Mr. ROBINSON of Indiana. What will be the effect of this measure in regard to the authentication of patents in the courts of justice? Does it change the effect of the present provisions of law in that regard?

Mr. REEVES. Not at all. It merely allows these documents to be signed by the Commissioner of Patents under his seal instead of being first signed by the Secretary of the Interior and then countersigned by the Commissioner. This legislation is requested by the Department.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. REEVES, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE OUACHITA RIVER, ARKANSAS.

Mr. McRAE. Mr. Speaker, I ask unanimons consent for the present consideration of the bill (S. 3261) authorizing the Eldorado and Bastrop Railway Company to construct and maintain a bridge across the Ouachita River, in the State of Arkansas.

The bill was read.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the bill.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. McRAE, a motion to reconsider the last vote was laid on the table.

LIGHT-HOUSE, OYSTER BAYOU, LOUISIANA.

The SPEAKER. The Chair desires to state that Senate bill 3312, for the establishment of a light-house at the mouth of Oyster Bayou, near the Louisiana coast, in the Gulf of Mexico, called up by the gentleman from Louisiana [Mr. BROUSSARD], has been found and is in possession of the House. Without objection, the Committee on Interstate and Foreign Commerce will be discharged and the bill will be put upon its passage, unanimous consent having been already given. The question is on the third reading of the Senate bill.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. BROUSSARD, a motion to reconsider the last vote was laid on the table.

The similar House bill (H. R. 10077) was ordered to lie on the table.

LIGHT-HOUSE KEEPER'S DWELLING AT CALUMET HARBOR.

The Speaker laid before the House the bill (H. R. 7675) to construct a light-house keeper's dwelling at Calumet Harbor, with Senate amendments.

The Senate amendments were read.

Mr. MANN. Mr. Speaker, I ask that the Senate amendments be disagreed to by the House, and that the House ask for a conference.

The motion was agreed to; and the Speaker announced as the conferees on the part of the House Messrs. HEPBURN, MANN, and DAVIS.

EMANUEL KLAUSER.

The SPEAKER also laid before the House the bill (H. R. 3762) for the relief of Emanuel Klaser, with a Senate amendment.

The Senate amendment was read.

Mr. MONDELL. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

WILLIAM T. PRATT.

The SPEAKER also laid before the House the bill (H. R. 3297) to correct the military record of William T. Pratt, with a Senate amendment.

The Senate amendment was read, and agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SMITH of Illinois, for four days, on account of important business.

CALL OF COMMITTEES.

The SPEAKER. The Clerk will call the committees.

The Clerk proceeded with the call of committees.

The Committee on Interstate and Foreign Commerce was called.

FALSE BRANDING OF FOOD AND DAIRY PRODUCTS.

Mr. SHERMAN. Mr. Speaker, I am directed by the Committee on Interstate and Foreign Commerce to call up the bill (H. R. 9960) to prevent a false branding or marking of food and dairy products as to the State or Territory in which they are made or produced.

The SPEAKER. The gentleman from New York [Mr. SHERMAN], by direction of the Committee on Interstate and Foreign Commerce, calls up a bill, which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That no person or persons in any State or Territory of the United States or in the District of Columbia shall falsely brand or label any dairy or food products which become articles of foreign or interstate commerce or commerce with Indian tribes as to the State or Territory in which they are made, produced, or grown, or cause or procure the same to be done by another or others.

SEC. 2. That if any person or persons violate the provisions of this act, either in person or through another, he shall be guilty of a misdemeanor and shall be punished by a fine of not less than $500 nor more than $2,000; and that the jurisdiction for the prosecution of said misdemeanor shall be within the district of the United States court in which it is committed.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I should like to make the point of order that this bill can not properly be considered in the morning hour. From my understanding of the reading of it, it seems to me that it involves some expense on the Treasury. I think it is improperly on the House Calendar. If I understand it, it causes a tax upon the Government, and if that is true it can not be in order in this hour.

Mr. SHERMAN. It involves no expenditure of any kind.

Mr. RICHARDSON of Tennessee. It is, of course, almost impossible to get the full purport and tenor of a bill from simply hearing it read from the desk.

The SPEAKER. The Chair thinks that if the gentleman will scrutinize the bill he will see that his point of order will not lie against it. It seems to provide for no revenue and no expenditure.

Mr. RICHARDSON of Tennessee. It provides a punishment. It declares a certain act a misdemeanor and provides a fine.

The SPEAKER. That would apply to almost all bills reported from the Committee on the Judiciary, and they are not subject to the point.

Mr. RICHARDSON of Tennessee. If that is the opinion of the Chair——

The SPEAKER. The Chair thinks the point of order is not well taken. Does the gentleman desire to make any remarks?

Mr. SHERMAN. Unless some gentleman desires some information in regard to it, I do not care to say anything.

Mr. BARTLETT. I desire to ask the gentleman a question.

Mr. SHERMAN. I shall be glad to answer any question.

Mr. BARTLETT. As I understand the gentleman, this proposes to make it a crime in any part of the United States, no matter whether the act is done within the domain of a State or within a Territory over which the United States has exclusive jurisdiction. In other words, if the acts which are defined to be crimes are done in the State of New York or in the State of Georgia jurisdiction is given to the United States court.

Mr. SHERMAN. For that district.

Mr. BARTLETT. For that district.

Mr. SHERMAN. For the district in which the act is committed.

Mr. BARTLETT. In other words, the acts denominated crimes are not confined to places over which the United States has exclusive jurisdiction.

Mr. SHERMAN. Not necessarily. This is an interstate-commerce law. It provides that we can not, in one State, falsely brand an article which shall enter into interstate commerce with any other State or Territory.

Mr. BARTLETT. It is confined to dairy or food products. No other kind of merchandise seems to be reached by this bill.

Mr. SHERMAN. That was the only purpose of this act, to relate simply to dairy and food products.

Mr. BARTLETT. Will the gentleman frankly state what is the purpose of this bill? I know he will do so.

Mr. SHERMAN. I certainly will, Mr. Speaker. The bill is simple in terms, as it seems to me.

Mr. BARTLETT. I will add to my request that the gentleman not only state the purport of the bill, but that he also state what gave rise to its introduction.

Mr. SHERMAN. That is what I was about to state. What gave rise to the introduction of this bill was a condition of affairs that has grown up in the dairy and food product trade, largely in reference to cheese. For instance, in New York and Wisconsin cheese is manufactured that the world considers of a very high class. We in New York provide that each factory shall have its number, so that we will say cheese factory No. 6 of New York puts a brand, which is peculiarly the property of that particular factory, on its cheese, and it can not be used by any other factory under our State laws. They have built up a reputation for a product; and we have, for instance, in cities a thousand miles away, in other States, a cheese, perhaps a filled cheese, perhaps it may be a cream cheese, but of an inferior quality. The merchants have in certain warehouses ten, fifty, or perhaps a hundred brands, so that if you go into a warehouse in Baltimore or in Chicago, or some other city, and desire to purchase a cheese of "factory No. 6, of the State of New York," why, the merchant says, "Certainly, I will furnish you that;" and he goes through his warehouse, takes down a brand of this factory No. 6, slaps it upon that cheese, and sells it to you.

Mr. MADDOX. Will the gentleman permit me to ask him a question?

Mr. SHERMAN. Yes.

Mr. MADDOX. Will your bill cover the question of counterfeiting sirup?

Mr. SHERMAN. It covers maple sirup as well, and it was upon investigation of imitations of maple sirup as well as cheese that led to the introduction of this bill and leads us to urge its passage now. It is to prevent people in other States or Territories from taking old brown sugar and melting it up and fixing it up for something in imitation of Vermont maple sirup—the highest grade of sirup—and imposing it upon the people as Vermont maple sirup, when it is not. The simple purpose of the bill is to make every commodity of a food character to go out for exactly what it is, to make it appear that it was made where it was made, and not at some other place. In other words, to prevent fraud, Mr. Speaker. That is the sole object of the bill, and it is very simple in its terms, it seems to me.

Mr. BARTLETT. Mr. Chairman, I think as the gentleman goes along with his explanation he will about induce me to vote for a bill I thought was a bad one. That is the reason I wanted him to explain it to me. I see in the report that the complaint

originated probably from the fact that there were two articles that have been counterfeited mainly, the articles of cheese and Vermont maple sirup. From the report that I hold in my hand I find that this false branding has been practiced principally on cheese and maple sirup:

In almost any store in any of the large cities may be found packages labeled "Vermont maple sirup," which was never produced in Vermont, and some of which is entirely artificial, yet which is sold at the highest price because of the label which it carries.

Now, at first I will state to the gentleman frankly that I thought the bill was bad, but after hearing his statement, so far as I am concerned, he has almost persuaded me to vote for it.

Mr. MADDOX. Will the gentleman allow me to ask him a question? Does your bill go far enough to prevent this counterfeit branding of sirup? Why, in my country we make a great deal of pure cane sirup, and there is a great deal of sirup sold which is not the pure stuff.

Mr. SHERMAN. This will prevent the putting on the market of adulterated products with the brand upon it of pure products.

Mr. MADDOX. We have a pure cane sirup in Georgia, and we find that they are undertaking to counterfeit that article, which they do every day, by making it of cornstarch and anything else. Now, the question I desire to ask is, Will your bill cover that, too?

Mr. SHERMAN. It seems to me perfectly clear what the bill does cover. It prevents the selling of any food or dairy product under the claim that it was made in any particular locality where it was not made, so that, for instance, my friend from Maine here, who lives in a State that produces a brand of sweet corn that is, perhaps, the best that is made in the world, is protected. I am somewhat familiar with that trade, and I know that there are factories in New York State, and other parts of the country, that have the labels made and use them to a very great extent for their corn, marking them "Maine sweet corn," the brand used by the factory up in my friend's town (I have forgotten its name), and in that way they deceive the public and extort a price for that corn which it reasonably is not worth, because Maine corn is superior to other corn, and the merchants are simply deceiving the public into taking an inferior article for the superior product.

Mr. MADDOX. I wanted to know if it covered the whole subject.

Mr. FLEMING. I would like to ask the gentleman a question. Will the gentleman from New York have any objection to enlarging the scope of the bill by making it apply to any manufactured article, so as not to confine it to dairy products? For instance, in line 5, after the word "products," would you have any objection to inserting the words "or any other articles of manufacture?" Now, I will state to the gentleman that my question is based on this: One of the cotton mills down at my home city has gotten up a very fine reputation on the character of cotton goods which it manufactures. It puts a stamp on them, and they go into the market, and other manufacturers, not in that town and not in that State, have placed goods upon the market with this identical stamp on them. I should like to broaden out this bill. I see no objection to it at all, and I am willing to vote for it as it stands; but it seemed to me if we are going to protect the dairy products in this way, we might afford some protection to any other manufactured article; and if the gentleman sees no objection to it, I would like an opportunity to put an amendment of that kind on.

Mr. SHERMAN. My only objection to the gentleman's amendment is that it will complicate this matter. I believe if it stands simply and purely by itself it will meet the approval of everybody in the House; but if you go to adding an amendment, adding other products, trying to make a pure-food bill of it, you will change its scope so that it may create some opposition here. I believe the bill is a good one, an excellent one as far as it goes, and I believe it can pass substantially without any opposition, and therefore, and for that reason alone, I trust the gentleman will not insist upon amending it now.

Mr. FLEMING. I do not desire at all to impede or interfere with the passage of the bill, but I would like to see it made broad enough to cover the matter I have referred to.

Mr. SHERMAN. I will join the gentleman in an attempt to pass a measure such as the one to which he refers.

Mr. FLEMING. I will offer the amendment pro forma, and let it be voted down, unless the gentleman objects to it.

Mr. SHERMAN. I very much prefer that the gentleman should not offer it. I would like to pass it just as it is.

Mr. FLEMING. Then I will not offer it.

The bill was ordered to be engrossed and read a third time; and it was read the third time, and passed.

On motion of Mr. SHERMAN, a motion to reconsider the last vote was laid on the table.

Mr. FLETCHER. Mr. Speaker, I am authorized by the Committee on Interstate and Foreign Commerce to call up House bill 9059, and ask that it may be passed over at this call without prejudice or losing its place on the next call.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the Committee on Interstate and Foreign Commerce may be passed for the present without prejudice. Is there objection? [After a pause.] The Chair hears none.

The Clerk proceeded with the call of committees; when the Committee on the Public Lands was reached—

Mr. LACEY. Mr. Speaker, I desire to call up the bill (H. R. 8593) to reduce the number of land offices in Alaska, simply to have it laid on the table. This bill has already been enacted into law as an amendment to the urgent deficiency bill; consequently it might as well be disposed of here, and I move that the bill lie on the table.

The motion was agreed to.

PUBLIC PARK IN OREGON.

Mr. LACEY. Mr. Speaker, I call up the bill (H. R. 4393) reserving from the public lands in the State of Oregon, as a public park for the benefit of the people of the United States, and for the protection and preservation of the game, fish, timber, and all other natural objects therein, a tract of land herein described, etc.

The Clerk read the bill at length.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I make the point of order that that bill can not be considered in this hour. It dedicates public property to park purposes.

Mr. LACEY. The bill is on the House Calendar.

The SPEAKER. It is clearly not properly on the House Calendar; that has been repeatedly decided, and the bill will be changed to the Union Calendar. Is there any further bill from the Committee on Public Lands?

Mr. LACEY. Not unless the Chair will recognize me to go into Committee of the Whole on this bill.

The SPEAKER. The Clerk will call the next committee.

The Clerk proceeded with the call of committees, and when the Committee on the Territories was reached—

Mr. ROBINSON of Indiana. Mr. Speaker, by direction of the Committee on the Territories, I call up the bill (H. R. 9334) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of Congress approved July 30, 1886, entitled "An act to prohibit the passage of local or special laws of the Territories of the United States, to limit Territorial indebtedness, and for other purposes," is hereby amended so as to authorize the issuance of bonds by school districts in Oklahoma Territory having a bona fide population of not less than 5,000 persons for erecting necessary school buildings and purchasing the ground for the same. The limitations of said act of July 30, 1886, shall not apply to such school districts: *Provided*, That before any bonds shall be issued the mayor and common council of the municipal corporation, composing in whole or in part such school district, shall cause an election to be held in such district, and said mayor and common council shall cause to be published in a newspaper of general circulation, published in said district, a notice of the time and place or places of holding such election.

Such notice shall be given at least thirty days before such election. On the question of the issuance of said bonds no person shall be qualified to vote except he be in all respects a qualified elector and owner of real or personal property subject to taxation within the school district. In case two-thirds of the qualified voters, as above described, shall vote affirmatively for the issuance of said bonds, then the mayor and common council shall certify the result to the board of education, and said board shall issue the same, and not otherwise. Said bonds shall contain all necessary provisions as to form, and such school district shall provide a proper sinking fund for the redemption of said bonds. Said bonds shall not bear a rate of interest exceeding 4 per cent, and the interest shall be paid semiannually, and none of said bonds shall be sold at less than their par value: *Provided further*, That no school district under this act shall issue bonds in excess of 6 per cent of the valuation according to the last preceding assessment of the school district issuing the same.

The bill was ordered to be engrossed and read the third time; and it was read the third time, and passed.

On motion of Mr. ROBINSON of Indiana, a motion to reconsider the last vote was laid on the table.

Mr. SMITH of Arizona. Mr. Speaker, I am directed by the Committee on Territories to call up the bill (H. R. 8736) ratifying the act of the Territorial legislature of Arizona, approved March 2, 1901, providing a fund for the erection of additional buildings for the University of Arizona.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of the Territorial legislature of the Territory of Arizona entitled "An act to provide a fund for the erection of additional buildings and furnishing the same for the University of Arizona," approved March 2, 1901, and which said act was to take effect on its approval and ratification by the Congress of the United States, be, and the same is hereby, approved and ratified.

The bill was ordered to be engrossed and read the third time; and it was read the third time, and passed.

NAVAJO COUNTY, ARIZ.

Mr. SMITH of Arizona. Mr. Speaker, by direction of the Committee on the Territories, I call up the bill (H. R. 7034) for the relief of Navajo County, Ariz.

The bill was read, as follows:

Be it enacted, etc., That the county of Navajo, Territory of Arizona, be, and is hereby, authorized and empowered, through its board of supervisors, to refund the outstanding county indebtedness of said county, which said indebtedness is evidenced by bonds of said county, Nos. 30 and 73, inclusive,

payable to Apache County, Ariz. Said bonds are in the sum of $1,000 each, interest payable annually on the 2d day of January, at the rate of 6½ per cent, together with $10,000 of the principal each year.

SEC. 2. That the said board of supervisors is hereby authorized to refund said bonded indebtedness, in the sum of $43,000, by issuing in lieu thereof bonds in the sum of $1,000 each, said bonds to bear a rate of interest not to exceed 5 per cent per annum, interest and $5,000 of the principal payable annually from and after the 2d day of January, 1911.

SEC. 3. That said refunding bonds shall be signed and delivered by the chairman of the board of supervisors and the treasurer of said Navajo County, and shall be made payable to the person, persons, or company purchasing the aforesaid refunding bonds.

The SPEAKER. The Chair does not find this bill on the House Calendar.

Mr. SMITH of Arizona. The bill has been reported. It must have been referred to the House Calendar, for it is a House Calendar bill.

The SPEAKER. The bill is on the Private Calendar, and is not in order at this time.

Mr. SMITH of Arizona. If it is on the Private Calendar, it is incorrectly there; and the Chair ruled a while ago that when a bill has been incorrectly placed upon the Private Calendar it loses no rights because it is so placed. This is a bill providing for the refunding of the debt of a county at a lower rate of interest. It certainly should not be on the Private Calendar.

The SPEAKER (after examining the bill). The Chair is of opinion that this is in the nature of relief for individuals. The very last paragraph of the bill provides——

Mr. SMITH of Arizona. Will the Chair hear me on this question, unless the mind of the Chair is fully made up? I do not want to consume time unnecessarily.

The SPEAKER. The Chair is very clear in the inclination of his mind, but would be glad to hear the gentleman.

Mr. SMITH of Arizona. This bill provides for nothing in the world except the refunding of the debt of a county at a cheaper rate of interest. The bill can not properly be on the Private Calendar, for no private individual is interested in it.

The SPEAKER. Permit the Chair to call the gentleman's attention to a provision of the last section:

That said refunding bonds shall be signed and delivered by the chairman of the board of supervisors and the treasurer of said Navajo County, and shall be made payable to the persons or company purchasing the aforesaid refunding bonds.

Mr. SMITH of Arizona. The bonds could not be sold unless the purchasers were to get title by a transfer of the bonds. It is not known in advance to whom the bonds are to be sold. A public sale is provided for, and whoever purchases them, the board of supervisors is to make out a bond in his name. Such a provision does not make the bill a private bill.

The SPEAKER. These parties, then, are not creditors, but purchasers?

Mr. SMITH of Arizona. Purchasers to whom the board will pass the title of the bonds when issued.

The SPEAKER. The Chair has some doubt on the question, but will allow the bill to be considered during this order, if there be no objection.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed and read the third time; and it was accordingly read the third time, and passed.

Mr. BARTLETT moved to reconsider the votes by which the two bills last considered were passed, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. RAY of New York. I ask unanimous consent that the Committee on the Judiciary be recurred to. I did not know that our committee was to be called. I came in just as it was reached and did not understand what was going on. I wish to call up a Senate bill which will excite no discussion, I think.

The SPEAKER. The gentleman from New York asks unanimous consent to return to the call of the Committee on the Judiciary. Is there objection?

Mr. BARTLETT. For what purpose?

Mr. RAY of New York. To consider Senate bill 3267.

Mr. BARTLETT. What is the title of the bill?

Mr. RAY of New York. It is simply a bill changing the boundaries of judicial districts in the Indian Territory.

Mr. BARTLETT. I have no objection.

There being no objection, the House proceeded to the consideration of the bill (S. 3267) to change the boundaries between the southern and central judicial districts of the Indian Territory.

The bill was read, as follows:

Be it enacted, etc., That all that portion of the Chickasaw Nation east of the Washita River, from the mouth of said river to the mouth of Butcherpen Creek, and north up said Butcherpen Creek to the township line between townships 4 and 5 south, in range 7 east, thence along said township line to the boundary line between the Choctaw and Chickasaw nations, in range 8 east, shall be added to the central judicial district of the Indian Territory.

SEC. 2. That the United States court for the central judicial district of the Indian Territory shall have jurisdiction over all cases, civil and criminal, arising within the said described boundaries after the passage of this act.

SEC. 3. That the judge of the United States court in the Indian Territory presiding in the central judicial district thereof is hereby authorized and empowered to appoint an additional United States commissioner within said district, who shall be permanently located at Durant, in the Choctaw Nation, and to prescribe by metes and bounds the portion of the district for which such commissioner is appointed.

The amendment reported by the Committee on the Judiciary was read, as follows:

Strike out section 1 and insert in lieu thereof the following:

"That all that portion of the Chickasaw Nation east of the Washita River, from the junction of Island Bayou and the Red River, up the Red River to the mouth of the Washita River, and up said river to the mouth of Butcherpen Creek, and north of said Butcherpen Creek to the township line between townships 4 and 5 south, in range 7 east, thence along said township line to the boundary line between the Choctaw and Chickasaw nations in range 8 east, shall be added to the central judicial district of the Indian Territory."

Mr. RAY of New York. This amendment is in accordance with the recommendation of the Attorney-General, the object being to make the boundary more definite and certain and in accordance with the actual condition of things. The bill has already passed the Senate.

The amendments were agreed to.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. RAY of New York, a motion to reconsider the last vote was laid on the table.

CHARTERS OF NATIONAL BANKS.

Mr. CAPRON. Mr. Speaker, I ask unanimous consent to return, under the call of committees, to the Committee on Banking and Currency, and to call up a bill that was overlooked. It was not understood, in the absence for sickness of one of our members, that the report had been written. It has been written and is on the Calendar, and I ask unanimous consent that we return to that bill.

Mr. SULZER. I would like to inquire the title of the bill.

Mr. CAPRON. It is bill S. 176, to provide for the extension of charters of national banks, simply. There is nothing else in it except that one necessary provision.

The SPEAKER. The gentleman from Rhode Island asks unanimous consent to return to the call of the Committee on Banking and Currency for the purpose of calling up the bill (S. 176) to provide for the extension of charters of national banks. Is there objection?

Mr. BARTLETT. I object.

The SPEAKER. The gentleman from Georgia objects, and the Clerk will proceed with the call.

The Clerk resumed and concluded the call of committees.

HAWAII DITCH COMPANY, LIMITED.

Mr. POWERS of Maine. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of bill (H. R. 11997) granting to the Hawaii Ditch Company, Limited, the right of way over public lands in the districts of North and South Kohala in the island of Hawaii, for the purpose of constructing and maintaining ditches or canals and the necessary reservoirs, dams, and the like, for irrigation and domestic purposes in said districts.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union for the consideration of bill H. R. 11997, with Mr. LACEY in the chair.

The Clerk read the bill.

The CHAIRMAN. The question is on the amendments of the committee.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I submit that general debate is not yet concluded.

The CHAIRMAN. Certainly not; but the Chair recognizes the gentleman in charge of the bill.

Mr. RICHARDSON of Tennessee. I know, but not on the amendments. I understood the Chair to say that the question was on the amendments.

The CHAIRMAN. The gentleman is right.

Mr. UNDERWOOD. We would like to have an explanation of the bill.

The CHAIRMAN. The gentleman from Maine [Mr. POWERS] is recognized.

Mr. POWERS of Maine. Mr. Chairman, I will state very briefly about the bill. There is organized, under authority of the legislature of Hawaii, a ditch company. That ditch company has leased and purchased certain water rights where the water is now falling into the sea. It desires to convey that water to other lands and to irrigate them. In order to do that they must cross certain land the title of which is in the United States. The Secretary of the Interior, after a careful examination of the statutes, decided that he could not grant them authority or right to cross this land, and that they must get it from Congress.

The committee are very generally of the opinion that he had that authority. I will say that the committee are unanimous in

this report. Now, there is a general statute which is referred to here, and which I can read, which authorizes all ditch companies, where they desire to irrigate land, to cross Government lands in other Territories. We have given them the same right of crossing this land of the Government which every ditch company has in every other Territory in the United States, in the Territory of New Mexico and Arizona or Alaska, it having been decided that that general act does not apply to Hawaii. They ask no exclusive rights. We have also placed one other burden upon them, that in addition to complying with all the provisions and stipulations of the general act which applies to all ditch companies in this country they shall furnish to any homesteader, or any other person desiring to use this water that shall purchase Government land, the water at a fair price, and if the person desiring to use it and the ditch companies can not agree as to what is a fair price, then the bill provides that it shall be determined by the district court of the United States, as you will see in the last clause.

The only variation that there is in the bill from the general act is this: As they have to file plans with the Secretary of the Interior, and as he has to send somebody, after they have filed the plans, to look it all over and approve the location before they can commence work, and as it will take near one year to do this, and as they can only use this right after he has approved their location and plan, we have, at their earnest request, allowed an extension of one year more before they forfeit their rights. Hence you will see an exception, as provided in the last section, and that section gives them six years before they forfeit it, instead of five as under the general law.

The reason for so doing, as I have stated, is that it will take so long a time to make the surveys, to forward them to the Secretary of the Interior, and then have him send competent persons there, as I understand he does, and get the reports and approve, so that they will have in reality no longer time to complete the work in than any other companies have in this country, on account of the great distance they are away from here. This bill simply grants this right to this ditch company to cross under all the restrictions and limitations of the general law the Government land in a portion of Hawaii. That is all there is to it.

Mr. UNDERWOOD. I would like to ask the gentleman from Maine if the restrictions and provisions of this bill are so limited that the future purchasers of Government lands will be protected in their rights to the use of the water?

Mr. POWERS of Maine. An addendum to what there is in the general law I drew myself, and it is included in this bill, and I will read it:

SEC. 2. That this right of way through the public lands is granted subject to all the conditions and requirements of the act of March 3, 1901, chapter 561, sections 18 to 21, inclusive, so far as the same shall be applicable. And the Hawaii Ditch Company shall comply with all the provisions of said act and be subject to all its limitations and restrictions therein contained as in this section above set forth, except as provided in section 3 of this bill, and also upon the further condition that the Hawaii Ditch Company shall furnish to all persons desirious of using said water for irrigating purposes such quantity as is reasonable for a fair price; and if the Hawaii Ditch Company and any person or persons desirious of using said water shall not be able to agree as to reasonable use or fair price, then, on the request of either party, the district court of the United States for the Territory of Hawaii shall determine the same and may change its decree from time to time as may seem equitable and just.

SEC. 3. That the work of constructing said ditches or canals and reservoirs shall be commenced within two years and completed within six years from the date of the approval of this act; and in default of either of these conditions the rights herein granted shall be null and void.

That is not in the general law, but it is added in the bill.

Mr. UNDERWOOD. I think that makes the bill satisfactory. At least, it makes it satisfactory to me.

Mr. POWERS of Maine. I will say also that I have a letter from the Delegate [Mr. WILCOX], who is unable to be here, stating that the bill has his full and hearty approval, and that he desires to have it pass.

As the bill has the unanimous approval of the committee, as it calls for no appropriation from the United States, and as it merely asks what is granted everywhere else to companies of this character, I do not think I need detain the committee with any further explanation. I think we have safeguarded all rights fully. If any gentleman desires to know the conditions and stipulations of the general act, I have a copy of it here. They are very strict.

Mr. SHAFROTH. I should like to ask the gentleman a question, if you please.

Mr. POWERS of Maine. Certainly.

Mr. SHAFROTH. I am not familiar with the bill and was not here when the gentleman began his explanation. Is there any attempt in this bill to dispose of the water or to determine in what manner the water shall be disposed of?

Mr. POWERS of Maine. Not the least in the world. It gives no water rights.

Mr. SHAFROTH. Is there a general law in the Territory of Hawaii relative to the distribution of water similar to our laws in the Western States?

Mr. POWERS of Maine. This company came here with a bill asking us to allow them to exercise the right of eminent domain. They said they owned nearly all the water. We concluded that there was ample authority under the law of Hawaii to exercise that right, and struck out that part entirely.

We simply give them the right to take their ditch across the public lands under the general restriction that applies to all ditches, and we have added the further safeguard which I have stated.

Mr. SHAFROTH. Did you say that there were provisions at one time included in this bill relative to the distribution of the water?

Mr. POWERS of Maine. They had a clause asking us to give them the right of eminent domain and to take water, but we struck that entirely out and have simply given them what they have in other places, namely, to cross government land and take materials, etc.

Mr. GAINES of Tennessee. Are the rights that are granted here simply rights to cross the public lands without involving the rights of any private parties?

Mr. POWERS of Maine. This does not in the least interfere with the rights of anybody. More than that, it gives this company no exclusive right to cross this land. Any other ditch company would have the same right if Congress would be pleased to grant it.

Mr. GAINES of Tennessee. Does the act to which the gentleman alludes in his statement give them any such rights?

Mr. POWERS of Maine. Would the gentleman like to have me read the law?

Mr. GAINES of Tennessee. I think the gentleman can answer the question without taking up the time of the committee. Does the act alluded to in section 2 protect the abutting owner, or is there any law in Hawaii that protects the abutting owner in the matter of damage done in the making or operation of this aqueduct?

Mr. POWERS of Maine. The law in Hawaii in reference to the taking of lands for purposes like this is copied very largely, I think, after the law of one of our Western States; and upon a careful examination of its provisions the committee were satisfied that it safeguarded the interests of all other owners and persons; and therefore we decided not to have anything to do with that part of the bill where they asked us to give them some rights of that kind. We struck that out, and have simply given them the right to cross the public lands.

Mr. GAINES of Tennessee. Under that law what right of action has the abutting owner against this company in case of damage, or where property is actually taken?

Mr. POWERS of Maine. I think every property owner along the line of this ditch has petitioned for this bill; but the law to which I refer provides very carefully for the protection of the rights of all persons whose property is taken.

Mr. GAINES of Tennessee. If they have all petitioned, then they are estopped from asking damages; but it is the first case I ever heard of where everybody petitioned.

Mr. POWERS of Maine. I am not aware of anybody who has not. There may be. I believe the parties who petitioned own nearly all the water.

Mr. GAINES of Tennessee. It is not so much a question of water as it is of land.

Mr. JONES of Washington. I should like to ask the gentleman a question.

Mr. POWERS of Maine. Certainly.

Mr. JONES of Washington. Does the bill require this company to complete the ditch within a definite time?

Mr. POWERS of Maine. It requires them to complete the ditch within six years or forfeit their rights. We gave them one more year than the general law gives them, because they claim that in order to make their plans and surveys and send them here to the Secretary of the Interior and have him send some person out there to examine it will take a year longer than it would if it was in this vicinity.

Mr. BURLESON. Will the gentleman from Maine yield to me fifteen minutes?

Mr. POWERS of Maine. Certainly, with great pleasure.

Mr. BURLESON. Mr. Chairman, I desire to submit a few remarks in reply to the very able defense made in behalf of the Secretary of State the other day by the distinguished chairman of the Committee on Foreign Affairs. I say able argument, but at the same time I must say, Mr. Chairman, a lame argument, not because of any lack of ability upon the part of the distinguished gentleman from Illinois, but because of the inherent weakness of the cause which he attempted to defend. The argument made by the gentleman from Illinois was based almost exclusively upon a misapprehension of facts and a misunderstanding of law. In the course of his remarks the gentleman——

Mr. GILLETT of Massachusetts. Mr. Chairman, I rise to a point of order. It does not seem to me that the gentleman's discussion is relevant to the question before the House.

Mr. UNDERWOOD. Mr. Chairman, I hope the gentleman from Massachusetts will not make that point of order. The other day the gentleman from Texas did not interfere with the conclusion of the bill when he wanted further time. This morning we yielded, when the bill was being discussed under the five-minute rule, several times for gentlemen on the other side to discuss matters irrelevant.

The situation of the House now is that it is doing business without a quorum; the gentleman only asks a few minutes, and I hope he will be allowed to proceed.

Mr. RICHARDSON of Tennessee. Not only so, but we are in general debate.

Mr. SHAFROTH. We are in Committee of the Whole House on the state of the Union.

Mr. GILLETT of Massachusetts. I withdraw the point of order.

Mr. BURLESON. As I understand it, Mr. Chairman, I have the right to proceed. I do not want this interruption taken out of my time.

In the course of his defense the gentleman from Illinois used this expression:

> The question presented is whether our Government will ask another to permit those in sympathy with the other belligerent to go through their fortified lines.

Now, if the Chairman and gentlemen here please, I say that was not the question. On the contrary, this definition of the question is a pure fiction lodged in the imagination of the gentleman who was assuming to defend the Secretary of State. The proposed mission of Dr. Thomas and his wife is entirely different.

I submit that the mission which Dr. Thomas seeks to undertake will not in any way deal with the belligerent forces opposed to the British army. He does not contemplate going to the succor of ordinary prisoners of war, but wishes to carry aid to the noncombatant prisoners—those women and children not parties to the hostilities, but who have been gathered from their homes in the country districts and the villages into unwholesome camps reeking with disease, as is shown by the following figures based upon British official reports:

> Death rate of children in concentration camps for the month of September, 1901, 433 per 1,000 per annum.
> Death rate of all occupants of camps during the same month, 264 per 1,000 per annum.
> Annual death rate of England and Wales, 18 per 1,000.

These concentration camps are situated in territory controlled by the British and in which the war was long ago officially proclaimed "over." They are in towns on direct lines of railway from British ports, such as Bloemfontein, Kronstad, Johannesburg, Standerton, Mafeking, and Kimberley. It is plain, therefore, that there is no question of passing through "fortified lines" and dealing with "belligerents."

Furthermore, Mr. Chairman, the gentleman from Illinois raises the question that the officials of the State Department did not raise when this matter was first submitted to them for consideration and action. That Department was not acting unadvisedly. As early as January 7, 1902, this letter was addressed to the State Department:

JANUARY 7, 1902.

The SECRETARY OF STATE, *Washington, D. C.*

DEAR SIR: As a result of negotiations between the members of the committee appointed by his excellency the governor of Illinois to receive funds, etc., for the relief of destitute women and children in the concentration camps of South Africa, and several prominent citizens of Chicago, on the one hand, and Rev. Hiram W. Thomas, D.D., and Mrs. Vandalia Varnum Thomas, on the other, I am in receipt of a letter of which the inclosed is a copy.

It is the desire of the Governor Yates Boer relief fund committee to have Dr. and Mrs. Thomas personally attend to the distribution of the funds collected by it.

I desire, on behalf of the committee, to ascertain what steps it will be necessary for us to take in order to procure for them such passports as will insure access to all of the concentration camps for that purpose.

Any assistance you may render or any information which your Department can furnish will be heartily appreciated.

Yours, very respectfully,

PETER VAN VLISSENGEN,
Member of the Governor Yates Boer Relief Fund Committee.

I now read the letter from Dr. Thomas referred to by Mr. Van Vlissengen in his communication to the State Department:

DE FUNIAK SPRINGS, FLA., *January 1, 1902.*

Mr. PETER VAN VLISSENGEN, *Chicago.*

DEAR FRIEND OF THE CAUSE WE LOVE: Our consecration for the new year is to the American Transvaal League for the service of the suffering Boers. From pulpit, platform, and through the press we have pleaded for them; and now we are willing to do.

We hear the words of the Christ, "I was an hungered, and ye gave me meat; I was thirsty, and ye gave me drink; I was a stranger, and ye took me in; naked, and ye clothed me; I was sick, and ye visited me; I was in prison, and ye came unto me."

In the name of God and humanity we are ready to go to that far-off land. Gladly will we be the bearers of the generous offerings and deep sympathies of the people of our country of the free to the noncombatants, the aged, the mothers and children, the sick and the dying, whose husbands and fathers are fighting so grandly for home and country, for the rights of man.

Affectionately,

H. W. THOMAS.
VANDALIA VARNUM THOMAS.

To the letter from Mr. Van Vlissengen to the State Department Mr. David J. Hill, Assistant Secretary of State, replied in a manner which shows that the State Department did not interpose this imaginary rule of international law and regulation of comity between nations, which shadowy objections, owing to the exigencies of the case, the distinguished chairman of the Committee on Foreign Affairs felt called upon to utilize in order to exculpate the Secretary of State. The letter is as follows:

DEPARTMENT OF STATE, *Washington, January 9, 1902.*

PETER VAN VLISSINGEN, ESQ.,
Member of "Governor Yates Boer Relief Fund" Committee,
172 East Washington street, Chicago, Ill.

SIR: The Department has received your letter of January 7, stating that your committee desires to have distributed in South Africa funds collected for the relief of destitute women and children, and asking what steps should be taken in order to procure for Dr. H. W. Thomas and Mrs. Vandalia V. Thomas, your agents for the distribution, such passports as will insure their access to all of the concentration camps.

In reply you are informed that if Dr. and Mrs. Thomas are citizens of the United States and will submit satisfactory applications regular passports will be issued in their favor. The Department is informed that a permit should be procured from the British Government by every person desiring to proceed to South Africa, and that no person unprovided with such permit is allowed by the authorities in South Africa to land, except under special circumstances. Permits are issued by the colonial secretary in London on production of satisfactory evidence from the United States embassy that the purpose of the contemplated journey is legitimate, and passengers from ports not in the United Kingdom may obtain such permits from British consular officers at ports of embarkation.

I am, sir, your obedient servant,

DAVID J. HILL,
Assistant Secretary.

Now, Mr. Chairman, I say that the chairman of the Committee on Foreign Affairs interposed a defense or objection that Mr. David J. Hill, Assistant Secretary of State, did not raise when the matter was first brought to his attention. Furthermore, the distinguished chairman of the Committee on Foreign Relations in the Senate did not raise this objection when the question was brought to his attention. For the first time, Mr. Chairman, when the issue was presented, the Secretary of State raised this imaginary rule of international law, or fictitious regulation of comity between nations, in order to prevent this relief from being carried to those unfortunate women and children in the concentration camps of South Africa.

Again, the chairman of the Committee on Foreign Affairs in his argument the other day used this language:

> What would be the answer if such a request had come to Mr. Stanton to let a committee from London who were in sympathy with the Confederate forces go through our armed lines to distribute money among Confederate prisoners?

This does not state an analogous case. We are not asking to distribute relief to Boers who are ordinary prisoners of war, but to Boer women and children.

But, nevertheless, I will submit to him an answer on that proposition. One answer was given by the distinguished gentleman from Missouri [Mr. COCHRAN] the other day. Another is contained in a letter from an assistant surgeon in the Confederate army received by me this morning, which I now ask the privilege of reading:

ATLANTA, GA., *March 12, 1902.*

Mr. BURLESON, M. C.,
Washington, D. C.

DEAR SIR: I note in the Associated Press dispatches, Mr. HITT—no doubt a kinsman—asks you "Whether you would have allowed a committee that existed in London in 1863, and which was in full sympathy with the Confederate cause, to go through the Union lines for the purpose of distributing relief?"

We did better than that. I was stationed, as assistant surgeon, at Citypoint, Va., in 1863, afterwards General Grant's headquarters.

Judge Robert Ould was Confederate commissioner of exchange of prisoners, and, I think, General Ord, commissioner for the Federal Government. Major Mulford, United States Army, was Ord's adjutant-general. He and Judge Ould would meet at Citypoint, and they several times discussed their relative matters in my presence during a mutual dining or otherwise.

Judge Ould proposed, with the consent of the Confederate Government, to allow Federal surgeons to treat all Federal prisoners in Confederate prisons, and Andersonville particularly, as well as allow all medical and food supplies for said sick prisoners.

I recall when Major Mulford, United States Army, stated that his Government would not accept this really humane proposition, he did so with sadness and regret. Of course, we—the Confederates present—were shocked.

I think this general fact is a matter of history, but I am one of the surviving witnesses of the negotiations in part, and of the refusal of the Federal Government, as expressed by Major Mulford.

Very respectfully,

V. G. HITT.

On that point, Mr. Chairman, even cruel and tyrannical Spain, when relief was sought to be furnished the Cuban reconcentrado women and children, did not invoke this shadowy principle of international law, this vague and indefinite rule of comity between nations, which the gentleman from Illinois [Mr. HITT] invoked when he attempted his defense of our Secretary of State. I submit to the gentleman a telegram which I will also, with the permission of the House, embody in my remarks, showing that the admittance of relief expeditions by one army through their lines to the succor of those whom they may be engaged in fighting is not without precedent.

Mr. HITT. Why do you not read it?

Mr. BURLESON. Because I have not the time.

OMAHA, NEBR., *March 12, 1902.*

Hon. ALBERT S. BURLESON, M. C.,
1623 N street NW., Washington, D. C.

In 1898 Kansas City Star sent train load of 21 cars' supplies to Cuba. These were distributed by two members of Star staff, sent to Cuba for that purpose. Distribution took place under direction of Brice, consul at Matanzas, who acted by request of Star. President McKinley indorsed plan, and United States Government paid for ship to carry Star supplies. Star was sympathizer with Cubans. The two members of Star staff personally participated in the distribution of these supplies. Red Cross had nothing to do with this, and Consul Brice acted by request of Star.

RICHARD L. METCALF,
Editor World-Herald.

Mr. BURLESON. The cases cited here the other day by the chairman of the Foreign Affairs Committee in his attempted comparison are not analogous. If General Sherman, in his historic march to the sea, in addition to doing those things that he did do, had concentrated the homeless women and children in camps within the lines of the Federal forces, and the humane people in England had begged for the privilege of sending relief to the women and children confined in these camps, when sickness and death were decimating their numbers, and the Federal Government had admitted its inability to cope with the situation, then the cases would have been analogous.

It is doubtful if there is any precedent in our own history for the granting of such a request as Dr. Thomas seeks to have made upon Great Britain, for the simple reason that history does not record that this country has ever yet placed itself in a position that would warrant such a request. But if the exigency should ever arise when a request of this kind can be made of us, I stand here to assert it will not be refused.

Again, the gentleman from Illinois [Mr. HITT] used this language:

Mr. HITT. No doubt he could do all that—that is, relieve their distress; but he would not be permitted to go through the armed camps or fortifications. It was never done in our war. I never heard of its being done North or South. If the object is to put our Government in conflict with another for the sake of political capital, I do not think that effort ought to succeed.

Mr. BURLESON. As to what occurred during the unfortunate period of 1861-1865, I am unable to speak from personal knowledge or recollection, inasmuch as I was not of age to participate in the occurrences of that time.

Mr. HITT. I spoke of it because it illustrated a rule universally accepted, a rule that nations generally have adopted.

Now, right on this point, as to whether it is a rule universally accepted, a rule that nations have generally adopted—to show the gentleman how thoroughly mistaken he can be—if this rule of international law applies in our State Department it must be international law purely local in character. I am able to read from an Associated Press cable dispatch of the very morning of our controversy a statement showing that such an interpretation of international law is not rendered in all quarters. Hear the following:

BERLIN, *March 11.*

In the Prussian Diet the foreign secretary—

So it also seems it was peculiarly proper and appropriate in the case of Dr. Thomas that an appeal should have been made for the good offices of our Secretary of State for the purposes which we were endeavoring to accomplish—

the foreign secretary, Baron von Richthofen, after reading the answer of the British Government—

It seems there is one foreign secretary that did not urge these objections; the secretary of one foreign government that did not consider it "meddlesome and a remissness in the observance of neutrality" to lend his good offices to the accomplishment of this worthy purpose—

after reading the answer of the British Government permitting the delivery of German charitable gifts to the Boers in the South African concentration camps, under the surveillance of the camp authorities—

And this regulation, of course, we expected also to obtain if the permit had been granted Dr. Thomas—

declared that the reply guaranteed a just distribution.

Now, when an appeal is made in America for the intervention and interposition of the foreign office for the accomplishment of the same thing it is denied.

In 1776 our sires threw off the yoke of British oppression; but after the lapse of one hundred and twenty-five years it seems that the untimely hour has arrived when perfidious Albion again exerts an influence on this country through our foreign office that is discreditable to our patriotism, and in this case has cast a reflection upon our impulses of humanity and well-recognized feelings of generous charity.

Now, Mr. Chairman, in conclusion I wish to say that my only reason for making these remarks to-day is that I had been denied, or warned that I would be denied, the privilege of submitting them when my resolution relating to this subject is presented here to-morrow, as I am told by the chairman of the Foreign Affairs Committee that he will not present same to-day. I thank you for your attention. [Applause on the Democratic side.]

Mr. POWERS of Maine. Mr. Chairman, I now yield five minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Chairman, in view of what has arisen, I yield back the time to the gentleman from Maine, so he can-use it as he pleases.

Mr. BURLESON. Mr. Chairman, do I understand that I had permission to insert in my remarks the papers I have alluded to?

The CHAIRMAN. The gentleman from Texas asks unanimous consent to insert in his remarks the documents he referred to. Is there objection? [After a pause.] The Chair hears none.

Mr. HITT. Mr. Chairman, I thank the gentleman from Maine for yielding me the floor; but as in my view this is a debate without any measure before us, any objective point whatever, I will not long abuse the patience of the House. We have already had thrust upon the House three speeches about a resolution which is in a committee, not here, and which is taken as a peg on which to hang speeches. The resolution of inquiry not yet having been adopted nor the answer received, I feel some hesitation in speaking when this land bill is up, merely for the sake of talking in reply to another member who chooses to mention me.

But, thanking the gentleman for allowing me a moment of his time, I will say that in the offhand observations I made a few days ago in reply to long comments by the gentleman from Texas [Mr. BURLESON] upon a resolution of inquiry introduced by him and not yet considered I mentioned some points which were matters of doctrine and procedure in the distribution of funds and supplies to prisoners of war.

The gentleman says that what I then stated was said under an entire misapprehension of facts. His resolution was designed to call for the facts. I think I can now aid in showing them. When that resolution came to the committee a copy was sent, according to the usual custom, to the Department referred to in it, and we received a letter from the Secretary, which came after the discussion here.

It states the facts so briefly and covers the whole ground so completely that I will ask the Clerk to read it at the desk.

The Clerk read as follows:

DEPARTMENT OF STATE, *Washington, March 12, 1902.*

Hon. R. R. HITT,
Chairman Committee on Foreign Affairs,
House of Representatives.

SIR: Referring to the resolution recently introduced in the House of Representatives, I beg leave to make the following statement of facts:

A few days ago a young gentleman called and asked whether this Department would issue passports to the Rev. Mr. Thomas and Mrs. Thomas, who were intending to go to South Africa for the purpose of distributing funds which had been collected in Illinois for the benefit of the sufferers by the war. I said at once the Department would issue the passports desired, and that I would also give Mr. Thomas a letter commending him to every one whom I could influence and asking their assistance in his errand. Inquiry was then made whether this Government would ask of the British Government permission for Mr. and Mrs. Thomas to go at will through the British military lines and camps, a suggestion which I thought impracticable.

This Department is ready at any time to consult with a representative of Governor Yates as to the best means of getting into the proper hands the sums contributed by charitable people in Illinois for the relief of the sufferers by the war in South Africa.

I am, sir, very respectfully, your obedient servant,

JOHN HAY.

Mr. HITT. Mr. Chairman, there is no occasion for my supplementing what the Secretary has said so conclusively and fully. As to the detailed criticism made upon the observations I dropped the other day, which were not prepared as a law brief, I might add that what I then said referred partly to the customs for many years and procedures in distributing funds and supplies to prisoners of war not yet so positively and precisely determined by international agreement as now, and therefore with occasional exceptions; but I did mention when I was on the floor the international convention which now provides for all this work through the Red Cross and its officers, who can enter the camps—not go to them merely. And in the second convention of The Hague conference the fourteenth and fifteenth articles provide in long detail the procedure by which neutrals properly authorized and under surveillance may go everywhere—a matter to which reference is manifestly made in the dispatch from Berlin just read.

Mr. POWERS of Maine. If the committee makes no objection, I will now ask that the bill be read.

The bill was read, as follows:

Be it enacted, etc., That the Hawaii Ditch Company, Limited, a corporation duly organized under the laws of the Territory of Hawaii, its successors and assigns, be, and is hereby, granted the right of way to construct and maintain two ditches, to be known as the Upper Kohala Ditch and the Lower Kohala Ditch, through and over the public lands in said island of Hawaii, Territory of Hawaii, within the following-described area, to wit: Bounded on the north by the sea, on the east by Waipo Valley, and the summit separating the Waimea watershed from the Kohala watershed, on the south by the summit of the Kohala Mountains, and on the west by Polulu Gulch, said area being known as the "Kohala watershed," and through, over, and upon such other public lands in the districts of North and South Kohala and Hamakua as may be necessary to properly supply the consumers of water, and for the conservation and utilization of waters now running waste into the sea; also the right to construct and maintain reservoirs, dams, impounding embankments, tunnels, feeders, waterways, flumes, inverted siphons, pipe lines, or such other works as may be necessary to conserve and convey the waters of the Kohala watershed along or across said public lands. Said right of way shall be to the extent of the ground occupied by such ditches or canals and reservoirs and their laterals and 50 feet on each side of the marginal limits thereof. The Hawaii Ditch Company is also granted the right to take from the public lands adjacent to the ditches or canals and reservoirs such earth and stone or other material as may be necessary for the construction of the same.

SEC. 2. That this right of way through the public lands is granted subject

to all the conditions and requirements of the act of March 3, 1901, chapter 561, sections 18 to 21, inclusive. And the Hawaii Ditch Company shall comply with all the provisions of said act and be subject to all its limitations and restrictions therein contained, except as provided in section 3 of this bill, and also upon the further condition that the Hawaii Ditch Company shall furnish to all persons desirous of using said water for irrigating purposes such quantity as is reasonable for a fair price; and if the Hawaii Ditch Company and any person or persons desirous of using said water shall not be able to agree as to reasonable use or fair price, then, on the request of either party, the district court of the United States shall determine the same and may change its decree from time to time as may seem equitable and just.

SEC. 3. That the work of constructing said ditches or canals and reservoirs shall be commenced within two years and completed within six years from the date of the approval of this act; and in default of either of these conditions the rights herein granted shall be null and void.

The amendments reported by the committee were read, as follows:

In line 1, page 3, after the word "inclusive," insert "so far as the same shall be applicable."

In line 4, page 3, after the word "contained," insert "as in this section above set forth."

In line 12, page 3, after the words "United States," insert "for the Territory of Hawaii."

Mr. POWERS of Maine. These amendments made by the committee are merely verbal. I ask that they be agreed to.

The amendments were adopted.

Mr. POWERS of Maine. I move that the committee rise and report the bill favorably with the amendments.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LACEY, the Chairman of the Committee of the Whole, reported that that committee had had under consideration House bill No. 11997 and had directed him to report the same back with sundry amendments and with the recommendation that the bill be passed as amended.

The question being taken on the amendments reported from the Committee of the Whole, they were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. POWERS of Maine, a motion to reconsider the last vote was laid on the table.

PERMISSION TO VISIT CONCENTRATION CAMPS, SOUTH AFRICA.

Mr. HITT. Mr. Speaker, I have a privileged resolution I would like to report.

The Clerk read as follows:

Whereas the following allegations are made in an editorial printed in The Public, a publication printed in Chicago, Ill.:

"It is hard to believe that the 'understanding between statesmen,' to which the British minister, Mr. Chamberlain, referred a year or so ago, has gone as far as Secretary Hay implied when refusing to ask for passports for Mr. and Mrs. Thomas to enable them to succor the reconcentrado prisoners in South Africa. A committee organized by Governor Yates, of Illinois, has raised funds for the relief of these hapless noncombatant prisoners, and in order to secure its fair distribution, had asked the Rev. Hiram W. Thomas, a well-loved clergyman of Chicago, and his wife, to go to the South African camps and superintend the distributing work. Mr. and Mrs. Thomas consented. But passports from the British Government being necessary, Secretary Hay was duly requested to apply for them to the British ambassador, Lord Pauncefote. Mr. Hay refused to do so, giving as his reason that President Roosevelt would object.

"To such a laudable application it would seem that the British Government itself should have been left to make the objection. Neither Mr. Roosevelt nor Mr. Hay was required to act as a 'buffer.' But our Government, evidently, wished to avoid placing the tory Government of Great Britain in an embarrassing position. Had Mr. Roosevelt requested the passports, and there is no legitimate reason why he should not have done so, but abundant reasons why he should, the British Government would have been obliged either to grant the request or to disclose a cruel churlishness which it prefers to conceal. From this alternative President Roosevelt saves it. These 'understandings between statesmen,' with their little side courtesies in connection with coronations, are curious developments in imperial diplomacy:" Therefore, be it

Resolved, That the Secretary of State be, and he is hereby, respectfully requested, if not incompatible with the public interests, to inform the House of Representatives whether he declined to comply with the request of the said Rev. Hiram W. Thomas to ask the British Government for passports for the said Rev. Dr. Thomas and his wife to visit South African military camps for the purpose of distributing funds raised in the United States for the relief of noncombatant prisoners.

Having duly considered said resolution and its preamble, reports same back to the House, and recommend its adoption, with the following amendments:

Strike out the preamble down to the word "*Resolved*."

In line 4 strike out the word "Sais."

In line 5, after the word "Thomas," insert the words "or any person acting for him, for passports or."

In line 6 strike out the word "passports" and insert in lieu thereof the word "permission."

In line 7, after the word "wife," insert the words "or to lend his good offices to secure through the British ambassador a permit from the British war office."

In line 7, after the word "military," insert the word "consideration."

So the resolution will read:

"*Resolved*, That the Secretary of State be, and he is hereby, respectfully requested, if not incompatible with the public interests, to inform the House of Representatives whether he declined to comply with the request of the Rev. Hiram W. Thomas, or any person acting for him, for passports, or to ask the British Government for permission for the said Rev. Dr. Thomas and his wife, or to lend his good offices to secure, through the British ambassador, a permit from the British war office to visit South African military concentration camps for the purpose of distributing funds raised in the United States for the relief of noncombatant prisoners."

The committee recommends the adoption of the resolution as amended.

Mr. DALZELL. I would like to ask the gentleman a question. Does this come from the Committee on Foreign Affairs?

Mr. HITT. Yes; this is a report from the Committee on Foreign Affairs on a resolution of inquiry sent there, and amendments were made to it, all of which were suggested by the gentleman who introduced it and who has recently addressed the House [Mr. BURLESON], and it has been reported back. Whether it should pass or not, I will not say with positiveness; but the committee did not want to appear to refuse anything; there is no minority report. This resolution has been discussed very frequently here in the House in a series of speeches, while it was not before the House but yet in committee; and I therefore will not attempt to explain it or say much about it. An answer in substance—I believe it might be called an answer—is before the House in the brief conclusive note of the Secretary read by the Clerk a little while ago; and I therefore move the previous question upon the resolution and amendments.

The previous question was ordered.

The amendments were agreed to, and the resolution as amended was adopted.

On motion of Mr. HITT, a motion to reconsider the last vote was laid on the table.

Mr. ALEXANDER. Mr. Speaker, I now move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of bills on the Union Calendar.

The SPEAKER. The gentleman from New York moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of bills on the Union Calendar.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union for the consideration of bills on the Union Calendar, with Mr. POWERS of Maine in the chair.

MARINE HOSPITAL AT BUFFALO, N. Y.

Mr. ALEXANDER. Mr. Chairman, I yield to my colleague from New York, a member of the Interstate and Foreign Commerce Committee, authorized to report a bill.

Mr. RYAN. Mr. Chairman, by direction of the Committee on Interstate and Foreign Commerce I move to take up the bill (H. R. 3148) for a marine hospital at Buffalo, N. Y.

The CHAIRMAN. The question is on the motion of the gentleman from New York to call up the bill (H. R. 3148) for the erection of a marine hospital at Buffalo, N. Y.

The motion was agreed to.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise procure a suitable site, and cause to be erected thereon, at the city of Buffalo, N. Y., a suitable and commodious building for a marine hospital (the plans and estimates for said building to be prepared, examined, and approved in accordance with the law in such cases made and provided), at a total cost which shall not exceed the sum of $125,000 when finally completed: *Provided*, That no money appropriated for said building shall be used until a valid title to the site selected shall be vested in the United States, nor until the State of New York shall have ceded jurisdiction over the same for all purposes during the time the United States shall be and remain the owner thereof.

For the purchase of a suitable site for said hospital, as herein authorized, the sum of $25,000, or so much thereof as may be necessary, is hereby authorized to be paid out of the permanent appropriation for maintenance of the Marine-Hospital Service.

Mr. RYAN. Mr. Chairman, this is a bill for the purpose of erecting a marine hospital at Buffalo, N. Y. In the report that has been submitted by the Committee on Interstate and Foreign Commerce, it is shown that this is recommended by the Surgeon-General of the Marine-Hospital Service, by the Secretary of the Treasury, and by the different marine and seamen's unions along the Great Lakes, the city of Buffalo being one of the largest cities on the lakes, having at the present time a population of nearly 400,000, and as a port of entry and discharge being sixth in the world, and situated as it is at the foot of lake navigation and being headquarters for nearly all the large steamboat companies it must necessarily follow that a proportionately greater number of seamen are employed and discharged at Buffalo than at any other port. Marine hospitals are maintained by the Government at Chicago, Detroit, and Cleveland, and the records show that more seamen are treated at Buffalo than any port on the lakes except, possibly, Chicago. During the past five years there have been 12,971 patients cared for in the hospital at Buffalo, and the report sets out all the reasons why this bill should be passed locating a marine hospital at Buffalo.

Mr. ALEXANDER. I move that the bill be laid aside and reported by the committee with a favorable recommendation.

The CHAIRMAN. The bill has not been read. If there is no further general debate desired, the Clerk will read the bill for amendment.

The following committee amendment was read:

On page 2 strike out all of lines 4 to 8, inclusive.

Mr. MERCER. Do I understand that that amendment strikes out the proviso which takes this money from that particular fund?

Mr. ALEXANDER. Yes.

The CHAIRMAN. The question is on the amendment to the bill.

The amendment was agreed to.

The CHAIRMAN. The question now is on laying aside the bill with a favorable recommendation.

The motion was agreed to.

MARINE HOSPITAL AT SAVANNAH, GA.

Mr. ADAMSON. Mr. Chairman, by direction of the Committee on Interstate and Foreign Commerce, I move to take up the bill (H. R. 1980) to erect a marine hospital at Savannah, Ga.

The CHAIRMAN. The gentleman from Georgia moves that the committee take up the following bill, which the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to purchase such land (or to use such land of the Government as may not be otherwise needed by the Government) and to erect thereon such buildings as, in the opinion of the Supervising Surgeon-General of the Marine-Hospital Service, shall be necessary for a marine hospital at Savannah, Ga.

SEC. 2. That the limit of cost shall not exceed $150,000 inclusive of the site or $125,000 exclusive of the site.

The CHAIRMAN. The question is on the motion of the gentleman from Georgia to take up the bill (H. R. 1980) to erect a marine hospital at Savannah, Ga.

The motion was agreed to.

Mr. ADAMSON. There is a committee amendment reported.

The CHAIRMAN. If there is no demand for general debate, the Clerk will report the bill by sections. I will put the question upon the amendments.

Mr. MERCER. I would like to ask the gentleman from Georgia, do I understand that this bill limits the cost of the building and site to $150,000?

Mr. ADAMSON. Yes; and the Government already owns a very valuable piece of land which this amendment authorizes shall be sold in order to make up part of that $125,000.

Mr. MERCER. How much will that piece of land bring?

Mr. ADAMSON. It is estimated $25,000.

Mr. MERCER. And then does the bill provide that the money obtained from that sale shall go into the purchase of additional ground?

Mr. ADAMSON. Yes; they may sell or exchange, but the limit is to include the site.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by inserting after the word "Government," at the end of line 5, the following: "Or exchange or sell the same to purchase a suitable site."

The CHAIRMAN. The question is on the adoption of the amendment.

The committee amendment was agreed to.

Mr. ADAMSON. I move that the bill as amended be ordered to be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to.

Accordingly the bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARINE HOSPITAL, PITTSBURG, PA.

Mr. WANGER. Mr. Chairman, by direction of the Committee on Interstate and Foreign Commerce, I move to take up the bill (H. R. 3136) for a public building for a marine hospital at Pittsburg, Pa.

The CHAIRMAN. The gentleman from Pennsylvania moves that the Committee take up the bill the title of which the Clerk will report.

The Clerk read the title of the bill.

Mr. WANGER. Mr. Chairman, in accordance with the recommendation of the Marine-Hospital Service and of the Treasury Department——

The CHAIRMAN. The question is first upon the motion of the gentleman from Pennsylvania to take up the bill.

The motion was agreed to.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise procure a suitable site, and cause to be erected thereon, at the city of Pittsburg, Pa., a suitable and commodious building for a marine hospital (the plans and estimates for said building to be prepared, examined, and approved in accordance with the law in such cases made and provided), at a cost which shall not exceed the sum of $100,000 when finally completed: *Provided*, That no money appropriated for said building shall be used until a valid title to the site selected shall be vested in the United States, nor until the State of Pennsylvania shall have ceded jurisdiction over the same, for all purposes, during the time the United States shall be and remain the owner thereof.

The following amendment, recommended by the committee, was read:

Strike out all of the proviso.

Mr. WANGER. Mr. Chairman, in accordance with the recommendations of the Surgeon-General of the Marine-Hospital Service and of the Secretary of the Treasury, the Committee on Interstate and Foreign Commerce, after a very full hearing upon this measure, and in consideration of the large inland commerce of the city of Pittsburg, have recommended the passage of this bill with the amendments which they recommend.

Mr. MERCER. Mr. Chairman, I had occasion to investigate this situation myself some time ago, and Pittsburg should have at least $25,000 more than is provided in this bill in order to purchase a proper site for a marine hospital. The ground intended to be purchased is just as valuable, if not more valuable, than the proposed site at Buffalo, and much more valuable than the proposed site at Savannah. I suggest to the gentleman, in view of the fact that this has been a harmonious compromise all around, a sort of three-handed game, as it were, that the bill be amended so that it shall provide a limit of cost of $125,000.

Mr. WANGER. Well, I am inclined to think that the gentleman from Nebraska is right. The amount recommended by the Department was $125,000 for this building and site.

Mr. MERCER. It is absolutely essential. You will have to come here for an increase if it is not authorized now.

Mr. ADAMSON. Does the gentleman from Nebraska offer that amendment?

Mr. MERCER. I shall offer it as an amendment when it is in order.

The CHAIRMAN. The first question is upon the adoption of the committee amendment, if there is no demand for further general debate.

The committee amendment was agreed to.

Mr. MERCER. Now, I offer my amendment, that the limit of cost of site and building be $125,000.

Mr. ADAMSON. I hope that will prevail.

The CHAIRMAN. The gentleman from Nebraska moves an amendment, which the Clerk will report.

The Clerk read as follows:

In line 10, after the words "one hundred," insert "and twenty-five."

Mr. MANN. Mr. Chairman, I do not know that I shall oppose the amendment, in the present temper of the committee; but I can not understand why the gentleman from Nebraska [Mr. MERCER] limited his amendment to an increase of $25,000, and why, under the present circumstances, he did not provide for putting up a public building or a marine hospital at every city in the country.

Here is a proposition recommended by the committee, at the request of the Department, for $100,000. The genial gentleman from Nebraska, who is not a member of the committee and not a representative of the State, proposes to add $25,000. Why not authorize some public buildings at the same time?

Mr. MERCER. I will say to the gentleman from Illinois that for several Congresses bills for marine hospitals have been pending before the committee of which I have the honor to be chairman.

We gave this subject quite an exhaustive investigation in the Fifty-sixth Congress. Our investigation included the question of marine hospitals at Buffalo, at Savannah, and at Pittsburg. I know the situation there, and knowing the modesty of my friend from Pennsylvania [Mr. DALZELL] and of some of the other gentlemen interested in this compromise, I thought I would help them out. That accounts for my interference—as the gentleman from Illinois [Mr. MANN] calls it—in this matter. I think the amendment is meritorious, and that the city of Pittsburg, large as it is, is entitled to the amount that I have proposed.

Mr. MANN. After investigation in the committee I myself am satisfied that probably the city of Pittsburg is more in need of a marine hospital than the other two cities, and if they are to have a marine hospital there they require as much money. I was only struck with wonder and astonishment at the modesty of my friend from Pennsylvania [Mr. DALZELL], who, when he introduced the bill, asked for only a hundred thousand dollars, and stated to the committee that he was satisfied with that amount. I thought then he was wrong. I believe the gentleman from Nebraska is right now in moving to increase the amount, and I am not certain but that it ought to be $150,000; but in the present temper of the committee I wonder at the modesty of any gentleman representing the Public Building Committee that he does not ask for the earth now and be done with it.

Mr. MERCER. Well, you know, I want to pave the way for good feeling when I come on the stage myself. [Laughter.]

Mr. DALZELL. I want to make public confession that I was wrong when I was before the committee, and assent to the gentleman from Nebraska being right now. [Laughter.]

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Nebraska.

The question was taken; and the amendment was agreed to.

Mr. WANGER. Mr. Chairman, I move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

FREE HOMESTEADS FOR SETTLERS.

Mr. JONES of Washington. Mr. Chairman, I move that the committee proceed to the consideration of the bill H. R. 159.

The CHAIRMAN. The gentleman from Washington moves to take up the bill which the Clerk will now report.

The Clerk read as follows:

A bill (H. R. 159) providing for free homesteads on the public lands for actual and bona fide settlers in the north one-half of the Colville Indian Reservation, State of Washington, and reserving the public lands for that purpose.

The CHAIRMAN. The question is on taking up the bill.

The question was taken; and the motion was agreed to.

The CHAIRMAN. The Clerk will now report the bill.

The bill was read, as follows:

Be it enacted, etc., That all settlers under the homestead laws of the United States upon the agricultural public lands in the north one-half of the Colville Indian Reservation, in the State of Washington, opened to settlement by Executive order on the 10th day of October, 1900, who have resided or shall hereafter reside upon the tract entered in good faith for the period required by existing law, shall be entitled to a patent for the land so entered upon the payment to the local land officers of the usual and customary fees, and no other or further charge of any kind whatsoever shall be required from such settler to entitle him to a patent for the land covered by his entry: *Provided*, That the right to commute any such entry and pay for said lands in the option of any such settler and in the time and at the prices now fixed by existing laws shall remain in full force and effect: *Provided, however*, That all sums of money so released which if not released would belong to any Indian tribe shall be paid to such Indian tribe by the United States, and that in the event that the proceeds of the annual sales of the public lands shall not be sufficient to meet the payments heretofore provided for agricultural colleges and experimental stations by an act of Congress approved August 30, 1890, for the more complete endowment and suport of the colleges for the benefit of agriculture and mechanic arts established under the provisions of an act of Congress approved July 2, 1862, such deficiency shall be paid by the United States: *And provided further*, That no lands shall be herein included on which the United States Government had made valuable improvements, or lands that have been sold at public auction by said Government.

SEC. 2. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. JONES of Washington. Mr. Chairman, this bill places the north half of the Colville Indian Reservation, that is the part of reservation now open to settlement, so that it will be covered by the homestead bill heretofore passed in this House. The Government has never purchased this land from the Indians; it has never paid a cent to the Indians for the land, so that there is absolutely no reason in the world why this land should not be covered only by the provisions of the homestead laws. There is no reason why the settlers upon this land should be required to pay anything more than the settlers upon other public lands. It was set aside in 1872 by Executive order, simply for the Indians of the northwest part of the country, who were put upon this territory.

In 1892 an act was passed expressly declaring that the act vacated the setting aside of this land and confining the reservation to the south half of it. There are about 1,500,000 acres and 2,000 Indians. Every Indian put upon this reservation has had his allotment. Every man, woman, and child has 80 acres. So that the lands thrown open to settlement are lands for which the Government never paid anything—never agreed to pay anything—and if we pass this bill the lands would be exactly in the condition that they were in before the Executive order of 1872. In other words, it would be simply declared to be like any other public lands. The Government could just as well have made the reserve out of what is now the south half as not in the first instance.

If any gentleman desires to ask any question I would be glad to answer it if possible. I will also say that when the so-called "free-home" bill was passed last Congress it was supposed that it covered these lands. The proclamation opening them to settlement was issued before the passage of that bill. No settlement could be made, however, until October 10, 1900, and therefore the Department held that these lands were not covered by that bill. All reasons in support of the "free-home" bill can be urged in favor of this bill in addition to the one suggested above. I will not take the further time of the committee, and if no gentleman desires to ask any questions, I will now move that the bill be laid aside with a favorable recommendation.

Mr. UNDERWOOD. Mr. Chairman, I desire to be recognized. I do not think that the gentleman has the right to close debate.

Mr. JONES of Washington. I will yield some time to the gentleman.

Mr. UNDERWOOD. I desire to be recognized in my own right.

Mr. SHAFROTH. I wish the gentleman would yield to me for a few moments now.

Mr. JONES of Washington. I yield ten minutes to the gentleman from Colorado.

Mr. SHAFROTH. I do not need that much; two or three minutes.

I will state, Mr. Chairman, that this reservation ought to have been included in the general homestead act passed two years ago. There is no reason why this particular land should not have been thrown open to homestead entry under the provisions of that bill. The matter has been investigated thoroughly by the Committee on Public Lands, and a unanimous report is made in favor of the bill. It seems to me, therefore, that the bill ought to be favorably reported.

Mr. UNDERWOOD. Mr. Chairman, I ask recognition.

The CHAIRMAN. Does the gentleman from Washington yield?

Mr. JONES of Washington. I will yield the gentleman some time.

Mr. UNDERWOOD. I desire recognition in my own right.

The CHAIRMAN. If the gentleman from Washington has yielded the floor, the Chair will recognize the gentleman.

Mr. UNDERWOOD. The gentleman from Washington took his seat.

Mr. JONES of Washington. I do not yield the floor to the gentleman, Mr. Chairman. I reserve the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama in his own right.

Mr. UNDERWOOD. Mr. Chairman, I may be opposed to this bill for reasons that would not address themselves at all and probably do not address themselves at all to the gentleman from Washington or my friend from Colorado. Coming from Western States, their people are interested, naturally, in securing all the tillable lands for the white people of those States, and a question of this kind would naturally address itself to their minds from a different standpoint from that which it addresses my mind. As I understand this proposition, the gentleman from Washington has correctly stated the matter so far as he goes. He says that this land has cost the Government of the United States no money; that they have agreed to pay these Indians nothing for the lands, and therefore we have the right to give it away to settlers.

But the gentleman from Washington has not stated what I understand to be the fact. I understand that this land was originally a part of the Indian reservation. It belonged to these Indians and was owned by them. The United States Government has taken these Indians and moved them off from the reservation. It has not agreed to pay them a cent. It is true they had not made any treaty with the Indians to pay them for the land, but there is no question that it was originally a part of their reservation. Where we have moved other Indians off from their reservation and sold it and given it to settlers, it is the custom of the Indians to be paid for the land.

Mr. JONES of Washington. I would suggest to the gentleman that there was never any treaty with these Indians. They are like other Indians roving around the country. In 1872, by an Executive order, they were confined to this territory. It was not a reservation as we understand the term reservation now.

Mr. UNDERWOOD. I understand that. There is no dispute between the gentleman and myself about the facts of the case. I say the Indians were put on the land by the Government. They were entitled to some place on the face of the earth whereon to rest their feet. They acquired a home there. They were gathered in there and when they were pushed back by the white settlers, they had to have some place to rest. They were put on this reservation and it had become their home; but the greed of the settlers pushed on and on and found out that this was arable and tillable land and they wanted it, and therefore they proceeded to make the Government take it.

Well, the Government did take it, and drove the Indians off. There have been some efforts to negotiate a treaty with the Indians to compensate them for the land that was taken away from them, but that treaty has never been successfully made. It has never been consummated, nothing has ever been done with it, and yet they were moved off. That was the only home they had, the only one they had on earth. It has been taken away from them by the Government and no treaty has been made with them. There is no compensation agreed upon, but in equity and justice this Government has got, some day, unless it proposes to starve these Indians to death, to provide some compensation for this land.

Mr. JONES of Washington. Does not the gentleman think that this argument should have been made against the original proposition rather than against this bill here?

Mr. UNDERWOOD. I think it ought to have gone against the bill when it was originally up, but the Government still owns the land, and it has up to this time refused to make a treaty with these Indians and fix a compensation that the settlers shall pay who receive the land. Now, the gentleman says the land did not cost the Government anything; therefore we can give it away. Of course it has not cost the Government anything. We went in by the strong arm of the Federal Government and took it away from the Indians. It has not cost the Government anything because we declined to pay for it and preferred to take it. I say that in all equity and justice instead of opening this reservation and giving it away to the white settlers of the country, the Government ought to fix a price upon the land, and let the people who

want it buy it and give the returns to these Indians that they did the injustice to, even if it was in 1870 when that injustice was done.

Mr. McCLEARY. I would like to ask the gentleman for information. Who owned this land before the Indians were located upon it?

Mr. UNDERWOOD. Well, it was a part of the public domain, as I understand it. It was a part of that unclaimed West that belonged to the Government of the United States or to the Indians, and as civilization drove them back the Government finally located them within these lines and said, "There is your reservation, and there we will keep you."

Mr. McCLEARY. Where are they now?

Mr. UNDERWOOD. I can not state.

Mr. JONES of Washington. They are on the south half of the reservation. They have 1,500,000 acres, and there are about 2,000 Indians.

Mr. UNDERWOOD. The only reason which can be given for *giving it* away to white settlers without making them pay for it is the question of greed—we saw something we wanted and therefore we went and took it. I do not see any justice in that proposition. I think if the land is to be opened for settlement it ought to be opened like other Indian reservations; let the settlers pay for it and let the proceeds go to the Indians, who originally held it and who were put there by the United States Government.

Mr. SHAFROTH. Mr. Chairman, I only want a few minutes. The position the gentleman has taken is a position that was discussed on the former bill. The situation in relation to the Western States and large Indian reservations may be a mistake. It retards the settlement in that State. It is not a question of compensation to the Indians; it is a matter which has got to be fixed and can not be fixed by stating or fixing any price on the land contained in the reservation. That has got to be determined either by treaty stipulation or in any other way that the Government thinks is equitable. The purpose of opening the reservation is for the settlement of the reservation, and if the Government owes anything to the Indians by reason of taking the land or for any other purpose, it ought to settle it from the general funds. Nearly every State has had to pay sums of money for the lands they obtained from the Indians.

In this instance they did not ask that the settler be made to pay $1.25, $1.50, or $2 an acre. They provided that the land should come within the rule of the homestead act, just as was done with respect to several million acres of land recently opened to settlement under the homestead act. It is not right that one part of the country should be made to contribute out of the funds of settlers for the operations of the homestead act, when that act has been applied to all the lands obtained from the United States, no matter what price may have been paid to the Indians for the extinguishment of their title.

The fact that we passed the homestead act, and that we have made this law applicable to all Indian Reservations in the United States except a very few, shows, it seems to me, that we ought to deal with the same fairness toward the other States that still have some reservations.

Mr. KLEBERG. Is it not a fact that all political parties have declared in favor of a free-homestead law?

Mr. SHAFROTH. Yes; all the political parties in the United States of which I have any knowledge have declared that this should be the policy, that the money necessary to pay the Indians for their title should not come out of the settler. This is only fair toward the State of Washington if it has within its limits an Indian reservation that could come under the operations of the homestead act.

Mr. McRAE. I have not examined this bill, and I would like to ask whether there is any legislation in it except that relating to this reservation—whether it makes any change in the general law?

Mr. LACEY. It applies only to this particular reservation. By a departmental construction it has been held that the original homestead act did not apply to this reservation.

Mr. McRAE. Does it invalidate any homestead rights?

Mr. LACEY. Not at all. It simply includes this particular reservation in the provisions of the general free-homestead act. It was supposed at the time that act was passed that it covered this reservation, but it has been held that it does not.

Mr. JONES of Washington. I move that the bill be laid aside to be reported favorably.

The motion was agreed to.

SETTLERS IN FOREST RESERVES.

Mr. MARTIN. I am directed by the Committee on Public Lands to move that the Committee of the Whole take up for consideration the bill (H. R. 3084) for the relief of bona fide settlers in forest reserves.

The motion was agreed to.

The committee accordingly proceeded to the consideration of House bill 3084, which was read, as follows:

Be it enacted, etc., That where a claimant under the settlement laws of the United States within the limits of a forest reserve created under the provisions of section 24 of the act of March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes," has failed, by reason of ignorance of the proclamation of the President, or of the filing of the township plat of survey, or from unavoidable accident, to place his claim of record within the statutory period, such claimant may be permitted to file his claim in the proper United States land office and receive patent therefor upon showing due compliance with the law under which the claim is asserted, notwithstanding the reservation, provided that he made bona fide settlement upon the land claimed prior to the date of the proclamation establishing the forest reserve and maintained continuous residence thereon for the requisite period.

The amendments reported by the committee were read, as follows:

In line 10, after the word "accident," insert "or conditions, or from misunderstanding of the law."

After the word "permitted," in line 12, insert "within a period of two years from and after the passage of this act."

Mr. MARTIN. Mr. Chairman, a few words will make the purpose of this bill perfectly clear. The bill as originally drafted was introduced in cooperation with the Commissioner of the General Land Office, in whose annual report its provisions are embodied. The object of the bill is to relieve certain settlers on forest reserves who have made their homes there prior to the establishment of the reservation, but who have failed to make their filings within ninety days after the completion of the survey.

The general rule is that settlers must make their filings within ninety days from the completion of the plat and its filing in the land office. But the failure to do this has always been interpreted to be of no serious consequence, provided the filing is made at any time before an adverse claim comes in. The Department of the Interior has interpreted that the establishment of a forest reservation by Presidential proclamation is in the nature of an adverse claim, and therefore if filings were not made within ninety days as prescribed, however long the settler may have resided on the land, he loses his rights.

The Commissioner earnestly recommends that relief should be given by Congress in these cases. The bill carries no appropriation. It simply allows the people who are still living on those lands to do what they ought to have done previously—that is, file or make their entries. The bill has been unanimously reported by the Committee on Public Lands with the recommendation of two amendments.

Mr. UNDERWOOD. How many settlers are to be relieved by this legislation?

Mr. MARTIN. In the Black Hill Forest Reserve, with which I am more particularly acquainted, the number of settlers affected is from 50 to 100. In the other reserves there are comparatively few, I am told. These settlers on the Black Hill Reservation have been there on an average of from fifteen to twenty years. They have established their homes there. And now, by reason of mere carelessness or misunderstanding, they are in danger of losing their lands.

Mr. UNDERWOOD. Does this bill give them their title or merely give them the right to preempt?

Mr. MARTIN. It confers no new right upon them save to make their filings, which they ought to have made previously,

Mr. UNDERWOOD. But they must have continued to live on the land?

Mr. MARTIN. Yes, sir. This bill provides in terms, not only that they must have continuously resided upon the reserve, but must have maintained their cultivation and other acts of settlement according to law.

Mr. LACEY. And there are only a very few of them.

Mr. SHAFROTH. Will the gentleman from South Dakota yield to me a moment?

Mr. MARTIN. I yield for one minute.

Mr. SHAFROTH. This bill, as I understand, is purely to legalize the title of these settlers to their homes on this particular forest reservation. They have been subjected to great hardships. They have been in danger of eviction as having no legal rights, although they have established their homes there and invested considerable sums of money. On account of the extreme hardship of the case and the justice of this measure of relief, it has been recommended unanimously by the committee.

Mr. MARTIN. I move that the bill be laid aside to be reported to the House with a favorable recommendation.

The question being taken on the amendments reported by the committee, they were agreed to.

The CHAIRMAN. The question now is upon laying aside the bill as amended, with a favorable recommendation.

The motion was agreed to.

Mr. ALEXANDER. Mr. Chairman, I move that the committee do now rise and report the several bills considered.

Mr. CUSHMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. A motion to rise takes precedence. The

question is on the motion of the gentleman from New York that the committee do now rise and report the several bills that have been under consideration.

The motion was agreed to.

The committee accordingly rose; and the Speaker resumed the chair.

ORDER OF BUSINESS.

Mr. CUSHMAN. Mr. Speaker——

The SPEAKER. The first matter in order is the report of the chairman.

Mr. POWERS of Maine, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration sundry House bills, and had directed him to report the same with the recommendation that the amendments proposed by the committee be agreed to and that the bills as amended do pass.

The SPEAKER. The gentleman from Maine, Chairman of the Committee——

Mr. CUSHMAN. Mr. Speaker——

The SPEAKER. The gentleman will suspend until the House is advised of the action of the Committee of the Whole House on the state of the Union. The gentleman from Maine, Chairman of the Committee of the Whole House on the state of the Union, reports that that committee has had under consideration sundry House bills and has reported them, some with amendments and some without amendments, recommending the adoption of the amendments and that the bills as amended do pass. The Clerk will report the first bill.

Mr. CUSHMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CUSHMAN. I will ask if it is in order to challenge the correctness of the statement made by the Chairman of the Committee of the Whole House to the Speaker? I raise the point that no vote was taken in the Committee of the Whole ordering the committee to rise and report those bills to the House.

The SPEAKER. The gentleman from Washington will readily see that the Chair can not hold a court of inquiry as to the action of the Committee of the Whole House on the state of the Union. That is a matter that the House only knows from the report of its Chairman. The Clerk will report the first bill.

MARINE HOSPITAL, BUFFALO, N. Y.

The first business reported from the Committee of the Whole House on the state of the Union was the bill (H. R. 3148) for a marine hospital at Buffalo, N. Y., reported from the Committee of the Whole with an amendment.

The amendment recommended by the Committee of the Whole was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MARINE HOSPITAL, SAVANNAH, GA.

The next business reported from the Committee of the Whole House on the state of the Union was the bill (H. R. 1980) to establish a marine hospital at Savannah, Ga., reported from the Committee of the Whole with amendments.

The amendments recommended by the Committee of the Whole were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MARINE HOSPITAL, PITTSBURG, PA.

The next business reported from the Committee of the Whole House on the state of the Union was the bill (H. R. 3136) for a public building for a marine hospital at Pittsburg, Pa., reported from the Committee of the Whole with amendments.

The amendments recommended by the Committee of the Whole were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

RECONSIDERATION.

On motion of Mr. WANGER, a motion to reconsider the votes by which the last three bills were passed was ordered to lie on the table.

BONA FIDE SETTLERS IN FOREST RESERVES.

The next business reported from the Committee of the Whole House on the state of the Union was the bill (H. R. 3084) for the relief of bona fide settlers in forest reserves, reported from the Committee of the Whole with amendments.

The amendments reported by the Committee of the Whole were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and it was accordingly read the third time, and passed.

On motion of Mr. MARTIN, a motion to reconsider the last vote was laid on the table.

HOMESTEADS ON THE COLVILLE INDIAN RESERVATION, WASH.

The next business reported from the Committee of the Whole House on the state of the Union was the bill (H. R. 159) providing for free homesteads on the public lands for actual and bona fide settlers in the north one-half of the Colville Indian Reservation, Wash., and reserving the public lands for that purpose, reported from the Committee of the Whole without amendment.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. JONES of Washington, a motion to reconsider the last vote was laid on the table.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 428. An act granting a pension to Sarah Bowers;

H. R. 3515. An act granting a pension to Mary A. House;

H. R. 6014. An act granting an increase of pension to William Rheuby;

H. R. 8541. An act granting an increase of pension to Mahlen C. Moores;

H. R. 4209. An act granting a pension to Thomas Butler;

H. R. 1743. An act granting a pension to Samuel N. Graves;

H. R. 8493. An act granting a pension to Harry H. Sieg;

H. R. 8486. An act granting a pension to Annie S. Hummel;

H. R. 1375. An act for the relief of Louis Weber;

H. R. 5536. An act granting an increase of pension to Daniel Schram;

H. R. 4084. An act granting an increase of pension to Charles H. Wickham;

H. R. 1381. An act for the relief of J. V. Davis;

H. R. 299. An act for the relief of William C. Dodge;

H. R. 9280. An act for the relief of Hugh C. Preston;

H. R. 9332. An act to authorize the Dothan, Hartford and Florida Railway Company to construct a bridge across East St. Andrews Bay, navigable water, at a point about 1 mile east of Farmdale, in the State of Florida;

H. R. 10305. An act to amend section 14 of the act approved June 29, 1898, entitled "An act to provide for the construction of a bridge across the Niagara River;"

H. R. 11306. An act to extend the time for the construction of a bridge across the Mississippi River at Burlington, Iowa; and

H. R. 11144. An act granting an increase of pension to Anderson Howard.

LEAVE TO EXTEND REMARKS.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to extend in the RECORD the remarks which I submitted upon the Post-Office appropriation bill.

The SPEAKER. The gentleman from New York asks unanimous consent to extend in the RECORD his remarks upon the Post-Office appropriation bill. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WANGER, for one day, on account of illness in his family.

Mr. ALEXANDER. I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 50 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General submitting an estimate of appropriation for continuing the construction of the penitentiary at Atlanta, Ga.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a draft of a proposed law relating to buildings at Perry and Kingfisher, Okla., used for post-office purposes—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Acting Secretary of War, transmitting, with a letter from the Quartermaster-General, papers relating to the claim of Louis Koers—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CUSHMAN, from the Committee on the Territories, to

which was referred the bill of the House (H. R. 11535) for the protection of game in the district of Alaska, and for other purposes, reported the same with amendments, accompanied by a report (No. 951); which said bill and report were referred to the House Calendar.

Mr. KAHN, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 11412) for the suppression of train robberies in the Territories of the United States and other places, and for other purposes, reported the same with amendments, accompanied by a report (No. 952); which said bill and report were referred to the House Calendar.

Mr. MARSHALL, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 10077) to ratify an agreement with the Indians of the Devils Lake Reservation, in North Dakota, and making appropriation to carry the same into effect, reported the same with amendments, accompanied by a report (No. 953); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURKE of South Dakota, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 9057) to ratify an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation to carry the same into effect, reported the same with amendments, accompanied by a report (No. 954); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RAY of New York, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 3848) granting a deed of quitclaim and release to Lorillard Spencer, his heirs and assigns, of all the right, title, and interest in and to certain land in the city of Newport, R. I., reported the same without amendment, accompanied by a report (No. 955); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOON, from the Committee on the Territories, to which was referred the bill of the House (H. R. 12268) to create the Territory of Jefferson and to provide a temporary government for the same, and for other purposes, reported the same without amendment, accompanied by a report (No. 956); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WADSWORTH, from the Committee on Agriculture, to which was referred the bill of the House (H. R. 10995) to regulate the introduction of eggs of game birds for propagation, reported the same without amendment, accompanied by a report (No. 966); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CAPRON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3379) to correct the military record of Calvin A. Rice, reported the same without amendment, accompanied by a report (No. 957); which said bill and report were referred to the Private Calendar.

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2901) to remove the charge of desertion borne opposite the name of Abram Williams, reported the same with amendment, accompanied by a report (No. 958); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1193) to correct the military record of Henry M. Holmes, reported the same with amendment, accompanied by a report (No. 959); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 3442) to correct the record of John O'Brien, reported the same without amendment, accompanied by a report (No. 960); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10095) for the relief of Levi L. Reed, reported the same with amendment, accompanied by a report (No. 961); which said bill and report were referred to the Private Calendar

He also, from the same committee, to which was referred the bill of the House (H. R. 2316) to correct the military record of Albert Baker, reported the same with amendment, accompanied by a report (No. 963); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2898) to correct the military record of Richard H. Marsh, reported the same adversely, accompanied by a report (No. 962); which said bill was ordered to lie on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 7063) for the relief of Matthew T. Lewis, reported the same adversely, accompanied by a report (No. 964); which said bill was ordered to lie on the table.

He also, from the same committee, to which was referred the bill of the Senate (S. 218) to remove the charge of desertion from the record of Elias B. Bell, reported the same adversely, accompanied by a report (No. 965); which said bill was ordered to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were thereupon referred as follows:

A bill (H. R. 6409) for the relief of Julia Nolan—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8570) granting an increase of pension to Elizabeth Floyd Sicard—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9952) granting a pension to William P. Featherstone, of Owen County, Ky.—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. HITT: A bill (H. R. 12542) to provide for the extension of the post-office building at Rockford, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. KNOX: A bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States—to the Committee on the Territories.

By Mr. BELL: A bill (H. R. 12544) granting rights of way for ditches, and so forth, across allotted lands—to the Committee on Indian Affairs.

By Mr. GILLETT of Massachusetts: A bill (H. R. 12545) to protect anti-gambling laws from nullification through interstate gambling by telegraph—to the Committee on the Judiciary.

By Mr. OTEY: A bill (H. R. 12546) to return to the several States the amount remaining to the credit of captured and abandoned property—to the Committee on War Claims.

By Mr. ALEXANDER: A bill (H. R. 12547) to enable the Secretary of the Treasury to bond portions of bonded warehouses for cold-storage purposes—to the Committee on Ways and Means.

By Mr. BRICK: A bill (H. R. 12548) to authorize the Secretary of the Navy to loan naval equipment to certain military schools—to the Committee on Naval Affairs.

By Mr. LOUD: A bill (H. R. 12592) to revise and codify the laws relating to the Post-Office Department and postal service, and for other purposes—to the Committee on the Post-Office and Post-Roads.

By Mr. VREELAND: A bill (H. R. 12593) to grant land warrants to New York Indian soldiers who served in the war of 1812—to the Committee on the Public Lands.

By Mr. HEATWOLE: A concurrent resolution (H. C. Res. 43) to print 3,500 additional copies of Annual Report of Commission to the Five Civilized Tribes to the Secretary of the Interior for the fiscal year ended June 30, 1901, for the use of Congress and the Department of the Interior—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. APLIN: A bill (H. R. 12549) granting an increase of pension to Ransom Simmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12550) granting an increase of pension to James E. Horton—to the Committee on Invalid Pensions.

By Mr. BEIDLER: A bill (H. R. 12551) to remove the charge of desertion against William H. Wheete—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12552) granting a pension to Erwin A. Burke, alias B. A. Erwin—to the Committee on Pensions.

Also, a bill (H. R. 12553) granting an increase of pension to A. B. Horton—to the Committee on Invalid Pensions.

By Mr. BISHOP: A bill (H. R. 12554) granting a pension to Phon B. Lillie—to the Committee on Pensions.

By Mr. BRICK: A bill (H. R. 12555) granting an increase of pension to Thomas H. Snurr—to the Committee on Invalid Pensions.

By Mr. DOUGHERTY: A bill (H. R. 12556) granting a pension to Patrick Deneen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12557) granting a pension to William Wilson—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 12558) to remove charge of desertion against Sanford M. Murray—to the Committee on Military Affairs.

By Mr. GILLETT of Massachusetts: A bill (H. R. 12559) granting a pension to Francis C. St. John—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12560) granting a pension to William F. Stanley—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 12561) granting an increase of pension to Silas W. Harris—to the Committee on Pensions.

By Mr. HENDERSON: A bill (H. R. 12562) granting an increase of pension to William H. Temple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12563) granting an increase of pension to Horace Fountain—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 12564) granting a pension to Jennie Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12565) granting an increase of pension to Jasper N. Woods—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 12566) for the relief of the owners of the *Chesapeake Trader*—to the Committee on War Claims.

By Mr. JOY (by request): A bill (H. R. 12567) for the relief of John T. McKeon—to the Committee on Claims.

By Mr. KNAPP: A bill (H. R. 12568) granting an increase of pension to Walter Caples—to the Committee on Invalid Pensions.

By Mr. MARSHALL: A bill (H. R. 12569) for the relief of the estate of Mary S. Porter, widow of Samuel Stafford, deceased, late of New Orleans, La.—to the Committee on War Claims.

By Mr. MERCER: A bill (H. R. 12570) granting an increase of pension to Sylvester Beesley—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Tennessee: A bill (H. R. 12571) for the relief of W. J. Smith and D. M. Wisdom—to the Committee on Claims.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 12572) granting an increase of pension to Martin O'Connor—to the Committee on Pensions.

By Mr. RIXEY: A bill (H. R. 12573) for the relief of Seth R. Cooper, of Stafford County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 12574) for the relief of Annie E. Hughlett—to the Committee on War Claims.

Also, a bill (H. R. 12575) granting an increase of pension to Edward A. Branham, of Alexandria County, Va.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12576) granting an increase of pension to Thomas Wells—to the Committee on Pensions.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 12577) granting a pension to Eveline Crouch Dunbar—to the Committee on Pensions.

Also, a bill (H. R. 12578) granting a pension to James A. Coyne—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 12579) for the relief of Louisa A. Brown—to the Committee on War Claims.

Also, a bill (H. R. 12580) granting an increase of pension to John B. Linn—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 12581) granting an increase of pension to E. F. Hocker—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12582) granting a pension to Emma L. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12583) granting a pension to Frank W. Morton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12584) granting a pension to Adrian Musty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12585) granting a pension to Addaile C. Morse—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 12586) for the relief of Franklin Foy—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 12587) granting an increase of pension to Samuel C. Snapp—to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 12588) granting an increase of pension to John W. Hannah—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12589) granting an increase of pension to Hannah Banks—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 12590) for the relief of William B. Horner—to the Committee on War Claims.

By Mr. COWHERD: A bill (H. R. 12591) for the relief of Mary E. Chiles—to the Committee on War Claims.

By Mr. DE ARMOND (by request): A bill (H. R. 12594) granting an increase of pension to James H. B. McDaniel—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petitions of United Mine Workers' Union No. 3, of Bellevernon, and No. 16, of Fayette, Pa., favoring the enactment of a law excluding the Chinese without limitation from this country—to the Committee on Foreign Affairs.

By Mr. ALEXANDER: Resolutions of G. M. Hallstead Division, No. 434, Brotherhood of Locomotive Engineers, Elmira, N. Y., in support of Senate bill 1118 and House bill 11060, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. BEIDLER: Petition of Robert Neill and others, of Cleveland, Ohio, favoring House bill 5286, for the classification of post-office clerks—to the Committee on the Post-Office and Post-Roads.

Also, petition of James A. Garfield Post, No. 591, Grand Army of the Republic, Department of Ohio, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolutions of Hoisters and Engineers' Union No. 97 and Longshoremen's Union No. 19, of Fairport, Ohio, urging the unlimited continuance of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. BELL: Resolution of Bakers' Union, Pueblo, Colo., favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolutions of Retail Clerks' Association, Cripple Creek, and citizens of Teller County, Colo., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BRICK: Resolutions of General John S. Poland Camp, of Indianapolis, Spanish-American War Veterans, favoring the establishment of an Army post at Indianapolis, Ind.—to the Committee on Military Affairs.

Also, resolutions of Order of Railway Conductors, Division 19, Elkhart, Ind.; Journeymen Barbers' Union No. 181; Stonecutters' Lodge, and Tailors' Union, all of South Bend, Ind., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. BURLEIGH: Petition of the Augusta Cotton Mule Spinners' Association, of Augusta; of Local Union No. 85, V. G. W. of A., of South Norridgewock; of Skowhegan Union, No. 787, Carpenters and Joiners, and of Bricklayers and Masons' Union No. 8, of Waterville, Me., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. CALDERHEAD: Resolution of Typographical Union No. 6, of New York, N. Y., in favor of increasing the compensation of letter carriers of first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, petition of Gilgian Hani and other citizens of Brookville, Kans., in relation to the Grout bill—to the Committee on Agriculture.

By Mr. COUSINS: Petition of citizens of Marshalltown, Iowa, in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

Also, resolutions of Bricklayers' Union No. 1 and Masons' Union No. 14, of Cedar Rapids, Iowa, urging the exclusion of Chinese laborers from this country—to the Committee on Foreign Affairs.

Also, resolutions of Typographical Union, Bricklayers' Union No. 1, Masons' Union, and Stonecutters' Union, all of Cedar Rapids, Iowa, and of Locomotive Engineers, Division 538, of Marion, Iowa, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. COWHERD: Petition of Mary E. Chiles, daughter of William Hamilton, deceased, praying reference of war claim to Court of Claims—to the Committee on War Claims.

By Mr. DOUGHERTY: Papers to accompany House bill 12556, for the relief of Patrick Deneen—to the Committee on Invalid Pensions.

Also, paper to accompany House bill 12557, for the relief of William Wilson—to the Committee on Invalid Pensions.

By Mr. DOVENER: Resolutions of Typographical Union No. 79 and Stone Masons' Union No. 2, of Wheeling, and Bartenders'

Union No. 105, of Clarksburg, W. Va., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, petitions of Wilmer C. Carmichael, C. H. McDonald, and other citizens of Wellsburg, W. Va., for an amendment to the Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

By Mr. EDWARDS: Resolutions of Sun River Lodge, No. 405, Railroad Trainmen, of Great Falls, Mont., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. FITZGERALD: Resolution of United Retail Grocers' Association, of Brooklyn, N. Y., in favor of House bill 9352, the so-called pure-food bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FLEMING: Resolution of Bricklayers' Union No. 2, of Augusta, Ga., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. FOSS: Resolution of the Illinois Manufacturers' Association, for legislation amending the existing interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Woodworkers' Union No. 17, Chicago, Ill., favoring an extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. GREENE of Massachusetts: Resolutions of Typographical Union No. 276 and Charity Organization Society, of New Bedford, Mass., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Typographical Union No. 276, of New Bedford, and Mount Hope Lodge, No. 475, Railroad Trainmen, of Fall River, Mass., favoring the enactment of a law excluding the Chinese without limitation from this country—to the Committee on Foreign Affairs.

By Mr. GREEN of Pennsylvania: Petitions of citizens of Kutztown and Fogelsville, Pa., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, petition of Reading Division, No. 75, Locomotive Engineers, and Stove Mounters' Union No. 72, of Reading, Pa., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HAUGEN: Resolutions of Order of Railway Trainmen, Division No. 9, Mason City, Iowa, urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of Division No. 9, Railway Trainmen, Mason City, Iowa, favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolutions of Stonecutters' Union, Mason City, Iowa, favoring an educational test in restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HILL: Paper to accompany House bill 12508, granting an increase of pension to James Jones—to the Committee on Invalid Pensions.

By Mr. HITT: Resolution of Typographical Union No. 22, Dubuque, Iowa, and Cigar Makers' Union of Brooklyn, N. Y., urging the enactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. HOPKINS: Petition of T. S. Terry Post, No. 463, Grand Army of the Republic, Department of Illinois, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. JACK: Petition of citizens of Derry Station, Pa., in relation to immigration, etc.—to the Committee on Immigration and Naturalization.

By Mr. JACKSON of Kansas: Petition of Frank P. Blair Post, Grand Army of the Republic, Department of Kansas, in behalf of the pension claim of George N. Wheeler—to the Committee on Invalid Pensions.

By Mr. KAHN: Resolutions of San Francisco Lodge, No. 198, Railroad Trainmen, favoring House bill 9330, for the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

Also, resolution of El Capitan Division, No. 115, Order of Railway Conductors, San Francisco, Cal., favoring the anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Team Drivers' Union No. 285, San Francisco, Cal., protesting against the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of Iron Molders' Union No. 164, Laundry Workers' Union No. 26, Upholsterers' Union No. 28, Carpet Mechanics' Association, Cigar Makers' Union No. 228, Stonecutters' Association, and Laundry Wagon Drivers' Union No. 256, all of San Francisco, and Carpenters' Union No. 642, of Eastyard, Cal., favoring an educational test in the restriction of immigration—to the Commiteee on Immigration and Naturalization.

By Mr. KNAPP: Papers to accompany House bill 12568, granting an increase of pension to Walter Caples—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: Resolutions of Lewiston, Auburn, and District Cotton Mule Spinners' Association, and Carpenters' Union, of Lewiston, Me., and Cigar Makers' Union, Rockland, Me., concerning immigration—to the Committee on Immigration and Naturalization.

By Mr. LOVERING: Petition of G. H. W. Bates and other citizens of Hull, Plymouth County, Mass., for the completion of wall around Allerton Point, on Massachusetts Bay—to the Committee on Rivers and Harbors.

By Mr. MAYNARD: Resolutions of Bricklayers' Union No. 2, of Norfolk, Va., urging the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Iron Molders' Union No. 105, of Norfolk, and Pattern Makers' Association of Newport News, Va., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. McCALL: Petition of Journeymen Plumbers' Union No. 127, and Central Labor Union of Cambridge, Mass., favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolutions of Electrotypers' Union No. 11, and Puritan Lodge No. 621, Railroad Trainmen, Boston, Mass., concerning immigration—to the Committee on Immigration and Naturalization.

By Mr. MILLER: Resolution of Division No. 330, Order of Railroad Conductors, Emporia, Kans., relating to Chinese exclusion—to the Committee on Foreign Affairs.

By Mr. NAPHEN: Petition of the Quincy Dental Union, Quincy, Mass., in regard to immigration laws—to the Committee on Immigration and Naturalization.

By Mr. NEVILLE: Petition of citizens (homesteaders) of Fort McPherson Abandoned Military Reservation, in support of House bill No. 12453—to the Committee on the Public Lands.

By Mr. MORRELL: Affidavit to accompany House bill No. 12171, for the appointment of Maj. H. G. Cavenaugh to the United States Army—to the Committee on Military Affairs.

By Mr. PATTERSON of Pennsylvania: Resolution of Barbers' Union No. 262 and Division No. 90, Locomotive Engineers, Pottsville, Pa., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill 5623, for the relief of Mary J. Baily, widow of Richard A. Baily—to the Committee on War Claims.

By Mr. RICHARDSON of Tennessee: Petition and papers in pension case of Martin O'Conner—to the Committee on Pensions.

By Mr. RIXEY: Petition of Annie E. Hughlett, for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, papers to accompanying House bill 12575, granting a pension to Edward A. Branham—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of Leaman Griffith Post, No. 387, Grand Army of the Republic, Department of Indiana, for an investigation of the administration of the Commissioner of Pensions—to the Committee on Rules.

Also, petition of the Mayflower Mills, of Fort Wayne, Ind., in favor of the passage of House bill 8337—to the Committee on Interstate and Foreign Commerce.

By Mr. RUSSELL: Petition of Typographical Union No. 100, Norwich, Conn., urging the defeat of House bill 5777 and Senate bill 2894, amending the copyright law—to the Committee on Patents.

Also, resolutions of Typographical Union No. 100, Norwich, Conn., favoring the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. RYAN: Petition of the executive committee of the Interstate Commerce Law Convention at St. Louis, Mo., for legislation amending the existing interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 6, of New York City, favoring increase of letter carriers' salaries to $1,200 per annum—to the Committee on Post-Offices and Post-Roads.

Also, petition of Stationary Firemen's Union No. 11, Buffalo, N. Y., favoring the passage of House bill 9350—to the Committee on Labor.

By Mr. SHERMAN: Petitions of Wheelock Post, No. 97, Grand Army of the Republic, Department of New York, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. SLAYDEN: Resolution of Retail Clerks' Protective Association No. 331, and Division No. 30, Railway Trackmen, San Antonio, Tex., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. SMITH of Kentucky: Papers to accompany House bill 12526, granting a pension to Samuel M. James—to the Committee on Invalid Pensions.

Also, paper to accompany House bill 10768, for the relief of the heirs of E. Q. Cooper—to the Committee on War Claims.

By Mr. SNOOK: Resolution of Typographical Union No. 6, of New York, N. Y., in favor of increasing the compensation of letter carriers of first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, petition of Capt. O. V. Lewman, of the Ohio National Guard, favoring House bill 11654, for the reorganization of the National Guard—to the Committee on Militia.

By Mr. SPERRY: Resolution of Brotherhood of Boiler Makers, Union No. 61, New Haven, Conn., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolution of Brotherhood of Boiler Makers, Union No. 61, New Haven, Conn., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. STEVENS of Minnesota: Resolutions of International Association of Machinists, Butchers' Union No. 11, Stonecutters' Association, and Steam Engineers' Union No. 38, all of St. Paul, Minn., and of Stillwater Typographical Union, No. 432, of Stillwater, Minn., in favor of an educational test for immigrants—to the Committee on Immigration and Naturalization.

By Mr. TAYLOR of Alabama: Resolutions of Typographical Union No. 27, of Mobile, Ala., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. THOMAS of North Carolina: Papers relating to the claim of Franklin Foy—to the Committee on War Claims.

By Mr. WADSWORTH: Resolutions of Cigar Makers' Union No. 119, Dansville, N. Y., for the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

Also, resolution of Cigar Makers' Union No. 119, Dansville, N. Y., protesting against any change in the existing rates of duty on tobacco and cigars—to the Committee on Ways and Means.

Also, resolutions of J. H. McPherson Post, No. 444, Grand Army of the Republic, of York, N. Y., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. WILSON: Resolution of United Retail Grocers' Association, of Brooklyn, N. Y., favoring the passage of the Mann pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of New York Typographical Union, No. 6, and Eccentric Association of Engineers, No. 2, of Brooklyn, N. Y., favoring an increase of salaries for letter carriers—to the Committee on the Post-Office and Post-Roads.

SENATE.

SATURDAY, *March 15, 1902.*

Prayer by Rev. F. J. PRETTYMAN, D. D., of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. It is approved.

SUBTREASURY BUILDING AT SAN FRANCISCO.

The PRESIDENT pro tempore laid before the Senate the following communication from the Secretary of the Treasury; which was read:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, March 13, 1902.

SIR: The assistant treasurer in the city of San Francisco has advised this office that he is unable longer to exchange silver certificates for standard silver dollars for want of vault room in which to store the coin.

There are something over $32,000,000 in standard silver dollars now in the vaults of the subtreasury at San Francisco, and all available space is crowded to the utmost. Because of this congested condition the assistant treasurer is physically unable to obey the plain mandates of the statute.

The subtreasury building at San Francisco, erected nearly thirty years ago, is unfortunately located. It stands upon a narrow side street, which, in the language of the assistant treasurer, has been long since abandoned to Chinese, cheap liquor shops, and degraded white persons.

I attach hereto a copy of a letter received from the Treasurer of the United States explaining the situation somewhat more in detail, and I submit this communication that Congress may be fully advised of existing conditions, to the end that wise and adequate provision may be made for the rapidly growing business of the subtreasury at San Francisco. Two ways are suggested; either the erection of a separate structure or the construction of adequate vault room in the new custom-house about to be erected in that city, designed and set apart for the use of the subtreasury.

Respectfully,

L. M. SHAW, *Secretary.*

The PRESIDENT OF THE SENATE.

The PRESIDENT pro tempore. The Chair is a little uncertain as to where this communication should go. Shall it go to the Committee on Public Buildings and Grounds?

Mr. FAIRBANKS. I should think that that would be the proper reference.

The PRESIDENT pro tempore. The communication will be referred to the Committee on Public Buildings and Grounds and printed.

Mr. HOAR. I suggest that the committee report a measure that the Government shall spend the silver for a new building.

Mr. FAIRBANKS. I will state that the bill will be open to amendment when it is reported, and the Senator can move to amend it as he likes.

PETITIONS AND MEMORIALS.

Mr. MARTIN presented petitions of Farragut Post, No. 1, Department of Virginia, Grand Army of the Republic, of Portsmouth; of Journeymen Tailors' Local Union No. 40, of Norfolk; of Local Union No. 1873, United Mine Workers of America, of Pocohontas; of Machinists' Local Union No. 10, of Richmond, and of Typographical Union No. 60, of Roanoke, all in the State of Virginia, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Woodworkers' Local Union No. 181, of Norfolk; of the Carpenters and Joiners' Amalgamated Society, of Newport News; of Lodge No. 278, Retail Clerks' International Protective Association, of Roanoke; of Coopers' International Union No. 149, of Norfolk; of Bricklayers and Masons' International Union No. 3, of Newport News; of Bricklayers' Local Union No. 3, of Norfolk; of Local Union No. 68, Glass Bottle Blowers' Association, of Alexandria; of Carpenters and Joiners' Local Union No. 319, of Roanoke; of Tobacco Workers' Local Union No. 42, of Petersburg; of Cigar Makers' Local Union No. 113, of Richmond; of Cigar Makers' Local Union No. 240, of Norfolk; of Lodge No. 441, International Association of Machinists, of Portsmouth; of Old Hickory Lodge, No. 168, Brotherhood of Railway Conductors, of Roanoke; of Boiler Makers and Iron Ship Builders' Local Union No. 57, of Portsmouth; of Division No. 210, Order of Railway Conductors, of Roanoke; of Bricklayers and Masons' International Union No. 3, of Newport News; of Local Union No. 144, International Brotherhood of Blacksmiths, of Portsmouth; of Typographical Union No. 353, of Newport News; of Machinist Helpers' Local Union No. 9511, of Roanoke, and of sundry citizens of Loudoun, Alexandria, Prince William, and Augusta counties, all in the State of Virginia, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Richmond, Cuckoo, and Coates, all in the State of Virginia, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. KEAN presented petitions of 28 citizens of Bridgeton, 38 citizens of Finderne, 5 citizens of Whitehouse, 20 citizens of Stockton, and 42 citizens of Cranbury, all in the State of New Jersey, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Hope Lodge, No. 202, Brotherhood of Railroad Trainmen, of Netcong; of Local Union No. 85, Order of Railway Telegraphers, of Trenton; of Local Division No. 307, Order of Railway Conductors, of Elizabeth; of Bricklayers and Masons' Local Union No. 30, of Princeton; of Printing Pressmens and Assistants' Local Union No. 99, of Elizabeth; of Carpenters' Local Union No. 167, of Elizabeth; of Typographical Union No. 8, of Newark, and of Bricklayers and Masons' Local Union No. 2, of Paterson, all of the American Federation of Labor, in the State of New Jersey, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. SCOTT presented the memorial of E. J. Bennett, of Eastbank, W. Va., remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Ritchie County, W. Va., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Mount Storm, W. Va., and a petition of the Farmers' Institute of Greenbrier County, W. Va., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. HANSBROUGH presented the petition of J. C. Hoff and sundry other citizens of Minot, N. Dak., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. ELKINS presented petitions of sundry citizens of Shafter and Hovatter, in the State of West Virginia, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Bottle Blowers' Local Union No. 59, American Federation; of Glass Workers' Union of Wheeling,

and of sundry citizens of Elkins and Lockhart, all in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. HOAR presented a petition of Bay State Lodge, No. 88, Brotherhood of Railroad Trainmen, of Worcester, Mass., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

Mr. SPOONER presented petitions of Cigar Makers' Local Union No. 212, of West Superior; of Cigar Makers' International Union No. 287, of Marinette; of Local Division No. 46, Order of Railway Conductors, of Milwaukee, and of Fox River Division, No. 373, Order of Railway Conductors, of Green Bay, all in the State of Wisconsin, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. DEBOE presented petitions of sundry citizens of Louisville, Vanceburg, and Livermore, all in the State of Kentucky, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. BURTON presented petitions of Local Union No. 4, of Pittsburg; of Bricklayers and Masons' Local Union No. 3, of Topeka; of Local Union No. 40, of Leavenworth; of Local Union No. 41, of Topeka; of Beef Butchers' Local Union No. 4, of Kansas City; of Federal Labor Union, No. 8454, of Independence; of Leather Workers' Local Union No. 10, of Atchison; of Typographical Union No. 121, of Topeka; of Bricklayers' International Union No. 6, of Iola, and of the Industrial Council of Pittsburg, all of the American Federation of Labor; of sundry citizens of Leavenworth, and of the commissioner of labor and industry of the State of Kansas, of Topeka, all in the State of Kansas, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. QUARLES presented the petition of M. T. Allen and 47 other citizens of Waupaca, Wis., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented the petition of Z. G. Roser and 109 other citizens of Merrill, Wis., praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Grocers' Association of Appleton, Wis., praying for the enactment of legislation to prohibit the adulteration and sale of food products; which was referred to the Committee on Manufactures.

Mr. BATE presented a petition of 79 citizens of Crump, Tenn., praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of 40 citizens of Rutherford County, Tenn., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Local Division No. 149, Order of Railway Conductors, of Jackson Tenn., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

Mr. SCOTT presented petitions of Sundry citizens of Perry, Branch, Arnettsville, and Moundsville, all in the State of West Virginia, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Dobbin, Wise, and Harrison County, of Bricklayers' Local Union No. 6, of Parkersburg, and Bricklayers' Local Union No. 4, of Fairmont, all in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. NELSON. I present a communication from the attorney-general of Minnesota inclosing resolutions of the legislature of that State asking for certain amendments to the judiciary act relative to the railroad merger case. I move that the communication and resolutions be printed as a document and referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. FRYE presented a petition of Local Division No. 403, Order of Railway Conductors, of Bangor, Me., and a petition of Journeymen Barbers' Local Union No. 210, American Federation of Labor, of Portland, Me., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented a memorial of the Republican party of the Territory of Hawaii, remonstrating against the establishment of a reservation for the confinement of lepers in the island of Molokai; which was referred to the Committee on Public Health and National Quarantine.

He also presented the petitions of V. S. Dunn and 30 other citizens of Norway, of A. J. Abbott and 26 other citizens of North Paris, and of F. H. Chapman and 100 other citizens of Bethel, all in the State of Maine, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (H. R. 1529) granting an increase of pension to John G. Brower, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 4456) granting a pension to Ruth B. Osborne, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2786) granting an increase of pension to William K. Hoffman;

A bill (H. R. 6864) granting an increase of pension to Milton A. Embick;

A bill (H. R. 7968) granting a pension to Norris L. Lungren; and

A bill (H. R. 7424) granting an increase of pension to John Craig.

Mr. CARMACK, from the Committee on Pensions, to whom was referred the bill (H. R. 2123) granting a pension to Elizabeth M. Folds, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 9397) granting a pension to John S. Lewis, reported it with an amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on Commerce, to whom was referred the bill (H. R. 6300) to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis., reported it without amendment, and submitted a report thereon.

He also, from the Committee on the District of Columbia, to whom was referred the bill (S. 4487) to relieve the property owners from the assessments laid for benefits for the extension and widening of Columbia road and present Sixteenth street, reported adversely thereon; and the bill was postponed indefinitely.

Mr. BERRY. I present for the Senator from Missouri [Mr. VEST], whom I expected to be here this morning to present himself, the views of the minority of the Committee on Commerce on the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

The PRESIDENT pro tempore. The views of the minority will be printed.

BILLS INTRODUCED.

Mr. DEBOE introduced a bill (S. 4532) granting an increase of pension to William R. Williams; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 4533) granting an increase of pension to Harriet Billings; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 4534) granting an increase of pension to George F. Fletcher; which was read twice by its title, and, with the occompanying paper, referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 4535) granting an increase of pension to Lydia M. Granger; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARMACK introduced a bill (S. 4536) for the construction of a levee on the Colorado River, in Arizona, to improve the navigation thereof, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 4537) to fix the salaries of the several chief justices and associate justices of the supreme courts of the Territories of Arizona, New Mexico, and Oklahoma at the rate now paid to the judges of the United States courts in Indian Territory; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 4538) to authorize the entry, location, operation, and development of mineral lands on the Indian reservations in the Territory of Arizona, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 4539) for the relief of the estate of Robert Connally, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4540) for the relief of the estate of George W. Curtis, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. ELKINS introduced a bill (S. 4541) granting a pension to Sallie M. Nuzum; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4542) to correct the military record of John E. Wool; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. KEARNS introduced a bill (S. 4543) granting an increase of pension to Eli Balderston; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4544) granting an increase of pension to Phineas L. Squires; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 4545) granting a pension to N. W. Maxwell for disease contracted while a prisoner of war; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MARTIN introduced a bill (S. 4546) to provide certain souvenir medals for the benefit of the Washington Monument Association, of Alexandria, Va.; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 4547) to provide for the erection of a public building in the city of Portsmouth, in the State of Virginia; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SCOTT introduced a bill (S. 4548) for the relief of Bettie Eppes Minetree; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO BILLS.

Mr. MALLORY submitted two amendments intended to be proposed by him to the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce and to encourage the deep-sea fisheries; which were ordered to lie on the table, and to be printed.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia of Chinese persons and persons of Chinese descent; which was ordered to lie on the table, and to be printed.

Mr. PERKINS submitted an amendment proposing to appropriate $7,300 in settlement of claims for private lands on the Round Valley Indian Reservation, in Mendocino County, Cal., on March 3, 1873, when these lands were reserved for Indian purposes, etc., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 3297) to correct the military record of William T. Pratt; and

A bill (H. R. 3762) for the relief of Emanuel Klauser.

The message also announced that the House had passed, with an amendment, the bill (S. 3267) to change the boundaries between the southern and central judicial districts of the Indian Territory; in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7675) to construct a light-house keeper's dwelling at Calumet Harbor, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEPBURN, Mr. MANN, and Mr. DAVEY managers at the conference on the part of the House.

The message also announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

A bill (H. R. 159) providing for free homesteads on the public lands for actual and bona fide settlers in the north one-half of the Colville Indian Reservation, State of Washington, and reserving the public lands for that purpose;

A bill (H. R. 1980) to establish a marine hospital at Savannah, Ga.;

A bill (H. R. 3084) for the relief of bona fide settlers in forest reservations;

A bill (H. R. 3136) for a public building for a marine hospital at Pittsburg, Pa.;

A bill (H. R. 3148) for a marine hospital at Buffalo, N. Y.;

A bill (H. R. 7034) for the relief of Navajo County, Ariz.;

A bill (H. R. 8736) ratifying the act of the Territorial legislature of Arizona, approved March 2, 1901, providing a fund for the erection of additional buildings for the University of Arizona;

A bill (H. R. 9334) to amend an act to prohibit the passage of special or local laws in the Territories to limit the Territorial indebtedness, etc.;

A bill (H. R. 9960) to prevent a false branding or marking of food and dairy products as to the State and Territory in which they are made or produced;

A bill (H. R. 11053) providing for the issuance of patent of the town site of Basin City, Wyo., to the municipal authories thereof of for the use and benefit of such town, and for other purposes;

A bill (H. R. 11354) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1903;

A bill (H. R. 11997) granting to the Hawaii Ditch Company the right of way over public lands in the districts of North and South Kohala, in the island of Hawaii, for the purpose of constructing and maintaining ditches or canals and the necessary reservoirs, dams, and the like, for irrigation and domestic purposes in said districts;

A bill (H. R. 12095) to amend section 4883 of the Revised Statutes, relating to the signing of letters patent for inventions;

A joint resolution (H. J. Res. 103) relative to the disposition of patent specifications and drawings in the western district of Pennsylvania;

A joint resolution (H. J. Res. 161) authorizing the Secretary of War to loan tents to the Texas Reunion Association; and

A joint resolution (H. J. Res. 162) authorizing and requesting the President to extend to the Government and people of France and to the families of Marshal de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication of the monument of Marshal de Rochambeau, to be unveiled in the city of Washington.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce and to encourage the deep-sea fisheries.

Mr. BERRY. Mr. President, there was a unanimous agreement to vote upon the bill at 3 o'clock on Monday. I do not know how many Senators are expected to address the Senate, but I should like to get unanimous consent that on Monday speeches shall be limited to fifteen minutes, and the time divided between the two sides. Probably all those who have long speeches to make can make them to-day. I think it would be fair that for the two or three hours on Monday there should be some equitable division of time. Several Senators have said that they would like to make very short speeches. I will ask anyway for consent that on Monday, after the bill comes before the Senate, speeches shall be limited to fifteen minutes on a side.

Mr. HOAR. Mr. President, I shall object to the last part of that request. I do not like to have the Senate get into the custom of a recognition of having two sides of a question.

Mr. BERRY. I did not include that.

Mr. HOAR. There may be three or four sides.

Mr. BERRY. I did not include that in the request. I asked that speeches be limited to fifteen minutes each.

Mr. HOAR. The Senator suggested that the time be equally divided between the two sides.

Mr. BERRY. I made that statement, but when I made the request I left that part out.

Mr. HOAR. I think that is right. The Chair will take care of that.

Mr. BERRY. I supposed so, and that is the reason why I left it out.

Mr. FRYE (Mr. SCOTT in the chair). Mr. President, I intended to give notice that I should like on Monday to have about a half hour. Of course I have had no opportunity to reply to any of the speeches which have been made, and being in the chair I do not feel at liberty to go from the chair and to be interrupting Senators when they are making their speeches.

Mr. BERRY. I will modify the request and ask that the bill be taken up at the conclusion of the morning business on Monday, and that speeches be limited to fifteen minutes each, except as to the Senator from Maine [Mr. FRYE], who shall have thirty minutes.

The PRESIDING OFFICER (Mr. SCOTT in the chair). Is there objection to the request?

Mr. BERRY. Is that satisfactory, that speeches should be limited to fifteen minutes except as to the Senator from Maine, who shall have thirty minutes?

Mr. FRYE. That ought to be satisfactory to the Senator from Maine.

Mr. BERRY. It is satisfactory to me.

Mr. FRYE. I am obliged to the Senator for making that request.

Mr. ALLISON. That is right.

The PRESIDING OFFICER. If there is no objection it will be so ordered.

Mr. CLAY. I desire to ask that if it is understood that the bill is to be taken up before 2 o'clock on Monday.

Mr. BERRY. I meant to ask that the bill be taken up immediately after the routine morning business——

Mr. CLAY. All right.

Mr. BERRY. And that speeches be limited to fifteen minutes, except as to the Senator from Maine, who shall have thirty minutes. That was the request.

The PRESIDING OFFICER. It is so ordered.

Mr. MONEY. I understand that the arrangement is to vote at 3 o'clock on the bill. Is that true?

The PRESIDING OFFICER. At 3 o'clock on Monday.

Mr. MONEY. In that case I would ask the Senate to meet earlier than the usual hour. I move that the Senate meet at 11 o'clock.

The PRESIDING OFFICER. The Senator from Mississippi moves that when the Senate adjourns to-day it adjourn to meet at 11 o'clock on Monday.

The motion was agreed to.

The PRESIDENT pro tempore. The morning business is closed, and the Senator from Colorado will proceed.

Mr. TELLER. Mr. President, I am informed that there are several Senators who desire to speak to-day if they have an opportunity, and I do not intend to speak at any great length upon this bill. In fact, I had not intended to speak at all on the bill until within a day or two.

I join, Mr. President, with everybody who wants to secure a merchant marine for the United States. I am inclined to think that the war vessels of the United States are about sufficient for our purpose, but we have not for the necessary carrying of our exports and imports such vessels as we ought to have. While in time of peace I do not see very much except sentiment in the suggestion of the necessity for American ships, I realize that if there should come a war between some of the great powers of the world under whose flag we are sailing some of our ships, we might have some trouble, and that the carrying capacity might be so lowered as to seriously interfere with the affairs of the country. To that extent I agree it is exceedingly desirable that we should have a merchant marine of our own. I do not think myself it would make much difference whether the American citizen sails his ship under our flag or the flag of some other nation, except as a mere matter of sentiment.

We pay out usually, it is said, $200,000,000 in freight a year. I do not suppose anybody knows what we pay, but that is as good a figure as any other to put it. The greater part of it, of course, goes into the hands of foreigners. All of the money paid to foreign shipowners, of course, goes into foreign hands, but not necessarily all the money that is paid to ships sailed under foreign flags or documented in foreign lands. The Commissioner of Navigation tells us that we have about twice as much shipping owned by American citizens documented in foreign countries as we own documented in this country. The profit, whatever it may be, from that source comes to us. It comes to citizens of the United States. As I said yesterday, if there is any great sentiment in it we can put the American flag over every one of those ships owned by citizens of the United States or owned by corporations of which American citizens own a majority of the stock.

I have on various occasions expressed my anxiety on this subject, and I have voted, I believe, for every proposition that ever came up that commended itself to me as calculated to in any degree extend American ownership of the ships that carry the products of the United States to foreign lands. In 1891 I was induced by its supporters to vote for a bill that it was promised us would bring about a restoration of the position in the carrying trade of the world that we formerly occupied. After ten years of experience under it I do not find anybody who is willing to admit that it has been of any great benefit to us. It certainly did not do what it was promised it should do. It did not secure to us new markets. It did not secure to us ships sailing in sections of the world that we desire they should sail. Whatever money we have paid out over and above what we ought to have paid properly for the carrying of the United States mail has been a gratuity to the shipowners, and so far as the public is concerned it has been a waste.

Last year we had a proposition of a different method which we were told then, if we would adopt it, would certainly bring about a restoration of our carrying trade. I am not going to vote, Mr. President, for this bill, but I want to say that, in my judgment, while it is not a very satisfactory bill, it is infinitely preferable to the bill of the last Congress. It is a bill that it seems to me, unless there is favoritism in the Department, will give every shipowner at least a fair show, which the other bill did not, in my judgment.

If I believed what the Senator from Maine [Mr. FRYE] believes, that this bill would bring about what he believes it would bring about, I should vote for the bill on the same ground that I voted for the bill in 1891.

I should much prefer to try what the Senator from Ohio [Mr. FORAKER] spoke of yesterday, the old rule that we adopted in the very early history of this country, which worked admirably until we thought we were strong enough to do without it and abandoned it, and that is discriminating duties. I am not insensible to the fact that such a measure is objectionable to those who think that under no circumstances should we render any special compensation to shipowners in order to induce the building of a merchant marine, but it has some advantages that this bill does not have. Under the discriminating duties nobody gets anything unless he earns it. Unless a shipowner brings the goods into the country or takes them out he gets nothing out of it. If he brings them in under discriminating duties, he gets a bounty for so doing—that is, he gets an advantage over any foreign shipowner, and to that extent we reduce the revenues, and therefore it may be said to be a bounty. But if he brings in foreign goods and has ships of a character also to take our exports, which he carries out, that is desirable, as we all admit.

Under this bill a shipowner, I suppose, will naturally get all the freight that he can, unless he enters into a combination with some other ship company that he will not carry freight, or that he will carry only a limited amount. But he gets the same whether he carries a full cargo or an empty cargo. In the bill of last year, which I think was very objectionable on account of other features, there was a provision that the shipowner should carry at least 50 per cent of the capacity of his ship in order to entitle him to the bounty which that bill provided for. This bill allows him to sail empty if he sees fit, and to return empty if he sees fit. In these days of combinations, in these days when great sums are paid by railroad companies and ship companies to other ship companies, provided that they will not interfere with the trade of some other ship organization or company, it is left open, I think, to the carrying of a very small freight with a fairly large bounty.

This bill is objectionable to me in another point. It does not provide for any new lines, and it will be like the act of 1891; we shall pay out our money on the old-established lines, if we pay it out at all.

The purpose of the bill is professedly to establish new lines, and we are told on the floor of the Senate by its advocates that that is what it will do. I realize that there is some trouble providing in a bill like this for the establishment of a line between the city of New York and some South American port, and yet I do not believe we are going to get any considerable increase of shipping to that section of the world unless we provide that the ships that are to have this bounty shall sail from New York to some port there.

The great export and import trade of this country is of course with Europe. We have not built up, and do not seem to be able to build up, any considerable trade in the South American countries. We have not up to the present time succeeded in building up a very large trade with Asiatic countries. There are more hopes of that, however, in the future than of the trade with South America, in my judgment. Twenty years ago I recall that we provided a commission to go to South America to secure, if possible, a greater trade. We sent three distinguished gentlemen down there, and they spent a year or so and came back, and I believe that after they came back the trade continued just about as before.

The truth is, Mr. President, that the trade perhaps is not quite sufficient between us and South American ports at the present time to induce shipowners to put on their lines, and if we are going into the bounty business it seems to me that that is the place where we ought to apply our bounty. Under this bill it may be possible to do that, but it is equally possible that not a dollar will go in that direction except to the lines that are now established. I am speaking now of the establishment of some new lines.

Mr. President, there is another view of this question which I wish to submit very briefly, and that is whether we can build ships in this country at the same cost at which they can be built in Europe. I was surprised when the chairman of the Committee on Commerce announced the other day that it costs 25 per cent more to build a ship in the United States than in a European shipyard, and that statement has been reiterated on the floor of the Senate by the friends of the bill. On the other hand, those who are opposed to the bill, those who do not take that view, have put into the RECORD what seems to me to be very positive evidence that there was a mistake as to that matter, and that if there was any difference in the cost it was so little that it could hardly be considered.

I know the Senator from Ohio [Mr. HANNA] said the evidence that you could not build an American ship as cheaply as you could build it in Europe was established by the fact that a large number of capitalists of New York had expended a very large sum, which I understand is $15,000,000 to $18,000,000, in the purchase of foreign-built ships. Mr. President, that does not establish the fact that they could not have bought American ships, if there had been any to be bought, just as cheaply as they bought those. The truth is that when they determined to organize a ship company of the kind they did they wanted the ships, and whether they could be built cheaper in the American yards or not, the American yards could not build them under the present conditions in less than from three to five years. I do not think I shall

misstate if I say that to-day no 10,000-ton ship can be built in any established yard in the United States under three or four years, not because of their lack of capacity to build, but because the yards have been already supplied with all the work that they can do. But under any circumstances one of these great ships could not be built under a couple of years.

The necessity of this new shipping organization was for immediate ships. They wanted them at once. They could not go to the public and raise $15,000,000 and say you must lie out of your money for five years or four years or three years, whatever the time might be. So they bought the ships that were on hand and that could be bought.

The Senator from New York [Mr. DEPEW] said that they did not intend to sail them under the American flag, and I suppose they do not unless we change the law, simply because they can not. But I do not know why they should not come to Congress as they came twelve years ago, when Congress allowed them to put two amongst the largest ships then in use on the Atlantic Ocean under an American register, provided they would build two more in this country. The chairman of the Committee on Commerce told us yesterday that the two ships they built cost $1,400,000 more than if built abroad, if I understood the figures aright. There was a good deal of confusion in the Chamber at the time, but I think that was the amount he stated.

The PRESIDENT pro tempore. One million one hundred thousand dollars.

Mr. TELLER. I thought it was $1,400,000. He stated that for $1,100,000 less the ships could have been built in a foreign yard. Mr. President, I do not know what the proof of that is, but it is very startling and surprising to me if that is a correct statement.

In the first place, if the Commissioner of Navigation is correct, who is supposed to know more about this matter than I do at least, because I am not a shipping man in any sense of the term, there is not any great advantage in documenting a ship in the United States. He says, at least, that there is practically none, and why should the great concern of which Mr. Griscom is the head and the principal man, as I understand, want to get two ships documented and be willing to put up as a bonus, for that is what it amounts to, $1,100,000 for the privilege of running four ships under the American register?

Mr. BACON. Will the Senator please state in this connection what the advantage is?

Mr. TELLER. Mr. President, I do not know what it is, and nobody in this debate has told me what it is. I do not see any advantage that Mr. Morgan's company would have in registering these ships under an American register. I suppose there is some little advantage, but what it is I do not know, and the Commissioner substantially says that there is not any advantage.

Mr. BACON. In tonnage dues?

Mr. TELLER. Oh, I suppose there are some slight tonnage dues, perhaps; but not much.

Mr. TILLMAN. Could they not be admitted to the coastwise trade if given American registry?

Mr. TELLER. No; we did not allow those ships to enter the coastwise trade, as I recollect. I may be mistaken, but I think those ships were not allowed to enter the coastwise trade. I am pretty sure that they were not. As I said yesterday, they need not pay that great sum to fly our flag on their ships, because they can fly it now with a Belgian register, a Haitian register, if they want, or any other register in the world. When the time comes that these ships owned by American citizens are in trouble they appeal to the American Government and not to the government under which they are documented. Great Britain is not by international law under any obligation to take care of the ships that are documented in her register. They are not owned by citizens of Great Britain. The American citizen applies to the American Government and the Englishman applies to his Government for protection of property on the high seas.

Mr. RAWLINS. If it will not interrupt the Senator, I should like to direct his attention to this point. It has been suggested that in case of war between foreign countries the ship flying a foreign flag instead of our own might be at a disadvantage. In that connection, is there any reason why the ships which are now carrying the British flag in case of a war with some other country should assume an American register and fly the American flag so as to avoid the dangers that would otherwise be encountered?

Mr. TELLER. The law of nations is that no Englishman can come here and register his ship and run it under our flag in time of war to escape any liability that would exist as an English citizen. Our regulations provide for that now. If anybody desires to sell his ship to a citizen of the United States he must produce proof that it is a bona fide transaction, that it is not a sale in order to escape some risk that he might have as a Belgian citizen, or something of that kind. He must produce authority to show that it is a bona fide transaction before the citizen to whom he transfers it is entitled to claim the protection of the United States Government.

Mr. RAWLINS. That answers, it seems to me, the very point on which I desired information. But assuming a war between the United States and a foreign country, would there not be considerable advantage in the fact that ships carrying our foreign exports and imports are under a foreign flag instead of our own?

Mr. TELLER. That is a question I do not feel quite competent to decide. The presumption of law is that when you see an American flag over a ship it is owned by an American citizen; that when you see a British flag over an American ship it is owned by a British citizen; but I believe that that is a fact to be determined, and if the fact is that it is a British subject who owns it with the American flag flying over it, or, vice versa, if it is an American ship with an English flag flying over it, it becomes subject to the rules of war when we are at war with any other power.

Mr. HOAR. Mr. President——

Mr. TELLER. I believe that would be the law, although I would not undertake to say at first blush absolutely that it is.

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. TELLER. Certainly.

Mr. HOAR. Suppose our ships are sailing under the English flag and England be at war, what then?

Mr. TELLER. Then the presumption is that it is an English ship.

Mr. HOAR. I am not speaking of the presumption, I am speaking of the absolute disclosure of the fact in a prize court. If an American shipowner, flying the English flag when England is at war with Germany, is captured and taken into a German prize court, would they hold him to his election of the flag or go behind that and say it was an American ship?

Mr. TELLER. I think the prize court would very likely hold that it was an English ship. Whether the Government of the United States might then intervene under the general rule that every government must take care of the property of its own citizens on the high sea, is another question. Those are questions that I do not want to settle, because I do not know.

Mr. HOAR. I should like to suggest just there whether there is any general principle that a government must take care of its own citizens on the high seas when they are voluntarily flying a foreign flag.

Mr. TELLER. I do not know about that. We have denied to the American citizen the right to register his ship if he did not have his ship made in an American shipyard. It has been decided again and again that the right is a natural right to buy ships wherever they are made, and I do not believe that it would be possible to pass a law saying that no American citizen should own a foreign ship.

Mr. HOAR. I do not wish to interrupt the Senator, but the proposition which I suggest to him and suggest in connection with what he has said is this, that the flying of a foreign flag, however the man may have been driven into it, is an election on his part of the foreign protection instead of that of his own country, and if the foreign country be at war and the ship be captured he takes the consequences of that election.

Mr. TELLER. I should like to ask the Senator a question myself for information. Take the new shipping company that has bought out the English ship company and is practically an American company, because with a trifling exception they have all the stock that controls the company. I understand that some preferential stock belongs, perhaps, abroad. They put up the English flag, and it is an American corporation practically. It is American citizens who own it. Perhaps it would be a better illustration if I would say, suppose Mr. Morgan had bought one of these great ships, and, as he could not document it under our law, suppose he had documented it in Great Britain where it was built. Suppose, then, he puts up the British flag, will Great Britain take care of his rights on the high seas in a state of war? That is the question.

Mr. HOAR. I suppose so. Of course, that depends on her local arrangements; but I understand that registering a ship in England and flying the English flag over it is an election by the owner of the nationality of that vessel. Whether we drive him to it or not is another point. I understand, and when I say I understand I do not profess to know—I daresay the Senator who says he knows nothing about it knows a great deal more about it than I do——

Mr. TELLER. No; I did not say I did not know anything. I know some little about it.

Mr. HOAR. I have no doubt the Senator knows more about it than I do; but the impression under which I put the question was that that is an election of nationality for his ship, and that so far as he is concerned he must take the consequences, and can not help himself. So far as the country which registers the ship and lets him fly the flag is concerned, it is a question how far they will go in protecting him; and so far as the country capturing

him goes, it is for their discretion how far they will go in exonerating him. That is my impression as to what is the rule.

Mr. TELLER. If a large fleet of ships which had been built and documented in England and were run under her flag were owned by citizens of our country, I doubt very much whether Great Britain would be willing to assume the responsibility for those ships which she would assume with reference to ships owned by her own subjects.

Mr. HOAR. If they were fighting foreigners they would assume all the responsibility of damaging the nation with which they were at war.

Mr. TELLER. Those are not questions that we have particularly to deal with to-day.

Mr. HOAR. I beg the Senator's pardon.

Mr. TELLER. The time might come when we should have to deal with them. If there should be war between Great Britain and France, the people owning these ships, of which there are twice as many tons, according to the report of the Commissioner of Navigation, as are run under our own flag in the ocean trade, I suppose would be here in fifteen minutes with a bill under some terms to transfer their ships so that they could be documented in this country, and we should have to pass it in great haste. It would not take us fifteen minutes to do it, and we could not do otherwise.

We want and we must have the means of transportation; and, as suggested by the Senator from Georgia [Mr. BACON], we would want to protect the property of our own citizens. I understand that citizens of the city of New York have put from fifteen to eighteen million dollars in a line of steamships. That may be exaggerated. We have just as much interest in protecting the citizens of the United States who have that property as we have in protecting citizens who have $100,000 invested in ships documented in the United States and flying our flag.

You can not attach any lack of patriotism to those people because their vessels are documented in a foreign country. That is what determines the character of a ship, and not the flag under which she sails, because, as I have shown, the owners of a vessel can run upon it our flag, if they see fit to do so, but naturally they feel, if they are privileged to document a ship in England, that they ought to run it under the flag of England.

But suppose a war should come on. In that case we should have to do, under pressure of circumstances, what we decline now to do. We decline now to allow any citizen of the United States to go to Europe and buy a ship, bring it here, place it under our registry, and put it under our flag in the proper sense of the term while it becomes an American-owned ship. There are a large number of instances in which we have allowed that to be done, but always under some special circumstances. I do not recall a particular instance now, but I can remember since I have been in the Senate a great number of bills granting American registers to ships passed in that way. I recall no instance where there was ever a controversy, except there was a little debate as to the *City of Paris* and the *City of New York* when it was proposed that they should be admitted to American registry. I believe I myself did have the temerity to suggest that if it was a good thing to allow the *City of Paris* and the *City of New York* to be registered here on condition that the owners of those vessels should build two other ships in this country, it would be a good thing to make the law general, so that if a man bought a ship in Europe he could register it in the United States if he would build here another ship of the same kind. There has been a pretty strong feeling in the United States that that ought to be done.

The late Secretary of the Treasury, in 1898 and 1899, recommended such legislation in very positive terms, and the Commissioner of Navigation in his last report recommends it. I do not know whether or not the late Secretary of the Treasury was a Republican; but I suppose at least that recommendation was upon Republican authority in that branch of the service. I do not know what the politics of the Commissioner of Navigation may be, but I know that he has also indorsed the proposition that our people should be allowed to buy foreign ships in order to establish an American merchant marine.

I have never until recently felt that it would be a wise thing to have what are called free ships, and I doubt now whether I should be ready to put the American shipyards in competition with those of Europe in building ships; but I am quite ready, and have been for ten years, barring the right of ships built in foreign yards to participate in the coastwise trade, to give to citizens of the United States the right to buy ships in foreign ports for the Atlantic and Pacific trade. I do not believe that any ship built in United States yards anywhere need cost 25 per cent or 10 per cent or 5 per cent more than a similar ship would cost in European yards.

But the truth is, Mr. President, we have been adding immensely to our domestic Navy because we have a domestic commerce so great that it has required practically all of the shipyards of this country to supply that commerce and the few ships for foreign trade that our yards have built. Notwithstanding it was said here the other day by the junior Senator from New York [Mr. DEPEW] that there were no ships on the ways and that the men were all idle, or something of that kind, I say there is not any evidence which can be produced to-day here or anywhere else by any respectable authority to deny the proposition I am now going to make—that in the whole history of this country, since the decadence of our shipping began in 1855, there never has been as much demand upon our shipyards as there has been in the last two years and as there is to-day. There is not a shipyard in the United States of any considerable capacity that has not got plenty of work, not only for this year, but very much for the next.

The Commissioner of Navigation tells us that the last year was the best shipbuilding year ever known, not only in the United States, but throughout the world. We have held our own in shipbuilding when we take the ships we have built for the lake trade, the coastwise trade, and the other ships we have built. We began last year with 68 ships being built, and we entered into this fiscal year with 89 ships being built; the 68 ships being of smaller tonnage than the 89 ships—that is, the tonnage of the 89 will be greater in proportion than the number of ships—and yet we are told that we can not build ships. Why can we not build them, Mr. President? We have better timber. We have—I will not say better, but as good iron and steel as can be found anywhere else in the world, and iron and steel have been cheaper until the great trust was formed, when they put up the price. We have been shipping iron and steel to Europe to be used in shipbuilding in the last two years. I do not know that we have shipped any for the last eight or ten months since the trust went into operation, because they put up the price; but previous to that time we did ship to Europe material for the building of ships.

Mr. President, I want to read a few words from the report of the Commissioner of Navigation. As I have said, I do not know what the politics of the Commissioner of Navigation may be; but I know that he is an advocate of bounties for ships. As far as he dared to do so or could do so, consistently with the facts before him, all the way through in this report, he has attempted to show that it is necessary that some aid should be extended in order that our shipping should resume its proper place in the ocean trade. In the very beginning of his report he says:

> The fiscal year ended June 30, 1901, has been the third successive year of notable prosperity and growth in the shipbuilding and shipowning industries of the United States and of the whole world. In every essential respect the record at home has surpassed even the remarkable records of the two preceding years. The extent and nature of the work under way or projected in our shipyards give promise that the current fiscal year will record a greater growth than that of the year just ended.
>
> The total documented tonnage of the United States on June 30, 1901, has been exceeded but once in our history—on June 30, 1861.

He says further:

> The total tonnage built in the United States during the past fiscal year was the greatest in our history, except during the years 1854 and 1855.
>
> * * * * * * *
>
> By the end of the current fiscal year possibly half of our tonnage in foreign trade for the first time will be steel steamers, the instrument of commerce which for some years has been chiefly employed by foreign nations.
>
> * * * * * * *
>
> The following table shows the geographical distribution, motive power, and material of construction, and trade of vessels of the United States for the fiscal year 1901, compared with the fiscal year 1900, and also for the construction for the two years.

In the table referred to there is at least 70,000 tons of shipping not counted, which belong to the Philippine service at the present time.

The Commissioner of Navigation again says:

> While the increase in registered steam tonnage, 88,380 tons, is the largest in our history, it is to be regretted that of itself it does not indicate ability to compete with foreign shipping for the carrying trade.

Not only, Mr. President, have we built a great number of ships, but we have increased the size of them.

Again, the Commissioner says:

> The hopeful feature of the figures rests in the fact that in 1900 the average size of our registered steam vessels was 1,010 gross tons, while in 1901 it was 1,210 gross tons.
>
> * * * * * * *
>
> During the past fiscal year 1,580 vessels of 483,489 gross tons have been built and documented in the United States.

Then he touches on the world's capacity, etc. I shall skip that. Further on the Commissioner says:

> For the purpose at hand, accordingly, an analysis of the vessels of 1,000 tons or upward built in the United States will suffice. There were 112 such vessels, aggregating 311,778 gross tons, built and documented in this country during the past fiscal year.

Then follows in this report a list of vessels of over 1,000 tons, built in the United States and officially documented during the fiscal year ended June 30, 1901.

Mr. President, I said I was not going to take much time, and so I shall only call attention to a few of these matters, and then I shall conclude my remarks.

The Commissioner of Navigation says further in his report:

The total output of ocean steel steamers on the seaboard, 16, of 76,374 gross tons, is modest when compared with the corresponding construction of Great Britain and Germany, which devote themselves almost wholly to this form of construction.

Mr. President, other nations have not the great inland seas nor have they such an enormous coast line as we possess. A ship that leaves Portland and goes to Galveston is not considered in the ocean trade. That vessel is engaged in coastwise trade. So, I suppose, the ship that goes from San Francisco to Manila will also be considered as in the coastwise trade when we come to make up the statement of our position in the world's commerce.

In this report is a statement of all the ships that are now being built in the United States, and I submit that if any Senator has read this report he is not likely to state on the floor of the Senate that the shipbuilding industry of the United States is languishing. I commend this report to the Senators who have been insisting that we can not avoid, on account of the languishing condition of the industry of shipping, giving a bounty to the building of ships, or rather a bounty to the running of ships, which is supposed to induce the building of them.

I stated, Mr. President, that the price of steel in this country was lower than in Great Britain. During the year 1900 it was very much lower, and so it was during the fore part of the year 1901. The Commissioner of Navigation has not dealt with the later months, but I understand since that time the price has been raised in this country, so that it equals or perhaps exceeds that in Great Britain.

Mr. President, we are building ships, and we are building them, I think, as rapidly as the interest of the country requires that we should. A distinguished financier and operator has already built two of the greatest ships of the world on the New England coast, and he has two more being built. These ships are to run from Seattle to some point on the Asiatic coast. They are built in connection with a railroad, and I suppose it will not be denied that the purchase of the Leyland Line by Mr. Morgan and others was for the purpose of assisting railroads running into the great city of New York, so as to give them a continuous line from their Western termini to European ports.

We have reached a point in our history when the railroads are not going to stop at the coast. The railroad companies are going to build these ships, and just now when the tendency and the trend is to build ships for these great lines of railway, we are told that we must immediately assist in putting this languishing industry of shipping on its feet by the payment of bounties. There would perhaps have been some sense and some propriety ten years ago in passing a law of this character, but there is not any now, because it is not needed. There is not any great continental line of railroad that does not mean to have shipping of its own, not, perhaps, to be held in the name of the railroad company, but to be in friendly hands, so that the company can make its rates across the water to correspond with what it thinks are to its interest on land.

Mr. President, I want to commend to the Senators who are talking about this question an article in the Statist, an English paper of great merit and high authority, dealing with this question of shipbuilding in the world and in the United States. After dealing with the subject somewhat generally, the editorial says:

Yet it must be admitted that the advance made by the United States is very striking. The American output comprises 10 sailing vessels, aggregating 12,303 tons, and 118 steamers, aggregating 266,799 tons.

The item regarding the 118 steamers is intended to give the aggregate of that class of vessels, and the reference to sailing vessels is intended to give what they call not the aggregate of all but the average. Then the details are given in a long article. I do not intend to read it, but I want to call attention to what is said about these big ships:

But the work completed last year by American builders is nothing to the work they have on hand—

This is from the Statist of March 1, 1902—

Thus the Eastern Shipbuilding Company, New London, Conn., are to build 4 steamers of 21,000 tons, and 10,000 horsepower each, for the Great Northern Steamship Company—a total of 84,000 tons in one yard.

Then it gives the business of Newport yards, and so on.

Mr. President, I intended to give some further quotations from the report of the Commissioner of Navigation as to the propriety of our being allowed to buy ships; but as I understand a number of other Senators desire to speak, I will not spend the time to do it.

This is our condition: We have a very large tonnage, but, of course, that tonnage is largely what is called domestic; and yet it would be foreign if we were situated like some of the other countries of the world. The ship that crosses the English Channel to France, a mere step, is engaged in foreign trade when it enters a French port or a German port. But the ship that leaves New York and goes to Galveston, or Boston, or Portland, or some other port in the United States is engaged in the coastwise trade.

Senators seem to think that the ocean coastwise and the lake trade are not matters of any consequence; that we have got no commerce because we have not got it on the great Atlantic and Pacific oceans. Mr. President, we have got, with one exception, the greatest commerce in the world. True, it is the ocean coastwise trade and the lake trade, but it is just as much commerce as it is when a ship leaves the city of New York and goes to Liverpool or Southampton. The distance covered by a ship in the domestic trade is oftentimes as great as that covered by ships in the foreign trade; and if you take the trade on the Pacific coast, for instance, between San Francisco or San Diego and points on the Alaskan coast, the distance is greater than that which would be traversed in the foreign trade; and yet it is domestic commerce and does not figure, and so it is lost sight of by the Senators who insist that the great crying want now is ocean commerce—trade with some foreign country.

Of course, we have got a very large trade on the ocean, excelled only by Great Britain, and we have had it carried very largely, I will admit, in foreign ships. Why? Because they have been able to carry it by reason of the fact that they had built the ships. We have not built them, and why have we not built them? Mr. President, we have been building railroads and we have been doing a thousand other things that have employed American capital to better advantage than it could be employed in ships. In England they have had no opportunity to put their millions and hundreds of millions of dollars into railroads. But in our own country, in what was the unknown West, within forty years we have built 80,000 miles of as good railroads as the world has ever seen. West of the Mississippi River, where, when I first made my acquaintance with that country, there was not a single mile of railroad, to-day the railroads there represent an expenditure of millions and millions of dollars of American money; and there has been no more profitable investment than these great continental lines and their local connections. They are to-day returning to the men who own them an income greater than the whole national income was when I was born. They are declaring great dividends upon their earnings. That is why we have not been building ships.

We have probably gotten to the end of our efforts in building railroads, and the money which will now naturally go into ships, and has already commenced going into ships, will put us in time on an equal footing with the rest of the world. We have built the best railroads in the world, and I will state now, Mr. President, what it gives me great pleasure to state, that we have demonstrated how to run railroads as no other people in the world have been able to do, and recently the great railroads of Europe have sent commissions over here to see how it is that we are able to carry such tremendous loads.

Mr. President, I can recall when a car on any of the first-class roads carried 10 tons of freight. It was regarded as large a load as any car ought to carry. What do they carry now? We have quadrupled it, and more than that, and England to-day is substituting the great American car for her small car, and they are predicting an increased profit. The locomotive we ran on a first-class train forty years ago would not be used in a coal yard now, and the trains we haul now are four or five times as large as they were in those days. We have put great sums, as the Senator from New York [Mr. DEPEW] told us the other day, into railroads, and if you let this industry alone and deal fairly with the shipowners, then we will in time have a ship-owning class in the United States equal to what is demanded of us. If the foreign ship can carry freight cheaper than we can, it is going to carry it. I submit if there is any vice in our conditions, if there is any reason why we can not build ships as cheaply and operate them as cheaply as foreigners can with ships built in Europe or manned with European seamen, then as a business proposition we have to get out of the business.

I have figured a little upon this proposition, and I do not believe when you pay the bounties which you propose to pay you will put the American shipowner and the European shipowner on an equality, if the Senator from Maine and the Senator from Ohio are correct in their statements of the cost of construction and the cost of maintenance and the cost of operation. I do not agree to that, though. But if they are right about it, then they must devise some other and some better method, and the only method they can devise upon this line that I see is to increase the bounty, which we will have an opportunity to do whenever the shipowners start their ships and come to us and say: "We still can not compete."

Mr. President, if we will let this alone, I believe we will be all right. I do not believe the conditions are as Senators believe. If I did believe that they were, I would despair of any great improvement in this direction for some time to come. I do not believe it. I believe this great commerce of ours, these extraordinary exports we are sending out, which are to increase, in my judgment, and not decrease, will constitute an inducement for

American money to go into American ships, and I think if we are really anxious and really desirous of improving the condition the wise thing to do would be to say to every American shipowner, "If you wish to engage in the Atlantic or the Pacific trade, the ocean trade, not the coastwise trade, go and buy your ship where you can buy it cheapest and bring it here and it shall be documented as an American ship."

I believe that might help us some, because then they would not be compelled to wait two or three or five years for the ships to be built, for the great concerns in Europe are building ships all the time and looking for purchasers for them, which no American shipyard has done, because it did not need to do it; it had the work without doing it; it had the orders, and there was no necessity for it to engage in the speculation of building ships and waiting for a customer, as many of the foreign yards have been obliged to do.

I have here resolutions of a labor organization, which I desire to have inserted in the RECORD as a part of my remarks.

The PRESIDING OFFICER (Mr. BURTON in the chair). Without objection, the resolutions will be inserted in the RECORD.

The resolutions referred to are as follows:

OFFICE OF RECORDING SECRETARY,
ORDER OF KNIGHTS OF LABOR, D. A. 66,
Washington, D. C., March 14, 1902.

To the honorable the Senate of the United States:

GENTLEMEN: At a regular meeting of District Assembly 66 of the Knights of Labor, representing all the assemblies in the District of Columbia, the following resolutions were unanimously adopted:

Whereas there is now pending in the Senate of the United States a bill known as S. 1348 for the granting of ship subsidies; and

Whereas this subsidy, if granted, will simply amount to a gift of many millions of dollars annually of the taxes taken from the wealth producers of the country to a small coterie of enormously wealthy individuals and corporations: and

Whereas many of the men and corporations to whom it is proposed to grant this subsidy are engaged in criminal violations of the interstate-commerce and antitrust laws of the United States; and

Whereas no possible benefit can possibly come to labor, and much injury to the masses of the people will result from the enactment of this subsidy law, which is simply class legislation for the enrichment of a few trusts and corporations at the expense of the laborers, farmers, and legitimate business men: Therefore,

Resolved, That District Assembly 66, Knights of Labor, hereby renew our protest of last year against this subsidy legislation, and we earnestly call upon all friends of honest labor and honest government to defeat the enactment of the Frye subsidy bill or any similar class legislation; and

Resolved, That a copy of these resolutions be presented to the House of Representatives and the Senate of the United States.

THOS. P. O'DEA,
District Master Workman.
WM. L. DEWART,
District Secretary District Assembly 66, Knights of Labor.

Mr. HANNA obtained the floor.

Mr. PATTERSON. Mr. President——

Mr. HANNA. I yield to the Senator from Colorado.

Mr. PATTERSON. Mr. President, I have in my hand a memorandum prepared for the Chinese-exclusion commission of the State of California, apropos of the proposal of the International Seamen's Union of America, of the American Federation of Labor, and the Chinese-exclusion commission of California, that vessels under the American flag should not be permitted to employ in their crews Chinese persons not entitled to admission to the United States. I ask for the information of the Senate that it be printed in the CONGRESSIONAL RECORD.

Mr. COCKRELL. I suggest that the Senator have it printed as a separate document, and then it will be more accessible.

Mr. PATTERSON. I should prefer that. I ask unanimous consent that it be printed as a Senate document for the information of Senators before the vote is taken.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado? The Chair hears none, and the order is made.

Mr. HANNA. Mr. President, the Senator from Colorado [Mr. TELLER] as well as others who have spoken upon the other side of this question have made the statement that our shipyards are entirely filled up with work and are likely to be for some time to come. He read from the report of the Commissioner of Navigation as to the amount of tonnage constructed and in process of construction to show that the present condition of shipbuilding in this country is better than it ever has been before, and I entirely agree with that proposition.

But with reference to the future, I have some figures from the Treasury Department which are probably up to date.

Mr. TELLER. From the Commissioner of Navigation?

Mr. HANNA. Yes; from the Commissioner of Navigation. By the way, it is strange how much is said about the Commissioner of Navigation in this discussion, because, forsooth, in the course of experience he has changed his opinions upon certain questions relating to our merchant marine, and now entertains opinions which seem to differ from those which he expressed in his earlier report, when he came fresh from the stronghold of Democracy, having absorbed in his youth and inexperience certain ideas. But as he was led to investigate the question and became familiar with the facts and studied the proposition, he was forced to the same conclusion that many others had arrived at earlier from their experience in reference to this question.

I think nearly every member of the Senate upon the other side who has spoken on this subject has alluded to that fact, rather holding up to ridicule and sarcasm the reports of the Commissioner of Navigation. I get information from that Bureau simply because, so far as I know, it is the only authorized medium through which such information can come from the statistical department of the Government.

This report says that during the month of January, in reply I have no doubt to a question, the following shipbuilding concerns reported to the Bureau of Navigation, Treasury Department, that they had no new contracts or new work in hand beyond work reported in June, 1901, and set forth in detail in the report of the Commissioner of Navigation, pages 147 to 154, inclusive: Newport News Shipbuilding Company, Newport News, Va.; Union Iron Works, San Francisco, Cal.; New York Shipbuilding Company, Camden, N. J.; Moran Brothers, Seattle, Wash.; Eastern Shipbuilding Company, Groton, Conn.; Maryland Steel Works, Sparrows Point, Md.; Neafie & Levy, Philadelphia, Pa.; John H. Dialogue, Camden, N. J., and Spedden Shipbuilding Company, Baltimore, Md.

The Cramp Shipbuilding Company reported a contract for building 1 oil-tank steamer, 3,500 tons, for the coasting trade.

The Trigg Shipbuilding Company, 1 tank steamer of the same description, and 1 small tug.

T. S. Marvel, Newburgh, N. Y., 1 ferryboat.

Roach's Yard, Chester, Pa., 1 local freight boat, of about 450 tons.

Harlan & Hollingsworth, 1 yacht, 1 ferryboat, 1 side-wheeler.

Risdon Iron Works, 1 steel towboat.

Bath Iron Works, 1 oil barge.

Pusey & Jones, 3 small vessels, each under 300 tons.

Burley Dry Dock, Staten Island, 1 oil barge and 1 tug.

Arthur Sewall Company, Bath, Me., 1 oil barge and 1 steel schooner.

The same concerns had, in the meantime, launched and brought to a greater or less extent near completion (some vessels being in operation at the present time), 19 vessels, aggregating 99,000 tons.

I subscribe to the declaration that our shipyards have been busier in the last year or two than ever before in our history, but they have been busy in the construction of vessels for the coastwise trade almost exclusively.

The statement has been made in the course of this debate that six or eight or possibly ten vessels for the foreign trade have been under construction at Baltimore, Philadelphia, and Newport News, a part of them by the American Transport Company, two of them by the American Line, so called—the International Navigation Company, and one or two vessels for the Spreckels Line from California to Australia. It has been stated that the reason why those vessels were put under construction is that it was anticipated that something would be done by the American Congress to help to build up the American merchant marine; and, as a Senator on the other side stated—and perhaps we will put it in that way—they were willing to gamble upon that prospect, and gave orders to have the ships built in this country. But the statement is made to-day that unless the privileges embodied in this bill are extended to those ships they will be operated under foreign flags, for the reasons, which have been stated, that they can not afford to run them under the American flag or under American register.

While the difference in cost between ships built on the other side and on this side of the Atlantic is great, it is the smallest part of this proposition, because the life of an iron or steel steamer, it would not be an exaggeration to say, is fifty to a hundred years, and if the difference in cost is charged off at the rate of 5 or 10 per cent every year you would soon eliminate it. But during those fifty or a hundred years, if the vessel is afloat and is operated, the difference in the cost of operation is going to make the investment an unprofitable one.

Now, with reference to the Great Lakes——

Mr. SPOONER. Will the Senator permit me, before he passes from that point, to ask a question for information?

Mr. HANNA. Certainly.

Mr. SPOONER. I understand the Senator to contend, and it is probably true, so far as I know, that the difference in cost of construction between this country and abroad is 25 per cent, and that the difference in cost of operation is from 30 to 33⅓ per cent.

Mr. HANNA. I have said from 25 to 30 per cent.

Mr. SPOONER. Twenty-five to 30 per cent. It is about the same now as it was at the last session, when we had the debate on the other bill?

Mr. HANNA. Yes.

Mr. SPOONER. At the last session, when the former bill was pending, the Senator stated, and the Senator from Maine stated, as I recollect it, that the subsidies provided for by that bill were simply adequate, and no more, to overcome the adverse conditions with respect to the cost of construction and operation. Am I wrong about that?

Mr. HANNA. I would not undertake to reply without referring to the language I used. Perhaps the Senator has it before him.

Mr. SPOONER. That the rates prescribed by the other bill were not more than adequate to overcome the adverse conditions.

Mr. HANNA. I will admit the proposition that the subsidies proposed were intended to overcome the difference between the cost of construction and operation in this country and abroad.

Mr. SPOONER. The Senator must have been of the opinion that they did that.

Mr. HANNA. Yes; as far as possible.

Mr. SPOONER. Now, the subsidies provided in the pending bill are confessedly less, are they not, than those provided in what is called the Hanna-Payne bill?

Mr. HANNA. Confessedly less? Do you ask me if the subsidies are confessedly less?

Mr. SPOONER. Yes.

Mr. HANNA. I believe it has been demonstrated and figured out accurately that the subsidies in this bill are less than in the bill which originally passed the Senate in 1891.

Mr. SPOONER. Oh, that I know. That has been demonstrated.

Mr. HANNA. Yes.

Mr. SPOONER. And the Commissioner of Navigation reports, and it was stated by the Senator from Maine, and I thought stated by the Senator from Ohio, although I do not assert it, that the rates of mail pay and the general subsidy provided for in this bill are less, considerably less, although the Senator from Maine did not know just how much, than the rates of subsidy prescribed by the Hanna-Payne bill.

Mr. HANNA. I have not made any such statement.

Mr. SPOONER. I have not said the Senator did. I said I thought so.

Mr. HANNA. The difference between this bill and the bill of 1901 is that in the former bill the subsidy was paid on speed allowance and mileage, and this is on tonnage.

Mr. SPOONER. Does the Senator contend, then, that the rates provided for by this bill are as high as those provided for by the last bill?

Mr. HANNA. It is on an entirely different basis. I would not answer the question without having made the figures.

Mr. SPOONER. I supposed the Senator had made the figures.

Mr. HANNA. I will take the opportunity to reply to the Senator when I get those figures.

Mr. SPOONER. My point is this: As the Senator will see, if they are less, and the others were simply adequate, this bill, if passed, would not overcome the adverse conditions and put our ships on an equality with foreign competitors.

Mr. HANNA. To figure it down as fine as that, the difference is so slight that I do not care to discuss it as an argument pro or con in connection with this proposition.

Mr. SPOONER. All right.

Mr. HANNA. I simply rose—not intending to take up the time of the Senate—to answer the argument of the Senator from Colorado in reference to the present conditions of this industry.

Passing to the Great Lakes, the greatest development in this country has been there, and it has been there because of the growing commerce from the Northwest and particularly from the mineral districts. There were shipped from the mines of Michigan, Minnesota, and Wisconsin last year 20,000,000 tons of iron ore to be manufactured into steel and iron. Besides that, the growing tonnage of our steel production causes an increased demand every year for a larger fleet, and, as I have said before, within my experience upon those lakes as interested in lake transportation, I have seen vessels grow from little wooden schooners of 500 tons to steel steamers to-day of 7,000 tons carrying capacity. It is the development of that industry which has created the demand for shipbuilding upon the lakes, so that every shipyard in the whole chain of lakes is busy to-day and will be busy all this year.

But that industry is protected by our coastwise laws, and it creates a demand for American ships. A very large amount of that iron ore goes into the manufacture of steel for the construction of ships, and that is part of my argument in this whole proposition. It is one contributing part toward the building up of this industry. If it requires iron ore to make steel, then it requires iron ore to build ships, and the carrying of the iron ore makes a demand for more ships upon the Great Lakes.

Whatever may have been the incentive to construct these eight or ten ships for the foreign trade during the last year, it is a fact that no more ships have been contracted for in any of the shipyards enumerated in this report for 1902, except a few tugs, a few oil-tank ships, two or three ferryboats, and vessels for the United States Navy. These are the only contracts in sight, and so far as I know the only contracts likely to be in sight for construction in any of these shipyards, unless there is an incentive given which will induce capital to invest in the industry.

Mr. ELKINS obtained the floor.

Mr. TELLER. Will the Senator from West Virginia allow me to make one suggestion?

Mr. ELKINS. Certainly.

Mr. TELLER. It is true, as stated by the Senator from Ohio, that the works on the lakes were very large. Of the 585 vessels constructed last year, 257, with a gross tonnage of 602,860, were built for the lakes, or about six-tenths of the whole was for the lakes and four-tenths for the seaboard.

Mr. HANNA. But, as I understand it, when you say the seaboard it means the coastwise trade.

Mr. TELLER. Most of it is for the coastwise trade, but not all of it. But I think that the Senator does not distinguish when he says we are building ships, that we are building just as good ships for the coastwise trade as anybody builds for the Atlantic or the Pacific trade.

[Mr. ELKINS addressed the Senate. His speech will appear hereafter.]

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 14th instant approved and signed the following acts:

S. 646. An act for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg.; and

S. 3090. An act to approve and ratify an act of the legislative assembly of the Territory of Arizona entitled "An act to provide for the collection, arrangement, and display of the products of the Territory of Arizona at the international exposition to be held in St. Louis in 1903."

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (H. R. 159) providing for free homesteads on the public lands for actual and bona fide settlers in the north one-half of the Colville Indian Reservation, State of Washington, and reserving the public lands for that purpose;

A bill (H. R. 3084) for the relief of bona fide settlers in forest reserves; and

A bill (H. R. 11053) providing for the issuance of patent to the town site of Basin City, Wyo., to the municipal authorities thereof for the use and benefit of said town, and for other purposes.

The following bills were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:

A bill (H. R. 3136) for a public building for a marine hospital at Pittsburg, Pa.; and

A bill (H. R. 3148) for a marine hospital at Buffalo, N. Y.

The following bill and joint resolution were severally read twice by their titles, and referred to the Committee on Patents:

A bill (H. R. 12095) to amend section 4883 of the Revised Statutes, relating to the signing of letters patents for inventions; and

A joint resolution (H. J. Res. 103) relative to the disposition of patent specifications and drawings in the western district of Pennsylvania.

The following bills were severally read twice by their titles, and referred to the Committee on Territories:

A bill (H. R. 7034) for the relief of Navajo County, Ariz.;

A bill (H. R. 8736) ratifying the act of the Territorial legislature of Arizona, approved March 2, 1901, providing a fund for the erection of additional buildings for the University of Arizona; and

A bill (H. R. 9334) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc.

The bill (H. R. 9960) to prevent a false branding or marking of food and dairy products as to the State or Territory in which they are made or produced was read twice by its title, and referred to the Committee on Agriculture and Forestry.

The bill (H. R. 11354) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1903, was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

The bill (H. R. 11997) granting to the Hawaii Ditch Company, Limited, the right of way over public lands in the districts of North and South Kohala, in the island of Hawaii, for the purpose of constructing and maintaining ditches or canals and the necessary reservoirs, dams, and the like for irrigation and domestic

purposes in said districts was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

JUDICIAL DISTRICTS OF INDIAN TERRITORY.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3267) to change the boundaries between the southern and central judicial districts of the Indian Territory, which was on page 1, line 4, to strike out all after the word "the," where it first occurs, down to and including "Territory," in line 10, and insert:

junction of Island Bayou and the Red River, up the Red River to the mouth of the Washita River, and up said river to the mouth of Butcherpen Creek, and north up said Butcherpen Creek to the township line between townships 4 and 5 south, in range 7 east, thence along said township line to the boundary line between the Choctaw and Chickasaw nations, in range 8 east, shall be added to the central judicial district of the Indian Territory.

Mr. HOAR. That amendment adopted by the House is merely a slight change in the description of the territory, which is to be set off from one district to another, and it was adopted in the House on the recommendation of the Department of Justice. I move that the amendment be concurred in.

The motion was agreed to.

LOAN OF TENTS TO THE TEXAS REUNION ASSOCIATION.

The joint resolution (H. J. Res. 161) authorizing the Secretary of War to loan tents to the Texas Reunion Association was read the first time by its title.

Mr. CULBERSON. Mr. President——

Mr. COCKRELL. The Committee on Military Affairs authorized me to report a similar joint resolution, which is on the Calendar.

Mr. CULBERSON. It is Order of Business 721 on the Calendar, Senate joint resolution No. 64.

Mr. COCKRELL. I think it is exactly the same as the House joint resolution. I have not compared them.

Mr. CULBERSON. As stated by the Senator from Missouri, the Senate Committee on Military Affairs have reported a similar joint resolution, word for word, favorably. I ask that the House joint resolution be put upon its passage and that Senate joint resolution No. 64, now on the Calendar, be indefinitely postponed.

The PRESIDENT pro tempore. The joint resolution will be read at length.

The joint resolution was read the second time at length, as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to loan to the officers of the Texas Reunion Association such number of tents, poles, and pins as may be necessary for the accommodation of the Confederate reunion to be held at the city of Dallas, Tex., April 22 to April 25, 1902: *Provided*, That the Secretary of War shall, before delivering such property, take from such officers a good and sufficient bond for the safe return of said property in good order and condition; and the whole without expense to the United States.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Order of Business No. 721, being Senate joint resolution No. 64, authorizing the Secretary of War to loan tents to the Texas Reunion Association will be indefinitely postponed.

MARINE HOSPITAL AT SAVANNAH, GA.

The PRESIDENT pro tempore laid before the Senate the bill (H. R. 1980) to establish a marine hospital at Savannah, Ga., which was read twice by its title.

Mr. CLAY. The Senate one day last week passed a Senate bill for this purpose, and sent it to the House. I ask that the vote by which the bill (S. 1545) to establish a marine hospital at Savannah, Ga., was passed be reconsidered, and that the House be requested to return the bill, and that it be indefinitely postponed. Then I ask that this bill may be taken up and passed.

The PRESIDENT pro tempore. The Senator from Georgia asks unanimous consent to enter a motion to reconsider the vote by which the Senate passed the bill indicated by him, and that it be recalled from the House of Representatives. Is there objection? The Chair hears none. The Senator from Georgia now asks for the present consideration of House bill 1980, it being the same as the Senate bill which was passed a few days ago. It will be read for the information of the Senate.

The Secretary read as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to purchase such land (or to use such land of the Government as may not be otherwise needed by the Government, or exchange or sell the same to purchase a suitable site) and to erect thereon such buildings as, in the opinion of the Supervising Surgeon-General of the Marine-Hospital Service, shall be necessary for a marine hospital at Savannah, Ga.

SEC. 2. That the limit of cost shall not exceed $150,000 inclusive of the site, or $125,000 exclusive of the site.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIGHT KEEPER'S DWELLING AT CALUMET HARBOR, ILLINOIS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 7675) to construct a light-house keeper's dwelling at Calumet Harbor, and asking a conference on the disagreeing votes of the two Houses thereon.

Mr. NELSON. I move that the Senate insist upon its amendment and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. MCMILLAN, Mr. NELSON, and Mr. CLAY were appointed.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. BACON. Mr. President, I submit an amendment which I propose to offer at the proper time to the pending bill, which I ask may be read for information, and that it may be printed. Then I will ask leave to submit a word or two on the subject.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. Add at the end of section 1 as a part thereof the following proviso:

Provided, That no contract made under the provisions of this act shall be binding upon the Government of the United States until the same shall have been submitted to and approved by Congress.

Mr. BACON. Mr. President, I have been led to offer that amendment by something I heard said in the Senate by the honorable senior Senator from Iowa [Mr. ALLISON] in a colloquy which he had upon the floor of the Senate with the present occupant of the chair [Mr. FRYE].

I think it is an exceedingly serious proposition that this unlimited power to contract should be given to the Postmaster-General, and that, as expressed by the Senator from Iowa upon that occasion, Congress should thereafter have no further control over the matter. I ought to say that the question has been immediately brought to my recollection by what the Senator from Ohio [Mr. FORAKER] on yesterday said in speaking on this bill.

As I previously said, I do not profess to have very thorough knowledge as to the postal service, because I am not on any of the committees which call upon me to make a very minute investigation relative thereto, but upon inquiry I learn that there is no such latitude now allowed as to any contract made by the Postmaster-General concerning the land mail service. I think possibly four years is the outside limit of a contract which the Postmaster-General has the authority to make for the carriage of the mails on the land. This bill in the provision which gives the Postmaster-General a right at his discretion, in unlimited amounts and in unlimited service, extending over the whole world, to make contracts which are not to be less than five nor more than fifteen years, is certainly putting an immense responsibility and an immense power in the hands of that officer.

The Senator from Iowa, in speaking on this matter, made a suggestion which implies the fact that the passage of this bill practically takes out of the hands of Congress any control of this subject so long as one of these pending contracts may last. As expressed by him, it will result simply in one department of the executive branch of the Government drawing a warrant on another department of the executive branch of the Government, while the legislative department, which ought to control in all those matters—whether it does control the minute details or not, ought to have the thing sufficiently in hand always to be able to correct anything which may be found to be wrong, and also to give such directions as may be, in the opinion of the legislative branch, most conducive to the public service—the legislative branch will, as the bill now stands, have practically surrendered all control of it.

Mr. President, I presume that Senators who favor this bill will say that they regard contracts for many millions of dollars, when once made by the Postmaster-General for fifteen years, to be inviolable; that the parties with whom the contracts have been made will have gone forward in good faith upon the basis of those contracts in the expenditure of large sums of money in the construction of ships, and that it would be violative of good faith on the part of the Government thereafter to cut off one of these contracts before the expiration of the time. Of course, I do not see any answer to that. It is practically consenting, so far as we can consent, that future Congresses shall be bound, not one particular Congress, but all Congresses within fifteen years, by the

legislation which we now enact virtually depriving them of any moral right, at least, to repeal it.

In that connection, Mr. President, there is another thought, which was also suggested by what the Senator from Iowa said, and that is, that there is nothing in this bill which will secure the development of trade in the particular direction where it is most needed and where there will result to us the most benefit in such development. For this reason I wish to provide by this amendment for approval of the contracts, so that contracts will be made for the establishment of new routes where it is especially desirable to develop our trade. For instance, the Senator from Iowa alluded to the trade between the United States and South America. While it is contemplated, as suggested in the report of the committee, there is nothing in this bill which will secure the development of such trade, and the colloquy which I had with the distinguished Senator from Ohio on yesterday indicated that it is not probable that there will be any such development.

I was speaking yesterday of the fact that the contracts would be made by parties who would be looking after their own interests, and who would naturally seek contracts which would be the most remunerative to them. We can all see at once that the contracts which would be the most remunerative to them would be the contracts between New York or Philadelphia or Boston and the great commercial seaports of Europe; and in reference to that the Senator from Ohio asked me whether or not I would favor such increase in the subsidy for lines which were to be engaged in the South American trade as would be an inducement to these parties not to confine their contracts to the European trade, but to divert them to the South American trade. The honorable Senator, I should conclude, plainly thereby indicated his opinion that there would be less inducement to parties under this bill to enter into contracts for the running of steamship lines between the United States and South America, and that they would naturally go in the direction where there was a greater promise of pecuniary reward to them, which would be the direction I have indicated.

Mr. HANNA. If I may interrupt the Senator, do I understand him to say that I made that statement?

Mr. BACON. I do not know whether the Senator correctly understood my statement or not. He was conversing during a part of the time I was speaking, but I certainly understood him to make the statement as I have made it to-day. If I am in error, I shall be glad to be corrected by the honorable Senator. I will repeat it, in order that I may not be misunderstood by him.

I had said, Mr. President, that when on the floor yesterday, in making an inquiry, I had engaged in a short colloquy with the Senator from Ohio and I had suggested the fact that, under this bill, the contracts which would be made would be the contracts which would cover the routes which were the most remunerative, and that none of them would be made with South America.

The Senator from Ohio asked me the question, if I recollect correctly, whether I would be willing to increase the subsidy which would relate to the establishment of lines between the United States and South America in order to effect that result. That is all I quoted the Senator as saying. I then said that the conclusion drawn from that inquiry was that—not that the Senator said it—but that the conclusion drawn from that inquiry was that there would be less inducement to establish lines between the United States and South America, because there would be less remuneration, or the promise of less pecuniary reward, and that, therefore, a larger subsidy would be needed for those particular routes in order to secure the establishment of those lines. Now, if I misrepresent the Senator in that, I shall be glad to be corrected.

Mr. HANNA. My objection is that the Senator should draw his conclusions of what was in my mind. I had no such idea at all.

Mr. BACON. That may all be so; but I quoted what the Senator said, and I said that the question——

Mr. HANNA. The Senator may draw his own conclusions from what I have said, but I am not bound to adopt them.

Mr. BACON. Certainly not; but I draw my own conclusions. I do not say that the Senator must adopt my conclusions, but I say when the Senator makes an inquiry of that kind, that conclusion is the one naturally to follow. I certainly thought the Senator had that conclusion in his mind. I see no escape from that conclusion, because, unless that conclusion is justifiable, there would be no point that I could see in the inquiry of the Senator, whether I would favor an increased subsidy to secure the establishment of lines going to that particular region.

In that connection, Mr. President, I want to say another word, which I was about to say when the Senator made the inquiry of me. The term "subsidy" has no special terror for me, and if the Senator had a bill here, or, I should say, if there was a bill pending in the Senate, which proposed to give an increased compensation for the carrying of the mails between the United States and South American ports, for instance, greater than would be paid under ordinary circumstances in order to induce the establishment of lines that would open to us that valuable trade, an increase definite and reasonable, I would not hesitate to support such a bill. It may be that some of my colleagues on this side of the Chamber would not agree with me in that particular. I am, however, opposed to bonuses which do not have that effect, and do not have that purpose, but which are intended—I say "intended," but I will change that word as it may not be understood in the way in which I use it—the effect of which will be to give compensation to those who do not need it, and the effect of which will not be to accomplish the great purpose which I think we should have in view, if such a bill is to be passed, which is to build up trade where it does not now exist.

There is no trouble, Mr. President, about trade between the United States and Europe or the carriage of freight that we have to send or to receive, and in that connection I want to call the Senate's attention to one fact in connection with the statement made here that the great English lines have been bought by Americans. Really the strongest argument against foreign ships carrying our freight is the fact that the hundreds of millions of dollars paid out for the carriage of that freight goes into the pockets of foreigners, but if those ships are owned in America that argument no longer lasts, and the hundreds of millions of dollars which have heretofore gone into English pockets, if the ships have been bought by Americans, will now go into American pockets, and there is no longer that reason for the proposed subsidy; and this is not affected by the fact that the ships purchased are under the British flag.

Mr. President, the object and purpose I had in asking the indulgence of the Senate at this time was to secure permission to put in the RECORD some very valuable tables which have been prepared, and which I think are illustrative of the character of this bill. I have not myself prepared these tables. I am not skilled in that line, even if I had the time; but they have been prepared by an able statistician, and they are prepared from records. Of course, if they are inaccurate, that inaccuracy can easily be detected.

One of the arguments against the pending ship-subsidy bill and one of the most glaring of its fundamentally unjust features is that the great bulk of the pecuniary benefits derived from it would be secured by a few of the existing fast mail and passenger steamers and their owners, and that the benefits derived by the freight-carrying boats would be comparatively insignificant. I have here the figures showing the large amount and the large proportion of the whole amount which will be received by the existing fast boats. They are easily ascertainable, and have been stated in the Senate and elsewhere repeatedly, not only in this debate, but in the press and otherwise.

The figures of the amounts that will probably be secured by the slow freight boats are not so easily ascertainable, because the number and the tonnage of these boats and the number of miles which they travel in a year can not be computed as closely as in the case of mail steamers, but for the purpose of assisting in the procurement of accurate information in regard to the figures under the general subsidy title I submit a list of the vessels carrying exports from all ports of the United States to foreign countries during certain periods of the year 1900, together with the tonnage and speed of the vessels and the nature and value of their cargoes.

I desire, however, to have a few specimens of these statistics inserted in the RECORD as part of my remarks, and for this purpose I submit the statistics of five representative ports of the United States in different sections of the country, namely, Boston, New York, Savannah, Galveston, and San Francisco. The main point to be derived from them is that the great bulk of foreign exports hitherto has gone out of the country in small and very slow boats, of which only a very small number, probably not more than 1 per cent, would be available for mail subsidy under the bill. The list will show an astonishingly large number of small craft, including many of less than 1,000 tons burden, which therefore will be unavailable for any of the subsidy under the bill.

Mr. President, I will say that anyone who will look at these tables will be surprised at the fact which I have just stated as to the very large amount of our export trade that is carried out in ships under 1,000 tons burden, and almost all of it, comparatively speaking, in vessels of not over 14 knots per hour.

Mr. PERKINS. May I ask the Senator a question?

Mr. BACON. Certainly.

Mr. PERKINS. It is quite important that we should know who is the author of these tables, as the Senator himself disclaims the authorship, and I ask whether they were prepared in the Treasury Department, where they could be verified?

Mr. BACON. No, they were not; but I am going to have them printed, and the Senator can verify them if he wishes. I have not verified them myself, and so stated in the beginning. I believe, however, that they are correct. I will state to the Senator

that I will give him the character of the tables, in order that he may judge.

Mr. PERKINS. If the Senator pleases, as to the tables which several of us have furnished, we have given the authority for them when we were not able to vouch for them ourselves. If the Senator from Georgia himself vouches for these tables as being correct, it would be perhaps impertinent or improper on my part to ask for the name of the author of them; but as they will go into the official RECORD and will be referred to hereafter, it is only proper that we should have the Senator from Georgia vouch for them or verify them or give us the name of the author.

Mr. BACON. Mr. President, I will vouch for them to the extent that I will say that I have not any doubt whatever as to their entire accuracy. I will give the Senator, in order that he may not be unduly concerned before he has an opportunity to see for himself the character of these tables, the assurance that they are not calculations of an obscure character, where figures are sometimes made to lie, but they are simply statements giving the name of the vessels, the tonnage, the speed, and, in the particular table I have before me, which relates to the carriage of wheat, the number of barrels and the value of the cargo, all of which is, of course, as the Senator knows much better than the remainder of us, obtained from records which are accessible to all, and where falsification of them could bring nothing but disgrace on the man who should attempt it.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. BACON. With pleasure.

Mr. TILLMAN. Is there a statement there as to the time within which these cargoes have left?

Mr. BACON. Yes.

Mr. TILLMAN. I just wanted to know, because there should be some limitation as to the time and the location.

Mr. BACON. There is. The heading of this particular table I have before me, for instance, reads in this way:

Table showing the amount and value of flour exported from Boston, Mass., by the different vessels engaged in the foreign trade from that port for the ten months ending October 31, 1900. (When speed is not stated, it is below 12 knots.)

That is the heading of the table. Then begins the names of the ships, beginning with the *Alecto*, and giving the tonnage, speed, cargo, and value.

I will state that the ships are arranged not with reference to the date of sailing, but are arranged alphabetically for convenience, and they are all within that period of ten months ending October 31, 1900.

Mr. TILLMAN. So that they can be verified by consulting the records in the custom-house at Boston?

Mr. BACON. Yes. The first one is the ship *Alecto;* gross tonnage, 3,607 tons; speed, 13½ knots; barrels of flour, 34,690; value, $125,716, and so on through, giving the name of every ship that is cleared from Boston during those ten months carrying these particular articles of trade.

The simplicity of the statements, reciting the name of the ship, her tonnage, her speed, what her cargo consisted of, and the value of it—I say the simplicity of those items, not involved in any occult or obscure calculation—makes the verification of them of the simplest and easiest character.

Mr. KEAN. Why can not the Senator from Georgia verify it by giving the source of his information?

Mr. BACON. Well, Mr. President, suppose the Senator from New Jersey or any other Senator here should pause to give the source of his information in every case. It is an entirely respectable source, however, and I will vouch for it. To that extent the Senator need not be afraid of it; and why should the Senators be so disturbed? They will probably be disturbed when they see the tables.

Mr. KEAN. I want to have the Senator accurate in his statement. I presume he has authority for it.

Mr. BACON. In the port of Boston there are the official records which will prove the truth of each one of these statements, and I have not the slightest hesitation in saying that I have not the least doubt of their accuracy. I state that in my place as a Senator. Does the Senator want more?

Mr. ALLISON. Mr. President, I wish the Senator would again state what is included in those tables. Do they refer to American ships only or to all ships?

Mr. BACON. All ships.

Mr. ALLISON. Sail and steam?

Mr. BACON. Yes, sir, all ships; and they show the amounts of these particular articles of production in this country—flour, corn, wheat, and other things—the purpose of the tables being to show the fact that the large bulk, almost the entire bulk, of these great products of this country are carried in slow vessels, almost all of them vessels under 14 knots in speed, and a very large proportion of these products is carried in small vessels under 1,000 tons, which would not receive any benefit from this bill if they were all American vessels. Now, certainly that is a most important fact to be shown. Of course, it is impracticable for me to read, though if Senators desire it I will not shirk the task of reading this entire list before it is printed.

Mr. KEAN. Oh, well, if the Senator will not verify what he states there is no use of his reading it.

Mr. BACON. I did not have the pleasure of hearing the Senator.

Mr. KEAN. I only said, of course if the Senator did not wish to verify the list it is not necessary to read it.

Mr. BACON. I have sufficiently informed myself to have no doubt as to the accuracy of the list, and I have stated that fact in my place as a Senator.

Mr. ALLISON. May I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. BACON. Certainly.

Mr. ALLISON. I understood the Senator to say that vessels such as are described in that paper would not receive any benefit under this bill.

Mr. BACON. A very large proportion of them would not, if they were American vessels.

Mr. ALLISON. Well, I submit to the Senator that under title 2 any vessel that can sail on the ocean and reach a foreign port would get a subsidy under that schedule.

Mr. BACON. That is true; but there is a limitation here of a thousand tons.

Mr. BERRY. Will the Senator allow me to interrupt him for a moment?

Mr. BACON. Certainly.

Mr. BERRY. I understood the Senator from Maine [Mr. FRYE] to say the other day, in answer to an interrogatory of the Senator from Iowa [Mr. ALLISON], that he would find by the bill that vessels of less than a thousand tons would get no subsidy. I so understood him.

Mr. BACON. That was my understanding.

Mr. BERRY. The Senator from Iowa says it is not in the bill.

The PRESIDENT pro tempore. The junior Senator from Maine was mistaken in that statement.

Mr. BERRY. All vessels, then, get the subsidy, without regard to their tonnage?

Mr. BACON. Well, Mr. President, there is a gradation of ships according to the different classes, and, of course, when I said that certain vessels would get no subsidy, possibly, under the present announcement the statement would be inaccurate, but it would be true that the benefits received would be very much minimized by the fact of the smaller class of ships doing a very large part of this trade. They might receive the subsidy under title 2.

Mr. CLAY. They would not receive it under the provisions in regard to mail pay.

Mr. BACON. That is the part of the bill I have before me now. They would not receive it under the first title, because that is limited, as I understand it, to vessels of 14 knots and over. Am I not correct in that?

Mr. CLAY. I think so.

Mr. BACON. It is limited to vessels of 14 knots and over.

Mr. President, it is a fact that almost the entire freight for transportation abroad is carried by ships which would be excluded from the benefits of this bill under the first title, because almost every one of them is under 14 knots and under 2,000 tons. I will not say that almost every one of them is under 2,000 tons, but a very large proportion of them are under 2,000 tons.

In this connection I desire to call attention, without going through an analysis of these various tables, to just one fact with reference to the ports of Boston, Galveston, and Savannah. The statistics of shipping for the port of Boston show that for the ten months ending October 31, 1900, among 55 steamers carrying wheat from that port to foreign ports, with cargoes valued at more than $6,000,000, only 5 out of the 55 were of 14 knots or over. From Galveston, out of 213 vessels, only 1 was of 14 knots; and from Savannah, out of 103 vessels, not a single one had a speed of 14 knots.

Those ships are evidently constructed with reference to the economical carriage of freight. They constitute, I have no doubt, the great fleet of tramps, which are the cheap freight-carrying vessels of the world, and in order to compete with them we must have vessels of a similar class, and the point of these tables is to show—not with reference to title 2, but with reference to title 1—that the great bulk of the freight that is exported from this country is exported in vessels of a class which would not get a penny under the first title of this bill, and that all of this vast sum of money, which the Senator from Maine stated after five years would amount to $4,700,000 in one year, is to go to a few favored

large, fast mail steamship lines, which at last will not carry the great commerce of the country.

Now these tables will show that if all of these ships now carrying the great products of this country from American ports to foreign ports were under American registry and otherwise entitled to make contracts, their size and speed would exclude them all from the benefits of this bill. I ask leave to insert these tables in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. The Chair hears no objection.

The tables referred to are as follows:

Table showing the amount and value of flour exported from Boston, Mass., by the different vessels engaged in foreign trade from that port for the ten months ending October 31, 1900.

[When speed is not stated, it is below 12 knots.]

Ship.	Tonnage, gross.	Speed.	Barrels.	Value.
		Knots.		
Alecto	3,607	13½	34,690	$125,716
Anglian	5,532	.....	53,794	195,949
Armenian	8,825	.....	1,442	5,225
Assyrian	4,017	.....	2,177	7,889
Banana	2,817	.....	5,585	20,240
Barnesmore	3,189	.....	27,627	100,120
Barrowmore	3,715	.....	24,057	87,182
Bohemian	8,548	14½	40	144
Bostonian	4,668	13½	59,948	217,251
Cambrian	5,626	13½	60,155	228,001
Canadian	2,911	13	1,249	4,526
Carinthia	5,598	.....	300	1,087
Cebriana	4,221	.....	11,390	41,277
Cestrian	8,823	14	16,128	58,447
Colorado	4,220	12½	5,771	20,914
Columbian	5,088	.....	7,099	25,726
Cynthiania	.....	.....	1,251	4,533
Dalton Hall	3,638	.....	3,255	11,796
Degania	3,507	.....	7,619	27,611
Devonian	10,418	.....	2,135	7,737
Exmouth	3,923	.....	2,196	7,958
Farringford	3,146	.....	4,930	17,796
Foylemore	3,153	.....	57,761	209,325
Galileo	3,008	.....	30,018	108,785
Georgian	5,088	13½	6,144	22,265
Gloriana	.....	.....	689	2,496
Heathmore	3,147	.....	37,834	137,110
Hibernian	2,997	.....	34,404	124,680
Hindoo	3,720	.....	8,971	32,510
Iago	2,400	.....	7,803	28,268
Ibernian	5,223	12	4,591	16,637
Irishman	9,510	.....	8,405	30,459
Ivernia	13,800	.....	15,522	56,251
Kansas	5,277	.....	10,049	36,417
Lancastrian	5,120	.....	13,000	47,112
Livonian	4,063	.....	13,479	48,847
Michigan	8,001	.....	9,128	33,079
Micmac	2,502	.....	1,632	5,914
New England	11,394	.....	12,481	45,231
Noranmore	5,640	.....	102,876	372,822
Norseman	9,546	.....	3,160	11,451
Norwegian	3,523	12	29,844	108,154
Oakmore	4,547	.....	9,964	36,109
Ohio	3,967	12	3,732	13,524
Ontario	4,036	12	6,801	24,646
Peruvian	3,262	.....	24,977	90,516
Philadelphia	10,795	.....	200	724
Sachem	5,204	.....	11,778	42,703
Sagamore	5,036	.....	5,628	20,395
Sardinian	4,349	12	5,000	18,120
Sarmatian	3,920	.....	6,896	24,981
Saxon King	2,923	.....	12,194	44,191
Saxonia	13,800	16	11,467	41,556
Strathnevis	3,574	.....	3,516	12,741
Sylvania	5,598	14	10,388	37,646
Teutonia	1,762	.....	23,511	85,203
Turcoman	5,609	.....	13,444	48,721
Ultonia	8,845	13	38,370	138,652
Virginian	4,195	12½	56,296	204,016
Winifredian	10,405	14½	10,664	38,646
Total	314,976	.....	996,455	3,617,958

Table showing the amount and value of wheat exported from Boston, Mass., by the different vessels engaged in foreign trade from that port for the ten months ending October 31, 1900.

Ship.	Tonnage, gross.	Speed.	Bushels.	Value.
		Knots.		
Alecto	3,607	13½	154,162	$110,688
Anglian	5,532	.....	285,133	204,725
Banana	2,817	.....	24,000	17,232
Barnesmore	3,189	.....	148,210	106,414
Barrowmore	3,715	.....	16,920	12,148
Batavia	10,250	12	40,499	29,078
Bengalia	7,689	12	47,831	34,342
Bohemian	8,548	14½	125,352	90,002
Bostonian	4,668	13½	164,226	117,914
Cambrian	5,626	13½	319,612	229,481
Canadian	2,911	13	44,691	32,088
Cebriana	4,221	.....	12,763	9,163
Cestrian	8,823	14	379,772	237,676
Colorado	4,220	12½	25,584	18,369
Columbian	5,088	.....	169,534	121,725
Degamia	3,507	.....	50,689	36,394
Devonian	10,418	.....	79,716	56,886
Etolia	3,270	.....	58,000	41,644
Exmouth	3,923	.....	40,765	29,269

Table showing the amount and value of wheat exported, etc.—Continued.

Ship.	Tonnage, gross.	Speed.	Bushels.	Value.
		Knots.		
Farringford	3,146	.....	76,575	$54,980
Foylemore	3,153	.....	78,262	56,192
Galileo	3,008	.....	94,186	38,075
Georgian	5,088	13½	190,636	136,876
Grecian	3,981	.....	32,321	23,196
Heathmore	3,147	.....	212,942	152,892
Hibernian	2,997	.....	24,000	17,232
Hindoo	3,720	.....	31,000	53,258
Iago	2,400	.....	80,000	57,440
Iberian	5,223	12	144,816	103,973
Irishman	9,510	.....	549,901	394,828
Ivernia	13,800	.....	249,144	17,888
Ixia	1,970	.....	97,502	70,006
Kansas	5,277	.....	207,007	148,631
Kara	2,338	.....	129,850	93,232
Lancastrian	5,120	.....	449,255	322,595
Livonian	4,063	.....	45,858	45,926
Michigan	8,001	.....	225,121	161,636
New England	11,394	.....	490,992	352,532
Noranmore	5,640	.....	239,827	172,185
Norseman	9,546	.....	455,503	327,051
Norwegian	3,523	12	71,957	51,665
Oakmore	4,547	.....	93,000	66,774
Peruvian	3,262	.....	102,035	73,261
Philadelphia	10,795	.....	63,901	45,880
Sachem	5,204	.....	248,103	178,137
Sagamore	5,036	.....	171,009	122,784
Saxon King	2,923	.....	87,485	62,814
Saxonia	13,800	16	348,700	250,366
Strathnevis	3,574	.....	16,000	11,488
Sylvania	5,598	14	291,109	209,016
Teutonia	1,762	.....	263,448	189,155
Turcoman	5,609	.....	635,773	455,485
Ultonia	8,845	13	457,282	328,328
Virginian	4,195	12½	215,402	154,658
Winifredian	10,405	14½	267,627	192,156
Total	303,622	.....	9,624,988	6,697,799

Table showing the amount and value of corn exported from Boston, Mass., by the different vessels engaged in foreign trade from that port for the ten months ending October 31, 1900.

Ship.	Tonnage, gross.	Speed.	Bushels.	Value.
		Knots.		
Alecto	3,607	13½	62,031	$25,246
Anglian	5,532	.....	237,721	96,752
Armenian	8,825	.....	8,556	3,482
Assyrian	4,017	.....	47,416	19,298
Banana	2,817	.....	42,719	17,386
Barnesmore	3,189	.....	102,515	41,723
Barrowmore	3,715	.....	109,872	44,717
Bengalia	7,689	12	34,209	13,923
Bohemian	8,548	14½	40,013	16,285
Bostonian	4,668	13½	156,151	63,553
Cambrian	5,626	13½	251,460	102,344
Canadian	2,911	13	111,628	45,432
Carinthia	5,598	.....	17,200	7,000
Cebriana	4,221	.....	85,714	34,885
Cestrian	8,823	14	548,615	223,286
Columbian	5,088	.....	42,892	17,457
Crathorne	2,642	.....	146,130	59,474
Cynthiania	.....	.....	68,571	27,908
Dalton Hall	3,638	.....	140,472	57,172
Degania	3,507	.....	110,486	44,967
Devonian	10,418	.....	33,835	13,770
Exmouth	3,923	.....	162,000	65,934
Foylemore	3,153	.....	137,142	55,816
Georgian	5,088	13½	190,636	136,876
Gloriana	.....	.....	85,714	34,885
Heathmore	3,147	.....	131,037	53,332
Hibernian	2,997	.....	82,918	33,747
Iago	2,400	.....	6,008	2,445
Irishman	9,510	.....	521,314	212,174
Ivernia	13,800	.....	248,735	101,235
Kansas	5,277	.....	197,228	80,271
Lady Joicey	3,194	.....	78,602	31,991
Lancastrian	5,120	.....	179,055	72,875
Michigan	8,001	.....	225,739	91,875
New England	11,394	.....	351,000	142,857
Noranmore	5,640	.....	68,066	27,702
Norseman	9,546	.....	154,178	62,750
Norwegian	3,523	12	68,535	27,893
Ontario	4,036	12	24,931	10,146
Peruvian	3,262	.....	34,257	13,942
Philadelphia	10,795	.....	8,533	3,472
Pinedone	3,206	.....	42,857	17,442
Sachem	5,204	.....	332,175	135,195
Sagamore	5,036	.....	506,288	206,059
Sardinian	4,349	12	51,429	20,931
Sarmatian	3,920	.....	24,181	9,841
Saxon King	2,923	.....	171,261	69,703
Saxonia	13,800	16	220,057	89,563
Strathnevis	3,574	.....	93,513	38,059
Sylvania	5,598	14	36,948	15,037
Teutonia	1,762	.....	287,661	117,078
Thornley	2,847	.....	105,309	42,860
Turcoman	5,609	.....	227,700	92,673
Ultonia	8,845	13	622,683	253,431
Vera	378	.....	151,727	61,752
Virginian	4,195	12½	120,554	49,065
Winifredian	10,405	14½	318,834	129,765
Total	300,536	.....	8,667,011	3,586,732

Table showing the amount and value of oats exported from Boston, Mass., by the different vessels engaged in foreign trade from that port for the ten months ending October 31, 1900.

Ship.	Tonnage, gross.	Speed.	Bushels.	Value.
		Knots.		
Anglian	5,532	12½	464,217	$104,193
Barrowmore	3,715	.....	49,863	15,058
Cambrian	5,626	13½	545,614	164,775
Cebriana	4,221	.....	50,000	15,100
Cestrian	8,823	14	218,460	65,974
Cynthiania	.....	.....	50,000	15,100
Devonian	10,418	.....	29,876	9,022
Foylemore	3,153	.....	61,113	18,456
Gloriana	.....	.....	50,000	15,100
Heathmore	3,147	.....	79,898	24,129
Ibernian	5,223	12	5,423	1,637
Irishman	9,510	.....	20,000	6,040
Ivernia	13,800	.....	79,422	23,985
Kansas	5,277	.....	20,000	6,040
Lady Joicey	3,194	.....	154,011	46,511
New England	11,394	.....	80,731	24,380
Noramore	5,640	.....	176,356	53,259
Oakmore	4,547	.....	76,237	23,023
Pinedone	3,206	.....	210,000	63,420
Saxonia	13,800	16	138,883	41,942
Thornley	2,847	.....	80,482	24,305
Ultonia	8,845	13	109,939	33,201
Virginian	4,195	12½	17,845	5,389
Winifredian	10,405	14½	29,940	9,041
Total	146,525	.....	2,798,280	809,080

Table showing the amount and value of oatmeal exported from Boston, Mass., by the different vessels engaged in foreign trade from that port, for the ten months ending October 31, 1900.

Ship.	Tonnage, gross.	Speed.	Pounds.	Value.
		Knots.		
Alecto	3,607	.....	17,500	$374
Anglian	5,532	13½	550,950	11,790
Assyrian	4,017	.....	192,500	4,119
Bostonian	4,668	13½	222,100	4,752
Cambrian	5,626	13½	2,736,400	58,558
Canadian	2,911	13	29,400	1,228
Cebriana	4,221	.....	42,000	898
Cestrian	8,823	14	218,460	65,974
Columbian	5,088	.....	469,420	10,580
Degania	3,507	.....	75,000	1,605
Heathmore	3,147	.....	16,100	344
Hibernian	2,997	.....	279,860	5,989
Iago	2,400	.....	192,500	4,119
Irishman	9,510	.....	35,000	749
Ivernia	13,800	.....	497,420	14,389
Kansas	5,277	.....	633,720	13,561
Lancastrian	5,120	.....	546,500	11,165
Michigan	8,001	.....	84,050	1,798
New England	11,394	.....	715,250	15,306
Norseman	9,546	.....	433,860	9,284
Norwegian	3,523	12	105,000	2,247
Peruvian	3,262	.....	84,000	1,797
Sachem	5,204	.....	416,550	8,914
Sagamore	5,096	.....	178,360	1,363
Saxon King	2,923	.....	142,500	3,049
Saxonia	13,800	16	723,660	17,840
Sylvania	5,598	14	296,500	8,485
Teutonia	1,762	.....	179,500	3,841
Turcoman	5,609	.....	286,400	6,128
Ultonia	8,845	13	421,940	9,029
Virginian	4,190	12½	612,950	13,117
Winifredian	10,405	14½	20,580	440
Total	189,249	.....	11,455,930	312,832

Table showing the amount and value of barley exported from Boston, Mass., by different vessels engaged in foreign trade from that port for the ten months ending October 31, 1900.

Ship.	Tonnage gross.	Speed.	Bushels.	Value.
		Knots.		
Alecto	3,607	13½	10,000	$4,740
Anglian	5,532	.....	1,033	489
Belgia	7,490	12	30,030	14,234
Cambrian	5,626	13½	20,000	9,480
Carinthia	5,598	.....	80,000	37,920
Cestrian	8,823	14	40,713	19,297
Ceylon	2,256	.....	126,586	60,001
Degania	3,507	.....	146,348	69,368
Etolia	3,270	.....	34,007	16,119
Farringford	3,146	.....	2,231	1,057
Heathmore	3,147	.....	25,000	11,850
Hibernian	2,997	.....	13,261	6,285
Irishman	9,510	.....	53,856	25,527
Kansas	5,277	.....	46,003	21,805
Sardinian	4,349	12	23,860	11,309
Teutonia	1,762	.....	83,232	41,821
Turcoman	5,609	.....	10,000	4,740
Virginian	4,190	14½	5,499	2,606
Total	85,696	.....	756,659	358,648

Tables showing the foreign exports of flour, wheat, and cotton from the port of New York during the year 1900, as compiled by the Journal of Commerce.

[Speed of vessels when not stated is below 12 knots.]

FLOUR.

Vessel.	Tonnage.	Speed.	Barrels.	Tons.	Value.
		Knots.			
Abiel Abbot	590	.....	2,425	242	$14,508
Allianca	2,985	13	5,220	518	26,993
Archimede	2,853	12½	150	15	1,200
Alleghany	2,494	.....	25,075	2,508	109,086
Alcaea	405	.....	3,164	316	12,548
Althos	.....	.....	11,977	1,197	46,506
Altai	2,480	.....	23,760	2,903	117,801
Aleppo	2,181	.....	1,150	115	4,600
Amsterdam	3,629	13	3,454	446	12,752
Auburndale	664	.....	3,820	382	23,941
Anchoria	4,168	.....	14,339	1,434	89,551
Alene	2,293	.....	18,899	1,807	69,628
Astoria	5,049	14	4,120	412	24,620
Aller	5,217	17½	350	35	1,335
Adirondack	2,167	.....	14,620	1,488	53,242
Adria	5,472	.....	3,550	355	11,634
Advance	2,604	12	4,828	270	16,671
Alamo	2,943	12	439	44	2,534
Andes	1,869	.....	6,017	639	28,083
Antilia	929	.....	10,393	1,038	34,437
Anchenarden	3,502	.....	8,198	820	38,636
Adler	1,364	.....	8,543	854	33,414
Afridi	3,648	12½	800	80	3,600
Alps	1,725	.....	8,489	848	37,288
Aspasia	525	.....	1,750	175	7,875
A. V. S. Woodruff	.....	.....	305	30	2,170
Asti	1,749	.....	2,225	223	9,950
Alice Reed	873	.....	1,095	109	4,386
Argyle	2,907	.....	8,453	845	68,350
Acacia	186	.....	72	7	298
Acanthus	2,877	.....	1,925	193	7,500
A. D. Spear	.....	.....	580	58	2,275
A. E. T. Morse	.....	.....	2,310	231	9,150
Afric	11,816	13	563	56	4,550
Agnes	404	.....	213	21	1,500
A. T. Crabtree	.....	.....	712	71	5,480
Alabama	1,427	.....	1,774	177	7,230
Alert	249	.....	730	73	3,145
Alexandria	.....	.....	1,700	170	6,500
Alsatia	2,766	.....	1,802	180	9,640
Amazoneuse	2,500	.....	6,321	632	26,666
American	8,196	.....	1,925	192	10,550
Annie Reed	747	.....	7,458	746	24,420
Annie Smith	249	.....	680	68	2,655
Arnold Luyken	1,742	.....	7,780	778	26,753
A. Sampson	2,104	15	100	10	360
Atrato	199	.....	191	19	800
Atwood	.....	.....	2,675	267	12,709
Aug. Victoria	8,479	18½	1,400	140	5,520
Barbarosse	10,769	15½	951	95	3,077
Borderer	2,983	.....	550	55	2,075
Bovic	6,583	13	150	15	675
Belvernon	1,092	.....	14,972	1,496	62,262
Buffon	2,304	.....	8,500	850	40,375
Br. Prince	7,325	13	10,100	1,010	44,010
Bellanoch	2,637	.....	3,900	390	17,902
Bratsberg	1,396	.....	777	78	2,732
Barnstable	1,356	.....	175	17	620
Basil	3,223	.....	514	51	2,554
Benedict	3,378	.....	13,984	1,399	60,326
Bertha Gray	333	.....	540	54	2,083
Bernard	3,682	.....	6,575	657	26,592
B. Peterson	.....	.....	100	10	500
Bellaggio	2,822	12	9,547	955	36,045
Break of Day	127	.....	800	80	2,900
Beverly	1,517	.....	250	25	900
Bonnie Doon	272	.....	3,279	328	11,925
Boylston	568	.....	1,200	120	6,000
Buceros	4,038	.....	50	5	200
C. A. Gilberg	.....	.....	2,200	220	7,417
Cameo	2,280	.....	2,965	297	10,784
Capri	2,037	12	28,707	2,970	108,894
Capt. Bennett	844	.....	500	50	1,870
Caracas	2,877	14	1,234	123	4,765
Carib	2,087	.....	322	32	1,014
Carribbee	1,944	.....	21,339	2,134	77,195
Cevic	8,301	13	296	29	1,157
Clara	233	.....	490	49	2,858
Carrie C. Ware	186	.....	54	5	184
Cametense	2,155	12	5,492	549	23,932
Cap. Frio	5,648	13	400	40	1,760
Castilian Prince	2,316	.....	10,200	1,020	44,295
Catania	2,861	.....	27,038	2,704	102,127
Cearense	2,704	.....	8,807	880	36,135
Charlevoix	469	.....	1,800	180	6,750
Cherokee	2,556	12	16,505	1,597	41,875
City of Washington	2,663	15	1,911	191	9,308
Coleridge	2,610	.....	3,794	379	17,670
Columbia	2,772	13	1,509	151	6,155
Congo	215	.....	1,050	105	4,050
Cufic	4,827	13	256	26	995
Curacao	1,503	14	3,012	301	11,815
Curityba	2,363	.....	170	17	680
Cymric	12,552	15	82	8	366
Cyprian Prince	1,888	.....	10,200	1,020	45,795
Château Yquem	4,211	.....	50	5	200
Cyrene	2,904	.....	1,000	100	4,210
Cuzco	3,898	15	30	3	147
Daggry	1,206	.....	1,294	129	4,201
Daisy Reed	468	.....	1,515	151	4,998
Dean	1,538	.....	1,891	189	7,410
Dominic	2,966	.....	4,744	474	20,365

Tables showing the foreign exports of flour, wheat, and cotton, etc.—Cont'd.

FLOUR—continued.

Vessel.	Tonnage.	Speed.	Barrels.	Tons.	Value.
		Knots.			
Doña María	2,539		67	7	$302
Dunstan	2,966		18,698	1,870	24,320
E. M. Williams			650	65	2,155
Eva May	158		30	3	107
E. W. Clark			4,210	421	12,963
Earl of Aberdeen	457		700	70	3,500
Eastern Prince	2,147		5,000	500	22,000
			7,150	715	32,500
E. G. Eells			775	77	3,100
Electric Light	313		1,050	105	4,362
Ella	655		2,340	234	10,075
Do	1,437		3,240	324	12,000
Emita	522		2,800	280	10,600
E. M. Willey			3,159	316	10,903
Etna	2,370		6,698	670	24,122
Ethelred	894		400	40	1,540
Eureka	1,344		1,779	178	7,376
Europa	1,041		3,407	340	14,687
Do	1,991		3,001	300	12,365
Frascati	1,836		1,520	152	6,005
Do	2,521		8,256	825	31,904
Flaxman	2,165		7,236	724	18,185
Fernfield	3,142		150	15	562
Frederica Schepp	292		28	3	107
Finance	2,603	12	249	25	1,168
Fontabelle	2,646		35,505	3,550	142,453
Friederich der Grosse	10,531	15½	100	10	658
Flora Pressy	110		187	18	794
Fluminense	2,154	12	8,359	836	35,951
Fürst Bismarck	8,430	19	500	50	2,000
Grenada	2,154		51,047	5,104	185,378
Ghazee	2,712		8,860	886	31,139
G. B. Lockhart	305		3,192	319	11,188
Georgian	5,088	13½	8,838	884	48,633
Georgic	10,077	13	15,003	1,500	91,024
Glenelg	2,553		500	50	1,955
Germanic	5,071	17	4,522	452	21,880
Gregory	2,030		12,106	1,210	52,016
Gwent	670		100	50	695
Gypsum Empress	779		600	60	2,370
Grosser Kurfürst	13,182	15½	450	45	2,111
Glenesk	3,524		500	50	953
Glenrosa	504		500	50	1,875
Glitna			5,002	500	19,902
Grangense	2,162	12	5,423	542	23,188
Grecian Prince	2,304		14,478	1,448	62,322
Glenafton	363		1,759	88	6,912
Harry Smith	520		800	80	2,860
Hansa	1,903		143	14	475
Havilah	533		300	30	1,260
Handel	1,977		11,413	1,141	45,155
Havana	5,667	17	3,690	369	13,599
Harald	851		4,770	476	20,172
Herald	500		770	77	1,725
Hevelius	2,569		9,000	900	34,825
Hesperia	2,994		100	10	420
H. Crosby	412		2,300	230	8,850
Helen M. Atwood	718		4,395	440	15,440
Herschel	1,947		500	50	2,100
Helios	1,334		100	10	500
Hildur	906		9,757	975	35,372
Hispania	1,112		4,435	444	9,597
Hogarth	2,058		1,100	110	5,390
Hilary	1,983		6,355	635	27,682
Hildebrand	1,947		5,209	521	21,685
			3,927	392	16,987
Horatio	409		555	56	2,033
Hubert	1,922		4,042	404	16,784
H. W. Lewis	305		1,854	185	4,660
Hurbert			250	25	1,081
Isaiah K. Stetson	313		1,552	155	7,760
Irene	491		3,356	335	13,664
Ida C. Southard	819		3,500	350	12,640
J. R. Bodwell	225		998	100	3,850
Jaffa			5,580	558	24,179
Jersey City	1,890		14,384	1,438	68,809
John Paul	411		1,400	140	5,250
J. G. Dean			838	84	2,516
John Bright	2,715		4,048	405	14,471
J. S. Emery	920		4,008	400	13,937
Julia Frances	183		850	85	5,890
J. P. Bartram			1,200	120	5,250
Kaiser Friederich	12,480		600	60	1,900
Kaiser Wilhelm der Grosse	14,349	22½	1,005	101	5,626
Kaffir Prince	2,228		16,750	1,675	67,114
Königin Luise	10,566		1,326	133	7,780
Kansas City	3,679	16	15,294	1,529	75,451
Kara	2,338		150	15	1,320
Kensington	8,699	14½	1,650	165	10,128
Kentucky	3,649		8,179	818	41,534
Kong Frode	954		275	27	1,120
			690	69	2,373
Kaiserin Maria Theresia	7,840	20	100	10	475
Laurentian	4,522	14	35,913	3,591	205,072
Lahn	5,351	18½	2,950	295	17,084
Lord Kelvin	3,452		1,100	110	5,690
Llandaff City	1,902		16,860	1,686	83,985
Lucania	12,952	22	1,510	151	13,560
Léon XIII	4,686	15	820	82	5,660
Lauenburg	2,156		4,704	470	18,019
Laguna	385		700	70	2,800
La Plata	3,445		7,548	755	31,917
Léon	793		1,256	126	5,305
Lizzie Chadwick	472		650	65	2,930
Linda	425		900	90	4,599

Tables showing the foreign exports of flour, wheat, and cotton, etc.—Cont'd.

FLOUR—continued.

Vessel.	Tonnage.	Speed.	Barrels.	Tons.	Value.
		Knots.			
Listo	225		1,758	176	$7,000
Liverno			11,850	1,185	46,515
Livonian	4,063		2,888	289	21,500
Lisbonense	1,657		5,565	556	25,493
L. W. Norton	510		630	63	3,150
Lord Antrim	3,079		2,560	256	5,544
Lucia Porter	332		1,400	140	4,730
L. P. Holmblad	2,134		300	30	2,400
L. G. Crosby	342		200	20	815
Lois V. Chaples	231		138	14	450
Louisiana	2,849		5,250	525	30,150
Maasdam	3,984	14½	7,024	703	21,895
Massilia	5,026	14	150	15	1,250
Mediana	2,440		40,104	4,010	153,506
Mac			16,894	1,689	152,171
Maria	3,649		2,142	214	8,328
Majestic	9,861	20	2,217	222	9,236
Marengo	2,273		8,252	825	34,807
Manhanset	2,684	11	9,299	930	88,987
Manitou	6,849	14½	21,109	2,111	103,453
Maraval	2,569		54,937	5,494	202,504
Maracaibo	1,771		15,139	1,514	71,777
Marquette	7,057	13	17,995	1,800	83,568
Mesaba	6,833	13	14,253	1,425	71,043
Mary	559		1,684	168	4,500
Maristow	3,506		2,013	201	7,962
Mannheim	3,447		50	5	225
Maling	3,075		150	15	1,320
Mt. Vernon	1,043		11,241	1,124	49,338
Melbourne	3,819		412	41	1,977
Mad. Cooney	790		1,255	125	4,135
Mario	302		250	25	598
Mamie Swan	777		995	100	3,800
Man Shipper			250	25	2,500
Maranhense	2,667		4,170	417	18,176
Marco Minghetti	2,489		200	20	1,530
Mary C. Hale	568		2,782	278	12,579
Mary E. Elys			44	4	151
Mary Sanford	480		700	70	2,800
Maud Snare	279		1,359	136	5,240
Menominee	6,919	13	16,866	1,686	85,342
Methebesec	377		1,600	160	6,560
Mexico	5,667	17	15,035	1,503	110,858
M. Gray			1,750	175	13,395
Michigan	4,982	14	28,241	2,824	156,905
Minneapolis	13,401	16	55,831	5,583	277,067
Minnehaha	13,403	16	23,941	2,394	111,650
Miramar	2,415		125	12	600
Moana	3,915		1,707	171	6,826
Montserrat	4,076		4,066	407	17,373
Morro Castle	6,004	17	1,925	192	13,140
Motley	591		700	70	2,700
Mystery	121		1,415	142	5,267
Niagara	2,265	12	5,389	539	24,852
Nasmyth	1,991		100	50	742
Navarino	338		1,500	150	6,520
Nicaragua	611		333	33	2,591
Nellie Brett	726		3,370	337	11,763
Nicolai II	2,465		1,318	132	7,850
Nomadic	5,749	13	10,719	1,072	75,395
Noordland	5,398	13	250	25	1,500
Norge	3,318		21,846	2,185	51,533
Norwegian	3,523	12	8,614	861	32,710
Nubia	5,914	14	2,480	248	10,302
Neustria	2,932		200	20	660
Oceanic	17,274	21	3,748	375	15,817
Orizaba	3,496	14	3,487	359	19,238
Olinda	2,376		12,466	1,245	84,310
Orinoco	1,864		416	42	1,591
Olbers	2,187		2,417	242	12,075
Origen	1,612		7,334	733	27,819
Olive T. Whittier	563		4,029	403	21,641
Ohio	3,967	13½	520	52	2,315
Olive Thurlow	660		2,982	298	10,867
Oranje Nassau	1,304		2,925	292	15,889
Orcadian	3,546		3,735	373	25,850
Pathan	2,709		1,360	136	7,266
Platia			100	10	360
Palatia			106	11	374
Paraense	1,697		12,398	1,239	56,808
Parran	1,943		10,457	1,045	35,552
Patricia	13,293	13½	1,276	127	5,246
Pawnee	1,798		1,072	107	5,620
Peconic	1,795		1,438	144	5,217
Peninsular	5,287	17	1,300	130	5,170
Pennsylvania	12,891	13½	3,066	306	11,513
Pretoria	3,303	13½	8,174	817	32,711
Pepe Ramirez	450		8,557	855	31,750
Picqua	1,796		8,049	805	28,703
Pinner's Point	3,921		22,046	2,204	193,335
P. F. Hendrik			3,959	396	17,903
Philadelphia	2,520	14	19,361	1,936	115,904
Prins Willem V	1,825		3,245	325	15,472
Prins Willem I	1,723		2,058	205	13,225
Prins Willem II	1,641		5,904	590	27,782
Prins Willem III	1,682		3,677	367	15,864
Prins Willem IV	1,741		3,931	393	16,287
Prinzess Irene	10,000	15½	950	95	7,779
Prins Maurits	1,310		1,375	137	6,182
P. W. Sprague			3,700	370	12,890
Potsdam	12,522	15	5,921	592	20,672
Pocasset	2,627		6,956	695	26,048
Pocahontas	2,627		2,252	225	7,473
Powhatan	2,536		1,513	151	7,811
Polycarp	2,966		10,896	1,090	47,011

Tables showing the foreign exports of flour, wheat, and cotton, etc.—Cont'd.

FLOUR—continued.

Vessel.	Tonnage.	Speed.	Barrels.	Tons.	Value.
		Knots.			
Ponce	3,503		29,979	2,998	$197,216
Potomac	3,868	12	837	83	3,155
Queen Margaret	2,678		500	50	1,952
Ragusa	1,763		23,779	2,378	89,705
Relief	230		222	22	847
Roraima	2,712		32,776	3,277	119,906
Roman Prince	1,934		14,499	1,450	69,696
Rhoda	229		255	25	895
R. F. C. Hartley			2,400	240	9,700
Rose Innes	835		1,476	147	9,841
Rotterdam	8,139	15	10,350	1,035	34,402
St. Cuthbert	4,545		105	10	517
St. Fillans			375	37	1,475
St. Dunstan	1,014		6,080	608	23,449
Salerno	2,729		5,948	595	43,626
Saale	5,220		150	15	666
St. Belvernon			746	75	3,223
St. Fontabelle			6,380	638	21,701
St. Paul	1,894		4,140	414	9,624
St. Peter	591		3,450	345	12,350
Sandsend	3,814		9,386	938	37,213
San Juan	3,503	12	28,650	2,865	181,821
Santiago	2,358	13	2,452	245	12,112
Santiago de Cuba	1,357		7,056	705	41,820
Saratoga	2,820	14	8,071	807	47,686
Sardinian	4,349	12	41,020	4,102	223,655
Sayre	735		3,972	397	12,627
Spaarndam	4,454	13½	8,455	845	25,003
Spartan Prince	3,299		50	5	220
Statendam	10,491	15	26,164	2,616	70,424
State of Nebraska	3,986		41,522	4,152	264,356
Strabo	1,959		400	40	3,200
Sarmatian	3,920		4,925	492	32,904
Servia	7,392		5,510	551	27,052
Segurança	4,033	15	4,725	472	37,008
Silvia	1,708		11,496	1,150	50,137
Seneca	2,729	14	350	35	1,360
Sunbeam	547		300	30	1,190
Syracuse	2,429		21,724	2,172	81,575
Scottish Prince	1,958		7,000	700	29,825
S. E. Douglas	90		40	4	144
Severn	466		2,255	225	8,514
Sir W. T. Lewis	3,517		500	50	4,400
Southwark	8,607	14	580	58	2,151
Sobralense	1,982		7,188	719	31,546
Sebago	307		750	75	5,400
S. P. Oliver			375	38	2,600
Talisman	1,878		62,178	6,218	229,192
Tauric	5,728	13	6,564	656	38,232
Trave	5,222	18	77	8	337
Teutonic	9,984	20	2,285	228	9,540
Texas	4,440		4,791	479	18,687
Themis	1,921		10,434	1,043	45,225
Theresa	1,787		2,737	274	9,866
Telos	391		2,379	238	8,650
Thingvalia	2,524		2,515	251	13,310
Tillie Baker	719		4,241	424	16,402
Trinidad	2,591		8,222	822	32,009
T. Towner	197		3,315	331	12,235
Tjomo	1,452		25,981	2,598	87,080
Thordis	3,736		175	17	1,400
Thomas Turnbull	1,997		125	13	500
Toronto	6,035	12	233	23	741
Trojan Prince	3,273	12	350	35	9,013
Trier	3,168	12½	248	25	1,485
Tyrian	1,039		3,790	379	15,195
Tyr	526		125	12	1,063
Turquoise	2,077		4,935	493	15,638
Uller	1,860		79,158	7,916	273,957
Umbria	8,128	20	1,175	118	5,670
Vigilancia	4,115	14	2,928	293	15,873
Victoria	3,502	14	12,584	1,258	30,295
Venus	2,267		1,050	105	3,242
Venturer	229		23	2	103
Vincenzo	3,429		2,035	203	7,166
Virginia	750		3,611	361	13,767
Victory	131		186	18	645
Wells City	1,814		18,355	1,835	90,259
Walleda	280		835	83	5,881
Wartburg			1,402	140	5,563
Westburn	3,320		50	5	489
Werra	5,012	16	209	21	1,000
Westernland	5,994	14	50	5	310
Winifred	2,456		1,325	132	5,585
Whitehall	2,776		500	50	2,000
Willard Mudgett	839		1,595	159	5,760
Wordsworth			3,000	300	11,400
Willehad	4,998	13	6	1	24
W. C. Tanner	1,034		3,694	369	16,182
Weimar	4,996	13	485	48	2,776
Werkendam			300	30	1,200
White Wings	430		1,163	116	4,048
Wm. F. Green	267		500	50	3,300
Wyneric			4,010	401	16,285
Xenia	2,583		5,025	502	14,425
Ydun	1,265		1,969	197	9,538
Yucatan	3,525	14	1,447	144	8,246
Zeta	144		150	15	676
St. Louis	11,629	21	2,760	276	13,800
New York	10,674	21	4,345	435	21,725
St. Paul	11,629	21	2,155	215	10,775
Total			2,340,652	234,065	10,465,565

Table showing the foreign exports of flour, wheat, and cotton, etc.—Cont'd.

WHEAT.

Vessel.	Tonnage.	Speed.	Bushels.	Tons.	Value.
		Knots.			
Afric	11,816	13	90,151	2,732	$70,515
Acanthus	2,877		8,915	270	8,000
Aladdin	3,082		160,148	4,853	125,000
Aragonia	5,446		50,184	1,505	37,500
Amsterdam	3,629		35,981	1,091	24,475
Aleppo	2,181		23,994	727	20,074
American	8,196	12	24,191	733	19,000
Anderson			15,960	484	12,000
Afridi	3,648	12½	25,218	764	19,450
Aggi	3,277		139,788	4,236	118,700
Anchenarden	3,502		22,206	673	18,833
Argyll	2,907		48,494	1,466	38,310
Bulgaria	10,237	12	75,351	2,283	58,500
Broadgarth	3,224		168,000	5,091	134,400
Brooklyn City	1,660		127,742	3,850	117,414
British Prince	7,325	13	96,414	2,921	77,450
Bristol City	2,511		48,365	1,434	35,189
British Queen	4,388	12	83,647	2,527	64,000
British Trader	3,424		158,669	4,760	124,954
British King	4,717	12	141,399	4,242	109,770
Bovic	6,583	13	89,061	2,671	71,294
Buffalo	4,431	13	112,283	3,403	88,285
Boston City	2,346		52,203	1,582	38,161
Borderer	2,983		421,067	12,758	325,130
B. T. Robinson	1,890		23,938	725	18,300
Bath City	2,515		1,901	58	988
Bordeaux	4,604		15,997	485	12,960
British Empire	3,146		8,088	245	5,700
British Water			24,949	756	18,600
Bremen	10,525	15½	17,842	540	11,597
Border Knight	3,730		12,943	392	10,888
C. S. Bement			19,973	605	20,935
Consuelo	5,987	12	95,040	2,879	76,660
Columbian	5,088	13½	82,531	2,347	61,963
City of Washington	2,683	15	25,918	777	24,730
Canova	4,640	12½	15,972	483	12,778
Cevic	8,301	13	407,078	12,332	336,525
Clan Urquhart	5,855	12	20,273	614	18,520
Cestrian	8,823	14	55,995	1,697	50,400
Clan Cumming	4,808	12	17,174	520	14,540
Caracas	2,877	14½	2,286	69	2,595
Cufic	4,827	13	300,895	9,117	246,106
California	3,618	12	47,951	1,450	40,248
Colorado	4,235	12½	73,364	2,194	58,900
Columbia	1,145		31,545	955	22,734
Critic	2,601		249,511	7,558	208,749
Caledonian	4,986	13	145,558	4,410	120,334
Cheronea	3,189		7,981	242	6,200
Chicago City	2,324		56,659	1,702	44,159
Craigearn	3,013		56,203	1,703	43,746
Château Yquem	4,211		4,020	122	3,175
Cleveland	2,063		60,000	1,818	46,000
Christiania	2,811		36,979	1,119	27,200
Dunblane	3,746		83,693	718	20,800
Doña Maria	2,539		148,823	4,507	117,880
Doña Amelia	2,688		52,000	1,576	41,600
Europe	5,302	13	177,572	5,326	132,605
Ethiopia	4,005	13	7,426	223	6,200
Exeter City	2,140		136,277	4,087	110,380
Elwy	804		26,963	808	27,500
Erna	1,530		51,426	1,543	42,500
Falco	2,159		76,608	2,321	61,100
Fernfield	3,142		129,000	3,909	103,200
Fillans			16,000	484	12,000
Friesland	6,824	15	126,721	3,839	98,660
Furnessia	5,495	15	55,871	1,683	47,000
F. Nansen	3,275		15,985	480	13,750
Frieda	1,528		2,801	84	2,600
Georgian	5,088	13½	120,937	3,849	96,276
Georgic	10,077	13	280,342	8,422	242,950
Georgia	3,143		140,816	4,224	113,285
Galileo	3,008		24,000	720	18,000
Gardenia	1,898		42,798	1,284	40,655
Garlands	2,084		27,970	839	20,000
Gladiolus	1,925		92,461	2,774	69,345
Hindoo	3,720		87,833	2,635	69,920
H. H. Meier	5,140	13½	7,673	230	5,606
Hekla	3,225		15,039	452	12,550
Honiton	2,454		20,000	606	16,000
Henrietta H.	2,192		50,160	1,504	38,000
Homer	2,585		15,940	478	12,500
Hispania	1,112		16,241	489	13,300
Iberian	5,223	12	23,997	727	18,240
Isel Holme			4,043	122	3,525
Island	2,813		7,910	237	7,350
Ivernia	13,800	16	64,830	1,945	47,200
Inchulva	4,823		11,993	360	9,818
Jersey City	1,890		79,560	2,387	63,058
John Bright	2,715		15,913	481	12,506
Kentucky	3,649		8,000	242	7,000
Kansas City	3,679	16	125,002	3,760	100,737
Kensington	8,699	14	376,917	9,862	255,475
Kurrachee	3,602		26,559	797	23,795
Laurentian	4,522	14	24,017	727	21,800
Léon XIII	4,686	15	15,993	484	12,100
Lord Antrim	3,079		11,100	336	9,650
Lord Kelvin	3,452		11,995	359	9,400
Llandaff City	1,902		120,426	3,612	97,938
Lady Armstrong	3,219		15,604	467	13,050
Lindisfarne	3,030		7,926	238	6,200
Livonian	4,063		15,990	480	12,312
Manhasset	2,684	11	211,095	6,364	172,043
Marquette	7,057	13	138,400	4,164	106,983
Massapequa	3,026	11	7,986	242	5,900
Micmac	2,502		114,706	3,475	99,500

Tables showing the foreign exports of flour, wheat, and cotton, etc.—Cont'd.

WHEAT—continued.

Vessel.	Tonnage.	Speed.	Bushels.	Tons.	Value.
		Knots.			
Montserrat	4,076		15,943	482	$12,000
Marengo	2,273		72,637	2,192	55,810
Manitou	6,849	13	113,412	2,219	88,197
Minnehaha	13,403	16	167,437	5,073	135,555
Martello	3,721		107,826	3,244	90,095
Mesaba	6,833	15	167,084	5,020	137,325
Michigan	13,000	14	248,288	7,473	195,547
Minneapolis	13,401	16	23,992	727	18,075
Menominee	6,919		79,564	2,386	69,551
Matthew Bedlington	2,141		110,000	3,333	83,050
Margaret Jones	2,852		100,000	3,030	85,000
Miramar	2,415		16,091	482	14,720
Massilia	5,026		53,492	1,604	40,119
Maria	3,649		16,416	492	13,930
Maasdam	3,984	14½	5,031	151	3,150
Nomadic	5,749	13	119,955	3,635	103,780
Nubia	5,914	14	33,495	1,009	26,873
Noordland	5,398	13	158,752	3,771	123,525
Norge	3,318		47,882	1,448	41,330
North Anglia	2,081		92,650	2,779	76,500
Nanny	1,003		48,354	1,450	37,000
Ontario	4,036		128,402	3,851	105,060
Ohio	3,967	13½	39,969	1,201	33,725
Oevenum	3,208		115,065	3,453	87,875
Philadelphia	2,520	14	82,171	2,498	61,128
Peninsular	5,287	17	300,030	9,090	239,150
Pinner's Point	3,921		185,462	5,619	157,140
Potsdam	12,522	15	15,995	485	11,996
Paisley	1,047		77,904	2,352	59,532
Patria	4,053		22,572	667	19,500
Parish Castle			16,000	480	11,900
Pennsylvania	12,891	13½	23,927	718	18,000
Phœnicia	6,761		66,647	2,007	52,235
Rotterdam	8,139	15	161,774	4,871	105,100
Riverton	3,460		11,989	364	10,145
Robina	2,058		73,568	2,207	59,400
Redruth	2,374		109,296	3,279	95,950
Robt. Harrowing	2,069		16,182	465	12,950
Sofia Brailli	2,694		15,773	477	11,975
St. Cuthbert	4,545		124,501	3,755	95,400
Southwark	8,607	14	436,716	33,204	341,969
State of Nebraska	3,986		31,955	958	26,500
Spaarndam	4,454	13½	11,939	358	9,325
St. Fillans			32,077	962	25,000
Statendam	10,491	15	100,645	2,940	80,177
Sardinian	4,349	12	32,226	967	27,169
Salerno	2,729		79,471	9,013	65,307
Susquehanna	3,711		11,986	359	9,319
Spartan Prince	3,299		28,425	861	21,300
Saale	5,267		15,999	485	12,200
St. Dunstan	1,014		12,968	394	11,193
San Antonio	375		2,000	61	1,540
Sarmatian	3,920		2,570	77	1,920
Sollube	2,907		132,000	4,000	103,000
Toronto	6,035	12	63,989	1,940	50,052
Trojan	3,668		8,000	242	7,000
Trojan Prince	3,273	12	4,000	121	3,000
Turkestan	3,204	13	148,600	4,503	124,136
Tille Baker	719		15,664	475	14,500
Tauric	5,728	13	80,915	2,451	65,200
Tjomo	1,452		39,990	1,212	31,465
Turret Court	1,879		77,000	2,333	58,000
Thornhill	3,231		8,327	250	66,663
Thos. Turnbull	1,974		39,980	1,212	32,000
Turret Crown	1,827		27,841	835	21,400
Thos. Anderson	2,533		35,000	1,060	28,000
Vaderland	11,899	16	95,807	2,902	72,300
Victoria	6,527	17	22,447	676	19,586
Vincenzo	3,439		20,115	610	16,050
Winifred	2,794		155,381	4,708	126,100
Venus	2,267		8,024	240	6,600
Westernland	5,994	14	202,530	7,120	162,850
Whitehall	2,776		96,214	2,883	76,150
Wells City	1,814		72,005	2,178	48,789
Zampa	2,364		130,039	3,901	104,000
Total	626,459		13,239,686	403,185	10,622,297

COTTON.

Vessel.	Tonnage.	Speed.	Bales.	Tons.	Value.
		Knots.			
Archemede	2,853	12½	4,567	1,141	$164,815
Aleppo	2,181		243	61	12,210
Aller	5,217	17½	10,633	2,695	292,318
Alex. Bixio	2,175		1,785	446	75,340
American	8,196	12	4,257	1,064	223,183
Anchenarden	3,502		6	1	250
Afridi	3,648	12½	389	97	20,663
Ameranth	2,691		3	1	130
Ardendearg	3,218		1,900	475	71,800
Aragonia	5,446		602	150	28,106
Abergeldie	3,777		50	12	2,555
Addington	1,613		64	16	2,090
Afghanistan	3,427		1,106	276	51,100
Afric	11,816	13	762	191	34,900
Aker	2,964		537	134	13,900
Alexandria	525		600	150	27,925
Alsatia	2,766		437	109	22,797
Amazonense	2,500		123	31	3,840
Arkansas	3,535		1,120	280	47,900
Barbarossa	10,769	15½	9,301	2,325	292,092

Tables showing the foreign exports of flour, wheat, and cotton, etc.—Cont'd.

COTTON—continued.

Vessel.	Tonnage.	Speed.	Bales.	Tons.	Value.
		Knots.			
Borderer	2,983		250	62	$10,000
British King	4,717	12	3,232	808	124,719
Bovic	6,583	13	10,425	2,606	552,679
Bulgaria	10,237	12	1,642	410	80,409
British Trader	3,424		1,766	441	67,814
Buffalo	4,431	13	6,666	1,666	332,065
Belgravia	10,200	12	1,773	443	99,053
British Queen	4,388	12	842	210	43,952
British Prince	7,325	13	4,335	1,099	234,600
Bolivia	2,614	12	2,231	558	93,928
Biela	2,182		1,858	464	86,754
Bellanoch	2,637		1,423	356	91,205
Bremen	10,525	15½	7,884	1,971	295,970
Braidale			632	158	5,524
British Empire	3,146		950	238	43,575
Batavia	10,250	12	312	78	10,125
Beltor	3,188		200	50	4,675
Bellarden	5,715		1,335	334	67,233
Bellagio	2,822	12	215	54	7,598
British Water			99	25	4,016
Brittannic	1,122		1,138	284	37,555
Bjorgvin	2,792		75	19	2,200
Bordeaux	4,604		851	213	42,450
Buceros	4,038		106	26	5,275
California	3,616	12	990	247	44,833
Caledonian	4,986	13	3,285	821	165,557
Campania	12,950	22	60	15	941
Caprivi	2,932		242	60	7,621
Caracas	2,877	14½	157	39	7,237
Canova	4,640	12½	868	217	40,900
Caribbee	1,944		3	1	150
Casos	2,240		2,962	741	126,952
Cevic	8,201	13	38,261	9,565	1,533,451
Cam	3,022		500	125	15,397
Canadian	2,911		1,338	334	73,583
Calderon	4,074	13	4,039	1,010	201,950
Cape Frio	5,648	13	202	50	1,044
Cataluna	3,785		360	90	1,800
Cavour	1,429		479	120	19,160
Cervantes	4,640	13	1,179	295	47,160
Cestrian	8,823	14	2,103	526	107,892
Cheronea	3,189		263	66	7,400
Christiania	2,811		942	235	32,256
Columbian	5,088	13½	2,709	677	135,760
Colorado	4,235		4,932	1,233	222,959
Columbia	1,145		439	110	19,755
Consuelo	5,987	12	2,265	656	141,564
			298	74	15,615
Cufic	4,827	13	6,042	1,510	257,688
Cymric	12,647	15	8,740	2,185	368,386
Darmstadt	5,012	13	6,198	1,549	153,173
Doña Amelia	2,688		1,000	250	49,240
Doña María	2,539		1,500	375	63,200
Ems	4,912		13,664	3,416	393,689
European	8,194	12	1,300	325	50,800
Europe	5,302	13	22	5	1,072
Etruria	8,120	20	57	14	761
Eros	1,843		2,391	598	83,750
Flaxman	2,165		1,567	392	68,195
Frieda	2,072		401	100	12,647
Fillans			212	53	13,062
Friederich der Grosse	10,531	15½	15,725	3,931	675,470
Forest Castle	2,788		424	106	11,325
Fortuna	2,994		400	100	11,260
Florida	1,071		2,384	596	109,990
Flowergate	1,976		1,207	302	38,525
Fournel	2,187		94	23	3,700
Friesland	6,824	15	1,077	269	55,784
Graf Waldersee	13,148	13½	4,721	1,180	208,431
Galileo	2,263		1,145	286	50,854
Georgian	5,088	13½	2,565	641	104,520
Georgic	10,077	13	48,439	12,110	2,066,885
Germanic	5,071	17	1,242	310	47,088
Gymeric	4,002		400	100	19,743
Grosser Kurfürst	13,182	15½	15,920	3,980	582,466
Grangense	2,162	12	1,505	376	52,771
Gregory	2,030		300	75	14,641
Germanic	1,310		58	14	4,786
Georgia	3,143		10,033	2,508	513,040
Hekla	3,225		650	162	23,750
H. H. Meier	5,140	13½	7,090		248,628
Hesperia	2,994		3,265	816	112,231
Herschel	1,947		862	215	34,080
Hindoo	3,720		1,617	404	73,314
Hispania	2,587		195	49	7,042
Hogarth	2,058	14	1,995	499	67,041
Honiton	2,454		300	75	9,700
Holbein	2,050		702	175	33,248
Homer Ramsdell	941		725	181	36,540
Horrox	1,707		1,859	465	78,078
Inoravelli			73	18	3,650
Inca	3,027		782	195	28,171
Island	2,813		173	43	7,800
Ivernia	13,800	16	3,333	833	162,400
Iberian	5,223	12	1,966	491	98,320
Inchdune	4,078		100	25	5,000
Indrani	4,994		2,300	575	96,000
Java	3,472		1,219	305	43,100
Kensington	8,699	14	3,226	806	158,241
Kaiser Frederick	12,483		5	1	185
Kaiser Wilhelm der Grosse	14,349	22½	874	218	15,353
Kaiser Wilhelm II	6,661	23½	9,849	2,462	250,537
Königin Luise	10,566	15½	9,684	2,421	299,030
Karamania	3,148		701	175	5,563
Kentucky	3,649		4,131	1,033	175,191

Tables showing the foreign exports of flour, wheat, and cotton, etc.—Cont'd.

COTTON—continued.

Vessel.	Tonnage.	Speed.	Bales.	Tons.	Value.
		Knots.			
Khaliff	3,508		100	25	$5,000
Kvarven	2,463		43	11	720
Lahn	5,351	18½	1,488	372	41,180
Lucania	12,952	22	89	22	1,112
La Bretagne	7,112	17½	827	207	33,840
La Champagne	7,087	17½	3,260	815	102,404
Lady Armstrong	3,219		500	125	23,683
La Gascogne	7,395	17½	506	127	40,740
Leon XIII	4,686	15	4,767	1,192	225,611
La Touraine	8,893	19	948	237	40,145
L'Aquitaine	8,810	19	1,582	395	76,115
La Normandie	6,283	16½	303	76	24,916
Laura	2,795		275	69	10,285
Leven	2,328		839	210	25,500
Linda	290		1,052	263	49,718
Lovstakken	3,105		153	38	4,500
Maasdam	3,984	14½	39	10	1,755
Manilla	3,910	13	3,116	779	143,439
Majestic	9,861	20	54	5	757
Marengo	2,273		300	75	6,396
Massapequa	3,026	11	1,156	289	46,240
Maskelyne	2,605		1,452	363	68,500
Martello	3,721		1,340	335	60,849
Mainz	3,204		474	118	15,662
Man Shipper			1,754	438	81,438
Marco Minghetti	2,489		1,616	404	57,339
Michigan	13,000	14	1,571	393	69,710
Minneapolis	13,401	16	1,340	335	54,180
Minnehaha	13,403	16	910	227	49,800
Miramar	2,415		183	46	8,100
Montserrat	4,076		1,350	337	31,620
Mozart	1,994		593	148	23,593
Munchen	4,536	13	374	94	18,500
Nasmyth	1,991		1,046	261	50,685
Nicolai II	2,455		355	89	15,975
Nomadic	5,749	13	5,001	1,250	242,500
Noordland	5,398	13	2,048	512	57,182
Norge	3,318		275	69	13,300
Nubia	5,914	14	200	50	8,604
Oceanic	17,274	21	72	18	1,401
Oevenum	2,298		600	150	30,000
Orizaba	3,496	14	50	12	2,900
Olbers	2,187		482	120	12,400
Ontario	4,036	12	3,751	938	139,908
Ohio	4,967	13	6,675	1,669	289,443
Pathan	2,709		417	104	18,414
Parish Castle			371	93	18,568
Panillac			300	75	12,000
Palatia			2,041	510	58,434
Patricia	13,293	13½	2,425	606	106,043
Prinzess Irene	10,000	15½	2,887	722	93,872
Pawnee	1,798		1,791	448	64,800
Peconic	1,795		2,691	673	94,115
Peninsular	5,287	17	78	20	3,700
Pennsylvania	12,891	13½	7,702	1,925	262,244
Pretoria	3,303	13	1,574	393	66,562
Picqua	1,796		1,659	415	57,010
Philadelphia	2,520	14	3,090	772	153,871
P. R. Luipold	6,288		570	142	9,233
Potsdam	12,522	15	383	96	10,150
Phoenicia	6,761	12½	4,156	1,039	203,352
Pocasset	2,627		2,086	521	78,600
Pocahontas	2,627		2,726	681	100,086
Powhattan	2,536		1,670	417	58,150
Pontiac	1,698		1,799	450	69,085
Regulus	1,367		356	90	11,332
Rheim	10,000	13½	4,876	1,219	141,200
Robt. Harrowing	2,069		36	9	1,054
Roraima	2,712		3	1	154
Roman Prince	1,934		1,223	306	68,419
Riverton	3,460		775	194	25,209
Royalist	3,188		2,268	567	107,323
Rotterdam	8,139	15	306	76	12,770
St. Cuthbert	4,545		3,427	857	173,079
St. Fillans			379	95	16,277
Saale	5,267		4,553	1,138	158,925
Spartan Prince	3,209		2,118	530	41,542
Sandfield	2,009		140	35	5,656
Sempione	3,149		2,048	512	65,939
Spaarndam	4,454	13½	510	127	17,485
Statendam	10,491	15	175	44	7,461
Strabo	1,959		1,013	253	40,620
Samartian	3,920		900	225	35,500
Servia	7,392	16½	2,256		116,145
Specialist	2,844		996		48,726
Sir W. T. Lewis	3,517		648	162	19,820
Southwark	8,607	14	3,561	890	163,945
Sollube	2,907		200	50	9,681
Tartar Prince	3,272	12	2,853	713	102,033
Tauric	5,728	13	3,173	793	129,440
Trave	5,222	18	6,209	1,552	164,525
Teutonic	9,984	20	285	71	10,472
Texas	4,440		1,308	327	53,820
Theresa Heyman	2,393		719	180	20,125
Thingvalla	2,524		50	12	2,400
Thordis	3,736		500	125	14,471
Thomas Turnbull	1,974		296	74	11,840
Toronto	6,035	12	5,543	1,386	268,165
Trojan Prince	3,273	12	2,268	567	61,804
Trier	3,168	12½	1,485	371	28,270
Turret Chief	1,881		1,486	371	65,584
Umbria	8,128	20	44	11	538
Vaderland	11,899	16	100	25	4,904
Vincenzo Florio	2,840	12½	1,353	338	42,342
Victoria	3,502	14	2,488	622	70,644

Tables showing the foreign exports of flour, wheat, and cotton, etc.—Cont'd.

COTTON—continued.

Ship.	Tonnage.	Speed.	Bales.	Tons.	Value.
		Knots.			
Vienna	4,170		985	246	$39,400
Winifred	2,794		125	31	4,550
Werra	5,012	16	10,265	2,566	247,852
Westernland	5,994	14	3,870	967	195,701
Willehad	4,998	13	1,855	464	35,615
Weimen	4,996		4,193	1,048	111,766
Xenia	2,583		300	75	15,300
Total			546,205	136,551	22,583,047

The following table gives the name, tonnage, and speed, when above 12 knots, of vessels carrying cotton exports from Savannah, Ga., during the calendar year 1900, together with the amount and value of cotton carried by each. All the vessels given below are steamers:

Ship.	Tonnage, gross.	Speed.	Bales.	Value.
		Knots.		
Abana	4,177		9,248	$427,646
Abbazia	2,913		4,500	168,210
Ailswald	2,921		7,100	267,847
Aislaby	2,692		6,900	339,019
Aldersgate	3,076		7,729	374,733
Alf	3,078		6,066	255,924
Alton	3,347		9,446	399,762
Angers			8,493	305,572
Ardova	3,139		14,630	745,744
Arion	2,838		5,985	311,381
Armenia	2,330		5,293	253,987
Asama	4,205		11,900	568,265
Ashby	1,947		4,925	236,395
Asia	3,228		11,777	411,526
Axminster	1,905		10,450	537,225
Barry	2,221		4,600	212,373
Barlby	2,489		5,850	270,614
Blakemoor	1,702		4,770	233,481
Blanefield	3,411		15,124	706,380
Bogstad	3,058		12,050	535,275
Branham	1,978		5,295	279,228
Breckfield	3,088		8,454	450,370
Buckminster	2,025		6,200	219,127
Cairunnona	1,766		4,431	205,178
Carperby	2,104		4,683	218,022
City of Gloucester	2,423		7,052	334,338
Crathorne	2,642		7,251	380,101
Cunaxa	3,125		7,746	921,029
Cycle	3,411		10,742	553,499
Darlington	2,523		5,150	283,090
Dauntless	2,157		4,304	172,492
Dean	1,538		3,650	181,898
Dora	2,290		4,915	201,931
Elfie	1,927		5,301	275,018
Elton	2,461		5,330	292,820
Ettricdale	3,775		11,405	592,326
Empress	2,918		6,665	366,697
Falladon Hall	3,389		4,850	242,493
Florence Pile	3,358		11,331	427,500
Geo. Fleming	3,448		18,088	770,688
Glenwood	1,972		4,487	188,027
Hedwig	831		7,302	392,943
Highfield	2,602		6,350	326,932
Homewood	2,024		6,975	249,174
Howick	3,712		11,253	602,967
Hurworth	2,372		12,521	594,061
Imaum	4,129	12	10,000	554,549
Isle of Kent	3,038		8,103	389,399
Jessie	2,256		6,787	354,827
June	1,302		6,581	316,231
Kirkdy	3,034		10,350	425,073
Keordistan	2,740		6,120	328,471
Labaum	3,555		36,129	1,560,047
Laura	2,795		9,324	460,602
Laurelwood	2,485		6,500	286,298
Lealta	4,069		11,025	520,045
Leven	2,328		14,605	672,547
Linda	2,424		7,550	301,020
Livland			6,258	292,279
Londesborough	3,071		6,239	252,338
Mandalay	1,731		3,183	145,413
Manin	896		7,409	364,704
Marcotis			8,150	379,266
March	2,006		4,100	165,826
Masconome	4,183		10,829	574,119
Mayfield	2,632		2,358	119,573
Melbridge	2,868		5,420	208,751
Moorby	2,606		5,992	257,023
Newby	2,168		6,747	323,370
Newstead	2,836		6,453	279,276
Nitocris	2,669		7,320	269,280
Nor	2,158		2,999	136,996
Olaf Kyrre	3,063		5,640	247,954
Ormesby	2,813		6,701	333,579
Platea	3,169		4,754	237,901
Polana	2,933		6,194	236,025
Puritan	4,042		9,755	473,022
Pydna	2,868		16,817	801,939
Ramleh	1,666		6,550	334,790
Rathe	4,246		11,499	552,275
Roxby	3,043		2,650	142,301
Rydal Holme	1,941		3,212	136,607
Silverdale	2,716		4,559	215,762
Skyros	2,634		5,327	225,797

Table giving the name, tonnage, and speed, etc.—Continued.

Ship.	Tonnage, gross.	Speed.	Bales.	Value.
		Knots.		
Springwell	3,030		6,142	$282,859
St. Quentin	3,365		24,513	1,180,301
Swainby	1,675		6,208	225,644
Talbot	1,581		7,850	375,644
Tanagra	3,317		9,123	433,807
Teresa	3,869		9,260	396,831
Tergeste	2,412		7,150	322,096
Therapia	3,123		5,916	282,767
Thornaby	1,730		5,510	365,419
Thornley	2,847		6,464	314,008
Treasury	2,956		8,441	444,510
Tresco	2,595		3,500	187,294
Uplands	2,275		8,335	312,990
Ursula Bright	3,407		10,200	536,872
Vala	2,536		6,757	351,372
Wastewater	2,802		15,743	769,163
Winchester	3,237		5,202	190,803
Winnie	2,532		6,695	282,695
Yestor	2,582		10,913	530,420
Total	279,280		827,088	38,943,740

The following table gives the name, tonnage, and speed, when above 12 knots, of all vessels carrying exports of cotton from Galveston, Tex., during the year ending December 31, 1900, together with the amount and value of cotton carried by each:

Ship.	Tonnage, gross.	Speed.	Bales.	Value.
		Knots.		
Abbey Holme	3,105		8,461	$390,192
Acis	3,149		3,092	152,581
Adalia	3,847		2,727	84,852
Afghanistan	3,427		750	35,507
Ainsdale	2,249		6,927	318,564
Alava	627		4,312	217,169
Almond Branch	3,464		3,751	188,749
Alnmers	3,252		10,569	501,402
Alton	3,347		9,650	474,121
Angola	4,307		16,400	787,552
Angsarth			5,450	284,066
Arnage	2,521		9,087	481,525
Atlas	3,090		1,756	81,084
Basil	3,223		17,150	807,438
Basuto	2,742	12	18,700	811,464
Benedict	3,378		6,500	349,235
Bernard	3,682		8,807	380,331
Bernard Hall	3,023		6,393	304,946
Bernicia	3,355		991	46,571
Bolton Hall	3,595		10,250	525,280
Borkum	5,350		11,071	507,496
Caithness	3,503		2,989	131,219
Canadia	2,404		2,963	147,130
Cape Colonna	2,787		1,331	66,575
Cape Corrientes	2,600		1,551	73,555
Capella	3,193	12	7,300	282,935
Castano	3,833		9,929	509,792
Cayo Largo	3,431		8,000	410,750
Celtic Princess	3,603		11,593	529,600
Cento	2,239		10,000	471,625
Chancellor	4,637		10,100	505,190
Columbia	825		2,805	134,452
Comino	2,761		10,405	504,789
Coningsby	3,356		1,000	49,500
Consols	3,493		17,704	904,220
Corby Castle	3,609		5,084	250,927
Cunaxa	3,125		178	6,751
Dargai	3,552		9,147	438,565
Demstar			3,324	150,847
Dictator	571		11,075	524,609
Dinomore	3,063		7,500	295,082
Dominic	2,966		5,083	253,500
Dunmore Head	2,293		2,283	116,808
Electrician	2,924		5,350	241,060
Elswick Lodge	3,558		9,950	487,213
Emma	2,893		8,453	375,962
Empress	2,918		250	10,307
Endeavour	2,159		1,252	50,237
Eric	2,768		9,677	466,893
Ethelreda	2,159		8,800	413,960
Euskaro	2,472	12	4,588	472,010
Farnham	3,102		13,750	676,616
Fashoda	2,786		9,100	467,136
Forest Holme	2,407		2,079	87,424
Freshfield	2,730		7,253	370,087
Gaditano	2,772	12	6,811	336,165
Germania	2,919		585	23,060
Glenroy	2,755		8,932	412,156
Golden Cross	3,014		2,028	100,076
Haddon Hall	1,451		621	27,976
Halle	3,960	12½	17,324	537,474
Harentires			11,400	537,474
Hornby Castle	3,712		7,951	410,887
Heligoland	5,908		17,206	836,845
Hemisphere	3,486		25,687	1,185,714
Hibernia	2,418		2,882	134,826
Highington			6,108	247,431
Hilarius	3,261		9,600	468,000
Holmes			5,560	271,640
Holmfield	2,321		250	12,587
Holywell	3,300		10,500	497,371
Honorius	3,476	12½	11,500	584,487
Horatio	409		14,500	730,075

Table giving name, tonnage, and speed, etc.—Continued.

Ship.	Tonnage, gross.	Speed.	Bales.	Value.
		Knots.		
Horatius	3,552		10,500	$502,200
Horsa	2,949		1,300	63,450
Hostilius	3,325		11,050	568,268
Howick Hall	3,712		9,500	370,387
Huntcliffe	3,120		93	5,315
Hutton	3,597		5,800	223,021
Hydaspes	5,658	14	20,689	1,049,396
Hydra	820		5,000	253,292
Hylas	4,233	12	15,500	801,432
Ida	2,564		11,010	465,231
Idar	3,959		9,900	488,627
Indrani	3,584		14,478	739,722
Induna	4,426		13,000	688,901
Inishowen Head	3,050		5,750	275,506
Irada	8,119	13½	53,988	2,750,959
Iran	6,250	12	37,080	1,804,504
Istrar	4,582	12	12,157	573,140
Jarlsberg	3,023		6,750	339,863
Jno. Sanderson	3,274		750	36,328
Joseph Merryweather	2,144		1,815	88,379
Kelvingrove	3,092		8,862	443,266
Kendal Castle	2,885		3,479	174,851
Khartoum	3,020		2,940	117,743
Khio	2,431		2,725	123,594
Knaresboro	3,101		6,812	338,471
Lady Joicey	3,194		8,910	456,075
Langham	2,748		6,600	312,000
Laughrigg Holme			2,079	87,424
Leconfield			6,938	310,843
Leuctra	3,027		8,449	342,313
Llansannor	3,568		476	21,122
Lugano	3,788		16,990	777,478
Madrilena	3,115	12	21,451	1,023,156
Malin Head	3,467	12	7,950	384,723
Manningtry	2,845		8,064	302,385
Mantinea	2,732		7,500	395,977
Maranhense	2,767		5,131	249,848
Maria	2,164		7,909	365,917
Maria Rickmers			7,033	290,389
Marie Elsie	2,606		933	46,667
Maritime	2,835		8,300	335,813
Middleham Castle	3,062		14,859	642,120
Mineola	4,860		8,300	399,644
Minterne	2,823		1,488	68,121
Mira	3,779		14,004	690,961
Moorgate	3,201		8,000	318,000
Mountby	3,263		2,300	119,973
Navigator	2,571	12	10,997	548,941
Neptune	3,366		9,550	491,102
Nicete	2,811		14,207	665,382
Nordfarer	3,744		12,300	476,701
Nordhavet	3,338		3,300	165,669
Nordcap	2,066		900	46,673
Norna	2,242		893	47,330
Wilberforce	3,074		3,816	79,914
Wileysike	2,501		255	5,500
Woodbridge	2,605		3,910	75,250
Woodleigh	2,664		1,685	35,406
Zampa	2,364		3,380	70,960
Zylpha	2,918		2,852	59,892
Total	390,600		230,857	5,007,362

The following table gives the name, tonnage, and speed, when above 12 knots, of all vessels carrying exports of cotton-seed oil from Galveston, Tex., during the year ending December 31, 1900, together with the amount and value of cotton-seed oil carried by each:

Ship.	Tonnage, gross.	Speed.	Gallons.	Value.
		Knots.		
Atlas	3,090		5,200	$1,400
Banana	2,817		410,800	143,780
Canadia	2,404		40,030	14,017
Coningsby	3,356		30,000	10,000
Cunaxa	3,125		75,500	22,650
Empress	2,918		2,120	30,740
Fernmoor	3,098		725,000	225,000
Germania	2,919		192,400	51,800
Golden Cross	3,014		125,000	43,750
Holmfield	2,321		147,628	44,288
Ida	2,564		5,000	1,750
Ilia	767		213,252	74,637
Jno. Sanderson	3,274		30,600	10,251
Khartoum	3,020		278,200	83,460
Mexicano	1,973		1,036,477	312,849
Minterne	2,823		200,000	70,000
Peerless	3,112		165,896	58,063
Phoebe	2,754		130,000	45,500
Rosefield	3,089		404,950	141,732
Serra	2,294		26,000	8,100
Sliedrecht	1,832		199,108	57,435
Sobraon	2,385		273,000	73,500
Sofia Brailli	2,694		572,475	200,366
Therapia	3,123		17,400	6,040
Thomas Hoyman			65,450	19,935
Tervose	3,112		5,200	1,560
Volage	2,724		144,040	48,253
Westgate	2,773		84,240	28,980
Total	73,277		5,605,989	1,829,838

The following table gives the name, tonnage, and speed, when above 12 knots, of all vessels carrying exports of wheat from Galveston, Tex., during the year ending December 31, 1900, together with the amount and value of wheat carried by each:

Ship.	Tonnage, gross.	Speed.	Bushels.	Value.
		Knots.		
Adalia	3,847		88,000	$61,600
Angsarth			78,000	56,632
Anselma de Larrinaga	4,094		213,582	147,372
Arnage	2,521		24,000	15,840
Athena	3,427		146,348	109,761
Atlas	3,090		40,000	30,000
Bastak Bat			103,000	75,975
Benedict	3,378		152,476	111,482
Bernard	3,682		168,000	120,960
Bernard Hall	2,601		26,250	19,688
Blue Cross	3,028		128,000	96,000
Borkum	5,352		236,000	169,000
Buckfield			146,000	102,230
Caithness	3,503		226,960	151,944
Canadia	2,404		139,680	92,189
Cape Colonna	2,789		38,440	25,397
Cape Corrientes	2,600		96,000	64,320
Capella	3,193	12	24,000	15,840
Comino	2,761		69,600	49,764
Coningsby	3,356		79,930	59,950
Consols	3,493		80,000	60,000
Corby Castle	3,609		52,000	39,000
Cunaxa	3,125		85,969	56,749
Dargai	3,552		136,000	90,360
Demstar			40,000	28,400
Dominic	2,966		160,000	110,040
Dunraven	3,333		168,000	126,000
Endeavor	2,795		219,630	157,522
Eric	2,768		62,080	40,973
Euskaro	2,472	12	20,000	15,000
Finlands	1,494		8,000	5,280
Forest Holme	2,407		92,800	61,712
Golden Cross	3,014		168,000	122,640
Gregory	2,030		96,000	69,120
Haddon Hall	1,451		20,000	13,900
Halle	3,960	12½	104,000	78,000
Hornby Castle	3,712		146,400	109,800
Helgoland	5,308		80,000	52,800
Hibernia	2,418		88,000	58,528
Holmfield	2,321		32,000	24,000
Horatio	409		24,000	18,000
Huntcliffe	3,120		112,000	77,280
Idar	3,959		48,000	36,000
Induna	4,426		80,000	56,800
Irada	8,119	13½	312,000	224,560
Istrar	4,582	12	48,000	35,000
Jno. Sanderson	3,274		89,667	67,250
Joseph Merryweather	2,144		88,000	66,000
Kelvingrove	3,092		24,000	16,800
Kendal Castle	2,885		214,132	152,979
Khartoum	3,020		72,000	47,520
Laughrigg Holme			15,200	10,108
Lavernock	2,362		51,360	41,088
Llandudno	4,064		228,000	150,480
Llansnnor	3,568		120,000	82,800
Lugano	3,788		46,000	30,000
Malin Head	3,467	12	48,000	36,000
Maranhense	2,767		32,000	24,000
Maria	2,164		32,000	24,000
Marie Elsie	2,606		74,000	48,840
Middleham Castle	3,062		384,800	264,756
Mineola	4,860		176,320	132,240
Mira	3,779		80,000	57,000
Mountby	3,263		40,000	28,000
Navigator	2,571	12	64,000	44,160
Nicete	2,811		47,040	31,282
Nordhavet	3,338		112,000	82,880
Nordkap	2,066		200,000	138,000
Norna	2,242		96,000	72,000
North Sands	3,526		120,000	86,400
Nubia	3,551		64,000	48,000
Orange Branch	3,435		176,000	123,200
Orion	3,242		32,000	22,400
Paulina	2,116		64,000	48,000
Peerless	3,112		311,600	216,100
Phœbe	2,754		128,000	90,960
Phoenicia	3,100		48,000	32,160
Polycarp	2,966		112,000	75,040
Raeburn	5,183	12½	40,000	28,000
Raithwaite	3,027		64,000	48,000
Ramon de Larrinago	3,058		353,520	250,644
Recta	2,905		76,000	50,680
Richmond Castle	3,605		56,000	37,520
Rio Jano	4,904		24,000	18,000
Romney	2,806	12	24,000	16,800
Rosefield	3,089		40,000	26,400
Samaria	2,574		40,000	28,000
Santanderino	3,082	12½	32,070	24,052
Saturinina	2,808		12,000	9,000
Semantha	2,847		93,350	62,544
Serra	2,294		86,800	61,812
Sheldrake	2,697		48,000	36,000
Sliedrecht	1,832		24,000	15,840
Springwell	3,030		56,320	39,424
Stanfield	3,370		36,000	27,000
Taunton	3,793		40,000	26,600
Telesfaro	4,069		164,400	122,680
Thomas Hoyman			48,000	31,680
Traveller	3,042	12	24,000	18,720
Trevose	3,112		80,000	56,000
Ulverston	3,516		30,400	20,064
Urd	3,049		160,000	116,400
Vauxhall	3,623		208.800	138,852
Venetia	3,596		176,000	$116,160
Volage	2,724		32,000	24,000
Wanderer	2,914		40,000	29,700
Wastewater	2,862		88,000	58,080
Westgate	2,773		148,400	100,956
Wilberforce	3,074		32,000	21,280
Wileysike	2,501		104,000	86,000
Woodbridge	3,605		56,000	42,000
Woodleigh	2,664		113,200	79,806
Zampa	2,364		48,000	36,000
Zylpha	2,918		32,000	24,000
Total	340,764		10,958,594	7,643,528

Table giving name, tonnage, speed, etc.—Continued.

The following table gives the name, tonnage, and speed, when above 12 knots, of all vessels carrying exports of flour from Galveston, Tex., during the year ending December 31, 1900, together with the amount and value of flour carried by each:

Ship.	Tonnage, gross.	Speed.	Barrels.	Value.
		Knots.		
Basil	3,253		714	$2,713
Bernard	3,682		1,000	3,800
Broomhaugh	1,997		21,211	81,665
Caithness	3,503		1,194	4,538
Capo Corrientes	2,600		731	2,704
Chancellor	4,637		1,429	5,430
Comino	2,761		250	950
Cunaxa	3,125		11,531	46,124
Demstar			1,143	4,343
Dominic	2,966		286	1,087
Dunmore Head	2,293		2,143	7,500
Dunraven	3,333		1,428	5,426
Empress	2,918		714	1,786
Euskaro	2,472	12	1,796	6,825
Finlands	1,494		23,291	93,164
Germania	2,919		1,098	4,172
Gyller	549		47,649	163,140
Halle	3,960	12½	1,122	3,927
Harentires			1,142	3,400
Herald	500		7,140	27,131
Highington			7,258	27,933
Hutton	3,597		179	680
Idar	3,959		1,143	2,615
Inishowen Head	3,050		7,864	29,096
Irada	8,119	13½	3,643	13,843
Iran	6,250	12	3,924	14,911
Istrar	4,582	12	565	2,147
Jno. Sanderson	3,274		1,428	4,300
Kendal Hall	2,885		2,000	7,600
Khio	2,431		6,959	24,065
Lugano	3,788		821	3,120
Madrilena	3,115	12	1,142	4,340
Malin Head	3,467	12	4,650	16,395
Maranshire	2,767		149	566
Marie Elsie	2,606		1,143	4,343
Middleham	3,062		1,921	7,300
Mira	3,779		1,586	7,651
Navigator	2,571	12	2,679	10,180
Nordkap	2,066		3,669	10,886
Peerless	3,112		1,428	5,426
Polycarp	2,966		714	2,713
Red Cross	2,877		225	563
Runo	4,016		42,857	15,643
Salamanca	1,395		780	2,950
Santanderino	3,082	12½	714	2,713
Saturinina	2,808		1,745	6,341
Serra	2,294		5,907	15,725
Sliedrecht	1,832		614	2,363
Straits of Menai	2,870		561	2,161
Telesfaro	4,069		857	3,257
Teodora de Larrinaga	3,999		1,143	4,443
Thomas Hoyman			2,205	8,489
Westgate	2,773		2,013	4,429
Total	152,403		241,478	739,012

The following table gives the name, tonnage, and speed, when above 12 knots, of all vessels carrying exports of corn from Galveston, Tex., during the year ending December 31, 1900, together with the amount and value of corn carried by each:

Ship.	Tonnage, gross.	Speed.	Bushels.	Value.
		Knots.		
Alava	627		26,714	$9,750
Alumero	3,252		191,000	69,715
Basil	3,223		25,714	9,386
Bernard	3,682		42,857	16,248
Chancellor	4,637		60,000	21,900
Comino	2,761		21,428	7,821
Consols	3,493		24,857	9,073
Demstar			11,517	5,182
Dfomore	3,063		42,857	14,786
Dominic	2,966		17,143	7,030
Empress	2,918		89,742	30,961
Euskaro	2,472	12	56,996	20,804
Glanystwyth	2,993		157,083	59,691
Hemisphere	3,486		42,857	14,785
Horatio	409		42,857	16,500

Table giving name, tonnage, speed, etc.—Continued.

Ship.	Tonnage, gross.	Speed.	Bushels.	Value.
		Knots.		
Inishowen Head	3,050		187,911	$72,122
Jarlsberg	3,023		34,027	12,420
Lugano	3,788		42,857	16,286
Madrilena	3,115	12	25,714	9,771
Malin Head	3,467	12	126,000	50,400
Maria Rickmers			77,149	26,614
Moorgate	3,201		42,857	16,286
Navigator	2,571	12	60,000	23,400
Nile	2,811		30,000	10,350
Nordby	3,847		200,000	73,000
Nordfarer	3,744		223,000	81,395
Nordhavet	3,338		167,873	63,792
Nordkap	2,066		90,000	34,200
North Sands	3,526		85,714	31,286
Paulina	2,116		25,100	9,538
Rio Jano	4,904		34,285	11,828
Rydal Hall	3,314		42,856	16,285
Santanderino	3,082	12½	21,427	7,821
Saturinina	2,808		42,857	14,786
Serra	2,294		47,143	19,799
Springwell	3,030		85,714	32,571
Straits of Menia	2,870		105,738	44,410
Telesfaro	4,069		52,929	20,113
Teodora de Larrinaga	3,999		51,428	18,771
Traveller	3,042	12	25,714	10,285
Ulverston	2,516		81,943	29,909
Wilberforce	3,074		34,283	11,828
Total	128,047		2,898,142	1,163,423

The following table gives name, tonnage, and speed, when above 12 knots, of all vessels carrying wheat from San Francisco, Cal., during the year ending December 31, 1900:

Ship.	Tonnage, gross.	Speed.	Bushels.	Value.
		Knots.		
Acamas	1,860		121,045	$72,800
Acapulco	2,572		23,530	14,115
Abydos	3,047		47,600	29,300
Afon Alaw	3,032		118,520	73,612
Albert	683		2,234	138
Algoa	7,575		1,667	1,053
Aloha	815		5	3
Amazon	2,062		111,880	67,128
A. M. Baxter			33	21
America Maru	5,870	17	500	302
Americano	901		45,082	27,949
Amiral Troude	1,949		92,518	57,361
Amy Turner	991		245	152
Ancaios	1,626		58,036	35,982
Andrew Welsh	903		195	121
Anglesey	1,297		71,549	44,357
Anjou	2,069		100,137	60,082
Annie Johnson	1,049		252	155
Archer	900		463	287
Aristides	1,721		6,173	3,826
Australia	2,753	15	133	87
Australian	2,103		127,280	77,325
Balasore	2,724		152,716	94,650
Bankleigh	1,540		83,580	51,777
Bardowie	2,146		129,368	80,121
Barraconta	1,659		6,702	4,121
Beechbank	2,288		133,705	82,823
Blackbrals	2,207		133,543	88,139
Bourbake	2,297		112,656	78,000
Buteshire	1,910		111,368	66,821
Caithness-shire	1,641		102,457	61,475
Cambrian Hills	1,760		103,937	77,000
Cambuskemeth	1,925		111,950	70,529
Canrobert	1,942		92,755	55,673
Carmaman			108,421	67,680
Celtic Monarch	2,119		126,595	75,957
Centennial	2,075		223	158
C. D. Bryant	929		108	66
Ceylon	681		83	62
Chas. Gounod	2,300		112,500	76,000
Chas. Nelson	663		200	120
Chiltonford	2,348		139,655	83,793
China	4,940	17	1,866	1,400
City of Papete	390		41	30
City of Para	3,532	14	40	24
City of Peking	5,080	14	1,668	1,250
City of Sydney	3,017	13	42,525	26,000
Clan Buchanan	2,140		118,353	85,275
Clan Graham	2,147		12,651	7,845
Cleomene	1,794		99,016	60,000
Cleveland	1,138		28	20
Coalinga	1,001		54,587	33,752
Colon	2,686		92,213	57,168
Combermere	1,727		95,945	59,467
Consuelo	294		75	48
Cortes	1,275		121,070	75,042
Crocodile	2,555		30,010	18,606
Cromdale	1,903		111,058	68,835
Crompton	2,610		162,000	100,440
Crown of Denmark	2,103		114,085	69,732
Crown of India	2,057		26,133	16,180
Crown of Scotland	1,617		90,253	55,956
C. T. Hill	140		2	1
Czarina	1,045		238	147
Diamond Head	1,012		636	394
Dirigo	3,005		60,437	37,470
Dorie	4,676		247	152
Dowan Hill	2,115		125,795	77,992

Table giving name, tonnage, speed, etc.—Continued.

Ship.	Tonnage, gross.	Speed.	Bushels.	Value.
		Knots.		
Dunearn	1,632		103,857	$64,391
Eaton Hall	1,854		97,498	60,448
E. B. Sutton	1,827		137	84
Edward Sewall	3,206		51,810	32,122
Elmhurst	1,784		97,898	61,637
Emilie Galline	2,040		96,310	58,400
Eudora	1,992		18,500	11,470
Euphrosyne	1,905		106,073	65,235
Falls of Afton	1,974		109,961	69,279
Falls of Clyde	1,809		171	106
Fannie Kerr	2,426		137,703	82,662
Fervaal	2,300		112,500	67,500
Flintshire	1,273		70,183	43,513
Ft. George	1,769		71	44
Francesco Ciampa	1,778		95,960	60,500
Galilee	354		113	70
Gen. Gordon	2,059		46,667	28,933
Gen. Neumayer	1,939		92,435	57,309
George Curtis	1,838		33	80
Gladys	1,363		82,793	46,676
Glencaird	2,614		146,958	91,114
Grande Duchess Olga	2,064		102,736	61,642
Grenada	2,268		136,758	84,790
Harriet G	253		83	51
Hathor	2,647		58,483	36,259
Heathfield	1,534		101,957	63,213
Herodot	2,799		1,867	1,157
H. F. Glade	1,785		103,895	62,337
Hiddekel	2,655		18,528	11,487
Hongomont	2,428		145,168	90,004
Hutton Hall	2,052		118,583	71,150
Hyderabad	2,195		136,365	81,819
Inveresk	1,415		22,512	13,957
Inverlochy	1,471		88,967	53,980
Inverlyon	1,450		88,450	53,070
Invermay	1,471		89,841	54,215
Inverneill	1,470		88,400	52,400
Inverurie	1,417		84,945	51,000
Irmgard	671		203	126
Isis	2,534		11,200	6,944
James Kerr	2,420		138,557	85,905
Jennie Wand	172		111	70
Jessomone	1,944		112,648	69,841
John G. North	337		335	207
Kelburn	2,579		149,891	90,000
Kenilworth	2,293		125,645	77,800
Kensington	1,725		101,315	62,815
Killiecrankie			105,427	63,256
Kinan	993		118	73
King David	2,240		134,538	86,800
King George	2,242		33,600	20,832
Kinross-shire	2,292		37,700	23,374
La Bruyere	2,318		18,737	11,529
Lauriston	2,301		131,080	78,650
Lord Elgin	1,557		93,700	59,000
Lurline	359		120	75
Luxor	3,648		37,341	23,151
Lyderhorn	2,914		39,525	24,505
Lynton	2,531		139,155	83,493
Marechal Davont	2,297		18,833	11,676
Marechal de Turenne	2,297		112,825	68,700
Marechal Suchet	1,920		111,548	73,600
Marguerite Molinos	2,005		188,618	116,943
Marie	2,294		111,748	67,049
Marie Molinos	2,052		97,995	65,500
Mariposa	3,158		7	4
Martha Davis	871		281	173
Martha Reux			95,377	57,226
Matterhorn	1,917		109,343	66,427
Mauna Ala	820		15	9
Mayfield	2,285		132,068	81,222
Merioneth	1,408		77,908	56,679
Mohican	852		250	185
Moliere	2,304		23,540	14,124
Montgomeryshire	1,452		79,423	47,700
Muana	3,915		10	6
Musselerag	1,985		125,543	82,858
Neko	3,648	12	66,895	41,474
Noemi	2,297		111,877	67,126
Norfolk Island	1,360		80,616	49,000
Normandie	2,056		101,416	60,850
Olympic	2,837		281	174
O. M. Kellogg	393		10	43
Oranasia	2,706		154,216	92,530
Otterspool	1,850		103,843	65,431
Oweene	2,432		138,925	88,000
Paul Isenberg	1,232		68,503	42,472
Pelens	2,122		126,960	78,715
Port Elgin	1,762		104,320	63,000
Primrose Hill	2,520		127,120	76,300
Queen	2,727	16	95	58
Reliance	2,631		134,625	79,970
Roanoke	3,539		161,100	99,882
Roby	2,293		126,616	76,000
Roderick Dhu	1,534		7,763	4,813
Robert Lewes	733		182	112
R. P. Rishet	1,080		238	147
St. Frances	1,899		170	105
Samoena	1,962		119,838	71,903
San Juan	2,076	12	23	14
Santiago	1,017		1,717	106
Schwarzenbek	2,036		116,727	71,790
Seafarer	2,206		8,818	5,467
Serapis	2,546		35,473	21,993
Siam	3,160		145,495	87,300
Sierra	6,200		8	5
S. N. Castle	515		170	105

Table giving the name, tonnage, speed, etc.—Continued.

Ship.	Tonnage, gross.	Speed.	Bushels.	Value.
		Knots.		
Speke	2,875		159,998	$96,000
Tanis	2,670	12	11,202	6,725
Tillie E. Starbuck	2,033		270	165
Tinto Hill	2,144		121,472	72,885
Tourame	2,064		21,240	13,168
Tropic Bird	348		151	94
Tsu Kishima Maru			16,667	10,333
Umatilla	3,070		2	1
Viking	147		67	41
Ville de Hulhouse			140,067	86,841
W. F. Witzmann	450		10	6
W. H. Diamond	391		127	78
Windsor Park	1,844		103,670	68,233
Yosemite	807		45,950	38,604
Total	367,781		12,033,091	7,684,891

The following table gives name, tonnage, and speed, when above 12 knots, of all vessels carrying flour from San Francisco, Cal., during the year ending December 31, 1900:

Ship.	Tonnage, gross.	Speed.	Barrels.	Value.
		Knots.		
Acapulco	2,572		20,117	$66,386
Abydos	3,047		7,613	25,123
Alameda	3,158	15	103	340
Alden Besse	842		150	495
Algoa	7,575		41,781	137,877
Alice Cooke	783		750	2,475
Aloha	815		1,158	3,821
A. M. Baxter			64	211
America Maru	5,870	17	39,408	130,046
Amy Turner	991		1,025	3,383
Andrew Welsh	903		55	181
Annie Johnson	1,049		854	2,618
Archer	900		877	2,890
Australia	2,753	15	2,265	7,500
Barraconta	1,659		3,415	11,200
Belgian King	3,379		31,491	103,920
Bergenhuus	3,606		24,820	74,460
Birma	1,457		22,500	70,500
Carlisle City	3,002		1,410	4,600
Centennial	2,075		2,665	7,249
C. D. Bryant	929		1,120	3,360
Ceylon	681		1,250	4,100
Chas. Nelson	663		465	1,520
China	4,940	17	22,994	65,700
City of Papete	390		684	2,250
City of Para	2,532	14	9,189	15,743
City of Peking	5,080	14	42,269	115,540
City of Puebla	2,624	15	317	1,040
City of Rio de Janeiro	3,548		28,040	87,966
City of Sydney	3,017	13	17,181	56,600
Clan Galbraith	2,149		75,804	73,909
Cleveland	1,138		530	1,700
Colon	2,686		16,614	47,700
Compeer	247		30	80
Consuelo	294		450	1,485
Coptic	4,356	15	58,855	194,221
Crown of India	2,057		8	26
Curaçao	1,503		606	2,000
Cyrus Wakefield	2,119		511	1,686
Czarina	1,045		12	39
Dalny Vostok	3,688		2,000	6,600
Diamond Head	1,012		2,048	6,758
Dora Bluhm	338		75	250
Doric	4,676		54,608	180,206
Eclipse	1,595		1,044	3,445
Edward May	928		540	1,782
Falls of Clyde	1,809		3,311	10,926
Ft. George	1,769		100	330
Frankfurt	7,431	13	1,960	6,468
Gaelic	4,206		63,477	209,474
Galilee	354		1,556	5,134
Gardiner City	475		1,750	5,775
George Curtis	1,838		800	2,640
G. W. Watson	453		1,250	4,125
Hather	3,647		10,941	36,009
Helene	927		150	495
Herodot	2,799		7,673	25,320
Hongkong Maru	6,065	17	67,367	222,303
Inveramsay	1,438		11,331	34,700
Invincible	1,460		18,812	62,079
Irregard	671		769	2,537
Isis	2,534		13,505	44,566
J. C. Pfluger	1,021		15,075	49,747
Jennie Wand	172		450	1,485
J. H. Colman	464		5	16
John D. Spreckels	267		1,850	6,105
John G. North	337		1,772	5,847
Kinan	993		450	1,485
Lady Joicey	3,194		17,350	57,255
Louise J. Kenney	163		20	66
Lurline	359		750	2,475
Luxor	3,648		12,182	40,200
Mananense	1,672		552	1,820
Mariposa	3,158		273	900
Martha Davis	871		1,713	5,650
Mary E. Foster	950		2,150	7,000
Mexico	222		2,000	6,600
Mildred	464		1,750	5,775
Mohican	852		192	630
Muana	3,915		227	737

Table giving name, tonnage, speed, etc.—Continued.

Ship.	Tonnage, gross.	Speed.	Barrels.	Value.
		Knots.		
Neko	3,648	12	3,300	$10,890
Newport	2,735	13	30,989	95,986
Nippon Marn	5,873	17	48,322	159,300
Nuliwa			37	124
Octavia			2,480	8,184
Olympic	2,837		711	2,300
O. M. Kellogg	393		1,894	6,250
Peru	3,526	14	28,196	93,000
Planter	525		1,368	4,500
Queen	2,727	16	40	132
Robert E. Hurd			575	1,897
Roderick Dhu	1,594		2,425	8,000
Robert Lewes	733		1,000	3,300
St. Frances	1,899		1,849	6,100
San Blas	2,075		1,820	6,000
San Jose	2,081		815	2,600
San Juan	2,076	12	6,062	20,004
Santiago	1,017		625	2,062
S. C. Allen	690		1,827	6,000
Serapis	2,546		12,020	39,666
S. G. Wilder	604		275	907
Sierra	6,200		20	66
Sikh	2,672		8,000	27,650
S. N. Castle	515		1,678	5,537
State of California	2,266	15	5	17
Surprise			120	400
Tamis	2,870	12	5,980	17,940
Thora	879		75	247
Tillie E. Starbuck	2,033		650	2,145
Transit	548		2,108	6,900
Tropic Bird	348		4,288	14,141
Tsuckishima Maru			9,182	36,300
Tulenkim			20	66
Tivightlight	376		182	600
Tyr	2,225		4,782	14,350
Umatilla	3,070	14	414	1,360
Una			6	20
Viking	147		200	660
Volumnia	3,098		3,522	11,622
Walla Walla	3,070	14	97	320
W. F. Witzmann	450		3,058	10,091
W. G. Irvin			325	1,070
W. H. Diamond	391		855	2,820
W. S. Phelps	101		75	245
Total	230,239		1,056,102	3,023,624

Table giving name, tonnage, and speed, when 12 knots or above, of all vessels carrying exports to foreign ports from San Francisco during the year ending December 31, 1900, together with the value of merchandise carried by each vessel:

Ship.	Tonnage, gross.	Speed.	Value.
		Knots.	
Abydos	2,117		$95,961
Acamas	1,860		71,500
Acapulco	2,572		413,874
Aeolus	45		8,325
Afghanistan	2,286		341,007
Afon Alaw	2,052		78,200
Alameda	3,158	15	524,808
Albert	683		147,312
Albyn	2,154		68,200
Alden Besse	842		104,274
Alesia	5,167		75,557
Alexander	629		4,200
Algoa	7,575		730,293
Alice Cooke	783		34,897
Allen A	343		9,231
Aloha	815		106,926
Alsternixe	3,045		527,448
Amazon	2,062		67,128
A. M. Baxter			38,834
America Maru	5,870	17	791,519
Americano	901		21,958
Admiral Froude	1,949		55,511
Amy Turner	991		73,904
Ancaies	1,826		64,780
Andrew Welsh	903		96,045
Anglesey	1,297		42,000
Anjou	2,069		60,000
Annie Johnson	1,049		132,568
Archer	900		126,943
Aristides	1,721		223,235
Australia	2,753	15	1,412,209
Australian	2,103		77,325
Balasore	2,724		91,630
Balmoral	2,614		76,500
Bankleigh	1,540		50,147
Bardowie	2,146		76,700
Barracouta	1,659		127,117
Beechbank	2,288		85,240
Belgian King	3,379		147,801
Bergenhus	3,606		94,956
Birma	1,457		70,500
Blackbraes	2,207		88,139
Bosnia	7,435	12	133,480
Bourbaki	2,297		73,000
Bristol	1,983		2,258
Buteshire	1,910		66,820
Caithness-shire	1,641		61,475
Cambrian Hills	1,760		65,480
Cambuskenneth	1,925		70,529

Table giving name, tonnage, and speed, etc.—Continued.

Ship.	Tonnage, gross.	Speed.	Value.
		Knots.	
Canrobert	1,942		$54,300
Carlisle City	3,002		78,155
Carmanian			67,680
Carmarthenshire	2,929	12	3,176
Celtic Monarch	2,119		75,953
Centennial	2,075		125,429
Ceylon	681		24,781
C. D. Bryant	929		60,060
Chas. Gounod	2,300		76,000
Chas. Nansen			28,099
Chas. Nelson	663		18,973
Chas. B. Kenney	1,128		21,677
Chas. E. Falk	299		400
Chas. H. Merchant	283		12,987
Chiltonford	2,348		76,460
China	4,940	17	784,344
City of Benares	1,652		56,820
City of Papete	390		25,585
City of Para	3,532	14	356,570
City of Peking	5,080	14	720,682
City of Pueblo	2,624	15	242,431
City of Rio de Janeiro	3,548		697,944
City of Sydney	3,017	13	305,361
Clan Buchanan	2,140		85,275
Clan Galbraith	2,149		73,909
Clan Graham	2,147		78,747
Cleomene	1,794		60,000
Cleveland	1,138		37,402
Coalinga	1,001		32,652
Colon	2,686		299,891
Combermere	1,727		56,130
Compeer	347		14,262
Condor	3,053		11,992
Consuelo	294		62,319
Coptic	4,356	15	962,770
Cortez	1,275		72,640
Craigerne	1,905		62,040
Crocodile	2,555		370,807
Croix de Sud			882
Cromdale	1,903		65,000
Crompton	2,810		97,260
Crown of Denmark	2,103		70,163
Crown of India	2,057		67,000
Crown of Scotland	1,617		56,474
C. T. Hill	140		1,727
Curacao	1,503		846,543
Cyrus Wakefield	2,119		185,847
Czar	144		61,270
Czarina	1,045		193,524
Dalny Vostok	3,688		6,900
Defender	446		40,466
Diamond Head	1,012		77,701
Dirige	3,005		412,442
Dora Bluhm	338		47,942
Doric	4,676		1,087,733
Dowan Hill	2,115		74,360
Dunearn	1,632		70,100
Eaton Hall	1,854		57,000
E. B. Sutton	1,827		96,142
Eclipse	1,595		6,959
Edward May	928		26,068
Edward Sewall	3,206		435,966
Eldsvold			76,371
Eliza Miller	156		6,278
Elmhurst	1,784		61,637
Emaniele Accame	2,131		58,960
Emilie Galline	2,040		56,400
Emily Reed	1,565		122,807
Empire	1,134		57,534
Eudora	1,992		78,279
Euphresyne	1,905		65,235
Eva	277		2,500
Falcon	206		5,238
Falls of Afton	1,974		69,276
Falls of Clyde	1,809		110,492
Fannie Kerr	2,426		82,600
Fervaal	2,300		67,500
Fungal	2,570		357,693
Flintshire	1,273		69,617
Fort George	1,769		304,782
Francesco Ciampa	1,778		60,500
Frankfurt	7,431	13	23,371
Gaelic	4,206		944,315
Gallilee	354		75,850
Gardiner City	475		41,883
Gen. Banning	177		22,386
Gen. Gordon	2,059		49,235
Gen. Neumayer	1,939		55,500
General Roberts	1,997		67,218
George Curtis	1,838		285,106
George Skolfield	1,314		15,440
Gladys	1,393		47,500
Glencaird	2,614		99,868
Godiva	2,059		60,105
Grace Dollar	429		3,961
Grande Duchess Olga	2,064		60,100
Grenada	2,268		77,950
G. W. Watson	453		32,275
Halcyon	294		3,500
Harriet G	253		33,180
Hather	3,647		274,437
Heathfield	1,534		61,174
Helen N. Kimball	192		3,806
Helene	927		50,000
Herman	106		6,459
Herodot	2,799		160,033
H. F. Glade	1,785		62,330

Table giving name, tonnage, speed, etc.—Continued.

Ship.	Tonnage, gross.	Speed.	Value.
		Knots.	
Hiddekel	2,655		$433,028
Himalaya	1,008		25,129
Holliswood	1,141		27,500
Hongkong Maru	6,065	17	858,313
Horda	2,927		2,100
Hougomont	2,428		88,190
Hutton Hall	2,052		71,150
Hyderabad	2,195		81,800
Igacio Mariscal			22,726
Indore	2,146		60,000
Inveramsay	1,438		34,700
Inveresk	1,415		51,403
Inverlochy	1,471		53,980
Inverlyon	1,450		52,400
Invermay	1,471		54,212
Inverneill	1,470		52,400
Inverurie	1,417		51,000
Invincible	1,460		49,094
Iringard	671		86,451
Isis	2,594		168,079
James Kerr	2,420		83,100
J. C. Pfuger	1,021		163,171
Jennie Wand	172		15,646
Jessomene	1,944		64,200
John D. Spreckels	267		38,822
John G. North	337		62,058
J. M. Colman	464		50,477
Juana Peral	818		26,000
J. W. Wendt	1,814		62,630
Kelburn	2,579		90,000
Kenilworth	2,293		77,800
Kensington	1,725		54,700
Killiecrankie			63,255
Kinan	993		23,882
King David	2,240		86,800
King George	2,242		78,158
Kinross-shire	2,292		77,800
La Bruyere	2,318		64,100
La Chilena			226
Lady Joicey	3,194		54,734
Largo Law	1,681		55,432
Laura Pike	146		1,969
Lauriston	3,301		78,650
Leander	2,962		16,586
Lena Sweasey	257		38,816
Lilleboune	218		4,308
London Hill			132,442
Lord Elgin	1,557		59,000
Lord Templeton	2,152		19,768
Louise J. Kenney	163		14,955
Lurline	359		105,749
Luxor	3,648		95,752
Lyderhorn	2,914		341,975
Lynton	2,531		81,400
Mananense	1,672		43,163
Manydown	2,436		72,400
Marechal Davout	2,297		65,400
Marechall de Turenne	2,297		142,300
Marechal Suchet	1,920		73,600
Marguerite Molinos	2,005		179,336
Marie	2,294		67,049
Marie Molinos	2,052		65,500
Marie Hackfeld	1,785		55,000
Mariposa	3,158		598,775
Martha Davis	871		89,000
Martha Reux			51,500
Martha W. Tuft	173		6,512
Mary E. Foster	950		111,409
Mascotte			7,644
Matterhorn	1,917		66,427
Mauna Ala	820		50,278
Mayfield	2,285		81,222
Merioneth	1,408		56,679
Metha Nelson	460		17,217
Metroplis	1,811		54,000
M. E. Watson	1,718		53,980
Mexico			40,736
Mildred	464		34,685
Milverton	2,215		82,298
Muana	3,915		575,786
Mohican	852		102,008
Moliere	2,304		59,700
Montgomeryshire	1,452		47,700
Musselcrag	1,985		82,858
Neko	3,648	12	82,648
Newport	2,735	13	481,411
Nippon Maru	5,873	17	709,547
Noemi	2,297		67,100
Norfolk Island	1,360		49,000
Norma	892		71,600
Normandie	2,056		60,850
Northern Light	385		4,373
Nuliwa			4,059
Nurnberg	4,150	12	87,108
Octavia			117,255
Olympic	2,837		81,931
O. M. Kellogg	393		35,460
Oranasia	2,706		90,218
Orient	312		2,879
Otterspool	1,850		65,421
Oweene	2,432		88,000
Paramita	1,573		34,210
Paul Isenberg	1,232		40,000
Pegasus	2,661		75,467
Peleus	2,122		92,143
Peru	3,528	14	336,088
Pitcairn	172		4,000

Table giving name, tonnage, speed, etc.—Continued.

Ship.	Tonnage, gross.	Speed.	Value.
		Knots.	
Planter	525		$57,743
Port Elgin	1,762		68,538
Precursore			21,350
Primrose Hill	2,520		76,300
Queen	2,727	16	167,706
Queen of the Isles			3,973
Reliance	2,631		79,970
Roanoke	3,539		113,720
Robert Adamson	2,992		991
Robert E. Hurd			12,000
Robert Lewes	733		62,907
Roby	2,293		76,000
Roderick Dhu	1,534		106,420
Rosamond	1,387		20,000
Roy Somers	315		3,228
R. P. Rithet	1,080		76,777
Ruby A. Cousins	193		4,161
Salvatore Ciampa	1,780		57,191
Samoa	6,839		58,530
Samoena	1,962		70,100
San Benito			27,643
San Blas	2,075		15,570
San Jose	2,081		40,374
San Juan	2,076	12	108,383
Santiago	1,017		132,877
S. C. Allen	690		92,070
Schwarzenbek	2,036		71,790
Seafarer	2,206		85,534
Senator	2,410	13	26,626
Serapis	2,546		89,079
Servia	1,867		28,544
S. G. Wilder	604		18,148
Shenandoah	3,407		70,593
Siam	3,160		87,300
Sierra	6,200		307,226
Sierra Pedrosa	1,686		50,000
Sikh	2,672		31,722
Sir Robert Fernie	2,528		88,628
S. N. Castle	515		64,329
Spartan	1,449		29,950
Speke	2,875		95,000
Springburn	2,655		414,190
State of California	2,266	15	6,629
St. Frances	1,899		114,699
St. Katherine	1,264		20,000
Strathdon	2,093		338,503
Surprise			9,668
Susquehanna	2,745		16,985
Tanis	2,870	12	175,160
Tellus	2,522		976
Thalatta	1,793		55,300
Theodor	2,439		62,395
Thora	879		7,558
Tillie E. Starbuck	2,033		68,319
Tinto Hill	2,144		72,885
Titania	3,613		4,838
Tourame	2,064		60,500
Transit	548		36,111
Tropic Bird	348		92,135
Tsukishima Maru			44,221
Yulenkun			8,607
Tyr	2,225		147,596
Umatilla	3,070	14	335,707
Una			760
Universe	2,535		10,156
Victorious	3,434		73,255
Vidette	617		6,712
Viking	147		8,853
Ville de Mulhouse			90,000
Vine	229		2,800
Volumnia	3,098		81,008
Walla Walla	3,070	14	585,301
Warfield	3,242		1,908
Webfoot	362		10,490
Wellington	1,964		4,888
W. F. Witzmann			67,793
W. G. Irwin			20,958
W. H. Diamond	391		30,663
Willie R. Hume	666		16,000
Willscott	1,981		12,794
Windsor Park	1,844		68,233
Winslow	566		8,046
W. S. Phelps	101		9,956
Yosemite	807		28,604
Total	618,279		38,786,534

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed a resolution, transmitting to the Senate the message of the President and the bill (H. R. 5224) for the relief of Edward Kershner, with the request that the Senate reconsider its action in passing the bill, in order that an amendment may be made to the bill by striking out the word "director" and inserting in lieu thereof the word "inspector."

MISSOURI RIVER BRIDGE AT SOUTH OMAHA, NEBR.

Mr. BERRY. I ask unanimous consent for the present consideration of the bill (H. R. 4607) to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, on page 3, line 19, section 3, after the words "Secretary of War," to insert:

And said structure shall be changed at the cost and expense of the owners thereof from time to time as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. ALLISON. Mr. President, as no one else seems desirous of taking the floor on the pending bill at the present moment, I wish to submit a few objections which I have to the bill as it stands. I do so with some hesitation, for the reason that I have been trying for some days to ascertain exactly what this bill proposes to do and how far it differs from the bill that was considered here a year ago, and I must confess that I have had some difficulty, and that difficulty does not diminish as the debate progresses.

I had the impression in the early stages of the debate that this bill was a tentative measure, rather, and that it was not so comprehensive in its scope as the bill we discussed last year. I was told, and am told now, that this bill is very much better than the bill we debated so long last year. That may be true in some particulars. I remember that my friend the Senator from California [Mr. PERKINS] stated to me only a few days ago that this was a bill greatly improving the bill of last year.

This morning, in response to an inquiry from the Senator from Wisconsin [Mr. SPOONER], we have been told by the Senator from Ohio [Mr. HANNA] that it is not possible to state with any degree of accuracy the difference between this bill and the bill we considered last year as respects the amount of subsidy. I use that term because it is in common use in the Chamber in discussing the pending measure.

Mr. BACON. The term is used in the bill.

Mr. ALLISON. Very well. The Senator from Ohio said it is not possible to state the difference between the subsidy of this bill and that of the bill we had up a year ago. I have been trying to ascertain whether there is a difference, but in response to the inquiry made by the Senator from Wisconsin the Senator from Ohio does not venture an opinion upon that subject.

I have also been trying to ascertain the scope of this bill as compared with the one of a year ago, and I find in many particulars that the bills are widely divergent. The bill of one year ago provided that the Secretary of the Treasury should make contracts with steamships and sailing vessels for the purpose of navigating the ocean, and those contracts were to be based upon speed and tonnage. I find in this bill that the Secretary of the Treasury makes no contracts whatever; that the contracts which are to be made are to be made by the Postmaster-General, and in his judgment and discretion.

The bill we had under consideration then limited the terms of its continuance to twenty years as respects contracts. No contract could be made after twenty years from the passage of the bill. But under the pending bill there is no limit to the time when contracts can be made. This bill goes on and on until such time as Congress may alter, amend, or repeal it, and even that authority is not expressly reserved in the bill as I think it ought to be, and I hope some Senator will offer an amendment to that end. I think it ought to have a beginning and an ending.

Therefore I shall propose to amend the bill in that particular in its first section, on page 1, section 1, line 10, so as to read:

The Postmaster-General, until the 1st day of July, 1910, is hereby authorized and directed to enter into contracts for a term not less than five nor more than fifteen years, etc.

I do not propose to offer an amendment to shorten directly the period of fifteen years, although that is an extension of five years beyond the present law of 1891.

I also desire to offer an amendment to that section on page 2 after line 13 by inserting:

Provided, That no contract shall be made under the provisions of this title which shall extend beyond the 1st day of July, 1920.

The scope of that will be that whatever contracts are made by the Postmaster-General after three years from July 1, 1902, will be made for such period as will terminate the contract in 1920.

In other words, after 1905 the period of a contract shall be diminished as time goes on, so that when 1910 arrives the contract can be made for only ten years, the period of the act of 1891, which is amended by this bill and to which my amendment will be an amendment. I explain these amendments and their scope in brief for the reason that under our agreement if they are not explained now there will be no opportunity of debating them on Monday..

I stated a while ago that this bill differs in many respects from the bill of a year ago. I have scanned this bill with a view to ascertain the character of the vessels that are to be employed in the mail service. Under title 2 of the bill there is an inhibition as against vessels that are not classified as A1 in the various associations. But I find in this bill that vessels—

shall, before they are accepted for the mail service herein provided for, be thoroughly inspected by a competent naval officer or constructor detailed for that service by the Secretary of the Navy; and such officers shall report, in writing, to the Secretary of the Navy, who shall transmit said report to the Postmaster-General; and no such vessel not approved by the Secretary of the Navy as suitable for the service required shall be employed by the Postmaster-General as provided for in this act.

There is no other requirement, as I understand this bill, and if I overlooked a requirement as respects the mail ships I shall be glad to be corrected.

This was not true of the bill of a year ago. There were in it very strict and careful provisions as to the character of the fast steamships, because under the bill of a year ago, although they were not then designated as mail ships, they were fast steamships; and in that bill the committee reported an amendment which I think a wise and proper one, and which I think ought to inserted in this bill, as to the character of the ships that shall carry our mail and receive the compensation provided for in the bill.

Mr. PERKINS. May I ask the Senator from Iowa if he does not think title 2, page 7, subdivision (c), which provides for the classification of different vessels, is all that is required?

Mr. ALLISON. I do not, I will state to the Senator from California. These clauses or paragraphs in title 2 are clauses and paragraphs which apply only to the vessels that are to receive the general subsidy, and do not apply specifically to vessels that are included in title 1. There are two titles here and two classes of vessels provided for and two classes of service provided for. The one class is intended to embrace all the ships which carry the mails of the United States, and it embraces the conditions under which those contracts shall be made by the Postmaster-General. Title 2 is an inhibition, it is true, as to those ships which receive compensation under title 2, but none of those ships that are provided for in title 1 will register under title 2, it seems to me.

Mr. PERKINS. It being amendatory of an act, it seems to me you can not segregate one subdivision of the bill, but that it must all be considered under that. I ask for information.

Mr. ALLISON. I do not agree with the Senator; and as to this being an amendatory act I will say that I have been or was in the early stages of this examination very much confused with respect to the provision amending the act of 1891. This bill in its title does not anywhere say it is an amendatory act. It does not appear as an amendatory act. It appears as a bill "to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries."

That is the object of the bill. The first section of the bill begins, of course, with an amendment of the act of 1891, but after such examination as I have been able to give it I am satisfied that the first title is an amendment to the act of 1891, and, indeed, actually the whole bill is an amendment to the act of 1891. But I do not see any provision anywhere in the amended measure which requires the mail ships to be of the character that the bill of last year required them to be. So to make sure about that, because there is no difficulty about it, I shall propose to insert an amendment at the end of section 1, line 13, as follows—

and every vessel in respect of which any contract authorized by this act shall be applied for or made, shall be of the Class A1 as classified either by the Record of American and Foreign Shipping or the United States Standard Owners, Builders, and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit. All vessels under contract, as provided for in this act, shall be of Class A1 or its equivalent, as hereinbefore in this section mentioned, during the whole period of their service under the contracts provided for in this act.

In other words, that the conditions which apply to the period when the contract shall be made shall be continuous provisions. As the bill now stands all that the Postmaster-General can do, as I understand it, or has authority to do is to receive a certification from the Secretary of the Navy that the ships are of a certain kind and character suitable to the work to be done.

Mr. FRYE. I suggest to the Senator that if he offers that amendment he offer it on page 6, just before title 2. All of the sections up to that point are simply amendatory of existing law, and the Senator in offering his amendment, it seems to me, should offer it as an additional section.

Mr. ALLISON. I will accept the suggestion of the Senator from Maine if he thinks that is better.

Mr. FRYE. I think that is a better place.

Mr. ALLISON. I thought it was wise to put it in at the very point where certain conditions are to be complied with as preliminary to making the contracts. Of course if the Senator prefers to have it as a new section, I have no objection.

Mr. FRYE. I think it would be better to have it as a new section. The first three or four sections simply amend sections of the existing law, so that they shall read so and so. Now, the Senator does not propose to amend existing law with his amendment, but he proposes a distinct affirmative proposition, that the ships before receiving postal contracts under the provisions of the proposed act shall at all times be A1.

Mr. ALLISON. I do.

Mr. FRYE. It seems to me that that should be a separate section on page 6 at the end of Title I.

Mr. BACON. Does not the Senator think it ought to be in each place? The place suggested by the Senator from Iowa is certainly proper, because that is applicable to ships under title 2, and then the same provision should be made as to title 1.

Mr. FRYE. It is now provided for in title 2, and really the requirements here call for the first-class ships anyway. If the amendment should be added on page 6—

No vessel shall receive a contract from the Postmaster-General or receive pay under the contract any longer than it shall be rated in Lloyds, etc., as A1—

Then it would be a separate provision, and would apply to the whole of the foregoing.

Mr. ALLISON. As to the phraseology, I think this is the best. I took it from the bill of last year as reported by the Committee on Commerce.

Mr. FRYE. I did not notice the phraseology of the Senator's amendment at all.

Mr. ALLISON. I am willing myself that it shall be inserted as a separate section.

Having stated the object and purpose of this amendment, I will modify it so as to meet the views of the chairman of the committee, and make it a separate section.

Mr. MONEY. Will the Senator permit me to ask him a question?

Mr. ALLISON. Certainly.

Mr. MONEY. Does the Senator from Iowa agree with the Senator from Maine that the provision "as classified either by the Record of American and Foreign Shipping or the United States Standard Owners, Builders, and Underwriters' Association," etc., applies to both classes? Perhaps I misapprehended the Senator.

Mr. ALLISON. I do not think it applies to either title. I have an amendment I want to propose later on that will make it apply to both. I do not understand that there is any requirement in this bill as to the character and classification of the ships under title 1 other than that mentioned in the amended section 4, because, certainly, after saying exactly what the requirements should be, the Postmaster-General would naturally think that other requirements were not necessary.

I call the attention of the Senator to title 2, clause C, line 24, which is a mere clause, saying what classes of vessels shall be excluded from receiving the subsidy under title 2. Therefore, it has no reference whatever to title 1.

Mr. MONEY. I understood that.

Mr. ALLISON. In the bill of last year there was one very valuable amendment which I think ought to be embodied in the bill this year as respects title 2. I do not know whether it should be applied to title 1 or not, but I am sure it should be applied to title 2. Therefore, I shall propose an amendment on page 7, after line 12, section 6, which relates to the subsidy under title 2, which shall require that—

No vessel shall be entitled to the full compensation under this title unless she shall have cleared from a port of the United States with cargo to the amount of 50 per cent of her capacity for carrying commercial cargo, and any shortage in the amount of cargo required and defined as aforesaid shall diminish the amount of the compensation in this paragraph provided for in the proportion that such shortage bears to the total cargo or its equivalent so required.

That is an exact transcript, changing the phraseology to make it applicable to title 2 of the bill of last year, which received the commendation of the Committee on Commerce, and I think it ought to apply to these ships under title 2. I do not think that we ought to pay to the sailing ships of the United States and to the slow-going steamships such a percentage or subsidy as will encourage them to start from our port to a distant oversea port without having at least 50 per cent of their commercial cargo.

I may be mistaken about it, and I will inquire of the nautical gentlemen upon the Committee on Commerce if I have characterized a commercial cargo correctly. I understand that it means practically the net tonnage of the ship, that portion of the ship which can be used for the carrying of freight. I want to add to that provision, however, so as to make it sure as respects this subsidy, an affirmative provision that—

All vessels receiving compensation under this section shall be at least of class A1 or its equivalent, as defined in paragraph (c) of section 7 of this act,

during the whole period for which payment is authorized under the provisions of this title.

That is to say, that we will have good ships under the general clause here as well as good ships under our provisions respecting the United States mails.

Now, there is another thing that I think ought to be done in this bill. As I said before, I have been somewhat confused by the statements which have been made from time to time as respects the effect of the bill. The Senator from Maine, the chairman of the committee, stated that for the next five years under no circumstances that he could conceive of would the amount required be more than $5,000,000 in any one year. The bill of last year provided for an annual expenditure of $9,000,000, and this bill has no limitation thus far, but I think there should be some limitation upon the amount expended.

I do not say that that limitation, if it is found to be inadequate, will not or ought not to be revised, but I do think that at intervals at least of eight or ten years we ought to have an opportunity of affirmatively dealing with the questions of amount.

I will say to the Senator from Georgia [Mr. BACON] that I may have misled him somewhat in a remark I made the other day. I said when this bill was passed and when all these contracts and arrangements were made—I am not certain whether I used the word "contracts" or not, but when these arrangements were made—the interest of Congress would disappear, unless we proposed to alter the amount or repeal the act.

Mr. BACON. Oh, no; I did not misunderstand the Senator in that regard. What I said related simply to the bill in its present shape.

Mr. ALLISON. That is true in fact, although, as the Senator from Georgia very well said the other day, after contracts have been made we are bound to make appropriation from year to year to carry out and execute those contracts; and of late years it is not a new thing for us to make contracts far beyond expenditures. I apprehend that before this Congress shall end we will be called upon in various ways and by various methods to provide that the War Department may enter into contracts for public works beyond the appropriations made for that purpose.

But it has been the policy of the Government and of Congress, in every such case, to give notice and warning to those who entered into those contracts that they are made upon the condition of future appropriations to be made according to law, and that is a notice to the contractor that those who have the responsibility here and in the other Chamber shall have an opportunity of revising the conditions of a particular improvement or project when the time comes for the appropriations to be made. Therefore it is that we have always hitherto, in one form or another, held to the idea that as respects expenditures not immediately to be made or presently to be made, the Congress of the United States should have an opportunity of saying first whether money is to be borrowed for that purpose or whether money is in the Treasury or whether taxes are to be levied to meet these expenditures.

Under this clause in title 1 of the bill, whilst it is true that there is no appropriation made to carry it out, if these contracts are to be carried out by appropriations, Congress will be called upon and must be called upon annually to make the appropriations. That is, I understand, the first clause of the bill. But if we authorize the Postmaster-General to enter into a contract lasting for fifteen years, which is within one year of eight Congresses to be elected, entailing for this uncertain and I hope effective purpose appropriations which we are bound in honor to make after these contracts are made, with no other supervision over them that we can ascertain whether or not those who entered into a contract or their assigns have complied with the contract as made by the Postmaster-General.

I have no doubt that a Postmaster-General—the present Postmaster-General, in whose ability I have great faith, will care for the interests of the Government of the United States I am sure—in making these contracts will surround them with the most careful provisions as respects the expenditure. But we ought here, as the legislative power, to see to it that we put in the bill such safeguards as will not be misinterpreted either by the Postmaster-General or by contractors who would have an opportunity of a conflict which would lead of course in the end to litigation.

So, Mr. President, I believe we ought to limit the aggregate amount in this contract, and I have provided an amendment which I will offer. It may be inadequately or imperfectly drawn. It is to be inserted on page 6, after line 1. I make the amendment apply only to title 1. I do not make it appyly to title 2. At the end of section 4, page 6, line 1, where some words have been already stricken out, I believe, I propose to offer for insertion the following additional proviso.

And provided further, That until July 1, 1907, not more than $5,000,000 shall be expended in any one year under the contracts provided for in this title, and after that date not more that $8,000,000 shall be expended in any one year under the contracts provided for in this title.

Mr. CLAY. Will the Senator permit me? That amendment would simply apply to the mail pay, would it not?

Mr. ALLISON. It applies to the mail pay. I will reach the other question later on, and if necessary an amendment can be made to that. This amendment applies only to title 1:

And after that date not more than $8,000,000 shall be expended in any one year under the contracts provided for in this title; and the Secretary of the Treasury shall make such regulations for the payment of said compensation as will cause any excess in the total amount of compensation earned under this title in any one fiscal year over and above said sums respectively to be deducted pro rata from the total compensation due each person or corporation under this title during said fiscal year.

In other words, I propose here in this title to authorize an expenditure within a million dollars of the total expenditure provided for in the bill of last year, because I sympathize with most of what has been said respecting the importance of expanding our opportunities in new countries for our commerce. I believe, as I said the other day, that we ought to have in some way provision made whereby we would establish a line of steamers to South America on the Atlantic coast and another on the Pacific coast. I believe that we should establish a line of steamers from the coast of California over the Pacific Ocean to China and Japan and intermediate places.

Mr. BACON. Will the Senator permit me a moment, to make a suggestion?

Mr. ALLISON. Certainly.

Mr. BACON. I think the amendment suggested by him is extremely important. It is to limit the amount. Whether the amount named is a proper one or not, I am not prepared to say.

Mr. ALLISON. I am not, either. I do not know.

Mr. BACON. The suggestion I wish to make, with the permission of the Senator, is that if there is a limitation it is practicable to do what otherwise would not be practicable, to wit, to make provision for the establishment of the particular service which he now mentions. If there is a limitation then the question of proportion must be dealt with.

I suggest to the Senator (I would very much prefer he should make it himself rather than offer it myself) that if there is a limitation there ought to be a further provision that such a proportion of it—say one-fourth, one-fifth, or one-sixth, whatever may be deemed to be proper—shall be expended in payment of mail service between the Eastern ports of the United States and South America, another proportion for the other lines which he indicated, and so on. It seems to me that that is the only possible way by which there can be any practical good accomplished in the line indicated by the Senator.

Mr. ALLISON. That provision, perhaps, ought to be made. We debated here last year ad libitum how we should cut and divide the $9,000,000. I did not propose to do it here; but I wanted to make the sum large enough to enable the line of steamers that are now carrying our mails to continue and to enable the Postmaster-General to establish new mail lines. We are not establishing new mail lines when we establish other lines of fast ships to Liverpool or to Southampton. We have our mail facilities to those ports, whether carried in our own ships or carried in the ships of other countries.

I dropped a tear or two when I heard the Senator from New York [Mr. DEPEW] speak of the humiliation he had experienced as he saw the portraits of our fathers going into distant regions of the country in foreign ships. I have that feeling myself, but I mitigate it somewhat when I reflect that I frequently receive by our line a letter from Germany and now and then a letter from other parts of the world with a German stamp, a French stamp, etc., on it. I also have a sympathy and a warm feeling for the consul in South Africa who was compelled to live there and serve his country for four long years without seeing the American flag. I did not drop a tear for him because I knew he could resign at any time. [Laughter.]

Now, we are told that we are a world power, and we are, at least so far as we have exerted ourselves. But Mr. President, it is not within the power of the Committee on Commerce or of Congress to expand ourselves in a single year or in a decade whereby our ships will be seen with great frequency upon every sea and in every land.

We have just acquired Mindanao, in the Philippine Archipelago, which, I believe, is the second largest island in that archipelago. I have an idea that it will be some time before we will see many of our sailing vessels or many of our steamships there. Our steamships and our sailing vessels will go where there is trade and business, and the bulk of our trade and business, whatever we may think or whatever we may do, will be with European countries.

I was interested to-day in listening to the Senator from West Virginia [Mr. ELKINS], who pictured to us that with the passage of this bill we would practically do the carrying trade between here and Europe. He told us that we have lost so many hundred millions of dollars—I think a couple hundred millions annually—

by not carrying in our own ships the great amount of freight that we provide for the world. That is true.

So my friend from California [Mr. PERKINS], in his most interesting and valuable contribution to this debate, informed us that there are American owners who own ships to the extent of 672,000 tons, and then, with a sufficient interval between that period and the next, he told us how much we had lost by allowing our money to go to other lands and other countries because of foreign register.

Mr. PERKINS. Mr. President, my friend from Iowa is correct. What I want to do is to build the six hundred and seventy-odd thousand tons in the United States by American mechanics, who buy their supplies principally in the State of Iowa; and therefore we will all be benefited by building those ships here. But they are owned now by Americans who have had the ships built in foreign countries. The Senator and myself are in accord on that proposition.

Mr. ALLISON. We are in absolute sympathy; I want to accomplish exactly the same thing. But I have an idea that after all this is done there will still be some of the people who own ships abroad who will occasionally sail into our ports and carry something of our products away.

Therefore I have not that exalted idea of what will come in the distant future that some of my friends have who are favoring this bill, though I think this bill will be of service. It has already been of service in attracting American capital in the direction of the ocean and its conquest, as is shown by the report of the Comsioner of Navigation. Whilst speaking of him, I wish to say that I think Congress is indebted to him for most valuable information concerning everything connected with our own shipping and the shipping of the world, for his report is an encyclopedia of valuable information.

I had some doubts whether American capital had actually acquired the Leyland Line, but, turning to the report of the Commissioner of Navigation, I find it stated officially that Americans have purchased that line, embracing all the ships of that line, I believe, that sail into our ports, thereby acquiring a very large tonnage. Mr. Ellerman stated to the stockholders of that company the reason he had for selling the line. He said that the greatest proportion of freight on the Atlantic was that which was east bound, chiefly from our country; that he had been credibly informed—I do not use his exact words, of course, but I think I am quoting the substance of what he said—that within a short time arrangements would be made in this country whereby its immense freight would be controlled or directed by American citizens, and he feared, if he did not sell his ships, that these American citizens would build other ships, and put this freight upon those ships, and, therefore, he thought it was wise for him to allow those American gentlemen to secure that line, and he had no doubt that they would continue it as a valuable line.

It may be that this bill will not only have a tendency to promote the building of ships in our country, but that it will have a tendency to call the attention of American capitalists to the value of having more ships owned by our people, and thereby minimize the enormous sums that our friends say have annually gone into the pockets of the people of Europe for doing our carrying trade.

But I wish to go about this in such a way as that it will not only be effective, but that it will be approved by the people of our country. So I have provided for this limitation upon the amount in order that our people may be told by the law itself the maximum amount for which they will be liable from year to year under the provisions of this bill. If we do not fix some maximum, I shall be told and some of you will be told that it will cost $50,000,000 a year, for I doubt not that will be about the amount that will be estimated as the cost by next October.

It may not be stated at over $25,000,000 in Iowa, but there will be sections of the country where the bill will be commented upon and the people will be told that it is going to cost $50,000,000 a year, and that it must be paid for by taxation taken out of their pockets.

I want to have a limitation, and one that will be just and even generous, if what was said last year was either just or generous, respecting the amount that is to be devoted to this particular business.

Mr. CLAY. I should like to ask the Senator, as he is making a very interesting speech, if we are going to spend four or five million dollars more for the purpose of carrying the mails than is necessary to be expended? Taking it for granted that it is necessary to have a first class foreign mail service, is it not true that the bill ought to specify how much we are going to expend on the Pacific, how much on the Atlantic, and how much in South American ports? Then, on a business basis, ought there not to be set forth in this bill what new routes we expect to establish? There is not a single one specified in this bill from the beginning to the end.

Mr. ALLISON. Very likely that ought to be done.

Mr. PERKINS. I want to ask my friend from Iowa a question for information, as we are all in quest of light. Referring to the query made by our friend from Georgia [Mr. CLAY] to the Senator from Iowa, I read from title 1, on page 2, line 4, down to line 10, where it is stated that the Postmaster-General in entering into contracts is to have regard to the national defense, and to make such contracts as will best subserve and promote the postal, commercial, and maritime interests of the United States:

> The mail service on such lines to be equitably distributed among the Atlantic, Mexican Gulf, and Pacific ports. Said contracts shall be made with the lowest responsible bidder for the performance of said service on each route.

It seems to me that gives the Postmaster-General discretion and judgment to establish new lines.

Mr. ALLISON. It does; it gives him the discretion and judgment; but I think we should hesitate very much in giving too wide a discretion. I should certainly be willing to give a very large discretion to the Postmaster-General, as I would to the President; but we have been told on this floor over and over again that we could not trust the President to fix the line of the Nicaragua Canal or the Panama Canal; that we could not lodge in him any such discretion; but yet we provide here for discretion to be given to the Postmaster-General that will enable him to build up Los Angeles, San Francisco, Seattle, Portland, etc.

They can not all immediately have lines of steamers; they must wait and get the lines gradually, and the places having the best facilities will, of course, have the first opportunity. But what I want to do here is not to go so far as the Senator from Georgia would have me go, although I should be willing to put into this bill a provision for two or three lines of steamships and make it specific and eliminate from it everything else; but I have gone as far as it is necessary for me to go——

Mr. CLAY. I will ask the Senator, with his permission, ought we to undertake to spend four or five million dollars in establishing these new routes without some recommendation from the Postmaster-General and without an estimate of the cost? There is not a single word in his report in regard to it.

Mr. ALLISON. That is a very good suggestion, and yet I have an idea that the committees of this body do know fairly well what the cost will be. We have had discussions on this question, I believe, ever since I have been in the Senate. There may have been a little hiatus for a year or two, but we have had such discussions year by year, and we have had reports from year to year. In what our friends on the other side call "the good old Democratic days" we had subsidy galore; and one thing that leads me to think that we ought to make this special provision is that in those days, when the Democrats had control, they provided for a subsidy for a steamship line to Liverpool, another to Southampton, another to Bremen, and another to Havre.

Mr. BACON. If the Senator will pardon me, I stated in some remarks I delivered this afternoon that "subsidy" had no terror for me when properly regulated.

Mr. ALLISON. I am sure the Senator is right about that. We have an established line to Southampton. I do not believe we should establish other lines to Europe until we have exploited those new regions of the earth where we expect to have a large increase of trade.

I have not put a limitation upon title 2 of this bill, but if I had my way about it, I think I should strike it out. As it stands now it is a provision which does subsidize every steamship and every sailing ship that can come within the provisions of the bill, whether the tonnage of the particular ship is 1,000 or 10,000. I believe there is a limitation of 20 tons in the Revised Statutes.

Mr. TELLER. May I interrupt the Senator?

Mr. ALLISON. Certainly.

Mr. TELLER. The Senator says this bill subsidizes every ship. Is not that the purpose of the bill?

Mr. ALLISON. It would look to the ordinary observer as if that were the purpose of the bill.

Mr. TELLER. I should think so.

Mr. ALLISON. I suppose that is the purpose of it. I do not believe that we should go into this wholesale subsidy business until we have particularized our lines more than we have thus far done and extended our commerce in our own ships into other regions than those where we now are. I can see no particular reason—I am very frank with my brethren on both sides of the Chamber—why we should subsidize a sailing ship of 400 or 500 tons which starts out of Charleston Harbor and sails to Habana.

The islands in the Caribbean Sea and on our Atlantic shore are tributary to us chiefly as respects their commerce, and naturally so, and our people will sail the ships that go there. Are they not sailing them now? Is not the greater portion of our carrying trade with those islands done in American ships? I do not know how that may be; I may be wrong about it; and, if so, the Senator from California [Mr. PERKINS] or the chairman of the Committee on Commerce, the Senator from Maine [Mr. FRYE], can tell me.

Mr. FRYE. The chairman did not hear the Senator's statement.

Mr. ALLISON. I was speaking of title 2. I say I do not see just now why we should subsidize ships that go to near-by ports which do not do an oversea carrying trade, but ships sailing, if you please, from Baltimore to Habana or from Charleston to Habana. I think those ships—I may be mistaken—are doing very well now, whether they be sailing ships or steamships, at least they have been long in control of that trade. If I am mistaken in saying that we already have the bulk of that trade, of course my argument falls to the ground in that respect.

So we have a considerable trade with our northeast coast, not very large, but I myself remember very well seeing a ship loading with a cargo of hay grown in the northeast, either in New Brunswick or beyond, bound for Boston. I fancy that that ship was not being loaded at a loss. That trade, in the very nature of things, must be local. It will not expand our commerce into distant seas and into distant countries. So I shall be glad to have more clearly stated here the limitations under which this over-sea commerce shall be carried on.

There is a limitation here, I agree, of 150 miles. That may cut off a few people, I do not know how many; but it may cut off, for instance, vessels engaged in trade between Tampa and Habana.

Mr. FRYE. It will cut off Vancouver, Tampa, Eastport, St. John, New Brunswick——

Mr. PERKINS. And Lower California.

Mr. FRYE. Yes; and Lower California.

Mr. ALLISON. Yes; but how about Portland and St. John?

Mr. FRYE. It cuts off Portland.

Mr. ALLISON. Do I understand the Senator to say that Portland is less than 150 miles from St. John? I have not looked at the map recently, but the usual route of steamships——

Mr. FRYE. Every steamer that leaves Portland for St. John always stops at Eastport, and from Eastport to St. John is only 150 miles.

I beg pardon of the Chair for not first addressing the Chair and getting the leave of the Senator from Iowa to interrupt him.

Mr. ALLISON. That is all right. I really made the inquiry of the Senator because I was not certain respecting the matter.

Mr. MONEY. I should like to ask the Senator a question. I ask, How is Tampa cut out of the provisions of the bill?

Mr. FRYE. The distance from Tampa to Cuba is less than 150 miles.

Mr. MALLORY. It is more than that; it is 320 miles.

Mr. FRYE. Then Tampa is not cut off.

Mr. MALLORY. All those vessels stop at Key West on their way, and Key West is only 85 miles from Habana.

Mr. MONEY. But there is other freight besides the freight to Cuba. What about Jamaica? What about the Leeward and the Windward islands?

Mr. FRYE. For short voyages, say 1,500 or 2,000 miles, vessels only receive 70 per cent of the subsidy under this bill.

Mr. ALLISON. That is true, but all the ships plying between North American ports only receive 70 per cent of the subsidy.

Mr. MONEY. I will call the attention of the Senator from Iowa to the fact that cutting off a port of the United States from some other port does not cut it off from all the others with which it trades. You will find upon investigation that there is not a port that has trade that amounts to anything that is cut off.

Mr. ALLISON. I want to correct myself and call the attention of the Senator from Maine to the fact that the 70 per cent only applies to mail steamships. It does not apply to title 2, which contains the general subsidy provision. I do not think such vessels as we have been referring to are cut off from the general subsidy. I see no provision looking to that.

Mr. FRYE. How could it apply to mail ships?

Mr. ALLISON. Because they are specifically provided for. The provision on page 5, beginning in line 15, is as follows:

> The rates of compensation to a steamship to be employed in carrying the mails to a foreign port in North America under any contract hereafter to be made under the provisions of this act shall not exceed 70 per cent of the maximum rates established by this section, etc.

Mr. FRYE. That is true.

Mr. ALLISON. So that does not apply to title 2, sailing and steamships.

Mr. President, I did not intend when I rose to do anything more than to make a few explanations of some amendments which I shall offer to this bill.

Mr. FRYE. Mr. President, as I was obliged to go out of the Chamber for a few moments, I wish to ask if the Senator from Iowa has proposed any amendment or limitation under the general subsidy?

Mr. ALLISON. I have not proposed any, but I believe I shall propose one on page 7, line 4.

Mr. FRYE. I am sorry now that I suggested it. [Laughter.]

Mr. ALLISON. On page 7, line 4, section 6, after the words "steam vessel," I move to insert "of over 1,000 gross registered tons." I wish also to offer an amendment to title 2, on page 8, line 13, after the word "trade," by inserting as a new clause:

> H. Steamers which during their trials have not obtained a minimum speed of 8 knots, half-loaded.

I will say to the Senate that in France they have such a requirement, except that the minimum limit of speed is 10 knots. If these steamers are to receive a subsidy at all, I think we ought to provide that they should go at least as fast as a vigorous, rapid young man can walk. [Laughter.] There is another amendment which I shall offer, which I presume will not be acceded to by the Senator from Maine.

Mr. FRYE. Mr. President, steamers when they undergo their trials do not carry any cargo. Neither the naval ships nor any others carry cargoes when they are on trial.

Mr. ALLISON. I suppose the builders can determine what their ships would do if they were half loaded. There must be some rule by which when a steamer carrying no freight is on trial an estimate can be made as to what she would do when heavily laden. In other words, I offer this amendment with a view of seeing whether or not there should not be some limitation in this bill as to the speed of steam vessels which are to receive the subsidy. I think there should be such a provision.

To come under the provisions of this bill vessels ought to be required to so carry freight as to be able to get somewhere at some particular time. In other words, if we are to pay our people for carrying freight across the ocean, they ought to be required to make some sort of speed in doing it. In my judgment we should not give the subsidy at all to this class of ships, but if we do we certainly ought to fix some minimum speed.

Mr. TELLER. May I make a suggestion to the Senator?

Mr. ALLISON. Certainly.

Mr. TELLER. It strikes me that the Senator can reach the end he desires by striking out entirely the greater part of title 2.

Mr. ALLISON. I think I should.

Mr. TELLER. I suggest that the Senator propose his amendment in that way.

Mr. FRYE. That is a very bad suggestion.

Mr. ALLISON. I give notice that I shall offer the amendment I have just stated and also another amendment to come in after the amendment I have just offered, and to be denominated "I," which will read:

> I. Vessels which in the same voyage are engaged in traffic exclusively reserved to vessels of the United States.

I do not think that the coastwise trade should be so mixed with the over-sea trade as to allow the mixing of voyages.

In making these observations and suggestions I will say frankly to the Senate that I have very great doubt about this bill, and I offer these amendments in the hope that they may be agreed to.

Mr. CLAY. Did the Senator offer an amendment to the general subsidy feature? I did not catch his words exactly.

Mr. ALLISON. I did not, and I will state the reason for it. As I understand this general feature, it can be repealed at any time. The evils or ills connected with it will probably be developed very soon. But I think that we ought not to grant this general subsidy at all; that we ought to rest content with establishing these new mail lines, these new steamers that are to contest with the vessels of other countries for the supremacy of the sea.

MONUMENT OF MARSHAL DE ROCHAMBEAU.

The PRESIDENT pro tempore laid before the Senate the joint resolution (H. J. Res. 162) authorizing and requesting the President to extend to the Government and people of France and to the families of Marshal de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication of the monument of Marshal de Rochambeau, to be unveiled in the city of Washington; which was read twice by its title.

Mr. CULLOM. This joint resolution is almost if not quite an exact copy of the measure passed by the Senate, except as to the appropriation, and this is the amount desired by the State Department. I ask for the immediate consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CULLOM. I move to reconsider the vote by which the Senate passed the joint resolution (S. R. 68) authorizing and requesting the President to extend to the Government and people of France and the family of General de Rochambeau an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of General de Rochambeau to be unveiled in the city of Washington, and that it be recalled from the House of Representatives.

The motion was agreed to.

EDWARD KERSHNER.

The PRESIDENT pro tempore laid before the Senate the following resolution of the House of Representatives; which was read:

Resolved, That the message of the President and the bill (H. R. 5224) for the relief of Edward Kershner be transmitted to the Senate with the request that the Senate reconsider its action in passing said bill in order that an amendment may be made to the same by striking out the word "director" and inserting in lieu thereof the word "inspector."

Mr. GALLINGER. I ask unanimous consent that the votes by which the bill was ordered to a third reading, read the third time, and passed be reconsidered.

The motion was agreed to.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate proceeded to consider the bill.

Mr. GALLINGER. I move to strike out "director" and insert "inspector."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In line 4 it is proposed to strike out "director" and insert "inspector," so as to make the bill read:

Be it enacted, etc., That the President be, and he is hereby, authorized and empowered to appoint Edward Kershner as medical inspector in the Navy on the retired list.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean-mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. ALLISON. I ask that the amendments which I intend to offer to the pending bill may be printed.

The PRESIDENT pro tempore. They will be printed.

Mr. BACON. Mr. President, when I was upon the floor this afternoon at the time I presented the tables there was some discussion as to whether there is a discrimination in this bill, under title 2, against ships under 1,000 tons burden. I was very strong in my recollection that there was, but I was unable at the time to refer to the precise item. It is found on page 7 of the bill, in subdivision (b). In providing for compensation under subdivision (a) all ships, without reference to the question of burden or tonnage, are entitled to 1 cent per gross registered tons for each 100 nautical miles sailed.

That refers to ships now in existence or in existence at the time of the passage of the bill. Then under subdivision (b) all ships hereafter built which shall exceed 1,000 tons shall have an additional compensation of one-quarter of 1 cent. That is the extent of the discrimination. Vessels under 1,000 tons hereafter built are not entirely excluded, but they have not the same compensation as those above 1,000 tons.

There is one other point to which, as I am on my feet, I desire to call attention, and that is this: The bill in title 1 provides for certain compensation to be paid, according to tonnage, to all ships which shall attain a certain speed, whether they carry mail or not—that is, if they come within the classification required here. It defines in what the first class shall consist—that is on page 3—ships over 10,000 tons and of 20 knots or over; the second class, 19 knots and less than 20 knots and over 5,000 tons, and so on. The highest requisite in order to get the first classification is 20 knots and 10,000 tons.

The point to which I desire to direct the attention of the Senate is this: Under the bill, if it becomes a law, any ship of 10,000 tons which can make 20 knots an hour will be entitled to this compensation for fifteen years, if the contract is made for that length of time, and up to the conclusion of the fifteen years, provided, under the amendment suggested by the Senator from Iowa [Mr. ALLISON], she continues within the classification, regardless of the fact whether she carries any mail or not.

We are evidently upon the eve of a great development in shipbuilding, under which there is going to be great increase in speed, and before the fifteen years are up the ships which will thus be entitled to this compensation will not be carrying any mail, certainly not between the great ports, because all indications now point to the result that before that time ships will be upon the sea which will carry mail so much more rapidly that they will naturally be given it to carry.

In this connection I desire to have the Secretary read an article which appeared in the New York World of March 9, giving a statement of the ships which are now arranged for and the building of which is about to be begun by the great companies now owning trans-Atlantic lines of steamers.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

GIANT CUNARDERS TO MAKE 25 KNOTS—TO COST $3,000,000 EACH AND CROSS THE ATLANTIC IN FOUR DAYS AND SIXTEEN HOURS—ONLY ANOTHER LINK IN MARINE EVOLUTION—NEW SHIPS PROJECTED BY RIVAL LINES, THEIR SIZE AND DATES OF THEIR MAIDEN APPEARANCES.

The report from London that the Cunard Steamship Company, Limited, is to bring out chum world beaters in size and speed, thereby reducing the traversing of the 2,800 knots between Queenstown and Sandy Hook to four days and sixteen hours, is only another link in the chain of evolution of the steamship.

The paddling of the 412-ton steamer *Sirius* across the waved-tossed Atlantic between April 5 and the 23d of the same month in 1838 was more of a marvel than the mere announcement to-day of the coming of the greatest vessels the world has ever seen.

Not unexpected is this step forward of the Cunard Line, for the proud position it holds in the estimation of ocean travelers, its immense social prestige, and its almost unequaled record—"not a life lost in more than fifty years, except through the fault of the victim"—make it imperative that the company should retake the laurels won from it by the swift creations of cunning German shipbuilders.

WILL BE OVER 700 FEET LONG.

The two new vessels, it is announced, will be more than 700 feet long, with engines of 48,000 horsepower, capable of driving each ship 25 knots an hour.

The horsepower alone will be far beyond the driving capacity of any marine machinery ever embedded in a hull. The most powerful engines ever built for a ship are those of the Deutschland—35,000 horsepower—so that the addition of 13,000 horsepower ought certainly to add 2 or 3 knots to the Hamburg-American liner's rate of speed.

The question of increased speed with longer hulls, the driving power being the same, is one of mathematics, but practice shows that the higher the horsepower the more of it is required to produce an additional knot. With each knot of engine-producing capacity the heavier must be the fabric to support the machinery.

The new boats will follow the general outlines of the *Campania* and *Lucania*, which have given such useful results. They will be built by the same firm, the Fairfield Company, Limited, of Glasgow. Each vessel will cost, it is said, $3,000,000. The company will issue new bonds for the purpose of raising the funds to lay down the ships.

Regarding the application of the immense power, it is not to be tolerated in thought that the turbine system will be adopted, for the rudimentary form of the rotary steam engine has not yet demonstrated its practicability and safety as a propelling power for ships.

The new vessels will each have accommodations for 4,000 persons, surpassing in passenger capacity the *Celtic*, the broadest ship afloat, by nearly 1,000.

For purposes of comparison it will be interesting to observe what other lines are doing in the way of shipbuilding, their progress being the spur that impels forward their doughty British rival.

OTHER BIG SHIPS BUILDING.

The North German Lloyd line fabric *Kaiser Wilhelm II*, now on the stocks in the yards of the Vulcans at Stettin, is 707 feet long, or 3 feet longer than the *Oceanic*. She will be 72 feet in beam. She is intended to eclipse anything afloat. The *Kaiser Wilhelm II* will be launched next October, and make her maiden trip to New York in April, 1903.

Capt. Heinrich Engelhart, who has been nearly twenty-two years in the service of the North German Lloyd as master, is overlooking the construction of the *Kaiser Wilhelm II*, and affording the builders the benefit of his experience.

Almost simultaneously with the announcement of the new Cunarders comes the report that the Hamburg-American Line has awarded a contract for a steamer 725 feet long, with a guaranteed speed of 25½ knots, about twelve hours faster than the *Deutschland*.

Mr. BACON. Against these ships making 25 knots an hour, the pending bill proposes to subsidize ships which shall run in speed from the first-class at 20 knots an hour down to the seventh class at 14 knots an hour, and, as I said before, if there shall be, as there is now promised, such development that mail can be carried across the ocean at the rate of 25 knots an hour, still, under this bill, if no mail can be subjected to the slow passage of from 14 to 20 knots an hour, for the next fifteen years the subsidy is to be paid to those ships, not according to the amount of mail carried, but according to the tonnage of the ship, even though they may not carry one single pound of mail and even though, under the possibilities or the probabilities indicated by the article just read, not a pound of mail could possibly be subjected to so great an inconvenience as to be sent by ships of such slow speed.

Mr. SPOONER. Mr. President, I desire to address the Senate briefly on the pending bill, and necessarily in a very general way. I have listened very attentively to the speeches which have been made in favor of the bill and in opposition to it. To the general object of the bill no good American, I think, can find himself in opposition. The lamentable condition of our merchant marine is one thing that is not open to debate. The desirability of becoming able to carry the products of the American farm and factory in ships sailing under our own flag is not open to question.

I became, years ago, and I was no more in favor then than I am now, and no less, of upbuilding the merchant marine of the United States—persuaded that the best way to do it is by the restoration of the old policy under the operation of which it was first made a great merchant marine. I think my mind was led in that direction somewhat by the President pro tempore of the Senate, the distinguished Senator from Maine [Mr. FRYE], who once said:

I believe, and have always believed, that the true method of revival is through discriminating duties; that the fathers were right.

The 1896 platform of the party to which I belong, and which I very earnestly supported, declared:

We favor restoring the American policy of discriminating duties for the upbuilding of our merchant marine and the protection of our shipping in the foreign carrying trade, so that American ships—the product of American labor, employed in American shipyards, sailing under the Stars and Stripes, and manned, officered, and owned by Americans—may regain the carrying of our foreign commerce.

The nominee of that convention, William McKinley, in his letter of acceptance, wrote upon the subject as follows:

The declaration of the Republican platform in favor of the upbuilding of our merchant marine has my hearty approval. The policy of discriminating duties in favor of our shipping which prevailed in the early years of our history should be again promptly adopted by Congress and vigorously supported until our prestige and supremacy on the seas are fully attained. We should no longer contribute directly or indirectly to the maintenance of the colossal marine of foreign countries, but provide an efficient and complete marine of our own.

The obstacle which exists, it is said, and it may be true, to the adoption of that method of restoring our merchant marine—the discriminating duties—is the large number of treaties, some of them very old, which we have entered into with foreign governments

Mr. TELLER. It is no greater now than in 1896.

Mr. SPOONER. It is no greater now than in 1896. All of those treaties, I think, but two or three, upon short notice, comparatively, can be brought to a termination. I think these treaties have been one trouble with our merchant marine in the past. Men differ about the cause of its decadence, but it has seemed to me that the Government has been placed and is to-day in a very humiliating attitude.

It seems a very unhappy thing for a great government to have so bound itself not to treat its own ships and shipowners any differently, no matter how strong the pressure of sound policy and national safety may require otherwise, than it treats the ships of its competitors on the sea. If the Government has so tied its hands, is the handicap to be perpetual?

I am not able to say to what degree, if we should denounce those treaties, as provided by their terms, retaliation would follow which would be harmful to our commerce and to our interests. I can not estimate it, for it is more or less a technical subject with which I do not profess to be very familiar. Certainly I have not mastered it. I do not, however, take kindly to the proposition that we are forever to be bound and that we are remitted, because of these contracts, to experiments such as were proposed in the last bill, and such as I think are proposed in this bill, and in a few words I will state very briefly why.

We will have retaliation anyway. Our competitors will not surrender supremacy on the sea without a fight. It is not the nature of man or nations to do it, and it is not to be expected.

Mr. CULLOM. Do you mean war?

Mr. SPOONER. No; I do not mean war, of course.

Mr. CULLOM. I supposed you did not.

Mr. SPOONER. Oh, no; and if my remark might be so interpreted, I thank the Senator for asking me the question.

I assume, now, for the purposes of what little I want to say on this bill that we are excluded from a resort to the method favored by the convention of 1896, and not changed, either, by the convention of 1900, and that we can not at this time safely put an end to these treaties, and must therefore resort to some other method.

At the last session I gave very careful study to the bill—Hanna-Frye bill, as it was popularly called—and I came to the conclusion—I may have been wrong about it—that a subsidy, to be efficacious in building up the merchant marine of the United States, must be accompanied by the contract system, and one great trouble I had with the bill last year was the limitation of the annual expenditure.

It seemed to me very clear, with the provision for the admission of foreign-built ships then under contract and the payment of half subsidy thereto, and with the limitation contained in the bill, the bonds that were required, and the facility for contracts under the bill, that before ten days had passed after its enactment the annual limit would be reached, and that during the life of those contracts ships would not be built, for the reason, as I understood it then, that the subsidy provided by the bill was simply adequate, and no more, to overcome the adverse conditions existing between our shipowners and shipowners across the sea, both in the cost of construction and the cost of operation, and having regard also to the mail subsidies and the admiralty subventions.

It seemed clear to me, although not to most of my brethren on this side of the Chamber, that the effect of that bill would of necessity be to bunch the whole appropriation in a comparatively few hands and to discourage, because of the want of a sufficient sum to equalize conditions as to new ships, the construction of new ships under its provisions. I have carried into my study of this bill, so far as I have been able to study it, some of the thoughts which controlled me, in a way, last session, for I could not have voted for that bill.

I will deal for a moment only with title 1. This is called "compensation" for mail service. We all know that that is not what it is. It is not a mere matter of compensation for carrying the mail. We can carry the mail cheaper on other ships, so far as that is concerned, but every man, I take it, considers it a desirable object, and one that ought to be accomplished if possible, that the mails of the United States shall be carried in ships of the United States and under the flag of the United States.

It is a ship subsidy, and I have no fear of the word "subsidy," as my friend the Senator from Georgia [Mr. BACON] says he has not. But this is what has troubled me about it. I am not opposed to mail subsidies, but I do not like to vote for fifteen-year contracts, involving the appropriation from the Treasury of vast sums of money, unless it is quite obvious that the purpose which is sought to be accomplished by it will be accomplished by it, and that I have not been able to ascertain from this debate or otherwise.

On the contrary, what information I have been able to obtain upon the subject in the debate has caused me to doubt it. The object is to give a mail pay not simply for carrying the mails of the United States, as I understand it, but to overcome, or, to employ the better word, used by the Senator from West Virginia [Mr. ELKINS], to equalize the conditions between ships of the United States and the corresponding ships of other governments.

Now, does this do it? Senators on the Democratic side contend that there are no adverse conditions; that we can construct ships as cheaply in this country as they are constructed in England. I doubt it. They contend that ships can be operated as cheaply under the American flag as they can be operated under a foreign flag. I doubt that. I assume in what I have to say that Senators on this side are correct in their statement that the difference in cost of construction between ships built in the United States and ships built in the shipyards abroad is at least 25 per cent.

The letter from the president of the Atlantic Transport Company seems very clearly to establish that.

It is contended on this side also, Mr. President, that the difference in the cost of operation is much greater. Some put it at 25 per cent; I think my friend from Ohio [Mr. HANNA] put it at 20 per cent. I may be mistaken about that. Was it 20 or 25?

Mr. HANNA. Twenty-five to 30.

Mr. SPOONER. Yes; 25 to 30 per cent.

Mr. HANNA. But I want to explain in this connection that the difference in the scale of wages in the competition we have with foreign shipping is not confined to England.

Mr. SPOONER. I understand that.

Mr. HANNA. So while I said it is 25 to 30, I could have said the difference in wages is 20 to 30 per cent, covering Germany, England, Italy, etc.

Mr. SPOONER. So far as prices are concerned, does Germany pay higher rates of wages than England?

Mr. HANNA. No.

Mr. ELKINS. No; lower.

Mr. SPOONER. Very well, stating it generally, call it 25 per cent. Some say it is 30 per cent; some say it is 33⅓ per cent. That is not all the difference. First, you have a great difference in the cost of construction. Then you have a great difference in the cost of operation. Then you have in addition to that the admiralty subvention and the mail subsidy, and perhaps some other allowances by some governments.

Mr. President, does this bill equalize those conditions? It was stated at the last session when the other bill was under discussion that the subsidies provided by it did no more than equalize conditions. I think it would not be contended by the men who advocated the measure that it did more than to equalize the conditions, for I can not understand how such a proposition could be supported. All that could be asked is that the conditions be equalized, and, being equalized, that our ships, sailed under our flag, take their chances in the battle for commerce.

I asked the Senator from Maine the other day if the mail pay and the subsidy provided by this bill is greater or less than the rates of subsidy provided by the bill which we considered at the last session. He said "Less." I inquired of him how much less. The Senator had not figured it; he was not able to say. I offered a resolution, which was answered by the Secretary of the Treasury, which shows that in almost every instance it is less. I asked the Senator from Ohio [Mr. HANNA] to-day in regard to it.

That Senator had not figured it. I regard this as a pivotal point upon this subject—I may be wrong about it—because if you do not equalize conditions it is a waste of public money. Why? It certainly would not lead to the construction of new ships. A very little additional admiralty subvention, a very little additional subsidy by our competitors, which I think they would promptly give, would intensify the difficulty. If these rates are short of the equalizing point, as they certainly seem to be, what will be the result of these payments? Simply the

payment under this bill to the ships now in existence of a vastly larger sum than they are receiving now.

So the experiment about this bill is (and I should feel differently about it if I knew, and we ought to be enabled to know it) whether this rate equalizes the conditions, so as to lead to the construction of new ships.

There is only one absolutely certain thing about it, and that is that existing ships will receive this added subsidy. To my mind, that is a mere gift, unless adverse conditions are overcome, so as to secure new ships. I believe the people of the United States will be willing to pay a large sum of money for the creation of steamship lines to carry the mails to distant ports, to build up the trade of the United States, but I think they want to be certain when they appropriate the money that it will accomplish the object.

There is another thing about the bill, which is perhaps more a matter of detail, that has troubled me a little. I have not been able to see quite why the maximum subsidy rate should be the same on all mail routes. It has seemed to me that if a new route is to be established, a route from some of the ports of the United States to South America, where our trade is very small and where the profit for years to come from passengers and cargo will be relatively small, they should have a larger maximum subsidy, a greater measure of encouragement, than should be given the ships plowing the ocean between New York and Liverpool and countries where we already and for a great many years have had an established and constantly increasing trade.

The same may be said of a new mail route from Pacific ports to the Orient. But under the bill the maximum rate for the new line which is to build up trade is the same as it is for the old line plying between this country and a country with which the trade has been long established.

I have thought, as suggested by the Senator from Iowa [Mr. ALLISON], that it might be wise to establish some definite routes in the bill, to put some elasticity into it, and to afford, even if it took larger subsidy, a greater encouragement in some lines than on other lines, and to enable the Postmaster-General to contract for it. I would be willing to vote for it.

Now, Mr. President, we have had within the last few years, I have supposed, a very great revival of our merchant marine. I have thought our shipyards were busy and full of work, and it had not occurred to me either that that was with sole reference to the certainty, as it seems to have been regarded, that Congress would pass a subsidy bill. The Senator from Iowa says we were number 2 last year among the nations in building ships.

Mr. HANNA. May I ask the Senator from Wisconsin a question?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. SPOONER. Certainly.

Mr. HANNA. I think it is only fair in this connection to repeat what I said before, that almost the entire construction of the past year has been for the coastwise trade.

Mr. SPOONER. Very likely.

Mr. HANNA. Eight or ten vessels were built for the foreign trade. If that had been measured by the countries of Europe as building vessels for the foreign trade it would be a fair comparison.

Mr. SPOONER. I speak of shipbuilding.

Mr. HANNA. I know.

Mr. SPOONER. That is all; we have been increasing our tonnage all the time.

Mr. HANNA. Very largely.

Mr. SPOONER. I thought that was natural. I thought that the time had come, our commerce had so expanded, the balance of trade was so greatly in our favor, there was such immense prosperity in our country, that the attention of capital was being attracted to shipbuilding and shipowning, and it has been. There have been purchased within a year of foreign-built ships to be owned, as I understand it, by American owners, 1,400,000 tons. There were two lines, the Leyland Line and the Dominion Line.

I have had an idea that this matter would take care of itself if you would give it a chance. I am willing to help it if we can be made certain that it will help it. I am not willing—every Senator acts upon his own responsibility, upon his own judgment—lightly or blindly, to vote $5,000,000 a year for fifteen years, or $10,000,000, out of the Treasury, if it is not *surely* to lead to the upbuilding of our merchant marine, but is in the end simply to go as a largess to ships already constructed.

The Senator from Iowa referred to a speech made by Mr. Ellerman, who was chairman of the Leyland Company at a meeting of the stockholders, and evidently a man of great ability not only as a shipmaster or manager but as a very clear speaker and practical business man. This is what he said. It was a speech made by him to the stockholders of the Leyland Line. It had been reorganized, and under his management had been extremely profitable. He had made a provisional contract to sell out to Mr. Morgan and associates his stock except the preference shares. He had 71,000 shares of the common stock.

Mr. ALLISON. A majority.

Mr. SPOONER. A majority. But, like a gentleman, he treated his associates as he would want them to treat him, and he secured their right to sell their shares if they chose at the same price he proposed to sell his for, and he gave the reasons to the stockholders which influenced him to make the sale. He said:

It is found in the report of our Commissioner of Navigation for 1901:

> But we must look at this matter all round, and I am bound to tell you that there are two factors in regard to the shipping trade which, while on the one hand it would be quite possible to exaggerate their importance and take too serious a view of their importance, it would on the other hand be exceedingly foolish to ignore and not give due consideration to. You may accept this offer or you may decline it, as seems best to you in your wisdom, but of one thing be sure—

Here was an expert, a man who lives on the other side, who owned and managed a vast line of steamships going in different directions, talking to his own people, not to outsiders—

> but of one thing be sure, American capital is coming into the Atlantic trade, and is coming into the Atlantic trade to stay. The Atlantic trade is a peculiar trade in this respect, that it is almost entirely an east-bound trade. Your vessels going out to the United States take practically nothing. They do not pay their way, or anything like it. The profit is wholly made upon the return cargo.
>
> Now, an east-bound trade means the carriage of produce from the United States to Great Britain and the Continent. Well, the relations of Messrs. Morgan to the great railway systems of the United States are known to everybody, and you can judge for yourselves, without my enlarging upon the matter, whether Messrs. Morgan and their friends coming into the Atlantic trade would or would not come into that trade under very favorable conditions so far as they were concerned and very unfavorable conditions as far as many of their competitors were concerned.

That meant that they would be able, owning or controlling largely the terminal facilities here and largely interested in the railways which carry products to tide water, to bill them by their own ships to the exclusion of British competitors or French competitors or any other competitors.

Mr. CULLOM. They can bill them from the place where the goods start.

Mr. SPOONER. Of course they can bill them from the place where the goods start. I am glad it was done. It was a good thing to do. Good for the purchasers and good for the country, for the earnings of these ships will stay here largely. I regard Mr. Morgan as a great financial genius. He has done some great things for this country.

Mr. HANNA. May I ask the Senator a question?

Mr. SPOONER. Certainly.

Mr. HANNA. Is he arguing that these people will build ships in America to carry American products or that they will build them where they can build them cheapest?

Mr. SPOONER. I am arguing that they bought these ships because they knew——

Mr. HANNA. Oh, no; this gentleman is arguing to his stockholders. He says, "If we do not sell and the people who control the shipments from the United States to Europe do not have these ships, they will build ships for themselves."

Mr. SPOONER. Yes.

Mr. HANNA. Where?

Mr. SPOONER. Probably where they could build them cheapest, but that is not the point.

Mr. HANNA. That is the point I want to make.

Mr. SPOONER. That is not the point. The point is this, as I understand it: They would buy the ships or they would build the ships, of course, where they could buy or build them cheapest, and they wanted the ships because they could control their cargoes from the United States to Europe. My point is not why Mr. Ellerman sold, but why our people bought.

In addition to that he also stated that another factor to be reckoned with was the large subsidies to American shipping contemplated by the American Government.

I believe it is true that our shipbuilding will go on, and that our marine will be built up gradually. I would almost be willing to bring those ships in and admit them to American registry for the purpose of swelling at once our merchant marine and dealing generously with them, although I am not in favor of free ships and never have been.

But I defy any man, Mr. President, who has listened to this debate or who reads it to find in it anything that has been said here by the experts which warrants the belief that the mail rate provided by this bill will overcome the adverse conditions existing as to the cost of construction, the cost of operation, and the foreign subventions and mail pay; and, as I said to the Senator from West Virginia, if it is not enough to do that it is too much to give away. If it is inadequate to equalize it is a mere gratuity, without any justification whatever.

There are many things that I should like to say about the bill, some of them as to details. I will not take the time to do it. But

one word about the general subsidy. I have not believed—I may be wrong about that, too—that anyone would build ships to any appreciable extent upon the faith of a subsidy which in a year may be withdrawn by Congress.

I do not think they will have forgotten the sugar bounty, by which the Congress invited men in different States to enter upon sugar production and invited the sugar planters of Louisiana to enlarge and extend their operations. In three years it was repealed. They thought it was not good faith to repeal it. I thought so, too. How will it be with this?

There is only one thing absolutely certain to my mind as to the operation of title 2, and that is that existing ships will receive the subsidy until it is repealed. The Senator from Ohio is a great deal better judge than I am, in many respects, as to whether the men who desire to go into the ship-owning and shipbuilding business will be led to do so by a bounty which has no fixity to it, so far as the law is concerned. I intend to offer an amendment, which I will read, to be inserted at the end of the bill:

Congress reserves the power to alter, amend, or repeal this act, in whole or in part, whenever in its judgment the public interest shall so require, without in anywise interfering with the obligation of any specific contract then in force which shall have been entered into under the provisions of title hereof.

That does not of course change the power of Congress at all, but I do not want a year from now or two years from now or three years from now, if this bill shall be enacted, and if, in the opinion of a majority of each body, it is not conserving the general public good, Congress to be confronted with the argument of honor against its revocation in whole or in part.

I think it should be incorporated in the bill as notice to all the world—constant notice, not to be forgotten except through the fault of the one who forgets it—that this subsidy, which goes to every class of steamers and to sail vessels as well, is entirely in the hands of Congress, is precarious, as every Senator knows it is, and not a safe foundation to build largely upon.

Perhaps this bill may be improved. If this mail-pay provision is not adequate (some one ought to know that) to induce the construction of new ships to be operated during the fifteen years, it ought to be made adequate. We ought to do this thing right or not do it at all. For one, I do not feel at all satisfied upon that phase of this subject or with the bill as it now stands.

Mr. MONEY. Mr. President, it is so late in the afternoon that I have no intention of speaking at any length, but I desire to say a few words in reply to remarks made this afternoon in the course of the debate and also suggested by the speech we have just heard.

Our friend from Wisconsin [Mr. SPOONER] thinks that there will be retaliation. He may be very well assured of that fact. There is not the slightest doubt about it.

The Senator also says that it is a matter of pride that the American mails shall be carried in American ships in just the same way that some of us feel that American products and merchandise shall be carried in American ships. I should like to ask the Senator what is the American mail? The American mail is not simply the letters we write. The American mail is constituted partly of the letters we receive. We both send and receive letters.

If this is good policy for us, and the Senator thinks there will be retaliation, then the British mail—that is, the letters they write to us on business—will have to come on British ships, and letters that the French write to us, engaging cotton and lard and all the other things that we sell them will come in French ships. We must not forget that the letters we receive are just as important a factor in business transactions as the letters we write.

This is all caused by the idea that some of us have that we are the whole earth. We are not; we are only a part of it, and we never will become the whole earth, no matter what bounties or subsidies we vote to corporate or other interests. We can only be a part of the earth. We must remember that in order to sell we must buy.

Now, if the people who come here and buy the cotton and the hay and the other products of this country are not permitted to carry home what they buy of us, what is the inducement for them to trade here? We can not forever sell and never buy, and we should not undertake to do it, as we have foolishly done, in my opinion, by saving all the home markets and reaching out for foreign markets, as is proposed, by subventions or subsidies, or whatever you choose to call them, to lines of steamers to any part of the earth. I want to say that I favor that part of the bill that would organize new lines of steamships and promote business. I have favored it heretofore, and I will do it again.

But, Mr. President, I understand that it is the desire of Senators to have an executive session, and as it does not make any difference to me, as I have very little to say in regard to the pending bill, I will now yield the floor.

EXECUTIVE SESSION.

Mr. PETTUS. I move that the Senate adjourn.

Mr. BERRY. I hope the Senator will let us have a short executive session.

The PRESIDING OFFICER. Does the Senator from Alabama withdraw his motion?

Mr. PETTUS. I will modify my motion by moving that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were opened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, March 17, 1902, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 15, 1902.

PROMOTIONS IN THE NAVY.

Capt. Arent Schuyler Crowninshield, United States Navy, to be a rear-admiral in the Navy from the 16th day of March, 1902, vice Rear-Admiral John A. Howell, retired.

Lieut. Commander Robert M. G. Brown, United States Navy, retired, to be a commander in the Navy on the retired list in accordance with the provisions of an act of Congress approved March 11, 1902.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 15, 1902.

PROMOTIONS IN THE NAVY.

Lieut. Commander William A. Marshall, to be a commander in the Navy, from the 27th day of December, 1901.

Commander Henry B. Mansfield, to be a captain in the Navy, from the 9th day of February, 1902.

Lieut. Commander Lucien Young, to be a commander in the Navy, from the 5th day of March, 1902.

Lieut. John H. Gibbons, to be a lieutenant-commander in the Navy, from the 9th day of February, 1902.

POSTMASTERS.

Henry H. Houghton, to be postmaster at Jonesboro, in the county of Craighead and State of Arkansas.

John P. Cox, to be postmaster at Fordyce, in the county of Dallas and State of Arkansas.

John R. Greenwood, to be postmaster at Stamps, in the county of Lafayette and State of Arkansas.

James G. Brown, to be postmaster at Magnolia. in the county of Columbia and State of Arkansas.

John W. Howell, to be postmaster at Hot Springs, in the county of Garland and State of Arkansas.

Samuel I. Clark, to be postmaster at Helena, in the county of Phillips and State of Arkansas.

Scott Cole, to be postmaster at Huntington, in the county of Huntington and State of Indiana.

Mabel R. Sharum, to be postmaster at Walnut Ridge, in the county of Lawrence and State of Arkansas.

William K. Baker, to be postmaster at Wynne, in the county of Cross and State of Arkansas.

John C. Bell, to be postmaster at Forrest City, in the county of St. Francis and State of Arkansas.

William S. McCullough, to be postmaster at Brinkley, in the county of Monroe and State of Arkansas.

Rosa Rose, to be postmaster at Abingdon, in the county of Washington and State of Virginia.

M. A. Jackson, to be postmaster at Lewisburg, in the county of Greenbrier and State of West Virginia.

John H. Bruce, to be postmaster at Weiser, in the county of Washington and State of Idaho.

William E. Downs, to be postmaster at Edinburg, in the county of Johnson and State of Indiana.

William E. Peck, to be postmaster at Remington, in the county of Jasper and State of Indiana.

Frank Smiley, to be postmaster at Matthews, in the county of Grant and State of Indiana.

Calvin K. Neff, to be postmaster at Groton, in the county of Brown and State of South Dakota.

Horace G. Miller, to be postmaster at South Bend, in the county of St. Joseph and State of Indiana.

Albert H. Leist, to be postmaster at Michigan City, in the county of Laporte and State of Indiana.

Marion C. Reiter, to be postmaster at Rochester, in the county of Fulton and State of Indiana.

George W. Irvin, to be postmaster at Butte, in the county of Silver Bow and State of Montana.

Ada M. Bennett, to be postmaster at Miles City, in the county of Custer and State of Montana.

Aaron W. Lytle, to be postmaster at Valparaiso, in the county of Porter and State of Indiana.

Charles P. Nair, to be postmaster at Cliftonforge, in the county of Alleghany and State of Virginia.

Alfred J. Stephens, to be postmaster at Lewistown, in the county of Fergus and State of Montana.

Evan H. Ferree, to be postmaster at Marion, in the county of Grant and State of Indiana.

William F. Brittain, to be postmaster at Sheridan, in the county of Sheridan and State of Wyoming.

James F. McCaskey, to be postmaster at New Martinsville, in the county of Wetzel and State of West Virginia.

Samuel H. Hoge, to be postmaster at Roanoke, in the county of Roanoke and State of Virginia.

Clinton O. Kinne, to be postmaster at Alma, in the county of Wabaunsee and State of Kansas.

Paul Maclean, to be postmaster at Creston, in the county of Union and State of Iowa.

Laban F. Maple, to be postmaster at Chariton, in the county of Lucas and State of Iowa.

William T. Little, to be postmaster at Perry, in the county of Noble and Territory of Oklahoma.

Newton C. Clyde, to be postmaster at Troy, in the county of Miami and State of Ohio.

Thomas E. Dittemore, to be postmaster at Eureka, in the county of Greenwood and State of Kansas.

HOUSE OF REPRESENTATIVES.

SATURDAY, *March 15, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. EDDY, an additional thirty days, on account of important business.

To Mr. STEVENS of Minnesota, for five days, on account of death in his family.

TRANSPORT SERVICE BETWEEN SAN FRANCISCO AND PHILIPPINE ISLANDS.

Mr. PARKER. Mr. Speaker, I desire to submit a report from the Committee on Military Affairs—a privileged motion.

The SPEAKER. The gentleman from New Jersey calls up a privileged report from the Committee on Military Affairs.

The Clerk read as follows:

The Committee on Military Affairs, to whom was referred House resolution No. 157, report the same back to the House with the recommendation that it do pass with an amendment as follows:

Strike out all after the word "requested," in line 2, and insert the following words in lieu thereof, viz: "so far as compatible with the interests of the public service, to inform the House of any and all facts that have come to his knowledge as to the conduct of the transport service between San Francisco and the Philippine Islands."

The original resolution asked for certain specified reports of inspectors of the War Department on this general subject. We prefer to request facts rather than copies of these reports. Inspection reports are essentially confidential, and it is not fair to the officers who make them not to respect their confidence. Nor can the Department expect to have the free and frank expressions about the conduct of individuals which superior officers ought to have from their inspectors if such reports are to be published. We think it inconsistent with the interests of the public service that such reports as are referred to in this resolution should be made public. The real object of the resolution is to ascertain the facts, so far as they may rightly be furnished, and we have amended it accordingly, so as to secure this end.

The resolution was read, as follows:

Resolved, That the Secretary of War be, and is hereby, requested to inform the House of the contents of the report of Col. John L. Chamberlin, inspector, of War Department, on the transport service between San Francisco and the Philippine Islands.

He will also inform the House of the contents of the report of Col. Marion P. Maus, inspector, of War Department, on same service between same points. The Secretary of War will, in each of the cases mentioned above, furnish the House with a copy of the report made to the Department.

The amendment was read, as follows:

Strike out all after the word "requested," in line 2, and insert the following words in lieu thereof, viz: "so far as compatible with the interests of the public service to inform the House of any and all facts that have come to his knowledge as to the conduct of the transport service between San Francisco and the Philippine Islands."

Mr. PARKER. Mr. Speaker, this matter has been submitted to the gentleman from Tennessee [Mr. RICHARDSON] this morning. He has been over it, and I do not understand from him that he has any particular objection to the amendment, but rather agrees with the committee. I would state that the committee desire, as much as the gentleman from Tennessee, to lay all the facts before the House. That if there be anything that ought to be allowed there it must come here. But an inspector's report, made by an inspector of the United States Army, is likely to express opinions, suggestions, and impressions as to other people that brings other peoples' reputation into question. They are necessarily confidential, and under these circumstances it is the universal rule of the War Department that such reports are not published. The real facts the gentleman ought to have, so far as it may be compatible with the public service. Accordingly I desire, with the gentleman's leave, to retain the floor, so as to allow pension legislation to come in. How much time does the gentleman desire?

Mr. RICHARDSON of Tennessee. I only want a few minutes; not to exceed ten minutes.

Mr. PARKER. I yield to the gentleman from Tennessee for ten minutes.

Mr. RICHARDSON of Tennessee. Mr. Speaker, as I have already indicated, I do not desire to detain the House this morning on this resolution. I had the honor on the 6th of March instant to introduce the resolution which has been read to the House of Representatives. The Committee on Military Affairs considered that resolution, and have adopted a substitute almost for the resolution. Mr. Speaker, I have read the resolution reported by the Committee on Military Affairs. The gentleman says that the committee in amending it purpose giving to the House and to the country all the facts that have come to the knowledge of the Secretary of War on the subject of the transport service between San Francisco and the Philippine Islands that we would be entitled to if the resolution itself was adopted as I introduced it. The Committee on Military Affairs have concluded, as stated by the gentleman, that these reports are more or less confidential, and by the vote of a majority of that Committee, as I am informed, in opposition to the wishes of the minority of that committee, reported by a party vote a substitute or an amendment for the original resolution.

Now, the gentleman went a little too far when he says that I am satisfied with the resolution. I will be satisfied with it, Mr. Speaker, if the majority—and I presume they will follow the recommendations of the majority of their committee—if the majority side of the House pass the resolution as reported, and the Secretary of War, as I am assured he will by the gentleman in charge of this measure, gives us all the facts in respect to this transportation service that could be had by the original resolution. Then I will be satisfied, and that is what I have stated to the gentleman, and that assurance I have from the gentleman in charge of the resolution, after a conference with the Secretary of War. Now I have no reason to doubt, Mr. Speaker, that he will give the facts as stated by the gentleman.

Mr. PARKER. Will the gentleman permit me to interrupt him?

Mr. RICHARDSON of Tennessee. Certainly.

Mr. PARKER. The whole difference is between facts and opinions.

Mr. RICHARDSON of Tennessee. That is all.

Mr. PARKER. Very often an inspector expresses a great many opinions which are not facts, a great many suggestions, and a great many suspicions that ought not to come. What we want is the facts as ascertained by the Secretary of War. If the Secretary of War spread before the public everything that was said to him by his inspectors he would not have any full, free, and frank inspection report made. It has got to be confidential. I think the gentleman agreed with me in that, that in the military service there ought of necessity to be absolute confidence between the officers of that service.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I accept the statement in perfect good faith made by the gentleman from New Jersey, and upon the assurance that we are to have the facts on this subject I shall not call for the yeas and nays upon the adoption of the amendment by way of a substitute for the resolution; but from this assurance and others which I need not mention coming to me, coming from a high source, that we will get these facts and all the facts, I shall not ask the yeas and nays upon the adoption of the amendment.

Mr. Speaker, I am led with less reluctance to agree to this course and waive our right to call the yeas and nays for a further fact which I will mention. On the 12th day of March, six days after I had the honor to introduce the original resolution into the House of Representatives, the Senate of the United States passed a resolution almost identical in words with the original resolution which I introduced. I will read in my time, for it is only four or five lines, the resolution of the Senate passed unanimously on the 12th day of March.

Mr. RAWLINS submitted the following resolution; which was considered by unanimous consent, and agreed to:

"*Resolved*, That the Secretary of War is directed to send to the Senate the reports of Inspectors Carpenter and Morse and any other information, if any, in possession of the War Department relating to the free shipment or transportation of goods for private firms or individuals to or from the Philippine Islands in Government transports."

That resolution was unanimously adopted on the 12th of March by the Senate, six days after I had introduced the original resolution into this body. The only mistake in that resolution is the use of Inspector Carpenter's name for Inspector John L. Chamberlain's name—a misprint, as I am informed.

Mr. Speaker, in view of the fact that the Senate passed this resolution, almost identical with my own, calling for these

reports, and inasmuch as we are now about to pass, I presume, the resolution reported from the Committee on Military Affairs, calling, not for the reports, but the substance of the reports, I will waive the right I would otherwise have claimed to have the yeas and nays on the adoption of the amendment. Mr. Speaker, I am content with what I have said, and submit the question to the House of Representatives, hoping and believing that we will have all the facts in connection with this transport service called for by the original resolution. If I am not misinformed, they will make a chapter of very interesting reading for the people of the United States.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I think we ought to have a motion to reconsider, and I hope the gentleman from New Jersey will make it.

On motion of Mr. PARKER, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

CHANGE OF REFERENCE.

By unanimous consent, the following change of reference was agreed to:

The bill (S. 3320) granting an increase of pension to Adelaide G. Hatch—from the Committee on Invalid Pensions to the Committee on Pensions.

PENSION BILLS.

Mr. SULLOWAY. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House for the consideration of bills on the Private Calendar in their order.

Mr. SMITH of Kentucky. Mr. Speaker, pending that motion, I desire to ask unanimous consent that the Committee of the Whole may consider in its regular order House bill 1592, for the relief of S. M. Bowles, concerning his military record. It hardly falls within the strict rule, but approximates it closely. I would like to have it considered along with the other cases.

The SPEAKER. Is this for the correction of the record of the soldier?

Mr. SMITH of Kentucky. It is to correct the mustering of the soldier.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the Committee of the Whole may be instructed by the House to consider House bill 1592. Is there objection?

Mr. PAYNE. Mr. Speaker, I do not think we ought to establish such a precedent as that. I object.

The motion of Mr. SULLOWAY was then agreed to.

Accordingly the House resolved itself into Committee of the Whole, with Mr. CAPRON in the chair, for consideration of bills upon the Private Calendar under the rule.

SAMUEL WELCH.

The first bill on the Private Calendar was the bill (H. R. 6467) granting an honorable discharge to Samuel Welch.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of and grant an honorable discharge to Samuel Welch, late private, Company F, Third Wisconsin Volunteer Cavalry, and now a resident of Delton, Wis.: *Provided*, That no pay or allowances shall become due or payable by reason of the passage of this act.

The bill was laid aside to be reported to the House with a favorable recommendation.

NELSON JOHNSON.

The next business on the Private Calendar was the bill (H. R. 11052) for the relief of Nelson Johnson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of Nelson Johnson, late first sergeant Company A, Third Regiment New York Volunteer Light Artillery, at the rate of $12 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and time of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

With the following amendments recommended by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nelson Johnson, late of Company A, Third Regiment New York Volunteer Light Artillery, and pay him a pension at the rate of $12 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension."

Amend the title so as to read: "A bill granting a pension to Nelson Johnson."

Mr. SIMS. Mr. Chairman, I desire to have a letter read at the Clerk's desk as a part of my remarks.

The Clerk read as follows:

CAMDEN, N. J., *March 8, 1902.*

Hon. T. W. SIMS.

MY DEAR SIR: As a long-term soldier of the civil war, and as a member of the pension committee of the Union Veteran Legion, I desire to thank you on behalf of my comrades on the manly, patriotic stand you have taken against political favoritism in the granting of pensions.

It is time somebody had told the truth about the pension question. Favoritism prevails to such an extent that the veteran has come to regard his pension more as a political perquisite than as a Government reward. I can not think it was ever the intent of the people of this country, in their desire to assist the veterans, that it should become part of the "spoils" system of party machinery.

I have recently made a pretty thorough analysis of the last report of the Commissioner of Pensions and am amazed at the inequality and injustice that is apparent. The most vicious feature, of course, is the special-act pensions, by which men with no service record and no pensionable status receive larger pensions through political influence than the deserving veteran who has to depend on the merits of his case alone. To the faithful soldier of the civil war the present system of granting pensions is a humiliation and an insult. In the first place, he is regarded as an imposter and perjurer and the burden of proof to the contrary is placed on him. He is subjected to expenses and tedious delay and examinations by boards whose reports are discredited by the Commissioner of Pensions, as per page 67 of his report. The pension system could be simplified and millions of expense saved by a law granting a specified amount and simply requiring the applicant to prove his identity with the name on the original enrollment on file in the War Department. The time has come when this could be done without regard to disability of claimant, as any man 60 or more years of age is physically incapacitated from hard manual labor.

One great evil of the favoritism shown is the fact that those who receive pensions in that way no longer have any interest in the thousands of their deserving comrades. They have got their pull, and every vestige of fraternal interest and comradeship is lost sight of in their selfish success, and they do not want the pension question discussed for fear it may imperil their political perquisite. On behalf of my comrades I protest against paying the widow of any President $5,000 per year without regard to her income, while the widows of the common soldiers, faithful, loyal, devoted wives and mothers as the Lord ever permitted to live, are paid $8 per month after declaring an income of less than $250 per year.

And I am speaking on behalf of tens of thousands of my comrades when I say that we would rather see the entire pension system abolished than see it abused by and through political favoritism.

My great interest in this question is my apology for tresspassing on your valuable time.

With kind regards, yours truly,

H. M. AVIS,
941 Cooper Street, Camden, N. J.
(Late Company F, Twelfth New Jersey Volunteers, Civil war.)

The CHAIRMAN. The question is on the amendments.

Mr. CALDERHEAD. Mr. Chairman, I want to say a word upon the letter that has just been read at the suggestion of the gentleman from Tennessee [Mr. SIMS]. The sentiments expressed in the letter are the legitimate fruit of the speech that was made which called it forth. At the time that speech was made a large part of the remarks were addressed to the criticism of the work of the Invalid Pensions Committee. As a member of that committee during the last Congress and during this Congress, I have never known any bill to pass the committee by reason of political favoritism, and if the gentleman himself adopts the language of the letter and makes that accusation against the committee he does injustice to himself and also does injustice to the committee. Bills that are passed by the Invalid Pensions Committee receive as fair consideration at the hands of as honorable men as any other bills that are passed by any committee in this House, and I think no gentleman is better aware of that fact than the gentleman from Tennessee.

The accusation itself is spread upon the record and sent abroad through the country and carries the imputation of dishonor with it. I have no intention of entering into any extended review of the remarks made by the gentleman from Tennessee, and I have no intention of making any extended remarks upon the methods of the Pension Bureau that he criticises so severely. I have very little sympathy with the methods of the present Commissioner of Pensions in the administration of his Bureau. I think his administration of it has been too severe. His application of the rules of practice in the Bureau have prevented a fair and free and beneficent administration of the beneficent pension laws; but I do object to the perpetual carping at the Invalid Pensions Committee, that it is organized for the purpose of passing pension bills through here by reason of political favoritism. No bills are passed that are not introduced by some member of this House, and if any member of the House has been so unworthy of his place in it as to introduce a bill for mere political effect, then let the blame fall upon him.

No man has yet put his finger upon such a bill that has ever passed from the committee to this House for consideration. No attempt is made on the part of the committee to grant extravagant pensions. All of them are based as fairly as we can upon an idea of equity and justice, due to the facts in each case that is presented to the committee, and every case receives careful consideration. There may be times when bills which come to this committee from the Senate are passed upon the strength of the Senate report, and the committee does not feel justified in reviewing the work of the Senate committee when they have not the entire facts before them; and yet, if in any case there appears an occasion for it, the Invalid Pension Committee asks for the original record and files of the case and makes the investigation for itself to ascertain whether it should even then pass a bill which has already passed the Senate.

Upon its own bills the committee has in every instance the testimony filed in the Bureau, and the additional testimony furnished by the member who introduced it, and, as I said in the

beginning, if any member of the House has introduced a bill for the mere political effect which it will have upon himself or upon his district, let the blame fall upon him. I do object, however, to the perpetual carping at the Invalid Pension Committee as doing this kind of work, either in behalf of members of the House or in behalf of anybody else.

Mr. SIMS. Will the gentleman yield to a question?

Mr. CALDERHEAD. Certainly.

Mr. SIMS. I think if the gentleman will do me the honor to read my remarks on that question he will see they were largely in defense of his own committee, and made no charge at all upon it, but that I had the letter read simply that the members of the House might see the view that one old soldier took of my remarks. I called to the attention of the House the fact that there was danger, on account of excessive private pension bills, of dissatisfying the old soldiers who had received pensions only through the Bureau.

Mr. CALDERHEAD. Upon that subject, Mr. Chairman, I desire to say that the letter itself conveys the impression which the gentleman's speech made upon the country and upon the soldiers who read it. The letter itself carries the imputation against the committee, charging it with being unfair in the granting of indiscriminate and extravagant pensions, when the entire pension roll granted by the Invalid Pension Committee for two years amounted to only $237,000 per annum out of the whole $145,000,000.

Mr. NORTON. Will the gentleman yield?

Mr. CALDERHEAD. Yes.

Mr. NORTON. I appeal to you because you have the floor. I would like to have, through you, the question asked of the gentleman from Tennessee whether he indorses the language of this letter.

Mr. CALDERHEAD. The gentleman from Tennessee may answer it.

Mr. SIMS. I want to answer further that I made no charge of political favoritism, and I want to say this, that I believe the Democratic members of the Pensions Committee are just as liberal as the Republicans, and I have never thought of making such a charge.

Mr. CALDERHEAD. I think so.

Mr. WARNOCK. Ask him if he indorses the language of the letter.

Mr. CALDERHEAD. But that is not an answer to the question propounded by my colleague from Ohio [Mr. WARNOCK], whether the gentleman from Tennessee indorses the language of the letter. I take it for granted that he indorsed it, because he offered it to be read in his own time as part of his remarks. If he does not indorse it, I think it is his duty to say so.

Mr. SIMS. Why, upon the writer's assumed state of facts, I do indorse it, if the facts are as he says they are.

Mr. CALDERHEAD. Then let me call attention to the fact that his assumed basis of fact was the speech made by the gentleman from Tennessee; but I have gone as far and much further than I intended to when I rose. I just wanted to call attention to the fact that hypercritical criticism of work of the Invalid Pensions Committee is not justified by any facts when it produces such a result as that letter.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ALBERT D. SCOVELL.

The next business on the Private Calendar was the bill (S. 2767) granting an increase of pension to Albert D. Scovell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert D. Scovell, late of Company I, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

Mr. GAINES of Tennessee. Mr. Chairman, is that for an increase of pension?

The CHAIRMAN. It is for an increase of pension.

Mr. GAINES of Tennessee. Mr. Chairman, the last pensions claims day I interrogated the distinguished chairman of the Committee on Invalid Pensions, the gentlemen from New Hampshire [Mr. SULLOWAY], and asked him why it was that so many of these bills were to increase pensions. I received the following very frank answer from the gentleman:

Mr. SULLOWAY. Simply because they do not get justice at the Pension Bureau.

Mr. GAINES of Tennessee. The gentleman arraigns the Pension Bureau?

Mr. SULLOWAY. Well, an injustice is done the soldier on the records of the Pension Bureau.

Mr. GAINES of Tennessee. Then that rule applies to all the cases reported here this morning?

Mr. SULLOWAY. I do not remember whether all the cases that have been taken up this morning are for increase, but I think they are mostly for an increase.

Mr. GAINES of Tennessee. Mr. Chairman, I have had a very frank and satisfactory explanation from the gentleman from New Hampshire.

Mr. Chairman, turn now to the speech of my colleague [Mr. SIMS], which no one seems to dispute, and we find, on page 2432 of the RECORD, he states there were 467 bills for increases in the short session of the last Congress, and that—

Two hundred and sixty-five of that 467 increased the pensions already allowed by the Pension Bureau from 100 to 500 per cent. The average increase for all is about 200 per cent over and above what the Bureau allows.

Mr. Chairman, what I desire to do is to call to the attention of this honorable committee the fact, the remarkable fact, that here we find that because of "injustice" done at the Pension Bureau Congress is called upon to remodel the work of the Pension Bureau at a rate increased from 100 to 500 per cent. "The average increases for all is about 200 per cent over and above what the Bureau allows." That is the language of my colleague [Mr. SIMS].

Mr. Chairman, this committee is called on here every pension day to do what? It would seem that it is called on to do justice to those who have been done "injustice." In other words, to reverse the action of the honorable Commissioner of Pensions.

The question that arises, and it is growing more vital every day, is, Which is right, the Pension Commissioner or Congress? The Commissioner is openly accused, and it is undisputed by those on the other side of the House that he is doing an "injustice" to the soldiers. Not a Republican rises here to dispute this accusation. Then why, I ask, does not the distinguished President turn that Commissioner out and put in one who will do justice? Or, if there is any doubt about it, and Congress by its action in overruling the Commissioner in effect says, "The Commissioner is doing injustice," why is not a committee appointed to go down to the Pension Bureau and see what is being done there, and how it is done; study the rules and regulations; see if the right kind of officers are there, and, if you please, examine the cases that are disallowed as well as those that are allowed? If you say that Congress allows those that are disallowed, then I submit that Congress is doing what the Commissioner should do if he deals out justice instead of "injustice;" and, further, why have a Pension Bureau, and at a heavy expense, to attend to our pension business and yet so inefficiently as to burden Congress every week, a whole day or more, that justice may be done, depriving Congress of time, one day each week, to consider matters which Congress alone must consider, and which can not be referred to a bureau for adjudication?

I submit that Congress could do more work and possibly better work if it did not have to deal one whole day every week with pensions which should be adjudicated at the Pension Bureau, if "injustice" was not dealt out there which the gentleman from New Hampshire says is done.

The Pension Commissioner is held up to the public gaze as a faithful and capable officer, and for the purpose of impressing the people with the idea that his administration is just and fair; and yet he is openly accused of being unjust, and Congress every pension day cures the errors committed by the Bureau with this Commissioner at the head. Now, what are the facts? Does the Commissioner deal out justice or injustice?

The lamented McKinley perpetuated the present Commissioner in office, as does President Roosevelt. Yet both of these gentlemen every week approved, without the least hesitation, it seems, the bills which Congress enacts, which in effect overrules and condemns the action of the Pension Commissioner. In other words, he is kept in office and held up to the world as capable, faithful, and efficient by the President of the United States and yet the President of the United States every week approves laws enacted to eliminate the errors of the Commissioner passed by the Congress of the United States whose judgment in effect is, by enacting these laws, an approval of the accusation that the Commissioner is dealing out "injustice to the soldiers," just as he is accused. With one hand the President says we will keep the Commissioner in office because he is just, with the other hand he approves laws which in effect say the Commissioner is unjust. Now, what is the fact? What is the truth? Who is to blame?

Mr. Chairman, it seems that the Republican party "is working both sides of the street." They blow hot and they blow cold. They are holding up in a way as a faithful Commissioner Mr. Evans—and my colleague [Mr. SIMS], like myself, have several times on the floor of this House joined in holding up his hands as a faithful officer in our effort to make the pension roll the roll of honor—and yet a Republican Congress, with the approval of the President, comes right along every week and in effect reverses the Pension Commissioner in his many holdings of error, wherein Congress and the President say that he has in fact done "injustice" to the soldier. I say, Mr. Chairman, that the public should know where the fault is, if there is any fault; where the wrong is, if there is any wrong, and who the wrongdoer is. Now, look for a moment at the remarkable statement of my distinguished colleague [Mr. SIMS], which no man has dared to dispute in this

House, and if he is incorrect about it no man, I dare say, would rejoice more to be corrected than he would. Turn now to page 2434 of the RECORD and read what he says about increased pensions. He says:

Here are the cases of $12 to $24, $12 to $30, $12 to $50, $8 to $20, $12 to $40, $6 to $24, $14 to $50, $14 to $30, $12 to $36, $6 to $17, $8 to $30, $12 to $24, $8 to $20, $25 to $40, $36 to $100, and so on through the entire list.

Now, Mr. Chairman, I believe in just pensions. I have been here every pension day and helped to make a quorum and to prevent unjust pensions being allowed and to have just ones allowed. But I say when we see such an appalling statement as this, if it is undisputed it shows that there is something radically wrong.

Mr. KLEBERG. Will the gentleman allow me to ask him a question?

Mr. GAINES of Tennessee. Certainly.

Mr. KLEBERG. Do you think Congress ought only to exercise its discretion in those cases where the Pension Commissioner has refused to give a pension at all? Suppose he refuses to give a pension to anyone, will the gentleman from Tennessee say that those are the only cases that ought to come before Congress?

Mr. GAINES of Tennessee. I think Congress has the power to control the whole matter. But these are all for "increases in amount of the pension."

Mr. KLEBERG. Then, if that is so, does not the gentleman know that some of these cases in which an increase is given are more meritorious than those that call for a pension the first time?

Mr. GAINES of Tennessee. Well, I do not know; but here is the fact. Here is this great body; and, Mr. Chairman, I am staying within the undisputed record; I am not technical and I am not hypocritical about this matter and I am saying this in perfectly good faith. If the Commissioner is not doing his duty, Congress ought to know it; and if Congress is doing its duty, it is clearly showing that the Commissioner is not doing his. If "injustice" is being done in that office, and the Commissioner is simply administering the law, he is doing his duty, and we are called on here, if the law and not the Commissioner is doing "injustice," to change the law. But it is the "Bureau" and not the law that is accused of doing "injustice." If it is the "Bureau" that does "injustice" change the Bureau, and not keep the Bureau and change the law. We say by what we do here it is the law that does "injustice," and yet the "Bureau" is accused of the act. Here in substance is what the great "watch dog of the Treasury," the gentleman from Illinois, said the other day to my colleague [Mr. RICHARDSON] in substance: "I hope that you will have the pictures of the medical examiners of the Pension Bureau that are sitting down there in the Pension Office doing wrong to the pensioners and the pension claimants of this country, I hope you will have their pictures put in some book about to be published, giving the picture of the Pension Bureau down there." That building was too ugly to be pictured in this book, so the gentleman, with some sarcasm, wanted the pictures of these distinguished doctors put in there, so that the people should see their faces.

If these examining doctors are not doing their duty they ought to be turned out.

Right here, in conclusion. I came across from the Philippine Islands with as fine a lot of Army officers as ever lived in the country, and they talked to me of this very thing. Some of them had served during the civil war; and one of them said: "Mr. GAINES, I hope I will never have to draw a pension." There were several of these officers present. This officer said: "There is so much said about pensioners on the roll that I do not feel like getting my name on it, and I hope Congress will purge it of all unjust pensioners and make it a roll of honor."

Mr. Chairman, that is what I would have it, and I am satisfied that is the hope and desire of my colleague [Mr. SIMS], as well as every Democrat on the floor of this House. We want the pension list, sir, a roll of honor; no more, no less.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE W. GUINN.

The next business on the Private Calendar was the bill (H. R. 9999) granting an increase of pension to George W. Gwinn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Gwinn, late of Company H, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Gwinn" and insert in lieu thereof the word "Guinn."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to George W. Guinn."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM D. SMITH.

The next business on the Private Calendar was the bill (H. R. 2440) granting an increase of pension to William D. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William D. Smith, late of Company E, Fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Infantry" and insert in lieu thereof the word "Cavalry."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HANNIBAL C. ST. CLAIR.

The next business on the Private Calendar was the bill (H. R. 8016) granting a pension to Hannibal C. St. Clair.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannibal C. St. Clair, late of Company G, Thirty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of pension he is now receiving on certificate No. 511393, dated March 3, 1900.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, 8, 9, 10, and 11, and insert in lieu thereof the following: "of Hannibal C. St. Clair, late first lieutenant Company G, Thirty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Hannibal C. St. Clair."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY A. CARLILE.

The next business on the Private Calendar was the bill (H. R. 11025) granting a pension to Mary A. Carlile.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Carlile, widow of Henry C. Carlile, late of Company I, Twenty-fifth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

FREDERICK A. CONDON.

The next business on the Private Calendar was the bill (H. R. 1696) granting an increase of pension to Frederick A. Condon.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick A. Condon, late of Company I, Seventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment reported by the committee was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOHN H. JACK.

The next business on the Private Calendar was the bill (H. R. 658) increasing the pension of John H. Jack.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Jack, late sergeant in Company E, Eighth Regiment Ohio Infantry, and pay him a pension at the rate of $50 a month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "sergeant in" and insert in lieu thereof the word "of."

In line 7, before the word "Infantry," insert the word "Volunteer."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

In same line strike out the word "a" and insert in lieu thereof the word "per."

Amend the title so as to read: "A bill granting an increase of pension to John H. Jack."

The committee amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

CORNELIA E. WRIGHT.

The next business on the Private Calendar was the bill (S. 1802) granting an increase of pension to Cornelia E. Wright.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cornelia E. Wright, widow of Amos D. Wright, late of Company G, Thirtieth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

OSWALD AHLSTEDT.

The next business on the Private Calendar was the bill (H. R. 2661) granting an increase of pension to Oswald Ahlstedt.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Oswald Ahlstedt, late of Company K, First Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

SUSAN HOUSE.

The next business on the Private Calendar was the bill (H. R. 6760) granting a pension to Susan House.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan House, widow of Robert C. House, late of Company B, Sixty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the letter "B" and the word "Sixty-second" and insert in lieu thereof the letter "A" and the word "Twenty-ninth."

In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JESSE C. RHODABECK.

The next business on the Private Calendar was the bill (H. R. 8921) granting an increase of pension to Jesse C. Rhodabeck.

The Clerk read the bill, as follows:

Whereas Capt. Jesse C. Rhodabeck, late captain of Company H, Eighteenth Iowa Volunteer Infantry, was granted a pension of $20 per month on account of complete hernia, under certificate No. 60370; and

Whereas said Captain Rhodabeck is shown to have been prostrated by sunstroke while in line of duty at Springfield, Mo., July 4, 1863; and

Whereas he has filed application for increase of pension on account of said sunstroke and resulting disease of heart, dizziness, headache, loss of memory, weak eyes, disease of kidneys, and nervous disabilities; and

Whereas the medical examination has shown the existence of most of these disabilities, but claimant's application was rejected and said rejection affirmed upon appeal upon the sole ground that claimant did not show that said injury and resulting disabilities had been continuous, notwithstanding claimant avers, under oath, that he had so suffered from the incurrence of said sunstroke and is totally unable to perform manual labor on account of all said disabilities; and

Whereas standard medical authority holds that it usually follows that the injury from sunstroke is often permanent, and all the symptoms shown by claimant do occur as resulting diseases of the brain and nerve forces as sequence thereof: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Jesse C. Rhodabeck, late captain of Company H, Eighteenth Iowa Volunteer Infantry, and pay him at the rate of $50 per month in lieu of the pension he now receives.

The amendment recommended by the committee was read, as follows:

Strike out all after the title of the bill and insert in lieu thereof the following:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse C. Rhodabeck, late captain Company H, Eighteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

The committee amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MICHAEL MARNANE.

The next business on the Private Calendar was the bill (H. R. 1479) granting an increase of pension to Michael Marnane.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Marnane, late a private in Company G, Fifty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 3, after the word "and," insert the word "he."

In line 6 strike out the words "a private in" and insert in lieu thereof the word "of."

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "twenty."

The committee amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

BLANCHE DUFFY.

The next business on the Private Calendar was the bill (H. R. 10091) granting a pension to Blanche Duffy.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Blanche Duffy, formerly Sister Blanche O'Brien, late a nurse in the hospital of the Sisters of Charity at St. Louis, Mo., and pay her a pension at the rate of $12 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

WILLIAM J. JONES.

The next business on the Private Calendar was the bill (H. R. 8679) granting a pension to William J. Jones.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William J. Jones, late a private of Company H, One hundred and eighty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 6, strike out the words "a private."

The committee amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ELIZABETH RICKEY.

The next business on the Private Calendar was the bill (H. R. 9593) granting a pension to Elizabeth Rickey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll of the United States, subject to the provisions and limitations of the pension laws, the name of Elizabeth Rickey, mother of Henry C. Rickey, late of Company E, Seventh Regiment Iowa Volunteer Infantry, and that she be pensioned at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Rickey, the dependent mother of Henry C. Rickey, late of Company E, Seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $12 per month."

The committee amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

DANIEL F. THOMPSON.

The next business on the Private Calendar was the bill (H. R. 1724) to increase the pension of Daniel F. Thompson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel F. Thompson, of Company B, Forty-eighth Regiment Missouri Infantry Volunteers, and pay to him the sum of $36 per month in lieu of any pension that he may now be receiving.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel F. Thompson, late of Company B, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

Amend title so as to read: "A bill granting an increase of pension to Daniel F. Thompson."

The committee amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY KING.

The next business on the Private Calendar was the bill (H. R. 7811) granting a pension to Mary King.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place on the pension roll the name of Mary King, dependent mother of Michael King, deceased, late a private of Company E, Fourth Iowa Infantry Volunteers, subject to the limitations of the pension laws, and pay her a pension at the rate of $12 a month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary King, the dependent mother of Michael

King, late of Company E, Fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $12 per month."

The committee amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOHN HOLLISTER.

The next business on the Private Calendar was the bill (H. R. 10193) granting an increase of pension to John Hollister.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of John Hollister, private, Company C, Tenth Connecticut Volunteer Infantry, and pay him a pension of $30 per month in lieu of the pension he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Hollister, late of Company C, Tenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The committee amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

CAROLINE MISCHLER.

The next business on the Private Calendar was the bill (S. 1913) granting an increase of pension to Caroline Mischler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Caroline Mischler, widow of Wendell Mischler, late musician, Forty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

PATRICK LEE.

The next business on the Private Calendar was the bill (H. R. 2781) granting an increase of pension to Patrick Lee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Patrick Lee, late of Company C, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET HOEFER.

The next business on the Private Calendar was the bill (H. R. 10841) granting an increase of pension to Margaret Hoefer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Hoefer, widow of Frederick Hoefer, late of Company C, Thirty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES F. PATTON.

The next business on the Private Calendar was the bill (H. R. 9926) granting an increase of pension to James F. Patton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James F. Patton, late of Company G, Eleventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $36 per month, the same to be in lieu of any pension now drawn by him.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "twenty-four."

In the same line strike out the words "the same to be in lieu of any."

In line 9 strike out the words "pension now drawn by him" and insert in lieu thereof the words "in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANCES FULLER VICTOR.

The next business on the Private Calendar was the bill (S. 1940) granting a pension to Frances Fuller Victor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances Fuller Victor, widow of Henry C. Victor, late first assistant engineer, United States Navy, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS P. SMITH.

The next business on the Private Calendar was the bill (H. R. 7782) granting an increase of pension to Thomas P. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas P. Smith, late of Company K, Seventy-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ISRAEL A. BENNER.

The next business on the Private Calendar was the bill (S. 1015) granting an increase of pension to Israel A. Benner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Israel A. Benner, late of Company A, Seventy-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

NATHAN H. METCALF.

The next business on the Private Calendar was the bill (H. R. 2768) granting a pension to Nathan H. Metcalf.

Mr. SULLOWAY. Mr. Chairman, I will state that the beneficiary of this bill is dead, and I therefore move that it lie upon the table.

The CHAIRMAN. Without objection, the bill will lie on the table.

There was no objection.

MARY L. DIBERT.

The next business on the Private Calendar was the bill (H. R. 8415) granting a pension to Mary L. Dibert.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Dibert, mother of Isaac P. Dibert, who enlisted as a drummer boy in Company D, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and who has not been heard from for a period of over thirty-four years, and pay her a pension at the rate of $8 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Dibert, the dependent mother of Isaac N. Dibert, late of Company D, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY E. HOLBROOK.

The next business on the Private Calendar was the bill (H. R. 8781) granting a pension to Mary E. Holbrook.

The bill was read, as follows;

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Holbrook, widow of Frank Wyman, late of Company A, First Oregon Cavalry Volunteers, and of Sherman Holbrook, late of Company M, Tenth New York Heavy Artillery Volunteers, and pay her a pension at the rate of $8 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Holbrook, the former widow of Frank Wyman, late of Company A, First Regiment Oregon Volunteer Cavalry, and pay her a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES AUSTIN.

The next business on the Private Calendar was the bill (H. R. 1636) granting an increase of pension to James Austin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Austin, late of Company I, Eighth Regiment Kentucky Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 7, before the word "Cavalry," insert the word "Volunteer."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ADELA S. WEBSTER.

The next business on the Private Calendar was the bill (S. 1146) granting a pension to Adela S. Webster.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adela S. Webster, widow of Amos Webster, late captain and assistant quartermaster, United States Volunteers, and pay her a pension at the rate of $20 per month.

The bill was ordered to be laid aside with a favorable recommendation.

SARAH E. ALLEN.

The next business on the Private Calendar was the bill (H. R. 3427) granting an increase of pension to Sarah E. Allen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Sarah E. Allen, widow of Silas F. Allen, late captain of Company C, Twenty-ninth Regiment Indiana Volunteers, on the pension roll, and pay her a pension at a rate of $30 per month in lieu of the pension she is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah E. Allen, widow of Silas F. Allen, late captain Company C, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MILLEN M'MILLEN.

The next business on the Private Calendar was the bill (H. R. 6481) granting an increase of pension to Millen McMillen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Millen McMillen, late of Company E, One hundred and twenty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FRANCIS W. POOL.

The next business on the Private Calendar was the bill (H. R. 1086) granting an increase of pension to Francis W. Pool.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis W. Pool, late of Company G, Twelfth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the words "forty-five."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS H. H. GIBBS.

The next business on the Private Calendar was the bill (H. R. 2613) granting an increase of pension to Thomas H. H. Gibbs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas H. H. Gibbs, late of Company I, Second Regiment California Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Cavalry," also the word "Infantry," and in same line, after the word "Volunteer," insert the word "Cavalry."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

RICHARD P. NICHUALS.

The next business on the Private Calendar was the bill (H. R. 6895) granting an increase of pension to Richard P. Nichauls.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard P. Nichauls, late of Company C, Seventy-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Nichauls" and insert in lieu thereof the word "Nichuals."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "seventeen."

Amend title so as to read: "A bill granting an increase of pension to Richard P. Nichuals."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM CHRISTIAN.

The next business on the Private Calendar was the bill (H. R. 7239) granting an increase of pension to William Christian.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the amount of pension now being paid to William Christian, late a soldier in the Eleventh Ohio Infantry and the Thirty-first Ohio Infantry, civil war, from $12 per month to $30 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Christian, late of Company K, Thirty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to William Christian."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES P. BURCHFIELD.

The next business on the Private Calendar was the bill (H. R. 809) granting an increase of pension to J. P. Burchfield.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of J. P. Burchfield, late surgeon, Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $100 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "J." and insert in lieu thereof the word "James."

In same line strike out the words "Fifty-third" and insert in lieu thereof the words "Eighty-third."

In line 8 strike out the words "one hundred" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to James P. Burchfield."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN M. HOWE.

The next business on the Private Calendar was the bill (H. R. 9178) granting an increase of pension to John M. Howe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Howe, late of Company E, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES MISNER.

The next business on the Private Calendar was the bill (H. R. 918) granting a pension to Charles Misner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Charles Misner, late of Company A, Sixth Regiment of Michigan Volunteer Infantry, and pay him a pension of $50 a month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Misner, late of Company A, Sixth Regiment Michigan Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Charles Misner."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THERESIA ZIEGENFUSS.

The next business on the Private Calendar was the bill (H. R. 3514) granting a pension to Anna Maria Ziegenfuss.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna Maria Ziegenfuss, the helpless and dependent daughter of Christopher Ziegenfuss, deceased, late of Company F, Twelfth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of of $24 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Theresia Ziegenfuss, widow of Christopher Ziegenfuss, late of Company F, Twelfth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving: *Provided, however*, That in the case of the death of the helpless child, Anna Maria Ziegenfuss, on whose account the pension of Theresia Ziegenfuss is increased, the pension of said Theresia Ziegenfuss shall continue only at the rate of $8 per month from and after the date of death of said helpless child."

Amend the title so as to read: "A bill granting an increase of pension to Theresia Ziegenfuss."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH L. BECKET.

The next business on the Private Calendar was the bill (H. R. 9625) granting a pension to Elizabeth L. Becket, widow of John Becket, late a private in Company K, Eighty-sixth Ohio Volunteer Infantry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth L. Becket, widow of John Becket, late a private in Company K, Eighty-sixth Ohio Volunteer Infantry, and pay her a pension of $12 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Elizabeth L. Beckett, widow of John Beckett, late of Company K, Eighty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month."

Amend the title so as to read: "A bill granting a pension to Elizabeth L. Beckett."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS G. FOSTER.

The next business on the Private Calendar was the bill (S. 2701) granting a pension to Thomas G. Foster.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas G. Foster, late of Smead's company, Third Battalion District of Columbia Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

MARY E. HOLDEN.

The next business on the Private Calendar was the bill (H. R. 9413) granting a pension to Mary E. Holden, widow of John W. Holden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Holden, widow of John W. Holden, late of Company B, Twelfth Regiment Indiana Infantry Volunteers, and pay her a pension of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Volunteers."

In same line, after the word "Indiana," insert the word "Volunteer."

In line 8, after the word "pension," insert the words "at the rate of."

Amend title so as to read: "A bill granting a pension to Mary E. Holden."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BARBARA M'DONALD.

The next business on the Private Calendar was the bill (H. R. 9301) granting a pension to Barbara McDonald.

The bill was read, as follows:

Be it enacted etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Barbara McDonald, widow of Robert McDonald, late of Company D, Eighth Regiment New York Heavy Artillery, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That upon the death of Robert McDonald, an epileptic son of said soldier, Robert McDonald, on whose account the pension of Barbara McDonald is increased, the pension of said widow, Barbara McDonald, shall continue only at the rate of $12 per month from and after the date of the death of said son: *And provided further*, That if the said epileptic son, Robert McDonald, shall survive his said mother, Barbara McDonald, then on the death of said Barbara McDonald the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of said Robert McDonald at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "York," insert the word "Volunteer."

Strike out all of lines 10, 11, 12, 13, 14, and 15 on page 1, and lines 1, 2, 3, 4, 5, 6, and 7 on page 2, and insert in lieu thereof the following: "receiving: *Provided, however*, That in case of the death of the helpless child, Robert McDonald, on whose account the pension of Barbara McDonald is increased, the pension of said Barbara McDonald shall continue only at the rate of $12 per month from and after the date of death of said helpless child."

Amend the title so as to read: "A bill granting an increase of pension to Barbara McDonald."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EPHRAIM D. DORMAN.

The next business on the Private Calendar was the bill (H. R. 7149) granting an increase of pension to Ephraim D. Dorman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ephraim D. Dorman, a Federal soldier in the civil war, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the words "a Federal soldier in the civil war" and insert in lieu thereof the words "late of Company G, Second Regiment Maine Volunteer Cavalry."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIJAH E. HARVEY.

The next business on the Private Calendar was the bill (H. R. 6107) granting a pension to Elijah E. Harvey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elijah E. Harvey, late captain of Company B, Sixth Regiment Kansas Cavalry Volunteers, and Company A, Third Indiana Infantry, Mexican war, pay him a pension at the rate of $24 per month in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, 9, and 10 and insert in lieu thereof the following: "of Elijah E. Harvey, late captain Company B, Sixth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Elijah E. Harvey."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

REUBEN WELLMAN.

The next business on the Private Calendar was the bill (H. R. 5910) granting an increase of pension to Reuben Wellman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Reuben Wellman, late of Company G, One hundred and sixtieth New York Volunteer Infantry, at the rate of $24 per month in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Reuben Wellman, late of Company G, One huudred and sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LEWIS W. MOORE.

The next business on the Private Calendar was the bill (S. 1164) granting an increase of pension to Lewis W. Moore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis W. Moore, late captain Company G, Forty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

PETER C. MONFORT.

The next business on the Private Calendar was the bill (S. 2008) granting an increase of pension to Peter C. Monfort.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter C. Monfort, late of Company B, One hundred and eighteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOSEPH H. BARNUM.

The next business on the Private Calendar was the bill (S. 335) granting an increase of pension to Joseph H. Barnum.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph H. Barnum, late captain Company H, Sixteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES MOORE.

The next business on the Private Calendar was the bill (H. R. 9986) granting an increase of pension to James Moore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Moore, late of Company K, One hundred and thirty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty-six."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENJAMIN E. STYLES.

The next business on the Private Calendar was the bill (H. R. 9928) granting an increase of pension to Benjamin E. Styles.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin E. Styles, late of Company I, sergeant, Fiftieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "sergeant."

Amend title so as to read: "A bill granting a pension to Benjamin E. Styles."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES D. JOHNSON.

The next business on the Private Calendar was the bill (H. R. 3859) granting a pension to James D. Johnson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James D. Johnson, late of Company B, Fourth Regiment Arkansas Cavalry Volunteers, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Volunteers."

In same line, before the word "Cavalry," insert the word "Volunteer."

The amendments recommended by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ELIZA STEWART.

The next business on the Private Calendar was the bill (H. R. 10289) granting a pension to Eliza Stewart.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza Stewart, widow of Hugh Stewart, late of the Marine Corps, United States Navy, and pay her a pension at the rate of $25 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8, and insert in lieu thereof the following: "of Eliza Stewart, widow of Hugh Stewart, late of the United States steamship *Great Western*, United States Navy, and pay her a pension at the rate of $8 per month, such pension, however, to cease upon proof that the said Hugh Stewart is still living."

The amendment reported by the committee was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

SARAH H. H. LOWE.

The next business on the Private Calendar was the bill (H. R. 10117) granting a pension to Sallie Lowe.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Sallie Lowe, widow of William W. Lowe, who served as first lieutenant and captain, Second Cavalry, captain, Fifth Cavalry, and major, Sixth Cavalry, in the Army of the United States during the civil war, and to pay her a pension at the rate of $50 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sallie Lowe, widow of William W. Lowe, late colonel Fifth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $30 per month."

Mr. SULLOWAY. Mr. Chairman, I move to amend the amendment by striking out the word "Sallie" and insert in place thereof "Sarah H. H."

The amendment to the amendment was agreed to.

The amendment recommended by the committee as amended was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

NOAH F. CHAFEE.

The next business on the Private Calendar was the bill (S. 2303) granting an increase of pension to Noah F. Chafee.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Noah F. Chafee, late assistant surgeon Fourteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

HENRY BALL.

The next business on the Private Calendar was the bill (H. R. 1694) granting an increase of pension to Henry Ball.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Ball, late of Company A, Seventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment reported by the committee was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ANNA RODERKA.

The next business on the Private Calendar was the bill (H. R. 10143) granting a pension to Anna Roderka.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna Roderka, widow of Gustav Roderka, alias August Wilson, late of Company E, Thirteenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "alias August."

In line 7 strike out the word "Wilson."

I line 9 strike out the word "twenty" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ROBERT CARPENTER.

The next business on the Private Calendar was the bill (H. R. 351) granting an increase of pension to Robert Carpenter.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Carpenter, late of Companies A and L, Third Regiment Wisconsin Cavalry Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," insert the word "captain."

In line 7 strike out the word "Volunteers."

In same line, before the word "Cavalry," insert the word "Volunteer."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY SHELTON HUSTON.

The next business on the Private Calendar was the bill (H. R. 4993) granting a pension to Mary Shelton Huston.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Mrs. Mary Shelton Huston, late an army nurse and superintendent of nurses during the war of the rebellion, and pay her a pension of $12 a month from and after the passage of this act.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Shelton Huston, late an Army nurse in the Medical Department, United States Volunteers, and pay her a pension at the rate of $12 per month."

The amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ERASTUS C. MODERWELL.

The next business on the Private Calendar was the bill (H. R. 3884) granting a pension to Erastus C. Moderwell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Erastus C. Moderwell, late major of the Twelfth Ohio Cavalry Volunteers, and pay him a pension of $72 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Erastus C. Moderwell, late major, Twelfth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving."

Amend title so as to read: "A bill granting an increase of pension to Erastus C. Moderwell."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

HORATIO N. FRANCIS.

The next bill on the Private Calendar was the bill (S. 2468) granting an increase of pension to Horatio N. Francis.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horatio N. Francis, late of Company A, First Regiment Maine Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

ORRA H. HEATH.

The next business on the Private Calendar was the bill (H. R. 671) granting an increase of pension to Orra H. Heath.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Orra H. Heath, late of Company F, Fifteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JACOB GOLDEN.

The next business on the Private Calendar was the bill (H. R. 3260) granting a pension to Jacob Golden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Golden, late of Company K, Fifteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

ROBERT MILLER.

The next business on the Private Calendar was the bill (H. R. 699) granting an increase of pension to Robert Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Miller, late sergeant of Company B, First Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6 strike out the word "sergeant."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

In the same line, after the word "month," insert the following: "in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DAVIS B. SALTS.

The next business on the Private Calendar was the bill (H. R. 3032) granting a pension to David B. Salts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David B. Salts, late of Company E, First Regiment Tennessee Volunteer Light Artillery, and pay him a pension at the rate of $20 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6 strike out the word "David" and insert in lieu thereof the word "Davis"

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve."

Amend title so as to read: "A bill granting a pension to Davis B. Salts."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES F. MERRILL.

The next business on the Private Calendar was the bill (H. R. 11375) granting a pension to Charles F. Merrill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles F. Merrill, unassigned, Fourteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6, before the word "unassigned," insert the words "late an."

In same line, before the word "Fourteenth," insert the word "private."

In line 8 strike out the word "thirty" and insert in lieu thereof the words "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANK J. CLARK.

The next business on the Private Calendar was the bill (S. 1641) granting an increase of pension to Frank J. Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank J. Clark, late of Company D, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY E. SINGLEY.

The next business on the Private Calendar was the bill (H. R. 10411) granting an increase of pension to Mrs. I. M. Singley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. I. M. Singley, widow of Ino M. Singley, late of Company K, Forty-ninth Regiment Pennsylvania Volunteers, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving for herself and her helpless son.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all of lines 6, 7, 8, 9, and 10 and insert in lieu thereof the following: "of Mary E. Singley, widow of John M. Singley, late of Company K, Forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving: *Provided, however*, That in the case of the death of the helpless child, Robert H. C. Singley, on whose account the pension of Mary E. Singley is increased, the pension of said Mary E. Singley shall continue only at the rate of $8 per month from and after the date of death of said helpless child."

Amend the title so as to read: "A bill granting an increase of pension to Mary E. Singley."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANDREW Y. TRANSUE.

The next business on the Private Calendar was the bill (H. R. 9621) granting an increase of pension to Andrew Y. Transue.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Y. Transue, late of Company G, Third Pennsylvania Heavy Artillery, and pay him a pension of $30 a month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6, after the word "Third," insert the word "Regiment."

In line 7, before the word "Heavy," insert the word "Volunteer."

In the same line, after the word "pension," insert the words "at the rate."
In the same line strike out the word "thirty" and insert in lieu thereof the word "seventeen."
In line 8 strike out the word "a" and insert in lieu thereof the word "per."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM R. ARMSTRONG.

The next business on the Private Calendar was the bill (H. R. 10141) granting an increase of pension to William R. Armstrong.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William R. Armstrong, late of Company F, Tenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY E. STOCKINGS.

The next business on the Private Calendar was the bill (H. R. 10957) granting an increase of pension to Mary E. Stockings.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Stockings, widow of Robert Q. Stockings, late of Company K, Forty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twelve."
Amend the title so as to read: "A bill granting an increase of pension to Mary E. Stockings."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN S. CAMPBELL.

The next business on the Private Calendar was the bill (H. R. 11125) granting an increase of pension to John S. Campbell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Campbell, late of Company G, Twelfth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

BENJAMIN CONTAL.

The next business on the Private Calendar was the bill (H. R. 5101) granting a pension to Benjamin Contal.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin Contal, and to pay the said Benjamin Contal a pension of $50 per month from the date of the passage of this act.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Benjamin Contal, late of Company K, Sixth Regiment United States Infantry, and captain of Company F, Ninth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."
Amend the title so as to read: "A bill granting an increase of pension to Benjamin Contal."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ENOS G. BUDD.

The next business on the Private Calendar was the bill (H. R. 5254) granting an increase of pension to Enos G. Budd.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Enos G. Budd, late first lieutenant of Company C, Fifteenth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:
"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Enos G. Budd, late of Company F, Fifteenth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM C. HOLCOMB.

The next business on the Private Calendar was the bill (H. R. 6037) granting an increase of pension to William C. Holcomb.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William C. Holcomb, late of Company E, Fifth Regiment Virginia Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 7, before the word "Virginia," insert the word "West."
In line 8 strike out the word "twenty" and insert in lieu thereof the word "seventeen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET HENDRY.

The next business on the Private Calendar was the bill (H. R. 7250) granting an increase of pension to Margaret Hendry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Hendry, widow of James Hendry, late of Company F, First Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DOROTHY S. WHITE.

The next business on the Private Calendar was the bill (H. R. 2241) granting an increase of pension to Dorothy S. White.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dorothy S. White, widow of Samuel H. White, second lieutenant Company G, One hundred and forty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension of $40 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "second," insert the word "late."
In line 8, after the word "pension," insert the words "at the rate."
In same line strike out the word "forty" and insert in lieu thereof the word "fifteen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHRISTIANA STEIGER.

The next business on the Private Calendar was the bill (H. R. 2919) granting a pension to Christiana Steiger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Christiana Steiger, widow of John Steiger, late of Company B, First Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read as follows:

In lines 6 and 7 strike out the word "Company" and insert in lieu thereof the word "Battery."
In line 7 strike out the word "Infantry" and insert in lieu thereof the words "Light Artillery."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM BERRY.

The next business on the Private Calendar was the bill (H. R. 4116) for the relief of William Berry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of William Berry, late of Company H, Twelfth Missouri State Militia Cavalry, to $25 per month, and that the same be paid in lieu of the amount now allowed by law.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:
"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Berry, late of Company H, Twelfth Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving."
Amend the title so as to read: "A bill granting an increase of pension to William Berry."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ISAAC H. CRIM.

The next business on the Private Calendar was the bill (H. R. 2545) granting an increase of pension to Isaac H. Crim.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac H. Crim, late of Company C, Fourteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. GREGG.

The next business on the Private Calendar was the bill (S. 2440) granting an increase of pension to John W. Gregg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Gregg, late of Company D, Twelfth Regiment Illinois Infantry, and captain Company K, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HELEN V. RORER.

The next business on the Private Calendar was the bill (H. R. 1938) granting an increase of pension to Helen V. Rorer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of Helen V. Rorer, widow of Jonathan T. Rorer, deceased, late captain of Company I of the One hundred and thirty-eighth Regiment of Pennsylvania Volunteer Infantry, and pay her a pension of $20 per month in lieu of that she is now receiving, so long as she continues the widow of said Jonathan T. Rorer.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen V. Rorer, widow of Jonathan T. Rorer, late captain Company I, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES E. BATES.

The next business on the Private Calendar was the bill (H. R. 1090) granting a pension to James E. Bates.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. Bates, late of Company C, Thirty-eighth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

LEVI H. WINSLOW.

The next business on the Private Calendar was the bill (H. R. 1714) granting an increase of pension to Levi H. Winslow.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Levi H. Winslow, late of Company A, Twelth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS FINDLEY.

The next business on the Private Calendar was the bill (H. R. 2981) granting an increase of pension to Thomas Findley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Findley, late of Company K, Twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPHINE M. DUSTIN.

The next business on the Private Calendar was the bill (H. R. 6466) granting a pension to Josephine M. Dustin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josephine M. Dustin, widow of Miles G. Dustin, late of Company E, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

ABRAHAM N. BRADFIELD.

The next business on the Private Calendar was the bill (H. R. 11381) granting an increase of pension to Abraham N. Bradfield.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abraham N. Bradfield, late a member of Company I, Tenth Iowa Infantry, and to pay the said Abraham N. Bradfield a pension of $30 per month in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Abraham N. Bradfield, late of Company I, Tenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

RICHARD C. SMITH.

The next business on the Private Calendar was the bill (H. R. 669) granting an increase of pension to Richard C. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard C. Smith, late of Company H, Thirty-ninth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ROBERT M. M'CULLOUGH.

The next business on the Private Calendar was the bill (H. R. 283) granting an increase of pension to Robert M. McCollough.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert M. McCollough, late of Company B, Third Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that which he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "McCollough" and insert in lieu thereof the word "McCullough."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

In same line strike out the word "which."

Amend the title so as to read: "A bill granting an increase of pension to Robert M. McCullough."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY SCOTT.

The next business on the Private Calendar was the bill (H. R. 11124) granting an increase of pension to Mary Scott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Scott, widow of Daniel L. Scott, late of the Eightieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, after the word "late," insert the words "an unassigned private."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NATHAN W. SNEE.

The next business on the Private Calendar was the bill (H. R. 4176) to increase the pension of Nathan W. Snee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Nathan W. Snee, late a member of Company I, Seventy-sixth Regiment of Illinois Volunteer Infantry, upon the pension roll, and pay him a pension at the rate of $50 per month in lieu of the pension which he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nathan W. Snee, late of Company I, Seventy-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Nathan W. Snee."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. MEADE.

The next business on the Private Calendar was the bill (H. R. 10906) granting a pension to John W. Meade.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Meade, late of Company A, Fourth Battalion District of Columbia Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM H. DIXON.

The next business on the Private Calendar was the bill (H. R. 5110) granting an increase of pension to William H. Dixon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Dixon, late of the Fifty-first Massachusetts Volunteers, and pay him a pension at the rate of $50 per month in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "William H. Dixon, late of Company G, Fifty-first Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ADA L. M'FARLAND.

The next business on the Private Calendar was the bill (H. R. 4089) granting a pension to Ada L. McFarland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ada L. McFarland, widow of Solomon F. McFarland, late assistant surgeon, Eighty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty-five" and insert in lieu thereof the word "seventeen."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PHILIP ATWOOD.

The next business on the Private Calendar was the bill (H. R. 7529) granting an increase of pension to Philip Atwood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Philip Atwood, late of Company G, Tenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FRANCES E. STEBBINS.

The next business on the Private Calendar was the bill (S. 713) granting a pension to Frances E. Stebbins.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances E. Stebbins, widow of De Wayne Stebbins, late acting master, United States Navy, and pay her a pension at the rate of $20 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

ALVIN J. HARTZELL.

The next bill on the Private Calendar was the bill (H. R. 5190) granting an increase of pension to Alvin J. Hartzell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alvin J. Hartzell, late of Company K, One hundred and twenty-eighth Regiment, and Company I, Forty-seventh Regiment, both of Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 7, 8, 9, and 10 and insert in lieu thereof the following: "Twenty-eighth Regiment Pennsylvania Voulnteer Infantry, and pay him a pension at the rate of $30 per month in lien of that he is now receiving."

The amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

THOMAS HOLLOWAY.

The next business on the Private Calendar was the bill (H. R. 11895) granting a pension to Thomas Holloway.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Holloway, late of Company K, Twentieth Regiment Pennsylvania Emergency Militia Volunteers, and pay him a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the word "Volunteers" and insert in lieu thereof the word "Volunteer."

The committee amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ALMOND DELAMATER.

The next business on the Private Calendar was the bill (H. R. 7683) granting an increase of pension to Almond Delamater.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Almond Delamater, late of Company I, One hundred and fiftieth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty-six."

Mr. KLEBERG. Mr. Chairman, I move to amend the amendment by striking out the word "thirty-six" and inserting the word "forty-five." This has the indorsement of the committee.

The amendment to the amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ELVIN A. ESTY.

The next business on the Private Calendar was the bill (H. R. 10396) granting an increase of pension to Elvin Esty.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elvin Esty, late of Company C, Fourth Regiment Wisconsin Volunteer Cavalry, and pay him a pension of $20 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Elvin," insert the letter "A."

In line 7, after the word "pension," insert the words "at the rate."

Amend the title so as to read: "A bill granting an increase of pension to Elvin A. Esty."

The amendments reported by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY A. VAN WORMER.

The next business on the Private Calendar was the bill (S. 3553) granting an increase of pension to Mary A. Van Wormer.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Van Wormer, widow of Aaron Van Wormer, late of Company A, Tenth Regiment Missouri Volunteer Cavalry, and pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

CHARLES E. PETTIS.

The next business on the Private Calendar was the bill (H. R. 11327) granting an increase of pension to Charles E. Pettis.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles E. Pettis, late first lieutenant Company C, Twenty-first Regiment Pennsylvania Cavalry Volunteers, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "first lieutenant" and insert in lieu thereof the word "of."

In same line strike out the letter "C" and insert in lieu thereof the letter "E."
In line 7 strike out the word "Volunteers."
In same line, before the word "Cavalry," insert the word "Volunteer."
In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendments recommended by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

GEORGE M. EMERY.

The next business on the Private Calendar was the bill (S. 3403) granting an increase of pension to George M. Emery.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George M. Emery, late of Company D, First Regiment Pennsylvania Reserve Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

ELIAS M. HAIGHT.

The next business on the Private Calendar was the bill (H. R. 10924) granting an increase of pension to Elias M. Haight.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elias M. Haight, late of Company I, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

ABLE WOODS.

The next business on the Private Calendar was the bill (H. R. 11790) granting an increase of pension to Able Woods.

The Clerk read the bill, as follows:

Be it enacted, etc., That the pension of Able Woods, a private in Company E, Tenth Regiment of Indiana Cavalry (One hundred and twenty-fifth Infantry) Volunteers, be increased from $6 per month to $12 per month.

The amendment recommened by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:
"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Able Woods, late of Company E, Tenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

SIMEON PARTRIDGE.

The next business on the Private Calendar was the bill (S. 3258) granting a pension to Simeon Partridge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Simeon Partridge, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

MARY A. ANDRESS.

The next business on the Private Calendar was the bill (H. R. 9494) granting a pension to Mary A. Andress.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Andress, widow of Philip Andress, late of Company F, Eleventh Pennsylvania Volunteer Cavalry (war of the rebellion), and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided, however*, That in the case of the death of the helpless child, Lula Belle Andress, on whose account the pension of Mary A. Andress is increased, the pension of said Mary A. Andress shall continue only at the rate of $12 per month from and after the date of the death of said helpless child, Lulu Belle Andress.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 7, before the word "Pennsylvania," insert the word "Regiment."
In same line strike out the words "war of."
In line 8 strike out the words "the rebellion."
In line 15 strike out the words "Lula Belle Andress."
Amend the title so as to read: "A bill granting an increase of pension to Mary A. Andress."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN WATTS.

The next business on the Private Calendar was the bill (H. R. 8349) granting a pension to John Watts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Watts, son of Little B. Watts, deceased, late of Company G, First Regiment Alabama and Tennessee Independent Vidette Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert the following: "of John Watts, the dependent and helpless son of Little B. Watts, late of Company G, First Regiment Alabama and Tennessee Vidette Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH W. BURCH.

The next business on the Private Calendar was the bill (S. 577) granting an increase of pension to Joseph W. Burch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph W. Burch, late major Forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LOUISA WHITE.

The next business on the Private Calendar was the bill (H. R. 7397) granting a pension to Louisa White.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louisa White, the dependent and helpless daughter of Giles E. White, late of Company A, Sixty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

LEATH GILLILAND.

The next business on the Private Calendar was the bill (H. R. 7076) granting a pension to the widow of Andrew J. Gilleland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Mrs. Andrew J. Gilleland, widow of Andrew J. Gilleland, a veteran soldier of the United States Army in the civil war, and pay her a pension of $30 per month from January 1, 1870.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Leath Gilliland, widow of Andrew J. Gilliland, late of Company I, One hundred and fifteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month and $2 per month additional on account of her minor child, George M. Gilliland, in lieu of that she is now receiving."
Amend the title so as to read: "A bill granting an increase of pension to Leath Gilliland."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARIE J. SMYTH.

The next business on the Private Calendar was the bill (S. 2732) granting an increase of pension to Marie J. Smyth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marie J. Smyth, widow of Thomas S. Smyth, late acting ensign, United States Navy, and pay her a pension at the rate of $15 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ADRIAN M. SNYDER.

The next business on the Private Calendar was the bill (H. R. 2598) granting an increase of pension to Adrian M. Snyder.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adrian M. Snyder, late of Company A, Twenty-third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."
In line 9 strike out all after the word "receiving," and all of line 10.
Amend the title so as to read: "A bill granting an increase of pension to Adrian M. Snyder."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SUSAN WARNER.

The next business on the Private Calendar was the bill (H. R. 10840) granting a pension to Susan Evans Warner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan Evans Warner, the former widow of Evan Evans, late of Company G, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6 strike out the word "Evans."
In same line, after the word "Warner," insert the words "the former."
In line 7 strike out the letter "G" and insert in lieu thereof the letter "I."
Amend the title so as to read: "A bill granting a pension to Susan Warner."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES R. BRIDGMAN.

The next business on the Private Calendar was the bill (S. 1195) granting an increase of pension to Charles R. Bridgman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles R. Bridgman, late second lieutenant Company E, Thirty-first Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ARCHER BARTLETT.

The next business on the Private Calendar was the bill (H. R. 10773) granting a pension to Archer Bartlett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Archer Bartlett, late quartermaster-sergeant of Company K, First Missouri Cavalry, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "quartermaster-sergeant."
In line 7 insert after the word "First" the word "Regiment."
In same line, before the word "Cavalry," insert the word "Volunteer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. BURNHAM.

The next business on the Private Calendar was the bill (S. 2422) granting an increase of pension to John W. Burnham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Burnham, late of Company C, Tenth Regiment Minnesota Volunteer Infantry, and first lieutenant Company H, One hundred and twenty-fifth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARTHA R. OSBOURN.

The next business on the Private Calendar was the bill (S. 2802) granting a pension to Martha R. Osbourn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha R. Osbourn, widow of Francis A. Osbourn, late of Company I, Twentieth Regiment Indiana Volunteer Infantry, and first lieutenant Company H, Sixteenth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $17 per month and $2 per month additional on account of each of the minor children of the said Francis A. Osbourn until they reach the age of 16 years.

The bill was ordered to be laid aside with a favorable recommendation.

ALEXANDER BEACHBOARD.

The next business on the Private Calendar was the bill (S. 502) granting a pension to Alexander Beachboard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander Beachboard, late of Company B, Second Regiment North Carolina Volunteer Mounted Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

MARTIN ESSEX.

The next business on the Private Calendar was the bill (H. R. 750) granting a pension to Martin Essex.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martin Essex, late of Company K, Seventy-seventh Ohio Volunteer Infantry, and pay him a pension at the rate of —— dollars per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Ohio," insert the word "Regiment."
In line 8, before the word "dollars," insert the word "seventeen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SIDNEY LELAND.

The next business on the Private Calendar was the bill (S. 2013) granting an increase of pension to Sidney Leland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sidney Leland, late of Company G, First Regiment Michigan Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN E. WHITE.

The next business on the Private Calendar was the bill (H. R. 1706) granting an increase of pension to John E. White.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John E. White, late of Company K, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CYNTHIA A. M'KENNY.

The next business on the Private Calendar was the bill (S. 1467) granting an increase of pension to Cynthia A. McKenny.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cynthia A. McKenny, widow of Thomas I. McKenny, late major and aid-de-camp of volunteers and brevet brigadier-general United States Volunteers, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

REMEMBRANCE J. WILLIAMS.

The next business on the Private Calendar was the bill (H. R. 6727) granting an increase of pension to Remembrance J. Williams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Remembrance J. Williams, late of Company C, Sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "C" and insert in lieu thereof the letter "D."
In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "forty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HIRAM H. KINGSBURY.

The next business on the Private Calendar was the bill (S. 469) granting an increase of pension to Hiram H. Kingsbury.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hiram H. Kingsbury, late of Company D, Eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE W. PARKER.

The next business on the Private Calendar was the bill (H. R. 4943) granting an increase of pension to George W. Parker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Parker, late major Seventy-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANKLIN B. DELANY.

The next business on the Private Calendar was the bill (S. 2930) granting an increase of pension to Franklin B. Delany.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Franklin B. Delany, late of Company I, Thirty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES MASCHMEYER.

The next business on the Private Calendar was the bill (H. R. 4118) for the relief of Charles Maschmeyer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place the name of Charles Maschmeyer on the pension roll at the rate of $12 per month for loss of hearing incurred in line of duty while in the service of the United States with guns in the battle of Pilot Knob on the 27th day of September, 1864.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Maschmeyer, late of Captain Schwaub's company Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $12 per month."

Amend title so as to read: "A bill granting a pension to Charles Maschmeyer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS J. STOWERS.

The next business on the Private Calendar was the bill (S. 1135) granting an increase of pension to Thomas J. Stowers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas J. Stowers, late of Company D, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FRIEDRICH WEIMAR.

The next business on the Private Calendar was the bill (H. R. 6172) granting an increase of pension to Frederick Weimar.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick Weimar, late of Company H, Second Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 4 strike out the word "upon" and insert in lieu thereof the word "on."

In line 6 strike out the word "Frederick" and insert in lieu thereof the word "Friedrich."

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "fifty."

Amend the title so as to read: "A bill granting an increase of pension to Friedrich Weimar."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELLA BAILEY.

The next business on the Private Calendar was the bill (S. 1933) granting a pension to Ella Bailey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ella Bailey, helpless and dependent daughter of Joseph Bailey, late captain, Fourth Regiment Wisconsin Volunteer Infantry, and brevet brigadier-general, United States Volunteers, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAMANNA E. LYNDE.

The next business on the Private Calendar was the bill (S. 1748) granting an increase of pension to Williamanna E. Lynde.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Williamanna E. Lynde, widow of Frederick M. Lynde, late captain, First Regiment United States Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MAGGIE HELMBOLD.

The next business on the Private Calendar was the bill (H. R. 8651) granting a pension to Maggie Helmbold.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maggie Helmbold, widow of John W. Helmbold, late of Company E, Two hundred and thirteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The amendments recommended by the committee were read, as follows:

Add to the end of the bill the words: "and $2 per month additional on account of the minor child until it shall reach the age of 16 years."

In line 8, after the word "Infantry," insert "and Company D, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHRISTIANNA LEACH.

The next business on the Private Calendar was the bill (H. R. 7704) granting an increase of pension to Christianna Leach.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Christianna Leach, widow of Parker W. Leach, late of Company E, Eleventh Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all of line 7 and insert in lieu thereof the following:

"The Twenty-eighth Company, Second Battalion Veteran Reserve Corps."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "seventeen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GILBERT P. HOWE.

The next business on the Private Calendar was the bill (S. 3284) granting a pension to Gilbert P. Howe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gilbert P. Howe, late unassigned Maine Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

PETER POUTNEY.

The next business on the Private Calendar was the bill (H. R. 5888) granting an increase of pension to Peter Pontney.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of $50 per month, the name of Peter Pontney, late of Company E, Eighth Regiment Michigan Infantry, and pay him such pension on and after the passage of this act.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter Poutney, late of Company E, Eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend title so as to read: "A bill granting an increase of pension to Peter Poutney."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

SYBIL F. HALL.

The next business on the Private Calendar was the bill (S. 2394) granting an increase of pension to Sybil F. Hall.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Sybil F. Hall, widow of Edwin G. Hall, late of Company H, One hundred and fifty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

CHARLES S. WILSON.

The next business on the Private Calendar was the bill (H. R. 7847) granting an increase of pension to Charles S. Wilson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles S. Wilson, late of Company K, Forty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARGARET SCANLON.

The next business on the Private Calendar was the bill (H. R. 7710) granting a pension to Margaret Scanlon.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Scanlon, widow of the late Thomas Scanlon, private in Company B, Kansas City Station Guards, Missouri Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "the late."
In same line strike out the word "private" and insert in lieu thereof the word "late."
In line 7 strike out the word "in" and insert in lieu thereof the word "of."
In same line, after the word "Missouri," insert the word "Volunteer."
In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

LUCY W. SMITH.

The next business on the Private Calendar was the bill (S. 2692) granting an increase of pension to Lucy W. Smith.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucy W. Smith, widow of Thomas C. H. Smith, late colonel First Regiment Ohio Volunteer Cavalry, and brigadier-general, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

ELIZABETH K. PRESCOTT.

The next business on the Private Calendar was the bill (S. 3257) granting an increase of pension to Elizabeth K. Prescott.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth K. Prescott, widow of William H. Prescott, late captain Company K, Second Regiment New Hampshire Volunteer Infantry, and of Sixteenth Regiment United States Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

LONSON R. BURR.

The next business on the Private Calendar was the bill (H. R. 4129) granting an increase of pension to Lonson R. Burr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lonson R. Burr, late of Company G, Twelfth Regiment Michigan Veteran Volunteer Infantry, and pay him a pension at the rate $20 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Veteran."
In line 8 strike out the word "twenty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

SARAH VANDEMARK.

The next business on the Private Calendar was the bill (H. R. 8562) granting an increase of pension to Sarah Vandemark.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Vandemark, dependent mother of Albert P. Ciples, late a private of Company I, One hundred and ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Sarah," insert the words "Ciples, now."
In line 7 strike out the words "a private."
Amend the title so as to read: "A bill granting an increase of pension to Sarah Ciples, now Vandemark."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ALEXANDER SCOTT.

The next business on the Private Calendar was the bill (H. R. 10361) granting an increase of pension to Alexander Scott.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of $30 per month, the name of Alexander Scott, late private, Sixth Ohio Independent Battery Volunteer Artillery, the same to be subject to all the conditions and provisions of the pension laws and in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:
"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander Scott, late of the Sixth Independent Battery, Ohio Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOSEPH A. NUNEZ.

The next business on the Private Calendar was the bill (S. 3097) granting an increase of pension to Joseph A. Nunez.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph A. Nunez, late major and additional paymaster, United States Volunteers, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

LORENZO WEEKS.

The next business on the Private Calendar was the bill (H. R. 3238) granting an increase of pension to Lorenzo Weeks.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lorenzo Weeks, late of Company I, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6, after the word "Seventy-ninth," insert the word "Regiment."
In line 7 strike out the word "Regiment" and insert in lieu thereof the words "Volunteer Infantry."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN M'GRATH.

The next business on the Private Calendar was the bill (S. 2100) granting an increase of pension to John McGrath.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John McGrath, late of Company E, One hundred and fortieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALBERT S. WHITTIER.

The next business on the Private Calendar was the bill (H. R. 1190) granting an increase of pension to Albert S. Whittier

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert S. Whittier, late of Company L, Fourth Regiment Massachusetts Volunteer Heavy Artillery, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ABBY CLARK M'NETT.

The next business on the Private Calendar was the bill (S. 1139) granting a pension to Abby Clark McNett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abby Clark McNett, widow of Andrew J. McNett, late lieutenant-colonel One hundred and forty-first Regiment New York Volunteer Infantry, and colonel, United States Army, retired, and pay her a pension at the rate of $30 per month.

The bill was ordered to be laid aside with a favorable recommendation.

SARA B. ANDREWS.

The next business on the Private Calendar was the bill (S. 8) granting a pension to Sara B. Andrews.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sara B. Andrews, widow of George L. Andrews, late colonel Second Regiment Massachusetts Volunteer Infantry and brigadier-general, United States Volunteers, and pay her a pension at the rate of $30 per month.

The bill was ordered to be laid aside with a favorable recommendation.

ALICE DE K. SHATTUCK.

The next business on the Private Calendar was the bill (S. 3054) granting an increase of pension to Alice De K. Shattuck.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice De K. Shattuck, widow of Lucius H. Shattuck, late hospital steward, United States Army, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELIZABETH P. SIGFRIED.

The next business on the Private Calendar was the bill (H. R. 5217) granting an increase of pension to Elizabeth P. Sigfried.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth P. Sigfried, widow of Joshua K. Sigfried, late brigadier-general of First Brigade, Fourth Division, Ninth Army Corps Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all of line 7 and insert in lieu thereof the following: "colonel Forty-eighth Regiment Pennsylvania Volunteer Infantry."

In line 8 strike out the words "Army Corps Volunteers."

In line 9 strike out the word "fifty" and insert in lieu thereof the word "twenty-five."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. MACKEY.

The next business on the Private Calendar was the bill (H. R. 5327) granting an increase of pension to William H. Mackey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Mackey, late of Company D, One hundred and twenty-eighth New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the words "New York," insert the word "Regiment."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH A. SHAW.

The next business on the Private Calendar was the bill (S. 2947) granting an increase of pension to Elizabeth A. Shaw.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth A. Shaw, widow of Benjamin C. Shaw, late major Seventh Regiment Indiana Volunteer Infantry and lieutenant-colonel Sixty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EMILY J. TALLMAN.

The next business on the Private Calendar was the bill (H. R. 11011) granting an increase of pension to Emily J. Tallman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pensions laws, the name of Emily J. Tallman, widow of Charles C. Tallman, late of Company B, Eighteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided, however*, That in the case of the death of the helpless son, William C. Tallman, on whose account the pension of Emily J. Tallman is increased, the pension of said Emily J. Tallman shall continue only at the rate of $12 per month from and after the death of said helpless son.

The bill was ordered to be laid aside with a favorable recommendation.

ANNIE M'ELHENEY.

The next business on the Private Calendar was the bill (S. 3329) granting an increase of pension to Annie McElheney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie McElheney, widow of William McElheney, late of Company C, Forty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mary T. McElheney, helpless and dependent daughter of said William McElheney, the additional pension herein granted shall cease and determine.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 10, 11, and 12 and insert in lieu thereof the following: "*Provided*, That in case of the death of the helpless child, Mary T. McElheney, on whose account the pension of Annie McElheney is increased, the pension of said Annie McElheney shall continue only at the rate of $12 per month from and after the date of death of said helpless child."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN A. HAZELTON.

The next business on the Private Calendar was the bill (S. 2867) granting an increase of pension to John A. Hazelton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John A. Hazelton, late of Company K, Fifteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES B. HARRIS.

The next business on the Private Calender was the bill (H. R. 2417) granting a pension to James B. Harris, of Montoursville, Lycoming County, Pa.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the act of June 27, 1890, the name of James B. Harris, Company K, Twenty-eighth Regiment Emergency Militia.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James B. Harris, late of Company K, Twenty-eighth Regiment Pennsylvania Volunteer Emergency Militia, and pay him a pension at the rate of $20 per month."

Amend the title so as to read: "A bill granting a pension to James B. Harris."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LA MYRA V. KENDIG.

The next business on the Private Calendar was the bill (H. R. 1278) granting an increase of pension to La Myra V. Kendig.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of La Myra V. Kendig, widow of Harry S. Kendig, late of Company A, One hundred and sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 9 strike out the word "twenty" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANKLIN TAYLOR.

The next business on the Private Calendar was the bill (S. 2049) granting an increase of pension to Franklin Taylor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Franklin Taylor, late of Company H, Sixteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ROBERT E. STEPHENS.

The next business on the Private Calendar was the bill (H. R. 6805) granting an increase of pension to Robert E. Stevens.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Robert E. Stevens, late a member of Company K, of the Sixth Indiana Volunteer Cavalry, and pay him a pension of $50 per month in lieu of the pension now received.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert E. Stephens, late of Company K, Sixth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Robert E. Stephens."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MICHAEL SAMELSBERGER.

The next business on the Private Calendar was the bill (S. 1626) granting an increase of pension to Michael Samelsberger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Samelsberger, late of Company A, Forty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY E. DE MARSE.

The next business on the Private Calendar was the bill (H. R. 4053) granting an increase of pension to Henry E. De Marse.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry E. De Marse, late of Company L, Eighteenth New York Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Eighteenth," insert the word "Regiment."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MICHAEL HAYES.

Mr. LAMB. Mr. Chairman, I ask unanimous consent to turn back and take up the bill (H. R. 6847, Calendar No. 386) to correct the military record of Michael Hayes, which bill was overlooked under a misapprehension, or left on Calendar by mistake. If members will turn to the special order they will find that bills to remove charges of desertion are included under the order of December 2, 1901, and this case of Michael Hayes should have been taken up in order this morning.

The CHAIRMAN. The Clerk informs the Chair that that bill has already been disposed of.

Mr. LAMB. I was under the impression myself that it had, until I saw it on the Calendar.

The CHAIRMAN. The Chair suggests that the gentleman withhold his request until the matter is examined.

Mr. LAMB. I thank the Chair.

JOSEPH M. CLOUGH.

The next business on the Private Calendar was the bill (S. 3322) granting an increase of pension to Joseph M. Clough.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph M. Clough, late lieutenant-colonel Eighteenth Regiment New Hampshire Volunteer Infantry and brevet brigadier-general, United States Volunteers, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ANN DEMONBRUN.

The next business on the Private Calendar was the bill (S. 462) granting an increase of pension to Ann Demonbrun.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ann Demonbrun, widow of Francis M. Demonbrun, late of Company D, Second Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Sallie Demonbrun, helpless and dependent daughter of said Francis M. Demonbrun, the additional pension herein granted shall cease and determine.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 10, 11, and 12 and insert in lieu thereof the following: "in the case of the death of the helpless child, Sallie Demonbrun, on whose account the pension of Ann Demonbrun is increased, the pension of said Ann Demonbrun shall continue only at the rate of $8 per month from and after the date of death of said helpless child."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

STEPHEN A. TOOPS.

The next business on the Private Calendar was the bill (S. 1256) to remove the charge of desertion from the military record of Stephen A. Toops.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion now standing on the records against Stephen A. Toops, late private of Company D, Second Regiment of Missouri State Militia Cavalry Volunteers, who absented himself without proper authority July 30, 1862, and so remained until September 19, 1862, when he enlisted in Company C, in the Seventh Regiment Missouri Volunteer Cavalry, served faithfully, and was honorably discharged June 13, 1865.

The bill was ordered to be laid aside with a favorable recommendation.

REINHARD SCHNEIDER.

The next business on the Private Calendar was the bill (H. R. 9870) to correct the military record of Reinhard Schneider.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to correct the military record of Rhinehart Schneider, late a private in the Seventy-ninth Regiment of New York Infantry Volunteers, and issue to him an honorable discharge from said regiment in the name of Reinhard Schneider.

The amendment recommended by the committee was read, as follows:

Provided, That no pay, bounty, or allowances shall become due or payable by reason of the passage of this act.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHRISTOPHER S. STEPHENS.

The next business on the Private Calendar was the bill (H. R. 12130) granting a pension to Christopher S. Stevens.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Christopher S. Stevens, a veteran of the Mexican war, upon the pension roll, at the rate of $12 per month, from and after the passage of this act.

The amendments recommended by the committee were read, as follows:

Change the spelling of claimant's name in the title to "Stephens;" strike out all after the enacting clause and submit therefor the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Christopher S. Stephens, late of Captain Chapman's company, New Mexico Mounted Volunteers, and pay him a pension at the rate of $12 per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES TODD.

The next business on the Private Calendar was the bill (H. R. 12315) granting an increase of pension to James Todd.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Todd, late of Captain Norcutt's Company D, First Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Insert the words "war with Mexico" after the word "Infantry," in line 7.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SYLVESTER HOLIDAY.

The next business on the Private Calendar was the bill (H. R. 8309) granting an increase of pension to Sylvester Holiday.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Sylvester Holiday, late a veteran of the Mexican war, upon the pension roll of the United States and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert the following: "That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sylvester Holiday, late of Company E, Fifteenth Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALICE ANGEL.

The next business on the Private Calendar was the bill (H. R. 8212) granting a pension to Alice Angel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice Angel, invalid daughter of J. J. Angel, late of Captain McClelland's company, Tennessee Volunteers, Indian war, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "invalid" and insert in lieu thereof "helpless and dependent;" in same line change the soldier's name from "J. J. Angel" to "James J. Angel."

In lines 7 and 8 strike out "Indian war" and substitute therefor "Cherokee Indian disturbances."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EVALINE WILSON.

The next business on the Private Calendar was the bill (H. R. 7613) granting an increase of pension to Evaline Wilson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Evaline Wilson, widow of Adam Wilson, late of Company K, First Indiana Volunteers (Mexican war), and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "First," insert the word "Regiment;" and in the same line strike out "(Mexican war)" and substitute therefor "war with Mexico."

In line 8 strike out "thirty" and insert in lieu thereof "sixteen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DENNIS J. KELLY.

The next business on the Private Calendar was the bill (H. R. 3910) granting a pension to Dennis J. Kelly.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dennis J. Kelly, late a private of Company L, Third Virginia Infantry Volunteers, war with Spain, and pay to him the sum of $36 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "a private;" and in the same line, after the word "Third," insert the word "Regiment."

In line 7 strike out "Infantry Volunteers" and substitute therefor "Vol unteer Infantry."

In line 7 strike out "to;" and in line 8 strike out the words "the sum of thirty-six" and substitute therefor the words "a pension at the rate of thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENJAMIN W. HOWARD.

The next business on the Private Calendar was the bill (H. R. 2115) granting an increase of pension to Benjamin W. Howard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to place upon the pension roll the name of Benjamin W. Howard, of Chattahoochee County, Ga., a veteran of the Indian war of 1836, and pay him a pension at the rate of $25 per month in lieu of the amount he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin W. Howard, late of Capt. J. Coleman's company of Georgia Volunteers, Creek Indian war, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN Y. COREY.

The next business on the Private Calendar was the bill (H. R. 10404) granting a pension to John Y. Corey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Y. Corey, late of Company B, Eighth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES R. WILSON.

The next business on the Private Calendar was the bill (H. R. 9144) to increase the pension of James R. Wilson, a blind Mexican soldier.

The bill was read, as follows:

Be it enacted, etc., That the pension of James R. Wilson, No. 9978, under the Mexican soldier pension act, be, and the same is hereby, increased from $12 per month to $30 per month, the said James R. Wilson being totally blind and indigent, without any means of support, and the Secretary of the Interior is directed to place his name upon the roll at $30 per month.

The amendments recommended by the committee were read, as follows:

Change the title so as to read: "A bill granting an increase of pension to James R. Wilson."

Strike out all after the enacting clause and substitute therefor the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James R. Wilson, late of Captain Blackman's company, First Regiment Tennessee Volunteers, war with Mexico, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HUGH COOL.

The next business on the Private Calendar was the bill (H. R. 6617) granting an increase of pension to Hugh Cool.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hugh Cool, late of Company C, Fourth Regiment Ohio Volunteers, war with Mexico, and pay him a pension of $24 per month in lieu of the pension he is now drawing.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "Fourth" and substitute therefor "Second."

In line 7 change the word "Volunteers" to "Volunteer" and after that word insert "Infantry;" also in the same line, after the word "pension," insert "at the rate."

In line 8 strike out "twenty-four" and insert "sixteen," and in same line strike out "the pension" and substitute "that."

In line 9 change "drawing" to "receiving."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

WILLIAM R. HOWSLEY.

The next business on the Private Calendar was the bill (H. R. 9171) granting an increase of pension to William R. Housley.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William R. Housley, late of Company H, Second Regiment Kentucky Volunteer Infantry, in Mexican war, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Change the spelling of the claimant's surname in the title and body of the bill to "Howsley."

In line 7 strike out "in Mexican War" and substitute therefor "war with Mexico."

In line 8 strike out "twenty-five" and insert in lieu thereof "twenty."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

DAVID A. FRIER.

The next business on the Private Calendar was the bill (H. R. 11619) granting an increase of pension to David A. Frier.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David A. Frier, who was a private in Capt. R. B. Turner's company in the Florida Seminole Indian war of 1836 to 1840, and pay him a pension at the rate of $30 per month from and after the passage of this act in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the words "David A. Frier," in line 6, and substitute therefor the words "late of Capt. R. B. Turner's company of Florida Volunteers, Florida Indian war, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY LOUISE WORDEN.

The next business on the Private Calendar was the bill (H. R. 11292) granting an increase of pension to Mary Louise Worden.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Louise Worden, widow of Charles A. Worden, late captain, Seventh Regiment United States Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out the word "fifty" in line 8 and substitute therefor the word "thirty."

Mr. BROMWELL. Mr. Chairman, the identical bill having passed the Senate, I ask unanimous consent that the Senate bill be substituted and that the House bill lie on the table.

The CHAIRMAN. The Chair will state to the gentleman from Ohio that the bill not having been reported from the committee, it will be the better way to present it in the House after the committee rises.

The amendment reported by the committee was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

HANNAH T. KNOWLES.

The next business on the Private Calendar was the bill (H. R. 11418) granting an increase of pension to Hannah T. Knowles.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah T. Knowles, widow of William T. Knowles, late of United States Navy (Mexican war), and pay her a pension at the rate of $40 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "United States Navy (Mexican war)," and substitute therefor "the United States ship *Independence*, war with Mexico."

In line 8 strike out "forty" and insert in lieu thereof "eight."

Add to the end of the bill the words "such pension to cease upon proof that the soldier is still living."

The amendments recommended by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

STEPHEN MAY.

The next business on the Private Calendar was the bill (H. R. 12136) granting an increase of pension to Stephen May.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen May, late of Company E, First Regiment Kentucky Mounted Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Change the word "Volunteer," in line 7, to "Volunteers;" also, by striking out the word "Infantry," in the same line.

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MICHAEL MULLIN.

The next business on the Private Calendar was the bill (H. R. 2618) granting an increase of pension to Michael Mullin.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Mullin, late of Company C, United States Mounted Rifles, and pay him a pension at the rate of $12 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY F. KEY.

The next business on the Private Calendar was the bill (H. R. 11145) granting an increase of pension to Mary Ann Key.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Ann Key, widow of Richard Key, late of Company D, Palmetto Regiment, South Corolina Volunteer Infantry, Mexican war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out the Christian name "Ann" in the title and the body of the bill, and substitute therefor the initial "F."

Change the soldier's name in line 6 to "Richard S. Key."

In line 8 strike out "Mexican war" and substitute therefor "war with Mexico;" and in the same line strike out "twenty" and insert in lieu thereof "sixteen."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOHN L. BOWMAN.

The next business on the Private Calendar was the bill (H. R. 10532) granting an increase of pension to John L. Bowman.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. Bowman, late of Company , regiment of Colonels McKee and Clay, Mexican Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Company," insert the letter "D," and in lines 6 and 7 strike out "regiment of Colonels McKee and Clay, Mexican Volunteer Infantry," and substitute therefor "Second Regiment Kentucky Volunteers, war with Mexico."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

INDIA STEWART.

The next business on the Private Calendar was the bill (S. 3021) granting a pension to India Stewart.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of India Stewart, mother of John S. Stewart, late captain Company A, First Regiment Colorado Volunteer Infantry, war with Spain, and pay her a pension at the rate of $20 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARIE U. NORDSTROM.

The next business on the Private Calendar was the bill (S. 3026) granting an increase of pension to Marie U. Nordstrom.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marie U. Nordstrom, widow of Charles E. Nordstrom, late of Company E, First Regiment Maine Volunteer Cavalry, and captain, Tenth Regiment United States Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EMMA M'LAUGHLIN.

The next business on the Private Calendar was the bill (S. 2520) granting an increase of pension to Emma McLaughlin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma McLaughlin, widow of James B. McLaughlin, late second lieutenant, Signal Corps, United States Volunteers, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

RUSSEL A. WILLIAMS.

The next business on the Private Calender was the bill (H. R. 6020) granting an increase of pension to Russell A. Williams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Russell A. Williams, late private of Company F, Twelfth Regiment Illinois Volunteer Infantry, war of the rebellion, and pay him a pension of $20 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Russel A. Williams, late of Company F, Twelfth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Russel A. Williams."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANN ELIZA TROUT.

The next business on the Private Calendar was the bill (S. 1331) granting a pension to Ann Eliza Trout.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ann Eliza Trout, widow of Samuel Trout, late of Company H, Eighty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

LOUIS HAHN.

The next business on the Private Calendar was the bill (H. R. 2207) granting an increase of pension to Louis Hahn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louis Hahn, late of Company F, Twenty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANNIE D. TAGGART.

The next business on the Private Calendar was the bill (S. 628) granting a pension to Annie E. Taggart.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie D. Taggart, widow of William H. Taggart, late surgeon Second Regiment Pennsylvania Volunteer Cavalry, and acting assistant surgeon, United States Navy, and pay her a pension at the rate of $25 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Amend the title so as to read: "A bill granting a pension to Annie D. Taggart."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. ACKER.

The next business on the Private Calendar was the bill (H. R. 11831) granting an increase of pension to John W. Acker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Acker, late of Company D, Fifty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JASON LEIGHTON.

The next business on the Private Calendar was the bill (S. 3036) granting an increase of pension to Jason Leighton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jason Leighton, late of Company H, First Regiment Maine Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN COSTELLO.

The next business on the Private Calendar was the bill (H. R. 7572) granting an increase of pension to John Costello.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Costello, late seaman, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6, after the word "seaman," insert the words "United States steamship *Essex*."

In line 7 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

KATE PEARCE.

The next business on the Private Calendar was the bill (S. 665) granting a pension to Kate Pearce.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Kate Pearce, widow of George G. Pearce, late of Company H, Seventy-second Regiment Pennsylvania Volunteer Infantry, and Company A, One hundred and eighty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM H. ALLEN.

The next business on the Private Calendar was the bill (H. R. 7998) granting an increase of pension to William H. Allen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Allen, of Florida, late a private in Company B, Twenty-third Michigan Volunteer Infantry, in the civil war, and pay him a pension of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of William H. Allen, late of Company B, Twenty-third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLOTTE H. RACE.

The next business on the Private Calendar was the bill (S. 1086) granting a pension to Charlotte H. Race.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charlotte H. Race, dependent mother of Ashley P. Hawkins, late of Company E, Eighth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

DAVID E. HALL.

The next business on the Private Calendar was the bill (H. R. 6401) increasing the pension of David E. Hall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to increase the pension of David E. Hall, late sergeant, Company E, First Regiment of Maryland Volunteer Cavalry, a pensioner under certificate No. 206136, to $30 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David E. Hall, late of Company E, First Regiment Maryland Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

Amend title so as to read: "A bill granting an increase of pension to David E. Hall."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EMMA R. PAWLING.

The next business on the Private Calendar was the bill (S. 2562) granting a pension to Emma R. Pawling.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma R. Pawling, widow of George M. Pawling, late of Company K, One hundred and twenty-sixth Regiment Pennsylvania Volunteer Infantry, and Company M, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

LIZZIE B. GREEN.

The next business on the Private Calendar was the bill (H. R. 7290) granting an increase of pension to Lizzie B. Green.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension, subject to the limitations and provisions of the pension laws, of Lizzie B. Green, widow of John E. Green, late captain Company C, Ninety-sixth Regiment New York Volunteers, in the late war of the rebellion, and pay her a pension of $24 per month in lieu of the pension she is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lizzie B. Green, widow of John E. Green, late captain Company C, Ninety-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CLARA A. PENROSE.

The next business on the Private Calendar was the bill (S. 2267) granting an increase of pension to Clara A. Penrose.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clara A. Penrose, widow of Charles B. Penrose, late major and commissary of subsistence, United States Army, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES F. GRAY.

The next business on the Private Calendar was the bill (H. R. 3677) granting an increase of pension to James F. Gray.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James F. Gray, late of Companies G and I, Third Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JENNIE C. RUCKLE.

The next business on the Private Calendar was the bill (S. 1800) granting an increase of pension to Jennie C. Ruckle.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jennie C. Ruckle, widow of Nicholas R. Ruckle, late colonel One hundred and forty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHRISTINA HEITZ.

The next business on the Private Calendar was the bill (H. R. 291) granting a pension to Christina Heitz.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Christina Heitz, widow of Charles Heitz, late of Company I, Third Regiment United States Reserve Corps Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The amendment recommended by the committee was read, as follows:

In line 7, before the word "Volunteer," insert the word "Missouri."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE E. HOUGHTON.

The next business on the Private Calendar was the bill (S. 3559) granting an increase of pension to George E. Houghton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George E. Houghton, late of Company F, Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MICHAEL JOHN DALY.

The next business on the Private Calendar was the bill (H. R. 7897) granting a pension to Michael John Daly.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Michael John Daly, late ensign, United States steamship *Sonoma*, United States Navy, upon the pension roll and to grant him a pension of $50 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael J. Daly, late acting ensign, United States Navy, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Michael J. Daly."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HEBER C. GRIFFIN.

The next business on the Private Calendar was the bill (S. 3328) granting an increase of pension to Heber C. Griffin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Heber C. Griffin, late of Company D, Seventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM B. ROWE.

The next business on the Private Calendar was the bill (H. R. 8696) granting an increase of pension to William B. Rowe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William B. Rowe, late of Company A, Ninth Regiment Michigan Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Michigan," insert the word "Volunteer."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ABBIE M. PACKARD.

The next business on the Private Calendar was the bill (S. 1041) granting a pension to Abbie M. Packard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abbie M. Packard, helpless and dependent daughter of Charles Packard, late of Company D, Thirteenth Regiment Maine Volunteer Infantry, and Company K, Thirteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

ERASTUS D. CANFIELD.

The next business on the Private Calendar was the bill (H. R. 9069) granting a pension to Erastus D. Canfield.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Erastus D. Canfield, late a private in Company B, Thirty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension of $24 per month in lieu of the pension which he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Erastus D. Canfield, late of Company B, Thirty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Erastus D. Canfield."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JANE E. TOMPKINS.

The next business on the Private Calendar was the bill (S. 3269) granting an increase of pension to Jane E. Tompkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane E. Tompkins, widow of Charles H. Tompkins, late colonel First Regiment Rhode Island Volunteer Light Artillery, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THEOPHILE A. DAUPHIN.

The next business on the Private Calendar was the bill (H. R. 3876) granting an increase of pension to Theophile A. Dauphin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theophile A. Dauphin, late of Company K, Eighty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of — dollars per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8, before the word "dollars," insert the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JACOB BARTON.

The next business on the Private Calendar was the bill (S. 2929) granting an increase of pension to Jacob Barton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Barton, late of Company I, Fourteenth Regiment Vermont Volunteer Infantry, and Company C, Ninth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LYDIA CARR.

The next business on the Private Calendar was the bill (H. R. 4994) granting a pension to Lydia Carr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lydia Carr, daughter of Corrin H. Carr, late of Company C, Thirty-seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Lydia Carr, the dependent and helpless daughter of Gorrin H. Carr, late of Company C, Thirty-seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PETER C. CLEEK.

The next business on the Private Calendar was the bill (S. 2643) granting an increase of pension to Peter C. Cleek.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter C. Cleek, late of Company K, Seventh Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES A. BRAMBLE.

The next business on the Private Calendar was the bill (H. R. 8048) granting an increase of pension to James A. Bramble.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James A. Bramble, late of Company B, Eightieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows.

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

IDA C. EMERY.

The next business on the Private Calendar was the bill (S. 3482) granting an increase of pension to Ida C. Emery.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ida C. Emery, widow of Charles Emery, late captain Company E, Fifty-fifth Regiment Indiana Volunteer Infantry, and Company C, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

RACHEL S. LYMAN.

The next business on the Private Calendar was the bill (H. R. 8913) granting an increase of pension to Mrs. Joseph Lyman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Mrs. Joseph Lyman, widow of Maj. Joseph Lyman, late of Company E, Fourth Iowa Cavalry, and adjutant and major of the Twenty-ninth Iowa Infantry, and that she be paid at the rate of $50 a month in lieu of the pension she is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rachel S. Lyman, widow of Joseph Lyman, late major, Twenty-ninth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving."

Amend title so as to read: "A bill granting an increase of pension to Rachel S. Lyman."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. H. SCOTT.

The next business on the Private Calendar was the bill (S. 2531) granting an increase of pension to William H. H. Scott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. H. Scott, late of Company C, Third Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS THATCHER.

The next business on the Private Calendar was the bill (H. R. 1326) granting an increase of pension to Thomas Thatcher.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Thatcher, late of Company K, Twenty-second Regiment Indiana Volunteer Infantry, war of the rebellion, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "war of the rebellion."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendments recommended by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ANNA O. BRUSH.

The next business on the Private Calendar was the bill (H. R. 3420) granting a pension to Anna O. Brush.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna O. Brush, widow of Alfred I. Brush, late of Company B, Twelfth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

FREDERICK E. ROGERS.

The next business on the Private Calendar was the bill (S. 3704) granting an increase of pension to Frederick E. Rogers.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name Frederick E. Rogers, late of Company D, Thirteenth Regiment Massachusetts Volunteer Infantry, and second lieutenant Company A, Fifty-fourth Regiment Massachusetts (colored) Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

GEORGE W. DODGE.

The next business on the Private Calendar was the bill (H. R. 3826) granting an increase of pension to George W. Dodge.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Dodge, late of Company G, Forty-ninth Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Forty-ninth," insert the word "Regiment."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

WILLIAM HOLGATE.

The next business on the Private Calendar was the bill (H. R. 2619) granting a pension to William Holgate.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll of the United States the name of William Holgate, of Company E, One hundred and twelfth Illinois Volunteers, and pay him, during his natural life, a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Holgate, late of Company E, One hundred and twelfth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to William Holgate."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MATTHEW C. MEDBURY.

The next business on the Private Calendar was the bill (H. R. 6438) granting an increase of pension to Matthew C. Medbury.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mathew C. Medbury, late of Company E, Twelfth Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Mathew" and insert in lieu thereof the word "Matthew."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to Matthew C. Medbury."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOHN REEP.

The next business on the Private Calendar was the bill (H. R. 9791) granting an increase of pension to John Reep.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Reep, late of Company B, One hundred and fifty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

Mr. SULLOWAY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore, Mr. LACEY, having resumed the chair, Mr. CAPRON, Chairman of the Committee of the Whole, reported that that committee had had under consideration sundry bills on the Private Calendar, and had reported the same back, some with amendment and some without amendment, with the recommendation that the bills without amendment, and those with amendment as amended, do pass.

PENSION BILLS PASSED.

The following House bills, reported from the Committee of the Whole without amendments, were severally considered, ordered to be engrossed and read a third time, read a third time, and passed:

H. R. 6467. A bill granting an honorable discharge to Samuel Welch;

H. R. 11025. A bill granting a pension to Mary A. Carlile;

H. R. 2661. A bill granting an increase of pension to Oswald Ahlstedt;

H. R. 10091. A bill granting a pension to Blanche Duffy;

H. R. 10841. A bill granting an increase of pension to Margaret Hoefer;

H. R. 6481. A bill granting an increase of pension to Millen McMillen;

H. R. 9178. A bill granting an increase of pension to John M. Howe;

H. R. 671. A bill granting an increase of pension to Orra H. Heath;

H. R. 3260. A bill granting a pension to Jacob Golden;

H. R. 10141. A bill granting an increase of pension to William R. Armstrong;

H. R. 11125. A bill granting an increase of pension to John S. Campbell;

H. R. 1090. A bill granting a pension to James E. Bates;

H. R. 1714. A bill granting an increase of pension to Levi H. Winslow;

H. R. 6466. A bill granting a pension to Josephine M. Dustin;

H. R. 669. A bill granting an increase of pension to Richard C. Smith;

H. R. 10906. A bill granting a pension to John W. Mead;

H. R. 7529. A bill granting an increase of pension to Philip Atwood;

H. R. 10924. A bill granting an increase of pension to Elias M. Haight;

H. R. 7397. A bill granting a pension to Louisa White;

H. R. 11011. A bill granting an increase of pension to Emily J. Tallman;

H. R. 10404. A bill granting a pension to John G. Corey;

H. R. 2618. A bill granting an increase of pension to Michael Mullin; and

H. R. 3420. A bill granting a pension to Anna O. Brush.

The following House bills with amendments, favorably reported from the Committee of the Whole House, were severally considered, the amendments agreed to, the bills as amended ordered to be engrossed, and read a third time; and they were accordingly read the third time, and passed:

H. R. 11052. A bill for the relief of Nelson Johnson (title amended);

H. R. 9999. A bill granting an increase of pension to George W. Gwinn (title amended);

H. R. 2440. A bill granting an increase of pension to William D. Smith;

H. R. 8016. A bill granting a pension to Hannibal C. St. Clair (title amended);

H. R. 1696. A bill granting an increase of pension to Frederick A. Condon;

H. R. 658. A bill granting an increase of pension to John H. Jack (title amended);

H. R. 6760. A bill granting a pension to Susan House;

H. R. 8921. A bill granting an increase of pension to Jesse C. Rhodabeck;

H. R. 1479. A bill granting an increase of pension to Michael Marnane;

H. R. 8679. A bill granting a pension to William J. Jones;

H. R. 9593. A bill granting a pension to Elizabeth Rickey;

H. R. 1724. A bill granting an increase of pension to Daniel F. Thompson (title amended);

H. R. 7811. A bill granting a pension to Mary King;

H. R. 10193. A bill granting an increase of pension to John Hollister;

H. R. 2781. A bill granting an increase of pension to Patrick Lee;

H. R. 9926. A bill granting an increase of pension to James F. Patton;

H. R. 7782. A bill granting an increase of pension to Thomas P. Smith;

H. R. 8415. A bill granting a pension to Mary L. Dibert;

H. R. 8781. A bill granting a pension to Mary E. Holbrook;

H. R. 1636. A bill granting an increase of pension to James Austin;

H. R. 3427. A bill granting an increase of pension to Sarah E. Allen;

H. R. 1086. A bill granting an increase of pension to Francis W. Pool;

H. R. 2613. A bill granting an increase of pension to Thomas H. H. Gibbs;

H. R. 6895. A bill granting an increase of pension to Richard P. Nichauls (title amended);

H. R. 7239. A bill granting an increase of pension to William Christian (title amended);

H. R. 809. A bill granting an increase of pension to J. P. Burchfield (title amended);

H. R. 918. A bill granting a pension to Charles Misner (title amended);

H. R. 3514. A bill granting a pension to Anna Maria Ziegenfuss (title amended);

H. R. 9625. A bill granting a pension to Elizabeth L. Becket, widow of John Becket, late a private in Company K, Eighty-sixth Ohio Volunteer Infantry (title amended);

H. R. 9413. A bill granting a pension to Mary E. Holden, widow of John W. Holden (title amended);

H. R. 9301. A bill granting a pension to Barbara McDonald (title amended);

H. R. 7149. A bill granting an increase of pension to Ephraim D. Dorman;

H. R. 6107. A bill granting a pension to Elijah E. Harvey (title amended);

H. R. 5910. A bill granting an increase of pension to Reuben Wellman;

H. R. 9986. A bill granting an increase of pension to James Moore;

H. R. 9928. A bill granting an increase of pension to Benjamin E. Styles (title amended);

H. R. 3859. A bill granting a pension to James D. Johnson;

H. R. 10289. A bill granting a pension to Eliza Stewart;

H. R. 10117. A bill granting a pension to Sallie Lowe (title amended);

H. R. 1694. A bill granting an increase of pension to Henry Ball;

H. R. 10143. A bill granting a pension to Anna Roderka;

H. R. 351. A bill granting an increase of pension to Robert Carpenter;

H. R. 4993. A bill granting a pension to Mary Shelton Huston;
H. R. 3884. A bill granting a pension to Erastus C. Moderwell (title amended);
H. R. 699. A bill granting an increase of pension to Robert Miller;
H. R. 3022. A bill granting a pension to David B. Salts (title amended);
H. R. 11375. A bill granting a pension to Charles F. Merrill;
H. R. 10411. A bill granting an increase of pension to Mrs. I. M. Singley (title amended);
H. R. 9621. A bill granting an increase of pension to Andrew Y. Transue;
H. R. 10957. A bill granting an increase of pension to Mary E. Stockings, widow of Robert Q. Stockings, late private of Company K, Forty-seventh Regiment New York Volunteers (title amended);
H. R. 5101. A bill granting a pension to Benjamin Contal (title amended);
H. R. 5254. A bill granting an increase of pension to Enos G. Budd;
H. R. 6037. A bill granting an increase of pension to William C. Holcomb;
H. R. 7250. A bill granting an increase of pension to Margaret Hendry;
H. R. 2241. A bill granting an increase of pension to Dorothy S. White;
H. R. 2919. A bill granting a pension to Christiana Steiger;
H. H. 4116. A bill for the relief of William Berry (title amended);
H. R. 2545. A bill granting an increase of pension to Isaac H. Crim;
H. R. 1938. A bill granting an increase of pension to Helen V. Rorer;
H. R. 2981. A bill granting an increase of pension to Thomas Findley;
H. R. 11381. A bill granting an increase of pension to Abraham N. Bradfield;
H. R. 283. A bill granting an increase of pension to Robert M. McCollough (title amended);
H. R. 11124. A bill granting an increase of pension to Mary Scott;
H. R. 4176. A bill granting an increase of pension to Nathan W. Snee (title amended);
H. R. 5110. A bill granting an increase of pension to William H. Dixon;
H. R. 4089. A bill granting a pension to Ada L. McFarland;
H. R. 5190. A bill granting an increase of pension to Alvin J. Hartzell;
H. R. 11895. A bill granting a pension to Thomas Holloway;
H. R. 7683. A bill granting an increase of pension to Almond Delamater;
H. R. 10396. A bill granting an increase of pension to Elvin Esty (title amended);
H. R. 11327. A bill granting an increase of pension to Charles E. Pettis;
H. R. 11790. A bill granting an increase of pension to Abel Woods;
H. R. 9494. A bill granting a pension to Mary A. Andress, widow of Philip Andress, Company F, Eleventh Pennsylvania Volunteer Cavalry, for Lulu Belle Andress, imbecile or feeble-minded child (title amended);
H. R. 8349. A bill granting a pension to John Watts;
H. R. 7076. A bill granting a pension to the widow of Andrew J. Gilleland (title amended);
H. R. 2598. A bill granting an increase of pension to Adrian M. Snyder, of Hamilton County, Tenn. (title amended);
H. R. 10840. A bill granting a pension to Susan Evans Warner (title amended);
H. R. 10773. A bill granting a pension to Archer Bartlett;
H. R. 750. A bill granting a pension to Martin Essex;
H. R. 1706. A bill granting an increase of pension to John E. White;
H. R. 6727. A bill granting an increase of pension to Remembranca J. Williams;
H. R. 4543. A bill granting an increase of pension to George W. Parker;
H. R. 4118. A bill for the relief of Charles Maschmeyer (title amended);
H. R. 6172. A bill granting an increase of pension to Frederick Weimar (title amended);
H. R. 8651. A bill granting a pension to Maggie Helmbold;
H. R. 7704. A bill granting an increase of pension to Christianna Leach;
H. R. 5888. A bill granting an increase of pension to Peter Pontney (title amended);
H. R. 7847. A bill granting an increase of pension to Charles S. Wilson;
H. R. 7710. A bill granting a pension to Margaret Scanlon;
H. R. 4129. A bill granting an increase of pension to Lonson R. Burr;
H. R. 8562. A bill granting an increase of pension to Sarah Vandemark (title amended);
H. R. 10361. A bill granting an increase of pension to Alexander Scott;
H. R. 3238. A bill granting an increase of pension to Lorenzo Weeks;
H. R. 1190. A bill granting an increase of pension to Albert S. Whittier;
H. R. 5217. A bill granting an increase of pension to Elizabeth P. Sigfried;
H. R. 5327. A bill granting an increase of pension to William H. Mackey;
H. R. 2417. A bill granting a pension to James B. Harris, of Montoursville, Lycoming County, Pa. (title amended);
H. R. 1278. A bill granting an increase of pension to La Myra V. Kendig;
H. R. 6805. A bill granting an increase of pension to Robert E. Stevens (title amended);
H. R. 4053. A bill granting an increase of pension to Henry E. De Marse;
H. R. 9870. A bill to correct the military record of Reinhard Schneider;
H. R. 12130. A bill granting a pension to Christopher S. Stevens (title amended);
H. R. 12315. A bill granting an increase of pension to James Todd;
H. R. 8309. A bill granting an increase of pension to Sylvester Holiday;
H. R. 8212. A bill granting a pension to Alice Angel;
H. R. 7613. A bill granting an increase of pension to Evaline Wilson;
H. R. 3910. A bill granting a pension to Dennis J. Kelly;
H. R. 2115. A bill granting an increase of pension to Benjamin W. Howard;
H. R. 9144. A bill granting an increase of pension to James R. Wilson, a blind Mexican soldier (title amended);
H. R. 6617. A bill granting an increase of pension to Hugh Cool;
H. R. 9171. A bill granting an increase of pension to William R. Housley (title amended);
H. R. 11619. A bill granting an increase of pension to David A. Frier;
H. R. 11418. A bill granting an increase of pension to Hannah T. Knowles;
H. R. 12136. A bill granting an increase of pension to Stephen May;
H. R. 11145. A bill granting an increase of pension to Mary Ann Key (title amended);
H. R. 10532. A bill granting an increase of pension to John L. Bowman;
H. R. 6020. A bill granting an increase of pension to Russell A. Williams (title amended);
H. R. 2207. A bill granting an increase of pension to Louis Hahn;
H. R. 11831. A bill granting an increase of pension to John W. Acker;
H. R. 7572. A bill granting an increase of pension to John Costello;
H. R. 7998. A bill granting an increase of pension to William H. Allen;
H. R. 6401. A bill granting an increase of pension to David E. Hall (title amended);
H. R. 7290. A bill granting an increase of pension to Lizzie B. Green;
H. R. 3677. A bill granting an increase of pension to James F. Gray;
H. R. 291. A bill granting a pension to Christina Heitz;
H. R. 7897. A bill granting a pension to Michael John Daly (title amended);
H. R. 8696. A bill granting an increase of pension to William B. Rowe;
H. R. 9069. A bill granting a pension to Erastus D. Canfield (title amended);
H. R. 3876. A bill granting an increase of pension to Theophile A. Dauphin;
H. R. 4994. A bill granting a pension to Lydia Carr;
H. R. 8048. A bill granting an increase of pension to James A. Bramble;
H. R. 8913. A bill granting an increase of pension to Mrs. Joseph Lyman (title amended);
H. R. 1326. A bill granting an increase of pension to Thomas Thatcher;

H. R. 3826. A bill granting an increase of pension to George W. Dodge;
H. R. 2619. A bill granting a pension to William Holgate (title amended);
H. R. 6438. A bill granting an increase of pension to Mathew C. Medbury (title amended); and
H. R. 9791. A bill granting an increase of pension to John Reep.

MARY LOUISE WORDEN.

The bill (H. R. 11292) granting an increase of pension to Mary Louise Worden, having been reported from the Committee of the Whole, and the question being on its consideration in the House—

The following proceedings occurred:

Mr. BROMWELL. Mr. Speaker, the identical Senate bill already passed is on the Clerk's desk, and I ask unanimous consent that that bill may be substituted for the House bill just acted upon by the Committee of the Whole.

The SPEAKER. Is that the bill just disposed of?

Mr. BROMWELL. The one just about to be disposed of.

The SPEAKER. Without objection, the Senate bill will be considered.

The Clerk read as follows:

A bill (S. 3182) granting an increase of pension to Mary Louise Worden.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

The SPEAKER. Without objection, the corresponding House bill (H. R. 11292) will lie on the table.

There was no objection.

The following Senate bills, reported from the Committee of the Whole without amendment, were severally considered, ordered to a third reading, read the third time, and passed:

S. 2767. An act granting an increase of pension to Albert D. Scovell;
S. 1802. An act granting an increase of pension to Cornelia E. Wright;
S. 1913. An act granting an increase of pension to Caroline Michler;
S. 1940. An act granting a pension to Frances Fuller Victor;
S. 1015. An act granting an increase of pension to Israel A. Benner;
S. 1146. An act granting a pension to Adela S. Webster;
S. 2701. An act granting a pension to Thomas G. Foster;
S. 1164. An act granting an increase of pension to Lewis W. Moore;
S. 2008. An act granting an increase of pension to Peter C. Monfort;
S. 335. An act granting an increase of pension to Joseph H. Barnum;
S. 2303. An act granting an increase of pension to Noah F. Chafee;
S. 2468. An act granting an increase of pension to Horatio N. Francis;
S. 1641. An act granting an increase of pension to Frank J. Clark;
S. 2440. An act granting an increase of pension to John W. Gregg;
S. 713. An act granting a pension to Frances E. Stebbins;
S. 3553. An act granting an increase of pension to Mary A. Van Wormer;
S. 3403. An act granting an increase of pension to George M. Emery;
S. 3258. An act granting a pension to Simeon Partridge;
S. 577. An act granting an increase of pension to Joseph W. Burch;
S. 2732. An act granting an increase of pension to Marie J. Smyth;
S. 1195. An act granting an increase of pension to Charles R. Bridgman;
S. 2422. An act granting an increase of pension to John W. Burnham;
S. 2802. An act granting a pension to Martha R. Osbourn;
S. 502. An act granting a pension to Alexander Beachboard;
S. 2013. An act granting an increase of pension to Sidney Leland;
S. 1467. An act granting an increase of pension to Cynthia A. McKenny;
S. 469. An act granting an increase of pension to Hiram H. Kingsbury;
S. 2930. An act granting an increase of pension to Franklin B. Delany;
S. 1135. An act granting an increase of pension to Thomas J. Stowers;
S. 1933. An act granting a pension to Ella Bailey;
S. 1748. An act granting an increase of pension to Williamanna E. Lynde;
S. 3284. An act granting a pension to Gilbert P. Howe;
S. 2394. An act granting an increase of pension to Sybil F. Hall;
S. 2692. An act granting an increase of pension to Lucy W. Smith;
S. 3257. An act granting an increase of pension to Elizabeth K. Prescott;
S. 3097. An act granting an increase of pension to Joseph A. Nunez;
S. 2100. An act granting an increase of pension to John McGrath;
S. 1139. An act granting a pension to Abby Clark McNett;
S. 8. An act granting a pension to Sara B. Andrews;
S. 3054. An act granting an increase of pension to Alice De K. Shattuck;
S. 2947. An act granting an increase of pension to Elizabeth A. Shaw;
S. 2867. An act granting an increase of pension to John A. Hazelton;
S. 2049. An act granting an increase of pension to Franklin Taylor;
S. 1626. An act granting an increase of pension to Michael Samelsberger;
S. 3322. An act granting an increase of pension to Joseph M. Clough;
S. 1256. An act to remove the charge of desertion from the military record of Stephen A. Toops;
S. 3021. An act granting a pension to India Stewart;
S. 3026. An act granting an increase of pension to Marie U. Nordstrom;
S. 2520. An act granting an increase of pension to Emma McLaughlin;
S. 1331. An act granting a pension to Ann Eliza Trout;
S. 3036. An act granting an increase of pension to Jason Leighton;
S. 665. An act granting a pension to Kate Pearce;
S. 1086. An act granting a pension to Charlotte H. Race;
S. 2562. An act granting a pension to Emma R. Pawling;
S. 2267. An act granting an increase of pension to Clara A. Penrose;
S. 1800. An act granting an increase of pension to Jennie C. Ruckle;
S. 3559. An act granting an increase of pension to George E. Houghton;
S. 3328. An act granting an increase of pension to Heber C. Griffin;
S. 1041. An act granting a pension to Abbie M. Packard;
S. 3269. An act granting an increase of pension to Jane E. Tompkins;
S. 2929. An act granting an increase of pension to Jacob Barton;
S. 2643. An act granting an increase of pension to Peter C. Cleek;
S. 3482. An act granting an increase of pension to Ida C. Emery;
S. 2531. An act granting an increase of pension to William H. H. Scott; and
S. 3704. An act granting an increase of pension to Frederick E. Rogers.

The following Senate bills, with amendments, favorably reported from the Committee of the Whole House, were severally considered, the amendments agreed to, the bills as amended ordered to a third reading; and they were accordingly read the third time, and passed:

S. 3329. An act granting an increase of pension to Annie McElheney;
S. 462. An act granting an increase of pension to Ann Demonbrun; and
S. 628. An act granting a pension to Annie E. Taggart (title amended).

The bill (H. R. 2768) granting an increase of pension to Nathan H. Metcalf, reported from the Committee of the Whole House with the recommendation that it lie on the table, was accordingly laid on the table.

On motion of Mr. SULLOWAY, a motion to reconsider the several votes by which the various bills were passed was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills and joint resolution of the following titles:

On March 12, 1902:

H. R. 1198. An act granting a pension to Joshua H. Buckingham; and

H. J. Res. 106. Joint resolution authorizing the Secretary of War to loan to the Pennsylvania Society of the Sons of the American Revolution certain revolutionary trophies at Allegheny Arsenal, Pittsburg, Pa.

On March 14, 1902:

H. R. 199. An act to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes," approved March 3, 1901.

EDWARD KERSHNER.

The SPEAKER laid before the House the following message from the President of the United States:

To the House of Representatives:

In compliance with the resolution of the House of Representatives of the 14th instant (the Senate concurring), I return herewith the bill H. R. 5224, entitled "An act for the relief of Edward Kershner."

THEODORE ROOSEVELT.

WHITE HOUSE, *March 15, 1902.*

The bill above referred to is as follows:

An act (H. R. 5224) for the relief of Edward Kershner.

Be it enacted, etc., That the President be, and he is hereby, authorized and empowered to appoint Edward Kershner as medical director in the Navy on the retired list.

Mr. DAYTON. Mr. Speaker, in connection with that message, I offer the following resolution, and ask unanimous consent for its present consideration.

The SPEAKER. Bearing upon the message just read, the gentleman from West Virginia asks unanimous consent for the present consideration of a resolution which the Clerk will report to the House.

The Clerk read as follows:

Resolved, That the bill (H. R. 5224) for the relief of Edward Kershner be transmitted to the Senate, with the request that the Senate reconsider its action in passing said bill, in order that an amendment may be made to the same by striking out the word "director" and inserting in lieu thereof the word "inspector."

Mr. SMITH of Kentucky. Mr. Speaker, I reserve the right to object.

The SPEAKER. Certainly.

Mr. SMITH of Kentucky. I should like to have the gentleman make some statement explaining the resolution.

Mr. DAYTON. Mr. Speaker, as was explained on a previous occasion, by my colleague on the Naval Committee [Mr. BUTLER], this bill passed the House and Senate, restoring Edward Kershner to the Navy as a medical director. At the time his connection with the Navy ceased he was a medical inspector. This mistake was overlooked. The bill passed both Houses and went to the President before attention was called to it. It has been recalled for the purpose of correcting this error.

Mr. SMITH of Kentucky. It simply restores him to the same position which he occupied before.

Mr. DAYTON. To the position that he occupied before, while the bill as it was passed restored him to a higher position, a higher rank, and higher pay.

Mr. SMITH of Kentucky. I have no objection, so far as I am concerned.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Chair will call attention to a suggested amendment in this case, which the Clerk will report.

The Clerk read as follows:

After the word "the," in line 1 of the resolution, insert the words "message of the President and;" so that it will read: "*Resolved*, That the message of the President and the bill (H. R. 5224)," etc.

Mr. DAYTON. I thank the Chair for the suggestion.

The amendment was agreed to.

The resolution as amended was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MINOR. Mr. Speaker, I rise to a question of personal privilege and send to the desk an article which appeared in the press of yesterday.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

[From the Cincinnati Commercial Tribune, Friday, March 14, 1902.]

Representative MINOR, of Wisconsin, is no longer opposed to the shipping subsidy bill and is decidedly friendly to the Ways and Means side of the Cuban controversy. A few days ago he was against the shipping bill and decidedly opposed to the Ways and Means fight for Cuban reciprocity. It all came about in this way:

Speaker HENDERSON sent for Representative MINOR and asked him if he cared for the bill pending in the Senate placing the Revenue-Cutter Service of the United States on an equality with the naval service. He replied that he cared very much for the revenue bill, for personal and public reasons.

"Very good," said the Speaker, "I think it will be possible to get a rule for the revenue-cutter bill, if you can assist us in the passage of the Cuban reciprocity measure. Furthermore, we would like your aid in passing the shipping bill."

Mr. MINOR is a member of the committee which handles the shipping bill, and is one of the two Republicans against it. He now sees no harm in the shipping subsidy measure, and is extravagantly friendly to the Ways and Means attitude toward the Cuban reciprocity scheme. The Revenue-Cutter Service bill was to-day reported from the Senate Committee on Commerce, and will eventually pass the Senate and come to the House. MINOR'S interest in the bill is very great, and his change illustrates how the Speaker has been bringing support to his position.

Mr. MINOR. Mr. Speaker, I am now serving my fourth term in this House, and this is the first time that I have ever had occasion to rise to a question of personal privilege.

I want to state here and now that I have always received the most courteous treatment from the presiding officers and from the membership of the House, and I may add also that the press has treated me kindly, justly, and courteously. And, sir, were it not for the fact that the honor of another gentleman besides myself is involved in this flagrant, false article, I should pass it over; but this article involves the presiding officer of the House, and I can not afford to rest quiet under the imputation and charge.

I want to denounce that article as absolutely and unqualifiedly false. There is not even a foundation upon which to base even a respectable lie, if you please. The Speaker of the House has never sent for me to confer upon any measure during this term of Congress. It is true that there is a difference between the presiding officer and myself in respect to certain questions now before the Republican membership of this House. He knows it; I know it; the Republican members of this House know it; and yet never, by act, by word, or intimation has he attempted to change my views.

So far as the shipping bill is concerned, Mr. Speaker, it has been mutually agreed by the Republican members of this House that no action should be taken until the Senate first acts; and when they have passed that bill, if they do pass it, and send it over here, we will take it up like intelligent men and treat it upon its merits, I do not know, neither does any member of this House know, just what action we will take on it. I do not know how I will treat it, for it has not yet been acted upon by the House. The Speaker has never spoken to me in his room in reference to this measure, pro or con, for or against it.

Mr. GROSVENOR. The bill has not been considered in the committee.

Mr. MINOR. The committee has never taken the matter up for consideration, because we considered it would be improper until the Senate has first acted. The committee are ready to face that responsibility when this bill may be brought before us; and, as I said before, we will treat it justly and courageously, without reference to what may or may not be done by any other body or any individual of this House. The Speaker does not know to-day what my position will be upon that bill. He has never asked me privately, publicly, or otherwise.

I met him not long ago here in front of the Clerk's desk, and he said to me: "I think you people (meaning our committee) will have to handle this subsidy bill later along, because it looks as if the Senate might pass it." I said: "Mr. Speaker, we will handle it when the Senate has passed it, and we will treat it carefully."

Now, in respect to the rule regarding the Revenue-Cutter Service, this article says that bill was reported out of the Senate Committee to-day. Mr. Speaker, that bill putting the Revenue-Cutter officers on all fours with Army and Navy officers passed the United States Senate three weeks ago, and it was sent here. It has been carefully considered by the Committee on Interstate and Foreign Commerce, and has been reported upon favorably by that committee, and I say to you that, as is customary with the House members, I did go to the Speaker and asked him if he would give us a rule to consider the Revenue-Cutter bill. I tell you, members of the House, now, that I received no encouragement whatever. He did not consent to give that rule. On the contrary, I said to some of my friends that it was a question whether we received a rule or not. So much for that.

So that, from the beginning to the end of this article, it is infamously false; and, Mr. Speaker, I say to you now that, while I have the utmost respect for the representatives of the press, I believe they are splendid and intellectual gentlemen, and when their efforts are directed aright they are a power in the land for good, and when directed wrongly they are a power for evil.

I say, further, that any representative of the press that has been accorded the privilege of the press gallery of this House, that so forgets his honor, his duty, and his regard for truth and justice as has this one, that he ought to be expelled from the gallery; and we can do no less, it seems to me, than expel him. And you gentlemen here, the representatives of the press of this country, I call on you to expel the black sheep from your flock. We demand it; it is right; it is just. Ah, the press can pull down the purest character of any man in the land, however great he may be, and, on the contrary, they can build him up, however unworthy he may be.

Sir, the time has come when flagrant falsehoods and base insinuations that have gone out against the membership of this House should receive some consideration. We should arise in our might and protect our individual honor; and, sir, I demand that that shall be done. [Loud applause.]

The SPEAKER. The Chair thinks proper to say, in view of the fact that he is referred to in the article read, that so far as the article is concerned and its statements, the averments of the gentleman from Wisconsin are absolutely true. There is not one word or shadow of truth in any statement made in that article.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3719. An act to provide suitable medals for the officers and crew of the United States vessel of war *Kearsarge*—to the Committee on Naval Affairs.

S. 2291. An act for the promotion of anatomical science, and to prevent the desecration of graves in the District of Columbia—to the Committee on the District of Columbia.

S. 1308. An act for the relief of Mrs. Julia L. Hall—to the Committee on Claims.

S. 3360. An act for the promotion of First Lieut. Joseph M. Sims, Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

S. 2443. An act to divide Nebraska into two judicial districts—to the Committee on the Judiciary.

S. 3317. An act authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander—to the Committee on Naval Affairs.

S. 4414. An act granting an increase of psnsion to Albertine Schoenecker—to the Committee on Invalid Pensions.

S. 3908. An act granting homsteaders on the abandoned Fort Bridger Military Reservation, in Wyoming, the right to purchase one quarter section of public land on said reservation as pasture or grazing land—to the Committee on the Public Lands.

S. 1912. An act granting to the State of Washington 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Washington State Soldiers and Sailors' Home—to the Committee on the Public Lands.

S. 314. An act for the relief of persons who made the first payment for desert lands under the act of March 3, 1877, but who were unable to perfect entry thereof—to the Committee on the Public Lands.

Senate concurrent resolution 30:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to obtain from the Government engineers at Rock Island, Ill., a survey, estimate, and report as to the cost, necessity, and practicability of a lock in what is known as the dam between Sears Island and the main island of Rock Island—

to the Committee on Rivers and Harbors.

The SPEAKER. The gentleman from New Hampshire.

Mr. SULLOWAY. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 31 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, recommending the construction of a new light and fog signal at Oakland, Cal.—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of urgent appropriation for the Marine Corps—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for enlarging facilities of powder depot near Dover, N. J.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of additional appropriation for service of the District—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for purchase of land at Fort Leavenworth Military Reservation—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Librarian of Congress submitting an estimate of appropriation for printing and binding—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of urgent deficiency appropriation for construction and repair of hospitals—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John J. Turrentine, administrator of estate of Andrew McWilliams, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, relating to additional accommodations for the business of the subtreasury at San Francisco, Cal.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Interior, transmitting, with a copy of a communication from the Commissioner of Indian Affairs, recommendations as to the appointment of a commission to investigate the condition of the Mission Indians of Southern California—to the Committee on Indian Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11536) to transfer certain forest reserves to the control of the Department of Agriculture, to authorize game and fish protection in forest reserves, and for other purposes, reported the same with amendments, accompanied by a report (No. 968); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOODY of Oregon, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 8760) to ratify an agreement with the Indians of the Klamath Indian Reservation, in Oregon, and making appropriations to carry the same into effect, reported the same without amendment, accompanied by a report (No. 969); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WATSON, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 2664) for the relief of John G. Rose, reported the same without amendment, accompanied by a report (No. 971); which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the House (H. R. 6637) for the relief of Col. H. B. Freeman, reported the same with amendments, accompanied by a report (No. 972); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12572) granting an increase of pension to Martin O'Connor; and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CUSHMAN: A bill (H. R. 12595) to provide for the organization of private corporations in the district of Alaska, and for other purposes—to the Committee on the Territories.

By Mr. JOY (by request): A bill (H. R. 12596) to regulate judicial process in the United States courts of Missouri, and for other purposes—to the Committee on the Judiciary.

By Mr. FLYNN: A bill (H. R. 12597) to ratify and confirm an agreement submitted by the Kansas or Kaw Indians of Oklahoma and for other purposes—to the Committee on Indian Affairs.

By Mr. BULL: A bill (H. R. 12598) to regulate the number, rank, and pay of chaplains in the Navy—to the Committee on Naval Affairs.

By Mr. ROBERTS: A bill (H. R. 12599) authorizing and directing the Secretary of the Treasury to equip the Government building in the city of Lynn, Mass., with revolving doors and brass railings—to the Committee on Public Buildings and Grounds.

By Mr. CURTIS: A bill (H. R. 12647) authorizing the establishment of an agricultural station in the Indian Territory—to the Committee on Agriculture.

By Mr. DE ARMOND: A joint resolution (H. J. Res. 168) authorizing the Secretary of War to furnish to the city of Butler, Mo., condemned cannon, to be placed in the public square of said city—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 12600) granting an increase of pension to George S. Graham—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 12601) granting a pension to Gertrude W. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12602) granting on increase of pension to Amanda Burke—to the Committee on Pensions.

By Mr. CURRIER: A bill (H. R. 12603) granting an increase of pension to Augustus L. Cilley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12604) for the relief of the legal representatives of George W. Soule—to the Committee on Claims.

By Mr. DE ARMOND (by request): A bill (H. R. 12605) for the relief of Albion Wood—to the Committee on War Claims.

By Mr. FOSS: A bill (H. R. 12606) for the relief of Charles Sommer—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 12607) for the relief of George H. White—to the Committee on Military Affairs.

By Mr. JACKSON of Kansas: A bill (H. R. 12608) granting a pension to Hiram Whiteford—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 12609) granting a pension to James H. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12610) for the relief of Charles Sharpe—to the Committee on Military Affairs.

By Mr. LESTER: A bill (H. R. 12611) for the relief of Alexander J. Thompson—to the Committee on Pensions.

By Mr. MOODY of North Carolina: A bill (H. R. 12612) granting a pension to Moses F. Reese—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12613) granting an increase of pension to Rudison Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12614) granting an increase of pension to William E. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12615) granting an increase of pension to Charles McAllister—to the Committee on Invalid Pensions.

By Mr. MOON: A bill (H. R. 12616) to enable Samuel H. Jenkins, formerly of New York, N. Y., and now of Chattanooga, Tenn., to make application to the Commissioner of Patents for the extension of letters patent—to the Committee on Patents.

By Mr. NEVILLE: A bill (H. R. 12617) granting a pension to William H. Pettit—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 12618) granting an increase of pension to Martin O'Connor—to the Committee on Invalid Pensions.

By Mr. ROBB: A bill (H. R. 12619) to remove the charge of disertion from the military record of Eli Harvey—to the Committee on Military Affairs.

By Mr. SELBY: A bill (H. R. 12620) granting an increase of pension to John W. Chapman—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 12621) granting a pension to William Soderstrum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12622) granting an increase of pension to Isabella Chivington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12623) granting an increase of pension to Alfred O. Blood—to the Committee on Invalid Pensions.

By Mr. SHATTUC: A bill (H. R. 12624) granting an increase of pension to John Meehan—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 12625) for the relief of the estate of Harry Downing—to the Committee on War Claims.

Also, a bill (H. R. 12626) for the relief of Henry Peal—to the Committee on War Claims.

Also, a bill (H. R. 12627) granting a pension to Margaret McGowan—to the Committee on Pensions.

Also, a bill (H. R. 12628) granting a pension to Eliza Woolard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12629) to remove charge of desertion from the records of the Navy Department against Joseph Netherlands—to the Committee on Naval Affairs.

By Mr. SMITH of Kentucky: A bill (H. R. 12630) for the relief of D. J. K. Maddox—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12631) granting a pension to Chester Narragon—to the Committee on Invalid Pensions.

By Mr. SNODGRASS: A bill (H. R. 12632) granting an increase of pension to Bailey O. Bowden—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 12633) granting a pension to Cynthia E. Cobb—to the Committee on Invalid Pensions.

By Mr. TIRRELL: A bill (H. R. 12634) to correct the military record of John Milan—to the Committee on Military Affairs.

By Mr. YOUNG: A bill (H. R. 12635) granting an increase of pension to Albert L. Du Puget—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 12636) for the relief of Allison J. Pliley, of Kansas City, Kans., late a scout in the Eighteenth Kansas Cavalry Volunteers—to the Committee on Claims.

Also, a bill (H. R. 12637) for the relief of James Farrell—to the Committee on Claims.

Also, a bill (H. R. 12638) granting a pension to John W. Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12639) granting an increase of pension to John H. Shingle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12640) granting an increase of pension to John Beck—to the Committee on Pensions.

Also, a bill (H. R. 12641) granting an increase of pension to Luther Kincaid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12642) granting an increase of pension to Theophilus W. Milligan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12643) granting an increase of pension to Daniel Reilly—to the Committee on Invalid Pensions.

By Mr. ROBB: A bill (H. R. 12644) to authorize the Secretary of War to furnish an artificial leg to Allan P. Dace—to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 12645) for the relief of H. W. Jacobs—to the Committee on War Claims.

Also, a bill (H. R. 12646) for the relief of John W. Williams—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolution of Mine Workers' Union No. 558, of McDonald, Pa., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. BATES: Papers to accompany House bill for the relief of Edith Burke—to the Committee on Pensions.

By Mr. BELL: Resolutions of Miners' Unions of Cripple Creek, Gilman, and Altman, Colo., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Builders and Laborers' Union, Pueblo, Colo., and Theatrical Stage Employees of Cripple Creek, Colo., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. BROMWELL: Papers to accompany House bill 2207, granting an increase of pension to Lewis Hahn—to the Committee on Invalid Pensions.

Also, paper to accompany House bill 5283, granting an increase of pension to Henry W. Shroder—to the Committee on Invalid Pensions.

Also, resolutions of Stone Masons' Union of Reading, Ohio, and Gas Fitters' Union No. 260, of Cincinnati, Ohio, concerning immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Iron Molders' Union No. 4, Cincinnati, Ohio, concerning various legislative bills—to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN: Resolution of the Chamber of Commerce of Milwaukee, Wis., for the passage of amendments to strengthen the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. BROUSSARD: Papers to accompany House bill 11023, for the relief of L. B. Labarthe, administrator—to the Committee on War Claims.

Also, petition of Marion Simoneau, administrator of estate of Henry Robertson, deceased, for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. CANNON: Resolution of Cigar Makers' Union No. 80 and Bricklayers' Union No. 22, of Danville, Ill., and Stonecutters' Union of Joliet, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. CASSINGHAM: Resolution of Railway Trainmen of Newark, Ohio, favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. CONRY: Petition of board of aldermen of Boston, Mass., favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Railway Trainmen of Boston, Mass., and Bricklayers' Union No. 3, of Boston, Mass., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. CURRIER: Petitions of Woman's Christian Temperance Unions of Marlboro, East Manchester, Boscawen, Littleton, Lempster, Webster, Rindge, and West Unity, N. H., for the passage of the antipolygamy amendment bill—to the Committee on the Judiciary.

Also, resolution of Interstate Irrigation Congress, favoring irrigation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

Also, resolution of Typographical Unions of Boise City, Idaho, and Charlestown, S. C., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, resolution of Mount Washington Lodge, No. 461, Brotherhood of Locomotive Firemen, Woodsville, N. H., favoring the anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of Typographical Union No. 6, of New York City, urging the passage of the bill increasing the salary of letter carriers in cities of first class to $1,200 and in cities of the second class to $1,000—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Mount Washington Lodge, No. 276, of Concord, and Old Homestead Lodge, No. 319, of Keene, Association of Machinists, and Allied Metal Mechanics of Keene, N. H., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. CROWLEY: Papers to accompany House bill 12409, granting a pension to James M. Peck—to the Committee on Invalid Pensions.

By Mr. CURTIS: Resolutions of Post No. 364, of Lakin, Kans., Grand Army of the Republic, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Typographical Union and the Sunflower Union, of Topeka, Kans., and Cigar Makers' Union of Atchison, Kans., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Barbers' Union, Typographical Union, Stonecutters' Union, and the Sunflower Union, of Topeka, Kans., Leather Workers' Union of Atchison, and Tailors' Union of Leavenworth, Kans., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. DE ARMOND (by request): Petition of Albion Wood, son of Clifton Wood, deceased, for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. DEEMER: Resolution of A. F. Jones Post, No. 204, Coudersport, Pa., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Retail Clerks' Union 102; Railroad Trainmen's Lodges Nos. 444 and 344, and Divisions 24 and 95, Railway Telegraphers, of Williamsport and Wellsboro, Pa., favoring the prohibition of immigrants, other than wives or children, who can not read—to the Committee on Immigration and Naturalization.

Also, petition of citizens of Galeton and Williamsport, Pa.; street railway employees of Williamsport, and Division 333, Railway Conductors, Renovo, Pa., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. DOUGLAS: Resolutions of the New York Retail Grocers' Union, urging the passage of a bill reducing the duties on Cuban goods imported from Cuba to such a figure as will enable them to export their sugar and tobacco to this country at a fair profit—to the Committee on Ways and Means.

By Mr. EMERSON: Petitions of various labor organizations of the Twenty-third Congressional district of New York, favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. ESCH: Resolution of the Milwaukee Chamber of Commerce, for the passage of amendments to strengthen interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. GILLET of New York: Petition of S. A. Baly Post, No. 351, Grand Army of the Republic, Department of New York, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. GORDON: Resolutions of Order of Railway Conductors, Division No. 299, of Lima, Ohio, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. HAMILTON: Resolutions of Marine Engineers' Beneficial Association No. 67, of Saugatuck, Mich., and Stonecutters' Union of Paw Paw, Mich., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. HITT: Resolutions of Typographical Union and the Leather Workers' Union of Rockford Switchmen's Union and Locomotive Engineers' Union of Savanna, and International Association of Machinists of Freeport, all of Illinois, for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of Woodworkers' Union No. 171, of Rockford, Ill., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of R. M. A. Hawk Post, No. 406, of Savanna, Grand Army of the Republic, Department of Illinois, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. HOLLIDAY: Resolution of Mine Workers' Union No. 244, of Brazil, Ind., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. HOWELL: Resolutions of Railroad Trainmen's Lodge No. 353, of Long Branch, N. J., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. JACK: Papers to accompany House bill 8466, granting a pension to Lucinda A. Sirwell—to the Committee on Invalid Pensions.

By Mr. KETCHAM: Petition of Plumbers' Union No. 223, of Kingston, N. Y.; Lodge 462, of Poughkeepsie, N. Y., and Storm King Lodge, Railroad Trainmen, of Fishkill on the Hudson, N. Y., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. KNOX: Resolutions of Operative Plasterers' Union No. 102, Mule Spinners' Association, Carpenters' Union No. 111, and Tailors' Union No. 244, of Lawrence, Mass., and Society of Engineers and Cotton Spinners' Union, of Lowell, Mass., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. KYLE: Resolutions of Carpenters' Union and Boiler Makers' Union, of Springfield, Ohio; Broom Makers' Union, of Circleville, and Cigar Makers' Union and Retail Clerks' Union No. 99, of Piqua, Ohio, in favor of an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. LACEY: Resolutions of Oskaloosa Lodge, No. 152, Locomotive Engineers, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. LESTER: Resolution of Division No. 218, Order of Railway Conductors, Savannah, Ga., asking for the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Cigar Makers' Union No. 472 and Retail Clerks' Association, of Savannah, Ga., favoring exclusion of undesirable immigrants—to the Committee on Immigration and Naturalization.

By Mr. LITTAUER: Resolution of Stonecutters' Association, Gouverneur, N. Y., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MANN: Papers to accompany House bill 12335, granting an increase of pension to Marion A. Mulligan—to the Committee on Invalid Pensions.

Also, resolution of Peoria Division, No. 79, Order of Railway Conductors, for legislation requiring greater safety in operating trains—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Freiheit Lodge, No. 337, Chicago, Ill., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, resolution of Typographical Union No. 6, of New York City, relating to salaries of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Commercial Club of Chicago, Ill., favoring passing of competitive examination as a condition precedent to appointment of consuls—to the Committee on Foreign Affairs.

Also, resolution of the Illinois Manufacturers' Association, Chicago, Ill., for legislation amending the existing interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. McCLEARY: Resolution of Northwestern Manufacturers' Association, of St. Paul, protesting against the passage of Senate bill 1118, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. MOODY of Oregon: Petition of Dr. Magill and other farmers and stock raisers of Izee, Grant County, Oreg., opposing the leasing of public lands for grazing purposes—to the Committee on the Public Lands.

Also, resolution of the trustees of the Chamber of Commerce of Portland, Oreg., favoring the admission of certain classes of Chinese merchants—to the Committee on Foreign Affairs.

Also, resolution of J. F. Miller Post, No. 42, Grand Army of the Republic, Department of Oregon, favoring the building of war ships in the navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Typographical Unions No. 210, of Salem, and No. 58, of Portland, Oreg., urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Barbers' Union No. 75, Cigar Makers' Union

No. 202, Marine Engineers' Union No. 41, Typographical Union No. 58, Hard Wood Finishers' Union No. 187, and Division No. 50, Order of Railway Telegraphers, all of Portland, Oreg.—favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. NAPHEN: Resolution of Bricklayers' Union No. 3, Boston, Mass., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 6, of New York City, urging the passage of bill increasing the salary of letter carriers in cities of first class to $1,200, and in cities of the second class to $1,000—to the Committee on the Post-Office and Post-Roads.

By Mr. NEVILLE: Papers to accompany House bill 12617, granting a pension to William H. Pettit—to the Committee on Invalid Pensions.

By Mr. OTJEN: Petition of Division 405, Brotherhood of Locomotive Engineers, favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RAY of New York: Resolutions of Brotherhood of Locomotive Engineers of Elmira, N. Y., urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Paysons Lodge, Railroad Trainmen, Walton, N. Y., urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Barbers' Union, Locomotive Engineers, and Association of Machinists, of Binghamton, N. Y.; Woodworkers' Union, of Waverly, N. Y., and Bricklayers' Union, of Ithaca, N. Y., favoring restrictive immigration—to the Committee on Immigration and Naturalization.

By Mr. ROBERTS: Resolution of Bay State Lodge, No. 88, Brotherhood of Railroad Trainmen, of Worcester, Mass., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. ROBINSON of Indiana. Petition of C. Tresselt & Sons, Fort Wayne, Ind., in favor of the passage of House bill 8337—to the Committee on Interstate and Foreign Commerce.

By Mr. RUCKER: Resolution of Southern Lodge, No. 20, Railroad Trainmen, of Trenton, Mo., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RUMPLE: Resolutions of Typographical Union of Clinton, Iowa, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Resolution of the United Retail Grocers' Association of Brooklyn, N. Y., favoring the passage of House bill 9352, the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Marine Cooks' Benevolent Association No. 54, Buffalo, N. Y., in favor of House bill 9053, to enforce law of domicile—to the Committee on Labor.

Also, resolution of the American Leather Company, in favor of the establishment of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

By Mr. SELBY: Resolutions of Carpenters' Union No. 904 and Team Drivers' Union No. 336, of Jacksonville, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. SHERMAN: Petitions of labor organizations in the Twenty-fifth Congressional district of New York, favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SLAYDEN: Petition of Plumbers' Union No. 142, of San Antonio, Tex., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SMITH of Kentucky: Papers of D. J. K. Maddox, in relation to war claim—to the Committee on War Claims.

By Mr. SPERRY: Petition of Painters and Decorators' Union No. 99, of Derby, Conn., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. STEWART of New York: Petitions of various labor organizations in the Twenty-first Congressional district of New York, for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SULLOWAY: Petition of Woman's Christian Temperance Union of Jefferson, N. H., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

By Mr. THAYER: Resolution of Bay State Lodge, No. 88, Brotherhood of Railroad Trainmen, Worcester, Mass., asking for the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. THOMAS of Iowa: Resolutions of Division 38, Order of Railway Conductors, Des Moines, Iowa, and Division 125, Railroad Engineers, Clinton, Iowa, urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of Union No. 51, Sheet Metal Workers, of Sioux City, Iowa, urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. WADSWORTH: Resolutions of Journeymen Stonecutters of Rock Glen; Retail Clerks' Union No. 146, of Lockport; Railroad Telegraphers, Order No. 20; Carpenters' Union No. 322, of Niagara Falls, and Lock City Lodge, No. 439, Association of Machinists, of Lockport, N. Y., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. WILLIAMS of Illinois: Resolutions of Division 127, Locomotive Engineers, Flora, Ill., asking for a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. WOODS: Resolutions of Stockton ——, No. 56, Stockton, Cal., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

Also, petition of officers of the California National Guard, favoring House bill 11654, increasing the efficiency of the militia—to the Committee on Militia.

By Mr. WRIGHT: Resolutions of Junior Machinists' Apprentices, Federal Labor Union, No. 9008, Susquehanna, Pa., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. YOUNG: Resolutions of West Philadelphia Division, No. 162, Order of Railway Conductors, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, petition of Henry E. Billerbeck, Philadelphia, Pa., in favor of House bill 9352, the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Philadelphia Printing Pressmen's Union, No. 4, protesting against the passage of Senate bill No. 2894 and House bill 5777, amending the copyright law—to the Committee on Patents.

Also, paper to accompany House bill No. 12635, granting a pension to Albert L. Du Puget—to the Committee on Invalid Pensions.

SENATE.

MONDAY, *March 17, 1902.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. HENRY N. COUDEN, D. D., Chaplain of the House of Representatives.

The Secretary proceeded to read the Journal of Saturday's proceedings, when, on request of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

MISSION INDIANS OF SOUTHERN CALIFORNIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs recommending the appointment of a commission of five citizens, to serve without compensation, to investigate the condition and needs of the Mission Indians of Southern California, and submitting an item to be incorporated in the Indian appropriation bill, appropriating $2,500 for the expenses of that commission; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Jefferson, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Coopers' Local Union No. 120, American Federation of Labor, of Nashua, N. H., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented a petition of Rumford Grange, Patrons of Husbandry, of Concord, N. H., praying for the establishment of reciprocal trade relations with Cuba; which was referred to the Committee on Relations with Cuba.

He also presented a petition of Granite Cutters' Local Union, American Federation of Labor, of Fitzwilliam, N. H., and a petition of Coopers' Local Union No. 120, American Federation of Labor, of Nashua, N. H., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Rumney, Wentworth, Peterboro, and Plymouth, all in the State of New Hampshire, praying for the passage of the so-called Grout bill, to

regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. DILLINGHAM presented a petition of sundry citizens of Montpelier, Vt., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Springfield, Vt., and a petition of sundry citizens of Wheelock, Vt., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. QUARLES presented a petition of the Chamber of Commerce of Milwaukee, Wis., praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented the petition of James E. Clark and 47 other citizens of Greenleaf, Wis., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented the petition of F. H. Hillyer and 278 other citizens of Lincoln County, Wis., praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

Mr. KITTREDGE presented petitions of A. J. Berdahl and 27 other citizens of Garretson, of N. Smith and 24 other citizens of Lennox, of E. G. Johnson and 46 other citizens of Hartford, of the Dell Rapids Creamery Company and 21 citizens of Dell Rapids, of J. P. Thorp and 48 other citizens of Forestburg, of F. P. Melvin and 47 other citizens of Avon, of Fred J. McArthur and 16 other citizens of Aberdeen, of A. Nolting & Son and 93 other citizens of Armour, of Alex Gustavson and 47 other citizens of Greenfield, of A. P. Rugger and 47 other citizens of Millbank, of Lars Berglund and 46 other citizens of Frank, of D. E. A. Lundquist and 40 other citizens of Irene, of John Mareesh and 40 other citizens of Eagle, of A. Nolting & Son and 37 other citizens of Joubert, of C. B. Thompson and 36 other citizens of Alsen, of A. G. McGilvera and 26 other citizens of Harrison, of Charles F. Stiles and 20 other citizens of Corsona, of the Brandon Creamery Company and 56 citizens of Brandon, and of Emil Erickson and 45 other citizens of Hanson, all in the State of South Dakota, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. FOSTER of Washington presented a petition of sundry citizens of Everett, Wash., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 193, of Spokane Falls, Wash., praying for the enactment of legislation restricting the immigration of illiterate persons; which was ordered to lie on the table.

He also presented petitions of Bricklayers' International Union No. 3, of Spokane, of Typographical Union No. 193, of Spokane Falls, and of Local Union No. 297, International Association of Machinists, of Tacoma, all in the State of Washington, praying for the enactment of the Chinese-exclusion law; which was ordered to lie on the table.

Mr. PROCTOR presented petitions of Iron Molders' Local Union No. 337, of St. Johnsbury; of United Garment Workers' Local Union No. 32, of Brattleboro; of Typographical Union No. 384, of Montpelier, and of Bricklayers and Masons' Local Union No. 1, of Rutland, all in the State of Vermont, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

Mr. HALE presented a petition of the New York Methodist Preachers' Meeting, praying for the enactment of legislation placing the chaplains of the United States Navy in the matter of their pay and general treatment on an equal footing with the other officers of the same rank in the service; which was referred to the Committee on Naval Affairs.

He also presented petitions of Journeymen Barbers' Local Union No. 210, of Portland; of the Granite Cutters' Union of Stonington, all of the Federation of Labor, and of Local Division No. 403, Order of Railway Conductors, of Waterville, all in the State of Maine, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of sundry citizens of North Fayette, Whites Corner, Skowhegan, Dedham, Norway, North Paris, Bethel, and Corinth, and of Pomona Grange, Patrons of Husbandry, of Woolwich, all in the State of Maine, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. BEVERIDGE presented petitions of Local Union No. 24, of Brazil; of Bricklayers' Local Union No. 30, of Washington; of Carpenters' Local Union No. 431, of Brazil; of Retail Clerks' Local Union No. 291, of Dunkirk; of Typographical Union No. 332, of Muncie; of Bricklayers' International Union No. 16, of Alexandria; of Bricklayers and Plasterers' Local Union No. 17, of Brazil; of Bricklayers' Local Union No. 8, of Anderson; of Typographical Union No. 284, of Anderson; of Local Union No. 2529, of Dunkirk, all of the American Federation of Labor, and of sundry citizens of Muncie, all in the State of Indiana, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented the petitions of J. A. Randall and 175 other citizens of Marion County, of T. J. Bowles and 76 other citizens of Delaware County, and of Samuel D. Straw and 90 other citizens of Elkhart County, in the State of Indiana, praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which were referred to the Committee on Privileges and Elections.

Mr. HOAR presented the petition of Mrs. Mary Schlesinger, of Brookline, Mass., praying for the enactment of legislation to abolish the regulation of vice in our island possessions; which was referred to the Committee on the Philippines.

He also presented a petition of the Weavers' Local Union, American Federation of Labor, of Lawrence, Mass., praying for the enactment of legislation to provide an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented the petition of F. R. Wright and sundry other citizens of Bondsville, Mass., and the petition of J. T. Carpenter and sundry other citizens of Lowell, Mass., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Bartenders' Local Union No. 96, American Federation of Labor, of Milford, Mass., and a petition of Rubber Workers' Local Union No. 8622, of Cambridge, Mass., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented a petition of Boot and Shoe Workers' Local Union No. 52, American Federation of Labor, of North Grafton, Mass., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. FRYE presented the petition of F. H. Skinner and 47 other citizens of Corinth, Me., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. WETMORE, from the Committee on the Library, to whom was referred the bill (S. 3060) appropriating $5,000 to inclose and beautify the monument on the Moores Creek battlefield, North Carolina, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4486) granting an increase of pension to Myra W. Robinson;

A bill (S. 4413) granting an increase of pension to Martha A. Greenleaf;

A bill (H. R. 7771) granting an increase of pension to Frank Seaman; and

A bill (H. R. 3873) granting a pension to William C. Flowers.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 324) granting an increase of pension to Nellie Loucks, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3217) granting an increase of pension to Charles Dixon, reported it with an amendment, and submitted a report thereon.

Mr. HARRIS, from the Committee on Interoceanic Canals, to whom was referred the joint resolution (S. R. 45) providing for a board to investigate the practicability of constructing a canal across the Isthmus of Darien, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (H. R. 8292) granting a pension to Hester Thomas, reported it without amendment, and submitted a report thereon.

Mr. HOAR, from the Committee on the Judiciary, reported a bill (S. 4553) to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was read twice by its title.

Mr. HOAR. I move that the bill (S. 1118) to limit the meaning of the word "conspiracy" and the use of restraining orders and injunctions in certain cases, being Order of Business 307 on the Calendar, be postponed indefinitely and that the bill just reported by me be given the place of that bill on the Calendar.

The motion was agreed to.

Mr. PENROSE. I submit a report to accompany the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent.

The PRESIDENT pro tempore. The report will be printed.

Mr. PENROSE. In connection with this report I submit the hearings taken before the Committee on Immigration on Senate bill No. 2960 and certain other bills pending before that committee providing for the exclusion of Chinese laborers. I move that the hearings be printed as a separate volume.

The motion was agreed to.

BILLS INTRODUCED.

Mr. KEAN introduced a bill (S. 4549) for the relief of Henry Lane; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DRYDEN introduced a bill (S. 4550) to correct the status and record of Bvt. Col. Thomas P. O'Reilly; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 4551) relative to fines and forfeitures in cases of cruelty to animals in the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. CULLOM introduced a bill (S. 4552) granting an increase of pension to William G. Gano; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

AMENDMENTS TO BILLS.

Mr. MONEY submitted an amendment providing for a survey of the Tallahatchie River, State of Mississippi, from Batesville to Coldwater, and a survey on Cassidy Bayou from its mouth to a point 60 miles upstream, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. BERRY. I present four amendments to the subsidy bill, to be offered when the bill comes up for consideration.

The PRESIDENT pro tempore. The amendments will be received, and they will lie on the table.

CIVIL-SERVICE EXAMINATIONS.

Mr. GALLINGER. I submit a resolution for which I ask present consideration.

The resolution was read, as follows:

Resolved, That the Civil Service Commission is hereby directed to transmit to the Senate a statement showing the number of persons examined during each fiscal year from 1884 to 1901, inclusive, giving by years the number who passed, the number who were rejected, the number who were certified as being eligible for appointment, the number actually appointed, and the number of eligibles now on the several rolls of the Commission; also the number placed in the classified service by Executive orders or rules of the Commission, without examination, since the date of the enactment of the civil service law approved January 16, 1883.

Mr. HALE. Let the resolution go over a day. I should like to examine it.

The PRESIDENT pro tempore. Objection being made, the resolution will be printed and lie on the table.

LEGAL AND TRAFFIC RELATIONS OF RAILROADS.

Mr. MORGAN. I submit a resolution and ask for its present consideration.

Mr. ALLISON. I should like to hear it read before unanimous consent is given.

Mr. MORGAN. Yes; of course.

The PRESIDENT pro tempore. The resolution will be read.

The resolution was read, as follows:

Resolved, That the Secretary of the Interior is directed to send to the Senate a statement of the legal and traffic relations between the railroads that connect with the waters of the Pacific Ocean and the Government of the United States. And that the Secretary of War is directed to send to the Senate a statement of the legal and traffic relations between the railroads in the Philippine Islands, and as to the charters and ownership of such railroads.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. HALE. Let it go over, Mr. President.

The PRESIDENT pro tempore. Objection being made, the resolution goes over under the rule.

CONSIDERATION OF THE CALENDAR.

Mr. HALE. Mr. President, if no Senator is ready to speak on the unfinished business we might as well go to the Calendar and spend a few minutes upon it. I will not interfere with any Senator who desires to address the body.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that bills on the Calendar under Rule VIII be considered. Is there objection?

Mr. COCKRELL. How is that?

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that bills on the Calendar under Rule VIII be considered.

Mr. HALE. Whenever any Senator comes in who desires to address the Senate upon the unfinished business, of course the Calendar will be laid aside, but we can utilize perhaps half an hour in this way.

Mr. GALLINGER. Mr. President, if agreeable, I would occupy a few minutes in the discussion of the unfinished business. I was not present when the unanimous consent agreement was reached, and I do not know whether the shipping bill was to be taken up immediately after the routine morning business. If it is to be taken up, I will proceed with the discussion. [A pause.] Several Senators have suggested to me that they would like to have a little time to devote to the Calendar, and it will be quite agreeable to me to postpone the few observations I desire to make on the unfinished business until later.

IMITATION DAIRY PRODUCTS.

The bill (H. R. 9206) to make oleomargarine and other imitation dairy products subject to the laws of any State or Territory or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, was announced as first in order on the Calendar.

The PRESIDENT pro tempore. This bill will be passed over without prejudice.

Mr. PROCTOR. Let it go over, retaining its place on the Calendar.

ADJUDICATION OF PENSION CLAIMS.

The bill (S. 1685) providing for the adjudication by the Court of Claims and Supreme Court of pension claims involving difficult or important questions of law, as a means of establishing judicial precedents for the guidance of the Secretary of the Interior and the Commissioner of Pensions, was announced as next in order.

Mr. GALLINGER. Let the bill go over, to be placed under Rule VIII.

The PRESIDENT pro tempore. The bill will be passed over, retaining its place on the Calendar.

JOHN L. SMITHMEYER AND PAUL J. PELZ.

The bill (S. 167) for the relief of John L. Smithmeyer and Paul J. Pelz was announced as next in order.

Mr. KEAN. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

SIOUX TRIBE OF THE ROSEBUD RESERVATION.

The bill (S. 2992) to ratify an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation to carry the same into effect, was announced as next in order.

Mr. KEAN. I think the Senator from Connecticut [Mr. PLATT] is interested in the bill, and I suggest that it go over.

The PRESIDENT pro tempore. The bill will go over without prejudice.

MONONGAHELA RIVER BRIDGE.

The bill (H. R. 11719) to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT COLORADO SPRINGS, COLO.

The bill (S. 1298) to provide for the purchase of a site and the erection of a public building thereon at Colorado Springs, in the State of Colorado, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, on page 2, line 1, before the word "hundred," to strike out "two" and insert "one;" so as to make the clause read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Colorado Springs and State of Colorado, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of $150,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CENTRAL ARIZONA RAILWAY.

The bill (S. 4363) granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JACOB L. HANGER.

The bill (H. R. 3690) for the relief of Jacob L. Hanger was considered as in Committee of the Whole.

The bill was reported from the Commitee on Military Affairs with an amendment, on page 1, line 5, after the word "Hanger," to strike out "as a private of Company C, Thirtieth Ohio Infantry, and issue to him an honorable discharge, showing him discharged December 1, 1862," and to insert "alias William T. Graham, late of Company C, Thirtieth Ohio Infantry, and Company F, Second Ohio Heavy Artillery Volunteers, who absented himself without proper authority and remained so absent to July 15, 1863, when, under the name of William T. Graham, he enlisted in Company F, Second Ohio Heavy Artillery Volunteers, served faithfully, and was honorably discharged with his command August 23, 1865."

So as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to remove the charge of desertion standing against Jacob L. Hanger, alias William T. Graham, late of Company C, Thirtieth Ohio Infantry, and Company F, Second Ohio Heavy Artillery Volunteers, who absented himself without proper authority and remained so absent to July 15, 1863, when, under the name of William T. Graham, he enlisted in Company F, Second Ohio Heavy Artillery Volunteers, served faithfully, and was honorably discharged with his command August 23, 1865: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JACOB BOWMAN.

The bill (S. 3371) removing the charge of desertion from the name of Jacob Bowman was considered as in Committee of the Whole. The bill was reported from the Committee on Military Affairs with an amendment, in line 5, after the name "Bowman," to strike out the words "of the National Military Home, Marion, Ind., who served as follows: Private, Company K, Sixty-third Indiana Infantry Volunteers; private, Company G, One hundred and sixteenth Indiana Infantry Volunteers, private, Company E, Forty-second Indiana Infantry Volunteers," and to insert: "of Company K, Sixty-third Regiment Indiana Infantry Volunteers, and substitute therefor the words 'Discharged December 2, 1862:' *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of this act;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion now borne on the records of the War Department against Jacob Bowman, of Company K, Sixty-third Regiment Indiana Infantry Volunteers, and substitute therefor the words "Discharged December 2, 1862:" *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CATHARINE A. BROWN.

The bill (S. 3826) for the relief of Catharine Brown was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of War is hereby authorized and directed to correct the record of Isaac P. Brown, of Company C, Fifth Regiment Iowa Infantry Volunteers, by removing therefrom the charge of desertion and substituting therefor the words: "Absented himself without proper authority and so remained up to August 23, 1864, when he enlisted and was mustered into the service in Company D, Fortieth Regiment Missouri Volunteer Infantry, under the name of Albert B. Cole, served faithfully and was honorably discharged August 8, 1865:" *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Catharine A. Brown."

UNIVERSITY OF UTAH.

The bill (S. 140) granting to the University of Utah additional lands adjacent to its site was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 7, before the word "rods," to strike out "forty" and insert "ten;" in line 8, to strike out "south boundary line of said reservation" and insert "northeast corner of the Mount Olivet Cemetery;" in line 9, before the word "rods," to strike out "one hundred and ten" and insert "eighty;" in line 10, to strike out "southwest corner" and insert "west line," and on page 2, line 1, after the word "university," to strike out "excepting therefrom the lands heretofore granted by act of Congress to the Mount Olivet Cemetery," and insert:

Excepting therefrom a strip of land 5 rods in width on the north side of the Mount Olivet Cemetery, to be used as a public road or highway and for the electric street railway now located thereon.

So as to make the bill read.

Be it enacted, etc., That there is hereby granted to the University of Utah the following-described land, lying within the Fort Douglas Military Reservation and adjacent to the site of said university, in said State, namely: Beginning at the northeast corner of said site and running thence east 10 rods; thence south to the northeast corner of the Mount Olivet Cemetery; thence west 80 rods to the west line of said reservation; thence north to the southwest corner of the site of said university; excepting therefrom a strip of land 5 rods in width on the north side of the Mount Olivet Cemetery, to be used as a public road or highway and for the electric street railway now located thereon.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT LARAMIE, WYO.

The bill (S. 311) to provide for the purchase of a site and the erection of a public building thereon at Laramie, in the State of Wyoming, was considered as in Committee of the Whole. It directs the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Laramie and State of Wyoming, the cost of the site and building, including the vaults, heating and ventilating apparatus, and approaches, complete, not to exceed $100,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AGREEMENT WITH INDIANS OF DEVILS LAKE RESERVATION.

The bill (S. 2418) to ratify an agreement with the Indians of the Devils Lake Reservation in North Dakota and making appropriation to carry the same into effect was read.

Mr. COCKRELL. In view of the criticism which was made the other day by the distinguished Senator from Connecticut [Mr. PLATT], I ask that this bill may be passed over, retaining its place, until he is present. It can then be taken up and passed at any moment.

Mr. HANSBROUGH. Under the circumstances, I do not object to the bill going over.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

CHARLES C. DAVIS.

The bill (S. 2109) granting an increase of pension to Charles C. Davis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 6, after the word "late," to strike out "a private in" and insert "of;" in line 7, after the word "sixth," to insert "Regiment," and in line 8, before the word "dollars," to strike out "seventy-two" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles C. Davis, late of Company A, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES A. M'KEEHAN.

The bill (S. 1363) granting an increase of pension to James A. McKeehan was announced as next in order.

Mr. COCKRELL. What was done with Senate bill 2109?

Mr. KEAN. It was passed.

The PRESIDENT pro tempore. The bill was passed.

Mr. HALE. Let the pension cases go by, as the Senator from New Hampshire [Mr. GALLINGER] always looks after them, and let us take up the other cases on the Calendar.

The PRESIDENT pro tempore. If there be no objection to the request of the Senator from Maine, the pension cases will be passed over.

DISPOSAL OF REFUSE IN THE DISTRICT OF COLUMBIA.

The bill (H. R. 11241) to amend an act entitled "An act to regulate, in the District of Columbia, the disposal of certain refuse,

and for other purposes," approved January 25, 1898, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ACKNOWLEDGMENT OF DEEDS IN PHILIPPINES, ETC.

The bill (H. R. 11474) for the ackowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MOUNT RAINIER NATIONAL PARK.

The bill (S. 270) to prevent trespassers or intruders from entering the Mount Rainier National Park, in the State of Washington, was considered as in Committee of the Whole. It directs the Secretary of War, upon the request of the Secretary of the Interior, to make the necessary detail of troops to prevent trespassers or intruders from entering the Mount Rainier National Park, in Washington, for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law or regulation for the government of the reservation, and to remove such persons from the park if found therein.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

C. R. DICKSON.

The bill (H. R. 3278) to correct the military record of C. R. Dickson was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment in line 6, after the word "Volunteers," to insert "by setting aside the finding and sentence of the court-martial of October 27, 1898;" so as to make the bill read:

That the Secretary of War be, and he hereby is, authorized and directed to correct the military record of C. R. Dickson, late private, Company D, First Georgia Regiment United States Volunteers, by setting aside the finding and sentence of the court-martial of October 27, 1898, and issue to him an honorable discharge.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

AMERICAN REGISTER FOR STEAMER BROOKLYN.

The bill (S. 3504) to provide an American register for the steamer *Brooklyn* was announced as next in order.

Mr. HALE and Mr. DRYDEN. Let that bill go over without prejudice.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

NAVIGATION OF VESSELS, ETC.

The bill (S. 1792) to amend an act entitled "An act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property," was announced as next in order.

Mr. HALE. Let that bill go over without prejudice, Mr. President.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

ISTHMIAN CANAL ROUTE.

The bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans was announced as next in order.

Mr. HALE. Let the bill go over, Mr. President.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

HISTORICAL REGISTER, UNITED STATES ARMY.

The bill (S. 2845) to purchase from the compiler, Francis B. Heitman, the manuscript of the Historical Register, United States Army, from 1789 to 1901 was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, on page 1, line 8, after the words "records of," to insert "about;" in the same line, after the word "officers," to strike out "and so forth" and insert "with valuable statistics and data connected therewith;" on page 2, line 4, after the words "edition of," to strike out "three" and insert "six;" and in line 5, after the word "copies," to strike out "to be distributed under the direction of the Secretary of War" and insert:

Of which 1,000 shall be for the use of the Senate, 2,000 for the House of Representatives, and 3,000 for the War Department: *Provided*, That of the copies allotted the War Department a sufficient number shall be held subject to the order of the Superintendent of Documents, who is hereby directed to supply each Government depository with one copy of the compilation herein provided for.

So as to make the bill read:

Be it enacted, etc., That to enable the Secretary of War to purchase from the compiler the manuscript of the Historical Register, United States Army, from 1789 to 1901, compiled by Francis B. Heitman from the official records of the War Department, containing the records of about 70,000 officers, with valuable statistics and data connected therewith, and designed to make two printed volumes of about 900 pages each, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000, said manuscript to be deposited in the War Department and to be printed by the Public Printer in an edition of 6,000 copies, of which 1,000 shall be for the use of the Senate, 2,000 for the House of Representatives, and 3,000 for the War Department: *Provided*, That of the copies allotted the War Department a sufficient number shall be held subject to the order of the Superintendent of Documents, who is hereby directed to supply each Government depository with one copy of the compilation herein provided for.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JACOB COOPER.

The bill (S. 3673) to correct the military record of Jacob Cooper was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 6, after the word "infantry," to strike out "and of Company D, One hundred and forty-sixth Ohio Volunteer Infantry, and issue to him an honorable discharge from the service of the United States," and insert "by removing the charge of desertion and substituting therefor, 'Discharged September 28, 1867,' and to issue a certificate therefor;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of Jacob Cooper, late a member of Company K, Thirty-first Regiment Ohio Volunteer Infantry, by removing the charge of desertion and substituting therefor, "Discharged September 28, 1862," and to issue a certificate therefor.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHINESE EXCLUSION.

The bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent, was announced as next in order.

Mr. HALE. Let that bill go over, Mr. President. The Senator from Pennsylvania [Mr. PENROSE], who has it in charge, gave notice of a motion to make it the unfinished business, and as it can not be considered under this rule, I ask that it go over without prejudice.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

REMOVAL OF WEEDS IN WASHINGTON, D. C.

The bill (S. 4409) to amend an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes," approved March 1, 1899, was considered as in Committee of the Whole. It proposes to amend an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes," approved March 1, 1899, by striking out the word "four" wherever it occurs and inserting in place thereof the word "eighteen."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES A. SOMERVILLE.

The bill (H. R. 4260) to correct the miliiary record of James A. Somerville was announced as next in order.

Mr. HALE. Mr. President, the Senator from New Hampshire [Mr. GALLINGER] who looks after pension bills always includes in his request for their consideration the bills correcting military records. So I ask that all such bills be passed over without prejudice, as the pension bills have been.

The PRESIDENT pro tempore. Without objection, the bills on that subject will be passed over, retaining their place on the Calendar.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed with amendments the following bills:

A bill (S. 462) granting an increase of pension to Ann Demoubrun;

A bill (S. 628) granting a pension to Annie E. Taggart; and

A bill (S. 3329) granting an increase of pension to Annie McElheney.

The message also announced that the House had passed the following bills:

A bill (S. 8) granting a pension to Sara B. Andrews;

A bill (S. 335) granting an increase of pension to Joseph H. Barnum;

A bill (S. 469) granting an increase of pension to Hiram H. Kingsbury;

A bill (S. 502) granting a pension to Alexander Beachboard;

A bill (S. 577) granting an increase of pension to Joseph W. Burch;
A bill (S. 665) granting a pension to Kate Pearce;
A bill (S. 713) granting a pension to Frances E. Stebbins;
A bill (S. 1015) granting an increase of pension to Israel A. Benner;
A bill (S. 1041) granting a pension to Abbie M. Packard;
A bill (S. 1086) granting a pension to Charlotte H. Race;
A bill (S. 1135) granting an increase of pension to Thomas J. Stowers;
A bill (S. 1139) granting a pension to Abby Clark McNett;
A bill (S. 1146) granting a pension to Adela S. Webster;
A bill (S. 1164) granting an increase of pension to Lewis W. Moore;
A bill (S. 1195) granting an increase of pension to Charles R. Bridgman;
A bill (S. 1256) to remove the charge of desertion from the military record of Stephen A. Toops;
A bill (S. 1331) granting a pension to Ann Eliza Trout;
A bill (S. 1467) granting an increase of pension to Cynthia A. McKenny;
A bill (S. 1626) granting an increase of pension to Michael Samelsberger;
A bill (S. 1641) granting an increase of pension to Frank J. Clark;
A bill (S. 1748) granting an increase of pension to Williamanna E. Lynde;
A bill (S. 1800) granting an increase of pension to Jennie C. Ruckle;
A bill (S. 1802) granting an increase of pension to Cornelia E. Wright;
A bill (S. 1913) granting an increase of pension to Caroline Mischler;
A bill (S. 1933) granting a pension to Ella Bailey;
A bill (S. 1940) granting a pension to Frances Fuller Victor;
A bill (S. 2008) granting an increase of pension to Peter C. Monfort;
A bill (S. 2013) granting an increase of pension to Sidney Leland;
A bill (S. 2049) granting an increase of pension to Franklin Taylor;
A bill (S. 2100) granting an increase of pension to John McGrath;
A bill (S. 2267) granting an increase of pension to Clara A. Penrose;
A bill (S. 2303) granting an increase of pension to Noah F. Chafee;
A bill (S. 2394) granting an increase of pension to Sybil F. Hall;
A bill (S. 2422) granting an increase of pension to John W. Burnham;
A bill (S. 2440) granting an increase of pension to John W. Gregg;
A bill (S. 2468) granting an increase of pension to Horatio N. Francis;
A bill (S. 2520) granting an increase of pension to Emma McLaughlin;
A bill (S. 2531) granting an increase of pension to William H. H. Scott;
A bill (S. 2562) granting a pension to Emma R. Pawling;
A bill (S. 2643) granting an increase of pension to Peter C. Cleek;
A bill (S. 2692) granting an increase of pension to Lucy W. Smith;
A bill (S. 2701) granting a pension to Thomas G. Foster;
A bill (S. 2732) granting an increase of pension to Marie J. Smyth;
A bill (S. 2767) granting an increase of pension to Albert D. Scovell;
A bill (S. 2802) granting a pension to Martha R. Osbourn;
A bill (S. 2867) granting an increase of pension to John A. Hazelton;
A bill (S. 2929) granting an increase of pension to Jacob Barton;
A bill (S. 2930) granting an increase of pension to Franklin B. Delany;
A bill (S. 2947) granting an increase of pension to Elizabeth A. Shaw;
A bill (S. 3021) granting a pension to India Stewart;
A bill (S. 3026) granting an increase of pension to Marie U. Nordstrom;
A bill (S. 3036) granting an increase of pension to Jason Leighton;
A bill (S. 3054) granting an increase of pension to Alice De K. Shattuck;
A bill (S. 3097) granting an increase of pension to Joseph A. Nunez;
A bill (S. 3257) granting an increase of pension to Elizabeth K. Prescott;
A bill (S. 3258) granting a pension to Simeon Partridge;
A bill (S. 3269) granting an increase of pension to Jane E. Tompkins;
A bill (S. 3284) granting a pension to Gilbert P. Howe;
A bill (S. 3322) granting an increase of pension to Joseph M. Clough;
A bill (S. 3328) granting an increase of pension to Heber C. Griffin;
A bill (S. 3403) granting an increase of pension to George M. Emery;
A bill (S. 3482) granting an increase of pension to Ida C. Emery;
A bill (S. 3553) granting an increase of pension to Mary A. Van Wormer;
A bill (S. 3559) granting an increase of pension to George E. Houghton;
A bill (S. 3704) granting an increase of pension to Frederick E. Rogers; and
A bill (S. 3182) granting an increase of pension to Mary Louise Worden.

ORDER BOOK OF GEN. ARTHUR ST. CLAIR.

The joint resolution (S. R. 26) authorizing the Secretary of War to negotiate with John T. Dolan, of Portland, Oreg., for purchase of original manuscript copy of "Order book of Gen. Arthur St. Clair" was announced as next in order; and the Secretary proceeded to read the joint resolution.

Mr. HALE. Mr. President, to save further reading, at first glance it seems clear that this "Order book" ought to be and must be already the property of the Government. As the Senator who is in charge of the joint resolution is not present, I ask that it go over without prejudice.

Mr. MITCHELL. The Senator is entirely mistaken in supposing this "Order book" to be the property of the Government.

Mr. HALE. I want an opportunity to look into it at any rate.

Mr. MITCHELL. It is the property of a citizen of my State who lives in Portland, Oreg., and it comes down to him as an heirloom. I have it in my possession here in this building. It has been exhibited to the Committee on Military Affairs, and the result was a favorable report of this joint resolution.

The whole thing, I will state to the Senator, as shown by the joint resolution, is left in the hands of the Secretary of War. If, upon examination, he thinks that it would not be proper for the Government to purchase the book, of course he is not bound to do it. If he believes it is in the interest of the accuracy of history and would be a good thing for the Government to have, then the Secretary of War is authorized to purchase it at a sum not to exceed $500.

Mr. HALE. Let the joint resolution go over for the present, and I will take an opportunity to look into the matter with the Senator.

Mr. MITCHELL. All right. I ask that the joint resolution may retain its place on the Calendar.

Mr. HALE. Yes.

The PRESIDENT pro tempore. The joint resolution will be passed over without prejudice.

LIGHT-HOUSE DWELLING AT KEWAUNEE, WIS.

The bill (H. R. 6300) to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis., was considered as in Committee of the Whole. It directs the Secretary of the Treasury to erect a dwelling for the keeper of the light-house at Kewauee, Wis., at a cost not to exceed $5,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BUSINESS OF THE SENATE.

Mr. HALE. Mr. President, that is the last bill on the Calendar, except pension bills and those which have been passed over. I have never known before in my service, either at this time in the session or even later, when the Senate has succeeded in considering all the cases on the Calendar, and has reached the last case. That is an indication that the Senate is doing business.

Mr. COCKRELL. I am sorry that when the Senator said that there was not a full Senate that they might have all heard it. Therefore, I suggest the propriety of a roll call.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Deboe,	Hansbrough,	Money,
Allison,	Depew,	Harris,	Morgan,
Bacon,	Dietrich,	Hawley,	Patterson,
Bard,	Dillingham,	Heitfeld,	Perkins,
Berry,	Dolliver,	Hoar,	Pettus,
Beveridge,	Dryden,	Kean,	Platt, Conn.
Blackburn,	Dubois,	Kearns,	Proctor,
Burnham,	Fairbanks,	McComas,	Quarles,
Burrows,	Foster, La.	McCumber,	Rawlins,
Burton,	Foster, Wash.	McLaurin, Miss.	Scott,
Clark, Mont.	Frye,	McLaurin, S. C.	Taliaferro,
Clark, Wyo.	Gallinger,	McMillan,	Teller,
Clay,	Gamble,	Mallory,	Wellington,
Cockrell,	Gibson,	Martin,	Wetmore.
Culberson,	Hale,	Mason,	
Cullom,	Hanna,	Mitchell,	

The PRESIDING OFFICER (Mr. BURROWS in the chair). Sixty-two Senators have answered to their names. A quorum of the Senate is present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 283) granting an increase of pension to Robert M. McCullough;

A bill (H. R. 291) granting a pension to Christina Heitz;

A bill (H. R. 351) granting an increase of pension to Robert Carpenter;

A bill (H. R. 658) granting an increase of pension to John H. Jack;

A bill (H. R. 669) granting an increase of pension to Richard C. Smith;

A bill (H. R. 671) granting an increase of pension to Orra H. Heath;

A bill (H. R. 699) granting an increase of pension to Robert Miller;

A bill (H. R. 750) granting a pension to Martin Essex;

A bill (H. R. 809) granting an increase of pension to James P. Burchfield;

A bill (H. R. 918) granting an increase of pension to Charles Misner;

A bill (H. R. 1086) granting an increase of pension to Francis W. Pool;

A bill (H. R. 1090) granting a pension to James E. Bates;

A bill (H. R. 1190) granting an increase of pension to Albert S. Whittier;

A bill (H. R. 1278) granting an increase of pension to La Myra V. Kendig;

A bill (H. R. 1326) granting an increase of pension to Thomas Thatcher;

A bill (H. R. 1479) granting an increase of pension to Michael Marnane;

A bill (H. R. 1636) granting an increase of pension to James Austin;

A bill (H. R. 1694) granting an increase of pension to Henry Ball;

A bill (H. R. 1696) granting an increase of pension to Frederick A. Condon;

A bill (H. R. 1706) granting an increase of pension to John E. White;

A bill (H. R. 1714) granting an increase of pension to Levi H. Winslow;

A bill (H. R. 1724) granting an increase of pension to Daniel F. Thompson;

A bill (H. R. 1938) granting an increase of pension to Helen V. Rorer;

A bill (H. R. 2115) granting an increase of pension to Benjamin W. Howard;

A bill (H. R. 2207) granting an increase of pension to Louis Halm;

A bill (H. R. 2241) granting an increase of pension to Dorothy S. White;

A bill (H. R. 2417) granting a pension to James B. Harris;

A bill (H. R. 2440) granting an increase of pension to William D. Smith;

A bill (H. R. 2545) granting an increase of pension to Isaac H. Crim;

A bill (H. R. 2598) granting an increase of pension to Adrian M. Snyder;

A bill (H. R. 2613) granting an increase of pension to Thomas H. H. Gibbs;

A bill (H. R. 2618) granting an increase of pension to Michael Mullin;

A bill (H. R. 2619) granting an increase of pension to William Holgate;

A bill (H. R. 2661) granting an increase of pension to Oswald Ahlstedt;

A bill (H. R. 2781) granting an increase of pension to Patrick Lee;

A bill (H. R. 2919) granting a pension to Christiana Steiger;

A bill (H. R. 2981) granting an increase of pension to Thomas Findley;

A bill (H. R. 3022) granting a pension to Davis B. Salts;

A bill (H. R. 3238) granting an increase of pension to Lorenzo Weeks;

A bill (H. R. 3260) granting a pension to Jacob Golden;

A bill (H. R. 3420) granting a pension to Anna O. Brush;

A bill (H. R. 3427) granting an increase of pension to Sarah E. Allen;

A bill (H. R. 3514) granting an increase of pension to Theresia Ziegenfuss;

A bill (H. R. 3677) granting an increase of pension to James F. Gray;

A bill (H. R. 3826) granting an increase of pension to George W. Dodge;

A bill (H. R. 3859) granting a pension to James D. Johnson;

A bill (H. R. 3876) granting an increase of pension to Theophile A. Dauphin;

A bill (H. R. 3884) granting an increase of pension to Erastus C. Moderwell;

A bill (H. R. 3910) granting a pension to Dennis J. Kelly;

A bill (H. R. 4053) granting an increase of pension to Henry E. De Marse;

A bill (H. R. 4089) granting a pension to Ada L. McFarland;

A bill (H. R. 4116) granting an increase of pension to William Berry;

A bill (H. R. 4118) granting a pension to Charles Maschmeyer;

A bill (H. R. 4129) granting an increase of pension to Lonson R. Burr;

A bill (H. R. 4176) granting an increase of pension to Nathan W. Snee;

A bill (H. R. 4543) granting an increase of pension to George W. Parker;

A bill (H. R. 4993) granting a pension to Mary Shelton Huston;

A bill (H. R. 4994) granting a pension to Lydia Carr;

A bill (H. R. 5101) granting an increase of pension to Benjamin Contal;

A bill (H. R. 5110) granting an increase of pension to William H. Dixon;

A bill (H. R. 5190) granting an increase of pension to Alvin J. Hartzell;

A bill (H. R. 5217) granting an increase of pension to Elizabeth P. Sigfried;

A bill (H. R. 5254) granting an increase of pension to Enos G. Budd;

A bill (H. R. 5327) granting an increase of pension to William H. Mackey;

A bill (H. R. 5888) granting an increase of pension to Peter Poutney;

A bill (H. R. 5910) granting an increase of pension to Reuben Wellman;

A bill (H. R. 6020) granting an increase of pension to Russel A. Williams;

A bill (H. R. 6037) granting an increase of pension to William C. Holcomb;

A bill (H. R. 6107) granting an increase of pension to Elijah E. Harvey;

A bill (H. R. 6172) granting an increase of pension to Friedrich Weimar;

A bill (H. R. 6401) granting an increase of pension to David E. Hall;

A bill (H. R. 6438) granting an increase of pension to Matthew C. Medbury;

A bill (H. R. 6466) granting a pension to Josephine M. Dustin;

A bill (H. R. 6467) granting an honorable discharge to Samuel Welch;

A bill (H. R. 6481) granting an increase of pension to Millen McMillen;

A bill (H. R. 6617) granting an increase of pension to Hugh Cool;

A bill (H. R. 6727) granting an increase of pension to Remembrance J. Williams;

A bill (H. R. 6760) granting a pension to Susan House;

A bill (H. R. 6805) granting an increase of pension to Robert E. Stephens;

A bill (H. R. 6895) granting an increase of pension to Richard P. Nichuals;

A bill (H. R. 7076) granting an increase of pension to Leath Gilliland;

A bill (H. R. 7149) granting an increase of pension to Ephraim D. Dorman;

A bill (H. R. 7239) granting an increase of pension to William Christian;

A bill (H. R. 7250) granting an increase of pension to Margaret Hendry;

A bill (H. R. 7290) granting an increase of pension to Lizzie B. Green;

A bill (H. R. 7397) granting a pension to Louisa White;

A bill (H. R. 7529) granting an increase of pension to Philip Atwood;

A bill (H. R. 7572) granting an increase of pension to John Costello;

A bill (H. R. 7613) granting an increase of pension to Evaline Wilson;

A bill (H. R. 7683) granting an increase of pension to Almond Delamater;

A bill (H. R. 7704) granting an increase of pension to Christianna Leach;

A bill (H. R. 7710) granting a pension to Margaret Scanlon;
A bill (H. R. 7782) granting an increase of pension to Thomas P. Smith;
A bill (H. R. 7811) granting a pension to Mary King;
A bill (H. R. 7847) granting an increase of pension to Charles S. Wilson;
A bill (H. R. 7897) granting an increase of pension to Michael J. Daly;
A bill (H. R. 7998) granting an increase of pension to William H. Allen;
A bill (H. R. 8016) granting an increase of pension to Hannibal C. Saint Clair;
A bill (H. R. 8048) granting an increase of pension to James A. Bramble;
A bill (H. R. 8212) granting a pension to Alice Angel;
A bill (H. R. 8309) granting an increase of pension to Sylvester Holiday;
A bill (H. R. 8349) granting a pension to John Watts;
A bill (H. R. 8415) granting a pension to Mary L. Dibert;
A bill (H. R. 8562) granting an increase of pension to Sarah Ciples, now Vandemark;
A bill (H. R. 8651) granting a pension to Maggie Helmbold;
A bill (H. R. 8679) granting a pension to William J. Jones;
A bill (H. R. 8696) granting an increase of pension to William B. Rowe;
A bill (H. R. 8781) granting a pension to Mary E. Holbrook;
A bill (H. R. 8913) granting an increase of pension to Rachel S. Lyman;
A bill (H. R. 8921) granting an increase of pension to Jesse C. Rhodabeck;
A bill (H. R. 9069) granting an increase of pension to Erastus D. Canfield;
A bill (H. R. 9144) granting an increase of pension to James R. Wilson;
A bill (H. R. 9171) granting an increase of pension to William R. Howsley;
A bill (H. R. 9178) granting an increase of pension to John M. Howe;
A bill (H. R. 9301) granting an increase of pension to Barbara McDonald;
A bill (H. R. 9413) granting a pension to Mary E. Holden;
A bill (H. R. 9494) granting an increase of pension to Mary A. Andress;
A bill (H. R. 9593) granting a pension to Elizabeth Rickey;
A bill (H. R. 9621) granting an increase of pension to Andrew Y. Transue;
A bill (H. R. 9625) granting a pension to Elizabeth L. Beckett;
A bill (H. R. 9791) granting an increase of pension to John Reep;
A bill (H. R. 9870) to correct the military record of Reinhard Schneider;
A bill (H. R. 9926) granting an increase of pension to James F. Patton;
A bill (H. R. 9928) granting a pension to Benjamin E. Styles;
A bill (H. R. 9986) granting an increase of pension to James Moore;
A bill (H. R. 9999) granting an increase of pension to George W. Guinn;
A bill (H. R. 10091) granting a pension to Blanche Duffy;
A bill (H. R. 10117) granting a pension to Sarah H. H. Lowe;
A bill (H. R. 10141) granting an increase of pension to William R. Armstrong;
A bill (H. R. 10143) granting a pension to Anna Roderka;
A bill (H. R. 10193) granting an increase of pension to John Hollister;
A bill (H. R. 10289) granting a pension to Eliza Stewart;
A bill (H. R. 10361) granting an increase of pension to Alexander Scott;
A bill (H. R. 10396) granting an increase of pension to Elvin A. Esty;
A bill (H. R. 10404) granting a pension to John Y. Corey;
A bill (H. R. 10411) granting an increase of pension to Mary E. Singley;
A bill (H. R. 10532) granting an increase of pension to John L. Bowman;
A bill (H. R. 10773) granting a pension to Archer Bartlett;
A bill (H. R. 10840) granting a pension to Susan Warner;
A bill (H. R. 10841) granting an increase of pension to Margaret Hoefer;
A bill (H. R. 10906) granting a pension to John W. Meade;
A bill (H. R. 10924) granting an increase of pension to Elias M. Haight;
A bill (H. R. 10957) granting an increase of pension to Mary E. Stockings;
A bill (H. R. 11011) granting an increase of pension to Emily J. Tallman;
A bill (H. R. 11025) granting a pension to Mary A. Carlile;
A bill (H. R. 11052) granting a pension to Nelson Johnson;
A bill (H. R. 11124) granting an increase of pension to Mary Scott;
A bill (H. R. 11125) granting an increase of pension to John S. Campbell;
A bill (H. R. 11145) granting an increase of pension to Mary F. Key;
A bill (H. R. 11327) granting an increase of pension to Charles E. Pettis;
A bill (H. R. 11375) granting a pension to Charles F. Merrill;
A bill (H. R. 11381) granting an increase of pension to Abraham N. Bradfield;
A bill (H. R. 11418) granting an increase of pension to Hannah T. Knowles;
A bill (H. R. 11619) granting an increase of pension to David A. Frier;
A bill (H. R. 11790) granting an increase of pension to Abel Woods;
A bill (H. R. 11831) granting an increase of pension to John W. Acker;
A bill (H. R. 11895) granting a pension to Thomas Holloway;
A bill (H. R. 12130) granting a pension to Christopher S. Stephens;
A bill (H. R. 12136) granting an increase of pension to Stephen May; and
A bill (H. R. 12315) granting an increase of pension to James Todd.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce and to encourage the deep-sea fisheries.

Mr. GALLINGER. Mr. President, I trust Senators who have been summoned to the Chamber will not labor under the impression that I had anything to do with the call of the Senate, as I propose to address the Senate a few moments.

Mr. COCKRELL. I take the responsibility for the call.

Mr. GALLINGER. Mr. President, as a member of the Committee on Commerce, from which the bill under consideration was reported, it is perhaps proper that I should occupy a few minutes in its discussion before the final vote is taken. I do not propose to discuss the details of the measure, which have received careful and able consideration from both sides of the Chamber. I have listened very attentively to the debate, and while some objections urged against the bill have disturbed me somewhat, I am nevertheless satisfied that the enactment of the measure into law is demanded by the best interests of the American people.

It has been well said that if the law works satisfactorily great good will come to the country, while if it fails to meet the expectations of its friends, it can, and doubtless will, be repealed.

Mr. President, I have little patience with the suggestion that Congress will never be able to repeal this legislation if it becomes law, and I have no patience whatever with the charge made in this Chamber that the moneyed interests of the country would prevent such repeal.

Mr. President, I have been a member of this body for eleven years, and as yet no attempt has been made to influence any vote of mine—at least, I have no knowledge of such attempt—by the railroads or steamship lines, or any other combination of capital, nor do I believe any other vote has been influenced by mercenary or other dishonorable considerations, and I suggest that no such intimations have a place in this Chamber.

Congress repealed the law granting a bounty to producers of American sugar, and Congress will repeal this law if it works disadvantageously to the best interests of the people of this country.

I am not troubled, Mr. President, about the constitutionality of the proposed legislation or the charge that the subsidy is a gift to private interests. Even if it shall prove to be a gift, it will be no worse than other legislation that has had the support of some Senators who seem to be greatly disturbed over the pending measure. At every session of Congress we vote a gratuity to the Southern railroads for the carriage of so-called fast mails. It is subsidy, and nothing but subsidy, infinitely less defensible than the provisions of this bill.

Millions upon millions of dollars have been expended on the Missouri and Mississippi rivers, ostensibly for the benefit of commerce, but in reality largely to protect private property. Very soon a river and harbor bill will reach this body carrying appropriations aggregating $60,000,000 or $70,000,000. Some of those appropriations will be for the deepening and enlargement of streams that can never be made of any real advantage to the commerce of the country. The Trinity River, with its $1,000,000 largess and its artesian wells, and our old friend, the Ouachita River, will again be on deck, and numerous insignificant streams will be here demanding and receiving recognition by way of an

appropriation. The capacious and rapacious maw of the Mississippi River will be wide open, and additional millions will be poured into it above New Orleans, not for commerce, but for the protection and preservation of the plantations along that mighty stream.

Senators on both sides of the Chamber will vote for those appropriations, but when it comes to this bill, designed to rehabilitate the merchant marine of the country in the hope that the American flag may be seen in foreign ports and on the high seas, Senators on the other side work themselves into a frenzy and indulge in wild denunciation of the proposed legislation as an improper, unjustifiable, and unconstitutional expenditure of public money. Out on such inconsistency!

The able and erudite senior Senator from Wisconsin [Mr. SPOONER] says this legislation will do no good, because England, France, and Germany will retaliate by increasing their subsidies, and thus our legislation will be nullified. That may be so, and yet, at best, it is a prophecy. My answer to that is that they may or may not do it. If they do it, I would then favor increasing our subsidy, and, to use an expression not exactly nautical, I would have our Government "play the game to the limit" until such time as we secured the desired result. We can not always submit to a condition that enables foreign governments to carry more than 90 per cent of our products in foreign vessels. We shall never see a more propitious time to try the experiment than in this era of marvelous industrial and commercial prosperity.

Foreign governments may increase their subsidies, but it is absolutely certain that at the present time some of them are greatly disturbed over this proposed legislation. The Boston Herald editorially opposes this bill, yet I find the following dispatch in its news columns:

FEAR OUR SUBSIDY BILL—BRITISH SHIPOWNERS BELIEVE IF IT BECOMES LAW IT WILL BE A BLOW TO BRITISH SHIPBUILDING.

[Special cable dispatch to the Boston Herald.]

LONDON, *February 4, 1902.*

British shipowners have been watching with great interest the efforts of the United States to foster the growth of the merchant marine. They believe that if the subsidy bill in Congress becomes a law it will deal a severe blow to British shipbuilding. To-morrow the chambers of shipping of the United Kingdom will meet. Colonel Ropner, M. P., will be reelected president. In the speech which he will deliver he will point this out as a danger which is threatening Great Britain's supremacy in the ocean carrying trade.

The London Times, in a recent editorial, sounds a note of alarm and calls on British shipowners to make the best defense they can against what that great paper calls "a very serious attack." The Times also says that it will be "even more severely felt by the subsidized mercantile marine of the Continental nations."

Mr. Tyrrel E. Biddle, in a recent communication to the Washington Post, gives an interesting sketch of a conversation in the Liverpool Exchange, participated in by British capitalists and shipowners, the significant remark of one of them being:

If that shipping bill is passed, it will be the last straw on the back of British commerce. Your protective duties have injured our trade immensely. All we have left is our ships. Take them from us, and good-by to England's commercial supremacy.

Mr. President, it goes without saying that if this bill is bad for Great Britain and the Continental nations it must be good for the United States.

In the interests of commerce it is proposed that the Government shall build an interoceanic canal, the cost of which will be hundred of millions of dollars and the value of which to the commerce of the United States is largely problematical. No one is wise enough to state with any degree of accuracy the cost of the canal, its value to commerce, or its cost of maintenance. One thing, however, is known about it, and that is that the construction will take at least $200,000.000 out of the Treasury, and many thoughtful people are prepared to see that amount doubled before the enterprise is completed. But even those startling figures do not seriously disturb the American people, who have decreed that the canal shall be built and who are willing to take chances in the matter of its construction.

Equally have the American people decreed that the American merchant marine shall be restored to the seas, and it is incredible that such intense opposition is shown to this bill, which, at most, will take from the Treasury a comparatively small sum, which expenditure can be terminated at the will of Congress.

Mr. President, I shall be glad of an opportunity to give my vote to this bill. Experiment though it be, it appeals to my Americanism. I am willing to risk something in the attempt to restore our flag to the ocean and to put lines of steamships on the great highways of commerce. If it succeeds, it will be the grandest achievement of the century, while if it fails it will be no reproach to those of us who made an honest effort to bring about the desired result. I have faith to believe that it will succeed, and in that faith I give my unqualified support to the bill under consideration, which has received the mature and patient consideration of the Committee on Commerce, a committee which is presided over by a Senator who has made this question a life study and on whose judgment and integrity this Senate can safely rely.

Mr. President, my purpose was to say a single word on the general propositions of this bill, and, with this single word, I am content to listen to other Senators who desire to occupy the brief time remaining between now and the hour fixed for the final vote.

Mr. PATTERSON. Mr. President, I want to say a few words in behalf of the amendment which I have offered to the bill. That amendment provides:

SEC. 16. That none of the compensation, subsidy, or allowance herein provided for shall be paid for or upon any vessel for any voyage thereof that has employed in its crew any Chinese person not entitled to admission to the United States or to the territory thereof.

That amendment, Mr. President, was offered, and is urged at the request of the American Federation of Labor, the Chinese-exclusion commission of California, and the International Seamen's Union of America. Under our shipping laws as they are American seamen have been driven from the Pacific coast. I desire to distinguish between American seamen and white seamen, but American seamen have been driven by the Dingley maritime act of 1884 from the Pacific coast.

Under the provisions of that act the shipmaster may ship his crew in any port in the world, and the American lines upon the Pacific coast, taking advantage of that permission, ship their crews for the round voyage at Hongkong, and not less than from 75 to 80 per cent of the crew of the vessels that ply between ports on the Pacific coast and Chinese ports are Chinese sailors. The chief purpose of the subsidy bill, as stated by the honored Senator from Maine, is to equalize by subsidy the larger cost of sailing American vessels in the foreign trade with the lesser cost of sailing foreign ships in the same trade.

I deny the existence of any such difference, for under the act to which I have referred the owners of lines upon the Pacific coast may go to the cheapest market in which sailor labor is supplied and there secure the crews that are necessary to man and sail their vessels.

Captain Seabury, one of the captains in the employ of the Pacific Mail Steamship Line, testified before the Committee on Immigration of the Senate but a few days ago, and he was asked what were the wages paid to American seamen. His reply was:

We have not had any American crews. We can not get them. We could not get Americans, and I could not tell.

It is perfectly plain why that company employs Chinese crews, when we remember that the Chinese sailor is paid but from $7.50 to $9 per month in American money, while the white sailors must be paid anywhere from $25, which is the lowest, to $35 and $40 per month.

It is claimed, Mr. President, that it is impossible to secure white crews upon the Pacific coast. I start out with the admission that American crews can not be secured, for the simple reason that the better wages for land labor and the inherent dignity of the American citizen will not permit an American to work side by side with the slavish race across the Pacific. But that white crews may be secured at the average and usual price paid for white sailors has been amply proved by the testimony before the committee of the Senate.

There are but two lines upon the Pacific coast—American and British—which carry Chinese crews. The Pacific Mail Line has three vessels. The North Pacific Line has two vessels. Upon these five vessels from 75 to 80 per cent of the entire crew are Chinese. The Canadian Pacific Line carries Chinese below the decks, but they have no Chinese upon the decks, for their officers belong to the royal navy reserve, and Great Britain, mindful of the necessity of competent men to man its navy, will not permit Chinese to be carried under its blue flag. There is a Japanese line called the Nippon Yusen Kaisha, a subsidized line, and this line carries none but Japanese sailors. The carrying of Chinese sailors is prohibited. Then there is the Oceanic Steamship Line, which plies from San Francisco to Australia and to the South Seas. It touches at the harbors of Sydney, Melbourne, and other ports in those seas, and this line carries not a Chinese person upon or below decks. The reason is, Mr. President, that none of the subsidy which is given by New Zealand to its ships will be paid to ships that carry Chinese sailors, and then again the laborers of both Sydney and Melbourne uprise whenever a Chinaman is known to have been brought into those ports upon ships of any nation.

Then we have an American line which plies from San Francisco to San Diego and way up north to Alaska and the Klondike, and upon the ships of this line not a Chinese sailor is carried. The testimony before the committee was that there was no trouble whatever in getting Caucasian crews in any of the ports of the United States or the ports of the Orient. In Hongkong or wherever American or other ships touch if white crews are desired they are available. So that the plea of necessity does not exist. It is purely a matter of dollars and cents to the owners of the ship

lines, and, permitted to follow the dictates of their greed, naturally they secure the cheapest seamen whom money will hire.

It is true, Mr. President, that Chinese sailors are desirable for some purposes. They are obedient, they are sober; but while they possess traits such as these, it has been the experience from the time that Chinese sailors first manned vessels between the Pacific coast and China that in times of emergency they have always proved miserable failures. We know from those who testified before the Senate committee that in cases of wreck or collision where it required bravery and presence of mind in the crews, the Chinese have always proved a failure, and ships have been lost and hundreds of lives sacrificed in the waters of San Francisco simply because in times of peril the Chinese crew were stricken by panic, and for that reason there has been a failure to save lives which otherwise would have been saved.

Mr. Furuseth, who testified in behalf of the Seamen's Union, speaking of the supply of Caucasian sailors, said:

> There never was in the last forty years any time in which white seamen could not be obtained in the ports of the United States by paying for them nor in any ports of the Orient, and no one has known that any better than the American shipmaster, as attested by his practice.

He finds it cheaper to drive men to desert in oriental ports, that he may replace them with cheaper men.

We have a proposition by which millions of money are to be provided for shipowners. There is not a dollar nor a measure of relief suggested in this bill for the American sailor or for the white sailor. The white sailor must continue to contest for employment at fair wages with the cheapest and poorest paid sailors upon the face of the earth; and I suggest that if we are to improve American shipping, if we are to increase the number of American ships that ply between the United States and foreign ports, some measure should be adopted to elevate the character of the crews that may now be employed, giving to them better wages and more comforts, in order that the tendency of the American man and boy away from the sea may be turned toward the sea, and we may thus be enabled to man American ships with American or Caucasian crews.

We know, Mr. President, that even in our coastwise trade, by reason of the illiberal laws applicable to the man before the mast and the stoker in the hold, while there are 40,000 seamen engaged in that trade there are not 75 per cent of them American citizens. They are from every country except the United States, and I suggest to the Senate that it is time that its attention be turned to the encouragement of American seamanship as well as to the encouragement of American shipowners and shipbuilders.

As has been said time and time again, and no greater truth can be uttered, that in the hour of peril, when this country may be assailed from without and its life or its integrity threatened, we must depend upon the American sailor, and if our ships are manned by aliens above decks and between decks, members of a a servile race, what is to be the outcome when this country may be matched upon the sea, perhaps with several of the largest naval nations in the world?

Germany to-day is the only nation whose men have a tendency toward the sea. The men of Great Britain seek the land rather than the sea. Men of the United States remain upon the land rather than take to the sea for a living. The reason is our legislation has tended against the interest, the upbuilding of the character and dignity of those to whom we must look to man American ships. This has been the trend rather than to build them up and to strengthen them, to give them the pay they should receive, and to instill into them that self-respect and love of home and country essential to creating great and brave and competent seamen.

Mr. President, I pray that I may live long enough to realize that our country is spontaneously recognized as the greatest on the planet. I will glory when the time comes that our ships will speed through every sea, bearing the commerce of the world between all its ports. But, Mr. President, ill fares the nation that mans its ships with foreign sailors. To do so is unassailable proof that it treats its citizen sailors meanly, and in its system are the seeds of decaying manhood and valor.

Let us have brave ships carrying the flag of freedom and commerce to every wharf laved by the rising and ebbing tides. But let not those ships be manned by an alien and degraded race, but rather by men of our own citizenship, sailors who brave the storms of the ocean, grateful for the protecting laws of a watchful and generous country and so deeply imbued with love for it that, if needs be, when that country may be assailed they will crimson the white foam of the ocean's crested waves with the last drop of blood from their patriotic hearts.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. MONEY. Mr. President, I supposed some one on the other side in the fifteen minutes allowed under the rule, would reply to the remarks made by the Senator from Colorado.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. MONEY. If no one on the other side desires to speak, I will occupy fifteen minutes.

Mr. President, this bill is obnoxious to me in principle and objectionable in its details. It has been so thoroughly discussed and has been attacked with such force that I see nothing for me to do but to thrash the old straw a little. There are some deficiencies which perhaps have been overlooked, but in the main the argument has been exhaustive, and the report of the minority of the committee itself, if read by the public and by Senators, is sufficiently convincing, it seems to me, without any argument here. There are some things, however, which have been passed unnoticed, and without any attempt to go into the bill in detail in the short space of fifteen minutes, I wish to call attention to one or two of them.

In the first place, we have heard a good deal from the other side of the Chamber about the great loss we are suffering every year, amounting to a hundred and sixty or a hundred and sixty-five million dollars a year, paid to foreign carriers for transporting our products from our shores; and I suppose it might be added for transporting other people's products to our shores, because commerce is not a one-sided affair. It means an exchange of products, an exchange of human service, in which the merchandise or the produce is the concrete; and it must be two-sided.

Have we lost money by that transaction? Do Senators speak advisedly when they say we have lost anything by paying foreign bottoms for carrying our commerce—that is, the outgoing commerce, or the incoming commerce, for that matter? We have never paid a solitary dollar for which we did not get full value received; else we would not have paid it. You might just as well say that you have lost a hundred thousand dollars in building up a plant of any description, or $20,000 which you have paid a contractor for building you a house, because you have parted with the money. You may say when you pay the servant at your house, or your grocery bill at the corner, that you have lost so much money because you have paid for some human service rendered or some article that is the product of human labor. You have gotten the value of your money and you have lost nothing. But on the contrary you have gained a great deal. In other words, you have hired a man or a number of men to do a certain thing cheaper than you could do it yourself, and you have made money by the transaction.

Then in what sense have we lost anything? It is said because our cash has gone into other hands. If we want the home market for ourselves, and if then we want to legislate in such a way as to secure the foreign market as well, by enabling the American manufacturer through the protective tariff to sell his goods abroad from 40 to 60 per cent cheaper than he sells them to his own fellow-citizens at home, in the neighborhood of his factory, are we on top of that not to permit the man who comes here to buy our products to carry home in his own ship what he wants? So we have lost nothing in this regard. But on the contrary we have been a great gainer.

We do not hesitate to employ the foreigner, who comes here at the rate of a million or so a year, to follow the plow and to work in the factory, and we do not think the money paid him has been lost, but we are gainers by it. If his labor was not worth it, he would not receive the pay. We have paid for services that were more valuable to us than the price asked or we would not have paid it, and whenever the pay is not adequate then we will not be able to get anybody to perform it for us, and we will of necessity have to perform it for ourselves.

But it is said we want to build up the shipbuilding industry. Here we have the testimony not only of the Commissioner of Navigation but of the shipbuilders themselves and all the papers that represent the shipping interest, and the Commissioner says that for the past three years we never have had such prosperity in our shipbuilding yards. Does it make any difference, as it seems to to the Senator from Ohio [Mr. HANNA], whether the ships are for the coasting trade or for the foreign trade? Why keep up shipyards at all? To have ready the personnel and the material to do anything that may be required by the needs of this country in time of war. That is all, and there is no other reason which can justify a man in voting a tax upon the people to be given to one particular interest. It must be for some ultimate purpose of government. It can not be for the interest of a number of people. The Supreme Court has decided, in the Boston bond case, on account of the great fire, and in the case of the cotton factory in Maine, the Topeka Trust Company case, and a great many other cases, that no matter how largely diffused may be the public benefit of a tax laid upon the people by law, unless it is for governmental purpose or benefit, it is not constitutional.

Now, of course, the word "constitutional" palls upon the ears of people here. Some of them dislike to hear this "damnable iteration" in this Chamber; but we must come to it now and again.

The shipbuilding interest is not an infant industry. Does it

need any subvention or subsidy from the United States? The shipowners are rich people, and, according to the statement of the distinguished chairman of the Committee on Commerce, who opened this debate, about $1,700,000 will go to one company, which, I believe—at least, I have been told—is the richest corporation in the world owning ships. It is true we are told that all the interests are now agreed and harmonious; that there is no longer any trouble about it. There was a discordant note once. I believe Mr. Hill, a great railroad owner, objected to the bill, but he has become pacified, because he is himself now entering the business, and so, too, he has renounced the principles he advocated and has joined the order of mendicant millionaires, who come here to beg for subsidies, and who, when they are before the committee, confess that they are rich and are making money all the time.

The shipbuilders seem to be doing well. Why more men are not attracted to the business, except that there are more inviting fields open, I do not know. But I can point you to an industry very much more extensive than that of shipbuilding or ship sailing, and it has no subsidy, and it is unlikely ever to have one, and yet in point of distress and in point of inability to make money or even to live it needs more assistance; but it does not ask it.

I have mentioned the report of the Commissioner of Navigation. I do not know whether Senators are going to accept it or not. I find that his reports are used on each side of the Chamber. I find that he is a man of very versatile talents, and he can report in either one way or the other. He has been designated by the Senator from Iowa as an exceedingly useful man. A weathercock is a very useful thing, and the more easily it turns upon its pivot to every breath of wind, the more useful it is. And, generally, when political weathercocks will not turn they are taken down and others put in their places.

We sometimes hear his arguments and opinions quoted and sometimes his statistics. They are so contradictory that you can take your choice. It reminds me of an old colored man who wanted to teach school. He appeared before the board of trustees. He was asked, "What do you teach?" He replied, "reading, writing, and arithmetic." Then he was asked, "Can you teach geography?" He said, "yes, sir." He was asked, "Do you teach that the world is round or flat?" He replied: "I can teach either that it is round or flat as the trustees desire me to do;" and that seems to be what is the matter with the report of the Commissioner of Navigation. He can make the world round or flat just as the authorities may ask him to do.

There is a provision in Title III which nobody seems to consider. It gives a bounty to the deep-sea fisheries. We know that formerly there was a bounty on the amount of fish caught, and that industry has always been exempt from the tax on salt, while the people of the South and the West and all other portions of the country pay a tax on the salt used in salting down meats for domestic use, etc. But in addition to that, now we are asked to levy a tax upon the people to pay a bounty to this industry, because it is supposed, and I presume it is true, to be the nursery of the seamen of the United States; that it is the prime source from which we are to draw hardy fighting sailors, such as shed luster upon American arms in the war of 1776 and 1812 and subsequently. That may be true. But what is the justice to the other people who pay the tax and get no bounty upon so many acres in cultivation or so many mules used in plowing? We hear no complaint that these men are not doing well.

Now, suppose, Senators, that instead of this bill having been framed as the Senator in charge has stated to us, by those interested in it and friendly to it, we had called upon a lot of farmers from the West and the South to do it, would they have put in the bill any such provision as to the deep-sea fisheries? On the contrary, they would have been apt, if they followed the dictates of human nature, to say, "you shall pay the same tax on salt that we do, and considering how much has been paid into your pockets out of our pockets, we will give you half of all the fish you catch." That would be as fair a proposition as this. The farmer is called upon to give a part of what he makes to the fisherman, and he is called upon to take a part of what he makes and give to the millionaire who owns lines of ships and who owns shipyards.

Now, there might be some comment made, and I think justly, upon that provision of Title I for ocean subsidies. I am one of those, and I may be alone here on this side of the House, disagreeing with the minority of the committee on this single point, who believe it would be good policy if Congress should have a report from the Postmaster-General, after full consultation with the Secretary of the Treasury, as to between points where we now have no mail and no commerce a line of ships with a reasonable subsidy could be placed, so as to extend American commerce. I think that would be for the public benefit in a very material degree and would not come within any inhibition of the Constitution. I recollect that the first subsidized line that ever existed was under a Democratic Administration. But it was a defined line for a defined route and for a specified time.

Now, we understand that the American Line, I believe it is, is to get $1,717,000 for semiweekly trips from New York to Southampton or Liverpool. Do we need to expend one single dollar there beyond what we pay already? Not a single cent. It will open no new avenues of commerce. We do not advance a solitary producing interest in the United States one cent, but it is a mere bounty, and nothing else, to a corporation which least of all needs to have a single cent paid to it. There are on the average about two steamships leaving the port of New York every day of the three hundred and sixty-five for English ports, and some of them are new ships that run from 24 to 25 knots per hour, yet Congress is to ask the postmaster of New York to detain the mail three days and a half in each week to send it upon subsidized steamers that have not the speed of the fleetest, and thus the commercial business, for which this whole thing is organized, suffers by the delay of its mail. Mr. President, the motto of the postal service of every country in the world is certainty, celerity, security; and here you have destroyed at least one of the main elements, that of celerity, in order to give this bounty to a company which does not need it in the transaction of its business.

As I had the pleasure of remarking the other evening when I yielded the floor, we can not expect to carry all the mails in our ships, because our mail consists just as much of letters received as of letters sent, and if retaliation is to follow, as the Senator from Wisconsin very ably said the other day, and it will undoubtedly do so, then we shall have the British sending over their mail in exclusively British ships, and the French and German and so on doing the same, each nation sending its mail to us concerning our mutual intercourse commercially in its own ships.

The PRESIDING OFFICER. The Senator's time has expired. The pending amendment is the amendment proposed by the Senator from Iowa [Mr. ALLISON]. It will be read.

The SECRETARY. On page 1, line 10, after the word "Postmaster-General," insert "until July 1, 1910."

The PRESIDING OFFICER. The question is on agreeing to this amendment.

Mr. BERRY. I think it was not expected that under the agreement a vote should be taken on amendments before 3 o'clock.

The PRESIDING OFFICER. The Chair so understands.

Mr. ALLISON. I ask that the order may be read. I should hope that we may go on, if no one desires to speak, and make some progress with the amendments.

Mr. BERRY. Senators, then, ought to have had notice, so that they might be here to vote.

The PRESIDING OFFICER. The agreement will be read.

The SECRETARY. The agreement is as follows:

By unanimous consent, it is agreed that on Monday, March 17, at 3 o'clock p. m., a vote shall be taken without further debate on all amendments submitted and to be presented to S. 1348, "To provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce and to encourage the deep-sea fisheries," and then on the bill.

On March 15 it was further agreed that—

on Monday, March 17, until 3 o'clock, debate shall be limited to fifteen minutes for each Senator, excepting the President pro tempore, who shall have one-half hour.

Mr. BERRY. I do not think we can vote on any amendments before 3 o'clock.

Mr. VEST. Mr. President, I do not propose to say anything about the unanimous-consent agreement, but I have offered, or given notice of my intention to offer, three amendments, about which I desire to speak very briefly.

The first of these amendments is the repeal of all those parts of the navigation laws which prohibit a citizen of the United States from purchasing his ship where he can buy it cheapest and putting it under the American register. In other words, it is a proposition for free ships pure and simple.

The second of the amendments which I intend to offer is to extend, specifically, the provisions of the antitrust law of 1890 to shipowners and shipyards which enter into any combination or conspiracy in restraint of trade.

The last of the amendments is a simple proposition to allow an American citizen who builds or buys his ship abroad to place it under American registry without subsidy and without the privilege of entering his ship in the coastwise trade.

Now, Mr. President, there are a few salient points in this debate which possibly it is well to accentuate very briefly and without exhausting the patience of the Senate.

The senior Senator from West Virginia [Mr. ELKINS], for whose business discernment and practical statesmanship I have as much respect as anyone possibly can have, dwelt the other day with much emphasis upon the immense amount of money paid by the people of the United States for carrying abroad their exports, and he repeated the statement often made that $200,000,000 a year is paid by us to foreigners to carry abroad these exports. It has been stated very often that $600,000 in gold is paid every day by the people of the United States to foreigners for carrying abroad these exported articles.

Mr. President, this is a gross exaggeration. I would be glad if every pound and every ounce of exports in this country should go

abroad under the American flag and in American ships. But the navigation laws, as I honestly believe, have trampled the life out of the merchant marine of the United States, and we, the great progressive Republic of the world, the great exemplar of Christianity and civilization, stand to-day isolated and alone in this barbaric exclusion of the right of an American citizen to buy his ship where he can buy it cheapest and then put it under the flag of his country. Even China, whose ports have been opened with shot and shell to the commerce of the world, has repealed her navigation laws; but the United States, singing pæans every hour to our glory and patriotism, under the control of the great party that has made us a world power and said our flag shall float in triumph everywhere, stands isolated upon the old, obsolete, and miserable navigation laws that say to an American citizen, "You shall not have a ship unless you build it in the United States and pay the prices charged by American shipbuilders."

Now, Mr. President, what is the truth in regard to this allegation of $200,000,000 being paid every year to foreigners to carry our commerce? The Commissioner of Navigation in his report for the last year states that after an examination—after an inquiry—he finds that there were 673,455 tons of shipping owned by Americans sailed under foreign flags. He finds that citizens of the United States own 136 steamships that to-day are plying the ocean under foreign flags. If this statement be true, and I have no doubt that it falls under the mark, it shows that Americans own abroad more steamships than we have now under registration in the United States.

I am astonished that the senior Senator from West Virginia, so accurate and acute in regard to all business propositions, has overlooked this conspicuous fact, and that he also ignores the other fact that a large portion of the money received by these ships under foreign flags is spent in the United States for repairs, for supplies, and for wages for seamen at our different ports. But the country—at least that portion of it that is willing to accept without inquiry any proposition made by the dominant party—seems unwilling to believe that this is any exaggeration, and that this enormous amount of $500,000 or $600,000 a day in gold is paid out to foreigners.

Mr. President, this debate is to be closed by my distinguished friend, the chairman of the Committee on Commerce and President pro tempore of the Senate. For more than twenty years I have served on the Commerce Committee with that distinguished statesman, and while we have never agreed, especially in regard to the question of the merchant marine, there has never been a shadow cast upon our personal relations and friendship. I ask that Senator, in closing the debate upon this question, which has excited so much diversity of opinion for so many years, to tell us why Great Britain, with 53 per cent of the carrying trade of the entire world, pays more to her seamen in wages and more in the expense of running her ships upon the ocean than any country in the world except the United States?

In his opening address the Senator from Maine declared to us that the crucial point in this discussion as to the difference between the expense of running an American ship and one under a foreign flag consisted in the difference of wages. How is it possible, if wages is the crucial point, that Great Britain, with 53 per cent of the entire carrying trade of the world, pays more wages and pays more in the general expenses of her ships than any country in the world except the United States, and why is it that Norway, whose seamen live, as the Senator has often told us, upon black bread and smoked fish, and who receive a pittance as compared to that paid to the Chinese sailor, how is it that Norway, with all the high motive and love of the sea which has characterized that people for two hundred and fifty years, lags behind in her merchant marine and can not even approximate to the prosperity of England?

Again, Mr. President, I want the distinguished chairman of the Committee on Commerce to tell us why it is that the English tramp ships, which dominate the ocean, which are seen in every port, which carry her commercial flag everywhere, have never received any subsidy, not even increased mail pay, if that is the cause of it, and why is it that under the bill now before us we are, in taking millions out of the common Treasury of the people of the United States, decreasing the subsidy upon the freight ships which must come in direct competition with the tramps of Great Britain but increasing the subsidy paid to the swift liners of the ocean that do not carry freight and are intended only to carry the mails?

Mr. President, I should like to ask the chairman of the committee to tell us, as a matter of information, why it is that this subsidy is paid to corporations whose ships are now upon the ocean? Why is it that the capitalists who have put together their capital in order to accumulate additional interest and property are the principal recipients under this bill? Does the American company need a subsidy? The president told us in the Commerce Committee that he made money in summer and lost some in the winter, and he had not been able yet to declare a dividend; but when asked the question directly by a member of the committee, the Senator from Arkansas [Mr. BERRY], "Mr. Griscom, is your company making money, on the whole, or not?" he declined to answer.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FRYE. Mr. President, I should like to answer one of the questions at the present moment, if I may, without interfering with the unanimous-consent agreement.

The PRESIDING OFFICER. The Senator from Maine will proceed.

Mr. FRYE. Eight years ago Great Britain was carrying 63 per cent of the commerce of the world and to-day she is carrying only 53 per cent. She is losing the carrying trade of the world. When Norway a year ago applied a subsidy to her ships there was a discussion before the English Board of Trade to know what they should do to escape, as it is taking away from them their trade between England and Norway.

Mr. HANNA. Mr. President, as a summing up of the arguments on both sides in this debate, I can see but little change in the argument and opinion which differs from political lines.

I have heard the arguments upon the other side against the building up of our merchant marine and favoring the free-ship dogma of the Democratic party, which has been their principle and guide in this matter for many years. We who have been responsible for the legislation which has so much contributed to the development and prosperity which seem to be admitted freely upon the other side are pursuing that line of policy in a direct way, keeping apace with the conditions as they arise in the development of our country and our resources.

Mr. President, I have failed to see and understand a single argument against this bill that changes in one iota from the argument we have heard against it ever since the question was mooted before the public and in the Halls of Congress. Some on the other side seemed to agree that it would be all right to pay a postal subsidy to mail lines, creating lines where they knew the United States Government demanded mail service, without any regard to the condition, which must be a part of that agreement, as to who is going to furnish the ships.

It is claimed that this subsidy will encourage ships to sail without cargo for the mere purpose of earning the subsidy. Mr. President, that is simply absurd. No ship could afford to leave an American port for a foreign port in ballast or empty for the sake of drawing the subsidy. No owner of any ship would go in the face of an absolute loss. Therefore, if we are to have an upbuilding of our merchant marine the lines must be established where there is a fair prospect for business. The benefits, then, do not end with the ship alone, but ramify through all the interests of the country in our export trade.

The Senator from Missouri [Mr. VEST] asked if we lose anything by permitting foreign ships to carry our products. I would answer that question by simply repeating the figures that the senior Senator from California [Mr. PERKINS] used in his speech the other day, which I am glad to have the opportunity to emphasize, because it is an object lesson.

From 1871 to 1901, inclusive, thirty-one years, the total revenue collected through the customs service of the United States reached the figure of $5,999,449,241. The amount paid to foreign ships carrying American export products during the same period was $5,867,671,350. The average receipt, in round numbers, of the revenue would be $187,000,000 per year, and paid out, $183,000,000 per year.

Now, Mr. President, we must consider the question whether it is a loss to this country or not, when all that the balance of the world pays for the privilege of our market is paid back from us, lacking $5,000,000 or $6,000,000 per annum, for the carrying of our products abroad. I have never thought that we were going to regain all that we have lost in the carrying trade of the world. As the country grows and the commerce of the world increases the percentage is changed. The object of those who are supporting this bill as an American policy, far-reaching as it is through all the ramifications of our business, manufacturing, products of the farm, products of the mine, products of labor, is that this one interest shall be relieved, which has gone down and down and down during the last century until we cut a sorry figure among the nations of the world, not appealing to patriotism, not entirely to self-interest, but to the general good of all the people and for the future development of our country.

Is not that a loss when we pay $200,000,000 a year, and 25 or 50 per cent of it might remain in the hands of the American people? I should say it was a loss, and I say further, as I have often said before, there is no nation on the face of this earth that could stand the drain upon its resources as the United States. It is because of our enormous production and export trade that we lose sight of the important principle in this question, because we are not brought face to face with a tax deficit which would stagger us.

If the navigation laws now upon our statute books have had to do with the downfall of our merchant marine, they were placed

there by a Democratic party, and although that party has been in power many times since, to my knowledge it has never made an effort to repeal them. They are there just as the laws of protection to our industries are still there, because the results have proven that they operate for the benefit of America's interest.

When you say that they are responsible entirely for the degeneracy of our merchant marine, I say no. As conditions have changed, other countries with more centralizing power have improved their opportunity to meet that situation. They have not waited for a Congress nor for political parties to discuss the measure or the policy. With a clear insight of the necessities of the case they have acted and continue to act, meeting every condition as it arises. It is under that policy, Mr. President, that European nations have robbed us of the carrying power of the world.

I would say a word with reference to the Chinese-labor question. In the very early stages of this discussion the question was raised as to the employment of Chinese labor upon American vessels. I must confess that at that time I was partially ignorant of the situation, but on investigation I find that there are some lines on the Pacific Ocean that carry Chinese upon vessels in the fire hold as firemen, as coal passers, and perhaps as stewards, and a certain proportion of their crew. I find, upon further investigation, that the Pacific Mail is not the only line. I find that the German and the French lines are doing the same thing, and for a good and sufficient reason. I will read a quotation from the contract of the German Government with the North German Lloyd Line:

Asiatics shall not be employed in the crew on the Australian main line, and on the Chinese and Japanese main lines they may be employed only in the engine and fire rooms in so far as the employment of Europeans is impracticable for sanitary reasons.

The French Chamber, only in May, 1892, took up this same question. The article is long, and I will not read the whole of it; but they found themselves, under their law of long standing, requiring that two-thirds of the crew should be French. When they came to establish steamboat lines in the Orient and in the Tropics they found that "the colonial navigation in the Indian and China seas present special difficulties on account of climate. Our sailors, and particularly engineers, can not stand the Torrid Zone. Consequently all ships which frequent this ocean have a part of their crew composed of Chinese or Lascars, who alone are able to endure the climate. The French ships were under the terms of the navigation act of September 21, 1793, article 2, which provided that—

No ships shall be considered French if the officers and three-quarters of the crew are not French—can not share in this navigation unless they are allowed, like English, German, or other ships, to have half or three-quarters of the crew foreigners.

As a result ships sailing in the Tropics can not profit by the act concerning our merchant marine.

This was in connection with the increasing of their subsidy to their ships, and I want to mention here that the last amendment to the French law extends that subsidy, just as this bill proposes in Title II, and all the tonnage within certain descriptions and conditions owned by the Frenchmen.

These are questions which must necessarily be understood from the standpoint of those who operate and who will be charged with the responsibility of building up the new lines which we so much covet.

I do not think it is in good taste—it certainly is not good argument, to belittle the men or to cast sarcasm and suspicion upon the motives of the men who thus far and up to this time have done all that ever has been done, contributing their knowledge, their experience, and their means to the establishment of whatever lines of steamships we enjoy to-day in carrying our mails to foreign countries.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CLAY. Mr. President, the Senator from Ohio [Mr. HANNA] has made rather a remarkable speech, but he has not answered the questions which have bean asked by this side of the Chamber.

Mr. HANNA. I did not have time.

Mr. CLAY. The Senator might have had a month and he could not answer the questions that have been propounded on this side of the Chamber.

The Senator said he did not know until the other day that foreigners were employed on our ships. I am fearful the distinguished Senator from Ohio has not read the report of the majority of the committee. If the Senator will turn to the majority report, and the Senator is a member of the majority, he will find that not only Chinamen are employed on the Pacific coast, but he will see from his own report that 70 per cent of our seamen engaged in both domestic and foreign trade are foreigners, and that only 30 per cent of them are American citizens. I now read from the report of the Senator from Ohio:

At the present time in all trades, coasting and foreign, as indicated in the returns of shipping commissioners, only 35 per cent of the crews of American vessels are Americans, including contract mail steamers, on which 50 per cent of Americans are now required.

Excluding mail steamers, the average percentage of Americans now employed, including many coasting voyages, can not reach 30 per cent.

Mr. President, if the Senator will investigate he will find that only from 28 to 30 per cent of the seamen now employed on our ships are Americans and the remainder are foreigners, and in many instances we pay the same wages that foreigners pay.

I heard the Senator from Wisconsin [Mr. SPOONER] ask the Senator from Ohio a question here on Saturday evening which has not been answered, and which I believe can not be answered. But before I get to that, I understood the Senator from Ohio to say that the Democratic party is responsible for the passage of the present navigation laws. If I understand correctly, the navigation laws came into effect in 1792, before the Democratic party ever took charge of this country. Mr. Jefferson was the first President ever elected on the Democratic ticket.

The Senator from Ohio complained of the amount we paid foreigners for carrying our exports.

I want to say, Mr. President, that the Senator knows that to-day nearly 700,000,000 tons of our exports are carried in ships that we pay for to American capital while they are under foreign flags, and that money is paid here at home. But I have not time to discuss that question at length.

The Senator from Wisconsin asked the Senator from Ohio how much money was necessary to equalize the difference in the cost of constructing and operating ships in foreign countries and in our own country. The Senator turns around and says, "I will discuss that later."

The Senator from Wisconsin asked the Senator from Ohio why the difference between the bill of the last session of Congress and the bill of the present session of Congress? I can turn to the report of the majority of the committee and can demonstrate, if that report is correct, that only 1 cent per gross ton is necessary to equalize the difference. If the report is correct, this bill ought not to pass in its present shape; it ought to be sent back to the committee, where it can be maturely considered and amendments be proposed, if this bill, even from a Republican standpoint, should pass. Let us see. I read from the majority report in relation to section 6 of the bill:

Rate of subsidy.—The general rate of subsidy proposed (page 7, lines 1-3) is 1 cent per gross ton per 100 nautical miles sailed. This rate is designed to equalize the difference in the cost of building in the United States and operating under American laws an ocean steamer in foreign trade and of building in Great Britain and operating under British laws a similar steamer.

One cent per gross ton.

Mr. HANNA. That is under title 2.

Mr. CLAY. Yes, sir; under title 2. I say the majority of the committee have themselves said that 1 cent per gross ton is all that is necessary to equalize this difference; but notwithstanding that fact you have provided here in some instances for nearly 3 cents per gross ton.

I turn over a little further in this report—I am afraid my friend the distinguished Senator from Ohio has not read this entire report—to page 28, and what do I find? I find that the majority of the committee tells us that $1,072,095 per annum will be all that will be required to equalize the difference between the cost of the construction and operation of foreign and American ships. They say deduct that from the mail pay and it will leave $858,542 as the amount necessary to equalize the difference between the construction and operation of ships in the United States and foreign countries.

Now, I want to call the attention of the Senator from Wisconsin to the fact that when you take the report of the same committee which was made at the last session, you find that they said it would take $7,500,000 per annum to equalize the difference. How do the majority account for that difference? One year ago the majority of the Republican members of that committee stood here in this Senate unanimously declaring that about $2,000,000 a year would be necessary to carry the mails, and that $700,000 would equalize the difference in the construction and operation of American and foreign built ships; and yet that same committee at this session comes here and tells this Senate and tells the country that $888,000 will equalize the difference this year in the construction and operation of American and foreign built ships.

The Senator from Wisconsin asked the question, How did the committee reach this decision? Why, Mr. President, this bill has not been maturely considered. Evidently they have not gone to the bottom of the facts. When we go to the public Treasury and take out three, four, five, or six million dollars every year to give to a dozen or two dozen people, to come out of the taxpayers of the United States, we ought to know exactly what we are doing; we ought to know what this difference is between the cost of construction and operation of American and foreign ships. The Senate can not trust a report of a committee which says at one session of Congress that it will take seven and one-half million dollars and at the next session that it will only take $888,000. Mr. President, I repeat, the more you investigate this matter the more you will see that this bill is not founded upon business principles.

I wish to say that the Commissioner of Navigation himself

figured that it would take nearly seven and a half million dollars a year ago to equalize this difference, and he comes forward this year and tells us that $888,000 will equalize it.

It is true that this bill provides for more than a million dollars per annum; but let us go to the facts and tell the truth. You know that this bill provides that $4,700,000 of this subsidy shall go for the purpose of carrying the mails. You know that only $888,000 will go as a general subsidy. There is not a Senator on the floor of this Chamber but who knows that this vast sum of nearly $5,000,000 a year will never be used for the carrying of our mails. The Senator from Wisconsin said that it would not take any such amount, and he asked the Senator from Ohio to explain what amount was necessary to equalize this difference, and, Mr. President, the Senator from Ohio has made his fifteen minutes' speech and never referred to the question asked by the Senator from Wisconsin.

I want to call attention to another fact. A great deal has been said in this debate about building up our merchant marine. My friend, the distinguished Senator from Missouri [Mr. VEST], tells us that of the merchant marine of Great Britain less than 3 per cent of her tramp ships receive any subsidy at all.

The great ships that will receive the bulk of the subsidy under this bill do not carry any corn, they do not carry any lumber, they do not carry any cotton, they do not carry any of the farm products of our country. I hold before me now a ship's manifest, but I have not time to read it in the fifteen minutes which I am allowed to occupy. This manifest shows that neither the *St. Louis*, the *St. Paul*, the *New York*, nor the *Paris* carries a bushel of corn or a pound of cotton; none of them carries any farm products whatever, and the Senator from Ohio knows it.

Mr. HANNA. Mr. President——

Mr. CLAY. I yield to the Senator from Ohio with pleasure.

Mr. HANNA. The Senator from Georgia says the ships to which he refers do not carry any farm products. I reply that they carry more farm products that any other class of ships on the ocean—bread, meat, smoked meat, butter, cheese, lard, and other commodities of the farm, worth a great deal more in dollars and cents than the products to which the Senator refers.

Mr. CLAY. Bare assertion, Mr. President, is not argument, and I have before me the manifest of the *St. Louis*. How much corn did she carry? None.

Mr. HANNA. I am not talking about corn.

Mr. CLAY. I know you are not talking about corn. How much oats was carried by the *St. Louis*? None; hay, none; flour, none; cattle, none; horses, none; wheat, none; cotton, none; barley, none; cheese, none; bacon, 24 pounds of ham [laughter]; beef, none; pork, none; tallow, none.

My friend, if you will turn to the manifest of that ship you will see that though it carried a little dressed beef, though it carried a little champagne and carried a little crockery, yet the great producers of this country, the farmers, have no interest in the class of ships which this bill proposes to largely subsidize.

Mr. President, if I understand correctly the books which I have read in regard to shipping, what do we find? We find that the great bulk of farm products of our country have been carried in ships ranging from 9 to 12 and 13 knots; and the high-rate subsidy provided in this bill does not touch a single ship below 14 knots. I have before me also a manifest of a 12-knot ship which carried 24,000 bushels of corn; it carried 705 barrels of apples; it carried 3,400 feet of oak plank; it carried 11,850 bars of copper, and it carried 5,265 packages of oak strips. If you will go through it—and I will insert the entire manifest—you will find on a critical examination that nearly all of the farm products of our country are carried in ships ranging from 9 to 12½ and 13 knots.

The manifest referred to is as follows:

Amount of farm products carried by the Georgic and the St. Louis.

Freight conveyed.	Georgic, 13-knot ship.	St. Louis, 21-knot ship.
Corn.....bushels..	85,416	None.
Oats.....do....	6,900	None.
Hay.....pounds..	117,290	None.
Straw.....do....	12,005	None.
Flour.....barrels..	355	None.
Cattle.....head..	919	None.
Horses.....do....	127	None.
Wheat.....bushels..	39,917	None.
Cotton.....bales..	10,965	None.
Barley.....bushels..	9,655	None.
Cheese.....cases..	571	347
Bacon.....boxes..	1,624	4,250
Beef.....quarters..	6,661	3,871
Pork.....boxes..	4,306	None.
Tongue.....barrels..	30	10
Tallow.....tierces..	250	None.
Mutton.....boxes..	131	None.
Wood.....cases..	648	None.
Hams.....boxes..	123	12

Mr. CLAY. I believe our friends on the other side concede that the mail subsidy in this bill will amount to nearly $5,000,000 a year. I have not heard a single one of them say that it would take that amount for the purpose of carrying our mails.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WELLINGTON. Mr. President, I had not intended to make any remarks upon this bill, but some of the assertions made, I think, will not bear thorough investigation. The bill that was before the last Congress did not meet my approval, not because I did not believe in the principle of ship subsidy, but because I did not think there was a fair distribution of the moneys thus appropriated. But I believe this bill goes far in the direction of making good that defect. For that reason I shall give my vote for the bill.

The Senator from Colorado [Mr. PATTERSON] said this morning that one of the troubles with our shipping is that in the Navy we are employing foreigners of every kind and description as seamen. I believe that is true, and I agree with him that some measure should be taken to rectify that trouble. I believe further that that is not the only trouble in the American Navy. There is as much injustice in other departments of it as there is in this, but that question, to a certain degree, is foreign to the matter in hand. That question is this: Can we, or will we, by a ship subsidy build up the American Navy and make it such in the merchant marine as that it will to a great degree carry our own commerce and our own mail? If we can do this by subsidy, then I believe it should be attempted to be done, and for myself I further believe that it can be done.

You remember, Mr. President (Mr. BURROWS in the chair), that when the doctrine of protection was first attempted to be embodied in a bill—and as the years went by it was attempted again and again—it was said that the tariff would not do what was claimed by those who favored it; and yet, sir, the years and decades that have gone have abundantly proved that the tariff was the thing that would remedy the defects, and under the beneficent results of that doctrine our country developed its natural productions and resources until we became one of the greatest producing nations in the world; and yet to-day we present the curious anomaly of a nation producing much more than it consumes and not having enough ships to carry those products to foreign nations.

I believe, in the first place, it is our duty to build up American manufactures, not at the expense of the farmer, who is the bottom rock of our national greatness, but hand in hand with him; and after we have done that, then it is our duty also to encourage the building of American ships to carry American products.

The President pro tempore of the Senate, who is the father of this bill, who has spent years upon years in its consideration, I am sure should not be charged by the Senator from Georgia [Mr. CLAY] with presenting a bill that has been ill considered. These bills have been considered year after year. It is not a new doctrine or a new idea. The same assertions were made years and years ago when first the doctrine of protection was attempted to be applied. I believe that in the end there will be as much of success in this matter of subsidy to ships as there was in protection to American industry, and I believe that in the years of the future the name of this man, who has stood year after year making it his life's work, will go down with as much of applause and with as much of American gratitude following him as the name of Henry Clay, the great apostle of protection.

It is a sad sight, Mr. President, to see a great nation, such as ours, producing on the farms, in the fields, in the mines, and in the manufacturing establishments more than it can consume, with so small an amount of shipping. We were in the same condition years ago concerning production, and what helped us? Sir, we were helped by this doctrine of protection; we were helped by the great American system that stands to-day, under which our nation has grown great and strong and healthy and prosperous. It is demanded upon all sides. Then, why not follow this by making good this other defect, by increasing American shipping by the same principle that you have applied to other industries.

Sir, it is doubly necessary that you do this. Why? It is contended everywhere, and I believe it is true, that the subject of American wages is dependent upon the protective policy. It has been asserted time and again that without that protective policy American wages would go down in the scale and the wages of foreigners would go up. If that be true in one direction, if wages in one department be elevated, then they will be elevated in other departments, and the wages which American shipbuilders pay will be larger than those paid in Great Britain and in other European nationalities.

Not only that, Mr. President, but it is not a new policy in other directions. The nations of the world which have tried ship subsidy have succeeded in building up their merchant marines, while we, being idle in that direction, have lost the trade of the world.

Our friends say that we should not subsidize ships for the carriage of the mails. It is not a new doctrine to pay subsidies for carrying the mails. We have had one subsidy after another upon the American continent, one of which, you will remember, comes before Congress every year and causes a great debate. It has been gone over time and again. There is a subsidy given to the railways which complete that great chain of intercommunication, making the North and the South one, by which the Southerner down by the Gulf has it in his power to read the New York papers the next morning after they are published. I believe in that subsidy. I believe it is good to have that subsidy. I believe that it benefits the country, as well as the railroads, to have that subsidy. It brings our people closer together, and it binds them, as it were, section to section, as one man. But if a subsidy is right upon your own land, why should it not be right when your ships go out upon the ocean to carry American mail to foreign lands?

I for one say there is every reason that we should so build up American shipping by such subsidies for the carrying of the mail, so that we can as the years go along regain inch by inch the ground we have lost in these matters, and that after a while the time will come when the products of the American manufacturer, when the products of the American farmer, and all that the American produces will be carried in American ships. The one is as much entitled as the other to this protection.

Why did we lose our supremacy upon the sea? In the first place, the people of the New England States, as you know, from the very beginning of the National Government took to the sea and engaged in the building of ships, and we had a great and prosperous condition of our merchant marine; but the embargo killed that, and it was years and years and years before we recovered enough to be able to say that the American shipper and American shipping once more were prosperous. Then came the great civil war, and the civil war practically wiped out American shipping. There was nothing of it left, so to speak. Then, from the time of the civil war until now, our people have been engaged with great and burning questions, one after the other arising and sweeping this aside. We took to them and we settled them one by one, and one of the greatest was the reestablishment of the doctrine of protection.

From 1865 to 1902, whenever this doctrine was in force, America was prosperous, and whenever this doctrine was stricken from the statute books and another placed in its stead there was a gradual decline of all that we did produce. All these things were improved, and therefore this matter of shipping was neglected. But great minds go ahead of the nation, and one of the great minds of this country devoted himself to this magnificent scheme, gave years of his life to it, and, whatever you may say, he did not present an ill-conceived and ill-digested bill. It is a bill of which he may be proud, and it is a bill upon which he may rest his fame when he leaves the Senate.

Mr. President, I do not agree with the Senator from Georgia that the farmer has no interest in this matter. The farmer is as much interested in building up the merchant marine of this country as any other class of citizenship in the country. Do we not know that the wheat of this country supplies the world, and why should he not be interested in it? It may not go in a certain kind of ship as wheat—it may go there as flour—and yet the farmer is interested, because unless the grain is raised in this country and transported out of it the flour will not be necessary.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BERRY. Mr. President, it is not my intention to discuss this bill any further than I discussed it the other day. I should not say anything at all were it not for some remarks made by the Senator from New Hampshire [Mr. GALLINGER] in regard to the Mississippi River and its improvement. I was somewhat surprised to hear the Senator from New Hampshire make the remark, and for the reason that he is a member of the Committee on Commerce, and he has been most liberal in voting for improvements of rivers and harbors all over the country, and has never, so far as I know, shown any disposition to be sectional in those votes.

There is another reason. The Senator from New Hampshire was on a committee of which I also had the honor to be a member, which went from the head of the Mississippi River to the Passes at the Gulf. He is more familiar with that river than a great many of those who live in the section from which he comes. I was therefore greatly astonished that he sought to show any connection between the river and harbor bill and the bill now pending before this body. There is no more connection and no more reason why the comparison should be made or why it should be claimed that they are of the same character than there is to say that the pension appropriation bill, or any other bill, utterly disconnected with it, should also be considered in this connection.

Mr. President, it has seemed to me, because other Senators have heretofore referred to the appropriations for the Mississippi River, that there is something of a disposition to claim that those who come from that section of the country, because the rivers there get a part of the river and harbor appropriation, are under peculiar and special obligations to some one, and that they are thereby estopped from opposing other measures which they do not think for the best interests of the Government of the United States. I think that is unfair. The river and harbor bill is the only bill the appropriations of which are anything like equally distributed throughout all sections of the United States. There are $147,000,000 appropriated every year for pensions. The great bulk of that money goes to the North and East, and none to the Southern country. The great amount appropriated for the building of our Navy is all expended on the Northeast Atlantic coast or upon the Pacific coast. No part goes to our section of the Union.

I think it is not altogether generous to make these references, because in one bill and only one that section of the country gets some proportion of the money appropriated by Congress, and even in that bill the large part of the amount goes to the country north of Mason and Dixon's line. I think it is unfair on every occasion when Senators from that section see proper to oppose other bills that we should be constantly reminded that a certain amount is appropriated for the Mississippi River. I am happy to say that the chairman of the Committee on Commerce has never indulged in an argument of that kind. I wish to say further that there is no man in this Chamber who has been more liberal and more generous to that part of the Union than the distinguished chairman of the Committee on Commerce, the Senator from Maine.

I repeat, that the river and harbor bill is not involved in this matter. When it comes before the Senate, if there is any part of the appropriation to that section of the Union which ought not to be made, it will be perfectly legitimate and proper to discuss and oppose it. To that I do not object. But I do say that each Senator upon this floor has a right to judge of any particular bill which comes here, and it is unfair to remind him that in some other measure a portion of the appropriation goes to the country from which he comes, or that he votes for that portion of it. I desire that the river and harbor bill shall stand by itself. I have always voted for the appropriations for the Great Lakes, and for improvements in Michigan and Wisconsin and New York and Massachusetts, and I do not feel that that has anything to do with the present bill.

As I said, I do not desire to discuss this bill further. I have already said what I have to say. There is one point, however, which has been raised, and it has not been answered, and that point is that the bill does not require the building of a single ship at any shipyard in the United States of America. This money can be paid out to the lines which now exist. The most part of it can be paid to those fast steamers, and the subsidy part to all steamers engaged in foreign commerce, and there is nothing whatever in this bill which makes it obligatory upon those companies to build another vessel in the United States. It seems strange to me that Congress should vote this large amount of money when it may be that not an additional vessel will be built. The Senator from Maine hopes they will be built; he hopes the bill will induce capitalists to build vessels; but I repeat that there is nothing in the proposed law which now compels them to build such vessels in our shipyards, and the present ships can take this money from the Treasury and no additional ships will float under the American flag. I do not say they will not be built. I say it is a matter of speculation. It is a matter of hope. But there is nothing in the bill as far as I know which will compel their building. That, it seems to me, should be a fatal objection to the bill, if there were nothing else.

Other points were well made on Saturday evening, that there is no limit to the amount of money which shall be expended in any one year and that there is no limit to the time within which the law shall remain in force. There is no limit to the time when the Postmaster-General may continue to make contracts. The mail may be carried now in 20-knot ships. Later it may become necessary to carry it on ships of greater speed—25 knots, for instance—and yet these contracts will be in existence and there will be no power to change them until the end of the fifteen years for which the contracts are made.

This is all that I desire to say. The bill is badly constructed. It does not seem to me that it will accomplish the purpose desired. It is unjust in the amount and in the time, and it is unfair. I will not repeat the argument I made the other day, which it seems to me can never be answered, that it is an appropriation to individuals or corporations already owning ships and an appropriation which will not compel the building of other ships.

Mr. PERKINS. Mr. President, in my remarks the other day I exhausted what data I had, and did not intend to say another word relative to the provisions of this bill, and I would not do so now but for the fact that my friend the Senator from Arkansas [Mr. BERRY] has referred to the river and harbor bill, of which I

made mention, and I refer to it now in the absence of the Senator from New Hampshire [Mr. GALLINGER].

First of all, we are all in favor of the river and harbor bill. We are in favor of improving the great harbors of the country—the harbors on the Atlantic and the Pacific coasts, and the Gulf ports and the coast ports. The only point is that we think, after we have spent these hundreds of millions of dollars in improving our harbors, we ought to encourage American shipping to enter our ports and to have the benefits of the improved harbors as well as the subsidized ships of foreign countries.

We spend hundreds of thousands of dollars annually in building and maintaining light-houses and light-ships, in establishing beacons and buoys to guide into our ports the ships that are subsidized by England, by Germany, and by France to carry away the products of our country. It seems to me, profiting by the experiences of those countries, we should do something to build up our own commerce, to restore and rehabilitate the merchant marine of our own country, that we may enjoy again, as we did for so many years, the privilege of transporting at least the products of our own country.

As I endeavored to explain a few days since, from my own observation and experience we permitted that to pass from us by our own inactivity, by our own indifference. The bill before us, which has been carefully digested, notwithstanding the remarks of my friend the Senator from Georgia, and considered by the Committee on Commerce, we believe will remove the inequality in conditions in the building and operation of ships which now exists between the ships of Germany, and of England, and of France and those of the United States.

My friend the Senator from Georgia read the manifest of what American ships do not carry, or rather he took it from the CONGRESSIONAL RECORD containing a copy of the manifest of a ship. He might have gone on and enumerated the 253 articles which we have upon the free list and said that none of those were upon the manifests of the four great American ships leaving New York. Now, as a matter of fact, these four ships belonging to the American line exported last year from the port of New York to ports in England $20,000,000 in value of farm products, and I have here a detailed statement, which I will ask to have put into the RECORD with my remarks, showing the exports.

STATEMENT WITH REGARD TO CARGOES OF FAST AND SLOW BOATS.

The cargoes of the American Line steamships, New York to Southampton, since January 1, 1900, have averaged 1,411 tons dead weight, of an average value (exclusive of specie and according to the sworn statements of shippers) of	$444,613	
A 10,000-ton steamship of 10 knots speed would carry, approximately, 12,000 tons of wheat, worth 75 cents per bushel, or $28 per ton, or for the entire cargo	336,000	
Difference in value of cargoes in favor of fast boat		108,613
The fast boat would probably make 12 voyages per year and would at the same rate carry per year in value of exports	5,335,356	
The 10,000-ton 10-knot ship would probably make 8 voyages per year and carry in total value of exports of wheat at same rate	2,688,000	
Difference in values of exports per year in favor of the fast boat		2,647,356

The express ship would therefore carry out of the country in a year about twice the value that the 10-knot ship would.

Who says that is not a benefit to the farmers, to the producers of the country? This whole bill is conceived in the interest of the American people, and you can not benefit one industry without all being correspondingly benefited, directly or indirectly.

My friend the Senator from Missouri [Mr. VEST] a few minutes since criticised the bill with that elegant sarcasm which we all so much admire, for his words cut like a keen scimeter. He stated that the subsidy will go to some dozen shipowners and American ships now built and operated. Why should it not do so? These ships were built in our own country by American mechanics. They were built from iron and steel from our mines; built from the timber that comes from our forests; and the people who fashioned them and built them are citizens of our own country, raising their families in the little villages and towns adjacent to these great mills and factories, paying their taxes for the support of public schools, educating their children, sending them to church, teaching them the duties of American citizenship.

That is what this bill has in view. It is to build up the great shipping industry of this country. When I was a sailor boy, from Maine to Savannah every port on the coast was alive with shipbuilding. We then had the monopoly of the ocean, so to speak. But there can be no monopoly on the ocean. My friend the Senator from Georgia charges that there can be, and that this bill creates it. He has failed to show, however, where any steamship company or any transportation company is operating its vessels under some particular franchise. There is no single track on the ocean. It is nature's great highway, and I earnestly believe that if this bill becomes a law the farmers of this country will be shipowners, that the merchants and the clerks and the mechanics will own an interest in vessels. There is not a vessel to-day sailing out of the port of Liverpool which is not owned by from 20 to 40 different persons. What is known as the ship's husband, the managing owner of the vessel, projects a ship and plans her and then he sends out into the community, to clerks and merchants, and each one takes a certain interest in the vessel. This bill will encourage our own people to do that very thing, and in doing it we will all be benefited thereby.

Both of my friends—the Senators from Georgia—seem to have taken a great interest in the shipping bill. I suppose it is because we buy of them all our yellow pine and a great deal of other material that goes into ships. We send money to them for the productions of that splendid State. We are taking their cotton and transporting it cheaper than it has ever been done before. We are, as the Senator from Maryland [Mr. WELLINGTON] has said, giving an increase mail subsidy of a hundred and five thousand dollars per annum just to get the mail to their doors six hours earlier than it would go in the ordinary course. They have no hesitancy in asking us to cooperate and to vote with them on such a proposition.

Mr. President, this should not be a party question. I can not understand how it is made a party or a political question. It is one of general interest, in favor of the welfare of this great industry of our country, and I can not see why our friends on the other side insist upon making it a party question.

One of the objections just urged is that the bill can not be repealed. Mr. President, as I said a few days since, the Republicans, when they had the majority, passed a tariff act giving 2 cents a pound upon all sugar produced in this country, either from cane or from sugar beet. Congress made a contract for fourteen years that the Government would pay this amount of money to any firm or company or refinery producing sugar of 90 per cent polariscope test. Three years later, in the whirlpool of politics, political complexions of Congress was changed, and, although the law had been in force only three years, from 1891 to 1894, it was repealed, and no redress was given to those who had invested their money in that industry in Michigan, in California, in Colorado, and in other States. The law was repealed, and the only satisfaction those people got was the statement, "You knew it was within the power of Congress at any time to repeal the act whenever it deemed it expedient or advisable to do so." So it is with this bill. There is no necessity for fixing a time limit.

Mr. BERRY. Will the Senator permit me for a moment?

Mr. PERKINS. Certainly.

Mr. BERRY. That remark is correct so far it applies to the second clause. Congress can repeal it, and there is no remedy. In regard to the first, the specific authority is given to the Postmaster-General to contract for a period not exceeding fifteen years.

Mr. PERKINS. I can not conceive of any specific contract more binding, more sacred, or which should be more honorably observed, than an act of Congress whereby it pledged this Government that for fourteen years it would pay 2 cents a pound for every pound of sugar produced in the United States. If such a contract as that can be violated with impunity, and it was so done, so will this be if our Democratic friends get into power; and they will doubtless do so in time. The pendulum swings one way and then the other. They will doubtless repeal this act, and then the people will rebuke them at the polls, as they did after they repealed the act to which I have referred.

The senior Senator from Georgia [Mr. BACON] I was about to say consumed last Saturday 13 pages of the CONGRESSIONAL RECORD with tables giving the names of vessels, tonnage, capacity, speed, etc. He could have found it all or nearly all in the very able report of our Commissioner of Navigation, which is an encyclopedia of knowledge on nautical affairs and all that relates to the maritime affairs of our country. But he could have done better by four lines, and stated that out of 29,091 vessels of the whole world recorded in Lloyds only 383 are ocean steamers of 14 knots or over and 2,000 tons or over. Of these 383 about two-thirds belong to subsidized foreign mail steamship companies. His tables in some instances contradict his own statement about the large share of exports carried by vessels under a thousand tons. His Savannah ships average nearly 3,000 tons. Only 14 out of the 133 Galveston ships he named are less than 2,000 tons. The 60 steamers on his first Boston list average over 5,000 tons.

My friend is a student of political economy. He is earnest and zealous in everything he undertakes to investigate. He is always courteous, kind, and considerate. It is a pleasure to discuss this question with him. But it is always well to be sure you are starting on the right basis from which to reason. He has that delightful but specious way of presenting a proposition which hypnotizes us for the time being. But the premises from which he reasons are not always correct, and so it was surprising to me that he should state that a very large amount of our export trade is carried in ships under a thousand tons. The fact is that the average size of the steamers carrying our exports is about 4,000 tons. I

think it is safe to say, judging from the tables which I have examined—the Senator himself disclaimed any personal knowledge of them—that, to use a nautical term, the author of those tables has allowed a great splendid margin for leeway, and that upon investigation he will find that there is no information given in them which can be of any benefit to us whatever. He might as well have put in a half dozen pages from a nautical almanac, so far as any information there is of benefit to us.

I merely wish to say one word in answer to the Senator from Colorado [Mr. PATTERSON] relative to the crews of vessels. I am in accord with him in a measure. This bill is intended to build up American shipping, to the end that the Stars and Stripes may be carried at the peaks of vessels, which are missionaries of commerce. We have built up a splendid Navy, and we are respected and honored abroad to-day more, if that is possible, than we are at home. Every ship that goes out laden with the products of the American farm, the American loom, or the American machine shop is a missionary of commerce and a missionary of trade. It carries to foreign countries what this great Republic is doing for civilization and for humanity. I believe in American or Caucasian crews. I believe the provision in this bill whereby a ship is compelled to carry, for each thousand tons, an apprentice in the mate's department, which is the navigating department of the ship, or one in the engineer's department, which is the propelling department, the great force that takes the ship along, is a wise one.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. PERKINS. I wished to say something about the Caucasian sailor, but we will take it under advisement, as the lawyers say.

Mr. MCLAURIN of Mississippi. Mr. President, if there is no other Senator on this side who desires to address the Senate at this time, I wish to take about five minutes in reference to some figures that were presented by the Senator from Ohio [Mr. HANNA] a few moments ago. I could not catch the exact figures, but I believe I caught them sufficiently for the purpose which I intend.

As I understood those figures, they are to show that the customs receipts collected in a certain period in this country, I believe it was stated from 1871, but I will not be sure about that, were something over $5,000,000,000, and that during that time there was paid for carrying the commerce of the United States something over $5,000,000,000, a little more than the amount of the customs receipts collected at the custom-houses of the United States. The purpose of that, if I caught it, was to show that we are paying out more money to foreign countries than we are receiving. Further than that, as I understood it, the Senator claimed that the amount of money which was collected for customs was paid to us by foreign countries; that the amount we paid to foreign bottoms offset that, and left a surplus in favor of foreign countries.

In the first place, the customs tax is not paid by the foreigner, by the importer, but it is paid by the consumer. But granting, for the sake of argument, that it is paid by the foreigner and that it is not paid by the American consumer, then we pay about $5,000,000 a year, if I caught his figures correctly, more for carrying our commerce than foreigners pay to us in customs for the purpose of running our Government. That is the idea. To show that we are not paying to the foreigners more than we are receiving, I notice that the figures given by the chairman of the committee, the Senator from Maine, in a speech on the 3d of March, show that last year we exported $1,487,000,000 worth of produce and that we imported $882,000,000. This leaves to our credit $588,000,000. So, if we are paying for the carrying of our commerce to foreign countries $5,000,000 more than they are paying for the privilege of importing their commerce into this country, we are receiving one hundredfold more than they are receiving.

I just wanted to call attention to this to show that, taking the position which seemed to be taken by the Senator from Ohio—that the importation tax is paid by the foreign producer instead of the domestic consumer—we are receiving one hundred times more in the way of balance of trade than we are paying for the carrying of our commerce.

This is all that I intended to say, but while I am up I wish to call attention to one feature of the bill that has impressed itself upon my mind. According to the provisions of the bill a ship carrying 10,000 registered tons, at 20 knots, from this country to any port 5,000 miles from here, in going and returning, will receive $27,000, if it is a ship that has made a contract with the Postmaster-General for the carrying of the mails, but if it is a ship that has not a contract with the Postmaster-General for the carrying of the mails it receives $12,500 for the round trip.

I repeat, a ship of 10,000 tons going at the speed of 20 knots carrying mail under a contract with the Postmaster-General receives $27,000 for 10,000 miles, going and coming, whereas a ship of the same size, the same make, and the same speed, that has no contract with the Postmaster-General, receives $12,500, or $14,500 less than the ship that has the mail contract. That is calculated to destroy competition.

Not only is this to be the case, but a ship that has no contract can be compelled to carry the mail free of charge before it receives any of the subsidy, so that while the other ship carries the mail under a contract and receives $27,000 this ship may be compelled to carry free before it can receive a bounty, if it is required to do so by the Postmaster-General, and then it is to receive a bounty of only $12,500. As I said, that is calculated to destroy competition. It will not do to say that there is a benefit to the producer of corn, and wheat, and cotton, or anything else that is to be shipped abroad in destroying the competition that exists between the ocean lines.

This is about all that I desired to say.

Mr. SCOTT. Mr. President, I shall detain the Senate only a moment in regard to this bill. I have always been a protectionist per se, and believing that the bill is in the line of protection I shall certainly support it heartily. While I believe that it is a measure in the interest of the entire people of the United States and of the commerce of this country, I also believe that it is in the interest of my State and my people. I have been a manufacturer for the past thirty-five years. I have been protected by a protective tariff of 40 per cent upon the articles that I manufacture, and by reason of that protection I have given to the consumers of this country a reduction in price of, I think, over 150 per cent.

I believe, as I stated, in protection because I am convinced that it has brought about the prosperity we are now enjoying in this country. I believe it is a policy that has been for the upbuilding of this country in every respect. I believe the bill as it is proposed, with perhaps some amendments, is the best measure that can possibly be devised for the benefit of the people of the State I have the honor in part to represent. We have the shortest haul to tide water for coal and hard timber of any State in the Union.

I believe if we encourage the building of ships to carry abroad our coal and other products of our States, it will be largely to our advantage.

For these reasons, and others that are numerous and which I might mention, I shall give my hearty support to this bill.

Mr. FRYE. Mr. President, I am neither physically nor mentally in any condition to make a speech. In trying to avoid the Charybdis of smallpox I ran into the Scylla of vaccination, and which is the more painful I am unable to determine. There are some things, though, it seems to be necessary I should say.

A Senator just handed me a moment ago a communication from a Chicago paper. I do not know why newspapers should make the mistakes they do when we have such bright reporters here at Washington:

> The recent debates in the Senate on the Frye ship-subsidy bill have elicited from its author the fact that it is open to one very grave objection, which hurt the Hanna bill of last year. It will give large sums from the Treasury to a few ocean greyhounds, but will not encourage the building of economical cargo carriers.
>
> This Mr. FRYE has admitted, and to those who look for general public benefits and not merely to the profits of a few shipowners, the admission is bad for the bill.
>
> "The bill of 1891," said Mr. FRYE, "was a dead failure. We succeeded in getting one new line under it." In fact, we got just two new steamers built in American yards and two built abroad. Yet of the subsidies proposed by his bill Mr. FRYE went on to say: "Below 16 knots there would not be any increase over the present. Indeed, the price will be lower than under the present law."
>
> That is, while the act of 1891 increased our mercantile marine only by four ocean greyhounds, the proposed law may give us more ocean greyhounds, but will tend even less to add cargo carriers.

Why could not the editor of this newspaper, if it was the editor, have recognized the fact that when I made that statement I was talking in relation to the postal subsidy article of the bill. In relation to that I said what I am purported to have said here, but I had not the slightest reference whatever to article 2 of the bill.

I say now, and I want to say it to the Senator from Missouri [Mr. VEST], that in my deliberate judgment the subsidy which is provided for the ordinary freight ship outside of the postal subsidy ship is as valuable to it as the postal subsidy is valuable to the mail ship. The ordinary American freight ships which are to receive the subsidy here are divested from all the extraordinary requirements of the postal subsidy ship. They must be built under the supervision of the Secretary of the Navy; they must be inspected by a board of officers appointed by the Secretary of the Navy; they must be so constructed that they shall be able to carry certain guns, increasing the expense of their construction very largely; they must, in fact, be in condition on call by the Government of the United States to take their places as the auxiliaries of the Navy. The four American liners were in that condition when the Government called for them. No such requirements are made of the ordinary freight steamers under article 2 of the bill.

Then, again, and I call the attention of the Senator from Iowa [Mr. ALLISON] to this, those postal subsidy ships are requred to be of the highest rating known; that is, above A1.

Mr. ALLISON. Up to class five, for five of the classes.

Mr. FRYE. The two classes are not intended to be auxiliaries of the Navy.

Mr. ALLISON. Two classes are not included?

Mr. FRYE. Two classes are not included. Sixteen up to 20, inclusive, are required to be of the highest rating known. That is recognized by the various bureaus. For instance, one has the letter A with two bars across it; another has AA1, and in various ways they recognize the degree of completion of construction and all that sort of thing. No such requirement is had of these average rate steamships.

Mr. CULBERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Texas?

Mr. FRYE. Certainly.

Mr. CULBERSON. With reference to the subject the Senator is discussing, I desire to invite his attention to section 4 of title 1 of the bill. I ask him if there is any requirement that the steamships of the first five classes already constructed shall be fitted out as cruisers.

Mr. FRYE. Does the Senator mean the four liners?

Mr. CULBERSON. The first, second, third, fourth, and fifth classes. To make myself clearly understood, let me read from the bill:

SEC. 4. That all steamships of the first, second, third, fourth, and fifth classes, employed as above and hereafter built, shall be constructed with particular reference to prompt and economical conversion into auxiliary naval cruisers, etc.

I do not understand that that provision applies to the ships that have heretofore been constructed.

Mr. FRYE. The act of 1891 applied to those ships. They got their postal contract under the act of 1891, and they are still under that contract, and will be up to 1905.

Mr. President, this is all I desire to say in relation to that matter. It is a mistake of a newspaper, that is all there is to it, and on a mistake they think the bill ought to be defeated.

Another matter to which I wish to call the attention of the Senate was also brought to my notice a few moments ago. I received a letter from Edward J. Livernash, I should say it was for the California commission, in which he calls upon me to declare in favor of an amendment offered to this bill by the Senator from Colorado [Mr. PATTERSON], and gives me the distinguished honor of saying that if I will advise the acceptance of that amendment, such is my influence in the United States Senate, it will be promptly accepted.

Mr. PATTERSON. I desire to state that Mr. Livernash is a member of the California commission sent to Washington to look after the question of Chinese exclusion.

Mr. FRYE. Mr. President, in my present condition of mind and body I hope I will not be interrupted any more, because when interrupted I can not talk consecutively; I can not do what I wish.

I wish I could comply with the request of this gentleman, but I can not, and I do not believe that it ought to be complied with. I do not believe that Europeans or Americans can be found in the voyages to China and to Asia generally who in that climate will take the places of Chinese in the engine and the fire rooms. I do not believe they can live there, where the heat goes to 140 at times. They live on ships of war, I admit, but ships of war go into those ports and lie there from month to month, and though kept at work in the fire and engine rooms they have the privilege of the deck and they can get all the opportunities for fresh air they desire. These men on the merchant ships have to be there day after day, night after night, and a white man can not stand it, in my judgment. I believe if this amendment should be placed upon the bill it would be simply in one hand the pipe of peace, in the other a tomahawk, and if the pipe of peace was accepted then the tomahawk goes into use, and you destroy the lines upon the Pacific Ocean.

I have great hopes, as I said in my opening speech, that there can be two or three great lines established from the Pacific coast to the Orient in the interest of the extension of commerce, but I would greatly fear if that amendment was adopted the lines never would be established. I believe if that amendment is adopted Mr. James Hill, who is building two great ships now at New London, in the State of Connecticut, will find that it becomes absolutely necessary for him to put those ships under a foreign flag in order to employ Chinese in the fire and the engine rooms.

Every German contract in the Pacific Ocean, and those contracts are very close, provides that Asiastics shall not be employed on those ships unless for sanitary reasons it becomes necessary to employ Chinese in the engine and in the fire rooms, and they employ them in the engine and fire rooms for sanitary reasons. The French undertook to provide that Chinese should not be employed on their ships. It lasted but a short time, and the French were obliged to repeal that provision and permit their employment. Why it should be undertaken here to prevent American vessels under the American flag from employing the only men practically who can live in the fire rooms in the Tropics is beyond my comprehension.

I say I sympathize with labor as much as the Senator from Colorado [Mr. PATTERSON] does. I sympathize with men who work for their living, and the most of us I think do that. I think there are few laboring men in this country who work as the Senators in this body from the great West work every day of their lives.

Mr. PATTERSON. Mr. President——

The PRESIDING OFFICER. The Senator from Maine declines to be interrupted.

Mr. PATTERSON. I could give the Senator an illustrious example of the very thing he says can not occur.

Mr. FRYE. I think that laboring men are just as likely to be mistaken in their demands as we are in our demands. In my judgment the laboring men of this country who are demanding that this provision be placed in the bill are mistaken.

When the Chinese war broke out there were two great factories in my own neighborhood shut down through the entire revolution because their exports of cotton goods were cut off from China. If we are to have hereafter an extension of our commerce in the Orient—and that is the place of all other places for us to look for it—then it is in the interest of laboring men, because with our enormous production of manufactured and other goods there is danger at any time of a surplus on our hands; and the moment there is a surplus we can not dispose of, that moment there is stagnation at home, capital without profit, and workingmen without wages. It is the interest of the workingmen to extend our commerce and to prevent a surplus from becoming a stagnation to us in this country.

Now, Mr. President, this is an anxious hour for me, and, I think, justifiably so. For almost a quarter of a century I have been trying to solve the problem how to restore the mercantile navy of ours in the oceans of the world. I have taken more interest in it than in any other subject, and I have given it more thought and more care than I have given to perhaps all other subjects. Much good has been accomplished, and yet the decline kept on and on. The Senate Committee on Commerce has never yet rejected a bill in relation to ships which I presented in the Senate. Every one has been reported to this body, and such has been the confidence of the Senate in the Committee on Commerce that there has never yet been a bill reported from that committee relating to ships which has not passed this body except one, and that one we were not permitted to have a vote on. We removed in a single bill several million dollars' worth of burdens from American ships. It passed both branches and became a law.

I remember when John Roach's ships were on the line between New York and Brazil and were suffering terribly, when Brazil was paying a line $100,000 a year and we were paying it about $3,000 a year for carrying our mail, the Committee on Commerce authorized me to report an amendment to the Post-Office appropriation bill making an appropriation of $500,000 or $600,000, and it became a law. We had a Postmaster-General at that time who believed in free ships, and he refused to pay out the money for the purpose for which the appropriation was made. He resorted to two statutes then upon the statute book which authorized the Postmaster-General to seize and compel any American vessel to carry the United States mails anywhere for sea postage. At the very next session of Congress the Committee on Commerce authorized me to report a bill repealing those two statutes. It was reported and became a law.

This went on year after year, and there were bills passed and became laws which were in the interest of American shipping, and yet the decline kept on; nothing was accomplished. It became evident to me in 1890 that the disease was so deep the remedy must be more drastic infinitely than anything ever proposed up to that time. I spent about six months' time over the postal-subsidy bill in 1890. I sent all over the country for experts, simply for the purpose of finding out what rates in the mail service would be required to secure American lines of ships to foreign countries. The bill was finally completed and reported, I think, in 1891 to the Senate.

At the same time I prepared and reported, by the authority of the committee, to the Senate a bounty bill, or an ocean subsidy bill like this, only the subsidy was considerably higher than in this measure. It was 3 cents for the outward voyage. This is a cent for the entire voyage and a cent and a quarter on ships hereafter built. Those bills came before the Senate. They were together discussed here in the Senate. The Senator from Iowa [Mr. ALLISON] voted for them, the Senator from Colorado [Mr. TELLER]

voted for them, the Senator from Wisconsin [Mr. SPOONER] voted for them, and they passed the Senate.

The Senator from Missouri [Mr. VEST], in his speech the other day, talked about the roseate hues which I presented to the Senate, of the promises of those bills to the country, and then he asked, "What kind of a prophet is the Senator from Maine when he himself admits that the bill was a dead failure?" The Senator from Colorado says that the bill was a failure; the Senator from Wisconsin says that the bill was a failure, and the Senator from Maine says that it was.

Now, why? None of these Senators say why. Because the bounty bill, after it passed the Senate and went to the House, was defeated in a Democratic House by two or three majority, and the postal subsidy bill was amended in the House of Representatives by striking down by one-third the rate which had been provided for with such care. It came back to the Senate on the last day of the session and in the last hours of the last day of the session, when it was too late to have a conference, and it was only for that reason it was accepted at all.

Now, one of those bills was destroyed and the other was mutilated, and I am responsible and am no longer to be treated as a prophet because I said they would place our flag upon the ocean. They would have placed the flag upon the ocean if both bills had become a law as they passed the United States Senate. I had the promise of a line to Brazil. I had the promise of one line to the Pacific if that bill became a law. It practically proved a dead failure, simply because an amendment in the House of the postal subsidy part of it made it a failure and because the other measure was defeated entirely; and I warn Senators who are in favor of doing something for the American merchant marine to lookout for the amendments offered in opposition to the bill by the other side.

There has not been one of them yet offered in the interest of the American merchant marine, not one. There has not been one yet offered that will not harm, and perhaps some of them would destroy this bill if they should be adopted and become law. Beware of the Greeks when they are bringing gifts. That side of the House never has in the last twenty-five years proposed any remedy for this condition of things except the remedy of the Senator from Missouri [Mr. VEST]—free ships. They rise in their places in the Senate and declare that they are as much in favor of reviving the American merchant marine as we are, as I am, and yet they never come forward with any proposition whatever to revive it except free ships—a remedy, in which I am happy to say, very few intelligent Americans to-day believe.

Mr. TELLER. Will the Senator tell us what he thinks of the amendments proposed by the other side?

Mr. FRYE. I will before I get through; I propose to do so.

Mr. TELLER. I trust the Senator will not forget them.

Mr. FRYE. No; I will not forget them. Lest I may not have time, I will attend to it now. The Senator from Iowa [Mr. ALLISON] offered the following amendment:

The Postmaster-General, until the 1st day of July, 1910, is hereby authorized and directed to enter into contracts for a term not less than five nor more than fifteen years, etc.

That is the first amendment. I accept it without the slightest hesitation. I do not believe that it is at all harmful to the bill. The next amendment offered by the Senator from Iowa is:

Provided, That no contract shall be made under the provisions of this title which shall extend beyond the 1st day of July, 1920.

I recognize that amendment as coming from a friend of the bill, and I accept it without hesitation. The next amendment offered by the Senator from Iowa is on page 4, line 7, as follows:

And every vessel in respect of which any contract authorized by this act shall be applied for or made, shall be of the Class A1 as classified either by the Record of American and Foreign Shipping or the United States Standard Owners, Builders, and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit. All vessels under contract, as provided for in this act, shall be of Class A1 or its equivalent, as hereinbefore in this section mentioned, during the whole period of their service under the contracts provided for in this act.

I do not think the Senator would like to have that apply to ships of 16 knots and upward, because it would reduce their rating, and their rating under the law is higher than A1; it is AA1.

Mr. ALLISON. Just a moment, if the Senator will permit me. It will not interfere with the present provisions in the bill applying to the first five classes.

Mr. FRYE. Then I have not the slightest objection to it, because I do not believe in paying a subsidy to any ship that will not rate A1. I supposed the bill had provided for that. The next is that:

No vessel shall be entitled to the full compensation under this title unless she shall have cleared from a port of the United States with cargo to the amount of 50 per cent of her capacity for carrying commercial cargo, and any shortage in the amount of cargo required and defined as aforesaid shall dimmish the amount of the compensation in this paragraph provided for in the proportion that such shortage bears to the total cargo or its equivalent so required.

I object to that.

Mr. TELLER. Why do you object to that amendment?

Mr. FRYE. I object to it for several reasons. First, it is entirely unnecessary. I venture to say that no Senator here who will examine into the voyages from our ports to ports across the ocean will find a ship that sails without at least half its commercial cargo capacity. When they are short is when they make their return voyages and come in competition with foreign vessels. If they did not carry half of their cargo capacity they could not earn enough to pay the wages of their crews; they could not run three years under the subsidy. If the subsidy, for instance, was $100 it would cost them $175 in wages for the officers and the men. So, practically, in my judgment, the provision of the amendment would not he of the least value.

But that is not the reason I object to the amendment. I object to it because, in my opinion, it is a bounty, and therefore unconstitutional, and the Senator from Missouri [Mr. VEST] rather defiantly called upon me, when he was making his very fine speech the other day, to reply to him at the time. I think the Senator knew that my respect for him was such that I would not interject a speech into his very beautiful address. I did not interrupt him at all, and would not under the circumstances.

During the summer I called into conference with myself in preparing the bill Mr. LITTLEFIELD of Maine, a member of the House of Representatives. He was very desirous of a cargo clause like that which the Senator from Iowa has offered, and which was in the last bill; and in two drafts of the bill—the bill has been drafted quite a number of times—that was section 13, the cargo clause. I was opposed to it in the last bill, and I opposed it in these drafts, because I believed it to be indirectly a bounty, that it would be construed in law a bounty, and therefore might imperil the bill. I consulted several of the best lawyers in New England, and they all agreed that it was a bounty and would be so construed in law. But still my friend Mr. LITTLEFIELD did not surrender. He wrote to ex-Senator Edmunds, and Senator Edmunds wrote him in reply:

1724 SPRUCE STREET, PHILADELPHIA, PA.,
November 26, 1901.

MY DEAR SIR: Referring to yours of the 16th and my reply of the 19th—

Mr. LITTLEFIELD had written to Mr. Edmunds twice—

I am able now to say that I have carefully again considered the questions involved in your draft of the suggested section 13 of the shipping bill. I examined the same question a year ago in connection with the proposition advanced by some Western gentlemen that a bounty ought to be granted on the exportation of American products. My reexamination has confirmed me in the opinion that the section can not be safely inserted, although a clause substantially the same was inserted in the last bill, I think.

The first question arising is whether the section would be constitutional if enacted, assuming that the provisions of the bill, including section 13, amount in legal effect to a bounty upon the exportation of goods in American vessels. I do not think that this question depends upon whether the goods exported are of domestic or foreign origin.

In the sugar-bounty cases, as you remember, the Supreme Court evaded deciding the question whether a bounty upon the production of sugar was constitutional or not by holding that the United States by the bounty act and the history that followed it in its repeal, etc., had become bound in morals, honor, and natural justice to make good the losses occasioned by the repeal, so far as Congress had provided for such payment by a succeeding act, and that such act appropriating money to discharge a morally just debt was constitutional. My belief is that when the court is forced to decide the question of the constitutionality of granting bounties for the promotion of commerce it will hold that it can not be done. I came to this conclusion when I was first called upon to express my views about it to the committee of shippers and merchants which had charge of promoting some bill in aid of the expansion of our foreign trade, for, as I recollected, that committee was inclined to legislation that in the very simple way of a bounty on exports would effectuate the purpose.

The next point to be considered is whether the provisions of section 13, in connection with the other provisions of the proposed new bill (which I assume will be in respect of fundamentals, as distinguished from the amount of compensation, substantially like the old one), amount to the granting of a bounty upon the exportation of goods. I regret to say that I am strongly of the opinion that they do. The vessel in respect of which compensation is to be made and in respect of which a certain amount of cargo is made a condition of payment is merely a means of accomplishing certain purposes. Among these purposes are postal facilities, the training of young men to skillful sea service of various kinds, the strengthening of our resources in time of war, and the exportation of goods to foreign markets. Thus it seems to me that at least a part, and indeed for immediate purposes by far the largest and most important part of the compensation to be provided is for the carrying of the goods to foreign markets.

It seems to me, then, that it is impossible to resist the conclusion that this payment does amount, even in strict legal effect, to a bounty. And I think that if another nation with whom we had a treaty providing that if bounties were allowed to its vessels on the exportation of goods our vessels should be entitled to the same bounty, should provide a similar scheme to that now proposed, our Government would be bound to complain that the treaty had been violated, and would feel it to be its duties to make reprisals in every way possible. As you know, our excutive government has in respect of the act of Congress providing for increased tariff on sugar, etc., when a foreign country had granted bounties, has carried that provision into execution in cases far less clear than this one. We have now in force many treaties which would involve us in these difficulties if the cargo provisions were made lower.

* * * * * * *

Very sincerely, yours,

GEORGE F. EDMUNDS.

The Hon. C. E. LITTLEFIELD,
House of Representatives, Washington, D. C.

Now, take the treaty with Great Britain, made in 1815, the second article of which provides that—

The same duties shall be paid and the same bounties allowed on the exportation of any articles the growth, produce, or manufacture of His

Brittanic Majesty's territories in Europe to the United States, whether such exportation shall be in vessels of the United States or in British vessels, and the same duties shall be paid and the same bounties allowed on the exportation of any articles the growth, produce, or manufacture of the United States to His Britannic Majesty's territories in Europe, whether such exportation shall be in British vessels or in vessels of the United States.

Argentine Confederation, article 6:

The same drawbacks and bounties shall be allowed upon importation or exportation into or from the territories of the United States or into or from the Argentine Confederation, etc.

Austria-Hungary, article 6:

And the same bounties and drawbacks shall be allowed whether such exportation or reexportation be made in the vessels of the one party or of the other.

Belgium, article 7:

All premiums, drawbacks, or other favors of like nature which may be allowed in the States of either of the contracting parties upon goods imported or exported shall be likewise and in the same manner allowed upon goods imported directly from one of the two countries by its vessels into the other, or exported from one of the two countries by the vessels of the other to any destination whatsoever.

Bolivia, article 4, same provision as in Austria-Hungary treaty.
Brazil, article 4, same provision.
New Granada, article 4, same provision.
Costa Rica, article 6, same provision.
Denmark, article 3, same provision.
Ecuador, article 4, same provision.
Great Britain, article 2, same provision.
Guatemala, article 4, same provision.
Hanover, article 1, same provision.
Hanseatic Republics, article 1, same provision.
Haiti, article 11, same provision.
Honduras, article 5, same provision.
Italy, article 5, same provision.
Japan, article 7, same provision.
Mecklenberg-Schwerin, article 1, same provision.
Netherlands. article 1, same provision.
Ottoman Porte, article 8, same provision.
Peru, article 7, same provision.
Portugal, article 4, same provision.
Salvador, article 4, same provision.
Venezuela, article 6, same provision.

Mr. President, I do not wish to expose this bill to that very serious question when there is no necessity for it, and when ships will not sail from ports of the United States without carrying cargoes to at least half the cargo commercial capacity of the ship.

Mr. ALLISON. That is all the amendment provides for.

Mr. FRYE. I know that is all it provides for, but that is not what I am afraid of. I am afraid of the Constitution and the treaty question. I do not care anything about the provision as to carrying half cargoes. I hope the Senator from Iowa will withdraw that amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BERRY. I ask unanimous consent that the Senator from Maine may be permitted to speak until 3 o'clock.

The PRESIDING OFFICER. If there be no objection, it will be so ordered. The Chair hears no objection.

Mr. FRYE. I am obliged to the Senator from Arkansas and the Senate for the five minutes.

Mr. MONEY. Will the Senator permit me to ask him a question before he leaves this point?

Mr. FRYE. I want to get through with these amendments first, at any rate.

Mr. MONEY. All right.

Mr. FRYE. The next amendment proposed by the Senator from Iowa is that—

All vessels receiving compensation under this section shall be at least of class A1 or its equivalent, as defined in paragraph (c) of section 7 of this act, during the whole period for which payment is authorized under the provisions of this title.

I do not think that necessary, because, under the general subsidy, the Secretary of the Treasury must find on every voyage that the ship is A1; yet I have not the slightest objection to it if the Senator desires to make that specific provision. The Senator from Iowa also offered the following amendment as an additional proviso:

And provided further, That until July 1, 1907, not more than $5,000,000 shall be expended in any one year under the contracts provided for in this title, and after that date not more than $8,000,000 shall be expended in any one year under the contracts provided for in this title.

And after that date not more than $8,000,000 shall be expended in any one year under the contracts provided for in this title; and the Secretary of the Treasury—

Should that be the Secretary of the Treasury or the Postmaster-General?

Mr. ALLISON. I should think the Secretary of the Treasury.

Mr. FRYE. The proposed amendment continues—

shall make such regulations for the payment of said compensation as will cause any excess in the total amount of compensation earned under this title in any one fiscal year over and above said sums respectively to be deducted pro rata from the total compensation due each person or corporation under this title during said fiscal year.

I have not the slightest objection to that. It is a wise provision.

The next amendment offered by the Senator from Iowa is:

H. Steamers which during their trials have not obtained a minimum speed of 8 knots, half-loaded.

I do not object to that. I do not want any steamer that will not make 8 knots.

The next amendment proposed by the Senator from Iowa is:

I. Vessels which in the same voyage are engaged in traffic exclusively reserved to vessels of the United States.

I do not understand that. Can the Senator in a word or two explain it?

Mr. ALLISON. That refers to vessels in the coastwise trade. That is what I mean.

Mr. FRYE. Does the Senator mean a ship loaded in the Kennebec River, with ice in its hold and with lumber on its deck, bound with the lumber to Washington and the ice to New Orleans, which at New Orleans changes her enrollment and registers and loads with cotton for Liverpool, does the Senator mean to cut off that ship from New Orleans to Liverpool with a load of cotton?

Mr. ALLISON. That is precisely what I mean. A ship engaged in the coastwise trade, I think, should not be permitted to go into one port of the United States and then go to a foreign port on the same voyage and get a subsidy.

Mr. FRYE. Then I do not like the amendment at all, because I can not see any reason why a ship that goes down to New Orleans, no matter how she got there, and then having registered and become a ship in the foreign trade should not receive subsidy from New Orleans—I do not mean from New York or the Kennebec River, I mean from New Orleans to Liverpool. I hope the Senator will not press that amendment.

The next amendment is one proposed by the Senator from Wisconsin [Mr. SPOONER] to insert at the end of the bill these words:

Congress reserves the power to alter, amend, or repeal this act, in whole or in part, whenever in its judgment the public interest shall so require, without in anywise interfering with the obligation of any specific contract then in force which shall have been entered into under the provisions of title 1 thereof.

I have not the slightest objection to that amendment, because, in my judgment, Congress has the right to repeal the act at any time.

The Senator from Wisconsin said there was some doubt as to what this bill would accomplish. There is some doubt about everything. He wanted to do everything, for instance, that I desire to accomplish, and he wanted to do it soon; he wanted ships restored to the ocean, but he was not certain whether or not this bill would do it. There can be no absolute certainty as to what any legislation of Congress will accomplish. That is an impossible thing. The Senator can not tell what the Philippine bill will accomplish; the Senator can not tell what the tariff bill will accomplish. No Senator can prophesy with an absolute degree of certainty as to what is to be the outcome of any legislation before Congress.

I can simply say to the Senate that I probably have given more thought to this subject than any other Senator on this floor—I know I have—and I can say to the Senator that, in my judgment, if this bill becomes a law without any amendment other than those I have already assented to, it will accomplish its purpose and we shall have postal lines to the Orient; we shall have them to South America, and we shall have the general freight ships of the country increasing in numbers very largely. I have not any doubt about it all myself, and if I had I never should have consented, as a matter of course, to the terms of this bill. I suppose, however, my judgment is no better than that of the Senator from Wisconsin.

Now, with regard to people not being able to raise money to build ships because there are no contracts provided for in this bill. The objection to the old bill was that the contracts under the general subsidy would run twenty, thirty, or forty years, and Senators figured out a cost of $500,000,000 or $600,000,000. As I have said, there are no contracts here. But is there ever a contract in a tariff bill? For instance, take tin plate. We put a heavy duty on tin plate. Was there any contract that that duty should remain on tin plate for two years or three years or five years; and did the absence of such a contract prevent men from immediately investing their money in tin-plate factories? Not at all. We put a duty on silk goods. Did that prevent the investment of millions and millions of dollars in the manufacture of silk goods in the city of Paterson? It did not prevent a dollar from going into that business, although that law might have been repealed at the very next session of Congress.

I do not think, Mr. President, that there is anything——

The PRESIDING OFFICER. The Senator's time has expired. The hour of 3 o'clock having arrived, by order of the Senate the vote will now be taken on the amendments submitted and to be presented to the pending bill without further debate.

Mr. VEST and Mr. CULBERSON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri [Mr. VEST].

Mr. VEST. I should like to make a parliamentary inquiry. I understood the Chair to announce a while ago that the pending amendment was that offered by the Senator from Iowa [Mr. ALLISON]. My understanding is that all amendments——

The PRESIDING OFFICER. The Chair will state that the Senator from Iowa has yielded to the Senator from Missouri, so that the amendment of the Senator from Missouri will be first taken up if he desires to present it.

Mr. VEST. I have an amendment which I desire to offer, and I ask for vote by yeas and nays upon it.

Mr. McLAURIN of Mississippi. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. CULLOM. There is no yielding about it. No debate is in order.

Mr. VEST. If the Senator from Mississippi will permit me, I want to offer my amendment at this time, and to have a vote upon it.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. At the end of the bill it is proposed to add the following:

SEC. 21. That the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," is hereby specifically declared to be applicable to the builder, owner, and either or both of them, of any vessel receiving subsidy provided for by this act, and any such vessel is hereby declared to be property in the course of transportation within the intent and provisions of section 6 of the aforesaid act of July 2, 1890.

SEC. 22. That upon complaint made to the Secretary of the Treasury that any person owning, controlling, or operating vessels entitled to compensation under this act which together with the vessels associated with them in any combination, contract, or conspiracy aggregate in tonnage one-third of the total tonnage of all vessels entitled to compensation, or that any person owning, controlling, or operating vessels entitled to compensation under this act which transact business in any port of the United States and together with the vessels associated with them in any combination, contract, or conspiracy aggregate one-third of the total tonnage of all vessels entitled to compensation under this act entering or clearing from such port in the United States during any one year, has entered into any contract, combination, or conspiracy, whatever be the form thereof, for the purpose of controlling the terminal facilities for shipping in any port or ports of the United States, or for regulating or increasing the rates of fares for freight or passengers in trade or commerce among the several States or with foreign nations, or for granting any special rebates or privileges to shippers in such commerce, or for otherwise putting any restraint upon trade or commerce among the several States or with foreign nations, the Secretary shall fix a time and place for hearing such charges and give notice thereof to the persons interested and may require the production before him of any contracts or papers which he may deem material in the consideration of such charges, and any refusal to produce the contracts or papers herein demanded shall be prima facie evidence that the matters sought to be proven by said contracts or papers are true. If, after notice and hearing, the Secretary of the Treasury shall determine in writing that such charges are true, thereupon the right of the person or persons so found violating the provisions of this section, and their assigns, to any compensation from the United States under this act shall immediately cease and determine.

SEC. 23. That any contract, combination, or conspiracy, in whatever form made or entered into, between the persons owning, controlling, or operating two or more shipyards in the United States which have constructed, are constructing, or are capable of constructing, during any one year, vessels aggregating in tonnage one-third of the total tonnage of the new vessels registered and entitled to compensation under this act, for the purpose of limiting or controlling the number, tonnage, classes, kind, or type of vessels to be constructed therein or for regulating in any manner the terms or increasing the prices of construction of such vessels, is hereby declared to be unlawful and void; and any consolidation, absorption, sale, or transfer, by the persons owning, operating, or controlling two or more shipyards in the United States of the capacity aforesaid, of the privileges, franchises, or property of such shipyards for the purpose of limiting or suppressing competition between or among such shipyards or the owners or managers thereof for placing the control of the terms and conditions of such contracts for constructing vessels therein under one management is hereby declared to be unlawful and void. Upon written complaint, filed with the Secretary of the Treasury by any person having a contract or application for a contract for the construction of new vessels in the United States under the provisions of this act, alleging a violation of the provisions of this section, the Secretary of the Treasury shall give notice to the interested person or persons of such complaint and fix a time and place for a hearing upon the charges made, and may require the person or persons against whom the charges are made to produce before him any contracts or papers which he may deem to be material in the consideration of such charges, and any refusal to produce the contracts or papers herein demanded shall be prima facie evidence that the matters sought to be proven by said contracts or papers are true.

If the Secretary of the Treasury shall, upon such hearing, find and determine in writing that any of the provisions of this section have been violated he shall publish such finding and determination in one or more newspapers, not exceeding three in the whole, published in any county in which such violation shall have taken place, and shall also mail to the parties interested, so far as known, a copy of such finding and determination, and thereafter during the continuance of any of the acts, contracts, combinations, consolidations, absorptions, sales, or transfers, or the continuance of any of the acts so found and determined to have been unlawful, none of the persons so found to have violated the provisions of this section shall be entitled to any contract of any kind whatever with the United States, and no officer or agent of the United States shall during such continuance enter into any such contract with such person or any of them; and after such finding, determination, and publication as aforesaid no vessel which may be thereafter contracted for to be built by the owner or persons operating such offending shipyard or shipyards shall be the subject of any contract or compensation provided for in this act during the continuance of the wrong so found and determined.

SEC. 24. That the word "person," or "persons," "citizen" or "citizens," wherever used in the three preceding sections, shall be deemed to include "corporations," "associations," and "partnerships" existing under or authorized by the laws of either the United States, of any State, of any Territory, or of any foreign country, unless otherwise limited by this act.

The provisions of the act to which this is amendatory shall not be construed to interfere with or prevent the enforcement of any law of the United States prohibiting contracts, combinations, or conspiracies in restraint of trade.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Missouri [Mr. VEST].

Mr. VEST. I call for the yeas and nays, Mr. President.

The yeas and nays were ordered.

Mr. SPOONER. Mr. President, I desire to move an amendment to the amendment, if it be in order.

The PRESIDENT pro tempore. It is in order.

Mr. SPOONER. I move to strike out section 23. It is not properly numbered with reference to the bill. It may have been properly numbered with reference to the bill of last year.

Mr. VEST. Mr. President, I neglected to state that I desire to modify the amendment. This amendment was offered to the bill which was pending in the Fifty-sixth Congress, but was not voted on; and the numbering of the sections is, of course, inapplicable to the present bill.

The PRESIDENT pro tempore. The clerks will attend to the numbering of the sections.

Mr. VEST. I understand now that the Senator from Wisconsin moves to strike out that part of the amendment in regard to shipyards. Am I right about that?

Mr. SPOONER. That is correct. I have no right to debate it, but that is the proposition.

The PRESIDENT pro tempore. The Senator from Wisconsin moves an amendment to the amendment, which will be stated.

The SECRETARY. On page 3, beginning with line 9, strike out all of the remainder of the amendment down to and including line 14 on page 5.

The PRESIDENT pro tempore. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question recurs on agreeing to the amendment. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I am paired with the junior Senator from Massachusetts [Mr. LODGE]. I will transfer my pair, and let the junior Senator from Massachusetts [Mr. LODGE] be paired with the senior Senator from Arkansas [Mr. JONES], if it is agreeable to the Senator from Maine.

Mr. HALE. That is entirely agreeable.

Mr. CLAY. The Senator from Massachusetts would vote "nay." I will vote. I vote "yea."

Mr. MARTIN (when Mr. DANIEL'S name was called). My colleague is unavoidably detained. On these votes he is paired with the Senator from Nebraska [Mr. MILLARD].

Mr. DEPEW (when his name was called). I am paired with the Senator from Louisiana [Mr. MCENERY]. I transfer my pair to the Senator from Nevada [Mr. STEWART] and will vote. I vote "nay."

Mr. DILLINGHAM (when his name was called). My general pair with the senior Senator from South Carolina [Mr. TILLMAN] has been transferred by arrangement to the senior Senator from North Carolina [Mr. PRITCHARD], and therefore I will vote. I vote "nay."

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT]. I have made an arrangement with the senior Senator from Wyoming [Mr. WARREN] to transfer our pairs. The senior Senator from Wyoming is paired with the senior Senator from Washington [Mr. TURNER], thus leaving the senior Senator from New York [Mr. PLATT] and the senior Senator from Washington [Mr. TURNER] paired. I will vote. I vote "yea."

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). My colleague is paired with the Senator from Massachusetts [Mr. LODGE]. If my colleague were present, he would vote "yea."

Mr. HOAR (when Mr. LODGE'S name was called). My colleague, as has already been announced, is paired with the senior Senator from Arkansas [Mr. JONES]. I wish to announce once for all that if my colleague were here, he would vote for this bill and against all amendments not accepted by the committee.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

Mr. WARREN (when his name was called). I have a standing pair with the senior Senator from Washington [Mr. TURNER]. As already announced by the senior Senator from Idaho, the Senator from Washington [Mr. TURNER], who is supposed to be against the bill, is paired with the Senator from New York [Mr. PLATT], who is supposed to favor it. Therefore the Senator from Idaho [Mr. HEITFELD] and I will vote now and upon all votes taken upon this measure. I make this statement so that I will not have to announce the pair again.

The roll call having been concluded, the result was announced—yeas 25, nays 48; as follows:

YEAS—25.

Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—48.

Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Quarles,
Clark, Wyo.	Frye,	McComas,	Scott,
Cullom,	Gallinger,	McCumber,	Spooner,
Deboe,	Gamble,	McLaurin, S. C.	Warren,
Depew,	Hale,	McMillan,	Wellington,
Dietrich,	Hanna,	Mason,	Wetmore.

NOT VOTING—15.

Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So Mr. VEST's amendment was rejected.

Mr. VEST. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. In section 6, Title II, it is proposed to insert the following:

Provided, That any vessel purchased or built in a foreign country and the property of a citizen or citizens of the United States, or of any corporation created under the laws of the United States or of any of the States thereof, shall be admitted to registry in the United States, but no subsidy shall be paid to the owner or owners of such vessel under the provisions of this act, nor shall said vessel be admitted to the coastwise trade of the United States.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. VEST. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). I will announce that if my colleague were present, he would vote "yea." I will announce at this time that on all amendments which would tend to defeat the bill or make it better he would, if present, vote "yea." Then he would vote against the bill in any shape.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 25, nays 48; as follows:

YEAS—25.

Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—48.

Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Quarles,
Clark, Wyo.	Frye,	McComas,	Scott,
Cullom,	Gallinger,	McCumber,	Spooner,
Deboe,	Gamble,	McLaurin, S. C.	Warren,
Depew,	Hale,	McMillan,	Wellington,
Dietrich,	Hanna,	Mason,	Wetmore.

NOT VOTING—15.

Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So Mr. VEST's amendment was rejected.

Mr. VEST. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That so many of the various provisions of the Title XLVIII of the Revised Statutes of the United States, entitled "Regulation of Commerce and Navigation," embraced in chapters 1 to 9 of said title, and from section 4131 to section 4305, both inclusive, as either prohibit or restrict citizens of the United States from purchasing ships built in other countries, to be used in the foreign carrying trade of the United States, or which impose taxes, burdens, or restrictions on such ships when owned by American citizens which are not imposed on ships built in the United States, are hereby repealed; and it shall be lawful hereafter for all citizens of the United States to buy ships built in whole or in part in any foreign country and have them registered as ships of the United States, and when so registered such ships so bought shall be entitled to all the rights and subjected only to the same regulations as are now provided by law for the government and management of ships built wholly within the United States and owned and controlled by citizens thereof.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Missouri.

Mr. VEST. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 25, nays 48; as follows:

YEAS—25.

Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—48.

Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Quarles,
Clark, Wyo.	Frye,	McComas,	Scott,
Cullom,	Gallinger,	McCumber,	Spooner,
Deboe,	Gamble,	McLaurin, S. C.	Warren,
Depew,	Hale,	McMillan,	Wellington,
Dietrich,	Hanna,	Mason,	Wetmore.

NOT VOTING—15.

Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So Mr. VEST's amendment was rejected.

Mr. TELLER. I desire to offer an amendment to insert as additional sections what I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Colorado will be stated.

The SECRETARY. It is proposed to insert as additional sections the following:

SEC. —. That the Secretary of the Treasury is hereby authorized and directed to grant registers as vessels of the United States to such foreign-built steamships now engaged in freight and passenger business and sailing from a port in the United States as are of a tonnage of not less than 7,000 tons and capable of a speed of not less than 12 knots per hour, according to the existing method of Government test for speed, of which not less than 90 per cent of the shares of the capital of the foreign corporation or association owning the same was owned January 1, 1902, and has continued to be owned until the passage of this act by citizens of the United States, including as such citizens corporations created under the laws of any of the States thereof, upon the American owners of such majority interest obtaining a full and complete transfer and title to such steamships from the foreign corporations owning the same: *Provided*, That such American owners shall, subsequent to the date of this law, have built, or have contracted to build, in American shipyards steamships of an aggregate tonnage of not less in amount than that of the steamships so admitted to registry, each steamship so built or contracted for to be of a tonnage of not less than 7,000 tons.

SEC. 2. That the Secretary of the Treasury, on being satisfied that such steamships so acquired by American citizens, or by such corporation or corporations as above set forth, are such as come within the provisions of this act, and that the American owners of such steamships, for which an American registry is to be granted under the provisions hereof, have built or contracted to build in American shipyards steamships of an aggregate tonnage as set forth in the first section hereof, shall direct the bills of sale or transfer of the foreign-built steamships so acquired to be recorded in the office of the collector of customs of the proper collection district, and cause such steamships to be registered as vessels of the United States by said collector. After which, each of such vessels shall be entitled to all the rights and privileges of a vessel of the United States, except that it shall not be employed in the coastwise trade of the United States.

SEC. 3. That no further or other inspection shall be required for the said steamship or steamships that is now required for foreign steamships carrying passengers under the existing laws of the United States, and that a special certificate of inspection may be issued for each steamship registered under this act; and that before issuing the registry to any such steamship as a vessel of the United States the collector of customs of the proper collection district shall cause such steamship to be measured and described in accordance with the laws of the United States, which measurement and description shall be recited in the certificate of registry to be issued under this act.

SEC. 4. That any steamships so registered under the provisions of this act may be taken and used by the United States as cruisers or transports upon payment to the owners of the fair actual value of the same at the time of the taking, and if there shall be a disagreement as to the fair actual value at the time of taking between the United States and the owners, then the same shall be determined by two impartial appraisers, one to be appointed by each of said parties, who, in case of disagreement, shall select a third, the award of any two of the three so chosen to be final and conclusive.

Mr. TELLER. I desire to add at the end of the amendment, as a modification thereof, the words:

Provided, That the ships so registered under this provision shall receive no subsidy under this act.

Mr. ALLISON. Where will the amendment come in?

Mr. TELLER. At the end of the whole amendment, I suppose.

Mr. SPOONER. Does the Senator mean to provide that American ships shall receive no subsidy?

Mr. TELLER. The amendment applies to foreign ships admitted to American registry.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Colorado.

Mr. TELLER. Let us have the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. QUARLES (after having voted in the negative). I did not observe at the time I voted that the Senator from Texas [Mr. CULBERSON] is not here. I have a general pair with the Senator from Texas and I will therefore withdraw my vote.

The result was announced—yeas 24, nays 47; as follows:

YEAS—24.

Bacon,	Clark, Mont.	Harris,	Patterson,
Bailey,	Clay,	Heitfeld,	Pettus,
Bate,	Cockrell,	McLaurin, Miss.	Rawlins,
Berry,	Dubois,	Mallory,	Taliaferro,
Blackburn,	Foster, La.	Martin,	Teller,
Carmack,	Gibson,	Money,	Vest.

NAYS—47.

Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Scott,
Clark, Wyo.	Frye,	McComas,	Spooner,
Cullom,	Gallinger,	McCumber,	Warren,
Deboe,	Gamble,	McLaurin, S. C.	Wellington,
Depew,	Hale,	McMillan,	Wetmore.
Dietrich,	Hanna,	Mason,	

NOT VOTING—17.

Clapp,	McEnery,	Quarles,	Tillman,
Culberson,	Millard,	Quay,	Turner.
Daniel,	Morgan,	Simmons,	
Jones, Ark.	Platt, N. Y.	Simon,	
Lodge,	Pritchard,	Stewart,	

So the amendment was rejected.

Mr. ALLISON. On page 1, line 10, after the words "Postmaster-General," I move to insert "until July 1, 1910."

The amendment was agreed to.

Mr. ALLISON. On page 2, line 13, after the word "named," I move to insert the following proviso:

Provided, That no contract shall be made under the provisions of this title which shall extend beyond the 1st day of July, 1920.

The amendment was agreed to.

Mr. ALLISON. On page 4, after line 17, I move to insert:

And every vessel in respect of which any contract authorized by this act shall be applied for or made shall be of the class A1, as classified either by the Record of American and Foreign Shipping or the United States Standard Owners, Builders and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit. All vessels under contract as provided for in this act shall be of class A1 or its equivalent, as hereinbefore in this section mentioned, during the whole period of their service under the contracts provided for in this act.

The amendment was agreed to.

Mr. ALLISON. On page 6, line 1, after the words "Postmaster-General," I move to insert:

And provided further, That until July 1, 1907, not more than $5,000,000 shall be expended in any one year under the contracts provided for in this title, and after that date not more than $8,000,000 shall be expended in any one year under the contracts provided for in this title; and the Secretary of the Treasury shall make such regulations for the payment of said compensation as will cause any excess in the total amount of compensation earned under this title in any one fiscal year over and above said sums respectively to be deducted pro rata from the total compensation due each person or corporation under this title during said fiscal year.

The amendment was agreed to.

Mr. BACON. I have an amendment which is to come in immediately in this connection. If the Senator from Iowa does not object, I will offer it now, but if he prefers I will withhold it.

Mr. ALLISON. I would prefer to close these amendments.

Mr. BACON. All right.

The PRESIDENT pro tempore. The Senator from Iowa proposes an amendment, which will be stated.

The SECRETARY. On page 7, after line 12, insert:

No vessel shall be entitled to the full compensation under this title unless she shall have cleared from a port of the United States with cargo to the amount of 50 per cent of her capacity for carrying commercial cargo; and any shortage in the amount of cargo required and defined as aforesaid shall diminish the amount of the compensation in this paragraph provided for in the proportion that such shortage bears to the total cargo or its equivalent so required. All vessels receiving compensation under this section shall be at least of class A1 or its equivalent, as defined in paragraph C of section 7 of this act, during the whole period for which payment is authorized under the provisions of this title.

Mr. NELSON. Mr. President, I ask for a division of the question. There are two propositions in the amendment.

The PRESIDENT pro tempore. The Senator is entitled to a division of the question. The question will be taken on what is called the cargo clause.

Mr. COCKRELL. Let it be read.

The PRESIDENT pro tempore. It will be again read.

The Secretary read as follows:

No vessel shall be entitled to the full compensation under this title unless she shall have cleared from a port of the United States with cargo to the amount of 50 per cent of her capacity for carrying commercial cargo; and any shortage in the amount of cargo required and defined as aforesaid shall diminish the amount of the compensation in this paragraph provided for in the proportion that said shortage bears to the total cargo or its equivalent so required.

The PRESIDENT pro tempore. The question is on agreeing to the first branch of the amendment proposed by the Senator from Iowa.

Mr. TELLER. On that let us have the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. FOSTER of Louisiana (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. MCCUMBER]. He is temporarily absent from the Chamber. If he were present, I should vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 33, nays 37; as follows:

YEAS—33.

Allison,	Cockrell,	McComas,	Rawlins,
Bacon,	Culberson,	McLaurin, Miss.	Spooner,
Bailey,	Cullom,	McLaurin, S. C.	Taliaferro,
Bate,	Dillingham,	Mallory,	Teller,
Berry,	Dolliver,	Martin,	Vest,
Blackburn,	Dubois,	Money,	Warren.
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	
Clay,	Heitfeld,	Proctor,	

NAYS—37.

Aldrich,	Dryden,	Hawley,	Penrose,
Bard,	Fairbanks,	Hoar,	Perkins,
Beveridge,	Foraker,	Jones, Nev.	Platt, Conn.
Burnham,	Foster, Wash.	Kean,	Quarles,
Burrows,	Frye,	Kearns,	Scott,
Burton,	Gallinger,	Kittredge,	Wellington,
Clark, Wyo.	Gamble,	McMillan,	Wetmore.
Deboe,	Hale,	Mason,	
Depew,	Hanna,	Mitchell,	
Dietrich,	Hansbrough,	Nelson,	

NOT VOTING—18.

Clapp,	Lodge,	Platt, N. Y.	Stewart,
Daniel,	McCumber,	Pritchard,	Tillman,
Elkins,	McEnery,	Quay,	Turner.
Foster, La.	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	

So the first branch of Mr. ALLISON'S amendment was rejected.

The PRESIDENT pro tempore. The second branch of the amendment submitted by the Senator from Iowa [Mr. ALLISON] will be read.

The Secretary read as follows:

All vessels receiving compensation under this section shall be at least of class A1 or its equivalent, as defined in paragraph C of section 7 of this act, during the whole period for which payment is authorized under the provisions of this title.

The second branch of Mr. ALLISON'S amendment was agreed to.

Mr. ALLISON. On page 7, line 4, after the word "vessel," I move to insert "of over 1,000 gross registered tons."

Mr. ALDRICH. So that the the paragraph will read——

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Iowa.

Mr. TELLER. Let it be read as it would read if amended.

The PRESIDENT pro tempore. The clause will be read as it would stand if amended.

The Secretary read as follows:

(a) On each entry, not exceeding sixteen entries in any one fiscal year, of a sail or steam vessel of over 1,000 gross registered tons, 1 cent per gross registered ton for each 100 nautical miles sailed.

The amendment was agreed to.

Mr. ALLISON. After line 13, on page 8, I move to insert:

(h) Steamers which during their trials have not obtained a minimum speed of 8 knots, half loaded.

(i) Vessels which in the same voyage are engaged in traffic exclusively reserved to vessels of the United States.

I ask for a division of this question, in view of what has already been said.

The PRESIDENT pro tempore. The Senator from Iowa is entitled to a division. The question will be first taken on the first clause.

Mr. COCKRELL. Let it be read.

The PRESIDENT pro tempore. The first clause will be again read.

The Secretary read as follows:

(h) Steamers which during their trials have not obtained a minimum speed of 8 knots, half loaded.

The amendment was agreed to.

The PRESIDENT pro tempore. The second clause of the amendment will be read.

The Secretary read as follows:

(i) Vessels which in the same voyage are engaged in traffic exclusivly reserved to vessels of the United States.

The amendment was rejected.

Mr. McLAURIN of Mississippi. I send to the desk the amendment of which I gave notice on the 7th of this month, and I ask for a yea-and-nay vote on it.

The PRESIDENT pro tempore. The Senator from Mississippi proposes an amendment, which will be read.

The SECRETARY. It is proposed to add, at the end of the bill, the following additional sections:

SEC. 16. That in making the contracts mentioned in section 1 of this act, in all cases where the contract shall be with a firm or firms, the contract shall give the names of all the members of the firm or firms, as the case may be, with whom such contract shall be made; and in case such contract shall be made with a corporation or corporations, the contract shall give the names of all the incorporators and stockholders thereof: *Provided*, That in cases of corporations where the number of incorporators and stockholders is so great as to make it cumbersome to include all the names in the contract, it shall be sufficient for the Postmaster-General to make and keep a record of such names.

SEC. 17. That before any owner or owners of any vessel, as specified in sections 6 and 12 of this act, shall receive any of the money in said sections 6 and 12 mentioned, the names of all of the owners and part owners of such vessel shall be given to the Secretary of the Treasury under the oath of some one or more of such owners or part owners; and in case of a corporation, the names of all of the incorporators and stockholders thereof shall be given to the Secretary of the Treasury under the oath of the president of such corporation, if there be a president, and if not, then under the oath of some other officer thereof, and the Secretary of the Treasury shall keep a record thereof.

SEC. 18. That if the contract shall not give all of the names of the members of the firm or firms, or of the incorporators and stockholders, as required by this act, the said contract shall be thereby void.

SEC. 19. That no Senator or Representative in Congress, or President of the United States, or judge of any court of the United States shall be directly or indirectly interested in any contract under this act, or in any corporation having a contract under this act, or directly or indirectly receive any money or thing of value or worth under the provision or provisions of this act, or be directly or indirectly interested in any corporation or vessel a beneficiary of this act.

The PRESIDENT pro tempore. On this amendment the Senator from Mississippi demands the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. FOSTER of Louisiana (when his name was called). I am paired with the junior Senator from North Dakota [Mr. McCUMBER]. If he were present, I should vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The result was announced—yeas 25, nays 45; as follows:

YEAS—25.

Bacon,	Clay,	McLaurin, Miss.	Rawlins,
Bailey,	Cockrell,	McLaurin, S. C.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Gibson,	Money,	
Carmack,	Harris,	Patterson,	
Clark, Mont.	Heitfeld,	Pettus,	

NAYS—45.

Aldrich,	Dillingham,	Hansbrough,	Perkins,
Allison,	Dolliver,	Hawley,	Platt, Conn.
Bard,	Dryden,	Hoar,	Proctor,
Beveridge,	Elkins,	Jones, Nev.	Quarles,
Burnham,	Fairbanks,	Kean,	Scott,
Burrows,	Foraker,	Kearns,	Spooner,
Burton,	Foster, Wash.	Kittredge,	Warren,
Clark, Wyo.	Frye,	McComas,	Wellington,
Cullom,	Gallinger,	McMillan,	Wetmore.
Deboe,	Gamble,	Mason,	
Depew,	Hale,	Mitchell,	
Dietrich,	Hanna,	Nelson,	

NOT VOTING—18.

Clapp,	McCumber,	Platt, N. Y.	Stewart,
Daniel,	McEnery,	Pritchard,	Tillman,
Foster, La.	Millard,	Quay,	Turner.
Jones, Ark.	Morgan,	Simmons,	
Lodge,	Penrose,	Simon,	

So the amendment was rejected.

Mr. BERRY. Mr. President, I send four amendments to the desk, which I desire to have stated in their order.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The amendments proposed by the Senator from Arkansas will be stated in their order.

The SECRETARY. At the end of line 12, on page 6, it is proposed to insert:

That oil-tank steamers or vessels for carrying oil in barrels, cases, or packages shall not be included under this act.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

Mr. BERRY. I ask for the yeas and nays on the amendment, Mr. President.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. FOSTER of Louisiana (when his name was called). I am paired with the Senator from North Dakota [Mr. McCUMBER].

The roll call having been concluded, the result was announced—yeas 25, nays 45; as follows:

YEAS—25.

Bacon,	Clay,	McLaurin, Miss.	Spooner,
Bailey,	Cockrell,	Mallory,	Taliaferro,
Bate,	Culberson,	Martin,	Teller,
Berry,	Dubois,	Money,	Vest.
Blackburn,	Gibson,	Patterson,	
Carmack,	Harris,	Pettus,	
Clark, Mont.	Heitfeld,	Rawlins,	

NAYS—45.

Aldrich,	Dolliver,	Hawley,	Penrose,
Bard,	Dryden,	Hoar,	Perkins,
Beveridge,	Elkins,	Jones, Nev.	Platt, Conn.
Burnham,	Fairbanks,	Kean,	Proctor,
Burrows,	Foraker,	Kearns,	Quarles,
Burton,	Foster, Wash.	Kittredge,	Scott,
Clark, Wyo.	Frye,	McComas,	Warren,
Cullom,	Gallinger,	McLaurin, S. C.	Wellington,
Deboe,	Gamble,	McMillan,	Wetmore.
Depew,	Hale,	Mason,	
Dietrich,	Hanna,	Mitchell,	
Dillingham,	Hansbrough,	Nelson,	

NOT VOTING—18.

Allison,	Lodge,	Platt, N. Y.	Stewart,
Clapp,	McCumber,	Pritchard,	Tillman,
Daniel,	McEnery,	Quay,	Turner.
Foster, La.	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	

So the amendment of Mr. BERRY was rejected.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. On page 6, after line 12, it is proposed to insert:

That freight and passenger rates on all ships or vessels drawing either mail or general subsidy under this act shall be fixed and regulated by the Interstate Commerce Commission; and any individual or corporation violating said regulations shall forfeit an amount double the amount of their subsidy.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was rejected.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. On page 6, at the end of line 12, it is proposed to insert:

No port, shipper, or commodity shall be discriminated against in rates of freight, or by any system of private rebates or other concessions at date of shipment or later period, nor shall any monopoly of freight room for any one article or articles to any one shipper or shippers be given by any individual or corporation drawing either mail or general subsidy under this act.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was rejected.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed to strike out all that part of the bill beginning with section 6, page 6, down to and including line 8, on page 10.

Mr. BERRY. That amendment proposes to strike out Title II of the bill in relation to "general subsidy." On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. McCUMBER (when his name was called). I am paired with the Senator from Louisiana [Mr. FOSTER].

Mr. PETTUS (when Mr. MORGAN'S name was called). The senior Senator from Alabama [Mr. MORGAN] is necessarily absent, and I announce now, for the purposes of all this voting this evening, that he is paired with the Senator from Pennsylvania [Mr. QUAY].

The roll call having been concluded, the result was announced—yeas 25, nays 45; as follows:

YEAS—25.

Allison,	Clark, Mont.	McLaurin, Miss.	Spooner,
Bacon,	Clay,	Mallory,	Taliaferro,
Bailey,	Cockrell,	Martin,	Teller,
Bate,	Culberson,	Money,	Vest.
Berry,	Dubois,	Patterson,	
Blackburn,	Gibson,	Pettus,	
Carmack,	Heitfeld,	Rawlins,	

NAYS—45.

Aldrich,	Dolliver,	Hawley,	Penrose,
Bard,	Dryden,	Hoar,	Perkins,
Beveridge,	Elkins,	Jones, Nev.	Platt, Conn.
Burnham,	Fairbanks,	Kean,	Proctor,
Burrows,	Foraker,	Kearns,	Quarles,
Burton,	Foster, Wash.	Kittredge,	Scott,
Clark, Wyo.	Frye,	McComas,	Warren,
Cullom,	Gallinger,	McLaurin, S. C.	Wellington.
Deboe,	Gamble,	McMillan,	Wetmore.
Depew,	Hale,	Mason,	
Dietrich,	Hanna,	Mitchell,	
Dillingham,	Hansbrough,	Nelson,	

NOT VOTING—18.

Clapp,	Lodge,	Platt, N. Y.	Stewart,
Daniel,	McCumber,	Pritchard,	Tillman,
Foster, La.	McEnery,	Quay,	Turner.
Harris,	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	

So the amendment of Mr. BERRY was rejected.

Mr. PETTUS. I offer the amendment which I send to the desk, and I ask for the yeas and nays on it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert the following as a new section:

SEC. 16. But under the provisions of this act no more than $9,000,000 shall be paid out of the Treasury for or in any one year.

The PRESIDENT pro tempore. On this amendment the Senator from Alabama demands the yeas and nays.

The yeas and nays were ordered.

Mr. SPOONER. I ask that the amendment may be again read.

The PRESIDENT pro tempore. The amendment will be again stated.

The Secretary again read the amendment of Mr. PETTUS.

Mr. CLAY. I desire to ask the Senator for information. Has not an amendment already been adopted limiting the amount which may be expended to not exceeding $8,000,000 a year?

Mr. PETTUS. That was in reference to the mail subsidy.

The PRESIDENT pro tempore. Debate is not in order.

Mr. PLATT of Connecticut. Would it be in order to ask that the former amendment which was adopted should be read?

Mr. COCKRELL. Yes; let it be read.

The PRESIDENT pro tempore. That, in the opinion of the Chair, would be in the nature of debate.

The Secretary proceeded to call the roll, and Mr. ALDRICH responded to his name.

Mr. PETTUS. The reading of the amendment adopted on the motion of the Senator from Iowa [Mr. ALLISON] has been called for, Mr. President.

The PRESIDENT pro tempore. Debate not being in order, the Senator is not in order. The Secretary will continue the roll call.

The roll call being continued and concluded, the result was announced—yeas 44, nays 22; as follows:

YEAS—44.

Aldrich,	Cockrell,	Foster, Wash.	Nelson,
Allison,	Culberson,	Gibson,	Patterson,
Bacon,	Cullom,	Hanna,	Penrose,
Bailey,	Deboe,	Hansbrough,	Perkins,
Bate,	Depew,	Heitfeld,	Pettus,
Berry,	Dietrich,	McComas,	Proctor,
Blackburn,	Dolliver,	McLaurin, Miss.	Rawlins,
Burnham,	Dryden,	McLaurin, S. C.	Spooner,
Burrows,	Elkins,	Martin,	Taliaferro,
Carmack,	Fairbanks,	Mitchell,	Teller,
Clark, Mont.	Foraker,	Money,	Vest.

NAYS—22.

Bard,	Hawley,	McCumber,	Scott,
Beveridge,	Hoar,	McMillan,	Warren,
Clark, Wyo.	Jones, Nev.	Mallory,	Wellington,
Frye,	Kean,	Mason,	Wetmore.
Gallinger,	Kearns,	Platt, Conn.	
Hale,	Kittredge,	Quarles,	

NOT VOTING—22.

Burton,	Foster, La.	Millard,	Simon,
Clapp,	Gamble,	Morgan,	Stewart,
Clay,	Harris,	Platt, N. Y.	Tillman,
Daniel,	Jones, Ark.	Pritchard,	Turner.
Dillingham,	Lodge,	Quay,	
Dubois,	McEnery,	Simmons,	

So the amendment of Mr. PETTUS was agreed to.

Mr. BACON. I offer an amendment, to come in at the close of the amendment of the Senator from Iowa [Mr. ALLISON], on page 6.

The PRESIDENT pro tempore. The amendment will be stated.

Mr. BACON. The amendment of the Senator from Iowa was the one I called attention to, limiting the amount under Title I.

The SECRETARY. On page 6, after the amendment adopted on motion of Mr. ALLISON, it is proposed to insert:

And provided further, That of the amount authorized to be expended annually under this title, one-fourth of the same shall be reserved for contracts to be made for service between ports of the United States and ports of South America.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Georgia.

Mr. BACON. I call for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 25, nays 44; as follows:

YEAS—25.

Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—44.

Aldrich,	Dolliver,	Hansbrough,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Quarles,
Clark, Wyo.	Frye,	McComas,	Scott,
Cullom,	Gallinger,	McCumber,	Spooner,
Deboe,	Gamble,	McMillan,	Warren,
Dietrich,	Hale,	Mason,	Wellington.
Dillingham,	Hanna,	Mitchell,	Wetmore.

NOT VOTING—19.

Allison,	Jones, Ark.	Morgan,	Simon,
Clapp,	Lodge,	Platt, N. Y.	Stewart,
Daniel,	McEnery,	Pritchard,	Tillman,
Depew,	McLaurin, S. C.	Quay,	Turner.
Hawley,	Millard,	Simmons,	

So Mr. BACON's amendment was rejected.

Mr. PATTERSON. I offer the amendment I send to the desk.

The PRESIDENT pro tempore. The Senator from Colorado offers an amendment, which will be stated.

The SECRETARY. It is proposed to insert as section 16 the following:

That none of the compensation, subsidy, or allowance herein provided for shall be paid for or upon any vessel for any voyage thereof that has employed in its crew any Chinese person not entitled to admission to the United States or to the territory thereof.

Mr. PATTERSON. I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 29, nays 41; as follows:

YEAS—29.

Bacon,	Clay,	Jones, Nev.	Pettus,
Bailey,	Cockrell,	McLaurin, Miss.	Rawlins,
Bard,	Culberson,	Mallory,	Taliaferro,
Bate,	Dubois,	Martin,	Teller,
Berry,	Foster, La.	Mitchell,	Vest.
Blackburn,	Gibson,	Money,	
Carmack,	Harris,	Patterson,	
Clark, Mont.	Heitfeld,	Perkins,	

NAYS—41.

Aldrich,	Dillingham,	Hanna,	Platt, Conn.
Allison,	Dolliver,	Hansbrough,	Proctor,
Beveridge,	Dryden,	Hawley,	Quarles,
Burnham,	Elkins,	Hoar,	Scott,
Burrows,	Fairbanks,	Kean,	Spooner,
Burton,	Foraker,	Kittredge,	Warren,
Clark, Wyo.	Foster, Wash.	McComas,	Wellington,
Cullom,	Frye,	McCumber,	Wetmore.
Deboe,	Gallinger,	McMillan,	
Depew,	Gamble,	Nelson,	
Dietrich,	Hale,	Penrose,	

NOT VOTING—18.

Clapp,	McEnery,	Platt, N. Y.	Stewart,
Daniel,	McLaurin, S. C.	Pritchard,	Tillman,
Jones, Ark.	Mason,	Quay,	Turner.
Kearns,	Millard,	Simmons,	
Lodge,	Morgan,	Simon,	

So Mr. PATTERSON's amendment was rejected.

Mr. MALLORY. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Florida offers an amendment, which will be stated.

The SECRETARY. It is proposed to insert as a new section the following:

SEC. 16. That no vessel shall be entitled to receive any benefit under the postal or general subsidy provisions of this act until the managing owner thereof, or if the vessel be owned by a corporation, then the president of such corporation, shall have made and filed with the Secretary of the Treasury an affidavit, duly sworn to by such managing owner or president, as the case may be, stating that no one owning any share or interest in such vessel, or controlling the management thereof, has within twelve months next preceding the date when said subsidy is due and payable been a party to any agreement or understanding of any kind whatever, with any person or corporation, the purpose of which agreement has been in any way to control ocean freight rates or to limit or prevent competition in the transportation of the products of the United States to foreign countries or the transportation of the products of foreign countries to the United States.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Florida.

Mr. MALLORY. I call for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 26, nays 46; as follows:

YEAS—26.

Bacon,	Clay,	Heitfeld,	Pettus,
Bailey,	Cockrell,	McLaurin, Miss.	Rawlins,
Bate,	Culberson,	McLaurin, S. C.	Taliaferro.
Berry,	Dubois,	Mallory,	Teller,
Blackburn,	Foster, La.	Martin,	Vest.
Carmack,	Gibson,	Money,	
Clark, Mont.	Harris,	Patterson,	

NAYS—46.

Aldrich,	Dolliver,	Hawley,	Penrose,
Allison,	Dryden,	Hoar,	Perkins,
Bard,	Elkins,	Jones, Nev.	Platt, Conn.
Beveridge,	Fairbanks,	Kean,	Proctor,
Burnham,	Foraker,	Kearns,	Quarles,
Burrows,	Foster, Wash.	Kittredge,	Scott,
Burton,	Frye,	McComas,	Spooner,
Clark, Wyo.	Gallinger,	McCumber,	Warren,
Cullom,	Gamble,	McMillan,	Wellington,
Deboe,	Hale,	Mason,	Wetmore.
Depew,	Hanna,	Mitchell,	
Dietrich,	Hansbrough,	Nelson,	

NOT VOTING—16.

Clapp,	Lodge,	Platt, N. Y.	Simon,
Daniel,	McEnery,	Pritchard,	Stewart,
Dillingham,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.

So Mr. MALLORY's amendment was rejected.

Mr. CULBERSON. I offer an amendment to the bill, and ask that it be read.

The PRESIDENT pro tempore. The Senator from Texas offers an amendment, which will be stated.

The SECRETARY. It is proposed to amend by inserting after the word "for," in line 10, page 4, the words "be remodeled as far as practicable with particular reference to prompt and economical conversion into auxiliary naval cruisers according to plans and specifications to be agreed upon by and between the owners and the Secretary of the Navy, and."

Mr. ALLISON. I ask that the amendment may be again read.

The Secretary again read the amendment.

Mr. SPOONER. I ask to have the subsection read as it will stand if amended.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

And all vessels of said five classes heretofore built and so employed shall, before they are accepted for the mail service herein provided for, be remodeled as far as practicable with particular reference to prompt and economical conversion into auxiliary naval cruisers according to plans and specifications to be agreed upon by and between the owners and the Secretary of the Navy, and be thoroughly inspected by a competent naval officer or constructor detailed for that service by the Secretary of the Navy.

The PRESIDENT pro tempore. The question is on agreeing to the amendment which has been stated.

Mr. CULBERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 25, nays 47; as follows:

YEAS—25.

Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—47.

Aldrich,	Dillingham,	Hawley,	Nelson,
Allison,	Dolliver,	Hoar,	Penrose,
Bard,	Dryden,	Jones, Nev.	Perkins,
Beveridge,	Elkins,	Kean,	Platt, Conn.
Burnham,	Fairbanks,	Kearns,	Proctor,
Burrows,	Foraker,	Kittredge,	Quarles,
Burton.	Frye,	McComas,	Scott,
Clark, Wyo.	Gallinger,	McCumber,	Spooner,
Cullom,	Gamble,	McLaurin, S. C.	Warren,
Deboe,	Hale,	McMillan,	Wellington,
Depew,	Hanna,	Mason,	Wetmore.
Dietrich,	Hansbrough,	Mitchell,	

NOT VOTING—16.

Clapp,	Lodge,	Platt, N. Y.	Simon,
Daniel,	McEnery,	Pritchard,	Stewart,
Foster, Wash.	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.

So Mr. CULBERSON's amendment was rejected.

Mr. CULBERSON. I offer an amendment which is intended to come in just after the amendment of the Senator from Wisconsin [Mr. SPOONER], which has been accepted by the committee, as I understand.

The PRESIDENT pro tempore. The Senator from Texas offers an amendment, which will be read.

Mr. SPOONER. I have not offered the amendment, but I will offer it now, if the Senator is offering an amendment with reference to it.

Mr. CULBERSON. Very well.

The PRESIDENT pro tempore. The Senator from Wisconsin offers an amendment which will be read.

Mr. SPOONER. It is to stand as section 16.

The SECRETARY. It is proposed to insert as section 16 the following:

SEC. 16. The Congress reserves the power to alter, amend, or repeal this act in whole or in part whenever, in its judgment, the public interests shall so require, without, however, impairing in any wise the obligation of any specific contract then in force which shall have been entered into under the provisions of Title I hereof.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

Mr. CULBERSON. After the amendment just adopted I move to insert:

Provided further, That in no event shall any payment be made under this title for any voyage made after July 1, 1907, nor for any part of a voyage made subsequent to that date.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Texas [Mr. CULBERSON].

Mr. CULBERSON. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TELLER. Let the amendment be read again.

The Secretary again read the amendment.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment of the Senator from Texas.

The question being taken, the yeas and nays resulted—yeas 24, nays 47; as follows:

YEAS—24.

Bacon,	Clark, Mont.	Gibson,	Money,
Bailey,	Clay,	Harris,	Patterson,
Bate,	Cockrell,	Heitfeld,	Pettus,
Berry,	Culberson,	McLaurin, Miss.	Rawlins,
Blackburn,	Dubois,	Mallory,	Taliaferro,
Carmack,	Foster, La.	Martin,	Teller.

NAYS—47.

Aldrich,	Dillingham,	Hawley,	Nelson,
Allison,	Dolliver,	Hoar,	Penrose,
Bard,	Dryden,	Jones, Nev.	Perkins,
Beveridge,	Elkins,	Kean,	Platt, Conn.
Burnham,	Fairbanks,	Kearns,	Proctor,
Burrows,	Foraker,	Kittredge,	Quarles,
Burton.	Frye,	McComas,	Scott,
Clark, Wyo.	Gallinger,	McCumber,	Spooner,
Cullom,	Gamble,	McLaurin, S. C.	Warren,
Deboe,	Hale,	McMillan,	Wellington,
Depew,	Hanna,	Mason,	Wetmore.
Dietrich,	Hansbrough,	Mitchell,	

NOT VOTING—17.

Clapp,	McEnery,	Quay,	Turner,
Daniel,	Millard,	Simmons,	Vest.
Foster, Wash.	Morgan,	Simon,	
Jones, Ark.	Platt, N. Y.	Stewart,	
Lodge,	Pritchard,	Tillman,	

So the amendment was rejected.

Mr. NELSON subsequently said: Mr. President, I have a general pair with the junior Senator from Missouri [Mr. VEST], and it escaped my attention that he did not vote on the last vote. In view of that fact, I ask leave to withdraw my vote.

Mr. BERRY. That is all right.

The PRESIDENT pro tempore. The Senator from Missouri is now here. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and the vote is withdrawn.

Mr. CULBERSON. I move to add at the end of Title III:

Provided, That in no event shall any payment be made under this title after July 1, 1907.

The amendment was rejected.

Mr. BACON. I offer an amendment to come in immediately after the amendment offered by the Senator from Wisconsin [Mr. SPOONER], which was adopted.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to insert at the end of section 16, just adopted, the following additional proviso:

And provided further, That any contract made under the provisions of this act may hereafter be canceled by act or resolution of Congress, the said cancellation to take effect within not less than four years after the date of the passage of said act or resolution.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Georgia [Mr. BACON].

The amendment was rejected.

Mr. McCOMAS. I offer an amendment to come in at the end of the bill.

The PRESIDENT pro tempore. The amendment will be read.

The Secretary proceeded to read the amendment.

Mr. ALDRICH. That amendment has been once voted down.

Mr. McCOMAS. This amendment has not been voted down. This is one section. Five sections were voted down.

Mr. ALDRICH. It was voted down with the other five sections.

Mr. HOAR. The Senator from Maryland can renew it in the Senate.

The PRESIDENT pro tempore. The amendment will be read.

The Secretary resumed and concluded the reading of Mr. McCOMAS's amendment, which was to add at the end of the bill the following additional section:

SEC. —. That the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," is hereby specifically declared to be applicable, in addition to its other applications, to the owner, and either or both of them, of any vessel entering into any contract provided for by this act, and any such vessel is hereby declared to be property in the course of transportation within the intent and provisions of section 6 of the aforesaid act of July 2, 1890.

That upon complaint made to the Secretary of the Treasury (a) that any person owning, controlling, or operating vessels entitled to compensation under this act which together with the vessels associated with them in any combination, contract, or conspiracy aggregate in tonnage one-third of the total tonnage of all vessels entitled to compensation, or (b) that any person owning, controlling, or operating vessels entitled to compensation under this act which transact business in any port of the United States and together with the vessels associated with them in any combination, contract, or conspiracy aggregate one-third of the total tonnage of all vessels entitled to compensation under this act entering or clearing from such port in the United States during any one year, has entered into any contract, combination, or conspiracy, whatever be the form thereof, for the purpose of controlling the terminal facilities for shipping in any port or ports of the United States, or for regulating or increasing the rates or fares for freight or passengers in trade or commerce among the several States or with foreign nations, or for granting any special rebates or privileges to shippers in such commerce, or for otherwise putting any restraint upon trade or commerce among the several States or with foreign nations, the Secretary shall fix a time and place for hearing such charges and give notice thereof to the persons interested and may require the production before him of any contracts or papers which he may deem material in the consideration of such charges, and any refusal to produce the contracts or papers herein demanded shall be prima facie evidence that the matters sought to be proven by said contracts or papers are true. If, after notice and hearing, the Secretary of the Treasury shall determine in writing that such charges are true, thereupon the right of the person or persons so found violating the provisions of this section, and their assigns, to any compensation from the United States under this act shall immediately cease and determine.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Maryland [Mr. McCOMAS].

Mr. VEST. On that I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 31, nays 39; as follows:

YEAS—31.

Allison,	Clay,	Harris,	Proctor,
Bacon,	Cockrell,	Heitfeld,	Rawlins,
Bailey,	Culberson,	McComas,	Spooner,
Bate,	Dillingham,	McLaurin, Miss.	Taliaferro,
Berry,	Dolliver,	Mallory,	Teller,
Blackburn,	Dubois,	Martin,	Vest,
Carmack,	Foster, La.	Money,	Warren.
Clark, Mont.	Gibson,	Patterson,	

NAYS—39.

Aldrich,	Dryden,	Hawley,	Mitchell,
Bard,	Elkins,	Hoar,	Nelson,
Beveridge,	Fairbanks,	Jones, Nev.	Penrose,
Burnham,	Foraker,	Kean,	Perkins,
Burrows,	Foster, Wash.	Kearns,	Platt, Conn.
Burton,	Frye,	Kittredge,	Quarles,
Clark, Wyo.	Gallinger,	McCumber,	Scott,
Deboe,	Gamble,	McLaurin, S. C.	Wellington,
Depew,	Hanna,	McMillan,	Wetmore.
Dietrich,	Hansbrough,	Mason,	

NOT VOTING—18.

Clapp,	Lodge,	Platt, N. Y.	Stewart,
Cullom,	McEnery,	Pritchard,	Tillman,
Daniel,	Millard,	Quay,	Turner.
Hale,	Morgan,	Simmons,	
Jones, Ark.	Pettus,	Simon,	

So the amendment was rejected.

Mr. HANNA. I offer an amendment, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to insert the following at the end of the bill:

No foreign-built ship shall receive or be entitled to receive any subsidy or other benefit from this act or any other act of Congress, except as herein or therein expressly stipulated: *Provided, however*, That nothing contained in this act, or any other act of Congress, shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce; but no foreign-built ship of any such line shall hereafter be admitted to American registry.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. VEST. I ask for the yeas and nays.

Mr. NELSON. I ask for a division of the question. I ask that that part of the amendment before the proviso be voted upon separately.

Mr. HOAR. I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his parliamentary inquiry.

Mr. HOAR. Was that amendment reported from the committee?

The PRESIDENT pro tempore. It was not. The Senator from Minnesota demands a division.

Mr. NELSON. I ask that that part of the amendment preceding the proviso be voted on separately. There are two distinct questions involved in the amendment.

The PRESIDENT pro tempore. It is capable of a division. The Senator has a right to demand a division.

Mr. NELSON. Yes, sir; I demand a division.

The PRESIDENT pro tempore. The first clause of the amendment will be read.

Mr. COCKRELL. Now let it be read.

The PRESIDENT pro tempore. The first clause of the amendment of the Senator from Ohio will be read.

The SECRETARY. Insert at the end of the bill the following:

No foreign-built ship shall receive or be entitled to receive any subsidy or other benefit from this act or any other act of Congress, except as herein or therein expressly stipulated.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The second clause of the amendment of the Senator from Ohio will be read.

The Secretary read as follows:

Provided, however, That nothing contained in this act or in any other act of Congress shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce; but no foreign-built ship of any such line shall hereafter be admitted to American registry.

Mr. TELLER. There are two propositions there. The last proposition, that no foreign-built ship shall hereafter be admitted to American registry, is one proposition. I ask to have a division.

The PRESIDENT pro tempore. It is capable of a division. The vote will be first taken on the clause which will be read.

Mr. TELLER. Let it be again read to the Senate.

The Secretary read as follows:

Provided, however, That nothing contained in this act, or in any other act of Congress, shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce.

The amendment was agreed to.

The PRESIDENT pro tempore. The final clause of the amendment will now be read.

The Secretary read as follows:

But no foreign-built ship of any such line shall hereafter be admitted to American registry.

Mr. PATTERSON and Mr. TELLER called for the yeas and nays.

The yeas and nays were ordered.

Mr. SPOONER. I rise to a parliamentary inquiry. Does that mean that Congress shall not pass any act hereafter admitting any of those ships to American registry?

Mr. TELLER. That is what it must mean, I suppose. I think it is mere nonsense to pass that provision.

Mr. ALDRICH. Question, Mr. President.

Mr. CULLOM. Regular order, Mr. President.

The yeas and nays being taken, the result was announced—yeas 43, nays 28; as follows:

YEAS—43.

Aldrich,	Dolliver,	Hoar,	Penrose,
Allison,	Dryden,	Jones, Nev.	Perkins,
Bard,	Elkins,	Kean,	Platt, Conn.
Beveridge,	Fairbanks,	Kearns,	Proctor,
Burnham,	Foster, Wash.	Kittredge,	Quarles,
Burrows,	Frye,	McComas,	Scott,
Clark, Wyo.	Gallinger,	McCumber,	Spooner,
Cullom,	Gamble,	McMillan,	Warren,
Deboe,	Hale,	Mason,	Wellington,
Dietrich,	Hanna,	Mitchell,	Wetmore.
Dillingham,	Hansbrough,	Nelson,	

NAYS—28.

Bacon,	Clay,	Harris,	Money,
Bailey,	Cockrell,	Hawley,	Patterson,
Bate,	Culberson,	Heitfeld,	Pettus,
Berry,	Dubois,	McLaurin, Miss.	Rawlins,
Blackburn,	Foraker,	McLaurin, S. C.	Taliaferro,
Carmack,	Foster, La.	Mallory,	Teller,
Clark, Mont.	Gibson,	Martin,	Vest.

NOT VOTING—17.

Burton,	Lodge,	Pritchard,	Tillman,
Clapp,	McEnery,	Quay,	Turner.
Daniel,	Millard,	Simmons,	
Depew,	Morgan,	Simon,	
Jones, Ark.	Platt, N. Y.	Stewart,	

So the last clause of the amendment of Mr. HANNA was agreed to.

Mr. MONEY. I send an amendment to the desk, which I propose to the bill, and I ask for the yeas and nays upon it.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to amend by striking out all of Title III of the bill.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Mississippi [Mr. MONEY], on which he demands the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 25, nays 46; as follows:

YEAS—25.

Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—46.

Aldrich,	Dillingham,	Hansbrough,	Penrose,
Allison,	Dolliver,	Hoar,	Perkins,
Bard,	Dryden,	Jones, Nev.	Platt, Conn.
Beveridge,	Elkins,	Kean,	Proctor,
Burnham,	Fairbanks,	Kearns,	Quarles,
Burrows,	Foraker,	Kittredge,	Scott,
Burton,	Foster, Wash.	McComas,	Spooner,
Clark, Wyo.	Frye,	McCumber,	Warren,
Cullom,	Gallinger,	McLaurin, S. C.	Wellington,
Deboe,	Gamble,	McMillan,	Wetmore.
Depew,	Hale,	Mitchell,	
Dietrich,	Hanna,	Nelson,	

NOT VOTING—17.

Clapp,	McEnery,	Pritchard,	Tillman,
Daniel,	Mason,	Quay,	Turner.
Hawley,	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	
Lodge,	Platt, N. Y.	Stewart,	

So Mr. MONEY's amendment was rejected.

The PRESIDENT pro tempore. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate as amended.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. Is there a request for a separate vote on concurring in any amendment made as in Committee of the Whole?

Mr. ALDRICH. I ask that a separate vote may be taken on the amendment which was adopted on motion of the Senator from Alabama [Mr. PETTUS].

Mr. COCKRELL. I ask that a separate vote may be taken on the middle clause of the amendment of the Senator from Ohio [Mr. HANNA], providing that shipping companies may make any combination they please.

The PRESIDENT pro tempore. Otherwise, will the Senate concur in the amendments made as in Committee of the Whole?

The amendments not reserved were concurred in.

The PRESIDENT pro tempore. A separate vote has been demanded by the Senator from Rhode Island [Mr. ALDRICH] on an

amendment adopted on motion of the Senator from Alabama [Mr. PETTUS]. The amendment will be stated.

The SECRETARY. Add as section 16 the following:

But under the provisions of this act no more than $9,000,000 shall be paid out of the Treasury for or in any one year.

Mr. BACON. Is an amendment to that amendment in order, Mr. President?

The PRESIDENT pro tempore. It is.

Mr. BACON. I move to strike out "nine" and insert "three;" so as to make the amount $3,000,000.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Georgia [Mr. BACON] to the amendment heretofore adopted as in Committee of the Whole on motion of the Senator from Alabama [Mr. PETTUS].

Mr. BEVERIDGE. Has that amendment been reconsidered, and is it open to amendment?

The PRESIDENT pro tempore. The bill is in the Senate and open to amendment. The question is on the amendment of the Senator from Georgia [Mr. BACON] to the amendment of the Senator from Alabama [Mr. PETTUS].

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question is on concurring in the amendment of the Senator from Alabama [Mr. PETTUS] made as in Committee of the Whole.

Mr. PETTUS. I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 30, nays 42; as follows:

YEAS—30.

Allison,	Cockrell,	Gibson,	Proctor,
Bacon,	Culberson,	Harris,	Rawlins,
Bate,	Cullom,	Heitfeld,	Spooner,
Berry,	Dillingham,	McLaurin, Miss.	Taliaferro,
Blackburn,	Dolliver,	Martin,	Teller,
Carmack,	Dubois,	Money,	Vest.
Clark, Mont.	Fairbanks,	Patterson,	
Clay,	Foster, La.	Pettus,	

NAYS—42.

Aldrich,	Elkins,	Jones, Nev.	Nelson,
Bard,	Foraker,	Kean,	Penrose,
Beveridge,	Foster, Wash.	Kearns,	Perkins,
Burnham,	Frye,	Kittredge,	Platt, Conn.
Burrows,	Gallinger,	McComas,	Quarles,
Burton,	Gamble,	McCumber,	Scott,
Clark, Wyo.	Hale,	McLaurin, S. C.	Warren,
Deboe,	Hanna,	McMillan,	Wellington,
Depew,	Hansbrough,	Mallory,	Wetmore.
Deitrich,	Hawley,	Mason,	
Dryden,	Hoar,	Mitchell,	

NOT VOTING—16.

Bailey,	Lodge,	Platt, N. Y.	Simon,
Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.

So the amendment was nonconcurred in.

Mr. COCKRELL. Now I ask that the next reserved amendment may be stated.

The PRESIDENT pro tempore. The Senator from Missouri [Mr. COCKRELL] has demanded a separate vote on concurring in the middle clause of the amendment made as in Committee of the Whole on motion of the Senator from Ohio [Mr. HANNA], which will be stated.

The Secretary read as follows:

Provided, however, That nothing contained in this act, or in any other act of Congress, shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce.

Mr. PETTUS. I ask for the yeas and nays on concurring in that amendment.

The yeas and nays were ordered; and, being taken, resulted—yeas 42, nays 30; as follows:

YEAS—42.

Aldrich,	Dolliver,	Hawley,	Mitchell,
Bard,	Dryden,	Hoar,	Nelson,
Beveridge,	Elkins,	Jones, Nev.	Penrose,
Burnham,	Fairbanks,	Kean,	Perkins,
Burrows,	Foraker,	Kearns,	Platt, Conn.
Burton,	Frye,	Kittredge,	Scott,
Clark, Wyo.	Gallinger,	McComas,	Warren,
Deboe,	Gamble,	McCumber,	Wellington,
Depew,	Hale,	McLaurin, S. C.	Wetmore.
Dietrich,	Hanna,	McMillan,	
Dillingham,	Hansbrough,	Mason,	

NAYS—30.

Allison,	Clay,	Heitfeld,	Quarles,
Bacon,	Cockrell,	McLaurin, Miss.	Rawlins,
Bailey,	Culberson,	Mallory,	Spooner,
Bate,	Cullom,	Martin,	Taliaferro,
Berry,	Dubois,	Money,	Teller,
Blackburn,	Foster, La.	Patterson,	Vest.
Carmack,	Gibson,	Pettus,	
Clark, Mont.	Harris,	Proctor,	

NOT VOTING—16.

Clapp	Lodge,	Platt, N. Y.	Simon,
Daniel,	McEnery,	Pritchard,	Stewart,
Foster, Wash.	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.

So the reserved clause of Mr. HANNA's amendment was concurred in.

The PRESIDENT pro tempore. The question is, Shall the bill be ordered to be engrossed for a third reading, and be read the third time?

The bill was ordered to be engrossed for a third reading; and it was read the third time.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. BERRY. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MARTIN (when Mr. DANIEL'S name was called). On this vote and on all votes on amendments to the pending bill my colleague is and has been paired with the Senator from Nebraska [Mr. MILLARD].

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). On this vote my colleague is paired with the Senator from Massachusetts [Mr. LODGE]. If my colleague were present, he would vote "nay."

Mr. HOAR (when Mr. LODGE'S name was called). I should like to announce on the passage of the bill that my colleague is paired, and would vote for the bill if present.

Mr. MARTIN (when Mr. TILLMAN'S name was called). I desire to announce that on all amendments to the pending bill and on its passage the senior Senator from South Carolina [Mr. TILLMAN] is paired with the senior Senator from North Carolina [Mr. PRITCHARD].

Mr. CLAY (when Mr. TURNER'S name was called). The Senator from Washington [Mr. TURNER] is paired with the senior Senator from New York [Mr. PLATT]; and I have been requested to state that if the Senator from Washington [Mr. TURNER] were present, he would vote "nay."

The roll call was concluded.

Mr. NELSON. My colleague [Mr. CLAPP] is unavoidably absent. He gave me no particular instructions on this matter, but I understand from other Senators here that he has a general pair on this bill and on all amendments with the junior Senator from North Carolina [Mr. SIMMONS].

The result was announced—yeas 42, nays 31; as follows:

YEAS—42.

Aldrich,	Dryden,	Hawley,	Mitchell,
Bard,	Elkins,	Hoar,	Nelson,
Beveridge,	Fairbanks,	Jones, Nev.	Penrose,
Burnham,	Foraker,	Kean,	Perkins,
Burrows,	Foster, Wash.	Kearns,	Platt, Conn.
Burton,	Frye,	Kittredge,	Scott,
Clark, Wyo.	Gallinger,	McComas,	Warren,
Cullom,	Gamble,	McCumber,	Wellington,
Deboe,	Hale,	McLaurin, S. C.	Wetmore.
Depew,	Hanna,	McMillan,	
Dietrich,	Hansbrough,	Mason,	

NAYS—31.

Allison,	Clay,	Harris,	Proctor,
Bacon,	Cockrell,	Heitfeld,	Quarles,
Bailey,	Culberson,	McLaurin, Miss.	Rawlins,
Bate,	Dillingham,	Mallory,	Spooner,
Berry,	Dolliver,	Martin,	Taliaferro,
Blackburn,	Dubois,	Money,	Teller,
Carmack,	Foster, La.	Patterson,	Vest.
Clark, Mont.	Gibson,	Pettus,	

NOT VOTING—15.

Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So the bill was passed.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. I ask that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be read by title.

The SECRETARY. A bill (S. 3653) for the protection of the President of the United States, and for other purposes.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 18, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 17, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of Saturday's proceedings was read and approved.

A CORRECTION.

Mr. SMITH of Kentucky. Mr. Speaker, I think there may be a mistake in the Journal; I know there is in the RECORD. On Saturday last I asked unanimous consent that House bill 1592 might be considered in Committee of the Whole. The bill is for the relief of F. M. Vowells. I see in the RECORD that the name is S. M. Bowles. I expect the same error is in the Journal, and I desire to have the name corrected both in the Journal and the RECORD.

The SPEAKER. This bill was not considered by the committee?

Mr. SMITH of Kentucky. It was not.

The SPEAKER. Then it would not be in the Journal.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SLAYDEN indefinitely, on account of important business.

RIVER AND HARBOR BILL.

Mr. BURTON. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12346) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair, for the consideration of the river and harbor bill.

Mr. BURTON. Mr. Chairman, before proceeding with some remarks, I should like to inquire if gentlemen who desire to oppose or criticise the bill can agree as to a member who shall control the time.

The CHAIRMAN. The first thing in order is the reading of the bill unless the gentleman moves to dispense with the reading.

Mr. BURTON. I ask unanimous consent, Mr. Chairman, that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTON. I now desire to ask whether those who oppose the bill can agree upon a member who shall control the time in opposition. If not, I trust ample time will be afforded to any member who desires to speak.

Mr. Chairman, in presenting river and harbor bills on previous occasions I have spoken at length upon the benefits conferred by these appropriations upon the commerce and general welfare of the country. But on this occasion I desire in the first instance to dwell at considerable length upon some misapprehensions which have arisen with reference to this measure. I use the word "misapprehension." If we regard the persistent inaccuracy of statement which has been manifested in criticising it, I am not sure but the word "misrepresentation" would be more correct.

In going over this subject, it will be necessary to set forth an uninteresting mass of figures and facts, but I ask the considerate attention of the committee.

The first misapprehension relates to the actual amount appropriated for the ensuing fiscal year. It has been frequently stated that this bill carried a total of sixty millions and over, to be used during the coming year. Such is not the case. The amount included in it to be expended in the fiscal year ending June 30, 1903, is a trifle over $24,000,000. In addition to that amount there are authorizations for $36,700,000. But it is no more fair to count these authorizations as a part of the appropriation in this bill than it would be to include in the annual appropriations for the Army the wages of enlisted men, who enlist under provisions in that bill, for the succeeding years after the pending year for which the bill provides. It would be equally unfair to count in the Post-Office appropriation bill the increased appropriations made necessary in the future by the extension of the rural free-delivery service.

Indeed, there is a reason which makes these authorizations less deserving of opposition by those who fear large expenses in the future, in that they are nearly all for the furtherance of commerce in places where it already exists and urgently demands larger facilities, or for the completion of projects which are already under way and upon which partial appropriations have been made for many years. Our experience with reference to past authorizations proves that many years will elapse before the full amount authorized herein will be expended. The act of 1890 contained authorizations for $15,622,980. Of that amount, after the lapse of nearly twelve years, there still remains $769,915. The act of 1892 authorized the expenditure of $31,760,521. Of that amount $308,000 remains unappropriated.

The act of 1896 contained authorizations for the expenditure of $59,616,404. Of that amount $12,186,801, or more than 20 per cent, after a lapse of six years, remains unappropriated, and the estimates for the ensuing year under authorizations made in that act are only a trifle over $3,200,000. The act of 1899 contained authorizations for $21,666,324. After more than three years very nearly one-half of that amount, or $10,774,000, remains unexpended and unappropriated. It is probable that of the $36,700,000 authorized under this act not more than $13,000,000 will have to be appropriated for the fiscal year ending June 30, 1904, perhaps $10,000,000 for the following year, and $7,000,000 for the succeeding year. Any estimate must be based largely upon conjecture. The amount to be appropriated will depend upon the rapidity with which plans are matured, contracts made, and the work performed.

There is another point pertaining to the amount actually appropriated, namely, that of this $24,000,000 for the fiscal year ending June 30, 1903, not more than eighteen millions or nineteen millions will, in the natural course of events, be expended during the ensuing fiscal year. That will be due partly to the usual delays in taking up and completing work and partly to the fact that this is a biennial bill, and provisions for maintenance include two years. It is quite likely that of the $24,000,000 appropriated by this act not more than $15,000.000 will actually be expended between now and June 30, 1903. So much for the first misapprehension in regard to this bill.

The second is that this bill carries much larger amounts than previous bills. Such is not the case. With some considerable care I have prepared a statement, which will be included with my remarks, of appropriations for rivers and harbors for the fiscal years from 1879 to 1902. From this it appears that the largest river and harbor bill passed up to date was that in the year 1890, for the ensuing fiscal year, the total amount of which was $25,136,295, or more than $1,000,000 more than the amount included in this bill. The amount appropriated in the act of 1888 for the fiscal year ending June 30, 1889, was $22,397,616, or within $1,600,000 of the amount provided in this bill. But a fairer test is obtained from the appropriations for two years, as this is a biennial bill. Computed in this manner, there was appropriated for the years 1900 and 1901 something over $41,000,000.

The total amount for rivers and harbors carried by the sundry civil bill for 1902, by this bill, which is for the year 1903, and the probable amount for sundry civil appropriations for continuing contracts in the ensuing year will aggregate $37,000,000 only for the years 1902 and 1903, or $4,000,000 less than for the preceding two years. There is also the misapprehension that the authorizations when combined with the appropriations are greater than in any preceding year. In 1896, when expenditure exceeded revenue, and the country was in a distressed condition and ill able to bear the burdens of increased taxation, a bill was passed by this House and by the Senate, and became a law, appropriating and authorizing $72,000,000, or nearly $12,000,000 more than the appropriations and authorizations in this bill.

There is another misapprehension to which, in the third place, I wish to call attention. I refer to the prevalent idea that appropriations for rivers and harbors are increasing more rapidly than other appropriations of the Government. The facts are exactly the contrary. The table to which I have referred gives the appropriations for seven different departments of the Government from 1879 to 1902, inclusive. It includes rivers and harbors, Post-Office, Navy, Army, Fortifications, Agriculture, and Indian appropriations. The amount appropriated in 1879 for rivers and harbors was $8,201,700. The average amount for 1901 and 1902 was $11,616,115, or an increase of 42 per cent over 1879; or, if we take the average of the two successive years having the greatest appropriation, those in the sundry civil bill included, 1900 and 1901, the increase is from $8,201,700 to $20,697,822, or 152 per cent.

Now, let us take up for comparison, first, the Post-Office, which is most in touch with the business development of the country and which can most naturally be compared with river and harbor appropriations. The amount appropriated for the fiscal year 1879 was $33,256,373; for 1902, $123,782,688, or an increase of 272 per cent as compared with 152 per cent increase in river and harbor appropriations, by comparison with the two years of maximum expenditure in the latter. Let us next compare the Navy. That increased from $14,152,603 in 1879 to $78,101,791 for the fiscal year ending 1902, or an increase of 451 per cent. Let us next take up the Army. The increase in that is from $25,593,486 for the year 1879 to $115,734,049 for the year 1902, or an increase of 352 per cent. The largest increase in any of the appropriation bills is that for fortifications. The amount carried in the bill for 1879 was $275,000. In the bill for 1902 there is an appropriation of $7,364,011, or an increase of 2,577 per cent, as compared with the year 1879.

I want to give a little illustration right in this connection of the appropriations for rivers and harbors and for fortifications at one place, namely, the appropriation for rivers and harbors for the Cape Fear River at and below Wilmington, N. C., and for fortifications at that place. It is evident that the appropriations for fortifications there are merely to protect the navigable channel, from the ocean up to the town of Wilmington, from hostile attacks. In six years the appropriations for the improvement of that channel from Wilmington down have been $345,000, or an average of $57,500 per annum.

The appropriations for fortifications at the mouth of the river have been $1,200,000 for Fort Caswell, and an average expense of $100,000 to $125,000 per annum for the maintenance of the post, making up an aggregate expenditure of close to $2,000,000, or nearly six times as much as for the improvement of the channel which these fortifications are intended to protect. Really, such a case as this should cause us to pause and weigh for a time the comparative

advantage of the military establishment of the country and of this measure, which more than any other looks to its commercial development.

Now, if you make a comparison with the appropriations for the Agricultural Department, for which a separate appropriation was first made in the year 1880, the amount has increased from $253,300 for 1881, to $4,582,420 for 1902, or an increase per cent of 1,709. The Indian appropriation bill has increased somewhat less, owing to the fact that it is largely made up of appropriations for the fulfillment of existing treaties, some of which run back into the century before the last. Its amount has increased from $4,746,000 to $9,747,000 between the years 1879 and 1902, or an increase of 105 per cent.

So, to recapitulate, we have an increase of 42 per cent under the most favorable comparison for rivers and harbors and 152 per cent for the least favorable, against 272 per cent for the Post-Office, 352 per cent for the Army, 451 per cent for the Navy, 1,709 per cent for Agriculture, and 2,577 per cent for fortifications.

The total amount appropriated in the last four years for river and harbor improvements was about $63,000,000; for the Navy—one branch merely of the military service—the total appropriations were $247,000,000, nearly four times as great; and yet there are many persons in the country who criticise this bill because of its extravagance, who uttered no sound against the appropriation of four times as much for merely one branch of our military establishment. The following table gives in detail these appropriations for the years from 1879 to 1902, inclusive, and gives percentages of increase:

Amounts appropriated for rivers and harbors, Post-Office Department, and for five other branches of the public service, from 1879 to 1902, inclusive.

Year.	Rivers and harbors.	Post-Office.	Navy.	Army.	Fortifications.	Agricultural.	Indian.
1879	$8,201,700.00	$33,256,373.00	$14,152,603.70	$25,593,486.01	$275,000.00		$4,746,275.70
1880	7,846,600.00	36,121,400.00	14,029,968.95	26,797,300.00	275,000.00		4,713,478.58
1881	8,951,500.00	39,093,420.00	14,405,797.70	26,425,800.00	550,000.00	$253,300.00	4,657,262.72
1882	11,441,300.00	40,957,432.00	14,566,037.55	26,687,800.00	575,000.00	335,500.00	4,587,866.80
1883	18,738,875.00	44,643,900.00	14,819,976.80	27,258,000.00	375,000.00	427,280.00	5,229,374.01
1884		44,489,520.00	18,894,434.23	24,681,250.00	670,000.00	405,640.00	5,258,655.91
1885	13,949,200.00	49,040,400.00	14,980,472.59	24,454,450.00	700,000.00	480,190.00	5,859,402.91
1886		53,700,990.00	15,070,837.95	24,014,052.50	725,000.00	585,790.00	5,762,512.70
1887	14,473,900.00	54,365,863.25	16,489,907.20	23,753,057.21		654,715.00	5,545,262.84
1888		55,694,650.15	25,767,348.19	23,724,718.69		1,028,730.00	5,229,897.66
1889	22,397,616.90	60,860,233.74	19,942,835.35	24,471,300.00	3,972,000.00	1,716,010.00	8,263,700.79
1890		66,605,344.28	21,692,510.27	24,316,615.73	1,233,594.00	1,669,770.00	8,077,453.39
1891	25,126,225.09	72,226,698.99	24,136,035.53	24,206,471.79	4,232,935.00	1,799,100.00	7,262,016.02
1892	2,951,200.00	77,907,222.61	32,541,654.78	24,613,529.19	3,774,803.00	3,028,153.50	15,386,284.86
1893	21,968,218.00	80,331,276.73	23,543,385.00	24,308,499.82	2,734,276.00	3,232,995.50	7,664,047.84
1894	14,163,153.00	84,004,314.22	22,104,061.38	24,225,639.78	2,210,055.00	3,323,500.00	7,854,240.38
1895	20,043,180.00	87,236,599.55	25,327,126.72	23,592,884.68	2,427,004.00	3,223,623.06	10,659,565.16
1896	11,462,115.00	89,545,997.86	29,416,245.31	23,252,608.09	1,904,557.50	3,303,750.00	8,762,751.24
1897	16,244,147.00	92,571,564.22	30,562,660.95	23,278,402.73	7,377,888.00	3,255,532.00	7,390,496.79
1898	20,832,412.91	95,665,338.75	33,003,234.19	23,129,344.30	9,517,141.00	3,182,902.00	7,674,120.89
1899	14,627,449.56	99,222,300.75	56,098,783.68	23,193,392.00	9,377,494.00	3,509,202.00	7,673,854.90
1900	25,110,088.94	105,634,138.75	48,099,969.58	80,430,204.06	4,909,902.00	3,726,022.00	7,504,775.81
1901	16,285,605.75	113,658,238.75	65,140,916.67	114,220,095.55	7,383,628.00	4,023,500.00	8,198,989.24
1902	7,046,623.00	123,782,688.75	78,101,791.00	115,734,049.10	7,364,011.00	4,582,420.00	9,747,471.09
Total	301,874,130.06	1,700,615,906.35	669,888,595.27	826,362,951.23	72,564,288.50	47,747,625.06	174,806,758.23

Increase per cent, river and harbor and other appropriations.

	Per cent.
Rivers and harbors, 1879 to average for 1901 and 1902	42
Rivers and harbors, 1879 to average for 1900 and 1901	152
Post-Office, 1879 to 1902	272
Army, 1879 to 1902	352
Navy, 1879 to 1902	451
Agricultural, 1879 to 1902	1,709
Fortifications, 1879 to 1902	2,577
Indian, 1879 to 1902	105

I desire to take up, in the fourth place, a criticism familiar to some of you, that river and harbor bills, not only this bill, but other bills in past years, have carried an inordinate amount for the improvement of insignificant streams and creeks in the country. This criticism has gained very general credence. There is not a sciolist, not a superficial critic of Government appropriations but he is prone to compare this bill in its appropriations for minor streams with those for the great commercial ports, rivers, and harbors of the country, and say that the latter are neglected, while the former absorb the appropriations in the bill.

Now, let us see how much truth there is in this. I have prepared a table on this subject, in which I have included first, rivers and creeks having a tonnage of less than 50,000 tons per annum. Under a second division, I have included those having between fifty and one hundred thousand tons. I think it will be conceded by all that when a waterway has a tonnage of over 100,000 per annum it is worthy of attention and of the fostering care of the Government. In a few instances statistics of tonnage are not available, and in those cases I have given the total value of the commerce, including those rivers and creeks where the total value of the commerce is less than $1,000,000.

I think it will be again conceded that when the value of commerce on a waterway exceeds $1,000,000 per annum it is taken out of the category of streams which are insignificant. The total number of streams having a tonnage of less than 50,000 tons is 35. The aggregate amount to be expended for them is $214,100 for the next two years. The total tonnage of these streams is 619,105. The number having a tonnage of between 50,000 and 100,000 is 24, for which there is included in this bill $202,900. According to the latest statistics, the volume of commerce upon them in one year was 1,671,000 tons. So it seems that appropriations aggregating $417,000 for two years, or $208,500 per annum, will provide for an annual traffic amounting to 2,290,000 tons, at a cost to the Government of between 9 and 10 cents a ton.

The following table includes rivers and creeks of minor importance for which appropriations are made in the river and harbor appropriation bill, H. R. 12346. It includes those which have an annual traffic of less than 100,000 tons, or, in case statistics of tonnage are not available, of a value of less than $1,000,000. It is intended to give the tonnage or the value of articles carried for the latest year for which statistics are available. They are divided into two classes—those having an annual traffic of less than 50,000 tons and those of between 50,000 and 100,000 tons. The respective appropriations in the pending bill are given with each.

Rivers and creeks appropriated for in the river and harbor appropriation bill.

State.	River.	Less than 50,000 tons.	Amount appropriated.	50,000 to 100,000 tons.	Amount appropriated.	Value.
Maine	Bagaduce			86,000	$3,000	
	Georges	29,225	$6,000			
New Hampshire	Exeter (approximate tonnage)	10,000	7,000			
	Lamprey (approximate tonnage)	15,000	[b]10,000			
Massachusetts	Town and Weymouth				15,000	$950,000
Rhode Island	Pawcatuck			57,530	9,000	
New Jersey	Elizabeth	28,865	[b]2,000			
	Matawan Creek			51,000	[b]3,000	
	Alloway Creek			60,725	[b]3,000	
Delaware	Appoquinnimink River	27,415	[b]5,000			
	Murderkill			70,619	[b]3,000	
Maryland	Warwick			52,791	[b]4,000	
	Chester	36,113	[b]5,300			
	Tyaskin Creek, or Wetipkin River				[b]2,700	400,000
	Patuxent				[b]6,000	150,000

Rivers and creeks appropriated for in the river and harbor appropriation bill—Continued.

State.	River.	Less than 50,000 tons.	Amount appropriated.	50,000 to 100,000 tons.	Amount appropriated.	Value.
Virginia	Occoquan Creek			69,400	[b] 2,500	
	Aquia Creek	14,875	[b] $1,400			
North Carolina	Inland waterway, Beaufort and New River	39,356	9,500			
	Black			58,087	[b] 2,000	
	Northeast (Cape Fear)			56,743	[b] 2,000	
	Scuppernong (23,289 in 1894)			88,281	10,000	
South Carolina	Little Pedee	23,780	[b] 1,000			
	Wateree			93,024	[b] $3,500	
Georgia	Coosa, Oostenaula, and Coosawattee	33,776	25,000			
Florida	Caloosahatchee	22,737	[b] 6,000			
	Orange	3,100	[b] 2,500			
	Crystal			56,420	[b] 10,000	
	Manatee			55,162	[b] 7,000	
	Anclote	1,500	[b] 3,000			
	Suwanee			76,876	[b] 5,000	
	Withlacoochee				[b] 10,000	
	Upper Chipola	9,477	2,000			
	Kissimmee	4,325	8,000			
	Oklawaha	4,847	2,000			
Mississippi	Leaf			92,481	[b] 2,000	
	Big Sunflower	32,443	[b] 2,000			
	Tallahatchie	47,998	[b] 5,000			
	Homochitto	3,815	2,000			
Louisiana	Bogue Chitto			57,920	[b] 5,000	
	Chefuncte and Bogue Falia			86,856	[b] 1,000	
	Tickfaw and tributaries			55,540	[b] 1,000	
	Amite and Bayou Manchac	25,400	[b] 7,500			
	Bayou Vermilion and passes, channel, bay	21,150	[b] 9,000			
	Mermentau River	27,034	[b] 2,500			
	Bayou Bartholomew	15,720	[b] 5,000			
	Boeuf	6,935	[b] 5,000			
	Tensas River and Bayou Macon	17,312	[b] 2,500			
Arkansas	Cache	9,174	2,000			
	Current			59,502	6,900	
	St. Francis			55,510	9,000	
Ohio	Muskingum			78,595	10,300	
Indiana	Wabash, below Vincennes	1,128	5,000			
Missouri	Gasconade	21,580	10,000			
	Osage			96,144	30,000	
California	Napa			81,536	[b] 3,000	
	Redwood Creek, to complete project	16,351	8,400			
Oregon	Coquille River to Coquille	30,727	30,000			
Washington	Swinomish Slough			74,516	30,000	
	Cowlitz	17,279	[b] 3,000			
	Lewis	12,638	[b] 6,500			
	Okanogan	1,733	[b] 5,000			
	Pend Oreille	1,921	[b] 5,000			
	Chehalis	4,376	[b] 3,000			
	Total	619,105	214,100	1,671,263	202,900	

[a] Authorized. [b] Grouped with other projects. Estimated share of the amount for the group.

Summary.	Tonnage.	Appropriations.
Less than 50,000	619,105	$214,100
50,000 to 100,000	1,671,263	202,900
Total	2,290,368	417,000

The following list gives a list of creeks, so called, which are of very considerable importance:

Streams or inlets, designated as creeks, which have a considerable commerce, and for which appropriations have been made by the Government.

	Tonnage last year for which figures are available.	Appropriation in this bill.	Total appropriations to date.
NEW YORK.			
Newtown Creek	3,228,544		$410,500
East Chester Creek	300,475	$3,000	91,000
NEW JERSEY.			
Cooper Creek	230,138		37,000
Mantua Creek	188,957	25,000	28,000
Raccoon Creek	172,840	10,000	3,000
DELAWARE.			
Duck Creek (now known as Smyrna River)	348,728		
VIRGINIA.			
Urbana Creek	179,543		33,500
CALIFORNIA.			
Petaluma Creek	160,000	3,000	65,000

The Interstate Commerce Commission has prepared, at my request, a statement of the tonnage on certain of the minor railroads of the country. I selected at random 16 railways, the shortest of which has a mileage of 11.78 miles and the longest of 253.7 miles, and found that of these 8 had a tonnage of less than 100,000 per annum, varying from 3,310 tons on one railway having a length of 44 miles to 59,146 tons on one having a mileage of 86 miles, and if we select the one having the largest tonnage on a short mileage, 98,000 tons on a railroad having a mileage of 11.78 miles.

Yet it will appear that each one of these railroads is capitalized for a very considerable sum. The following is a list of them:

Statement of mileage and tonnage of certain roads for the year ending June 30, 1901.

Name of road.	Miles operated.	Tons carried.	Tons carried 1 mile.
Clarendon and Pittsford R. R.	11.78	98,586	443,637
Buffalo, Attica and Arcade R. R	28	31,620	342,492
Queen Anne's R. R.	67	29,831	825,231
Dayton, Lebanon and Western R. R	23	62,120	836,300
Birmingham and Atlantic R. R.	42.46	62,005	1,165,884
Nashville and Knoxville R. R.	86.80	59,146	1,951,818
Leavenworth and Topeka Rwy	56.12	12,027	321,852
Florida Midland R. R	44	3,310	46,721
Total		358,645	5,933,935

So that it will appear on examination that this criticism that ponds and creeks are absorbing a great share of these river and harbor bills is absolutely without foundation.

The total amount included in the river and harbor bill of last winter for the streams of New England, excluding rivers of the first class, such as the Penobscot, Kennebec, Merrimac, Connecticut, and others, like the Mystic and Providence, which are merely inlets from the sea and used for harbor and anchorage, was $120,500, yet the total amount of freight carried upon these streams annually is not less than 2,000,000 tons. The large expenditures upon rivers which are now being pressed upon Congress are rather for streams having a great volume of water.

In sections of these rivers excellent navigation is available by nature, but in order to make them navigable throughout their full length divers improvements are required. In some the channels shift, because they flow through an alluvial soil; in others there are rocks and other obstructions which require removal; in others there are rapids, above and below which are excellent reaches of navigable water. In almost all there appear alternate shoals and pools, the presence of which is to be observed in all rivers which have any considerable descent in their courses. The Tennessee River may be selected as the best illustration of a river which in some of its reaches affords excellent navigation.

Throughout its whole course its banks are stable, and improvements show satisfactory results in permanence. For the first 226 miles, from the mouth to Riverton, the navigation is excellent. The next 259 miles is through a mountain section, and there is a very considerable fall and many rapids and shoals. Through this section many locks and dams and lateral canals would be necessary to secure safe and permanent navigation. The probable cost of improving this portion would be over $6,000,000. To provide navigation on the upper reach of 188 miles from Chattanooga to Knoxville would interpose no insuperable obstacles.

Numerous rivers are now under consideration which have been surveyed and in which an estimate of the cost has been rendered. Among them are the Tennessee, the Cumberland, the Connecticut from Hartford to Springfield, the Coosa, the Trinity in Texas, the Ouachita in Louisana and Arkansas, and the Columbia in the Northwest. For the improvement of large rivers in the country estimates approximating $150,000,000 have been made by the engineers of the War Department, a large share of which would be for locks and dams. One of the questions to be decided is whether these rivers should be improved on so extensive a scale. The improvement of the harbors of the country is largely made necessary by the adoption of deeper draft boats. Of late in the construction of ocean-going freight carriers the truss model has been adopted for hulls, and boats drawing 40 feet are in sight if channels are available. Not only is there a demand for deeper draft boats, but traffic has increased enormously, and there is every indication of a continued increase.

Doubtless some of these small streams could be omitted. In this bill we have omitted between 20 and 30 of them. The Committee on Rivers and Harbors invites criticism upon them. Ask us questions about them, gentlemen of the committee, if you desire. We desire the very fullest criticism of this bill in its entirety, from the first section to the last. For more than two months we have been at work upon it, in almost daily sessions, at which nearly every member of the committee has been present; but it is probable that with all the scrutiny we have given to it, through the incompleteness of the reports before us or through inaccurate or incomplete information, we have made some mistakes.

It is not alone your privilege, gentlemen of the committee, but it is your duty, if in any way we have gone astray, to call our attention to that fact, so that when this bill goes to the other end of the Capitol, or when it goes from the Capitol to the White House, it shall be free from objectionable items. We have pursued no plan of compromise, we have considered no plan of dividing appropriations according to States, or localities, or membership of this House. We have endeavored to consider every project according to its merits, and made that the sole criterion as to whether it should be included in this bill or not.

Of the sixty millions included in this bill nearly fifty millions is for great projects. The committee thought best, as far as possible, to push the great improvements of the country, which are essential to the development of its commerce, to completion. Even where there are two projects of equal merit, it has seemed best in many instances to select one and finish it, rather than to go on with piecemeal appropriations for two, three, or more years. That is the most businesslike policy, and it is the most economical policy.

We could have brought in a bill here which would have carried in the aggregate, including these authorizations, not more than $40,000,000. Instead of authorizing $2,750,000 for the Southwest Pass of the Mississippi River, we might have brought in an authorization of $1,250,000. That, no doubt, would have provided for the work for two years. We might instead of providing an authorization of four millions for the St. Marys River, between Lake Superior and Lake Huron have made an authorization of $2,000,000. But in the first place it would not have been in accordance with business-like or economical policy.

It is best for the Government that these great projects be pressed to completion as rapidly as possible, and that the commercial interests should know what to depend upon; second, appropriations should be large enough to provide for large contracts. Thus economy can be secured in construction. There is another objection. If we had brought in a bill for only a small amount upon these authorizations we should have been guilty of cowardice. We believe it is best that this growing commerce of ours should be well provided for in the great ports of the country and that the finishing of these projects should be in sight. When there are great projects before us which must be completed, by which we can accomplish salutary results, and the amounts are under $1,000,000, the full amount required for them is set forth in our bill.

If there is anyone who desires to cut down these authorizations, I can not agree with him, because these amounts will be required before the work is done. Why fail to recognize that fact? Why make the declaration to the country that we are content with the dribbling policy which was pursued for many years? I can cite improvements in this country that cost $4,000,000 where the work was scattered over more than twenty years before completed, where every stone laid in place throughout this improvement was absolutely unavailable until the last item of the work was completed; but yet under the policy pursued for years these great improvements were allowed to linger twenty years between beginning and completion. The committee does not think that to be good policy, nor do we believe it is the most economical.

We have appropriated or authorized $12,000,000 for the Mississippi River. That is one-fifth of the total amount in this bill. We have appropriated or authorized a sufficient amount to prosecute the work for four years. We might have made it $6,000,000 and provided for two years, and there are many who give superficial examination to these bills who would have said how much more economical are those who would provide six millions than those who provided for twelve.

But let us consider that a minute. In the first place, annual appropriations have been made for that stream for twenty-three years; the annual average in each bill for the portion below Cairo has been $2,433,000. We have cut down that amount to $2,000,000 per annum, with a further provision that $50,000 of that $2,000,000 may be expended for the maintenance of dredges belonging on the reach below Cairo, in that part above between Cairo and the mouth of the Missouri River. But, in order that the Mississippi River Commission may know just where they are, we have provided that that appropriation shall run for four years, so that at the end of one year there need not be any uncertainty as to what to do the next year, and that they may know now in this year, 1902, just what amounts will be available for the years up to 1906 and make their calculations accordingly.

Every just principle of economy, of efficient performance of work justifies the provision for the four years, if we are going on with this work at all, and I take it that we can not turn aside from that which has been the settled policy of the Government for more than twenty years and omit the Mississippi River from the appropriations in our bill.

Taking up some of the larger amounts in the bill, there has been appropriated or authorized for the harbor of Gloucester, Mass., the first large item on the list, $75,000 in cash and $227,000 is authorized to be expended in the future. Boston Harbor, $600,000 in cash has been appropriated and $3,000,000 authorized in the future, with a view to obtain a 35-foot channel to the open sea. For the harbor of Fall River, Mass., $38,000 cash and $117,412 is authorized to be expended in the future; for the harbor of New London, Conn., $25,000 cash and $120,000 in the future.

Passing on to Arthur Kill, a subsidiary channel to New York Harbor, we have appropriated $100,000 and authorized the expenditure of $596,000 in the future. For the Passaic River and Newark Bay, leading to the city of Newark, we have appropriated and authorized the sum of $75,000 cash and the further amount of $221,000 for continuing contract. For the harbor of Buffalo we have appropriated $200,000 and authorized a further expenditure of $614,643. For the Delaware River, for a channel from Philadelphia to the sea, 56 miles in length, we have appropriated $600,000 and authorized $2,400,000.

To give additional harbor room to the city of Baltimore we have appropriated $88,000 and authorized $221,000; for the removal of Hospital Point in the harbor of Norfolk, $10,000 cash and $195,000 for continuing contract; Newport News, $10,000 cash and $215,000 for continuing contract. For the Great Pedee River in South Carolina we have appropriated the sum of $22,000 cash, which includes the general maintenance, and $106,300 is authorized. For the city of Savannah and its approaches $50,000 cash is appropriated and $1,000,000 authorized; St. John's River below Jacksonville, $350,000 cash and $950,000 authorized; the city of Mobile and Mobile Bay, $300,000 cash and $200,000 authorized; for the continuance and construction of locks and dams on the Warrior River, $374,000 cash and $500,000 continuing contract; for the Southwest Pass, with a view to provide 35 feet of water as an outlet for the traffic of commerce of the Mississippi River, $750,000 cash and $2,750,000 authorized. For Ouachita and Black rivers the sum of $114,000 cash is appropriated, and an expenditure is authorized of $353,954.

For the repair of jetties of Galveston Harbor, $350,000 cash and $400,000 continuing contract is provided.

For Buffalo Bayou we have appropriated or authorized $300,000 cash and $700,000 continuing contract.

For the locks and dams on the Ohio River, Nos. 2, 3, 4, 5, and 6, those below Pittsburg, for the further prosecution of the work, and to provide for the next two years, we have appropriated $275,000 cash and $300,000 continuing contract.

For the construction of both locks, 8 and 11 on that stream, between the States of Ohio and West Virginia, we have appropriated the sum of $50,000 and authorized the sum of $250,000.

For lock and dam No. 37, just below Cincinnati, we have appropriated $100,000 and authorized the expenditure of $950,000.

For the Tennessee River we have appropriated the sum of $200,000 and authorized the sum of $400,000.

Mr. MOON. Mr. Chairman——

Mr. BURTON. I prefer that the gentleman should defer any question until I finish the general remarks on the bill, because I will give ample time to him when the time comes, or will try to, at any rate.

For the city of Cleveland, for the rebuilding of the entrance to the breakwater and its extension, providing an additional harbor of refuge and an extension of the harbor, we have appropriated $500,000 and authorized the sum of $2,300,000. For the Hay Lake Channel, between lakes Superior and Huron, we have appropriated the sum of $500,000 and authorized the further sum of $4,000,000.

Through this channel a tonnage of nearly 30,000,000 goes, yet this traffic must find its way for a long stretch through a channel which is only 300 feet in width, with sharp curves at places where there are rocks beneath, affording the greatest degree of danger. For the Detroit River below Detroit we have appropriated the sum of $500,000 and authorized the sum of $1,250,000. Through this channel goes the greatest traffic in the world, yet in some places it is only 440 feet in width. There, too, as in the Hay Lake Channel, the course is circuitous; it is one where there is much thick weather, where the mariner must proceed in the night under the doubtful direction of range lights and targets on shore; and I want to say that so eager are the boat owners that frequently they load their boats to such a draft that the bottom of the boat comes within 3 to 4 inches of a rocky bottom beneath.

For the rebuilding of the St. Clair Flats Canal we have appropriated $330,000. Through this canal practically the same traffic goes as through the Detroit River, 45,000,000 of tonnage a year, three times as great as through the Suez, and more, yet the canal there was built in 1870, and it has been narrowed by deeper dredging to a width of 262 feet, so that this improvement is pressing. It is quite remarkable that some accident has not already happened there to tie up the great traffic of the lakes. When this measure left us last winter that item was amended by cutting out one-quarter of the $330,000. I can not believe that such a course was judicious, for it plainly meant, we will appropriate part for a work which can not be used until it is completed, and where it would have been just as well to have left out the whole as to have left out a part.

There are one or two minor appropriations in that locality that I will mention briefly. The harbor at Ludington, Mich., has an appropriation of $75,000 and an authorization of $165,000. A car ferry finds its terminus here; used in the winter as well as in the summer, and it is one of the most growing ports upon the lakes. For Conneaut Harbor, in Ohio, the sum of $200,000 is appropriated and $250,000 authorized. Already contracts have been made for the delivery of more than 4,000,000 tons of iron ore at this port, brought down from Lake Superior and from the upper lakes. For the ship canal and Sturgeon Bay (harbor of refuge) an appropriation of $40,000 is made and an authorization of $178,000.

Passing to the Pacific coast, there is appropriated for San Diego, the most southwesterly port in the United States, the sum of $75,000 and an authorization of $192,850. This will complete the improvement there and afford a very excellent harbor. For a through channel between the Golden Gate and Karquines Straits, affording a water route to the towns of Port Costa and Benicia, where a very large tonnage, including most of the grain which is handled in that locality, an appropriation of $100,000 is made and an authorization of $281,000.

This channel is also valuable because it will make it possible for war ships of deep draft to reach Mare Island Navy-Yard, from which they are now shut out. There is appropriated for the mouth of the Columbia River $500,000 cash appropriation and an authorization of $1,000,000. This improvement has not been altogether satisfactory in its results. Very heavy seas prevail at the mouth of this river. The sand bar which prevents easy access tends to go out with the extension of the jetty.

The waves are such, also, that a depth of 40 feet is necessary even to insure safety and security for boats of only 30 feet or even less draft to enter; but this is the outlet for a magnificent territory, shipping out millions of dollars' worth of wheat and timber and other products, and the committee sees no way to do but to proceed to completion, believing that the results obtained under the original plan, or such modifications as may be found necessary, will afford a satisfactory outlet for this river. These are the leading appropriations in the bill and they aggregate close to $50,000,000. The appropriations for the remaining $10,000,000 are divided among a variety of projects, nearly 300 in number, for further continuing improvements and for maintenance.

This bill includes nearly 100 less items than previous bills. That has been accomplished in two ways, first, by the omission of some 30 projects, rivers, creeks, and harbors which we thought unworthy of further attention from the Government; second, by the grouping together of numerous projects where appropriations are comparatively small, and where it was thought best to give, under directions contained in the bill, some discretion to the engineering department regarding the places where money is to be expended. For instance, on what is called the east shore of Maryland we have grouped together 4 harbors and 6 creeks and rivers, appropriating for the 10 the sum of $60,000, so that the average for each is $6,000.

It was thought that the money appropriated could be more economically expended if combined in one item and expended presumably in one contract, and it is thought best, as I said, to give to the War Department some discretion about the manner in which this money shall be expended. The aggregate amount is to be expended according to the rules set forth on page 91 of the bill:

> Where separate works or items are consolidated in this act the amounts herein appropriated shall be expended in securing maintenance and improvement according to the respective projects herein or heretofore adopted by Congress, after giving due regard to the respective needs of each and considering the necessities of traffic. The allotments to the respective works herein consolidated shall be made by the Secretary of War upon recommendations by the Chief of Engineers.

We have also included in this bill, on page 91 and the following page, a mandatory provision making it the duty of the Secretary of War when separate items or appropriations can with advantage to the Government be consolidated, that he shall do so.

Oftentimes in localities near to each other several appropriations of $5,000 or $10,000, or more, are made for which it is necessary to make separate contracts, provide for the installation of a plant at each, and when that plant is installed a good share of the amount to be expended is exhausted.

It is thought better for the public service that these smaller items, when possible, be consolidated in one contract, so that there shall be but one expense for the installation of the plant. That authority has existed with the War Department heretofore, but it was thought best to insert in the bill a mandatory provision, as follows:

> In all cases where separate appropriations are made for works in this bill if money can be more advantageously expended by combining under one contract two or more of such works, such combinations are authorized and shall be made.

There are certain general provisions in this bill—general legislation—before passing to which I will state that an emergency fund of $200,000 has been provided in section 1, which makes a part of the $24,000,000. That emergency fund, however, is carefully hedged about. The disbursement of it is restricted. It must be for some emergency which arises after the passage of this act. It must be such an emergency as renders useless, or comparatively so, a channel or improvement heretofore adopted and prosecuted by the Government. It must be recommended not only by the local engineer having the works in charge, but by the Chief of Engineers. The expenditure on any one project shall not be more than $10,000.

It frequently occurs that a channel is closed up or a pier or other work is seriously injured by a storm. There may be no fund available for the repair of the pier or the opening of the channel, and it seemed best for the committee, to this amount of $200,000, to provide for emergencies of that nature. In the act of 1900, known as the emergency act, there was a similar provision, which has worked well and which justifies the insertion in this act two years later of a similar provision.

I should state that, in addition to the authorizations in this act, provision is made in several places for an additional expenditure for enlarging projects for which an authorization has been made in some previous bill, providing the total does not exceed the amount originally authorized. One of these is at New Haven, Conn., where there is an authorization for extending the channel, provided the amount authorized in the act of 1899 is not exceeded. Another is Winyah Bay, South Carolina, where the act of 1896 provides merely for the opening of the entrance to the bay and made no provision for extending the channel through the bay up to Georgetown, the nearest port.

It is found that there are shoals in between, and that even if the improvement originally provided for were completed it would be of little use. It is found also that the dredges which are engaged on the work can not be employed at the entrance for a good share of the time because of rough water, so that the additional expenditure for utilizing the dredges between the entrance to the bar and Georgetown will be comparatively small. Provision is also made for the removal of Blossom Rock in San Francisco Harbor. By the act of 1899 provision was made for the removal of Arch Rock and the two rocks known as "Shag Rocks" in that harbor.

The work was done there for very much less than the estimates. Upon examination it appears that Blossom Rock is an obstacle to navigation in that harbor nearly as dangerous as those already removed. Providing the total expense does not exceed the amount authorized in 1899, Blossom Rock is also to be removed. Provision is also made for the insertion of a lock in Rock River as part of the improvement of the Illinois and Mississippi Canal.

I should state that in some of these largest projects the total amount required for completion is not authorized in the bill.

One of the best illustrations is the Hay Lake Channel, between Lake Superior and Lake Huron. The total amount estimated for completion is $5,750,000. We have appropriated and authorized in this bill only $4,500,000, leaving a balance of $1,250,000. The total for Boston Harbor is $8,000,000. We have appropriated and authorized here $3,600,000. The course pursued in these cases and some others has been decided upon after full consultation with the engineers, who say that the amounts included in this bill are ample to secure the promptest and most economical results.

They say, further, that there is one advantage in this method, because in the development of an improvement it often appears that material modifications would be beneficial; but if a contract has been made for the whole work they can not make those modifications without getting the consent of the contractor, and probably paying him damages. Also, it is probable that in some of these great projects the total expense will be very materially less than the amount of the estimate, or that a less amount of improvement will secure the desired results.

In these cases, perhaps seven or eight in number, we have authorized less than the total amount required, partly to keep the amounts authorized in this bill within reasonable limits, but quite as much and more in the belief that the course adopted is the most salutary one to pursue. In case the total cost of the improvement is $1,000,000 or less, we have in all cases, with one exception, appropriated or authorized the whole amount, restricting the limitation to less than the total amount estimated only in several of the very large projects which are included in the bill. Some other general provisions make additions to or changes from previous legislation.

Section 3 provides for a board of engineers, five in number, who shall review all projects examined by the local engineers. This subject was considered at considerable length during the discussions upon the bill last winter. The recommendations upon which items are included in this bill come now directly from those having the rank of lieutenant-colonel, or a higher rank, to the Chief of Engineers. Those having a lower rank than that of lieutenant-colonel transmit them to the division engineer, who then transmits them to the Chief of Engineers, with his approval or disapproval; then the Secretary of War transmits them to Congress.

The result is just what naturally would be expected. Each engineer has his own standard of the desirability of the work upon which he is called to report, and there comes to Congress and the committee a variety of opinions. It often occurs that an improvement of a certain quality which will cost, say, $100,000 is recommended. Another report comes from another engineer more conservative in his disposition upon an improvement costing $25,000, which in fact is more beneficial, and yet he gives an adverse report upon it.

It is true that to an extent we can decide upon these reports and recognize the different standards adopted, but it is very desirable that a uniform standard should be adopted by the Executive Department, and that a board of engineers, five in number, familiar with all the works in the country, should review them before they are sent to Congress. There is also a provision in this section to the effect that the Committee on Commerce of the Senate and the Committee on Rivers and Harbors of the House can call upon this board for a report upon any project already adopted. Occasionally there is a project upon which we are very doubtful and it seems desirable to have an expert opinion upon it.

Section 4 provides for the formation of an international commission, the members of which shall consider the very important subject of levels of the Great Lakes and other waters which find their outlet through the St. Lawrence. This provision is a necessary one. In many instances power canals have been constructed, or are in contemplation, which threatened to divert the water in a manner such as to materially interfere with the lake levels. Lowering the channel through the St. Marys River 3 inches would cause damage to commerce that could probably be counted by millions of dollars.

There is already a power canal there which has been opened on the Canadian side, and one is in contemplation on our side. Also, in improving channels there it is necessary in some cases, in order to get the best depth of water, to go over into Canadian waters. To settle all these questions, the demand for this commission is immediate and pressing.

It is also provided that they shall report upon the advisability of locating a dam at the foot of Lake Erie where the waters discharge through the Niagara River and its probable cost. Engineers have already figured on that problem. On several occasions an ice jam at this place has caused a rise of water on the lake not only of inches but a foot or more, giving an object lesson as to the effect of a dam. There seems to be no slope in the water of the lake; if a rise of 14 inches is caused by an obstruction at the foot, there is an equal rise at the mouth of the Maumee River or at the other end of the lake. While we are making provisions for deepening harbors upon this lake, it is desirable to have an examination made whether the construction of a dam will not in a great degree provide increased depth.

Section 5 provides for the sale of property which has become useless. Under an old act of Congress it is necessary to have an inspection and estimate even before the least valuable article that is used by the engineer force can be sold. As an illustration, a piece of breakwater which washed ashore could not be sold without an inspecting officer going out from the War Department and appraising its value. Another instance occurred where a mule that had been used on the Tennessee River was no longer required, yet it was necessary to send out an officer to appraise the value of the animal. It was found when the appraisement had been made that the expense of this red tape was altogether more than the proceeds upon a sale.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LAWRENCE. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio may be allowed to conclude his remarks.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the gentleman from Ohio be allowed to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTON. This section also provides that where a dredge used in river and harbor improvements is no longer required at one locality it may be either permanently or temporarily transferred to another. An illustration appears in this bill. The dredges used on the Mississippi River below Cairo are not required for the whole year, and there is a provision that for a part of the time they may be used above Cairo. Whether the transfer be permanent or temporary, there is a proper accounting to be made between the two portions of the river, so that the amount of compensation for the use of the dredge which belongs below Cairo may be credited to that account and charged to the other.

Section 6 provides that certain provisions included in previous river and harbor bills shall be subject to that provision of the act of 1899 authorizing the Attorney-General's Department to act.

Section 7 repeals previous provisions heretofore made for six projects, and orders that the money remaining to the credit of each shall be turned back to the Treasury. These are not large in any case, but it was thought desirable to abandon further work on all of these projects.

Section 8 repeals the act passed in the year 1876 authorizing the residents and property owners of Neville Township, county of Allegheny, and State of Pennsylvania, to close the channel on the south side of the island by the construction of a causeway or otherwise. That provision was included in the bill of 1876, probably under local influences, but it appears not only that the closing of this branch of the channel on the south side of the island would promote the danger from overflow, but would also cause the flooding of a considerable district now thickly populated. The committee thought best to recommend that this provision be promptly repealed.

Section 9 provides that the amount for the uninterrupted gauging of the waters of the Mississippi River and its tributaries be fixed at $9,600. This provision is necessary, in view of some ambiguity in the act of August 11, 1888, as to whether the amount is $6,000 or $9,600.

Section 10 is a provision to which I ask the attention of the House, which seems to me to provide for the adoption of a better policy. It is to the effect that the Secretary of War may, whenever application be made before the expiration of the time limited, and the reason for such extension shall be deemed by him sufficient, extend the time for the completion of any bridge. In practice many bills come to Congress for the extension of the time limit fixed for the construction of these bridges. Rather than to go through that process, which often is one of circumlocution and under which Congress invariably, I think, accepts the recommendation of the War Department, it seemed best to give that general authority to the Secretary of War to extend this time limit whenever the reasons seemed to him sufficient.

Section 11 provides that the Secretary of War may fix regulations as to the speed of vessels in places improved by the Government. Take, for instance, the St. Clair Flats Canal that I have mentioned. There is a special statute or regulation in regard to that. The two piers are only about 300 feet apart and the channel only about 262 feet wide. The going through of large boats causes a great movement in the water, and if these boats went beyond a certain rate of speed it would very materially impair if not ultimately destroy this canal. In many harbors and rivers the same is true, namely, that if a boat proceeds at a too rapid rate of speed it is likely to throw down the whole improvement or cause very serious injury. It is provided that the regulations shall be posted in conspicuous and appropriate places for the information of all who may be affected by them.

To remedy an ambiguity in the act providing penalties for the depositing of refuse in the harbor of New York City, section 12 is to the effect that the repealing clauses in the act of March 3, 1899, which some attorneys of standing have claimed repealed the act, shall not be held to refer to that act prohibiting deposits.

Section 13 provides for the printing of a copy of the laws pertaining to rivers and harbors, and also for the bringing down to date of a document published in 1897, I think, giving a list of surveys and preliminary examinations made, and also a statement of all appropriations made for all projects since the formation of the Government. Each of these documents or books will be of very great value.

It also contains a provision that the Secretary of War shall ascertain and report to Congress all cases in which improvements on navigable waters of the United States have been or are being undertaken by municipalities, private corporations, or individuals, either alone or in conjunction with the Government, and information shall be furnished also as to the places in which work is done near to piers or wharves belonging to private individuals or corporations.

That I believe is all, gentlemen, that I desire to state upon this bill. Perhaps it would be well for me to dwell briefly on a subject touched upon at very considerable length in the report. The committee, not only this winter but last, made examination of the expenditures for the Missouri River and found that the commerce on that stream was entirely disappointing; that on the stretch below Sioux City there has been appropriated by the Government $8,723,000, and all there was to show for that was an annual traffic of 263,114 tons, of which 218,514 tons was made up of sand and building materials, carried an average distance of less than 2 miles.

They found that, excluding these building materials carried less than 2 miles, the total tonnage below Sioux City was only 44,600 tons, and that if you bunch all the tonnage of 263,000 tons, the average haul is less than 4 miles. This showing does not present to us any promise in the way of commercial development or justification for the continuance of these large appropriations.

It appears that in 1899, on the Hudson River, for which there has been appropriated a sum considerably less than for the Missouri River, there was a traffic of 1,500,000 tons and more; and for the Ohio River there was a traffic of 13,579,000 tons; and for the St. Marys River there was a traffic of 24,554,000 tons in 1899. and I may say that in the last year that has increased to over 28,000,000. There you have it, 28,000,000 as against 44,600 of traffic, excluding the sand, and a much larger sum appropriated for the Missouri River.

Mr. REEVES. You said 1,500,000 tons for the Hudson River.

Mr. BURTON. I meant 15,000,000 tons. I thank the gentleman for the correction. In the multitude of figures it is sometimes difficult to get them all right. On the Detroit River over 40,000,000 tons are carried in a year, and there has been appropriated for that stream less than for the Missouri River below Sioux City. There has been appropriated for that portion above Sioux City to Stubbs Ferry, or Fort Benton, $2,179,000, for a traffic of 23,041 tons.

Three years ago, when this bill was under discussion, I attempted to show to the committee that an amount was appropriated there for ice harbors so considerable that it would be cheaper each autumn to burn every boat on that stretch of the stream and buy them and make a gift of them to the owners in the spring than to attempt to maintain these so-called ice harbors. It is perfectly manifest to everyone that the greater share of these amounts goes for what is called the rectification of the banks. For the systematic improvement, as it is called, of one reach of the Lower Missouri River, located in one Congressional district, I believe, the sum of $2,600,000 has been expended, without securing any salutary results. If that systematic improvement were extended from the mouth to Kansas City, at least $30,000,000 would be required.

The members representing that section appeared before us last winter and proved to us most conclusively that in the years before these large appropriations were made for the Missouri River there was a very considerable traffic upon it; and it would seem to the committee that in view of the fact that when no appropriations were made or no considerable sum was appropriated there was a large traffic, and that when enormous appropriations—for enormous is the right word in comparison with the benefits—are made there is no traffic, it might be well to return to the old order of small appropriations and a more considerable traffic.

Mr. CLARK. Have you got to a place now where you can answer questions conveniently?

Mr. BURTON. Yes; I shall be glad to answer the gentleman from Missouri.

Mr. CLARK. On page 82, in lines 10, 11, and 12, there is an item—

and the Secretary of War shall cause an examination to be made of the lower portion of said river with a view to ascertaining whether navigation can be maintained at a reasonable cost by dredging and the removal of obstacles; also at and near Hermann, West Glassgow, Lexington, and St. Joseph with a view to ascertaining what improvements in those localities, if any, are necessary for navigation.

I want to ask you if that is for surveys, as we usually understand the meaning of the word?

Mr. BURTON. Yes.

Mr. CLARK. It says "examination."

Mr. BURTON. Yes. There is one provision there in which the gentleman, I think, is interested. I think this, however, will cover the case. It will be noticed that the whole amount for the whole Missouri River aggregates $80,000.

Mr. CLARK. What I was asking you about was if lines 10, 11, and 12 provide for what are usually called surveys.

Mr. BURTON. Yes.

Mr. CLARK. One other question: I want to ask you if you, individually, or the committee have any objection to having the same amendment in this bill that Mr. DOUGHERTY and myself secured the adoption of in the last bill, to permit the owners of farms on the Missouri River to build dams, dikes, and so on, under the direction of the Secretary of War.

Mr. BURTON. Subject to the approval of the War Department?

Mr. CLARK. Yes.

Mr. BURTON. None whatever.

Mr. CLARK. I will offer such an amendment at the proper time.

Mr. BURTON. I would state to the gentleman, so that it may be understood, that the appropriation is by no means so large as it was in the bill which failed, and I will state further that this inclusion of these items in the body of the bill, in section 1, gives the direction for a survey a little higher standing than before.

Mr. CLARK. That is what I wanted to understand.

Mr. BURTON. I understand the gentleman intends to offer an amendment to the effect that dikes and dams and works for the protection of the land bordering on the river may be made by abutting owner or municipalities, provided they are approved by the Secretary of War.

Mr. CLARK. Yes.

Mr. BURTON. And the plans are to be submitted to him before any improvement is made?

Mr. CLARK. Yes; just the same amendment that we adopted here a year ago.

Mr. BURTON. I can see no objection whatever to a provision of that kind.

Now, gentlemen of the committee, I have detained you longer than I intended, and have gone over this bill at considerable length. I maintain that, more than any measure brought into this House, the money expended under this bill will, in this commercial age, benefit the people of the United States.

It will be conceded that river and harbor improvements must be made. There is a great variety of ways in which these improvements can be made. On this subject I can not do better than to repeat a portion of an address delivered at Baltimore last October:

The different commercial countries have adopted various regulations in providing for river and harbor improvements. No country has at all times or at all places pursued an entirely uniform policy. There may be said to be three distinct systems:

1. That under which channels and harbors are improved by municipalities and private corporations, which for compensation impose charges upon shipping or commerce. This system is illustrated in Great Britain. The Central Government does not improve channels or harbors, except for the purpose of national defense, but municipalities and private corporations have expended for these purposes greater amounts than in any other country. Not many years ago the Tyne at and below Newcastle was improved at an expense of over $20,000,000; the Mersey and Clyde at still greater expense; the Manchester Canal, 35½ miles in length, was built at a cost of $75,000,000 or more; $150,000,000 has been expended for canals in the interior of the country.

Theoretically the charges imposed are commensurate with the cost of the improvement, but in practice it is rarely so. Oftentimes a harbor is improved by a municipality to promote its trade, as by the city of Bristol, or by a private corporation to provide better means to send its products to market, as at Cardiff to facilitate shipments of coal.

2. A system under which the central Government improves harbors and channels, and imposes charges in the form of tolls, extra duties, port or wharfage dues, the income of which is in greater or less proportion to the expense. This method is well illustrated by the action of the Republic of Uruguay, which last December contracted for the improvement of the harbor of Montevideo at the expense of $9,916,336, and made provisions for payment by the imposition of an extra duty of 3 per cent on dutiable imports and 1 per cent on dutiable exports. It should be noted that under this and the preceding system the furnishing of anchorage and turning basins, docks, and sometimes warehouses is included in expenditures upon ports.

The policy indicated in this second method is pursued in France in reference to harbors, where large amounts are collected for dock dues. In numerous instances where this method has been adopted the expense of an improvement has been apportioned between the General Government and the city or locality especially benefited. The port of Antwerp has been improved at an expense of $30,000,000. Approximately three-fifths of the expense has been paid by the Belgian Government and two-fifths by the city of Antwerp. In the improvement of the harbors of Trieste, recently authorized by the Government of Austria-Hungary, a smaller proportion of the expense is to be paid by the city. In the construction of the Elbe-Trave Canal, opened June 1, 1900, and which joins the North Sea and the Baltic, the Government of Prussia contributed a little less than one-third, and the balance was paid by the city of Lubeck.

3. The third system is that under which the General Government improves channels and harbors and imposes no charge upon commerce with a view to obtaining compensation for the improvements. This method is in vogue in the United States both as regards rivers and harbors. In France it is followed in the navigation of rivers and canals, all tolls upon which were abolished in 1880. The policy pursued in the United States has not been altogether consistent or uniform. The very first act on the subject recognized a policy similar to that described in the first system described above, namely, the making of improvements and imposition of charges by a private corporation or municipal body.

It was passed on the 11th day of August, 1790, and gave consent to the operation of acts passed, respectively, by the States of Rhode Island, Maryland, and Georgia, authorizing the levying of a charge on the tonnage of ships by the River Machine Company in the town of Providence, by the wardens of the port of Baltimore, and the collection of such a charge for the purpose of improving the river Savannah. Similiar statutes were passed at a later date consenting to the operation of acts passed by the States of Massachusetts, Pennsylvania, and Virginia.

Provisions authorizing very limited expenditures for this purpose were included in bills for the Navy, for fortifications and for light-houses, but no general adoption of a policy of improving rivers and harbors appears until later. Statutes were passed authorizing surveys, notably for the waters tributary to the Mississippi, and on the 6th of April, 1802, during the Presidency of Thomas Jefferson, an act was passed which stands out prominently as the first appropriation for improvements of this nature. It appropriated $30,000 for repairing and erecting public piers in the river Delaware.

The act admitting the State of Alabama, November 2, 1819, set apart 5 per cent of the net proceeds of the lands lying within the State for public roads, canals, and improving the navigation of rivers, of which three-fifths was to be applied on objects within the State, under the direction of the legislature thereof, and two-fifths for the making of a road or roads leading to the said State, under the direction of Congress.

On the 3d of March, 1817, President Madison vetoed a bill setting apart certain funds for constructing roads and canals and improving the navigation of water courses, on the ground that he found no warrant in the Constitution for such expenditures by the National Government. Notwithstanding this veto, appropriations were made under the next Administration, and in the great commercial and industrial revival which followed the end of the Napoleanic wars in Europe, and which extended in an exceptional degree to this country, a different opinion prevailed. It may be regarded that under the general-welfare clause of the Constitution and the authority vested in Congress to regulate commerce between the States, the right to take control of and to make appropriations for river and harbor improvements is well settled, though these appropriations have been made irregularly and at times only for a limited number of objects.

On the 7th day of May, 1822, an appropriation was made for a sea wall on the Isle of Shoals, on the coast of New Hampshire and Maine, and a harbor or shelter for vessels from the ice in the Bay of Delaware near Cape Henlopen. This was contained in a statute pertaining to light-houses, for which appropriations were made from a very early day.

The first statute including any considerable number of projects was passed on the 24th of May, 1824, appropriating money for the removal of bars at six places in the Ohio River, including also a general appropriation for improving the navigation of the Mississippi River from the mouth of the Missouri to New Orleans and of the Ohio River from Pittsburg to its junction with the Mississippi.

Two days later money was appropriated for making or deepening the channel leading into the harbor of Presque Isle, now known as the harbor of Erie, in the State of Pennsylvania, and for repairing Plymouth Beach, in the State of Massachusetts, and thereby preventing the harbor at that place from being destroyed.

From this time on annual bills were passed for a plurality of objects of much the same nature and in much the same phraseology as in the river and harbor bills of to-day, until and including the year 1838. After this year, while the general policy was recognized and appropriations were made in almost every year, the passage of general bills was, with two exceptions, suspended for twenty-eight years.

Those exceptions were the bills of June 11, 1844, and August 30, 1852. The regular passage of river and harbor bills was again resumed in the year 1866. Beginning with that bill, appropriations have been regularly made. Bills for the purpose were passed annually from 1866 to 1882, with the single exception of the year 1877, after which they were passed biennially until and including the year 1896, since which time but one general bill has been passed—that approved March 3, 1899.

The question remains, How shall this work be done? Now, there might be a division; that is, a fraction of it might be paid by the General Government and a fraction by the parties thought to be peculiarly interested. I will, with the consent of the committee, print briefly some remarks that I made on that subject in 1896.

There might be an adjustment made of it after the improvement of a channel is completed, so that the dredging or maintenance should be kept up by the localities most interested. The line might be more strictly drawn, I think, between that which should be done on the one hand by the General Government and that which should be done by municipalities or private interests on the other.

But who will provide for the great interstate rivers and channels? How will you provide for the channel, to use an illustration that I have several times employed, of St. Marys River, between Lake Superior and Lake Huron? The critics of this bill have charged that up to the State of Michigan.

I will be perfectly frank in saying that the cities of Cleveland, of Buffalo, of Chicago, and of Duluth are a great deal more interested in that channel than any city in the State of Michigan, because it provides them with facilities for through traffic from the head of Lake Superior and all parts of that lake to Chicago and Lake Michigan, also to Lake Huron, and especially to the ports of Lake Erie, making it possible to bring down fourteen or fifteen million tons of iron ore, thereby aiding and giving this country that preeminence in the manufacture of iron and steel which we have been gaining from day to day and year to year.

Is not that a national improvement? How are you going to provide for that navigation? While I am not so sure about the levees of the Mississippi, how are you going to make the navigation of that river a State project? The same is true of the port of Boston and of the ports of New York, Philadelphia, Baltimore, New Orleans, Galveston, and San Francisco and Portland, all outlets for the wealth of this country, so that the improvements there are for the benefit of the whole country.

In submitting this bill from the committee we maintain that it is not a measure for the benefit of certain localities, it is not a measure for the benefit alone of cities or towns here and there. It is not a bill which brings special privileges or advantages to individuals or to communities. If there are such items in the bill, let members of the committee point them out. If we have made mistakes in this regard, we desire to know. It is not a measure merely for the removal of rocks from the path of the mariner and to make his course plainer and safer. This is a bill which confers inestimable benefits upon our common country and upon all its people. [Loud applause.]

Mr. MOON. Will the gentleman allow me to ask him a question now that he has finished his speech?

Mr. BURTON. Certainly.

Mr. MOON. I want to state a fact and then ask a question, not in any antagonism to this provision, but rather in order to obtain an explanation. You will find on page 62 of the bill that you provide for the improvement of the river above Chattanooga, Tenn., the sum of $50,000. The chairman, of course, understands that that appropriation is not for any particular work at any particular place.

Mr. BURTON. I beg the gentleman's pardon, I did not hear. Is it page 62 to which he refers?

Mr. MOON. Yes. It is to remove temporary obstructions to the river. Well, now, above Chattanooga, down to Colbert Shoals and Bee Tree Shoals, is the largest tonnage on the river and there are perhaps more temporary obstructions than above. I notice upon page 61 that you make an appropriation confining the expenditure to Colbert Shoals and Bee Tree Shoals alone. Now, this appropriation I concede is a very liberal and just one in view of the appropriations made heretofore. The question I want to ask the chairman is this: Why does he not leave in the discretion of the Engineer Corps the right to appropriate any part of either the $200,000 or the $400,000 under the contract system here to the removal of any temporary obstructions between Colbert Shoals and Bee Tree Shoals and Chattanooga, instead of putting it all on the work there?

Mr. BURTON. That was in pursuance of a policy of the committee not to scatter appropriations and leave incomplete a number of projects, but to finish one as soon as possible. The estimated amount for the improvement of that river from Riverton to Chattanooga is $4,800,000. It will probably cost a million more. It is certainly very plain, before the upper portion can be utilized it will be necessary to improve the lower part, because otherwise the commerce of the upper portion would have no outlet, and it was thought best to secure the improvement at the Colbert and Bee Tree Shoals before taking up any other part.

Mr. MOON. That is in pursuance of a policy of the committee upon all rivers?

Mr. BURTON. In a word, not to scatter the appropriations?

Mr. MOON. I have no serious objection, but I wanted the gentleman's explanation to go in the RECORD. That was the object of my inquiry.

Mr. SIMS. I notice that the appropriation from Riverton to the mouth of the Tennessee River is $19,000, a distance of 226 miles. Is that the full amount recommended by the local and Chief Engineer?

Mr. BURTON. That is the full amount recommended by the local and by the Chief Engineer.

Mr. SIMS. Is there not an unexpended balance?

Mr. BURTON. There is. The act of 1899 carried an appropriation of $100,000 for this reach of the river, from which there is still an unexpended balance. I think that portion of the river is well provided for, and the results, I will say to the gentleman, obtained in the expenditure of the money, have been very satisfactory.

Mr. CUSHMAN. Mr. Chairman, I would like to ask the gentleman whether there is any provision in the law now that leaves it in the discretion of the Secretary of War to make any change in projects which have heretofore been adopted by the Government—I mean any change of plans?

Mr. BURTON. No general law. In some instances where we have thought it desirable to give the Secretary of War the right to modify, we have inserted a provision to that effect.

Mr. CUSHMAN. In the project which is now under the continuing-contract system, for instance, our project at Everett, if it is desirable to vest in the Secretary of War authority to make a change in the plans there, would that enactment properly come in the river and harbor bill or in the sundry civil bill?

Mr. BURTON. It would more properly belong in the river and

harbor bill, but the better way would be to bring it up by separate resolution.

Mr. CUSHMAN. And not as an amendment to this bill?

Mr. BURTON. I will say to the gentleman that it is my intention to call up a bill or resolution passed by the Senate on that subject and obtain unanimous consent for its passage in two or three days. If that can not be done I will ask to have it inserted as an amendment to this bill.

Mr. THOMPSON. Mr. Chairman, I would like to ask the gentleman a question. On page 51, line 14, it is provided "from the balance remaining on hand to the credit of the lower portion of said Coosa River, between Wetumka and the railroad bridge, a further sum of $10,000 shall be expended upon that river above the said railroad bridge." I understand from that that there is now remaining to the credit of the lower portion of the Coosa River an unexpended balance.

Mr. BURTON. About $25,000. It was almost if not quite $25,000 at the date of the last report, but it is now somewhat less, because there is a plant there that has to be taken care of.

Mr. THOMPSON. The purpose is to take from this appropriation made for the lower end of the Coosa River, near the outlet, a sum of money and expend it on the upper end, which is contrary to the policy the gentleman has just stated in reference to other streams, because the portion of the river lying above lock 4 on this river can not be utilized until the lower portion is open, for it would have no outlet to the Gulf.

Mr. BURTON. The policy or recommendation of the committee was to transfer $10,000 of the $25,000 to the upper portion of the river. First answering that question, the gentleman from Alabama will realize that no hard and fast rule can be made, although we have followed as far as possible the one to improve the river from the lower portion up. To that there are several exceptions; first, where there is an independent commerce on the upper portion of the river for a considerable reach, and access can not be obtained from that portion or reach to the lower portion or mouth of the river without the expenditure of an undue amount of money.

In my remarks three years ago, I mentioned the Tennessee River between Chattanooga and Knoxville—a stretch of 188 miles—as an illustration of that situation. The committee did not think it best to recommend further continuance for the improvement of the Coosa River. We regard that, I may say frankly, as one of the most, if not the most, objectionable projects for which appropriations have been made in the past by Congress. One million two hundred thousand dollars has been expended, and it would require at least $6,000,000 to build 30 locks and obtain only 4 feet of navigation.

When the locks and dams are finished I doubt very much whether boats would patronize it. I do not believe 4 feet of navigation, where a boat must go through 30 locks and have the delays incident to it, will develop traffic worthy of the name. The committee regard the continuance of that improvement as wasteful to the very last degree. It is true that $1,200,000 has been expended on it, but for some years past no appropriation has been made to continue the work. That being the fact, it is not desirable to maintain the plant at Wetumka.

The amount there might just as well be diverted to something else. We have diverted the $10,000 to the upper portion of the river, and we have provided that from the balance a survey shall be made of the Coosa and Alabama. Furthermore, I want to say to the gentleman, that we have an estimate from a local engineer in charge there that says it will cost not merely $6,000,000, but $10,000,000 and over to complete that improvement. I should be very glad if the gentleman would discuss the matter in his own time. I shall insist that the committee give him full time to be heard, at which time he may advocate that improvement on the Coosa River.

Mr. THOMPSON. I shall do that.

Mr. BURTON. But I have expressed the opinion of the committee in regard to that improvement.

Mr. TALBERT. Will the gentleman permit an inquiry?

Mr. BURTON. Certainly.

Mr. TALBERT. On page 113, in the seventeenth line, I notice under the section that begins on page 102 that the Secretary of War is directed to cause preliminary examinations and surveys to be made, etc., of the Edisto River. Is it not necessary to say from what point to what point?

Mr. BURTON. It would be better. Of course if there is this general authority, which sometimes they like better than to have it limited, they will go on the river and find out what its capabilities are for navigation.

Mr. TALBERT. I suppose it is better to leave it for them to determine how far.

Mr. BURTON. Quite as well, I think. I do not think it is a matter of special importance. If the gentleman would like to have the boundaries fixed, the committee is entirely willing. In the surveys presented to us, where the member desired that it be limited from such a point to such a point, it was inserted in the bill.

Mr. TALBERT. In the survey, where it empties into the sea, opposite Edisto Island, up to the line of Edgefield and Aiken counties.

Mr. BURTON. If the gentleman desires we can have that when we reach it. It can be inserted.

Mr. BELLAMY. Will the gentleman yield?

Mr. BURTON. Certainly.

Mr. BELLAMY. I would like a few minutes to discuss the bill, especially in relation to North Carolina.

Mr. BURTON. I trust the gentleman will have opportunity. If there are no more questions there is no objection to his proceeding now. The other gentleman from North Carolina [Mr. SMALL] desires to ask a question.

Mr. SMALL. I will call the attention of the gentleman to page 48 of the bill, from lines 11 to 14, providing for improving the Scuppernong River, North Carolina, in accordance with the report submitted in House Doc. No. 131, Fifty-sixth Congress, second session, $10,000. The report of the engineers recommended $14,000, if I am not mistaken, for the purpose of completing the project, and I ask the gentleman if it would not be in the interest of economy to make the entire appropriation, in order that the project of deepening the channel or dredging the bar at the mouth of the Scuppernong River may be completed?

Mr. BURTON. I will say to the gentleman if we followed that rule with the Scuppernong we should have to follow it in a hundred cases. What the interests of economy would have required would have been the omission of the Scuppernong entirely and the completion of some other project already under way; but, as I understood it, that was regarded to be quite as important as others in North Carolina, and, as the committee so understood, it was placed in the bill; but there are numerous projects here where we are not able to provide a sufficient amount to complete work. The margin between the amount appropriated and the amount to complete is comparatively small in a few cases. I think the gentleman will find that the $10,000 expended there, particularly if the contract for it is joined with other projects, will prove quite sufficient to bring the results that are expected.

Mr. SMALL. The gentleman intimates that that item might have been discarded entirely in the interests of other projects. I desire to ask the gentleman if the other projects referred to are in North Carolina?

Mr. BURTON. I will say so; yes, sir. I will say further that we omitted three or four in North Carolina. Town Creek, Fishing Creek, Contentnia Creek, and New River, in North Carolina, were omitted from the bill.

Mr. SMALL. I would not disparage any of the items in the State, but——

Mr. BURTON. Oh, I do not want the gentleman to understand that his action excluded other projects from the bill. I am particularly desirous to relieve him of any responsibility for having pushed out anything else in the bill.

Mr. SMALL. I have great respect for the gentleman, but I differ with him as to the importance of the item in relation to the Scuppernong River. Another inquiry: I introduced a bill authorizing the appointment of a board of engineers to consider the subject of an inland waterway from Norfolk, in the State of Virginia, to Beaufort Inlet, in the State of North Carolina. This is not included in the bill as reported by the committee. If I may do so without impropriety, I would ask the gentleman the reasons which actuated the committee in not including that provision for the survey of this inland waterway?

Mr. BURTON. First, there were numerous claims from different localities in the country for the survey of inland waterways, as from Delaware and Maryland, and the coast of New England, South Carolina, Georgia, Florida, Louisiana, and Texas. It did not seem to us fair to include this item in North Carolina without including all the rest. That was in pursuance of a rule, as far as possible, to treat all alike. The second reason is this: In the year 1900 a provision was inserted for a survey of an inland waterway in this very locality. The estimated cost, I think, of 16-foot navigation was $1,900,000, for 18-foot navigation a very much larger sum.

Either of those amounts was sufficient to preclude the desirability of an appropriation being made for it now. After one waterway has been surveyed in North Carolina—and so far a preference has been given to it in comparison with other States—and an estimate came in of so great size as did come in, it did not seem desirable to have another waterway survey there right in the same neighborhood. Such a course would not only threaten undue appropriations, but it would be unfair to other localities whose inland waterways remain unsurveyed.

Mr. SMALL. I desire to submit another inquiry to the gentleman, if I may do so.

Mr. BURTON. Certainly.

Mr. SMALL. What was the policy of the committee in including in the bill appropriations for additional examinations and surveys?

Mr. BURTON. To limit them as far as possible.

Mr. SMALL. That was the general policy which governed the committee?

Mr. BURTON. Yes. We did not wish, in any case, to have any one Congressional district, no matter how much water front it might have, to have more than one, or at most two. It is possible some exceptions have been made in relation to matters of a very general nature, but we limited them as far as possible. There are less by fifty than were included in former bills.

Mr. HEPBURN. I desire to ask in relation to the provisions for improving the Mississippi River from the Head of the Passes to the mouth of the Ohio River, found on page 80:

Continuing improvement, $2,000,000, which shall be expended under the direction of the Secretary of War, in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees, and for surveys, including the survey from the Head of the Passes to the headwaters of the river, in such manner as in their opinion shall best improve navigation and promote the interests of commerce at all stages of the river.

In view of the fact that the plans of the Mississippi River Commission have frequently been modified, I would ask the chairman of the committee if he will say what the present plans are that this appropriation is applicable to?

Mr. BURTON. That would, of course, involve full acquaintance with the plans of the Mississippi River Commission, but I think I can state generally.

Mr. HEPBURN. I mean generally. Where is the major portion of this money probably to be expended?

Mr. BURTON. First, not the major portion, but the minor portion——

Mr. HEPBURN. If you will allow me just a minute, I will state the reasons why I made this inquiry.

Mr. BURTON. Certainly.

Mr. HEPBURN. Last night, in a newspaper, I read of the organization of a land syndicate for the purpose of reclaiming 3,500 square miles of land lying in the basin of the St. Francis River. The statement was to the effect that one-third of the necessary work had been done by the United States Government and another third had been completed by the States of Missouri and Arkansas; that the Government was making other contributions to this work, so that the company would soon have 2,000,000 acres of land fully reclaimed, and very largely at public expense. I wanted to know if these plans of the Commission looked to the reclamation of those lands.

Mr. BURTON. I do not know that I can state as to these particular lands. The plans of the Commission look to continuing the construction of levees, following the usual rule that they have followed, paying half the expense of construction, the other half to be paid by the localities having lands abutting on the improvements. Of this $2,000,000 it is possible that one-half will be expended for dredging, for the protection of harbors and making of revetments; the other half practically, year by year, for levees. Four or five hundred thousand dollars is perhaps the estimate of the annual cost of dredging.

The committee have made a change in the appropriation for the various harbors, New Orleans, Natchez, Helena, Memphis, New Madrid, Caruthersville, etc. The amount for these harbors is to be allotted from the $2,000,000 per annum for the river, but an amount not exceeding $155,000 per annum for all.

It was thought that such a course, taking these amounts for harbors from the general fund, would cause a close scrutiny to be made of the propriety of each of these improvements, which the committee could not make and which Congress could not make, and that it would lead to more judicious expenditure. These would probably require $150,000. The dredging would be, say, $400,000 more, and then for their divers dikes, revetments, etc., up to a million. The balance remaining for levees would probably be near to a million of dollars per annum.

Mr. HEPBURN. Will the gentleman permit me to ask him, under the plans of the Commission that are here referred to, how far, on an affluent of the Mississippi River, are they permitted or do they permit themselves to extend their levee works?

Mr. BURTON. That is, on a branch?

Mr. HEPBURN. On a branch.

Mr. BURTON. A very short distance, if any. I do not recall any at all made recently.

Mr. HEPBURN. Now, with your permission, I want to ask another question.

Mr. BURTON. Certainly.

Mr. HEPBURN. Under the present policy of appropriation and recommendation of the committee, the larger portion of the appropriations is postponed. You leave them to be made from time to time by Congress and through the recommendation of another than your own committee. I want to ask the gentleman if in his judgment and the judgment of his committee, that is a wise procedure. In other words, ought not the committee that studies the subject of the rivers have the right to determine in what volume these appropriations from time to time shall go to a given improvement?

Mr. BURTON. The gentleman from Iowa is slightly in error in stating it is made on the recommendation of another committee. Technically, that is so.

Mr. HEPBURN. Are they not made in the sundry civil appropriation bill?

Mr. BURTON. They are made in the sundry civil appropriation bill, but they are made available to meet obligations under contracts made by the Secretary of War. So it is really not a matter left to the Committee on Appropriations at all, except as to the amount that will be earned on these contracts which impose an obligation on the Government.

Mr. REEVES. And those contracts made by authority of this committee.

Mr. BURTON. Yes. I want to say one word further about that. I regard these authorizations as very desirable, because it enables the work to go on, and that is what we want to do. It is a declaration by Congress that we intend to finish an important work and get through with it. It often secures the completion of the work for less than the estimates. With all these arguments the gentleman from Iowa is no doubt familiar.

Mr. WILLIAMS of Mississippi. I desire to ask the gentleman a question.

Mr. BURTON. Certainly.

Mr. WILLIAMS of Mississippi. Is it not the theory of the Mississippi River Commission in building these embankments confining the water during the flood time that it makes it scoop out the bottom, and in that way aids navigation? Is not that the theory on which the Commission works?

Mr. BURTON. Yes; I think so.

Mr. WILLIAMS of Mississippi. Is it not furthermore true that partially this benefit does accrue to the riparian owners?

Mr. BURTON. Very largely.

Mr. WILLIAMS of Mississippi. And is it not for that reason that the Government pays only half of the cost of this building of levees and requires the owners of the land to pay the other half? Is it not true that that is the only improvement in which the people along the banks pay for a portion of it?

Mr. BURTON. Now, while this is not the only item in which it is provided that the locality or individual shall provide a part, it is the only improvement on a large scale in which it is anticipated that part of the expense shall be paid by the abutting localities. There is no absolute provision in our bill compelling abutting owners to pay half, but we know it to be a custom for the Commission to require that an amount approximately equal to that expended by the Government for levees shall be provided by the locality.

Mr. WILLIAMS of Mississippi. I just simply wanted that fact brought out.

Mr. McCULLOCH. Is it not largely more?

Mr. BURTON. I think it has been estimated that 62 per cent has been paid by the localities and 38 by the Government.

Mr. THOMAS of North Carolina. I wish to ask the gentleman from Ohio if the appropriation for New River was not omitted in view of the fact that the appropriations on the old project have been somewhat of a failure, and that therefore a new survey was required, for which an appropriation was included in the bill.

Mr. BURTON. It was thought not best to go on with the old project. There are no further appropriations, and we provide for a reexamination; and if on reexamination it appears worth while, it is for future Congresses to make the appropriation.

Mr. THOMAS of North Carolina. And a new survey has been provided for?

Mr. BURTON. Yes.

Mr. JONES of Washington. In the stretch that exists between the city of Vancouver and Columbia River and the mouth of the Willamette River there is no appropriation made in the bill for that.

Mr. BURTON. The committee did not regard it as best. The fact about that is there has been a large amount expended, and there is no telling what the result of any particular improvement will be. Another thing: Until recently there was no railway at Vancouver. There has been a railroad opened, I think, on the north bank.

Mr. JONES of Washington. There is a railway opened there. I do not know that any trains are now running, but there will be soon. The engineer estimates for $10,000 or $12,000 for the maintenance of the present work; and no appropriation was made toward that.

Mr. BURTON. In many instances in this bill there were

appropriations made for maintenance where it was required. The trouble is whether we allow it to do so or not, or make the appropriation or not, nature will take its course there. It is a very strong river, and there is no telling where the channel will appear, and we have had a very large expenditure and a very long dike has been constructed, as the gentleman knows, and it has been rather unsatisfactory in its results.

Mr. JONES of Washington. Would it not be well to have some provision by which the Government might ascertain whether or not some benefit has accrued from the work that has been done?

Mr. BURTON. The reports of the engineers who have reported upon it are to the effect that it has not been of any assured or permanent benefit.

Mr. JONES of Washington. They do not undertake to give a report upon what the effect has been one way or the other.

Mr. BURTON. Now I yield to the gentleman from Tennessee.

Mr. GAINES of Tennessee. I notice in the appropriation which is made for the Cumberland River below Nashville this clause: "For the completion of the lock and dam at Harpeth Shoals and for maintenance, $180,000." My recollection of the correspondence that the gentleman from Ohio showed me was the engineer did not include the maintenance in the sum of $180,000. That was to complete lock at Harpeth.

Mr. BURTON. The amount here is $285,000 in the aggregate—$105,000 for one and $180,000 for the other; that is $5,000 in each in excess of the amount required for the work directed to be done. For lock and dam work the estimate for one is $100,000 and for the other $175,000. Five thousand dollars has been added to each item.

Mr. GAINES of Tennessee. And that extra $5,000 for each item would go to cover maintenance?

Mr. BURTON. Yes.

Mr. IRWIN. I would like to ask if the committee has included in their bill a provision providing for the estimate of cost and to report as to the advisability of extending the dam and heightening it at the head of the Falls of the Ohio as to afford a 6-foot stage of water for 50 miles above Louisville. I have looked over the bill and I do not see it. I may have overlooked it. I understood the committee favored that proposition.

Mr. BURTON. The gentleman will find in a provision for a survey on page 105, which I think amply covers the project desired by the gentleman. I should regard it as the more desirable form than the one he mentions, because it would give wider latitude to the engineer to recommend what improvement he thinks desirable, but that is a matter for his consideration.

Mr. IRWIN. It is not for the construction of a dam, but for the heightening of the dam. There is already a dam there.

Mr. BURTON. It is not complete. It does not extend clear across the river.

Mr. IRWIN. It does not extend clear across the river.

Mr. BURTON. Then a part of it is for construction. If the gentleman desires a change of phraseology, the committee, I think, would have no objection to it.

Now, Mr. Chairman, if there are no further questions, I will ask again if there is anyone of those who desire to oppose the bill who would like to control the time. If not, I trust the gentleman from North Carolina [Mr. BELLAMY] may be heard, if he desires.

Mr. BELLAMY. Mr. Chairman, I have the honor to represent, in part, in this body the State of North Carolina, and her people feel deeply grieved at the great injustice which has been done that State in the bill which has been reported from the Committee on Rivers and Harbors. We had begun to think that the committee had overlooked the claims of the State to recognition in this respect until this morning, when I heard the statement of the honorable chairman of the committee, in which he took an illustration for his argument the port that I have the honor to represent on this floor. He used this language:

> I want to give a little illustration right in this connection of the appropriations for rivers and harbors and for fortifications at one place, namely, the appropriation for rivers and harbors for the Cape Fear River at and below Wilmington, and for fortifications at that place. It is evident that the appropriations for fortifications there are merely to protect the navigable channel from the ocean up to the town of Wilmington from hostile attacks. In six years the appropriations for the improvement of that channel from Wilmington down have been $345,000, or an average of $57,500 per annum.
>
> The appropriations for fortifications there have been $1,200,000 for Fort Caswell, and an average expense of $100,000 to $125,000 per annum, for the maintenance of the post, making up an aggregate expenditure of nearly $2,000,000, or very nearly six times as much for the improvement of the channel which these fortifications are intended to protect. I really think such a case as this should cause us to pause and weigh for a time the comparative advantage of the military establishment of the country and of this bill which more than any other looks to its commercial development.

Now, Mr. Chairman, if it had not been for those remarks made by the distinguished gentleman I should have thought that the omission of inserting in the bill the recommendation of the Chief Engineer as to the appropriations which are necessary for the port at Wilmington and the Upper Cape Fear were unintentional. But it looks to me now that there must have been a motive, although I do not directly accuse the distinguished chairman of having a motive to discriminate or single out this port. It looks to me as if it were not an act simply of casual omission, but a willful and deliberate omission.

It is unfortunate for the State that I represent that it has not a member on that committee. Our State has never appreciated the importance of retaining its members long enough to secure such an appointment. The port of Wilmington is the most important in the State of North Carolina. The State of North Carolina has more seaboard, has more navigable streams flowing to the sea than any State on the Atlantic coast with the exception, perhaps, of Florida which, of course, has a Gulf coast.

And yet that port only received out of a recommendation of $300,000 for necessary improvements and maintenance the sum of $150,000, and the upper Cape Fear which had a recommendation of $1,325,000 does not receive a dollar for the purpose recommended by the Chief of Engineers, and only $10,000 for the portion of the river between Wilmington and about 25 miles above it. So naturally it seems there has been a discrimination against it, and not only that, in the last river and harbor bill there was appropriated $1,000 for removing some obstructions from Brunswick River which were put there by the Confederate government to prevent the Federal cruisers from navigating the stream, and notwithstanding it went in the last bill and remained there in conference, it is omitted from the present bill.

Not only that. Innumerable surveys were ordered by the last bill, and even they have been eliminated; and in the last bill which passed the committee of conference and was reported to the Senate and there killed, there was an item of $150,000 for the Upper Cape Fear, and now not one dollar is contained in this bill for that great and necessary improvement. Am I not, then, correct in inferring that there has been either a willful or an unintentional discrimination against the State? Therefore, sirs, I must enter my protest in general terms here this day, and ask this House at the proper time when an amendment will be in order to give these appropriations which ought to have been included in this bill and which were included in the last bill.

Now, I do not wish to reflect upon the State of Alabama in the slightest degree and will not do so, but how is it that the city of Mobile gets an appropriation of $300,000 this year and the river leading thereto, including Mobile, nearly a million dollars, and yet Mobile within the last fifty or sixty years has received $3,700,000 in appropriations and the port that I represent only $3,200,000? The ports of Wilmington and Southport, which are practically one and the same, is no inconsiderable port in this Union. During the late war between the States the entire commerce of the Confederate government was carried on there for the last year of the war, and the armies of the Confederacy were clothed and fed by the supplies brought from Nassau and the West Indies. It was the only port in the South that the Federal cruisers could not blockade successfully. It was the mainstay of the Confederate government during that time.

I merely state this now to show its importance as a seaport and harbor. To-day it stands as the fourth or fifth cotton port in the United States. Its tonnage is immense. Its exports last year were more than $12,000,000, when the exports of Mobile were less than $11,000,000. Its tonnage for year ending June 30, 1900, was 699,000 tons, while Mobile's was 471,000. It has a better depth of water on its bar and its harbors than has Savannah, Charleston, Port Royal, Brunswick, or Mobile, as certified to in a letter written by Gen. John M. Wilson, Chief of Engineers, during the last session of this Congress, and yet that port has been severely slighted in this bill, and I can not see why, unless it be that the State of North Carolina has the misfortune of not having the honor of being represented on that committee.

Now, Mr. Chairman, at this time I only arose to briefly call the attention of this body to this injustice done the State which I represent, and I will ask this body at the proper time to consider and pass amendments which will bring about at least an equitable distribution of the fund of the river and harbor bill among the States according to the merits of the improvements. And right here, sir, I noticed in the press a few days ago that of the $60,000,000 appropriated in this bill, $47,000,000 go to the States represented by members of the committee—$47,000,000 out of $60,000,000—and yet the State that I have the honor to represent gets the paltry sum of $257,000 for the entire State, when even the port of Mobile gets $300,000, and it is an inferior port in point of importance to that which I represent upon this floor, and I must and do strongly protest against it to-day, and shall appeal to the sense of justice of the members of this body to rectify the wrong. [Applause.]

Mr. FOSTER of Illinois rose.

Mr. BURTON. Do I understand that the gentleman desires to favor the bill or to criticise it?

Mr. FOSTER of Illinois. I would state to the gentleman that Mr. LESTER, the minority member of the committee, was to yield me time. He has just stepped out of the room.

Mr. BURTON. The gentleman may be heard now.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois.

Mr. BURTON. How much time does the gentleman desire to occupy?

Mr. FOSTER of Illinois. About half an hour.

Mr. BURTON. There is one gentleman here, Mr. CANDLER, of Mississippi, who desires to be heard next. Will the gentleman postpone his remarks until after he is heard?

Mr. FOSTER of Illinois. Very well.

The CHAIRMAN. One moment. There has been no arrangement for the control of the time. The Chair had expected to recognize the gentleman from Georgia, a member of the committee, who stated that he desired to yield thirty minutes of his time to the gentleman from Illinois. The gentleman from Georgia is not present.

Mr. BURTON. I take it there can be no objection to that.

The CHAIRMAN. If there is no objection the Chair will recognize the gentleman from Illinois [Mr. FOSTER] for thirty minutes.

Mr. FOSTER of Illinois. Mr. Chairman, I favor all of the provisions of this bill, and inasmuch as there does not seem to be strenuous, if any, opposition to its general provisions, I desire to use the time allowed me in discussing another subject upon which a resolution was prepared and introduced early in the session by the gentleman from New York [Mr. SULZER] and referred to the Committee on Foreign Affairs and is now pending before that committee, and in this connection, I regret that the distinguished chairman of that committee [Mr. HITT] is not now in his seat.

Throughout the discussion of Philippine matters in this House at this session, on both sides of the question, one point has been unmistakably evident and admitted on all sides, and that is that we are in the Philippines and are exercising control over them on the principle that might makes right, and that we are governing them not because their people want us to do so, but because we have the power to do so. That may be the reason, Mr. Chairman, why in this Congress and in the last Congress, the Committee on Foreign Affairs has never deigned to make a report on any of the various bills or joint resolutions referred to it protesting against the continuance of the Boer war and expressing sympathy with the Boers. The reason is that since the adoption of our present Philippine policy we are in the same position as Great Britain. Both countries are tarred with the same stick. Both are endeavoring to crush the independence out of smaller and less powerful peoples.

But, however it may be with the Government or with the Republican party, the people of the United States have a right to protest, and they will protest, and I hope the Democratic party, through its members here assembled, will protest against the great wrong done to humanity and the cause of human freedom and progress by Great Britain in its treatment of the South African republics, and against the unworthy manner in which this subject has been treated by the political party at present dominant in this country.

The joint resolution of protest introduced by the gentleman from New York [Mr. SULZER] ought not to be smothered in committee. It ought to be brought out into the light of day, and the members ought to be made to go on record upon it. Never before in the history of the Republic has this country failed to express officially its sympathy with those who are struggling for independence, in whatsoever part of the world they might be. But now, deterred partly by this new spirit of anglomania and partly by the shameful consciousness that this Government is guilty in like manner, the majority party here dares not open its mouth on this Boer question one way or the other, unless it be to utter some cringing apology for the oppressive course of Great Britain in this miserable war.

The leaders of that party are only too ready to appoint a committee to go over from this country at the national expense, in knee breeches and powdered hair, to bow the knee of republicanism at the coronation of an English King, but they have not a word to say in behalf of the poor people of South Africa whom that same King is trying to shoot out of their homes, and whose territory and property he is trying to rob simply in order that some few English speculators and adventurers may get hold of the gold fields of the Boers and appropriate them to their own use and profit.

For this base, selfish purpose Great Britain is making a war as cruel and as unjust as history has ever recorded. That the invasion has not yet succeeded, after several years of warfare, is not due to any lack of energy on the part of the invaders. It has been due to the heroic and unconquerable defense of their country, their homes, and their liberty, by that little band of Boers, which has not been paralleled since Washington with his handful of undisciplined yeomanry fought and vanquished all the veteran armies which a previous King of England could send over here to coerce the American colonies. [Applause on the Democratic side.]

The parallel, Mr. Chairman, is very exact. The number of Boer combatants in the field is not known, but it appears to have been thus far about the same as the number of men engaged in actual service in the American Revolution at any one time, say about twenty or thirty thousand men. Here is this little handful of men arrayed against the strongest war power in all Christendom; and what have they done? They have resisted successfully for three years and more the fierce onsets of the British armies, and have carried death and disaster by the wholesale into their ranks, and dismay, gloom, and consternation into the hearts of the British public at home.

Although the British war minister a year ago stated the number of Boer combatants as 20,000, the latest reports from General Kitchener, the British commander in South Africa, gives the number of Boer losses during the year as about 18,000 men, which, according to that calculation, would leave them about 2,000 remaining. But the cry is "Still they come." Where they come from may be a mystery, but in some way they manage to keep their ranks full and to mow down their enemy's ranks with the same precision as at first. From the very corpses of the Boer victims new men seem to spring up, all armed and ready for the fray. Well may England look aghast, as did Macbeth, when he saw the long procession of Banquo's descendants, and exclaim: "What, will the line stretch out to the crack of doom?" Yes, tyrannous England, it will! You can never conquer the Boers any more than you could the Americans.

Observe the method of the invaders. Against this small band of 2,000 starving, weary defenders, or 20,000, as the case may be, General Kitchener is massing his great army of 250,000 men, building massive cordons of fortifications, and spending English money like water, and all in vain. The Boers remain unconquered. In their despair and desperation the British commanders have resorted to methods which for cowardice and cruelty are unparalleled in the history of civilized warfare.

Defenseless Boer women and children and noncombatant old men are corralled together, like cattle, in British concentration camps and there submitted to a course of slow poisoning and starvation in the hope that, in the consciousness that those who are near and dear to them are suffering the pangs of starvation and death, the Boer fighters in the fields will lay down their arms and calmly surrender, be tried, perhaps sentenced to be shot or transported for a number of years. In other words, the British are now fighting the Boers with their own flesh and blood. The death rate in these camps is simply appalling. It is estimated that, according to the present rate of mortality in the concentrado camps of South Africa, it will take only two or three years to exterminate the whole noncombatant Boer population. In fact, it has been the boast of English officers that extermination is the motto of the British Government.

Prisoners taken by the English are treated with the greatest cruelty as a vent for English anger. Only a short time ago this Congress had its attention called to the case of Commandant Scheepers, the Dutch officer whom the English captured while he was lying sick in a hospital, and whom, in defiance of the laws of war and humanity, they executed while he was still sick and helpless. This is the glorious Christian civilization which it is said that it is the duty of the English to confer upon the benighted South African communities; and yet our Committee on Foreign Affairs and our Congress maintain the most painful silence in regard to these atrocities. Not only that, but ever since the outbreak of the war the Republican Administration has steadily given moral support, and in some instances actual physical support, to the British combatants and has denied all support or appearance of support to the Boers.

All resolutions or manifestations of sympathy with the South African patriots have been discountenanced and suppressed by the "powers that be." Only last week the gentleman from Texas [Mr. BURLESON] called attention to a recent action of the Secretary of State, Mr. Hay, when requested to use his good offices to the end that a distinguished philanthropist and clergyman, Dr. Thomas, and his wife, be given a permit or pass to enter the concentrado camps in South Africa to distribute the relief fund raised in Chicago and elsewhere for the relief of the Boer women and children—mark you, not to purchase arms and ammunition for the Boer fighters, but to purchase the very necessaries of life, such as food, clothing, and medicine, in order to relieve the intense suffering and distress of these poor women and children.

Our pro-English Secretary of State, disregarding the common instincts of humanity contained in the request, refused to lend his good offices in that behalf, saying, as we are told, that the exercise of his good offices in that direction would be looked upon as meddlesome and might be considered a violation of neutrality. Mr. Chairman, if it be pleaded in support of this action of our Secretary of State, if it be pleaded in support of the silence of

our Committee on Foreign Affairs, our Congress, and our Government that it is the duty of this country to maintain strict neutrality, the answer is that neutrality has not been maintained.

Neutrality has been violated. More than two years ago England sent over here a number of agents to secure, purchase, and forward to the seat of war a large consignment of horses, mules, and other munitions of war for the replenishment of her armies in the South African campaign. This matter was formally brought to the attention of the Fifty-sixth Congress. It was stated in due form that nearly 100,000 animals had been shipped in British transports from New Orleans, I believe, or were about to be shipped, together with various other supplies, to South Africa. On complaint of certain members the House referred the whole matter to the Executive Department, but nothing more was done about it. Congress ignored this most important breach of international law, and so it has turned out that to-day this country allows England to get supplies here to aid her in the war against the Boers.

On the other hand, this country refuses to recognize a state of belligerency between Great Britain and the South African Republics, and will not extend even a word of sympathy to the Boers. If this is not a violation of neutrality—if this is not a manifestation of gross partiality and partisanship—I would like to know what is. I desire here, Mr. Chairman, to have read as a part of my remarks some suggestions on the question of neutrality prepared by the Chicago branch of the American Transvaal League, and will ask the Clerk to read them.

The Clerk read as follows:

IS OUR GOVERNMENT VIOLATING THE NEUTRALITY LAWS AND THUS GIVING AID TO GREAT BRITAIN IN ITS UNRIGHTEOUS WAR AGAINST THE BOERS?

The treaty of Washington, concluded between Great Britain and the United States May 8, 1871, remains in full force. (U. S. Stat. L., vol. 17, p. 865.) On April 26, 1898, the day after war was declared between the United States and Spain, Queen Victoria issued a proclamation of neutrality, insisting in the following language upon the observance of the treaty:

"Whereas we are resolved to insure by every lawful means in our power the due observance by our subjects, toward both of the aforesaid powers, of the rules embodied in Article VI of the treaty of May 8, 1871, between us and the United States of America, which said rules are as follows:

"A neutral government is bound * * * Secondly, not to permit or suffer either belligerent to make use of its ports or waters as the base of naval operations against the other, or for the purpose of the renewal or augmentation of military supplies or arms, or the recruitment of men.

"Thirdly, to exercise due diligence in its own ports and waters, and as to all persons within its jurisdiction to prevent any violation of the foregoing obligations and duties." (London Gazette Extraordinary, April 26, 1898. London Times, April 27, 1898.)

The principles of neutrality recognized and embodied in this treaty were enforced against the United States by various other countries. The Brazilian Government by its proclamation of May 5, 1898, declared:

"The exportation of material of war from the ports of Brazil to those of either of the belligerent powers, under the Brazilian flag or that of any other nation, is absolutely prohibited."

His Majesty the King of Denmark, by proclamation dated April 29, 1898, forbade Danish subjects, under penalty of punishment, to commit certain enumerated offenses against the laws of neutrality, among others (section 3):

"On or from Danish territory to assist any of the belligerent powers in the enterprises of war, such as supplying their ships with articles that must be considered as contraband of war."

Her Majesty the Queen Regent of the Netherlands issued a similar proclamation April 26, 1898, warning Dutch subjects under penalty not—

"To export arms, ammunition, or other war materials to the parties at war. Herein is to include the exportation of everything that is adaptable for immediate use in war." (Paragraph B, article 2.)

The United States is conceded to be a neutral nation in the war between Great Britain and the South African Republics. Article VI of the treaty of Washington, therefore, as applied to the present case, would read as follows:

"The United States is bound not to permit or suffer Great Britain to make use of its ports or waters as the base of naval operations against the South African Republics, or for the purpose of the renewal or augmentation of military supplies or arms."

Over 150,000 horses and mules have been bought at New Orleans and shipped to Cape Colony to be used by Great Britain in her military operations in South Africa. If the augmentation of her military supplies from that port were stopped, the South African war would come to a speedy end. Few persons will venture to deny that horses and mules designed for use in military operations are within the meaning of the term "military supplies" as used in the treaty of Washington. It is laid down by all writers on international law that they are contraband of war and liable to confiscation as such. If they are contraband, it can only be because they are military supplies.

In article 24 of the treaty of 1778 between the United States and France it is stated that "horses, with their furniture, are contraband of war." (Wharton's International Law Digest, vol. 2, sec. 372.)

Also in the treaty of December 1, 1774, between Holland and Great Britain it is declared that "horses and other warlike instruments are contraband of war."

Horses are generally considered as contraband of war, and are so mentioned in many treaties between different states. (See Hill's International Law, p. 661 et seq.)

THE NEW ORLEANS SUIT.

That the neutrality laws are being constantly violated by the United States in permitting horses and mules to be shipped from its ports is so clear as to be recognized by everyone, except for a misconception which prevails about the result of a proceeding in equity which was instituted early in 1901, in the Federal court at New Orleans, for the purpose of enjoining the shipment of horses and mules from that port to Cape Colony. It is a well-recognized principle of equity jurisprudence that an injunction will be granted only to protect property rights.

The bill was accordingly filed by private individuals who alleged that they had property in the Transvaal and Orange Free State which was being destroyed by the armies of Great Britain, and that these armies were enabled to continue their work of destruction only by the supplies of horses and mules shipped from the port at New Orleans. The application for an injunction was denied on the ground that the enforcement of treaty obligations is a function of the executive branch of the Government, with which courts of equity have nothing to do. The district judge in delivering his decision expressed his opinion that there was nothing in the principles of international law or in the terms of the treaty of Washington to prevent citizens of neutral nations from selling supplies of war to a belligerent. The court discussed the right of private citizens to sell supplies to foreign nations even in time of war, but did not enter upon the question whether the United States was not permitting Great Britain to make use of its ports or waters for the purpose of augmentation of military supplies. The entire discussion of questions of international law was beside the point, as the court does not assume to decide the case on any such grounds. On the contrary, the court says:

"If the complainant could be heard to assert here rights personal to themselves in the treaty just mentioned, and if the mules and horses involved in this case are munitions of war, all of which is disputed by the defendants, it would become necessary to determine" whether the treaty was meant to prevent private citizens from selling supplies to belligerents. The court then discusses that question and proceeds: "But the nature of this cause is such that none of the considerations hereinabove set out need be decided," because "the case is a political one of which a court of equity can take no cognizance, and which in the very nature of governmental things must belong to the executive branch of the Government." (Pearson *v.* Parson, 108 Federal Reporter, 461.)

It will thus be seen that the question whether an unlawful use is being made of the ports and waters of the United States was not passed upon by the court, but the whole matter of the enforcement of the treaty was relegated to the executive branch of the Government. Courts do not and can not enforce political obligations, and it devolves upon the President to enforce the treaty of 1871 and close the ports of the United States against any use thereof by a belligerent power to augment its military supplies. Treaties, according to the Constitution, are the supreme law of the land. That supreme law commands the Executive to prohibit the augmenting of British military supplies from our ports. Precedents justify him; and the cries of 100,000 women and children imprisoned in the deadly camps of South Africa, as well as the voice of justice and humanity the world over, implore him to do his duty.

Is our Government observing the duty of neutrality imposed by the treaty of Washington when it permits the port at New Orleans to be used for the purpose of "augmenting" these supplies?

Is a treaty which imposes upon Great Britain the duty to remain neutral when the United States is at war not equally binding upon the United States when Great Britain is at war?

Is there any good reason why the Government of the United States should not enforce the treaty of Washington against Great Britain as Great Britain enforced it against the United States?

Is the fact that stock raisers make money out of this business to be accepted as an adequate excuse for the continuance of this traffic?

Shall the United States stand on record much longer as the friend and ally of Great Britain in its war against the South African Republics?

Mr. FOSTER of Illinois. Now, Mr. Chairman, England has been our consistent enemy from the days when the colonies uttered the first word of resistance to her oppressions. Our foe in 1776, in 1812, in 1861, yea, and in 1898 when, as recent developments have shown, the British minister here sought to organize the governments of Europe to antagonize the United States in her purpose to drive the Spaniards out of the island of Cuba. But since the day when Dewey sailed into Manila Bay and destroyed the Spanish fleet, thereby removing beyond all peradventure of doubt any misgiving she might have had concerning the outcome of the war, England has been only a fair-weather friend.

Then, Mr. Chairman, why should this country favor England and allow her to use our ports as a base of supplies to aid her in her shameless assault upon the rights and liberties of the Boer people? The inconsistency of our course will be manifest to all men when it is remembered how this country caused to be arrested and imprisoned a man who sought to forward supplies to Cuba during the Cuban war because we considered it a violation of neutrality; and how strictly the treaty between Great Britain and the United States was applied and enforced both by England and this country with respect to neutrality stipulations during the Spanish war. But at that time Spain, in spite of her barbarities and cruelties, appears to have had some rights as a nation, but now the poor Boers, whose only crime is a love of liberty and a determination to defend their homes, their property, and their families, are ignored by this great Republic as having no rights which a nation of free men is bound to respect.

This, Mr. Chairman, I repeat is the position assumed heretofore by our Congress and our Government. It is not the position, I am sure, taken by the great American public. Now, as always hitherto, the mute appeals of struggling liberty in any quarter of the globe strikes a responsive cord in the hearts and minds of the American people. The American people are devoted to the principles of liberty and independence. They believe in self-government, and they sympathize sincerely with all nations and people endeavoring to secure liberty and self-government.

They sympathize with the Boers, and they condemn the barbarous cruelties, the inhuman injustices, which have been perpetrated by the British commanders and armies in this campaign for the robbery and spoliation of these two little republics. They do not approve of the idea of the robbery in the abstract, nor do they approve of the manner in which it is conducted—by the burning and devastating of the homesteads of the Boers, by killing the population in cold blood, and by making war on defenseless women and children. They rejoice in the tidings that have been coming from month to month of the defeat of the British and of the utter failure of their efforts to crush the little band of patriots opposed to the royal armies. They read that the war has already cost

Great Britain nearly a billion of dollars, and they are glad of it. They are sorry for the common soldiers who have perished, and for their wives and children who have been made widows and orphans.

But as for the British Government, the verdict of America is, it serves it right. We on this side of the Atlantic know full well that the common people of England, the people who make England great and prosperous, are at heart opposed to this war and heartily wish it had never been instituted. But so far as that is concerned, Mr. Chairman, it is England's affair and not ours. Our duty in the premises, in the first place, is to preserve perfect fairness and neutrality in our dealings with the two combatants, even if we do nothing more.

But, also, it is our moral duty toexpress our disapprobation of the continuance of the war on general principles and to use our best endeavors as a friendly nation to have it stopped. This being the opinion of the American people, it is therefore the duty of Congress to pass a resolution desiring the discontinuance of the war, and this would be done practically by acclamation if the Foreign Affairs Committee could be induced to report. As I have already said, the inaction of the committee and of Congress in the premises is shameful and a gross perversion of our usual practices in such cases. It is not too late yet, Mr. Chairman, to remedy this national wrong, although it may be very difficult to explain to the world how it has happened that we have acted so tardily in a matter in relation to which this country would naturally be looked upon as the leader among the nations of the earth.

I sincerely trust, Mr. Chairman, that this Congress will shortly set itself and the country right before the world in regard to this inhuman and indefensible Boer war. If this is not done, if we allow this last opportunity to pass without taking advantage of it, the war will soon be over by the victory of the Boers and by the relinquishment of its impossible task by Great Britain, and we will have lost our only chance to redeem ourselves as a nation in the judgment of all civilized nations and to prevent ourselves from being held up forevermore as a subject of scorn and contempt throughout the world. [Applause.] This country can not afford to give up its proud prerogative as the special champion and guardian of the cause of human freedom and self-government on the earth. Let us recognize betimes the danger we are in of losing it, and let us preserve it by doing simple justice to the Boers, to Great Britain, and to ourselves. [Prolonged applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 1980. An act to establish a marine hospital at Savannah, Ga.;

H. R. 6300. An act to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis.;

H. R. 11241. An act to amend an act entitled "An act to regulate in the District of Columbia the disposal of certain refuse, and for other purposes," approved January 25, 1898;

H. R 11474. An act for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States;

H. R. 11719. An act to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River;"

H. J. Res. 161. Joint resolution authorizing the Secretary of War to loan tents to the Texas Reunion Association; and

H. J. Res. 162. Joint resolution authorizing and requesting the President to extend to the Government and people of France and to the families of Marshal de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication of the monument of Marshal de Rochambeau to be unveiled in the city of Washington.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the joint resolution (S. R. 68) authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of Count de Rochambeau, to be unveiled in the city of Washington.

Also:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1545) to establish a marine hospital at Savannah, Ga.

Also:

Resolved, That the Senate agrees to the amendment of the House of Representatives to the bill (S. 3267) to change the boundaries between the southern and central judicial districts of the Indian Territory.

The message also announced that the Senate had passed the following resolution:

Resolved, That the vote on the passage of the bill (H. R. 5224) for the relief of Edward Kershner be reconsidered in compliance with the request of the House of Representatives, and that said bill be returned to the House with an amendment—

with the request that the amendment be concurred in by the House of Representatives.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 7675) to construct a light-house keeper's dwelling at Calumet Harbor, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. MCMILLAN, Mr. NELSON, and Mr. CLAY as the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments, bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 3690. An act for the relief of Jacob L. Hanger;

H. R. 4607. An act to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr.; and

H. R. 3278. An act to correct the military record of C. R. Dickson.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

Mr. REEVES. Mr. Chairman, there is not much left to talk about in regard to this bill, and as I have no purpose to indulge in any exhortation upon the subject of the Boer war or any other war, my remarks will necessarily be short. The gentleman from North Carolina [Mr. BELLAMY] took exception to the treatment that the committee had given his State, and particularly Cape Fear River and Wilmington. I simply want to say in answer to him that up to June 30, 1900, the total amount that had been expended for Cape Fear River at and below Wilmington was $3,291,691.91, and that there was expended during the fiscal year ending June 30, 1901, $71,796.07 on this project, and that there was on hand an unexpended balance to the credit of this project on July 1, 1901, the sum of $29,855.93. The amount required to complete the proposed project at this point is $885,000.

Mr. BELLAMY. Will the gentleman permit a question at this point?

Mr. REEVES. Certainly.

Mr. BELLAMY. You speak of an unexpended balance of $29,000?

Mr. REEVES. Yes.

Mr. BELLAMY. Do you not know as a fact that every one of the barges and dredges have been tied up because there was not a dollar to run them?

Mr. REEVES. No; I do not know that.

Mr. BELLAMY. That fund has all been exhausted.

Mr. REEVES. No; I do not know that. On the contrary, I know that the report which I have here, and to which you have access, shows the figures exactly as I have given them.

Mr. BELLAMY. That was a year ago.

Mr. REEVES. No; that was not a year ago. That was the 1st day of July last. The local engineer in the prosecution of this work made his recommendation to the War Department, in which he states that he can expend, including maintenance during the next two years, $378,000. The Chief of Engineers, in reviewing this recommendation of the local engineer, advises an appropriation of $200,000, and this committee in this bill provides an appropriation of $150,000. The tonnage for the year 1900 at and below Wilmington was 669,356, and above Wilmington the tonnage is 129,622. These amounts are very considerable and mark this as a very worthy project; but the gentleman is seriously in error when he states that it has not been treated as fairly as other projects in the country, and to use his own language, if I understood him, when he says that there is a manifest purpose to do an injustice to this project and to his State.

The proof of my statement is found in one simple statement of fact. The amount of appropriations required to complete projects which have received the approval of the Chief of Engineers is something over $300,000,000. The amount carried in this bill, in round numbers, by appropriation and authorization is $60,000,000 and a little over. Less than one-fifth of that which is required in the country at large is provided for in this bill, and in this particular instance about which the gentleman complains we gave him $150,000, whereas the Chief recommends $200,000; in other words, we gave him three-fourths of that which the Chief recommends as against only 20 per cent given the country over. So I think that upon reflection the gentleman from North Carolina will be able to say to his friends down at home that they have been treated first rate.

Mr. BELLAMY. May I ask the gentleman a question?

Mr. REEVES. Certainly.

Mr. BELLAMY. Do you not know as a fact that the engineer in charge of the river and harbor improvements at Wilmington recommended $1,325,000 for the Upper Cape Fear and that the committee did not give anything?

Mr. REEVES. No; I do not know that to be exactly correct. This is true: The local engineer and the chief engineer both say of the river above Wilmington that until such time as Congress shall see fit to undertake an improvement of canalizing the river by a system of locks and dams, nothing further is needed except slight sums for its maintenance. That is the recommendation and statement of the engineer in charge down there.

Now, Mr. Chairman, I do not want to travel over the same ground that the chairman of our committee has traveled over, because his statement has been absolutely complete, but I do want to talk for a few moments about a few other things—some of the difficulties, if you please, that confront us in the preparation of this bill.

As I have just said, to make a complete bill and provide for all of the projects that have received the indorsement of the Chief of Engineers would require a total of between $300,000,000 and $400,000,000, an amount too great to be contemplated in any one bill. The committee felt that if we appropriated, and authorized by way of future appropriation, $60,000,000, we were going to the full limit of what we ought to do. So, as you see, less than one-fifth of the amount required to do all the work of this kind in the country was possible at this time. Our work, therefore, became largely one of selection.

It is not fair to the whole country to apportion this line of appropriation in proportion to the volume of commerce upon a stream entirely. Where the population is greatest and where the commerce is greatest there, no doubt, should be the greatest appropriations; but it is not quite fair to make that the only rule. There is a large portion of the country in which the population is sparse, relatively speaking, but which is capable of immense development, and in which they are urging and insisting most earnestly that they shall have recognition in this character of improvements. We of the committee, therefore, have felt and do feel that we can not make an appropriation bill of this kind and base it solely upon the value of the commerce existing in the different parts of the country, but that it must be modified by the capabilities of the region for immediate and great development. Having that in mind, and desiring as closely as we could to protect the main arteries of trade, we framed this bill after the fashion in which it is presented to you here.

The bill carries in cash appropriations $24,014,107, and it authorizes future appropriations amounting to $36,674,106.

An inquiry was made some time since by a gentleman of the chairman of the committee [Mr. BURTON] as to whether or not these authorizations were not made upon the recommendation of some other committee. In addition to what the chairman of the committee said in answer to that inquiry, I beg to say that these appropriations as made are made upon the recommendation of the Secretary of War by virtue of the authorizations made by this Committee on Rivers and Harbors, and the part that the Secretary of War takes in it is practically the clerical part of determining how much of it can be profitably expended in a given year.

Some of the rivers, and some of the harbors as well, have presented problems most serious to us as a committee, and ought to be, and no doubt are, serious problems for the consideration of the House. Take, for example, the Monongahela River in Pennsylvania. The commerce on that river is something over 6,000,000 tons annually. Now, I take it that every gentleman interested in the development of the country at all will admit that wherever you find a river or a harbor having 6,000,000 tons of freight annually it simply must be taken care of, practically without regard to what it costs. There is no escape from that. The embarrassment in the Monongahela River, however, grows out of what has heretofore taken place.

Many years ago, I think in 1848 or approximately at that time, the State of Pennsylvania chartered a private corporation for the building of a series of locks and dams on this river, and that corporation charged a toll for passing through them. Three or four years ago Congress was induced to make the navigation of this river free by the purchase of these locks and dams, and we did so at a cost, if I remember right, of $3,700,000. It now develops that these locks and dams are practically worthless, that they are worn out, and we are called upon to make new appropriations there to rebuild them or others near the sites of the present ones. Now, if we had consulted the feelings of the committee, in view of this condition of affairs, there probably would have been no appropriation at all recommended; but when we came to consult the necessity for appropriation, we felt that we must commence the rebuilding of these dams and the protecting of this immense traffic.

The Ohio River presents one of the most difficult problems in this whole country as a river and harbor improvement. I would, if I could, call the attention of every member of this House to the actual condition of affairs on the Ohio River. A system of locks and movable dams has been devised that when completed will cost between $30,000,000 and $35,000,000. There are 37 of these movable dams, and while it can not be said that Congress has adopted that whole scheme and entered upon the construction of all these locks and dams, yet it must be said, and said truly, that we are prosecuting that work with a good deal of vigor.

The commerce of the Ohio River amounts annually to thirteen and a half millions of tons, and it is desired to have these locks and dams, to the end that there may be proper and adequate means and facilities for handling this great volume of trade. Now, if there is any gentleman in this House that thinks he knows any scheme by which that large expenditure, or the major part of it, can be avoided, he is welcome to my place on the River and Harbor Committee in the next Congress to present his scheme. I know of no way that it can be avoided. That is not all the embarrassments in the Ohio River.

In 1852 Congress passed a special act authorizing a railroad bridge to be built across the Ohio River. So anxious in that early day was the Congress and the people at large for railroad building and that means of transportation that Congress provided in this bill that any crew of any steamboat navigating the Ohio River should so adjust the boat and its pipes, smokestacks, and equipments that they would not interfere with this bridge, under penalties. In other words, the interests of the railroads were regarded as infinitely superior to those of river traffic. It is very interesting to us now to see the evolution of thought on the subject from then until 1869, seventeen years, by which time Congress changed the entire tenor of its legislation, and provided, in passing a special bill for a bridge across that river, that it must be so constructed as not to interfere with the traffic of the river.

Following, some later, it put a provision into all special bills authorizing Congress to alter, amend, or repeal the privileges granted to these railroad and bridge companies for the construction of bridges. We are confronted to-day with a proposition that there are numerous bridges on this river that are an impediment to the proper navigation of the river. They are hindrances by the manner in which they are constructed, and the proposition has been advanced that the Government shall at once make an appropriation to pay for the remodeling of these bridges at I do not know how many million dollars of expense.

We have in this bill that is now presented a provision requiring the Secretary of War to give us a list of all the bridges over the Ohio River, together with an estimate of the cost of reconstructing each and every of these bridges so as to destroy their feature of impediment to the river traffic; and we have also authorized him to call upon the Attorney-General for an opinion upon each and every of these bridges as to the liability of the Government for the expense to be borne in changing these bridges and as to what ones of them the Government is liable, if at all, for any of them.

I merely cite these facts to the end that you may be aware, if you have not had your attention called to it otherwise, of the fact that in the near future you will be called upon to pass on that question.

Mr. MANN. Will my colleague allow me to ask him a question?

Mr. REEVES. Certainly.

Mr. MANN. In the same line of the suggestion of my friend as to the bridges over the Ohio River as constructed so far, can the gentleman tell us is it settled that the Government has the authority to require the removal of a bridge over a navigable stream if the bridge has been constructed without authority primarily of Congress or of the engineers? Can Congress require its removal at the expense of the owners and have it reconstructed? And if it has been constructed by consent of Congress or of the War Department, can the Government require it to be removed except at the Government expense?

Mr. REEVES. An answer to the inquiry of my colleague embraces several conditions. First, a bridge may be lawfully over a stream without the authority of Congress. The authority may have been given by a State to construct a bridge over a stream at a time prior to any time that the General Government took jurisdiction of the river. There are numerous cases of that kind. The Supreme Court of the United States uniformly holds that in that kind of a case the bridge is as lawfully there as if the authority had been given by the Congress.

When a bridge is lawfully in its place, either by act of a State or by an act of Congress, if the Congress in giving its assent does not reserve the right to alter or amend or repeal the provision authorizing its construction, but without limitation gave the company the right to build it, my opinion of the law is that the Government can not alter it or change it without paying the expense involved in doing so, and I think that view is sustained by the opinion of the Supreme Court in the case of the Navigation Company *v.* The United States, reported in 148 United States Reports.

Mr. MINOR. Will the gentleman permit me an interruption?
Mr. REEVES. Certainly.
Mr. MINOR. I want to state a case in my own State. A bridge was constructed some years ago by authority of the county board of supervisors of the city, the State never having taken any action on it, and the draw is 78 feet in the clear. Now, under the new plans and specifications it is proposed to enlarge the Sturgeon Bay Canal, and the engineers recommend that there shall not be less than 100 feet in the clear. Now, the question arises what authority has the War Department over that matter, and can they compel the widening of that draw without expense to the Government?
Mr. REEVES. If under the laws of Wisconsin this bridge company that constructed this bridge at the place suggested had the right to do it then, that bridge is lawfully there, and if lawfully there by virtue of any authority, in my opinion Congress can not change it and widen its draw without the Government paying the expense for so doing.
Mr. MINOR. I wish to say further that the plans and specifications of the bridge were submitted to the War Department and approved.
Mr. REEVES. I do no think that that would have anything to do with it.
Mr. MANN. May I interrupt the gentleman?
Mr. REEVES. Certainly.
Mr. MANN. I do not desire to break into the gentleman's argument, but I have a specific case in mind that I would really like to have his opinion upon. The Calumet River is in the States of Illinois and Indiana. As we understand, the statute provides that the War Department may issue a permit for the construction of a bridge wholly within the limits of a State. There were originally three bridges over the Calumet River—the Baltimore and Ohio, the Lake Shore and Michigan Southern, and the Pennsylvania Railroad bridges—side by side. A few years ago, when the bridges were nearly worn-out, the War Department, I think under an erroneous assumption, gave authority to reconstruct these bridges so that they are still there, and constructed in such a manner that it is almost impossible to make use of the river at that point. Would not the Government, in the opinion of the gentleman, have authority to require the removal of that obstruction without expense to the Government, assuming that no competent authority gave a legal right to reconstruct the bridges, although originally the bridges were undoubtedly put there by competent authority?
Mr. REEVES. Answering specifically the inquiry of the gentleman, I should say yes. The Government can order any bridge removed or altered in its construction or amended in any way, I have no doubt. That they will have to pay for it if in the granting of the authority it has not reserved the right to do this I think is equally true.
Perhaps, however, I should await the opinion of the Attorney-General before becoming too explicit on these given cases. But I have made the suggestion that members who have not had occasion to think of it may know what is confronting us.
Mr. HEPBURN. Before the gentleman leaves the subject of bridges, would it incommode him if I asked him a question?
Mr. REEVES. Oh, no.
Mr. HEPBURN. I find on page 98 of the bill this authority:

That the Secretary of War is hereby authorized to extend the time of completion of any bridge, the construction of which has been or may hereafter be authorized under any law of Congress, etc.

I want to ask if there were any cogent reasons presented to the committee for usurping in this way the authority of another committee, and what was the reason that they took upon themselves jurisdiction over the matter of bridges? I suppose there must have been some cogent reason for it, and I would be glad to be enlightened on the subject. I am not criticising the committee; I simply want to know why.
Mr. REEVES. I do not seek any controversy with the chairman of the Committee on Interstate and Foreign Commerce as to the jurisdiction of the respective committees. In so far, however, as any of these bridges that are in process of construction anywhere interfere with the reasonable and proper navigation of the stream which they cross. I do not think there is any question but that the Committee on Rivers and Harbors has the jurisdiction to insist upon a modification of the plans.
Now, there are a few bridges—I think over the Ohio River, but of that I am not sure—in process of construction, bridges where modifications have been required by the Secretary of War in the interest of the river navigation. This is an effort not to cripple the bridge companies on the one hand, but where alterations have been required in the interest of navigation, to give power to the Secretary of War to extend the time for the construction.
Mr. HEPBURN. I presume the gentleman knows that it is not unfrequent that matters of that character extending the time for the construction—there being almost invariably a time of limitation introduced into this House, and has been for twenty years—and it is always sent to another committee than the one of which the gentleman is a member.
Mr. REEVES. That is true.
Mr. HEPBURN. And that the committee has had a recognized jurisdiction over that subject?
Mr. REEVES. I think that is absolutely true.
Mr. HEPBURN. Now, the gentleman may not know that it very often occurs that committees are deceived as to the purpose of corporations and individuals seeking this franchise; that they get them for the purpose of holding other people up, of speculating in them, and that perhaps the question ought not to be referred to one gentleman or one man.
Mr. REEVES. That may be a reason for an objection to this provision of the bill. I know of no case such as the gentleman speaks of, where some company has procured the right to build a bridge for the purpose of keeping some one else from building it.
Mr. HEPBURN. I can say, as Falstaff said to another, discussing the question of paternity, "That thou art my son. I have in part thy mother's word and in part my own belief." [Laughter.]
Mr. REEVES. The views of the gentleman may be well founded, but I regard it as a proper criticism and a proper suggestion that if the Secretary of War has a right to extend the time for the completion of a bridge of this kind, the provision should be most carefully guarded. But in so far as this committee is concerned this provision only pertains, or was designed to pertain, to bridges in process of construction where alterations are required during the time of the construction, and to give a reasonable opportunity for the extension of time to complete the work.
Mr. BISHOP. And in the interest of navigation?
Mr. REEVES. Yes; in the interest of navigation.
Mr. HEPBURN. If that was the only purpose, the committee were unfortunate in the use of language.
Mr. REEVES. That is a mere matter of opinion.
Mr. HEPBURN. Well, from the gentleman's position I have no doubt he will join me at the proper time in raising and maintaining a point of order that should be made against this proposition.
Mr. REEVES. My friend should not be too sure that in this little colloquy in this pleasant way I have come over to his side of the question and intend to join him in any attack, directly or indirectly, upon any of the provisions of this bill.
Mr. HEPBURN. No member of the committee ever did. [Laughter.]
Mr. REEVES. And I do not believe that rule will be violated now. I was about to suggest further, Mr. Chairman, in speaking of some of these projects that confront the River and Harbor Committee and in which we feel we have practically no discretion except to recommend money enough to do the work required; there is the Mississippi River, for instance, carrying the largest single appropriation of any of the projects in the country, with her 3,000,000 tons of freight at the mouth of the river. I do not know of anything we can do but to go ahead and complete the project that has been proposed.
There is the Columbia River—with nearly 2,000,000 tons of freight—in that part of the country that has not received the greatest consideration along this line, and I know of nothing that we can do but to complete it, and in that connection, while the project at the mouth of the river will cost three or four millions of dollars, let me say there is one up the river, at The Dalles, where the present project for getting around that contemplates $4,000,000, and I want to say right here that I do not know of any project in the country that, in my judgment, is entitled to earnest consideration and fair dealing more than the building of a canal around The Dalles in the Columbia River.
We did not do it in this bill. We did not provide for it, and the reason we do not is simply because we can not do everything in this bill, and we are already doing much for that river in this bill—nearly a million of dollars to be expended at the mouth of the river—and some critic of this kind of legislation may rise up after a while and point to the mouth of the Columbia River as one of the places where we have most foolishly expended money. I for one have grave doubts as to whether or not the project at the mouth of this river at an expense, in round numbers, of $4,000,000 will not be a total failure when it is finished. The reason for it is simply this: That in building these extended jetties out into the ocean to deep water silt, sand, and material that is carried out into the ocean is deposited, and it may be that we are simply moving the bar farther out into the ocean.
At the mouth of the Mississippi River the cross currents are such as to catch up this sand and carry it away, and we may fairly hope that the improvement may be lasting. I personally interrogated the engineer in charge of the Columbia River within the last year upon the question of the permanency of the improvements

at the mouth of the Columbia River, and the most that I could get him to say was that he hoped the improvement would be lasting and permanent. The truth is that there are no sufficient cross currents to make it certain that this sand that is carried down there will be carried away, as will be the case at the mouth of the Mississippi River.

Boston Harbor—and I have a friend here who will talk to you about that, I presume, directly—is to cost us in round numbers $8,000.000, to make a proper channel out to deep water. Well, she has 20,000,000 tons of freight annually in that harbor. If there is any gentleman in this House who can say in good faith that he thinks we ought not to spend the money and make that channel, no matter whether it is eight millions or ten millions or twelve, or six, or five, if we are not to have a channel to get that 20,000,000 tons out and away, then that gentleman may have my position on this committee, and present some other scheme that will save this money to the Government. I know of no way except to appropriate the money and do the work.

Galveston Harbor has nearly 2,000,000 tons of freight and occupies the same position. The Delaware River leading up to Philadelphia has 24,000,000 tons of freight annually, and I know of nothing we can do but to give them deep water to the sea, although it will cost several millions. Of this 24,000,000 tons of freight on the Delaware, nearly 5,000,000 tons is foreign trade. Cleveland Harbor has her 7,500,000 tons of freight annually. The Chicago harbors, the Chicago River and the Calumet River, have in round numbers 14,000,000 tons of freight. I do not know how much New York Harbor has. It is so great that at most it could only be stated in figures, and to the mind of the average man it would mean nothing. The Hudson River has 15,000,000 tons of freight. I know of nothing that we can do but to recommend the appropriation of the money and go on and complete these improvements, whatever they cost.

There is one other class of cases that I want to call attention to, and that is the Black Warrior and Tombigbee rivers in Alabama. A gentleman speaking a few moments ago made comparison between what we had done in this river and what was done in North Carolina. Now, I want to tell you what actuated the committee in making the appropriations for this continuous stream of the Black Warrior and Tombigbee.

There are in Alabama immense coal fields. The supply is simply inexhaustible. A condition exists in the world on the coal question that commanded our attention. Briefly, it is this: In England to-day there are only about 3,000 square miles of coal, and in Germany about 5,000 square miles. England has been exporting 40,000,000 tons of coal annually, and Germany has been exporting a large amount. Both these countries to-day are trying to preserve their coal for their own future use.

Men interested in this line of industry have calculated that we to-day in this country are on the eve of exporting coal in a sufficient quantity to bring into the coffers of the people of the United States in round numbers $150,000,000 per year. Now, this coal field in Alabama, with this stretch of river reaching down to Mobile Bay and from there down into the ocean, affords about the best opportunity for getting coal sent out of the country of any of the places in the United States. And, by the way, we have here in the United States, in comparison with the volume of coal in England and Germany, 200,000 square miles of coal. So our supply is inexhaustible in any fair sense of that term, and I for one, as a member of the committee, only agreed with other members in holding that we were in favor of spending a million or two dollars on the Tombigbee and Black Warrior rivers, to open a channel from these coal fields to deep water, as the readiest and best means of exporting coal, and taking advantage of the situation in that line of industry, of any place in the country.

Mr. HEPBURN. Will the gentleman permit me to ask him a question there?

Mr. REEVES. Yes.

Mr. HEPBURN. Does the gentleman regard it as a public advantage to export coal to our manufacturing rivals?

Mr. REEVES. Yes.

Mr. HEPBURN. Is it not true that every ton of coal that is sent by us to England or Germany simply increases their power to rival us in manufactures?

Mr. REEVES. I do not think so. I do not think that conclusion is by any means correct. England or any other country 3,000 or 5,000 miles away from us can not compete with the United States if she has to haul her coal from here to do it. But the coal industry of this country has in it capabilities of bringing into this country, in round numbers, I think, $150,000,000 a year from outside, and any line of business that has that possibility in it is, in my judgment, worth fostering by reasonable appropriations for facilities to do it.

Now, Mr. Chairman, I think the time awarded to me has about expired. I have only desired to suggest a few general facts, some of which, at least, tend to show the difficulties that have confronted us in the preparation of a river and harbor bill. [Applause.]

Mr. TALBERT. Will the gentleman allow me?

Mr. REEVES. Yes.

Mr. TALBERT. Speaking of the immense amount of coal that will be exported from the United States, is it not a fact that English vessels coming to the ports of the United States—Savannah and other ports—bring an immense amount of coal as ballast?

Mr. REEVES. I do not know that to be true.

Mr. TALBERT. Do you know it not to be true?

Mr. REEVES. I do not think it is true. That is as near the point as I can go.

Mr. TALBERT. I only wanted to ask the question for information, if it was not a fact that English vessels do bring coal as ballast to the ports of the United States.

Mr. REEVES. I know of no such carrying properties as that. I only want to add, in conclusion, Mr. Chairman, that I for one do not claim this bill to be absolutely perfect. I do not believe it to be possible to make an absolutely correct river and harbor bill any more than you can make an absolutely correct tariff bill. It is an approximation at best. It is coming as close to the mark as you can. We have considered as best we could the interest of every river and harbor in this country from the standpoint of its commercial help to the whole country, and we have appropriated among these different rivers in cash appropriation and authorization a little over $60,000,000 in that way which has seemed fairest and best to us. [Applause.]

Mr. CANDLER. Mr. Chairman, I shall at the proper time introduce the following amendment:

Amend by inserting in the bill, on page 55, between lines 16 and 17, the following:

"Improving the Tombigbee River from Demopolis, Ala., to Columbus, Miss.: Continuing improvement with a view to securing a navigable depth of 6 feet at low water in said river from Demopolis, Ala., to Columbus, Miss., $100,000, and the Secretary of War is authorized and directed to cause a survey to be made of the necessary lock sites in said river between Demopolis, Ala., and Columbus, Miss."

I offer this amendment in all seriousness and sincerity to carry out a policy already indicated in law heretofore enacted by this body. In the river and harbor bill which passed Congress in the first session of the Fifty-first Congress, and which was approved September 19, 1890, and which is still the law, being unrepealed, Congress enacted this provision: "Improving Tombigbee River from Demopolis, Ala., to Columbus, Miss., extending improvement to secure 6 feet draft at low water," thereby adopting a channel depth of 6 feet in this river from Demopolis to Columbus. This was pursuant to the recommendation of the United States engineer. No appropriation, however, has been made for carrying out this important provision thus adopted by the Government, and in order to carry it out I offer this amendment.

This is no fad, and if accomplished will be no ornamental improvement, but will be one of practical results. It is a matter that interests my whole State and commands the interest and attention of our best citizens and highest officers, and is also of vital interest to our neighboring States. In order to demonstrate this I call your attention to the proceedings of a river improvement convention, held in the beautiful little city of Columbus, Miss., on the 30th day of July, 1901, and I especially ask you to note those present at that convention, which was presided over by Mississippi's distinguished and able governor, the Hon. A. H. Longino.

You will find these proceedings in the memorial I sent to the members of this House in the hope of interesting you in the improvement of this important river, and I now call your special attention to the same, which I read:

PROCEEDINGS OF THE TOMBIGBEE RIVER IMPROVEMENT CONVENTION, HELD IN COLUMBUS, MISS., JULY 30, 1901.

[From the Columbus Dispatch, July 31, 1901.]

The Tombigbee River Improvement Convention assembled in Columbus yesterday at noon at the opera house. The auditorium of that building was filled with delegates from all the counties interested in this important project. Delegations were present from Monroe, Lowndes, Clay, and Noxubee counties in Mississippi, and Pickens, Sumter, Greene, Marengo, Washington, Mobile, Choctaw, and Clarke counties in Alabama. In addition there were a number of the leading and distinguished men from both States. On the platform were Governor Longino, Senator A. J. McLAURIN, Congressman PATRICK HENRY, from the Vicksburg district; Congressman CANDLER, from this district; Congressman J. H. BANKHEAD, from Alabama; Gen. S. D. Lee, Lieutenant-Governor Harrison, Hon. E. S. Craighead, the editor of the Mobile Register; Hon. E. O. Sykes, of Monroe; Hon. T. R. Maxwell, De Soto; Col. Thos. J. O'Neill, Hon. J. T. Senter, Hon. M. A. Franklin, Maj. John P. Mayo, Hon. E. R. Sherman, Capt. C. G. McGee, Mr. W. M. Pentecost, Prof. Joe Cook, and others.

The convention was called to order by Hon. E. R. Sherman, who introduced Col. Thomas J. O'Neill, who had been selected to formally welcome the delegates to Columbus. Colonel O'Neill read his address, and in it he took occasion to not only emphasize the welcome which this city had for every man who came here to lend his support and influence toward the improvement of the Tombigbee River, but he reviewed the wonderful progress and development which Columbus had made in the past few years, and pointed with pride to the fact that education and morality have kept step with our material progress. He closed by assuring the delegates that the full measure of our hospitality was extended all those who had come within our gates to aid in the good work which the convention was about to undertake.

At the conclusion of Colonel O'Neill's address Mr. Sherman placed in nomination the name of Mississippi's distinguished governor, A. H. Longino, as permanent chairman, and he was elected by acclamation. Messrs. John P. Mayo, of Lowndes, and Walter Windham, of Pickens, were appointed a committee to escort the permanent chairman to the stand, and as he appeared he was greeted with an ovation. Governor Longino thanked the convention for the honor which it had paid him, and said it was a pleasure for him to be identified with any movement which had for its end the material development of the State. He pointed with pride to the changed conditions of the present as contrasted with the past, when conventions were held almost solely for the purpose of nominating candidates and declaring political platforms, and he stated that it was a splendid omen for the future to see the men of all sections coming together in a movement to develop their country and to add to their material wealth. Governor Longino stated that the convention had work before it and he would not make an extended talk. His address was dignified and appropriate, and was heartily appreciated by the assembly, which applauded him enthusiastically at its conclusion.

He asked the further pleasure of the convention, and Capt. Willis B. Harris moved that Mr. P. W. Maer be made secretary of the convention. Mr. J. T. Senter was also nominated as assistant secretary, and Lieutenant-Governor Harrison presented the name of Mr. Craighead, of Mobile, as assistant secretary also, and the nominees were elected.

After the election of secretaries the work of the convention was undertaken, and upon motion of P. W. Maer a committee of three was appointed on credentials, and he suggested that during the performance of their work the convention hear from Senator MCLAURIN, a suggestion which was received with great favor. The motion for a credentials committee prevailed, and Governor Longino appointed on that committee Col. T. J. O'Neill, Capt. C. G. McGee, and Mr. William Pentecost. The committee retired to undertake their work, and Senator MCLAURIN was introduced.

If Senator MCLAURIN had any doubt as to his standing in Lowndes County it was removed in the hearty reception given him when he advanced to address the convention. He was applauded to the echo and applauded again. He thanked those present for their manifestation of esteem for him and stated that he was not prepared for a speech. He came to Columbus to show his interest in the movement and to aid and help it in any way which it was possible for him to do. He said he desired to have a business talk with the delegates, and he proceeded to make a fine speech, in which he reviewed the industrial conditions of the South and the increasing demand from all sections for means of cheaper transportation. He said the rivers of the South were the means of affording it, and no matter what were our ideas and convictions as to the wisdom of expending money in those channels, it seemed to be the fixed policy of the Government to continue it, and he was in favor of the South getting her share.

He stated that he had long since made up his mind to do what he could to secure appropriations to open up and develop the streams in Mississippi and to improve her harbors on the coast and the improvement of the Bigbee was one subject which would receive his special attention. When he pledged anew his influence and support to the movement of making the river navigable through Government appropriations, he was given an ovation, and it was some time before he was allowed to continue. Senator MCLAURIN made a fine speech, and he was attentively and favorable received by the convention.

After Senator MCLAURIN'S speech, the hour being late, an adjournment was taken until 3 o'clock in the afternoon.

As Major Rossell, United States engineer, and Congressman BANKHEAD and other members of the convention were compelled to leave the city last night, it was decided at the afternoon session to dispense with the session of the convention to-day and to transact all the business before the assembly yesterday afternoon.

Governor Longino called the convention to order at 3 o'clock, sharp, and introduced Hon. PATRICK HENRY, from the Vicksburg district. Judge HENRY said that he came from a district already committed to appropriations from Congress, and that as the Representative of that district he would use his influence and exert every effort that the appropriations would continue. If the improvement of the Tombigbee could be furthered by his influence or work, he assured his hearers that the project would receive it.

He was followed by Congressman BANKHEAD, from Alabama, who made a splendid speech. If the convention had accomplished nothing else but to secure Mr. BANKHEAD'S address, it would have been voted a success from this one feature alone. From his long years in Congress and his service on the River and Harbor Committee he gave his hearers the benefit of his experience in river and harbor matters, and it was advice and counsel worth receiving and heeding. Mr. BANKHEAD stated that the improvement of the Tombigbee was a feasible project, and that he was already committed to it. He told the convention how to proceed with its work, and the delegates later followed his advice in the appointment of a permanent memorial committee to bring the matter before Congress.

* * * * * * *

Mr. E. R. Sherman moved that the chairman appoint a permanent committee on memorial and other matters to prepare same for presentation to Congress, the chairman to be chairman of that committee. Colonel McClung, of Pickens, introduced another resolution, that a committee of 200 be appointed from Columbus and 100 from each county contiguous to the river to prepare said memorial as a substitute for Mr. Sherman's resolution, but Congressman BANKHEAD stated that he thought better results could be accomplished by a smaller committee, and Mr. Sherman's motion prevailed. The chair appointed the following committee: Messrs. E. R. Sherman, William Pentecost, C. G. McGee, John P. Mayo, and P. W. Maer, from Lowndes County; Hon. Walter Windham, of Pickens; Dr. R. L. Patty, of Noxubee; Hon. Sam Jones, of Sumter; Hon. E. O. Sykes, of Monroe, and Hon. A. C. Danner, of Mobile. This committee will immediately take up the work of preparing the memorial to Congress.

There being no further business, the convention adjourned sine die.

A. H. LONGINO, *Chairman.*
P. W. MAER, *Secretary.*

I have gone into this thus fully to show those present and the interest manifested. An improvement which interests the Governor and the United States Senator and the Congressmen of a State, and the Congressman of another State, and brings together an opera house full of prominent and patriotic citizens of different States to consider it, is not a matter of mere local importance but is of national interest. I now desire to read to you and impress upon your earnest and candid consideration the memorial prepared by the committee appointed at this convention, of which committee you will note the Governor of Mississippi is chairman and the other members are prominent and influential gentlemen of Alabama and Mississippi, who are anxious to see the country built up and developed.

This is the memorial:

MEMORIAL.

To the honorable Senate and House of Representatives in Congress assembled:

Your memorialists beg leave to show that the Tombigbee River after improvement for perennial navigation will become a waterway of great national importance.

The length of the Tombigbee River from its mouth to Columbus, Miss., is 347 miles, being 191 miles from Mobile to Demopolis and 156 miles from Demopolis to Columbus. The fall in the river from Columbus to Demopolis is 107.8 feet.

By the river and harbor act of September 19, 1890, Congress adopted a channel depth of 6 feet at low water from Demopolis to Columbus, but no provision has as yet been made for carrying out this work.

To secure such a channel locks and dam will be necessary, and for inaugurating their construction it is earnestly urged that appropriations be made at the present session of Congress. Barge navigation from Columbus, Miss., to Mobile, Ala., will develop a carrying trade of immense proportions, not only in outgoing products for export, but in the incoming to the Tombigbee Valley and contiguous territory of great tonnage in corn, flour, meat, grain, and other necessaries of life from the West via the Mississippi River at a minimum cost of transportation.

NATIONAL IMPORTANCE OF THE IMPROVEMENT OF THE TOMBIGBEE.

In order to set forth the importance of this project and its far-reaching effect upon the country at large and the tremendous impetus which it will give to American commerce, your memorialists with all possible brevity present the following statistics and suggestions:

INCOMING WESTERN PRODUCTS.

There have been brought into the valley of the Tombigbee during the planting year just closed 6,000 cars of corn, 1,500 cars of flour, 1,000 cars of hog products, 1,750 cars of oats, besides many carloads of mules, live stock, and agricultural implements. These commodities were purchased from a wide area of grain-producing territory, embracing Illinois, Iowa, Kansas, Missouri, Ohio, Tennessee, Kentucky, and Nebraska.

That with a cheapening of freights there will be a corresponding increase in the consumption of the above-enumerated articles is axiomatic and beyond contravention, carrying the twofold blessing of better living to the consumer and a larger market to the producer.

But this up-river tonnage, large as it is, is the mere return of empties in ballast by comparison with the vast freight that would move out down the river with all the year round navigation.

COAL AND IRON.

The Tombigbee River parallels the great iron and coal district of Alabama for 150 miles, being within 25 miles of the finest deposit of brown hematite ore on the North American continent, and as near as 40 miles to inexhaustible quantities of bituminous coal of unequaled quality. There have passed across the Tombigbee River at Columbus during this year to the tipple on the Mississippi River for transshipment to New Orleans and points south 16,000 carloads of coal. How much more than this would pass down the Tombigbee to Mobile can only be guessed at; but, beyond peradventure, Mobile, with its improved harbor and nearness to the coal fields, must become the great coaling station of the Gulf, supplying our war vessels and merchant marine at less cost than will be possible in any other port in the United States.

Alabama, now occupying second place in the American production of pig iron, must have an outlet to the markets of the world, and the cheaper and more direct this outlet can be made the greater will become the annual output of her mines, with its consequent beneficences to producers and carriers alike. With the building of the Nicaragua Canal the cheaply made pig iron of Alabama would float out to the Far East in such bulk as to make our present conception of trade seem small and despicable. To this great volume of traffic must be added the finished products of iron and steel for bridges, structural uses, boiler plates, armor plates, and the thousand other tools and implements the world has need of.

Five railroads already in operation connect by short haul the Tombigbee River with the coal and iron of Alabama, and the Illinois Central has recently had a survey made for the building of another road into a section of the coal fields hitherto undeveloped.

COTTON.

There is produced in the fertile valley of the Tombigbee and along its tributaries, one-twelfth of the raw cotton of the South. This cotton is of very superior quality and in high favor with spinners at home and abroad. Whatever part of it may go for export, and by coastwise transportation to New England points will, perforce, seek the sea through this open waterway to get the profit of reduced freight rates; a reduction which will amount to half the rate now in effect. In addition to cotton in bales must be comprised its by-products, cotton-seed oil, meal and hulls, equal in value to the cotton itself and twice its tonnage.

The seed of all the cotton produced along the Tombigbee is crushed by mills situated upon its banks or nearly adjacent to it. Surely cotton, which has kept the pendulum of American finances a-swing so long, rounding out the favorable balance sheet of each year's trade, is entitled to all the fostering conditions that can be created for it.

TIMBER AND LUMBER.

Nowhere in America, with its fast-disappearing forests, can finer virgin timber be found than along the Tombigbee River. This timber is of great variety and size, including white oak, pitch pine, black walnut, beech, cypress, and sycamore. This timber heretofore has been left standing because of a lack of adequate and cheap transportation. Efforts have been made to reach the port of Mobile from time to time by rafting at high stages of water, but these ventures have been found to be unremunerative and unsafe and have been abandoned altogether.

At many points along the river there are stave factories and sawmills that could easily increase their output if water carrying facilities could be had. The business of one stave factory alone, located in Columbus, now amounts to 1,000 carloads annually.

LIME AND CEMENT.

Touching, and contiguous to the river for miles and miles, there are great fields of lime rock from which can be and has been made the highest standard of merchantable lime. Water transportation is the life of the lime industry.

At Demopolis, on the high lime-rock cliffs overlooking the river, there is nearing completion a $2,000,000 plant for the manufacture of cement. The capacity of this establishment is from 400 to 500 barrels per day. The building of this important enterprise was made possible by the improvement of the river to that point, and by the fact that that part of the river has been placed on the continuing-improvement list. These bluffs are a feature of the bank formation of the Tombigbee River. They are all of the same geologic character and extend, at intervals, from Demopolis to Columbus, and for miles above. That mills for converting them into cement of great commercial value will follow the course of the river as it is made navigable seems as certain as that light will follow the sun around the world. Not only so, but

should work be begun on the river at once, the Government could, in all probability, be supplied at the very lowest cost with all the cement needed to construct the masonry of the Nicaragua Canal.

Having as succinctly as possible enumerated some of the great benefits, national in scope, to accrue from the opening up of the Tombigbee River, your memorialists most earnestly urge that this great work be inaugurated and continued with rapid prosecution until a channel depth of 6 feet at low water shall have been obtained from Mobile to Columbus. The mind of man can but vaguely conceive and imperfectly conjecture the future greatness and industrial development of the United States, and in that development no factor will be greater in importance than an unobstructed passage through its waterways. In this development the Tombigbee River will play no minor part. Never blocked by ice, it flows through a country better timbered, richer in agricultural resources and mineral deposits than any other river of like length on the globe.

A. H. Longino, Governor of Mississippi; E. R. Sherman, Wm. Pentecost, C. G. McGee, Jno. P. Mayo, P. W. Maer, of Lowndes County; Walter Windham, of Pickens County; Dr. R. L. Patty, of Noxubee County; Sam Jones, of Sumter County; E. O. Sykes, of Monroe County; A. C. Danner, of Mobile County, Committee.

In the pamphlet containing this memorial no doubt you noticed the map, on which is indicated the vast coal and iron beds contiguous to this river; and also you noticed in the same pamphlet the pictures of the steamer *Vienna* plowing the waves of this beautiful river, loaded with the fleecy staple cotton. The difficulty is that the *Vienna* can only navigate this river during high water and for only a small part of the year. But you will say the tonnage is small. Yes, comparatively so at present; but it takes navigation to make tonnage. Open up this river to navigation the year round and the tonnage will leap to an undreamed-of amount. [Applause.]

On the banks of this river is Columbus, the queen city of east Mississippi, which has a number of factories now, and above it is Aberdeen, the pride of the prairie belt, and Fulton, the gem of the historic hills. Open up this river and these wide-awake, progressive places will be filled with factories and new business enterprises, and the contiguous country will blossom like American Beauty roses. This river flows through the Bigbee Valley, which vies with the valley of the Nile in fertility and richness of production. Along it the cotton and agricultural grain products are in abundance, like the crops of ancient Egypt, inexhaustible, pleading for an outlet to the world, ready to furnish tonnage. An abundant virgin forest, to make enough lumber to supply untold demand, nods in the breezes and beckons you to gaze upon this river and behold the great national advantage to be attained by opening it up, and enough lime rock is contiguous to the river to make sufficient high-standard cement to construct the masonry of the Nicaragua Canal. [Applause.]

With all this to be obtained by making this river navigable, how can you have the heart to defeat my amendment?

Mr. TALBERT. Will the gentleman allow me to ask him a question?

Mr. CANDLER. Certainly.

Mr. TALBERT. Does this amendment which the gentleman proposes to offer begin a new line of improvement?

Mr. CANDLER. No, sir.

Mr. TALBERT. Is it just a continuation of an improvement, or does it open up an entirely new field?

Mr. CANDLER. It does not open up an entirely new field.

Mr. TALBERT. Then an appropriation has been made heretofore?

Mr. CANDLER. An appropriation has been made heretofore.

Mr. TALBERT. But has been discontinued?

Mr. CANDLER. An appropriation has been heretofore made of a temporary character, and we want to make it of a permanent character, and do it in the interest of this trade. I think we ought to make appropriations for permanent improvements to the commerce, and that is the reason why I am going to offer this amendment.

Mr. TALBERT. I hope it will pass.

Mr. CANDLER. River improvement is for the purpose of making commerce, adding to trade, and increasing business, and nowhere is there a more inviting field than this to which I invite you. The people of east Mississippi are struggling with railroad monopoly, and I appeal to you to give them relief by giving them water navigation.

Up to a short time ago they had railroad competition, but the use of aggregated capital has deprived them of this by combining all the railroad interest there in one great system, and now I appeal to the Government to come to the relief of the people by improving this river and thereby giving them cheap freight rates through the means of river navigation. I plead with you to thus come to the relief of the masses by the adoption of this amendment. There is an available appropriation of $16,000, in round numbers, for this river from Demopolis to Columbus, and in this bill there is an item of $4,000 for the river above Columbus. Now, adopt this amendment and we can go to work and permanently improve this river. It ought to be done, and I appeal to this House to do it in the interest of commerce, trade, and business, and for the direct benefit of the masses of the people of that section of the country and for the general good of the country at large. [Applause.]

[Mr. COCHRAN addressed the committee. See Appendix.]

Mr. BURTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12346, the river and harbor appropriation bill, and had come to no resolution thereon.

EDWARD KERSHNER.

The SPEAKER laid before the House the bill (H. R. 5224) for the relief of Edward Kershner, with a Senate amendment.

The Senate amendment was read, as follows:

Line 4, strike out "director" and insert "inspector."

Mr. DAYTON. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

C. R. DICKSON.

The SPEAKER laid before the House the bill (H. R. 3278) to correct the military record of C. R. Dickson, with a Senate amendment.

The Senate amendment was read, as follows:

Line 6, after "Volunteers," insert "by setting aside the finding and sentence of the court-martial of October 27, 1898."

Mr. PARKER. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

BRIDGE at SOUTH OMAHA.

The SPEAKER laid before the House the bill (H. R. 4607) to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr., with a Senate amendment.

The Senate amendment was read, as follows:

Page 3, line 19, after "war," insert "and said structure shall be changed at the cost and expense of the owners thereof from time to time as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river."

Mr. MERCER. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

MARINE HOSPITAL AT SAVANNAH, GA.

The SPEAKER laid before the House the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1545) to establish a marine hospital at Savannah, Ga.

Without objection, the resolution was agreed to.

INVITATION TO GOVERNMENT AND PEOPLE OF FRANCE.

The SPEAKER laid before the House the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the joint resolution (S. R. 68) authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of Count de Rochambeau, to be unveiled in the city of Washington.

The SPEAKER. Without objection, the resolution will be agreed to.

There was no objection.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 11471. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 13, 1903;

H. R. 3297. An act to correct the military record of William T. Pratt; and

H. R. 3762. An act for the relief of Emanuel Klauser.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3261. An act authorizing the Eldorado and Bastrop Railway Company to construct and maintain a bridge across the Ouachita River in the State of Arkansas; and

S. 3312. An act for the establishment of a light-house at the mouth of Oyster Bayou, near the Louisiana coast, in the Gulf of Mexico.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bill of the following title:

H. R. 4381. An act to authorize the Central Railway of West

Virginia to build a bridge across the Monongahela River at or near Morgantown, in the State of West Virginia.

WITHDRAWAL FROM THE FILES.

By unanimous consent, Mr. LAWRENCE had leave to withdraw from the files of the House, without leaving copies, papers in the case of Fannie E. Walker, Fifty-seventh Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted Mr. DAVEY of Louisiana for two weeks, on account of important business.

PERSONAL PRIVILEGE.

Mr. WACHTER. Mr. Speaker, I rise to a question of personal privilege. I desire to send to the Clerk's desk a clipping handed to me this morning from the Cincinnati Commercial-Tribune which relates to a certain matter interesting to the Speaker and myself.

The Clerk read as follows:

While the Cuban reciprocity fight was at its warmest and the "insurgents" were making daily assaults against the Ways and Means Committee, Speaker HENDERSON sent for Representative WACHTER, of Maryland, of the Baltimore district.

"Why are you so much interested in this sugar-beet question?" demanded the Speaker, angrily. "You have no sugar-beet interests."

"Well, it seems fair enough to me," replied the Baltimore man. "Furthermore, I have some constituents who own sugar-beet factories."

"How many?"

"Oh, two or three."

"How many have you got interested in the Sparrows Point improvement, for which $300,000 or $400,000 are asked?"

"My whole district is virtually interested in that."

"Well, then, it is up to you, if you are a good Congressman, to choose between sugar beet and your item in the river and harbor bill."

Mr. WACHTER. Mr. Speaker, I desire to state that there is not a member on the floor of this House who has a higher regard for the press of this country than have I. I number in the press gallery among my friends a great many gentlemen in whom I have the greatest confidence. I am one of those who contend that there is and ought to be as much honor in the press gallery as on the floor of this House. Regarding this publication, I desire to say, with all the emphasis of my nature, that it is an unqualified falsehood made out of whole cloth. I never had such a conversation with the Speaker.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to a point of order. I submit that there is no question of personal privilege stated in the article, and the gentleman has stated none.

Mr. WACHTER. "The gentleman" has been attacked by the public press.

Mr. RICHARDSON of Tennessee. That is not a matter of personal privilege. There is no reflection on his integrity as a member of the House, and there is no question of personal privilege involved.

Mr. WACHTER. Mr. Speaker——

Mr. RICHARDSON of Tennessee. I ask for a ruling, Mr. Speaker.

The SPEAKER. The Chair is of opinion that this is an attack upon a member of the House.

Mr. RICHARDSON of Tennessee. The Speaker holds that it is an attack upon him in his representative capacity?

The SPEAKER. In his representative capacity.

Mr. RICHARDSON of Tennessee. If the Chair holds that, I have nothing to say.

Mr. WACHTER. I am glad to hear the Chair decide that. I not only consider it an attack, but a cowardly attack.

Mr. Speaker, I am not interested in any appropriation for Sparrows Point. Sparrows Point is not in my district, and I desire also to say that no man, be he Speaker or whoever he may be, has any right to question me in an angry manner as to any position I may take as a member of this House. I am here representing a district, the same as every other man on the floor, and if I do anything wrong in this House it is for the people in my district to say whether or not I shall be here. The gentleman in his article stated that there was an appropriation for Sparrows Point for three or four hundred thousand dollars, which the Speaker spoke to me about. I desire to say that during this entire session I have not uttered a word to the Speaker as to legislation for my district or my State. As chairman of the Committee on Enrolled Bills I am frequently in the Speaker's room to present bills for him to sign, but never during the Fifty-seventh Congress have I had a talk with him upon legislation or as to legislation in my district. Now, Mr. Speaker, I send to the Clerk's desk and desire to have read a telegram from my colleague who represents the district in which Sparrows Point is located.

The Clerk read as follows:

ANNAPOLIS JUNCTION, MD., *March 17.*

To Hon. FRANK C. WACHTER, *House of Representatives:*

See chairman River and Harbor Committee for me and ask him to put cost of surveying Sparrows Point Channel in his appropriation. I am sick and can not be in Washington to-day.

A. A. BLAKENEY.

Now, Mr. Speaker, that came without any solicitation. It shows conclusively that Sparrows Point was never interested heretofore in any legislation; and for the information of this House I desire to say that the Sparrow's Point Company, or the Steel Company of Maryland, has paid for its own dredging for ten years, and it has cost them from sixty to one hundred and twenty thousand dollars. They have their own independent channel.

Mr. Speaker, I think it is high time that some steps be taken to prohibit this ambuscade business by the press. Who knows who will be the next victim? We are paralyzed to act. If that clipping goes to my district I can not meet and explain to everyone, although I think my people have sufficient confidence in me to know that I would not be a party to any such transaction as that. In conclusion, Mr. Speaker, I desire to say emphatically that the Speaker and I have never had a talk about any appropriation or legislation in this the Fifty-seventh Congress, and I think it is very unfair for the press of this country to vilify the Speaker, using a member of this House as a club to do it with. [Applause.]

ADJOURNMENT.

On motion of Mr. BURTON (at 4 o'clock and 57 minutes p. m.), the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of deficiency appropriation for Soldiers' Home at Hampton, Va.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of urgent deficiency appropriation for plans for public buildings—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for the Geological Survey—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. HEATWOLE, from the Select Committee on the Census, to which was referred House joint resolution 164 and House concurrent resolution 38, reported in lieu thereof a bill of the House (H. R. 12655) to amend section 5 of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902, accompanied by a report (No. 979); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. THOMAS of Iowa, from the Committee on Claims, to which was referred the bill of the House (H. R. 10015) for the relief of Florence Lambert, reported the same with amendment, accompanied by a report (No. 975); which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the House (H. R. 960) for the relief of James C. Drake, reported the same without amendment, accompanied by a report (No. 976); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the Senate (S. 903) for the relief of William D. Rutan, reported the same without amendment, accompanied by a report (No. 977); which said bill and report were referred to the Private Calendar.

Mr. SCHIRM, from the Committee on Claims, to which was referred the bill of the House (H. R. 10254) for the relief of Daniel Tweed, reported the same without amendment, accompanied by a report (No. 978); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1213) to remove

the charge of desertion from the name of Henry A. Cryderman, reported the same adversely, accompanied by a report (No. 973); which said bill was ordered to lie on the table.

Mr. DAYTON, from the Committee on Naval Affairs, to which was referred the joint resolution of the House (H. J. Res. 116) authorizing the appointment of Martin H. Gerry as an assistant engineer with rank of junior lieutenant on the retired list of the Navy, reported the same adversely, accompanied by a report (No. 974); which said bill was ordered to lie on the table.

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6654) to remove the charge of desertion against Hugh Cosgrove, reported the same adversely, accompanied by a report (No. 980); which said bill was ordered to lie on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 1254) for the relief of Howard Bonner, late of Company K, First Regiment United States Colored Troops, reported the same adversely, accompanied by a report (No. 981); which said bill was ordered to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were thereupon referred as follows:

A bill (H. R. 12551) to remove the charge of desertion against William H. Wheete—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 12578) granting a pension to James A. Coyne—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11787) granting a pension to John J. Manner—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6920) granting an increase of pension to James Moss—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. OTEY: A bill (H. R. 12648) establishing a regular term of United States district court in Roanoke City—to the Committee on the Judiciary.

By Mr. JACKSON of Kansas: A bill (H. R. 12649) to provide for the allotment of lands to the Osage and Kaw or Kansas Indians in the Territory of Oklahoma, and for other purposes—to the Committee on Indian Affairs.

By Mr. OTEY: A bill (H. R. 12650) to provide good roads in the forty-five States and four Territories of the United States—to the Committee on Agriculture.

By Mr. UNDERWOOD (by request): A bill (H. R. 12651) to fix the status of officers of the Porto Rico Provisional Regiment of Infantry—to the Committee on Insular Affairs.

By Mr. RODEY: A bill (H. R. 12652) to amend section 1842 of the Revised Statutes of the United States, with reference to the Territories—to the Committee on the Territories.

By Mr. BROWNLOW: A bill (H. R. 12653) to amend joint resolution entitled "Joint resolution authorizing members to certify monthly the amount paid by them for clerk hire, and directing the same to be paid out of the contingent fund of the House," approved March 3, 1893—to the Committee on Accounts.

By Mr. SUTHERLAND: A bill (H. R. 12654) for the reimbursement of the State of Utah for expenses incurred in suppressing Indian hostilities—to the Committee on War Claims.

By Mr. HEATWOLE, from the Select Committee on the Census: A bill (H. R. 12655) to amend section 5 of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902—to the Union Calendar.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTLETT: A bill (H. R. 12656) for the relief of W. T. Morgan—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 12657) for the relief of the McCaw Manufacturing Company—to the Committee on Claims.

By Mr. BELL: A bill (H. R. 12658) granting an increase of pension to Perry Sullivan—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 12659) granting an increase of pension to Eveline V. Ferguson—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 12660) granting an increase of pension to David B. Smith—to the Committee on Invalid Pensions.

By Mr. COOPER of Texas: A bill (H. R. 12661) for the relief of Nathaniel D. Fuqua, sole heir of Sarah Montgomery, deceased—to the Committee on War Claims.

By Mr. DAHLE: A bill (H. R. 12662) to remove the charge of desertion against Thomas Kelley, of Madison, Wis.—to the Committee on Military Affairs.

Also, a bill (H. R. 12663) granting an increase of pension to Henry C. Noyes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12664) granting an increase of pension to John Hotchkiss—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 12665) to remove the charge of desertion from the military record of John Lawton—to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 12666) granting a pension to David C. Yingling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12667) granting a pension to Samuel Fleegle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12668) granting an increase of pension to Robert Alexander McNaught—to the Committee on Pensions.

Also, a bill (H. R. 12669) granting an increase of pension to James S. McCartney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12670) granting an increase of pension to John H. Martens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12671) granting an increase of pension to L. H. Peck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12672) granting an increase of pension to John Boughamer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12673) granting an increase of pension to Harry E. Fettinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12674) to correct the military record of Martin Cupples—to the Committee on Military Affairs.

Also, a bill (H. R. 12675) to correct the military record of Franklin Heckler—to the Committee on Military Affairs.

By Mr. GILBERT: A bill (H. R. 12676) for the relief of John H. McBrayer—to the Committee on Claims.

By Mr. HOLLIDAY: A bill (H. R. 12677) for the relief of W. W. Coffin—to the Committee on Military Affairs.

Also, a bill (H. R. 12678) granting a pension to Mary McEvoy—to the Committee on Pensions.

Also, a bill (H. R. 12679) granting an increase of pension to Elijah J. Vickers—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 12680) granting an increase of pension to Benjamin W. Gaylord—to the Committee on Pensions.

By Mr. KERN: A bill (H. R. 12681) referring to the Court of Claims the claim of the heirs and legal representatives of John P. Maxwell and Hugh H. Maxwell, deceased—to the Committee on Claims.

By Mr. KNAPP: A bill (H. R. 12682) granting an increase of pension to Thomas Donald—to the Committee on Invalid Pensions.

By Mr. LOVERING: A bill (H. R. 12683) granting a pension to Sarah L. Bates—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 12684) for the relief of the First Presbyterian Church, Dalton, Ga.—to the Committee on War Claims.

By Mr. MOON: A bill (H. R. 12685) granting a pension to H. J. Springfield—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 12686) granting a pension to Fidelia I. Losch—to the Committee on Invalid Pensions.

By Mr. RODEY: A bill (H. R. 12687) for the relief of Serapio Romero, late postmaster at Las Vegas, N. Mex.—to the Committee on Claims.

By Mr. SHAFROTH: A bill (H. R. 12688) granting an increase of pension to Edwin Sikes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12689) granting an increase of pension to Horace H. Sickels—to the Committee on Invalid Pensions.

By Mr. SHALLENBERGER: A bill (H. R. 12690) granting a pension to Robert H. Gilmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12691) granting a pension to Willard E. Bemis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12692) granting a pension to Jennie Stock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12693) granting a pension to William Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12694) granting an increase of pension to Chauncey Barber—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 12695) for the relief of Benjamin Franklin Handforth—to the Committee on Military Affairs.

By Mr. SLAYDEN: A bill (H. R. 12696) to correct the military record of James Stringer—to the Committee on Military Affairs.

By Mr. SPIGHT: A bill (H. R. 12697) granting a pension to M. C. Rogers—to the Committee on Invalid Pensions.

By Mr. WILEY: A bill (H. R. 12698) authorizing the payment of the claim of Eve Gorman for the death of her husband, a Government employee, who was killed on Coosa River Lock in December, 1894—to the Committee on Claims.

By Mr. GROSVENOR: A bill (H. R. 12699) granting an increase of pension to Edwin A. Brown—to the Committee on Invalid Pensions.

By Mr. McCLEARY: A bill (H. R. 12700) granting an increase of pension to Eberhard P. Lieberg—to the Committee on Invalid Pensions.

By Mr. ZENOR: A bill (H. R. 12701) granting a pension to Milton Noakes—to the Committee on Invalid Pensions.

By Mr. NORTON: A resolution (H. Res. 166) authorizing and directing the Committee on Accounts to provide for the payment of conductors of the House elevators—to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of Will F. Stewart Post, No. 180, Grand Army of the Republic, Department of Pennsylvania, for investigation of administration of Bureau of Pensions—to the Committee on Rules.

Also, resolutions of Mine Workers' Unions No. 1359, of Bowerton, and No. 1254, of McGovern, Pa., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. ALEXANDER: Resolution of Order of Railway Conductors, Division 155, of Syracuse, N. Y., favoring the passage of the anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Carpenters' Union, Retail Clerks' Union, Bakers' Union, Iron Molders' Union, Order of Telegraphers, Boiler Makers' Union, Stonecutters' Association, Clothing Cutters' Association, Brewery Engineers and Firemens' Union, Pattern Makers' Association, and Niagara Lodge, No. 330, of Machinists, all of Buffalo, N. Y.; Core Makers' Union of Depew, and Barbers' Union No. 227 and Plasterers' Union, of Tonawanda, N. Y., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BARTLETT: Resolution of Brewery Workers' Union No. 191, of Macon, Ga., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolution of Order of Railroad Telegraphers, Union No. 75, of Macon, Ga., urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. BELL: Resolutions of Painters' Union of Leadville and Miners' Union of Kokomo, Colo., favoring an educational restriction to immigration—to the Committee on Immigration and Naturalization.

By Mr. BROWNLOW: Petition of D. A. Harvey, of Washington County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. BURKETT: Resolutions of Company C, Second Regiment Nebraska National Guard of Nebraska City, Nebr., favoring the passage of House bill to increase the efficiency of the militia—to the Committee on Militia.

Also, resolution of Tailors' Union No. 273, Lincoln, Nebr., favoring the construction of naval vessels at Government navy-yards—to the Committee on Naval Affairs.

Also, affidavits of Clarence Seward and O. M. Veile, to accompany House bill granting a pension to T. A. Wilson—to the Committee on Invalid Pensions.

Also, resolution of Boiler Makers' Union of Havelock, Nebr., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Typographical Union No. 6, of New York City, urging the passage of the bill increasing the salary of letter carriers in cities of first class to $1,200 and in cities of the second class to $1,000—to the Committee on the Post-Office and Post-Roads.

By Mr. CANNON: Resolution of Painters and Decorators' Union of Joliet, Ill., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. CROMER: Resolutions of Typographical Union No. 284, of Anderson, Ind., and citizens of Monroe, Adams County, Ind., in relation to immigration and Chinese exclusion—to the Committee on Immigration and Naturalization.

Also, petition of Company E, First Infantry, Indiana National Guard, Evansville, Ind., urging the enactment of House bill 11654, to promote the efficiency of the militia—to the Committee on Militia.

By Mr. CUMMINGS: Petition of captains and masters of steamship and sailing vessels in coastwise trade along the South Atlantic coast, Gulf, and West Indies, praying for the establishment of a light ship off Cape Lookout, on the coast of North Carolina—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the New York Board of Trade and Transportation, in favor of the Spooner-Ray bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Bricklayers' Union No. 34, of New York City, favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers' Union No. 34, of New York City, favoring restriction of immigration of persons, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

By Mr. DARRAGH: Papers to accompany House bill 12458, granting an increase of pension to William M. Barstow—to the Committee on Invalid Pensions.

Also, papers in support of House bill 11552, granting a pension to Henry J. Baker—to the Committee on Invalid Pensions.

By Mr. DRAPER: Resolutions of the United Retail Grocers' Association of Brooklyn, N. Y., and New York Retail Grocers' Union of Manhattan, N. Y., favoring the passage of House bill 9352, the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 6, of New York City, relating to salaries of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Thomas Dickson Division, No. 171, Railway Conductors, Mechanicsville, and Bricklayers' Union No. 10, of Troy, N. Y., in favor of excluding Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers' Union No. 71, of Hudson, and Masons' Union No. 10, of Troy, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. ESCH: Resolutions of Wisconsin Lumber Dealers' Association, favoring amendment of the interstate-commerce acts—to the Committee on Interstate and Foreign Commerce.

By Mr. EVANS: Petitions of Bricklayers' Union No. 40, of Johnstown, Pa., and citizens of Cambria and Blair counties, Pa., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, papers to accompany House bill 10727, granting a pension to Augustus Thomas—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 4807, granting a pension to Thomas Parfitt—to the Committee on Invalid Pensions.

Also, petition of William H. Hawkins, to accompany House bill 10722, for increase of pension—to the Committee on Invalid Pensions.

Also, petition of Daniel J. Horner, to accompany House bill 10721, for increase of pension—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12673, for the relief of Henry E. Fettinger—to the Committee on Invalid Pensions.

By Mr. FLEMING: Resolution of Macon Lodge, No. 246, Brotherhood of Locomotive Firemen, of Macon, Ga., favoring the anti-injunction bill—to the Committee on the Judiciary.

By Mr. GRIFFITH: Petition of Hon. Z. T. Sweeney, commissioner of fisheries and game of Indiana, asking for the passage of House bill 10306—to the Committee on Agriculture.

By Mr. GREEN of Pennsylvania: Petition of Reading Union No. 192; Team Drivers' Union No. 273, and Stone Masons' Union No. 8, of Reading, Pa., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

Also, resolution of Shirt, Waist, and Laundry Workers' Union No. 74, of Reading, Pa., for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of citizens of Reading, Pa., in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

Also, petition of Metal Polishers and Brass Workers' Union No. 46, of Reading, Pa., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. GROSVENOR: Petition of Boiler Makers' Union of Chillicothe, Ohio, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolution of William Bush Post, No. 455, Racine, Ohio, Grand Army of the Republic, favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. HASKINS: Petition of D. B. Leslie and others, of Wheelock, Vt., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HEDGE: Memorial of Reformed Presbyterian Church of Morning Sun, Iowa, for the amendment or radical modification of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. HEMENWAY: Resolution of Painters' Union No. 156, of Evansville, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. HEPBURN: Petition of citizens of Iowa, for an amendment to the Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

By Mr. HILL: Resolutions of Machinists' Lodge No. 160, and Woodworkers' Union, of Danbury; Printers' Union No. 190, of Bridgeport, and Carpenters' Union No. 746, of Norwalk, Conn., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. HITT: Petition of Marine Engineers' Beneficial Association, relating to licensing marine engineers—to the Committee on the Merchant Marine and Fisheries.

By Mr. HOLLIDAY: Resolution of Typographical Union No. 75, of Terre Haute, Ind., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 75, of Terre Haute, Ind., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. KNAPP: Petitions of various labor organizations in the Twenty-fourth Congressional district of New York, for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. KLUTTZ: Petition of Textile Workers' Union of Salisbury, N. C., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. KNOX: Resolution of Bay State Lodge, No. 88, Brotherhood of Railroad Trainmen, of Worcester, Mass., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. LACEY: Resolution of Retail Clerks' Union of Ottumwa, Iowa, for more restricted immigration—to the Committee on Immigration and Naturalization.

Also, petition of citizens of Fort Madison, Iowa, to amend sections 2307 and 2308, Revised Statutes, relating to homesteads—to the Committee on the Public Lands.

By Mr. LESTER: Petition of Union No. 211, United Brewery Workmen, Savannah, Ga., for the exclusion of illiterate immigrants—to the Committee on Immigration and Naturalization.

By Mr. LITTLEFIELD: Petition of citizens of Dixfield, Me., in favor of the reenactment of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. MANN: Petition of Marine Engineers' Beneficial Association No. 4, of Chicago, Ill., regarding necessary experience required on shipboard to obtain a license as marine engineer—to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Federal Labor Union No. 8851, of Chicago, and Painters' Union No. 265, of Pullman, Ill., favoring restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

By Mr. MAYNARD: Resolutions of Farragut Post, No. 1, of Portsmouth, Va., Grand Army of the Republic, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Carpenters' Union of Hampton, Va., for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. McCLEARY: Paper to accompany House bill 6871, granting an increase of pension to Harmon Scramlin—to the Committee on Invalid Pensions.

Also, paper in support of House bill 3869, granting an increase of pension to Isadore F. Maxfield—to the Committee on Invalid Pensions.

By Mr. MICKEY: Resolution of Bricklayers' Union No. 6, of Quincy, Ill., asking that the naval dock at New Orleans, La., be built by union labor—to the Committee on Naval Affairs.

Also, petition of Trades and Labor Assembly of Quincy Ill., in relation to the transportation of prison-made goods from one State to another—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 6, of New York City, urging the passage of bill increasing the salary of letter carriers in cities of first class to $1,200 and in cities of the second class to $1,000—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Gem City Lodge of Machinists, No. 315; Leather Workers' Union No. 26, of Quincy, Ill., and Pearson Post, No. 408, Colchester, Ill., Grand Army of the Republic, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Leather Workers' Union No. 26, Trades and Labor Assembly, Bakers and Confectioners' Union No 82, Stone Masons' Union No. 6, and Painters' Union No. 66, all of Quincy, Ill., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers' Union No. 1, Retail Clerks' Union No. 35, Drillers' Union No. 3, Leather Workers' Union No. 26, Iron Molders' Union No. 44, Confectioners' Union No. 82, and Trades and Labor Assembly, all of Quincy, Ill., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MOODY of Massachusetts: Resolutions of the Brotherhood of Railroad Trainmen; Bay State Lodge, No. 88, and Bricklayers and Masons' Union of Beverly, Mass., favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolution of the Bricklayers and Masons' Union of Beverly, Mass., favoring an educational immigration test—to the Committee on Immigration and Naturalization.

Also, resolutions of the city council of Boston, Mass., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, resolutions of the New England Brewers, relating to the tax on beer—to the Committee on Ways and Means.

Also, letter of Lithographers' Beneficial Association of Boston, Mass., relating to House bill 5777—to the Committee on Patents.

Also, resolutions of the New England Shoe and Leather Association, favoring a department of commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. MOON: Resolution of Rock City Division, No. 135, Order of Railway Conductors, Nashville, Tenn., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, papers to accompany House bill 11596, granting an increase of pension to Mrs. Inez Clipt—to the Committee on Invalid Pensions.

Also, paper to accompany House bill 12616, to enable Samuel H. Jenkins, formerly of New York City and now of Chattanooga, Tenn., to make application to the Commissioner of Patents for the extension of letters patent—to the Committee on Patents.

By Mr. MUTCHLER: Petition of Easton Division, No. 259, Locomotive Engineers, of Easton, Pa., favoring the passage of Senate bill 1118, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

Also, resolutions of Easton Division, No. 259, Locomotive Engineers, of Easton, Pa., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. NEVILLE: Resolutions of Black Hills Lodge, No. 190, Railroad Trainmen, of Chadron, Nebr., opposing the importation of cheap labor—to the Committee on Immigration and Naturalization.

By Mr. OTEY: Resolutions of members of the bar of Roanoke, Va., for the creation of a Federal court for the city of Roanoke, Va.—to the Committee on the Judiciary.

By Mr. OTJEN: Resolutions of Bricklayers' Union No. 8, of Milwaukee, Wis., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers' Union No. 8, of Milwaukee, Wis., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. RIXEY: Petition of citizens of Alexandria, Va., for restriction of immigration, etc.—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Indiana: Resolutions of Order of Railway Conductors of Garrett, Ind., favoring the passage of the Hoar-Grosvenor bill, defining "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. RODEY: Resolutions of Cigar Makers' Union No. 443, of Albuquerque, and Local Union of Cloudcrof, N. Mex., favoring restriction of immigration of persons, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of Railroad Trainmen's Union No. 608, of Roswell; Division No. 70, of Las Vegas, and No. 389, of Albuquerque, N. Mex., Order of Railroad Conductors, favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. SHALLENBERGER: Papers to accompany House bill 4170, granting an increase of pension to Henry P. Macloon—to the Committee on Invalid Pensions.

Also, resolutions of Nebraska Real Estate Dealers' Association, favoring irrigation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

Also, petition of the Woman's Christian Temperance Union and Congregational Church societies of Naponee, Nebr., for the passage of a bill to prohibit prostitution in the Philippines—to the Committee on Insular Affairs.

Also, petition of L. S. Cook Division, No. 389, Brotherhood of Locomotive Engineers, favoring the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, papers to accompany House bill 7019, to amend the military record of Miles F. Durkee—to the Committee on Military Affairs.

Also, resolutions of C. W. Bronson Lodge, Brotherhood of Railroad Trainmen, No. 487, of McCook, Nebr., to exclude Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of J. D. Moore Lodge, No. 134, of Grand Island, and C. W. Bronson Lodge, No. 487, of McCook, Railroad

Trainmen, and Division 95, Railway Conductors, of McCook, Nebr., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SHERMAN: Resolutions of District Council No. 5, Utica, N. Y., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. SHOWALTER: Petition of citizens of Beaver County, Pa., to forbid the selling of liquor in the Pacific Islands—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of citizens of Middlesex, Callery, Myoma, Utica, Slippery Rock, Enon Valley, Sewickley, and county of Butler, Pa., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

By Mr. SIBLEY: Resolutions of Carpenters' Union No. 124, of Bradford, Pa., and Bricklayers' Union No. 43, of Franklin, Pa., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers' Union No. 43, of Franklin; Glass Bottle Blowers' Union No. 65, of Bradford, and Federation of Musicians No. 61, of Oil City, Pa., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SIMS: Resolution of Jackson Division, No. 149, Order of Railway Conductors, Jackson, Tenn., favoring the continued exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. SLAYDEN: Papers to accompany House bill to amend the military record of James Stringer—to the Committee on Military Affairs.

By Mr. WM. ALDEN SMITH: Petition of Lodge No. 433, Railroad Trainmen, Ionia, Mich., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SPIGHT: Papers to accompany House bill 12697, granting an increase of pension to M. C. Rogers—to the Committee on Invalid Pensions.

By Mr. STEELE: Resolutions of Cigar Makers' Union No. 473, of Wabash; Retail Clerks' Association No. 77, of Marion; Association of Machinists of Kokomo; Typographical Union No. 347, of Wabash, and Bricklayers' Union No. 12, of Marion, Ind., favoring restriction of immigration of persons, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Typographical Union No. 77, of Peru, Ind., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, petition of Lawton Herd, No. 5, Noble Order of Buffaloes, Fairmont, Ind., and Frank L. Littleton, favoring the passage of House bill No. 10306, for the preservation of wild animals and game birds—to the Committee on Agriculture.

By Mr. SULLOWAY: Resolutions of Coopers' Union of Nashua and Carpenters' Union of Manchester, N. H., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SULZER: Petition of New York Retail Grocers' Union, Manhattan, N. Y., in favor of the passage of the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 97, of Peru, Ind., and Typographical Union of Houston, Tex., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, resolutions of the New York Board of Trade and Transportation, favoring a reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. THOMAS of Iowa: Resolutions of Kate Shelby Lodge, No. 204, Brotherhood of Railroad Trainmen, of Boone, Iowa, urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. TOMPKINS of New York: Resolutions of Bricklayers' Union No. 5 and Union No. 18, of Newburgh, N. Y., and Machinists' Lodge No. 467, of Pearl River, N. Y., favoring restrictive immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Bricklayers' Union No. 5, of Newburgh, N. Y., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. WARNOCK: Petitions of Laundry Workers' Union and Brewers' Union, of Findlay, Ohio, for an amendment to the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. WOODS: Petition of the Stockton (Cal.) Chamber of Commerce, urging an appropriation for a diverting canal—to the Committee on Rivers and Harbors.

By Mr. ZENOR: Resolution of Association of Machinists No. 192, of New Albany, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

SENATE.

TUESDAY, *March 18, 1902.*

Prayer by Rev. F. J. PRETTYMAN, D. D., of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

ANN DEMONBRUN.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 462) granting an increase of pension to Ann Demonbrun; which was, in line 10, to strike out after "the," where it occurs the first time, down to and including the word "determine," line 12, and to insert:

Case of the death of the helpless child, Sallie Demonbrun, on whose account the pension of Ann Demonbrun is increased, the pension of said Ann Demonbrun shall continue only at the rate of $8 per month from and after the date of death of said helpless child.

Mr. GALLINGER. I move that the Senate agree to the amendment made by the House of Representatives.

The motion was agreed to.

ANNIE D. TAGGART.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 628) granting a pension to Annie E. Taggart; which was to amend the title so as to read: "An act granting a pension to Annie D. Taggart."

Mr. GALLINGER. I move that the Senate agree to the amendment made by the House of Representatives.

The motion was agreed to.

ANNIE M'ELHENEY.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3329) granting an increase of pension to Annie McElheney; which was, in line 10, to strike out all after "the," where it occurs the first time, down to and including the word "determine," line 12, and to insert:

Case of the death of the helpless child, Mary T. McElheney, on whose account the pension of Annie McElheney is increased, the pension of said Annie McElheney shall continue only at the rate of $12 per month from and after the date of death of said helpless child.

Mr. GALLINGER. I move that the Senate agree to the amendment made by the House of Representatives.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 283) granting an increase of pension to Robert M. McCullough;

A bill (H. R. 291) granting a pension to Christina Heitz;

A bill (H. R. 351) granting an increase of pension to Robert Carpenter;

A bill (H. R. 658) granting an increase of pension to John H. Jack;

A bill (H. R. 669) granting an increase of pension to Richard C. Smith;

A bill (H. R. 671) granting an increase of pension to Orra H. Heath;

A bill (H. R. 699) granting an increase of pension to Robert Miller;

A bill (H. R. 750) granting a pension to Martin Essex;

A bill (H. R. 809) granting an increase of pension to James P. Burchfield;

A bill (H. R. 918) granting an increase of pension to Charles Misner;

A bill (H. R. 1086) granting an increase of pension to Francis W. Pool;

A bill (H. R. 1090) granting a pension to James E. Bates;

A bill (H. R. 1190) granting an increase of pension to Albert S. Whittier;

A bill (H. R. 1278) granting an increase of pension to La Myra V. Kendig;

A bill (H. R. 1326) granting an increase of pension to Thomas Thatcher;

A bill (H. R. 1479) granting an increase of pension to Michael Marnane;

A bill (H. R. 1636) granting an increase of pension to James Austin;

A bill (H. R. 1694) granting an increase of pension to Henry Ball;

A bill (H. R. 1696) granting an increase of pension to Frederick A. Condon;

A bill (H. R. 1706) granting an increase of pension to John E. White;
A bill (H. R. 1714) granting an increase of pension to Levi H. Winslow;
A bill (H. R. 1724) granting an increase of pension to Daniel F. Thompson;
A bill (H. R. 1938) granting an increase of pension to Helen V. Rorer;
A bill (H. R. 2115) granting an increase of pension to Benjamin W. Howard;
A bill (H. R. 2207) granting an increase of pension to Louis Halm;
A bill (H. R. 2241) granting an increase of pension to Dorothy S. White;
A bill (H. R. 2417) granting a pension to James B. Harris;
A bill (H. R. 2440) granting an increase of pension to William D. Smith;
A bill (H. R. 2545) granting an increase of pension to Isaac H. Crim;
A bill (H. R. 2598) granting an increase of pension to Adrian M. Snyder;
A bill (H. R. 2613) granting an increase of pension to Thomas H. H. Gibbs;
A bill (H. R. 2618) granting an increase of pension to Michael Mullin;
A bill (H. R. 2619) granting an increase of pension to William Holgate;
A bill (H. R. 2661) granting an increase of pension to Oswald Ahlstedt;
A bill (H. R. 2781) granting an increase of pension to Patrick Lee;
A bill (H. R. 2919) granting a pension to Christiana Steiger;
A bill (H. R. 2981) granting an increase of pension to Thomas Findley;
A bill (H. R. 3022) granting a pension to Davis B. Salts;
A bill (H. R. 3238) granting an increase of pension to Lorenzo Weeks;
A bill (H. R. 3260) granting a pension to Jacob Golden;
A bill (H. R. 3420) granting a pension to Anna O. Brush;
A bill (H. R. 3427) granting an increase of pension to Sarah E. Allen;
A bill (H. R. 3514) granting an increase of pension to Theresia Ziegenfuss;
A bill (H. R. 3677) granting an increase of pension to James F. Gray;
A bill (H. R. 3826) granting an increase of pension to George W. Dodge;
A bill (H. R. 3859) granting a pension to James D. Johnson;
A bill (H. R. 3876) granting an increase of pension to Theophile A. Dauphin;
A bill (H. R. 3884) granting an increase of pension to Erastus C. Moderwell;
A bill (H. R. 3910) granting a pension to Dennis J. Kelly;
A bill (H. R. 4053) granting an increase of pension to Henry E. De Marse;
A bill (H. R. 4089) granting a pension to Ada L. McFarland;
A bill (H. R. 4116) granting an increase of pension to William Berry;
A bill (H. R. 4118) granting a pension to Charles Maschmeyer;
A bill (H. R. 4129) granting an increase of pension to Lonson R. Burr;
A bill (H. R. 4176) granting an increase of pension to Nathan W. Snee;
A bill (H. R. 4543) granting an increase of pension to George W. Parker;
A bill (H. R. 4993) granting a pension to Mary Shelton Huston;
A bill (H. R. 4994) granting a pension to Lydia Carr;
A bill (H. R. 5101) granting an increase of pension to Benjamin Contal;
A bill (H. R. 5110) granting an increase of pension to William H. Dixon;
A bill (H. R. 5190) granting an increase of pension to Alvin J. Hartzell;
A bill (H. R. 5217) granting an increase of pension to Elizabeth P. Sigfried;
A bill (H. R. 5254) granting an increase of pension to Enos G. Budd;
A bill (H. R. 5327) granting an increase of pension to William H. Mackey;
A bill (H. R. 5888) granting an increase of pension to Peter Poutney;
A bill (H. R. 5910) granting an increase of pension to Reuben Wellman;
A bill (H. R. 6020) granting an increase of pension to Russel A. Williams;
A bill (H. R. 6037) granting an increase of pension to William C. Holcomb;
A bill (H. R. 6107) granting an increase of pension to Elijah E. Harvey;
A bill (H. R. 6172) granting an increase of pension to Friedrich Weimar;
A bill (H. R. 6401) granting an increase of pension to David E. Hall;
A bill (H. R. 6438) granting an increase of pension to Matthew C. Medbury;
A bill (H. R. 6466) granting a pension to Josephine M. Dustin;
A bill (H. R. 6481) granting an increase of pension to Millen McMillen;
A bill (H. R. 6617) granting an increase of pension to Hugh Cool;
A bill (H. R. 6727) granting an increase of pension to Remembrance J. Williams;
A bill (H. R. 6760) granting a pension to Susan House;
A bill (H. R. 6805) granting an increase of pension to Robert E. Stephens;
A bill (H. R. 6895) granting an increase of pension to Richard P. Nichuals;
A bill (H. R. 7076) granting an increase of pension to Leath Gilliland;
A bill (H. R. 7149) granting an increase of pension to Ephraim D. Dorman;
A bill (H. R. 7239) granting an increase of pension to William Christian;
A bill (H. R. 7250) granting an increase of pension to Margaret Hendry;
A bill (H. R. 7290) granting an increase of pension to Lizzie B. Green;
A bill (H. R. 7397) granting a pension to Louisa White;
A bill (H. R. 7529) granting an increase of pension to Philip Atwood;
A bill (H. R. 7572) granting an increase of pension to John Costello;
A bill (H. R. 7613) granting an increase of pension to Evaline Wilson;
A bill (H. R. 7683) granting an increase of pension to Almond Delamater;
A bill (H. R. 7704) granting an increase of pension to Christianna Leach;
A bill (H. R. 7710) granting a pension to Margaret Scanlon;
A bill (H. R. 7782) granting an increase of pension to Thomas P. Smith;
A bill (H. R. 7811) granting a pension to Mary King;
A bill (H. R. 7847) granting an increase of pension to Charles S. Wilson;
A bill (H. R. 7897) granting an increase of pension to Michael J. Daly;
A bill (H. R. 7998) granting an increase of pension to William H. Allen;
A bill (H. R. 8016) granting an increase of pension to Hannibal C. Saint Clair;
A bill (H. R. 8048) granting an increase or pension to James A. Bramble;
A bill (H. R. 8212) granting a pension to Alice Angel;
A bill (H. R. 8309) granting an increase of pension to Sylvester Holiday;
A bill (H. R. 8349) granting a pension to John Watts;
A bill (H. R. 8415) granting a pension to Mary L. Dibert;
A bill (H. R. 8562) granting an increase of pension to Sarah Ciples, now Vandemark;
A bill (H. R. 8651) granting a pension to Maggie Helmbold;
A bill (H. R. 8679) granting a pension to William J. Jones;
A bill (H. R. 8696) granting an increase of pension to William B. Rowe;
A bill (H. R. 8781) granting a pension to Mary E. Holbrook;
A bill (H. R. 8913) granting an increase of pension to Rachel S. Lyman;
A bill (H. R. 8921) granting an increase of pension to Jesse C. Rhodabeck;
A bill (H. R. 9069) granting an increase of pension to Erastus D. Canfield;
A bill (H. R. 9144) granting an increase of pension to James R. Wilson;
A bill (H. R. 9171) granting an increase of pension to William R. Howsley;
A bill (H. R. 9178) granting an increase of pension to John M. Howe;
A bill (H. R. 9301) granting an increase of pension to Barbara McDonald;
A bill (H. R. 9413) granting a pension to Mary E. Holden;
A bill (H. R. 9494) granting an increase of pension to Mary A. Andress;
A bill (H. R. 9593) granting a pension to Elizabeth Rickey;
A bill (H. R. 9621) granting an increase of pension to Andrew Y. Transue;

A bill (H. R. 9625) granting a pension to Elizabeth L. Beckett;

A bill (H. R. 9791) granting an increase of pension to John Reep;

A bill (H. R. 9926) granting an increase of pension to James F. Patton;

A bill (H. R. 9928) granting a pension to Benjamin E. Styles;

A bill (H. R. 9986) granting an increase of pension to James Moore;

A bill (H. R. 9999) granting an increase of pension to George W. Guinn;

A bill (H. R. 10091) granting a pension to Blanche Duffy;

A bill (H. R. 10117) granting a pension to Sarah H. H. Lowe;

A bill (H. R. 10141) granting an increase of pension to William R. Armstrong;

A bill (H. R. 10143) granting a pension to Anna Roderka;

A bill (H. R. 10193) granting an increase of pension to John Hollister;

A bill (H. R. 10289) granting a pension to Eliza Stewart;

A bill (H. R. 10361) granting an increase of pension to Alexander Scott;

A bill (H. R. 10396) granting an increase of pension to Elvin A. Esty;

A bill (H. R. 10404) granting a pension to John Y. Corey;

A bill (H. R. 10411) granting an increase of pension to Mary E. Singley;

A bill (H. R. 10532) granting an increase of pension to John L. Bowman;

A bill (H. R. 10773) granting a pension to Archer Bartlett;

A bill (H. R. 10840) granting a pension to Susan Warner;

A bill (H. R. 10841) granting an increase of pensiont o Margaret Hoefer;

A bill (H. R. 10906) granting a pension to John W. Meade;

A bill (H. R. 10924) granting an increase of pension to Elias M. Haight;

A bill (H. R. 10957) granting an increase of pension to Mary E. Stockings;

A bill (H. R. 11011) granting an increase of pension to Emily J. Tallman;

A bill (H. R. 11025) granting a pension to Mary A. Carlile;

A bill (H. R. 11052) granting a pension to Nelson Johnson;

A bill (H. R. 11124) granting an increase of pension to Mary Scott;

A bill (H. R. 11125) granting an increase of pension to John S. Campbell;

A bill (H. R. 11145) granting an increase of pension to Mary F. Key;

A bill (H. R. 11327) granting an increase of pension to Charles E. Pettis;

A bill (H. R. 11375) granting a pension to Charles F. Merrill;

A bill (H. R. 11381) granting an increase of pension to Abraham N. Bradfield;

A bill (H. R. 11418) granting an increase of pension to Hannah T. Knowles;

A bill (H. R. 11619) granting an increase of pension to David A. Frier;

A bill (H. R. 11790) granting an increase of pension to Abe Woods;

A bill (H. R. 11831) granting an increase of pension to John W. Acker;

A bill (H. R. 11895) granting a pension to Thomas Holloway;

A bill (H. R. 12130) granting a pension to Christopher S. Stephens;

A bill (H. R. 12136) granting an increase of pension to Stephen May; and

A bill (H. R. 12315) granting an increase of pension to James Todd.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

A bill (H. R. 6467) granting an honorable discharge to Samuel Welch; and

A bill (H. R. 9870) to correct the military record of Reinhard Schneider.

CHARLES H. HAWLEY—VETO MESSAGE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, ordered to be printed, and, with the accompanying bill, referred to the Committee on Military Affairs:

To the Senate of the United States:

Senate bill No. 336, entitled "An act to grant an honorable discharge from the military service to Charles H. Hawley," is herewith returned without approval.

This is a mandatory bill, revoking the order of dismissal issued thirty-nine years ago and directing the issuance of an honorable discharge from the Army to this man, whom his superior officers, including the Commander in Chief, Abraham Lincoln, held to be unworthy to serve in the Army of the Union thirty-nine years ago. I do not at this time express an opinion upon the constitutional questions involved in the bill. I think it in the highest degree inexpedient to reverse the order of dismissal nearly forty years after the event, when it is out of the question for anyone to possess the knowledge and the means of arriving at the judgment which was possessed by the fellow-officers of the man at the time they dismissed him.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 15, 1902.*

JAMES W. HOWELL—VETO MESSAGE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read:

To the Senate of the United States:

Senate bill No. 24, entitled "An act for the relief of James W. Howell," is herewith returned without approval.

This is not a bill which confers jurisdiction. It is mandatory in its character, directing the Secretary of War to revoke and set aside the proceedings, findings, and sentence of a court-martial held thirty-seven years ago. I do not at this time express an opinion upon the constitutional questions involved in the bill. It is enough to say that this man was convicted of mutiny, sentenced to be dishonorably discharged from the Army, and confined at hard labor for a term of years. A portion of the confinement was remitted by Executive clemency. It is to the last degree improbable that now, thirty-seven years after the event, there is as good an opportunity to pass judgment upon the facts as was the case when the fellow-officers of the offender found him guilty of an offense so serious as to call for the punishment they inflicted. There is perhaps no other heritage an American would so like to leave to his children as an honorable discharge for services well and gallantly performed in the civil war; and the honorable discharge thus granted to those who with blood and toil have earned it is cheapened and rendered of little worth if also granted to their unworthy brothers who have forfeited the right to receive it.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 15, 1902.*

Mr. PROCTOR. I move that the message be printed, and, with the accompanying bill, referred to the Committee on Military Affairs.

The motion was agreed to.

ISAAC P. BROWN.

Mr. COCKRELL. A day or two ago the bill (S. 3826) for the relief of Catherine A. Brown was passed, and we neglected to amend the title of the bill as it should have been amended. The bill is still in the hands of the Secretary. I ask that the votes on passage of the bill may be reconsidered and that the name in the title be changed from "Catherine A. Brown" to "Isaac P. Brown."

The PRESIDENT pro tempore. It will be sufficient, would it not, to amend the title without a reconsideration of the third reading and passage of the bill?

Mr. COCKRELL. I suppose it would. I move that the title of the bill be amended so as to read: "A bill for the relief of Isaac P. Brown."

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5224) for the relief of Edward Kershner.

The message also returned to the Senate, in compliance with its request, the bill (S. 1545) to establish a marine hospital at Savannah, Ga.

The message further returned to the Senate, in compliance with its request, the joint resolution (S. R. 68) authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of Count de Rochambeau, to be unveiled in the city of Washington.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 3261) authorizing the Eldorado and Bastrop Railway Company to construct and maintain a bridge across the Ouachita River, in the State of Arkansas;

A bill (S. 3312) for the establishment of a light-house at the mouth of Oyster Bayou, near Louisiana coast, in the Gulf of Mexico;

A bill (H. R. 3297) to correct the military record of William T. Pratt;

A bill (H. R. 3762) for the relief of Emanuel Klauser; and

A bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903.

PETITIONS AND MEMORIALS.

Mr. BLACKBURN presented petitions of Bricklayers' Local Union No. 5, of Owensboro, and of Bricklayers' Local Union No. 4, of Paducah, in the State of Kentucky, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented the petitions of D. D. McMath and sundry other citizens of Pembroke, of Charles E. Coleman and sundry other citizens of Towers, and of J. M. Downing and sundry other

citizens of Fayette, all in the State of Kentucky, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. GIBSON presented a memorial of Typographical Local Union No. 256, American Federation of Labor, of Great Falls, Mont., remonstrating against the adoption of a certain amendment to the copyright law; which was referred to the Committee on Patents.

He also presented a petition of Machinists' Local Union No. 168, American Federation of Labor, of Livingston, Mont., and a petition of the Central Labor Council, American Federation of Labor, of Anaconda, Mont., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented the petition of George W. Dana and 58 other citizens of Deerlodge, Mont., and a petition of the State Horticultural Society of Montana, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented memorials of 198 citizens of Belt, 194 citizens of White Sulphur Springs, 21 citizens of Avon, 20 citizens of Sulu, 40 citizens of Darby, 142 citizens of Great Falls, and of the State Horticultural Society, all in the State of Montana, remonstrating against the enactment of legislation authorizing the leasing of the public domain; which were referred to the Committee on Public Lands.

He also presented the petition of J. R. Creighton and 153 other citizens of Butte, Mont., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented petitions of the Lincoln Republican Club, of Anaconda; of National Park Lodge, No. 295, Brotherhood of Railroad Trainmen, of Livingston; of Sun River Lodge, No. 405, Brotherhood of Railroad Trainmen, of Great Falls; of Typographical Union No. 256, of Great Falls; of Iron Molders' Local Union No. 309, of Anaconda; of Bricklayers' Local Union No. 2, of Anaconda; of Cigar Makers' Local Union No. 361, of Butte, and of Bricklayers and Masons' Local Union No. 1, of Butte, all of the American Federation of Labor, in the State of Montana, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. MONEY presented a petition of Painters, Decorators, and Paper Hangers' Local Union No. 451, of Vicksburg, Miss., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

Mr. DRYDEN presented the petitions of W. B. Bodine and sundry other citizens of Stockton, of David F. Alpaugh and sundry other citizens of Hunterdon County, of Richard Meyer and sundry other citizens of Finberne, and of Isaac R. Moore and sundry other citizens of Bridgeton, all in the State of New Jersey, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Laborers' Protective Union No. 8049, of Long Branch; of Carpenters and Joiners' Local Union No. 349, of Orange, and of Brewery Workers' Local Union No. 26, of Trenton, all of the American Federation of Labor, in the State of New Jersey, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Cigar Makers' Local Union No. 427, of Rahway; of Bricklayers and Masons' Local Union No. 2, of Paterson; of Journeymen Barbers' Local Union No. 318, of Elizabeth; of Carpenters and Joiners' Local Union No. 349, of Orange; of Bricklayers and Masons' Local Union No. 29, of West Hoboken; of Throwers, Tunners, and Handlers' Local Union No. 36, of Trenton; of Piano-Organ Local Union No. 32, of Jersey City; of Typographical Union No. 8, of Newark; of Bricklayers' Local Union No. 13, of Bayonne; of Federal Labor Union No. 7211, of Dover; of Jewelry Workers' Local Union No. 2, of Newark; of Glass Bottle Blowers' Local Union No. 14, of Woodbury; of Car Workers' Local Union No. 8, of Dover; of Printing Pressmen and Assistants' Local Union No. 99, of Elizabeth; of Bricklayers and Plasterers' Local Union No. 27, of Perth Amboy; of Bricklayers and Masons' Local Union No. 36, of Rahway; of Bricklayers and Masons' Local Union No. 22, of Hackensack; of Carpenters' Local Union No. 167, of Elizabeth; of Watch Case Engravers' Local Union No. 5, of Newark; of Typographical Union No. 132, of Camden; of Bricklayers, Masons, and Plasterers' Local Union No. 30, of Princeton; of Marlboro Council, No. 235, of Marlboro; of Holly Wood Council, No. 29, of Long Branch; of Ocean Council, No. 10, of New Egypt; of Overlook Council, No. 211, of Summit; of Federal Council, No. 230, of Johnsonburg; of Magnolia Council, No. 101, of Toms River; of Upper Freehold Council, No. 27, of Imlaystown; of Sergeantsville Council, No. 229, of Sergeantsville; of Pleasant Mills Council, No. 12, of Pleasant Mills; of Newport Council, No. 199, of Newport; of Winona Council, No. 149, of Chews; of Washington Council, No. 5, of Mount Holly; of Middletown Council, No. 153, of Middletown, and of Cold Spring Council, No. 135, of Cold Spring, all of the Junior Order United American Mechanics, in the State of New Jersey, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Haddonfield, N. J., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. McLAURIN of Mississippi, presented a petition of Local Lodge No. 94, Order of Railroad Telegraphers, of Meridian, Miss., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented a petition of Local Lodge No. 373, Brotherhood of Railroad Trainmen, of Meridian, Miss., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

Mr. CLAY presented a petition of the Board of Trade of Columbus, Ga., praying for the enactment of legislation authorizing the appointment of a commission to study and make a full report upon the commercial and industrial conditions of China and Japan; which was referred to the Committee on Commerce.

He also presented a petition of Local Division No. 180, Order of Railway Conductors, of Atlanta, Ga., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Atlanta, Ga., praying for the establishment of reciprocal trade relations with the Dominion of Canada, and for the establishment of cable communication between the United States and the Philippines by way of the Sandwich Islands; which was referred to the Committee on Relations with Canada.

Mr. SCOTT presented a petition of Local Union No. 103, American Federation of Labor, of Wheeling, W. Va., and a petition of sundry citizens of Marion County, W. Va., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented memorials of E. M. Bartlett and sundry other citizens of Parkersburg; of the W. P. Hawley Merchandise Company, of Bluefield; of M. V. Smith, of Bluefield; of J. E. Poling & Co., of Hendricks; of L. J. Ashworth, of Huntington; of William A. Shultz, of Huntington; of H. Forch, jr., of Wheeling; of Loar Brothers, of Grafton; of J. O. Brosius, of Wheeling; of Loar & Poe, of Grafton, and of G. W. Cline, of Iaeger, all in the State of West Virginia, remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. McMILLAN presented a memorial of sundry business firms of Detroit, Mich., remonstrating against the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injuctions" in certain cases; which was ordered to lie on the table.

He also presented a memorial of Owosso Township Grange, No. 796, Patrons of Husbandry, of Owosso, Mich., remonstrating against the enactment of legislation placing the rural free-delivery service under what is known as the contract system; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Boilers Makers' Local Union No. 64, American Federation of Labor, of Jackson, Mich., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Cushing, Jackson, Tipton, Marlette, Millburg, Midland, and Harbor Springs, all in the State of Michigan, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of the Reformed Presbyterian Society of Southfield; of Boiler Makers' Local Union No. 64, of Jackson; of Bricklayers' Local Union No. 2, of Detroit, and of Local Division No. 48, Order of Railway Conductors, of Detroit, all in the State of Michigan, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented the petition of Henry B. Baker, secretary of the State board of health, of Michigan, praying for the enactment of legislation to increase the efficiency and change the name of the United States Marine-Hospital Service; which was referred to the Committee on Commerce.

He also presented a petition of Wolverine Division, No. 182, Order of Railway Conductors, of Jackson, Mich., praying for the enactment of legislation to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers

and continuous brakes; which was referred to the Committee on Interstate Commerce.

Mr. BURNHAM presented a petition of the Granite Cutters' Local Union, American Federation of Labor, of Fitzwilliam, N. H., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Jefferson, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of John A. Davis and 19 other citizens of Wentworth, Carroll Washington and 125 other citizens of Rumney, C. J. Gould and 142 other citizens of Plymouth, and of sundry citizens of Gilmanton, all in the State of New Hampshire, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. GAMBLE presented the petitions of H. L. Brown and 36 other citizens of Joubert, of N. Smith and 45 other citizens of Lennox, and of A. J. Berdahl and 27 other citizens of Garretson, all in the State of South Dakota, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. BARD presented a petition of Typographical Union No. 56, American Federation of Labor, of Stockton, Cal., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented the petition of Brig. Gen. C. F. A. Last and 24 other officers of the National Guard of California, and a petition of the adjutant-general and assistant adjutant-general of the governor's staff and 47 other members of the National Guard of California, praying for the enactment of legislation to increase the efficiency of the militia; which were referred to the Committee on Military Affairs.

Mr. McCUMBER presented the petition of H. K. Pennington and sundry other citizens of Milnor, N. Dak., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. KITTREDGE presented the petition of W. S. Hill and sundry other citizens of Alexandria, S. Dak., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. GALLINGER presented a petition of Local Union No. 317, American Federation of Labor, of Manchester, N. H., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Gilmanton, N. H., and a petition of sundry citizens of Peterboro, N. H., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. ELKINS presented a petition of sundry citizens of Wellsburg, W. Va., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 887, United Mine Workers of America, of Flemington, W. Va., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Ritchie County, W. Va., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Brandonville, W. Va., and a petition of sundry citizens of Mount Storm, W. Va., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of the Chamber of commerce of Stockton, Cal., praying that an appropriation be made for a diverting canal to protect the waters of San Joaquin River in that State; which was referred to the Committee on Commerce.

Mr. COCKRELL. I present the petition of James B. Martin, of Deepwater, Mo., verified by the letter of the Pension Commissioner of February 25, 1902, relative to granting him an increase of pension. I move that the petition and accompanying letter be referred to the Committee on Pensions.

The motion was agreed to.

Mr. DEPEW presented petitions of Local Unions Nos. 5, 37, 10, 2, 34, and 489, of Utica, Albany, Newburg, Troy, Niagara Falls, New York, Seneca Falls, North Tonawanda, and Dunkirk, all of the American Federation of Labor, and of Local Division No. 171, Order of Railway Conductors, of Mechanicsville, all in the State of New York, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of sundry citizens of New York City, N. Y., praying for the restoration of raw sugar to the free list; which were referred to the Committee on Finance.

He also presented a petition of the Board of Trade and Transportation of New York City, praying for the enactment of legislation providing for the creation of a national health commission and remonstrating against the enactment of legislation making a national health service out of the Marine-Hospital Service; which was referred to the Committee on Public Health and National Quarantine.

Mr. FAIRBANKS presented petitions of Cooper Lodge, No. 19, Amalgamated Association of Iron, Steel, and Tin Workers, of Anderson; of Painters, Decorators, and Paperhangers' Local Union No. 63, of Elkhart; of Bakers and Confectioners' Local Union No. 130, of Muncie; of Bakers and Confectioners' Local Union No. 195, of Anderson; of Coopers' International Union No. 125, of Hammond; of Erie Railway System, No. 42, Order of Railroad Telegraphers, of Hammond; of Tobacco Workers' Local Union No. 78, of Newburg; of Journeymen Barbers' Local Union No. 322, of Hammond; of Journeymen Barbers' Local Union No. 181, of South Bend; of Journeymen Barbers' Local Union No. 48, of Logansport; of Barbers' Local Union No. 14, of Fort Wayne; of Green Bottle Blowers' Local Union No. 67, of Cicero; of Wood Workers' Local Union No. 177, of New Albany; of Wood Workers' Local Union No. 169, of Columbus; of Wood Workers' Local Union No. 155, of Indianapolis; of Plasterers' Local Union No. 70, of Fort Wayne; of the United Brotherhood of Leather Workers on Horse Goods' Union, of Evansville; of Flint Glass Workers' Local Union No. 5, of Elwood; of Typographical Union No. 229, of Crawfordsville; of Boiler Makers and Iron Ship Builders' Local Union No. 192, of Elkhart; of Teamsters' Local Union No. 324, of Sullivan; of Iron Molders' Local Union No. 324, of Noblesville; of Iron Molders' Local Union No. 357, of Montpelier; of Iron Molders' Local Union No. 326, of Peru; of Stationery Firemen's Local Union No. 93, of Hammond; of Mosaic and Encaustic Tile Layers' Local Union No. 8, of Indianapolis; of Stove Mounters' Local Union No. 43, of Indianapolis; of Marine Engineers' Beneficial Association No. 26, of Evansville; of Coopers' International Union, of Vincennes; of Iron Molders' Local Union No. 5, of Evansville; of Iron Molders' Local Union No. 113, of Vincennes; of Typographical Union No. 97, of Peru; of Typographical Union No. 279, of Alexandria; of Typographical Union No. 331, of Elwood; of Typographical Union No. 347, of Wabash; of Team Drivers' Local Union No. 78, of Fort Wayne; of Team Drivers' Local Union No. 93, of Clinton; of Operative Plasterers' International Association No. 83, of Muncie; of Plasterers' Local Union No. 101, of South Bend; of Plasterers' Local Union No. 114, of Vincennes; of Plasterers' Local Union No. 175, of Alexandria; of Plasterers' Local Union No. 154, of Elwood; of Cigar Makers' Local Union No. 159, of Marion; of Cigar Makers' Local Union No. 214, of Bluffton; of Cigar Makers' Local Union No. 221, of South Bend; of Cigar Makers' Local Union No. 275, of Anderson; of Cigar Makers' Local Union No. 300, of Michigan City; of Cigar Makers' Local Union No. 415, of Elkhart; of Cigar Makers' Local Union No. 473, of Wabash; of Beer Drivers and Stablemen's Local Union No. 220, of Indianapolis; of Brewers' Local Union No. 62, of Fort Wayne; of Engineers and Firemen's Local Union No. 223, of Indianapolis; of Carriage and Wagon Workers' Local Union No. 71, of Lawrenceburg; of Hoosier Lodge No. 28, International Association of Car Workers, of Terre Haute; of Beer Bottling Employees' Local Union No. 228, of Terre Haute; of Plasterers' Local Union No. 75, of Terre Haute; of Stationary Firemen's Local Union No. 27, of Terre Haute; of Painters' Local Union No. 373, of Vincennes, and of Z. O. Lewellen and sundry other citizens of Monroe, all in the State of Indiana, praying for the enactment of legislation to restrict immigration; which were ordered to lie on the table.

He also presented memorials of the Dean Brothers' Steam and Pump Works and of the Chandler & Taylor Company, of Indianapolis, in the State of Indiana, remonstrating against the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented petitions of the Blankton Milling Company, of Indianapolis; of the Harvest Queen Milling Company, of Elkhart; of the Bremen Roller Mills, of Bremen; of Iglehart Brothers, of Evansville; of the Harris Milling Company, of Greencastle; of the Goshen Milling Company, of Goshen; of the Mayflower Mills, of Fort Wayne; of C. Tresselt & Sons, of Fort Wayne; of the Lebanon Roller Mills, of Lebanon; of the Gem Flouring Mill Company, of Rushville; of Willard Kidder, of Wabash; of Valley Roller Mills, of Connersville, and of William Suckow, of Franklin, all in the State of Indiana, praying for the adoption of certain amendments to the interstate-commerce law; which were referred to the Committee on Interstate Commerce.

He also presented petitions of Bricklayers' Local Union No. 30, of Washington; of Local Union No. 244, United Mine Workers of America, of Brazil; of Typographical Union No. 284, of Anderson; of Local Union No. 22, of Fort Wayne; of Journeymen Bakers and Confectioners' Local Union No. 17, of Kokomo; of Glass Workers' Local Union No. 7, of Anderson, and of Tobacco Workers' Local Union No. 78, of Newburg, all in the State of Indiana, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. HANSBROUGH presented petitions of sundry citizens of Absaraka, Tower City, and Grand Rapids, all in the State of North Dakota, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. FRYE presented petitions of F. S. Schofield and 20 other citizens of Franklin County; of Stone Masons' Local No. 5, American Federation of Labor, of Lewiston, all in the State of Maine, and of Local Division, No. 3, Order of Railway Conductors, of St. Louis, Mo., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. BLACKBURN, from the Committee on the Judiciary, to whom was referred the bill (S. 149) to provide for holding terms of court in the district of Utah, reported it without amendment

Mr. CLARK of Wyoming, from the Committee on the Judiciary, to whom was referred the bill (S. 1919) fixing fees of jurors and witnesses in the United States courts in the State of Wyoming, reported it without amendment.

Mr. QUARLES, from the Committee on Military Affairs, to whom was referred the bill (S. 3280) for the relief of Curry County, State of Oregon, asked to be discharged from the further consideration of the same, and that it be referred to the Committee on Post-Offices and Post-Roads; which was agreed to.

BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 4554) to carry out the findings of the Court of Claims in the case of James H. Dennis; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4555) for the relief of William Points; which was read twice by its title, and referred to the Committee on Claims.

Mr. McLAURIN of South Carolina (for Mr. PRITCHARD) introduced a bill (S. 4556) for the relief of J. T. O. Wilbar; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. McMILLAN introduced a bill (S. 4557) to prevent robbing the mail, to provide a safer and easier method of sending money by mail, and to increase the postal revenues; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 4558) relative to commitments to the Government Hospital for the Insane; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4559) granting a pension to I. Winslow Ayer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 4560) granting a pension to Ella C. Tupper; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 4561) for the relief of the Catholic Church of Winchester, Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. SIMMONS (by request) introduced a bill (S. 4562) for the relief of the Seamen's Friend Society, of Wilmington, N. C.; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 4563) for the relief of the estate of James A. Suydam, deceased; which was read twice by its title, and referred to Committee on Claims.

Mr. COCKRELL introduced a bill (S. 4564) granting an increase of pension to Frances C. Brown; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for increase of pension from $8 to $12 per month of Frances C. Brown, widow of Peter L. Brown, together with affidavits of C. C. Davidson, C. M. Snelling, and Dr. K. Hill. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 4565) granting a pension to John A. Witcher; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of the claimant, John A. Witcher, asking that he be granted a pension. I move that the bill and accompanying paper be referred to the Committee on Pensions.

The motion was agreed to.

Mr. PROCTOR introduced a bill (S. 4566) granting a pension to Ethel J. Levins; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 4567) for the relief of George W. Pearson; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. HANSBROUGH introduced a bill (S. 4568) to place the name of Paul Crum on the muster rolls of Company B, First Regiment North Dakota Volunteer Infantry; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4569) to amend section 58 of an act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DIETRICH introduced a bill (S. 4570) granting an increase of pension to Walter P. Davis; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4571) granting an increase of pension to Luther S. Baker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. QUARLES (for Mr. HAWLEY) introduced a bill (S. 4572) to grant an honorable discharge from the military service to Charles H. Hawley; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HANSBROUGH introduced a bill (S. 4573) for the relief of Israel Kimball; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GIBSON submitted an amendment proposing to appropriate $5,000 to improve the Missouri River above the bridge at Fort Benton, Mont., and also proposing to appropriate $5,000 for completing the improvement on the south bank of the Missouri River at the mouth of Judith River, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. MARTIN submitted an amendment proposing to appropriate $100,000 to enable the Secretary of War to commence the construction of a memorial bridge across the Potomac River at Washington, D. C., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. SIMMONS submitted an amendment proposing to appropriate $500 for removing obstructions to navigation in Chowan River, North Carolina, from its mouth to Holaday Island, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 17th instant approved and signed the joint resolution (S. R. 65) to provide for the employment of extra clerical force in the office of the assessor of the District of Columbia.

BILL BECOME A LAW.

The message also announced that the act (S. 608) for the relief of George K. Bowen, having been presented to the President on the 5th instant, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.

AFFAIRS IN THE PHILIPPINES.

Mr. RAWLINS. Mr. President, I ask to have printed as a Senate document certain letters, being the correspondence of the Federal party in Manila and the correspondence of that party in the United States, relating to the development, organization, and policy of that party. I ask that the document also include the memorial which has been presented to the Senate and which has been printed. I ask that these papers may be printed as a single document.

The PRESIDENT pro tempore. With the memorial?

Mr. RAWLINS. With the memorial. They all relate to that matter and furnish information which I think will be desirable to the Senate.

The PRESIDENT pro tempore. The Senator from Utah asks unanimous consent to have printed as a document the papers which he presents, together with a memorial relating to the same matter. Is there objection?

Mr. SPOONER. Would the Senator have any objection to having the matter referred to the Committee on the Philippines? The chairman of the committee is not present to-day.

Mr. RAWLINS. There is nothing objectionable, I think, in

these letters. They are simply matters of information and tend to throw light upon the memorial that was presented here. The views are not partisan.

Mr. BURROWS. I did not hear at the time what the request of the Senator from Utah was.

Mr. RAWLINS. The request which I made was this: I sent to the desk some letters or correspondence between the correspondent of the Federal party in Manila and the correspondent of that party in the United States. These letters began in December, 1900, about the time of the organization of that party. They throw much light upon the genesis of that organization, its development, its purposes, and the objects which it has in view. It is in elucidation of testimony which has been given by Governor Taft and others relating to the work which has been accomplished in the islands. The views will not be my own, nor would they be those of the Senator's, but it simply enables us to put a true estimate upon the value of the memorial which has already been offered to the Senate and published.

Mr. BURROWS. What does the Senator request?

Mr. RAWLINS. The request is that these letters, together with the memorial, be printed as a document.

Mr. BURROWS. Would it not be agreeable to the Senator to have the letters and the memorial referred to the Committee on the Philippines? We are taking testimony upon that subject. Why not let them go before the committee?

Mr. PROCTOR. The committee will meet to-morrow morning.

Mr. RAWLINS. I have no objection to submitting this matter to the Senator from Michigan or to the chairman of the Committee on the Philippines for inspection. I do not think it is necessary that the papers should be referred to the committee.

Mr. CARMACK. What possible objection can there be to printing them?

Mr. BURROWS. I move that the memorial and the letters be referred to the Committee on the Philippines.

Mr. HOAR. I will wait until the motion has been stated by the Chair.

The PRESIDENT pro tempore. The Senator from Michigan moves that the papers presented by the Senator from Utah be referred to the Committee on the Philippines.

Mr. RAWLINS. Mr. President, I hope that motion will not prevail. I present these letters simply for the information of the Senate. There is absolutely nothing in the letters which can be objectionable. They may be retained in order that the Senator may inspect them, if he so desires, and I will not insist upon the order at this time; but I do not care to have them referred to the committee, because it is work that is entirely unnecessary.

Mr. ALLISON. Mr. President, allow me to suggest to the Senator from Utah that the committee is taking testimony and that testimony is being printed. I understand these letters to be in the nature of testimony, and I think the true course to pursue is to allow them to be referred to the committee and let them be incorporated in the testimony that we are taking, so that we shall not have a number of documents in one place and testimony in another.

Mr. HOAR. I thought I had the floor.

Mr. ALLISON. I yield to the Senator. If I have taken the floor from him, I beg his pardon for doing so.

Mr. RAWLINS. Mr. President——

The PRESIDENT pro tempore. The Senator from Massachusetts has the floor.

Mr. HOAR. Mr. President, I should like to suggest to my honorable friend who made this motion, and to other gentlemen, whether it is not well to observe in general what, so far as I understand it, has been the almost uniform custom of the Senate, and that is, when a document which he deems important for the understanding of a question by the Senate is presented, compact and brief, so that no vast expense is incurred, and under his responsibility declares that it is something which he desires to have printed to have it printed. Otherwise when any Senator has such information as that it will be his right and in a great many instances his duty to make it a part of remarks in the Senate. In that case it has got to go into the RECORD.

It is not a very small thing yet, and I think it is not likely to be a very small thing to represent a State in this body. When the Representative of a State in this body says to his fellows that something is important for his use and for their consideration which should be presented in that way, it never has been the custom, though it may have happened occasionally, to go behind that request and that assurance.

Here a Senator who is on the committee which is charged with the investigation of one of the most important pieces of political history ever enacted in this world, a matter which some people believe vital to the character and the prosperity of this country, says that he would like to have in separate form for his use and the use of the committee, and not available in a number of volumes which may be, before they get through, as big as an encyclopedia, a particular piece of information, and to have a dozen Senators rise and say that shall be buried if we can bury it, I think is not a very good method of proceeding.

If such privileges be denied to me I shall see that every time I make such a request I shall have the document put into a speech where I can have it as a document, and it will also in addition burden the RECORD.

Mr. BURROWS. Will the Senator permit me?

Mr. HOAR. In one moment. I want to submit to my friend from Iowa whether he believes there is a Senator on this floor who, if he rose and asked to have printed in a few pages of a document something relating to finance or appropriations or anything else would ever dream of denying it. The Senator from Iowa is a Senator for whose judgment and experience and wisdom and sincerity we all have the profoundest respect; but all having the profoundest respect for him, we must claim to stand as his equals here, however practically inferior we may be.

I hope this objection will not be pressed. I do not think it will serve any cause to do it. Now, I will yield to the Senator.

Mr. BURROWS. I only wish——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Michigan?

Mr. HOAR. I do.

Mr. BURROWS. I only wish to correct the Senator from Massachusetts. If he understood me to state that I made this motion for the purpose of suppressing it, I made no such statement and have had no such purpose.

Mr. HOAR. I did not make any such statement.

Mr. BURROWS. I understood the Senator to say that this was done for the purpose of suppressing it.

Mr. HOAR. I did not say that, but that is a very different thing from what the Senator suggested. I did not say either.

Mr. ALLISON. Mr. President, the Senator from Massachusetts attributes to me a desire to suppress information, because I object to the printing of a document in the manner that a Senator asks to have it printed. I do not know what the papers contain. I heard, however, the reason given by the Senator from Utah why he wanted to have it printed, namely, that it was in explanation and to some extent, I suppose, in contradiction of the testimony taken by the committee——

Mr. HOAR. And which has been read here in debate already.

Mr. ALLISON. Very well; testimony which has been taken by the committee with special reference to the testimony of Governor Taft. The Senator asks that it be printed as a document and segregated from the testimony that has been taken by the committee, and especially the testimony of Governor Taft, which this is to contradict or explain. I see no greater reason for printing it as a document than I do for printing the statement of Governor Taft as a document. Yet nobody has asked that that be done.

I do not consider this to be in the light of an ordinary presentation by a Senator of a memorial or a matter presented by a citizen. This is testimony as much as the testimony of General Otis, which is now being taken by the Committee on the Philippines. I think whatever there is in regard to that subject should be in a single document, whether it shall comprise 500 pages or 100. If one Senator arises here and asks that a portion of the testimony shall be printed, another Senator arises and asks that another portion be printed, and thus we shall have the testimony taken before the committee divided up into Senate documents.

Mr. CARMACK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Tennessee?

Mr. ALLISON. I do.

Mr. CARMACK. I should like to ask the Senator how this matter could be printed as a part of the testimony taken before the committee. It is not the testimony of any witness.

Mr. ALLISON. It can be printed in that way just as other papers have been printed. I have presented matters before the committee and asked to have them incorporated in the testimony. The Senator from Utah can do that and no one will object to it. The greatest latitude is permitted by the committee as respects the matter.

Mr. CARMACK. The Senator from Utah could not present it to the committee as bearing upon affairs in the Philippines and have it printed as a part of the hearings unless it came in as a part of the testimony of some witness. I know that occasionally, for instance, the other day General Hughes presented a publication of the New York Tribune, which I suppose some member of the committee had handed him for that purpose, and he made it a part of his testimony; but I do not see how otherwise you could incorporate anything of that sort in the testimony of a witness.

Mr. ALLISON. I certainly have heard no objection to any member of the committee presenting such matter there.

Mr. SCOTT. We can not hear over here. The Senators are engaging in a private conversation.

Mr. ALLISON. I was about to say that I know of no suggestion made by any member of the committee that documents or papers should not be incorporated in the testimony. I care nothing about this matter; I do not know what these papers contain.

Mr. HOAR. Suppose that it is not testimony which it is proposed to have published, but that it is an anonymous letter, pure and simple, which contains in the judgment of the Senator who offers it matter grave enough in the way of reasoning or otherwise to be presented in some form to the Senate. Is it a good rule, I ask the Senator, the Senator who offers it being responsible for the decency and propriety of its character, to say that whenever a Senator desires to do that he has got to put it into a speech and make it go into the RECORD? There is the whole practical question in my mind. Without being sure, the Senator will, I think, agree with me that there have been a hundred cases in my experience here where when a Senator has proposed to offer something of that sort it was said, "You had better print it as a document or put it into the RECORD without reading," and that is always done.

Mr. ALLISON. I know of a number of instances where we have objected to petitions and memorials and matters of that character being printed as a document.

Mr. HOAR. The Senator has never had such a refusal made to a request of his, and I never had such a refusal made to a request of mine.

Mr. ALLISON. I never make a request, or rarely make a request, to have a memorial printed as a public document——

Mr. HOAR. I have made the request several times.

Mr. ALLISON. Unless it is of the utmost importance. I care nothing about this matter one way or the other.

Mr. RAWLINS. Mr. President——

The PRESIDENT pro tempore. Is there objection to the request made by the Senator from Utah?

Mr. ALLISON. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made.

Mr. RAWLINS. I ask for the return of the letters to my desk. I thought that I might get them printed in the usual way without occupying unnecessarily the time of the Senate. I knew that I could not only have them printed, but printed in the RECORD. I know that they contain nothing to which any Senator would make an objection.

Mr. ALDRICH. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Rhode Island will state it.

Mr. ALDRICH. What is the order of business under which the Senate is proceeding?

The PRESIDENT pro tempore. Resolutions coming over from a previous day.

Mr. ALDRICH. I ask that the resolution may be read, so that we may know what business is before the Senate.

The PRESIDENT pro tempore. The Chair understood the Senator from Utah to ask that he might withdraw these letters.

Mr. RAWLINS. Yes; I asked that they might be returned to my desk.

The PRESIDENT pro tempore. The Chair hears no objection, and the letters are withdrawn.

CIVIL-SERVICE EXAMINATIONS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. GALLINGER, as follows:

Resolved, That the Civil Service Commission is hereby directed to transmit to the Senate a statement showing the number of persons examined during each fiscal year from 1884 to 1901, inclusive, giving by years the number who passed, the number who were rejected, the number who were certified as being eligible for appointment, the number actually appointed, and the number of eligibles now on the several rolls of the Commission; also the number placed in the classified service by Executive orders or rules of the Commission, without examination, since the date of the enactment of the civil-service law approved January 16, 1883.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. NELSON. I suggest to the Senator from New Hampshire a slight amendment to the resolution. In reporting the list of eligibles now on the rolls, let it be reported by States. I move that amendment to the resolution.

Mr. GALLINGER. I have no objection to the amendment.

The PRESIDENT pro tempore. The Senator from Minnesota moves an amendment, which will be stated.

The SECRETARY. After the word "Commission," insert "by States;" so as to make the clause read:

And the number of eligibles now on the several rolls of the Commission, by States.

The amendment was agreed to.

Mr. GALLINGER. Mr. President, I desire to modify the resolution by including the following words at the end:

Including the date of each such order and the number placed in the classified service under each such order.

The amendment was agreed to.

The resolution as amended was agreed to.

LEGAL AND TRAFFIC RELATIONS OF RAILROADS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. MORGAN, as follows:

Resolved, That the Secretary of the Interior is directed to send to the Senate a statement of the legal and traffic relations between the railroads that connect with the waters of the Pacific Ocean and the Government of the United States. And that the Secretary of War is directed to send to the Senate a statement of the legal and traffic relations between the railroads in the Philippine Islands, and as to the charters and ownership of such railroads.

Mr. HALE. Mr. President, this resolution went over yesterday on my objection, because it is difficult for me in reading or rereading the resolution to find out what the Senator is driving at.

If the Senator wants all that great realm of testimony which has been thoroughly investigated in what Congress has done, showing the relations of the Pacific railroads to the Government, he is embarking on a most extensive project. We have had that subject before us. Committees have explored it and have gone deeply into it and have submitted very voluminous reports, and the reports have been the subject not only of observation and consideration but controversy. Does the Senator from Alabama desire to reopen that investigation and to start the War Department upon a renewal of it? The language is:

Resolved, That the Secretary of the Interior is directed to send to the Senate a statement of the legal and traffic relations between the railroads that connect with the waters of the Pacific Ocean and the Government of the United States.

That is a very broad region to investigate. The Department can not do that in one week nor two weeks, nor in one month nor two months, unless it simply transmits to us a statement of what has been done heretofore. I do not know that the Senator seeks anything that is so extensive as that. If his inquiry is only directed to something that is superficial, easily come at, easily sent to us, I have no objection; but I think he ought to state to us what, in his mind, is the force of the words—

A statement of the legal and traffic relations between the railroads that connect the waters of the Pacific Ocean and the Government of the United States.

And the following clause:

And that the Secretary of War is directed to send to the Senate a statement of the legal and traffic relations between the railroads in the Philippine Islands, and as to the charters and ownership of such railroads.

That clearly is a new matter. It has not been embraced in previous inquiries and previous reports. It is absolutely new. Whether that would be extensive or not we do not know. I do not suppose there are many railroads in the Philippine Islands. The questions of charter and ownership there are questions which are now being investigated by the Committee on the Philippines. It is very important in dealing with those islands and the people of the archipelago that the matter of railroads, the matter of charters, of franchises, shall be guarded most jealously; and the committee to whom that subject has been sent by the Senate is now wearing itself out, I may say, in recurring sessions every day, to the exclusion of other business. One of the subjects it has investigated, or is going to investigate and to report upon, is the question of franchises and charters. If the Senator believes that that can be better done by asking the War Department to do it, he may be correct. I wish he would tell us just what he does want.

Mr. MORGAN. Mr. President, the Senator from Maine seems to be in a state of alarm about this matter, and I think it is my duty to explain it to him. I assure him there is nothing at all in the woodpile of any color whatsoever. There is no trouble whatever expected, none invited, and none anticipated. Perhaps the Senator from Maine can answer the question that I have in mind and upon which I desire to inform myself, so that, as a member of the Committee on Pacific Railroads, I can ascertain whether it is necessary to have some legislation here to correct what I conceive to be a very awkward state of law.

There are two Pacific railroads, the Union and Central Pacific, and their branches, that were sold under decrees of the Federal courts and bought in by private corporations or private individuals. I am informed—I do not know how true it is—that the present organization of these companies is conducted under charters granted perhaps by the State of Utah. There remain upon the statute books of the United States, however, a number of very important statutes regulating the traffic relations between the United States and these same railroads, which have never been repealed or modified by any act of Congress. That presents a question whether or not a State charter can repeal or modify an act of Congress, whether it is not necessary to have this matter

ascertained, and if it is required to have legislation to make them conformable to the present situation of the laws of the land.

Mr. HALE. Right there—for the Senator is an old and experienced legislator and a good lawyer—does he expect that under this inquiry the Secretary of War will give us an opinion as to the legal effect? We certainly do not call upon any Secretary to do that.

Mr. MORGAN. Mr. President, the traffic relations between the United States and these railroad companies to which I have alluded are matters of fact; they are not matters of law. I do not know whether the traffic relations between the United States and these railroad companies are being conducted under acts of Congress or under acts of the State of Utah or by some other agreement. They would have to be conducted, if they were conducted legally, according to the laws of the United States, and yet I do not quite see how that is possible. For instance, under the laws of the United States still remaining unrepealed, the Government has the right to two directors in the board of direction of these railroad companies; it has the right to transport over these railroads its freights, its soldiers, its mails, etc., under certain stipulations provided for in the statute itself.

I do not know how far these are being respected, whether they are the rules of action or not. I do not know that it is absolutely necessary to take Congressional action upon this question, and I want to find out. I am just simply an humble and modest inquirer as to the situation. That is all. I have no scheme in my mind of trying to hurt anybody or scare anybody about this business.

Mr. HALE. I do not think that anybody is very much alarmed.

Mr. MORGAN. No; I reckon not; and they ought not to be.

Mr. HALE. But it is a matter of consideration when we start these inquiries that we should start them right. As I have just intimated, we do not call upon the Secretary of War or any other Secretary for a legal opinion. We want facts. If the Senator will modify his resolution, so that it will read: "A statement of the traffic relations between the railroads that connect with the waters of the Pacific Ocean and the Government of the United States," and a recital of the statutes upon which said relations are based, then the Senate Committee on the Judiciary can furnish us with a legal opinion on the case. I do not want to ask the Secretary of the Interior or the Secretary of War for a statement as to the legal relations between those railroads and the United States. I do not want him to argue the question.

Mr. MORGAN. Mr. Hitchcock is a very fine lawyer, and I was trying to avail myself of his knowledge of the statutes and the law in having them copied in the report, and let us judge what are the legal relations and what are not. I do not care about his opinion as a matter of law, except that I value it very highly; but I thought that was a very clear way to get at it—to ask him to state what are the legal relations. He could proceed to say that they depend upon this statute, that, and the other, which remain unrepealed, and in that way he would state the legal relations. I do not ask him for his legal opinion; really I ask him for a matter of fact—what relations created by law are subsisting in the practice of this Government in connection with these railroads, their traffic, etc.

I think the resolution is entirely harmless, but I am willing to enlarge it, so as to take the statutes upon which to predicate action, if action be necessary.

Mr. HALE. Then I move to strike out the words "legal and."

The PRESIDENT pro tempore. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. It is proposed to amend the resolution, in line 2, by striking out the words "legal and," before the word "traffic."

Mr. MORGAN. Has the Senator any further amendment to offer?

Mr. HALE. Only when I get the rest I have indicated.

Mr. MORGAN. The rest you have indicated?

Mr. HALE. That the Secretary shall furnish us the statutes upon which these relations have been established.

Mr. MORGAN. I have no objection to that.

Mr. HALE. Then, afterwards, after the words "United States," I shall move, in line 4, to insert "with a reference to the statutes upon which such relations have been established."

Mr. MORGAN. Why not say "being conducted?" I do not know about their being established.

Mr. HALE. Very well, I will say "are being conducted." It is the same thing.

Mr. MORGAN. Very good. Has the Senator any further criticism or improvement to make in the resolution? I want to accept these amendments.

Mr. HALE. I think I ought to exercise great modesty in undertaking to improve upon anything the Senator proposes.

Mr. MORGAN. I want to accept these amendments, if the Senator is through with his proposition.

Mr. HALE. I am very nearly through. I do not know that I shall offer any further amendment. Let the amendment be read from the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. In line 4, after the words "United States," it is proposed to insert "with a reference to the statutes upon which such relations have been conducted."

The PRESIDENT pro tempore. Is there objection to the amendment?

Mr. MORGAN. I accept that modification, Mr. President.

The PRESIDENT pro tempore. The Senator from Alabama accepts the amendment, and his resolution will be so modified. The resolution will now be read as modified.

The Secretary read as follows:

Resolved, That the Secretary of the Interior is directed to send to the Senate a statement of the traffic relations between the railroads that connect with the waters of the Pacific Ocean and the Government of the United States, with a reference to the statutes upon which such relations have been conducted. And that the Secretary of War is directed to send to the Senate a statement of the legal and traffic relations between the railroads in the Philippine Islands, and as to the charters and ownership of such railroads.

Mr. RAWLINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator rise to the pending resolution?

Mr. RAWLINS. Yes, sir.

Mr. President, I have not any special knowledge as to the propriety or impropriety of the pending resolution, and in the remarks which I shall make I have no disposition to delay unduly its passage; but I have in my hand some interesting correspondence which may with all propriety be laid before the Senate. I did not want to occupy unnecessarily the time of the Senate in openly discussing this correspondence.

Mr. HAWLEY. There is something of uneasy disturbance in the Chamber, and the Senator does not speak loud enough to be heard.

Mr. RAWLINS. Mr. President, I have said that I have no special knowledge as to the propriety or impropriety of the pending resolution. I do not know that I have any objection to it, but I have in my hand some interesting correspondence, which ought to be in the possession of the Senate and of the country, having relation to the Philippine Islands. I did not want to occupy any part of the time of the Senate in its presentation and I thought it was unnecessary. I have looked through this correspondence. It is not in advocacy or encouragement of hostility against the United States; it is not in contradiction of anything as to which Governor Taft has testified. It is simply matter of information, of facts developed historically in the course of the origination and development of what is known as the Federal party. Hence to elucidate that history, the petition of that party, setting forth the ends of that organization, has been laid before the Senate and printed as a document.

These letters were designed to be presented to enable us to obtain an accurate estimate and a true value of the statements therein contained; but when I offered them and asked that they be printed as a document the Senator from Iowa [Mr. ALLISON], who is exceedingly sensitive when it comes to the question of any sort of disclosure relating to the Philippine Islands, saw fit to interpose an objection unusual in the history of the Senate. The Senator from Ohio [Mr. FORAKER] asked that a compilation relating to this vital question, made by some clerk in the War Department, be printed as a document, and no objection was interposed. Senators upon the Republican side present documents time and time again relating to this same subject, and we of the minority have never deemed it necessary to interpose an obstacle to the disclosure of any information which any Senator upon the other side has upon this question; but the moment that I rose as a member of the minority, having the honor to be upon the Committee on the Philippines, and asked that this correspondence be printed as a document, in order that we might have it for our convenient use in the progress of the investigasion which is going on relating to these islands, suddenly the Senator from Iowa rises and interposes his persistent objection to that simple performance.

Mr. President, it was suggested that these papers be referred to the Committee on the Philippine Islands and be printed in the course of the testimony. They are not testimony; they would be inadmissible as testimony in the investigation which that committee is now conducting. The papers contain correspondence. If I may be permitted to so far allude to the procedure of that committee, an attempt on the part of the minority to put in an excerpt from a distinguished author relating to these islands was objected to and excluded by the Senator from Iowa, who now interposes this obstacle. Doubtless if these letters were there presented we should find the same objection there that we find here.

Mr. President, I ask, without reading, that this correspondence may be printed in the RECORD as part of my remarks upon this resolution.

The PRESIDENT pro tempore. The Senator from Utah asks

that the papers he holds in his hands be printed as a portion of his remarks. Is there objection?

Mr. SCOTT. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made.

Mr. RAWLINS. Mr. President, I read the following:

PHILADELPHIA, PA., *December 27, 1900.*

Señor BUENCAMINO, *Manila, P. I.*

SIR: Permit me to offer my congratulations for your wisdom and patriotism in agitating and aiding the formation of a "Federal" party for the purpose of accepting and giving allegiance to the Constitution and sovereignty of the United States. You are now pursuing a course in which many American citizens, consistent with honor and dignity, can give you support and encouragement, in fact, upon which all can unite. One of the leading papers of this city commends your movement in an abstract which I inclose.

The difficulties of inaugurating proper legislation for the countries acquired from Spain, due to late war, are set forth in an article concerning "cases" now before our United States Supreme Court at Washington, which I herewith inclose. It will give you an idea, from the American point of view, of the difficulties the President has had in dealing with the matter, complicated as it was by the insurrection gotten up by Señor Aguinaldo in your islands. The Congress, where it properly belongs, has had no chance to enact any legislation on account of President delaying action, by reason of said insurrection, claiming sovereignty should first be established. In the meantime, cases stated were brought before Supreme Court for defining status of islands acquired, Congress delaying further action since establishment of military authority over the islands pending those decisions.

When the court, which is the highest in the land, hands down its decision, it will define not only status of islands but dispose of the matter, so that Congress will be enabled to enact the necessary legislation, giving said islands a legal status under the Constitution of the United States in accordance with said decisions.

Unless I am very much mistaken the decision of the court will be the President has no authority to govern Porto Rico or the Philippines in the way he has been doing, as colonies with a mixed civil and military government. On the contrary, under the Constitution, it will no doubt be decided the Congress should have granted and inaugurated a Territorial form of government. In brief, that is the appointment by the President of a "governor" for the islands, and the islands to be represented in Congress by a "Delegate" to the House of Representatives, all the other governing power of the islands—with the exception of making treaties and tariff laws—in your own hands, consistent with the Constitution, with all the rights and privileges pertaining to a citizen of the United States, the same as has been granted to Hawaii. This will give you a form of government that will satisfy your highest aspirations, and at the same time make you stronger on account of being part of the United States of America.

This, Señor, is the end and aim you should bend all your energies in attaining, as under the decision of the Supreme Court the matter is likely to be taken out of the hands of the Commission appointed by the President and the whole matter placed before Congress.

Mr. BACON. Mr. President, I can conceive that some of the Senators on the other side desire to hear the reading of this paper, and therefore I would suggest that conversation be conducted in a lower tone.

Mr. SCOTT. It is impossible for us to hear the Senator from Utah, as he is reading in such a low tone of voice. If he will only raise his voice so that we can hear him and give us the names of the writers of these letters as he goes along, we shall be very much obliged to him.

Mr. RAWLINS. I thought in suppressing my voice to a low tone I was acting in sympathy with the Senator from West Virginia [Mr. SCOTT], rather than pain him by reading so he could hear this correspondence, which he so stoutly objected to. However, if he desires now to hear it, as I thought he would on a little reflection, I will endeavor to raise my voice so that all the Senators on the other side may have this necessary information; or, rather, I will ask the Secretary to read it.

Mr. WELLINGTON. If I may interrupt the Senator for a moment, I would appeal to the Senator from West Virginia [Mr. SCOTT] to withdraw his objection. It is customary for the Senate, when a Senator makes a request of this kind, to allow the matter to be printed as a public document; and I trust the Senator from West Virginia will withdraw his objection.

Mr. RAWLINS. Mr. President——

Mr. SCOTT. Will the Senator allow me?

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from West Virginia?

Mr. RAWLINS. I decline to yield to the Senator now.

Mr. SCOTT. I hope the Senator will be kind enough to read to the Senate the names of the gentlemen who sign these different letters giving this information, and then I will withdraw my objection.

Mr. RAWLINS. I decline to be interrupted by the Senator.

The PRESIDENT pro tempore. The Senator from Utah declines to yield.

Mr. RAWLINS. Mr. President, as Senators seem disposed to object to my elocution and reading, I will ask that the Secretary be permitted to read these letters.

The PRESIDENT pro tempore. The Senator asks that the Secretary read the letters.

Mr. ALLISON. I hope the Secretary will give the name of the writer. I could not hear the name as given by the Senator from Utah.

Mr. RAWLINS. The Secretary will please take up the reading of the paper at the point where I left off.

The Secretary resumed and continued the reading of the paper begun by Mr. RAWLINS, as follows:

You should therefore speedily form a strong, influential "party" of your citizens, capable of commanding the respect and receiving the support of a majority of your people, that the Administration can recognize, so you will be in position to elect a Delegate [should have said Representative] to Congress at once as your representative, should decision prove to be as stated, which is in accordance with opinion expressed by ex-President Benjamin Harrison. In fact, you had better do this as early as possible, sending one of your brightest and ablest men to represent you before the American people, even if Congress is not in session, for the purpose of offsetting mischievous propaganda of Señor Aguinaldo's agents in this country, a specimen of which (concerning Señor Fontela) I inclose.

When Señor Sixto Lopez was in this city recently, he was refused a public hearing before a ministerial association on the grounds "they would not recognize an enemy of the United States, representing people who were in insurrection against the righteous authority of the American people," though many were introduced and shook hands with him after public meeting was over.

Señors Lopez and Fontela are simply wasting time and money in this country, as the American people at the last election overwhelmingly defeated any effort looking to granting "absolute independence." The President has neither the power nor authority to grant it, and Congress could not if it would (as the middle and great West is in favor of holding the islands), and yet the American people desire in their hearts to deal as justly and magnanimously with you as the Constitution and the laws will permit.

I also inclose an article in reference to Porto Rico, showing her desire for Territorial rights. What you call the Federal party they call the Republican party. As you will notice in the article, in sending a representative do not make the mistake of sending a "resident commissioner," as our form is different from the Spanish. But send a "delegate" as a Territorial representative, like Hawaii did, so he will have a legal status in a representative sense that Congress can "recognize" as part of the country.

In conclusion, my dear Señor, if everything is not entirely plain to you, if you will call on Judge Taft, of the Commission, regarding Territorial form of government he will doubtless explain it to you. It will give yourself and followers as much, or quite as much political power, as if you were "independent." Your connection with the United States will give you the advantages of stability that will cause capital to flow in and make your islands blossom like the rose.

If you have no correspondent here, Señor, it will afford me great pleasure to offer my services to act as such, and will have placed before the American people any information you desire in aid of your cause. I regret I can not aid you with money, but if you will accept of services, I can be of assistance to you, Señor, in many ways.

In regard to Supreme Court decision you will doubtless be informed before receipt of this letter, but will send you a copy of the decision in full as soon as it is rendered, and will keep you posted from time to time as matters concerning Philippines arise.

When you reply, kindly give me name and address in full. I have been connected with the same political party (Republican) as President McKinley for twenty years, and voted for him for both terms, yet, in common with many other Republicans, have not approved of all the acts of the President, for governing the countries acquired from the Spanish Crown.

Wishing you the compliments of the season, I also pray the richest blessings of our Heavenly Father may rest upon you and aid you and your friends in your cause, and that it may speedily bring peace and prosperity to your land and your people. Upon the enduring foundation of liberty, inaugurated by George Washington and reaffirmed by Abraham Lincoln, that it has pleased Almighty God to bless the people of these United States.

With assurances of highest esteem, I have the honor to remain, Señor.

Sincerely yours——

Mr. ALLISON and Mr. GALLINGER. What is the name?

Mr. ALDRICH. What is the signature to that letter, Mr. President?

The SECRETARY. There is no signature.

Mr. CLARK of Wyoming. I should like to ask the Senator from Utah a question for information. I observe there was no signature to that letter read by the Secretary, and I should like to ask the Senator from Utah if he is at liberty to say whether or not he knows who the man was who wrote the letter. I am not asking his name at this time, but I ask the Senator if he knows who wrote the letter.

Mr. RAWLINS. The correspondence will disclose all about it.

Mr. CLARK of Wyoming. I simply asked the question of the Senator.

Mr. RAWLINS. The correspondence will disclose, and if the Senator will pay attention to it he will find out.

Mr. CLARK of Wyoming. I am paying very close attention to it.

Mr. RAWLINS. I ask that the Secretary continue reading the correspondence.

The Secretary resumed and continued the reading, as follows:

PHILADELPHIA, PA., *January 2, 1901.*

Señor BUENCAMINO, *Manila, P. I.*

SIR: Found the opinion or address of the Hon. Benjamin Harrison, the distinguished and eminent ex-President of the United States, was published in full in a magazine (The North American Review), which I send you at once by mail.

It will explain itself and enable you to understand the decision of the Supreme Court when it reaches you.

Now, if the decision of the court is adverse to the view, construction, and application of the law, in the manner President McKinley's Administration has applied it to your country; if you have not already done so, would suggest you call your friends together at once, that are cooperating with you in the formation of a loyal party, for the purpose of setting up a Territorial government, as would be the right of loyal citizens of the United States, under the Constitution of the United States.

I would issue an address or proclamation calling on all your citizens to loyally cooperate with you for such purpose.

Stating in your address—

(*a*) The futility of any further opposition to the sovereignty of the United States.

(*b*) The granting of "absolute independence" as a national political issue was dead for the next four years, as the proposition was overwhelmingly defeated by the people at the late election by the reelection of President McKinley.

(*c*) There would be no change in the political complexion of the two great "parties" in Congress for two years, and very little prospect of any political changes then that would affect the status of the islands.

(*d*) They would find that "liberty" under the Constitution of the United was a greater and grander "independence," and that it would satisfy the highest aspirations of the Filipino people.

(e) Giving them greater freedom, with a liberal and representative form of government, than "absolute independence" under Señor Aguinaldo.

(f) They would have full control over their domestic affairs through a legislature elected by the people, the only restriction being they pass no laws not in conformity with the Constitution of the United States.

(g) That it would give them a greater "autonomy" than they ever hoped for or conceived of.

(h) That "liberty" under the sovereignty of the United States means "government of the people, by the people, for the people" for the preservation of "life, liberty, and the pursuit of happiness."

(i) The Declaration of Independence, done by and for the people in the name of Almighty God, guaranteed by "a bill of rights" resting on the Constitution, grants the same "liberty" to the Filipino people that has been the inspiration of hope and incentive of the progress in the cause of the highest civilization as is enjoyed in the land that is a refuge and asylum for the righteous and oppressed of the people of the earth.

The time, place, basis of representation, number of delegates to said convention you can best decide for yourselves better than you could be advised by one without any knowledge of the condition of your former system of government for your domestic affairs.

If convention is properly assembled, you can elect a "delegate" to represent you in the House of Representatives of the United States Congress for a Territorial form of government.

Now, I necessarily leave out many details of the meeting, as in all this I am anticipating the decision of the Supreme Court will be of such a character that you will be "as of right" entitled to Territorial form of government, as men on American territory.

Now, in whatever you do, under no circumstances oppose or permit to be set up any opposition to any of the acts of the Commission sent by President McKinley. As in whatever they do, of any acts you do not approve, you will have the right of appeal by judicial proceedings through Federal courts provided by the Constitution, the judges of which are appointed by the President, when you have been accorded a Territorial form of government, or which can most likely be changed by your own legislature, as most of the acts of the Commission will be of a civil character, though acting in a judicial capacity. In fact, work together with the Commission; let their actions and yours be in harmony, their acts supplementing yours, so your cause can be advanced in every way without prejudice or animosity.

I send you by mail bundle of leading New York and Philadelphia papers, showing the paucity of information regarding your islands, though two of your Manila papers have correspondents in the western part of this country.

In letter sent you a few days ago, Señor, I overlooked to refer to the cooperation of Señor Paterna. I hope and trust you also have the cooperation and support of Señor Salas, who made such a fine impression on the Commission when giving hearings on the "harbor bill," and whose speech I read with much pleasure.

As an illustration of the national life possible to the people of your islands at this the dawn of the twentieth century, I inclose the scholarly and brilliant address in full, delivered by Judge Grosscup, and eminent jurist, at the national conference held in Saratoga, N. Y., August 19, 1898, which I hope yourself and colleagues will carefully read and digest.

I also take pleasure in sending you, Señor, with compliments, a copy of our Constitution, Declaration of Independence, and original Articles of Confederation. [Afterwards sent 10 additional copies.]

And now permit me, Señor, to wish yourself and all your colleagues a most gracious and happy new year, to the end that peace and prosperity may soon be restored to your islands.

Renewing my assurances of highest esteem, I have the honor to remain, Señor,

Yours, sincerely.

JANUARY 10, 1901.

Señor BUENCAMINO, *Manila, P. I.*

SIR: Permit me to again tender my congratulations to you and your compatriots for your success in agitating and forming a loyal Federal party.

The establishing of a daily newspaper and three weeklies, published in Spanish and Tagalog, in provinces of Pampangas, is a very wise move, but it is also "good politics" to have the support of one of the American papers published in Manila. It would be very much to your interest to make arrangement with one of them, so you will command the support of the Americans and at the same time keep them informed of your aims and aspirations. They would also be copied and published by the newspapers in the United States, which would be of great value to you.

A New York paper publishes: "Señor Paterno and others are seeking to develop two factions in the Federal party." Say to Señor Paterno, it is to be deeply regretted and deplored that any schism or faction be developed at this time. Everything that tends toward factionalism should be kept out of your councils and party in order that you will be as one mind in the building up of a strong, loyal national party, without which very little can be accomplished.

A dispatch from Manila among other things states: "The general municipal elections take place in December."

This will not interfere with your right, under the authority of the Constitution, in agitating for a Territorial form of government, under which Señor Paterno and other Independence Radicals will find full scope for all their abilities. While it is not quite equal in authority to the Federation recently established by Australia, who knows but in the years to come there may not be a Philippine Federation. But, my dear Señor, these things have to grow; it is an outgrowth and visible sign of their advance in civilization, and is not made in a day.

It is not apparent at this time any Philippine legislation will be enacted by Congress at this session, as it is the short and closing session of the Fifty-sixth Congress. The new or Fifty-seventh Congress will be convened December 2, 1901, for President McKinley's new term. In the meantime the cases now before the Supreme Court will be disposed of and the way cleared by their decisions for action by the new Congress after they convene in December, unless called in "special session" after the inauguration March 4.

You will find inclosed a copy of the act of Congress making a Territory of Oklahoma, which was the last Territory created on American soil or territory. Hawaii differed in the fact it was annexed before it was made a Territory.

The Congress in making a Territory of Luzon or the Philippines will no doubt enact such regulations as will meet your conditions.

You will, therefore, see the necessity of having a strong loyal party, so you can send a "delegate" to Washington to represent you, as advised in previous communication, in agitating before the American people and Congress for that form of government, as the "representative" of a people giving allegiance to the sovereignty and Constitution of the United States in American territory.

Sent you by mail bundle of papers, and also inclose some clippings, which you will find of much interest. The papers are mostly supporters of the Republican party. The —— is "independent" in politics, prints the best news without fear or favor, and gives both sides, so that you can form more intelligent opinion of the public questions now before the people.

You will observe, Señor, in the agitation the country is undergoing by reason of cases before the Supreme Court, all citizens, irrespective of party, are actuated by the single desire that justice be meted out to the new territory and people that have come under the American flag, under the laws laid down by the Constitution.

Send you by mail ten copies of the Constitution of the United States and Declaration of Independence, which you will present to your compatriots with compliments. In honor of the birthday, February 22, of the patriot, statesman, and first President of the United States, Gen. George Washington, under whose Administration it was inaugurated, and also of the birthday, February 12, of the great commoner, patriot, and martyred President, Abraham Lincoln, who preserved it.

Renewing my assurance of highest esteem, Señor, I have the honor to remain,

Sincerely, yours.

Mr. ALLISON and Mr. PLATT of Connecticut. What is the name?

The SECRETARY. There is no name signed.

The PRESIDING OFFICER (Mr. SCOTT in the chair). The reading will be proceeded with.

The Secretary read as follows:

PHILADELPHIA, PA., *January 12, 1901.*

Señor BUENCAMINO.

SIR: Send you herewith part of the act of Congress (Chap. 162, Fifty-first Congress, sess. 1) approved May 2, 1890, making the Territory of Oklahoma.

As you will perceive, it is a "temporary government," preparatory to becoming a State when it shall have fulfilled the legal requirements.

This need not necessarily be implied in your case, and it will leave the way open for political negotiations with Señor Paterno and other Independence Radicals, so you can all work together in harmony.

There are no doubt some things in the act that will not suit or apply to conditions in the Philippines. My object in furnishing you with a copy is for the purpose of giving you a framework which you can use to frame a law that will meet your conditions.

I have not the slightest doubt it will meet with your approval and fulfill the aspirations of your people for many years.

It is the form of government established by precedent under the Constitution, to which you are in justice entitled, and which the Congress can grant.

It will give you a substantial basis for a national party, and, with the Declaration of Independence guaranteed by the Constitution, a "platform" for your party that will enable you to present a definite form of government to your people.

As stated before, do not oppose the Commission now in Manila, as the municipal governments they are creating will eventually come under the jurisdiction of your legislature when a Territorial form of government shall have been granted.

It will be to the interest of your people to send a "delegate" to the United States as early as possible, as advised in previous communications.

And now, Señor, I feel that I have done all that an humble citizen who loves his country can do, in pointing the way to you to those rights of citizenship which I believe to be the highest and best in the world, to a rightful participation in which under the flag of our country I have endeavored to aid you. I will continue sending the newspapers, and unless something of importance occurs will await replies before sending you any further communications.

I hope and pray that God will crown your efforts with success that the further shedding of blood may be stopped.

Renewing my assurance of highest esteem to yourself and compatriots, I have the honor to remain,

Sincerely, yours.

Mr. CULLOM. Is there any name signed to the communication just read?

The SECRETARY. It is blank.

Mr. PLATT of Connecticut. Mr. President, is this entirely a no-name series?

Mr. RAWLINS. I will give the name.

Mr. HOAR. I object to the Senator's interpolation.

Mr. PLATT of Connecticut. I addressed the Chair, and supposed I was recognized.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. PLATT of Connecticut. I wish to ask the Senator from Utah whether we are to have the name of this correspondent.

Mr. RAWLINS. Oh, I think so. You will have it, I think. If you will listen to the correspondence it will develop.

Mr. PLATT of Connecticut. I have listened to considerable correspondence, and I have been utterly unable to ascertain whether the letters were signed by anyone.

Mr. RAWLINS. In a plot like this it is always better to keep the reader or the hearer in expectation of what is to come. The Senate will get it.

Mr. CULLOM. May I make a modest inquiry, and that is whether what has been read was all written by one man?

Mr. RAWLINS. Yes.

Mr. HANSBROUGH. I have on my desk here a speech——

Mr. RAWLINS. Mr. President——

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. HANSBROUGH. I was about to make a suggestion to the Senator which I think he will approve and will accept, probably. I have here the speech——

Mr. RAWLINS. I decline to yield. I do not wish to occupy unnecessarily the time of the Senate. I insist that the Secretary proceed with the reading.

Mr. HANSBROUGH. Would not the Senator accept a proposition——

Mr. RAWLINS. No.

Mr. HOAR. I rise to a question of order.

Mr. RAWLINS. I insist that I have the floor.

Mr. HOAR. My point of order is that it is the duty of the Chair to obtain the consent of the Senator who has the floor before any other Senator is allowed to speak. That rule has been

violated three times within a short time. I think it is necessary to call the attention of the Chair to it.

Mr. HANSBROUGH. Does the Senator from Utah object——

Mr. RAWLINS. I decline to yield.

The PRESIDING OFFICER. The Chair understood that the Senator from North Dakota desired to ask the Senator from Utah a question, and the Chair supposes that the Senator from Utah declines to have the question propounded.

Mr. RAWLINS. I decline to yield.

Mr. HOAR. Let the reading proceed.

The PRESIDING OFFICER. The reading will be proceeded with.

Mr. RAWLINS. I send to the desk and ask to have read another letter.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

[Copy of translation.]

MANILA, P. I., *March, 1901.*

DEAR SIR: I have the honor of acknowledging your three letters of the 23d of December and two of last January.

I give you a thousand thanks for the high praises you bestow on the Federal party, and also for the good suggestions you make for the final success of the new policy in the Philippines.

The party has had the good fortune of being acknowledged by the Philippine people up to the present time, so that from the 23d of December last, a very short time, we can count more than 200 committees, and also it has deserved the confidence of the government established here and especially that of Mr. Taft, president of the Civil Commission.

Up to the present time our attention and efforts have been directed, in cooperation with the Government, in pacifying the insurrectos, and I can assure you that fortune has come to the party in this matter, so that they have obtained the surrender of the insurgent general, Señor Martin Delgado, who was operating in the island of Panay and province of Iloilo with his soldiers, and also those of Colonels Intong, of Cavite; Bueg, of Zambales; Angeles, of Hagonoy, and of Simeon Tecson, of San Miguel de Mayumo, with more than 600 guns and munitions of war.

Within two weeks we hope to obtain the submission of Generals Trias, Alejandrino, Lacuna, and other notable insurgents, and I even have hopes in bringing about the surrender of Don Emilio Aguinaldo.

The difficult and still humanitarian policy of General MacArthur and the very popular and friendly policy of the Taft Commission act entirely in harmony with the workings of the party, and so we are going on rapidly obtaining the above-mentioned good results.

After we have effected making peace if not in all at least in the greater part of the archipelago then we will occupy ourselves in forming a policy; but it is impossible to do anything at present until the provincial governments and municipalities are organized.

I wish to say that at present every political formula is not the free vote of the people, and as such it can not serve as a secure basis for a Democratic government or administration.

It is necessary to allow the free action of the Civil Commission of America, and to nourish it faithfully and actively as you advise.

And after the municipalities and governments are established and perform their duties regularly, then the citizens of the Philippine Islands will exercise their votes with entire liberty; nevertheless the importance of the great questions already submitted to the decision of the Supreme Court of the Republic, which you name to me, has not escaped my notice. These affect seriously the Philippine problem, but although I have formed a certain criterion on the above-mentioned questions, it has no other basis but my own personal knowledge, and so no formal expression of a collective opinion can be given.

In conclusion I wish to give you my most heartfelt thanks for your kindness in writing to me and sending me the newspapers, pamphlets, and books, and beg to remain,

Yours, very sincerely, FELIPE BUENCAMINO.

Mr. WELLINGTON. I ask the Senator from Utah, if I may interrupt him for a moment, to hear a proposition concerning this matter.

The PRESIDING OFFICER (Mr. PETTUS in the chair). Does the Senator from Utah yield to the Senator from Maryland?

Mr. RAWLINS. Yes; for a question.

Mr. WELLINGTON. I understand that the Senator who made the objection has withdrawn the same, and I ask the Senator from Utah whether he would not take his original proposition, to have these documents printed without further reading?

Mr. RAWLINS. If it is now in order and the Senate consents to the printing of the letters complete in the RECORD and as a document, I will waive their reading.

Mr. WELLINGTON. I understand the objection has been withdrawn.

Mr. RAWLINS. Then I will ask that, without reading, these additional letters be printed in the RECORD, and that all of the letters, together with the memorial of the Federal party, be printed as a document. If I get consent to that——

Mr. WELLINGTON. I think there will be no objection to it.

The PRESIDING OFFICER. The Senator from Utah asks for the publication of the letters in the RECORD, and their publication, together with the memorial of the Federal party, as a document. Is there objection to that request?

Mr. HANSBROUGH. I do not object; at least, not now. I desire to state, however, that I have on my desk a speech recently delivered by General Funston—a very entertaining document. It seems to me, in connection with the material which the Senator from Utah proposes to have inserted in the RECORD, this speech likewise should be inserted in the RECORD and should also be printed as a document. I ask unanimous consent that it be so printed, in connection with the material which the Senator from Utah has presented.

Mr. HOAR. Let one request for unanimous consent be put at a time.

Mr. RAWLINS. Is there consent to my request, or is there objection? I should like to know.

The PRESIDING OFFICER. Is there objeciion to the request of the Senator from Utah? The Chair hears no objection——

Mr. RAWLINS. Is it so ordered?

Mr. HANSBROUGH. Mr. President, the request——

The PRESIDING OFFICER. The Senator from North Dakota will suspend for a moment.

Mr. HANSBROUGH. I shall not interfere with the Senator from Utah——

Mr. RAWLINS. I desire to know whether the order has been made.

The PRESIDING OFFICER. The order has not been made. The Senator from North Dakota rose, as the Chair supposed, to make objection. The Chair paused to hear him.

Mr. HANSBROUGH. I am not going to object to the Senator's printing the material which he has presented. I simply wish to make a statement that, in view of some things which have been said to me, I withdraw my request for the insertion of Funston's speech and make no objection to the Senator from Utah having his material printed.

The PRESIDING OFFICER. Is there objection on the part of any other Senator? The Chair hears none, and the order is made.

The papers referred to are as follows:

MARCH 4, 1901.

Señor BUENCAMINO, *Manila, P. I.*

SIR: With the passage of the Spooner resolution, with the important amendment incorporated therein through the efforts of Senator HOAR, the Congress closes with that legislation for the "temporary government of the Philippines." It may be interesting to state when your cablegram signed by the directory of the Federal party was published in the newspapers I sent copies of the four communications I had written you to Senator HOAR. Copy of letter addressed to him accompanying them I herewith inclose. Amendment introduced shortly afterwards. How much influence they had upon the action he took concerning the Spooner resolution I am not informed, but as to the vital importance to you of his amendment the newspapers I have sent you will inform you better than I can in a short letter.

I hope and trust the communications, with books and papers, sent you have come to hand, and that you have brought them to the attention of your compatriots of the Federal party, as they are intended for the benefit and advantage of all loyal Filipinos who desire to share and participate in the rights and privileges of Federal citizenship under the sovereignty and Constitution of the United States, so far as my humble efforts can aid you.

I was in error as to your right to elect a "delegate" (should have used the word "representative") at present time, as Judge Taft, if you brought matter to his attention, no doubt informed you that Congress has to enact legislation before you can elect a "delegate" to Congress; but it does not prevent you from agitating for a "Territorial" form of government in accord with the copy of the act of Congress enacted, creating the Territory of Oklahoma, forwarded you, if that is your desire. A Territorial form of government will fulfill the aspirations and desires of Señor Melliza, a copy of whose testimony before the Philippine Commission presided over by President Schurman, at the session held in Manila May 14, 1899, I have before me.

In fact, if it was only fully understood, there is no reason why your friends serving in Señor Aguinaldo's cause should not join and cooperate with you, as they will gain more, as I stated in previous communication, than they can ever hope to achieve under the leadership of Señor Aguinaldo by "insurrection." Right here let me state, in reading the testimony concerning outbreak of insurrection through lack of definite information as to the intentions of the United States by the Administration, your people can understand the situation better when I inform you the President is what one of our leading papers described as an "inveterate opportunist." As a politician he is a "drifter" with the current of the least resistance. As a statesman (who dreamed McKinley would be assassinated?)—well, he is not an Abraham Lincoln, notwithstanding his "benevolent intentions." An eminent jurist in conversation once observed to me, "it was wonderful how much backbone President McKinley had when he was wrong, and how little when he was right," which practically comprehends the whole Porto Rican and Philippine situation. The Porto Rican legislation enacted by the Congress under his Administration is an illustration of that sage observation.

Now, Señor, if you desire Federal citizenship under the American flag, with all its duties, rights, and glorious privileges, you must work, agitate, bend all your energies in solidifying your party, gaining the cooperation and support of your people with that single object, and that alone in view; all others are secondary.

I would impress upon you the necessity of sending two of your ablest men—it is too much work for one man; one to act as secretary—to act as your representatives to Congress and before the American people in behalf of your desire for Territorial form of government, as you will have to make the strongest kind of a political fight in Congress to achieve your desires.

You should send these two men as early as possible, as the committee of Congress will no doubt, upon the rendering of the decisions of the Supreme Court—which have not yet been handed down—draw up plans for establishing a permanent form of government, in readiness to submit to Congress upon its assembling December 1. There is another point to keep in mind, with the retirement of the present Attorney-General, Mr. Griggs. If the decision of the Supreme Court is adverse to the Administration, as many eminent citizens believe it will be, it will be possible for a complete volte face on the part of the Administration, and it will be a great aid to you to have your representatives here in that contingency.

If a "carpetbag" government like Porto Rico received, with no rights as American citizens, is satisfactory to you, you will have to do—nothing, it will come.

The character of governments so far submitted, contemplated, or organized in your islands are simply colonial "carpetbag" governments, with no rights as American citizens.

The amendment to the Spooner resolution that was added through the efforts of Senator HOAR was made solely for the purpose of defeating the schemes of "franchise grabbers and trusts" from obtaining such a control

over your political affairs that would forever defeat your aspirations for a republican form of government. As these corporations are dependent upon legislation for their existence and favors, they will naturally be for that character of government they could most easily control, which will give an idea of the vital importanceof Senator HOAR'S amendment, the significance of which your chambers of commerce that protested against it did not comprehend.

I have forwarded the leading papers to you, as also to Señor Arellano and Dr. Tavera.

In conclusion, still advise no opposition to actions of Philippine Commission. If you desire Territorial form of government as an American Commonwealth, like was inaugurated to Hawaii under President Harrison's Administration, it is your right and privilege to agitate for such government, without prejudice to your relations with the Commission. Do not let Commission persuade you to defer agitation. If you have not already commenced, begin at once, so that your political organization be perfected and of sufficient strength to obtain compliance with your wishes and desires, under the decisions of the Supreme Court (which will reach you no doubt before this communication), when Congress takes up the matter for final disposition at its meeting in December, unless called in special session prior to that time. You will be greatly aided in your efforts by pamphlets that are issued monthly by the Philippine Information Society, Boston, giving extracts from official records of everything concerning the Philippines, from time of "insurgent movement of 1896" to present time, for the information and enlightening of the American people.

Do not forget the provisional government that is being organized and set up, by and with the authority of the President through the Spooner resolution, is only temporary, is subject to change by action of Congress, and is final only when Congress finally enacts legislation for a permanent form of government in your islands. The character of that government will depend on the strength and cohesion of the desires of your people.

I hope and pray the grace of God be with you, your president, Dr. Tavera, and all your colleagues, that success crown your efforts in behalf of an enlightened national life.

I have the honor to remain, Señor, sincerely, yours,

——— ———.

MERCHANTVILLE, N. J.

WASHINGTON, D. C., *Junio 5, 1901.*

Mr. WILLIAM C. DIX, *Philadelphia.*

MUY SR. MIO: Perdóneme si lo escribo en castellano. No escribo bien en inglis.

He recibido su carta de 1° de Junio, acompañada de un recorte de Public Ledger, y copias de dos cartas que no dirigió al Sr. Buencamino. Tambien he recibído su telegrama y carta de ayer 4; por su atención de no estoy muy agradecido.

Pero en contestación á todos sus avisos y consejos le he de decir que no si nada, oficial y autenticamente, de mi elección como Representante del Partido Federal en este país; he hido en los periódicos americanos tal noticia, ciertamente con sorpresa mia, pero hasta la fulia no he recibido ninguna comunicación del partido Federal de los Filipinas.

Por lo tanto, no tengo ninguna autoridad para hacer lo que no quiere que se haga.

Devuelvo de no el recorte que me ha enirado, segun la desea, y por último me ofrezco de no atento y seguro servidor q. s. m. 6.

JOSÉ C. ALREY.

[Registered letter No. 233, post-office, Philadelphia, Pa. Received April 1, 1901, of W. C. Dix. Merchantsville, N. J., a letter addressed to Señor Buencamino, Manila, P. I. Postmaster, per Sloan.]

PHILADELPHIA, PA., *April 1, 1901.*

Señor BUENCAMINO.

SIR: Since writing the 4th ultimo, it is with profound sorrow I inform you death has removed General and ex-President Harrison. You have no doubt been informed of particulars by cable in your newspaper. I have forwarded you the leading New York and Philadelphia (Republican and Democratic) papers, which will inform you of public opinion concerning him through their editorials.

These, in addition to the articles he wrote, published in the North American Review, which have been forwarded you (the March number of which is now on the ocean, directed to your president, Dr. Tavera) will give you an idea of the profound loss the peoples of Porto Rico and the Philippines as well as the United States have sustained by his demise at this time. In a letter dated January 10, 1901, which I received from him in acknowledgment of some information I furnished him, he concludes with the sentence:

"We are involved in infinite trouble when we attempt to adjust our relations to our new insular possessions upon any other basis than that they are a part of the domain of the United States and their civilized people citizens of the United States."

What a contrast to the attitude of the present Administration! This explains why and how Hawaii was made an American Commonwealth, while Porto Rico was made a "carpetbag" colonial satrapy, with a semblance of Territorial government without any rights as American citizens, the Administration claiming the right of Congress to make such departure from former precedents by virtue of the concluding paragraph in article 9, Spanish-American treaty, made at Paris December 10, 1898.

The sinister interpretation of the concluding paragraph of that article, by which the promises of General Miles to the Porto Ricans were betrayed, I am of the belief, though without knowledge, has been due more to the retiring gentleman from the President's Cabinet, the Hon. John W. Griggs, who was the President's legal adviser, than to any other member. This is a "trust" Administration. The retiring Attorney-General was formerly a corporation counsel and ex-governor of the State that has legalized the largest number of the most atrocious combinations that ever industrially enslaved a free people or swindled the investors out of their investment.

What more natural than that the laws for the new people which have come under the sovereignty of the United States should be by and for the benefit of "trusts" rather than the people. His retirement, as a logical sequence, is followed by the appointment of another corporation attorney, Mr. P. C. Knox, counsel for the billion-dollar steel trust recently organized. A constitutional lawyer as Attorney-General, like the late Benjamin Harrison, for instance, is not wanted, or the construction of that concluding sentence would not have been so disastrous to the rights of the new insular peoples in its departure from the precedents and practice of the last one hundred and fourteen years. In fact, it would not have been clothed in the language it was unless, indeed, it was so ordered by the President and his Cabinet, with a full knowledge of its effect and subsequent application. It looks very much as if Mr. Griggs was running away from the results of his labor before the United States Supreme Court as Attorney-General, as the sophistries that befuddle the brains of the lawmaking power of a State legislature or a Congress is a very different thing when brought under the cold, searching light and logic of constitutional law of and by the United States Supreme Court.

The capture of Señor Aguinaldo and the gradual suppression of all organized or armed resistance to the exercise of the sovereignty of the United States imposes additional duties and responsibilities on you.

In your relations to the Philippine Commission as a political party these developments bring you to "a parting of the ways."

Immediately upon receipt of this communication I beg of you to call on your president, Dr. Tavera. Request him to at once call your colleagues together, and have drawn up a calm, dignified protest, to be placed before Judge Taft and other members of the Commission upon the inauguration of "civil government" among you on July 1.

I would state—

(*a*) You have loyally assisted the Commission, etc. (as press dispatches announce you have done).

(*b*) You have taken the oath of allegiance to the sovereignty of the United States and faithfully obeyed the laws set up by the Commission, etc.

(*c*) As many other stipulations as events and circumstances will justify.

(*d*) Conclude with the words:

"You accept the temporary government provided by the passage of the Spooner resolution by the Congress authorizing the President of the United States to set up such government, which is being inaugurated by the Commission, reserving the right of appeal to the Congress of the United States for a permanent form of government, consistent with the rights, duties, and immunities, as citizens of the United States under the Constitution, by reason of giving obedience to its laws, acknowledgment of its sovereignty, and allegiance to the American flag and Constitution of the United States."

At this point permit me to suggest you protest against the adoption or use of any other flag than the American flag. It is very important to you, as it is the emblem of American liberty and citizenship. The proposition to give you a separate flag may be for the purpose of flattering your susceptibilities, but it is the badge of "carpetbag" government without American rights and citizenship. That was the reason why Porto Rico put out so few American flags and so many Spanish flags the Fourth of July following the "carpetbag" enactment "provisional act for Porto Rico," when they became acquainted with its character of "government" after it was inaugurated. Stick to the Stars and Stripes, Señor; it represents honor and justice, with the rights of American citizenship.

I have drawn a framework for your protest which you can fill in better than I with present information. Send me a copy and details of presentation. As Administration maintains such a strict censorship, very little news gets into our newspapers concerning your people or what you are doing except such as pass through their hands, as you will notice by the many papers I have sent you.

I strenuously advise you to take this action, for the reason and purpose that you be not placed in a false position before the people of the United States as accepting the form of government inaugurated by the President through the Commission, with its deprivation of rights as American citizens, to a participation in the rights and duties of an elective republican form of government in the fullest sense, as granted in a Territorial form of government—like was granted to Hawaii—so that you be not fooled with the makeshift that was fastened on Porto Rico.

In your future actions and relations politically with the Commission after inauguration of civil government, let it be on parallel lines rather than together. I caution and warn you to beware of the blandishments and offers of political office from the Administration, when they find you may work in opposition and do harm to their plans. This is the most adroit and subtle political Administration we have had for some time, and notwithstanding its words about "our duty" and its "benevolent intentions," everything bends to political expediency, as witness the Porto Rico tariff bill now in United States Supreme Court for judicial interpretation, and will work your undoing and jeopardize your prospects as future American citizens if you yield your convictions to them. You must use your judgment and keep your hands free.

If you once get them in the "lion's mouth" they will disarm you. In fact, from to-day's dispatches (in New York Times, March 31) indications are they will give Señor Aguinaldo and his following offices (when they take the oath of allegiance) if by so doing it will divide and nullify your efforts in behalf of an elective republican form of government. All the nice things that are being said to you about "rights," "citizenship," "Declaration of Independence," and "Constitution" was said to the Porto Ricans. They were betrayed, and so you will be, unless you effect a strong national party and see that they are carried out by the Congress. If you sup with this Administration, to paraphrase a famous statesman (the Hon. Joseph Chamberlain) upon another occasion, "you must use a long spoon." It is a game of cold-blooded politics, notwithstanding its "benevolent intentions."

Do not set up any opposition to civil government, but redouble your efforts (induce Señor Aguinaldo and his friends to join you) to have politics of your islands solidified for presentation of your claims to Congress in December. In this respect you must work separate from the Commission, and is your only salvation to your successful grant of an elective republican form of government for your islands. There are other matters vital and germane, but can not be taken up at this time until matters now before United States Supreme Court have reached decision. In fact, when decisions are handed down the whole matter may be very much simplified, as I firmly believe it will be, but you will be on safe side by following course outlined.

I send you herewith No. VII, first series published by Philippine Information Society, Boston, Mass. Would especially call your attention to the letter of Lieut. Gen. Sir Andrew Clarke, R. E., C. C. M. G., etc., page 50, to Mr. Forbes. Transmitted by him to Mr. Hay, and by him sent from the American embassy in London to Commissioner William R. Day. Also letter G. S. Clarke to Captain Mahan, U. S. N., page 60. The parallel which they find in the Philippines to Malay States is capable of very easy solution under Territorial form of government, by the extension of the jurisdiction of United States courts, as was done in the enactment Fifty-first Congress, chapter 182, session 1, of "An act to enlargo the jurisdiction of the United States court in the Indian Territory, and for other purposes."

You will observe this will enable those portions of your islands to continue their present forms, like the tribal relations of the American Indians—of those of your people who have not yet advanced in civilization sufficient to be granted the franchise or an elective form of government. You understand the Territorial form of government carries with it the jurisdiction of the United States court and can be extended over balance of your group by act of Congress with the divisions of the court stationed at such places as you may agree upon.

This need work no great changes in your civil laws except such as may be necessary to meet new conditions. In fact, some of the original forms in practice when Louisiana was purchased are in use to this day, and the laws of the original 13 States, some of which differ from the other, have been harmonized through the operation of the laws of the United States court, some of the States making new constitutions from time to time irrespective of laws prevailing in other States, except they must conform to laws enacted by Congress for United States court for their guidance and practice.

I withheld this part of the act for Indian Territory, for this very contingency, until the time was ripe to present this information and suggestions to you. It is part of the act creating Territory of Oklahoma, which I have already sent you (section 29 following section 28 of the other portion), and is one act, having been enacted at the same time.

All the suggestions contained herein will in no wise prejudice your standing in law or morals before the American people. It is simply preliminary to the great work of pressing your claims on the attention of Congress, which, at the next session, in December, will be overwhelmingly Republican, which will require singleness of purpose and solidarity of action on the part of all your people to accomplish your desires. As stated in previous communications, all other questions are secondary.

Your religious questions and all other matters will then properly come before your legislature, which will be elective, if you succeed.

What a field is here offered for the furtherance of enlightened, political, commercial, and social aspirations by all the people of your islands. In a participation under the sovereignty of that government which is holding aloft the "torch of liberty" in the march of progress and enlightenment to the oppressed of the world.

May the grace of God be with you, Señor, now the shedding of blood is practically over, in the attainment of your desires.

Renewing my assurance of highest esteem to yourself and all your colleagues, I have the honor to remain,

Sincerely, yours, ——— ———.

P. S.—I have directed Mr. L. K. Fuller, secretary Philippine Information Society, to send you the other pamphlets they have issued from Boston, Mass.

POST-OFFICE, PHILADELPHIA, PA.,
REGISTRY DIVISION,
November 5, 1901.

WM. C. DIX,
130 Maple Terrace, Merchantville, N. J.:

I have to inform you, in reply to your inquiry of July 19, 189-, that the registered letter addressed to Señor Buencamino, Manila, P. I., is reported by the ——— office to have been delivered upon written order of the addressee May 15, 1901.
(62119-F.)

Very respectfully,

THOMAS L. HICKS, *Postmaster.*
JOHN FIELD, *Postmaster.*
By D. S. ROGERS, *Registry Clerk.*

FEBRUARY 22, 1902.

In forwarding this letter took the precaution to register it. No receipt of delivery was received. On July 19 made complaint of nondelivery. On November 5, 1901, received notice as per inclosed from Post-Office Department.

It indicates letter was "held up" and delivered to my correspondent "upon the written order of the addressee May 15, 1901."

It is also in evidence the letter was opened by reason the fact no protest was laid and the further fact the "separate flag," which Administration was getting up, which was published with unctuous detail by the Press, Philadelphia, at the time—of which the late Postmaster-General, Charles Emory Smith, is editor—was dropped, though the Press has never breathed a word as to the reason why.

To the honor of the Filipinos be it said, they preferred the Stars and Stripes, and repudiated the carpetbag badge that was to "benevolently assimilate" them.

As no reply was received to this communication, have been in doubt as to whether the copy "of the extension of the United States court in Indian Territory" was delivered.

JUNE 5, 1901.

Señor FELIPE BUENCAMINO, *Manila, P. I.*

SIR: The United States Supreme Court has rendered its decisions on insular matters, but the case known as "the fourteen diamond rings," which vitally concerns you, has been laid over until next term.

I immediately mailed you the leading papers (9) of New York and Philadelphia giving report in full. Comment from me would be useless in view of the various interpretations the press of the country has made.

The decisions are so complex, conflicting, and unsatisfactory matter is far from settled. Standing out clear and plain above the uncertainties of whatever construction is placed on the decisions is the fact the Congress has sole authority over dispositon of the islands, as I informed you in previous letters. The President has none whatever, unless he is authorized by the Congress.

The President and his Cabinet have decided (June 4) that an extra session of Congress is unnecessary, and the subtle reasoning by which they arrive at this conclusion is well set forth in the dispatches of Maj. J. M. Carson (who is the Washington correspondent), of The Public Ledger, which is an "independent" journal, and The Press, which is an "Administration organ," whose former editor is the Postmaster-General in the President's Cabinet.

I would especially call your attention to the conflicting statements in the two papers in the information given out, which seems to be part of the policy of the Administration, in its no policy of drifting, drifting, yet more concerned about the effect of Dingley tariff on protected interest of trusts, etc., than on your status as citizens of the United States.

As an illustration of the hypocrisy and stultification of this Administration, it may not be amiss to inform you, though the late Benjamin Harrison, through his message to Congress February 15, 1893, instituted the measures that eventually created a Territory of the island of Hawaii, it was not finally enacted until the election of President McKinley, it having been laid over meantime by the election of the Democratic Administration under ex-President Grover Cleveland.

The treaty ceding the island of Hawaii to the United States was ratified in the autumn of 1897. The act annexing Hawaii was passed by the House June 15; by the Senate, July 7, 1898. The final act enacted creating Hawaii a Territory of the United States, with all the rights of Federal citizenship under certain stipulations, was passed in January, 1899, all of said acts (3) being signed and executed by President William McKinley in obedience to the laws of the Congress. Yet there are many Republicans still in Congress, who howled over ex-President Cleveland's course concerning Hawaii, who are upholding the Administration in its departure from former Congressional and constitutional practice concerning your islands. What hypocrites! They claimed they followed same "practice toward Porto Rico and the Philippines instituted by Harrison toward Hawaii." What imposture on the credulity of the American people! Their very acts which President McKinley signed convict them. Did they call the Hawaiians "Modocs and Apaches," like the New York Sun (Administration organ) did Filipinos? By no means.

I hope and pray you made protest, if civil government was instituted July 1, as advised in letter April 1. As the decisions of the Supreme Court concerning Porto Rico confirm statement in previous letters, Congress has the sole power of legislation for enacting the character of government for your islands, the President being merely an "executive" instead of a "president" clothed with "sovereign power," as many Administration supporters affected and claimed to believe, which the Supreme Court effectually and elaborately denied.

I would sincerely abjure you, that you manifest your capacity to maintain order, by cooperating in the institution of civil government, upholding and obeying the laws thereof, manifesting no displeasure over the change of front on the part of the Administration, as I formerly warned you was possible; but bend every energy to cement your inhabitants in one harmonious, loyal, law-abiding national political organization, keeping that shifty knowledge in mind, so you are thoroughly equipped for a presentation of your case to Congress that will command the support of the just and liberty loving of the American people. Nothing would please some of the Administration supporters better than to have an outbreak in your islands, to give them the chance to say, "I told you so. They are not fit for citizenship."

I am glad to see you are still endeavoring to induce those still in "insurrection" to surrender. It will be to your interest and conduce to your welfare, in the sympathy of the people of the United States, to make every effort to induce the last "insurrecto" to surrender, as it will render work in your behalf easier.

The next duty is to immediately call your compatriots together, have memorial to Congress drawn up, based on stipulations and reasons, as in letter April 1st. Notify every committee, give them a copy of the memorial, and have petitions attached. Have every intelligent, substantial citizen of your islands, irrespective of former opinions, place thereon his signature. You can divide into parties after you succeed in grant of government you desire.

You must attend to this at once, and have memorial and petitions in this country in the hands of your representatives at the earliest moment, not later than thirty days (or November 1), before the meeting of Congress, which takes place December 1.

In presenting scheme for Territorial government, you must agree on a definite plan as to what portion for Territorial and what portions "under jurisdiction of Supreme Court" and as to the boundaries of same, as you will observe in the acts of Oklahoma and Indian Territory.

I would draw plans so as to lay the foundation for a federation of your islands like Australia, at some time in the future, which I believe will eventually be your destiny. I am persuaded you will not desire statehood.

A Territorial form of government, which the Supreme Court in late decision declared Congress possesses the power to give you a form without regard to former precedents, and with all the rights and immunities as Federal citizens, will give you a national life under the inspiration of the Stars and Stripes, that will make your islands the gems of the Pacific in the arts, sciences, and industry, in the advancement and enlightenment of your people.

A gentleman who sent me a Manila journal has not received any for two months, so that I am in ignorance of what has been transpiring in your islands, aside from what has been published in our papers. I would appreciate it very much if you would send me the best American paper published in Manila, with the back numbers from July 1, if you can procure them.

In letter, April 26, concerning Chinese, omitted to say the act of Congress concerning exclusion law applies to your islands, which I think General Otis enforced on assumption of authority through the President as commander in chief over your islands, which, if I am not mistaken, has since been maintained.

At the time this letter will reach you the Fourth of July, celebrating the one hundred and twenty-sixth anniversary of American independence, will have come and gone. I hope before another "Fourth" comes around you will have received a constitutional government, in accordance with your desires.

Who ever dreamed, Señor, that when the bell with the inspiring inscription around the outside near the top—

"Proclaim liberty throughout all the land unto all the inhabitants thereof. Lev. XXV, V-X"—

rang out on that eventful "Fourth" in 1776, with its momentous message of liberty, its sound would reverberate in the Philippines?

May God in His infinite wisdom guide and sustain you, that you succeed in attaining the character of government you desire, under the beneficent inspiration of the same bell, to a participation in the same celebration of glorious liberty on each recurring Fourth of July. At some celebration of that anniversary I hope a statue will be erected in commemoration of your patriot, Jose Rizal, on the Lunetta at the spot where he gave up his life in the cause of liberty for his people.

I send you herewith pamphlet which I procured from the superintendent in Independence Hall, which contains a picture of the bell on the second page, precious to every American; also views of the hall, Carpenter's Hall, where first Continental Congress met, and other places of interest in Philadelphia. I also inclose some photographs of bell, of Independence Hall when Declaration of Independence was signed, prayer at meeting first Congress, which I procured from woman superintendent at Carpenter's Hall. Would have sent these before, but held them to learn if there would be an extra session of Congress.

And now, Señor, my efforts in your behalf are nearly done. It will not be necessary to give much additional advice; matter now rests entirely with you and your people.

I have the honor to remain, Señor, sincerely, yours,

——— ———.

(Philadelphia, Pa. Address, 130 Maple Terrace, Merchantville, N. J.)

JUNE 17, 1901.

Señor FELIPE BUENCAMINO, *Manila, P. I.*

SIR: The report of the decisions of the United States Supreme Court as given in the various journals sent you no doubt perplex your people quite as much as the people of this country. I inclose you a clear, dispassionate review of the "Meaning of the Decisions in the Insular Cases," by Mr. Edward B. Whitney, New York City, published in the magazine supplement of the New York Times. It is the clearest exposition of those decisions that has been published. The Administration claimed a victory for its contentions before the Supreme Court, yet a careful perusal will disclose the fact, as stated in some of the journals sent you, the court went beyond what the Administration desired or anticipated.

The result being the Congress will review entire matter in its legislation, particularly for the Philippines, which will eventually come before the people for approval at their elections in the future for members of Congress and national election for President in 1904. The relations between the United States and the new insular peoples is therefore foreshadowed to become one of the national issues between our two great political parties.

I also inclose clipping concerning Chinese-exclusion act, which expires in 1902. This matter will also come up for discussion and disposal at coming session of Congress. It will answer inquiry in your esteemed favor of March 9, of the relation and bearing concerning the Chinese in your islands. Would urge speedy consideration of matter, so that whatever relations you desire established between the Chinese and your people should be presented to Congress early, through representative you may send, for consideration at their hands.

I would again call your attention to the small amount of news concerning your people, as to their doings and aspirations, in our journals. Sent you a copy of the June Forum, giving an account of "The Manila Censorship," by Mr. Harold Martin, which will explain matter. You will see why the Army is taking and given credit for the surrender of those who were in "insurrection" and the pacification of your islands. No reference in dispatches

is made to your cooperation; on the contrary, the Administration and returning Army officers lead the people to think and believe it is necessary to keep a large force in your islands for the preservation of life, law, and order. The most notable exception in his fairness toward your people is the article by Gen. F. D. Grant in the periodical, Leslie's Weekly, which I have mailed you. If not too much trouble, I beg of you have full account and recital made of all the surrenders your party has participated in and accomplished. Send it to me by mail at your earliest convenience.

The Administration is withholding information of its purpose concerning establishing of civil government in your islands. Their "organs" stated it would be promulgated July 1, but so much doubt has been disseminated there is no certainty. In the policy of drift they are expert and accomplished "dissemblers." Impossible to learn from them what the Administration proposes or purposes doing, notwithstanding they claimed decisions of Supreme Court were in their favor.

With the changes in the superseding of officials by Administration in your islands (notice General MacArthur returns July 1) and consequent doubt you may be in as to relations and policy, never lose sight of the fact your main reliance is in Congress, no matter who comes or goes. The President (as an executive) has no authority whatever beyond what the "Spooner bill" gives him, in his authority over you in your civil relations, until Congress enacts the permanent legislation for your islands.

You thereby see the importance of having drawn up the memorial to Congress, as advised in letter June 5. You should give matter immediate attention, as it will consume much time in procuring the signatures of your citizens to the petition that should accompany memorial, so it will be in this country in time for presentation to Congress when it assembles December 1.

In drawing plan for Territorial form of government, would suggest, in addition to governor and other officials, you make provision for a lieutenant-governor, who shall be a native. Whether your deliberative body shall be a "council" or an elective legislature, you can make provision for the lieutenant-governor presiding over the body you decide on, the same as in our "State" government.

It will give you a direct participation and share in the responsibilities of the government Congress enacts, and under a Territorial form of government will serve as a basis in instructing your people in the duties of an enlightened self-government toward your freedom eventually as a federation like Australia, under the sovereignty and Constitution of the United States, when your people shall have made sufficient advance in civilization to bear and assume the responsibilities and duties of such a government.

I hope I may be spared to witness independence of this character granted to your people, in the providence of God, in the fullness of time, in the setting up of the nation or federation of the Philippines, under the inspiration of the Stars and Stripes. A Fourth of July celebration will then be a celebration of the Declaration of Independence to the Filipinos as well as to the Americans in fact as in name.

Is not this the quality of independence, Señor, to be desired, that will eventually make you a nation even greater than Cuba can ever be and be the gateway of the ideal of American liberty as well as commerce to the nations of the East?

Russia, Japan, and the Philippines, under the inspiration of the American flag and the United States, are the factors that are destined to rule the Pacific and the Eastern markets in the years to come, rather than England, Germany, or France. I can not believe there will be a war between Japan and Russia, though the Tory Government of England fans the fires of discord between them to keep English chestnuts from falling into a Chinese or India fire.

As the historical and consistent friend of America, my sympathies are with Russia and Japan. The day is not far distant when Russia will have a constitutional government by a parliament. And with the awakening to western methods that is destined to take place in China through the influence of Japan, the Philippines will occupy a proud place as a Christian people in the nations of the Pacific, that would seem to usher in the day when it may be possible to exclaim:

"Glory to God in the highest! On earth peace and good will toward men!"

My congratulations to your compatriots, Gen. Mariano Trias for his appointment as governor of Cavite, to Señor Ambrosio Flores as governor of Rizal; also to Señors Arellano, Torres, and Mapa as supreme court justices. Say to Trias and Flores to still continue their affiliation with and support of the Federal party, as I assume they are members, or the administration will cause a schism in your party to defeat your aspirations, as I have warned you.

I would particulary call your attention to the editorial inclosed, by Col. Henry Watterson, of the Louisville (Ky.) Courier-Journal. Though the Colonel has been a life-long Democrat (a brilliant member of his party), he expresses my sentiments precisely, although I am affiliated with the Republican party.

I await your replies to my communications, to which a prompt response would be appreciated. I beg to remain, Señor,

Yours, sincerely,

——— ———.

MERCHANTVILLE, N. J.

JUNE 22, 1901.

Señor FELIPE BUENCAMINO, *Manila, P. I.*

DEAR SIR: In the journals and periodicals, daily and weekly, illustrated, sent you recently, are a number of articles to which I would call yourself and compatriots' attention.

The article concerning commerce of Japan in Collier's June 8, by the Japanese representative to the United States; also opinion of Senator BACON, Georgia, United States Supreme Court decisions. The departure of Mr. Paul B. du Chaillu, explorer, writer, and student, for Russia, as set forth on page 2, New York Tribune June 21; address by Wu Ting-Fang, the Chinese minister, to the New York State Bankers' Association at session held in Buffalo, N. Y., June 21, published in full in New York Tribune June 22; and the article on Japan, "A movement to change writing and printing," on page 459, Saturday review of books and art, supplement to the New York Times, June 22, by Mr. Stanhope Sams.

The two items to which I would call your particular attention, is the mission of Mr. Chaillu to Russia and the paper by Mr. Stanhope Sams.

Peering into the future, Señor, in an endeavor to lift the veil of the influence these two events are destined to exert not only on these two nations but indirectly on China, the mind quails in the contemplation. It has been about a year since I wrote to M. de Wollant, the accomplished secretary of the Russian embassy at Washington, advocating and urging upon the officials of his country the very object and purpose of the mission Mr. Chaillu is now en route to Russia to accomplish. The sinister traducing of the so-called "Russian barbarian" is about at an end, and yet it is grievous to learn a citizen, and of royal descent, should be banished to Siberia for presuming to offer a petition for the introduction of constitutional government as the dispatches report June 22, from St. Petersburg, was visited upon Prince Bobrynski.

Constitutional government will come eventually, as it did in Japan, by the sheer force of the logic of events. It is impossible to stifle the aspirations of a nation forever, as the Russian nobles and ruling classes will learn. The American friends of Russia will without doubt hope the petition of his wife to the Czar for mitigation of sentence will be successful.

Of the tremendous departure, in the possible introduction of English as the language of Japan, it would seem too much to hope such a radical change can be brought about, except by very gradual processes that will cover quite a long period of time before it can be said to be universal.

As I wrote you June 17th, Russia and Japan, these two are the coming nations of the future, and side by side with the United States it is a very wise prophet who can foretell the events and possibilities of the future. It is to me one of the inscrutable ways of Providence—the way they are destined and are working together.

In the direct influence the psychology of these events will have on the Philippines the first that will be manifest will be the material.

With the introduction of the American school system your advancement will be rapid, and will require but a few years to see a development so far in advance of three centuries of Spanish misrule you will understand the significance of the remark by the British prime minister, Lord Salisbury, during Spanish war, concerning "dying nations," to which the rulers of Spain took umbrage.

The second result is spiritual. Your advancement will not only be rapid, as stated, but in the uplifting and enlightening of the spiritual forces of your people, it will keep pace with your material development. The ploughshare and the Bible have ever moved together under a free government.

In five years instead of these nations "having no relations with the Philippines," as you feared might be possible, you will be amazed why and how the Spaniards in all those years maintained such a small horizon for the Filipinos regarding the relations, intellectual and material, of the other peoples of the earth. The answer is ready to hand—mediæval oppression and cruelty.

When Dato Rajah Mujdi Mandi Mindoro recently issued his proclamation abolishing slavery, who in this country ever credited so enlightened and quick result of American methods?

It simply proves the universality of the instinct of justice, without which no people or nation can ever hope to spiritual enlightenment or material advancement.

Another result of the course of events in your islands will be the practical reform of the Roman Church. In the moral welfare of your people it must be considered.

The nefarious practices carried on in your islands in its name will be impossible in the future under American government. And yet, though an Episcopalian of the fifth generation in this country, I believe the Church of Rome is to be honored for the part it has taken in the advancement of the human race. Prof. Francis Lieber, an eminent scholar and author of civil law, in a volume written by him published in 1834, credits the Church of Rome with instituting "the theory of the sovereignty of the people," in 1852.

I hope Cardinal Gibbons when in Rome was able to effect an arrangement whereby the Philippines were transferred to the American See, that some of the American clergy may be sent to your islands. Many of them are noble fellows, and a very different code of honor concerning church relations would be very quickly made apparent to your people from that practiced by the Spanish Jesuits. The pace of civilization in the course of human events is now so rapid—the germs of the morrow so quickly turn to the ashes of yesterday—under American spiritual guidance the atrocities formerly prevalent in your islands will soon be relegated to past history.

In the dawn of the twentieth century, Señor, notwithstanding the strife between the various sects, is not the God of Isaac and of Abraham, of the Greek Church of Russia, of the Church of Rome, and of the various Protestant faiths the same God? If standing under a mineret at sunrise or vespers we hear the muezzin's call to the faithful, "Allah il Allah," may we not join in, "There is no God but God," without doing violence to our consciences? Aye, even the God of Buddha or of Brahma is the same God, though the symbols by which they worship Him are not our symbols. In Christ's Sermon on the Mount you will find the philosophy is consistent with the teaching of Confucius and Mencius, though men may differ as to plane and ideals.

JUNE 27, 1901.

Since writing the foregoing notice in the press dispatches from St. Petersburg (June 26), the Czar has decreed a free press. This is a very significant illustration of an advancing Russia, notwithstanding the Sir Claude MacDonalds (British ex-minister to China) and other pessimists of Russian civilization. The dispatch from St. Petersburg to the Lokal Anzeiger, Berlin, "that M. de Giers, the Russian minister to China, will shortly be recalled from China" because of "inaptitude," and the appointment as his successor "of Mr. Paul Lassar, who is an anglophile," if true, is enough to make the "Russian Bear" laugh in his sleeve. The "Russian Bear" is more than a match for "Johnny Bull;" the London Standard recently shrieking, "The Russians have won everything" in China! The disclosures by the British Navy League concerning conditions of the British fleet and the failure of the British army in Africa, reminds me of the wonderful insight and clear-headed wisdom and knowledge Prince Bismarck displayed when he stated, "Salisbury was a lath painted to look like iron."

In the proclamation recently issued by the Secretary of War, Mr. Root, unlike Porto Rico, you are to be honored with a double-headed "carpetbag" government. In the irony of things this is quite consistent with the characteristics of a double-faced Administration, one toward the "trusts" and the other toward the people. Should you notice these distinctions, Judge Taft is expected by his "tact" and "diplomacy" to smooth it over with your people, laying it to the embarrassment created by the Supreme Court decisions, in Administration not being able to carry out its promises. Whereas the truth is the Administration found it necessary to invent the subtle course of action it is pursuing to avert the necessity for an extra session of Congress.

The political campaign for this fall has just been opened in the President's State, Ohio.

This year is known as the "off year" in politics and must not in any wise be considered as indicative of opinion on national issues by your people.

It is the year when both parties "reform" their municipal politics. In Ohio the most prominent issue is "saloon and antisaloon," though Senators HANNA and FORAKER want the issue understood to be "support of the Administration." The significance of the adroitness of this move is understood, in the fact as the President's majority in last election was 49,398 over Bryan, the Administration will claim a victory even if the majority for Mr. Nash, Republican candidate for governor, is cut in half, notwithstanding Ohio is usually counted among the sure "Republican" States. A "Democratic" United States Senator is very rarely elected to represent the State of Ohio. Do not be deceived when the Administration sets up a great shout over elections in the fall, "the Administration has been sustained in Ohio," which will be expressly for Filipino consumption.

The real test of the opinion of the people in this country on national issues will not take place until the autumn of next year, when members of the House of Representatives are elected. That is the true gauge of the opinion and wishes of the American people in national legislation approved or desired. Therefore, I repeat, do not let Administration fool you, but hasten work on petition and memorial, that they be in this country in good time at assembly of Congress.

I congratulate your party on the success you have achieved in the surrender of those in arms against American authority, especially of General Cailles. I hope and pray strife and blood shedding will soon be proclaimed to be at an end. I beg to remain,

Sincerely, yours,

—— ——.

MERCHANTVILLE, N. J.

MANILA, P. I., *June 20, 1901.*

To Mr. —— ——.

SIR: I have the honor to acknowledge receipt of your favor of the 26th of April last.

In reply I beg to make up a résumé of the facts before giving forth my own considerations.

PACIFICATION.

The Federal party, faithfully and actively cooperating in the work of pacification, has succeeded in bringing about the presentation and submission to the sovereignty of the United States Gens. Mariano Trias and Emliano Riego de Dios, who were operating in Cavite; Tomas Mascardo, who was operating in the provinces of Zambales y Bataan; Torres, Alejandrino, Lacuna, Tecson, Tinio, Aglipay (the latter is a Philippine clergyman, who became revolutionary led by his hate to the friars, but not against the Americans), Salvador y Villamor, who were operating in the provinces of Bulacan, Nueva Ecija, Ampanga, Pangasinan, Union, Ilocos Sur, Abra, and Ilocos Norte, with about 4,000 muskets and a large quantity of ammunition.

In the island of Leyte the party has secured the submission of General Mojica, and in the very important island of Panay the submission of Gens. Martin Delgado, Vicente Tullon, Quintin Banderas, and several other chiefs, with about 1,000 guns, and also a large quantity of ammunition.

Without them, without exaggeration, nearly 30,000 persons who lived hidden on the mountains and in the woods have come into a lawful life.

We expect the surrender to-morrow of the famous General Cailles, in the province of Laguna. [Surrendered June 24.]

There only remain, therefore, as irreconcilable General Malvar, in the province of Batangas, with about 1,000 guns (muskets or rifles); General Velarmino, in the province of Albay, with about 300 guns; General Lucban, in the island of Samar, with about 500 guns, and General Maxilum, in the island of Cebu, with few guns, as the American Army has succeeded in capturing General Diocno, in the province of Capiz, and the chief of the revolution, Don Emilio Aguinaldo, in Palan, province of Baler.

The revolution is therefore morally and materially dead, as besides being disarmed it now lacks the organic principle which was represented by Don Emilio Aguinaldo.

THE CIVIL COMMISSION PRESIDED OVER BY MR. TAFT.

This Commission has so far organized about 500 municipalities and about 28 provincial governments, there being little more wanted to have all the towns and provinces of the archipelago enjoying self-government, this being the form of local and provincial government adopted by the Commission in the provincial and municipal codes it has created.

The Commission is engaged in reorganizing the courts of justice, the public officeholders in the civil service, and the public schools in order that the functions of the general administration may be more efficaciously beneficial.

Mr. Taft and his four associates are men of extraordinary energy, as it may be assured, without exaggerating, that from the 1st of September to date they have not let pass one day, one hour, or one minute without being at work.

The party faithfully and actively assists them, accepting their work of reconstruction as beneficial, but by no means definitive.

THE PHILIPPINE PEOPLE.

The people enjoy at present the free exercise of their individual rights excepting that of carrying forbidden weapons. Agriculture, industry, and commerce are recovering life, and the people show a great application to learning at the thousands of schools which the active Superintendent Atkinson has established in all the pacified towns, and especially the English language.

The Philippine people, collectively considered, have a high conception of what is good and evil, of civilization and savagery; therefore the Filipinos are not the despicable beings depicted by General Young in a speech I have read among the newspapers you have sent me, but a moral man who being ill at ease with the vicious lessons received from the Spanish Government, is endeavoring to mend and improve by means of the wise teaching of the United States Government.

The newspapers published this morning a telegram from President McKinley ordering the implantation of a civil government and appointing Mr. Taft civil governor of the Philippine Islands.

POLITICAL CONSIDERATIONS

The Philippine people receive with joy the change of authorities, because the military power is not consistent with self-government and the free exercise of individual rights.

We hope that the civil governor, Mr. Taft, after having organized the municipalities, provinces, judicial district, supreme court, and everything connected with the judicial power, the public schools, public order, and what refers to revenue and taxation, to have a starting point for the future politics of the country; we hope, we will repeat, that he will give his attention to the organization of the general control of the country, unless he confines himself to waiting for the Congress to resolve what the definitive form of government for the Philippines shall be.

Such is the general anxiety at the present time.

The people are suffering from a great paralysis of their activities. It seems that they exhaust all their strength in making war and afterwards in making peace; they desire a rest.

Now their actual occupation is to work in order to earn money wherewith to recuperate their lost strength. Therefore, agriculture, industry, and commerce are recovering life and animation.

Politics seems to even horrify them, and it appears that, Mussulman-like, they expect from Congress either the kindness or the rigor of destiny as regards their future fate.

Such is the situation of the Philippine people—a very dangerous situation, because its present inertness might be interpreted as a consent to a colonial policy, in which case new insurrections are to be feared, because the people hold in horror the colonial system. I have said this very plainly to the American authorities in order to be irresponsible for the calamities with which such an uncertain future as that of a colony is pregnant.

In this critical situation I turn my eyes to the America of 1787, to the legitimate heirs of those who drew up the famous Declaration of Independence, the source of your present happiness and welfare.

I turn my eyes and address my prayers to the Hon. Senator HOAR and his adherents to continue defending our legitimate desire to enjoy the rights and priviliges of American citizenship, the ideal we have bought with the sacrifice of thousands of lives, with our blood, fighting honorably with a courage and heroism that make us worthy of being your fellow-citizens and not your subjects.

I turn my eyes and address an equal prayer to you, with the assurance that you shall soon have in your country a legal representation of millions of my countrymen, who share with me the noble and high aspiration of being American citizens, and who are entitled to a Territorial and not a colonial form of government.

This aspiration not only has for object the enjoyment of those highly democratic rights, but is a forecast that the attainment of such an ideal suppresses any element of secession, and therefore any motives for new revolutions, which are always the accompaniment of the colonies. It is evident that a population of ten millions of inhabitants peacefully assimilated by the United States with ninety (?) millions of rich, industrious, active, and intelligent inhabitants can not fail to progress morally and materially and to attain in ten to twenty years the necessary qualification to be considered as a State of the Union.

In conclusion, sir, I pray you to convey this letter to Senator HOAR, whom we admire and bless without a personal acquaintance, because he has turned to be a true interpreter of our inmost sentiments or of those who entertain our supreme ideal, which is our annexation to the United States.

I thank and bless you a thousand times for your good and honorable intentions, and pray God to preserve your life and mine for a great many years, in order that at some time not far off we may meet on your sacred land of justice and blessed by liberty.

B. S. M., FELIPE BUENCAMINO.

MANILA, P. I., *December 13, 1901.*

DEAR SIR: I have the honor to send you several copies of the message adopted by the great assembly of the Federal party for the purpose of sending to the Congress of the United States.

To this assembly came representatives from all the provincial committees, which in their turn represented the votes of the local committees. Therefore the message can be considered as coming from the majority of the Federal party, which is also the majority of the Philippines.

The message is divided into two parts: First, a petition for annexation and for a form of Territorial government; second, suggestions and recommendations for various evils which afflict the country, some of them old ones and others which are the immediate consequences of the war.

Mr. Paterno was present at the assembly, but upon being asked whether he accepted the platform as a whole said he did not accept the annexation feature. For this reason he considered he could not very well be a member of the party and also, of course, of the assembly.

By reason of having been president of the last Filipino government, Paterno has certain popularity which he abuses in a great measure, thanks to the same liberty which we enjoy under the American Government.

The assembly was very peaceably conducted, except on the one question of the friars, which raised quite a heated argument between two members of the party, Don Miguel Velasco and Dr. Salvador Vivencio del Rosario, both of whom having been won over by the friars in the short space of eight months of peace which we have had in this city.

The friars, my dear sir, have at their disposal here 36 religious centers, including churches and chapels, where they have 200 confessionals and 36 pulpits, which are constantly visited by deputies, both male and female.

They are also owners of 14 convents which are enormous buildings occupied by some 400 Spanish friars, including Jesuits, Benedictines, Dominicans, Augustines, Franciscans, Recolets, Paulines, and Capuchins, of both sexes, and they support a great number of shoemakers, sculptors, silversmiths, embroiderers, and other tradespeople.

The friars are bankers, shipowners, merchants, and proprietors of three-fourths of the buildings of the city.

The friars administer the funds of the so-called pious works, which amount to some $18,000,000 Mexican, and the funds so called of the miter, which amount to some $6,000,000 Mexican.

The friars manage 8 schools founded by private parties with large endowments, and, lastly, they maintain, for the direction, administration, and representation of so many interests, 10 American lawyers and 20 Spanish lawyers, some of whom have recently brought out from Spain 5 Spanish and 2 English newspapers, from which are excluded the very important questions of the ownership of wealthy haciendas and administration of wealthy parishes, and I repeat they are very important questions, because they affect the public order. A friar can hardly appear at any town or place, in order to take possession of any hacienda or parish, before the inhabitants raise a riot and stone him out of the place, as a result of which the American authorities have had to intervene in the town of Calasiao, province of Pangasinan, and in the town of Irion, in the province of Balanga, as you will see in the adjoined circular of General MacArthur, commandant and military governor of the islands.

Such being the facts it will not appear strange that the friars should have been able to win over to their cause two Filipinos, and thus introduce their black hand into the Federal party, but the energy of the assembly and the discipline of the party have imposed silence upon Messrs Velafsco and Rosario, who resigned their respective charges and were immediately replaced by two better persons, who are Messrs. Arsenio Cruz Herreia and Felipe Calderon, the first a prominent lawyer and at present president of the municipality of the city, and the second also a prominent lawyer and chief examiner of lawyers in the supreme court.

Such is this difficult question of the friars, which must be remedied without delay, as it is an active element of disorder.

I hope that you and Mr. HOAR will not abandon us on this occasion, the most critical for a country which is forming itself and desires strongly and sincerely to enter into the North American community.

The political events in this island can reduce themselves to the following terms: Civil personality we have, municipal personality we have, provincial personality we have, but we do not have political personality (citizenship), and for that reason we ask it of the Congress of the United States, to whom is reserved the power to grant it, according to article 9 of the treaty of Paris.

The Taft Commission has worked miracles in establishing the two codes, provincial and municipal, and the more necessary organisms of a civil government, whose law is solely the will of the President of the United States.

It is true that up to the present this will has manifested itself with justice, liberty, and humanity, but it is also true that the Filipino people are justified in not having confidence in personal powers, owing to the sad experience of the past.

The war which is still going on in Batangas and Samar is explained by the fact that Batangas is the heart of the insurrection against American sovereignty, and the people of Samar follow the leadership of those in Batangas.

When you consider Messrs. Mabini, Agoncillo, Dr. Apacible, Illustre, and Sixto Lopez are all natives of Batangas and are upholders of the policy of no concession, you can easily understand why the province of Batangas can be truly called the heart of the war against America.

In my judgment the insurrectos and irreconcilables of Batangas will only cease their foolish endeavors when the Congress has defined the future of the Philippines—it would be better to say, or rather after all the Democrats have ceased to talk of granting immediate independence to the Philippines.

This is so true when you hear that Mabini constantly states "that he will not suffer from his punishment of having been deported to Guam until he sees alongside of him and also deported Mr. Bryan, the chief of the Democrats."

But in spite of the popularity of Mabini and his irreconcilable companions, the truth is that the best and the greater part of the Filipinos are Federals and desire at present annexation as a Territory and later on as a State.

I say this emphatically in order to show that this resolution is due to careful reflection and after due consideration of the past, present, and future of the Philippines, as much as it is possible for the Filipino intelligence to reach, led on by its love for the fatherland and by the sorrowful lessons of vivid reality.

It is certain that the United States is at peace with all the most powerful powers of the East and the West, but it is also certain that the policy of fraternity, equality, and liberty of the United States to-day in the Philippines is very much opposed to that which said powers practice at present in their respective colonies in this section of the extreme East.

Conflict is already noticeable in mercantile affairs, and it will not be long before it will be noticeable also in political affairs, unless the American sovereignty is consolidated on the basis of territorial annexation, which would take away from the foreigners their hopes of new insurrections, at present occasioned by Article IX of the treaty of Paris.

A careful observer, who is also a Filipino, can see these conditions clearly. Perhaps also among the Americans, Mr. Taft and his noble companions can see it also. I speak thus because the majority of the Americans who reside here are allied with foreigners in industrial or mercantile affairs.

It is therefore urgent that Congress should define the future of the Philippines in order that the future should be clearly perceived, and this clear perception would be the best stimulus for the settlement in these islands of good Americans, thus consolidating and guaranteeing American supremacy.

On the question of the friars, I have the honor of submitting to you and other studious Americans the following antecedents:

The friars or religious orders are not dogmatic institutions of the Catholic Apostolic Roman Church, because they do not form an essential part of the ecclesiastical government of the same, as, for instance, the priests, vicars, prelates, bishops, archbishops, cardinals, and Pope do.

These orders can be reformed, and the history of the Church shows us that they have very often been suppressed when they were contrary to the interests of the Church itself.

It is undeniable that the friars deserve the merit for bringing the Philippines into the bosom of Christianity, and for this reason they obtain as a recompense from the Spanish Government, which is one and the same with the Catholic Church, the great benefits which they possess to-day in the Philippines.

But we must consider the civil character and nature of these associations. In the second chapter of the first book and the second paragraph of the Spanish code is defined the difference between associations for the public good and those for private interest.

Both are considered as judicial persons. They can acquire and possess property of all kinds, as well as contract obligations, and also exercise civil and criminal actions in conformity with the law and its statutes, as per article 38 of the said Spanish code in force to-day.

However, the Spanish law makes a difference in the dissolution of such associations, as is treated in article 36.

Those for private interest shall act according to the conditions of their contract of association, as in fourth book of said Spanish code, article 1665 and the following ones.

Those for public interest will act according to article 39, which is herewith copied:

"ART. 39. If owing to the expiration of the time during which they legally enjoyed their powers, or owing to their having obtained the end for which they were constituted, or if it be no longer possible to apply to this end the powers and the means at the disposal of said corporations, associations, and foundations, their property will be disposed of according to the manner prescribed by the laws states of final clauses. If nothing has been previously established to the contrary, these properties or wealth will be applied to those ends for which they were constituted, and in the same region, province, or municipality from which these extinguished institutions derived their incomes."

I underline the words "extinguished institutions" because they are the key to the solution of this so-called friar question.

The whole question consists in finding out if the friars can be declared "extinguished" in the Philippines, because if once "extinguished" they cease to occupy, possess, and administer all the properties which they now occupy, possess, and administer in conformity to the Spanish law. It being then the right of the Government to apply such property to the ends stated in article 39 of the Spanish code now in force.

It is evident that the spirit of the above-mentioned law is that the friars now existing being once declared "extinguished" will not be able to carry out of the country any of their property, and in this they differ from associations for private purposes, for in these last each member retains after their dissolution whatever portion may have fallen to him upon its termination.

Now, then, can the religious orders be considered as extinguished in the Philippines?

I can answer impartially, yes. Because it is now impossible for them to exercise their religious and social duties in any town in the archipelago with exception of the city of Manila.

The towns refuse to have them as parish priests and ministers of the Catholic religion, and energetically reject them as administrators or owners of the large haciendas.

Here in the city they are not persecuted out of respect for the government, who constantly advises the Filipinos to keep the peace and order, and also because they (friars) can count on thousands of persons who depend on them for their livelihood. The proof of this immense hatred which exists between the friars and the Filipinos is the fact the former have all voluntarily confined themselves in their convents within the walled city, thus putting themselves under the immediate protection of the government. They are justly afraid to go more than 2 miles from the said walled city, where they have also large convents.

Another proof of this hatred is the insulting paragraphs which you will find in the journals of both sides, and which you will see in the copies which I send you.

There is therefore no basis for mutual relation of good faith or tolerance between these religious associations and the Filipino people, for which reasons these associations can no longer fulfill their functions here in the Philippines, it being therefore necessary to consider them as "extinguished," in conformation with article 39 of the Spanish code above quoted.

Some say, on the other side of the question, and amongst them is General MacArthur, that the friars are protected by the Constitution of the United States, and especially by the treaty of Paris.

This argument contradicts itself, because, while the Constitution is quoted, at the same time it is disputed "the Constitution follows the flag."

But even if it were true the Constitution is in force now on these islands, it is clear that such a just document can not uphold an association which is impossible and dead, according to the Spanish laws now in force.

Those laws of ours and not the Constitution are those which should be applied to solve the question of the friars, because to act otherwise would be to favor the friar against the interests of the people of the Philippines.

I conclude, dear sir, asking you again and also Mr. HOAR, to whom I would like this letter be sent, asking you to defend us at this critical time, when the whole future of my beloved Filipino people is at stake.

I extend to you my most profound gratitude, and pray God to enlighten the hearts and minds of Congress, and direct it in the course which we ask.

I remain, your very respectful servant,

FELIPE BUENCAMINO.

[Senate Document No. 166, Fifty-seventh Congress, first session.]

PETITION FAVORING SUSPENSION OF HOSTILITIES IN PHILIPPINE ISLANDS.

February 4, 1902, referred to the Committee on the Philippines and ordered to be printed.

Mr. HOAR presented the following petition from sundry citizens of the United States, favoring the suspension of hostilities in the Philippine Islands and a discussion of the situation between the Government and the Filipino leaders.

To the Senate of the United States:

The undersigned citizens of the United States, deeply anxious that peace may be restored in the Philippine Islands, and that a contest professedly waged in the interest of humanity may not be degraded into an inhuman war of extermination, would lay before you the following statement and petition:

In his first annual message to Congress the late President McKinley said:

"The cruel policy of concentration was initiated [in Cuba] February 16, 1896. The productive districts controlled by the Spanish armies were depopulated. The agricultural inhabitants were herded in and about the garrison towns, their lands laid waste, and their dwellings destroyed. This policy the late cabinet of Spain justified as a necessary measure of war and as a means of cutting off supplies from the insurgents. It has utterly failed as a war measure. It was not civilized warfare; it was extermination.

"Against this abuse of the right of war I have felt constrained on repeated occasions to enter the firm and earnest protest of this Government."

In his special message preceding the declaration of war against Spain in April, 1898, the President spoke yet more strongly, saying:

"The efforts of Spain were increased both by the dispatch of fresh levies to Cuba and by the addition to the horrors of the strife of a new and inhuman phase happily unprecedented in the modern history of civilized Christian peoples. The policy of devastation and concentration inaugurated by the captain-general's bando of October, 21, 1896, in the province of Pinar del Rio was thence extended to embrace all of the island to which the power of the Spanish arms was able to reach by occupation or by military operations. The peasantry, including all dwelling in the open agricultural interior, were driven into the garrison towns or isolated places held by the troops. * * *

"The agricultural population, to the estimated number of 300,000 or more, was herded within the towns and their immediate vicinage, deprived of the means of support, rendered destitute of shelter, left poorly clad, and exposed to the most unsanitary conditions. * * * Reconcentration, adopted avowedly as a war measure in order to cut off the resources of the insurgents, worked its predestined result. As I said in my message of last December, it was not civilized warfare; it was extermination. The only peace it could beget was that of the wilderness and the grave."

Under conditions not differing from those which confronted Spain, and for the very reasons which in her case we held insufficient, the Government of the United States seems to have adopted the same policy.

In the Manila News, an American paper published in Manila, which cordially supports the course which it chronicles, appeared the following statement on November 4 last:

"The transport *Lawton* returned yesterday afternoon from a two weeks' cruise, touching at Catbalogan, Cebu, Perang-Perang, and Davao. On her outward passage she took 200 Ilocano scouts for the Samar service.

"On the arrival of the *Lawton* at Catbalogan Brigadier-General Smith had been in Samar about ten days, and his strong policy was already making itself felt. He had already ordered all natives to present themselves in certain of the coast towns, saying that those who were found outside would be shot and no questions asked. The time limit had expired when the *Lawton* reached Catbalogan, and General Smith was as good as his word. His policy of reconcentration is said to be the most effective thing of the kind ever seen in these islands under any flag. All suspects, including Spaniards and half-breeds, were rounded up in big stockades and kept under guard. Among these were numerous presidentes of some towns on the western coast of Samar, who assisted in smuggling rill to the insurrectos. A number of these rascals were gathered in and made to give up the proceeds of their traffic, amounting to thousands of dollars, which were confiscated."

Samar, according to the American Encyclopedia, in 1881 had a population of over 250,000 persons and an area of over 5,000 square miles. These figures enable us to understand what General Smith's orders meant.

The Philadelphia Public Ledger, one of the oldest and most respected newspapers in Philadelphia, is in political sympathy with the Administration. In a recent letter to that journal from its correspondent in Manila, who is evidently not a hostile critic, occurs the following passage:

"The present war is no bloodless, fake, opera-bouffe engagement. Our men have been relentless; have killed to exterminate men, women, children, prisoners, and captives, active insurgents and suspected people, from lads of 10 up, an idea prevailing that the Filipino, as such, was little better than a dog, a noisome reptile in some instances, whose best disposition was the rubbish heap. Our soldiers have pumped salt water into men to "make them talk," have taken prisoners people who held up their hands and peacefully surrendered, and an hour later, without an atom of evidence to show that they were even insurrectos, stood them on a bridge and shot them down one by one, to drop into the water below and float down, as examples to those who found their bullet-loaded corpses.

"It is not civilized warfare; but we are not dealing with a civilized people. The only thing they know and fear is force, violence, and brutality, and we give it to them.

"The new military plan of settling the trouble by setting them at each other is one that looks promising. We have now sent a thousand Macabebes to Samar to avenge the treacherous murder of Company C of the Ninth Infantry. They are hereditary enemies of the 'Ladrones,' and go forth to the slaughter gaily."

Statements like this constantly recur in private communications from the islands and in the letters of newspaper correspondents. They find a ghastly confirmation in the official reports of Filipino losses, in which the killed many times exceed the wounded; and they are not contradicted. If any official attempt has been made to prevent these cruelties or punish their authors it has not been made known to us. If these charges are not true the honor of the country requires that their falsity should be proved.

The Filipinos have asked us again and again to hear them; have begged that some of their leaders might be allowed to visit the United States and here in person state their position. This humble petition has been denied. We strike but will not hear. Again the words of President McKinley, in his message of April, 1898, about Cuba, seem pertinent:

"My predecessor made an effort to bring about a peace through the mediation of this Government in any way that might tend to an honorable adjustment of the contest between Spain and her revolted colony on the basis of

some effective scheme of self-government for Cuba under the flag and sovereignty of Spain. It failed through the refusal of the Spanish Government then in power to consider any form of mediation or indeed any plan of settlement which did not begin with the actual submission of the insurgents to the mother country, and then only on such terms as Spain herself might see fit to grant."

Does not this state our position to-day? Do we not insist on unconditional submission and propose for the Philippines such form of government as we ourselves "see fit to grant?"

Men differ as to whether this country should pursue the attempt to conquer these islands or should leave their people to govern themselves, and upon this point we say nothing now; but there should be no room for difference among civilized men as to the use of torture and other inhuman methods of waging war.

Every American citizen must be glad to believe that his country's purposes are benevolent and that his fellow-countrymen mean to give the unhappy people of the Philippine Islands civilization and good government, but our present methods seem ill adapted to secure the only foundation on which any good government can rest—the contented acquiescence of the governed. Until we can win the confidence of the Filipinos, can satisfy them that we mean them nothing but good, our professions of benevolence fall upon ears as deaf to our words as ours are to their entreaties.

While human nature remains unchanged cruelty begets cruelty and hate, kindness and sympathy inspire affection. Our policy in the Philippines may exterminate the natives, but every day that it continues it plants fresh seeds of undying hostility, breeds wrath and suspicion on both sides, and makes the task of dealing justly with this weaker people more and more difficult. The more we learn to despise and distrust the Filipinos the more we become unfit to rule them. A teacher or a ruler must believe in his pupils or his subjects in order to teach or rule successfully. Is it not time to change our course? It is not for the United States to imitate the practices, the policy, the stubborn attitude which we condemned as barbarous and inhuman when they were adopted by Spain. It was for these things that we took her colonies from her.

We respectfully petition—

First. That an investigation be made in regard to the practices of our army in the Philippine Islands by a committee of the Senate, and that the exact truth be laid before the people of the United States.

Second. That, if these reports are true, steps be taken at once to stop reconcentration, the killing of prisoners, the shooting without trial of suspected persons, the use of torture, the employment of savage allies, the wanton destruction of private property, and every other barbarous method of waging war which this nation from its infancy has ever condemned.

Third. That appropriate steps to be taken at once, by treating with the representatives of the Filipinos in arms, to secure a suspension of hostilities in order that an opportunity be given for a discussion of the situation between the Government and the Filipino leaders, who should be permitted to visit this country for this purpose.

Fourth. That pending the negotiations strict orders be given to the officers in command of our troops to deal with the inhabitants of the Philippine Islands as with persons whom one day we hope to make our friends.

The following names are compiled from the copies of the foregoing petition sent herewith:

Carl Schurz, New York City.
Moorfield Storey, Boston, Mass.
George F. Edmunds, Philadelphia, Pa
Judson Harmon, Cincinnati, Ohio.
J. Sterling Morton, Nebraska City, Nebr.
George S. Boutwell, Boston, Mass.
Charles Francis Adams, Massachusetts.
John G. Woolley, Chicago, Ill.
Wm. J. Palmer, Colorado Springs, Colo.
Louis R. Ehrich, Colorado Springs, Colo.
Moses Hallett, Denver, Colo.
W. D Howells, New York City.
Mark Twain, New York City.
Rev. C. H. Parkhurst, New York City.
Rev. Theo. Cuyler, Brooklyn, N. Y.
Geo. Foster Peabody, New York City.
W. Bourke Cockran, New York City.
George Gluyas Mercer, Philadelphia, Pa.
George Burnham, jr., Philadelphia, Pa.
Henry Budd, Philadelphia, Pa.
Herbert Welsh, Philadelphia, Pa.
John H. Converse, Philadelphia, Pa.
Robert Treat Paine, Boston, Mass.
Winslow Warren, Boston, Mass.
Charles R. Codman, Barnstable, Mass.
Wm. G. Sumner, New Haven, Conn,
Geo. T. Ladd, New Haven, Conn.
Geo. B. Stevens, New Haven, Conn.
Bishop F. D. Huntington, Syracuse, N. Y.
John Lind, Minnesota.
Charles H. Aldrich, Chicago, Ill.
Edwin Burritt Smith, Chicago, Ill.
Frederick W. Gookin, Chicago, Ill.
Geo. L. Paddock, Chicago, Ill.
Wm. Kent, Chicago, Ill.
Chas. M. Sturges, Chicago. Ill.
Leroy D. Thoman, Chicago, Ill.
Sigmund Zeisler, Chicago, Ill.
Charles R. Crane, Chicago, Ill.
Ingalf K. Boyesen, Chicago, Ill.
Edgar A. Bancroft, Chicago, Ill.
Edward Osgood Brown, Chicago, Ill.
John H. Gray, Evanston. Ill.
Allen B. Pond, Chicago, Ill.
Wm. M. Salter, Chicago, Ill.
Horace M. Rebok, Chicago, Ill.
H. H. Van Meter, Chicago, Ill.
Charles R. Crane, Chicago. Ill.
Rev. Jenkin Lloyd Jones, Chicago, Ill.
George C. Sikes, Chicago, Ill.
George H. Earl, sr., Philadelphia, Pa.
Rev. James H. Ecob, Philadelphia, Pa.
Phillip C. Garrett, Philadelphia, Pa.
Enoch Lewis, Philadelphia, Pa.
N. Dubois Miller, Philadelphia, Pa.
Charles Richardson, Philadelphia, Pa.
Isaac Sharpless, Philadelphia, Pa.
S. Burns Weston, Philadelphia, Pa.
William Totham, Philadelphia, Pa.
Albert L. Wilson, Philadelphia, Pa.
James Lapsley Wilson, Philadelphia, Pa.
Edward M. Westar, Philadelphia, Pa.
Winthrop Sheldon, Philadelphia, Pa.
James L. Blair, St. Louis, Mo.
T. S. McPheeters, St. Louis, Mo.
Charles B. Wilby, Cincinnati, Ohio.
Bishop Boyd Vincent, Cincinnati, Ohio.
Rufus B. Smith, Cincinnati, Ohio.
Gustavus H. Wald, Cincinnati, Ohio.
John F. Winslow, Cincinnati, Ohio.
Rev. Joseph Henry Crooker, Ann Arbor, Mich.
J. Lawrence Laughlin, professor, University of Chicago, Chicago, Ill.
William Gardner Hale, professor, University of Chicago, Chicago, Ill.
James R. Angell, professor, University of Chicago, Chicago, Ill.
C. Von Klenze, professor, University of Chicago, Chicago, Ill.
John Dewey, professor, University of Chicago, Chicago, Ill.
James Westfall Thompson, professor, University of Chicago, Chicago, Ill.
Albert H. Tolman, professor, University of Chicago, Chicago, Ill.
Walter A. Payne, professor, University of Chicago, Chicago, Ill.
William Cleaver Wilkinson, professor, University of Chicago, Chicago, Ill.
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Edwin O. Jordan, professor, University of Chicago, Chicago, Ill.
Ferdinand Schwill, professor, University of Chicago, Chicago, Ill.
Bradley M. Davis, professor, University of Chicago, Chicago, Ill.
Philip S. Allen, professor, University of Chicago, Chicago, Ill.
Henrich Maschke, professor, University of Chicago, Chicago, Ill.
Jacques Loeb, professor, University of Chicago, Chicago, Ill.
F. I. Carpenter, professor, University of Chicago, Chicago, Ill.
W. D. MacClintock, professor, University of Chicago, Chicago, Ill.
Martin Schutz, professor, University of Chicago, Chicago, Ill.
Paul O. Kern, professor, University of Chicago, Chicago, Ill.
T. Atkinson Jenkins, professor, University of Chicago, Chicago, Ill.
Starr Willard Cutting, professor, University of Chicago, Chicago, Ill.
Ira W. Howerth, professor, University of Chicago, Chicago, Ill.
Jas. Harrington Boyd, professor, University of Chicago, Chicago, Ill.
George C. Howland, professor, University of Chicago, Chicago, Ill.
John Uliss Nef, professor, University of Chicago, Chicago, Ill.
John C. Hessler, professor, University of Chicago, Chicago, Ill.
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Anson Phelps Stokes, New York City, N. Y.
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W. H. Baldwin, jr., New York City, N. Y.
John Burroughs, New York City, N. Y.
A. Augustus Healy, New York City, N. Y.
Charles Eliot Norton, Harvard University.
Wm. James, Harvard University.
Charles R. Lanman, Harvard University.
Josiah Boyce, Harvard University.
Wm. R. Thayer, Harvard University.
G. H. Calmer, Harvard University.
W. M. Davis, Cambridge, Mass.
Robert S. Morison, Cambridge, Mass.
Edwin D. Mead, Boston, Mass.
Rev. Paul Revere Frothingham, Boston, Mass.
Rev. Christopher R. Eliot, Boston, Mass.
Henry Pickering, Boston, Mass.
Geo. W. Allen, Boston, Mass.
Robert M. Morse, Boston, Mass.
James R. Dunbar, Boston, Mass.
Moses Williams, Boston, Mass.
A. E. Pillsbury, Boston, Mass.
Wm. Lloyd Garrison, Boston, Mass.
Frank Wright Garrison, Boston, Mass.
Hazard Stevens, Boston, Mass.
Francis Jackson Garrison, Boston, Mass.
George Faulkner, Boston, Mass.
Benjamin F. Trueblood, Boston, Mass.
Gamaliel Bradford, Boston, Mass.
Rev. Charles Gordon Ames, Boston, Mass.
Edward A. Church, Boston. Mass.
Leonora Stone, Brookline, Mass.
Geo. W. Thacher, Boston. Mass.
A. Cleland, Minneapolis, Minn.
Henry Fletcher, Minneapolis, Minn.
Geo. C. Ripley, Minneapolis, Minn.
Henry M. Simmons, Minneapolis, Minn.
Lewis R. Larson, Minneapolis, Minn.
W. O. Winston, Minneapolis, Minn.
S. M. Owen, Minneapolis, Minn.
L. H. Bullis, Minneapolis, Minn.
T. B. Janney, Minneapolis, Minn.
Knut Hoegh, Minneapolis, Minn.
S. A. Stockwell, Minneapolis, Minn.
J. M. Cleary, Minneapolis, Minn.
Elwood S. Corser, Minneapolis, Minn.
L. B. Elwood, Minneapolis, Minn.
F. A. Simmons, Minneapolis, Minn.
J. W. Bull, Minneapolis, Minn.
J. W. Griffin, Minneapolis, Minn.
Freelon Morris, Boston, Mass.
A. H. Dawley, Boston, Mass.
G. A. Fuller, Boston, Mass.
Charles B. Travis, Boston, Mass.
E. E. Monroe, Boston, Mass.
F. H. Pitts, Boston, Mass.
A. E. Jackson, Boston, Mass.
J. A. Hathaway, Boston, Mass.
Rev. A. A. Bedel, Boston, Mass.
Rev. Charles Fleischer, Boston, Mass.
Albion A. Perry, Boston, Mass.
William L. Sedgwick, Boston, Mass.
Lewis W. Fling, Boston, Mass.
Rev. John W. Savage, Boston, Mass.
Geo. F. Butrick, Boston, Mass.
D. B. Weymouth, Boston, Mass.
Karl G. Cavis, Boston, Mass.
Geo. B. Coois, Boston, Mass.
G. H. Hammond, Boston, Mass.
Erving Winslow, Boston, Mass.
Rev. James A. Towle, New Haven, Conn.
Rev. George S. Dickerman, New Haven, Conn.
Richard H. Barlow, Lawrence, Mass.
James Greenhalgh, Lawrence, Mass.
Edgar R. Hopkins, Lawrence, Mass.
Arthur Radcliffe, Lawrence, Mass.
William McCallum, Lawrence, Mass.
Andrew A. Hickey, Lawrence, Mass.
William Cooper, Lawrence, Mass.
George E. Bricault, Lawrence, Mass.
James H. C. Riley, Lawrence, Mass.
John Kenny, Lawrence, Mass.
Michael Palton, Lawrence, Mass.
John F. Henry, Lawrence, Mass.
James E. Barlow, Lawrence, Mass.
Arthur Ramsden, Lawrence, Mass.
James Barrett, Lawrence, Mass.
M. J. Corbett, Lawrence, Mass.
William Burke, Lawrence, Mass.
John Sayers, Lawrence, Mass.
George Hewitt, Lawrence, Mass.
William H. Barlow, Lawrence, Mass.
Joseph Sweeney, Lawrence, Mass.
Louis Korn, Lawrence, Mass.
Patrick Long, Lawrence, Mass.
Gustave Ludwig, Lawrence, Mass.
Arthur Maurice, Lawrence, Mass.
Charles Leavy, Lawrence, Mass.
John Lynch, Lawrence, Mass.
Dennis Daly, Lawrence, Mass.
Aaron Marvel, Lawrence, Mass.
Albert Myers, Lawrence, Mass.
Frank Hefferman, Lawrence, Mass.
Michael Hopkins, Lawrence, Mass.
Alfred Holt, Lawrence, Mass.
Charles Switze, Lawrence, Mass.
John Smith, Lawrence, Mass.
John Kelty, Lawrence, Mass.
John Grobeau, Lawrence, Mass.
Joseph Barnard, Lawrence, Mass.
Mary L. Cobb, Northampton, Mass.
Isaac Bridgman, Northampton, Mass.
A. Moffat, Northampton, Mass.
Henry T. Rose, Northampton, Mass.
H. E. Brewer, Northampton, Mass.
F. Brewer, Northampton, Mass.
Kate H. Clarke, Northampton, Mass.
Mary Eastman, Northampton, Mass.
Mary R. Williams, Northampton, Mass.
Jennie T. Vermilye, Northampton, Mass.
Mary E. Boyd, Northampton, Mass.
E. Garrison, Northampton, Mass.
Alice L. Childs, Northampton, Mass.
F. B. Pinkerton, Northampton, Mass.
Esther L. Little, Northampton, Mass.
Helen C. Sergeant, Northampton, Mass.
Gertrude E. Fligg, Northampton, Mass.
E. P. Cushing, Northampton, Mass.
R. Lessing, Northampton, Mass.
I. S. Cobb, Northampton, Mass.
S. E. Bridgman, Northampton, Mass.
L. D. Hanscom, Northampton, Mass.
Elizabeth Deering Hanscom, Northampton, Mass.
C. E. Bodman, Northampton, Mass.
H. J. Knuland, Northampton, Mass.
Ella Watson, Northampton, Mass.
S. W. Cushing, Northampton, Mass.
M. A. Cushing, Northampton, Mass.
Mary Fahm Miller, Northampton, Mass.
M. B. Cary, Northampton, Mass.
Allie Cary, Northampton, Mass.
Mollie Graves, Northampton, Mass.
Emily P. Bosworth, Northampton, Mass.
Ida Assing, Northampton, Mass.
Lina Sanford, Northampton, Mass.
Ilma C. Schadee, Northampton, Mass.
Helen F. Schadee, Northampton, Mass.
E. A. Egglestor, Northampton, Mass.
Sarah E. Martin, Northampton, Mass.
A. L. Norris, Northampton, Mass.
H. W. Sanford, Northampton, Mass.
A. E. Graves, Northampton, Mass.
G. L. Beals, Northampton, Mass.
M. C. Howard, Northampton, Mass.
Geo. S. Graves, Northampton, Mass.
E. E. Graves, Northampton, Mass.
S. B. Fuller, Northampton, Mass.
M. F. B. Haven, Northampton, Mass.
Mary I. Smith, Northampton, Mass.
H. B. Haven, Northampton, Mass.
E. S. Bottum, Northampton, Mass.
C. E. Davis, Northampton, Mass.
H. D. Gould, Northampton, Mass.
F. M. Readis, Northampton, Mass.
H. Branch, Northampton, Mass.
W. H. Pitcomb, Northampton, Mass.
C. E. Mason, Northampton, Mass.
Wm. B. Morgan, Northampton, Mass.
H. Schadee, Northampton, Mass.

William Oates, Northampton, Mass.
Julius P. Maine, Northampton, Mass.
N. A. Davis, Northampton, Mass.
Chas. L. Warren, Northampton, Mass.
G. P. Hukey, M. D., Northampton, Mass.
Luther P. Bryan, Northampton, Mass.
E. K. Learned, Northampton, Mass.
F. D. Keyes, Northampton, Mass.
G. B. Chase, Northampton, Mass.
Bennett Allen, Northampton, Mass.
Edson S. Ross, Northampton, Mass.
Harry Marschner, New York City.
Jacob Ballenbacher, New York City.
F. A. Wurzbach, New York City.
Philip Luthoe, New York City.
Wm. Hirohfeld, New York City.
Katherine Kehm, New York City.
Wm. Murrch, New York City.
Hugh Venting, New York City.
H. H. Ehlers, New York City.
J. Braudkamp, New York City.
P. Kueger, New York City.
Edward Mars, jr., New York City.
Jno. J. Hopper, New York City.
W. Franklin Bruth, New York City.
Jno. A. O'Connor, New York City.
Theo. C. Williams, New York City.
Charles B. Spahr, New York City.
H. Oscar Cole, New York City.
Wm. J. Longhead, New York City.
Wm. N. Crane, New York City.
Joseph H. Nelson, New York City.
Josephine Shaw Lowell, New York City.
Mrs. Francis C. Barborn, New York City.
Thomas Gardner, New York City.
Mira C. Brown, Vineland, N. J.
Sarah M. Hussey, Vineland, N. J.
T. Nelson Dale, Pittsfield, Mass.
Latham G. Reed, New York City.
Charles H. Marshall, New York City.
J. Sherlock Andrews, Rochester, N. Y.
Henry M. Howe, Columbia Unversity, New York City.
Alexander A. Nurik, Pittsburg, Pa.
C. E. Kunkle, Pittsburg, Pa.
Chas. C. Dornbush, Pittsburg, Pa.
Jon. Yearwood. Pittsburg, Pa.
Wm. J. Borgman, Pittsburg, Pa.
Wm. J. Hold, Pittsburg, Pa.
L. H. Springer, Pittsburg, Pa.
Chas. C. Brand, Pittsburg, Pa.
G. C. Feucht, Pittsburg, Pa.
R. C. Bell, Pittsburg, Pa.
C. H. Clark, Pittsburg, Pa.
F. W. Bainbridge, Pittsburg, Pa.
E. Craig, Pittsburg, Pa.
F. W. Townrow, jr., Pittsburg, Pa.
F. L. McCullough, Pittsburg, Pa.
Mary Lu Hall, Amherst, Mass.
John Cherbury Hall, Amherst, Mass.
John Frank Freheimer, New York City.
Clarence Gordon, East River, N. Y.
E. Wallace McAdam, New York City.
A. A. Hill, New York City.
S. A. Knoff, M. D., New York City.
Max Feuerstark, New York City.
Luke F. Filam, New York City.
Dennis R. McGrath, New York City.
F. H. Borrows, New York City.
Dennis E. Mack, New York City.
Joe. Fish, New York City.
W. J. Shea, New York City.
P. H. Boneton, New York City.
E. J. Ervine, New York City.
George E. O'Donnell, New York City.
Thomas Luiner, New York City.
C. Tiglu, New York City.
Robert E. Howe, New York City.
James M. M'Namora, New York City.
Henry G. Geaven, New York City.
Michael J. McClean, New York City.
Wm. E. Blake, New York City.
Robt Baker, New York City.
M. J. Flaherty, New York City.
Thomas J. Haulm, New York City.
Eugene H. Ford, New York City.
Joseph H. Gowan, New York City.
Adolph Sulzer, New York City.
F. C. Gaffney, New York City.
Tho. L. Larkin, New York City.
Frank O. Nowarzek, New York City.
John McMahon, New York City.
Henry Fitzgerald, New York City.
James Holwell Kidder, Oswego, N. Y.
Frank W. Lewis, West Newton, Mass.
Russell Sturgis, New York City.
Homer B. Sprague, Ph. D., New York City.
Rev. Wm. W. Davis, East Orange, N. J.
Rev. J. O. Ferris, Newark, N. J.
G. Pierrepont Davis, M. D., Hartford Conn.
Benj. F. Seaver, Brooklyn, N. Y.
W. C. Taylor, Brooklyn, N. Y.
Francis Taylor, Brooklyn, N. Y.
I. F. Beckwith, New York City.
Joseph H. Curtis, Boston, Mass.
Joseph Lee, Boston, Mass.
Edward Hale, Cambridge, Mass.
Emily M. Hale, Cambridge, Mass.
Margaret Cabot Lee, Boston, Mass.
Rev. F. C. Emrich, South Framingham, Mass.
J. H. Ball, North Nassau, N. Y.
M. H. Cooley, Westport, Conn.
John F. Movis, Boston, Mass.
A. Adeline Manning, Boston, Mass.
Anna Whitney, Boston, Mass.
Ella Ormsby Marshall, New Salem, Mass.
Mrs. E. A. H. Allen, New Salem, Mass.
Lucy C. Allen, New Salem, Mass.
Margaret E. Allen, New Salem, Mass.
Caroline Stetson Allen, New Salem, Mass.
Mary E. Blair, Boston, Mass.
Latham G. Reed, New York City.
Orlando Leach, Avon, Mass.
John A. Seaman, New York City.
Henry Boughton, Troy, N. Y.
Esther L. Broughton, Troy, N. Y.
Frederick Whitmore, Troy, N. Y.
M. E. Whitmore, Troy, N. Y.
Emily E. Whitmore, Troy, N. Y.
Rev. William T. Sabine, New York City.
B. F. Ellsworth, Brooklyn, N. Y.
Kathleen Albertson, Blandford, Mass.
John C. Hall, Amherst, Mass.
Edward A. Le Roy, New York City.
James A. White, Westfield, Mass.
Rev. A. G. Singsen, Holyoke, Mass.
Helen M. Singsen, Holyoke, Mass.
Herman Guthmann, New York City, N. Y.
B. McGauah, New York City, N. Y.
Minnie J. Reynolds, New York City, N. Y.
Morris Carnegie, Cumberland Island, Ga.
Ferdinand Craig, New York City.
J. A. Lafleche, Brattleboro.
Nora Grady, Brattleboro.
J. J. Lafleche, Brattleboro.
Katie Canroy, Brattleboro.
Morris H. Smith, Brooklyn, N. Y.
William R. Lord, East Cortland, N. Y.
Thomas C. Hall, East Cortland, N. Y.
Caroline L. Pratt, New York City.
Helen Macob, New York City.
M. R. Parkman, Boston.
John S. Woods, Matteawan, N. Y.
Edward H. Schiam, Matteawan, N. Y.
Geraldine Schiam, Matteawan, N. Y.
Lester Schiam, Matteawan, N. Y.
Frank W. Lewis, West Newton, Mass.
Mary Lee Hull, Amherst, Mass.
John Reilly, New York City.
Wm. W. Whippey, New York City.
James McCreem, New York City.
P. R. Haley, Brooklyn, N. Y.
G. R. Rogan, Brooklyn, N. Y.
Wm. W. Kisler, Brooklyn, N. Y.
W. L. McClintock, Brooklyn, N. Y.
J. F. Jennings, Brooklyn, N. Y.
A. J. Boulton, Brooklyn, N. Y.
D. B. Van Vlech, New York City.
S. H. Bachrach, New York City.
William M. Kennedy, New York City.
C. J. Weiss, New York City.
Fred. Keller, New York City.
F. M. Crown, Brooklyn, N. Y.
Edward A. Goetting, Brooklyn, N. Y.
James W. Tuomey, Brooklyn, N. Y.
John Dunne, Brooklyn, N. Y.
Thoe. A. Madden, Brooklyn, N. Y.
Frank E. Johnson, Brooklyn, N. Y.
Wilhelm Beshkeister, New York City, N. Y.
Karl Richter, New York City, N. Y.
Solaastian Cannavia, Lawrence, Mass.
Fred. Flathers, Lawrence, Mass.
James Glendyc, Lawrence, Mass.
John Bartle, Lawrence, Mass.
Thomas Lynch, Lawrence, Mass.
William Higginbothom, Lawrence, Mass.
John Park, Lawrence, Mass.
Angus McIntosh, Lawrence, Mass.
Joseph McIntosh, Lawrence, Mass.
Patrick H. Quinntain, Lawrence, Mass.
Richard Greenhalgh, Lawrence, Mass.
Robert Jones, Lawrence, Mass.
Telokut Bovigercis, Lawrence, Mass.
Michael Reid, Lawrence, Mass.
William Haylehurst, Lawrence, Mass.
Thomas Carvelle, Lawrence, Mass.
Mrs. Jane Weir, Northampton, Mass.
M. P. Strickland, Northampton, Mass.
Rola Watson, Northampton, Mass.
M. C. Seymour, Northampton, Mass.
Thos. C. Seymore, Northampton, Mass.
Fanny W. Edwards, Northampton, Mass.
Mrs. Charlotte Flegg, Northampton, Mass.
Helen B. Shattuck, Northampton, Mass.
Constance N. Jones, Northampton, Mass.
R. G. Eisold, Northampton, Mass.
C. R. Gardner, M. D., Northampton, Mass.
Delia D. Cook, Northampton, Mass.
Mary K. Brewster, Northampton, Mass.
W. J. Knowlton, Northampton, Mass.
F. M. Knowlton, Northampton, Mass.
G. W. Flagg, Northampton, Mass.
Emily Norcoots, Northampton, Mass.
Fred. Stork, Northampton, Mass.
Mrs. Fred. Stork, Northampton, Mass.
Chas. A. Foster, Northampton, Mass.
Wm. H. Abbott, Northampton, Mass.
Alfred Tree, Northampton, Mass.
Fred. T. Atkins, Northampton, Mass.
J. B. Leonard, M. D., Northampton, Mass.
C. A. Shepperd, Northampton, Mass.
H. B. Haven, jr., Northampton, Mass.
H. N. Brutey, Northampton, Mass.
H. L. Turner, Northampton, Mass.
M. E. Smith, Northampton, Mass.
B. W. Birdsall, Northampton, Mass.
S. H. Johnson, Northampton, Mass.
Harold Keyes, Northampton, Mass.
C. P. Otis, Northampton, Mass.
Earl S. Bardwell, Northampton, Mass.
Robt. Bosworth, Northampton, Mass.
Ralph Bardwell, Northampton, Mass.
Chas. P. Dupoins, Northampton, Mass.
Wm. Titcomb, Northampton, Mass.
E. M. Young, Northampton, Mass.
M. M. Free, Northampton, Mass.
Grove R. Branch, Northampton, Mass.
A. M. Worth, Northampton, Mass.
E. A. Haven, Northampton, Mass.
M. F. Brewster, Northampton, Mass.
F. G. Hill, Northampton, Mass.
U. P. Friedrick, Northampton, Mass.
J. A. Bartlett, Northampton, Mass.
E. T. Eldridge, Northampton, Mass.
M. J. Assing, Northampton, Mass.
Sara S. Bottum, Northampton, Mass.

Mr. GALLINGER. Has morning business closed?

Mr. MORGAN. I have been waiting to have action taken on the resolution which I presented.

The PRESIDING OFFICER. The question is, Will the Senate adopt the resolution submitted by the senior Senator from Alabama?

The resolution was agreed to.

Mr. GALLINGER obtained the floor.

Mr. HOAR. May I be pardoned by the Senator from New Hampshire and by the Senate for a moment to make one observation on what has just happened?

Mr. President, I think twenty times in my life, when Senators were presenting matters which were in opposition to doctrines and measures I held very dear and matters for which I personally had no great respect, I have urged upon the Senate that they should adopt the policy, not only as most convenient, but as right in itself, that whenever any Senator rose and said he had something in his possession which he thought ought to be brought to the attention of his associates, relating to public business, and desired to have it printed as a document, that within any reasonable limit of cost it should be done.

Now, it seems to me, without any reference to this particular matter, that the character of a Senator of the United States is a pretty important character in this world. I am not talking about myself. I have got pretty nearly through. But there are men around me who have not got through, who are to hold these places here for many years to come, and when they speak it is a sovereign State which speaks in them.

When my friend the Senator from Michigan, who made this objection, objected, it was Michigan which objected, and Michigan objected to a request made by another sovereign State. I think it is due to the great character of a Senator that when he, being responsible for the character of the document he asks to have printed, says, "I desire to bring it to the attention of my associates here, but I do not care to take the important time of the Senate by reading it, and I ask that it may be printed, so that they can look at it, if they see fit," the Senate should grant that request, entirely independent of its relation or the Senator's relation or any Senator's relation to the particular subject, and that in the end is the view which has always prevailed. Sometimes in the earnestness of political contest objections like this have been made. They have never, with scarcely an exception, been adhered to. I am very much gratified that this one has not been.

MONUMENT TO GENERAL ROCHAMBEAU.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives returning to the Senate, in compliance with its request, the joint resolution (S. R. 68) authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of Count de Rochambeau to be unveiled in the city of Washington.

The PRESIDENT pro tempore. If there be no objection, the joint resolution which has been returned will be indefinitely postponed.

MARINE HOSPITAL AT SAVANNAH, GA.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives returning to the Senate, in accordance with its request, the bill (S. 1545) to establish a marine hospital at Savannah, Ga.

The PRESIDENT pro tempore. Without objection, the bill which has been returned from the House will be indefinitely postponed.

PROMOTION OF COMMERCE.

Mr. SIMMONS. Mr. President, I was unavoidably absent yesterday when the vote upon the ship-subsidy bill was taken, and

while the senior Senator from Minnesota [Mr. NELSON] announced my general pair with his colleague [Mr. CLAPP], he did not state how either the junior Senator from Minnesota or myself would have voted if we had been present.

I wish to state now, so that it may go into the RECORD, that I understand the junior Senator from Minnesota would have voted for the bill if he had been present. If I had been present, I should have voted against the bill.

CONSIDERATION OF PENSION BILLS, ETC.

Mr. GALLINGER. If morning business has been closed, there are a few private pension bills on the Calendar and a few bills to correct the records of soldiers, and I ask unanimous consent that they be now considered.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the Senate proceed to the consideration of pension bills and certain bills for the correction of the records of soldiers. Is there objection? The Chair hears none, and it is so ordered. The first bill on the Calendar under the order will be announced.

JAMES A. M'KEEHAN.

The bill (S. 1363) granting an increase of pension to James A. McKeehan was announced as first in order; and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James A. McKeehan, late of Company I, Seventieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISABELLA COMPTON.

The bill (H. R. 2669) granting a pension to Isabella Compton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isabella Compton, widow of John F. Compton, late of Company E, Eleventh Regiment Iowa Volunteer Infantry, and to pay her a pension of $17 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. CHAPMAN.

The bill (H. R. 9296) granting a pension to Mary E. Chapman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Chapman, dependent mother of Lafayette Chapman, late of Company F, Eighty-ninth Regiment Ohio Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES MANTACH.

The bill (H. R. 7320) granting an increase of pension to James Mantach was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Mantach, late of Company B, First Regiment Wisconsin Volunteer Heavy Artillery, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. WALLACE.

The bill (H. R. 1325) granting an increase of pension to William J. Wallace, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William J. Wallace, late of Company D, Twenty-sixth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUE EMMA M'JUNKIN.

The bill (H. R. 6018) granting a pension to Lue Emma McJunkin, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 4, after the word "roll," to insert "subject to the provisions and limitations of the pension laws," and in line 7, after the word "Regiment," to strike out "of;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lue Emma McJunkin, foster mother of Walter C. Snively, late of Company D, Twelfth Regiment United States Infantry, war with Spain, and pay her a pension at the rate of $12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MALVINA C. STITH.

The bill (H. R. 5289) granting a pension to Malvina C. Stith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "First," to insert "Regiment;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Malvina C. Stith, widow of Robert Stith, late of Company C, First Regiment United States Dragoons, Indian war, and pay her a pension at the rate of $8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SUSAN TERRY.

The bill (H. R. 3769) granting a pension to Susan Terry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan Terry, widow of Lewis D. Terry, late of Captain McClintock's company, Kentucky Home Guards, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM M. GUY.

The bill (H. R. 2547) granting an increase of pension to William M. Guy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William M. Guy, late of Company C, Sixty-sixth Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. NELSON.

The bill (S. 4304) granting a pension to John S. Nelson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Nelson, late wagon master, Second Regiment New Hampshire Volunteer Infantry, and Hooker's Division, United States Army, and to pay him a pension of $12 per month.

Mr. GALLINGER. I move in line 9, before the word "dollars," to strike out "twelve" and insert "fifteen."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN VALE.

The bill (H. R. 2673) granting an increase of pension to John Vale was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Vale, late of Company H, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

FRANCES K. MORRISON.

The bill (H. R. 10956) granting an increase of pension to Frances K. Morrison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frances K. Morrison, widow of John Morrison, jr., late first lieutenant, Fourth Regiment United States Cavalry, and to pay her a pension of $20 per month in lieu of that she is now receiving, and $2 per month additional on account of the minor child of said John Morrison, jr., until she reaches the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL TYNAN.

The bill (H. R. 7846) granting a pension to Michael Tynan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Tynan, late of Company K, First Regiment United States Dragoons, and to pay him a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREDERICK M. HAHN.

The bill (H. R. 5109) granting an increase of pension to Frederick M. Hahn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick M. Hahn, late of Company H, Second Regiment California Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN B. KURTH.

The bill (H. R. 4468) granting an increase of pension to John B. Kurth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Kurth, late of Company I, First Regiment Kansas Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB D. CALDWELL.

The bill (H. R. 7823) granting an increase of pension to Jacob D. Caldwell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "pension," to insert "at the rate;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob D. Caldwell, late of Company E, One hundred and thirty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN GARNER.

The bill (H. R. 10132) granting an increase of pension to John Garner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "sixteen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Garner, late of Captain Reid's, Story's, and Hamilton's companies of Georgia Volunteers, Creek and Florida Indian wars, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

Mr. GALLINGER. I ask that the committee amendment be not agreed to.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHRISTINA DANIELS.

The bill (H. R. 5073) granting a pension to Christina Daniels was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Christina Daniels, mother of Edwin B. Daniels, late of Company G, First Regiment Massachusetts Volunteer Cavalry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. DRAPER.

The bill (H. R. 7074) granting a pension to Benjamin F. Draper was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "Tennessee," to insert "First Regiment;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Draper, late of Company H, First Regiment Tennessee Volunteers, war with Mexico, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JAMES W. HUMPHREY.

The bill (S. 1629) granting a pension to James W. Humphrey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "dollars," to strike out "thirty" and insert "fifteen;" and in the same line, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Humphrey, late of Company C, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $15 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to James W. Humphrey."

KAZIER WASHBURN.

The bill (H. R. 6487) granting a pension to Kazier Washburn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Kazier Washburn, widow of William Washburn, late of Company E, Fourth Regiment Michigan Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISRAEL P. COVEY.

The bill (H. R. 3272) granting an increase of pension to Israel P. Covey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Israel P. Covey, late of Company B, Forty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SAMUEL W. SKINNER.

The bill (H. R. 5543) granting an increase of pension to Samuel W. Skinner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel W. Skinner, late surgeon, Fourth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JAMES A. SOMERVILLE.

The bill (H. R. 4260) to correct the military record of James A. Somerville was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That the President of the United States is hereby authorized and empowered to revoke the order of December 10, 1862, dismissing James A. Somerville, second lieutenant of Company K, Fifth Regiment New Jersey Infantry Volunteers, and to cause to be issued to him a certificate of discharge as of date December 10, 1862: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

THOMAS J. BROWN.

The bill (S. 3554) granting an honorable discharge to Thomas J. Brown was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 7, after the word "and," to insert "substitute therefor absent without leave from January 27, 1862, until August 22, 1862, when he enlisted in;" in line 11, after the word "Infantry," to strike out "and grant him an honorable discharge" and insert "from which he was discharged November 5, 1863: *Provided*, That no pay, bounty, or allowances shall become due and payable by virtue of this act;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove from the rolls of the Army the charge of desertion now standing against Thomas J. Brown, late a private in Company D, Eighth Regiment Indiana Volunteer Infantry, and substitute therefor absent without leave from January 27, 1862, until August 22, 1862, when he enlisted in Company C, Eighty-fourth Regiment Indiana Volunteer Infantry, from which he was discharged November 5, 1863: *Provided*, That no pay, bounty, or allowances shall become due and payable by virtue of this act.

CHARLES K. BOLSTER.

The bill (S. 3283) to remove the charge of desertion from the military record of Charles K. Bolster was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 7, after the words "United States," to insert "as of September 17, 1864: *Provided*, That no pay, bounty, or allowances shall become due and payable by virtue of this act;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against the name of Charles K. Bolster, late a private, Company G, Fifteenth Maine Volunteer Infantry, and grant him an honorable discharge from the military service of the United States as of September 17, 1864: *Provided*, That no pay, bounty, or allowances shall become due and payable by virtue of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMANDA JACKO.

The bill (H. R. 8293) granting a pension to Amanda Jacko was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "war," to strike out "Mexican;" and in line 8, before the word "and," to insert "with Mexico;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda Jacko, widow of Joseph Jacko, late of Captain Knowlton's Independent Wisconsin Volunteers, war with Mexico, and pay her a pension at the rate of $8 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN G. BROWER.

The bill (H. R. 1529) granting an increase of pension to John G. Brower was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John G. Brower, late of Company H, Tenth Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM K. HOFFMAN.

The bill (H. R. 2786) granting an increase of pension to William K. Hoffman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William K. Hoffman, late of Company I, Twenty-seventh Regiment New Jersey Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RUTH B. OSBORNE.

The bill (H. R. 4456) granting a pension to Ruth B. Osborne was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ruth B. Osborne, widow of Edwin S. Osborne, late major, One hundred and forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MILTON A. EMBICK.

The bill (H. R. 6864) granting an increase of pension to Milton A. Embick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Milton A. Embick, late of Company D, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NORRIS L. LUNGREN.

The bill (H. R. 7968) granting a pension to Norris L. Lungren was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Norris L. Lungren, late of Company C, First Regiment Delaware Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN CRAIG.

The bill (H. R. 7424) granting an increase of pension to John Craig was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Craig, late lieutenant-colonel One hundred and forty-seventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH M. FOLDS.

The bill (H. R. 2123) granting a pension to Elizabeth M. Folds was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth M. Folds, widow of Thomas Folds, late of Captain Wilson's company, Georgia Volunteers, Florida Indian war, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. LEWIS.

The bill (H. R. 9397) granting a pension to John S. Lewis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "father," to insert "dependent;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Lewis, dependent father of John M. Lewis, late private, Company L, Third Regiment United States Infantry, war with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MYRA W. ROBINSON.

The bill (S. 4486) granting an increase of pension to Myra W. Robinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Myra W. Robinson, widow of Samuel C. Robinson, late of Company C, Twelfth Regiment New Hampshire Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARTHA A. GREENLEAF.

The bill (S. 4413) granting an increase of pension to Martha A. Greenleaf was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha A. Greenleaf, widow of Richard O. Greenleaf, late captain Company E, First Regiment New Hampshire Volunteer Infantry, and Company B, Fourth Regiment New Hampshire Volunteer Infantry,

and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FRANK SEAMAN.

The bill (H. R. 7771) granting an increase of pension to Frank Seaman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank Seaman, late of the First Independent Battery, Ohio Volunteer Light Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 3653) for the protection of the President of the United States, and for other purposes.

Mr. HOAR. I suggest that the bill be informally laid aside until the matters in charge of the Senator from New Hampshire be completed. I understand it will take a very short time.

Mr. GALLINGER. Very short.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the next bill on the Calendar under the order will be announced.

NELLIE LOUCKS.

The bill (S. 324) granting an increase of pension to Nellie Loucks was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nellie Loucks, widow of Jerome B. Loucks, late of Battery G, First Regiment New York Volunteer Light Artillery, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES DIXON.

The bill (S. 3217) granting an increase of pension to Charles Dixon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Dixon, late of Company K, Eighth Regiment Connecticut Volunteer Infantry, and chaplain Sixteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM C. FLOWERS.

The bill (H. R. 3873) granting a pension to William C. Flowers, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William C. Flowers, late acting assistant surgeon, United States Army, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HESTER THOMAS.

The bill (H. R. 8292) granting a pension to Hester Thomas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hester Thomas, widow of William A. Thomas, late of Company C, Twenty-second Regiment United States Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PROTECTION OF THE PRESIDENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3653) for the protection of the President of the United States, and for other purposes.

The PRESIDENT pro tempore. The amendment of the Committee on the Judiciary will be reported.

The SECRETARY. In section 1, page 1, line 5, after the word "willfully," insert the words "and maliciously."

The amendment was agreed to.

The SECRETARY. In line 8, after the word "willfully," insert the words "and maliciously."

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is in the Senate as in Committee of the Whole and open to amendment.

Mr. HOAR. I hope we may have a vote.

Mr. PETTUS. I desire to inquire of the Senator from Massachusetts whether he wishes to have a vote on the bill this evening?

Mr. HOAR. I should like to have a vote unless there is some Senator who desires to debate the bill further. It has been pretty well debated.

Mr. PETTUS. I do not myself desire to debate the bill, but I supposed others did. This is the bill to which objection was made particularly on account of the conspiracy clause and publication clause.

Mr. HOAR. No; this is not that bill. This is the bill in regard to the President. It has been debated very considerably in the Senate.

Mr. HALE. It is not the conspiracy bill?

Mr. HOAR. It is not the conspiracy bill.

Mr. PETTUS. What is the bill?

Mr. HOAR. It is the bill for the protection of the President of the United States.

Mr. PETTUS. Yes, sir. The third and fourth sections relate to uttering words and publishing words, and Senators made serious objections to those clauses. I was in hopes that there would be a full Senate at least when the vote was taken. If the Senator insists on having a vote this evening, I shall have to resort to another remedy.

Mr. HOAR. Mr. President, any course the honorable Senator from Alabama will resort to will be proper, I have no doubt. I take that as a matter of absolute knowledge on my part.

What I have to say is that the bill has been very considerably debated; it has been delayed four or five times in order that there might be a full opportunity for consideration; and the last delay was a delay of about ten days, putting it after the ship-subsidy bill. I suppose the Senator has it in mind, probably, to suggest the absence of a quorum, and certainly that would be very proper, especially under the circumstances.

Mr. PETTUS. That is what I proposed. My suggestion had no reference to an adjournment or anything of that kind. Mr. President, I suggest that there is not a quorum in the Senate.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Cockrell,	Hanna,	Nelson,
Bacon,	Deboe,	Hansbrough,	Penrose,
Bard,	Dillingham,	Heitfeld,	Perkins,
Bate,	Dryden,	Hoar,	Pettus,
Berry,	Dubois,	Jones, Nev.	Proctor,
Beveridge,	Elkins,	Kean,	Scott,
Burnham,	Fairbanks,	Kearns,	Simmons,
Burrows,	Foster, La.,	McCumber,	Spooner,
Burton,	Foster, Wash.	McLaurin, Miss.,	Teller,
Carmack,	Gallinger,	McLaurin, S. C.	Vest,
Clark, Mont.,	Gamble,	McMillan,	Warren,
Clark, Wyo.,	Gibson,	Mallory,	Wellington.
Clay,	Hale,	Mitchell,	

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum of the Senate is present.

Mr. PETTUS. Mr. President, I do not desire to discuss this measure at all. I am heartily in favor of the general features of the bill, but I shall be forced to vote against it, because I do not want to reestablish the old sedition laws. If the vote is to be taken now, I shall ask for a vote by yeas and nays.

The PRESIDING OFFICER. The bill is as in Committee of the Whole, the Chair will suggest.

Mr. SPOONER. Mr. President——

Mr. BACON. There are certain amendments pending. I do not want to interfere with the Senator from Wisconsin.

The PRESIDING OFFICER. The Chair will ask if any amendments have been formally offered.

Mr. BACON. I have given notice of certain amendments which have been printed.

The PRESIDING OFFICER. The Senator from Georgia offers an amendment, which will be stated.

The SECRETARY. After the words "United States," in the first section, line 6, page 1 of the bill, it is proposed to insert:

Because of his official position, or for the purpose of destroying the Government or impairing the execution of its constitutional powers.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. BACON].

Mr. VEST. Mr. President, I should like to make a suggestion to my friend from Georgia, inasmuch as he spoke to me about this amendment before offering it, and I was favorable toward it. Afterwards the junior Senator from Colorado [Mr. PATTERSON] made a suggestion which has troubled me very much in regard to the amendment, and it was this: Suppose that a would-be assassin should attempt the life of the President and should be successful and accomplish his death, if the amendment is a part

of the criminal law of the United States upon this subject and the assassin should be indicted in the Federal court and acquitted, could he be indicted then and tried for murder in the State court, or could he not plead that having been once put in jeopardy he was entitled to an acquittal? Now, there is a very serious question, because, if the amendment should be adopted, every lawyer would see the great difficulty of proving motive in certain cases. It would at best be circumstantial evidence, and every lawyer knows how that can be attacked and overthrown, no matter how strong.

I make this suggestion to my friend from Georgia. I appreciate his argument in favor of the amendment; I appreciate what he has said upon that subject. A man, in attempting to commit a burglary, might kill the President or one of the Cabinet who might succeed him; and yet, under the bill as it now stands, he could be convicted of a capital crime. I must confess there are all sorts of difficulties about this legislation in my mind. I am sorry that I am not competent to the task of trying to make the bill better; but I can not vote for it as it stands, and I do not see how the trouble which I have suggested about the amendment of the Senator from Georgia could be remedied, unless something in a remedial way should be adopted as a constitutional amendment; but how that is to be done I do not know.

Mr. BACON. Mr. President, I desire to say, in response to the suggestion of the honorable Senator from Missouri [Mr. VEST], that there are two considerations which should not be ignored in connection therewith. My amendment seeks to draw a distinction between, first, one who assassinates or attempts to assassinate the President of the United States because of his official position, or because of a desire on the part of the assassin to destroy the Government of the United States, or to impair the due exercise of any governmental powers; and second, one who attempts such a crime from personal motives. I think the proposition will be recognized by all lawyers, that no Federal statute which imposes a penalty for the assassination or attempted assassination of the President of the United States can possibly be defended as a constitutional enactment unless the assassination is because of the motive indicated. In other words, that an assassination which has been prompted by the spirit of revenge for a private injury would not fall within the constitutional powers of Congress to punish by an enactment; and that, therefore, if it should prove to be the case that it was an assassination prompted by such motive, a statute could not be constitutionally enacted which would reach that case, that being a matter altogether outside of the constitutional powers of Congress.

When I offered the amendment which I had the honor to submit a few days ago on this subject, I called the attention of the Senate to the provision of the Constitution under which the Congress of the United States could enact criminal laws. There are three or four provisions of the Constitution in which that authority is found. There is the authority specified for the enactment of a criminal law in the case of treason, and there is a limitation upon what shall constitute the crime of treason, and also a limitation upon the penalty which shall be imposed upon one guilty of treason.

There is another statute which specifically confers upon Congress the power to enact criminal law for the punishment of counterfeiting. There is another provision which empowers Congress to enact criminal laws for the punishment of piracy upon the high seas and offenses against the law of nations.

Then, outside of that, there is one other provision found in the Constitution of the United States conferring upon Congress the power to enact criminal laws. That authority is of general character, authorizing the Congress to pass all laws which may be needed for the purpose of carrying into execution the powers conferred in the Constitution generally upon the Government of the United States, or upon any department or any officer thereof. From that general power there is properly, I think, deduced the power to enact a criminal law which shall protect any officer in the discharge of his duties and to punish anyone who attempts to interfere with an officer in the discharge of his duty and to punish anyone who attempts to destroy the functions of the Government as they may be represented or expressed through the action of that officer.

This proposed law finds its authority under that general clause. It can not find it either under the enactment with reference to treason or the enactment with reference to counterfeiting or the enactment with reference to piracy on the high seas, and there is no other line or letter in the Constitution upon which the authority can be based, except the general one which I have indicated, authorizing the Congress to pass all laws which may be needful and necessary in order to carry out the powers conferred upon the General Government by the Constitution, or any department or officer thereof. Therefore, it seems to me to follow as a logical conclusion, which can not possibly be successfully disputed, that when we come to speak of the enactment of a law for the punishment of one who shall assassinate or who shall attempt to assassinate the President of the United States it must be within the purview of that general provision of the Constitution, and it must be within the limitation of that general provision of the Constitution.

Mr. HAWLEY. Will the Senator permit an interruption?

Mr. BACON. With great pleasure.

Mr. HAWLEY. I do not think it needs a solitary word in the Constitution to give the nation the right to save its own life any more than it would for you to shoot a man who attempted to stab you.

Mr. BACON. Well, Mr. President, I appreciate the suggestion of the honorable Senator from Connecticut; but, in the first place, the President of the United States is not the nation. In one sense he is a citizen; in another sense he is an official representing only a part of the sovereignty of the nation, and not the part of it which the Constitution recognizes as the highest representative of the sovereignty of the nation.

The legislative department is the highest expression of the sovereignty of the nation. The legislative department is recognized by the Constitution of the United States as that which represents most perfectly and, so far as the affirmative power of the Government is concerned, almost exclusively the sovereignty of the nation. If the Senator will take the trouble to refer to the Constitution of the United States, in which there is an enumeration of the great powers which constitute the sovereignty of the nation, he will find that they are, with one single exception, confided either to Congress alone or to the President in connection with the Senate of the United States, and that there is but one single royal prerogative that the President of the United States can exercise alone, and that is the prerogative of pardon. There is not a prerogative known to sovereignty that the framers of the Constitution did not carefully take away from the President of the United States, with that single exception, and confide either to Congress alone or to the President in connection with the Senate.

Mr. SPOONER. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. With pleasure.

Mr. SPOONER. I think the Senator is right in contending and asserting that the President of the United States is not the sovereign.

Mr. BACON. I simply stated that in response to the suggestion of the Senator from Connecticut [Mr. HAWLEY].

Mr. SPOONER. I know, and it is a pertinent response, and I think an accurate statement. The President of the United States is not the sovereign. He is a private citizen temporarily in public station.

Mr. BACON. Yes.

Mr. SPOONER. And charged with the execution of the laws.

Mr. BACON. Yes.

Mr. SPOONER. Then, his assassination would not be treason against the Government, would it?

Mr. BACON. I am on another question now, but I shall be glad to take up that branch of the subject at another time.

Mr. SPOONER. This was so nice a place to put the question to the Senator that I trust he will pardon me for having yielded to the temptation.

Mr. BACON. I will state right here, without stopping to argue it, that I can not be misunderstood upon the proposition that the Constitution of the United States expressly intended that no attempt upon the life of the Chief Executive of the nation should be treason. I think there is no question whatever about that.

Mr. SPOONER. I was simply calling the Senator's attention to the fact that he had just demonstrated that.

Mr. BACON. I am very glad to know that I did so. I tried to do it very much more at length the other day.

But I do not wish to be understood in any manner as depreciating the office of President of the United States. It is a great office—one entitled to the absolute respect of every man, whatever may be his political belief or his personal relations or his personal estimate. It is an office entitled to the absolute, unbounded respect and courtesy of every man who owes allegiance to the United States Government because of its high position.

I do not wish to be misunderstood in anything I say in reference to this matter. I am not depreciating the office, nor do I underestimate the gravity of the question as to what should be done to protect the President of the United States from assassination. I do not differ with Senators in the desire to throw around one who holds that office every possible safeguard; and, as I said the other day, I will go as far as the farthest on that subject in the direction that I think to be proper. No man will go farther than I will in the effort to rid this country of those who bring this trouble upon us and who bring our institutions somewhat into

disrepute by the fact that it is alleged that those who are enabled by the peculiar character of our institutions to enjoy them take advantage of them to abuse them and to bring about this reproach on free government.

But, Mr. President, I have been diverted by the suggestion of the Senator from Connecticut [Mr. HAWLEY] from the informal and calm statement I was endeavoring to make on the legal proposition, trying to rid the question of everything outside of the legal question as to what shape this bill ought to be in if it is to be passed. I think it ought to be framed with very careful reference to constitutional limitations; and, not only so, but with very careful reference to the preservation of the ideals upon which this Government is based, the most fundamental and important of which, in my opinion, is the ideal of the absolute equality of every man before the law, and that there should not be one law for one man, even though he be President of the United States, and another law for another man, even though he be the lowliest citizen of the United States.

Therefore, Mr. President, in recognition of that, I am trying to draw a distinction in this bill between an assassination or an attempted assassination of the President of the United States, moved against him, as it might be moved against a private individual, for private cause, and an assassination such as is attempted and perpetrated by anarchists, not for personal reasons but because of the fact that the person attacked is President, and solely from that fact, because of a desire to destroy the Government or impair the proper exercise of governmental functions. As I endeavored to present the other day, when I was upon the floor addressing the Senate upon this question, there are two distinct crimes and there can be no distinction in the bill except upon the proposition that there are two distinct crimes, that one is a crime against the individual and it is just as great a crime when perpetrated against one individual as when perpetrated against another. One is a crime falling within the classification, as all lawyers know, of a crime against the person; the other is a crime against the Government, because it is an attack upon the President, not as a person but as an official and because he is an official; it is an attack upon the President not for the purpose of injuring the individual, but for the purpose of injuring the Government.

Therefore, I say there are two distinct crimes; and if there is nothing in the constitutional objection which I urged the other day—and I now leave that out of the question altogether for the purposes of this discussion—assuming that it would be constitutional, I say that an attack upon the President may be one crime or it may be another crime. If it is a crime against the person, if it is for the purposes of private revenge, or any other matter outside of his official character, it is a crime which differs not from the crime committed against any other person, be he an official or a private individual. On the contrary, if it is a crime in which there is no personal feature and in which the assassin is moved solely by the purpose to destroy governmental authority and to strike at one who represents, in part, the sovereignty of the country, and who more directly in his own person represents the department of the Government than any other department is represented by any other one person, if it is of that kind it is a distinct crime; and the purpose of my amendment is to differentiate the two crimes, to make this particular crime the one about which there shall be no mistake, which shall fall within the proper exercise of the powers of Congress—leaving the constitutional question out, as I said—based upon the general authority granted in the clause of the Constitution which I have cited, and in no manner concerned with the other crime, which is confined solely to an attack upon the person, regardless of the fact that he is an official.

Mr. President, in endeavoring to draw the distinction between the two classes of crime, I said before that I presumed no lawyer would contend that an attack upon the President which had no reference to his official character, but which was influenced solely by personal motive and against him as an individual, would be a crime which could be reached by a Federal statute. I do not understand my honored and distinguished friend from Missouri [Mr. VEST] to controvert that proposition; but he, as well as the Senator from Colorado, are disturbed by the suggestion—which is certainly a very serious and pertinent one—that a man might be put upon his trial, and if there were a failure to demonstrate the fact in such a way as the law might require that this was a crime perpetrated because of official position or because of a desire to destroy governmental authority, an acquittal would result, and therefore the man could not be thereafter punished.

I have two suggestions to make in reply to that. In the first place, we have now laws upon our statute books which present exactly the same difficulty in theory, but which have not been found in practice to present that difficulty. I cited them the other day in the remarks which I made to the Senate. The particular sections of the Revised Statutes to which I refer are sections 5508 and 5509, and if I may have the attention of my friend from Missouri, as I am answering particularly his suggestion, section 5508 provides:

> If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same—

That is part of the section. I have not read it clear through, as it is unnecessary. The succeeding section is in these words:

> SEC. 5509. If in the act of violating any provision in either of the two preceding sections any other felony or misdemeanor be committed, the offender shall be punished for the same with such punishment as is attached to such felony or misdemeanor by the laws of the State in which the offense is committed.

Under those sections it is frequently the case—and I have had one very noted case in my own practice at the bar—where there has been a murder committed in a State, and the charge was that that murder had been committed in pursuance of a conspiracy which had been entered into by the parties for the purpose of avenging the perpetrator for an injury which he thought he had received from the effort of a party to establish his rights in a case in court. The Senate will see that that was a case where a man was indicted for conspiracy and really tried for murder. Now, it will be noted that in the trial of such a case, when all the evidence is in, if it should appear that while it was true that a murder had been committed, it was also equally true that it had not been committed in pursuance of a conspiracy, of course under the law the man would have to be acquitted, so far as relates to the charge of murder; but yet that does not deter the lawmaker from making a law which presents that difficulty. That difficulty is found to be one in theory only, and not one in practice.

The Senate will see that, if it be true that a murder was not committed in pursuance of that conspiracy, the man ought not to be convicted of that murder in the Federal court, because outside of the particular fact charged of conspiracy it would be a murder over which the Federal authorities would possibly have no jurisdiction. In the same way here, if it be true that the assassination of the President is not committed on account of the fact that he holds that office, and not on account of any desire on the part of the perpetrator to interfere with the functions of government in any way, but that he has been inspired solely by a personal motive, then it would not be within the jurisdiction of any act which could be passed by Congress.

Mr. HOAR. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. BACON. With pleasure.

Mr. HOAR. If a man means to do the thing, means to kill the President of the United States, would the reason he had in his own mind for doing it make any difference in any court in the world in deciding upon his guilt?

Mr. BACON. I think so, Mr. President. I may be in error, but I may cite one or two illustrations, which possibly may suggest that I am not. The President of the United States is human, and he is in a position where he may do wrong. I mean, of course, in his humanity he may do wrong. He may offend in a way that any other citizens might offend, and the act of the man who attacked him might have been purely on account of that fact. The President of the United States might, before he ever became President, have done a great wrong to a man, and that man might, after that person became President, have sought to avenge himself of it. But if it were solely a personal matter, if the Senator goes to the point of saying that in case an official is killed the fact that he was an official gives the Congress of the United States the constitutional power to enact a criminal law punishing it, then, of course, the conclusion which the Senator reaches is a justifiable one according to his premises.

Mr. HOAR. If the Senator will pardon me, my question was based exactly on that belief, that if a man willfully and of malice aforethought do an act, he knows what he is doing and means to do it, it is an offense against the law, no matter what was the reason in his own mind.

Now, if any man means to kill James A. Garfield, he, for instance, being President of the United States, his death having the result to interrupt for the time being the action of the Government, so that, until his successor is qualified, there is no pardoning power, there is no power to sign laws, there is no power to give advice, no power to see that the laws be faithfully executed, no power to do any of those things until his successor has qualified——

Mr. BACON. I think the Senator is mistaken in those propositions.

Mr. HOAR. The Vice-President may be in California and have to come to Washington. Now, if we have a right to protect the Government against the doing of that thing by design and of purpose, does it make any difference whether the motive of the man who commits that crime is to hurt the Government or to avenge himself of a private wrong? That is my question. Now,

I understand that that question is directly answered by the Supreme Court of the United States.

Mr. BACON. I rose not for the purpose——

Mr. HOAR. May I read this one sentence?

Mr. BACON. Will the Senator let me make a statement before he does it?

Mr. HOAR. Certainly.

Mr. BACON. I rose for the purpose not of entering on a discussion at length of this subject, for I have been heard pretty fully, but to answer a suggestion made by the Senator from Missouri, and I was very much in hopes that the Senator from Massachusetts would discuss this question at some length. I have no objection to his reading from the decision, but I do not wish to be drawn into a general discussion which must necessarily cover very largely what I have already said and which would be an injustice to other Senators who desire to speak.

Mr. HOAR. I will confine myself then to this quotation, if the Senator please. This was a case where the defendant obstructed an officer of the United States Government by unlawful acts. He did not intend to obstruct the officer, but he intended to do the unlawful acts, and they resulted in obstructing the officer just as much as this man intends to revenge himself by an unlawful act, but does not intend to strike down the head of government, but does it.

When the acts which create the obstruction—

Says the Supreme Court of the United States, Justice Field delivering the opinion—

are in themselves unlawful, the intention to obstruct will be imputed to their author, although the attainment of other ends may have been his primary object.

Mr. BACON. Very well. Then it says that it would be imputed; in other words, it would be the presumption of the law.

Now, Mr. President, to follow the suggestion of the learned and distinguished Senator from Massachusetts to its legitimate conclusion, I make this suggestion, and I will return then more directly to the reply which I desire to make to the suggestion made by the honorable Senator from Missouri. There is nothing in the law or nothing in the office which limits that principle to the President of the United States. There is nothing in the nature of the office and nothing in any constitutional provision which limits to an attack on the President of the United States the principle that an attack on an official is a crime against the Government. If it is true of an attack on the President of the United States it is true of an attack on every other official of the United States, it being a question of degree only. In other words, if it is true that the President of the United States when in office is in the exercise of certain official functions, and that an attack upon the President of the United States and his assassination or attempted assassination to that extent impairs the exercise of the functions of government which are reposed in him, it is true of every other official in varying degree from the lowest up to the President.

There can be no possible escape, it seems to me, from that proposition, and we are entering upon legislation which will extend and expand, and the danger which I suggested the other day will become more obvious when there has been established in this country the principle that those who hold office under the Federal Government are a distinct class, and that there must be distinct laws passed as to them, and that an offense which is a misdemeanor perpetrated against a private citizen is to be punished with death when perpetrated against an official. I say it is absolutely inconsistent with the theory and the institutions of our Government, and I repeat what I said on a former occasion, that the foundation stone upon which rests our entire political fabric is absolute equality before the law.

Mr. President, to return to what the Senator from Missouri suggested, I had called the attention of the Senate to the fact that we now have upon the statute books laws which might cause the exact trouble in theory that this law would. In other words, that where a man has been indicted for conspiracy and murder under these sections of the law, however it may be proven that the murder was committed, yet under this law, if it shall be developed that it was not a murder committed in pursuance of the conspiracy which is prescribed in this law, he could not be convicted of murder. And yet, as I say, I have known of no case where that has been the result. I have known of other cases. I am informed by the Senator from Florida [Mr. MALLORY] that there have been decisions of the Supreme Court to the effect that under such circumstances the trial of a man would not bar a trial in another jurisdiction for the specific offense. I have not myself had the opportunity to examine those cases.

I will not continue on this line, because, as I say, I have already been heard in full. I think this is a material amendment, or should be, to the pending bill. There are other features in the bill, though, which are of more materiality, in my opinion, than this. One is that which I discussed on a former occasion, which includes not only the President and the Vice-President, but every head of a Department, except the Department of Agriculture, and puts them upon a different plane from all other people and all other officials of the United States, and makes that which would be a misdemeanor when perpetrated against the Chief Justice of the United States, or against the Speaker of the House of Representatives, or against any Senator or any Representative, or any judge or any other official in the land, or any private citizen out of the 80,000,000 people, a capital offense, an offense punished by death, if perpetrated against one of the heads of Departments of this Government, the Secretary of Agriculture alone excepted.

If the Secretary of the Navy in his own State is assaulted and it can be charged that the purpose was to commit murder upon him—something, of course, which can not be demonstrated, but which rests within the bosom of the court and the jury—the man who assaults him is tried and is hanged. On the same day another man, under exactly the same circumstances, assaults the governor of Massachusetts, and under the laws of Massachusetts he can only be sent to the penitentiary. That is what this bill is, and not to elaborate that, I say it is an impossibility that I could ever give my consent to a bill which shows such discrimination, not only as to the governor of Massachusetts, but as to any citizen of Massachusetts. In the one case the man who assaults the Secretary of the Navy in Massachusetts is tried in a Federal court and hanged, and in the other case the man who assaults the governor of Massachusetts, or the Senator from Massachusetts, or any citizen of Massachusetts is tried in a State court and if found guilty is sent to the penitentiary, although the circumstances may be exactly the same in each case.

Mr. President, in this particular the pending bill goes farther than any law which ever existed in Great Britain on the subject of treason. The statute of Edward III, which is the great law of Great Britain on that subject, has never been repealed and, with some amendments, is the law to-day, although passed more than four hundred years ago. I am not speaking about whether it is treason or not, but I am analogizing it to a law of treason. When it comes to the passage of a law which shall punish the offense of assassination of the King or the attempted assassination of the King or those who are to succeed him, the statute of Edward III limits it to his oldest son, and if he had a dozen sons the law would not apply to any other one of them, but merely to the King and his oldest son.

Here we are not content with the passage of a law which shall be for the protection of the President of the United States and the Vice-President of the United States and provide for the punishment of one who shall assassinate either one of them or attempt to assassinate either one of them, but we extend this law to every head of a department. We call them Cabinet officers. There is no such officer known to our law, and he is a very different officer from the cabinet officer known to English law; and in so saying I do not depreciate any one of them. We extend it to every one of them. There has been no such law known to England, even. In attempting to protect the chief executive of the nation, it has never gone further than the King and his oldest son, and here we propose that it shall go not only to the President and Vice-President, but that it shall also extend to every member of the Cabinet, except the Secretary of Agriculture.

Mr. President, I do not wish to be misunderstood, and I repeat what I said on a former occasion, that I do not depreciate the dignity of these officers, although they are statutory officers and not constitutional officers. They are officers designed by the Constitution of the United States to be and to remain statutory officers. I have not here Elliott's Debates on the Constitution, but one who will examine it will see that it is not a matter of inadvertence that they were not made constitutional officers. Within a few pages of the particular part of Elliott's Debates which I read here the other day there is set out the proposition to make the heads of departments constitutional officers, and they are enumerated there, and the Constitutional Convention distinctly, with the matter called to their attention and the proposition made, refused to make them constitutional officers, and purposely and intentionally left them to remain statutory officers.

Mr. MITCHELL. May I ask the Senator from Georgia a question?

Mr. BACON. With pleasure.

Mr. MITCHELL. Does the Senator deny the power of Congress to provide by law for any proper guard of protection for the President of the United States?

Mr. BACON. I do not, indeed; but I think if the Senator is going to ask me a question he ought to ask it on the particular point I am discussing.

Mr. MITCHELL. I thought I did.

Mr. BACON. Possibly I may have misunderstood the Senator.

Mr. MITCHELL. The Senator is discussing the point that in order to make a valid law in reference to the killing of the President it must he shaped in such a way as will authorize the

judicial tribunal passing upon the question to enter into the question as to the motive of the man who did the killing.

Mr. BACON. With the permission of the learned Senator, he is entirely mistaken as to what I was discussing. I had been discussing that, but had passed from it.

Mr. MITCHELL. The Senator had passed from it?

Mr. BACON. I was discussing the propriety of extending this law so as to embrace the heads of departments. That is what I was discussing when interrupted by the Senator.

Mr. MITCHELL. If the Senator will pardon me for going back to a matter he has discussed, I am very curious to know why it is, if the Senator from Georgia, distinguished lawyer as he is, admits the power of Congress to pass a law providing for a guard of protection to the President of the United States, he denies the power to affix the crime of murder to the act of a man who kills the President of the United States?

Mr. BACON. I will endeavor, as the Senator insists upon it, to answer his question, but I decline to do so while I am discussing another branch of the matter. I am now discussing the question of the propriety of extending this proposed law to the heads of departments. That is certainly not the question upon which the Senator interrupted me.

Mr. MITCHELL. All right.

Mr. BACON. I was about to say that I do not wish to be misunderstood about the heads of departments, either. I am not depreciating them. As I said before, the heads of departments are generally represented by men of the greatest ability and the greatest prominence and the greatest eminence in the country, and they are entitled to all our respects and all our courtesy.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Texas?

Mr. BACON. Certainly.

Mr. BAILEY. I hope the Senator from Georgia does not intend to include the Secretary of the Interior in that description.

Mr. BACON. I am not speaking of any present incumbents, but I am speaking generally of the offices and of those generally who fill them.

Mr. MITCHELL. I should like to ask the Senator a question, if he will pardon me, bearing upon the point he is arguing now.

Mr. BACON. Very well.

Mr. MITCHELL. The Senator admitted a moment ago the power of Congress to provide a law furnishing a guard for the President of the United States. Now, I take it, that is upon the ground that he is a Federal official.

Mr. BACON. Yes, sir. I should doubt very much the policy of it.

Mr. MITCHELL. A Cabinet officer is a Federal official.

Mr. BACON. Yes, sir.

Mr. MITCHELL. Does the Senator admit that Congress can provide a guard for a Cabinet officer?

Mr. BACON. Certainly, or for the Senator from Oregon, either.

Mr. MITCHELL. I deny that.

Mr. BACON. Most certainly.

Mr. MITCHELL. I deny the right of Congress to provide a guard for me or for any other private citizen.

Mr. BACON. The Senator from Oregon is not a private citizen. He lacks a good deal of it.

Mr. MITCHELL. Where does the Senator draw the distinction, I am curious to know, between the power of Congress to provide a guard for a man because he is a Federal official and the power of Congress to attach the crime of murder to the act of a man who kills the Federal official?

Mr. BACON. The Senator from Oregon has not done me the honor to pay close attention to what I have been saying.

Mr. MITCHELL. I have tried. It may be due to my obtuseness.

Mr. BACON. I am sure the Senator has not done so, as I have stated during the present hour as plainly as I could that waiving the question of constitutionality, if there was power in Congress to pass a law as to the President of the United States, it was an authority which would extend to every official in the United States down to the lowest. Did the Senator hear me when I said that?

Mr. MITCHELL. I understand that.

Mr. BACON. If the Senator heard me when I said that, he could not possibly have justification for the question, for I had stated that if there was power to pass a law with reference to the President of the United States, there would be power also with reference to the head of a department, and I had distinctly stated that outside of the constitutional question which I had waived for the purpose of this argument, it applied to every official of the United States, varying only in degree.

Mr. MITCHELL. That still makes me more curious to know why it is that Congress can not pass a law making it murder to kill the Federal official. What is the difference?

Mr. BACON. The Senator insists upon going back to the other question. I am on this point now, and I am going to stand by it for the present.

I was trying to say that while I did not approve of the law which is applied to the head of a department I was not moved in my disapproval of it by a want of appreciation of the dignity of the office or of the character of the men who usually have filled those offices, and I was about to say that I did not forget the fact, that while it is true that the constitutional convention had not made heads of departments constitutional officers, when the Government came to be organized these positions were held to be of such high importance and great dignity that two men, who probably of all others then were entitled to be considered most eminent among Americans, were called to the Cabinet—Thomas Jefferson and Alexander Hamilton.

Mr. MALLORY. Will the Senator permit me with reference to the question asked by the Senator from Oregon?

Mr. BACON. Certainly.

Mr. MALLORY. I should like to ask the Senator from Georgia if he does not hold that it is perfectly competent for Congress to make an assassination of the President for the purpose of interferring with the functions of Government murder?

Mr. BACON. I do, undoubtedly.

Mr. MALLORY. I inferred from the fact that the Senator did not respond to that part of the question of the Senator from Oregon that he thought differently.

Mr. BACON. I do, outside of the constitutional question as to whether or not an attack upon the President as the Chief Executive can be made a crime which shall be in any respect different from the crime of treason. I am not going into that question, because it is not one which it is necessary for me to determine in reaching a conclusion as to what my position is with reference to the bill. If it is constitutional, the terms and provisions of the bill are such as seem to me to make it improper that it should be enacted into law.

Now, with reference to the interrogatory of my very learned and distinguished friend the Senator from Oregon, for whom I certainly entertain the highest esteem, both personally and officially, I will say that the question which he asked me I endeavored to answer in a speech I made in the Senate some ten days ago, which it took me several hours to deliver.

Mr. MITCHELL. I had not the pleasure of hearing it.

Mr. BACON. I certainly would not impose upon the Senate by repeating what I then said, although it is directly in response to the inquiry now made of me by the learned Senator, and I trust he will not consider me discourteous at all——

Mr. MITCHELL. Not at all.

Mr. BACON. If I refer him to what I then said, rather than undertake to consume the time of the Senate in a repetition of it.

Mr. President, I rose without any expectation of being heard today in response simply to the suggestion of my learned friend the Senator from Missouri [Mr. VEST], and I will say to him that I do not regard as the most material amendment that to which he has referred. I think it is an important amendment. It may be immaterial in this consideration that possibly in ninety-nine out of a hundred cases an attack upon the President would fall within the limitations sought to be set up by this amendment. In other words, in ninety-nine cases out of a hundred an attack upon the President would be because he is President and because of a desire by the assassin to destroy governmental authority and interfere with the exercise of governmental powers and functions. While I think the distinction ought to be drawn, in practical effect it may not in our future experience amount to one which would practically do injustice in case the amendment was not there.

But there are others which go further, from the fact that they will be of practical, ever-present importance. The one I speak of with reference to the extension of the provisions of this bill to the heads of Departments seems to me to be of vital importance, and it is the beginning of the establishment of an official class in this country which shall be put upon a plane different from the unofficial class, and we shall have laws in this country which do not exist in England or anywhere else, although they have classes in England. They have no law in England by which the great nobility of England stand differently before the criminal law of the country from a private citizen of Great Britain, whether it be as to a crime committed by a peer of England or as to a crime committed against him, except so far as they have the distinction as to the mode of trial that a peer may demand that he be not tried by a jury, but by his peers in the House of Lords, just as one was tried a little while ago on a charge of the commission of bigamy.

It does not do to say that we are going to stop where we are. It does not do to say that the purpose is not to enact criminal laws which shall be different as to simply the heads of Departments and shall not be extended to other officials, because in our

own history and experience we have had similar criminal laws in this country which did extend not only to the President and heads of Departments, but included offenses against Congress or either House of Congress—the old alien and sedition laws.

When we once embark upon this new road, when we once establish the proposition that it is a recognized policy of this country that a man who assaults a Secretary of the Navy or a Secretary of the Interior commits a greater crime before the law and is to be punished with a greater penalty than if the same man under the same circumstances assaults a private citizen, then there is no reason why it should not be extended to other officials; and with the constant evolution and change, which a man has to be blind if he does not see, coming over this country, it will be but another step to include another class of officials, and still another, until in this country, where, as I have said, equality before the law is the foundation upon which must rest and has rested our political fabric, we shall have the most dangerous of all inequalities—inequality in the matter of criminal law.

I will not stop to discuss it. The Senators have the bill before them. Let them read the sections which make it a crime to advise the killing of the head of a department or to instigate it, and then consider what may be proven under the general term "advise and instigate," and compare it with the terms in the alien and sedition law, and then try to form a conclusion as to what crimes were sought to be deduced as having been perpetrated under the general term of "advising and instigating." Draw a parallel between that and the prosecutions which were had under the alien and sedition law, where under the general terms the law was made an engine of oppression against those who differed politically from those who were in power, and was not limited to the purposes for which it was professed originally to have been enacted.

I shall not stop to enlarge upon that, because I had the kind consideration of the Senate and discussed it at length on a former occasion. For myself, I repeat that while the first amendment, the one referred to by the Senator from Missouri, important, in my opinion, may not be vital in its operation, there are other features of this bill which are practical, and if it is enacted in the terms in which it is now expressed the time will certainly come when we will eat the bitter fruit of repentance on account of it.

Mr. MASON. Mr. President, I am exceedingly surprised that there should be this apparent necessity for discussing so plain and simple a proposition. The bill presented for the consideration of the Senate is but the formation in shape of public opinion, which has thrice been aroused in this country by the assassination of our President. It is a well-considered and carefully prepared bill by the leading committee of this body, and the proposed amendment offered by the Senator from Georgia, it seems to me, with all due respect to the Senator himself, is uncalled for. He certainly is familiar with the common rule of criminal jurisprudence. He certainly is familiar with the fact that motive may be judged by the action itself.

While the bill prepared by the learned Senator from Massachusetts provides for the death penalty for taking or attempting to take the life of the President, the Senator from Georgia seeks to inject into it by his amendment the chimerical, far-fetched, away-off theory that the President, or some other one who is eligible to become President in case of the death of the President, may be guilty of something as a man, as a private individual—who, as the Senator expressed it, as a human being—that would justify another, or if not justify him, at least reduce the crime. If any man who is elected President of the United States has offended him and should answer with his life, let him demand that life before the people of the United States have called upon him to hold temporarily this great office of power, of honor, and of trust. If during the incumbency of the President of the United States he should so far forget his great office as to give offense by trenching upon the sacred precincts of home, then let that man with the real or imaginary offense be at least patriotic enough to wait until he is divested of the power, until he is divested of the honor, until he is divested of the responsibility as the President of seventy millions of people.

Do not talk to us about the rules that are applied to kings and the first son. If you go to-day into the House of Commons, I do not care who accompanies you, you are searched and examined carefully to see that not only none of the royal blood but no member of either the House of Lords or the House of Commons is going to be subjected to danger by some man who may carry a bomb in there for explosion. The royal family is surrounded night and day. They have at their beck and call not only one but a thousand servants and guards. This Government is different in theory. The President only holds his term of office for four years, and not exceeding eight years.

Mr. BACON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from Georgia?

Mr. MASON. Certainly.

Mr. BACON. I simply wish to say, with the permission of the Senator, that I have had the pleasure of visiting the House of Commons at certain times, and I was never subjected to such an ordeal.

Mr. MASON. I had the pleasure of visiting the House of Commons once, and I had to be introduced and to be carefully examined as to my reasons for being there. But it may be that it was on account of my appearance and not because I looked like the Senator from Georgia. [Laughter.]

Mr. BACON. It shows that they did not recognize this doctrine of equality before the law.

Mr. MASON. I will agree that the Senator's mild-mannered appearance would generally admit him almost anywhere. [Laughter.]

But, Mr. President, we hear talk about raising an official class. How unfair is the Senator from Georgia when he says that this law is to protect certain members of the Cabinet and that it excludes the Secretary of Agriculture. Is it not to be the law that it protects those who are President or who may become President in the legitimate line of succession? Is it fair for the Senator to give it here and go to the country that we are passing a law to protect certain members of the Cabinet and to exclude certain other members of the Cabinet? Is it not more fair to say to the people we are simply protecting every man who holds the office of President of the United States, and that we propose to protect him and to prevent what was attempted at the time of the assassination of Mr. Lincoln. We propose to say that not only the President, but the Vice-President and every man who might succeed to that great office in the legitimate line of promotion in case of the death of the President, shall be protected from assassination.

Mr. BACON. Will the Senator permit me a moment?

Mr. MASON. Certainly.

Mr. BACON. I am sure the Senator does not wish to misrepresent me.

Mr. MASON. No.

Mr. BACON. I had not only no purpose to produce any such impression, but if the Senator will read my remarks in the RECORD to-morrow morning he will see that when I excluded the Secretary of Agriculture I said I believed that under the bill creating the succession, which had been drawn by the Senator from Massachusetts, the Secretary of Agriculture was not included. I did not add what I will now say, that the reason of it was because there was then no such officer.

Mr. MASON. The bill which fixed the line of succession was at a time, as I remember it—and I am only stating it from memory—when the distinguished Senator now in the chair in the case of the assassination of a Democratic President would have become President of the United States, changing not only the Presidency, but changing the whole policy of the Government. If President Cleveland had been assassinated, our President of the Senate, who is now in the chair, would have become President of the United States.

Mr. HOAR. And the Senate could put him out in two minutes and put in another.

Mr. MASON. Yes; and the Senate at that time under the law could have put him out, as the Senator from Massachusetts says. The Republican party, true to its principles of fair play, passed a law of succession which put it beyond the pale of possibility, if the assassination of President Cleveland should occur, to turn his party out of power until it was reached in due course of events before the people of the United States.

Mr. President, this bill provides what has been in the hearts of the people for a long time, namely, that it shall apply not because of the man who holds the office but because of the dignity of the office, and because of the relation he bears to every one of the people of the United States regardless of conditions, and because there is a certain line of cranks who seek notoriety by destroying the life of the leading man in the nation. It is the fact that three great Presidents have been stricken down in this country within my recollection.

It comes from the teaching. The Senator from Georgia complains of advising anarchy. The man or the woman, I do not care who it is, who has the power to advise anarchy and advise murder nine times out of ten are too cowardly to perform the deed themselves, but seek in some weak vessel to find some muddled brain who will carry out the suggestion made by the wickedness of their own hearts.

Mr. President, so far as I am concerned I am ready to vote now, as I have been since I came here, and particularly since the assassination of our last President. I am ready to vote now. We tried that case in Illinois. The men who advised the assassination were the men who were punished. They were punished for the advice they gave to those poor and weak and misguided people. The time has come in this country and the people are ripe

for this legislation. Justice demands this legislation. It demands that the coward and the sneak who in a dark hall advises a course of conduct that leads to assassination has that assassination in his heart, and he ought to pay the penalty of death when he is guilty of that advice. There is no other protection for us.

Mr. BACON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from Georgia?

Mr. MASON. Certainly.

Mr. BACON. If the Senator will pardon me, I do not wish to be misunderstood on that point. I have already said, and I will say now very briefly, that my objection to this phraseology is not that it will reach those who have, in fact, advised it, but that it opens a door by which innocent men who have not advised it may be punished, and that the effect of it will be that there will be no newspaper in this country but that its editors or those who control it will be in danger of prosecution for political offenses under the guise of having advised something which they did not have in their minds at the time. It is not because it makes the conviction of the anarchist easy, but it is because it makes the conviction of those who are innocent of any crime easy. That is my objection to it.

Mr. MASON. This bill, Mr. President, seeks only to punish murder or the advice and recommendation of the commission of murder. Section 1 provides that if he "willfully kill or cause the death of the President or Vice-President of the United States or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws," then he "shall be punished with death." The second section provides that the attempt to commit this murder "shall be punished with death." Yet the Senator seeks by this amendment to bring in a remote possibility, so that when a man aims his gun at the President of the United States, or the Vice-President, or some man who may succeed him under the legitimate succession as provided by our law, the assassin may go into court and say or seek as a theory of defense, "I did not shoot him to hurt my Government; when I pulled the trigger I remembered a personal grievance, and I sent the bullet crashing through the brain of the President of the United States because as a private citizen he had offended me." The Senator would make a different defense for a man who would destroy the President under a pretense like that. I say that the man who makes that defense is worse, if it is possible, than the brave assassin who goes and strikes the blow at the Government and says, "I killed him because he is President, and not because of the individual."

Ah, Mr. President, the time has not come in this country, and it is a bad time, to fix special pleadings for men who destroy the President of the United States. It is a bad time in his own heart and in his own conscience, if he would stop to think, to arrange for special pleadings and special defense for men who, angry at the Government, seek anarchy instead of law, who seek to destroy all power, who would close the public schools, who would open the jails and mix your children and mine with the outlaws and the thieves of the country, for that is anarchy. Standing under the shadow of the great crime that robbed us of President McKinley. it is a bad time in this bill to fix special pleading for that class of gentlemen who may come upon the criminal docket for trial before the people of the United States, for to kill him or any other President is worse than murder; it is different from murder.

The bill fixes a different rule of punishment, you say. Very well; I am glad of it, and so will the people be. If the Senator from Georgia was stricken down, his family and his friends as well would be injured. But let him call to mind what occurred but a few weeks since when the President of the United States was stricken down. Who was struck? Seventy millions of people, regardless of political differences, regardless of religious creeds. You saw strong men and women standing in the streets with tears in their faces at 2 o'clock in the morning, waiting for news.

I am announcing a different rule. I want to say to the Senator from Georgia, with all respect, that when you assassinate a private citizen you have done all that you could do against your laws and against that citizen and his family and his friends. But when you assassinate the President of the United States—as it was done within the past few weeks—everyone was wounded; it was worse than murder. No man ever had it in his heart to commit a crime like that. It was the ignorance and criminality and weakness of the man who shot the gun and the damnable crime in the heart of the people who taught him to do it.

Mr. President, if the distinguished Senator from Massachusetts [Mr. HOAR], in charge of this bill, has found some rule of law that can punish a crime worse than murder, more unspeakable than any crime that has ever been committed against the people, let us accept his bill and pass it, and 70,000,000 of people will say "Thank God, there is another protection against the doctrine of anarchy and the teaching schools of murder." [Applause in the galleries.]

The PRESIDENT pro tempore. The Chair must remind the occupants of the galleries that under the rules of the Senate no evidences of approval or disapproval are permitted.

Mr. HOAR. Mr. President, I should like to sum up in a very few sentences the purposes of this bill, which my friend from Georgia does not seem to have comprehended in the same fashion that I do. I suppose that under the Constitution the protection of the United States Government is within the jurisdiction of the United States Legislature and the United States courts.

This is a bill to prevent an interruption of the functions of the Government of the United States by the destruction of its Chief Magistrate and the persons who, under the Constitution and laws, are in the immediate line of succession if there be a vacancy.

There is no doubt that that is a serious injury to the Government. It interrupts or may interrupt for long spaces of time the actual function. If the Vice-President, or whoever is to succeed, be in California, there can be no man pardoned; there can be no law passed; there can be no appointment of an inferior officer whose appointment is vested in the President; there can be no exercise of Executive power to suppress riot; there can be no protection, like that extended in China, to our officers abroad until he can come across the continent and take the oath of office and possess himself of the subject.

Mr. MCLAURIN of Mississippi. Mr. President, will the Senator from Massachusetts allow me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Mississippi?

Mr. HOAR. I do.

Mr. MCLAURIN of Mississippi. Is there any provision in the Constitution or the law that requires the President of the United States to take the oath of office at the capital? May he not take it in California as well as anywhere else?

Mr. HOAR. Certainly; but his functions must, from the necessity of the case, almost wholly be performed at the capital; he must be where the archives are, where the subordinate officers are, and so on.

Mr. MCLAURIN of Mississippi. Will the Senator allow me?

Mr. HOAR. I am going to be very brief, and when I get through I will answer any question the Senator will put, unless he very much prefers to break in now. I am merely stating and not arguing.

Mr. President, not only that, but the effect of such a crime is to interrupt and often defeat great policies which have been agreed on by the people. As has been well said by the Senator from Illinois [Mr. MASON], if in President Cleveland's time he had been slain by an assassin, Mr. Sherman, opposed to him in almost every single policy upon which the people had just declared, if they elected Mr. Cleveland at all, would have taken the Executive power. If the first President Harrison had been slain, instead of dying a natural death, Mr. Tyler, who differed with him in regard to Texas, in regard to the National Bank, and various other things, would have come in. So in the case of President Taylor. President Taylor had one plan of dealing with the prevailing discontent between the sections and Mr. Fillmore, as is well known, a totally different one. In every case, with the exception of the last, the old Cabinet has gone out when a new President came in.

Certainly, if anything be within the constitutional power of this Government it is to defend itself against such a blow as that, and it is expedient that the Government should exercise that authority.

The crime of murder may be punished in the States, but in that particular, the gravest single matter of penal legislation which can be conceived under our laws, to leave the punishment, and the mode of trial, and the time of trial with 45 State laws, and to leave the question of the punishment to the discretion in many cases to the State juries and the pardoning power of the State executive, in cases where there is great political strife would be, I submit, very objectionable.

The Senator from Georgia brings up an argument, which we hear all the time when we are speaking of official character, that we are trying to create a class, or that what we do will have the effect to create a class in this country. He holds the old doctrine that one man is as good as another. So he is in the eye of the law. But this is not for the protection of William McKinley or Theodore Roosevelt. It is for the protection of the American people that a function which is to be discharged for their benefit may be uninterrupted and go on in safety and in peace.

Is not one piece of cloth just as good as another? Is not a piece of silk better than a bit of bunting? But when that piece of cloth becomes the American flag it is the one most sacred thing in this world with us. Is it any the less an object of respect when the American people are represented, not by a little bit of bunting, but by the chosen man whom they have selected to represent them for the time?

The Senator says, "But you must find that the motive was to

hurt the Government." The answer to that is the answer made a thousand times in every form of legislation whatever and in all criminal law, that when the man means to do the wicked act, means to violate law, then, being sane, he is to be punished for the act, without any regard whatever to his motive. If I mean to slay the Senator from Georgia [Mr. BACON] and my bullet strikes the Senator from Utah [Mr. RAWLINS], by his side, I am to be punished for slaying the Senator from Utah. In this case the assassin means to strike his blow at the people. The wicked motive with which he may mean to do it may be private revenge, but he means to kill the President of the United States, and he is held responsible for what he means to do, and not for the reason why he means to do it.

That matter is settled in a case which I read to the honorable Senator, whose arguments one after another perish, perish, perish, when the decisions of the Supreme Court are read. The great Democratic jurist, Judge Field, says:

> When the acts which create the obstruction are in themselves unlawful, the *intention* to obstruct will be imputed to their author, although the attainment of other ends may have been his primary object.

Then the Senator said the other day—though that also disappears when Chief Justice Marshall's decision is cited—that we could not make anything a crime which the law of England formerly made treason because of the constitutional restriction of treason, that it shall be only levying war or giving aid and comfort to the enemies of the country, a charge which could only be maintained on the evidence of two witnesses to the same overt act. Yet the learned Chief Justice said here that these crimes (in 4 Cranch)—

> are not to escape punishment because they have not ripened into treason. The wisdom of the legislature is competent to provide for the case.

And so on. Then the Senator from Georgia says that he objects to so much of this bill as would reach the guilty principal who had incited the offense by counseling it, who had instigated or inspired the party, because in that case the bill permits him to be convicted on the testimony of one man as to his language.

Mr. BACON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. HOAR. Certainly.

Mr. BACON. If the Senator will permit me, I never said anything to justify any such construction.

Mr. HOAR. I think the Senator did.

Mr. BACON. The Senator will pardon me. I have distinctly stated that my objection was not to the fact that it might reach the guilty, but that it might reach the innocent.

Mr. HOAR. I understand.

Mr. BACON. If the Senator will pardon me a moment——

Mr. HOAR. I understand. The Senator says that I did not state him correctly, and I think I did.

Mr. BACON. The Senator's words have been taken down, and I think upon examination it will be found that practically I have stated them correctly, and that he said that I objected to the instigator being found guilty because it might be upon the testimony of one man.

Mr. HOAR. Exactly.

Mr. BACON. If he instigates it, I would not care whether he is found guilty on the testimony of one witness or a dozen witnesses.

Mr. HOAR. I understand.

Mr. BACON. The danger is that a man who is innocent may be proven to be guilty on the testimony of one man.

Mr. HOAR. Exactly.

Mr. BACON. That is a very different case.

Mr. HOAR. There is no difference, in my judgment, between the Senator's statement and mine, but I will take the Senator's own statement, as I ought in all propriety, of what he meant. He is not willing to have a law passed which shall make the instigator punishable, as this bill would punish him, because of the danger that innocent persons may be convicted upon the testimony of a single witness as to their language.

The answer to that proposition, Mr. President, is that that is the rule of law and of evidence in this country in regard to every offense whatever, except the single offense of perjury, where, of course, if there is but one witness for the Government, it is simply one oath against another—the oath of the man charged on one side and the oath of the witness on the other—and the special constitutional offense of treason. Incest, murder, burglary, parricide, or matricide may be charged against a man everywhere, and he may be convicted on the testimony of one man of the crime if the jury believes the witness. It is the universal rule of law. Now, why is it that, never having lifted a finger during his long public service to moderate or qualify this rule of evidence in regard to all the other offenses, the Senator suddenly discovers that, in regard to this offense against the whole American people, not usually committed in the corner, he wants a special rule, not of law, but a special rule of escape, devised for the particular criminal who has struck at the very heart of this country.

Before I pass from this point I will say that over every man accused of crime, of this, as of every other, are spread the great defenses of trial by jury, the right to meet his witnesses face to face, the defense by counsel, and the presentation of the grand jury, so that 35 men have to consider the case, and a majority of 23, being 12, and 12 others, being unanimous, must believe him guilty beyond reasonable doubt.

Mr. President, in general, that mechanism gets at the truth everywhere, especially in great State trials. Does any man believe that there is any serious danger to the great newspapers of this country, or any one of them, with the whole editorial fraternity—who have more of esprit de corps than any other profession in the country—coming to the rescue of the man wrongly and oppressively charged, being convicted by a jury misinterpreting honest and innocent language, or of taking the editor, not in his capacity as editor, and reporting his language by a single witness? Why, Mr. President, practically those things are seen through. You do not get 12 men, taken by lot from the jury box, to agree to punish men capitally or otherwise severely in such cases.

But, I repeat, why is it that for the one offense of murdering the choice of the American people, or inciting men by the coward who incites them in a cellar, but does not come out into the daylight with courage to do the deed, the Senator from Georgia is so eager that he spends two or three hours in trying to get us to devise for such a man a method of escape that is not open to the man who kills his mother, who murders his child, or who poisons the well of his benefactor?

Mr. BACON. Do I understand the Senator to suggest that I have been trying to devise a way by which one who instigates such a crime can escape?

Mr. HOAR. The Senator objects to a law for the punishment of the instigation of that crime, that it will allow a man to be convicted on the testimony of one witness.

Mr. BACON. If he is innocent.

Mr. HOAR. That it will allow him to be convicted.

Mr. BACON. The Senator must not misrepresent me to the extent that he has done. I supposed that so absolutely unjustifiable and inexcusable a suggestion would be limited to the Senator from Illinois [Mr. MASON]. I did not suppose that the Senator from Massachusetts would participate in it.

Mr. HOAR. I submit to the Senate, who heard the remark and who heard both of us—I am not dealing with the Senator——

Mr. BACON. The Senator seems to be.

Mr. HOAR. As an individual. I am dealing with an argument. I agree with the Senator from Illinois when he said that the appearance of the excellent and bland Senator from Georgia would let him into the House of Commons when nobody else could get in, and when the Senator from Illinois could not get in. That countenance, that face—

> Would let him through St. Peter's gate,
> When sad-eyed martyrs had to stand and wait.

[Laughter.]

But I am not saying anything personal to the Senator. I am dealing with an argument, and I say again that the argument that this particular provision punishing the man who is charged with and who is guilty of the offense of inciting or instigating the murder of the President ought not to pass, because a man may be convicted on the testimony of one witness——

Mr. BACON. Because an innocent man may be convicted.

Mr. HOAR. Very well; an innocent man, then.

I say that that argument applies to every crime in the calendar, save constitutional treason only and perjury, which stands on its own ground. The matricide, the paricide, the man who poisons the well, the man who murders a child, the man who publishes a foul libel, who stabs the reputation of his neighbor, may be convicted on the testimony of one witness. Innocent men are absolutely safe, because under our system of jury trial innocent men can not get convicted. An innocent man is not convicted once in a thousand times; an innocent man is not convicted once in a hundred thousand times. So, if we were to amend this law as the Senator would have it, and make it what my honorable friend from Georgia says it ought to be, by making two or more witnesses necessary to conviction, we would only be providing a method by which a hundred guilty men would escape by a mere suggestion that some innocent man may be otherwise in danger, when no innocent man will be in any possible danger from an American jury. In the cases which are to be left to the States, if the Senator has his way, there will be but one witness required to convict. That is what I say.

Mr. President, I do not want to detain the Senate with this subject. The American people think we ought to have a law which will more effectually protect the President of the United

States. According to statistics, which I have here and which have been prepared by an eminent judge of the circuit court of the United States, there have been within a generation or two 55 attacks on the crowned heads of Europe. Only 5 of them succeeded. Within the same period there have been 4 attacks on Presidents of the United States, and 3 of them have succeeded—75 per cent in one case and about 9 per cent in the other. Now, is there not something wrong with our law?

I think a great deal of the proposition of the Senator from Alabama [Mr. PETTUS], which forms the latter sections of this bill, that there shall be some responsible person to provide in proper cases for the protection of the President. There is not anybody now to do it. The secret service is not competent, in my judgment, to that duty.

Mr. CARMACK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Tennessee?

Mr. HOAR. I do.

Mr. CARMACK. I will ask the Senator a question. The Senator spoke of the fact that three Presidents have been assassinated, and suggests that that is an indication of the fact that there is some fault in our law. Does the Senator think that if the law he now proposes had been on the statute books from the foundation of the Government it would have saved the life of a single President?

Mr. HOAR. I do. I think it would have saved every one.

Mr. CARMACK. I would like to know the Senator's reason for that belief.

Mr. HOAR. This proposition is not to surround the President with a guard in uniform and armed, with the beat of drum and the blare of trumpets. It puts upon a high official of the Government who has under him men in the habit of commanding men, among whom are officers and soldiers trained to quick action in time of great danger and grave responsibility, the duty of seeing that there is about the President, whenever he is in danger, men who may not be at all known to the public who are to protect him, and whose failure to protect him will be to the disgrace and dishonor of the official chargeable.

Would Booth ever have gone into the box where Abraham Lincoln was gazing at the play in a theater, have locked the door after him, drawn a pistol, destroyed that beloved life, and stopped the beating of that heart which was full at the moment of kindly feeling toward those of his countrymen to whom he had been opposed in war, or sent a bullet into that brain which was busy with nothing except plans for their welfare and benefit? If there had been such an arrangement as this bill proposes, would a man have come up to Andrew Jackson on a steamboat and attempted his life? The attempt was unsuccessful, but it was because Jackson was a great soldier, accustomed to exactly such things, and he defended himself against that assassin. Does anybody believe——

Mr. BATE. Mr. President, right in that connection may I ask the Senator from Massachusetts a question?

Mr. HOAR. I think I had better finish this sentence, or I may lose the thread of it.

Mr. BATE. I was going to suggest to the Senator, with his permission, simply this: When General Jackson was assaulted and he pursued his assailant and caned him, suppose the man should have turned around and killed Jackson while he was striking him, that would not have been murder in the first degree; but under this bill, had it then been the law, he would have had to die for it.

Mr. HOAR. Is not that altogether foreign to the particular sentence I was uttering? It has nothing to do with what I was saying, but applies to some other part of the argument.

Mr. President, I say again that that man would never have got close to Andrew Jackson if there had been detailed by the Secretary of War men, in citizen's dress and unknown, prepared for his defense. Would anybody have ever come up behind James A. Garfield, as he was starting on that errand with the cares of State laid down, and presented a deadly weapon close to his back in the crowd at the depot if this bill had been in force? Would anybody have got up to McKinley without being seen, pistol in hand, and, if one story be true, with hand swathed with a handkerchief, which concealed his weapon—though about that I am not sure?

Mr. CARMACK. Mr. President——

Mr. HOAR. At any rate, three of these four attempts would have been absolutely impossible if this bill had been in force.

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Tennessee?

Mr HOAR. Certainly.

Mr. CARMACK. I suppose the Senator has been referring to section 7 of the bill. I should have no particular objection to that section, especially if it were in a separate measure, and for that matter, I think the President of the United States should have ample power——

Mr. HOAR. Mr. President, I wish to yield to any question which relates to the point; but when a Senator gets up and asks me to stop in the midst of a somewhat brief and impassioned sentence and interrupts me to say that he has no objection to something in a separate bill, I do not think it is quite within our rule.

Mr. CARMACK. I will not interrupt the Senator any more.

Mr. HOAR. If the Senator desires to say anything further in regard to that point, or wishes to call my attention to anything that I have omitted about this particular matter, I will yield with great pleasure.

Mr. CARMACK. I thought the Senator had completed that particular part of his statement, or I should not have interrupted him. I shall not interrupt him any more.

Mr. HOAR. I will yield to the Senator. I have forgotten what I was going to say now.

Mr. President, I like our method in the Senate of colloquy on important points. It brings out more light than set speeches, and I certainly do not wish to decline to be interrupted for any purpose; but when I am dealing with one point, and especially when I am half through a sentence, it throws me off my line of thought to be interrupted.

Mr. CARMACK. Well, if the Senator will permit me——

Mr. HOAR. I will; certainly.

Mr. CARMACK. I wish to beg his pardon, but I will say to the Senator that I was not guilty of interrupting him in the middle of a sentence. He had completed his sentence, and I had every reason to believe that he had completed his statement in that particular branch of his argument before I addressed the Chair and received permission of the Senator from Massachusetts to interrupt him. I did not interrupt him in the middle of his argument, nor do I think I interrupted him in the middle of his statement.

Mr. HOAR. The Senator interrupted me by saying that he was in favor of a particular section, especially if it was in a separate bill. That was the purport of his remark. Now, how that relates to anything I was saying or how it is connected with anything I was saying or had just said, I can not see.

Mr. CARMACK. If the Senator will permit me, it related to it in this way: I had asked the Senator whether, if this bill had been a law, it would have saved the life of any President of the United States.

Mr. HOAR. I think so.

Mr. CARMACK. The Senator made a reply which, I think, referred entirely to section 7 of the bill. I asked him if that was what he had reference to in stating the provision which he thought would have saved the lives of the three Presidents who were assassinated. I asked him if that section 7 of the bill was what he had reference to; and I said I had no particular objection to that section as a separate measure. The rest of the bill, I thought, would be entirely ineffective, and would have been if it had been the law of the land from the foundation of the Government.

Mr. HOAR. I do not think without these last sections the rest of the bill would probably have protected either of the Presidents who have been assassinated; but I do think that, as a measure of proper legislation for the future, it will be a great additional protection and security. I think in a time of political excitement, like that which existed when John Wilkes Booth assassinated Lincoln, if the fact had been that the President happened to be away from the seat of government and he was in a State where the intense political excitement prevailing would have seriously affected the prisoner's chance of escape, that chance of escape would have been a great encouragement.

Mr. CARMACK rose.

Mr. HOAR. I will yield as soon as I have said one other sentence. It is perfectly notorious that there were many persons in this country, in the North, who sympathized with Booth. I am not saying a word about any State that had taken the Southern side in the civil war; I leave that all out. In the North, in Massachusetts, in my own immediate neighborhood, there were persons whose names might have got into a State jury box who felt a very considerable sympathy with that crime. There were not many, but there were some. One case comes to my recollection which you remember undoubtedly, Mr. President, where it turned out that a person appointed to be recording clerk in the House of Representatives was proved to have named his son, shortly after the assassination of President Lincoln, John Wilkes Booth. So those things exist, and wherever human nature remains unchanged they will continue to exist, and I believe it will be a great additional safeguard in the future to have the punishment, the pardoning, the trial, and everything connected with such an an offense, so far as the guilty is to be brought to punishment, in the hands of the Government of the United States.

Now I will yield to the Senator from Tennessee.

Mr. CARMACK. If I understand the latter part of the Senator's argument, it is based upon distrust of the power and willingness of the States to protect the life and person of the President when he happens to be within their borders.

Mr. HOAR. Not at all. When the Senator says "the States" he uses a very general and broad term. It is based on a distrust of the public sentiment in some special locality in the country in time of high political excitement such as generates these crimes. I should not put it exactly in that way. I think the Government, with whose interests in lawmaking we are charged, would do better to have this matter in its own hands than to leave it to others.

Mr. CARMACK. With the permission of the Senator, I should like to ask him if it would not be just as likely——

Mr. HOAR. The Senator from Wisconsin [Mr. SPOONER], to whom I am indebted so often when constitutional questions are up here, calls my attention to what the Supreme Court of the United States has declared:

> If the General Government is powerless to interfere at once for their protection—if their protection must be left to the action of the State courts—the operations of the General Government may at any time be arrested at the will of one of its members.

That is the decision in the Nagle case.

Mr. CARMACK. I should like to ask what was the point in that case?

Mr. HOAR. It was the Nagle case. The Senator knows all about that.

Mr. CARMACK. I do not know anything about it.

Mr. HOAR. The Nagle case is the case of the officer who interposed when a murderous attack was made on the venerable Justice Field.

Mr. CARMACK. Certainly; I remember it.

Mr. HOAR. Justice Field had been struck on the head by a man, a giant in size, and as the next blow, which probably would have been fatal, was about descending, a person charged with his protection shot the ruffian and saved the life of the venerable magistrate. I suppose many persons believe that the law which protected that official in that act and saved the inexpressible and unutterable outrage upon our highest judicial tribunal would itself very likely not have been declared justifiable by a local tribunal if the trial had been there. However that may be, I do not know. I suppose the courts of California are courts of very high authority. But it was a very doubtful question indeed, about which even the Supreme Court was divided.

Now, Mr. President, I did not mean to talk to this extent, but I do think, and I believe the American people, North and South, East and West, think, I believe the large majority of the Senate think that the matter of protecting the United States Government is a constitutional duty resting upon us, upon whom, as we all admit, rests the constitutional power, and without disrespect to the Senator from Georgia, I do not find, in the argument he has stated, good reason why we should not exert it. This bill is the best that the Committee on the Judiciary has found itself able to prepare. I dislike very much to have a great measure of this kind passed by a mere party vote, and I would cheerfully accept any reasonable amendment, like inserting the word "murder" where we now say "killing," or any provision in accordance with the amendment proposed by the Senator from Colorado, or I think possibly of the Senator from Tennessee, providing that a man may be convicted of manslaughter or of assault with intent to kill; I have it from a Senator in his own handwriting on my desk. I will cheerfully, with the consent of the Senate, accept such an amendment, but I appeal to the Senate not to let this occasion go by without doing what we can to add further security against this great public danger, and not to let this question be determined by a party vote.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

Mr. BACON. I hope the Senator from Maine will let me say a word in response to some things somewhat personal to myself.

Mr. HALE. I yield to the Senator, though I desire to make that motion very early.

Mr. BACON. Mr. President, I would not trespass upon the Senate at this time but for certain things which were said by the Senator from Illinois [Mr. MASON] which were certainly very personal to myself. The debate upon this bill is certainly entitled to the very serious and very calm consideration of the Senate. It is a bill in which the injection of personalities has no excuse, especially in the absence of any provocation.

Mr. President, my position in regard to this matter could not possibly be misunderstood. When I had the honor to address the Senate upon the subject on a previous day I began what I then had to say by stating the fact that in the presence of the great crime which had been committed in the assassination of President McKinley, and in the presence of the great indignation of the American people on account of that crime, it required something of resolution to oppose any bill the purpose of which was avowed to be to prevent the recurrence of such a crime.

I went on to say not only that, but to speak of the feeling that had been aroused by reason of the personality of Mr. McKinley, who had been so foully murdered. I went on further to speak of my personal attachment to him. I said in my place in the Senate that while belonging to a different political party from him I had ever received from him the utmost kindness and the most unvarying consideration. I went on to say that I regarded him as the most amiable and the most courteous and the most agreeable man I had ever met in high station. I went on to deplore the fact of his loss, and I said I regarded it as a national calamity.

Not only so, but so far as there was ability in me I expressed my utter abhorrence and my detestation not only of the crime and not only of the criminal, but of those who instigated the crime, and I said then as I have said to-day that I would go as far as the farthest in the effort, by all legitimate means, not only to prevent the crime, but to destroy and drive from our midst those who made that crime possible. I said, if I can recollect the words, that I would wish to destroy them as I would wish to exterminate a den of rattlesnakes. There could have been no doubt in the mind of any man as to the position I occupy on that subject.

What does the Senator from Illinois [Mr. MASON] say to-day, Mr. President? The Senator from Illinois, possibly forgetting the high arena in which we stand, in the face of such declarations from me, went on to speak of it in the most earnest manner as if I were a defender of anarchists, and in terms spoke of me as trying to devise special pleading for the defense of anarchists, and that in order that they might escape.

I want to ask is there a Senator on the other side of the Chamber who knows me and who heard what I said who believes that to be true? I will go further. Is there a Senator who believes that the Senator from Illinois believed it to be true when he said it?

Mr. MASON. Mr. President——

Mr. BACON. If no Senator believes it, and if no Senator believes that the Senator from Illinois believes it, I am willing to leave it with him.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Georgia yield to the Senator from Illinois?

Mr. BACON. Certainly.

Mr. MASON. I was unfortunately absent and I do not know what the Senator refers to. It was something I said.

Mr. BACON. I said this, Mr. President. I supposed, of course, the Senator knew what I had said in the Senate. If he did not, he certainly was inexcusable for making any charge against me without first knowing it. I said that the Senator had practically spoken of me as defending those who had murdered the President, and that he in terms said I was endeavoring to invent special pleas for the protection of people who would murder the President; and as the Senator says he was not present, I will say that I then asked if there was a Senator on that side of the Chamber who believed that of me—not on this, but on that side—and I added the inquiry, was there a Senator there who believed that the Senator believed it to be true when he said it?

Mr. President, I know I have grave defects; I possibly lack a great many things which it would be greatly to my advantage to have; but I think I may say in the presence of those who have been associated with me here that I am honest in the expression of my convictions. Furthermore, Mr. President, I think I may claim this virtue, if virtue it be, that I am prepared to say what I believe, even though it may not be good policy to say it, and even though it may sometimes be in the face of public opinion.

Mr. President, things which I say I believe are things in the maintenance of which I remain firm and unchanged, and I do not cower before power anywhere, nor do I change my opinion or abandon my position because it may be to my advantage to do so.

Mr. MASON. Mr. President, I was not here during the whole of the argument of the Senator from Georgia, but as I came into the Chamber his question was exceedingly personal to myself. He raised the question as to whether I believed to be true what I had said. I certainly not only believe it to be true, but I state again the proposition. The Senator from Georgia very well knows that I could not reflect upon his integrity; he knows me too well, and he knows the personal feelings that exist between us. What I did say—and I do not allow him or any other gentleman to question my good faith in it—was that the amendment offered by him, whatever his intentions may be, is a basis of special pleading for men who shall be caught in the act of attempting to take the life of the President or one who may succeed to that office. Let me read his amendment as it is written here in substance.

The bill presented provides the death penalty for the man who takes the life of the President of the United States, and we will see whether this amendment offered by the Senator from Georgia is not the opening of a door for special pleading. Here is the amendment in substance:

> If he kill or cause the death of the President or Vice-President of the United States because of his official position, or for the purpose of destroying the Government or impairing the execution of its constitutional power.

Mr. BACON. Will the Senator permit me to interrupt him for a moment?

Mr. MASON. Certainly.

Mr. BACON. I would never question the right of any Senator to criticise any amendment offered or any language used by me so far as to speak of what the effect of it is. That is the right of every Senator. But the Senator, if he will examine his language in the RECORD, went far beyond that. I do not object to the criticism of the Senator as to the legitimate effect of anything I may say; I could not possibly assume to object to his right to do that; but if the Senator will examine the RECORD, he will find that he applied it to me personally and said that I was endeavoring to accomplish that purpose. That is a very different thing.

Mr. MASON. I do not say that the Senator is endeavoring from any motive that is not as praiseworthy as any motive that ever actuated any gentleman, but I say he is so endeavoring by this amendment. Can I in that manner reflect in any way, directly or remotely, upon the intention or the honor of the Senator? What I said was that the Senator's amendment—and certainly the Senator and I will not split hairs and we will not stand upon formalities in this body—if adopted, is the open door for special pleading, and that a man, to use a common, everyday expression, when he aims a gun at the President, would say: "I did not wish to kill him as President. I was shooting at him as an individual." It is a distinction and a difference absurd in law and worse than nonsense when it comes to be weighed by men of affairs. I characterized the amendment and not the Senator.

I say again this is not the time to delay this legislation. This bill ought to have been passed the day after the death of Abraham Lincoln. Another argument came when Garfield was assassinated; and if we needed another thing to stir the American people so that even this body can be moved to express the will of the people, it was when McKinley was assassinated, and the time is not now—I speak of the amendment and not of the Senator—to open the door for special pleading and special defenses for the man who attempts the life of the President, attempts the life of the Government. It is merely dodging the issue; it is rather pettifogging than trying the case upon the broad questions of law. I say the bill is good as it is, and the American people to-day, if they could express themselves, would be thankful indeed if the Senate would pass this bill through the efforts of the Senator from Massachusetts to give us a chance to vote upon this legislation.

Mr. SPOONER. Mr. President, earlier in the day I sought to obtain recognition for the purpose of making some reply to the constitutional arguments submitted the other day by the Senator from Georgia [Mr. BACON] against this bill. At the suggestion of the Senator in charge of the bill, that he is likely to secure a vote upon it, I refrained; and if the Senator thinks he can obtain a vote this afternoon, I do not desire to delay it a moment, but if the bill is to go over I should like to submit a few observations.

Mr. HOAR. I should like to inquire whether there is any other Senator on the other side of the Chamber who desires to speak upon the bill?

Mr. BATE. Mr. President, I understand the Senator from Mississippi [Mr. MONEY], who to-day is in Baltimore necessarily on account of his eyes, has something to say. I am so informed by his colleague.

Mr. HOAR. Then perhaps the Senator from Wisconsin will take the floor now and yield for a motion for an executive session.

Mr. SPOONER. If that is agreeable, I will do it. I desire to speak briefly upon the question.

Mr. HALE. Whichever the Senator from Wisconsin desires—to go on to-night or to-morrow?

Mr. ELKINS. Can we not have an executive session?

Mr. HALE. Several Senators ask for an executive session. I make that motion.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Maine that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 19, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 18, 1902.

POSTMASTERS.

Sanford B. Strout, to be postmaster at Evergreen, in the county of Conecuh and State of Alabama, in place of Sanford B. Strout. Incumbent's commission expired February 16, 1902.

Joshua Mizell, to be postmaster at Punta Gorda, in the county of De Soto and State of Florida, in place of Joshua Mizell. Incumbent's commission expires March 23, 1902.

Joseph W. Becker, to be postmaster at Jerseyville, in the county of Jersey and State of Illinois, in place of William S. Pittman. Incumbent's commission expired February 7, 1902.

Elijah Needham, to be postmaster at Virginia, in the county of Cass and State of Illinois, in place of Charles M. Tinney. Incumbent's commission expired February 18, 1902.

James H. Happy, to be postmaster at Mayfield, in the county of Graves and State of Kentucky, in place of W. I. Mason. Incumbent's commission expires March 23, 1902.

Edwin R. Smith, to be postmaster at Mound City, in the county of Linn and State of Kansas, in place of John H. Madden. Incumbent's commission expired January 10, 1902.

Isaac A. Macurda, to be postmaster at Wiscasset, in the county of Lincoln and State of Maine, in place of Isaac A. Macurda. Incumbent's commission expired January 10, 1902.

Benjamin F. Martin, to be postmaster at Marblehead, in the county of Essex and State of Massachusetts, in place of Benjamin F. Martin. Incumbent's commission expired March 9, 1902.

William F. Elgin, to be postmaster at Corinth, in the county of Alcorn and State of Mississippi, in place of William F. Elgin. Incumbent's commission expires March 22, 1902.

William M. Treloar, to be postmaster at Mexico, in the county of Audrain and State of Missouri, in place of William M. Treloar. Incumbent's commission expires March 22, 1902.

William F. Bloebaum, to be postmaster at St. Charles, in the county of St. Charles and State of Missouri, in place of William F. Bloebaum. Incumbent's commission expires March 21, 1902.

Thomas T. Wilson, to be postmaster at Tarkio, in the county of Atchison and State of Missouri, in place of Thomas T. Wilson. Incumbent's commission expires March 22, 1902.

Theron E. Sedgwick, to be postmaster at York, in the county of York and State of Nebraska, in place of Theron E. Sedgwick. Incumbent's commission expires March 22, 1902.

Charles A. Skillman, to be postmaster at Lambertville, in the county of Hunterdon and State of New Jersey, in place of Charles A. Skillman. Incumbent's commission expired March 9, 1902.

George C. Silsbee, to be postmaster at Avoca, in the county of Steuben and State of New York, in place of George C. Silsbee. Incumbent's commission expires March 22, 1902.

Roderick L. Leland, to be postmaster at Clifton Springs, in the county of Ontario and State of New York, in place of Roderick L. Leland. Incumbent's commission expires March 30, 1902.

John P. Moran, to be postmaster at White Plains, in the county of Westchester and State of New York, in place of John P. Moran. Incumbent's commission expires March 22, 1902.

John M. Mull, to be postmaster at Morganton, in the county of Burke and State of North Carolina, in place of Duncan C. Pearson. Incumbent's commission expired January 14, 1902.

H. S. Mooney, to be postmaster at Cardington, in the county of Morrow and State of Ohio, in place of Frank Shaw. Incumbent's commission expires March 22, 1902.

W. S. Cappeller, to be postmaster at Mansfield, in the county of Richland and State of Ohio, in place of Nelson Ozier. Incumbent's commission expired March 9, 1902.

Daniel D. Groves, to be postmaster at Brockwayville, in the county of Jefferson and State of Pennsylvania, in place of Daniel D. Groves. Incumbent's commission expired January 10, 1902.

R. A. Fulton Lyon, to be postmaster at Greensburg, in the county of Westmoreland and State of Pennsylvania, in place of R. A. Fulton Lyon. Incumbent's commission expired March 9, 1902.

David M. McQuown, to be postmaster at Punxsutawney, in the county of Jefferson and State of Pennsylvania, in place of David M. McQuown. Incumbent's commission expired February 11, 1902.

Addison Eppehimer, to be postmaster at Royersford, in the county of Montgomery and State of Pennsylvania, in place of Addison Eppehimer. Incumbent's commission expires March 30, 1902.

Frederick W. Ulrich, to be postmaster at South Bethlehem, in the county of Northampton and State of Pennsylvania, in place of Frederick W. Ulrich. Incumbent's commission expired March 16, 1902.

George W. Brown, to be postmaster at Wayne, in the county of Delaware and State of Pennsylvania, in place of George W. Brown. Incumbent's commission expired January 10, 1902.

James A. Gammill, to be postmaster at Calvert, in the county of Robertson and State of Texas, in place of James A. Gammill. Incumbent's commission expires March 31, 1902.

Florence Sheasby, to be postmaster at Elgin, in the county of Bastrop and State of Texas, in place of Florence Sheasby. Incumbent's commission expires March 31, 1902.

Mark H. Moody, to be postmaster at Waterbury, in the county of Washington and State of Vermont, in place of Mark H. Moody. Incumbent's commission expires March 31, 1902.

H. A. Darnall, to be postmaster at Buckhannon, in the county

of Upshur and State of West Virginia, in place of Erskine W. Martin. Incumbent's commission expires March 31, 1902.

Allison H. Fleming, to be postmaster at Fairmont, in the county of Marion and State of West Virginia, in place of Allison H. Fleming. Incumbent's commission expires March 22, 1902.

Gordon B. Gibbens, to be postmaster at Parkersburg, in the county of Wood and State of West Virginia, in place of Edward McCreary. Incumbent's commission expired February 18, 1902.

Charles P. Harder, to be postmaster at Danville, in the county of Montour and State of Pennsylvania, in place of Thomas J. Price, removed.

Arthur A. Porter, to be postmaster at Portage, in the county of Columbia and State of Wisconsin, in place of Christian F. Mohr. Incumbent's commission expires March 31, 1902.

Ida McKeand, to be postmaster at Lexington, in the county of Cleveland and Territory of Oklahoma. Office became Presidential January 1, 1902.

William P. Fleming, to be postmaster at Georgetown, in the county of Williamson and State of Texas, in place of Philemon A. Schaefer, resigned.

Fritz Ahrens, to be postmaster at Granbury, in the county of Hood and State of Texas, in place of William H. Catts, removed.

PROMOTIONS IN THE ARMY.

Infantry Arm.

Maj. Philip Reade, Fourth Infantry, to be lieutenant-colonel, March 12, 1902, vice Wilson, Twenty-fifth Infantry, retired from active service.

Capt. John C. F. Tillson, Fourteenth Infantry, to be major, March 12, 1902, vice Reade, Fourth Infantry, promoted.

First Lieut. John K. Moore, Fifteenth Infantry, to be captain, March 8, 1902, vice Clay, Seventeenth Infantry, retired from active service.

First Lieut. Claude H. Miller, Twenty-sixth Infantry, to be captain, March 10, 1902, vice Detchemendy, Twenty-second Infantry, resigned.

First Lieut. Harold B. Fiske, Eighteenth Infantry, to be captain, March 12, 1902, vice Leavell, Twenty-sixth Infantry, retired from active service.

First Lieut. John H. Hughes, Fourth Infantry, to be captain, March 12, 1902, vice Tillson, Fourteenth Infantry, promoted.

APPOINTMENT IN THE ARMY.

Infantry Arm.

John M. Kelso, jr., of Arkansas, late first lieutenant, Fortieth Infantry, United States Volunteers (now first lieutenant in the Philippine Scouts), to be second lieutenant, February 2, 1901, to fill an original vacancy.

APPOINTMENTS AS MEDICAL OFFICERS OF VOLUNTEERS.

Thomas S. Lowe, of Maryland, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, March 11, 1902, vice McLaughlin, resigned.

[NOTE.—The nomination of William S. Lowe, of Maryland, was submitted to the Senate March 13, 1902, for appointment to the above-named office. This message is to correct error in the name of the nominee.]

William A. McVean, of Ohio, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, March 14, 1902, vice Curry, honorably discharged.

ASSISTANT SURGEON IN THE NAVY.

Dr. Robert Alexander Bachmann, a citizen of Pennsylvania, to be an assistant surgeon in the Navy, to fill a vacancy existing in that grade.

RECEIVERS OF PUBLIC MONEYS.

John H. Bauman, of Arizona, to be receiver of public moneys at Tucson, Ariz., his term having expired. (Reappointment.)

Albert L. Towle, of Nebraska, to be receiver of public moneys at Valentine, Nebr., his term having expired. (Reappointment.)

REGISTER OF LAND OFFICE.

James C. Pettijohn, of Nebraska, to be register of the land office at Valentine, Nebr., his term having expired. (Reappointment.)

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 18, 1902.

MARSHAL.

Myron H. McCord, of Arizona, to be United States marshal for the Territory of Arizona.

POSTMASTERS.

T. C. Bouldin, to be postmaster at Azusa, in the county of Los Angeles and State of California.

William P. Ratliff, to be postmaster at Tulare, in the county of Tulare and State of California.

James H. McClintock, to be postmaster at Phoenix, in the county of Maricopa and Territory of Arizona.

Gordon B. Gibbens, to be postmaster at Parkersburg, in the State of West Virginia.

L. F. Webster, to be postmaster at Ventura, in the county of Ventura and State of California.

William N. Anderson, to be postmaster at San Rafael, in the county of Marin and State of California.

F. J. Maguire, to be postmaster at Santa Barbara, in the county of Santa Barbara and State of California.

Mary Truly, to be postmaster at Fayette, in the county of Jefferson and State of Mississippi.

John N. Turrentine, to be postmaster at Escondido, in the county of San Diego and State of California.

David L. Elliott, to be postmaster at Warren, in the county of Huntington and State of Indiana.

George E. Weatherby, jr., to be postmaster at Shullsburg, in the county of Lafayette and State of Wisconsin.

James P. Baker, to be postmaster at Shell Lake, in the county of Washburn and State of Wisconsin.

K. P. Allen, to be postmaster at Pullman, in the county of Whitman and State of Washington.

David B. Gorham, to be postmaster at Shawano, in the county of Shawano and State of Wisconsin.

John M. Reese, to be postmaster at Dodgeville, in the county of Iowa and State of Wisconsin.

John C. Outhwaite, to be postmaster at De Pere, in the county of Brown and State of Wisconsin.

Charles P. Harder, to be postmaster at Danville, in the county of Montour and State of Pennsylvania.

Frank E. Riley, to be postmaster at Two Rivers, in the county of Manitowoc and State of Wisconsin.

Hiram J. Smith, to be postmaster at Racine, in the county of Racine and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 18, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

CORRECTION OF THE RECORD.

Mr. DINSMORE. Mr. Speaker, I ask unanimous consent for the correction of the RECORD of January 30. It is a small matter.

The SPEAKER. Will the gentleman state wherein he desires a correction?

Mr. DINSMORE. On January 30 I introduced in the House a petition from certain citizens of Carroll County, in the district which I represent in Congress, asking for the relief of Capt. George E. Gaddy and Capt. Gillum Hopper and the officers and enlisted men of their companies of the Arkansas State Militia in the civil war. In the filing of this petition the Clerk committed an error, and noted it as follows:

By Mr. DINSMORE: Papers to accompany House bill for the relief of Capt. George Gady's company and Capt. Gillum Hopper's company, militia of the State of Arkansas—to the Committee on Invalid Pensions.

Mr. Speaker, I offered this petition as in duty bound, for I hold that no member has a right to refuse to his constituents the right of petition given to them by the Constitution; but I did not accompany the petition with a bill. I had not introduced any bill prior to that time, have not since, and have no purpose of doing so; and, as disclosed by the RECORD, no bill of that kind has been introduced in the House. I desire that the RECORD be amended to conform with the facts.

The SPEAKER. Without objection, the correction of the RECORD will be made in accordance with the statement of the gentleman from Arkansas.

ELECTION AND QUALIFICATION OF DOORKEEPER.

Mr. CANNON. Mr. Speaker, I offer the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That Frank B. Lyon, of the State of New York, be, and he is hereby, chosen Doorkeeper of the House of Representatives, to fill the vacancy caused by the death of the late Hon. W. J. Glenn.

The resolution was agreed to.

On motion of Mr. CANNON, a motion to reconsider the last vote was laid on the table.

The SPEAKER. If the Doorkeeper-elect is present, he will step forward and take the oath of office.

Mr. Frank B. Lyon appeared at the bar of the House and took the oath of office.

PRINTING OF DOCUMENTS.

Mr. HEATWOLE. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate concurrent resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Minnesota [Mr. HEATWOLE], chairman of the Committee on Printing, asks unanimous consent for the present consideration of a resolution which the Clerk will now report to the House.

The Clerk read as follows:

Senate concurrent resolution 18.

Resolved by the Senate (the House of Representatives concurring), That there be printed 19,000 copies of the general summary entitled "Review of the World's Commerce for the year 1901," of which 3,000 shall be for the use of the Senate, 6,000 for the use of the House of Representatives, and 10,000 for the use of the Department of State; and 11,000 copies of Commercial Relations of the United States for the year 1901, including the General Summary, of which 2,000 shall be for the use of the Senate, 4,000 for the use of the House of Representatives, and 5,000 for the use of the Department of State.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to ask if there is a report accompanying this resolution?

Mr. HEATWOLE. There is.

Mr. RICHARDSON of Tennessee. A written report?

Mr. HEATWOLE. Yes.

Mr. RICHARDSON of Tennessee. I should like to have the report show the cost of this printing.

The SPEAKER. Does the gentleman desire to have it read, or incorporated in the RECORD?

Mr. RICHARDSON of Tennessee. If there is a written report, I simply wish that it be printed.

The SPEAKER. Without objection, the report will be printed in the RECORD.

The report is as follows:

Your Committee on Printing, having had under consideration Senate concurrent resolution No. 18, authorizing the printing of the general summary entitled the "Review of the World's Commerce for the year 1901," and also Commercial Relations of the United States for the year 1901, including the general summary, recommend that the same be agreed to.

The Public Printer estimates the cost of these publications at $1,995 and $12,100, respectively.

The resolution was concurred in.

INTEROCEANIC CANALS.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of a Senate concurrent resolution, with amendments.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of Senate Report No. 1, from the Committee on Interoceanic Canals, 2,000 for the use of the Senate and 3,000 for the use of the House of Representatives.

The report was read, as follows:

Your Committee on Printing, having had under consideration Senate concurrent resolution No. 7, to print 5,000 copies of Senate Report No. 1, from the Committee on Interoceanic Canals, recommend that the same do pass with the following amendments:

In the second line (engrossed copy) strike out the word "five" and insert in lieu thereof the word "three."

In the fourth line strike out the word "two" and insert in lieu thereof the word "one."

In the fifth line strike out the word "three" and insert the word "two;" so that the same shall read as follows:

"*Resolved by the Senate (the House of Representatives concurring)*, That there be printed 3,000 copies of Senate Report No. 1, from the Committee on Interoceanic Canals, 1,000 for the use of the Senate and 2,000 for the use of the House of Representatives."

The Public Printer estimates the cost of this publication at $845.

The SPEAKER. This is a privileged report, and the question is on agreeing to the amendments.

The amendments were agreed to.

The concurrent resolution as amended was agreed to.

On motion of Mr. HEATWOLE, a motion to reconsider the several votes by which the two resolutions were agreed to was laid on the table.

JACOB L. HANGER.

The SPEAKER laid before the House the bill (H. R. 3690) for the relief of Jacob L. Hanger, with a Senate amendment.

The Senate amendment was read.

Mr. PARKER. Mr. Speaker, I move that the House nonconcur in the Senate amendment, and ask a conference.

The motion was agreed to.

The SPEAKER. The Chair announces the following managers on the part of the House: Mr. PARKER, Mr. MONDELL, and Mr. JETT.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12346.

The SPEAKER. The gentleman from Ohio moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12346, being the river and harbor appropriation bill.

The question was taken; and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. OLMSTED in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12346.

Mr. HEBBURN. I rise, Mr. Chairman, now to make my annual contribution to the literature upon the river and harbor bill. I confess that I have a miscellaneous assortment of emotions. First. I am satisfied that my colleagues would not be content if I should omit to discuss this bill, and I will not deviate from a habit that dates back twenty years. I recognize the utter futility of anybody saying anything in opposition to a river and harbor bill. I used to think years ago that all efforts in that direction were futile at a time when the pork in the barrel was limited to $8,000,000. How utterly impossible opposition is when the pork has grown to $60,000,000. Again, I find now in this bill something to commend, a rare thing in my experience. I think that that grows out of the fact that we have at the head of this great committee, for the purposes in view, an almost ideal chairman; one whom I believe is striving to secure public interests rather than private; one who is looking to the welfare of a great nation and to the promotion of its commerce rather than to the election of A, B, or C to seats upon this floor. [Applause.]

Again, I find that there are retrogressions in this bill that are highly commendatory—that in some respects I feel the committee is now on the back track. I notice that in reference to one of the chief wasteful expenditures that the committee has announced itself in no uncertain terms. For eighteen years this bill has apparently looked forward to the improvement of the navigation of the Missouri River; and right here I want to call attention to the delights that come to men who can at last say "I told you so." For eighteen years I have been engaged in that exercise, and now comes the fruition. I have taken the liberty of saying heretofore that the ideas of improvement of the Missouri River for purposes of navigation are absolutely chimerical; that it was forbidden by nature; that it was forbidden by the whole trend of modern commerce and commercial growth, and yet we have gone on until $8,000,000 have been expended under the direction largely of a Commission; and to-day the committee come in and, as I understand by a unanimous report, dissolve the Commission and abandon the hope of bettering the navigable character of the river. Hope! Ah, no!

For hope means desire and expectation, and I think there never has been a member upon that committee so incapacitated from holding a seat in this House as to expect that the Missouri River can be improved for navigable purposes. They have determined—and I want to call attention to this matter only in the hope of inspiring the thought in some men's minds that perhaps the reform in the committee has not been complete, and that in other directions they may be still pursuing a will-o'-the-wisp—I want to call attention to the fact that they have discovered that the whole commerce on a stretch of that great river, a stretch of more than 500 miles, is now 263,000 tons, 218,000 of it being sand and other building materials, carried upon an average a distance of less than 2 miles, and leaving 44,000 tons a year to be carried on that great stretch of river.

I have made a rapid calculation, and I find that the Government of the United States has paid, supposing that traffic of 44,000 tons has been continuous during the seventeen years of appropriation, $8 a ton for every ton that has been carried upon that part of the river; and that the Government could, by rail, have carried it all the whole distance of 500 miles and saved to the Treasury $4,000,000. In commendation of the committee, I want to say, after seventeen years of effort, they have gotten their eyes open at last, and have concluded that that kind of wasteful expenditure no longer shall continue, and have abrogated the Commission.

I am sorry that the committee have not extended their inquiries with the same minuteness to the Mississippi River and its improvement. They do not tell us just what has been been expended upon this great stream, and yet I remember a few years ago, when I last investigated, we had already spent $95,000,000

upon improvement of the navigation (so called) of the Mississippi River. I think it largely exceeds up to this date $100,000,000, and except that the jetties—a wise improvement, markedly beneficial—except for them no man can show that there has been one iota of improvement in the channel that is to be navigated of that great stream.

I remember that a few years ago the President of the United States congratulated this Congress in a message upon the achievements of the Mississippi River Commission. As I now recollect, he stated that the Commission in the improvement of the channel at that time expended $19,000,000, and at Plumb Point, perhaps it was, they had secured an increased depth of 1½ inches, and, on another reach, something slightly in excess of 2 inches. I am glad to know that, with reference to this body, the committee has taken the back track, and they now insist that all the expenditures of this Commission shall first be revised by the Secretary of War and by the Chief of Engineers, a step in the right direction, and a step I hope to be followed by others until the progression shall annihilate this useless adornment to our Blue Book, as they have the Missouri Commission.

I tell you, gentlemen, that while we have been making this expenditure, all the time the commerce on these streams has been diminishing, and is now next to nothing. That kind of navigation is at war with this age. In times past it was desirable, but there is no comparison now with its desirability at the time it was begun, for now there are 200,000 miles of railway in the United States. Did you ever stop to consider the wonderful capacity of a double-track railway of the most improved character? There is a railway now, across the State of Illinois, recently improved until its grades are but 20 feet to the mile and its curves but 1 degree. An engine will carry from the city of Burlington to the city of Chicago 1,800 tons of live freight in ten hours' time, at a total cost for power of merely moving the freight of 3 cents a ton for the whole distance.

The cheapness with which an improved railway under the most favorable conditions can now carry freight in inconceivable. In my judgment, if the same expenditures had been made in the improvement of the railways of the United States as have been wasted in the river and harbor bill, results infinitely more desirable could have been secured. Freight rates on rivers, notwithstanding our expenditures, are going up instead of going down, while railway rates are constantly on the decline. When we began this system thirty-five or thirty-seven years ago, railway freights were three times higher in the United States than they are to-day. River freight is going up and the railway freight is going down. I remember in one of the discussions here a gentleman from Missouri insisted that the improvement of the Missouri River was a corrective and a restraint upon the railway charges. We did not have before us then the details which the chairman of the committee has now given us. What corrective influence was there in this movement by river of 218,000 tons of sand a distance of 2 miles upon railway freights in the United States?

Here we have an illustration of the New York Central road by the side of the canal. The freightage upon the canal, relatively and comparatively, is constantly decreasing, while the traffic of its great rival has constantly increased.

But aside from that there are some observations that I think are timely, even with regard to this bill, improved, as I confess it to be, and giving promise of still further improvement. I believe that this committee, wise as it is, is laboring under a mistake in regard to the improvements of great harbors. You are starting upon a plan of improvement that, in my judgment, will never end. You are adopting the size of the steamer or the ship as your standard of capacity of your harbors rather than compelling the naval architect to conform his ship to your harbors. Let me illustrate: Here in New York we had a depth of water admitting the passage of ships drawing 30 feet. A vessel was put upon the stocks that could draw 34 feet. No one had ever reached New York of that draft, but at once the delegation from New York insisted that the harbor should be deepened to 40 feet, and the compliant committee agreed. And I think that we are now deepening a channel to 40 feet—2,000 feet wide and in length 8 or 10 miles.

Mr. REEVES. May I interrupt the gentleman?

Mr. HEPBURN. Certainly.

Mr. REEVES. I would like to correct one statement of the gentleman. The committee which he has seen fit to call a "compliant" one did not make any provision for a 40-foot channel at New York, but did provide for a 35-foot channel.

Mr. HEPBURN. Then I am corrected to the extent of 5 feet.

Mr. REEVES. And another body over which we have not control, insisted on the depth being 40 feet.

Mr. HEPBURN. And you complied?

Mr. REEVES. In the course of "give and take," as the gentleman has so often done, we complied.

Mr. HEPBURN. Ah! That is, they took all and you gave all. So then the channel is to be 40 feet deep, and the committee did comply. At all events that work is authorized; the excavation of the soil or rock 30 feet under water to a depth of 10 feet for a width of 2,000 feet, and perhaps 10 miles long. I can not compute its cost; possibly the gentleman can.

Mr. REEVES. Yes, sir; if you desire me to do so. It is estimated to cost $4,000,000.

Mr. HEPBURN. Oh, yes.

Mr. REEVES. The work is under contract at that figure.

Mr. HEPBURN. Does the gentleman believe that that will be its cost?

Mr. REEVES. I believe it will be done for that, or less than that, as the work so far as it has progressed indicates.

Mr. HEPBURN. Then you have more faith than I; that is all.

But that would not be a very serious thing—$4,000,000 or $40,000,000 (the latter being the figure which I estimate) is not an impossible thing in a Government like this. And if we had but one great commercial port it would not be so bad. But here came Boston at once. It would never do to allow Boston, the city of learning, the home of literature, the pride of all the Americas, to be eclipsed by a lot of traders down in New York, and it must have its 40 feet. But the committee was not so compliant in that case. I use the word "compliant" with the utmost respect, and am sorry that the gentleman from Illinois used it a moment ago with an emphasis that indicated displeasure at its use by me. I did not intend any reflection upon the committee. I was simply certifying to the amiabllity of those gentlemen, chiefly of the handsome member from Illinois. [Laughter.]

Mr. REEVES. Will the gentleman allow an interruption?

Mr. HEPBURN. Certainly.

Mr. REEVES. I congratulate the gentleman at this last moment upon his accurate judgment. [Laughter.] But I would like to suggest to him the question, What would he do with the 20,000,000 tons of freight at Boston? Would he provide for its transportation in the most economic way at the necessary expense, even though large, or would he cripple that commerce and at once increase the cost of transportation to consumer and producer alike by not doing it?

Mr. HEPBURN. Mr. Chairman, it is not for me to answer that question, but for a student like my friend.

Boston, however, had got along tolerably well for a great many years—constantly asserting, when not absolutely modest, her supremacy in trade as well as in everything else. But I am troubled about this: Philadelphia will want her 40 feet. Why, you are not going to discriminate against her in favor of New York and Boston? And then Baltimore will want her 40 feet. No vessel has ever reached Baltimore that drew more than 30 feet, perhaps. Then will come Charleston and Savannah and Mobile and New Orleans and Galveston and, finally, Podunk. [Laughter.] All will want their 40 feet. And how strong will be the argument when a gentleman insists in the presence of my amiable friend, "What! Are you going to make these harsh and harmful and destructive discriminations between these cities? Are you going to say that we are not in it and not fit to be in it?"

Mr. Chairman, there is no end to this; our friends have started out upon a course that will never, in my judgment, have its end, for, perhaps, some ambitious fellow will strive after a while to build a ship that will draw 44 feet, and then we will reach the 50-foot limit. A limit for a time—a limit until there is a 54-foot vessel built.

I insist, Mr. Chairman, that the harbors when they have reached a reasonable depth, when they have reached the depth of 30 feet, should be content, and the committees of Congress and Congress itself by its legislation should so far control the naval architecture of the world.

"What," says some gentleman, "not allow progress in shipbuilding!" Certainly; but why not give our vessels a little more beam and not quite so much depth? Why not compel them to meet present exigencies rather than force the expenditure of hundreds of millions of dollars to meet the vagaries of naval architects.

Mr. Chairman, I have never, during the time I have been a member of this House, opposed what I believed to be proper and fair appropriations for the improvements of harbors that should be improved, that have commerce, and the improvement of rivers that were susceptible of improvement in the direction of commerce; but we often say, in speaking of some of the rivers, that God Almighty has seemed to oppose the modern navigation of, that you must improve them, and (notably the gentleman from Pennsylvania, who has the guardianship over the Monongahela and Allegheny rivers) insist that in order that the poor fellow 'way down at New Orleans, suffering from the snows and storms and cyclones of winter, should have his coal at reasonable rates. I will admit that it is desirable that he should, but I submit that the final cost of the coal to that individual is not lessened. When

you add to the sum that he pays the sum that the Government pays for him, the coal is not any cheaper than it used to be.

There is no navigation upon any of those rivers to speak of, excepting coal, and if you were to add the portion that the Government pays in improvements to the sum that the coal brings it could be transported in other ways cheaper. We have an illustration of one of these expenditures in the gentleman's own State. I refer to the gentleman from Illinois [Mr. REEVES]. I do not think it is in his district. That is the Hennepin Canal. I am told that we are going to have the Hennepin Canal in a completed form after a while. I do not know whether it is to be in this century or some other. We can console ourselves, however, gentlemen, by the reflection that if we never are permitted to travel upon it possibly our great-great-grandchildren will, and that it may be in God's providence worked out in some manner to be beneficial to them.

Yet right alongside of that canal is a double-track railway today that has a greater capacity for tonnage—mark what I say—than the canal, with its multitude of locks, and that can carry more freights every day in the year than can the canal when completed and worked to its uttermost capacity. There is a limit to them as well as to the other methods of transportation, and I want to make a confession here. I voted for the Hennepin Canal. It was a long time ago, and I have done a great deal of mental penance since, and I hope those who keep the books and look over the whole record will remember the clamor that there was just at that time for water transportation, and consider my infancy and ignorance, that it may not go so hard with me as it ought to go against a hard-headed old sinner like my friend from Illinois, if he again and at this time should indulge in such freaks of legislation. [Laughter.]

Mr. REEVES. Will the gentleman permit an interruption?

Mr. HEPBURN. I am glad to yield to the gentleman from Illinois.

Mr. REEVES. I merely want to suggest that at the time the gentleman voted for the Hennepin Canal I had not been honored with a seat in this body; that it was a fixed fact before I came here, done primarily in the interests of the farmers of Iowa that they might get their freights to the lakes for cheap transportation.

Mr. HEPBURN. That is true; but I want to announce now the melancholy fact that nearly all of the farmers of that day are dead [laughter]; but it is my understanding that the canal is still incomplete and is drawing annual appropriations from the Treasury of the United States. [Laughter.] I have no doubt but that is to be an enduring monument to the River and Harbor Committee or the committee that makes the appropriations; enduring, however, in the sense that appropriations are to be continued indefinitely.

Mr. Chairman, there is one other matter that I want to scold about a little, while I am in the mood, and that is the kindliness of the committee with regard to the new appropriations that from time to time they make. As I have said, I think that but few of us would cavil at the improvement of great harbors, those that already have commerce or where there is a prospective need of improvement, not for the accommodation of a single man or of a single institution, but in those localities where multitudes have gathered and where the trade of many is carried on. I have in mind an instance—I can not vouch for all of its truth—where a gentleman went to the city of the honored chairman of the committee [Mr. BURTON], seeking a site for some iron works. Dissatisfied with the prices that he must pay for real estate, he went farther along the lake to a little village accommodated by a railway and established himself there, and then blandly came to Congress with the request that a harbor might be constructed in order to carry on the commerce of the Great Lakes.

I think that there are a great many instances of that kind. I think the policy that ought to be adopted should be to make and build up marts, great commercial centers, where the people can be easily accommodated by the converging railways that center there. Improve those, consolidate rather than distribute in the expensive way that this discursive method must entail upon the country.

Mr. BURTON. If the gentleman from Iowa will yield to a suggestion right there, I would state (I am sure he does not wish to be misunderstood or to make any statement that is not so) that it was due to the overflow of traffic in those cases which required more than 1 port, more than 2 ports, more than 3 ports, more than 4 ports to handle the greatly increasing shipments of iron ore on the lakes that led to the development of those other ports, all of which had been in use for half a century.

Mr. HEPBURN. I am glad to know that there are cities upon the lakes that are completed. It never occurred to me that the good people of Cleveland would, for a moment, admit that that wonderful young city was finished and that the time had come when overflow was a peremptory essential. I have been in that beautiful city, and have a recollection now that there is contiguous to it somewhere—it may be some little distance from the center—some land not now occupied either by commerce or manufactures, and that possibly it might have occurred that the individual I have in my mind could have located himself within 5 miles, we will say, of an established port rather than go 40 miles and demand that the Government should establish another one for him. But probably Cleveland is completed——

Mr. BURTON. I want the gentleman to understand that it is not completed; but we do not have room for the whole of northern Ohio to come in there, and the whole of that iron ore development and manufacturing. That is the situation.

Mr. HEPBURN. Well, I am inclined to think that if the matter had been submitted to the common council of—I was going to name a better town, Clarinda, but I will not—of Cleveland, rather than to the committee, they would have said, "Gentlemen, here is breadth enough. Here is possibility for expansion, here is opportunity to make Cleveland still greater, and it is not necessary to divert expenditure from the port of Cleveland to build up a rival 40 miles away."

Mr. Chairman, I want now, before I take my seat, to compliment the chairman of this committee. I believe he is doing the best work he can. How rapacious the gentlemen associated with him are it is not for me to say, but I do have the opinion that there are gentlemen on that committee who have particular interests to represent that are so important to them that the public weal is not always thought of when it is necessary to logroll with another in order that the favored scheme may have a proper place in their esteem on the appropriations. Therefore I want to indulge in this suggestion as to what the true policy should be: Some time we may have a Speaker of such wonderful courage—and I make no reflections upon my honored colleague—as to see to it that the River and Harbor Committee is composed of men coming from districts having no especial interests to be conserved in that bill.

When that time comes, and a dispassionate view can be taken of improvements—mark you, improvements rather than personal interests—this bill, under the leadership of the gentleman from Ohio [Mr. BURTON], instead of being something to excite alarm, will be in the interest of the whole country, of its commerce, and of its Treasury. There is not a gentleman who it conversant with this legislation who is not willing to say that a very large percentage, possibly half, of all the millions that have been carried out of the Treasury through the instrumentality of this bill have been utterly wasted. And when you add together the total of the appropriation bills for the last twenty-five years it is a colossal sum. I remember that I received a sneer from a member of the House committee once when I said I expected to live to see the river and harbor bill carry a hundred million dollars. I have lived to see it carry sixty, and I think once seventy, million dollars, and if the methods go on, if there is no relief from the pressure upon the chairman, I fear my prophecy will have its fulfillment earlier than many of us now expect.

The whole plan is a bad one, of appointing men upon that committee who represent these great interests. They feel that if their power as individuals is multiplied, as it is by their status upon this committee, that their constituents, some of whom have selfish interests, will demand success. Failure means retirement. The future of the man in politics is dependent upon his success, and the man that would scorn a bribe, that would not tolerate the insulter in his presence, under the subtle influence of this great necessity uses those means that enable success. It may be that another vote and another vote and another vote must be added to his, and in order to secure it and secure that which is meritorious he must consent to that which he knows is harmful in its results. And so I believe that if we are to reform this method of legislation, if we are to make the expenditures that should be made, and to cut off those that are pernicious and never should be tolerated, we must adopt the method of placing this great interest in the hands of those who stand as do the majority of men with regard to other great interests, unsolicited to go to the right or left by private considerations, by local interests, by those things that will influence even the best of men when presented in the insidious form in which they come.

Mr. WILLIAMS of Mississippi. May I ask the gentleman from Iowa a question?

Mr. HEPBURN. Yes.

Mr. WILLIAMS of Mississippi. The gentleman has outlined the fact that he thinks a river and harbor committee ought to be composed of men from those districts not specially interested in river and harbor improvements.

Mr. HEPBURN. Yes.

Mr. WILLIAMS of Mississippi. Would the gentleman be willing to form a Ways and Means Committee for the construction of

a tariff tax from members coming from those sections of the country having no special interests to be protected by a tariff?

Mr. HEPBURN. I do not know that there is any portion of this country that the gentleman can find so far removed, so distant from us as not to be interested in the tariff. [Laughter.] And therefore I can not conceive that that question is pertinent to this bill.

Mr. WILLIAMS of Mississippi. Will the gentleman permit me to ask him another question?

Mr. HEPBURN. Certainly.

Mr. WILLIAMS of Mississippi. Suppose that the gentleman is mistaken, and that it were possible to find 15 or 17 gentlemen, representing districts whose populations are more interested against import duties than in favor of them, would he be willing to see those 15 or 17 men composing a Ways and Means Committee for the consideration of the tariff?

Mr. HEPBURN. I do not know what my idea of moonlight would be if the moon were obliterated from the heavens. [Laughter.] I can not conceive the case that the gentleman states. I live in a district, if I may divert for a moment, where there is not a protected manufactory, not one, without it is a little cigar shop, or something of that kind. There are 202,000 farmers, people who draw their sustenance from the farm, and that is a district in favor of the protective system; and they see in the necessities of those working in protected employments, of people thousands of miles away from them, in the prosperity that comes to them, in the prosperity that is widespread, they see and feel and realize and reap their returns from the protective system. [Loud applause on the Republican side.]

Mr. WILLIAMS of Mississippi. One further question: I do not desire to debate the tariff question just now. I have debated it before and am ready to do so again, but that is not my immediate purpose. I am merely attempting to elucidate the analogy between these two questions, if I can. Now, does not the gentleman think that if 15 or 17 districts could be found—I am supposing a case, and he is something of a supposer himself, because he is from Yankeedom that "guesses" and "supposes" things—suppose that these 15 or 17 districts I have indicated could be found, would the gentleman be willing to intrust the tariff interests of the country—he being, as I am not, in favor of the tariff and a tariff supporter—to them as a committee to deal with this question? And if the gentleman answers No, because that committee would have an interest against the tariff, then will he answer this question: If he could find a committee of members without any river and harbor interests, could it not be urged that they were as much interested as those who have rivers and harbors in their districts, except that they would have an interest against the rivers and harbors and improvement of navigation?

Mr. HEPBURN. I will admit, although the gentleman makes the suggestion with something like a sneer in his voice, my Yankee origin.

Mr. WILLIAMS of Mississippi. I think you reflect credit on your origin.

Mr. HEPBURN. And although I have a vigorous imagination, and sometimes its flights, even to me, are wonderful [laughter] of the inconceivable things, even to me, and it sometimes fills me with wonder; but I can not conceive of the first proposition of the gentleman. It is impossible for me to imagine that there are within the length and breadth of this country 17 districts, or 17 counties, or 17 families, or 17 men that are not interested in the great American system of protection. [Loud applause on the Republican side.]

Mr. WILLIAMS of Mississippi. One more question—assuming the correctness of your statement, for the sake of argument. Then can the gentleman imagine that there are 17 districts, 17 counties, 17 families, or 17 individuals that are not interested in the improvement of the commerce and navigation of the American Republic?

Mr. HEPBURN. No, sir; I can not conceive of that.

Mr. WILLIAMS of Mississippi. Well.

Mr. HEPBURN. But I can conceive of 17 or 170 or more, too, that have often special interests; of the man that is located upon a little stream that is to be improved and whose constituents alone—alone—are to have the benefits of the appropriation.

Mr. WILLIAMS of Mississippi. Then, if the gentleman will permit me—of course I do not desire to make a speech myself in his time; but it seems that this is worth following up. If the gentleman can conceive, then, of 17 districts in the United States which have no interests in the status of the tariff, except what he calls a general interest in the "public welfare," and if he can conceive of that many districts without any interests in import duties except a general interest, would he be willing to leave a tariff bill as well as a river and harbor bill to the representatives of those districts?

Mr. HEPBURN. I have an idea that the interest the great mass of the people of the United States have in the tariff and in its results and in its blessings is a common one. It comes to all of us alike. It comes to the man that is on the farm as well as to the man that is in the factory. It is universal. It is one of the diffused blessings that come, only to be likened to the sunshine and the shower. Therefore I am not able to answer the gentleman's question, because to my mind it is utterly inconceivable.

Mr. WILLIAMS of Mississippi. Will the gentleman permit me one more remark, and I am through——

Mr. HEPBURN. Does the gentleman pledge himself to that?

Mr. WILLIAMS of Mississippi (continuing). To the effect that I confess my absolute inability to bring the gentleman to the point of answering the question. [Laughter.]

Mr. HEPBURN. Because that which is so widespread, that which is so even in its blessings everywhere, might not be called a point. [Applause on the Republican side.]

Now, Mr. Chairman, I do not know that I have anything further to say, except it be—possibly from habit, but I think largely from conviction—that I can not vote for the river and harbor bill, although if the improvements in the committee continue and I should continue—two improbable things—there might be a time when I could follow the gentleman from Ohio in his recommendations. [Applause.]

Mr. LAWRENCE. At the last session of Congress a carefully prepared river and harbor bill, a bill drawn not in the interest of any section, but of the whole country, met an untimely death in the United States Senate. Could that bill have been enacted into law it would have greatly benefited the growing commerce of the United States. This is a fact now generally understood and appreciated. Commercial organizations throughout the country, realizing the menace to our prosperity which would be involved in the defeat of another similar measure, have been displaying great interest and enthusiasm in an effort to arouse public opinion in favor of liberal appropriations for our rivers and harbors. So great was the interest in the subject that a national rivers and harbors congress was held in the city of Baltimore on October 8 and 9, 1901. The gathering was without politics and without sectionalism. There were present delegates from over twenty States. They represented the industrial and commercial interests of the nation.

No particular project was urged. Actuated by broad and patriotic motives, the delegates there assembled pushed aside prejudice and selfish motives in an effort to promote a great cause in the interest of a great and united country. The following resolutions were unanimously adopted:

Whereas it is desirable to arouse the sentiment of the people to a fuller appreciation of the value and importance of improving and developing the waterways and harbors of our country, in order to meet the demands of a rapidly increasing internal and foreign commerce, for the advantage and benefit of the whole people and for the purpose of imparting reliable and complete information upon this important subject, this congress, representing all sections of our country, has been convened: Therefore, be it

Resolved, That this congress asserts that the best development of our national resources demands the adequate improvement of our waterways, and therefore indorses and urges upon the Congress of the United States a liberal policy in their improvement through systematic and liberal appropriations therefor. In equally unequivocal terms the congress deplores and condemns any action which leads to the failure of river and harbor legislation.

Resolved, That it is the sense of this congress that the improvement of rivers and harbors is of equal importance with the work carried on by any department of the Government, and for this reason we urge that appropriations therefor be placed on such a footing as will insure at all times ample funds for a vigorous prosecution of the work, and to this end we indorse the system of continuing contracts.

I have read these resolutions because they are the views of the business men of the United States—the men who, by their courage and honesty and industry and patriotism, have made our country commercially supreme. We are here as the representatives of the people. We differ upon questions of public policy, but we are all actuated by an honest purpose to aid "our rapidly increasing internal and foreign commerce for the advantage and benefit of the whole people." [Applause.] Surely we can not consider with too much earnestness and care the views embodied in the resolutions which I have read. Your Committee on Rivers and Harbors in framing the measure which is now before you for consideration has been governed by a desire to legislate upon broad lines and for the benefit of all. In the committee room there has been no playing of politics, no appeal to sectionalism. Representatives of one section have given as fair and impartial consideration to the projects urged in another part of the country as they have to those in their own.

It is not claimed that this bill is perfect. There were before the committee projects recommended by the Engineer Office of the War Department which called for appropriations of between $300,000,000 and $400,000,000. The present bill authorizes an expenditure of a little over $60,000,000, but $24,000,000 of which, however, is to be expended during the current year, the balance being placed under the continuing contract plan. It is therefore

evident that the task of the committee has not been an easy one. Many projects have been rejected, the consideration of others has been postponed. The committee did not feel that it was authorized to appropriate a sum in excess of the amount carried in this bill, although as a matter of fact if all the projects of merit had been included the amount would have been far in excess of $60,000,000.

We have endeavored to authorize the improvements which are the most important and most urgent and where the expenditure is unquestionably justified. A very great proportion of the expenditures authorized by the provisions of the pending bill is for projects that are national in scope. The improvement of our great harbors at New York, Boston, Philadelphia, Baltimore, Savannah, Galveston, and on the Great Lakes and Pacific coast is not in the interest of certain localities. It is for the interest of the whole country that its important harbors should be placed in a condition to enable us to compete successfully with other countries in our race for commercial supremacy. Such appropriations are directly in the interest of the producing classes of the land.

There has been appropriated for the Navy during the past four years nearly $250,000,000. I voted cheerfully for such appropriations, for I believe it to be our duty to construct and maintain a large and powerful navy. Such appropriations are not for war, but are the surest guaranty of peace. And yet, if Congress is justified in appropriating such large sums for a navy, it ought not to hesitate to pass a bill of this size, which authorizes an expenditure during the current year of only $24,000,000 for the benefit of commerce.

Countries not as large as ours, with a smaller commerce and a less population, have appropriated much larger sums than has the United States for river and harbor improvement. France has expended $800,000,000. Hamburg has become the second port in Europe, and an expenditure of $75,000,000 has seemed justifiable. The Manchester Ship Canal cost $25,000,000, and over $70,000,000, I believe, has been expended on the Clyde. The total amount appropriated to date for such purposes in the United is $414,765,772.

A recognized authority has said:

It would not be an overstatement to assert that for every dollar that has been expended upon the improvement of our national waterways, the country at large has received a direct return of more than a thousandfold in financial values.

Our present prosperity is due in very great measure to the growth of our foreign commerce. We are not exporting to-day simply agricultural products, but manufactured goods in large amounts, and the value of goods manufactured in the United States is greater than that of those manufactured in England, France, and Germany combined. We hear much in these days of America's commercial invasion of Europe. Mr. F. R. Vanderlip, formerly Assistant Secretary of the Treasury, in a recently published article, comments picturesquely upon that invasion. He says:

American locomotives running on American rails now whistle past the pyramids and across the long Siberian steppes. American bridges span rivers on every continent. American cranes are swinging over many foreign moles. Wherever there are extensive harvests, there may be found American machinery to gather the grain.

In every great market of the world tools can have no better recommendation than the mark, "Made in America." American cottons are finding their way into the markets of every country. Bread is baked in Palestine from flour milled in Minneapolis. In many European cities American dynamos light streets and operate railways, and the American shoe has captured the favor of all Europe.

[Applause.]

One might go on without end telling in detail the story of American industrial growth and commercial expansion. We have been successfully meeting competition everywhere. America has sent coals to Newcastle, cotton to Manchester, cutlery to Sheffield, potatoes to Ireland, champagne to France, watches to Switzerland, and Rhine wines to Germany.

Surely the present is no time for mistaken economy to check the growth of this wonderful commerce. Our aim is to compete successfully for the markets of the world. If we are to succeed in doing this we must be able to put our products into those markets at the lowest possible price. Cost of transportation is a problem of vital importance. If we are to cut down the cost of transportation we are not only able to reach more distant markets, but we aid the producer by increasing the value of that which he produces. No one disputes the proposition that if we have a surplus of any product it is the price we get for that surplus which fixes the price for the whole product.

During the past twenty-five years rates for carrying freight from this country to Europe have been greatly reduced and are to-day but one-quarter of the rate which existed in 1875. The producer gets the benefit of this decrease in the transportation. So large a decrease in the freight rate has been made possible by the great increase in the size of our ocean-going steamers. Twenty-five years ago such steamers were of 2,500 tons weight, from 300 to 400 feet long, and drew from 18 to 20 feet of water; to-day they are of 10,000 tons weight and over, are over 600 feet long, and draw 32 feet. As the size of the steamer has increased the cost of transportation has been proportionately diminished.

It needs but little argument, then, to show that if we are to place our products in foreign markets and successfully compete with other countries we must equip our great harbors with channels which are sufficient to accommodate modern steamships. The demand for wider and deeper channels is urgent and imperative. If this work is longer delayed, we can not maintain our present position in the commercial world. If we would reduce the cost of transportation to such a point as will enable us to compete with rival countries we must make liberal appropriations for such development of our harbors and waterways as will meet the demand of the commerce of to-day. A policy which interferes with giving the people of the United States facilities for cheap and efficient transportation will mean an absolute check to their industrial progress. [Applause.]

BOSTON HARBOR.

And now I wish to say a word about some of the larger projects in my own State, for which appropriations are made in the pending bill. The bill authorizes an expenditure of $3,600,000 for the improvement of Boston Harbor. The present depth of channel in that harbor is but 27 feet. A deeper channel is absolutely necessary if modern steamships are to enter and leave that port with safety. The project which has been adopted by the Committee on Rivers and Harbors calls for a channel 35 feet in depth, with a width of 1,200 in the inner harbor and 1,500 feet in the outer harbor. The completion of the project will require an expenditure of $8,000,000. The expenditure is necessarily large, for underlying ledges occur irregularly all over the harbor and a great amount of rock excavation will have to be made. It can not be said that in the past excessive appropriations have been made.

Since 1825 about $4,000,000 have been appropriated by the Federal Government, while the State of Massachusetts has expended nearly as much in supplementing that work. If I call attention to the fact that more than $8,000,000 have been appropriated for Galveston, nearly $7,000,000 for Philadelphia, $5,000,000 for Savannah, and $40,000,000 for the Great Lakes, I do not do so because I believe that such appropriations were too large. I am glad they were made. No one can realize more clearly than myself that it is impossible to overestimate the benefit received by the whole country therefrom. The people of Massachusetts have shared in that benefit. The $8,000,000 expended at Galveston have produced remarkable results. The exports from that port for the year ending June 30, 1901, amounted to $101,831,747. The terrible storm of September, 1900, did such damage that an addiditional appropriation is necessary, and for no appropriation in this bill did I vote with greater pleasure.

The calamity which visited the city of Galveston was so dreadful that it aroused the sympathy not only of our own country, but of the whole world. Thousands of lives were lost, and over $17,000,000 worth of property was destroyed. A less determined and heroic people would have abandoned the city. But without an instant's hesitation and with invincible courage they pushed on in their work of development. Surely they deserve well of our Government. I have called attention to the appropriations made for this and other ports not because they were unwise, but to show that in making the present large appropriation for Boston Harbor no partiality is being shown toward the State of Massachusetts.

The port of Boston has the unique distinction of being the only one of the principal Atlantic ports to show an increase in its aggregate export and import trade for the year 1901. For ten years the growth of its commerce has been steady and gratifying, as the following table will show:

Year.	Imports.	Exports.	Total.
1892	$75,593,566	$88,505,203	$164,398,769
1893	69,118,709	83,539,939	152,658,638
1894	53,398,848	84,656,636	138,055,484
1895	79,947,777	89,019,873	168,967,650
1896	65,990,896	101,466,412	167,457,308
1897	86,688,149	104,191,690	189,879,839
1898	48,814,921	124,864,787	173,679,708
1899	63,428,076	127,162,483	190,590,559
1900	68,630,557	123,858,161	192,488,720
1901	65,337,328	131,667,890	197,005,218

These figures do not include the very large in transit and transshipment trade passing through this port to and from foreign countries. This trade last year amounted to $14,625,000, as compared with $10,200,000 in 1900, an increase of 45 per cent.

The following table shows the arrivals and clearances in the foreign trade for the past ten years:

Year.	Foreign entrances.		Foreign clearances.		Total foreign tonnage.
	Number.	Tonnage.	Number.	Tonnage.	
1892	2,396	1,705,492	2,291	1,443,381	3,148,873
1893	2,218	1,650,561	2,085	1,323,703	2,974,264
1894	2,079	1,939,640	1,948	1,467,084	3,206,724
1895	2,216	1,723,009	2,147	1,423,227	3,146,236
1896	2,088	1,843,134	2,214	1,614,629	3,457,763
1897	2,068	1,980,708	1,936	1,956,789	3,637,497
1898	1,797	1,948,596	1,747	1,715,295	3,663,831
1899	1,968	2,373,446	1,854	2,057,573	4,431,019
1900	1,667	2,265,031	1,618	1,977,410	2,242,441
1901	1,823	2,475,436	1,735	2,200,686	4,676,122

It will be noticed that during this period the total foreign tonnage has increased from 3,148,773 tons to 4,676,122 tons. During the same time the coastwise arrivals have increased from 8,616 in 1892 to 10,415 in 1901. The total tonnage of the coastwise trade in 1901 amounted to 17,448,236 tons. This great tonnage is due in part to the enormous coal trade carried on in barges with this port, the tonnage of the barges comprising about 30 per cent of the gross tonnage. This does not take into account the fleet of fishing vessels, which last year numbered about 3,400 vessels.

There has also been a most striking increase in the trans-Atlantic passenger traffic. This increase has amounted in four years to nearly 100 per cent. I submit the following figures in support of this statement:

Year.	Cabin passengers.			Steerage passengers.			Grand total.
	Arrived.	Sailed.	Total.	Arrived.	Sailed.	Total.	
1898	5,837	4,365	10,202	11,954	7,181	19,135	29,337
1899	7,375	6,559	13,934	18,693	7,245	25,938	39,872
1900	9,742	5,586	15,328	17,242	8,335	25,577	40,905
1901	11,698	8,247	19,945	27,327	9,804	37,131	57,076

According to the summary tables of commerce for the year ending June 30, 1901, prepared by the Chief of the Bureau of Statistics of the Treasury Department, the great ports of the country are entitled to the following rank as shown by the value of their aggregate export and import trade:

Port.	Imports.	Exports.	Total.
New York	$527,259,906	$529,592,978	$1,056,852,884
Boston	61,452,370	143,708,232	205,160,602
New Orleans	20,462,307	152,776,599	173,238,906
Philadelphia	48,045,443	79,354,025	127,397,468
Baltimore	18,898,475	106,239,081	125,138,556
Galveston	953,801	101,857,300	102,811,101
San Francisco	35,161,753	34,596,792	69,756,545
Savannah	645,067	46,738,967	47,384,034
Newport News	4,090,451	32,567,912	36,658,363

Boston Harbor is the second port of the United States. Its commerce is steadily growing. It should be provided with the channel facilities of a harbor of the first class, which will enable it to hold its position as one of the great seaports of the world. It is in the interest of the whole country that the proposed improvement should be made. The improvement is national in scope and the benefit conferred is national.

SANDY BAY HARBOR OF REFUGE.

There is also an appropriation of $200,000 for the Harbor of Refuge at Sandy Bay, situated at the extremity of Cape Ann. Seventy thousand vessels have passed that point by actual count in a single year. Commercial, maritime, and shipowning interests are petitioning for a speedy completion of the harbor, as it would be accessible to ships which carry yearly more than a million passengers and cargoes of very great value. The harbor has been located at a very dangerous section of the coast, and its construction has been indorsed by pilots, captains, shipowners, shipbuilders, and by marine societies and commercial bodies. The magnitude of the harbor can be shown by comparing it with some of the most important harbors of Europe.

Area with 24 feet depth at mean low water.

	Acres.
Sandy Bay Harbor	1,377
Portland Harbor, England	906
Plymouth Harbor, England	1,182
Cherbourg Harbor, France	1,720

In the opinion of nautical men the steamship *Portland* could have been saved had the harbor been completed. You remember that she went down in the great gale of November, 1898. Of the 200 people on board not one was saved. The completion of this national harbor of refuge will be a very great benefit to the whole country.

GLOUCESTER AND FALL RIVER.

At Gloucester the present condition of the breakwater is a menace to life and property, a considerable portion of it being nearly submerged at high water. Two vessels have been entirely wrecked and more than 25 others have suffered greater or less damage. An expenditure of $600,000 would have been necessary to complete this breakwater. The committee has authorized the completion of a modified project at a cost of $302,000.

The city of Fall River is the largest cotton manufacturing city in the United States. It is the second port in importance in New England. Its commerce is increasing yearly. In 1900 the commerce of the port amounted to about 3,500,000 tons. At present the maximum draft in the harbor for vessels is 20 feet, and advantage must be taken of the tide to enable them to reach the city front. The pending bill authorizes the construction of a channel with a width of 300 feet and a depth of 25 feet at mean low water. The amount appropriated will complete the improvement, and is earnestly urged by the Engineer Department.

THE CONNECTICUT RIVER.

I will at this time refer to but one other Massachusetts item—the authorization of a survey by a board of engineers of the Connecticut River from Hartford to Holyoke. The section of country which would be benefited by this improvement is estimated to contain about 350,000 inhabitants. This portion of the Connecticut River is 34 miles in length. Located directly upon its banks are the cities of Springfield, Holyoke, and Chicopee, and the towns of West Springfield, Thompsonville, and Windsor Locks. The populations of these cities and towns, according to the recent census, is 141,663, and the total assessed valuation of property amounts to $134,017,817.

At Holyoke and Springfield $43,905,978 are invested in manufacturing establishments and 23,578 wage-earners are employed. The value of the manufactured products amounted in 1900 to $47,493,352. The commercial importance of this region is also shown in statistics with reference to the freight tonnage. In 1897 the inward tonnage of Holyoke, Springfield, Chicopee, and West Springfield was 1,305,104 tons, and there were forwarded from these places 516,330 tons, a total of 1,829,434 tons of in and out freight. Major Leach, who made the preliminary survey, estimates that at least 500,000 tons of this freight would be transported by water were the Connecticut navigable.

That estimate is very conservative. Business men who have carefully studied the matter estimate that it would amount to very much more. In 1901 over 500,000 tons of coal alone were received, and 70 per cent of this could better come by water than by rail. With an open river freight rates would fall, and it has been estimated that the saving on coal alone would amount to $200,000 a year, and the total saving in freights of all kinds would be very large. All this is true if there were to be no increase of population or manufacturing. But the opening of the river, thereby bringing cheap and convenient means of transportation, would inevitably increase the population and add to the volume of business transacted.

Some time ago a survey was made, and a project providing a channel 9 feet in depth and not less than 150 feet in width was recommended. It is, however, claimed that such an improvement would flood a new park at Hartford and injure manufacturing establishments located upon the banks of the river. We have, therefore, provided for a most thorough investigation by a board of engineers. The result is not at all feared by the enthusiastic advocates of this improvement. If the report of the board of engineers is favorable, there should be no further delay. The completion of the project will aid materially the business development of western Massachusetts.

I will not longer trespass upon the time of the House. As I have already said, our prosperity depends in large measure upon the growth of our foreign commerce. In the last fiscal year the excess of exports over imports was $664,592,826. In the last four years it was $2,354,442,213. As our Secretary of State, in the address delivered in this Hall on February 27, so eloquently said:

> The "debtor nation" has become the chief creditor nation. The financial center of the world, which required thousands of years to journey from the Euphrates to the Thames and the Seine, seems passing to the Hudson between daybreak and dark.

It is clearly our duty to aid so far as we can our country's economic development. We believe the legislation now proposed will prove a most helpful factor in that development, and we submit this bill to the House with a confident expectation that it will receive the approval of our countrymen. [Loud applause.]

Mr. WHITE. Mr. Chairman, I can not entirely agree with the sentiments expressed by the gentleman from Iowa [Mr. HEPBURN] that we may at any time expect railroad transportation to take the place of water transportation. I do not think that the progress of events in this and in the Old World will bear out the proposition that we may ever expect that railroad carrying of freight will

supplant the necessity of waterway transportation for the movement of the great products of the country. We know very well that for many articles and for passenger travel railway transportation is the better mode; but when we come to the great bulk of the necessities of commerce—the coal, the iron, and all the heavy freights of the country—we are bound to have water transportation.

It was remarkable, and in some respects a thing that can not be well explained, to hear the experienced gentleman from Iowa [Mr. HEPBURN] take the position that he is opposed to further projects of this sort, and yet he says he is in favor of the great system of protection. I should like to inquire, Mr. Chairman, if we are to have $300,000,000 or more raised by internal revenue and perhaps one-third more than that raised by a protective tariff, if we are not to expend some of that money on projects of internal improvement, on improving our waterways, our canals, our harbors, and matters of that kind, what will be done with this money? I should like to hear the gentleman at length upon that subject. In what mode would he spend it, outside of the mere ordinary payment of the officers for the administration of government? So far as I am concerned, I know of no better way to expend the surplus raised by taxation of the people of this country, whether by internal revenue or by tariff taxation, than to improve our internal system of commerce and our commercial ports.

The gentleman seemed, however, to object especially to the improvement not only of small streams but of the larger streams, and said that the Missouri and Mississippi River improvements have shown conclusively that we have gone to the extent authorized by this system. I am not sure that I am correct as to the gentleman's location in Iowa. It is a town called Clarinda, which, I believe, is about 50 miles from the Missouri River and perhaps 250 or 300 from the Mississippi River, and my information, Mr. Chairman, is that there is not a creek in that immediate section large enough for an ordinary canoe to float upon. If that is not the reason to account for the gentleman's opposition to any internal improvement, he fails to state it here to my satisfaction. However, I understand that a scientist in his town is considering the use of cyclones as a means of transportation for the products of that section.

The general sentiment expressed by the chairman of the committee, who introduced this bill, that there should be no favoritism or partiality shown to particular sections of the country in the public improvements intended to be promoted, and that the object of its passage should have regard alone to the public welfare, is one which, in my opinion, should be approved by every member of this committee. In looking over the numerous points to be improved, the large amounts to be expended in the aggregate, and the general public interest to be subserved, of course it will be a difficult matter to do equal justice to all sections alike and to equally place the expenditures in such way that the rivers and harbors in some sections of the country will not get a larger share in proportion to the public benefits to be derived than others.

There are certain rules, which have also been referred to by the chairman of the committee, which guided their deliberations, that also should receive the indorsement of every member here in considering this bill. These were, as laid down, that where public improvements comprehended by this measure have been commenced they should be pushed forward to completion as rapidly as possible. It is certainly an unwise policy to commence the construction of a public waterway for commerce and then neglect to carry forward the work to completion.

That is a sentiment that seems to be authorized, and a proposition based upon all business methods, that where the Government once takes hold of an improvement of public utility, it should not cease to push forward the work to completion, so that the objects of the improvements may be realized.

Taking these observations as indicating in a general way some principles which should guide us in expenditures for public improvements of this nature, I will ask the committee to take into consideration an amendment to the bill, to further aid and continue the improvement of the Big Sandy River, of Kentucky and West Virginia. This work has been commenced, and one lock and dam completed, with the view manifestly that additional improvement should be made in this way in order to reach the vast coal fields lying upon its waters and give an outlet to market for the mineral resources of that section.

This river has been under improvement by the United States since 1878, the general plan being to give slack-water navigation from the Ohio River up to Pikeville, Ky., and to the mouth of Pond Creek on the Tug Fork, near Williamson, W. Va. Detailed reports of the resources of this section and surveys have been made under direction of the Secretary of War. These reports and surveys show there are 4,500 square miles of territory drained by the Big Sandy River; that it contains iron ore, clays of various kinds, building stone, salt, oil, gas, valuable timber, and vast quantities of bituminous coal, which underlie almost the whole of this mountainous country and await means of transportation to market. Examination by the engineers of the various deposits of coal showed vast resources and possibilities which were summarized as follows:

	Tons.
Lawrence County, Ky	150,000,000
Johnson County, Ky	600,000,000
Martin County, Ky	300,000,000
Floyd County, Ky	350,000,000
Pike County, Ky	1,000,000,000
Knott County, Ky	100,000,000
Letcher County, Ky	100,000,000
Wayne County, W. Va	50,000,000
Mingo County, W. Va	350,000,000
Total	3,000,000,000

In order to enable us to form some idea as to the significance of the above figures some statistical information is given as to our products and water shipments of the coal of the United States.

The report which presented these figures, made by the Chief of Engineers December, 1900, goes on to give a comparative estimate of the coal resources of this section with that of the entire production carried by water shipment in the United States, and then adds:

The Appalachian coal field furnishes about two-thirds of all the bituminous output of the United States, and is about 900 miles long and contains about 63,000 square miles. Of this area, West Virginia has 17,000 and Kentucky 9,000 square miles. Nearly one-half the latter lies tributary to the rivers under consideration—Big Sandy, Levisa, and Tug.

After giving the coal-producing area and the total bituminous coal production of the United States at from 130,000,000 to 140,000,000 tons per annum, the report continues:

It will be seen from the above figures that the quantity of coal estimated in the Big Sandy field is equivalent to the entire output of the United States for nearly twenty years, would supply the production of the Pennsylvania field for over fifty years, would furnish that transported from Pittsburg by river for one thousand years, and would equal the entire lake traffic for four hundred and fifty years.

Now, Mr. Chairman, I know it is often understood that when a member offers an amendment for his section or for any particular stream that his section may be interested in it is done for mere political talk, for a political purpose, and it is looked upon to be guarded against. I want to declare in all candor here that while a portion of this river, which I think should be improved, lies immediately in my section of the country and in the district I have the honor to represent, in my judgment, considering the distance to be improved from the Ohio River and the resources of this river, the deposits of coal and timber and of minerals on its borders, there is not a stream tributary to the Ohio River of anything near the size of the Big Sandy River that will furnish the amount for transportation that it will. I live upon the Kentucky River, which also reaches the coal fields of eastern Kentucky, and I want to declare now, in my judgment, the Big Sandy River has far greater resources and far greater amounts of coal and far greater products of every kind to be transported to market than the Kentucky River or any other river in Kentucky, considering the length of the river to be improved in order to reach the products.

In order to fully develop the wealth of this section and open it to market, not a great distance will be embraced in the improvement. The distance of the Big Sandy River from its mouth at Catlettsburg to Pikeville is only 110 miles, and to the mouth of Pond Creek, at Williamson, from the mouth of Tug Fork is only 66 miles. So that we have presented by the engineer's report the facts that in a comparatively short distance from the Ohio River a vast section of undeveloped wealth is found on one of the tributary streams, which may easily be made available for the transportation of all this wealth. By the completion of this improvement these sources of coal supply are brought nearer to the large cities on the Ohio, from the mouth of Big Sandy down, than the supply at Pittsburg by more than 350 miles.

It will be admitted in all fair discussion that extravagance in the public expenditures should be avoided; and I think no Member of Congress should urge an appropriation which he does not believe is justified in view of the general advancement and public welfare of the country. This improvement has been begun; it must be completed at some time in the future, and I do not think we should now neglect to give that aid necessary to keep the work in progress. It may take ten years or more to complete the system, but certainly the work should go on and not be neglected. Piecemeal work from time to time is not advisable. There is no economy in building one dam and then waiting a half dozen years to build another.

Economy would dictate the carrying of the work forward steadily to completion. Succeeding Congresses should give due regard to the judgment and work of preceding sessions.

The river and harbor bill as amended by the Senate in the Fifty-sixth Congress, which, however, was not passed, contained provisions for continuing the improvement of this river and provided for an expenditure of an aggregate of $666,667, exclusive of

the amount of $50,000 appropriated by that bill and the amounts before provided for the work. It can not be well contended, I think, that this proposed appropriation was unauthorized under all the circumstances or that the matter had not been well weighed and considered. Every reason would seem to point to the conclusion that the proposed aid in this work heretofore extended was wisely considered and fully authorized.

There is another consideration which I wish to urge upon the attention of the committee, and that is that Kentucky, in asking this development and means of transportation for the public benefit, is the fourth State in the Union in paying the largest amounts of internal revenue, only being exceeded in this respect by Illinois, New York, and Pennsylvania. Kentucky, in round numbers, pays $25,000,000 annually into the Treasury, Illinois $55,000,000, New York $49,000,000, and Pennsylvania $26,000,000; and these States pay in over half of the entire internal revenue for the support of the Government, and Kentucky pays one-twelfth of the entire total. I present the following table of receipts of internal revenue, by States and Territories, for the last fiscal year:

Aggregate collections of internal revenue, by States and Territories, during the fiscal year ended June 30, 1901.

States and Territories.	Aggregate collections.	States and Territories.	Aggregate collections.
Alabama	$573,254.71	Montana [g]	$755,673.70
Arkansas	265,999.63	Nebraska [h]	3,407,808.90
California [a]	4,580,478.65	New Hampshire [i]	1,201,556.43
Colorado [b]	1,240,528.21	New Jersey	9,721,622.55
Connecticut [c]	3,099,988.95	New Mexico [k]	120,308.27
Florida	804,708.08	New York	49,789,698.29
Georgia	924,379.17	North Carolina	7,124,749.36
Hawaii	102,182.63	Ohio	22,429,914.36
Illinois	55,407,024.88	Oregon [l]	1,223,013.18
Indiana	23,466,882.37	Pennsylvania	26,062,959.75
Iowa	1,809,373.87	South Carolina	310,590.57
Kansas [d]	1,009,939.70	Tennessee	2,406,180.54
Kentucky	25,181,305.86	Texas	1,681,424.60
Louisiana [e]	2,399,981.28	Virginia	5,623,008.53
Maryland [f]	9,630,133.59	West Virginia	1,631,576.81
Massachusetts	7,541,852.41	Wisconsin	10,809,694.60
Michigan	4,300,259.94		
Minnesota	2,667,966.12	Total	306,871,669.42
Missouri	17,565,648.93		

[a] Including the State of Nevada.
[b] Including the State of Wyoming.
[c] Including the State of Rhode Island.
[d] Including the Indian Territory and the Territory of Oklahoma.
[e] Including the State of Mississippi.
[f] Including the State of Delaware, District of Columbia, and two counties of Virginia.
[g] Including the States of Idaho and Utah.
[h] Including the States of North Dakota and South Dakota.
[i] Including the States of Maine and Vermont.
[k] Including the Territory of Arizona.
[l] Including the State of Washington and the Territory of Alaska.

The bill proposing expenditures for the rivers and harbors only gives to Kentucky $183,000, $3,000 of which is given for maintenance of the work already done on the Big Sandy River, and $180,000 for continuing the work on Green River.

Mr. BALL of Texas. Will the gentleman permit me to ask him a question?

Mr. WHITE. Yes, sir.

Mr. BALL of Texas. How about the appropriation for the falls of the Ohio River?

Mr. WHITE. We do not consider that appropriation as especially a Kentucky appropriation. The Ohio River is a great waterway, giving its benefits as well to Indiana, Ohio, and other States that it borders as to Kentucky. It is not given in the name of Kentucky. I am talking entirely about matters that relate to an internal development of the different States.

Mr. BALL of Texas. I will ask the gentleman is Kentucky not interested in the Mississippi River?

Mr. WHITE. Why, we are interested in the Ohio River, and we are interested in the whole system of waterways when we come down to the connections with water transportation and the advancement of water transportation for the shipment of our products; and I am as much interested in the Mississippi River and in the Ohio River, I hope, as any gentleman in this committee. But what I am talking about now is about a stream which has been overlooked here, that will contribute to the trade of the Mississippi and the Ohio rivers both and all the cities along those streams. That is the point I am trying to get before the committee. I am not attempting to decry any appropriation in this bill; I am only contending that we are entitled in Kentucky to an additional appropriation because we pay largely for the support of the Government, and because we have the necessity for a public improvement there that will contribute to the advancement of the General Government and the internal commerce of the country.

I hope the gentleman does not think for a moment that I am making this discussion against the Mississippi or Ohio rivers. Why, this stream I am talking about empties directly into the Ohio River, and all the products will go to the great cities along down the Ohio River, to Ironton, Portsmouth, Cincinnati, Louisville, and all down that stream to the Mississippi River.

A comparison of the amounts appropriated to Kentucky in this bill with those appropriated to other States and sections shows some remarkable results. States and sections which pay into the Treasury a pittance compared with Kentucky show amounts so disproportionate to that given Kentucky as to make the inequality of a most striking character.

For instance, Florida, whose revenue is about one-thirtieth of that of Kentucky, gets three times as much appropriated; New Jersey, paying a little over one-third of what Kentucky pays in revenue, gets nearly four times as much in this bill, and the single city of Cleveland, Ohio, for its harbor, while the entire great State of Ohio pays less revenue by two millions and a half, gets nearly four times the amount appropriated to Kentucky, besides $2,300,000 for continuing improvements. South Carolina, which pays into the Treasury $310,590, gets $206,000 appropriated, or two-thirds of the amount paid in as revenue. Indeed, some of the States and Territories get more than they pay into the Treasury.

Mr. BALL of Texas. I want the gentleman from Kentucky to understand that I do not object to his criticism.

Mr. WHITE. I am not criticising. I am trying to compare what has been appropriated to other States, and in that way to show that Kentucky has public interests in this bill and that we are not treating Kentucky perhaps quite right.

It is a singular thing to me, in listening to all this discussion here, Mr. Chairman, that some of our great cities on the lakes and on the coasts have not been built where there were natural harbors. You would infer, from listening to this discussion carefully, that we were making artificial harbors for all of them, and think that our ancestors in laying out those cities ought to have had enough foresight to try to locate them somewhere where they could be reached by water.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITE. I would ask, Mr. Chairman, a few minutes longer in which to conclude.

Mr. BALL of Texas. I ask that the gentleman's time be extended ten minutes.

Mr. BOREING. I will ask that the gentleman be given more time.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Kentucky be extended ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FINLEY. Will the gentleman allow me an interruption?

Mr. WHITE. Certainly.

Mr. FINLEY. The gentleman mentions the amount carried to South Carolina. I would like to ask him this question: What item is there in the bill giving any project in South Carolina that is not a meritorious project?

Mr. WHITE. I have not undertaken any criticism. I presume they are all right; but if you get more than we do, and we have a meritorious project, why not give us a little as we go along with the improvements?

Mr. FINLEY. I would like to ask the gentleman if he thinks the $200,000 is an exorbitant appropriation for the improvement of streams and the betterment of commerce in that State?

Mr. WHITE. Not by any means; but I think the appropriation for Kentucky is very small. That is the thing I am talking about; not that yours is too large, because we, in Kentucky, believe in giving rather than receiving.

Mr. FINLEY. Does not the gentleman think it would be a sound argument and good logic to confine his argument to the projects that are not meritorious?

Mr. WHITE. I presume that the committee took into consideration, as far as they could, all these questions. I have no doubt, Mr. Chairman, that all the appropriations have merit; some more and some less.

Mr. FINLEY. One further question. The State of Kentucky is bounded on the north by the Ohio River. Is it not a fact that the improvement of the Ohio River is beneficial to the commerce of the State of Kentucky?

Mr. WHITE. Undoubtedly so.

Mr. FINLEY. Now, have there not been spent $13,000,000 or more for improvement of the Ohio River, and has not the State of Kentucky derived benefit by reason of that improvement?

Mr. WHITE. Undoubtedly so. I have not the figures before me, but I have no doubt the gentleman is correct. I am not going back to see how much South Carolina has received for improvements of rivers and harbors. I am not saying that South Carolina is receiving too much now.

Mr. FINLEY. Then I do not understand the gentleman's allusion to the State of South Carolina.

Mr. WHITE. I will repeat it. My allusion is to show that Kentucky, which pays $25,000,000 for the support of this Government by her internal-revenue taxation, receives in this bill $183,000 for improvement of streams that are meritorious, while the State of South Carolina receives, for meritorious projects, I admit, more

than the State of Kentucky, while she does not pay one-seventieth of what Kentucky does for support of the Government. She gets nearly twice as much in this bill. It is only by comparison that I am endeavoring to show this.

I am not criticising what you are receiving or putting it down on the proposition that you are not entitled to some consideration as well as these other States. I am not going to move to strike out any provision in the bill, so far as I am advised now, and especially if Kentucky receives justice. Kentucky can go on with her vast resources of coal undeveloped and pay in $25,000,000 annually, and if this committee sees proper to say so, we can improve all your streams and harbors and rivers and never receive anything for our own benefit. I do not think, however, that the gentleman ought to object to this amendment. I would not object to an amendment proposed for New York, because it pays $50,000,000 into the Treasury, even if I thought there might be a doubt of its merit.

Mr. FINLEY. I would like to ask the gentleman this question: Does the gentleman think that the River and Harbor Committee, and in fact every other committee having in charge appropriation bills in this House, should consider the amount of revenue that is paid into the United States by the various States in making provision for improvements in those States? Is that the gentleman's argument?

Mr. WHITE. I do not think there is anything wrong in considering that matter. I think it should be considered to some extent for this reason: If one State pays in $25,000,000 to the Treasury and has equal improvements that ought to be made, has equally meritorious projects in rivers and harbors that ought to be promoted, and another State pays in nothing, I think the State which pays the greater tax should have at least equal consideration. I deny the proposition as a matter of logic that the latter State ought to receive all the benefits of the appropriations for its improvement.

Mr. FINLEY. Now, the gentleman's position, as I understand it, is that the River and Harbor Committee, in making appropriations for improvements, should consider the amount of the revenue paid into the Treasury from those States. Is it not a fact that the greater part of the revenue that is paid into the Treasury of the United States from the State of Kentucky is derived from internal-revenue taxes?

Mr. WHITE. That is what I stated.

Mr. FINLEY. Is it not true that the consumers pay the tax largely, and not the people in the State of Kentucky? Is not the greatest part of the products of the State of Kentucky on which those taxes are paid shipped out of the State?

Mr. WHITE. A great deal of it is. I do not think that men should drink our liquor and smoke our cigars——

Mr. FINLEY. Without paying the tax upon them?

Mr. WHITE. Without giving a generous thought to our State.

Mr. FINLEY. Am I to understand that the gentleman goes further and argues that because of that fact Congress should make appropriations accordingly for the improvement of rivers and harbors in the State of Kentucky?

Mr. WHITE. No, sir; I do not take that position. But experience shows that when our liquor is used a few days its effects are such that a person will give his last dime for more. I am arguing that if we have a river which needs improvement we are entitled to as much consideration as other States, especially so for the reason that we are a large revenue-paying State. I do not think there can be any misconception about that. I am not intending to make any objections to States paying less than we pay; I am only intending to appeal to gentlemen whose States are receiving these benefits—States that in some instances receive more than they pay—to help us a little in our improvements, which I say will bring vast benefit to the country. I hope the gentleman can understand my position.

In this connection I am reminded of an incident which happened in political life in my section of the country. Certain managers and workers met to put up funds for a political campaign. Some put up $10, some $20; others different sums. Finally it came around to the turn of Mr. Jones. He took out a ten-dollar bill and put it into the pot; then he took out $25, and he said that he knew exactly where that amount of money should go; it was needed, he said, in his bailiwick.

Mr. FINLEY. That was in Kentucky.

Mr. WHITE. Yes; that was in Kentucky; but Jones, I think, was from South Carolina.

No objection is intended to be made in this argument to the amounts appropriated to the different States and sections. The only point intended to be urged is that the State of Kentucky, which contributes so largely in support of the general public expense, should have that consideration in the distribution of improvements which the importance of its rivers demands; and surely the States which are provided for so liberally in this bill should not begrudge to Kentucky her just share in these improvements. The river to which I have attempted to call attention contains along its shores and tributaries one of the treasures in the Ohio Valley. It is a matter demanded by every consideration of justice, of public interest, and of the general progress of our country that means should be provided to carry this wealth to market.

I shall therefore move at the proper time the amendment which I send to the Clerk's desk, the same inserted in the rivers and harbors bill for the Fifty-sixth Congress, as follows:

Improving Big Sandy River, West Virginia and Kentucky, including Tug and Levisa forks, in accordance with report submitted in House Document No. 235, Fifty-sixth Congress, second session, $112,500: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be required to prosecute the project recommended in said report, or said material may be purchased and work done otherwise than by contract, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $666,667, exclusive of the amount herein or heretofore appropriated.

Improving Big Sandy River, West Virginia and Kentucky: Completing improvement of the two locks and dams between Louisa and the mouth of the river, authorized by the river and harbor act of March 3, 1899, $50,000, the said sum to be in addition to the amount authorized by said act to be expended on the said locks and dams.

Mr. BALL of Texas. Mr. Chairman, without disparaging any other committee of this House charged with suggesting the appropriation of the public money, I undertake to say that the Rivers and Harbors Committee is confronted with the discharge of the most difficult, the most delicate, and perhaps the most important duties that devolve upon any committee of this House in recommending the appropriation of money from the Federal Treasury. I say this in the first place, Mr. Chairman, because the other great appropriation committees of this House have the estimates which come from the several departments of Government as the basis and guide for their action; and there is variation therefrom only so far as the state of the public finances demands economy or permits liberality in the treatment of any particular department.

On the other hand, the Committee on Rivers and Harbors have no such estimates for their guide. They have before them projects throughout the country calling for the expenditure of more than $300,000,000, which have been duly examined and recommended by the Government engineers for favorable action by Congress. These projects all come to us, those heretofore adopted and those recommended, having behind them the commercial interests throughout the country pressing upon this committee and the Commerce Committee of the Senate their adoption and completion, and the membership of the House of Representatives from different localities urge upon us favorable action.

Now, when it comes to framing the river and harbor bill, instead of being permitted to appropriate that which the Government engineers have recommended, that which the commercial interests throughout the country are pressing, and that which the individual membership of this House urge upon us for recognition, we are compelled, in deference to the other demands upon Congress, to report a bill of not exceeding 20 per cent of the total amount recommended.

Therefore, in eliminating 80 per cent of the sum demanded by approved projects and asked for at our hands by our colleagues, the committee is relegated to the task—the difficult problem—of making selections having in view the various commercial interests involved, the necessities of commerce, engineering problems, geographical location, and the wishes of members of the House of Representatives and the Senate. This House needs but to have that fact called to its attention to understand how great are the difficulties and embarrassments with which the Rivers and Harbors Committee is compelled to contend.

And then, Mr. Chairman, after giving hearings to members of Congress and to the commercial interests throughout the country, and after having spent months of patient toil attempting conscientiously to act for the best interests of the country at large, when we come into the House of Representatives we are confronted with the charge of favoritism and selfishness, and sometimes by gentlemen, who perhaps "live in glass houses," with lack of sincerity and honesty of purpose.

Now, in regard to the charge made in all friendliness by my friend from North Carolina [Mr. BELLAMY] that this committee had been selfish in its action (and there is nothing in his statement that would impute a more unworthy motive), "in that the members of the committee had provided $47,000,000 in the pending bill for their own States, as against $13,000,000 for projects in other States," while that statement is not accurate, if it were true, bearing in mind the fact that members of this committee come from 17 Commonwealths throughout the country which represent 80 per cent of all the tonnage handled in the United States, that represent 80 per cent of all the shipping owned in the United States, that represent 80 per cent of all the exports which go out from this country to bring in prosperity and happiness to our people and to our land, I may add, the committee has indeed been exceedingly modest, because they have taken unto themselves and to their constituencies and to their States a less percentage of the appropriations than they have of the actual commerce and shipping interests of the country.

But there comes from the State of Iowa a more serious charge

upon the membership of this committee. We can not object if any gentleman in the House should feel that the committee has been selfish or that its members have looked after the interests of their own States with more fidelity than they have those of other States, because to be selfish, while it be not admirable, is at least human, and does not involve turpitude or lack of morals or of character; but when the gentleman from Iowa [Mr. HEPBURN], a gentleman of long service in the House, a gentleman who is forceful in debate and to whom this House and the country always listen with attention, when undertaking to compliment the chairman of this committee (and with his compliments to that gentleman I heartily concur and to them every member of the Rivers and Harbors Committee gladly subscribes), adds thereto the statement "that while he believes the chairman is doing the best work he can, but how rapacious the gentlemen associated with him are it is not for him to say, but that he has the opinion that there are gentlemen on that committee who have particular interests to represent that are so important to them that the public weal is not always thought of when it is necessary to logroll with one another in order that their favorite schemes may have a proper place in the appropriations"—when the gentleman from Iowa said that he imputes to the membership of the committee, to which I have the honor to belong, a lack of both personal and political integrity.

It may be, perhaps, that the gentleman in making the statement did it offhand, without consciousness of what his words imported. It may be that the gentleman has some information as to some members of this committee that warranted him in that statement. If he has not, justice to them and to the country and to their constituents and to this House should have forbade him from making so gracious a statement. Now, Mr. Chairman, if I were to say that the gentleman from Iowa ought not to be permitted to serve upon the committee of which he is the honored chairman, because, perchance, the railroad interests in his immediate locality are powerful and are inimical to the proper development of the waterways and harbors of the country, or at least the smaller ones, no doubt the gentleman would take issue with me.

If I were to say that, while the Rivers and Harbors Committee does not claim to be infallible, and that we, perhaps, doubtless have made mistakes in the framing of this bill, and in every bill that has been framed, at least we have done the best we could and have brought in a bill and subjected it to the criticism of the gentleman from Iowa and of this House—and there comes from the gentleman from Iowa at least one commendation in that he states that it is perhaps the best bill which has ever yet been brought to this House from the Rivers and Harbors Committee—if I were to say that because the great committee of which he is the head, charged with upholding the hands of the Interstate Commerce Commission, a Commission created for the purpose of preventing the exactions and rapacity of the great railroad corporations of this country, and stay their hands from unduly levying the hand of tribute upon the commerce of the country; that he has had for six years before him, coming from the Interstate Commerce Commission, a statement that certain decisions of the Supreme Court of the United States had prevented the enforcement of the act which created the Commission as a remedial statute; that that Commission is practically a useless body; that it is without power to prevent the destruction of communities, the confiscation of property, and gross discriminations by these great corporations; and if I were to say that the hands of the railroads or the railroad influence in the community in which the gentleman lives was so powerful that his committee in six years had failed to bring in any bill relating to railroads except the one that the railroads demanded, the antiscalping act, and that his committee has consistently refused to give any relief to the Commission, and that such failure was due to the fact that he has a special interest to serve, the gentleman from Iowa would very properly resent such imputation, and I refrain from such statements.

So that when the gentleman without evidence, except his opinion, makes an assertion such as the one of which I complain, to use a no stronger term, I say that it was at least ungracious and ought not to have been made. I undertake to say, Mr. Chairman, for the 17 members of the Rivers and Harbors Committee, that, while we concede to the distinguished chairman of the committee a greater familiarity with the projects and duties of the committee than any other member of the committee possesses, while we concede to him the best-equipped mind for the arduous labors he so well discharges, and a competency never excelled by any chairman of the committee in the past, as to the merits of particular projects and their general relation to the commerce of the country, yet we do not concede that the distinguished chairman of our committee is one inch above any other member of the committee in integrity of purpose and fidelity to an honest desire to discharge fairly and properly the duty of caring for the general welfare and appropriating the public money so as to subserve the commercial interests which are presented for our consideration.

So far as I know and believe, and I undertake to say, there has never been a combination among the members of the committee to secure the carrying of a single appropriation in the river and harbor bill. No member of that committee has ever suggested such a thing to me, and I do not believe that it has ever been suggested by or to a single member of the committee.

Mr. Chairman, when the distinguished gentleman from Iowa [Mr. HEPBURN] seeks to make it appear that the chairman of our committee [Mr. BURTON] is standing on guard, preventing inroads into the Treasury by members of his committee interested in special projects, I desire to inform him that such statement is unjust to the members of the committee.

I believe and know the chairman of the committee to be actuated by the highest and most honorable motives, and when the gentleman from Iowa [Mr. HEPBURN] three years ago questioned his sincerity of purpose, I did not agree with the gentleman from Iowa then, nor do I agree with him now. But the gentleman who has the honor to preside over our committee represents greater special interests than any member of the committee, and around the splendid city in which he lives cluster the interests of the great iron industry of this country, and the chairman of this committee has more special interests seeking recognition in this bill than any other single member of the committee; yet the chairman of the committee has never made an appeal to any member of the committee to support any project in which he felt an interest, as a personal matter; but, on the contrary, he has asked that every member of the committee consider those projects upon their particular merits; and so it is with the other members of the committee. We lay no claim to perfection. We do not claim that we have made a perfect bill; but we do claim that every member of the committee, in everything except the power of debate and the capacity to assail the purposes of others, is the peer of the gentleman from Iowa [Mr. HEPBURN] and the peer of every other member of this House in sincerity of purpose and fidelity to duty.

Now, Mr. Chairman, I had not intended to be diverted from the line of remarks which I purposed making by these matters which have been thrust in. I desire, first, to deal briefly with a few important facts, not with the hope of adding anything to the masterly statement made by the chairman of the committee on Monday, but to discuss the relations of the Rivers and Harbors Committee to the general commerce of the country, and to demonstrate, if possible, that the appropriations carried by the river and harbor bill are more economical in proportion to the interests to be served than those reported by any other great committee in this House, and, furthermore, that nothing has done more to add to the development of the commerce of this country and the creating of an enormous balance of trade in our favor than has the expenditure made under the direction of the Rivers and Harbors Committee of the House and of the Commerce Committee of the Senate.

The total expenditures for rivers and harbors by the National Government from 1879 to 1902 has been $301,874,130; and this has been for a country whose tremendous territory is bounded upon the north by the Great Lakes, with large numbers of harbors to be improved for the accommodation of the unparalleled commerce which is there conducted; upon the east by a long stretch of Atlantic coast, where commerce requires a very large number of improvements; upon the south by the Gulf of Mexico, where numerous ports are fast forging to the front, and upon the west by the Pacific coast, whose harbors afford a gateway to the Orient. Within these confines great rivers and less important streams, necessary for the proper development of the country, have asked and are asking recognition at the hands of the Government, in order that they may play their proper part in bringing this country to the highest state of possible agricultural and commercial development. Why, Mr. Chairman, the little island of Great Britain, with a territory incomparably less than the State from which I come, has had spent for the improvement of the facilities of the harbor of Liverpool and the Manchester Canal more than $150,000,000, a sum equal or more than equal to one-half of the amount spent by this Government upon its rivers and harbors from 1879 to 1901. In order that some idea may be given of the growth of our several interests and the percentage of their relative increase, I submit the following table:

Comparison of exports, 1860, 1880, 1890, and 1901.

	Value.	Per cent.
1860.		
Agriculture	$256,560,972	81.13
Mining	999,465	.31
Forest	10,299,959	3.26
Fisheries	4,156,480	1.31
Miscellaneous	3,879,655	1.23
Domestic manufactures	40,345,892	12.76
Total	316,242,423	

Comparison of exports, 1860, 1880, 1890, and 1901—Continued.

	Value.	Per cent.
1880.		
Agriculture	$685,961,091	83.25
Mining	5,863,232	.71
Forest	17,321,268	2.11
Fisheries	5,255,402	.64
Miscellaneous	6,689,345	.81
Domestic manufactures	102,856,015	12.48
Total	823,946,353	
1890.		
Agriculture	629,820,808	74.51
Mining	22,297,755	2.64
Forest	29,473,084	3.49
Fisheries	7,458,385	.88
Miscellaneous	5,141,420	.61
Domestic manufactures	151,102,376	17.87
Total	845,293,828	
1901.		
Agriculture	943,811,020	64.62
Mining	37,985,333	2.60
Forest	54,317,294	3.72
Fisheries	7,683,353	.53
Miscellaneous	4,510,740	.31
Domestic manufactures	412,155,066	28.22
Total	1,460,462,806	

It will be seen therefrom that for each decade a healthy increase has been made along every line. Agriculture yet stands out with prominence as our principal reliance for national prosperity, but it will be seen that as late as 1880 agricultural products constituted 83.25 per cent of our total exports, while at that date domestic manufactures were only 12.48 per cent thereof. In 1901 agricultural exports are shown to constitute but 64.62 per cent of the total, while the export of domestic manufactures reached 28.22 per cent, a proportion of the total exports more than double that of twenty years ago. While our exports have increased to so great an extent, the appropriations for the support of the Federal Government have also largely increased in every Department, as will be shown from the following table:

	1887.	1901.	Increase.
			Per cent.
Exports	$703,022,923	$1,460,462,806	100.7
APPROPRIATIONS.			
Post-Office	54,365,863	113,658,238	109.6
Navy	16,489,907	65,140,916	295.7
Army	23,753,057	114,220,095	380.8
Agriculture	654,715	4,023,500	514.5
Rivers and harbors	14,473,900	16,285,605	11.3

Mr. Chairman, it appears from this table that as compared with appropriations for other purposes of government, and as compared with our export business, that the appropriations for rivers and harbors has not kept pace with either our exports or appropriations. In 1877 the total exports from the United States from all the ports amounted to $703,022,923; in 1901 these exports had grown to $1,460,462,806, an increase in the seven-year period of 100.7 per cent in the total exports. In the same period in appropriations, in 1877 the appropriations for the Post-Office, as our chairman said on yesterday, most nearly in touch with the business interests of the country, were $54,365,863; in 1901, $113,658,238, an increase in the expenses of the appropriations for the Post-Office Department of 109.6 per cent.

For the Navy, giving round numbers, in 1887, $16,000,000; in 1901, $65,000,000, an increase of 295.7 per cent. For the Army, $23,000,000 in 1887; $114,000,000 for 1901, an increase of 380.8 per cent. For agriculture, $654,000 in 1887; $4,000,000 in 1901, an increase of 514 per cent. For rivers and harbors in 1887, $14,473,900; in 1901, $16,285,605, an increase of only 11.3 per cent. So that, Mr. Chairman, it will be seen that this committee, charged with the only appropriation bill which goes exclusively to build up the great commercial interests of this country, has shown an increase in expenditure far less than that of any of the other committees. Gentlemen may say that the Army and the Navy are necessary, and I concede that it is proper to have a sufficient Army and Navy.

But, Mr. Chairman, there ought not to be in this country of ours the sentiment which says that we will sacrifice the interests of commerce in order that we may be a warlike nation. Why, the expenses—and I do not intend to go into a discussion of subjects that are foreign to this—but the expenses already incurred by this Government in carrying on a war to subject the Philippine Islanders there has been expended a greater sum of money than would be necessary to carry to completion every river and harbor project that has been examined in the United Ststes and approved by the Government engineers.

Now, no one believes that this war is being carried on in a mere spirit of humanity and Christianity. The people of this country know why we keep our Army in the Philippine Islands is because there is a commercial instinct in this country that wants to keep all that we can get and lay our hands on, and the question of cost is the only thing considered by that element.

Now, Mr. Chairman, if we are to take our place among the nations of the earth, to use that deceptive phrase, let us hope it will not be alone as a warlike nation. If we expect to command the peace and ultimately shape the civilization of the world, it must be by building up the agricultural, industrial, and commercial interests of the country, and not by seeing what big guns we can make, how many soldiers we can enlist, or how great a navy we can build to carry our flag upon the seas. If gentlemen insist that such a policy it necessary, they will at least not deny that a liberal policy in regard to rivers and harbors must be carried on at the same time in order that this tremendous expense may be met without putting too severe a tax upon the resources of the country.

Now, Mr. Chairman, I shall insert in my remarks a table showing the exports from the principal North Atlantic, South Atlantic, Gulf, and Pacific coast ports for the years 1887 and 1901, respectively, showing the increase at these several ports, at all of which extensive improvments have been made by the Federal Government. This increase has been largely due to the appropriations made by Congress for our rivers and harbors. When our agricultural, manufacturing, and other interests go out into the great field of universal activity they meet the sharpest competition from the nations of the earth, and the doctrine of "the survival of the fittest" must prevail. It is absolutely essential, if our farmers are to prosper, if our manufacturers are to maintain the present standard of wages and compete with the products and wares of other nations, that every facility for transportation, which is one of the controlling elements in competition, should be afforded. [Applause.]

Notice the following table:

Domestic exports.

	1887.	1901.
Principal North Atlantic ports.		
Boston	$57,775,156	$142,905,886
Portland	1,831,267	12,403,958
New York	306,842,375	516,929,035
Philadelphia	35,361,876	79,212,568
Principal South Atlantic ports.		
Baltimore	51,601,118	106,161,392
Wilmington, N. C	6,088,229	12,013,659
Savannah	23,783,313	46,729,321
Brunswick	1,481,401	7,952,637
Charleston	14,625,218	7,084,215
Newport News	7,452,017	32,567,556
Principal Gulf ports.		
New Orleans	79,050,983	150,119,802
Galveston	18,899,665	101,831,747
Mobile	2,557,414	11,822,664
Pensacola	2,067,371	13,455,761
Principal Pacific coast ports.		
San Francisco	32,027,995	33,915,931
Portland	1,831,267	12,403,958
Puget Sound	1,769,209	20,357,106

It appears therefrom that the harbor of Boston, which carries one of the largest items in the pending bill, has increased its exports from $57,000,000 in round numbers in 1887 to $142,000,000 in 1901, having largely more than doubled its export business. While the import business is not shown by the table, a still greater increase has been made. In the extreme northeastern portion of our territory, the port of Portland, Me., has grown from less than $2,000,000 in 1887 to more than $12,000,000 for 1901. Philadalphia has more than doubled its business during that period. The South Atlantic ports show about the same proportionate increase, the harbor at Brunswick, Ga., showing the greatest. From less than one and one-half millions of dollars in 1887 it has grown to about eight millions in 1901. The increase of Newport News, Va., has been phenomenal. It has increased from about seven and one-half millions in 1887 to thirty-two and one-half millions in 1901. The Gulf ports show the largest proportionate increase, New Orleans having about doubled its immense business, while Mobile and Pensacola have shown a tremendous increase.

Let me say in passing, as to the appropriation carried in this bill for Mobile, which was criticised by the gentleman from North

Carolina [Mr. BELLAMY], not in a spirit of hostility, but by way comparison with the appropriation provided for his own port of Wilmington, N. C. From the gentleman's own statement it appears that Wilmington has now and has had a greater depth of water on its bar than that of Mobile. Perhaps it may occur to him upon reflection that it was the purpose of the Committee on Rivers and Harbors in making a larger appropriation for Mobile to give to that port a depth of water which the harbor at Wilmington has already had provided for it by the National Government. Further, while the harbor of Wilmington has for its principal export cotton alone, Mobile, by reason of its location, is building up a great trade in various products with Cuba, Porto Rico, and other places south of that port. Without disparaging Wilmington, which has a splendid commerce and is well worthy the recognition of Congress, it appears from the foregoing table that Wilmington has just doubled its export business during the period shown thereby, while the business of Mobile, hampered by lack of depth of water, has increased more than fourfold.

Mr. Chairman, the most remarkable showing made by any of the ports, upon either coast, has been made by the port of Galveston, in my own State. From less than $19,000,000 in 1887, the business through that port has grown to $102,000,000 in 1901, and it can be truthfully said that the money expended by the Government at that port has not only resulted in a greater increase than that of the business of any port promoted by Government aid, but the effect of that improvement upon railway transportation, by bringing the Gulf-bound railways into active competition with the Atlantic seaboard routes, has produced the greatest reduction in railway charges for transportation of any other single improvement. While that city was visited by a storm whose effects "staggered humanity" and caused the loss of perhaps 8,000 precious lives and great destruction to property, it will be observed that the courageous people of the city of Galveston have not lost heart, the country has not lost confidence in the port, and an increased volume of commerce is seeking an outlet there. I regret that the committee could not see its way clear to do more for that port than the appropriation carried by the pending bill. It is a fact worthy of more than passing comment that 35 per cent of our export trade now goes out from Gulf and South Atlantic ports.

The business of the Pacific coast ports has shown a healthy increase. While the harbor of San Francisco shows a comparatively small increase in its exports, it must be borne in mind that its imports are of about equal value, and in this it differs from other Pacific ports and the Gulf ports, at each of which exports largely exceed imports. I can not discuss at length the business of the several ports. Suffice it to say that each and every one of them shows a healthy increase in the value of its exports as well as its general commerce.

The great harbor of New York remains, as it always has been and always will be, easily first. And while the appropriations for New York in this bill have been liberal to the State generally, there are some projects about New York Harbor which the committee did not feel authorized to take on at this time, largely due to the fact that the Government is now carrying on projects in New York Harbor involving some eight or nine million dollars which are yet to be completed. The exports and imports and commerce of that port amount to more than $1,000,000,000. I shall not tax the time and patience of the committee to go into these figures further. It will be readily seen that the increase of the business of the country, both as to the harbors and rivers, has far more than kept pace with the appropriations made for their support, maintenance, and extension.

I agree with the statement of the gentleman from Iowa [Mr. HEPBURN] that it was perhaps unwise at this time to have entered upon a policy of giving a depth of 40 feet to the port of New York. The Rivers and Harbors Committee of the House did not adopt that project, but the Senate, in its wisdom, saw fit to include it in an amendment to a former bill, and it subsequently became a law. As a matter of course, the adoption of the project giving New York 40 feet depth of water has forced the committee to take up, earlier than it otherwise would, the demands of Philadelphia and Boston and other places for deeper water, in order that equality with the port of New York might be preserved. It is not expected to give 40 feet at any other ports, because it has uniformly been the policy of the Committee on Rivers and Harbors and the Commerce Committee for many years past to admit the supremacy of the port of New York by carrying on improvements there contemplating at least 5 feet greater depth of water than elsewhere in the country, so that vessels of great depth may find at least one great port in this country which they can safely enter.

Again, in Boston they have some 2 or 3 feet more tide, and it is not necessary on that account to give them quite so great depth of water.

THE GREAT LAKES.

Let me now turn for a while and discuss the commerce of the Great Lakes, whose ports and channels have provisions therefor; the cost of which make up a large part of the pending bill. In the great battle for industrial supremacy in this country the commerce upon the Great Lakes has played a conspicuous part. The improvements undertaken by the National Government upon those great bodies of fresh water and the results therefrom have been of inconceivable advantage to the country. Upon them Congress has expended an enormous amount of money from first to last. The St. Mary's Falls Canal (commonly called the "Soo") has been improved at great expense, and the harbors of the lakes generally made of sufficient depth to accommodate the great vessels which now navigate the lakes, carrying six, seven, and eight thousand tons of freight and making 22 trips during the season, as against 16 trips formerly made by smaller vessels.

These facilities afforded by the Government, coupled with the necessities of commerce and the enterprise of those interested in lake navigation, have caused great improvements to be made in dock facilities, in loading and unloading, and otherwise reducing the cost of transportation and the handling of commodities to a minimum figure. Hours are now required where days were formerly taken to unload and reload, and it is not an unusual thing to have a boat enter one of the lake ports, unload a cargo of 6,000 tons, take on a cargo of 6,000 tons, and clear within twenty-four hours. This in turn has compelled the railways to greatly improve their tracks, rails, roadbed, and terminal facilities in order to keep pace with the progress of the commerce carried upon the lakes.

Again, without these improvements the unequaled iron-ore beds of the Lake Superior region could not have been developed, as the railway rates thereto would have been practically prohibitory. Thus, by the lake development, this ore can be brought down at a minimum cost, and being especially adapted to the manufacture of steel rails, whose economical manufacture is so essential to railway development, the lakes have thereby not only been able to control railway rates in a great degree, but they have been able to help the railroads also in better equipping themselves for the transportation of freight at lower rates. I here insert a table showing the tonnage of vessels owned and used in the coastwise and lakes trade:

Tonnage of vessels owned and used, coastwise and lakes trade.

	1885.	1901.
Atlantic and Gulf coast	2,809,323	2,854,639
Pacific coast	360,608	713,831
Great Lakes	749,949	1,706,294
Western rivers	346,054	249,454

It will be seen therefrom that while the tonnage in 1901 of vessels upon the Atlantic and Gulf coasts is practically the same, that the tonnage of vessels upon the Great Lakes has largely more than doubled. Upon the Pacific coast the tonnage has just about doubled, while a decrease is shown upon the Western rivers. This decrease, however, upon the Western rivers is accounted for by the fact that barge transportation for the heavier products has been demonstrated to be by far the most economical, and barges are not included in this showing. To this fact is largely due the erroneous impression of the gentleman from Iowa and others that commerce upon the rivers has actually decreased.

Through the Detroit River, a narrow stream, which is, however, a pretty fair indication of the business of those lakes, there passes annually a total of 42,000,000 tons of freight. Through the St. Marys Falls Canal there passes a tonnage of 25,643,073 tons, with a value of $267,041,959. In the Cuyahoga district, in which are situated the cities of Cleveland, Fairport, Ashtabula, Conneaut, and Lorain, there is a total tonnage of nearly 20,000,000 tons. Chicago Harbor and Calumet, including the river, have about 12,000,000 tons.

Mr. REEVES. Fourteen million tons.

Mr. BALL of Texas. My colleague upon the committee corrects my statement; doubtless he is right as to Chicago. Buffalo, which is at the other end of the great grain business of the lakes, has about 11,000,000 tons.

Mr. ALEXANDER. Thirteen million tons.

Mr. BALL of Texas. My figures are for the year 1900. The gentleman from New York [Mr. ALEXANDER] tells me that the last statement shows 13,000,000 tons handled at Buffalo.

Now, Mr. Chairman, to illustrate the growth of the lake commerce. In 1889 the total commerce of all the lake ports was twenty-five million and some odd thousands of tons. In 1896 it was fifty-three million and some odd thousands of tons.

In 1901 an increased tonnage fully in keeping with this progress will be shown, although I have not the figures and was unable to obtain them. The total commerce of all the railroads in 1879 was six hundred and nineteen million and some odd tons. The total commerce in 1896, seven years afterwards, was 773,000,000. Thus we see that in the period of seven years which I have selected for

comparison, notwithstanding the improved facilities and the increased carrying capacity of railroads which the gentleman from Iowa so forcibly and eloquently depicts, the increased tonnage on the lakes in the seven years amounted to 112.8 per cent, while the increase on the railroads during the seven years was only 24.9 per cent.

So much for the commerce of the waterways, which have done, perhaps, more to enable our manufacturers to go into the markets of the world and take them than any other single agency; that has done much to enable the farmers of the West to get their grain to the markets of the world in competition with all grain-raisng nations, regardless of the scale of wages paid abroad. Mr. Chairman, there has been some disposition in this country to create a public sentiment in favor of appropriations for the great harbors alone and a neglect of our great rivers and smaller interior waterways. Let us examine for a moment some facts in regard to this class of improvements.

The Hudson River, in New York, which is the necessary link in the Erie Canal and Great Lakes outlet to deep water, and upon which liberal appropriations have been made in the past, and in this bill, carries annually about 15,000,000 tons of commerce. The Ohio River, which is one of the most expensive improvements now under way by the National Government, carries annually nearly 15,000,000 tons of freight, and is a necessary connecting link for the coal output down the Monongahela River, and the other products which go out therefrom upon the Mississippi River to New Orleans and elsewhere. Along its banks great manufacturing establishments are being builded up to operate under the most favorable conditions.

When the contemplated Government improvements are finished so as to give navigation at all seasons when ice does not block the river, the commerce will be vastly added to. The Monongahela River, which has been an expensive improvement, and where the Government no doubt was swindled in the price paid for the locks and dams constructed by a private corporation, is yet of such supreme importance to that hive of industries, Pittsburg, to the commerce along the Ohio and Mississippi rivers, that beyond question the country at large has been benefited far in excess of the amount properly expended as well as the amount out of which the Government was "buncoed."

THE MISSISSIPPI RIVER

is a favorite camping ground for gentlemen who get up and fight river and harbor bills. The gentleman from Iowa [Mr. HEPBURN] did not mean to misrepresent in his statement, because he made it from current reports; but he made a statement that the expenditure of eight or ten millions of dollars at Plum Point Reach and Lake Providence Reach had only resulted in a few inches of water, whereas as a matter of fact, Mr. Chairman, instead of 2 inches of water it resulted in obtaining a permanent depth of more than 4 feet, and during last season, which was, as I understand, the season of lowest water for the general navigation of the rivers of the country, there was a permanent depth of 9 feet during the entire season upon those reaches.

There was a great amount of money wantonly expended, but it was at a time when there was no other way of developing that great river, which has in its drainage basin 41 per cent of the people of these United States, which in its search for the Gulf of Mexico flows 2,500 miles and drains the territory tributary thereto of 24 States and 2 Territories. The gentleman from Iowa ridicules its commerce, and yet during the year 1899, from Cairo to its mouth—not the entire Mississippi River system—there was carried upon the bosom of that great river $239,000,000 worth of the products of this country, going out to seek the markets of the world at a rate of freight, considering also the effect of the river upon railway rates, that if the river had not been improved would have cost the agricultural interests of this country more than $10,000,000 additional to transport.

Now, Mr. Chairman, there was a time when I did not subscribe to the theory that the levees were for any other purpose than the protection of private property. While I know that my friend from Louisiana [Mr. RANSDELL] is better prepared to discuss this subject than I, as he is better posted upon conditions existing upon the river, because of the fact that the port upon that river (New Orleans) is the chief competitor of the port of Galveston, in the great State from which I hail, I feel in justice to the committee which has made this large appropriation for the Mississippi River that I can speak as one not prejudiced in favor of our action. I desire to say that after hearing the arguments and reasons of the advocates of the levy system upon the Mississippi River, prejudiced against it in advance, I have come to the conclusion that, as was so well stated by the eminent member of that Commission, Judge Taylor, "before you can get permanent and successful navigation of the river at low water, you must control it at flood tide."

The theory is simple; with that great river carrying the most enormous amount of silt of any river upon the earth, coming down at flood tide freighted with this heavy load; if it is permitted to dissipate its force and spread out all over the country necessarily the sediment comes down into the channel and prevents its proper navigation; and the statement has been made and can not be contradicted and is conclusive upon the proposition "that before any improvement of any character was attempted upon the Mississippi River that wherever the banks were high and firm and the channel best confined in every instance navigation was best, and where the banks were low and wide and the channel spread out in every instance navigation was poorest."

In perhaps eight years more we will have completed this extensive improvement, and whether it was wisely begun or not in the first instance, there is no way, even if the Rivers and Harbors Committee desired to do so, to abandon that great work until it has been pushed to a successful completion; and in my judgment the best interests involved, from the standpoint alone of navigation, will justify the completion of the improvement as now projected, and if in carrying out that proper and legitimate purpose and object the Government reclaims hundreds of thousands of acres of fertile land, the most productive on earth, upon which people can build their homes and rear happy families, if that incidental benefit comes, I am only too glad that the money expended by the Government has accomplished the double purpose of aiding the cause of navigation and of benefiting the material interests of a splendid section of this great country of ours. [Applause.]

At the risk of tiring the committee, let me say something upon the subject of the relative charges for transportation by water and by rail, and indulge in some comparisons as to the effect of water competition upon railroad transportation. I insert a table for that purpose:

Comparison of water and railway transportation of wheat, in cents per bushel.

CHICAGO TO NEW YORK.

Year.	Lakes and canal.	Rail.
1870	17.11	33.3
1880	12.37	19.9
1890	5.85	14.31
1900	4.42	9.98

ST. LOUIS TO LIVERPOOL.

Year.	Via New Orleans.	Via New York.
1882	22.6	23.66
1890	14.33	21.48
1901	9.48	14.03

This table shows that the grain rate either from Chicago to New York or St. Louis to Liverpool is about one-third of the rate twenty years ago. This has been due to four causes—necessity of meeting foreign competition, improvements in railroad ability to handle traffic economically, improvement of the harbors upon the Great Lakes, and improvement upon the Mississippi River and of the harbor of New Orleans, where ships of much greater depth of draft can now come in. In every instance where a reduction of rates has been made the initiative has been taken by the water route. It is estimated that the deepening of our harbors secures a reduction on the rates charged for transporting grain of about 1 cent per bushel for each additional foot of water.

Mr. Chairman, the actual saving upon freight rates that would appear from a computation, taking the volume of business actually handled upon the waterways and estimating the reduction of rates thereon, is but a bagatelle compared with the reductions made by railroads in their tariff schedules as the direct result of water competition. The gentleman from Iowa in setting forth the enormously increased ability of the railroads to handle freight at a greatly reduced rate has spoken truthfully, but he does not appreciate as he should the improvements which have been going on in the transportation upon our inland waterways. The railroads can never hope to compete successfully therewith upon certain commodities.

The railroads can not bring the iron ore from the Lake Superior region at a rate that they could be profitably used. The railroads can not carry coal from Buffalo to Duluth, 1,000 miles, for 25 cents per ton, as it is now being carried. The railroads can not take coal from Pittsburg to New Orleans, 2,000 miles, at 75 cents per ton. Not alone, Mr. Chairman, as the gentleman indicates, to give the people of New Orleans cheap fuel, but to furnish also to the industries between the head of the Monongahela River and New Orleans that essential element for manufacturing purposes—cheap fuel. While he gazes upon the double-track railroads, with great mogul engines, let him look also at the spectacle of 36 barges coming down abreast upon the Mississippi River, carrying 1,000 tons each of coal.

It has been with the aid of the waterways of the country, giving cheap iron ore and cheap coal as the essential element, that the manufacturing industries of this country have been able to change the exports of agricultural products in 1880 from a percentage of 81.13 of the total exports, compared with 12.76 per cent of domestic manufactures, to the proportion in 1901 of agricultural exports 64.62 per cent and domestic manufactures to 28.22 per cent of our total domestic exports. The gentleman from Iowa questions the effectiveness of river competition in regulating railway freight tariffs. As against his opinion I place that of Mr. Stuyvesant Fish, president of the Illinois Central, who wrote of the Lower Mississippi:

We can, however, expect to have the channel of the river so far straightened and deepened as to afford transportation by steamboat and barges at rates which will continue to regulate those of railroads as effectually as the rate charged by the trunk lines from Chicago to the Atlantic seaboard are regulated by the water competition of the Great Lakes and the Erie Canal. Indeed, the almost total absence of any closing of navigation on the Lower Mississippi by ice will then prolong this competition throughout the year.

Now, that is not only true of the great highways of commerce, but it is true of the smaller streams which penetrate into the country. For instance, on the Ouachita River in Arkansas and Louisiana they have navigation a part of the year, and during the rest of the year they have none. The freight on their cotton for 700 miles from Camden, Ark., when the stage of the water permits navigation, is $1.25 a bale; whereas the railroad rate, when the freight can not be taken by water, is $3.10 for a distance of 475 miles. Flour by water, 35 cents per barrel, as against 75 cents by rail.

Then take the incoming freight. From Boston, for instance, where they buy their boots and shoes, to Camden the water rate is 79 cents; the railroad rate, $2.02. For this reason we have made a liberal appropriation in this bill for the Ouachita River.

In Texas, Mr. Chairman, none of our navigable rivers have been improved, because when Texas and the States west of the Mississippi River were urging deep water at Galveston Texas local interests were compelled to make a sacrifice that no other State was ever required to make—to refrain from urging other projects until deep water at Galveston was secured. That project has been pushed to a successful culmination, and has brought a harvest in results to the States from a distance in greatly reduced freight rates. Texas has received no benefits therefrom in the reduction of local railroad rates, our only benefit being the saving upon ocean freights caused by the admission of deeper draft vessels and the cessation of lighterage charges, which has perhaps saved to our people in Texas 50 cents per bale on their cotton, amounting to, say, $1,500,000 per annum.

In Texas our grain rates by rail, average 300 miles, is 9½ cents per bushel, while the rate from the lake ports to New York by water average 1,200 miles, is 4½ cents per bushel, and from St. Louis to New Orleans, by the river route, 1,261 miles, the rate is 4½ cents per bushel. Cotton in Texas per bale, average rail haul 165 miles from Houston, is $3 per bale, while from Memphis to New Orleans, 713 miles by water, the rate is 80 cents per bale, and from New Orleans to Cincinnati, 1,600 miles by water, $1 per bale.

For these reasons, Mr. Chairman, in this State of magnificent distances, the volume of whose annual products is $306,000,000, and in view of the fact that Texas has none of her rivers under improvement, the Rivers and Harbors Committee has given not so much as I had hoped, but liberal recognition to our two principal rivers, the Trinity and Brazos. We have also made a liberal appropriation for the Houston Ship Channel, which, when completed, is expected to furnish in conjunction with Galveston unrivaled facilities for the commerce of Texas and other States tributary to Texas, but it is expected to save over $1,000,000 per annum upon the cotton crop of Texas alone, to say nothing of the saving to the other products of Texas and the commerce of other States.

Now, Mr. Chairman, permit me to say something for the smaller interior waterways of our country.

I know that it is a fashion to charge that a great deal of the money that is carried by the river and harbor appropriation bill is squandered upon insignificant interior waterways. The chairman of the committee showed yesterday that for all these waterways which carry less than 100,000 tons of freight only $400,000 is included in this bill.

I undertake to say, Mr. Chairman, that the general impression in this country is that $10,000,000 is expended upon the small rivers and creeks of the interior of the country, whereas the statement of the chairman, as compiled and placed in the RECORD yesterday, shows that less than half a million dollars is embraced in the bill for that purpose.

I say, further, Mr. Chairman, that the interior rivers and creeks, if you please, will bear favorable comparison with the smaller harbors, and that the smaller harbors of this country show a less tonnage and less business in proportion to the amount appropriated than do the inland waterways. And, besides this, the smaller harbors are largely a matter of convenience to the localities in which they are situated. They have no specific bearing upon the question of transportation—at least not nearly as much as these streams which penetrate into the interior of the States, very often enabling great development in our material interests—always controlling and regulating freight charges, which bear to the point of confiscation upon the owners of the minerals and the lumber and other industries whose field of production is pierced by these inland waterways. That sentiment is largely due to the fact that the metropolitan press, which so largely controls public opinion in this matter, is chiefly interested in the great harbors of the country. The railroad corporations having their termini at the great harbors of the country, also lend the weight of their influence to the dissemination of this idea. And so it comes to pass that in our river and harbor bills, the waterways of this country, those which give life and vitality to communities, permitting them to survive, to resist, and to overcome the exactions of the transportation companies, have far less consideration in these bills than they ought to have.

Instead of being $400,000 there ought to be $5,000,000 in this bill for such projects, and if this committee had not been limited by the necessities and conditions that surrounded it there would have been. It is not because the Committee on Rivers and Harbors does not believe that the inland waterways, the rivers and creeks, if you please, of this country, where they can make a showing, are entitled to consideration, but simply because the limitations put upon our bill and the necessities of great projects clamoring for recognition has prevented as full recognition of smaller projects as the committee would only be too glad to have given.

Mr. Chairman, a few thoughts more, in conclusion. There are a great number of States which have no recognition, directly, in this bill, and yet I undertake to state that in many instances States are more vitally affected by rivers and harbors improvements which have no rivers and harbors within their borders than are the places where the improvements are made. For instance, our Missouri friend has been looking a little crosswise at us in some respects about this bill, and yet I feel entirely sure that the large appropriation for New Orleans will bring greater results for the city of St. Louis and the State of Missouri in the way of decreased charges upon their products than will inure to the city of New Orleans and the State of Louisiana. The business interests of Missouri and other Western States have insisted upon this improvement with as much vigor as have the business interests of the State of Louisiana.

Take my own State, for instance. We have been criticised for the large sum of money appropriated for the harbor at Galveston, just as the ignorant criticise the expenditure at the great St. Marys Falls Canal, or on the Monongahela River, which bears its enormous tonnage down to Pittsburg and thence to New Orleans, giving cheap fuel to the people who live along the banks and enabling manufacturing industries to exist and thrive; and just as these improvements are sometimes charged up to the State in which they are situated, although the people of many other States are more benefited, so the appropriation at Galveston is charged up to my State and frequently stands like a stone wall in my way when I am urging recognition for other improvements in Texas. That improvement at Galveston has not reduced the local freight rates in Texas one iota. We got deep water at Galveston in 1896, and at that time we sent out from there less than 1,000,000 bushels of grain. Now, the export of grain from Galveston is nearly 20,000,000 bushels.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. KLEBERG. I ask that my colleague be allowed to conclude his remarks.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Texas be allowed to conclude his remarks. Is there objection?

There was no objection.

Mr. BALL of Texas. The local freight rates in Texas are as high to-day as they were in 1896. So that so far as local transportation in Texas is concerned we do not get the benefit of deep water at Galveston, and the only benefit we have received has been in the admission of larger ships to that harbor, which take off our cotton at reduced rates. Perhaps there has also been a reduction of two or three cents a bushel on grain, on account of the deeper-draft vessels. But now how about the State of Kansas, which does not appear in this bill? In 1896, the year that deep water was secured at Galveston, the Gulf-bound roads immediately entered into competition with the Atlantic seaboard routes, and that very year the rate on grain from Kansas was reduced 6 cents per bushel, resulting in a saving to the farmers of Kansas in one year of more than the entire cost of the jetties.

So there are States west of the Mississippi that do not appear in this bill at all which receive the benefit of the competition

produced by the opening of Gulf ports, setting the great railroad systems into competition with each other, thus bringing down the cost of transportation. Often these States receive greater benefits than the States where the improvements are actually located.

I believe, Mr. Chairman, that instead of losing in popular confidence, the river and harbor interests are more popular than ever before and ought to receive more liberal recognition at the hands of the Congress. Appropriations should be in a greater degree commensurate with the growing business and commerce of this country; and I believe that if the time prophesied by the gentleman from Iowa [Mr. HEPBURN] should come, when the river and harbor bill shall carry $100,000,000, not to be expended in one year, but in three or four years, the time usually required to carry out the provisions of such bills, that the people of this country and the material interests of this country will reap a reward, a benefit, and a fruition therefrom that will justify even so great an expenditure for rivers and harbors. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HEPBURN having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 270. An act to prevent trespassers or intruders from entering the Mount Rainier National Park, in the State of Washington;

S. 4409. An act to amend an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes," approved March 1, 1899;

S. 3673. An act to correct the military record of Jacob Cooper;

S. 2109. An act granting an increase of pension to Charles C. Davis;

S. 311. An act to provide for the purchase of a site and the erection of a public building thereon at Laramie, in the State of Wyoming;

S. 140. An act granting to the University of Utah additional lands adjacent to its site;

S. 3371. An act removing the charge of desertion from the name of Jacob Bowman;

S. 4363. An act granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve;

S. 1348. An act to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries;

S. 1298. An act to provide for the purchase of a site and the erection of a public building thereon at Colorado Springs, in the State of Colorado; and

S. 2845. An act to purchase from the compiler, Francis B. Heitman, the manuscript of the Historical Register United States Army from 1789 to 1901.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 1325. An act granting an increase of pension to William J. Wallace;

H. R. 2123. An act granting a pension to Elizabeth M. Folds;

H. R. 2547. An act granting an increase of pension to William M. Guy;

H. R. 2669. An act granting a pension to Isabella Compton;

H. R. 2786. An act granting an increase of pension to William K. Kauffman;

H. R. 3769. An act granting a pension to Susan Terry;

H. R. 3873. An act granting a pension to William C. Flowers;

H. R. 4468. An act granting an increase of pension to John B. Kurth;

H. R. 5073. An act granting a pension to Christina Daniels;

H. R. 5109. An act granting an increase of pension to Frederick M. Kahn;

H. R. 6487. An act granting a pension to Kaiser Washburn;

H. R. 6864. An act granting an increase of pension to Milton A. Embick;

H. R. 7320. An act granting an increase of pension to James Mantach;

H. R. 7424. An act granting an increase of pension to John Craig;

H. R. 7771. An act granting an increase of pension to Frank Seaman;

H. R. 7846. An act granting a pension to Michael Tynan;

H. R. 7968. An act granting an increase of pension to Norris L. Lungren;

H. R. 8292. An act granting a pension to Hester Thomas;

H. R. 9296. An act granting a pension to Mary E. Chapman;

H. R. 10132. An act granting an increase of pension to John Garner; and

H. R. 10956. An act granting an increase of pension to Frances K. Morrison.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bills of the following titles:

S. 462. An act granting an increase of pension to Ann Demonbrun;

S. 3329. An act granting an increase of pension to Annie McElheney; and

S. 628. An act granting an increase of pension to Annie E. Taggart.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

Mr. BANKHEAD. I yield thirty minutes to my colleague [Mr. THOMPSON].

[Mr. THOMPSON addressed the committee. See Appendix.]

Mr. BANKHEAD. Mr. Chairman, I yield the remainder of my time to my colleague from Alabama [Mr. BURNETT].

Mr. BURNETT. Mr. Chairman, I send to the Clerk's desk to be read an amendment, which, at the proper time, I desire to offer.

The CHAIRMAN. The amendment will be read in the gentleman's time for information.

The Clerk read as follows:

Amend by adding as a separate paragraph after line 2, page 52, the following:

"For the completion of Lock and Dam No. 4 in said Coosa River, Georgia and Alabama, the sum of $199,000, and the balance of said sum, if any be left after the completion of said lock and dam, shall be expended in the completion of Horse Leg Shoals, and dredging and improving the channel between Rome, Ga., and Lock No. 4."

Mr. BURNETT. Mr. Chairman, the distinguished chairman of the Committee on Rivers and Harbors [Mr. BURTON], in speaking of the Coosa River yesterday, used this language:

It is true that $1,200,000 has been expended on it, but for some years past no appropriation has been made to continue the work.

That statement of the chairman of the committee was incorrect in this: He says that for several years past no appropriation has been made for the prosecution of this project. If by that statement he meant to refer to the fact that no bill has passed for the purpose of continuing the work on the project, that is correct. But if he means to convey the idea that no appropriation for the prosecution of the work was in any river and harbor bill for some years past, then he is incorrect. He certainly remembers, or if he does not, I will refer him to page 68 of the bill which his committee reported a year ago, and he will find that that bill contained the very appropriation of $199,000 which is embraced in the amendment I have just had read at the Clerk's desk. In other words, an appropriation of $199,000 was there provided for, to be used by the Secretary of War in the prosecution of this very project for which the chairman of the committee says no appropriation has been made for several years.

Of course the statement of the chairman of the committee was not intended to do injustice to this enterprise, and, as I have said, if he meant merely that no bill was passed making appropriation to this work he was correct; but if he means that no bill was contemplated or even perfected by the committee of which he is the able chairman, then his statement in regard to the matter is incorrect.

Further on in his remarks the chairman of the committee says in response to a question by my colleague from Alabama [Mr. THOMPSON]:

That we have an estimate from a local engineer in charge there that says it will cost not merely $6,000,000, but $10,000,000 and over, to complete that improvement.

I have seen the report of the engineer (Captain Judson) to whom he refers. That is the same engineer of whom my colleague from Alabama [Mr. THOMPSON] has just spoken, and, like my colleague, I can not account for the change which came over the spirit of the dreams of that engineer, and especially within the brief period of three months.

Now, Mr. Chairman, over against that statement of that engineer I desire to read the substance of a conversation that occurred between him and the distinguished chairman of the committee, [Mr. BURTON], in the presence of a gentleman from Gadsden, my home town, while several members of the committee were going down this very river.

The gentleman who wrote the statement from which I read is Captain Lay, the president of the Alabama Commercial Association. He says:

I know that just one year ago last November, when a few members of the Rivers and Harbors Committee were looking over the Coosa River, just after leaving Gadsden on the steamer *Leota*, we had a conference with Chairman BURTON in the rear end of the cabin. At this conference Captain Judson took a strong stand for the Coosa, and one of his remarks I remember well. He said the Coosa was an unusually favorable stream for improving. He

compared it with the Mississippi, Red River, Arkansas, and other streams, but said the Coosa was more favorable for improving than any of them, and went into details to show why it was so.

This was in November, 1900, and yet it seems that upon a statement made by that same engineer, in less than a year from that time the committee sees fit to recommend the discontinuance of that work.

Again, Mr. Chairman, over against that statement of Captain Judson, made the 24th of October, 1901, I put his own report made to the Secretary of War less than three months before he made the statement upon which the chairman bases the remarks I have previously referred to.

I read from the report of Judson in regard to Coosa River, on page 1789, Annual Report of the Chief of Engineers, Part III, as follows:

The following is the estimate of funds required:

Completing Lock No. 4	$192,845
Constructing Lock and Dam No. 5	238,444
Constructing Dam at Horse Leg Shoals	3,000
Channel work between Locks 3 and 4	9,515
Repairs on steam towboat *Leota*	8,000
Total	451,804

This amount can be profitably and advantageously expended during the fiscal year ending June 30, 1903.

This report was made June 30, 1901, just a little over three months before he made the report recommending the discontinuance of the work.

Judson was on the work only about a year, in all, when he made his adverse recommendation, and I undertake to say that he has never made a survey of the river or been over the obstructed portions in all his life.

In fact, from the information I have, while he had charge of the work he was more familiar with the golf links than with the links of the surveyor's chain.

Again, Mr. Chairman, over against that report of this engineer, who, while professing to be an expert, is shown to have absolutely contradicted himself within three months' time, I put the report of Captain Price, the engineer who made the survey, who did go over the river, and whose opinion, it seems to me, ought to have been deferred to by the committee, if they had taken the trouble of going into an examination of that report, as they ought to have done.

The chairman of the committee said in his statement yesterday:

I do not believe 4 feet of navigation, where a boat must go through 30 locks and have the delays incident to it, will develop traffic worthy of the name.

This idea he also seems to get from the statement of Judson.

Captain Price speaks along these very lines with the knowledge of one who had intelligence enough to show what he based his opinion on. This Judson does not do.

In the Annual Report of the Chief of Engineers of 1890, part 2, page 1672, Captain Price says of his survey of the Coosa River.

To improve the 116¼ miles of the river between lock 4 and Wetumpka 27 locks, with a total lift of 300 feet, will be required, which in the tables herewith are numbered consecutively from No. 5 to No. 31, the last of the series at Wetumpka.

The estimates submitted for rock excavations provide for a channel 100 feet wide and 4 feet deep at extreme low water through such reefs and shoals as are not drowned out by the dams.

A depth of 6 feet was not provided for, because extreme low water occurs so seldom and is of so short duration that it was not deemed advisable for the present to recommend the much greater expenditure required to procure it. The depth on the mitersills of the locks at extreme low water having been fixed at 6 feet, should the demands of commerce at any time in the future require a minimum depth of 6 feet in the channels no change will be necessary in the locks.

On the same page he puts the estimated costs, including rock excavations, at $6,074,913.

On page 1673 he says:

An otherwise available route of water transportation from northern Georgia to the Gulf of Mexico, 776 miles in length, is now blocked in its middle portion by a stretch of 116¼ miles of impassable river, which can be made navigable at a cost of $6,074,913.

Taking this view of the improvement, and distributing the cost over the entire distance, the cost per mile becomes $7,841.

On this subject I make the following extracts from the opinions expressed by my predecessors in reports printed in the annual reports of the Chief of Engineers for the years named:

Col. J. H. Simpson, report of 1871, page 564, says:

"It is fair to assume that the opening of the Coosa River to navigation between Wetumpka and Greensport will be the virtual opening of the channel for direct trade between Rome, Ga., and Mobile, Ala., via the Mobile, Alabama, and Coosa rivers, by a water course 700 miles in length available at all seasons of the year.

"The opening and development of the rich and extensive coal and iron mines in the Coosa Valley will render this thoroughfare the great and important feeder of Mobile and the Gulf ports generally.

"The valuable products of the different counties bordering upon the Coosa River which now seek a market over rough and circuitous roads would naturally tend to this great highway, and the benefits of the great carrying trade thus created would be felt throughout the length of the river. Many products which are now neglected because of the difficulty of transportation would find a ready market and become a source of profit to the producer."

Lieutenant-Colonel McFarland, report of 1892, page 507, says:

"The region passed through by this portion of the river is very rich in coal and iron, the production of which could not fail to be greatly encouraged by the prosecution of the improvements herein suggested."

Lieut. Col. William R. King, report of 1877, page 598, says:

"The Coosa River is an exceptionally favorable one for improvement since its mean depth is greater in comparison with its average width than most of the Western rivers, and its banks and channel are generally well defined and permanent. The necessity for its improvement has been repeatedly urged by legislatures, commercial societies, and engineers."

Maj. A. N. Darnell, report of 1881, page 1222, says: "The improvement is believed to be of great local, national, and international importance for the following reasons: It would give an unbroken water communication of about 800 miles from the Gulf of Mexico to the southern border of Tennessee and the northwestern border of Georgia. It would supply a large demand for fuel, iron, and building materials at rates much below the present. It would reduce immensely to the United States the cost of the large supplies of coal and iron which would be required by it on the Gulf of Mexico in time of war, and in time of peace it would result in a saving in a reduction of the cost of these items to the cities of this section generally, and to the steamers, both merchant and war, of all nations navigating the Gulf, which would soon reach the estimated cost of the work."

Without further lengthening this report, I will only state that I concur fully in the views above stated.

On page 1677 Captain Price states further:

The plan of improvement proposed is the establishment of a system of slack-water navigation, giving a depth of 4 feet over the various reefs and shoals obstructing the river, by the construction of a series of locks and dams with short reaches of canal along the river side, where advantage can be taken of islands and reefs for their formation, in such cases avoiding the construction of long high dams across the river that would prevent the passage of boats over them, except during the highest floods, and also effect the least possible change in the overflow of bottom lands during the flood; the locks to have a depth of 6 feet on the miter sills at mean low-water stage, or 2 feet deeper than the normal depths of the pools between them. As these points, however, would be comparatively few, it would be an easy matter to increase the depth on them to the same as on the miter sills without any interference to navigation should such be deemed necessary at any future time.

This report of a man who surveyed the river and speaks from actual knowledge refutes the proposition that a 4-foot channel between locks is insufficient, and if the committee had been seeking for a reason why a 4-foot channel was recommended they would have found it in that very able report of Captain Price.

If there is anything more needed to refute the contention that a 4-foot low-water channel is insufficient, it will be found in the fact that for years, ever since the construction of these locks, steamboats of 400 tons burden and from 2 to 4 feet draft, loaded to the guards, have been passing through the locks and over that stretch of the river between the locks. There has not been a day in years and years that navigation on this stream between Rome, Ga., and Greensport, Ala., has been obstructed. We have perennial navigation there.

In the driest seasons of the year we have from Rome, Ga., where the Coosa is formed by the confluence of the Etowah and the Oostanaula rivers, down to Lock 4, over 200 miles of continuous navigation.

Again, Mr. Chairman, against this statement of Judson I will put testimony of Major Flagler, an engineer of intelligence and experience, delivered before the Rivers and Harbors Committee at a hearing in May, 1900.

Questioned by the chairman and other members of the committee in regard to the improvement of Coosa River, he answered as follows:

The CHAIRMAN. What will be the cost of the project?

Captain FLAGLER. It is estimated to complete it as it now stands $6,074,000.

The CHAIRMAN. How much has been expended?

Captain FLAGLER. About $1,300,000.

The CHAIRMAN. Is the channel one which can be easily maintained when once it is obtained?

Captain FLAGLER. Yes; it is by far the best I have seen on any river in the country in that respect. It is a very permanent river, and below Rome is very free from snags and logs that we generally have in most of the Southern rivers.

Mr. SPARKMAN. How many locks and dams are there?

Captain FLAGLER. There will be 31 locks and, I think, only 27 dams.

Mr. BERRY. Thirty-one locks in 75 miles?

Captain FLAGLER. A little more than that. There would be 27 in the present 68 miles. Four of the locks are already completed.

Captain Flagler further stated:

I made a few investigations in regard to costs we should have in the transportation of coal down the Coosa River. Congress in 1892 restored the original dimension of the locks on the river to 322 by 52 for all locks to be constructed, and that was done to permit the passage of a steamer with three barges, which was considered to be the most economical method of transporting coal on that river.

The CHAIRMAN. What would it cost to transport a ton of coal from Gadsden to Mobile?

Captain FLAGLER. From the coal fields some distance below Gadsden from where they go it would be about 22 cents, giving every possible margin I can to the boat company, and that would be the actual cost of transportation down there. Then these boats would carry other freight, they would carry passengers and other things, and I think from 22 to 25 cents would be the outside amount charged.

The CHAIRMAN. What would be the tonnage of the barges?

Captain FLAGLER. Four hundred tons, and the boat would probably carry 300, and that would be 1,500 tons of load, making seven hours of lockage, taking six days and fourteen hours a round trip, taking the conditions of the Alabama River and adding the time for lockages. This coal is now obtainable in this region at a dollar and a half a ton, and it can be delivered at the gulf for $1.75 a ton, whereas by the last reported commercial statistics from Gulf ports I see coal has already increased to $5 a ton for foreign export. That is apparently what coal is considered worth when exported. If coal can be brought down from the Coosa Valley and delivered at the Gulf ports at $1.75 per ton, it can certainly be sold at a figure that will increase the national export of coal tremendously.

Mr. BISHOP. What does it cost by rail?

Captain FLAGLER. The least it has ever been has been a dollar and fifty cents per ton freight.

Mr. Chairman, we have the reports of every engineer that has been on the work since it was begun, recommending its completion as begun, and agreeing that it will take about $6,000,000 in addition to that already spent to finish it, but it would require too much time to read them all.

Besides, it will be noticed that the estimate of $6,000,000 is predicated on the use of cut-stone work, whereas much less expensive concrete is now being used instead. An engineer has estimated that this will reduce the original estimate at least $1,000,000.

In Flagler's hearing it will be seen that he also refutes the statement of Judson and of the chairman of the committee that the 4-foot channel between locks would be insufficient for the transportation of coal.

Yet, in the face of all this, the committee, on a report of an engineer shown by his own self-contradictory statements to be unworthy of credit, recommends the abandonment of the work. But even if his statements are true, he also recommends the completion of lock 4 and the building of a close dam some 12 miles below, and there ending the work.

If this is to be done, why is it that the committee did not at least complete lock 4, and not allow it to remain to wash away before another committee can deal more justly with it. Is this the way a prudent man would transact his own business?

I will speak presently of the magnitude of this river, and will show that even if the cost should be more than originally contemplated, it should not be abandoned after the Government has spent a million and a quarter dollars on the project. A year ago, as I have said, the Rivers and Harbors Committee embraced an appropriation of $175,000 to complete lock 4 in its bill. That amount was increased to $199,000 in the Senate, and ran the gauntlet of a conference committee, and only failed of passage by being talked to death by a Senator.

This time they do not do that even, but the Alabama and Georgia members, through whose States the river runs, and the other members of that great committee sat there, and instead of giving appropriation enough to save the partially completed lock and dam, they allow it to go to destruction and be washed away without so much as making an effort to save it.

Alabama and Georgia, it is true, have been liberally dealt with in this bill; but would it not have seemed more like the committee was trying to look after the general welfare of our Government if they had so divided these appropriations as to have saved this unfinished work?

I can not understand what motive prompted the committee to the course it pursued. One who pretends to know, the secretary of one of the members of the Rivers and Harbors Committee, in an article to an Alabama newspaper of March 10, 1902, says:

> As to the resurvey and original survey of the Coosa, provided for in the rivers and harbors bill, it is here stated upon the highest and most direct authority that for months it has been the positive purpose of Chairman BURTON and, incidentally, of the entire Republican majority of the Rivers and Harbors Committee, to provide for a permanent dam at lock 4 in the Coosa, and entirely abandon the project of further improving the river.

I have conversed with several members of this committee, and this article is in a very different tone to that in which those members talked with me.

The same article says in regard to Mr. BANKHEAD, the Alabama member of the committee:

> Finally, he insisted that a reasonable proportion of the sum total voted to all Alabama be given to the Coosa. The reply to this was, in effect, that the majority would be willing to cut down Alabama's allowance to the extent of what was demanded for the Coosa.

This statement is also at variance with the friendly spirit professed by the members of the committee toward the river, and forces the belief that somebody is not doing the fair thing by the Coosa, and that the whole matter does not appear on the surface.

But, Mr. Chairman, before I conclude, I want to briefly call the attention of Congress to what and where the Coosa River is. Perhaps it will be a revelation to those who hear me when I state that, leaving out the Mississippi, this is the second largest river, both in length and volume of water, in the South. But, nevertheless, this is true. It rises in the mountains of North Georgia and East Tennessee, and flows in a southwesterly and southerly direction until it empties into the Gulf of Mexico. But for an obstruction of about 68 miles in the river it would afford constant navigation the year round for about 865 miles.

I beg to read as part of my remarks a few extracts from a memorial to Congress prepared by Captain Lay, the president of the Alabama Commercial Association, in regard to this splendid stream:

> It (the Coosa River) is formed by a junction of the Oostanaula and Etowah rivers, at Rome, Ga. From the most northerly navigable point the distance along these streams to the Gulf of Mexico is as follows:

	Miles.
Oostanaula River	108
Coosa River	315
Alabama River	390
Mobile River	50
Total	863

There would be a continuous water route of transportation over the bosom of these rivers to the Gulf but for the shoals and rapids on the Coosa River, distributed for a distance of only 142 miles from Greensport to Wetumpka, Ala., and these shoals and rapids are intermingled with long pools of deep water. However, of this distance, there has been opened to navigation by the Government improvement of the river about 35 or 40 miles from Greensport down to Lock 4, Ala.

To give a more correct idea of the magnitude of the river and its possibilities, we quote from the report of Charles Frith, United States assistant engineer, in his report of November 24, 1888, in which he says:

"Velocity observations taken at Lock 4 show a discharge of 3,921 cubic feet with a velocity of 1.33 feet per second at a stage of 1.8 feet above low water. Similar observations at Wetumpka at low water show a discharge of 5,796 cubic feet with a velocity of 0.9 foot per second.

"In the Annual Report of the Chief of Engineers for 1879, page 1293, the low-water discharge of the Mississippi at St. Paul is given at 5,800 cubic feet per second; in the report for 1880, page 482, the low-water discharge of the Hudson River between Troy and Albany is given as about 2,000 cubic feet per second, and in the report for 1881, page 1929, the low-water discharge of the Ohio River at Pittsburg is given as 1,666 cubic feet at zero of the gauge, and as 5,810 cubic feet per second at 9 inches of the gauge.

"Comparing these discharges with that of the Coosa at Wetumpka, it appears that the volume of water flowing in the Coosa at low water is about equal to that of the Mississippi at St. Paul, about 2.8 times greater than that in the Hudson at Albany, and about 3.5 times greater than that in the Ohio at Pittsburg."

Steam navigation was begun on the Upper Coosa about fifty years ago, since which time that portion of the river has been continuously and successfully navigated by steam vessels between Rome, Ga., and Greensport, Ala., a distance of about 175 miles, and this distance has recently been increased about 40 miles by the opening of the river to Lock 4.

The meanderings of the river as it flows southwest, crossing the valley from side to side through fertile fields of agriculture, intermingled with rich mineral and timber deposits, make it accessible to almost every portion of the valley, and the fact that this portion of the country is the southwestern extremity of the great Appalachian chain accounts for the presence of so large a number of valuable minerals in the Coosa Valley and is a geological sequence.

The drainage area of the Coosa basin above Wetumpka, including its tributaries, is about 6,850 square miles, which is rich in agriculture, forests, and minerals.

The climate of the valley is salubrious, mild, and temperate; the springs are early and wonderfully balmy; the summers are long and even in temperature; the autumns are late and dry, and the winters are so slow of approach and so mild that some portions of the crops are frequently left out in the fields until after Christmas.

That part of the Coosa Valley lying in Georgia is bounded on the northwest by Lookout Mountain, on the southeast by the line of hills or mountains embracing the gold belt of Georgia. This region is traversed by the waters of the Coosawattee, Connasauga, Oostanaula, Etowah, and Chattooga rivers and Big Cedar Creek and their tributaries, all of whose waters help to form the Coosa.

These river basins and mountain sides are densely timbered with hard woods. The white-oak region of the Chattanooga range covers about 500 square miles and still possesses the greater portion of its virgin forests. This region embraces a population of about 225,000, and covers an area of about 6,000 square miles of productive soil and unsurpassed mineral resources.

They produce about 50,000 bales of cotton annually, 4,500,000 bushels of corn, 1,500,000 bushels of oats, 1,700,000 bushels of wheat, and other farm products in proportion.

There are nine counties in Alabama lying immediately upon the Coosa River, and cut off from all water communication with the Alabama River, to wit: Cherokee, Etowah, Calhoun, St. Clair, Talladega, Shelby, Coosa, Chilton, and Elmore. The area of these counties lying immediately upon the Coosa is about 3,566,272 acres, of which there is probably 632,855 acres in a high state of cultivation. These lands are wonderfully fertile and easy to cultivate. The most diversified farming is carried on in every part of the Coosa Valley, and with the most gratifying success. Cotton, corn, oats, rye, sugar corn, and potatoes are the principal crops, though almost every vegetable that grows in the temperate zone is produced here; they thrive almost the year round. Fruits grow to perfection, especially apples, peaches, pears, and grapes. The soil and climate seem peculiarly suitable to grape culture. Indeed, fruits of every variety flourish in these soils. Strawberries, raspberries, figs, and melons will inevitably yield in proportion to the attention bestowed upon them.

The population of these nine counties is over 230,000 souls. The assessed value of their property is over $45,000,000. They have in cultivation nearly 700,000 acres of land. They produce annually about 150,000 bales of cotton, 3,500,000 bushels of corn, 750,000 bushels of oats, 500,000 bushels of wheat, and other farm products, including stock, in proportion.

TONNAGE.

The combined tonnage of agricultural products grown annually in that portion of Alabama and Georgia lying immediately on the Coosa River is as follows:

	Tons.
Cotton	50,000
Cotton seed	100,000
Corn	224,000
Oats	40,500
Wheat	67,500
Cattle, sheep, and hogs	20,000
Total annual tonnage	502,000

The value of this may be safely put at $16,000,000 per annum, to say nothing of the miscellaneous agricultural products and the thousands of horses and mules shipped annually from the Coosa Valley.

TIMBER RESOURCES.

There are 2,835,000 acres of unimproved lands lying in the nine counties immediately upon the Coosa River in Alabama.

These lands are clothed with virgin forests of long leaf yellow pine, intermingled with white, red, chestnut oak, hickory, and many other varieties of valuable timbers. These forests contain not less than 5,000 feet of timber per acre, making a grand total of 14,175,000,000 feet, or a tonnage of about 20,000,000 tons, the value of which may be placed at $35,000,000.

Cutting timber from this great forest at the rate of 80,000,000 feet per annum, it would take over a hundred years to denude this forest of its virgin timber, and shipping at this rate would give a tonnage of 150,000 tons per annum from this source alone, whose value would be $5,000,000.

IRON ORES.

Iron exists in the greatest quantities in all portions of the valley. Large iron-ore mines are being extensively worked at Gadsden, Attalla, Crudup, and Gaylesville, from which hundreds of tons of red iron ore is mined daily.

Brown iron ores are being very extensively mined in the Talladega, Anniston, and Piedmont, Ala., and Cave Spring, Ga., regions, and the extent of these deposits is beyond conception. Large and inexhaustible deposits of iron are found right on the banks of the Coosa River, accompanied by coal and lime in great abundance in close proximity, which make the river bank a very desirable place for iron and steel making.

The present output of the iron-ore mines of the Coosa Valley will probably reach 1,600,000 tons per annum, representing a value of $2,400,000. And we might safely say that this amount of ore could be increased to almost any amount that mankind might desire.

LIME.

The lime interest of the Coosa Valley demands more than a passing thought, when we take into consideration that the lime deposits of this valley are probably the richest and most extensive to be found anywhere in the United States, and the further fact that the greatest market for lime is found in the sugar refineries in Louisiana and the West Indies, and this market begins where the waters of the Coosa River, the object of this memorial, empty into the Gulf of Mexico.

These lime deposits are found in great cliffs of pure limestone, assaying 98 to 100 per cent pure lime, towering up over the river and valley hundreds of feet high. They are similar to the cliff limestone region of the Ohio Valley, except the cliff limestone of the Coosa is superior in quality; in fact the lime of the Coosa Valley is unequaled anywhere in purity.

The Lagarde Lime and Stone Company, the Woodstock Iron Company, and the Cobb City Lime Company all have large lime establishments near Gadsden, Ala., and there are several large manufacturers of lime at Calera, Ala.

THE COOSA COAL FIELD.

This rich coal field, so appropriately named after the river and valley in which it is found, lies in Shelby and St. Clair counties, Ala., with a small portion extending about 1¼ miles into Calhoun County east of the Coosa River at "Ten Islands" (the archipelago of the Coosa). It extends entirely through St. Clair County, a distance of about 34 miles, and 24 miles into Shelby County, making the whole length of the field approximate 60 miles, running up and down the Coosa River, and is estimated to contain 350 square miles.

Professor McCalley, in his estimate of the extent of the Coosa coal fields, reaches the conclusion that with an output of 10,000 tons per day the coal in this region would last one hundred and sixty-five years.

As for the quality and character of the Coosa coals, we quote from the report of Eugene A. Smith, Ph. D., Alabama State Geologist, in his report of the Coosa coal fields, 1895:

"While different seams of coal show special differences in the structure and composition in this, as in all other coal fields, yet there are general features of similarity that distinguish these coals as a class from other coals. They are highly bituminons, free burning, yet rich in fixed carbon. Soft, easy to mine, free from bone or slate structure, and also from combined sulphur or pyrite, generally called sulphur flakes, and often and fervently maledicted by the miners in other fields. They long sustain combustion and leave but little ash or cinder and no clinker, and are, hence, well adapted to raising steam, for forge work, and for all other purposes of fuel. The most important characteristic of these coals is in their superior coking qualities. They will rank among the first class of coking coals."

Notwithstanding the almost inaccessibility of a large portion of the Coosa coal fields to transportation the output of coal from this field is now 200,000 tons per annum, valued at $300,000.

MANUFACTORIES.

The Coosa Valley is fast becoming a manufacturing center. Cotton factories, iron furnaces, car and car wheel works, rolling mills, pipe works, and lumbering mills are the principal industries found in the valley, though there is a large variety of other manufacturing carried on. The products of these factories find a market in all parts of the world. The export of the valley is quite extensive and increasing annually. The opening of the Coosa River to through navigation would give a water route of transportation from the very doors of a great many of these factories to all the great markets and would stimulate the building of more factories and the exportation of their products until the Coosa Valley would soon be second to none as a manufacturing center. The Massachusetts Cotton Mills at Rome, Ga., export a large portion of their products, and the entire product of the big Dwight Cotton Mill at Gadsden, Ala., is exported, and alone amounts to over $2,000,000 per annum. The Central Foundry Company, of Gadsden and Anniston, Ala., exports large quantities of cast-iron pipe, and are now filling a large order for Switzerland. The exportation of iron, lumber, and many other products of the factory is quite extensive.

The annual iron production of the Coosa Valley, though in its incipiency as compared with the rich deposits of raw material for iron making found here, is as follows:

	Furnaces.	Tons.
Rome, Ga	1	36,000
Round Mountain, Ala	1	18,000
Gadsden, Ala	2	140,000
Attalla, Ala	1	20,000
Anniston, Ala	2	150,000
Talladega, Ala	1	75,000
Ironaton, Ala	2	145,000
Jenifer, Ala	1	50,000
Shelby, Ala	1	36,000
Total	12	670,000

The value of this is about $10,000,000 per annum.

COTTON FACTORIES.

	Tons.
Rome, Ga., cotton goods	8,000
Gadsden, Ala., cotton goods	6,000
Anniston, Ala., cotton goods and yarns	5,000
Other yarn mills in the valley	2,000
Total	21,000

Which approximates in value $8,500,000.

CAR AND CAR-WHEEL WORKS.

Gadsden and Anniston, Ala.: Car wheels, bar iron, and other manufactured products, 170,000 tons, valued at $5,300,000.

PIPE PLANTS.

Gadsden and Anniston, Ala.: Cast-iron pipe, 100,000 tons, valued at $4,000,000.

CARPET AND CORDAGE MILLS.

Anniston, Ala.: 525 tons, valued at $250,000.

There are hundreds of other manufacturers of which we have no way of arriving at a correct valuation and extent of their annual products, hence they are also left out of this compilation.

The annual tonnage and value of the products of the factories as above shown is 961,525 tons, valued at $28,050,000.

RECAPITULATION.

	Tons.	Value.
Agriculture	502,000	$16,000,000
Timber	150,000	5,600,000
Iron ore	1,600,000	2,400,000
Lime	448,000	416,000
Coal	200,000	300,000
Manufactures	961,525	28,050,000
Total	3,861,525	52,816,000

Taking into consideration all these facts, it is safe to say that with the Coosa River opened to through navigation, the commerce to be handled on the bosom of this great waterway would approximate 2,500,000 tons per annum, which would give 6,850 tons daily. This would require 23 steamers per day, of 300 tons burden each, to handle this great mass of freight.

The Coosa River, reaching like a bandeau across the State of Alabama from Rome, Ga., to Mobile, Ala., crosses every line of railway that extends from the Alabama cotton, coal, and iron fields, and the great pine forests, to the Gulf and South Atlantic. The cost of these elements of industry, commerce, and civilization is a fact that interests the people of every section of the United States. The cheapening of the cost of transportation on these commercial necessities is a duty of the Government when it holds the paramount control of such a channel of navigation.

The Coosa River has claims to national care and consideration that are not possessed by any water course of the United States of similar length not yet opened to steam navigation. On the banks of this river great geological systems are in contact with each other, the river draining each of them.

Such a condition is not presented elsewhere in the United States, if it is found in any other country.

Such geological areas are found elsewhere in the United States in perfection, and each of them is indispensable in the grand aggregate of our material resources, but they are widely separated in other localities, and their transportation from one field to the other is so expensive that their value is much diminished.

The use of the Coosa River as a commercial outlet to the ocean for this immense field of industry in agriculture, forests, quarries, and mines, is a great national duty that is devolved on Congress. The United States being the paramount power entitled to improve this river, the States of Alabama and Georgia can not do this necessary work.

Congress has to some extent prosecuted this national duty, and the only question is whether it shall now be abandoned or prosecuted to a success that is commensurate with its vast importance.

This memorial, Mr. Chairman, was prepared in 1899, and during the three years since that time the development along the river has been phenomenal.

At my own town of Gadsden, since then, a large pipe works, a wagon factory, stove works, two car-wheel foundries, an iron furnace, a guano factory, cotton-seed-oil mills, and several smaller industries have been completed and put in operation.

One of the largest cotton factories in the South, owned by Boston capitalists, was then in operation, and since that time has been enlarged.

At Riverside, just below Lock 4, an immense saw-mill plant is owned and operated by the Lathrop-Hatton Lumber Company, and they have recently purchased 25,000 acres of timber lands some distance down the river from this plant.

Anniston, Talladega, Childersburg, and other Alabama towns along and near the river, and Rome, in Georgia, have all largely increased the number of their manufacturing plants since that time. It is a conservative estimate to say that there has been an increase of tonnage of at least 15 per cent tributary to the river since the memorial was gotten out.

From Gadsden five railroads run in all directions, besides an electric railroad 6 miles long connecting Gadsden, Alabama City, and Attalla, all three growing cities, whose corporate limits touch each other, and the aggregate population of which is over 10,000.

Rome, Ga., is a city of 15,000 inhabitants; Anniston, Ala., of 12,000; Gadsden, Ala., a city of 6,000; Talladega, Ala., 8,000; Childersburg, Ala., 2,000; Piedmont, Ala., 2,000, and quite a number of smaller towns all nestle in the Coosa Valley and close by its banks.

At Gadsden and at these other towns capital is constantly being invested, and if the river were opened to navigation to the sea it would increase with phenomenal rapidity.

But, Mr. Chairman, until the survey provided for by the bill is made we only ask that the work which is in an unfinished state be completed and preserved.

To construe Judson's report as strongly as possible against the continuation of the project, it at least advises the completion of Lock and Dam 4 and the construction of a close dam some 13 miles below at a point where prospective Lock 5 has been located.

For the present, we do not ask for the construction of Lock 5, nor the building of a close dam at that point.

Whether the work is abandoned or continued, the completion of Lock 4 is a foregone conclusion, and we insist that an appropriation for that purpose should be made at this time rather than

let it continue to be destroyed and washed away before another river and harbor bill is passed.

Lock 4 is situated 3 miles above Riverside, Ala., where the Georgia Pacific division of the Southern Railroad crosses the Coosa River.

It is the lower end of the present navigation of the Upper Coosa. Greensport is situated on the river 40 miles above Lock 4. Locks 1, 2, and 3 lie between Greensport and Lock 4. With Lock 4 and the dam at Lock 5 completed, 12 miles more of a very important portion of the river will be opened and river transportation extended to ten towns and villages and railway connection made at Riverside. There are no towns or villages of consequence between Greensport and Lock 4 except Ragland, a coal-mining town, which is about 1½ miles from the river. But beginning just below Lock 4 there is a series of towns and villages on and near the river bank, ten in number, that will be directly benefited by the completion of Lock 4 and the dam at Lock 5, and river transportation extended within about 25 miles of Birmingham and a connection made with the Southern Railroad at Riverside.

These towns and villages are Riverside, Lincoln, Seddon, Cropwell, Easonville, Eureka, Coosa Valley, Stemley, Ragans, and Beaver.

Their commerce is about as follows per annum:

	Tons.	Value.
RIVERSIDE.		
10,000,000 feet of lumber	22,500	$155,000
Miscellaneous	1,630	68,630
Logs that would be handled on river if opened	36,000	54,000
Total	60,130	277,600
LINCOLN.		
5,000 bales of cotton	1,250	200,000
Cotton seed	2,500	50,000
Miscellaneous	5,244	200,000
Total	8,994	450,000
SEDDON.		
500 bales of cotton	125	20,000
Cotton seed	250	5,000
Lumber	3,337	18,000
Miscellaneous	320	12,800
Total	4,032	55,800
CROPWELL.		
2,000 bales of cotton	500	80,000
Cotton seed	1,000	20,000
Miscellaneous	312	10,000
Total	1,812	110,000
EASONVILLE.		
2,000 bales of cotton	500	80,000
Cotton seed	1,000	20,000
Miscellaneous	312	10,000
Dairy products	120	10,000
Total	1,932	120,000

The commerce of the remaining, which are villages, is about as follows:

	Tons.	Value.
Eureka	600	$37,000
Coosa Valley	500	30,000
Stemley	400	20,000
Ragans	1,000	60,000
Beavers	500	30,000
Total	3,000	177,000

As is customary in estimating the exchange of commerce in this country, we must expect in return for the above resources almost a like amount in value returned to these towns, though the articles so returned being in a more refined state, the tonnage of the incoming goods would be about half that of the outgoing. This would make an annual tonnage of both the outgoing and the incoming freight approximating 119,850 tons, valued at $2,378,800 per annum.

It is hard to say what percentage of this commerce would be handled on the river were it opened down to the site of Lock 5, but probably 20 per cent.

This would give 23,970 tons to be handled on the river annually. Then, with the river opened, the entire log product would be handled on the river, which is 36,000 tons, making a total of 59,970 tons to be handled on the river annually from these two sources alone. If, forsooth, the river should not handle the proportion of the mercantile commerce allotted it in this compilation, it would act as a check to regulate the present arbitrary rates imposed on this unfortunate region.

In addition to the above tonnage the brown iron ore and limestone that would undoubtedly be shipped down the river from Collins Spring, 6 or 8 miles above Lock 4, to Riverside, and thence to Birmingham over the Southern road, would be very extensive.

At Collins Spring is what is known as the Daughdrille Mountain. This is a mountain of brown hematite iron ore, bordered on the north by a towering range of cliff limestone which assays 98 to 100 per cent pure lime. It has been estimated that the Daughdrille Mountain contains 50,000,000 tons of brown iron ore above the water level, and the quantity of this rich limestone can not be estimated. It is simply inexhaustible and both these deposits lie immediately on the bank of the Coosa River, while half a mile back is the southern border of the Coosa coal field. The juxtaposition of these rich minerals found here make Collins Spring one of peculiar commercial importance. There is but little brown iron ore to be found in the immediate Birmingham district; hence large quantities of this valuable ore are shipped from different points in the Coosa Valley to the furnaces at Birmingham. The completion of Lock 4 and a dam at Lock 5 will open these rich deposits found at Collins Spring direct to the Birmingham market, and as a result we may naturally expect a very heavy tonnage through Lock 4 from this source, a tonnage that will probably reach hundreds of tons daily to be handled through this lock, to say nothing of the timber and other commerce heretofore mentioned, now knocking at the gate of this important lock for passage.

Anyone who knows the demand for brown iron ore and limestone for fluxing in the Birmingham district can not doubt that the shipment of these products from Collins Spring to Birmingham would soon, with Lock 4 complete, reach 500 to 600 tons daily. This, in connection with the other tonnage aforementioned, would give a total tonnage of 700 to 800 tons per day to pass through Lock 4 were it completed.

Besides the Southern Railroad at Riverside, the opening of the river to Lock 5 will give river transportation to the Birmingham and Atlantic Railroad, which connects at Pell City, a few miles away, with the East and West Railroad, a part of the Seaboard system.

Thus it will be seen that opening up the river this short distance would give competitive traffic with two great railroad systems.

So, even if the work is to be finally abandoned, the completion of Lock 4 and Dam 5 is a work of great importance.

But, Mr. Chairman, I have no fears of the work being abandoned. For a little while it may not receive that attention which its merit demands. But those who are moved by a patriotic desire to subserve the best interest of the whole Government, and not blinded by selfishness and ambition, are bound, when they consider it coolly and deliberately, to recognize that no more important stream flows beneath the Southern cross. So long as I have the honor to represent the magnificent people of the Coosa Valley I expect to keep knocking at the door of the committee, and of Congress, till at least scanty justice is meted out to us. And in after years, when a grateful nation shall gaze upon the immense commerce floating upon the bosom of this splendid river, men will wonder why any committee should ever have been so shortsighted as to suggest the abandonment of this mighty enterprise. [Applause.]

Mr. BURTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12346, the river and harbor appropriation bill, andhad come to no resolution thereon.

ORDER OF BUSINESS.

Mr. BURTON. Mr. Speaker, I ask unanimous consent that general debate on the river and harbor appropriation bill, now under discussion by the committee, terminate at 3 o'clock to-morrow afternoon.

The SPEAKER. The gentleman from Ohio asks unanimous consent that general debate on the river and harbor bill terminate at 3 o'clock to-morrow afternoon. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

EULOGIES ON THE LATE REPRESENTATIVE STOKES.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that Saturday, April 26, beginning at 1 o'clock p. m., be set aside for eulogies on the Hon. J. WILLIAM STOKES, late a member of this House from South Carolina.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that April 26 next, at 1 o'clock p. m., be set aside for eulogies on the late Representative STOKES, of South Carolina.

Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

CHANGE OF REFERENCE.

By unanimous consent, the following change of reference was made:

S. 258. An act providing additional funds for the establishment of a light-house and fog-signal station at Browns Point on Commencement Bay, State of Washington—from the Committee on Appropriations to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 5224. An act for the relief of Edward Kershner;

H. R. 1980. An act to establish a marine hospital at Savannah, Ga.;

H. R. 4607. An act to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr.;

H. R. 11474. An act for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting lands situated in the District of Columbia or any Territory of the United States;

H. R. 11241. An act to amend an act entitled "An act to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes," approved January 25, 1898;

H. R. 3278. An act to correct the military record of C. R. Dickson;

H. R. 11719. An act to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River;"

H. R. 161. An act authorizing the Secretary of War to loan tents to the Texas Reunion Association;

H. R. 162. An act authorizing and requesting the President to extend to the Government and people of France and to the families of Marshal de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication of the monument of Marshal de Rochambeau, to be unveiled in the city of Washington; and

H. R. 6300. An act to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, also from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills of the following titles:

H. R. 8954. An act granting an increase of pension to Alfred N. Mosier;

H. R. 3747. An act granting an increase of pension to William R. Underwood;

H. R. 5247. An act granting an increase of pension to Richard Fristoe;

H. R. 7907. An act granting an increase of pension to Alice M. Ballou;

H. R. 7997. An act granting an increase of pension to Henry Burns;

H. R. 1688. An act granting an increase of pension to Charles Armstrong;

H. R. 1697. An act granting an increase of pension to Richard A. Lawrence;

H. R. 3288. An act granting an increase of pension to Elmer J. Starkey;

H. R. 1018. An act granting an increase of pension to George C. Leighton;

H. R. 4827. An act granting an increase of pension to Charles H. Baker;

H. R. 5160. An act granting an increase of pension to James Harper;

H. R. 4035. An act granting an increase of pension to Elias Longman;

H. R. 9220. An act granting an increase of pension to John S. Hunter;

H. R. 6861. An act granting an increase of pension to Joseph K. Ashby;

H. R. 1350. An act granting an increase of pension to Joseph W. Grant;

H. R. 2175. An act granting an increase of pension to Kephart Wallace;

H. R. 8541. An act granting an increase of pension to Mahlon C. Moores;

H. R. 6014. An act granting an increase of pension to William Rheuby;

H. R. 3515. An act granting a pension to Mary A. House;

H. R. 428. An act granting a pension to Sarah Bowers;

H. R. 8493. An act granting a pension to Harry H. Sieg;

H. R. 8486. An act granting a pension to Annie S. Hummel;

H. R. 4209. An act granting a pension to Thomas Butler;

H. R. 1743. An act granting a pension to Samuel M. Graves;

H. R. 11144. An act granting an increase of pension to Anderson Howard;

H. R. 4084. An act granting an increase of pension to Charles H. Wickham;

H. R. 5536. An act granting an increase of pension to Daniel Schram;

H. R. 1375. An act for the relief of Louis Weber;

H. R. 9280. An act for the relief of Hugh C. Preston;

H. R. 299. An act for the relief of William C. Dodge;

H. R. 1381. An act for the relief of J. V. Davis;

H. R. 6515. An act granting an increase of pension to Carleton A. Trundy;

H. R. 6869. An act granting a pension to M. Callie Glover;

H. R. 7432. An act granting a pension to Charles A. Sheafe;

H. R. 9383. An act granting a pension to Narcissa Tait;

H. R. 597. An act granting a pension to Adella C. Chandler;

H. R. 6435. An act granting a pension to Susan P. Crandall;

H. R. 3694. An act granting a pension to Benjamin Wylie;

H. R. 7458. An act to re-form the western judicial district of the State of Arkansas;

H. R. 718. An act to correct the military record of James L. Proctor;

H. R. 280. An act for the relief of James M. Stradler;

H. R. 9332. An act to authorize the Dothan, Hartford and Florida Railway Company to construct a bridge across East St. Andrews Bay, navigable water, at a point about 1 mile east of Farmdale, in the State of Florida;

H. R. 10305. An act to amend section 14 of the act approved June 29, 1898, entitled "An act to provide for the construction of a bridge across the Niagara River;"

H. R. 11306. An act to extend the time for the construction of a bridge across the Mississippi River at Burlington, Iowa;

H. R. 3297. An act to correct the military record of William T. Pratt;

H. R. 3762. An act for the relief of Emanuel Klauser; and

H. R. 11471. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903.

EULOGIES ON THE LATE REPRESENTATIVE CRUMP.

Mr. APLIN. Mr. Speaker, I ask unanimous consent that Saturday, April 26, immediately following the exercises respecting the death of the late Mr. STOKES, of South Carolina, the House may take up and consider the resolutions touching the life and character of the late ROUSSEAU O. CRUMP, of Michigan.

The SPEAKER. The gentleman from Michigan asks unanimous consent that immediately following the exercises in memory of the late Mr. STOKES, of South Carolina, April 26, exercises be commenced and concluded in the memory of Mr. CRUMP, of Michigan. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

On motion of Mr. BURTON (at 4 o'clock and 37 minutes), the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mariah L. Trowell, administratrix of the estate of Benjamin F. Trowell, against the United States, was taken from the Speaker's table, referred to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SHATTUC, from the Committee on Immigration and Naturalization, to which was referred the bill of the House (H. R. 12199) to regulate the immigration of aliens into the United States, reported the same with amendments, accompanied by a report (No. 982); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Kentucky, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 7206) providing for the punishment of United States prisoners for crimes committed while confined in State penal institutions, reported the same with amendment, accompanied by a report (No. 983); which said bill and report were referred to the House Calendar.

Mr. JOY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 12498) extending the time for completing bridge across the Missouri River at St. Charles, Mo., reported the same without amendment, accompanied by a report (No. 1078); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 10363) to authorize the establishment of a life-saving station on Ocracoke Island, on the coast of North Carolina, reported the same without amendment, accompanied by a report (No. 1079); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 7202) to establish a Soldiers' Home near Denver, Colo., reported the same without amendment, accompanied by a report (No. 1080); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BROWN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 10698) providing for allotments of lands in severalty to the Indians of the Lac Courte Oreille Reservation, in the State of Wisconsin, reported the same with amendments, accompanied by a report (No. 1081); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KETCHAM, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 11839) authorizing the Secretary of War to loan certain tents for use at Knights of Pythias encampment to be held at San Francisco, Cal., reported the same with amendment, accompanied by a report (No. 1082); which said bill and report were referred to the House Calendar.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 2510) extending the time for the commencement and completion of the bridge across the Missouri River at or near Oacoma, S. Dak., reported the same without amendment, accompanied by a report (No. 1083); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1423) granting an increase of pension to Asa T. Tarbox, reported the same with amendments, accompanied by a report (No. 984); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4214) granting an increase of pension to John McDonald, reported the same without amendment, accompanied by a report (No. 985); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3733) granting an increase of pension to Israel Haller, reported the same with amendment, accompanied by a report (No. 986); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3650) granting a pension to Sarah A. Carter, reported the same without amendment, accompanied by a report (No. 987); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5883) granting a pension to Martha A. Hollingseed, reported the same with amendments, accompanied by a report (No. 988); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1630) granting an increase of pension to Ella R. Graham, reported the same without amendment, accompanied by a report (No. 989); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11782) granting an increase of pension to Allen Hockenberry, reported the same with amendments, accompanied by a report (No. 990); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3216) granting an increase of pension to Henry M. Taylor, reported the same without amendment, accompanied by a report (No. 991); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11916) granting an increase of pension to Andrew B. Spurling, reported the same with amendment, accompanied by a report (No. 992); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3481) granting an increase of pension to James E. Dexter, reported the same without amendment, accompanied by a report (No. 993); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2768) granting an increase of pension to John G. Hutchinson, reported the same without amendment, accompanied by a report (No. 994); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12115) granting a pension to Chester E. Wadsworth, reported the same with amendments, accompanied by a report (No. 995); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2262) granting an increase of pension to George Farne, reported the same without amendment, accompanied by a report (No. 996); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12145) granting an increase of pension to Caleb W. Story, reported the same with amendment, accompanied by a report (No. 997); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2398) granting an increase of pension to George W. Myers, reported the same without amendment, accompanied by a report (No. 998); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8106) granting a pension to Daniel J. Mahoney, reported the same with amendments, accompanied by a report (No. 999); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3299) granting an increase of pension to Isaiah Tufford, reported the same without amendment, accompanied by a report (No. 1000); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4095) granting an increase of pension to Charles C. Dudley, reported the same without amendment, accompanied by a report (No. 1001); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6021) granting a pension to William Kaste, reported the same with amendments, accompanied by a report (No. 1002); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4542) granting a pension to Eliza J. West, reported the same with amendments, accompanied by a report (No. 1003); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2625) granting an increase of pension to Carlin Hamlin, reported the same without amendment, accompanied by a report (No. 1004); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10951) granting a pension to Pauline M. Roberts, reported the same with amendments, accompanied by a report (No. 1005); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2938) granting an increase of pension to Margaret Dunn, reported the same without amendment, accompanied by a report (No. 1006); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11117) to pension William T. Hamilton, of Wheeling, Ohio County, W. Va., reported the same with amendments, accompanied by a report (No. 1007); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1264) granting an increase of pension to Torgus Haraldson, reported the same without amendment, accompanied by a report (No. 1008); which said bill and report were referred to the Private Calendar.

Mr. LATIMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6412) for the relief of Carl Jordan and restoration to the pension roll, reported the same with amendments, accompanied by a report (No. 1009); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 880) granting an increase of pension to Emory S. Foster, reported the same without amendment, accompanied by a report (No. 1010); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6205) to increase the pension of Richmond M. Curtis from $12 to $30 per month, reported the same with amendments, accompanied by a report (No. 1011); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1979) granting an increase of pension to Samuel M. Howard, reported the same without amendment, accompanied by a report (No. 1012); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5600) granting an increase of pension to John G. Sanders, reported the same with amendments, accompanied by a report (No. 1013); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2505) granting an increase of pension to John Barnard, reported the same without amendment, accompanied by a report (No. 1014); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9654) granting a pension to John S. James, reported the same with amendments, accompanied by a report (No. 1015); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4021) granting a pension to Sarah Frances Taft, reported the same without amendment, accompanied by a report (No. 1016); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3899) granting an increase of pension to Thomas B. Wilson, reported the same with amendment, accompanied by a report (No. 1017); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4086) granting an increase of pension to Charles W. Foster, reported the same without amendment, accompanied by a report (No. 1018); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10494) granting an increase of pension to Jonathan H. Slocum, reported the same with amendment, accompanied by a report (No. 1019); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4346) granting a pension to Augusta Turner, reported the same without amendment, accompanied by a report (No. 1020); which said bill and report were referred to the Private Calendar.

Mr. LATIMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7766) granting an increase of pension to John Huffman, reported the same with amendment, accompanied by a report (No. 1021); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3514) granting an increase of pension to Leander Parmelee, reported the same without amendment, accompanied by a report (No. 1022); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5711) granting an increase of pension to James R. Brockett, reported the same with amendments, accompanied by a report (No. 1023); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1872) granting an increase of pension to Abbie George, reported the same without amendment, accompanied by a report (No. 1024); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7986) granting a pension to Clara C. Hawks, reported the same with amendments, accompanied by a report (No. 1025); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11271) granting a pension to Louisa Gregg, reported the same with amendment, accompanied by a report (No. 1026); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee of Invalid Pensions, to which was referred the bill of the Senate (S. 1095) granting an increase of pension to Mary Morgan, reported the same without amendment, accompanied by a report (No. 1027); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1709) granting an increase of pension to Edwin J. Godfrey, reported the same with amendment, accompanied by a report (No. 1028); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1039) granting an increase of pension to Nathaniel C. Goodwin, reported the same without amendment, accompanied by a report (No. 1029); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1453) granting an increase of pension to Thomas Kirwan, reported the same with amendments, accompanied by a report (No. 1030); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2286), granting a pension to Mary E. Poole, reported the same with amendments, accompanied by a report (No. 1031); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 13) granting an increase of pension to George Daniels, reported the same without amendment, accompanied by a report (No. 1032); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4103) granting a pension to William C. Hickox, reported the same with amendment, accompanied by a report (No. 1033); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6) granting an increase of pension to Charles H. Stone, reported the same without amendment, accompanied by a report (No. 1034); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7560) granting a pension to George W. Butler, reported the same with amendments, accompanied by a report (No. 1035); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3653) granting a pension to James W. Poor, reported the same with amendments, accompanied by a report (No. 1036); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6686) granting an increase of pension to Elbridge Franklin, reported the same with amendment, accompanied by a report (No. 1037); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7109) granting an increase of pension to Stanton L. Brabham, reported the same with amendment, accompanied by a report (No. 1038); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9415) granting an increase of pension to James Matthews, reported the same without amendment, accompanied by a report (No. 1039); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2287) granting an increase of pension to Georgie Josephine Walcott, reported the same without amendment, accompanied by a report (No. 1040); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6823) granting a pension to Allen W. Merrill, reported the same with amendments, accompanied by a report (No. 1041); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3577) granting an increase of pension to Mary V. Walker, reported the same without amendment, accompanied by a report (No. 1042); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to

which was referred the bill of the House (H. R. 8009) granting a pension to Sarah B. Clingerman, reported the same with amendments, accompanied by a report (No. 1043); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8134) granting a pension to James H. Dunn, reported the same with amendments, accompanied by a report (No. 1044); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3187) granting an increase of pension to Leroy S. Smith, reported the same without amendment, accompanied by a report (No. 1045); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9140) granting an increase of pension to Mary Ann E. Sperry, reported the same with amendment, accompanied by a report (No. 1046); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9656) granting a pension to Lunsford Y. Bailey, of Monmouth, Oreg., reported the same with amendments, accompanied by a report (No. 1047); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9717) granting a pension to Isaac M. Paugle, reported the same with amendment, accompanied by a report (No. 1048); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3660) granting a pension to Mary Sweeney, reported the same without amendment, accompanied by a report (No. 1049); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10122) granting a pension to John S. Burket, of Blakeman, Kans., reported the same with amendments, accompanied by a report (No. 1050); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10114) granting an increase of pension to Charles H. Furgerson, reported the same with amendments, accompanied by a report (No. 1051); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10179) granting an increase of pension to Theron R. Mack, reported the same with amendment, accompanied by a report (No. 1052); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3910) granting an increase of pension to Robert S. Woodbury, reported the same without amendment, accompanied by a report (No. 1053); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10230), granting an increase of pension to H. C. Vore, reported the same with amendments, accompanied by a report (No. 1054); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10255) granting a pension to Margaret Bartlett Tisdale, reported the same with amendments, accompanied by a report (No. 1055); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2379) granting an increase of pension to George H. Evans, reported the same without amendment, accompanied by a report (No. 1056); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10925) granting an increase of pension to William Paul, reported the same with amendments, accompanied by a report (No. 1057); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11075) granting an increase of pension to A. J. Hart, reported the same with amendments, accompanied by a report (No. 1058); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11493) granting a pension to Mary A. Lipps, reported the same with amendments, accompanied by a report (No. 1059); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2371) granting a pension to Andrew J. Felt, reported the same without amendment, accompanied by a report (No. 1060); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11976) granting a pension to Lucy M. Ferman, who served as a matron and nurse in military hospitals during the civil war, reported the same with amendments, accompanied by a report (No. 1061); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12116) granting a pension to W. A. Hopper, reported the same with amendments, accompanied by a report (No. 1062); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6441) granting an increase of pension to William H. Wood, reported the same with amendment, accompanied by a report (No. 1063); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4183) granting a pension to Gottlieb Kafer, reported the same with amendments, accompanied by a report (No. 1064); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1924) granting an increase of pension to Thomas Feneran, reported the same without amendment, accompanied by a report (No. 1065); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12275) granting a pension to Amelia A. Russell, reported the same with amendment, accompanied by a report (No. 1066); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5328) granting an increase of pension to S. Bortle, reported the same with amendments, accompanied by a report (No. 1067); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12284) granting an increase of pension to George W. Shaw, reported the same with amendment, accompanied by a report (No. 1068); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2046) granting an increase of pension to Thomas E. Sauls, reported the same without amendment, accompanied by a report (No. 1069); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12550) granting an increase of pension to James E. Horton, reported the same with amendment, accompanied by a report (No. 1070); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1982) granting an increase of pension to Eugene J. Oulman, reported the same without amendment, accompanied by a report (No. 1070); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3696) granting an increase of pension to Edward H. Armstrong, reported the same without amendment, accompanied by a report (No. 1072); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the House (H. R. 9984) for the relief of Kimball Union Academy, reported the same without amendment, accompanied by a report (No. 1076); which said bill and report were referred to the Private Calendar.

Mr. NEEDHAM, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 5874) to appropriate money to pay settlers for improvement on Round Valley Indian Reservation, reported the same without amendment, accompanied by a report (No. 1077); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 75) for the relief of William H. Hugo, reported the same adversely, accompanied by a report (No. 1075); which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were thereupon referred as follows:

A bill (H. R. 1292) for the relief of J. P. O'Brien—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11428) granting an increase of pension to Plummer Lewis—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MERCER: A bill (H. R. 12702) to provide for the erection of a quartermaster's warehouse at Omaha, Nebr.—to the Committee on Military Affairs.

Also, a bill (H. R. 12703) to fix the salary of the collector of customs at Omaha, Nebr.—to the Committee on Ways and Means.

By Mr. HILL: A bill (H. R. 12704) to increase the subsidiary silver coinage—to the Committee on Coinage, Weights, and Measures.

By Mr. SOUTHARD: A bill (H. R. 12705) to amend section 3536, Revised Statutes—to the Committee on Coinage, Weights, and Measures.

By Mr. GRAHAM: A bill (H. R. 12706) to authorize the West Elizabeth and Dravosburg Bridge Company to construct and maintain a bridge across the Monongahela River in the State of Pennsylvania—to the Committee on Interstate and Foreign Commerce.

By Mr. KETCHAM: A bill (H. R. 12716) relating to officers of the Medical Department of the Army of the United States—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 12717) to provide for signing and settling bills of exceptions in certain cases—to the Committee on the Judiciary.

By Mr. BABCOCK: A bill (H. R. 12756) to amend section 1585 of the code of law for the District of Columbia—to the Committee on the District of Columbia.

By Mr. GARDNER of Michigan: A bill (H. R. 12757) to prevent robbing the mails, and so forth—to the Committee on the Post-Office and Post-Roads.

By Mr. SOUTHARD: A bill (H. R. 12758) to amend sections 3528 and 3529, Revised Statutes of the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. JENKINS: A concurrent resolution (H. C. Res. 44) relating to labor laws of the United States—to the Committee on Printing.

Also, a resolution (H. Res. 167) calling for a report of the Committee on the Judiciary as to their opinion concerning the relationship between the island of Cuba and the United States—to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: A resolution (H. Res. 169) to amend Rule XXXIV—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. CROMER: A bill (H. R. 12707) granting a pension to Eliza J. Thompson—to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 12708) for the relief of Roswell W. Gould—to the Committee on Military Affairs.

Also, a bill (H. R. 12709) granting a pension to Thomas Alton—to the Committee on Invalid Pensions.

By Mr. FLYNN: A bill (H. R. 12710) for the relief of Elizabeth McKinney, a citizen Pottawatomie Indian—to the Committee on Indian Affairs.

By Mr. GAINES of Tennessee: A bill (H. R. 12711) for the relief of the legal representatives of Jo' C. Stark, late of Robertson County, Tenn., deceased—to the Committee on War Claims.

By Mr. GRAHAM: A bill (H. R. 12712) granting an increase of pension to James Vance—to the Committee on Invalid Pensions.

By Mr. HENDERSON: A bill (H. R. 12713) granting an increase of pension to Bernard McCormick—to the Committee on Invalid Pensions.

By Mr. JOY: A bill (H. R. 12714) granting a pension to Joseph Horne—to the Committee on Invalid Pensions.

By Mr. KERN: A bill (H. R. 12715) to remove the charge of desertion from the military record of William Palmer—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 12718) granting a pension to James C. Porter—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 12719) to remove the charge of desertion and grant an honorable discharge to Lafayette Mason—to the Committee on Military Affairs.

By Mr. LONG: A bill (H. R. 12720) granting an increase of pension to Paul J. Mueller—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 12721) granting a pension to Johann G. Fleckles—to the Committee on Invalid Pensions.

By Mr. MERCER: A bill (H. R. 12722) granting a pension to Mary Ann Peterson—to the Committee on Invalid Pensions.

By Mr. MICKEY: A bill (H. R. 12723) granting an increase of pension to Theodore Kamp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12724) granting an increase of pension to Richard M. Kellough—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 12725) granting a pension to Francis A. Eller—to the Committee on Invalid Pensions.

By Mr. MOODY of Massachusetts: A bill (H. R. 12726) granting a pension to Charlotte M. Howe—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 12727) granting an increase of pension to Mary E. Lynde—to the Committee on Pensions.

By Mr. NEVIN: A bill (H. R. 12728) granting a pension to John D. Acton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12729) granting a pension to William Wagner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12730) granting an increase of pension to William H. Bridgman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12731) granting an increase of pension to Everton R. Cramer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12732) granting an increase of pension to George W. Chandler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12733) granting an increase of pension to Patrick H. Bergen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12734) granting an increase of pension to Isaiah Waltman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12735) granting an increase of pension to David S. Shannon—to the Committee on Pensions.

Also, a bill (H. R. 12736) granting an increase of pension to Theodore F. Harrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12737) granting an increase of pension to Benjamin F. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12738) granting an increase of pension to Jonas Deyo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12739) granting an increase of pension to Andrew J. Crisman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12740) granting an increase of pension to Joseph Dister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12741) granting an increase of pension to Daniel A. Frybarger—to the Committee on Invalid Pension.

Also, a bill (H. R. 12742) granting an increase of pension to Samuel W. Cole—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 12743) granting a pension to Mary Millener Horton—to the Committee on Pensions.

By Mr. SALMON: A bill (H. R. 12744) granting a pension to Emma Cockman—to the Committee on Invalid Pensions.

By Mr. SELBY: A bill (H. R. 12745) granting an increase of pension to Edmond Likes—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 12746) granting a pension to Henry T. Haynes—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 12747) for the relief of Mary J. Moody—to the Committee on War Claims.

Also, a bill (H. R. 12748) for the relief of John Mincey—to the Committee on War Claims.

By Mr. SMITH of Kentucky: A bill (H. R. 12749) for the relief of Mrs. E. S. Galladay and Mrs. M. F. Bowling—to the Committee on Claims.

By Mr. SOUTHARD: A bill (H. R. 12750) granting an increase of pension to Martin Kistner—to the Committee on Invalid Pensions.

By Mr. STARK: A bill (H. R. 12751) granting an increase of pension to Martin L. Pembleton—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 12752) granting an increase of pension to Francis W. Whips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12753) for the relief of F. D. Bain—to the Committee on War Claims.

By Mr. SHAFROTH: A bill (H. R. 12754) for the relief of the heirs of John Baxter—to the Committee on Indian Affairs.

By Mr. VREELAND: A bill (H. R. 12755) granting an increase of pension to N. C. McElheney—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Resolutions of Oswego Division, No. 152, Brotherhood of Locomotive Engineers, urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of District Council and Lodge No. 9, Brotherhood of Carpenters, Buffalo, N. Y., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. BENTON: Resolution of Iron Molders' Union No. 204, Joplin, Mo., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Crenshaw Post, No. 516, Carterville, Mo., Grand Army of the Republic, favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. BINGHAM: Resolutions of the Grocers and Importers' Exchange of Philadelphia, favoring the creation of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Engineers' Club of Philadelphia, Pa., in favor of the Appalachian National Park—to the Committee on the Public Lands.

Also, resolutions of International Jewelers' Union No. 5, of Philadelphia, Pa., favoring exclusion of the Chinese from the United States and their insular possessions—to the Committee on Foreign Affairs.

By Mr. BURK of Pennsylvania; Petition of citizens of Philadelphia, Pa., for amendment to Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

Also, resolution of Typographical Union No. 6, of New York City, relating to salaries of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, petition of the American Chamber of Commerce of Manila, urging legislation for the Philippines—to the Committee on Insular Affairs.

By Mr. BURKETT: Resolutions of Painters and Decorators' Union of Lincoln, Nebr., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. CROMER: Resolution of Carpenters' Union No. 592, of Muncie, Ind., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. CURTIS: Resolutions of Bricklayers' Union of Topeka, and Retail Grocery Clerks' Union and Brick Masons' Union of Leavenworth, Kans., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. DRAPER: Petition of S. E. Wishard and other citizens of Utah, for an amendment to the Constitution prohibiting polygamy—to the Committee on the Judiciary.

Also, resolution of Machinists' Union No. 462, of Poughkeepsie, N. Y., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. EDWARDS: Resolutions of Central Labor Council of Anaconda, Mont., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Eagle Butte Lodge, No. 328, Railroad Trainmen, of Glendive, Mont., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. FOWLER: Resolution of trustees of Rutgers College, New Brunswick, N. J., in support of House bill 8735, favoring the sale of public lands for the maintenance of agricultural and mechanical colleges—to the Committee on Mines and Mining.

Also, resolutions of Plumbers' Union No. 181, Bayonne, N. J., and Bricklayers' Union No. 5, of Orange, N. J., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Barbers' Union No. 318, Bricklayers' Union No. 18, Carpenters' Union No. 167, and Pressmen's Union No. 99, of Elizabeth; Bricklayers' Union No. 36, of Rahway, and No. 13, of Bayonne, N. J., and Bricklayers' Union No. 5, and Carpenters' Union No. 349, of Orange, N. J., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. GRAHAM: Petition of the American Chamber of Commerce of Manila, P. I., suggesting needed legislation for the Philippines—to the Committee on Insular Affairs.

By Mr. HEMENWAY: Resolution of Plasterers' Union No. 27, of Evansville, Ind., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HOWELL: Petition of Retail Clerks of Perth Amboy, N. J., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. JACK: Papers to accompany House bill 8466, granting a pension to Lucinda A. Sirwell—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 8254, granting a pension to John R. Curry—to the Committee on Invalid Pensions.

By Mr. JOY: Petition of Joseph Horne, to accompany House bill 12714, granting him a pension—to the Committee on Invalid Pensions.

By Mr. KAHN: Resolutions of mass meeting held at Oakland, Cal., memorializing the President and Congress to prevent the execution of Commandant Kritzinger, of the Orange Free State—to the Committee on Foreign Affairs.

Also, resolutions of Cajon Pass Lodge, No. 278, Brotherhood of Railroad Trainmen, and Orange Grove Division, No. 392, Order of Railway Conductors, both of San Bernardino, Cal., urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, petitions of officers of the California National Guard, favoring House bill 11654, increasing the efficiency of the militia—to the Committee on Militia.

Also, petitions of El Capitan Division, No. 115, Order of Railway Conductors, of San Francisco; Clerks' Association of Watsonville, and citizens of San Francisco, Cal., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. KERN: Resolutions of Order of Railway Conductors, Division No. 386, of East St. Louis; Bartenders' Local Union No. 251, of Centralia; United Mine Workers' Local Union No. 305, of Rentchler; Federal Labor Union No. 7231, of Sparta; Federal Labor Union No. 8087, of Freeburg; Flour Mill Employees' Local Union No. 9581; United Mine Workers' Local Union No. 1802, of Marysville; citizens and laboring men of Carbon; Brick Makers' Local Union No. 16, of Belleville; Painters' and Paperhangers' Local Union No. 124, of Centralia; Journeymen Horseshoers' Local Union No. 119, of East St. Louis; Glass Bottle Blowers' Association, Branch No. 78, of East St. Louis; Journeymen Barbers' Local Union No. 138, of East St. Louis; Green Hide Workers' Local Union No. 147, of East St. Louis; Central Trades and Labor Assembly of Centralia; Street Railway Employees' Local Union No. 125, of Belleville; Carpenters and Joiners' Local Unions No. 367, of Centralia, and No. 798, of Salem; Trades and Labor Assembly of Belleville; Bricklayers and Masons' Local Union No. 2, of Belleville; Journeymen Bakers and Confectioners' Local Union No. 69, of Belleville; United Mine Workers' Local Union No. 304, of Belleville; Cigar Makers' Local Union No. 410, of Centralia; Bartenders' International League, Local Union No. 117, of Belleville; Boot and Shoe Workers' Local Union No. 102, of Belleville; International Brotherhood of Stationary Firemen, Local Union of Belleville; German-American Typographia Union No. 18, of Belleville, and of Miners' Tool Workers' Local Union No. 9063, of Centralia, all of the State of Illinois, favoring exclusion of Chinese from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. KLUTTZ: Petition of Textile Union, Concord, N. C., concerning immigration—to the Committee on Immigration and Naturalization.

By Mr. LITTAUER: Resolution of Division 25, Ogdensburg, N. Y., Order of Railroad Conductors, favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. LONG: Paper to accompany House bill 6086, for the relief of W. H. De Long—to the Committee on Claims.

Also, papers to accompany House bill 12514, for the relief of Joseph Gray—to the Committee on Invalid Pensions.

By Mr. MARTIN: Papers to accompany House bill 10355, granting an increase of pension to William A. Smithson—to the Committee on Invalid Pensions.

By Mr. McLACHLAN: Paper to accompany House bill for the relief of Randolph H. Miner—to the Committee on Naval Affairs.

By Mr. MIERS of Indiana: Resolution of Retail Clerks' Association of Linton, Coopers' Union of Vincennes, Machinists' Lodge No. 346, and Teamsters' Protective Union No. 324, of Sullivan, Ind., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MOON: Papers to accompany House bill 11449, granting increase of pension to Otto Haltnorth—to the Committee on Pensions.

By Mr. MUTCHLER: Papers to accompany House bill 12517, to amend the military record of Isaac Sutton—to the Committee on Military Affairs.

By Mr. NAPHEN: Resolutions of Bay State Lodge, No. 88, Railroad Trainmen, Worcester, Mass., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. OVERSTREET: Resolution of Indianapolis Division, No. 103, Order of Railway Conductors, Indianapolis, Ind., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. RUMPLE: Resolutions of United Leather Workers on

Horse Goods, Branch No. 11, Davenport, Iowa, in favor of House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SIMS: Papers to accompany House bill for the relief of John Mincey—to the Committee on War Claims.

Also, papers to accompany House bill for the relief of Mary J. Moody—to the Committee on War Claims.

By Mr. SKILES: Petition of Getus Richards Post, No. 681, Grand Army of the Republic, Department of Ohio, for investigation of administration of Bureau of Pensions—to the Committee on Rules.

Also, petition of citizens of Mansfield, Ohio, favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Barbers' Union of Loraine, Ohio, and Railroad Trainmen's Lodge of Bellevue, Ohio, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, petition of the Womans' Christian Temperance Union of Oberlin, Ohio, against the repeal of the present divorce law of the District of Columbia—to the Committee on the District of Columbia.

Also, petition of the Womans' Christian Temperance Union of Oberlin, Ohio, for the publication of 10,000 copies of Senate document "Protection of native races," etc.—to the Committee on Printing.

By Mr. SOUTHARD: Resolution of Division No. 26, Order of Railway Conductors, Toledo, Ohio, favoring the continued exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. VREELAND: Resolution of Barbers' Union No. 178 and Painters and Decorators' Union, of Jamestown, N. Y., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of Cigar Makers' Union No. 203, of Wellsville, N. Y., and Steel Cabinet Workers' Union, of Jamestown, N. Y., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. WARNER: Resolutions of Meadow Lawn Division, No. 577; St. Clair Division, No. 49; Dake Division, No. 302; Garden City Division, No. 253; Peck Division, No. 394; White City Division, No. 580; Egyptian Division, No. 512; Tilton Division, No. 404; Division 315, and general committee of adjustment, Brotherhood of Locomotive Engineers, on the system of Illinois Central Railroad; also, Enterprise Lodge, No. 27; Tri-City Lodge, No. 617, and Lodge No. 24, Brotherhood of Railroad Trainmen; Division 76, Order of Railroad Telegraphers; Alton Division, No. 388; Peoria Division, No. 79, and Illinois Valley Division, No. 222, Order of Railroad Conductors; Viola Lodge, No. 350; Zealous Lodge, No. 217, and Central Park Lodge, No. 237, Brotherhood of Locomotive Firemen, in the State of Illinois, favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

By Mr. WARNOCK: Papers relating to the claim of F. D. Bain, major and surgeon, Second Ohio Volunteer Infantry, in the war with Spain—to the Committee on War Claims.

Also, petition of Francis W. Whip, Company H, Thirty-first Regiment Ohio Volunteers, Byhalia, Ohio, for relief—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Paper to accompany House bill to amend the military record of William H. Smith—to the Committee on Military Affairs.

By Mr. WOODS: Petition of the American Chamber of Commerce, of Manila, P. I., suggesting needed legislation for the Philippine Islands—to the Committee on Insular Affairs.

SENATE.

WEDNESDAY, *March 19, 1902.*

Prayer by Rev. F. J. PRETTYMAN, D. D., of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. VEST, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. It is approved.

THE YELLOWSTONE NATIONAL PARK.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a draft of a bill providing for the extension of the limits of the Yellowstone National Park, and for the protection of the game therein, together with papers from the files of the Department, indicating the necessity for such legislation; which, with the accompanying papers, was referred to the Committee on Forest Reservations and the Protection of Game, and ordered to be printed.

SHIP JAMES AND WILLIAM.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law and of the opinion of the court filed under the act of January 20, 1885, in the French spoliation claims, set out in the findings by the court relating to the vessel, ship *James and William*, Nicholas Monnycott, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 3690) for the relief of Jacob L. Hauger, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PARKER, Mr. MONDELL, and Mr. JETT managers at the conference on the part of the House.

The message also announced that the House had passed a concurrent resolution of the Senate to print 1,900 copies of the Review of the World's Commerce for 1901 and 11,000 copies of Commercial Relations of the United States for 1901.

The message further announced that the House had passed, with amendments, the concurrent resolution of the Senate to print 5,000 copies of Senate Report No. 1, from the Committee on Interoceanic Canals; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore:

A bill (H. R. 1980) to establish a marine hospital at Savannah, Ga.;

A bill (H. R. 3278) to correct the military record of C. R. Dickson;

A bill (H. R. 4607) to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr.;

A bill (H. R. 5224) for the relief of Edward Kershner;

A bill (H. R. 6300) to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis.;

A bill (H. R. 11241) to amend an act entitled "An act to regulate in the District of Columbia the disposal of certain refuse, and for other purposes," approved January 25, 1898;

A bill (H. R. 11474) for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting lands in the District of Columbia or any Territory of the United States;

A bill (H. R. 11719) to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River;"

A joint resolution (H. J. Res. 161) authorizing the Secretary of War to loan tents to the Texas Reunion Association; and

A joint resolution (H. J. Res. 162) authorizing and requesting the President to extend to the Government and people of France and to the families of Marshal de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication of the monument to Marshal de Rochambeau, to be unveiled in the city of Washington.

PETITIONS AND MEMORIALS.

Mr. VEST presented petitions of Tobacco Workers' International Union No. 4, of St. Louis; of Truck Drivers' Local Union No. 189, of St. Joseph; of Glass Bottle Blowers' Local Union No. 89, of Kansas City, all of the American Federation of Labor, and of Local Division No. 72, Order of Railroad Telegraphers, of St. Joseph, all in the State of Missouri, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of the Truck Drivers' Local Union, of St. Joseph; of Stove Mounters' Local Union No. 34, of St. Louis; of Type Founders' Local Union No. 5, of St. Louis; of Journeymen Barbers' Local Union No. 259, of Sedalia; of Journeymen Barbers' Local Union No. 192, of Kansas City; of Journeymen Barbers' Local Union No. 191, of Springfield; of Coffin and Casket Workers' Local Union No. 84, of St. Louis; of Local Union No. 3, of St. Joseph; of Leather Workers' Local Union No. 70, of Springfield; of the United Brotherhood of Leather Workmen on Horse Goods, of St. Louis; of Typographical Union No. 119, of Jefferson City; of Typographical Union No. 80, of Kansas City; of Bakers' Local Union No. 83, of St. Joseph; of the Switchmen's Local Union, of St. Joseph; of Iron Molders' Local Union No. 10, of St. Louis, and of Garment Cutters and Trimmers' Local Union No. 26, of St. Louis, all of the American Federation of Labor;

of Local Division No. 2, Order of Railroad Telegraphers, of St. Louis; of Local Division No. 23, Order of Railroad Telegraphers, of St. Louis; of Local Division No. 72, Order of Railroad Telegraphers, of St. Joseph, and of Local Division No. 5, Order of Railroad Telegraphers, of Merwin, all in the State of Missouri, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

Mr. COCKRELL. I present petitions of Bricklayers' Local Union No. 4, of Kansas City; of Carriage and Wagon Workers' Local Union No. 86, of Kansas City; of Shirt Cutters' Local Union No. 31, of St. Louis; of Bakers' Local Union No. 85, of St. Joseph; of Stove Mounters and Steel Range Workers' Local Union No. 34, of St. Louis, all of the American Federation of Labor, and of Local Division No. 230, Order of Railway Conductors, of New Franklin, all in the State of Missouri, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions. I ask that the petitions be referred to the Committee on Immigration.

The PRESIDENT pro tempore. The bill has been reported.

Mr. FAIRBANKS. I will state to the Senator that the bill providing for the exclusion of Chinese was reported from the Committee on Immigration and is now upon the Calendar.

Mr. COCKRELL. I am aware of that fact. Let the petitions, however, be referred to the committee. They may give the committee some information and lead them to change their views.

The PRESIDENT pro tempore. Without objection, the petitions will be referred to the Committee on Immigration.

Mr. COCKRELL presented petitions of Cigar Makers' Local Union No. 233, of Sedalia; of the Cigar Makers' Local Union, of Hannibal; of Stove Mounters and Steel Range Workers' Local Union No. 15, of Hannibal; of Cigar Makers' Local Union No. 322, of Joplin; of the Brewery and Ice Workers' Local Union, of Joplin; of United Brewery Workmen's Local Union No. 93, of St. Joseph; of Cigar Makers' Local Union No. 95, of St. Joseph; of the Plasterers' Local Union, of St. Joseph; of the Coopers' International Local Union of St. Joseph; of Beer Drivers and Stablemen's Local Union No. 100, of Kansas City; of Cigar Makers' Local Union No. 102, of Kansas City; of Iron Molders' Local Union No. 162, of Kansas City; of Future City Local Union No. 1, of St. Louis; of Shirt Cutters' Local Union No. 31, of St. Louis; of the Amalgamated Association of Marble Setters and Tile Layers' Union, of St. Louis; of Marine Engineers' Beneficial Association No. 6, of St. Louis; of Coopers' International Local Union No. 37, of St. Louis; of Electrotypers' Local Union No. 36, of St. Louis; of Brewery Workers' Local Union No. 237, of St. Louis; of Brewers and Maltsters' Local Union No. 6, of St. Louis; of Brewery Oilers and Helpers' Local Union No. 279, of St. Louis; of Brewery Firemen's Local Union No. 95, of St. Louis, and of Brewery Laborers' Local Union No. 262, of St. Louis, all of the American Federation of Labor, in the State of Missouri, praying for the enactment of legislation to prohibit the immigration of persons, others than wives and children, who can not read; which were referred to the Committee on Immigration.

He also presented a petition of Jesse S. Owen Post, No. 345, Department of Missouri, Grand Army of the Republic, of Paynesville, Mo., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a memorial of sundry citizens of Knobnoster, Mo., and a memorial of 456 citizens of the States of Missouri and Kansas, remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. FAIRBANKS presented the petition of George Reiter and 82 other citizens of Fort Wayne, Ind., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented memorials of the Oliver Chilled Plow Works, of South Bend, and of the F. and N. Lawn Mower Company, of Richmond, in the State of Indiana, remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of J. A. Randall and sundry other citizens of Indianapolis, Ind., praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented petitions of Company D, Second Infantry, of Indianapolis; of Company E, First Infantry, of Evansville; and of Company I, Second Infantry, of Union City, all of the National Guard, in the State of Indiana, praying for the enactment of legislation to increase the efficiency of the militia of the country; which were referred to the Committee on Military Affairs.

Mr. HEITFELD presented a petition of the Eastern Washington and Idaho Lumber Manufacturers' Association, praying for the enactment of legislation enlarging the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. CULBERSON presented a petition of Typographical Union No. 452, of Waxahachie, Tex., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented petitions of Switchmen's Union, Alamo Lodge, No. 138, of San Antonio; of Team Drivers' Local Union No. 65, of Fort Worth; of Cigar Makers' Local Union No. 418, of Huntsville; of the Switchmen's Union, Lone Star Lodge, No. 178, of Waco; of Journeymen Barbers' Local Union No. 183, of Austin; of Journeymen Barbers' Local Union No. 179, of Waco; of Journeymen Barbers' Local Union No. 100, of Galveston; of Wood Workers' Local Union No. 35, of Galveston, and of the Amalgamated Meat Cutters and Butchers Workmen's Local Union, of Houston, all in the State of Texas, praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

Mr. CLARK of Montana presented a petition of 47 citizens of Bozeman, Mont., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Stationary Engineers' Local Union No. 83, American Federation of Labor, of Butte, Mont., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

Mr. McLAURIN of Mississippi presented a petition of Bricklayers' Local Union No. 3, of Jackson, Miss., praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was ordered to lie on the table.

He also presented a petition of Local Division No. 281, Brotherhood of Locomotive Engineers, of Vicksburg, Miss., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

Mr. PROCTOR presented petitions of sundry citizens of Springfield and Wheelock, in the State of Vermont, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented a petition of Retail Clerks Local Union No. 335, of Rutland, Vt., praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was ordered to lie on the table.

Mr. BARD presented a petition of Local Division No. 115, Order of Railway Conductors, of San Francisco, Cal., and a petition of 207 citizens of San Francisco, Cal., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. WETMORE presented a petition of 31 citizens of Westerly, R. I., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

Mr. NELSON presented a petition of the Northwest Manufacturers' Association of Minnesota, praying that an appropriation be made providing for the irrigation of the arid lands of the West; which was ordered to lie on the table.

He also presented a petition of Local Division No. 360, Order of Railway Conductors, of Two Harbors, Minn., and a petition of Lodge No. 82, Brotherhood of Locomotive Firemen, of Minneapolis, Minn., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented a petition of the Retail Grocers and General Merchants' Association of St. Paul, Minn., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented petitions of Seward Post, No. 91, Department of Minnesota, Grand Army of the Republic, of Pelican Rapids; of F. C. Choate Post, No. 67, Department of Minnesota, Grand Army of the Republic, of Detroit, and of Machinists' Local Union No. 197, American Federation of Labor, of Brainerd, all in the State of Minnesota, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Switchmen's Local Union No. 7, of Minneapolis; of the Granite Cutters' National Union, of St. Paul; of Blacksmiths' Local Union No. 108, of Winona; of Local Union No. 4, of Minneapolis; of Stone Masons' Local Union No. 4, of Duluth, all of the American Federation of Labor, and of Local Division No. 40, Order of Railway Conductors, of St. Paul, all in the State of Minnesota, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented the affidavits of Francis M. Jeffries and Allen Jeffries, of Ira, Iowa; of Wade H. Harris, of Kosciusko County, Ind.; of William H. Staples, of Anoka County, Minn., and of Michael Gilligan and Michael Atchison, of Anoka County, Minn.,

in support of the bill (S. 1265) granting an honorable discharge to Michael Weiler; which were referred to the Committee on Military Affairs.

Mr. CULLOM presented petitions of Cigar Makers' Local Union No. 73, of Alton; of the Trade and Labor Assembly of Chicago Heights; of Local Division No. 206, Order of Railway Conductors, of Springfield; of Cigar Makers' Local Union No. 200, of Galesburg, and of Local Branch 78, Glass Bottle Blowers' Association, of East St. Louis, all in the State of Illinois, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. FORAKER presented petitions of Andover Grange, No. 1468, Patrons of Husbandry, of Andover; of 123 citizens of Burton; of 47 citizens of Huntington; of 46 citizens of Orangeville, and of 36 citizens of Yellow Springs, all in the State of Ohio, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Electrical Workers' Local Union No. 32, of Lima, and of Carpenters' Local Union No. 245, of Cambridge, of the American Federation of Labor, in the State of Ohio, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a petition of 5 citizens of Hancock County, Ohio, praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a memorial of the Cincinnati Metal Trades Association, of Cincinnati, Ohio, remonstrating against the passage of the so-called "Hoar anti-injunction bill," to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented memorials of Subordinate Association No. 8, of Cincinnati, and of Subordinate Association No. 19, of Coshocton, of the Lithographers' International Protective and Beneficial Association of the United States and Canada, in the State of Ohio, remonstrating against the adoption of certain amendments to the copyright law; which were referred to the Committee on Patents.

He also presented a memorial of the Cincinnati Metal Trades Association, of Cincinnati, Ohio, remonstrating against the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a petition of the Retail Grocers' Association of East Liverpool, Ohio, praying for the passage of the so-called "pure-food bill;" which was referred to the Committee on Manufactures.

He also presented petitions of Operative Potters' Local Union No. 38, of Cincinnati; of Eagle Lodge, No. 15, Amalgamated Association of Iron, Steel, and Tin Workers, of Ironton, and of Good Hope Lodge, No. 59, Brotherhood of Railroad Trainmen, of Bucyrus, all in the State of Ohio, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

He also presented petitions of Bucyrus Division No. 193, Order of Railway Conductors, of Bucyrus; of Wood Workers' Local Union No. 89, of Cincinnati; of Dennison Division No. 278, Order of Railway Conductors, of Dennison; of Bricklayers' Local Union No. 10, of East Liverpool; of Masons' Local Union No. 29, of Lorain; of Bricklayers' Local Union No. 25, of Springfield; of Bricklayers' Local Union No. 3, of Toledo; of Sign Writers' Local Union No. 224, of Cincinnati; of Cigar Makers' Local Union No. 249, of Findlay; of 173 citizens of Bradford, of 7 citizens of Bloomville, of 70 citizens of Cincinnati, of 51 citizens of Senecaville, of 57 citizens of Springfield, of 74 citizens of Tippecanoe City, and of 16 citizens, all in the State of Ohio, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. HOAR presented a petition of Local Division No. 122, Order of Railway Conductors, of Boston, Mass., praying for the passage of the so-called Hoar anti-injuntion bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a memorial of Norwood Typographical Union, No. 228, of Norwood, Mass., remonstrating against the adoption of certain amendments to the copyright law; which was referred to the Committee on Patents.

He also presented a petition of Bay State Division, No. 413, Order of Railway Conductors, of Boston, Mass., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

Mr. BAILEY presented petitions of Local Division No. 57, Order of Railroad Telegraphers, of Hearne; of Boiler Makers' Local Union No. 217, of Cleburne; of the Switchmen's Local Union of Dallas; of the Stone Cutters' Local Union of Dallas; of Plasterers' Local Union No. 140, of Houston; of Plasterers' Local Union No. 200, of Beaumont; of Cigar Makers' Local Union No. 285, of Fort Worth; of Brewery Workers' Local Union No. 157, of Dallas; of Brewery Workmen's Local Union No. 130, of Galveston, and of Brewery Workmen's Local Union No. 111, of Houston, all in the State of Texas, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

He also presented a petition of Team Drivers' Local Union No. 202, of San Antonio, Tex., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

Mr. GALLINGER presented petitions of the Board of Trade and Transportation of New York, N. Y.; of the Board of Trade of Augusta, Ga.; of the Commercial Club of Birmingham, Ala., and of the Board of Trade of Columbus, Ga., praying for the enactment of legislation authorizing the appointment of a commission to study and make a full report upon the commercial and industrial conditions in China and Japan; which were referred to the Committee on Commerce.

Mr. MONEY presented a petition of Blacksmiths' Local Union No. 210, American Federation of Labor, of Meridian, Miss., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of Blacksmiths' Local Union No. 210, American Federation of Labor, of Meridian, Miss., praying for the enactment of legislation providing for an educational test for immigrants to this country; which was ordered to lie on the table.

Mr. MASON presented memorials of sundry citizens of Chicago, Ill., remonstrating against the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. FOSTER of Washington presented a petition of sundry citizens of Van Buren, Wash., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Waitresses' Local Union No. 240, American Federation of Labor, of Seattle, Wash., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of International Stone Masons' Local Union No. 4, of Spokane, Wash., praying for the enactment of legislation to restrict the immigration of cheap labor from the south and east of Europe; which was ordered to lie on the table.

He also presented a petition of Local Barbers' Union No. 158, of Tacoma, Wash., and a petition of Waitresses' Local Union No 240, of Seattle, Wash., praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

Mr. FRYE presented the petition of E. C. Patten and 47 other citizens of Topsham, Me., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Local Union No. 135, Order of Railway Conductors, of Nashville, Tenn., praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was ordered to lie on the table.

SAVANNAH RIVER BRIDGE.

Mr. BERRY. I move that the bill (H. R. 11409) to authorize the construction of a traffic bridge across the Savannah River from the mainland within the corporate limits of the city of Savannah to Hutchinsons Island, in the county of Chatham, State of Georgia, be recommitted to the Committee on Commerce.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. FAIRBANKS, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, asked to be discharged from their further consideration, and that they be referred to the Committee on Commerce; which was agreed to:

A bill (H. R. 3148) for a marine hospital at Buffalo, N. Y.; and

A bill (H. R. 3136) for a public building for a marine hospital at Pittsburg, Pa.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 1694) to provide for compensation for certain employees of the Treasury, War, and Navy departments, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Mines and Mining, to whom was referred the bill (S. 156) to provide for the repayment of unexpended moneys deposited to cover costs of platting and office work in connection with mining claims, reported it without amendment, and submitted a report thereon.

Mr. TELLER, from the Committee on Claims, to whom was referred the bill (S. 1594) for the relief of the legal representatives of A. G. Boone, reported it without amendment, and submitted a report thereon.

Mr. MORGAN. I am directed, by the Committee on Interoceanic Canals, to submit a report to accompany the bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans, and in connection with it I submit the views of the minority.

The PRESIDENT pro tempore. The report and the views of the minority will be printed.

HEIRS OF PIERCE BUTLER.

Mr. McLAURIN of South Carolina, from the Committee on Claims, to whom was referred the bill (S.79) for the relief of the heirs of the late Pierce Butler, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 79) entitled "A bill for the relief of the heirs of the late Pierce Butler," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

JONATHAN PIGMAN.

Mr. McLAURIN of South Carolina, from the Committee on Claims, to whom was referred the bill (S. 4215) for the relief of Jonathan Pigman, executor of Benjamin Pigman, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 4215) entitled "A bill for the relief of Jonathan Pigman, executor of Benjamin Pigman," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said Court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

LEVEE STEAM COTTON PRESS, OF NEW ORLEANS, LA.

Mr. McLAURIN of South Carolina, from the Committee on Claims, to whom was referred the bill (S. 80) for the relief of the Levee Steam Cotton Press Company, of New Orleans, in the State of Louisiana, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 80) entitled "A bill for the relief of the Levee Steam Cotton Press Company, of New Orleans, in the State of Louisiana," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

NEW ORLEANS MECHANICS' SOCIETY.

Mr. McLAURIN of South Carolina, from the Committee on Claims, to whom was referred the bill (S. 77) for the relief of the New Orleans Mechanics' Society, of New Orleans, in the State of Louisiana, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 77) entitled "For the relief of the New Orleans Mechanics' Society, of New Orleans, in the State of Louisiana," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

HEIRS OF GEORGE S. KAUSLER.

Mr. McLAURIN of South Carolina, from the Committee on Claims, to whom was referred the bill (S. 78) for the relief of the heirs of the late George S. Kausler, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 78) entitled "A bill for the relief of the heirs of the late George S. Kausler," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

ESTATE OF C. C. SPILLER.

Mr. TELLER, from the Committee on Claims, to whom was referred the bill (S. 1047) for the relief of the executor and administrator of the estate of C. C. Spiller, deceased, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 1047) entitled "A bill for the relief of the executor and administrator of the estate of C. C. Spiller, deceased," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

F. E. COYNE.

Mr. MASON. I am directed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 9991) for the relief of F. E. Coyne, to report it favorably.

I am also directed by the same committee, to whom was referred the bill (S. 3011) for the relief of F. E. Coyne, to report it adversely and ask for its indefinite postponement.

The PRESIDENT pro tempore. The Senate bill will be indefinitely postponed and the House bill placed on the Calendar.

Mr. MASON. I ask for the immediate consideration of the House bill.

The PRESIDENT pro tempore. The bill will be read in full for the information of the Senate.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Postmaster-General be, and he is hereby, authorized and directed to allow on the accounts of F. E. Coyne, postmaster at Chicago, Ill., a credit of $74,610 for postage stamps stolen from said postoffice by burglars, October 19-20, 1901.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. HOAR. Has it been recommended by the Department?

Mr. MASON. Yes; it is recommended by the Department, and it has passed the House.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. PROCTOR introduced a bill (S. 4574) to continue in force the Chinese-exclusion law until the expiration of the treaty of December 8, 1894, between the United States and China; which was read twice by its title, and referred to the Committee on Immigration.

Mr. STEWART introduced a bill (S. 4575) granting a pension to Mary E. Rice; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 4576) granting pensions to certain officers and enlisted men of the Life-Saving Service, and to their widows and minor children; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WETMORE introduced a bill (S. 4577) for the relief of William McCarty Little; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. NELSON introduced a bill (S. 4578) granting a pension to Timothy Hayne; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 4579) granting pensions to certain officers and enlisted men of the Life-Saving Service, and to their widows and minor children; which was read twice by its title.

Mr. McMILLAN. I ask that the bill be referred to the Committee on Commerce.

The PRESIDENT pro tempore. A similar bill has just been referred to the Committee on Pensions.

Mr. McMILLAN. I think the bill ought to go to the Committee on Commerce. I should like to have it so referred.

The PRESIDENT pro tempore. It will be referred to the Committee on Commerce.

Mr. CULBERSON introduced a bill (S. 4580) for the relief of Frank H. Church, administrator of the estate of Cornelius Clay Cox; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 4581) granting a pension to Jesse A. Creekmore; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of the claimant, Jesse A. Creekmore, late of Company I, Thirty-third Regiment, Enrolled Missouri Militia Volunteers, accompanied by affidavits of John J. Wampler and Ambrose Giesbest, Fred Weiser and John Roney, and Samuel P. Cox, also certificate of the adjutant-general of the State of Missouri. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. MASON introduced a bill (S. 4582) granting an increase of pension to Evans Blake; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BACON (by request) introduced a bill (S. 4583) to reorganize and increase the efficiency of the Marine-Hospital Service, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BACON subsequently said: I am informed that the Committee on Public Health and National Quarantine now has under consideration several bills of the same character as the one just introduced by myself, and I would be glad to have the bill referred to that committee.

The PRESIDENT pro tempore. If there be no objection, the reference of the bill to the Committee on Commerce will be reconsidered, and it will be referred to the Committee on Public Health and National Quarantine.

Mr. BACON. I only make the request in view of the fact that there are other bills now pending before that committee.

The PRESIDENT pro tempore. The change of reference will be made.

Mr. FORAKER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4584) granting a pension to John M. Stuter (with an accompanying paper);

A bill (S. 4585) granting an increase of pension to George W. Morrison (with an accompanying paper);

A bill (S. 4586) granting a pension to Josephine Dumont (with accompanying papers);

A bill (S. 4587) granting an increase of pension to H. N. Whitbeck (with accompanying papers);

A bill (S. 4588) granting an increase of pension to W. S. Morgan (with accompanying papers);

A bill (S. 4589) granting a pension to Oliver Wink (with an accompanying paper);

A bill (S. 4590) granting a pension to Charles Andrews (with accompanying papers);

A bill (S. 4591) granting a pension to William H. Williams (with accompanying papers);

A bill (S. 4592) granting a pension to John W. Hess (with an accompanying paper);

A bill (S. 4593) granting an increase of pension to John Hiett (with accompanying papers);

A bill (S. 4594) granting a pension to James H. Mahaffey (with accompanying papers); and

A bill (S. 4595) granting an increase of pension to Jeremiah Gatton (with accompanying papers).

Mr. DUBOIS introduced a bill (S. 4596) giving jurisdiction to certain State and Territorial courts over the possessory rights in the public lands of the United States of the parties to divorce proceedings; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. BURTON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4597) granting an increase of pension to Josiah D. Austin;

A bill (S. 4598) granting an increase of pension to George W. Perry;

A bill (S. 4599) granting an increase of pension to Andrew J. Freeman;

A bill (4600) granting an increase of pension to Daniel W. Working;

A bill (S. 4601) granting a pension to Erwin R. Cole;

A bill (S. 4602) granting an increase of pension to James H. Prise;

A bill (S. 4603) granting an increase of pension to Charles McCarty (with accompanying papers);

A bill (S. 4604) granting an increase of pension to Frederick K. Noyes;

A bill (S. 4605) granting a pension to Ashbell G. F. Janes;

A bill (S. 4606) granting an increase of pension to J. P. Campbell (with an accompanying paper);

A bill (S. 4607) granting an increase of pension to Oliver G. Wright (with accompanying papers); and

A bill (S. 4608) granting a pension to Joseph Close (with accompanying papers).

Mr. DILLINGHAM introduced a bill (S. 4609) granting a pension to Mary C. Buck; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. VEST. I introduce a joint resolution which I ask may be read and, with the accompanying papers, referred to the Committee on Naval Affairs.

The joint resolution (S. R. 69) tendering the thanks of Congress to Rear-Admiral Louis Kempff, United States Navy, for meritorious conduct at Taku, China, was read the first time by its title and the second time at length, and, with the accompanying papers, referred to the Committee on Naval Affairs, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, and they are hereby, tendered to Rear-Admiral Louis Kempff, commanding the Asiatic squadron, for the wisdom displayed by him in refusing to join the allied forces in the bombardment of the forts at Taku, China.

Mr. HAWLEY introduced a joint resolution (S. R. 70) for the purchase of a bronze bust of the late President William McKinley; which was read twice by its title, and referred to the Committee on the Library.

AMENDMENTS TO BILLS.

Mr. McMILLAN submitted an amendment intended to be proposed by him to the bill (S. 493) to amend the code of law for the District of Columbia, approved March 3, 1901; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation to employees thereof; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

PRINTING OF SHIPPING BILL.

On motion of Mr. FRYE, it was

Ordered, That there be printed of Senate bill 1348, known as the shipping bill, as passed the Senate, 2,000 copies for the use of the Senate.

BREAKWATER AT MARQUETTE, MICH.

Mr. McMILLAN submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause an examination to be made of the breakwater at Marquette, Mich., with a view to connect the said breakwater with the shore; and to report to Congress the result of such examination.

FREDERICK SHAFER.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9227) granting an increase of pension to Frederick Shafer, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

J. H. GALLINGER,
J. R. BURTON,
T. M. PATTERSON,
Managers on the part of the Senate.

W. A. CALDERHEAD,
J. N. W. RUMPLE,
J. A. NORTON,
Managers on the part of the House.

The report was agreed to.

COURTS IN UTAH.

Mr. RAWLINS. I ask for the present consideration of the bill (S. 149) to provide for holding terms of court in the district of Utah.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that the State of Utah shall constitute one judicial district, known as the district of Utah, and that terms of the district court shall be held in Salt Lake City on the second Monday in September, January, and April of each year; but terms of the court may be held at Ogden City or other places in the district when deemed necessary by the judge.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AGREEMENT WITH INDIANS OF DEVILS LAKE RESERVATION.

Mr. HANSBROUGH. I ask unanimous consent for the present consideration of the bill (S. 2418) to ratify an agreement with the Indians of the Devils Lake Reservation, in North Dakota, and making appropriation to carry the same into effect. The bill was read in full several days ago, and it went over on the request of the Senator from Missouri [Mr. COCKRELL], who desired to have the Senator from Connecticut [Mr. PLATT] present when the bill was considered.

The PRESIDENT pro tempore. The bill has been read in full. Is there objection to its present consideration?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PLATT of Connecticut. In section 4, on page 6, line 10, I move to strike out the word "two" before "dollars" and insert the word "three."

There are several amendments which I propose, but I think they may be all treated as one amendment.

I also move to strike out from line 11, commencing with "but settlers," etc., down to and including the word "that," in line 19, and to insert before the word "homestead," in line 19, the word "and."

I move to strike out, in line 19, the word "who" and to insert the word "may;" and in line 21, to strike out the words "shall pay" and insert the words "by paying;" so that the clause from line 10 to line 22 will read:

Provided further, That the price of said lands shall be $3.50 per acre, and homestead settlers may commute their entries under section 2301, Revised Statutes, by paying for the land entered the price fixed herein.

Mr. COCKRELL. I hope the amendment will be agreed to.

Mr. HANSBROUGH. I have no particular objection to the amendment. It undoubtedly establishes a new policy with respect to the disposition of Indian reservations, but in view of the

fact that these lands are worth from $15 to $20 per acre, and that there are perhaps a thousand people in the vicinity of the lands at the present time anxiously waiting for the action of Congress, and that they are willing to pay for them, I do not believe it will be any hardship upon them to pay $3.50 per acre. I therefore accept the amendment.

Mr. PLATT of Connecticut. That price, as I understand it, reimburses the Government for the amount which it pays to the Indians for the lands.

Mr. HANSBROUGH. That is correct.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HANSBROUGH. On page 7, I move to strike out the word "one," in line 1, and to insert the word "two," so as to reserve two and a half sections for school purposes instead of one and a half.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In section 4, line 1, page 7, strike out "one" where it first occurs and insert "two;" so as to read:

And also not exceeding two and one-half sections of the Fort Totten Indian school, etc.

The amendment was agreed to.

Mr. HANSBROUGH. There is another amendment which has been reported favorably by the Committee on Indian Affairs as an additional section, section 5. It will be found in the report of the committee on page 6. The Clerk has the report before him.

The PRESIDENT pro tempore. The Senator from North Dakota proposes a further amendment, which will be stated.

Mr. HANSBROUGH. This amendment is proposed by the committee.

Mr. COCKRELL. As section 5?

Mr. HANSBROUGH. Yes; as a separate section.

The Secretary read as follows:

SEC. 5. That for the purpose of resurveying and reestablishing the section and quarter-section corners of the Devils Lake Reservation, and for the survey of the old Fort Totten Military Reservation, there is hereby appropriated the sum of $12,000, out of any money in the Treasury not otherwise appropriated.

Mr. COCKRELL. I suggest, after the words "twelve thousand dollars" to add the words "or so much thereof as may be necessary."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. Are there further amendments in Committee of the Whole?

Mr. PLATT of Connecticut. We had the matter of this survey up before the Committee on Indian Affairs, and some question arose about whether $12,000 is not a larger sum than would be needed. It has not been decided in the committee which has the Indian appropriation bill under consideration, but the amendment which has been adopted appropriates the sum of $12,000, and I think it should say "or so much thereof as may be necessary."

Mr. HANSBROUGH. That has been adopted.

The PRESIDENT pro tempore. That amendment has been adopted.

Mr. PLATT of Connecticut. But the amendment which has been adopted does not contain the words which I think it should contain, "or so much thereof as may be necessary."

Mr. COCKRELL. That has already been agreed to.

Mr. HANSBROUGH. It has been agreed to.

Mr. STEWART. Yes; that was agreed to.

Mr. COCKRELL. I offered it as an amendment to the amendment, and it has been agreed to.

Mr. PLATT of Connecticut. Very well. I did not observe that the amendment had been amended.

The PRESIDENT pro tempore. The amendment also has been agreed to as amended.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

JACOB L. HANGER.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 3690) for the relief of Jacob L. Hanger, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. COCKRELL. I move that the Senate insist upon its amendment and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. HAWLEY, Mr. PROCTOR, and Mr. COCKRELL were appointed.

REPORT ON INTEROCEANIC CANALS.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the concurrent resolution of the Senate providing for the printing of Senate Report No. 1, from the Committee on Interoceanic Canals, which were, in line 2, to strike out "five" and insert "three;" in line 4, to strike out "two" and insert "one;" and in line 5, to strike out "three" and insert "two;" so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,000 copies of Senate Report No. 1, from the Committee on Interoceanic Canals, 1,000 for the use of the Senate and 2,000 for the use of the House of Representatives.

Mr. MORGAN. I move that the Senate concur in the amendments of the House of Represenatives.

The motion was agreed to.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. Mr. President, I understand it will be quite convenient to the Senator from Wisconsin [Mr. SPOONER], who has the floor, to now take up the bill in regard to the protection of the President, and therefore I move that the Senate proceed to its consideration.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3653) for the protection of the President of the United States, and for other purposes.

Mr. SPOONER. Mr. President, I realize that the very admirable and eloquent speech of the distinguished Senator from Massachusetts [Mr. HOAR] yesterday afternoon renders any further observations in advocacy of this bill quite superfluous, but I wish—and that is my sole purpose—very briefly, and I regret to say without much lawyer-like method, to refer to the constitutional argument which was presented the other day by the Senator from Georgia [Mr. BACON], who is a lawyer of learning and great acumen, and, I may be permitted to say in passing what is altogether unnecessary, that I have no doubt whatever, nor has, I suppose, any man, of the seriousness and sincerity with which the Senator presented and with which he has advocated his views.

I considered it unnecessary, although perhaps somewhat provoked, for the Senator from Georgia to avow his patriotism on yesterday. No one here, or anywhere else, who knows that Senator, doubts or can doubt his patriotism, his love for the institutions of this country, and his unspeakable abhorrence of anarchy and of the offense which this bill is intended to prevent.

The Senator's position was this, that the law of England at the time our Constitution was framed on the subject of treason was the statute of Edward III, which contained, I think, seven definitions.

Mr. BACON. Originally five; afterwards it was amended.

Mr. SPOONER. I think seven, and originally five, definitions of treason. As the debates in the constitutional convention show, the framers of that instrument, at least those who led largely in framing it, had before them this statute, with which, of course, they were familiar, and in the discussion, which was very limited so far as I have been able to ascertain, there were those who favored the adoption practically of the entire statute, and there were others who expressed a different opinion; but in the end they adopted from the statute of Edward III the clause in our Constitution defining treason with which everyone is familiar:

Treason against the United States shall consist only in levying war against them or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

That is the constitutional definition of treason. That Congress can not add to it every lawyer will admit.

The Senator's inference from the fact that, as out of the statute of Edward III, the framers of our Constitution saw fit to adopt only what I have read, it follows that they intended to preclude the government which they were creating from punishing by death or otherwise offenses committed against it which, under the act of Edward III, constituted treason. The Senator shakes his head. He injected a qualification, "If those acts or offenses were naturally in themselves treason." That distinction is not found in the Constitution, of course, nor can the Senator sustain it as a matter of argument. Carried to its legitimate extent, his argument is, Mr. President, from my standpoint, that the Government of the United States is incapacitated by the history of this constitutional definition of treason from punishing offenses which, under the statute of Edward III, were denounced as treason, save that incorporated in the Constitution.

It is perfectly manifest that it was impossible for the framers of the Constitution to have adopted as treason the definitions contained in the act of Edward III. One of them related to the wife

of the King, to the wife of the eldest son of the King, and to the eldest daughter of the King—important there, because the offenses denounced involved or might involve the succession. It needs no argument to show that such a definition could have no possible applicability to a Government so different in every way, which the framers of our Constitution were engaged in erecting, for we have here, of course, no hereditary officials.

Mr. BACON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. SPOONER. Certainly.

Mr. BACON. I do not desire to interrupt the Senator, except so far as it may be necessary to have my position correctly stated.

Mr. SPOONER. That is not a statement of the Senator's position; it is a statement of mine.

Mr. BACON. I know; but it is in response to the position taken by me, and the Senator will do me the justice to say, if he will examine the RECORD where my remarks are in print, that I expressly qualified the statement by saying that I was speaking of the statute of Edward III so far as it was applicable to our changed character of government, of course eliminating from it the feature to which the Senator now refers.

Mr. SPOONER. Oh, yes; but then the Senator gets down to this, that by the doctrine of exclusion, reference being had to the statute of Edward III, the offenses against the Government which Congress is disabled from punishing are only those which in their nature are treasonable. Of course, the framers of the Constitution would not have adopted the first definition, "when a man doth compass or imagine the death of our lord the King, of our lady his Queen, or of their eldest son and heir;" and there are others.

But, Mr. President, the framers of the Constitution took great care to define with the utmost distinctness the offense which they intended should constitute the crime of treason, because of their familiarity with that bloody and dreadful chapter in the history of England growing out of the doctrine of *constructive* treason. The judges became habituated, instruments of tyranny as they often were, to inventing new definitions of treason. The Parliament became accustomed, long after the enactment of the statute of Edward III, to enacting new treasons. For a moment let me call attention to a few.

In the reign of Richard II they invented and devised acts of treason, in regard to which I find an act was passed by Parliament with this recital:

> That no man knew how he ought to behave himself, to do, speak, or say for doubt of such pains of treason, and therefore it was accorded that in no time to come any treason be judged otherwise than was ordained by the statute of King Edward III.

Blackstone says:

> This at once swept away the whole load of extravagant treasons introduced in the time of Richard II.

But as no Parliament can bind a succeeding Parliament, Mr. President, it happened, as he says:

> But afterward, between the reign of Henry IV and Queen Mary, and particularly in the bloody reign of Henry VIII, the spirit of inventing new and strange treasons was revived, among which we may reckon the offenses of clipping money, breaking prison, or rescue when the prisoner is committed for treason—

That is treated as treason—

> burning houses to extort money, stealing cattle by Welshmen—

That was made treason—

> counterfeiting foreign coin; willful poisoning; execrations against the King; calling him opprobrious names by public writing; counterfeiting the sign manual or signet; refusing to abjure the Pope; deflowering or marrying, without the royal license, any of the King's children, sisters, aunts, nephews, or nieces; bare solicitation of the chastity of the Queen, or princesses, or advances made by themselves, etc.

To get away from that infamy, to render it forever certain that the crime of treason should be definite and fixed, both as to the essence and as to the evidence required to convict, beyond reach of Congress, to forever protect the people of this Government, which they were establishing, from constructive treason, they placed in the Constitution this definition.

Mr. President, the argument of the Senator from Georgia carries him too far, I think. It does not at all follow, as a matter of law or logic, because the framers of the Constitution were unwilling to insert in that instrument as definitions of treason, under the limitations of the instrument as to the character of proof necessary, the definition contained in the act of Edward III, that they intended to leave this Government forever disabled to protect itself against some of the crimes which, under the act of Edward III, constituted treason.

There is no such thing as treason against the President of the United States. The Government of England and the relations of its subjects to that Government and this Government and the relations of our people to this Government are as wide apart as the ocean which divides the two countries. That was a personal government; the King was the embodiment of the sovereignty of the country; war levied against the King was levied against the sovereignty and war levied against the sovereignty was levied against the King.

We have no personal government here. This is a Government not of men but of law. Government is hereditary there; it can not be here. The President is not the sovereign of the United States; he is not even, in an accurate sense, the ruler of the United States. Abraham Lincoln spoke with the utmost accuracy, and in harmony with the decisions of the Supreme Court of the United States, when, at Gettysburg, he said: "This is a Government of the people, for the people, and by the people." The sovereignty here is in the people. This is a Government of the people; and the framers of the Constitution in defining treason used this language:

> Treason against the United States shall consist only in levying war against *them*, or in adhering to *their* enemies, giving them aid and comfort, etc.

Does it follow, Mr. President, because an attempt to assassinate the King or the assassination of the King was treason in England under the statute of Edward III, that an attempt to assassinate the President or an assassination of the President is treason in this country?

The President is a private citizen for the time being in a public station. He represents for the time being a part of the sovereignty which constitutes this Government and which is behind it and all around it—the people. But an assault upon him, of course, or an assassination of him, of course, does not constitute treason within the definition which our fathers placed in this Constitution, but it is an awful crime, just the same, *against the Government.*

Mr. President, are we disabled upon any line of reasoning from declaring it to be a crime and from punishing it as a crime? If the Senator from Georgia is right, as I understand him, the framers of the Constitution succeeded in creating a Government of great elemental weakness; but they did not. Carried to its legitimate extent, I do not know where the Senator from Georgia would find upon his reasoning the power under the Constitution to punish offenses which Congress has provided shall be crimes against the Government, and which for a hundred years we have punished in the Federal jurisdiction.

When the Senator was making his argument—and it was one of great ingenuity and ability, as it was one of great sincerity—the Senator from Texas [Mr. CULBERSON] called his attention to the fact that, under the act of Edward III, counterfeiting the coin of the realm was treason, and asked the Senator—or that was the purpose of his question—whether he inferred because counterfeiting the coin of the realm was treason under the act of Edward III and was not within the definition of treason under the Constitution that the Government of the United States is disabled to punish it.

The Senator from Georgia promptly—and I thought at the time sufficiently—answered that question by turning to that provision of the Constitution which gives to Congress the power "to provide for the punishment of counterfeiting the securities and current coin of the United States." That was not a complete answer to the question propounded by the Senator from Texas.

Here, Mr. President, is an odd thing. The only unfinished and imperfect provision, so far as I remember, in the Constitution is:

> The Congress shall have power to provide for the punishment of counterfeiting the securities and current coin of the United States.

There is nothing said there about "uttering." The Supreme Court of the United States has decided that the power to punish for uttering counterfeit coin by the Congress is not to be found in that provision. Under the statute of Edward III it was made treason to utter counterfeit coin. The argument of the Senator from Georgia carried to its logical result means that because of that being treason under the act of Edward III and not under the Constitution of the United States, the Congress may not punish it. The Senator said that was not treason in its nature. It comes very near the line. True, it is not levying war, but it is a subtle and insidious attack upon a sovereign power, a power which can only be exercised by the sovereign, and a necessary power to be lodged in and exercised by the sovereign.

That is not all, Mr. President. Under the statute of Edward III it was made treason to bring counterfeit coin into the realm and to utter it. That was omitted from the definition of treason in the Constitution of the United States; nor is it covered by the clause authorizing Congress "to provide for the punishment of counterfeiting the securities and current coin of the United States." Can it be argued from that that Congress has no power to declare the bringing of foreign counterfeit coin into the United States and uttering them here is an offense against the Government cognizable by the Federal jurisdiction? The Senator's argument goes that far; but a statute of the United States was passed March 3, 1825, providing punishment for bringing counterfeit coin into the United States from abroad and uttering it here, which resulted in the conviction of one Marigold, and which

came to the Supreme Court of the United States, and the very point was made which the Senator makes. (United States *v.* Marigold, 9 How., 560.)

Whether Congress, under and by the Constitution, had power and authority to enact so much of the said twentieth section of the said act as relates to bringing into the United States counterfeit coins.

The proposition could only be sustained by the argument which has been made by the Senator from Georgia, yet the Supreme Court of the United States found no difficulty in deciding that it was entirely within the constitutional capacity of Congress under the power to coin money and to furnish the country with a currency.

That is not all, Mr. President. By the statute of Edward III, "compassing or imagining the King's death" was treason. Dionysius executed a man for dreaming that the King was dead.

Blackstone says under that clause, excluded, of course, from our Constitution, that—

A bare conspiracy to levy war does not amount to this species of treason—

That is, high treason—

but (if particularly pointed at the person of the King or his Government) it falls within the first, of compassing or imagining the King's death.

Because that was omitted from the Constitution will the Senator argue that we have no power under the Constitution to denounce as a crime against the Government and punish with such severity, within lawful limitations, as to the Congress shall seem fit, a conspiracy to levy war against the Government and to resist with armed force the execution of its laws? The Senator's argument would of necessity carry him that far, because in its nature that is treason, and such a conspiracy was treason under the act of Edward III, and is not treason under the Constitution of the United States.

I say in its nature it is treason for men to secretly plot and scheme to bring about an insurrection or a rebellion against the Government with a view to armed resistance to its laws or to armed attack upon its property. Although they do not themselves go beyond the danger line, it is treason. It is the meanest form of treason. It is potential, Mr. President, but it is cowardly. It is infinitely meaner, as it is infinitely more dangerous, than the open treason which consists in bearing arms and daring the chances of battle. May not the Congress of the United States, although it was in the act of Edward III and the framers of the Constitution excluded it, punish as a crime against the United States such an offense treasonable in its nature, and punish it even by death?

The punishment here has nothing to do with the nature of the offense. Even treason under our statutes is punishable by fine; alternatively by death. The Congress may annex to it attainder. It need not. And if the Senator's argument, carried to its inevitable result, were crystallized into the law of this land, this would be an impotent Government to protect itself against obvious crimes endangering our institutions and obstructing the operation of government. That can not, I submit, be true.

It is true, as the Senator said the other day, that the Constitution confers upon Congress no general power as to the definition and punishment of crime. I think in three instances only is the Constitution specific on that subject. One is as to piracy, another as to treason, and the third as to counterfeiting. And yet from the foundation of the Government the Congress has been enacting statutes, creating and defining offenses against the Government of the United States, and providing for their punishment, and they have been sustained by the Supreme Court of the country, just as in the Marigold case.

The courts justify it under that clause of the Constitution which gives to Congress the power to enact all laws for carrying into effect the powers granted by the Constitution to Congress. I think I speak accurately when I say there is no power conferred by the Constitution upon Congress as to which, in order to safeguard it and carry it forward to its fullest fruition, Congress has not the power to define offenses and provide for their punishment.

The Senator from Massachusetts [Mr. HOAR] read the other day from the decision in the case of Bollman and Swartwout, 4 Cranch 75, language which covers it, and, with all deference to my friend from Georgia, to me that must be the law. I will show, I think, and I will be brief about it, that it inevitably follows from the decision and later decisions that it is the law. The court said:

Crimes so atrocious as those which have for their object the subversion by violence of those laws and those institutions which have been ordained in order to secure the peace and happiness of society are not to escape punishment because they have not ripened into treason. * * *

It is, therefore, more safe as well as more consonant to the principles of our Constitution that the crime of treason should not be extended by construction—

I agree to that—

to doubtful cases, and that crimes not clearly within the constitutional definition—

"Not clearly within the constitutional definition;" crimes in their nature, perhaps, treasonable, as the Senator from Georgia put t—

should receive such punishment as the *legislature in its wisdom may provide.*

That meant Congress. I notice that Professor Pomeroy in his book says:

While treason is expressly defined and direct powers conferred upon the legislature to declare its punishment, it must be understood that the mention of the highest crime includes also those of inferior grades but of a nature kindred to treason.

On the Senator's argument Congress would be excluded by the Constitution from punishing or defining as crimes against the Government and punishing with a severity which met its approval kindred but lesser offenses than treason, such as the conspiracy to which I referred a little while ago. Yet we have had on our statute books for many years, now nearly forty, a statute to punish just such conspiracies, and to say that a Government which has the power to punish the consummated offense of treason has not the power to punish conspiracies whose object is to subvert the Government, and which if carried out necessarily lead to war, is to argue that this is the weakest Government under the sky. It is not.

The Senator the other day quoted from an article by Judge Edgar Aldrich, United States district judge for the district of New Hampshire. I have the pleasure of Judge Aldrich's acquaintance and the honor of his friendship. I know him well. He is a lawyer of great ability, of great erudition, and of eminently judicial temperament, and I beg leave to say that, in my judgment, this article, from which the Senator read and which was presented here by my friend the Senator from New Hampshire [Mr. GALLINGER], is, with deference to others who have written upon the subject, the most discriminating, dispassionate, and the ablest from a legal standpoint which I have read upon the subject. Judge Aldrich says this, and he says it better than I could say it, and I will take the liberty of reading it:

Under our system the Government means nothing above or beyond the intelligent expression of the will of the people; and when the people ordain that a form of government shall exist for the protection of communities in accordance with the requirements of civilization they assume the responsibility of upholding the institution which they have created.

There is such a thing as inherent power in a government. It is not needful to resort to it in this matter. That inherent power may have its limitations, and it does, but it certainly extends to self-protection, not simply against armed forces but against subtle and insidious enemies.

The Government can not administer itself except through its chosen agents, representatives, or servants. These it must have in order to become operative for the purposes for which it is created. It lies with the people to create a government; they may therefore maintain it. The people can not maintain a government without agents; they may therefore protect such agency through such legislation as the necessities arising out of a threatening evil or pending danger demand.

Who can gainsay that?

To justify such legislation it is not necessary to invoke the "general-welfare" clause of the Constitution, which declares that Congress shall have power to "provide for the common defense and general welfare of the United States," because all governments necessarily possess the inherent power of self-defense, and such general inherent power of self-defense will justify all necessary and well-ordered legislation for the protection of all necessary agents and representatives. While, as a general rule, civilization and communities receive protection from the State governments, the Federal Government does exist as an entity and for certain limited purposes expressed and contemplated by the Constitution, and, so existing, it may pass all laws necessary for its safety.

It may declare violence upon its agents, servants, and representatives to be a crime against its own existence. It may declare threatened violence to be a crime, because that involves conduct calculated to disturb the good order and well-being of its administration. In short it may, without regard to the enumerated and defined offenses of the old common law, throttle and control any evil directed against its existence and well-being. This is a necessary and inherent power. The doctrine of the right of self-preservation is as ancient as law itself, and is based upon a natural right. The right of the Government to defend, protect, and preserve itself against whatever evil may threaten is a natural, inherent, fundamental, self-evident, incontrovertible, and paramount right.

And he calls attention to many enactments, penal in their nature, which are found in our statute book—crimes obstructing operation of government. There are a large number of them. The distinguished Senator from Massachusetts [Mr. HOAR] read yesterday from 7 Wallace which dealt with one—a mail agent of the United States. The statute provides that it is an offense against the Government of the United States to assault or obstruct in the discharge of his duty a mail carrier or a mail-route agent or one engaged in a duty immediately in connection with the administration of the Post-Office Department.

There is a statute which throws the protection of the United States in the same way around a surveyor upon the public lands. In other words, under the decision, and it must be true, there is no man holding an office under the United States, representing the executive part of the Government, engaged in the discharge of his functions, around whom Congress has not the power to throw the protecting shield of this Government, in the States and

outside the States, wherever the jurisdiction of the United States extends.

We have laws protecting the United States marshals in the discharge of their duties—men appointed by the President and removable by the President. We have laws protecting internal-revenue agents, inspectors, in the discharge of their duties, and in the discharge of their duties they often lose their lives and are often assaulted and often wounded. The Government under the legislation of Congress, necessary to its administration, has provided for the punishment of such assaults, and those offenses are cognizable in the Federal courts: and if an officer is killed raiding an illicit still in the discharge of his duty, the man who kills him, even though it be in a State, commits a crime against the Government of the United States which is punishable under the laws of the United States and triable in the courts of the United States.

It would be, Mr. President, a strange confession of weakness if the Government of the United States is obliged to rely for the protection of its officials, great and humble, upon the legislation and the judiciary of the States. I do not impeach the patriotism of the States when I say that. I only assert what the Supreme Court of the United States has asserted, that the Government of the United States, within the limits of its jurisdiction and sovereignty, is sovereign in the States and through the United States.

I recognize the sovereignty of the States. I care more for it now than I once did, and I resist and shall continue to resist any invasion by the Congress of the sovereignty of the States. But the Government of the United States must be able by its legislation and by its *posse comitatus* and by its power and by its courts to protect its own officials assaulted or murdered in the discharge of governmental duty.

Mr. PATTERSON. I have listened with interest to the very able argument of the Senator from Wisconsin, and I have paid particular attention to the Federal statutes to which he has referred providing for the punishment of those who may interfere with certain officers in the discharge of their duties. I am inclined to think that it is right along there that the Senator from Wisconsin and the Senator from Georgia differ.

Mr. SPOONER. We differ back of that, and there, too, perhaps. I do not know that we differ so much there.

Mr. PATTERSON. The question I wish to ask the Senator and to which I wish he would direct his attention is this: Without going into any further details——

Mr. BACON. Will the Senator pardon me, as he has stated my position? I have not interrupted the Senator from Wisconsin, because it was not necessary to do it——

Mr. PATTERSON. I want to know——

Mr. BACON. Pardon me a second.

Mr. PATTERSON. I wish to know whether there is any time when the President of the United States is not in the discharge of his duty?

Mr. SPOONER. I will get to that.

Mr. PATTERSON. That is the point.

Mr. SPOONER. As Mr. Justice Miller said, in the case of Cunningham *v.* Neagle (135 U. S.), which involved the killing of Judge Terry by Neagle, a deputy marshal, in protecting the life of Justice Field, the judiciary of the country, so far as the protection of its members is concerned, is the weakest of the coordinate departments of the Government. They call attention——

Mr. BACON. I am sorry to interrupt the Senator; but as both he and the Senator from Colorado have stated a proposition which relates to me, I hope he will let me interrupt him.

Mr. SPOONER. I said I am not certain that the Senator and I differ upon the matter I am discussing.

Mr. BACON. With very much of the Senator's argument on that branch I agree. In its application we probably differ in some degree.

Mr. SPOONER. The application of it is the point.

Mr. BACON. I do not interrupt the Senator now to state whether there may be some slight difference. I say upon the general proposition which he has been arguing there is no difference.

Mr. SPOONER. The court said it was the weakest. They are obliged to rely for protection—for they can appoint no one but a clerk—upon the marshal, who is appointed by the President, confirmed by the Senate, removable by another Department, the Executive; and the marshals in turn appoint, under the authority of the Attorney-General, their deputy marshals. In the Neagle case it became necessary to resort to a statute of California giving authority to the sheriff to prevent affrays and assaults, connected with a statute enacted by Congress giving the marshals within the States the same power, partly for those purposes, as the sheriffs, that they found justification for Neagle in protecting Justice Field by taking the life of Terry.

In that case Mr. Justice Field was not sitting upon the bench. A supreme justice of the United States, he had gone, as required by a statute of the United States, to his circuit, for the law required each justice once in two years at least to hold court in each district in his circuit. He had held court for a time in San Francisco. He had then gone to Los Angeles to hold court for a few days, and when the assault occurred he was traveling from Los Angeles back to San Francisco.

The Supreme Court held that he was—and this bears in a way upon the question which was put to me by the Senator from Colorado—engaged in the discharge of official duty laid upon him by the Constitution and laws of the United States when traveling from Los Angeles, where he had held court, to San Francisco, where he was to resume his position and function upon the bench, and that it was therefore entirely within the right of the Attorney-General, acting presumably under the instructions of the President, to detail the deputy marshal to accompany him, to sit by the bench in open court, to go with him to the hotel from the court, and to travel with him on the cars, armed every moment and watchful every moment, to protect him in the discharge of official duty, even to the point of taking life.

After Neagle had killed Judge Terry he was arrested upon a warrant issued by the State court and taken into custody. An application was made to the Federal circuit judge for a writ of habeas corpus to take him out of the custody of the State tribunal upon the theory that he had acted pursuant to a law of the United States, and that therefore his case was one exclusively of Federal cognizance. The writ was granted. He was discharged by the Federal court, and it was brought to the Supreme Court of the United States, where the question as to the relative jurisdiction of the State of California and of the United States was elaborately and very ably argued.

It was contended that the offense was one against the peace and dignity of the State of California. It was contended that there was no peace of the United States within a State, a doctrine long ago exploded, and this is what Mr. Justice Miller, one of the ablest judges and lawyers who ever sat upon that bench or any other, had to say upon the subject. He quotes from the Siebold case (100 U. S., 371), and quotes it with approval:

> Somewhat akin to the argument which has been considered is the objection that the deputy marshals authorized by the act of Congress to be created and to attend the elections—

That was made a Federal duty. The principle is the same—

> are authorized to keep the peace, and that is a duty which belongs to the State authorities alone. It is argued that the preservation of peace and good order in society is not within the powers confined to the Government of the United States, but belongs exclusively to the States. Here, again, we are met with the theory that the Government of the United States does not rest upon the soil and territory of the country. We think that this theory is founded on an entire misconception of the nature and powers of that Government. We hold it to be an incontrovertible principle that the Government of the United States may, by means of physical force, exercised through its official agents, execute on every foot of American soil the powers and functions that belong to it.

It can be done in Wisconsin. It can be done in South Carolina. It can be done in Tennessee or Georgia. In other words, if the function is a Federal one and the instrumentality is a Federal one, there is no State line so far as power is concerned.

> This necessarily involves the power to command obedience to its laws, and hence the power to keep the peace to that extent. This power to enforce its laws and to execute its functions in all places does not derogate from the power of the State to execute its laws at the same time and in the same places. The one does not exclude the other, except where both can not be executed at the same time. In that case—

And here is the line which we never ought to permit to be obliterated or minimized—

> In that case the words of the Constitution itself show which is to yield. "This Constitution, and all laws which shall be made in pursuance thereof, * * * shall be the supreme law of the land" * * * Without the concurrent sovereignty referred to—

"Without the concurrent sovereignty referred to"—

> the National Government would be nothing but an advisory government. Its executive power would be absolutely nullified. Why do we have marshals at all if they can not physically lay their hands on persons and things in the performance of their proper duties? What functions can they perform if they can not use force? In executing the process of the court, must they call on the nearest constable for protection?

When the presence of Terry on the train became known to Neagle he caused the conductor to telegraph to Lothrop, the breakfast station, advising the State officials of the danger and asking that peace officers be at the depot to aid him in protecting Justice Field. When the train reached its destination, the spot where the trouble came and where the assault upon the Federal official came, to protect him against which it was necessary to take a life, Neagle found no response from the State authority and no State official there to uphold or to aid him.

Can the Government of the United States exist without certainty that under the Constitution and under appropriate legislation everywhere it can protect the Federal agents in the discharge of Federal duties imposed upon them by Federal laws? Mr. Justice Miller continues:

> Must they rely on him to use the requisite compulsion, and to keep the peace, whilst they are soliciting and entreating the parties and bystanders to allow the law to take its course? This is the necessary consequence of the

positions that are assumed. If we indulge in such impracticable views as these, and keep on refining and re-refining, we shall drive the National Government out of the United States, and relegate it to the District of Columbia, or perhaps to some foreign soil. We shall bring it back to a condition of greater helplessness than that of the old confederation.

And they add:

It must execute its powers, or it is no government. It must execute them on the land as well as on the sea, on things as well as on persons. And to do this it must necessarily have power to command obedience, preserve order, and keep the peace, and no person or power in this land has the right to resist or question its authority so long as it keeps within the bounds of its jurisdiction.

And so they held that the President of the United States had the power as the official, possessing under our Constitution all executive authority, to direct the marshal to attend upon Justice Field and to protect him to the uttermost in the discharge of his duties.

Mr. President, what a strange thing it would be if the President of the United States has the power to protect the judges of the United States in the discharge of their duties in the States and everywhere and Congress has not power to protect the President of the United States in the discharge of his duties in the States?

The court in the Neagle case says something about the Executive. That brings me to the question put to me by the Senator from Colorado, whether there is any time or anywhere that the President of the United States is not in the eye of the law engaged in the discharge of public duties. I answer the question in the negative. The Constitution provides for the election of a President. The Constitution provides his term of office, and he is elected to serve the people in that capacity for the fixed term unless interrupted by disability or by the hand of God. No man has any right or power to interrupt that term or to interrupt in any way the discharge of those functions, and if he does it he commits not treason, but a crime against the Government of the United States, and he makes an assault upon the institutions of the United States.

The President is obliged to register an oath in heaven to take care that the laws are faithfully executed. The power of appointment is in him. The conduct of our foreign relations, of such infinite consequence, complexity, delicacy, and oftentimes danger. are primarily in his hands and in his mind. When is there a time in any waking hour when the President of the United States is not engaged in official duty?

Mr. TELLER. Mr. President——

The PRESIDING OFFICER (Mr. WELLINGTON in the chair). Does the Senator from Wisconsin yield?

Mr. SPOONER. I do.

Mr. TELLER. I do not like to interrupt the Senator, but I wish to ask him if there is within the term of four years for which the President is elected any time when or any place where he can not exercise the full functions of a President?

Mr. SPOONER. No.

Mr. TELLER. I think that covers the whole question.

Mr. SPOONER. If he goes off for a little vacation he summons his Cabinet around him when it is necessary.

Mr. TELLER. And he may sign bills.

Mr. SPOONER. He is in close communication with the White House. There is no official act which he can not perform. Of course when Congress is in session and laws are being enacted he naturally is here to approve or disapprove proposed legislation, but at home in Ohio, if he be from that State, or in the Rocky Mountains, where President Arthur went once, or anywhere in the United States or within its jurisdiction he may day or night perform any act imposed by the Constitution or by any act upon the President. He is always at his post of duty, for wherever he is there is his post of duty.

When is there a time and where is there a place in which he is exempt from the obligation of public duty? All of us know there is none. We are in public life; we have had occasion many, many times to meet Presidents of the United States; we have met the President at the banquet table; we have met him in his chamber; we have met him on the cars. When, tell me, is there a time that the mind of a President of the United States is free from a consideration of the duties of the Presidential office? When? There is none; and that is what makes the office one of burden, infinite, indescribable burden, which was breaking down the beloved man who at Buffalo was shot by an assassin.

The court say in the Neagle case, referring to his sworn duty, "that he shall take care that the laws be faithfully executed.

"Is this duty limited to the enforcement of acts of Congress or of treaties of the United States according to their express terms, or does it include the rights, duties, and obligations growing out of the Constitution itself, our international relations, and all the protection implied by the nature of the Government under the Constitution?" They answer the last question in the broadest affirmative.

If a judge dies, the President must appoint his successor. Public interest requires sometimes very prompt action. So with thousands of the other executive agents of the Government. He is obliged to act more than any man I know in the world upon an infinite number of exigencies in the course of the four years or the eight years of his term of office. His Cabinet officers aid him, but in the last analysis the burden is upon him because the responsibility is upon him.

We may protect mail carriers in the discharge of their duties; we may protect surveyors upon the public lands in the discharge of their duties; we may protect United States marshals in the discharge of their duties; we may protect the internal-revenue agents in the discharge of their duties; we may protect the judges in the discharge of their duties, but have we not the power, Mr. President, to protect the Chief Executive in the discharge of his duties?

Mr. RAWLINS. Will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield?

Mr. SPOONER. I am anxious to get through.

Mr. RAWLINS. I agree with the Senator about his argument.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield?

Mr. SPOONER. Yes.

Mr. RAWLINS. I do not think the Senator's positions are controvertible, so far as the President and Federal officials are concerned. But I should like to hear the Senator's views in regard to the provision of the bill relating to foreign potentates and as to the ground upon which he claims, if he does so claim, that that provision may with propriety be inserted in this legislation.

Mr. SPOONER. I will get to that when I come to it, Mr. President, if the Senator will permit me.

Mr. President, I am about through. It is admitted, Mr. President, indeed it is settled by the Supreme Court of the United States, that an officer of the United States assaulted in the discharge of a duty which he is performing pursuant to the laws of the United States is protected, or may be protected, by the United States, and the assault upon him is an offense against the Government and may be punished in the courts of the United States.

The Constitution says:

Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers—

Those are the powers of Congress, perhaps. Perhaps they are more than that—

and *all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.*

That is broader than men think unless they examine it critically.

Is not the President in every official act which he performs performing it in pursuance of a law of the United States? The Supreme Court say in the *Neagle case* upon this point:

And we are satisfied that if it was the duty of Neagle, under the circumstances, a duty which could only arise under the laws of the United States, to defend Mr. Justice Field from a murderous attack upon him, he brings himself within the meaning of the section we have recited. This view of the subject is confirmed by the alternative provision, that he must be in custody "for an act done or omitted in pursuance of a law of the United States or of an order, process, or decree of a court or judge thereof, or is in custody in violation of the Constitution or of a law or treaty of the United States."

Now, the court say:

In the view we take of the Constitution of the United States any obligation—

That means obligation of duty—

any obligation fairly and properly inferable from that instrument, or any duty of the marshal to be derived from the general scope of his duties under the laws of the United States, is "a law" within the meaning of this phrase. It would be a great reproach to the system of government of the United States, declared to be within its sphere sovereign and supreme, if there is to be found within the domain of its powers no means of protecting the judges in the conscientious and faithful discharge of their duties from the malice and hatred of those upon whom their judgments may operate unfavorably.

So in that view the Constitution imposing these duties upon the President, which he has sworn as required by that instrument to discharge, puts upon him an obligation to perform those duties, and in performing them, each one of them, large or small, he is performing a duty pursuant to a law of the United States and in obedience to the Constitution of the United States. If we may protect the other agencies of the Government which I have mentioned by throwing the Federal power around them, we certainly may protect the President of the United States from assassination and assault, for he is executing, as the question of the Senator from Colorado implied, the obligations of the Constitution and the duties of the Presidency everywhere and all the time, in the eye of the law, during his term of office.

The court had something to say in this case also on the question of State rights, which I do not think should be much considered here, for in the view of the court it is no invasion whatever of the rights of the State. I will not take the time to read what the

court say, for I am anxious to be through. It is very brief, and I ask leave to incorporate it in my remarks.

The matter referred to is as follows:

It can act only through its officers and agents, and they must act within the States. If, when thus acting, and within the scope of their authority, those officers can be arrested and brought to trial in a State court for an alleged offense against the law of the State, yet warranted by the Federal authority they possess, and if the General Government is powerless to interfere at once for their protection—if their protection must be left to the action of the State court—the operations of the General Government may at any time be arrested at the will of one of its members. The legislation of a State may be unfriendly. It may affix penalties to acts done under the immediate direction of the National Government and in obedience to its laws. It may deny the authority conferred by those laws. The State court may administer not only the laws of the State, but equally Federal law, in such a manner as to paralyze the operations of the Government; and even if after trial and final judgment in the State court the case can be brought into the United States court for review, the officer is withdrawn from the discharge of his duty during the pendency of the prosecution and the exercise of acknowledged Federal power arrested. We do not think such an element of weakness is to be found in the Constitution.

The United States is a Government with authority extending over the whole territory of the Union, acting upon the States and upon the people of the States. While it is limited in the number of its powers, so far as its sovereignty extends it is supreme. No State authority can exclude it from the exercise of any authority conferred upon it by the Constitution, obstruct its authorized officers against its will, or withhold from it for a moment the cognizance of any subject which that instrument has committed to it.

Mr. SPOONER. Now, Mr. President, I have said all that I care to say upon the subject. It is of vital consequence; it is fundamental. If the opposite doctrine can be maintained, this is not much of a Government. For one I never shall believe in any doctrine, wherever declared or however argued, which involves a denial to the Government of the United States through the Congress of the power to define as a crime the assassination of a President or a Vice-President or the assault with intent to assassinate him or a conspiracy to take his life.

I am quite well aware that I have discussed this in a desultory way; but I have great earnestness concerning it, because I regard it as so vital. The other objections made to this bill I do not care to spend much time upon.

Mr. RAWLINS. Will the Senator from Wisconsin permit an interruption?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. SPOONER. I do.

Mr. RAWLINS. I have to go away, and there is one point to which I want to invite the Senator's attention and also the attention of the Senator from Massachusetts. It is in regard to the next section—an attempt to kill the President. I find in a standard author upon criminal law this language in relation to attempts:

A crime once committed may be pardoned, but it can not be obliterated by repentance. Therefore, if a man resolves on a criminal enterprise, and proceeds so far in it that his act amounts to an indictable attempt, it does not cease to be such though he voluntarily abandons the evil purpose.

Now, this point troubles me. Suppose a man proceeds so far as to be guilty of the indictable offense of an attempt to kill the President but he repents before inflicting the fatal blow and abandons the purpose, he may under this second section of the bill be indicted, and if convicted of that offense he must be punished with death. I think before a man is punished with this capital degree of punishment he ought to have room for repentance.

Mr. SPOONER. He ought to repent before he tries it.

Mr. COCKRELL. That is the time.

Mr. HOAR. Before he commits the offense, and not afterwards.

Mr. TELLER. If he repents before he tries it, then he is not guilty at all.

Mr. RAWLINS. If the Senator will read the decisions defining attempts to commit crime, he will find——

Mr. HOAR. May I ask the Senator a question? What would he do with a man who shoots at the President, misses him, and then repents before he shoots again? Would he call it square?

Mr. SPOONER. And says he shot to miss, if he did miss.

Mr. RAWLINS. I suppose I would punish him according to the degree of his offense. If a man should buy a gun under excitement or some great provocation, with a declaration that he intended to use it to take the life of the President, and as soon as he recovered his senses and deliberated upon the question repented and went no further, I would not punish that man capitally.

Mr. HOAR. That is not an attempt.

Mr. SPOONER. That would not be an assault with intent to kill the President.

Mr. HOAR. Nor an attempt either.

Mr. SPOONER. Nor an attempt.

Mr. RAWLINS. There are many decisions which would so hold.

Mr. McCOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Maryland?

Mr. SPOONER. I have yielded to the Senator from Utah, if the Senator does not intend to read that book.

Mr. RAWLINS. I intend to read only a brief paragraph.

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Maryland?

Mr. McCOMAS. Only for a question. Has not the Senator from Utah confounded a threat with an attempt? He has described simply a threat and not an attempt.

Mr. RAWLINS. I will read what Mr. Bishop, a standard author on criminal law, says:

The subject of this chapter is alike intricate and important.

That relates to attempts.

The reports are full of cases upon it, yet it is but imperfectly understood by the courts.

Then he proceeds to elaborate the great uncertainty based upon the decisions of this question as to the degree of action that is necessary in order to involve the crime of attempt, and confesses that upon the decisions it is left in utter uncertainty. The mere intent to do it is not sufficient, but if the intent is coupled with any act making progress in the direction of the consummation of the intent, it is held to be an attempt indictable and punishable as such.

I am in favor of protecting the President and every other person in the exercise of his duties as an officer, but there is some trouble in my mind upon the second section. It goes beyond anything in this country heretofore and anything attempted in foreign countries.

Mr. SPOONER. Has the Senator any decision which holds that if a man said he would commit an offense and bought a revolver and took it home and thought the thing all over and then concluded that he would not commit the offense, that constitutes an attempt to commit the offense?

Mr. RAWLINS. I do not know that I have a decision exactly like that, but the Senator will find numerous decisions. There must be an act, it is true. But I commend this chapter of this standard author upon criminal law to the consideration of the Senator from Wisconsin and the Senator from Massachusetts. That is all the interruption I desire to interpose.

Mr. SPOONER. Mr. President, I have had some experience in the practice of the criminal law, and with great deference to my friend from Utah, I do not see that the case which he puts could by any human possibility be contended by anyone to come within the languare of section 2.

Mr. TELLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. I do.

Mr. TELLER. I am not a criminal lawyer myself, and I may be mistaken, but it seems to me that we do not change the ordinary methods of declaring this crime an attempt to kill. We may put a more severe penalty upon it, but that is all there is in this case.

Mr. SPOONER. That is the first section. Section 2 refers to the first section for a definition of the offense.

Mr. RAWLINS. The ordinary definition of an offense which involves an attempt to commit murder is pretty well defined in the law. It is embraced in all our statutes. But the crime of an attempt to commit murder is not thus so clearly defined. The decisions, as stated by this author, are entirely in irreconcilable uncertainty, if not in conflict, as to the degree of action necessary to constitute that offense coupled with the offense. If it is an assault with intent to commit murder it must be a direct assault. That change, in my judgment, would very much improve the section.

Mr. SPOONER. I was not giving attention to the particular language of section 2, but I have no doubt myself that a man who assassinates the President ought to die for it under a Federal law.

Mr. RAWLINS. The Senator need not look at me and make that statement with such emphasis. I think the same as he does about it.

Mr. SPOONER. My friend must not suppose that I entertained any other thought of him. I think a man who attempts to kill the President ought to be punished with death.

If President McKinley had been permitted to live and in a measure recover, wounded and hurt, to linger along for years a different man, his assassin would have been punished for an assault with intent to commit murder by imprisonment for ten years; in other States it might be less or it might be more. All I have to say about that is that, regardless of the laws of the States, it ought to be made by an act of Congress punishable by death, Mr. President, and if the Senator is not satisfied with the language, I suppose, if there is good reason for it, the Senator from Massachusetts will consent to a modification. I see no objection to the language as it stands.

Mr. HOAR. If the Senator will pardon me, I would make any reasonable modification I could. I know the great legal ability of the gentlemen on the other side of this question, and any language that would meet their grave doubts that will not impair

the substance and strength of this bill—mere phraseology—I should be glad to accept.

Mr. SPOONER. Mr. President, the Senator from Utah [Mr. RAWLINS] asked a question and disappeared.

Mr. CARMACK. The Senator from Utah has been called from the Chamber to attend a committee meeting.

Mr. SPOONER. I have no doubt the Senator is necessarily absent, but I will answer him in the language of Judge Aldrich. The Senator asked me a question as to the power of Congress to punish the assassination of an ambassador, and I indorse what Judge Aldrich says upon the subject. He states it better than I can.

Section 3 proposes to include within its provisions ambassadors and ministers from foreign countries.

That is a section of the bill which Judge Aldrich had prepared; it is a very ably drawn bill, and covers more than this bill does.

Mr. COCKRELL. The language of the bill is, "the sovereign or chief magistrate of any foreign country."

Mr. SPOONER. The Senator from Utah asked me about ambassadors.

Mr. COCKRELL. I thought he asked you about the killing of the sovereign or chief magistrate of any foreign country.

Mr. SPOONER. Judge Aldrich answers it. He says:

The obligation of protecting such foreign agents has existed, under the principles of international comity and the law of nations, at least since the days of Vattel and Phillimore—

An offense against the law of nations is entirely within the jurisdiction of Congress so far as legislation is concerned. I do not need to spend time upon that. I did intend to comment upon the strictures made by the Senator from Georgia upon section 3 and section 5, denouncing as an offense the act of—

any person who shall, within the limits of the United States, or any place subject to the jurisdiction thereof, instigate, advise, or counsel the killing of the President or Vice-President of the United States.

Mr. MCCOMAS. If it will not interrupt the Senator, I will state that the Supreme Court, in the case of the United States *v.* Arjona, in 120 United States, held that the law of nations requires every national government to use due diligence to prevent wrong being done within its own dominion to another nation, and especially would this apply in the killing of the sovereign of another nation.

Mr. SPOONER. Yes; it arises out of the law of nations. I remember that case.

That or kindred language is found in several places. It is objected that under that language an innocent man might be convicted. That might be said, as was remarked by the Senator from Massachusetts yesterday, of any offense. Innocent men have been convicted of murder, of forgery, and of almost every offense in the catalogue of crime. But one consideration escaped the Senator from Georgia, I think, in his criticism of this language, and that is a well-settled rule of construction.

This is a highly penal statute, and its language would, of course, be strictly construed. It can not be enlarged by intendment. The word "instigate" is defined "to bring about by inciting," "to provoke." Its synonyms are "to abet; to animate; to encourage." For forty years the word "incite" has been in the Statutes against insurrection and rebellion. (Sec. 5334, R. S.) Anyone who advises, counsels, abets, incites, encourages, or provokes the assassination of the President of the United States ought to be punished, as provided in this section, by imprisonment at least for twenty years.

Mr. PATTERSON. Mr. President, I want to ask the Senator from Wisconsin whether or not the object uppermost in the minds of Senators who feel as he does—and they are on both sides of the Chamber—would not be met by having the law so framed as to punish with death the murder of the President or of foreign rulers, or even for a conspiracy to commit such an offense against the President.

I am perfectly satisfied that if the bill is so framed as to provide for the punishment within the Federal jurisdiction of those who commit murder, or who attempt to commit murder, or are particeps criminis, or who are accessories before or after the fact of murder against the officials mentioned, such a bill will receive a very considerable vote upon this side of the Chamber; and it seems to me that the bill should be so framed as to meet those offenses, and none others.

Mr. SPOONER. That is not all the provision that ought to be made.

Mr. CULBERSON. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. I shall be through in a moment, but will yield if the Senator wants to ask me a question.

Mr. CULBERSON. I dislike very much to interrupt the Senator, but I have an engagement which takes me from the Chamber, and I have drafted a substitute for the bill which we are now considering, which to a certain extent, and probably to the full extent, meets the suggestion of the Senator from Colorado [Mr. PATTERSON] who has just taken his seat. If the Senator from Wisconsin will kindly let me offer the substitute and have it read, I shall be greatly obliged to him.

Mr. SPOONER. Certainly.

The PRESIDING OFFICER. The Senator from Texas asks to have read a substitute for the pending bill, which will be read by the Secretary in the absence of objection.

The Secretary read as follows:

Substitute intended to be proposed by Mr. CULBERSON to S. 3653, entitled "A bill for the protection of the President of the United States, and for other purposes."

Strike out all after the enacting clause and insert the following:

"SECTION 1. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, willfully and maliciously kill the President of the United States or the official next in succession to the Presidency under the Constitution and laws of the United States, or who shall willfully and maliciously kill the sovereign or chief magistrate of any foreign country, shall be punished with death.

"SEC. 2. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, attempt to commit either of the offenses mentioned in the foregoing section shall be punished with death.

"SEC. 3. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, advise or counsel the killing of the President of the United States or the official next in succession to the Presidency under the Constitution and laws of the United States, or shall conspire with any other person to accomplish the same, or who shall advise or counsel the killing of the sovereign or chief magistrate of any foreign country, or shall conspire with any other person to accomplish the same, shall be punished by imprisonment not exceeding twenty years.

"SEC. 4. That any person who has conspired as aforesaid may be indicted and convicted separately, although the other party or parties to the conspiracy are not indicted or convicted.

"SEC. 5. That any person who shall willfully and knowingly aid in the escape from punishment of any person guilty of either of the offenses mentioned in the preceding sections shall be deemed an accomplice after the fact, and shall be punished as if a principal, although the other party or parties to said offense shall not be indicted or convicted."

Mr. SPOONER. Mr. President, I do not wish to occupy any further time. My main purpose was to discuss the constitutional question raised by the Senator from Georgia. I think this bill, or its substance, ought to be enacted. I have no doubt whatever about the power of Congress to enact it. I believe it should contain some strong provisions to punish men who advise orally or by printed words the assassination of the President of the United States, or of one in line of succession. That is a grievous offense; it is not liberty of speech, it is license, which ought not to be tolerated. Sometimes, strong men, by the use of words of counsel or advice or an adroit utterance, intentionally and almost inevitably lead some weaker tool to perpetrate this awful crime. I would not invade the liberty of the press; I would not invade the liberty of speech; but I would throw around the Presidential office some safeguards against the effect of such diabolical assaults and dangers. I have finished.

Mr. VEST. Mr. President, I wish to ask my friend from Wisconsin a question. I have great respect for his opinion as a lawyer and a legislator, and I want to say frankly that I am anxious to vote for this bill if I possibly can.

Does the Senator not think, as a lawyer, that the object which he has just stated in concluding his remarks will be fully attained by changing the language of the bill as he has quoted it, so that it will read: "Aid, abet, advise, or counsel the assassination of the President of the United States?"

Mr. SPOONER. I do. I have stated that I was not wedded to any particular language in this bill. I think the language which the Senator suggests will accomplish the purpose.

Mr. VEST. If the bill is made to read, "aid, abet, advise, or counsel," I then shall vote for it with great pleasure, but I state frankly—I may be wrong; it may be the effect of bad education politically—but I have a great antipathy against the old alien and sedition laws, after a study of the history of them. I have been confirmed in my impression against that legislation, and this bill is nearly a copy of those old alien and sedition laws.

Mr. President, the word "instigate" is too loose. I know that I have been accused by the public press and on this floor of having instigated rebellion against the United States, when I have only given my honest judgment on questions pending here. To submit to a court, with a judge who has very decided opinions upon the question, who is not a capable lawyer—and there are some such judges—and let the question of whether this offense has been instigated come in times of great political excitement before a jury taken from the district in a Federal court, or in a State court from the county, and every lawyer and every layman who has intelligence can see what abuse and what outrage it would justify and which would be perpetrated upon that word "instigate," with the definition given by the Senator from Wisconsin, who, I believe, has read it from some authority.

Mr. PATTERSON. I should like to ask the Senator from Missouri a question, if he will permit me.

Mr. VEST. Certainly.

Mr. PATTERSON. Are not the terms "counsel or advise"

as capable of as much misconstruction as the word "instigate?" Here is the difficulty, and I want to call the attention of the Senator from Missouri to it: You may be engaged in conversation with a single individual. He may construe what you have said as advising or counseling him to murder the President. He alone can have you indicted, and upon his testimony alone you may be punished for the offense of having counseled or advised him to commit murder. There is no overt act required in connection with the charge.

Mr. HOAR. That is an overt act.

Mr. PATTERSON. Oh, no; not within the meaning of law. I ask pardon of the Senator from Massachusetts. "To advise" is not an overt act. It gives too much opportunity in times of great political excitement or otherwise for personal revenge or the reeking of private hate and spleen, for one man to be able to say, without a single overt act being provable or having been committed, that his friend or his neighbor or his enemy in a conversation with him advised or counseled him to commit such a heinous offense.

I can not and never will vote for a law that is capable of such wrong against the citizen, when, if the offense is that of conspiracy, then there must be two minds at least meet toward the accomplishment of a given design; but where you make the punishment of any citizen dependable upon a word or a sentence that may drop from his lips inadvertently or otherwise, and his punishment be dependable upon the testimony of a single individual as to what that conversation was, I never can bring myself to vote for it.

Mr. VEST. It seems to me it is entirely immaterial whether it is conspiracy or an individual act, provided it brings about the crime which we are seeking to prevent and punish.

Mr. PATTERSON. But the trouble——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. VEST. Of course.

Mr. PATTERSON. To punish for advising or counseling is to punish a man though he may not bring about the crime. I may be accused of having advised the killing of the President, and yet the President may never have been in danger of receiving a single blow.

Mr. VEST. All that is a question for judicial determination. If my friend from Colorado waits for legislation which will meet every conceivable contingency in a court of justice, he might as well abandon the idea of any legislation at all. Hard cases do not make the law. It must be a very weak judge and a very ignorant or corrupt jury who do not understand what the words "counsel and advise" mean.

Mr. PATTERSON. I venture the prediction that there is not such a law as that to be found upon the statute books of any State. There is no provision, I will venture the assertion, upon the statute books of any State that punishes a man for counseling or advising anything. It must be more than that; it must go far beyond that.

Mr. MCCOMAS. Will my friend from Missouri permit me to interrupt him for a moment?

Mr. VEST. Of course.

Mr. MCCOMAS. I wanted to interject the remark that the venture of the Senator from Colorado [Mr. PATTERSON] is a very rash venture. I could within an hour and a half produce hundreds of such instances as those he challenges; but my purpose was to suggest to the memory of the Senator from Missouri [Mr. VEST] that the word "instigate" is the apt legal word, meaning to incite or provoke, and I wish to endeavor to refresh his recollection by saying that in many of the legal definitions of crime it is used even more frequently than "incite" as the equivalent of the terms "aid" and "abet." It is the precise legal term, I respectfully submit, for the purpose here intended.

Mr. VEST. Mr. President, I do not know that I understand the Senator from Maryland exactly. Does he mean to say that the words "aid or abet" would be sufficient?

Mr. MCCOMAS. I say that in criminal statutes "instigate" means to incite or provoke. It is used with "advise and counsel" or with "aid and abet," but it covers all there is in "incitement," all there is in "provoking," and it does really include "counseling" and "advising." I mean to say that it is the apt legal term in this connection in the section where it is used. I submit that to the recollection of the Senator from Missouri.

Mr. VEST. That is very probable; and there may be other words which would meet my approbation and accomplish my object better than those I have suggested. I mean simply that this statute, in my judgment, should be so framed as to reach every human being—if it shall be but one human being—who in any way, directly or indirectly, aids or abets or is accessory before the fact or counsels or advises—those words are very distinctly understood in law and in everyday life—the terrible crime which has been three times committed in this country within recent years. I would vote with pleasure for this bill, although there are objectionable features in it; but I will sacrifice my individual opinion as to the other things if this objection I make can be removed.

Mr. HOAR. Will the Senator state exactly the amendment he desires to have made?

Mr. VEST. I have not a copy of the bill before me, but I suggest that the words "aid, abet, counsel, or advise," be used.

Mr. HOAR. I will accept that amendment.

Mr. VEST. That is all I ask.

Mr. HOAR. I move to strike out the word "instigate," and substitute the words "aid, abet." If there be no objection, I ask that that amendment may now be adopted.

Mr. TELLER. Where does the amendment come in?

Mr. HOAR. In the third line on the second page of the bill.

If I may be allowed to say so, I agree with the Senator from Maryland [Mr. MCCOMAS] that the word "instigate" is the proper legal term, and not only is it the proper legal term, but it is a term requiring more certainty of a deliberate purpose to induce another man to commit an act than are the words "counsel" and "advise." But, in deference to the desire to make this bill satisfactory, without sticking on immaterial matters and in deference to the Senator from Missouri, I will accept his amendment.

The PRESIDENT pro tempore. Will the Senator from Massachusetts state the amendment he desires made?

Mr. HOAR. I move to strike out the word "instigate" in the third line of section 3 of the bill and to insert the words "aid, abet."

The PRESIDENT pro tempore. The Chair understood the Senator from Missouri had two other amendments to offer.

Mr. HOAR. I ask that the one I have just suggested may be first accepted.

Mr. PETTUS. I desire to know where those words are to come in.

Mr. HOAR. In section 3, page 2, line 3, to strike out the word "instigate" after the word "thereof."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In section 3, on page 2, line 3, after the word "thereof," it is proposed to strike out "instigate" and insert "aid, abet."

Mr. TELLER. Now, let the first part of the section be read as it will stand when amended.

The Secretary read as follows:

That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, aid, abet, advise, or counsel the killing of the President or Vice-President of the United States or any officer thereof upon whom the powers and duties of the President may devolve, etc.

The amendment was agreed to.

Mr. MALLORY. Mr. President, I wish to call the attention of the Senator from Massachusetts to the fact that the word "instigate" again occurs in section 5, on line 18 of page 2.

Mr. TELLER. That should be stricken out.

Mr. HOAR. In section 5, on page 2, line 18, I move to strike out the word "instigate" and insert the word "counsel."

The PRESIDENT pro tempore. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. In section 5, on page 2, line 18, after the word "or," it is proposed to strike out the word "instigate" and insert "counsel;" so as to read:

That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, by spoken words, or by written or printed words, uttered or published, threaten to kill or advise or counsel another to kill the President or Vice-President of the United States, etc.

The amendment was agreed to.

Mr. TELLER. Mr. President, I do not desire to take much time on this bill, for it has been very thoroughly discussed. I do not suppose that the Senator from Massachusetts [Mr. HOAR] will ask us to vote upon the bill to-day, for I am sure we should all like to see the substitute offered by the Senator from Texas [Mr. CULBERSON] in print. I do not suppose there is any great haste to reach a vote on the bill to-day.

I have not any question of the power of Congress to enact legislation of this general character. I assume that the Government of the United States has the power to protect its officers and to punish offenses against them, which follows the right to protect. I can scarcely conceive how the Government of the United States could be administered under certain conditions if the Government did not have the power in its own courts to protect its officers.

I have not been one of those who felt that there was such a crying need for legislation of this character as some other Senators appear to think there is. I am anxious to vote for some proper bill, because I think the public sentiment of the country has been aroused on this subject, and the people seem to think that some legislation should be enacted, but I want a bill that shall be as nearly perfect as it is possible to get it.

I realize that it is impossible to prevent some abuse of any provision that we may insert in this or any other bill. In my opinion, the bill has been very much improved by striking out the word "instigate," for while the Senator from Massachusetts says that is the proper word, it is a word of extremely broad definition, and is synonymous with "incite." I know, as the Senator from Missouri [Mr. VEST] said a few minutes ago, that a number of Senators have been charged on this floor with inciting rebellion in the Philippine Islands, because they did not agree with the method by which the war was being carried on over there, who had as little idea or desire to instigate opposition to the Government as any other Senators here. But in times of extreme excitement those words might be used injuriously, and they are not necessary for the purpose for which this bill is designed.

This bill, as originally prepared, seems to have been more of a measure to punish parties who should assault the President than to protect the President, although it is professedly "for the protection of the President of the United States, and for other purposes." The other purposes seem to me to be the principal thing; that is, the punishment.

The seventh section, which I think is objectionable, but which I do not consider sufficiently objectionable to compel me to vote against the bill, came in by an amendment of the committee, I understand. I do not like it. I prefer very much that the protection of the President shall be remitted to the civil branch of the Government and not the military. I should like very much if the Senator who has the bill in charge would look it over and see if he can not authorize the Secretary of War or the Secretary of the Treasury, who has charge of the secret-service force of the Government of the United States, to protect the person of the President by a guard which, to do it effectually, must be a secret guard.

The President of the United States has had that for many years, and I have not the slightest doubt that if there had been attempted in Washington what occurred in Buffalo, it would have been frustrated before the crazy assassin could have reached him. But the President having gone to Buffalo, there was a disorganization of the ordinary methods of providing for and looking after the safety of the President which have been in vogue here for many, many years under all the Administrations about which I have known anything since I have been here, and to a very much larger extent in the last few years than in the early years of my service in this body. I am not complaining of that, because as the population grows greater the danger will be greater. The ordinary methods have been through the secret service of the Government, but the President being away, that service was disorganized, and the probability is that the slight change of a gentleman connected with that service from the usual position he had with reference to the President permitted the catastrophe.

There never will be a time when by any legislation of this character, or any other, you can entirely secure the person of the President of the United States as the head of this Government. No severe punishment, I do not care how severe it is, will do it, and, as a rule, I think the experience of mankind has been that the severity of punishment is not a deterrent of crime. I believe it is a proposition which I need not elucidate, for I believe everybody admits it. When Great Britain had a great many more capital offenses, amounting to more than 200, crime was more rampant and the same offenses were more frequent than with punishments of less severity. So I think as a principle it does not remove the danger to the President of the United States to say that a man who attempts to kill the President is going to be punished by death, or, if he does kill him, that he shall be punished by death.

The danger to the President of the United States comes from two classes of people: One whom we denominate anarchists—to which class it is said the assassin of the late President belonged—and the other are crazy people or people who are not normal. I do not suppose I expose anything that the public does not know when I state that it is almost a weekly occurrence that somebody comes here with a view in his mind of assassinating the President—some crazy man, some foolish fellow, like the man who came here last fall and said he had been elected and not Major McKinley, and he wanted to take the office. There is all that kind of thing. That is the class of people you have to contend with. That is the class of people for whom you want this guard. If any man of determined spirit makes up his mind to kill the President and take the consequences, the chances are very greatly that he can do it, and there is nothing we can do which will prevent it. But we certainly can throw some safety around the President of the United States. However, I do not think we shall throw it around the President by making the Army the agent of his protection. I think it would be a great deal better to leave it where it has been. I suppose everybody knows that in the last Administration we did not make so large appropriations perhaps for that purpose as in some former Administrations, and yet if we had made ten times the appropriation that we did make, the crime would have been committed.

I am anxious to vote for this bill, as I say, not because I think it is so very necessary, nor because I believe it will accomplish very much, but because it meets a public sentiment which has been very rife since the killing of the President of the United States. And yet I am anxious that the bill shall be amended so that not only in its actual administration, but in its general appearances, that it shall have proper regard for the rights of free speech and the freedom of the press. Of course I know it is possible that you may convict any man under any criminal law of a crime named in the law who is not guilty of any crime at all. Those things we can not by legislation avoid, but we can diminish the danger somewhat by using proper words, and we can take away somewhat the temptation to somebody who wants to pursue some other person—to trump up, in common parlance, a charge against the citizen—when there is not any ground for it. That is one reason why I object to the word "instigate." I think the term is broader than is necessary, and I think it would be very easy to say that Mr. Jones or Mr. Smith made a speech somewhere which was calculated to incite the populace to the extent of killing the President or somebody else when the speaker had no idea of any such purpose and when, perhaps, that was not the real result at all of his speech. It is delicate ground. It is not necessary in this bill, or in any other, to go to that extent. If we say that any person who shall willfully and maliciously, as I understand the bill now reads——

Mr. COCKRELL. Has the word "maliciously" been inserted?

Mr. TELLER. I will ask the Senator from Massachusetts whether the word "maliciously" has not been inserted after the word "willfully."

Mr. HOAR. No.

Mr. TELLER. Then I think——

Mr. HOAR. I have said at some time that I would consent to have that word put in. Indeed I am willing to put in what some Senators thought they would rather have——

Mr. COCKRELL. Mr. President, has the word been put in?

The PRESIDENT pro tempore. It has been.

Mr. TELLER. It has been inserted?

The PRESIDENT pro tempore. It has.

Mr. TELLER. That is the equivalent of saying "murder." Some Senators have said they preferred "murder." I should not care about it. I do not think there is any real difference between the terms.

The first section provides that "any person * * * who shall willfully cause the death of the sovereign or chief magistrate of any foreign country shall be punished with death." Of course, that means who shall do so in this country?

Mr. HOAR. Yes.

Mr. TELLER. Otherwise we would not have any jurisdiction.

Mr. HOAR. It says so in the early part of the section.

Mr. TELLER. Yes; subject to the jurisdiction of the United States.

Mr. HOAR. It says so in both places.

Mr. TELLER. The Senator from Georgia has proposed an amendment which seeks to distinguish the act of killing when the President is performing the functions of his office and when he is not. I can not quite see how we can do that.

Mr. BACON. If the Senator will pardon me, he does not state accurately the character of the amendment.

Mr. TELLER. Perhaps I do not. I will let the Senator state exactly what it is. The amendment says, "Because of his official position."

Mr. BACON. Yes.

Mr. TELLER. The Senator means a person who shall kill him because he is President, "or for the purpose of destroying the Government or impairing the execution of its constitutional powers." It does not make a bit of difference whether the murderer intends to impair the execution of the constitutional power, he does it by the murder. I do not know exactly how you are going to determine the question "because of his official position," because he is President.

Mr. BAILEY. Does the Senator mean to say that the killing of anybody necessarily interrupts the constitutional functions of government?

Mr. TELLER. It interrupts their exercise for the time being, of course.

Mr. BAILEY. It can not possibly, because the succession is provided for under the Constitution and under the law of Congress, and while it may delay——

Mr. HOAR. That interrupts.

Mr. BAILEY. A moment. While it may delay for an hour until the successor can come to take the oath of office, still the experience is that the successor is always near at hand to take the oath, and in theory, as well as in fact, the succession is almost

instantaneous. There never has been an interruption of the constitutional functions of government by reason of the death, either violent or peaceful, of any President of the United States.

Mr. TELLER. It is very easy to imagine that such a thing might happen.

Mr. HOAR. Suppose the shot had been immediately fatal and the Vice-President had been at a distance. Take a case before the days of steam and the telegraph. Suppose Washington had been assassinated and John Adams was at Quincy, Mass.

Mr. BAILEY. Even in that day they had no such law as this, although the inconveniences of travel and notification were very much more serious.

Mr. HOAR. Now, the Senator——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the two Senators?

Mr. TELLER. I yield.

Mr. HOAR. The Senator undertakes to make an argument to the effect that there can be no interruption, practically and substantially, in the functions of the Presidential office by reason of the murder of the President. When it is suggested to him that the Vice-President or the next person in succession may be absent and not get the news for a day, or perhaps some things are required to be done within an hour, or that John Adams was at Quincy when General Washington was in Philadelphia, he answers, "Oh, well, we did not have any such law as this."

Mr. TELLER. Because it has not been the case that there has been an interregnum of any great length it does not follow that there never will be. In the recent case the Vice-President, it is true, was hunting. He had every reason to suppose that there was no necessity for his remaining in the vicinity of the injured President. Everybody in the United States believed he was on the road to recovery, and he believed it. Now, if he had succeeded in getting into the wilderness with his guide, where he might have got in another day, it might have been a week before he could have been found. So in that case there certainly would have been an interruption in the exercise of the Executive power. Nobody else, not even the Secretary of State, in the lifetime of the Vice-President can act. It may be a remote contingency and may not often occur.

But I do not know how we are to determine whether the man who kills the President kills him for the purpose of destroying the Government or impairing the execution of its constitutional powers or whether he kills him because he has some grievance against him, as it was said the murderer of Garfield had.

I suppose in the case of the late President there is no question but that the party assassinating him intended to bring about some condition, and probably in his crazy brain he did not understand exactly what; but he intended to interrupt at least the executive functions of the Government, and I suppose he would fall under the provision. I doubt whether you can make those fine distinctions in a bill like this. The President of the United States must at all times be presumed to be in the exercise of the functions devolved upon him by the Constitution and his election, because, as I suggested when the Senator from Wisconsin was speaking, the place of exercising those powers is coextensive with the whole boundaries of the United States.

We have a sort of unwritten law that the President shall not exercise any of the functions of President if he be outside of the country, and that he might abandon his office if he went out. So I presume there is no President who will go out. But we have had a number of instances of the President calling the Cabinet together in the State of New York, in the State of New Jersey, I think in the State of Ohio during the last Administration, and nobody has ever doubted that he could perform every function there that he could perform in this city. At least I do not think anyone ever has. I suppose if a bill should pass and the President had gone over to Maryland, and happened to be over there and the bill was brought to him there he could sign it just as well in Maryland or Virginia as in the District of Columbia.

I see the purpose that the Senator from Georgia has in trying to make a distinction between the official of the United States and an individual citizen of the United States, which the President is in one sense of the term.

I do not think in this discussion there is any necessity for anybody to complain of Senators who have wanted to exercise supreme care, I may say, in getting this bill in proper shape. I desire to vote for it, as I know every other Senator here does, if it commends itself to him in general principles. If it does not violate any fundamental principle of government, every Senator here wants to vote for it of course. Some Senators feel, and I felt so myself, that it was unnecessarily open to criticism; and if I find when I come to read the substitute offered by the Senator from Texas that it meets my views better than this measure, I mean to vote for it, and I do not want anybody to get up here or anywhere else and say that I am less concerned about protecting the person of the President of the United States than they are because I do not see fit to insert in the bill all the provisions they see fit to insert in it. I think it is hardly fair because certain Senators have criticised this bill that there should be criticisms of the Senators to the extent of intimating at least that the criticisms are simply for the purpose of finding fault with the bill and not for making it a perfect and complete measure.

I have followed the Senator from Georgia in his discussion of this bill, and I think it has been able and conservative, and many of his ideas I think meet the approval of Senators who want to vote for the bill and who perhaps will vote for it, although it does not suit them in every particular.

As I say, I do not like to vote for section 7. I do not think it is a nice thing for us to use the Army for the purpose of protecting the President of the United States, and yet there is no great principle involved in it, because it is a limited use of the Army. It is a violation of the general principle that the laws of the United States shall be enforced, not by the Army, but by the civil branch of the Government, and yet I should hardly feel disposed to vote against the bill simply because section 7 does not meet my approval. But I believe the Senator from Massachusetts might make it so that it would meet my approval and the approval of a good many others by simply authorizing the Secretary of War to detail persons for this duty, without saying that they must be detailed from the Army, leaving it discretionary with him as to whether he will take civilians, but putting a duty upon him which I can see the propriety of doing, because I know that no President of the United States will want to take that step. I know the present President of the United States would not like to do it. I do not believe the successor to President Garfield would liked to have taken the step.

It might have been construed that he was afraid of being assassinated. We have the power to determine what protection the President should have, and of course I think we can say if we choose that the Army may be used; but I do not like to do it. I am afraid next time somebody will want the Army used somewhere else to enforce the law, for which it may be used under certain circumstances; but it ought not to be so used except under extreme circumstances.

For that reason I have made the motion to strike this out. I do not intend to press the amendment, but if the Senator who has the bill in charge thinks it ought to be in here and does not think he can make any change in it, I am not going to press my amendment, because if it should be voted down I should not for that reason feel compelled, the other provisions in the bill being correct, to vote against the bill.

Mr. HOAR. I was in hopes we could get a vote this afternoon. The debate seems to be pretty well over. It is now still early, 10 minutes past 3 o'clock. One or two Senators have manifested a desire to see in print before a final vote the substitute proposed by the Senator from Texas, and if that be their desire, perhaps we can get an arrangement for a vote at some hour to-morrow.

Mr. TELLER. I think we can get a vote without any arrangement

Mr. HOAR. I am not quite sure of that, and I think it would be very convenient to have such an arrangement. Senators would know then what they can depend upon in regard to other business. I ask unanimous consent that at 3 o'clock to-morrow the Senate proceed to vote on the bill and pending amendments.

Mr. BAILEY. Mr. President, I dislike to interpose any objection to that request, but while we were voting on the subsidy bill a few days ago I discovered a very serious objection to an arrangement of that sort. For instance, none of us know what amendments will be proposed, and yet that unanimous consent having been given, when an amendment is proposed that we might desire to vote either for or against, but in order to do so might desire to state the ground upon which our vote was predicated, we are precluded from doing so.

Mr. HOAR. Suppose we make it 3 o'clock, the debate thereafter to proceed under the five-minute rule.

Mr. BAILEY. I should be entirely satisfied with that.

Mr. HOAR. I do not think that would make any practical difference.

Mr. McLAURIN of Mississippi. I hope the Senator from Massachusetts will not insist upon an arrangement to vote to-morrow. I think, as the Senator from Colorado has said, that we can very easily get to a vote to-morrow, but something might transpire which would make it necessary to carry it further over than 3 o'clock, or even 4 o'clock. Something might transpire so that we could not vote at all to-morrow. I hope the Senator——

Mr. HOAR. I am only asking what I supposed would be for the convenience of all Senators.

Mr. BAILEY. That they might know?

Mr. HOAR. That they might know something of the time when there was to be a vote, and so that the business which was to come on thereafter might be ready.

I may say, without any possible suggestion of any impropriety, I

think, that it has been the experience of the Senate for a great many years that these arrangements of fixing an hour to vote some time in the future have very largely operated to the convenience of Senators. They know what to expect. They get the business ready which is to come up afterwards.

There is the objection stated by the Senator from Texas, which is of great gravity, and at the same time when I came into the Senate, and when you came into the Senate, Mr. President [Mr. FRYE in the chair], nearly every measure about which there was a contest was settled by sitting up nearly all night and having a test of endurance. The majority said, "We will sit until we vote." I can remember one very eminent and rather grim Senator who used to sit near where the Senator from Indiana now sits, who used to write on little bits of paper "stick," "stick," and pass them around to his colleagues when they were getting sleepy.

So, after all, when the Senator from Mississippi shall have been here, as I hope he will, as long as I have——

Mr. McLAURIN of Mississippi. Thank you.

Mr. HOAR. He will be very much in favor of this way. But I will not press the request now if the Senator objects.

Mr. McLAURIN of Mississippi. I will say to the Senator, with his permission, that there is no disposition to delay the vote and no disposition to prevent a vote at any reasonable time; but I do not see the necessity for any great haste in voting on this measure, and while I believe we can very easily get to a vote to-morrow, it may be possible that we can not, and I would not like to be precluded now that there have been only two days' debate on the bill. I do not know that I shall desire to say anything on it myself, but I rather think I would like to suggest some things to the Senate to-morrow. My colleague desires to take up a few minutes, probably not more than ten or fifteen.

Mr. HOAR. I will not press the request.

Mr. President, I should like to say just one word about an argument which it seems to me is near the bottom of all or most of the objections which have been made, and that is that under possible circumstances a man may be convicted on imperfect evidence, or he may be convicted when he is innocent, or that there might be a great feeling of popular excitement which would lead to it, and therefore this particularly grave offense ought to be surrounded with safeguards as to the trial and the description which we do not apply to any ordinary crime.

I think Senators err when they say that there is danger in this country that men are to be convicted of treason or of offenses like murdering a Chief Magistrate, or inciting to the murder, on imperfect evidence under local or general political excitement. In all other crimes whatever—parricide, matricide, killing of children, or poisoning wells—you have the ordinary law of evidence. One witness is enough in law, and you trust the jury and the court and the pardoning power and the humanity and the common sense of the American people to make those laws work justice, and they work justice.

If there is any offense which the experience of this country shows men will not be convicted of wrongfully or cruelly under popular excitement, it is the offense of treason. There has not been, I believe, a man punished for treason in this country since its foundation. Every man who was in General Lee's army at Gettysburg, including its illustrious commander, might have been tried in Pennsylvania, before a jury impaneled from that vicinage, of the crime of treason if the Government had so willed, and yet no human being was tried. Until you change the temper of the American people or the Constitution or the regulations in regard to criminal trials, that is the one thing above all others in regard to which an innocent man will be safe. So there is no reason for excepting this offense, dangerous and frequent (as we are compelled sorrowfully to say), from the ordinary methods of ordinary criminal trials.

Mr. McLAURIN of Mississippi. Will the Senator from Massachusetts allow me to call his attention, before he sits down, to two lines in section 6?—

That any person who shall willfully and knowingly aid in the escape from punishment of any person guilty.

Would it not be better to have it read "escape from arrest?"

Mr. HOAR. That includes escape from arrest.

Mr. McLAURIN of Mississippi. The lawyer who defended the man might be aiding him in escaping from punishment.

Mr. HOAR. The word "escape" in criminal law is as well defined as the words "murder" or "felony." It is a common-law offense to escape.

Mr. McLAURIN of Mississippi. This does not follow the definition of escape in criminal law at all.

Mr. HOAR. I think it does.

Mr. McLAURIN of Mississippi. To escape in criminal law is to escape from arrest, whereas this reads, "escape from punishment." That is the matter to which I am calling the attention of the Senator. If he will put it in the definition of escape in criminal law, I will have no objection to that feature of the bill. This is "escape from punishment."

Mr. HOAR. I think the Senator is right in that suggestion. What the Senator says is true.

Mr. McLAURIN of Mississippi. I was satisfied as to what the Senator meant by the bill.

Mr. HOAR. The old law term "escape" applies only to a person who is under arrest or——

Mr. McCOMAS. I suggest to the Senator from Massachusetts that it might satisfy the Senator from Mississippi if he would make it read, "in the escape from arrest or from punishment." Perhaps that would meet the effect of the suggestion.

Mr. McLAURIN of Mississippi. "To avoid arrest or escape from arrest."

Mr. HOAR. I think there is great force in the Senator's suggestion. What are the words which the Senator from Maryland suggests?

Mr. McCOMAS. I would say, "escape from arrest or from punishment."

Mr. HOAR. "To escape from arrest or punishment."

Mr. McLAURIN of Mississippi. The very objectionable point lies in the words "in the escape from punishment," because the lawyer who defends him, if he is charged with crime, is aiding him to escape from punishment.

The idea which I wish to convey to the Senator from Massachusetts is that instead of making it read that anyone who aids him to escape from punishment shall be himself guilty, let it read that anyone who aids him to avoid arrest or escape from arrest shall be himself guilty.

Mr. HOAR. Very well; but it is not necessary to detain the Senate by a discussion of phraseology. I think he can probably draw a phrase which I will agree to if he will let it stand for a moment. I think the Senator's point is well taken.

Mr. McCOMAS. Before the Senator leaves the matter, I suggest to both Senators that if we simply say—and that is the common-law matter of escape—"that any person who shall willfully and knowingly aid in the escape of any person guilty," etc., I think that would satisfy the purpose of the bill and satisfy the criticism.

Mr. McLAURIN of Mississippi. That would satisfy the criticism.

Mr. HOAR. Very well; let that be inserted. then.

Mr. McCOMAS. Then we shall have to strike out, in line 25, page 2, the words "from punishment."

The PRESIDENT pro tempore. The Senator from Maryland offers an amendment, which will be stated.

The SECRETARY. In line 25, page 2, after the word "escape," strike out the words "from punishment."

Mr. McLAURIN of Mississippi. In order to make that fit, we should strike out the words "in the" and insert "anyone to;" so as to read, "willfully and knowingly aid anyone to escape."

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from Massachusetts. The Senator from Mississippi is proposing an additional amendment.

Mr. HOAR. Has the amendment been agreed to?

The PRESIDENT pro tempore. The Senator from Mississippi proposes something further.

Mr. HOAR. Will the Senator state it?

Mr. McLAURIN of Mississippi. I do not think that without the addition of some other words the clause "that any person who shall willfully and knowingly aid in the escape of any person" would make the sense intended by the Senator from Maryland. I suggest to strike out the words "in the" in addition to the words "from punishment" and to insert "anyone." I think that will accomplish it.

Mr. McCOMAS. I think that there is no added significance by striking out the preposition. It will mean the well-known common-law phrase.

Mr. McLAURIN of Mississippi. The Senator is right.

The PRESIDENT pro tempore. The Senator from Maryland proposes an amendment, which will be stated,

The SECRETARY. In line 25, page 2, section 6, strike out the words "from punishment."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BAILEY. Mr. President, if the Senator from Massachusetts has concluded what he desired to say, I shall occupy a few moments of the Senate's time.

In the beginning I desire to say that no Senator here and no citizen of the United States elsewhere abhors more than I do the crime out of which this bill grew. No Senator here and no citizen elsewhere cherishes a more profound abhorrence of anarchy and its pernicious doctrines than I do. I readily agree that a man who advocates the violent destruction of all government is not entitled to the protection of any government, and I would as

cheerfully vote for this bill as the proponents of it if it drew the proper distinction between killing the President as the official head of the Republic and killing him as an individual.

We all agree that this Government has the power to remove every unlawful obstruction to its operation. Undoubtedly it possesses ample power to punish men who resist any of its officers in the execution of their lawful duties, and that principle applies from the President down to the humblest deputy marshal.

But, Mr. President, the Government of the United States possesses no power to punish any man who assaults or murders one of its officers in a matter not connected with his official duties. Let us suppose that a Vice-President is engaged in a hunting expedition, and that while he was thus engaged some of his fellow-hunters, without knowing who he was, should engage in a personal encounter with him. Now, sir, whether that encounter was provoked by personal insult or provoked by a supposed trespass upon the hunter's land, and although the hunter might be entirely ignorant of the Vice-President's personality and of his office, under this bill he could be arraigned in the Federal courts and punished; and this, too, notwithstanding the fact that the man who committed the assault had not the least intention of interfering in any degree with the operation of the Federal Government.

He might be as loyal and as patriotic a citizen as the Vice-President himself; he might have been as ready—and when I say that anybody was as ready as the last Vice-President to respond to his country's call I pay him a great compliment—he might have been as ready as the last Vice-President to have responded to any call upon him by his country; he might have cherished its institutions as fervently as the Senator from Massachusetts, and yet without any thought of interfering with the operation of the Government, without any thought of assailing it in any particular, he might engage in a personal quarrel with an unknown stranger, who might turn out to be a Vice-President of the United States in search of exciting recreation.

It has come to be an annual occurrence that the Chief Magistrate of this nation retires in the summer time to his usual home for rest and leisure. Let us suppose that in accordance with this custom the present President of the United States, when the dog days come, shall be at Oyster Bay, and there, without any reference to governmental questions or policies, he falls into a controversy with one of his neighbors about fences or boundaries—a most improbable supposition, but not by any means an impossible one—will any Senator say that we ought to so far forget our theory of this Government as to punish a citizen of New York who quarrels with and possibly assaults the President of the United States over a question having no relation to the Government?

Mr. President, the demand of the people in this country is that Congress shall lay its heavy hand upon the anarchist, and in that demand I join as heartily as anybody. Within the constitutional power of Congress, I would go to the very limit. I would hunt him from one end of this country to the other, until he should find no resting place. But, sir, in attempting to correct one evil, let us not introduce another. Let us rather show the world that we can suppress lawlessness according to law, and that in making laws to punish those who would subvert all government we can and will make them according to the Constitution.

I believe in suppressing lawlessness; I believe in subduing anarchy; but I believe in doing both according to the law; and there is no justification for doing either in any other way. If any man shall kill or assault with intent to kill the President of the United States because he is the President of the United States, and thus seek to destroy all sovereignty through the murder of the President, then surely there would not be in any quarter of the globe a voice lifted in his defense. The eradication of the anarchists is the one purpose which the country demands shall be conserved; that is the purpose the Senate desires to accomplish; and if you will offer a bill for that and that purpose only, we will present to the country the gratifying spectacle of a unanimous vote for its passage. Make it plain that we seek to destroy the men who seek to destroy the Government, and there will be no difference.

Of course, I speak without any canvass on either side of the Chamber, but I undertake to say that a bill drawn upon those lines and keeping away from the controverted or doubtful question will command the vote of every Senator in this Chamber. How much better will it be to serve the purpose which we have in mind by a unanimous-consent vote than to insist upon a measure of doubtful constitutionality and thus divide us as we must upon our consciences divide?

The Supreme Court, in the Neagle case, went a long ways, but it did not go to the extent, and in my judgment that court will never go to the extent, of saying that the Federal Congress possesses the power to punish a purely personal offense against one of the officers of the Government.

But, Mr. President, I have no expectation, of course, of influencing the vote of any gentleman on this measure, and I merely ventured to detain the Senate for the purpose of stating my own position, because when the roll is called upon this bill, standing as it does, it is impossible, with my view of the constitutional authority of Congress, to vote for its passage.

Mr. COCKRELL. If there is nothing further to be done, why not have the bill reported by the Judiciary Committee, printed just as it has now been agreed to, and let the amendment proposed by the Senator from Texas [Mr. CULBERSON] be printed?

Mr. HOAR. I have no objection, Mr. President.

Mr. COCKRELL. I ask that the bill may be printed as amended, so that we can have it before us in that form to-morrow when it comes up for discussion.

The PRESIDENT pro tempore. The Senator from Missouri asks that the pending bill be printed and that the amendment offered by the Senator from Texas be printed.

Mr. HOAR. Is there any other amendment now actually offered?

The PRESIDENT pro tempore. There are amendments which have been printed and laid on the table, but none is pending. No amendment is now offered.

Mr. COCKRELL. I understand that the amendment of the senior Senator from Texas has not been printed.

The PRESIDENT pro tempore. The Senator from Georgia [Mr. BACON] offered certain amendments——

Mr. COCKRELL. I know, but the amendments offered by the junior Senator from Colorado [Mr. PATTERSON] and the junior Senator from Mississippi [Mr. MCLAURIN] have been printed.

The PRESIDENT pro tempore. They have been printed.

Mr. COCKRELL. But the amendment of the Senator from Texas [Mr. CULBERSON] has not been printed. Let us have that printed.

The PRESIDENT pro tempore. That will also be printed, with the bill as amended, if there be no objection.

Mr. HOAR. Either all the amendments should be printed separately as they now are——

Mr. COCKRELL. Yes, certainly.

Mr. HOAR. Or printed with the bill. I think it is rather more convenient to have them printed separately.

Mr. COCKRELL. The amendment of the Senator from Texas will be printed separately, just as the others have been printed.

Mr. HOAR. Certainly.

Mr. MCLAURIN of Mississippi. I suppose the order includes the printing of the bill as amended up to this time?

The PRESIDENT pro tempore. Up to this time.

Mr. TELLER. I wish to offer a substitute for section 7, and I ask to have it printed.

The PRESIDENT pro tempore. The amendment will be received. Does the Senator desire to have it read?

Mr. TELLER. No.

The PRESIDENT pro tempore. It will be printed.

Mr. BERRY. If that matter is disposed of, I desire to make a report out of order.

The PRESIDENT pro tempore. Is there objection to the Senator from Arkansas making a report? The Chair hears none.

MISSOURI RIVER BRIDGE AT ST. CHARLES, MO.

Mr. BERRY. I am instructed by the Committee on Commerce, to whom was referred the bill (S. 4469) extending the time for the completion of a wagon-motor bridge across the Missouri River at St. Charles, Mo., as provided by an act approved June 3, 1896, and as extended by the act approved January 27, 1900, to report it without amendment and to submit a report thereon.

Mr. COCKRELL. This is simply a bill extending the time for the completion of a bridge over the Missouri near St. Charles. The charter has already been granted, and the bill provides for an extension of the time for its completion. It is only ten lines long or less. I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent for the present consideration of the bill, which will be read in full to the Senate for its information.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to extend the time for completing the construction of a wagon and motor bridge across the Missouri River at St. Charles, Mo., to June 3, 1904.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXCLUSION AND DEPORTATION OF ALIEN ANARCHISTS.

Mr. BACON. Mr. President, I ask leave, out of order, to introduce a bill to provide for the exclusion and deportation of alien anarchists, which I shall ask to have read twice by its title and referred to the Committee on the Judiciary. Before the bill is read by its title at the desk, I desire to say that it is not original with me. It is a bill which was introduced in the Senate, I understand, by former Senator Hill, of New York, which passed the Senate, and which by a very narrow margin failed to pass in

the other House. It is the bill which was referred to by the Senator from Michigan [Mr. BURROWS] in an article written by him and published in the North American Review of December, 1901, from which the Senator from Wisconsin [Mr. SPOONER] read, and in which the article of Judge Aldrich appears.

I introduce this bill and ask that it be referred to the Committee on the Judiciary, not that I think the bill is sufficient in itself, although in the article to which I have referred the honorable Senator from Michigan went to the extent of saying that if this bill had passed the Fifty-third Congress, in his opinion, it would have prevented the assassination of President McKinley. It is possible that some further legislation may be required than is found in the provisions of this bill; but there are other bills kindred to it now before the Judiciary Committee. I introduce it and ask that it may be referred, in order that whatever there may be in the bill which can be availed of may be at their hands.

I have been induced to offer it because of my conviction of the correctness of the statement made by the Senator from Texas, that the great need, the great demand of the people of the United States, in view of what has occurred, and their anxiety that it should not again occur, is that we shall have preventive legislation. It is not sufficient that a man who murders the President of the United States shall be punished—and there is no doubt about the fact that whenever one does murder the President of the United States he will be punished—as he always has been in the past. But that does not meet the requirement. The requirement is to adopt measures which shall prevent the murder. It is with that view that I introduce the bill. I am heart and soul in favor of the most extreme legislation which can possibly be devised or justified for the accomplishment of that purpose.

The bill (S. 4610) to provide for the exclusion and deportation of alien anarchists was read twice by its title, and referred to the Committee on the Judiciary.

EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 3 o'clock and 52 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 20, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 19, 1902.

POSTMASTERS.

John J. Hodnett, to be postmaster at Tempe, in the county of Maricopa and Territory of Arizona, in place of John J. Hodnett. Incumbent's commission expired January 12, 1902.

Russell H. Chandler, to be postmaster at Yuma, in the county of Yuma and Territory of Arizona, in place of Russell H. Chandler. Incumbent's commission expired February 25, 1902.

Dora Clow, to be postmaster at Arkadelphia, in the county of Clark and State of Arkansas, in place of Dora Clow. Incumbent's commission expired January 10, 1902.

David W. Morris, to be postmaster at Modesto, in the county of Stanislaus and State of California, in place of George F. Wood. Incumbent's commission expires March 22, 1902.

George G. Radcliff, to be postmaster at Watsonville, in the county of Santa Cruz and State of California, in place of Benjamin A. Osborn. Incumbent's commission expired January 10, 1902.

Christian H. Wegerslev, to be postmaster at Alta, in the county of Buena Vista and State of Iowa, in place of Christian H. Wegerslev. Incumbent's commission expires March 22, 1902.

James F. Brenaman, to be postmaster at Alexandria, in the county of Madison and State of Indiana, in place of James F. Brenaman. Incumbent's commission expired January 10, 1902.

William E. Ward, to be postmaster at Ridgeville, in the county of Randolph and State of Indiana, in place of William E. Ward. Incumbent's commission expired January 21, 1902.

George J. Price, to be postmaster at Flora, in the county of Clay and State of Illinois, in place of George J. Price. Incumbent's commission expired January 10, 1902.

Bruce Dennis, to be postmaster at La Cygne, in the county of Linn and State of Kansas, in place of Elizabeth M. Broadwell. Incumbent's commission expired June 15, 1901.

William F. Darby, to be postmaster at North Adams, in the county of Berkshire and State of Massachusetts, in place of William F. Darby. Incumbent's commission expired March 9, 1902.

William F. Jobes, to be postmaster at Brookhaven, in the county of Lincoln and State of Mississippi, in place of William F. Jobes. Incumbent's commission expires March 22, 1902.

Charles B. Mersereau, to be postmaster at Manistique, in the county of Schoolcraft and State of Michigan, in place of Elmer N. Orr. Incumbent's commission expired February 25, 1902.

William S. Linton, to be postmaster at Saginaw, in the county of Saginaw and State of Michigan, in place of William S. Linton. Incumbent's commission expires March 22, 1902.

Eva Demgen, to be postmaster at Virginia, in the county of St. Louis and State of Minnesota, in place of Stuart Bates. Incumbent's commission expired February 16, 1902.

Lewis F. Babcock, to be postmaster at Billings, in the county of Yellowstone and State of Montana, in place of Lewis F. Babcock. Incumbent's commission expired June 2, 1901.

Egbert L. Hodskin, to be postmaster at Fairport, in the county of Monroe and State of New York, in place of George G. Bown. Incumbent's commission expired July 20, 1901.

John J. Roehrig, to be postmaster at Rosebank, in the county of Richmond and State of New York, in place of John J. Roehrig. Incumbent's commission expired March 16, 1902.

Milton P. Schautz, to be postmaster at Allentown, in the county of Lehigh and State of Pennsylvania, in place of Milton P. Schautz. Incumbent's commission expires March 23, 1902.

Robert B. Clayton, to be postmaster at Ashland, in the county of Schuylkill and State of Pennsylvania, in place of Robert B. Clayton. Incumbent's commission expired January 10, 1902.

Louis Biltz, to be postmaster at Girardville, in the county of Schuylkill and State of Pennsylvania, in place of Louis Biltz. Incumbent's commission expired January 14, 1902.

A. B. Clark, to be postmaster at Hastings, in the county of Cambria and State of Pennsylvania, in place of Henry J. Van Dusen. Incumbent's commission expired January 10, 1902.

Burd R. Linder, to be postmaster at Orwigsburg, in the county of Schuylkill and State of Pennsylvania, in place of Burd R. Linder. Incumbent's commission expired January 14, 1902.

Daniel W. Bedea, to be postmaster at Shenandoah, in the county of Schuylkill and State of Pennsylvania, in place of Daniel W. Bedea. Incumbent's commission expired January 31, 1902.

Harry Martin, to be postmaster at Bonham, in the county of Fannin and State of Texas, in place of Harry Martin. Incumbent's commission expires March 31, 1902.

Charles T. Ramsdell, to be postmaster at Denton, in the county of Denton and State of Texas, in place of Charles T. Ramsdell. Incumbent's commission expires March 31, 1902.

Tom Richards, to be postmaster at Sherman, in the county of Grayson and State of Texas, in place of Tom Richards. Incumbent's commission expires March 22, 1902.

L. S. Calfee, to be postmaster at Pulaski City, in the county of Pulaski and State of Virginia, in place of Columbus L. Dillon. Incumbent's commission expired February 16, 1902.

Charles Earwicker, to be postmaster at New Rochelle, in the county of Westchester and State of New York, in place of James Ross, removed.

Annie H. Leaf, to be postmaster at Fort Washington, in the county of Montgomery and State of Pennsylvania, in place of Frederick Huffnagle, resigned.

W. S. Hoge, to be postmaster at Athens, in the county of McMinn and State of Tennessee, in place of Jacob S. Matthews, deceased.

Ellsworth D. Scheble, to be postmaster at Wenatchee, in the county of Chelan and State of Washington, in place of Francis M. Scheble, removed.

APPOINTMENTS IN THE ARMY.

Infantry Arm.

Robert Lindsay Weeks, of New York, to be second lieutenant, March 7, 1902, vice Paul D. Stockley, Twenty-first Infantry, missing since January 12, 1900.

Albert G. Goodwyn, of Alabama, to be second lieutenant, March 15, 1902.

COLLECTOR OF CUSTOMS.

Marshall L. King, of Virginia, to be collector of customs for the district of Alexandria, in the State of Virginia. (Reappointment.)

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 19, 1902.

PROMOTION IN THE NAVY.

Capt. Arent Schuyler Crowninshield, United States Navy, to be a rear-admiral in the Navy, from the 16th day of March, 1902.

UNITED STATES ATTORNEY.

Carl Rasch, of Montana, to be United States attorney for the district of Montana.

REGISTERS OF THE LAND OFFICE.

George B. Winship, of Grand Forks, N. Dak., to be register of the land office at Grand Forks, N. Dak.

Clarence C. Schuyler, of Fargo, N. Dak., to be register of the land office at Fargo, N. Dak.

POSTMASTERS.

James Wallace, to be postmaster at Yale, in the county of St. Clair and State of Michigan.

George W. Minchin, to be postmaster at Evart, in the county of Osceola and State of Michigan.

Herbert E. Becktel, to be postmaster at Albion, in the county of Noble and State of Indiana.

William H. Shaw, to be postmaster at Canton, in the county of Fulton and State of Illinois.

George E. Hilton, to be postmaster at Fremont, in the county of Newaygo and State of Michigan.

Thaddeus B. Bailey, to be postmaster at Manchester, in the county of Washtenaw and State of Michigan.

Richard J. Bawden, to be postmaster at Bessemer, in the county of Gogebic and State of Michigan.

Richard B. Lang, to be postmaster at Houghton, in the county of Houghton and State of Michigan.

Hugh B. Laing, to be postmaster at Gladstone, in the county of Delta and State of Michigan.

Fred A. Hutty, to be postmaster at Grand Haven, in the county of Ottawa and State of Michigan.

Ramsay Arthur, to be postmaster at Schoolcraft, in the county of Kalamazoo and State of Michigan.

Kimbal R. Smith, to postmaster at Ionia, in the county of Ionia and State of Michigan.

Willard Harwood, to be postmaster at Imlay City, in the county of Lapeer and State of Michigan.

George W. Noble, to be postmaster at Buchanan, in the county of Berrien and State of Michigan.

George W. Emery, to be postmaster at Hancock, in the county of Houghton and State of Michigan.

George L. Lusk, to be postmaster at West Bay City, in the county of Bay and State of Michigan.

George W. Dennis, to be postmaster at Leslie, in the county of Ingham and State of Michigan.

Andrew L. Deuel, to be postmaster at Harbor Springs, in the county of Emmet and State of Michigan.

Daniel P. McMullen, to be postmaster at Cheboygan, in the county of Cheboygan and State of Michigan.

Will P. McCoy, to be postmaster at Mendon, in the county of St. Joseph and State of Michigan.

Clayton L. Bailey, to be postmaster at Mancelona, in the county of Antrim and State of Michigan.

Charles W. Browne, to be postmaster at Mason, in the county of Ingham and State of Michigan.

Nathan Tanner, to be postmaster at Lansford, in the county of Carbon and State of Pennsylvania.

Gorham A. Sherwood, to be postmaster at Otsego, in the county of Allegan and State of Michigan.

Charles Brebner, to be postmaster at Newberry, in the county of Luce and State of Michigan.

James Blanning, to be postmaster at Williamstown, in the county of Dauphin and State of Pennsylvania.

C. A. Wishart, to be postmaster at Dunbar, in the county of Fayette and State of Pennsylvania.

Francis E. Harrison, to be postmaster at Ridley Park, in the county of Delaware and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 19, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

REPRINT OF A BILL.

Mr. ADAMS. Mr. Speaker, I ask unanimous consent for the reprint of House bill 84.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the reprint of House bill 84.

Mr. RICHARDSON of Tennessee. I would like to know the title of the bill, Mr. Speaker.

Mr. ADAMS. It is for the reorganization of the consular and diplomatic service of the United States. The print is exhausted.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none, and it is so ordered.

ORDER OF BUSINESS.

Mr. MANN. Mr. Speaker, I desire to give notice to the House that immediately following the disposition of the river and harbor bill there will be called up for consideration in the House the privileged reports from the Committee on Elections No. 1 of the cases of Spears against Burnett and Moss against Rhea, except that they will not be called upon Friday to interfere with the Friday Calendar.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12346, the river and harbor appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair, for the further consideration of the river and harbor appropriation bill.

Mr. RANSDELL of Louisiana. Mr. Chairman, the distinguished chairman of the River and Harbor Committee said in his presentation of the bill that there had been a great deal of misapprehension—not to use the stronger term, misrepresentation—about many matters connected with this river and harbor bill. Now, sir, if there be any one subject about which there is misapprehension, and to some extent misrepresentation, it is in regard to the Mississippi River, and especially that portion which I have the honor to represent on this committee, the lower part, from Cairo to the Gulf.

Mr. Chairman, I do not believe the average member of this House fully contemplates how important is the Mississippi River, and how vastly important is that portion which we know as the overflowed region. In order to give you some little idea of the vast importance of that mighty stream, well called the Father of Waters, I wish to read very briefly from an article on the subject by Maj. J. A. Ockerson, member of the Mississippi River Commission. He says:

The Mississippi River is a commercial highway of immense value. It penetrates the heart of the most fertile section of the Union for a distance of about 2,500 miles. Its navigable tributaries, aggregating over 15,000 miles in length, reach out in all directions toward the remote limits of this great valley. It drains a territory whose area equals in extent the combined area of Austria, Germany, France, Italy, Portugal, Spain, Norway, and Great Britain. The river itself, in its winding course, covers a range of 6½ degrees in longitude and 18½ degrees in latitude. The headwaters of the tributaries extend in longitude from New York on the east to western Montana on the west, and reach in latitude from British America on the north to the Gulf of Mexico on the south, or about 1,800 miles in longitude and 1,500 miles in latitude. This vast drainage area, 1,256,000 square miles in extent, is equal to nearly one-half of the total area of the United States. It touches 30 States, 2 Territories and 2 provinces of the British possessions. Only 9 States to the eastward and 7 to the westward lie entirely beyond the confines of this great basin.

Those remarks, gentlemen, are applicable to the drainage basin; but what I wish to speak to you particularly about is the overflowed area of that great river, which amounts to 30,000 square miles. Now, you may say "30,000 square miles does not convey a very definite idea." We know things in this life by comparison. When we reflect that Belgium, one of the important kingdoms of this world, contains only 11,373 square miles, and supports six and a half million people; when we further reflect that the Netherlands, another of this earth's important kingdoms, consists of only 12,648 square miles and has over 5,000,000 inhabitants, and that these two kingdoms united have only 24,000 square miles with about 11,000,000 people—6,000 square miles less than the overflowed region of this mighty river—it conveys some idea of its magnitude.

When, sir, we reflect further that the great State of Massachusetts, so ably represented on this committee, contains only 8,315 square miles; Rhode Island, 1,250; New Jersey, 7,815, and Maryland, 12,210, or a total of 29,550—still less than the overflowed area of the Mississippi—this also conveys some idea of its magnitude.

Why, sir, what would we think if we should arise some morning and read in the papers that the Connecticut River had overflowed its banks and that the entire State of Massachusetts was submerged? We would be filled with horror and surprise. And yet the entire area of that State is only about one-fourth of the overflowed area of the Mississippi. We would be filled with additional horror and surprise if the papers also told us that the Delaware River had overflowed the entire State of New Jersey and the Potomac River had overflowed the entire State of Maryland. Yet, gentlemen, when the Mississippi River overflows and its flood area is submerged, it is an area greater in extent than these four great States combined—greater in extent than the two kingdoms of Belgium and the Netherlands together.

If this area, which is as rich as the valley of the Nile, richer than any other portion of this continent, had a population as numerous as the population of Belgium, 535 souls to the square mile, it would contain fully 15,000,000 people. See what a mighty empire it would be, how vastly important, and how well worthy of and entitled to Government assistance.

Now, what has the General Government done for the improvement of the levee system along this river? I take from the report of the Senate Commerce Committee on the Mississippi River floods, page 9, this statement, which was prepared by Captain Waterman, secretary Mississippi River Commission, under the

direction of General Gillespie, the president of that Commission. It shows that the "total yardage of levees constructed by Federal, State, local, and private authority is 164,860,375 yards, built at a cost of $47,631,503, of which yardage 68,570,461 were constructed by Federal authority at a cost of $13,320,708, and 86,289,944 yards by State, local, and private authority, at a cost of $34,310,795."

Since this report was prepared the General Government has expended on levees $3,333,000, making a total expenditure by the National Government for levees of $16,653,609; and since that time the States and riparian landowners have expended more—I have not the exact figures, but they have spent more—making by computation the total amount expended by the States and riparian landowners at least $37,643,795, or a total cost for the levees of $54,297,404.

Now, I wish to impress upon every member of the committee the fact that for every dollar spent by the National Government in building levees on the Mississippi River the States of Louisiana, Mississippi, and Arkansas have expended two and one-quarter dollars. We are not coming here empty handed and asking for aid. We are helping ourselves, and doing it in a most vigorous manner. The levee interests along the banks of this river are in the hands of levee boards, and these levee boards and the States of Louisiana, Arkansas, and Mississippi actually collect annually a levee tax of $2,130,000. So you see that we do not come to you empty handed, but we are contributing cheerfully and enormously from our own means. It has been said by a great many that the Government has been contributing one-half of the amount expended upon the levees. I tell you, Mr. Chairman, the Government has not been contributing one-half toward this improvement. We have contributed for our own protection two and one-quarter dollars for every dollar the Government has put up, and we are paying more and more every year. We are paying an immense amount of local taxes, and I say we are paying more and more for the reason that our lands are enhancing so much in value because of this levee protection and the consequent increase in crops and the general development of the valley.

Now, I have told you that it has cost thus far to build the levees something like $54,000,000. You, perhaps, would like to know what it would cost to complete the levee system. According to the report of the Mississippi River Commission the entire cost of completing the levees on this river will be about $18,000,000. The National Government for some time has been spending, through this Commission, something like $1,000,000 to $1,250,000 annually, and the riparian lands and States about $1,250,000 to $1,500,000. So you see that in a few years—perhaps eight, at the outside—the levee system will be complete and perfect. There will be no gaps in the system from Cape Girardeau, Mo., to the passes on the Gulf of Mexico. It has been a long lane, but we are about at the end of it. We can see daylight.

In thinking of the levee system along the Mississippi River I am tempted to refer to levee systems on other great rivers. There are other rivers in the world which require levees besides the Mississippi, notably the Yellow River, in China. I find it very difficult to obtain any information about that great river. It is very difficult to get anything accurate on the subject. A great many books have been written about China, but none of the authors seem to know definitely what has been done by the Government and what by the local authorities in the matter of improving that mighty stream, which they tell us was leveed from one end to the other two thousand years before the Christian era, and which some of them tell us occasionally breaks over its banks, overflows thousands and thousands of square miles, and destroys millions of people. One author says that in the flood of 1887 7,000,000 people were drowned by the floods of the Yellow River. This almost surpasses human belief, but he tells us it is true. I wrote to Mr. Wu, the Chinese minister, asking him for information on these subjects, and here is what he says:

Prior to the Taiping rebellion, which lasted from 1850 to 1864, the Imperial Government used to appropriate from 6,000,000 to 8,000,000 taels a year for the expense of maintaining and repairing the Hwang Ho levees.

A tael, as you probably know, is $1.02 of our money. Think of it, six to eight million taels per annum for maintaining levees on the Hwang Ho River. He continues:

Since then the annual expense of maintaining and effecting ordinary repairs has been borne by authorities of the riparian provinces, while now and then for extraordinary repairs, occasioned by unusual floods and requiring large sums of money, the Imperial Government is called upon for necessary appropriation. The amounts thus appropriated vary according to the extent of damage done and the repairs to be effected. The conservation of the river is under the charge of the director-general of the Yellow River, who is assisted in this work by the governors of the provinces of Honan and Shantung. There is no special tax on the riparian lands of the river for conservation purposes.

I also wrote to Baron Gevers, minister for the Netherlands, in order to ascertain something about the cost and methods of keeping up the levees on the Rhine, and here is what he writes. In discussing the rivers generally, he says:

The "waterstaat" in general means the care for the construction and maintenance of every description of river works, dikes, etc.

The constitution makes a distinction between the general waterstaat and the special (or more clearly termed) waterstaat. The latter concerns more particularly the draining and protection of low lands from the encroachments of inland waters, and the expenses are covered by the so-called "polderlasten," a tax levied from the owners of the lands benefited. The special waterstaat is under control and supervision of the provincial administration.

As to the general waterstaat, which I believe interests you most, I can say in general that it concerns only the great rivers and principal waterways and the keeping thereof in a safe and proper condition for the protection of the country at large.

The general waterstaat is entirely under the control of the Government, which defrays all expenses out of the national revenue.

So you see, Mr. Chairman, that on these two great rivers, the Yellow River of China and the Rhine of Holland, the expenses are at least to a very great extent borne by the General Government.

Perhaps some one will ask the question, Why should Congress build levees? What right has the United States to spend the public money for building levees to protect the lands along the banks of this river? This is a very pertinent question, and if you will bear with me a few moments I think I can show you why it should be done. In the first place, it is the duty of Congress to promote commerce between the several States and Territories. Now, whatever is beneficial, necessary, and advantageous in promoting commerce is a proper thing for Congress to do. Commerce is very much benefited on the Mississippi River by the construction of levees. In order to prove that I desire you to bear with me and hear what some of the most eminent engineers of the United States have to say on that subject, and also what Judge Robert S. Taylor, of Indiana, member of the Mississippi River Commission and one of the ablest and best citizens of the United States, has to say on it. I read first the opinion of Maj. Smith S. Leach, of the United States Army. He says:

What nature has failed to do and what remains for man to accomplish in order to fit the Mississippi River to his wants and uses is summed up in the one word "control." Guide the current as a skillful workman guides his tools and it will not fail to carve out a channel commensurate in size with the magnificent agency employed and worthy of the greatest of rivers traversing and draining the most fruitful and prosperous of countries. To secure the greatest possible improvement of a channel it is necessary that the greatest attainable volume of water be made to flow through the channel. That this condition is not realized when a large volume of water is escaping over the sides needs but to be stated in order to be conceded.

Col. Charles R. Suter, one of the greatest of our engineers, was a witness before the Senate Commerce Committee several years ago, and being questioned in regard to the building of levees on the Mississippi River, had this to say:

Questioned by Senator GIBSON. You stated a moment ago, in reply to a question by the Chairman, that if you were improving the Mississippi River, even if it were running through a wilderness, if the country through which it ran was not peopled, you would still build levees on the banks.

Colonel SUTER. Yes, sir.

Senator GIBSON. Why do you hold this opinion?

Colonel SUTER. Because I consider that the improvement of the stream for navigable purposes without it is impossible.

The CHAIRMAN. Why?

Colonel SUTER. I think you have got to retain control over the whole volume of water. The discharge which passes within the banks is less than half of the flood discharge of the river, and the low-water discharge is only one-tenth of that which passes within the banks, about one-twentieth of the total discharge, and any works that you can put in to control the low-water flow on a stream like the Mississippi are liable to be utterly destroyed and rendered nugatory by this vastly larger volume of water which passes down the river during flood stages. At this season of the year the cut-offs occur, which will upset any plan of improvement, because they change entirely the regimen of the river, its course, its slopes, and everything about it.

Again, the water being over the works and everything else has a chance to develop new channels precisely where you do not want them to occur. A still further effect is produced where the levees are down; the water that goes over the banks keeps going out and coming back again. Whenever it makes its appearance in the river it acts like a tributary. It produces entirely new phases, just as any tributary will. Sometimes it entirely reverses the conditions of flow. The influence that levees exert under these heads I believe I have stated as conservative. They prevent the river from doing damage to the works we put in to improve the low-water discharge of the stream.

The CHAIRMAN. If there was no question about protecting the land, and you were simply improving the Mississippi River for navigation, would you have built the levees that are now built?

Colonel SUTER. Yes, sir.

The CHAIRMAN. You say you would?

Colonel SUTER. Yes, sir.

The CHAIRMAN. So that, regardless of the question of landowners, you say that this Commission has done none too much toward levee building?

Colonel SUTER. That is my opinion.

Capt. Dan C. Kingman, United States engineer, another witness, testified as follows:

The CHAIRMAN. Suppose you drop all considerations of overflows and regard navigation alone, how then?

Captain KINGMAN. I should consider that the levee is a very important means of improving navigation, and I can give an instance. The Morganza crevasse was caused by a break that occurred in 1874. It remained open as a crevasse practically until closed in the winter of 1886 and 1887, a period of about twelve years. It has a deep bend there and plenty of water, and there had been no trouble with the navigation until after the crevasse was formed. After the crevasse occurred the navigation became worse and worse, and steamboat men told me they hated to run that bend at night, particularly in low water, not when the water was running out. When the water was running out there would seem to be danger of being drawn into the crevasse. The steamboat men dreaded it at low water because the sand bar or tongue of land opposite this bend had extended so far over into the bend that there was hardly room enough for two large steamboats to pass there. The crevasse was closed jointly by the commission and by the State in the winter of

1886 and 1887. Since then the navigation has steadily improved until now it is as good as it ever was. The current is quite regular. There is ample room now, and steamboat men have spoken to me repeatedly this year about the great improvement which has taken place in Morganza Bend since the crevasse has been closed. There is an actual case where the building of a levee made bad navigation good.

Judge R. S. Taylor, a witness before the Rivers and Harbors Committee during the present session, was asked his opinion about the benefit of levees to the navigation of the river. He replied:

I think that the improvement of the river channel for navigation, its perfect and final improvement, requires the control of the flood discharge as well as the low-water discharge, that the Mississippi River makes its own channel and makes it a good channel or a poor channel, according to the amount of water that flows in it. It is a better river now for navigation than the Arkansas River, because it is bigger and for no other reason. The inclosure of the flood water in the channel makes the river larger. It sets at work a greater amount of energy in the scouring-out process, scouring out the channel, and making the river throughout its length a river of larger average size, capable of doing more work and capable of keeping open a better channel.

Our experiments made some years ago all pointed to that result. In the early part of this work we made repeated surveys at points where there have been old crevasses. Some crevasses have remained open for ten years. When we made surveys of the channel 4 miles above and below and then closed the crevasses and then made another survey over the same stretch of river, we always found that the river had improved by the closure of the crevasse, improved in some cases as much as 15 per cent. Many experiments of that kind were made.

Questioned by the chairman:

I would like to ask if this expresses your views on the subject of levees: "While it is not claimed that levees in themselves are necessary as a means of securing ultimately a deeper channel for navigation, it is believed that the repair and maintenance of the extensive levees already existing will hasten the work of channel improvement through the increasing scour and depth of the river bed which they will produce during the high-river stages. They are regarded as a desirable, although not a necessary adjunct to the general system of improvement submitted."

Mr. TAYLOR. I think that is true. I think that has always been the opinion of a majority of the Commission, and in most of its history the opinion of all of them. That subject has not been much discussed in the Commission in recent years. It has been regarded as settled, and there has been but little discussion about it in recent years.

My own judgment about the matter is that the contribution made by the Government to the construction and repair of those levees is a proper thing for the Government to do independent of its connection with the navigation of the river. The lower plane of the Mississippi River is an exceptional area of land. It is a great drain through which the surplus waters of the whole northern Mississippi Valley go. The progress of civilization, the clearing up of those lands in the upper valley, the denuding of the forests, the draining of swamps, have all contributed to throw upon that lower channel a volume of water which has made its control very much harder than it would have been except for those improvements in the north.

The improvements in the upper part of the valley have thrown upon that part of the river a burden, an enormous burden, for the benefit of the lands that lie above, a burden that those people could not of themselves carry. I believe that if the Mississippi River Commission had not come in to the aid of the people in 1882, that most of those levees would have been unbuilt today. When the first allotment of money was made for the repair of levees the country had just suffered from the vast flood of 1882. It was absolutely lying waste, the people were without means, and without any possibility of restoring their levee system. The contributions by the Government gave the people courage, they took hold and issued bonds, mortgaged their lands, and made contributions, and the existing system to-day is the result. I think it could not have come into existence by the unaided efforts of those people, and I think now we are in sight of the time when, in consequence of that aid, they will be able to take care of themselves.

Now, Mr. Chairman, if I desired to take up the time of the committee I could repeat much testimony similar to this. The late Maj. Henry C. Flad, of St. Louis, one of the most eminent civil engineers in the United States, held to this opinion. He was for years a member of the Mississippi River Commission and thoroughly familiar with that river. Maj. B. M. Harrod, of New Orleans, also a very able civil engineer and a member of the Mississippi River Commission since its creation, in 1879, had the same view of this subject and still holds it. Mr. Eads, probably the greatest civil engineer this country ever produced, the man who conceived and carried out successfully the idea of improving the South Pass of the Mississippi River by means of the jetties, held to this view. The Mississippi River Commission, which was appointed in 1879 for the special purpose of improving the Mississippi River for the purposes of navigation, for commerce, and for all problems connected with that river, have for many years held to the same opinion—at least the majority of the Commission have.

So I say to you that when Congress spends money to build levees on the Mississippi River, it spends money to promote the navigation of that river and to benefit its commerce, and when it does that it acts in strict accordance with the Constitution of the United States.

I find, moreover, that there is other authority in the Constitution for the expenditure of money in the building of levees. The Constitution provides that Congress shall make all needful rules and regulations respecting the property of the United States, and I assert here, without fear of contradiction, that the Mississippi River is the property of the United States. It does not belong to the States through which it runs; it belongs to the whole Union. It is a grand highway for the use and benefit of every citizen of the country. The necessity for the control of this great national highway caused us to make the Louisiana purchase in 1803. That was the main inducing cause which influenced Mr. Jefferson and the Congress of the United States to purchase Louisiana from France. Our States in the great West bordering on this river found it necessary to get their commerce to the sea through this water channel. They could not do it successfully, because the mouth of the river was controlled by a foreign power; hence we were compelled to acquire it.

When the States of Louisiana, Arkansas, and Missouri were admitted into the Union, it was under the proviso that they should not interfere in any manner whatsoever with the free navigation of the Mississippi River and its tributaries; that that great river and its tributaries, and also the rivers in those States which flow into the Gulf, should be forever free for the use and enjoyment of every citizen of the Union, and those States came into the Union with that proviso.

Now, Mr. Chairman, if this river is the property of the Government, and it is invested with its control, why should it not build levees and control it? Why should it be allowed to spread over the country, destroying millions of dollars worth of property? If you are the owner of some vicious beast, it is your duty to confine the animal and not let it run wild and destroy everyone with whom it comes in contact. The National Government owns the Mississippi River, and it is its duty to control it and keep it from committing this terrible devastation to so many people in the valley.

The Constitution of the United States also provides that Congress shall establish post-offices and post-roads. In the valley of the Mississippi thousands of post-offices have been established, and a perfect network of post-roads. Now, will any sane man claim that it is not the duty of Congress, after establishing these post-offices and post-roads, to pass all needful rules and regulations for their control and management and for keeping them in a suitable condition for use? We have a number of penal statutes on the subject of interference with the United States mails.

Suppose that the most obscure post-office in the State of Massachusetts were interfered with by a band of robbers, if we can imagine such a thing about that enlightened Commonwealth, and that it was necessary to send General Miles with every soldier of the United States to that obscure locality to protect the mail. Would we not send them instantly? Would we not spend millions of money, if necessary, to protect the mails and prevent them from being interfered with? Certainly we would, in any individual case.

Now, Mr. Chairman, if we would do that in the individual case, why not protect the post-offices and post-roads of this great Mississippi Valley, many of which are 50 to 75 miles from the banks of the river, post-offices and post-roads which have no connection with the river, but which are in its overflowed area and which, when the river breaks out of its banks and floods the country, are entirely inundated, the waters sweeping over the face of the earth from 5 to 15 feet deep, so that there is absolutely no ingress or egress over the ordinary dirt roads and the railroads of the country, and no way to get about except in skiffs. Is it not the duty of Congress, I say, to protect the post-offices and post-roads of that great valley? Unquestionably it is. So that even if it were not necessary to promote the ordinary commerce and navigation of the river, it would be our duty to spend this money for the purpose of protecting the inhabitants of the valley for whom we have established these post-offices and post-roads.

We also find warrant for national aid to levees in the general-welfare clause of the Constitution, for while the overflowed region of this valley does not directly concern the people of the entire Union, it does indirectly. The area subject to floods below Cairo is an important portion of the States of Louisiana, Mississippi, Arkansas, Tennessee, Kentucky, and Missouri. Hence these six great Commonwealths have a very direct and abiding interest in the protection of their domain, and they form such a large part of our national body politic as to entitle what concerns them to serious national consideration. Moreover, the large population of the flooded region, with their innumerable farms, factories, railroads, and business enterprises of every kind, are so closely connected in social and commercial relations with every other part of the United States that they can not be subjected to the greatest distress and ruin without a resultant injury to the people of very many other sections. Hence it would seem the part of wisdom to protect them in order to promote the general welfare of the Union.

Mr. GAINES of Tennessee. If the gentleman will permit me to interrupt him, I would like to ask him this: Have you ever estimated, or do you know of anyone who has ever estimated, and if so, I should like the gentleman to give it, as to the amount of water poured into the Mississippi by reason of the snows that gather up in the Rocky Mountains and out in the far West and melt?

Mr. RANSDELL of Louisiana. I have never heard of any estimate of that, but the best authorities say that our floods do not come from the Upper Mississippi and Missouri, and that we get

only about one-third of our dangerous floods from those rivers. The main damage done to us by floods comes from the waters of the Ohio and its great tributaries, the Tennessee and the Cumberland.

Mr. GAINES of Tennessee. I have been informed that when the Tennessee overflows the Mississippi overflows.

Mr. RANSDELL of Louisiana. That is very nearly true.

Mr. GAINES of Tennessee. The reason why I asked that question was that the friends of irrigation out in the West say that if the water from the melting snows that fall out West were caught in irrigation reservoirs that it would very much lessen the overflow of the Mississippi River; and they make that a great point in favor of having irrigation in the West.

Mr. RANSDELL of Louisiana. I believe there is something in their statement; but, as I have already stated, the estimate of the best authorities on that subject is that we only get about one-third of our flood water from that region. Now, if the reservoirs could retain a large portion of that one-third it would lessen the destruction from overflow to that extent.

Mr. GAINES of Tennessee. A great deal of the flood comes down in the Missouri from the melting snows.

Mr. RICHARDSON of Alabama. Will the gentleman permit me to ask him this question. Do you not think the establishment of the Appalachian forest reservation would be a very great deal of benefit in checking the overflow of the Tennessee and the Ohio rivers?

Mr. GAINES of Tennessee. That is rather a Yankee answer. I really do not know about that. The gentleman from Louisiana [Mr. RANSDELL] speaks with so much clearness and knowledge of the subject, I was in hopes he could answer the question I had asked him; and if the gentleman from Alabama can, I should be very glad for him to answer it.

Mr. RICHARDSON of Alabama. They claim that that would be the effect of establishing the Appalachian forest reserve embracing portions of Georgia, portions of North Carolina, Tennessee and Alabama.

Mr. RANSDELL of Louisiana. Mr. Chairman, I yielded for a question, but not for a discussion.

Proceeding with my remarks, I wish to read, before finishing this branch of the subject, a brief special message which was sent to Congress on April 17, 1882, by one of the greatest Republicans who ever occupied the Presidential chair of the United States, Mr. Chester A. Arthur. He says:

To the Senate and House of Representatives:

I transmit herewith a letter dated the 29th ultimo, from the Secretary of War, inclosing copy of a communication from the Mississippi River Commission, in which the Commission recommends that an appropriation may be made of $1,010,000 for "closing existing gaps in levees," in addition to the like sum for which an estimate has already been submitted.

The subject is one of such importance that I deem it proper to recommend early and favorable consideration of the recommendations of the Commission. Having possession of and jurisdiction over the river, Congress, with a view of improving its navigation and protecting the people of the valley from floods, has for years caused surveys of the river to be made, for the purpose of acquiring knowledge of the laws that control it, and of its phenomena. By act approved June 28, 1879, the Mississippi River Commission was created, composed of able engineers. Section 4 of the act provides that "it shall be the duty of said Commission to take into consideration and mature such plan or plans and estimates as will correct, permanently locate, and deepen the channel, and protect the banks of the Mississippi River; improve and give safety and ease to the navigation thereof; prevent destructive floods; promote and facilitate commerce, trade, and the postal service."

The constitutionality of a law making appropriations in aid of these objects can not be questioned. While the report of the Commission submitted and the plans proposed for the river's improvement seem justified as well on scientific principles as by experience and the approval of the people most interested, I desire to leave it to the judgment of Congress to decide upon the best plan for the permanent and complete improvement of the navigation of the river and for the protection of the valley.

The immense losses and widespread suffering of the people dwelling near the river induce me to urge upon Congress the propriety of not only making an appropriation to close the gaps in the levees occasioned by the recent floods, as recommended by the Commission, but that Congress should inaugurate measures for the permanent improvement of the navigation of the river and security of the valley. It may be that such a system of improvement would, as it progressed, require the appropriation of twenty or thirty millions of dollars. Even such an expenditure, extending as it must over several years, can not be regarded as extravagant in view of the immense interest involved. The safe and convenient navigation of the Mississippi is a matter of concern to all sections of the country, but to the Northwest, with its immense harvests, needing cheap transportation to the sea, and to the inhabitants of the river valley, whose lives and property depend upon the proper construction of the safeguards which protect them from the floods, it is of vital importance that a well-matured and comprehensive plan for improvement should be put into operation with as little delay as possible. The cotton product of the region subject to the devastating floods is a source of wealth to the nation and of great importance to keeping the balances of trade in our favor.

That balance, gentlemen, which now amounts to and for several years has amounted to between six and seven hundred million dollars per annum.

It may not be inopportune to mention that this Government has imposed and collected some seventy millions of dollars by a tax on cotton, in the production of which the population of the Lower Mississippi is largely engaged, and it does not seem inequitable to return a portion of this tax to those who contributed it, particularly as such an action will also result in an important gain to the country at large, and especially so to the great and rich States of the Northwest and the Mississippi Valley.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 17, 1882.*

I was very much surprised on yesterday, Mr. Chairman, to hear the distinguished gentleman from Iowa [Mr. HEPBURN], who usually attacks the river and harbor bill, make this statement:

I am sorry that the committee have not extended their inquiries with the same minuteness to the Mississippi River and its improvement. They do not tell us just what has been expended upon this great stream, and yet I remember a few years ago, when I last investigated, we had already spent $35,000,000 upon improvement of the navigation (so called) of the Mississippi River. I think it largely exceeds up to this date $100,000,000, and except that the jetties—a wise improvement, markedly beneficial—except for them no man can show that there has been one iota of improvement in the channel that is to be navigated of that great stream.

I remember that a few years ago the President of the United States congratulated this Congress in a message upon the achievements of the Mississippi River Commission. As I now recollect, he stated that the Commission in the improvement of the channel at that time expended $19,000,000, and at Plumb Point, perhaps it was, they had secured an increased depth of 1½ inches, and, on another reach, something slightly in excess of 2 inches. I am glad to know that, with reference to this body, the committee has taken the back track, and they now insist that all the expenditures of this Commission shall first be revised by the Secretary of War and by the Chief of Engineers, a step in the right direction, and a step I hope to be followed by others until the progression shall annihilate this useless adornment to our Blue Book, as they have the Missouri Commission.

I tell you, gentlemen, that while we have been making this expenditure, all the time the commerce on these streams has been diminishing, and is now next to nothing.

Now, I am sure the distinguished gentleman would not willfully misrepresent facts. I can not conceive for a moment that he intended to misrepresent the facts when he made that statement. But he surely has not stated them in regard to the commerce of this river. I have taken the pains to examine the reports of the United States supervising inspectors of steam vessels, and they show that on the Mississippi River below Cairo to-day there are 31 per cent more steam vessels in operation than in 1896, and 30 per cent more than in 1881. Does this look like the commerce of that river has diminished—an increase of steam vessels amounting to 30 per cent in twenty years? Is there a decrease in that?

Mr. HEPBURN. Will the gentleman allow an interruption?

Mr. RANSDELL of Louisiana. Certainly.

Mr. HEPBURN. Is that an increase in number or increase in tonnage?

Mr. RANSDELL of Louisiana. Increase in tonnage. I would like to add for the information of the gentleman that that does not include the tonnage of the barges—that is the increase in tonnage of the steam vessels. Now, the gentleman from Iowa tells you that the navigation on that river, or the commerce on that river, amounts to nothing. I wish to show to you, by way of illustration, that the city of Memphis has nine steamboat lines or trades—nine lines of steamers—which do a very large and growing river commerce; and what is true of Memphis is relatively true of the other principal cities on the river, Helena, Greenville, Vicksburg, Natchez, Baton Rouge, and New Orleans. There is a great and steadily growing river commerce between Cairo and New Orleans. Commercial statistics of the Mississippi River, prepared by Capt. J. W. Bryant, of New Orleans, a recognized and most reliable authority, show that for the year ending May 31, 1899, there were plying on its waters, between Cairo and New Orleans, 189 steamboats and 1,635 barges, having a net tonnage of 1,471,128 tons, and that the amount of freight carried was 4,708,355 tons, valued at $94,605,762. (See Riparian Lands of the Mississippi River, by Tompkins, page 274.) This is exclusive of the coastwise and foreign commerce of the port of New Orleans. How any fair-minded man can say that the "commerce on this river has been diminishing and is now next to nothing," when the real truth is that it has grown over 30 per cent in the past twenty years, and amounted three years ago to the princely sum of nearly one hundred millions, is an enigma to me.

The gentleman from Iowa also stated, as I have just read to you, that a President of the United States in a message to Congress said that after the river commission had expended $19,000,000 there was an increase at Plumb Point Reach of 1½ inches and an increase of 2 inches in depth at some other reach, the name of which he did not remember.

Mr. Chairman, that question came before the Rivers and Harbors Committee in the recent hearings that we had for the purpose of framing this bill. We had before us General Gillespie, Chief of Engineers, and the late president of the Mississippi River Commission. We asked him about Plumb Point Reach, and what had been the effect of the expenditure of money thereon, and his answer is on record in the committee room if any member wishes to see it. He said that when the improvement began, the channel depth over Plumb Point Reach was only 4 to 5 feet, and as a result of that improvement, it increased between 4 and 5 feet, giving a total depth of about 9 feet, and has been 9 feet and over for years; and that for years and years since that improvement began, the steamers never cast a lead on Plumb Point Reach.

The other reach, which the gentleman did not remember, is that known as Lake Providence. I happen to live in the town of Lake Providence, and know something about that reach. I

know that when I became a resident of the town in the fall of 1882 there was practically no low-water navigation in the river on that reach. I know that often during the low-water season I have seen as many as two or three of the magnificent Anchor Line and other large boats stuck on a sand bar in Lake Providence Reach. Shortly after that the work of the Mississippi River Commission began, and for the past twelve or fifteen years, I have never seen a steamboat aground in the channel of that reach. General Gillespie also testified in regard to this reach that the navigation had been improved until it is now at least 9 feet.

Mr. HEPBURN. Will the gentleman allow an interruption at this point?

Mr. RANSDELL of Louisiana. Yes.

Mr. HEPBURN. I would like to know if there are any steamers such as compose the great Anchor Line now on the Mississippi River?

Mr. RANSDELL of Louisiana. Yes, sir. There are three of the original Anchor Line boats still on the river—the *Hill City*, the largest of all of them; the *City of St. Louis*, the next largest, and another whose name has been changed to *Chalmette*. In the Memphis trade are the *Robert E. Lee*, the *James Lee*, the *Kate Adams*, and the *Dewey*, all magnificent side-wheel steamers that cost about $90,000 each. They are not quite as large as the steamers of the Anchor Line, but as fine boats, and do a large freight, passenger, and mail business.

And I wish to say to the gentleman that the Ohio River boats, I am reliably informed, are larger, faster, finer, and more numerous to-day than ever in the history of the river, and many of those Ohio River boats also ply on the Mississippi River.

Replying further in regard to the navigation of the river below Cairo, I quote as follows from the report of the Mississippi River Commission, made through the Chief of Engineers (see Supplement to Engineer's Report for 1901, p. 10), which reads:

> It may be stated that on no bar between Cairo and the Head of the Passes was there at any time during the low-water season of 1900 a channel depth of less than 10½ feet.

This is the latest official report on the river, and it shows a wonderful improvement since the Commission began operations about twenty years ago, when there were many shoal places having less than 5 feet and impassable for steamboats.

Just a word, Mr. Chairman, in regard to the common fallacy that levees cause the bed of a sediment-bearing river to rise and finally become as high as the level of the adjacent country. Some writers state that this is a fact in regard to the Yellow River, of China, but the latest and best authority on that subject, Gen. James H. Wilson, in his admirable work on China—Travels in the Middle Kingdom—denies emphatically that the bed of that river has risen as high as the adjacent land. Accurate statistics are attainable as to the Rhine and the Po, which have been leveed for a long time. In his testimony before the Senate Commerce Committee, May 12, 1890, Gen. Cyrus B. Comstock, then president of the Mississippi River Commission, and a most accomplished Army engineer, made an elaborate statement on this subject as to the Po, the Rhine, and the Mississippi. In summarizing his remarks he said:

> From an examination of the Po and the Rhine it may be concluded that if their beds rise in the leveed portions, which is not entirely certain from the data, it is at so slow a rate as not to be an important factor in the maintenance of a levee system. On the Mississippi the records, while not extending over a period long enough to give final results, do not, so far as they go, indicate that the bed has risen.

Since 1890 the river gauges, which are most carefully made and preserved every year, fully bear out the conclusions of General Comstock and show that the bed of the river is not rising. They rather indicate a material scouring out of the channel in some places.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MEYER of Louisiana. Mr. Chairman, I ask unanimous consent that my colleague be permitted to conclude his remarks.

Mr. RANSDELL of Louisiana. I can finish in a few moments.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent that his colleague be permitted to conclude his remarks. Is there objection?

Mr. SMALL. I have no objection if it will not interfere with other gentlemen who have been accorded time to speak.

The CHAIRMAN. The Chair will call attention to the fact that the House has ordered that general debate on this bill shall close at 3 o'clock. Is there objection?

A MEMBER. I object.

The CHAIRMAN. Objection is made.

Mr. MEYER of Louisiana. I ask that the gentleman be allowed ten minutes more.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent that his colleague on the committee be granted ten minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. RANSDELL of Louisiana. Mr. Chairman, I will detain the committee but a few minutes longer. I wish to suggest in regard to the overflow region of the Mississippi Valley one point. I think it is the most magnificent roadbed for railroads in the United States, and some of us here who are not interested in rivers seem to be interested in railroads. I remember well in the mighty flood of 1897, the greatest on record, that the Illinois Central Railroad, which runs from Chicago to New Orleans, and which passes for many miles through the Yazoo delta in the overflow region of the Mississippi Valley, was absolutely shut off and prevented from doing any business—at least that portion of its line was—and I have been informed it suffered a loss at that time of fully $500,000.

Mr. Chairman, I have stated that this valley is a magnificient bed for railroads. I am assured by the railroad people that the cost of constructing a railroad over the perfectly level plains of this great valley is not more than one-third as much as it is over the places where railroads are ordinarily constructed—the hills and valleys—up hill and down dale of most of the States. I am also assured by practical railroad people that one engine and crew will carry through the valley 60 cars, and that the same engine and crew can haul only from 18 to 20 cars over the uneven country of other sections. Now, what does that mean? If a railroad can be constructed in this valley for one-third of the cost in other places, and operated for one-third of the cost, it means that the freights of the great West and Northwest can be carried to the seaport of New Orleans much cheaper than they can possibly be carried elsewhere, and that the people of the whole Union are interested in preserving the valley from floods.

In conclusion, Mr. Chairman, allow me to say that I think Congress pursued a wise and just policy when many years ago it began the improvement of this great river. There is certainly no river so national in character and no project more important and far-reaching than the improvement of such a river. I sincerely hope that the project will never be abandoned until that whole valley has been protected, and until those courageous people who have done so much for themselves—who have spent $2.25 for every dollar spent by the General Government—shall have been placed in a position of perfect safety, in such a position that immigration will flow there from all parts of the world, and that we shall speedily have a population of from 15,000,000 to 16,000,000 of thriving, prosperous citizens of these great United States. [Applause.]

Mr. POWERS of Massachusetts. Mr. Chairman, I rise to-day in support of this bill now pending before this committee. For the past one hundred years the American people have been trying to work out the great problem of transportation. During the past seventy years our people have built, equipped, and are now operating 193,000 miles of railroad—enough in length to reach round the globe nearly eight times; and they have invested in that great system of transportation $11,000,000,000 or one-eighth of the entire property value of the United States.

In 1840—ten years after this system of railroad building commenced—the average rate of carrying a ton of freight 1 mile upon the roads then in operation was 7½ cents. It now appears that last year upon our great railroad system the average cost of hauling a ton of freight 1 mile was three-fourths of 1 cent. In other words, since 1840 the freight rates in this country have gone down from 7½ cents a mile per ton to three-fourths of 1 cent, the cost at present being one-tenth of the cost sixty years ago. Last year these great lines of railroad transportation conveyed 600,000,000 passengers and 1,100,000,000 tons of freight.

Now, while our people have been building up this gigantic system of land transportation we have been building up at the same time a system of merchant marine upon the Great Lakes and rivers of our country. When I state to you, Mr. Chairman, that during the last year there passed through the Detroit River four times as many vessels as passed through the Suez Canal and that they carried a freight three times as great as was carried by the nations of the world through the Suez Canal, you get some idea of the magnitude of our inland commerce and some idea of the greatness of the American people.

The bill before the committee seeks nothing more nor less than to facilitate transportation and at the same time to cheapen freight rates. The freight rates as now charged are so low as to permit the farmer of Illinois and Iowa and Kansas to compete with the farmer of New England. I find that the cost last year of taking a bushel of wheat from the city of Chicago and landing it upon the docks in New York was 5¾ cents per bushel; that a ton of freight when taken by waterway from Chicago to New York cost $1.92; that when it was taken by rail it cost $4.87. Now, when rates of that kind exist in this country, it is possible for the farmer of Kansas to compete with the farmer of New England.

And this system of transportation is the very thing which to-day is making the inland States great. It is for that reason that those States that do not receive what is called direct benefit ought

not to object to the passage of this bill. For many years past the people of the State of Massachusetts, the State which I have the honor to represent in part, have gone into the West, have built railroads, have spent millions of money for the development of these great lines of transportation, and I maintain that in what we of Massachusetts have done for the building up of the railroads in the West, for the building of steamers to ply upon the lakes from Duluth to Buffalo, we have benefited those people quite as much as they have benefited us by giving us an opportunity for investment.

More than that, Mr. Chairman, the country to-day has become so great that we no longer look at these matters with any local jealousy. No longer do we say that an improvement to the harbor of Galveston is not a direct benefit even to the ports and the cities of New England, for when you undertake to develop transportation which lessens freight rates, you benefit every class of the people. You can not improve the harbor of the city of Boston unless you benefit the farmer in the West, because by improving the harbor of the city of Boston you increase the freight facilities, you cheapen the rates, you make it possible for the farmer of the West to get his products to the seaboard, and from the seaboard into the foreign markets at a cheaper rate, and therefore it is of direct benefit to him.

This country, Mr. Chairman, has become to-day so united, so free from sectionalism, so much interested in the development of the nation, that we no longer hesitate when some great question of national improvement comes up. We shall have before us in a short time a question in which those who represent the far distant Western States are greatly interested. I refer to the question of irrigation. Now, for my part, I believe in a system of irrigation; I believe that the people of the Commonwealth of Massachusetts are broad enough to say that it is a benefit to New England, that that great section of the country in the West should be developed, even though it be developed at some expense to the National Government.

So I hope that in voting for this bill those who represent those inland States in the West will not forget that whatever they do to improve the rivers and harbors of this country they do to improve their own condition in the West, and that with better facilities for transportation will come cheaper rates; with cheaper rates will come greater production, that with the building up of our merchant marine will come greater facilities for transporting the products of the American people, and will enable our people to consider our interdependence upon each other regarding all questions of legislation, and cultivate that broadmindedness by which we in the East will not forget those in the West, and those who represent the Western States will not forget those States that are upon the seaboard.

I trust, Mr. Chairman, that this bill may go through without any decided opposition. I believe that this Congress has before it great duties to perform. We have already passed the bill which was advocated so strongly here by the very distinguished gentleman from Iowa [Mr. HEPBURN] to build an isthmian canal. We shall be called upon later to take up the question of irrigation. We shall be called upon later to take up the question of ship subsidy. What I ask, Mr. Chairman, is that we shall consider all these propositions, including the proposition that is now before us, with that broad mindedness which is characteristic of the American people and which it is the duty of every Representative to show in the deliberations and the actions of this House. [Applause.]

Mr. LESTER. Mr. Chairman, I desire to yield five minutes to the gentleman from Ohio [Mr. SNOOK] and fifteen minutes to the gentleman from Georgia [Mr. LEWIS].

Mr. SNOOK. Mr. Chairman, I do not desire to discuss any of the provisions of the bill which is now pending before the House, but I desire for a moment or two to call the attention of the House to a bill which was considered by the Senate for the last two weeks and which was adopted by it last Monday. I refer to the bill commonly known as the "ship-subsidy bill," the title of which claims that it is "to provide for ocean mail service between the United States and foreign ports and the common defense; to promote commerce and to encourage the deep-sea fisheries."

One of the objects of this bill, it is claimed, is to promote foreign commerce, and at this time, just before the bill is brought before the House of Representatives, I desire to call the attention of this House to the position of the largest class of exporters in the United States upon this question. In referring to the summary of imports and exports for the year ending December, 1901, I find that the total value of domestic exports for that year amounted to $1,438,038,990. Of that sum agricultural products amounted to $940,246,488, or 65.38 per cent of all the exports of this country for the year 1901. I call attention to the following table which gives the amount of domestic exports in detail, and which emphasizes the interest that the farmers of this country have in the export trade:

Exports.	December.				Twelve months ending December—			
	1900.		1901.		1900.		1901.	
Domestic:								
Products of—	*Dollars.*	*Per cent.*	*Dollars.*	*Per cent.*	*Dollars.*	*Per cent.*	*Dollars.*	*Per cent.*
Agriculture	102,455,129	71.10	94,312,042	69.82	904,655,411	62.26	940,246,488	65.38
Manufactures	32,468,894	22.54	32,864,499	24.33	441,406,942	30.38	395,144,030	27.48
Mining	3,395,805	2.36	2,803,043	2.07	39,222,902	2.70	40,416,597	2.81
Forest	4,101,929	2.84	3,730,038	2.76	54,481,146	3.75	50,491,255	3.51
Fisheries	1,295,907	.90	1,026,502	.76	8,074,684	.56	7,426,684	.52
Miscellaneous	376,784	.26	351,066	.26	5,169,027	.35	4,358,936	.30
Total domestic	144,094,448	100	135,087,190	100	1,453,010,112	100	1,438,083,990	100
Foreign:								
Free of duty	834,702	46.50	906,486	48.85	12,741,930	51.11	14,366,801	52.63
Dutiable	960,721	53.50	949,919	51.15	12,194,071	48.89	12,930,128	47.37
Total foreign	1,795,423	100	1,856,405	100	24,936,001	100	27,296,929	100
Total exports	145,889,871		136,943,595		1,477,916,113		1,465,380,919	

For several years the farmers have been considering the different measures about to come before Congress which affect their interests, and along with the other measures which have been considered by them is this measure which its advocates claim is needed for the purpose of expanding our foreign commerce. These people, who represent 65 per cent of the total exports of the United States, on the 28th day of September, 1901, adopted the following resolutions, which I desire to read as part of my remarks with reference to this bill and the principles on which it is based:

The principle involved in the ship-subsidy bill before the last Congress has the unanimous opposition of the farmers of the country as expressed by the National Grange and by the master of every State grange in the land. We are in favor of the development of the American merchant marine and of manufacturing, as we are in favor of the development of American agriculture, but are no more in favor of contributing to a few wealthy shipbuilders than we are of contributing to farmers or manufacturers. We have reasons founded on sound principles of statesmanship to oppose a scheme that contributes to the profits of the few at the expense of the many without adequate return. The toiling farmers of the land have developed American agriculture until its products constitute a majority of the exports of the country without Government aid, and we understand that American steamships are already yielding their owners profits in transporting these and other products to all parts of the world without Government subsidies. The farmers of the country ask for no special favors in legislation and oppose in the most vigorous manner such special favors to shipbuilders and owners as are embodied in what is familiarly known as the ship-subsidy bill.

These resolutions clearly state the opinion of that class of individuals who are most largely interested in the subject of foreign commerce, and I take great pleasure in calling the attention of the House to these resolutions, which so clearly state the objections of the farmers of this country to this bill.

Mr. LEWIS of Georgia. Mr. Chairman, it is not my purpose to discuss the pending bill, but I propose instead to discuss our tariff system, a question that has ever been foremost with the American people since the foundation of this Government, and which will continue to be one of the important questions before this people, for the reason that the two great political parties differ very widely in their ideas of the tariff. The theory of the Republican party has been a tariff for protection rather than for revenue, while the Democratic party has advocated a system more for the purpose of revenue than for protection. It is true that the tariff question has at times become dormant, but only to rise again and become one of the foremost questions before the country. We have evidence that this question is now beginning to agitate the people. We hear murmurings, we feel it, we see signs and evidences of it every day. The repeal of the war-tax bill by this House, when the majority denied any amendments, indicated that the question was again becoming important.

The bill now before the Ways and Means Committee, relative to reciprocity with Cuba, also indicates that the question is a live one. The interest that the beet-sugar people of this country are taking in that bill indicates that it is a coming question. But the greatest evidence that it is a live question, and one which is sure to receive the attention of the people, is the fact that a prominent Republican member of the Ways and Means Committee introduced a bill for the repeal of certain tariff taxes, and had the following of some of his party in that committee. Therefore, if this Congress does not pass some legislation looking to the revision of the tariff, it will be for the reason that the Republican majority denies the right of this House to legislate on that subject. It seems to me that the majority of this House are in favor of certain tariff revision, but they are afraid to permit the tariff issues to be presented to the House for consideration; therefore, we have an example of this Congress being afraid of itself. If this Congress is afraid to take any action upon an important question that demands its attention, what will the people of the country say and do and how will they place any further confidence in the dominant political makeup of this Congress?

We, in this country, are to-day occupying the high and enviable position that England occupied seventy years ago when she virtually threw down her tariff walls and opened her trade to all the world. The reason England did that was because she was a great nation, the most powerful nation financially and otherwise that then existed. To-day the United States is undoubtedly the greatest commercial nation in the world. Last year we exported more goods than any other nation in the world, exceeding England in our exports by $75,000,000 for the year 1901. Our exports for that year were $1,487,000,000, while our imports were only $823,000,000, making a difference in trade in favor of this country of $664,000,000, an amount nearly equal to two-thirds of the total bonded indebtedness of the United States.

I do not say that we should do as England did and adopt free trade, but I do say that we should take liberal action on our tariff question. Our tariff needs a general revision. Many items that are now upon the dutiable list could be put on the free list. A further reason for being able to take an active stand in the revision of our tariff is because of our great financial prosperity. We have more gold in the Treasury vaults than any other nation in the world. We now have $546,000,000 of gold in the vaults of the Treasury—far more than any other nation in the world. We have the smallest bonded indebtedness of any nation in the world. It is less than $1,000,000,000, while that of England is five or six times greater, and that of France probably ten or twelve times greater than that. We have in active money in our Treasury to-day $329,000,000, far more than any other country has.

To show that a high tariff is not longer necessary, we exported in 1901 $93,000,000 worth of manufactured merchandise in excess over the year before, while our imports of manufactured merchandise fell off $29,000,000 in 1901, showing that we are now seeking the markets of the world instead of it being necessary to have a tariff wall to protect us against the trade of other countries.

Our tariff system has brought animosity or prejudice on the part of other countries. Many of them have become hostile to us and have legislated specially against the United States. Russia, France, and Austria have had special tariff legislation in retaliation against our present system, and to-day the law-making power of Germany is in session discussing a bill in retaliation, or rather hostile to American exports.

The Western farmers of this country have certainly suffered greatly by reason of our tariff system. Russia has placed hostile laws against our grain and meat products and against the cotton growers of the South by putting an almost prohibitive tariff upon the raw cotton of this country. Yesterday, when the gentleman from Iowa [Mr. HEPBURN] was questioned very closely about protection, as to what he would do in case he should be asked to name a committee on ways and means composed of people who had no protected interests in their districts, he said he did not believe there was a district in this country that was not benefited by a protective tariff.

When he said that I thought of the Western farmer, who is the very bone and sinew of that great section of our country. He not only grows all the food products consumed at home, but he is dependent upon markets across the ocean for the sale of his surplus products. He produces nothing in consequence of which protection can give him any benefit, for instead of buying imported food products he is dependent on the trade of the world for a disposition of his surplus products; therefore, while he gets no protection, or rather it is worthless to him, on his products, at the same time he must pay tribute to the protective tariff system on nearly everything he consumes. What a political advantage that gives to my friends, the Democrats of the Western States, and I thought why do they not go out into that country and talk tariff to these people, the people who have been paying protection prices all their lives while they have never got any benefit from it.

It seems like a farce to read some of the Dingley tariff items for the supposed benefit of the farmers of the United States. How these Western people have been and are now being hoodwinked I can not understand. Take, for instance, the item of hogs. The tariff on them is $1.50 a head; on the item of wheat it is 25 cents per bushel, on corn meal 20 cents per bushel, on oats 15 cents a bushel, when, as a matter of fact, none of these commodities are ever brought to this country; but, on the contrary, we are the great exporters of them to all the world. Why, this country produces one-fifth of the wheat consumed by the world. We produce two-thirds of the cotton consumed by the world. Why, to-day in the war between Great Britain and the South African Republics we are largely furnishing the British and Boer armies with their bread.

During the siege of Pekin, when the allied armies were in China, we were furnishing largely the foods to support those armies, and at the same time we supplied the cotton goods which the people in China were wearing. We take the wrong view of our tariff system. It seems to be the idea to have all countries customers of ours, yet by an arbitrary tax against other nations deny ourselves the privilege of becoming customers of any other country. In other words, the idea is to have all the balance of the world bankrupt but ourselves. That is not the correct spirit of tariff arrangement that should exist between friendly countries.

Every country should be ambitious for an advantage in trade. We should be rivals, but the contest should be on the broad principle of selling and buying. We must seek trade from all countries, but the time will never come, and should not, when we will not need from various countries of the world goods that we do not produce. More especially should a great country like ours be most liberal. We enjoy a natural blessing that but few countries are favored with. Not only do we produce a great overflow of the necessities of life, which must seek an outlet in foreign markets, but we have reached a high position in manufacturing, and we must look to foreign consumption for a disposition of this surplus. Therefore the high commercial position we enjoy should cause us not to forget that we are interested in the welfare of all countries with which we have dealings of a business nature.

We are a nation seeking trade not only among ourselves, but we invite trade from every land; trade that is reliable and healthy. We want dealings with countries that are prosperous and successful. We can not safely desire any other.

The commerce and trade between two countries is similar to that between individuals.

If a man has something to sell, he will want to get a reliable customer. Take, for instance, the large dry goods firm of the Claflin Company, New York, or of Alfred Fields & Co., of Chicago. Do these large American houses send their drummers out to seek the trade of bankrupt or unfriendly customers? They would send them to the very finest customers, those who would be most friendly to their interests and most reliable in their credits. It is the same with our trade with foreign countries.

I was astonished, Mr. Chairman, when studying this question, to find that of the excess of exports over imports in favor of us of $664,000,000, $597,000,000 came from two friendly nations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES of Tennessee. I ask unanimous consent that the gentleman be given five minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the time of the gentleman from Georgia may be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LEWIS of Georgia. I was about to say, Mr. Chairman, I found that the balance of trade in favor of us with foreign countries out of $664,000,000, $597,000,000 of that balance came from Germany and England, the two most friendly nations, commercially, to ourselves. By retaliation the trade of France has become about a balance with ours. Russia has offending tariff laws against us, and her trade is greatly reduced. Therefore, it is important that we should throw down largely our tariff walls and invite the trade of all lands. I beg to submit a table of our exports and imports with five of the strong countries of the world for 1901, the first two most cordial and friendly in their commercial or tariff legislation, while the three last have passed hostile legislation to offset our tariff laws as against theirs:

	Exports.	Imports.	Excess in favor of us.	Excess against us.
England or United Kingdom[a]	$631,000,000	$143,000,000	$488,000,000	
Germany[a]	191,000,000	100,000,000	91,000,000	
France	78,000,000	75,000,000	3,000,000	
Austria-Hungary	7,000,000	10,000,000		$3,000,000
Russia (European and Asiatic)	9,000,000	10,000,000		1,000,000

[a] Total trade balance from these two commercially friendly countries in our favor, $679,000,000.

Thus making the trade of these commercially unfriendly nations against us $1,000,000.

The above table but illustrates the wonderful gain and advantages that the United States can have by always having most liberal tax relations with the various countries of the world.

Mr. Chairman, I want to say something about reciprocity, but I will not have time to do that. I do say, however, that I believe that reciprocity is a failure. I believe that a great Government like this should have but one system, one kind of tariff for all countries, and the only time and the only occasion when we should change that would be when some country became hostile to us in their legislation and passed specially unfriendly legislation to us. Then, in place of reciprocity I would substitute retaliation, and retaliate by increasing the tariff against that offending country. But a great nation like ours should deal justly with all alike. I do not believe we should undertake to make a private arrangement here with one country and a private arrangement with another country.

We should not attempt to treat England and Germany, whose purchases are $597,000,000 in excess of our purchases from them, on worse terms than we would some other country whose trade was far smaller. I think that would be unfair and unjust. I think we should deal honorably and fairly with all and have one rate of tariff. It would be very much like I understand the principle to be in some of the large wholesale and retail houses of this country which have but one price; so that if you were to send an innocent child into that store he could buy his goods just as cheaply as the most intelligent adult. The same system should prevail in the United States. We have become a great country, and we should have broad and liberal tariff laws.

Now, Mr. Chairman, I would not be misunderstood relative to our position with Cuba. We should give that country some most liberal concessions, not, however, for the purpose of securing her trade, but on account solely of our near, unusual, and peculiar relation to her. Cuba is a ward of ours, and I advocate concessions to her for her sake alone.

We are sending our goods into the markets of the world, we are sending them everywhere, and we want the trade of all the world. Consequently we should not have any restriction. We are an independent people largely because we are great producers of the food supplies and necessities of life, while we have, on the other hand, become a great manufacturing people, and we are now sending our manufactured goods to all parts of the world. We have become the lenders of money to many nations of the world. We no longer confine our loans to this country, but are making loans to many other countries.

Mr. Chairman, as stated in the beginning of my speech, the country is beginning to sound the call for some kind of tariff legislation, and it is with much gratification that I submit an editorial, dated March 17, from one of the foremost papers of the South, the Atlanta Constitution, urging tariff revision:

THE HOPE OF TARIFF REVISION.

The only hope that the spoliated consumers of this country have for a revision of the Dingley tariff lies in the committal of the Government to the Democratic party.

The only hope the people have that government of the trusts, by the trusts, and for the trusts may perish from the Republic lies in the same measure of relief.

One of the most prominent facts that has been developed by the deliverances in both Houses of the present Congress and by the leaders of both parties is that the people are restless because of the plain robberies committed from them by the tariff as it now stands, and that they mean to have justice out of the situation at any cost.

Speaker HENDERSON says "that there could be, wisely, revision on certain parts of the tariff laws, and that reductions can be wisely made in some matters, no sane man will attempt to deny." Why, then, does he and his Committee on Rules refuse to allow a willing majority in the House—made up of revision Republicans and Democrats—prepare and propose those wise reductions? He answers that "the danger is, that in trying to reach a few remedies we will involve the country in serious difficulties;" or, in other and truer words, the people may take too much, and take it from the plethoric, plutocratic trusts who supply the sinews of war for the Republican party.

Therefore the question resolves itself into simple terms and propositions. The trusts live and move and have their being in the circumference of the Dingley Act. By it they are enabled to monopolize production and fix prices, because they have no fear of competition. They demand that their special privileges to loot the pockets of American consumers shall not be withdrawn by any general revision and lowering of tariff rates. The Republican leaders, knowing that the fat with which to grease their campaign wheels comes from the profits of the trusts, dare not let down the bars and turn the people in upon that standing corn of the joint conspirators—the trusts and the party bosses.

How long will the people stand for that sort of highway robbery? How much longer will the farmers of America consent to pay 40 per cent more for trust-made plows than are paid by the Canadians and Cubans after freight and foreign tariff duties are paid on them? A hundred other articles of daily home consumption present the same conundrum. It is for the people to answer at the polls whether they prefer Republicanism and robbery or Democracy and a just revision of the tariff that will harm no honest American industry and spoliate no honest American citizen or home.

Here we have the pivotal and paramount issue, on which the Democratic party should make its appeal to American voters in every Congressional district between this day and the ides of the coming November.

Again I quote from two editorials in the Washington Post, a strong protective-tariff journal, under dates of February 18 and March 1, stating the time had come for tariff legislation, and strongly urging and advising it:

TARIFF REVISION.

Many times before and since the assembling of the Fifty-seventh Congress the Post has admonished the Republican members of that body of the danger of a refusal to revise the tariff. The necessity for revision has resulted more from the unexpectedly great success of the Dingley tariff than from mistakes in its schedules. The one serious mistake in that act was its reciprocity feature and the imposition of some duties bearing a margin that was intended for reduction by reciprocity treaties. Mr. Dingley and his associates were pledged to that irregular and condemned plan of tariff legislation by the action of Republican national conventions. They did not foresee the change in popular feeling and the views of statesmen by which Mr. Blaine's scheme of Executive tariff tinkering has been practically ruled out.

The Post advocates that freedom of trade from the protection standpoint. The only consistent protectionists are those who believe in abolishing all tariff schedules that are not needed either for protection or revenue, and whose only object is to shelter monopolistic extortion. Whenever any industry has reached the point at which it is able to care for itself it has vindicated the wisdom and beneficence of protection, and the transfer of its product to the free list is but carrying to its logical result the only argument on which protection was built up or has a right to live.

Mr. Chairman, I thank the committee for its attention. [Loud applause on the Democratic side.]

Mr. SMALL. Mr. Chairman, I listened this afternoon with much interest to the gentleman from Louisiana [Mr. RANSDELL] and on yesterday to the gentleman from Massachusetts [Mr. LAWRENCE], both of whom are members of the Committee on Rivers and Harbors, who spoke in commendation of the provisions of this bill. The gentleman from Louisiana had the unctuous consolation of knowing that the Mississippi River, in which he was peculiarly interested, had received $12,000,000 out of the total appropriations contained in this bill, being one-fifth of the entire sum carried. The gentleman from Massachusetts had ample justification in expressing his pleasure in the fact that the harbors and waterways of that great State had been conserved by appropriations to the amount of $4,652,895, nearly one-twelfth of the amount carried in the bill. I do not think I have made any error in the addition of the several items.

As one of the Representatives from the State of North Carolina, I have not the same incentive to favor this bill, and I must enter my dissent to its provisions so far as my State is concerned.

The district which I have the honor to represent extends from the Virginia line southward along the Atlantic coast for a distance of 210 miles, including Beaufort Inlet. It has within its limits 2,885 square miles of inland waterways. It has 20 rivers, both large and small. It possesses a water-borne commerce which is not only very considerable at the present time, but promises great possibilities for the future. There are within its limits prosperous and progressive towns tributary to these waterways, peopled with intelligent citizens who are keeping pace with the onward march of industrial progress. Elizabeth City, easily the queen city of the northeastern counties, located upon the beautiful Pasquotank, is but a fair illustration of its commercial progress. The old and historic town of Edenton, which overlooks the broad and magnificent bay of the same name, is forging ahead and adding year by year to her tonnage in shipping and in valuation of her water-borne commerce.

The towns of Plymouth and Williamston, situated upon the Roanoke, a bold stream, which was the scene of many historic naval encounters in our late civil war, afford no ordinary examples of thrift and prosperity. The town of Greenville, at head of easy navigation on the Tar River, has made such rapid progress during recent years as to surprise even the stalwart business men who have wrought its commercial development. The town of Washington, situated upon the beautiful Pamlico River, needs no commendation from those who have had the opportunity to visit its hospitable people or of studying its commercial growth. Year by year its shipping has increased in tonnage, and the value of its products has grown in proportion. The commercial statistics of that port show a tonnage for 1900 of 613,895 tons, being an increase over the previous year of 106,000 tons. Time does not permit recalling other progressive towns, like Hertford, Murfreesboro, Winton, Roper, Columbia, Belhaven, Beaufort, and Morehead City. Its agricultural lands are fertile and responsive, and the surplus products of the farms vastly increase the wealth of that section of North Carolina as they are carried out to the industrial world. And yet, Mr. Chairman, the waterways in that district and the commercial interests which are involved receive the munificent sum of $77,900 in this bill.

But how fares the entire State? North Carolina on its eastern border extends along the Atlantic coast for a distance of more than 300 miles. To say nothing of the smaller streams, there are seven large and bold rivers flowing through the State into the inland sounds and then into the ocean. These are the Pasquotank, Perquimans, Chowan, Roanoke, Pamlico, Neuse, and the Cape Fear. There are numerous inland sounds and bays, the principal of which are the Pamlico and the Albemarle Sound, the latter being the largest body of fresh water on the Atlantic coast. The lower Cape Fear River below Wilmington furnishes one of the finest channels and ports on the Atlantic coast, if not the very finest. It is, therefore, pertinent to inquire to what extent the harbors and waterways of my State receive recognition and

appropriations in this bill. Gentlemen will be surprised to learn that the honorable Committee on Rivers and Harbors after more than two months' incubation and zealous study, with no other professed desire than to serve the interests of the whole country and to mete exact and even justice, have in their wisdom and magnanimity appropriated the sum of $267,400 for the entire State. Of this sum $150,000, or more than one-half, is appropriated to the Cape Fear River below Wilmington, and even that amount is insufficient for the needs of that magnificent port and channel to the extent of $100,000.

There are three districts in my State which are directly interested in this bill—the Sixth district, represented by my colleague, Mr. BELLAMY, and the Third district, represented by my colleague, Mr. THOMAS, and my own district, the First. The waterways of the district of my colleague, Mr. BELLAMY, receive $160,000, and of my colleague, Mr. THOMAS, $29,500, and the First district the sum of $77,900. In the face of these conditions, Mr. Chairman, it is said we should be grateful for what we have received and not antagonize this bill, because forsooth we may displease some gentlemen, and in any event will not be able to defeat the bill. Modesty and silence under injustice are not always virtues to be commended.

We, the Representatives from that good State, desire to inquire with all deference why it is that the commercial interests of our State have been neglected in the provisions of this bill. Is it because, as my colleague [Mr. BELLAMY] intimated two days ago in this House, the State is not represented by membership on that committee? I will not make any invidious comparisons between States and districts which are represented and those not represented on that distinguished committee. It is proper to say that the gentlemen composing that committee, including the distinguished chairman, repudiate the intimation that membership carries with it preemptions upon appropriations for the commercial interests of their respective districts and States. On yesterday the distinguished gentleman from Iowa [Mr. HEPBURN], who opposed this bill, maintained that the committee should be composed of members whose districts were not peculiarly and directly interested in harbors and waterways, upon the theory that they would study the commercial needs of the country from a national and just standpoint, and thus free the committee from the suspicion of logrolling for each others' interest, as has been suggested from various quarters.

It is apparent that North Carolina had no representative upon the committee, and according to the theory of the gentleman from Iowa we should have received more even justice.

Certainly it could not have been the intention of the committee to willfully discriminate against the State. I would not without the clearest proof make such a charge against any committee of this body. If they are not acquainted with the relative importance which the State bears in her relation to the Union, I would point them to her history in the past, from which they would learn that in every critical period of the Republic she has stood square to a conscientious performance of her duty and contributed more than her share to its perpetuation and progress. If it is along material lines that they desire evidence, I would point them to that silent but eloquent compilation of figures shown in the Twelfth Census, which indicates a healthy and rapid growth in her commercial and manufacturing interests during the last decennial period, and which would convince any gentleman desirous of ascertaining the facts that she was entitled to greater consideration than she has received.

Neither would it be pleasing to charge that the committee had distributed these appropriations, or as they prefer to designate them, their recognition of the commercial interests of the country, by sectional lines or as the result of sectional prejudice. We have been told that we are approaching an era of domestic tranquillity, of peace, of concord, of mutual recognition of the merits, the advantages, the growth, and the possibilities of every section of this great Union, and there have been many evidences of amity and of justice. Certainly this committee would not sound a discordant note and revive among the people of any section the sentiment of sectional discord. I can only attribute the action of the committee to the fact—and I make the charge with all deference—that the membership of the committee are not acquainted with the commercial growth of the State and with the needs and interests of her existing commerce and with the possibilities of her waterways.

Perhaps the action of the committee may be explained in the speech of the distinguished chairman on the floor of the House on last Monday in his most remarkable statement, that of the $60,000,000 appropriated in this bill $50,000,000 were appropriated, to quote his words, "for great projects, for great ports, and great channels," leaving $10,000,000 to be distributed throughout the country among its small harbors and waterways. Therefore, five-sixths of the total appropriations have been concentrated upon a few great harbors and one-sixth thereof doled out among a few of the great number of smaller projects. They have been inadvertent to the fact that the smaller ports and waterways are relatively of as great importance to their respective sections and that they make up the great volume and aggregation of our waterborne commerce and commercial interests.

I hope the committee have not permanently fallen into the evil lines which are charged against many of the policies which actuate the administration of the Republican party, that of concentrating wealth and favor and recognition among the few and neglecting the many interests which represent and sustain our commercial progress. After all, the great ports are only clearing houses of the lesser ports and waterways, and if the latter languish from neglect the former will dwindle into insignificant proportions.

Among the several projects in North Carolina which are entitled to favorable consideration I desire to call particular attention to one which has been omitted by the committee. I introduced early in the session a bill authorizing the appointment of a board of engineers to consider the subject of an inland waterway from Norfolk, in the State of Virginia, to Beaufort Inlet, in the State of North Carolina.

This is not only important to the commercial interests of our State and not only affects the commerce of the great port of Norfolk to the north of us and of the Chesapeake Bay, but the other ports and States further north, as well as the Atlantic ports south of Beaufort Inlet. There appears to be a woeful amount of ignorance concerning the necessity of this waterway. Its opponents have asked as to its necessity. They point to the map with great satisfaction and call attention to its inland sounds and its stretch of coast upon the Atlantic and inquire why does not the coastwise shipping seek an outlet to the ocean and engage in coastwise traffic. I beg to contribute a few pertinent facts within the limited time at my disposal which may serve to inform the country. A most interesting contribution upon this subject was made by Mr. S. T. Abert, United States civil engineer, and is contained in Senate Executive Document No. 35, Forty-fourth Congress, first session. I quote one paragraph therefrom:

> The coast of North Carolina is over 300 miles in extent. For the greater part of this distance barrier reefs, or a cordon of long, low, narrow sand-hills, varying from one-fourth of a mile to nearly 4 miles in width, resist the billows of the Atlantic and appear for centuries to have maintained the same position in which we now find them.

This narrow cordon of sand reefs or the "Banks," as they are sometimes termed, separate the Atlantic Ocean from the inland sounds of the State. The State is unfortunate in the character of its inlets to the ocean. From the southern extremity of Pamlico Sound, extending northwardly to Chesapeake Bay, there is to-day practically only one navigable inlet to the ocean, which is known as Ocracoke Inlet. While this affords a depth of from 10 to 14 feet, yet its approach from Pamlico Sound is restricted by a "swash" or sand bar with only a depth of between 7 and 8 feet, and, as the chairman [Mr. BURTON] has very frequently stated, the minimum depth controls navigation.

Beaufort Inlet and the inlet leading from Cape Fear River to the ocean, both of which are south of Pamlico Sound, are to-day practically inaccessible to shipping from points farther north by reason of the shallow depth of Core Sound and of the incomplete condition of the Club Foot and Harlowe Creek Canal. But not only is navigation within this territory confined to Ocracoke Inlet with its limited depth as an outlet to the ocean, but the coast of North Carolina presents almost insuperable obstacles to our coastwise commerce.

I need only refer to Cape Hatteras and the outer Diamond Shoal in confirmation of this statement. Cape Hatteras has for centuries been the terror of the mariner, and it has been aptly termed "the graveyard of the Atlantic." Hundreds, yes thousands, of proud ships have ended their last voyage amid its tempestuous seas and foundered on its cruel sands and rocks. Thousands of lives of brave seamen have been sacrificed in the vortex of its waves. Millions of dollars of valuable property have paid tribute to its insatiate greed.

Its history is eloquent of death, disaster, and suffering, and the engineering skill of the modern world has been unable to resist its ruthless career or afford protection to the travelers upon the seas. But this is not all. Cape Lookout, which lies to the south of Cape Hatteras between Ocracoke and Beaufort inlets, has been scarcely less prolific of disaster and death. In this busy world we soon forget isolated instances of misfortune or catastrophe. It is only when they are aggregated that we can appreciate their enormity. I hold in my hand a compilation of marine disasters upon the coast of North Carolina from Gull Shoal, north of Cape Hatteras, south to and including Cape Lookout and Shoals, for a period of eleven years from July 1, 1890, to June 30, 1901. This summary was at my request prepared under the direction of General Superintendent S. I. Kimball, of the Life-Saving Service.

I wish time permitted some eulogy of this veteran public servant, who has held his post of duty so long as leader of the humane work of saving life and property and of minimizing the terrors of the seas. I will print this statement as an appendix to my remarks, and shall now only take the time to repeat its recapitulation. It shows during this period that the number of marine disasters on the North Carolina coast have been 80; the number of vessels totally lost, 41; the number of lives lost, 42; property involved, $5,562,405, and property totally lost, $2,294,900. I call your attention to the pertinent fact that the great bulk of these disasters occurred not to vessels engaged in our foreign commerce, but more than 90 per cent were vessels and steamers engaged in our coastwise trade between our Southern and Northern ports.

May I call attention to another physical condition along our coast? A stretch of land separates the Chesapeake Bay on the north from the inland sounds of North Carolina, which has been pierced by two canals owned by private corporations, one known as the Albemarle and Chesapeake Canal and the other known as the Dismal Swamp Canal, and which afford an average depth of about 8 feet. These answer a very useful purpose, and yet, for the reasons above given, they only serve the local commerce of eastern North Carolina north of and including Pamlico Sound and its tributaries. So that it appears, Mr. Chairman, that this portion of eastern North Carolina, comprising nearly 200 miles of its seaboard, is practically, at the present time, cut off from an outlet to the ocean and its water-borne commerce is restricted on the north via Chesapeake Bay to vessels and steamers having an average draft of 8 feet or less. Who, then, will say, in view of the physical conditions which confront our coast, that this inland waterway is not a necessity?

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. I ask unanimous consent to continue longer.

Mr. BURTON. I give notice that this is the last time I can consent to any extension of time, because there are others who wish to speak and the general debate is to close at 3 o'clock. I make no objection in this case.

The CHAIRMAN. The Chair hears no objection.

Mr. SMALL. Mr. Chairman, in the emergency river and harbor bill of June 6, 1900, provision was made for the survey of a part of this waterway, as follows:

Pasquotank River: With the view of obtaining a navigable depth of 16 feet at mean low water from South Mills, on the Pasquotank River, thence down the Pasquotank River, through Albemarle Sound, Croatan Sound, Pamlico Sound, and Core Sound to Beaufort Inlet, including also cost of procuring a navigable depth of 18 feet through Beaufort Inlet and 18 feet through Ocracoke Inlet, respectively.

South Mills is the southern terminus of the Dismal Swamp Canal. The report of this survey was submitted by the Chief of Engineers, and is contained in House Document No. 202, Fifty-sixth Congress, second session, and is worthy a careful reading. In fact, I can not too highly commend the intelligent and painstaking reports of the local engineers, Capt. E. W. Van C. Lucas and Maj. James B. Quinn. Not only was their report most favorable, but it received the cordial indorsement of Col. Peter C. Hains, division engineer, and also of the Chief of Engineers. I will take the time only to read an extract from the indorsement of Colonel Hains:

The survey is for a project of great national importance, and should be undertaken only after the most careful consideration and study to see that the best route is adopted. I do not think the surveys thus far made determine this fact with certainty. This survey is for a particular route described in the law, leaving the engineers no discretion in the selection of a better one, should it exist. There are other routes that should be examined, and the best connection made between Albemarle Sound and Chesapeake Bay, whether it be via the Dismal Swamp Canal or the Albemarle and Chesapeake Canal. Moreover, the entire route should be owned by the United States.

I am clearly of the opinion that an inland waterway should be opened by the United States from Norfolk south, that it should be under the absolute control of the United States from one end to the other, and that the Government would be justified in expending a considerable sum on such a work.

While emphasizing the national importance of this inland waterway both for commercial reasons and for strategic purposes in time of war, it is proper to say that the report embodied two other conclusions. First, that the route embraced in the survey made was not sufficiently comprehensive and that legislative authority should be given to make proper surveys and estimates of other routes along the same general course in eastern North Carolina for the purpose of satisfactorily determining which was the most available and economic route. Second, the report further suggested that it would not be wise for the Government to undertake this great project as long as the northern communication with Chesapeake Bay was dependent upon the use of a canal owned by a private corporation, which might fail to enlarge their canal to correspond with the Government waterway and thereby render the latter useless. In substance, that both of these canals should be examined with a view to determining which afforded the best route, and that one or both should be owned by the Government and maintained as a part of this inland waterway. The above suggestions were eminently wise and practical, and it was for the purpose of making the further surveys and of examining and appraising the value of the two private canals that the bill which I refer to was introduced at this session. For information I will append this bill to my remarks.

But, Mr. Chairman, it has been said by the distinguished chairman of the committee that the true criterion of appropriations for the improvement of our waterways is the amount of commercial interests involved. By this test we submit with confidence the merits of this measure to Congress and to the country. It appears from the report of the Chief of Engineers and from other reliable data which has been collected that the estimated value of coastwise commerce to be affected by the establishment of this inland water route at the seven ports south of Beaufort Inlet aggregates more than $116,000,000. The ports referred to are Wilmington, N. C., Georgetown, S. C., Charleston, Savannah, Brunswick, Fernandina, and Jacksonville.

It may be said that an equal amount will be involved in the coastwise commerce from the ports on the Alantic coast north of and including Chesapeake Bay. This does not take under consideration the amount of coastwise commerce involved from the inland sounds and rivers and ports in eastern North Carolina. It would therefore be conservative to estimate that more than $300,000,000 of coastwise commerce would be affected and benefited by the construction of this inland waterway. This means 10,000,000 tons of commerce per annum. The cheapest form of water transportation is that carried by large barges and towed by powerful tugs. Wherever this method of transportation has been adopted freight rates have been greatly reduced. Since the institution of barge transportation in the coal trade from Chesapeake Bay to the North "freight rates have been reduced more than half, and where a few years ago they amounted to from $3 to $5 per ton, they are now from 75 cents to $1.50 per ton." The freight rates on lumber from the South have also been largely reduced.

If the establishment of this inland route resulted in the reduction of rates by even 10 cents per ton on the estimated tonnage, say 10,000,000 tons annually, it would amount to a saving per annum of $1,000,000. At 5 per cent this is the interest on $20,000,000, which is nearly four times the total cost of the construction of this inland water route, including the purchase by the Government of one of the intervening canals and the enlargement thereof. Who will gainsay the conclusion that the establishment of this inland water route is desirable and necessary by reason of the immense commercial interests involved?

This is not a local enterprise, but a national project. It is one of the several links in the chain of the great inland waterway which shall ultimately extend from Boston, on the coast of New England, to Beaufort Inlet, on the coast of North Carolina.

I may state as another pertinent fact that coastwise navigation on the Atlantic south of Beaufort Inlet is comparatively safe. Physical conditions which sustain this statement are well known and recognized. I interrogated the distinguished chairman of the committee when he was on the floor last Monday as to the reasons which actuated the committee in refusing to include this project in the bill. Here was his reply:

Mr. BURTON. First, there were numerous claims from different localities in the country for the survey of inland waterways, as from Delaware and Maryland and the coast of New England, South Carolina, Georgia, Florida, Louisiana, and Texas. It did not seem to us fair to include this item in North Carolina without including all the rest. This was in pursuance of a rule as far as possible to treat all alike. The second reason is this: In the year 1900 a provision was inserted for a survey of an inland waterway in this very locality. The estimated cost, I think, of 16-foot navigation was $1,900,000, or an 18-foot navigation at a very much larger sum.

Either of those amounts was sufficient to preclude the desirability of an appropriation being made for it now. After one waterway has been surveyed in North Carolina—and so far a preference has been given to it in comparison with other States—and an estimate came in of so great size as did come in, it did not seem desirable to have another waterway survey there right in the same neighborhood. Such a course would not only threaten undue appropriations, but it would be unfair to other localities whose inland waterways remain unsurveyed.

I submit that the explanation does not explain. The professed intention of the bill is to recognize great projects where commerce would be largely benefited, and I submit with confidence that this inland waterway supplies both conditions. In this connection I call attention to the fact that the House Committee on Railways and Canals favorably reported yesterday a resolution authorizing the President to appoint a commission for the purpose of considering the establishment of a free and open waterway connecting Chesapeake and Delaware bays, and the chairman of that committee, Mr. DAVIDSON, of Wisconsin, is one of the distinguished members on the Committee on Rivers and Harbors. We congratulate the country upon this favorable report, recognizing the importance of the connection between Delaware and Chesapeake bays, but we deplore the omission of a provision recognizing the more important inland water route connecting Chesapeake Bay and Beaufort Inlet, North Carolina.

Mr. Chairman, the movement in favor of this inland waterway

has come to stay, and the commercial interests involved will continue to knock at the doors of Congress until a favorable response is given. [Applause.]

APPENDIX 1.

A bill (H. R. 7452) authorizing the appointment of a board of engineers to consider the subject of an inland waterway from Norfolk, in the State of Virginia, to Beaufort Inlet, in the State of North Carolina.

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to appoint a board of engineers, to consist of not less than three and not more than five, and to be taken from either the active or the retired list of engineers in the service of the United States, to consider the entire subject of a waterway of not less than 16 feet depth from Norfolk Harbor, in the State of Virginia, to Beaufort Inlet, in the State of North Carolina, with instructions, first, to make surveys of all possible routes, if necessary, whether or not included in recent surveys made by Maj. James B. Quinn and Capt. E. W. Van C. Lucas and reported to Congress in Executive Document No. 202, Fifty-sixth Congress, second session, and, second, to submit a report with estimates and recommendations, and, in the event of a favorable recommendation, a description of the best route, such report to contain an estimate of the total cost of the construction of the route recommended for adoption, including the probable cost of the purchase and improvement to 16 feet depth of any private waterway that it may be to the interest of the United States to acquire and improve in connection with the above improvement. And said board, when appointed, is authorized to order such journeys for any or all of its members as may be necessary to investigate not only any or all possible parts of proposed route but also the commercial interests of any part or parts liable to be affected by the establishment of the proposed waterway.

APPENDIX 2.

Statement of marine disasters which occurred on the coast of North Carolina from Gull Shoal, north of Cape Hatteras, south to and including Cape Lookout and shoals, from July 1, 1890, to June 30, 1901, inclusive—eleven years.

Date of disaster.	Name of vessel.	Description of vessel.	Tons.	Port sailed from.	Port bound to.	Resulting in total loss.	Nature of cargo.	Number of lives lost.	Property involved.	Property lost.	Locality of casualty.
1890.											
Oct. 3	Rhuriderm	Br. stp.	1,156	Key West, Fla	Newcastle, England.		Phosphate rock		$108,400	None.	¼ mile NW. of Cape Lookout L. S. Station.
Dec. 17	Blanche	Br. sch	220	Cape Haitien, Haiti.	Boston, Mass.	Total.	Logwood		15,000	$15,000	Ocracoke Inlet.
1891.											
Jan. 22	Chas. C. Lister, jr.	Sch.	160	New York City	Wilmington, N.C.	Total.	Phosphate		10,000	10,000	Hatteras Inlet.
Do	Nathaniel Lank	Sch.	282	St. Thomas, West Indies.	Delaware Breakwater.	do	Sugar		36,000	36,000	Gull Shoals.
Feb. 20	Cragside	Br. stp.	1,278	Galveston, Tex	Liverpool, England.		Cotton and oil cake.	1	393,360	82,000	1 mile S. of Ocracoke L. S. Station.
Feb. 28	J. D. Jones	Steamer	258	Norfolk, Va	Ocracoke Inlet, N. C.		Ballast		90,000	5,000	Ocracoke Inlet
Mar. 27	Borinqueen	Spanish stp.	1,262	Galveston, Tex	Liverpool, England.		Cotton seed and oil cake.		165,030	63,740	3 miles S. of Ocracoke L. S. Station.
July 7	A. L. and M. Townsend.	Sch.	42	Bogue Inlet, N.C.	Baltimore, Md	Total.	Lumber		2,400	2,400	2½ miles S. of Cape Lookout L. S. Station.
Nov. 25	John M. Cannon	Sch.	232	Bucksville, S. C	do		do		15,000	5,400	Hatteras Inlet.
1892.											
Feb. 22	Anne E. Pierce	Sch.	93	Bogue Inlet, N.C.	New Bedford, Mass.	Total.	Lumber	1	6,000	6,000	Little Kinnakeet.
Feb. 26	Freddie Heucken	Sch.	344	New York City	Virginia	do	Ballast		15,000	15,000	Gull Shoal.
Dec. 20	Leonore	Sch.	17	Beaufort, N. C	Fishing trip		do		800	None.	1 mile NE. of Cape Lookout L. S. Station.
Dec. 25	Thos. J. May	Sch.	225	New York City	Georgetown, S.C.		do		15,000	None.	1½ mile W. by E. of Cape Lookout L. S. Station.
1893.											
Feb. 9	Formosa	Bktne	535	Key West, Fla	Baltimore, Md	Total.	Phosphate rock		24,000	24,000	Outer Diamond Shoals.
Feb. 20	Nathan Easterbrook, jr.	Sch.	713	Carteret, N. J	Savannah, Ga	do	Fertilizers	1	55,000	55,000	Little Kinnakeet.
Feb. 22	Addie B. Bacon	Sch.	391	Philadelphia, Pa.	Morehead City, N. C.		Phosphates		24,000	None.	1 mile N. ¼ E. of Cape Lookout L. S. Station.
Mar. 4	Martha	Sch.	53	Beaufort, N. C	Baltimore, Md	Total.	Fish, etc		9,000	6,250	Cape Hatteras.
Mar. 9	Lillie F. Schmidt	Sch.	577	Bermuda, West Indies.	do	do	Lumber		24,000	24,000	10 miles SW. Ocracoke L. S. Station.
Sept. 24	Cherubim	Sch.	98	New York City	Newbern, N. C		Fertilizers		4,800	None.	Hatteras Inlet.
Oct. 13	Daylight	Br. stp	2,338	do	Wilmington, N.C.		Ballast		125,000	None.	Cape Lookout Shoals.
Oct. 15	Maggie Andrews	Sch.	615	Darien, Ga	Portland, Me	Total.	Lumber		29,260	29,260	20 miles NE. Cape Lookout Shoals.
Nov. 24	Jennie F. Willey	Sch.	384	New York City	Savannah, Ga		Guano		18,000	2,200	Cape Lookout.
Dec. 2	Wetherby	Br. stp	2,129	Fernandina, Fla	Fernandina, Fla	Total.	Phosphate rock		150,000	150,000	Outer Diamond Shoals.
1894.											
Mar. 14	Jennie E. McNaughton.	Sch.	89	Stonewall, N.C.	Atlantic City, N.J.	Total.	Lumber		6,600	6,600	Ocracoke Inlet.
Mar. 19	Aros	Br. stp	1,157	Fernandina, Fla	Stettin, Prussia		Phosphate		172,000	None.	10 miles S. by E. of Cape Lookout L. S. Station.
Sept. 26	A. P. Richardson	Sch.	78	New York City	Hatteras Inlet, N.C.	Total.	Ballast		3,000	3,000	½ mile S. of Ocracoke L. S. Station.
Dec. 27	Richard S. Spofford.	Sch.	489	Boston, Mass.	Darien, Ga	do	do	1	32,000	None.	Ocracoke Inlet.
1895.											
Jan. 19	Hester A. Seward	Sch.	158	Georgetown, S. C	Baltimore, Md	Total.	Lumber		6,900	6,900	Hatteras Inlet.
Do	S. Warren Hall	Sch.	160	Atlantic City, N. J.	Bogue Inlet, N. C		Ballast		3,000	2,500	4 miles S. of Ocracoke L. S. Station.
Feb. 8	Anaconda	Sloop	15	Kinnakeet, N. C			Fish, etc		640	None.	1½ miles N. of Ocracoke L. S. Station.
Do	Annie C. Thomas	Sch.	6	do			do		440	None.	Do.
Do	Maggie J. A	Sch.	10	do	Elizabeth City, N.C.		do		430	None.	½ mile N. of Ocracoke L. S. Station.
Do	F. M. Isabella	Sch.	9	do			do		440	None.	1½ miles N. of Ocracoke L. S. Station.
Feb. 27	Etta M. Barter	Sch.	273	Charleston, S.C.	New York City	Total.	Lumber		9,000	9,000	7½ miles ENE. of Portsmouth L. S. Station.
Mar. 4	Ed. S. Stearns	Sch.	338	Rockport, Me	Charleston, S. C.	do	Lime and hay		18,000	18,000	5½ miles SW. by W. Durants L. S. Station.
Do	Sallie Bissell	Sch.	52	Charleston, S. C.	Newbern, N. C.	do	Phosphates		3,700	3,700	3½ miles E. of Portsmouth L. S. Station.
May 22	Three Pot	Sch.	11	Morehead City, N. C.	Cape Lookout, N. C.		Unknown		800	None.	Cape Lookout.
July 3	William Frederich.	Sch.	453	Satilla River, Ga.	New York City		Lumber		12,000	300	2 miles E. by E. Body Island L. S. Station.
July 22	J. W. Dresser	Bktne	602	Guantanamo, Cuba.	do	Total.	Sugar		54,000	54,000	Outer Diamond Shoals.
1896.											
Feb. 6	H. B. Hussey	Brig	545	Boston, Mass.	Charleston, S. C.		Ballast		16,000	3,000	1 mile SE. of Ocracoke L. S. Station.
May 22	Glanayron	Br. stp	1,631	Fernandina, Fla	Rotterdam, Holland.	Total.	Phosphates		136,000	136,000	Outer Diamond Shoals.
July 7	Henry Norwell	Bktne	534	New York City	Brunswick, Ga	do	Ballast		15,000	15,000	Gull Shoal.
Aug. 2	Hugh	Sch.	16	Beaufort, N. C	Smiths Creek, N.C.		Shells		430	None.	1 mile NW. Core Bank L. S. Station.

Statement of marine disasters which occurred on the coast of North Carolina, etc.—Continued.

Date of disaster.	Name of vessel.	Description of vessel.	Tons.	Port sailed from.	Port bound to.	Resulting in total loss.	Nature of cargo.	Number of lives lost.	Property involved.	Property lost.	Locality of casualty.
1896.											
Sept. 1	Romulus	Ger.stp.	2,630	New Orleans, La.	Newport News, Va.		Lumber, corn, flour, oil cake.		$190,470	None.	Outer Diamond Shoals (got off in 2 hours).
Dec. 23	Ida C. Schoolcraft	Sch.	320	New York City	Wilmington, N.C		Guano		22,000	None.	¼ mile N. of Cape Lookout L. S. Station.
Dec. 24	F. M. Isabella	Sch.	9	Ocracoke, N. C.	Hatteras, N. C		Unknown		500	None.	2 miles N. of Ocracoke L. S. Station.
1897.											
Apr. 20	Minnie	Sch.	13	Hog Island, Va			Unknown		200	$100	1 mile NNE. of Core Bank L. S. Station.
Do	Adrienne	Yacht	48	Miami, Fla	New Haven, Conn.		do		5,000	None.	¼ mile N. of Cape Lookout L. S. Station.
Oct. 9	Hesperides	Br.stp.	2,404	Cuba	Baltimore, Md	Total.	Iron ore		100,000	100,000	Outer Diamond Shoals.
Nov. 22	St. Thomas	Sch.	742	Charleston, S. C.	Portland, Me		Lumber		21,000	200	Cape Lookout Shoals.
1898.											
Mar. 4	Maggie M. Keough	Sch.	584	do	New York City		Lumber		10,700	400	1 mile WNW. of Cape Lookout L. S. Station.
Apr. 5	S. Warren Hall	Sch.	160	Georgetown, D.C.	Philadelphia, Pa.	Total.	do		8,200	7,650	3 miles E. by S. Portsmouth L. S. Station.
Apr. 27	John Harlin	Steamer	80	Charleston, S. C.	Norfolk, Va		Ballast		16,000	900	¼ mile N. of Cape Lookout L. S. Station.
Aug. 10	S. G. Hart	Sch.	532	Baltimore, Md	Fernandina, Fla	Total.	Coal		17,000	17,000	Little Kinnokeet.
1899.											
Jan. 15	Silver Heels	Sch.	134	Charleston, S. C.	New York City		Lumber		6,200	None.	1 mile N. by E. Cape Lookout L. S. Station.
Mch. 4	Charmer	Sch.	395	Philadelphia, Pa.	Savannah, Ga	Total.	Coal		8,100	8,100	4 miles E. of Portsmouth L. S. Station.
Mch. 7	Alfred Brabrook	Sch.	562	Boothbay, Me	Charleston, S. C.	do	Ice		8,800	8,800	Gull Shoal.
Mch. 19	Ada Foster	Slp.	7	Wilmington, N.C.			Ballast		300	None.	1 mile SW. Cove Beach L. S. Station.
Apr. 8	J. C. McNaughton.	Sch.	153	Newbern, N. C.	Atlantic City, N. J.	Total.	Lumber		9,750	8,875	½ mile E. of Durants L. S. Station.
Aug. 16	Aaron Reppard	Sch.	459	Philadelphia, Pa.	Savannah, Ga	do	Coal	5	18,500	18,500	2½ miles S. of Gull Shoal L. S. Station.
Do	Lydia A. Willis	Sch.	18	Washington, N.C.	Ocracoke, N. C.	do	Miscellaneous	2	1,100	1,100	3 miles E. of Portsmouth L. S. Station.
Do	Florence Randall	Sch.	741	Promised Land, N. Y.	Charleston, S. C.	do	Fertilizers		19,000	19,000	2 miles SSE. Big Kinnakeet L. S. Station.
Aug. 17	Priscilla	Bktne.	643	Baltimore, Md	Rio de Janeiro, Brazil.	do	Marchandise, general.	4	50,850	45,850	3 miles S. of Gull Shoal L. S. Station.
Do	Robert W. Dasey	Sch.	356	Philadelphia, Pa.	Jacksonville, Fla.	do	Coal		9,000	9,000	Little Kinnokeet.
Aug. 18	Diamond Shoal L. Sp. No. 69.	Sch.	46				Ballast		60,000	18,000	1 mile SSW. of Creeds Hill L. S. Station.
Aug. 24	Henrietta Hill	Sch.	50	Newbern, N. C.	Sandy Hook, N. J.	Total.	Lumber		4,800	4,800	3 miles E. by S. of Portsmouth L. S. Station.
Sept. 2	Anna Bell	Sch.	5	Marshallberg, N. C.	Ocracoke, N. C.		Fish		330	None.	¼ mile N. of Portsmouth L. S. Station.
Oct. 30	Roger Moore	Sch.	334	Boston, Mass	Brunswick, Ga	Total.	Ballast		7,000	7,000	1 mile SE. Big Kinnakeet L. S. Station.
Dec. 24	Ariosto	Br.stp.	2,919	Galveston, Tex	Hamburg, Germany.	do	Wheat, cotton, etc.	21	1,626,160	865,580	2 miles SW. of Ocracoke L. S. Station.
1900.											
Mar. 8	Bayard Hopkins.	Sch.	269	Georgetown, S.C.	Norwich, Conn		Lumber		23,000	None.	1 mile N. by E. Cape Lookout L. S. Station.
Mar. 12	Lizzie S. James	Sch.	181	Newbern, N. C.	New York City	Total.	do		13,000	12,000	3 miles E. by S. of Ocracoke L. S. Station.
May 2	Virginia	Br.stp.	2,314	Daiquiri, Cuba	Baltimore, Md	do	Iron ore	6	123,000	123,000	Outer Diamond Shoals.
June 9	Lucia Porter	Sch.	332	Brunswick, Ga.	New York City		Lumber		14,000	None.	Diamond Shoals.
July 22	St. Georg	Ger.stp	2,593	Cuba	Chester, Pa		Iron ore		99,375	5,800	Outer Diamond Shoals.
Aug. 9	Palestro	Br.stp.	2,410	Pensacola, Fla	Liverpool, England.	Total.	Lumber		165,000	165,000	Do.
Aug. 22	Freddie L. Hamblen.	Sch.	50	Elizabeth City, N. C.	Hatteras, N. C		Junk		1,075	None.	1½ miles W. Durants L. S. Station.
1901.											
Jan. 31	George R. Congdon.	Sch.	458	Georgetown, S. C	Perth Amboy, N. J.	Total.	Railroad ties		17,000	17,000	3½ miles NNE. of Cape Hatteras L. S. Station.
Mar. 4	General S. E. Merwin.	Sch.	789	Boston, Mass	Norfolk, Va	do	Copper ore		42,000	42,000	¼ mile SSE. Gull Shoal L. S. Station.
Mar. 4	Camperdown	Br. stp.	2,554	Tampico, Mexico	New York City		Sugar		420,000	None.	8 miles SSE. Cape Lookout L. S. Station.
June 28	Starcross	Br. stp.	2,823	Brunswick, Ga.	Bremen, Germany.		Cotton and phosphates.		598,565	None.	Lookout Shoals.

RECAPITULATION.

Number of disasters	80
Number of vessels totally lost	41
Number of lives lost	42
Property involved	$5,562,405
Property lost	$2,294,900

Mr. GAINES of Tennessee. Mr. Chairman, this bill makes two appropriations for the improvement of the Cumberland River in Tennessee. They are on page 62, and are as follows:

Improving Cumberland River, Tennessee, below Nashville: For the completion of the lock and dam at Harpeth Shoals and for maintenance, $180,000.

Improving Cumberland River, Tennessee, above Nashville: For the completion of Lock and Dam No. 1 and for maintenance, $105,000.

The first item, Mr. Chairman, is to complete the lock and dam at Harpeth Shoals in the Lower Cumberland. That is the most "formidable" obstruction, and officially so characterized, in the entire Cumberland. The other item is for Lock No. 1, just below Nashville, about 2 miles. This lock is in the Upper Cumberland. Locks Nos. 1 to Lock No. 7 are in the "Upper Cumberland."

It will be seen, Mr. Chairman, that this appropriation is to build and complete only these two locks—No. 1 and A, or Harpeth Shoals—one in the Upper and one in the Lower Cumberland. We in the last and present Congress have insisted before the honorable River and Harbor Committee that these two improvements be completed, and that the dams be put in at Locks 2 to 7, and also that an appropriation be made to purchase the land and locate Lock B in the Lower Cumberland, which is already located on paper by the engineer who made the survey for this improvement, I believe, in the year 1889.

But the committee has seen fit to make appropriations for only Locks 1 and A. We are very desirous, the friends of both the Upper and Lower Cumberland, to have the Cumberland improvements above and below Nashville completed. With these improvements completed, not only the products coming from the Upper Cumberland down to or by Nashville can get out to the Ohio River, but it will give us competitive rates; it will give us a cheap transportation not only for products coming out of the Cumberland River to the Ohio, but also give the merchants of Nashville

and the Upper Cumberland—and there are a great many towns on that river—an opportunity to have competitive rates from Cincinnati and above and from the Mississippi Valley generally.

The improvement of the Cumberland will not only give this competitive rate to Nashville (and as the matter now stands we have only one system of railroads there), but it will give us an opportunity to exchange, as it were, products with the people in Illinois, in Indiana, in Missouri, in Arkansas, as far as the Ohio River is navigable. The original estimates made for the improvement of the Lower Cumberland amount to $1,783,350, and for locks 1 to 7, inclusive, in the Upper Cumberland, about $1,200,000. These improvements will give slack-water navigation for 125 miles above and 75 miles below Nashville, or 200 miles. The entire situation as set forth by the Cumberland River Improvement Association, which I approved in a speech in the House when the last river and harbor bill was pending here, is set out in the following document:

CUMBERLAND RIVER IMPROVEMENT.

The honorable Committee on Rivers and Harbors, Washington, D. C.

GENTLEMEN: To bring before you more pointedly the information asked for by your chairman, Mr. BURTON, in our discussion of the improvement of the Cumberland River this morning, we beg leave to state:

First. The most important lock.—Lock A, at Harpeth Shoals, in the Lower Cumberland, is the most important single lock. The masonry of the lock is finished. The estimated cost of putting in the dam and other accessories is $150,000. It will give a depth of 6 feet at the lock and 3 feet at lock No. 1, 2 miles below Nashville.

Second. Lock No. 1.—Lock No. 1 belongs to the upper-river system, but is located 2 miles below Nashville, as above stated. The completion of Lock A before completing Lock 1 would back up the water on Lock 1 and render it more difficult and expensive to complete. In the last river and harbor bill $50,000 was appropriated for cleaning out and preparing for the dam at No. 1, and the work is now being prosecuted. The estimated cost of completing Lock No. 1 is $150,000. The masonry is completed. Both Locks 1 and A should be completed and put in operation at the same time, and will afford slack-water navigation from a point about 25 miles above Nashville to a point near Clarksville, a distance of about 65 miles below, and will extend the season of navigation to Nashville in the lower river for several months in the year.

Third. Lock B.—Lock B has been located near Clarksville, but the ground for it has not yet been acquired. This lock is very important in connection with No. 1 and A, and should be put under way at the earliest date possible, and when completed will, with Locks 1 and A, overcome the main difficulties to navigation in the Lower Cumberland.

Fourth. Locks C, D, E, F, and G.—Locks C, D, E, F, and G, being the remaining locks in the lower river, have not yet been located. In view of the possible delay in locating and acquiring the necessary ground therefor, we would urge that a specific provision be made for this in the pending bill. This would also be necessary should it be deemed advisable to put the construction of these locks under the continuing-contract system.

UPPER CUMBERLAND.

The completion of Locks 2 to 7 in the upper river will cost only about $750,000, and will give slack-water navigation for a distance of 125 miles above Nashville, and the completion of Lock No. 1 (Upper Cumberland) and Locks A and B in the Lower Cumberland will add 75 miles more, making 200 miles of navigable river.

Within this territory are located the principal cities and towns of the entire river, rendering the completion of this portion of the river of the greatest commercial value.

RECOMMENDATIONS OF ENGINEER IN CHARGE.

The importance of completing the improvement in the lower river is recognized and set forth by Lieut. Col. M. B. Adams, United States engineer in charge of the river, in his last report to the Chief of Engineers, in which he says:

"The estimated cost of providing an outlet into the Ohio River—i. e., the completion of the scheme below Nashville—is $1,714,500, and with the funds available and the lock sites secured the work might be accomplished in about two years."

And again, Colonel Adams, in further discussing the importance of the lower-river improvement in connection with Locks 1 to 7, inclusive, which are now built, says:

"It seems impossible to urge the cost that has first been indicated with too much vehemence, being apparently the only way of securing a return for the expenditures already incurred and may hereafter be incurred within a reasonable time and for a reasonable additional outlay."

The engineer, after stating that the completion of the improvement would probably reduce the freight charges 40 to 50 per cent, says:

"I do not hesitate, therefore, to ask for the entire sum that will be required to carry the lower-river scheme of improvement and the lower portion of the upper-river scheme of improvement to completion at an early day."

The sums asked for by the engineer, Colonel Adams, in his report cited above, are $1,714,500 to complete the system in the Lower Cumberland, which he says can be done in two years, and $1,200,000 for the Upper Cumberland to complete locks 1 to 7, both inclusive, and some minor work in the upper river.

This will secure over 300 miles of navigable water through one of the richest sections of the country and give immediate practical results.

CHIEF OF ENGINEERS' RECOMMENDATION.

The Chief of Engineers has cut the amount asked for by Colonel Adams to $600,000 for the upper and $600,000 for the lower river.

CUMBERLAND RIVER CONVENTION.

It can not be appropriate for us in this connection to state that we are sent to present these matters to you for your consideration by a large and representative convention of the people in the Cumberland River Valley, held in Nashville, November 15, 1900. In this valley is an estimated population of about 1,000,000 people, and it covers an area of about 18,500 square miles. The latent wealth of this territory is equal to any territory of equal extent in the world. Its arboreal and mineral wealth and agricultural possibilities will make it a most inviting field for the capitalist and the laborer, once the Cumberland River is made a safe and reliable highway of transportation, but which is now suffering for want of river transportation and railroad facilities.

SPECIFIC APPROPRIATIONS REQUESTED.

In conclusion, we beg leave to urge upon you that an appropriation be made in the pending river and harbor bill sufficient to cover the following items:

First. To finish Lock A (Harpeth Shoals)	$150,000
Second. To finish Lock No. 1	150,000
Third. To acquire necessary ground and construct lock and dam of Lock B (say)	300,000

Fourth. To provide necessary amount for locating Locks C, D, E, F, and G, and acquiring necessary ground therefor, looking to the early completion of improvement in the Lower Cumberland.

Fifth. To build dams and other accessories to Locks 2 to 7, both inclusive, in Upper Cumberland.

To this should be added the amount recommended by the Chief of Engineers for keeping the river free from obstructions.

We suggest that the sum appropriated for the Upper Cumberland shall first be applied to the completion of Lock No. 1, by the construction of the dam and other accessories, and to Lock No. 2 and the others in their numerical order as far as the sum appropriated will go.

Respectfully submitted.

M. T. BRYAN, *Chairman*,
F. F. PIERCE,
A. R. GOHLSON,
A. P. JACKSON,
W. C. COLLIER,
C. C. SLAUGHTER,
EDWARD BUFORD,
Committee.

Here it is seen that Colonel Adams, the engineer, states the freight charges by these improvements will be reduced from "40 to 50 per cent." This of itself will be a great blessing to the people of Tennessee and Kentucky. Colonel Adams further states:

It seems impossible to urge the cost that has first been indicated with too much vehemence, being apparently the only way of securing a return for the expenditures already incurred and may hereafter be incurred within a reasonable time and for a reasonable additional outlay. I do not hesitate, therefore, to ask for the entire sum that will be required to carry the lower-river scheme of improvement to completion at an early date—

his idea being to improve the Lower Cumberland complete and at the same time finish up the work at Locks 7 to I inclusive, the total cost being for the 7 locks about $1,200,000.

In the brief time I have it will be impossible to exploit the resources of Tennessee and Kentucky that will be carried on the Cumberland when thus improved.

Mr. Chairman, there is not a fairer land in the world than that through which this river courses. It begins in the Cumberland Mountains in East Tennessee and passes through the magnificent coal, iron, and forest lands of that country that are yet practically untouched, on through the blue-grass region of Tennessee, thence through western Kentucky to the Ohio. So great are the possibilities for capital in East Tennessee, near the Cumberland, that capitalists are now building a railroad from Nashville up through that country to Knoxville, connecting with the roads that come from Cincinnati, showing again how solicitous we are about getting competitive rates and a new way of getting to and from Nashville by way of Cincinnati and Knoxville on east. The people of Nashville have been so solicitous for this road, Mr. Chairman, that they have twice voted a subscription of $1,000,000 to build a new railroad to the city of Nashville and through this eastern country, the Upper Cumberland Valley, that we might get what might be known as commercial freedom.

They have made sacrifices that they do not want to make under ordinary circumstances, but in this case did so to procure and protect their commercial liberty. They voted this appropriation of a million dollars by a vote of about 5 to 1. I believe in the first election there was some defect in the charter and our people were so anxious that immediately another charter was procured and they went back to the poles and again registered their will, determined as they were to have this railroad, even if they had to tax themselves. They wanted commercial freedom. So they voted it again, and this road is now being built to these rich forests and coal and iron fields in the Upper Cumberland Valley.

Mr. Chairman, if the improvement upon the Cumberland River above and below Nashville is made, as it should be, the benefit will be general. Every section of the country west of the Mississippi is more or less concerned with Tennessee commercially, socially, professionally, or otherwise. We have more educational institutions there than any other city in the world of its population, I believe, and students from everywhere come there to school. We have great stock farms. Our stock farms are of the finest in the world.

People from all over the world come there to buy stock. We have great timber lands and iron fields and coal fields, so that if we can get this improvement we will get a return in the way of cheaper freights for the farmer as well as the merchant.

As it is, there are dams in the river, but they are not worth a nickel as they stand. They are there in the river, turning the current first to one side and then to the other, interrupting what commerce there is along the Cumberland River—but there they stand, silent sentinels, notifying us that Uncle Sam has stopped, as it were, never to appropriate again another cent toward completing them.

Now, Mr. Chairman, you know it is a bad business proposition for a man to plant his crop and then go away and leave it, even if there is a fence around it. The Government has planted this money, has constructed this masonry from rock culled right from

the banks of the river. It was not necessary to haul it a hundred yards; and yet, Mr. Chairman, in the wisdom of this great committee they have failed to make an appropriation to complete this work, and rest the matter simply by giving us $5,000 to maintain it in statu quo.

I believe, Mr. Chairman, that when this committee reflects over this matter as seriously as I have, and as my people have, they will in the future go on up the river as they have started, completing the locks from Lock No. 1 to No. 7, at the same time continuing the improvements in the Lower Cumberland, about which Colonel Barlow in his report says:

From an engineering point of view the survey seems to thoroughly establish the feasibility of the improvement of this river by locks and dams as far down as Big Eddy Shoals, and as a continuance of the method now in progress above Nashville it would appear to be worthy of adoption, similar commercial reasons applying to both sections. The language used in my preliminary report of September 10, 1888, upon this question seems specially applicable and is as follows:

"I respectfully report that in my opinion this lower section of the Cumberland River is 'worthy of improvement' even to the extent of establishing locks and dams thereon, if found necessary, after a complete instrumental survey of the river below Nashville has been made.

"The public necessity and convenience subserved by the radical improvement of the Lower Cumberland would be the opening up of the vast and varied mineral and forest resources of the Cumberland Valley to navigation, and if to secure this benefit to the fullest extent it is found necessary to construct locks and dams, it would constitute but the extension of the lock and dam system of the Upper Cumberland to the lower river; only an accurate instrumental survey can determine whether such canalization is absolutely necessary.

"The commerce of the Cumberland River extends to the most important points of the Mississippi system, and it is thought that this commerce will continue to largely increase as the river above Nashville is improved, by reason of heavy shipments seeking the western waterways."

Special commercial statistics are not appended to this report for the reason that such a compilation is preparing by a committee of citizens appointed for the purpose, with the intent of submission to the War Department and Congress. Such data will be submitted hereafter, as soon as they become available.

Reports of Mr. C. A. Locke, assistant engineer, and Mr. B. B. Smith, assistant engineer, are transmitted herewith.

Very respectfully, your obedient servant,

J. W. BARLOW,
Lieutenant-Colonel, Corps of Engineers.

The CHIEF OF ENGINEERS, U. S. A.

Estimate for locks and dams on the Lower Cumberland River.

[From Lock No 1 to the Big Eddy, 144.5 miles; fall, 68 feet.]

Number of lock.	Distance from Lock No. 1 (miles).	Lift (feet).	Earth and gravel excavation, at 30 cents per cubic yard.		Solid rock excavation, at $1.50 per cubic yard.		Slope wall, superficial yards, at $2.50 per yard.		Abutment masonry, at $10 per cubic yard.	
			Cubic yards.	Cost.	Cubic yards.	Cost.	Superficial yards.	Cost.	Cubic yards.	Cost.
A	37	11.5	39,000	$11,700	1,500	$2,250	7,000	$17,500	1,000	$10,000
B	46.4	9.2	51,000	15,300	(a)	1,000	3,000	7,500	.....	.....
C	58.5	9	35,000	10,500	800	1,600	5,000	12,500	300	3,000
D	80.7	8.7	46,000	13,800	(a)	1,000	5,000	12,500	700	7,000
E	101	10.3	10,000	3,000	22,000	33,000	3,500	8,700	960	9,600
F	130.5	11	67,000	20,000	4,000	6,000	6,000	15,000	1,000	10,000
G	145.5	10	60,000	18,000	1,460	16,000	4,000	10,000	.....	.....
Total	.....	69.7	308,000	92,300	32,760	46,450	33,500	83,700	3,960	39,600

Number of lock.	Dams (linear feet).		First-class lock masonry, at $10 per cubic yard.		Crib-work approaches (linear feet).		Cost of gates, maneuvering appliances, grounds, buildings, etc.	Contingencies, at 20 per cent.	Total cost of each lock.
	Linear feet.	Cost.	Cubic yards.	Cost.	Linear feet.	Cost.			
A	575	$28,750	9,640	$96,400	200	$9,000	$29,500	$40,000	$245,100
B	580	32,000	9,870	98,700	200	10,000	27,500	38,000	230,000
C	500	24,000	11,700	117,000	200	10,600	27,500	40,000	246,700
D	500	22,800	11,000	110,000	200	10,000	27,500	40,800	247,400
E	420	45,600	9,050	90,500	200	5,400	28,500	46,000	268,300
F	500	55,250	10,330	103,300	200	10,000	29,500	50,000	299,050
G	500	18,000	11,510	115,100	250	14,000	28,500	41,600	246,800
Total	3,150	226,400	73,100	731,000	1,450	69,000	198,500	296,400	1,783,350

[a] Dressing.

Estimated cost of locks and dams, $1,783,350.

Mr. LEWIS of Georgia. Mr. Chairman, I rise merely for the purpose of asking permission to extend in the RECORD the remarks I made this morning.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend in the RECORD the remarks he made this morning. Is there objection?

There was no objection.

Mr. BURGESS. Mr. Chairman, the speech in this House on yesterday by the distinguished gentleman from Iowa [Mr. HEPBURN] offers, so to speak, a gleam of sunshine in the clouds of extravagance that hang about the Capitol under the present régime, but I regret that, in my judgment, when the gentleman fired his shot he selected as a target that bill the least subject to attack of any of the bills that have been or will be offered during this session.

The gentleman criticises the composition of the committee, saying that it is made up of gentlemen from whose districts come clamorous appeals for appropriations at the hands of this committee. This criticism is without point, unless the insinuation is to be indulged in that these men yield to these clamorous appeals against the real interests of the country and by combination pilfer from the Treasury amounts in excess of the just deserts of these various projects. For one I do not believe that insinuation to be justified with reference to a single member of the committee, and for my part I believe the policy in making up the committees of this House, upon this or any other matter, is the wiser one, that you select the members, both of the majority and of the minority, best informed in reference to the matters that are to be discussed and acted upon by the committees thus raised. Of course it is necessary, if that policy be adopted, that the men should be of honor and character, and then the country will get the benefit of intelligent, accurate knowledge honorably applied to the subjects that will be discussed before the committee and presented by it to the House.

As if to hedge against the possible sting involved in his criticism, the gentleman from Iowa [Mr. HEPBURN] compliments the distinguished chairman of the committee that reported this bill to the House, in which, as a Democrat, I heartily concur. No man that has been brought in touch with this committee will deny that its chairman is peculiarly fitted for the arduous and important duties of this great committee. It is amazing how this man carries in his head the minute details of all the different projects that come clamoring before this committee for recognition from all over the country. It is amazing how he can know as much about the different projects involved in a State as the member from the State itself.

There is no doubt about that, and I take it that his compliment to the chairman is equally true of the other members of the committee so far as honor, character, and conscientious desire to serve the whole country is concerned. That is my opinion. I can not speak from accurate knowledge of many members of the committee, but I can speak from accurate, extended, and familiar knowledge of one of its members, who comes from a State having as many clamorous interests and as vitally interested in this bill as any other State in the American Union, and whose prospects in the future to be subserved by these improvements are, in my judgment, in excess of any other State or Territory in the Union. I do not need to defend the member on this committee from Texas. He is known too well in Texas, and I will not insult the character of the constituency that I in part represent by giving any eulogy of "TOM" BALL, as he is familiarly called.

A word in reference to the merits of the measure. The gentleman from Iowa asks, as if he posed and staggered every man in this House, "Where will the end be if we go on appropriating millions for deepening the harbors of our country?" Why, that question can be asked with reference to every other appropriation bill that comes before this House, for of necessity they must increase with the growth and development of the country; and the best answer to it is the answer made by the chairman of the committee when he opened the discussion in reference to this bill and gave a comparative statement of the growth and augmentation of appropriations for various other purposes in comparison with the increase of appropriations for this purpose, which shows conclusively that up to date we have been making the vital mistake of repeatedly running our hands too deep into the Treasury in every other line except the most important one, which is for the development of our waterways and the harbors of our country, which lead to the commercial supremacy of the greatest republic in the world.

It is my honest, deliberate conviction that the whole people who bear the burdens of taxation receive more direct, substantial benefit by the expenditure of the dollars carried in this bill in proportion than in any other expenditure of the Government, and that the benefits are more widely and evenly distributed than by any other appropriation. The whole subject may be summed up in a breath. Every honorable man recognizes that the future of this country is largely dependent upon its commercial and industrial life. We have reached the point now when the competition of the home market by the improvement of our interior traffic lines and transportation and investment of capital and all

of that has become keen, and of which the people would largely get the benefit, except for some trade restrictions of which I have not the time to speak now. The time is now coming when we must enter across the oceans into the keenest international competition that the world has ever seen.

Shall we be supreme there? Shall we go on and on building up a tremendous balance of trade in our favor that has helped to produce the marvelous prosperity in this country unparalleled heretofore in our history? Nothing can contribute to that end by legitimate means better than dollars rightly expended for the deepening of our harbors, in inviting mightier ships, in shortening the waterways, inviting competition between competing railroad lines reaching the different ports of the country, and thus furnishing quicker and cheaper transportation for the cargoes that shall be sent to foreign markets. That is the problem that confronts the honorable statesmen of to-day of this country—how best the interests of the commercial and industrial system of *this country* can be subserved in transportation.

I have read with much interest and with close and keen attention the debate at the other end of this Capitol with reference to the ship-subsidy bill, which recently passed that body.

And it has occurred to me with overwhelming force that nearly every argument that was offered in favor of that bill applies with double force to the appropriations of this character, and that none of the objections urged there against that bill apply with any force against this bill. I am a believer, Mr. Chairman, in the statement that "competition is the life of trade." I have no patience with the man who argues that the development of the rivers and harbors of the country constitutes a menace to railroad interests and breaks up railroad transportation. I admit that it brings about competition, and it ought to do it, but that competition is rightful, just, wise, and beneficial to the interests involved, as well as to the country at large. [Applause.]

Mr. BURTON. Mr. Chairman, in closing the general debate I can not omit to extend my thanks to the gentleman from Iowa [Mr. HEPBURN] for his kind words of commendation. Such words of commendation are especially gratifying when coming from a member of so long and eminent service in this House. My hope is that the gentleman from Iowa may yet serve long enough in this body to vote for a river and harbor bill. [Laughter.] But what he said, Mr. Chairman, is not complete without giving equal praise to the other members of the Committee on Rivers and Harbors. No subordinate organization or any committee in this House has worked more faithfully or earnestly for the public good—I think I may say this without fear of contradiction—than all of the members of that committee.

If there are improvements in this measure over prior bills, these improvements would not have been possible without the concurrence and cooperation of the 16 men who have labored with me. As I stated in presenting the bill, for two months, almost daily, from half past 10 in the morning until half past 4 or 5 in the afternoon, we have been working upon this bill. We have tried to eliminate from it that which does not belong there and to include that which should be there. We have tried, if necessary, to face the possibility of public clamor if we were right. We have tried to omit those items which were subject to just criticism, and if I deserve the friendly words of the gentleman from Iowa, my colleagues on the committee deserve them as well.

I can not quite agree with the gentleman from Iowa [Mr. HEPBURN] in some of his objections to this bill. The one to which I wish to call attention particularly is that with reference to the increased depths of the harbors in the United States. In my judgment there is no more important improvement required in the river and harbor bill. The gentleman from Iowa himself called attention to the increase in the capacity of freight cars from 10 or 20 tons for each car to 50 tons. Should the freight car increase in its carrying capacity, and the ship on the ocean, while invention and progress are making their influence felt, not increase along with it?

If railway managers were not content to stop with freight cars of 20 tons capacity, and so improved their tracks, their motive power, and the size of their cars as to give them 50 or 60 ton cars, ought the capacity of boats to remain at 4,000 when it can be increased to 20,000 tons? Ought we to stop with 20 feet of depth of water in the harbors when boats are already in sight that may draw 40 feet? There is a very interesting document, which if I had with me I would ask leave to have printed as a part of my remarks, by E. L. Corthell, an engineer of prominence and of reputation in other countries as well as in this, in which he forecasts the size of boats for the next half century, and makes the estimate that in the year 1950 the boats that carry the major part of the freight between the great ports of the world will draw 50 feet.

Now, this is largely conjectural, it is true; but that man would be at the same time a very bold man and be possessed of a deal of inertia in his temperament who would deny that such an advance could not be made. Take the improvements by the telephone and the telegraph—by the telegraph within sixty years and the telephone within thirty years. Not only in means of communication, but in all the qualities of a progressive era the whole face of the earth has been revolutionized by these inventions. Is it probable that we shall stand still in maritime architecture, in the size of boats? It is no captious disposition of the boat owners that causes them to build vessels of larger capacity and deeper draft. It is in response to the demand of the times for larger capacity and safety in the construction of vessels. The truss model is the one now adopted. The prairie schooner is not a good model for an ocean steamship. The naval architects have found the truss model to be the best, because it gives greater steadiness and capacity to the boat.

I mentioned in my remarks last winter several ships of 35 feet draft. They were the *Oceanic* and the *Cymric*, of the White Star Line; the *Minneapolis*, of the Atlantic Transport Line, and the *Kaiser Wilhelm*, of the North German Lloyd Line. Each one of these ships could be loaded to a greater capacity than 35 feet. We say we make no mistake in providing a depth of 40 feet in New York Harbor; we have made no mistake in providing or seeking to provide a depth of 35 feet in Boston Harbor.

There is a factor of safety to be considered in this connection. An ordinary depth of 35 feet in the channel does not provide for a 35-foot vessel, because the waves oftentimes cause the boat to go up and down, and even in a smooth sea—as smooth as a mill pond—a boat cuts a course. The prow goes ahead and turns the waters to the right and left, and the stern sinks toward the bottom, "sucking the bottom," as it is called by mariners. So that whenever there is a grounding, unless the boat runs "head on" against a rock, or gets out of its course, it almost always strikes at the stern, rather than at the prow, because in the course of the boat a sort of hollow is made, greater as its rapidity is greater.

We shall, I think, in the future, keep pace with the progress of the times by increasing the depth of the channels everywhere. In this movement we can not stop.

Now, I wish to call attention to some of the objections which have been made by other gentlemen to this bill. Two gentlemen from North Carolina in the course of this discussion have stated that their State in this bill receives only $277,000; and they claim that this is "discrimination."

I want to call attention to certain facts, and in doing so I do not say anything whatever to decry the importance of the State of North Carolina. We have all heard of its great growth in cotton spinning and in the manufacture of furniture, of its undeveloped resources, and of the commercial awakening among its people, but if you look at the official reports you will find that the aggregate of water-borne tonnage on every river and every harbor that is being improved by the Government in North Carolina is 2,400,000 tons per annum—a little less than that. Eleven members of this committee represent States having one, two, three, or four rivers or harbors with a much larger tonnage than the whole State of North Carolina.

My own city has three times as great a water-borne tonnage as the whole State of North Carolina. Sixty-five miles to the east of us is the town of Conneaut, of which many gentlemen may never have heard, but which has 700,000 or 800,000 tons more than in the whole State. Fifty-four miles to the east is the town of Ashtabula with 5,500,000—more than twice as much as the whole State of North Carolina. Then there is Fairport, 28 miles away, with nearly as much; and Lorain, 26 miles to the west, well up to as much, and Toledo with very nearly twice as much as the whole of that State. In the State of New York there is not only the city of New York, but several other harbors, as well as channels, having three, four, and five times as much tonnage as the whole State of North Carolina.

Let us look for an instant at the city of Philadelphia. It is 56 miles from that city down to the deep sea. It has a total tonnage of 22,000,000, nine times as much as the whole State of North Carolina, yet the single port of Wilmington, N. C., has received in the aggregate appropriations from this Government of $3,200,000—$300,000 more than has been expended for the channel from Philadelphia to the sea, although that channel has, as I have said, nine times as much tonnage. The city of Wilmington, with its 697,000 tons, I believe, has received $500,000 more of appropriations from this Government than my own city that has twelve times as much tonnage. I do not really see, when we come to count the past and join it with the present, that North Carolina has very much to complain of.

Why, Mr. Chairman, an engineer told me that some years ago, when a Senator of that State was chairman of the Committee on Commerce of the Senate, an appropriation of $50,000 was made for a certain improvement in that State when $10,000 was on hand and it was all that could possibly be expended in two years. Do all that could be done, there was no place on the river where they could expend that $50,000.

There has been no discrimination against this State because of its having no member on the committee. There is a great project of locks and dams on the Cape Fear River, up to Fayetteville, to cost $1,620,000.

Now, this committee has decided that it is best to go slow in the building of locks and dams. We have projects of this kind in the country the aggregate cost of which would be over $150,000,000. We have recommended to cease building locks and dams on the Coosa; we have recommended to cease building them on the Cumberland above Nashville; we have recommended that we will merely finish or partly finish one on the Upper White River. We have adopted only two projects that are new and those comparatively inexpensive, $350,000 for the Trinity and $450,000 or thereabouts for the Ouachita, on both of which rivers complete results would be obtained at a comparatively small cost.

A gentleman appeared before us on behalf of this project, and I was very much pleased at some of his arguments. He was telling what an enormous tonnage they would have at Fayetteville if the locks and dams were built. He went on the theory that the commerce that was right on the ocean side would come out to Fayetteville just for the fun, I may say, of being hauled down through those locks and dams. It is wise to scrutinize projects before we adopt them. A 4-foot navigation, as I said in the opening, or a 6-foot or an 8-foot, where there must be numerous locks and dams, is a very doubtful experiment. It is a question whether it would pay It is a question whether it would not be an unnecessary expense and waste of money. A conclusive argument against this is that we have adopted no new project like this, and this one is not in the same class, by any means, with those for which we have appropriated money in this bill.

I do not know that I understood the gentleman from Tennessee [Mr. GAINES] to find fault that greater appropriations were not made in his State for the Cumberland River. If he did, I want to call attention to two bills that he has introduced in the House this session. One is No. 3167 and the other No. 3163. In one of them he asks $55,000 for Lock No. 1 and in the other $90,000 for the completion of Lock A, at Harpeth Shoals; in all, $145,000. So the committee has done him a blessing against his will, because they have included recommendations not merely for $145,000, but for $275,000, and $10,000 for maintenance thrown in—very nearly twice what he asked in his bills that were presented here.

The committee thought it best to finish as far as possible the improvement of the Cumberland River from Nashville to the mouth, but as regards that portion above Nashville, where an expense of $6,800,000 will be required to complete the work, we do not think it best to enter upon it at this time, not even if there are unfinished locks and dams there, because it would be, in my judgment, a waste of public money. There are some problems in transportation now that are working themselves out. That is the relative share of tonnage that shall be carried by railways and by waterways. There is an incidental question which is of course of very great importance, and that is how far waterways affect freight rates.

But if we were to listen to some arguments it would lead to the conclusion that to make a $2,000,000 railway charge reasonable rates you must spend $10,000,000 in the building of locks and dams of the most expensive quality. The problems ought to adjust themselves naturally and easily. There are different kinds of service rendered by the railroad and by the waterway. Neither one can intrude upon the province of the other without loss. When they parallel each other, as in the case of the New York Central Railroad and the Erie Canal, each benefits the other, and the question as to what kinds of freight each shall carry is very readily solved—which affords the natural means for carrying freight at the cheapest cost?

When there is a railroad route between two cities, and in order to get water transportation between them it is necessary to canalize a river at great expense, it is not worth while to do so, even if it does have some bearing on freight rates. There is a simpler remedy, and that is through legislation by Congress or by the States, compelling the common carrier to do its duty. It is not right to come to Congress and say: "You must, by a method which is wasteful from a broad economic standpoint, compel the railroad to do that which we are not willing to do by legislation in our own State or in Congress."

Mr. GAINES of Tennessee. Will the gentleman pardon an interruption?

Mr. BURTON. Certainly.

Mr. GAINES of Tennessee. I did not catch the first part of the gentleman's remarks, but from what I have heard I think that the gentleman from Ohio misunderstood what I said a moment ago. I made no complaint whatever, I do not now, for what you have done for Harpeth Shoals and Lock No. 1, that is just below Nashville, your purpose being, as my purpose is, to complete those two locks; but what I desire—and without undertaking to criticise it at all, and if the gentleman undertakes to state that I think if he will read my remarks he will find them to the contrary—was to have Congress appropriate enough money to finish up the other five locks, because the dams are there and are in the way of navigation, because incomplete.

Mr. BURTON. Of course on that I desire to say that because the Government has expended money on a public work, say, a third of the cost, and finds then that the greatness of the cost will render it wasteful, the committee has thought best to stop further expense, further waste—that is, if $100,000 has been wasted, it is not worth while to waste $200,000 more. I certainly absolve the gentleman, however, from any neglect about his project, because he called at the committee room. I was merely calling attention to the bills which he introduced.

Mr. GAINES of Tennessee. The gentleman will bear me out in this: That that project above Nashville, as well as below, and particularly above, has been passed on time and again and approved by the committee or the department that approved the two locks that the gentleman is now appropriating money to complete.

Mr. BURTON. I recognize that, and I recognize the further fact that we have about $350,000,000 of projects before us that have been approved or recommended, and we can take up only a comparatively small share of them.

Now, I want to pay some little attention to the arguments in behalf of the Coosa River. One gentleman in the discussion made this statement:

> Now, Mr. Chairman, that statement of the chairman of the committee was incorrect in this: He says that for several years past no appropriation has been made for the prosecution of this project.
>
> Now, if by this statement he meant to refer to the fact that no bill or appropriation has been passed for the purpose of continuing the work on the project, that is correct.

What incorrect statement did I make? Of course, in the great number of figures and facts to which I must refer, I am very likely to make an error, and I want to be corrected if I do so; but I certainly made no error in this statement. Let us see the ground on which the gentleman bases the conclusion that an error was made. He says:

> I refer him to page 52, I believe, of the bill which his committee reported two years ago. He will remember that the very language almost of the amendment which I have given notice I shall offer was inserted in that bill.

Now, passing by the fact that it was not two years ago, but one year ago, for that is a minor error, the gentleman seems to think that because a bill was introduced here which failed to become a law, that was an appropriation. I repeat the statement that no appropriations have been made for this project for several years. I am willing to take the responsibility for that. It was the very first item I noticed when I became chairman of the committee in December, 1898, that I thought was extravagant and wasteful. The fact that an item was inserted in the last bill is no reason why it should be inserted in this. The committee have not been working upon this bill for two months to no purpose. We have been seeking to eliminate some items which do not belong there.

Mr. BURNETT. It is a fact, however, that that committee and the committee of the Senate did recommend $175,000.

Mr. BURTON. I have already sufficiently answered the gentleman on that. I said, and I repeat it, that the fact that it was inserted in the last bill is no reason why it should be inserted in this bill; that this committee has not given two months' study to this bill to no purpose. If the gentleman had paid attention, he would have heard my statement.

Mr. BURNETT. But at the same time this committee recognized the importance of that work enough to incorporate an item of $175,000 for it in the last bill.

Mr. BURTON. They did not appropriate it; they inserted it in the bill.

Mr. BURNETT. And it passed the House, passed the Senate, passed the conference committee, and was defeated in the Senate because it was talked to death by a Senator.

Mr. BURTON. I conceded all that.

Mr. BELLAMY. May I interrupt the distinguished gentleman?

Mr. BURTON. I have but very little time. I think I shall have to ask the gentleman to defer until we come to the five-minute debate. He will then have opportunity, no doubt.

Mr. BELLAMY. It is simply a question.

Mr. BURTON. Certainly.

Mr. BELLAMY. It refers to a statement you made on the floor which I think ought to be corrected. You stated that the harbor of Wilmington had received $2,300,000 in the course of its history, which was a great deal more than the State of Pennsylvania from Philadelphia down to the sea had received, if I understand. Now, if the gentleman will look at the last report of the Chief of Engineers of the United States he will see four items for the Delaware River, one for the Delaware Bay, near Lewes, $380,000——

Mr. BURTON. I do not know that I made my statement sufficiently explicit, but what I referred to——

Mr. BELLAMY. Another for the Delaware breakwater,

$2,807,000; another for the harbor of refuge, Delaware Bay, $1,304,000, and the fourth, for the Delaware River, $2,986,000, which amounts to $7,000,000 alone for four items.

Mr. BURTON. I said for the channel from Philadelphia to the sea—56 miles. The Delaware Bay breakwater is not a part of that improvement. There is a harbor of refuge for boats, if they desire to resort to it from anywhere along the coast. Now, I can not yield to the gentleman further, and he must excuse me, as I have very little time.

I want to talk a little about this Coosa River project. The estimated amount for its completion is, for the lower 68 miles, $4,916,320. I have with some pains sought to obtain the assessed valuation of the counties bordering upon this portion of the improvement. They are the counties of Elmore, Chilton, Coosa, Shelby, and Talladega, of which the total assessed valuation of the real estate is about $8,000,000, according to the census of 1890. The rate of taxation there in rural counties, I am told, is about 1½ per cent at the very outside.

Mr. BOWIE. Will the gentleman allow me?

Mr. BURTON. Certainly, although I am very much pressed for time.

Mr. BOWIE. I will state that the gentleman's figures are very much in error in regard to the assessed value of those four counties.

Mr. BURTON. If the gentleman will notice they are the official figures taken from the census of 1890.

Mr. BOWIE. The census?

Mr. BURTON. From the census of 1890.

Mr. BURNETT. That was twelve years ago.

Mr. BURTON. That is true. These are the latest available figures, as I believe. The county of Elmore has an assessed valuation for real estate and improvements, according to the census of 1890, of $1,444,033; the county of Coosa an assessed valuation of $789,826; the county of Chilton, $768,378, making a total of about $2,800,000. Then the river runs into the counties of Talladega and Shelby, this improvement extending about three-eighths of the distance on the boundary line between those two counties. That would make the total assessed valuation of real estate in counties bordering this improvement between $5,000,000 and $6,000,000.

Mr. BURNETT. These figures are stated to have been made twelve years ago.

Mr. BURTON. Oh, yes; that was twelve years ago, and I hope they have grown a good deal since then.

Mr. BURNETT. What are the figures according to the present census? Are they not available?

Mr. BURTON. The present census has given no publication of any figures on this subject that I am aware of.

Mr. BURNETT. Are there no bulletins showing it?

Mr. BURTON. Not that I am aware of. I sent to one of the departments of the Government, and I will say for the benefit of the gentleman that I take it for granted they have sent the best information available. The information was sent about ten days ago. If the gentleman can find any better information I shall be very glad.

Mr. BURNETT. If the gentleman wants it we will furnish the tax books of the counties.

Mr. BURTON. One and one-fourth per cent on a total assessment of $8,000,000 would make about $100,000 per annum if we include the whole of the assessed valuation of the real estate of those counties through which this improvement passes. That means that the Government of the United States is asked to expend an amount equal to the taxation upon real estate in those counties, portions of which are not touched by this improvement at all, for fifty years and more. Now, then, gentlemen, we think it is about time to draw the line when we come to an improvement so expensive as that. When we turn to this river we find that the amount of tonnage is 33,000 tons a year, about a day's tonnage in a great port in the rush season.

I have become accustomed to find my mail abounding every day in criticisms, sometimes amounting to abuse, of the chairman and the members of our committee for unfriendliness and moral perversity. Gentlemen of the committee, I am perfectly willing to take the obliquy, and the members of the Committee on Rivers and Harbors are perfectly willing to share the obliquy with me of pointing out what would result from this kind of an improvement. At great length some gentleman spoke of how near this Coosa River is to Birmingham. Why, the nearest point on the upper portion of the river is 25 miles from Birmingham, and here I presume the gentleman will say I am making an inaccurate statement. But I rely on Rand-McNally's Atlas. The map lays down two lines of mountains, the Oak Mountains and the Karr Mountains, in the territory between Birmingham and this river, one ridge being an extension of the other.

Now, let us see how much validity there is in the argument that the opening up of Coosa River is going to benefit Birmingham. I find that city is 25 miles away from the nearest point, and a range of mountains between. Then, again, the improvement we are asked to make is to reach coal fields. We are now improving at great expense the Black Warrior, the Warrior, and the Tombigbee. These are the natural outlets from Birmingham coal fields, extending to the south and west. The expense will run into the millions of dollars—three, four, or five millions—and is it right for one State to ask that within 40 or 50 miles of a stream that you are improving at such an expense we should prosecute another improvement that will cost six millions?

Mr. BURNETT. How far are these apart?

Mr. BURTON. Some considerable distance; but in one case, the Coosa, there is a range of mountains between them, and in the other, the Black Warrior, it is in the same valley, and comparatively easy of communication. The Black Warrior River reaches coal fields already in operation. The coal on the upper portions of that river will be reached by the canal and locks.

Mr. Chairman, the Committee on Rivers and Harbors are willing to face criticism upon this bill. I have never asked any member outside of this House to vote to retain any item that is in this bill; but in private conversations outside I have frequently requested members not to allow any further item to go in. We prepared this bill with our best endeavors for the benefit of the country, and for the whole country, bearing in mind all portions of it—not considering any Mason and Dixon's line, or any section of it. With these remarks, gentlemen of the committee, I submit this bill to you, and now ask that it be read under the five-minute rule.

The Clerk read as follows:

For improving said harbor in accordance with the report submitted in House Document No. 119, Fifty-sixth Congress, second session, by providing channels 35 feet deep, but modified in width so as to provide a channel 1,200 feet wide from the navy-yard at Charlestown and the Chelsea bridge and Charles River bridge to President Roads, and 1,500 feet wide from President Roads by route designated as No. 3, through Broad Sound to the ocean, $600,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such material and work as may be necessary for prosecuting said improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $3,000,000, exclusive of the amount herein appropriated: *Provided further*, That the expenditure hereby authorized shall be made with a view to securing channels 35 feet deep and of a width as uniform as possible.

Mr. NAPHEN. Mr. Chairman, I desire to call the attention of the members of this House to the grounding of the Dominion liner, *Commonwealth*, in Boston Harbor during the consideration of this bill. This is the second time she found bottom at practically the same point. Other steamers have experienced a like trouble in recent years. The Cunard Line was obliged to withdraw two large steamers, the *Saxonia* and *Ivernia*, from the Boston service. That the harbor improvements provided for in this bill are necessary has been repeatedly demonstrated beyond a question, and the recent mishap to the *Commonwealth* emphasizes the fact that they are immediately necessary. I realize that the sum you are invited to give for this purpose is large, and there will be a corresponding return, not to one section, but to the entire country. If you enable us to modernize this harbor in order that transportation by sea may be safe, expeditious, and cheap, the farmer in Illinois, the ranchman in Texas, and the planter in Georgia will share directly in the benefits.

Boston Harbor is vital to the agricultural and grazing interests, as a port of distribution for their products, and important to the National Treasury as a source of revenue. Nevertheless, it has received little attention in comparison with other harbors of inferior standing. In the coasting trade it is probably the first harbor in America—10,436 coasting vessels made the port during the year 1900 as against 9,016 at New York, 4,588 at Philadelphia, and 3,088 at Baltimore. In the foreign trade it is admittedly the second harbor in America, outranking New Orleans, Philadelphia, and Baltimore in the order named. During the year 1901 its total foreign trade was worth $197,005,218, of which about 70 per cent, or $131,667,890, consisted of exports. It is needless for me to elaborate on these figures. It is the only port among the principal seaports to show an increase in its exports, or in its total foreign trade during the year 1901.

With all our energies bent upon capturing the markets of the world, can we afford to neglect the just appeal of this great station, through which one-twelfth of our products bound for these foreign markets must pass? But it is the character of our foreign trade even more than its extent which lifts the proposition before you above mere sectional lines. Boston Harbor is not the port of New England alone—five-sixths of its export trade consists of products originally forwarded from the West, the Southwest, and the South. Out of the $123,000,000, the total value of our exports in the calendar year 1900, no less than $103,000,000 represented the aggregate of the following five staples:

Provisions	$42,958,230
Breadstuffs	25,000,618
Raw cotton	15,248,606
Leather	10,039,200
Animals	9,697,753

Under this last head occurs an item which may interest members who represent the grazing constituencies.

In the shipment of live cattle Boston leads the country. One hundred and twelve thousand eight hundred and sixty-nine head were exported last year, and our losses in transit, both of horned cattle and of sheep, exhibited the usual low percentage. We are preeminently the great cattle-shipping port of the country, and as long as we remain 180 miles nearer Europe than any other large Atlantic harbor we shall maintain this position. Almost as much might be said of our shipments of grain and provisions; and not these items alone but the others which I have cited are of interest to my colleagues from the West and the South. They know as well as I, that the business of the farmer does not end to-day with mere production. If merely to raise crops from the soil meant prosperity, then Cuba, with her 800,000 tons of sugar ready for delivery, would be rich and contented, instead of poor and depressed.

Distant markets must now be sought, competitors must be undersold, the journey to the point of delivery must be swift and cheap. You can not forego a single advantage; you can not ignore a single obstacle. To conduct your foreign trade with imperfect instruments is to court agrarian disaster; and what instruments or organs are more vital than your harbors, exhaling and inhaling the life-giving breath of trade, from the internal parts of the body politic?

I have already indicated the rôle which Boston Harbor plays in this great respiratory movement. Our natural advantages are such that we are likely to improve our relative rank, as we have done, during the last thirty years; for while the export trade of the whole country has only trebled in that period, the export trade of Boston has been increased from seven to ten times. Our geographical position shortens the sea voyage to Europe many hours, and the total journey from the West correspondingly.

The harbor itself is 10 miles long and large enough to contain 50 islands, amid which sheltered roadsteads afford safe anchorage to the shipping. To these advantages of nature, commercial enterprise has added docks, warehouses, railway terminals, and every facility for the transmission of goods and passengers. A great and thriving city lines the shore, and spreads inland for a depth of many miles. Until recently it could be said of Boston Harbor that it offered no barrier to the largest vessel afloat. But the great ocean liners, sinking deeper and deeper with the weight of their huge cargoes, have at last reached the bottom in the second port of the land and render a deepening of the channel necessary.

By a project of 1892, dredging operations were begun. A depth was fixed which seemed adequate for the ships then afloat or building, and money was appropriated by Congress at various times for the completion of the plan. But the development in the size of ocean carriers has outrun all calculations and we now stand face to face with the serious problem which I shall briefly lay before you.

At mean low tide there are 23 feet 6 inches of water in Boston Harbor at its shallowest point. The largest vessels now entering draw 31 feet 6 inches when fully loaded, and since the main channel is now less than 1,000 feet wide, it is not impossible that some day we may experience a blockade more effective than that which the Merrimac attempted at the entrance to Santiago. Many days the tide does not rise to its full height, and the outgoing steamers are compelled to depart only partly loaded. Every day throughout the year they are compelled to wait for flood tide, losing valuable time, and rendering a regular schedule impossible.

You can well imagine the annoyance and the expense which are occasioned by such conditions. They are felt by passengers, by the mail service, and, above all, by shippers of produce, upon whom the burden finally falls in the form of inferior service and added rates. A partly loaded steamer, can not give such favorable terms as a fully loaded one; a delayed vessel, can not reach her destination so quickly as one that has free egress at all hours of the day and night. I need not picture to you the positive danger of ingress and egress, to and from such a harbor, for the huge liners which carry so much of our precious merchandise. It suffices to point out that this peril also translates itself into economic terms, and like all the other conditions described, will sooner or later act as a check upon our growing export trade, for this trade will progress, or stand still, with the increase in the size of the ocean carriers. Every foot added to the length and depth of these great vessels, makes the journeys of our goods to market cheaper.

Twenty-five years ago the largest ships were of 2,500 tons. To-day they are of 12,000 tons and more, and the rates have been divided by four; it is the law of wholesale, as against retail prices, acting with mathematical accuracy. This law will continue to act in the future until the limit of size is reached, and we can not afford to handicap our commerce, by refusing entrance to the cheapest carriers.

In order that these ships may enter with ease, a permanent improvement has been projected, calling for this expenditure. In proportion to the result obtained the sum is small; for with that outlay, according to the plans of the Government engineers, a channel from 1,200 to 1,500 feet wide and 35 feet deep at low tide, and 44 feet and 6 inches at high tide, can be dredged.

I do not believe that any road, or tunnel, or canal, can be constructed in any part of our country, which will bring the same return for the outlay, as this deep-water avenue. Its influence will be felt immediately in the freight charges at our port, which now amount to some fifteen or twenty millions annually. Supposing the improvement to extend its benefit over a period of twenty years. Its total cost under the estimate will be less than 2 per cent of the freight charges on cargoes leaving and entering Boston during that time. The saving effected by it will certainly be many times the cost.

There is another table of comparisons, which may fairly be made, before you judge the relative magnitude of this appropriation.

What have other harbors received as compared with Boston Harbor, and what has been their return for the outlay? I find that the harbor at Galveston, in twenty-nine years ending with 1899, received $8,528,000 from the National Treasury. The harbor of Savannah, in seventy-three years, received $6,434,869. The harbor of Charleston, in twenty-one years, received $4,302,500. About $20,000,000 has been spent upon these three minor ports, while Boston, in seventy-four years, received less than four millions.

Comparing our trade with theirs, it is difficult to see a reason for such discrimination. Comparing our revenues with theirs, the discrepancy becomes monstrous. During 1899 the revenue collected at the port of Boston amounted to $15,365,858. Those collected at Galveston amounted to $152,693. Those collected at Charleston, $96,014. At this rate it would take Galveston fifty-six years to pay back in revenue receipts what she has obtained from the Government, whereas Boston pays back every seventy-five days all she has received in seventy-five years.

For the fiscal year ending June 30, 1900, her customs receipts were about nine millions more than was received during 1899 at Charleston, Galveston, Savannah, New Orleans, Baltimore, San Francisco, Mobile, Los Angeles, and a dozen other large ports combined. Neither to the export trade nor the National Treasury do these three Southern harbors render service in any way comparable to those of Boston. Why, then, should the National Treasury supply to them five times as much for harbor improvements as to Boston? And why should the exporters of the West lend their sanction to such discrimination.

The harbor and land commissioners of Massachusetts, in their annual reports, have repeatedly urged the necessity of this undertaking, and members of the commission have laid the matter before committees of Congress in detail. Compare what is requested for Boston Harbor with what has been expended in the case of some of the ports of Great Britain. In the improvements at Plymouth $7,000,000 has been expended; at Holyhead, $6,500,000; at Portland, $5,000,000; on the Clyde, $30,000,000; on the Mersey, $82,000,000; on Manchester Canal, $80,000,000. The least of these sums is far in excess of what is now asked for Boston.

It is not a blind and costly experiment which you are invited to consider. Local and national interests here coincide in a great commercial opportunity. The goods delayed at the ledge in the outer channel of Boston Harbor are our own goods—the product of our own farms, forests, ranches, and plantations. Every cargo in the large vessels equals a loaded train more than a mile long, and a delay of six hours in its departure is as serious as a corresponding stoppage at some great railway center would be.

Delays and irregular service, partial cargoes and dangerous egress, smaller vessels and higher freight charges—these are the drawbacks which must be suffered if the necessary steps are not taken to remove this obstacle.

Picture the impatience of the great vessels to enter this port of refuge, and the vexatious, tantalizing, and dangerous delays which may be occasioned by the conditions of the tide, compelling the large carriers to toss about for hours, and perhaps unload at mid sea by means of lighters.

These are not the methods by which commerce is stimulated, nor can you promote export trade by discouraging rate reductions, particularly in agricultural products, which, from their great bulk and low price, are the most expensive of all to ship. Speed, cost, and safety, the three great elements of the transportation problem, are involved in this proposition. It is in the light of these three considerations that you should study it. There is no extravagance proposed; no ornamental and unnecessary outlay; nothing which bears the least semblance of political color. The measure is a business proposition, broad, simple, sound, and sane.

It is well within the truth to say that the freight charges upon

cargoes leaving and entering Boston Harbor during the next twenty years will be $500,000,000. Out of that figure you can reckon the percentage of the amount which you are now asked to spend.

In voting this sum, you will render it easier for our farmers to compete abroad, and give for all time, a proper naval highway to the second harbor of America.

Mr. WILEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my colleagues [Mr. THOMPSON and Mr. BURNETT] have so fully covered the entire field of rhetoric and logic in describing the pressing importance of completing the work of improvement, once happily begun, on the majestic water course which flows through their respective Congressional districts I find that little has been left for me to say upon this interesting subject.

The people whom I have the honor to represent here, living along the Alabama River, of which the Coosa is a tributary, are vitally interested in the uninterrupted progress of this beneficent governmental enterprise, inaugurated several years ago, and upon which $1,200,000 have already been expended. I would remain silent but for the fear that a failure on my part during the consideration of the pending measure briefly to reiterate some of the advantages of commanding superiority which the Coosa (for which no appropriation is made) possesses over many other rivers and streams for the betterment of which this bill makes ample provision might be construed into a lack of personal interest and zeal in the prosecution of this great project.

My colleagues have already referred to a report recently made to the Chief of Engineers of the United States Army by Captain Judson, lately in charge of this work. In the discussion of this question I shall have occasion, further on in my remarks, also to refer to this report, because manifestly this unfavorable and unjust report caused the distinguished chairman of this committee [Mr. BURTON], in answering a question propounded to him last Monday by my colleague [Mr. THOMPSON], to give expression upon the floor of this House to a disparaging opinion as to the practicability of the project to improve the Coosa River, and as a basis of his justification for declaring that "the committee regard the continuance of that improvement as wasteful to the very last degree."

I indulge no extravagant flight, either of romance or fancy, for which common sense would have a right to reprove me when I take occasion thus publicly to declare that the evidences of vast wealth, in multiform and variegated shapes, consisting of the products of the field and forest, of unlimited mineral resources, of coal and iron, of lead and copper, of marble and limestone, of mica and ocher in boundless quantities, as well as abundant gold in undeveloped mines, to be found in diversified and lavish profusion and in close proximity to the Coosa River, extending from Rome, Ga., to Wetumpka, Ala., constitute this Arcadian region, one of the fairest and most favored sections of this great continent.

Captain Hoxie, a gentleman of preeminent ability, the Army engineer to whose skill this work of improvement was first intrusted, adopted as a part of his report to General Casey (made on the 24th day of November, 1888) a statement of facts and deductions therefrom contained in a memorial addressed to Congress by the Coosa River Improvement Convention, which assembled at Montgomery, Ala., March 15, 1887, the summary of which was as follows:

The Coosa River presents the cheapest and most certain water route to the Gulf of Mexico of the coal, iron, cotton, and cereals of a vast extent of country.

The removal of the obstructions which cut in half this river, now navigable for hundreds of miles below and above such obstructions, is a national duty, in view of the commerce it would pour into the Gulf of Mexico. The opening of the Coosa would enable the Government to move munitions of war from the interior to the seaboard safely and expeditiously.

It would place the navigable waters of the Coosa so close to the navigable waters of the Tennessee that water communication between the two streams must certainly follow, and thus afford the Tennessee River and its vast tributaries an outlet to the Gulf by way of the Bay of Mobile.

He was succeeded by Captains Price and Mahan, in the order named. Both of these officers were men of recognized learning and culture. They made a thorough examination and survey of this wondrous stream, of its capabilities and magnificent possibilities, and neither of them hesitated, in terms of high praise, to recommend a continuance of its improvement and as a subject eminently worthy of Congressional consideration.

Next in the line of succession, according to my best recollection, came Captain Flagler, the immediate predecessor of Captain Judson. Before the River and Harbors Committee, in May, 1900, he testified very clearly that a channel of 4 feet uniform depth in this river (which has been denounced by the chairman of this committee as impracticable and as a useless expenditure of the public money) could easily be maintained "when once obtained," and that, in this respect, its channelization was the best he had ever seen on any river in this whole country, that it was "a very permanent river," and that below Rome it was free from the snags and logs that are generally to be found in most Southern streams.

He estimated that with an annual outlay of $1,000,000 these contemplated improvements could be completed in six or seven years, and he strongly recommended the work to be done under contract and carried on continuously at and from four different points along the river, so that there might be "nothing dilatory about it." He demonstrated also that three barges attached to a steamboat, each carrying 400 tons of coal, and the boat itself holding 300 tons, as a part of its cargo, altogether aggregating 1,500 tons, readily obtainable in the Coosa Valley, could easily be transported through these locks in a 4-foot channel and be delivered at Mobile at $1.75 per ton, as against $5, the price per ton charged for this commodity at the Gulf ports for purposes of foreign export.

Assuming his premises to be correct, his conclusion follows irresistibly, "that if coal can be brought down from the Coosa Valley at $1.75, it can certainly be sold at a figure that will increase the national export of coal tremendously." In September, 1900, Captain Flagler was succeeded by Captain Judson, who at that time certainly concurred in the roseate but emphatic views of his predecessor. A few months later, in November, 1900, when certain gentlemen, constituting the Rivers and Harbors Committee of the House, visited Georgia and Alabama for the purpose of inspecting the Coosa River, Captain Judson himself, while enjoying the hospitalities of the communities adjacent to the Coosa and interested in the completion of this great work upon which the Government had already placed its generous and munificent hand, seated in a sumptuous apartment of the steamer *Leona*, declared to them unhesitatingly that the Coosa was an unusually favorable stream for improvement—more favorable, indeed, than even "the Mississippi, Red River, Arkansas, and other streams." [Applause.]

The descriptive adjectives then and there employed by him were of an extravagant character. Not to put too fine a point upon his language, he was highly eulogistic, to say the least of it, in his presentation of the splendid possibilities of this grand and noble river—the third most important stream, as you have been told, in the whole Southland. Subsequently, in July, 1901, he made an official report, showing that it would be both wise and profitable for the Government to continue these improvements. Now, it is not my purpose in the slightest degree to animadvert upon this amiable and worthy gentleman in anywise or manner whatever. For him, individually and officially, I entertain sentiments of warm personal esteem. He certainly can not ever complain of any illtreatment, unkindness, or discourtesy at the hand of any Southerner while residing temporarily in the hospitable city of Montgomery, where he indulged the pleasures of business and social intercourse among our best and most cultured citizens.

In view of his recent change of heart, however, we can not restrain an expression of astonishment, tinctured with a feeling akin to indignation, that in his recent report to the Chief Engineer of the Army he should, without rhyme or reason, have recommended an abandonment of all further work on the Coosa River according to the plans and specifications originally adopted for that laudable purpose.

The bill reported by the Rivers and Harbors Committee of the last Congress carried an appropriation of $195,000 for the Coosa River. We all know the tragic fate of that measure. It was talked to death by the retiring Senator from Montana. The untimely demise of this meritorious bill rendered it advisable to call Captain Judson elsewhere—away from his pleasant quarters of indolence and ease. Simultaneously with his change of domicile came a change of opinion, as shown by his report, heretofore alluded to.

Captain Judson does not claim to have made any survey or thorough examination of this river, and in his report he is compelled to admit that his predecessors, without a single exception, regarded the Coosa as preeminently worthy of improvement along its entire route. The Army officers, who preceded him in the charge of this work, were all gentlemen of learning and practical experience. Their recommendations are discarded without a word of explanation. His military brethren courted the fate which attends science and genius. Alas! alas! to their opinions is attached not even a slender claim of respectability. They have been seen and heard, but are now forgotten. They came like the shadows, only to depart.

Their suggestions are as unreliable as ropes of sand. Captain Judson, realizing that his report would put him in an inconsistent attitude, lamely attempts to justify himself by declaring that his change of opinion is due to "a close study and consideration given to the problem of the channelization of the Coosa." It is an old Welch proverb, I believe, which says: "The teeth that bite hardest are those that are out of sight." Captain Judson has gone away

from the community where he was the recipient of so many kindnesses and courtesies, and therefore feels less reluctance now than he might under other circumstances to strike the death blow to this cherished enterprise.

I think I can, without doing the slightest injustice to him, give a good, if not sufficient, reason for his change of mind and heart touching this proposition. The great water power in the Tallapoosa River, above Tallassee, Ala., within the past few years has been utilized for electric-light purposes and in the operation of immense machinery. Unquestionably it has proven of enormous value. Generally, when you touch a man's interest you touch his patriotism. Men are ambitious to serve themselves.

It is a fact well known in Montgomery and elsewhere in the State that certain persons, for purposes of their own self-aggrandizement, desirious of turning to profitable account the marvelous water power of the Coosa River for a distance of 100 miles above Wetumpka, sufficient to turn the grandest machinery in the world, and recognizing the difficulty of attracting and controlling capital for this purpose so long as the river remains a navigable stream by legislative enactment, have not hesitated on every occasion, in season and out of season, to recommend a discontinuance of all further governmental improvement, advancing the argument that railroad carriage, by reason of its rapid transit and dispatch, has practically superseded water transportation, and, therefore, this great river, dug by the hand of God himself, could be put to more advantageous service in turning the wheels of machinery than in transporting the country's commerce. The argument is an unfair one, because it omits the fact that the capabilities of this stream are so potential that it could easily and profitably do both of these things without let or hindrance the one to the other.

The heart is a casket whose spring we can not always find; but we are sometimes able by a peculiar divination to become familiar with the thoughts of men and to read the secrets of the human breast. It is an old saying that men are known by the company they keep. We are all creatures of circumstance and passion. Human purposes, in the most trivial as well as in the most important affairs of life, are often controlled by one's surroundings and associations. Straws tell which way the wind blows. He simply became inoculated by these influences. I think it is a fair inference from Captain Judson's report that he was aware of this movement, of the fact that certain enterprising gentlemen and corporations in the South are anxious to develop the superb water power of the Coosa for the reasons I have heretofore in these remarks endeavored to detail, because we find him in that report employing the following significant language, exactly along that line:

Another consideration is as follows: The Coosa River, with a low-water discharge variously estimated at from 2,000 to 5,000 cubic feet per second, and with a fall averaging approximately 3 feet per mile for over 100 miles, would afford for development of extensive water powers the finest opportunity in all the Southern States were it not regarded as a navigable stream for (approximately) 100 miles above Wetumpka. Low dams for purposes of navigation are not economical for development of power.

I dismiss the subject by saying it grieves me to believe that Captain Judson gave the word of promise to our ears, but broke it to our hopes.

Now, in conclusion, I desire to have read as a part of my remarks the following extract of the Coosa River Improvement Convention, above referred to, in order to demonstrate the public necessity and convenience that may be subserved by the continued improvements of the Coosa River, and as particularly valuable and important to the nine counties in Alabama lying immediately upon this stream and cut off from all water communication with the Alabama River, to wit, Elmore, Chilton, Coosa, Shelby, Talladega, St. Clair, Calhoun, Etowah, and Cherokee:

If the people of these counties had cheap and uninterrupted river navigation the growth of cotton, tobacco, and the cereals would be vastly increased. Over one-third of their lands is open and in cultivation. The remaining two-thirds is covered with a virgin forest, capable of supplying Mobile with timber for exportation long after the forests adjacent to the Gulf have been denuded. These forests extend over 1,000,000 acres and contain not less than 3,000 feet to the acre, or a total of 3,000,000,000 feet of lumber, whose gross value may be placed at $30,000,000. The total value of fields and forests is $43,000,000.

The annual present value of farm products is not under $6,000,000. The counties immediately upon the Coosa River at present have iron furnaces whose capacity is not less than 175,000 tons per annum, and the value of whose output is $2,500,000 per annum. They have in process of erection other furnaces which will turn out 1,000 tons per day, giving an annual output valued at over $3,000,000. The furnaces now in operation and in process of erection represent a capital of $2,000,000 and offer employment to 2,000 men, representing a population of 10,000 people. The combined valuation of fields, forests, and present capital in furnaces and mines of these nine Alabama counties will reach $50,000,000.

In addition to these products the Coosa River counties are rich in other mineral products. Lead and copper are found at various points along the river. Marble and limestone are abundant. Talladega marble is noted as rivaling in beauty and purity the most celebrated marble of Italy. Gold is found in Coosa County and elsewhere. At one time the gold mines of that section attracted a large population. The purest kaolin is found in Calhoun and Coosa. Mica appears in Chilton. Red and yellow ocher is found in Elmore. Slate and granite and sandstone are abundant in Talladega, Calhoun, and Shelby. Plumbago exists in Chilton, Coosa, and adjoining counties. Tin has been discovered in Clay and Coosa counties. Emory, asbestus, fire clay, flagging stone, manganese, marls, millstones, phosphates, pyrites, zinc, and other material have been found by the State geologist, Dr. Eugene Smith, very generally distributed throughout this mineral region.

As to the importance of improving that part of the Coosa which lies in the State of Georgia, and of presenting the wondrous advantages of that country situated between Lookout Mountain on the northwest and the gold belt on the southeast, including the fertile valleys traversed by the several tributary rivers and creeks which help to form the mighty Coosa, I leave to the distinguished Representatives from that State, who, I am sure, with the eloquence of truth, will thrill the hardest heart that may beat in the breast of any member of this House who will have the fairness and candor to listen and to learn. [Loud applause.]

The CHAIRMAN. The hour of 3 o'clock having arrived, general debate on this bill is closed by order of the House, and the bill will now be read by sections.

Mr. RANSDELL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Improving harbor at Sullivan Falls, Maine: Continuing improvement, $5,000.

Mr. BURTON. Mr. Chairman, I desire to offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Page 7, after line 6, insert:

"Said board shall also make an examination of Point Judith Pond with a view to ascertaining whether it is desirable to enlarge the entrance to said pond from the ocean, and if such enlargement is, upon examination, found to be desirable, an estimate of the cost thereof shall be made. The expense of such examination, as well as of the survey, if made, shall be paid from the unexpended balance remaining to the credit of the former entrance to Point Judith Pond."

Mr. BURTON. Mr. Chairman, this amendment is to meet a very perplexing situation. Last year we inserted in the bill a provision covering back into the Treasury the amount remaining on hand for the entrance of Point Judith Pond. Representations have been made by citizens in that locality that a possible improvement could be made which would be of very considerable value, and they desire that the money on hand be diverted for that purpose; that is, to make an opening in a different place from the one that formerly existed. The committee thought the best solution of the matter, in view of the fact that a board of engineers will make several examinations in that neighborhood, was to include with their other duties an examination of the entrance to this pond. I will say further that there are some adverse reports upon the old improvement of a former entrance which are quite decisive in their terms. The committee hesitated somewhat about inserting it, but it seemed only fair, in view of the unexpended balance, to make the examination. If there are no further remarks upon the amendment, I ask for a vote.

The question was taken; and the amendment was agreed to.

Mr. GREENE of Massachusetts. In reference to the recommendation of the committee in the paragraph that has just been read, that improvements shall be made in the harbors of refuge at Block Island and Great Salt Pond, Block Island, R. I., and also that a board of engineers shall be appointed by the Secretary of War who shall make an examination of these harbors and also of the harbor of refuge at Point Judith and of Vineyard and Nantucket sounds and the east shore of Cape Cod, with a view to reporting upon the relative merits of each of said harbors or localities for harbors of refuge, and what construction or improvement, if any, is desirable in each, and the cost of such construction or improvement as may seem desirable, I desire to say that there is no more important location on the entire Atlantic coast where improvements in the interests of commerce, relative to both the coastwise and foreign trade, is more imperatively demanded. There is no place on the coast where so many vessels are constantly passing and repassing between New York and Boston and intervening ports, and where it is eminently essential that there should be established harbors of refuge.

This measure has been considered by committees in the past, and they have thought it was wise that some such action should be taken. The proposition to which I have called attention is rather more extensive than those heretofore presented during previous sessions of Congress. It is not in the interest of any State, it is not in the interest of any individual, but it is in the interest and for the advantage of the entire commerce of this country, both foreign and domestic.

There is now but one harbor of refuge of any importance through the entire section of Vineyard and Nantucket sounds, and from the end of Cape Cod at Provincetown along the entire eastern and southern coast of Cape Cod there is but the single harbor

of Vineyard Haven. Mr. Chairman, if you will recall the great storm in November, 1898, wherein there was great loss of life and property, this harbor was crowed full of vessels, which were compelled to take refuge there during that great northeast storm.

Had it been the privilege of the committee reporting this bill to have visited this locality there would have been no necessity to urge them to insert a provision embodying the requirements alluded to. Especially could they have had the opportunity to have witnessed the terrific hurricanes which visit this perilous coast, endangering the lives and property of those who travel this great highway of commerce during two-thirds of the year, they would not have had the slightest hesitation in ordering the survey which will certainly foreshadow the improvements which are demanded in this locality hereafter. Some doubt of the necessity for this improvement existed in the minds of the committee reporting this bill, and for the information of the members now considering this paragraph, and for general information, I desire to call attention to one location for a harbor of refuge on the eastern coast of Cape Cod, between Provincetown, at the north end of Cape Cod, and Monomoy Point, at the extreme southern end of the same, at Pleasant Bay, in the town of Orleans. This has been especially recommended by resolutions adopted by the legislature of the State of Massachusetts and filed with the Committee on Rivers and Harbors in the year 1900.

In justification of the necessity for this harbor, I cite the following facts obtained from the officers of the Life-Saving Service relative to wrecks and casualties that have occurred within the limited space referred to on this coast since July 1, 1895, and not including the recent storm, being within the period of the last six years and eight months: Number of wrecks and casualties, 205; amount of property involved, including vessels and cargoes, $3,770,355; property loss, $574,710; number of lives lost, 55, and number of vessels totally lost, 58. These statistics are appalling in every feature.

In the great storm of November, 1898, the steamer *Portland* is supposed to have foundered off this coast, and all on board were lost.

On Monday last, at about the hour of the assembling of Congress, a terrific storm occurred at Monomoy Point and, while all seemed peaceful and harmonious here, vessels lying stranded off this dangerous coast were in the direst peril and danger, and an attempt was made by the keeper and crew of the Monomoy Life-Saving Station to rescue men in danger of perishing because of the terrible storm raging there. Had there been a harbor of refuge at Pleasant Bay, the great barges stranded off the coast might have found a place of safety, and thus valuable property and the lives of noble men might have been saved. The heroic men comprising the keeper and six surfmen, in response to the call of distress from the stranded barges, entered the seething waters to attempt the rescue of six persons whose lives were in peril. Although these men were accustomed to the dangers of the sea and were undaunted by the hardships that awaited them, they took their lives in their hands to save the lives of their fellow-men. Heroic as is the work of the soldier as he enters the field of battle and perils his life to maintain his country's honor, what can compare with the sacrifice and heroism of these men who entered upon their dangerous undertaking, risking their lives to save the lives of others?

Still, previous Congresses have hesitated to provide for the protection of the families of the men who gave up their lives and their dearest possessions in the service of the Government, whose honor they maintained by their heroic devotion to duty. May we not hope that before the expiration of the present session of Congress some of the bills now pending which make suitable provision for the care of the afflicted families of the men who lose their lives or are permanently disabled in this important service will be enacted into law? Another evidence of the importance of this location is the fact that the first light-house which engages the attention of vessels from foreign ports entering this country is Cape Cod or Highland Light. This light has recently been improved by substituting a powerful flashing light for the fixed white light which had heretofore designated this station. The legislation securing this improvement was first presented in Congress by myself, and it was enacted on the recommendation of the Boston Chamber of Commerce and in response to the desires of the maritime interests of the nation.

There are other natural harbors lying along Nantucket and Vineyard sounds, including Nantucket, Edgartown, Hyannis, and Vineyard Haven, which are subject to improvement and to which attention is also called. These should receive the attention of the Board of Engineers, under the direction of the Secretary of War, and it is my earnest hope that in the interests of the vast amount of commerce which passes along this great water highway the investigation will be most thorough and complete, and that the recommendations which this examining board shall render the succeeding sessions of Congress will be adopted and suitable harbors of refuge for the protection of life and property will be provided for this important thoroughfare.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BINGHAM having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had insisted upon its amendment to the bill (H. R. 3690) for the relief of Jacob L. Hanger, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HAWLEY, Mr. PROCTOR, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 9991. An act for the relief of F. E. Coyne.

The message also announced that the Senate had passed with amendment bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 1529. An act granting an increase of pension to John G. Brower;

H. R. 2673. An act granting an increase of pension to John Vale;

H. R. 3272. An act granting an increase of pension to Israel P. Covey;

H. R. 4260. An act to correct the military record of James A. Somerville;

H. R. 4456. An act granting an increase of pension to Ruth B. Osborne;

H. R. 5289. An act granting a pension to Malvina C. Stith;

H. R. 5543. An act granting an increase of pension to Samuel W. Skinner;

H. R. 6018. An act granting a pension to Lue Emma McJunkin;

H. R. 7074. An act granting a pension to Benjamin F. Draper;

H. R. 7823. An act granting an increase of pension to Jacob D. Caldwell;

H. R. 8293. An act granting a pension to Amanda Jacko; and

H. R. 9397. An act granting a pension to John S. Lewis.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the concurrent resolution (Senate Con. Res. No. 7) to print 5,000 copies of Senate Report No. 1, etc.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 32.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause an examination to be made of the breakwater at Marquette, Mich., with a view to connect the said breakwater with the shore, and to report to Congress the result of such examination.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 324. An act granting an increase of pension to Nellie Loucks;

S. 3217. An act granting an increase of pension to Charles Dixon;

S. 4486. An act granting an increase of pension to Myra W. Robinson;

S. 3283. An act to remove the charge of desertion from the military record of Charles K. Bolster;

S. 3554. An act granting an honorable discharge to Thomas J. Brown;

S. 1629. An act granting an increase of pension to James W. Humphrey;

S. 4304. An act granting a pension to John S. Nelson;

S. 1363. An act granting an increase of pension to James A. McKeehan;

S. 3826. An act for the relief of Isaac P. Brown; and

S. 4413. An act granting an increase of pension to Martha A. Greenleaf.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Improving harbor at Gowanus Creek Channel, New York: Completing improvement, $20,000.

Mr. FITZGERALD. I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 9 insert as a new paragraph, after the word "dollars," in line 16, the following:

"Improving Buttermilk Channel, New York Harbor, New York, in accordance with the report submitted in House Document No. 122, Fifty-sixth Congress, second session, so as to provide a channel 40 feet deep and 1,200 feet wide, $300,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be required to prosecute said improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $1,500,000, exclusive of the amounts herein and heretofore appropriated."

Mr. FITZGERALD. Mr. Chairman, this amendment is in the exact language of the bill which passed the House at the last session of Congress. It provides for the deepening and widening of Buttermilk Channel, one of three channels in the harbor of New York which connect the Narrows with the East River. This item was in the last river and harbor bill reported to Congress. It is difficult to understand why it is not in the present bill. At the last session there was no dissension in the committee as to the merit and necessity of this improvement; on the contrary, the committee was convinced that the improvement should be authorized and made at once.

Unavoidably I was detained from the House when the chairman of the Committee on Rivers and Harbors made his opening speech upon this bill, and thus prevented from interrogating him about the omission of the item proposed in the pending amendment. In a careful reading of the remarks of the gentleman from Ohio [Mr. BURTON], however, I have noticed that he stated that some 20 or 30 "unimportant streams" had been omitted from the bill this year. While it has been impossible for me to examine the many items in the bill, I believe it safe to say that no project of similar extent and importance to that for the improvement of Buttermilk Channel, provided in the bill that failed in the last session of Congress, has been excluded from the pending bill.

To those familiar with the conditions at the harbor of New York the action of the committee is incomprehensible. The merit of this improvement is not questioned; its necessity is conceded. What excuse is there, then, for neglecting to provide for so important a project?

Since 1880 a number of independent projects for the improvement of the harbor of New York have been initiated and completed. To appreciate more thoroughly what has been done, a general outline of the harbor, its channels, and the improvements made will probably be beneficial. From the Battery, at the lower end of the island of Manhattan, out through the Narrows to the lower bay, a distance of about 9 miles, there is a natural channel. It is fairly broad and unobstructed, with 45 feet or more water at mean low tide. The lower bay is separated from the deep water of the ocean by a bar from 2 to 5 miles in width. This bar extends from Sandy Hook to the west end of Coney Island, a distance of 7 miles. The natural channels that cross this bar, separated from one another by sand shoals, in their order from the north or Coney Island shore, are thus described in the report of the United States Army engineers:

(1) The Coney Island channel, straight, narrow, with a general depth of 20 feet, except at the west end, where the available depth is but 10 feet. South of this channel lies a shoal known as East Bank, with least depth of 6 feet.

(2) The Fourteen-foot channel, a curving channel with considerable depths in the west part, but with only 15 feet depth at the eastern end. To the south lies a shoal with 5½ feet least depth.

(3) The East channel, a broad, nearly straight, channel, of 30 feet depth or more in the western part, separated from deep water on the east by a bar having only 19 feet depth. South of this channel lies Romer shoal, with 3 feet least depth.

(4) The Swash channel, with 22 feet depth in a narrow channel. To the south lies a shoal called Flynns Knoll, with least depth of 11 feet.

(5) The Bayside channel, formerly called Main channel, a broad channel passing close to the north shore of Sandy Hook, with natural depth of 28 feet.

The Swash and Bayside channels, with the southern part of the Main Ship Channel, which is on the west side of the bar, form nearly an equilateral triangle, the two first named intersecting in a deep hole of considerable area and more than halfway across the bar. Outside this hole the bar is crossed by two channels, the north, called Gedney Channel, about 1½ miles long, to deep water, and the south, called South Channel, somewhat longer than the Gedney, and extending almost in continuation of the Swash Channel. Gedney and South channels both had natural depths of 24 feet, and thus an available low-water depth of 23.3 feet from the ocean to the lower wharves of New York City, a distance of 21 miles, was afforded by natural channels. Under the various projects adopted since 1880 a channel 1,000 feet wide and 30 feet deep at mean low water has been made and completed.

Buttermilk Channel, with the Bay Ridge and Red Hook channels, skirts the shore of Brooklyn, as already stated, and connects the Narrows with the East River, The Main Channel from the Narrows to the East River passes to the west and northwest of Governors Island. The three channels just mentioned go the other side of it. Prior to 1896, under two projects, the Buttermilk Channel and the Bay Ridge and Red Hook channels were improved. In 1896 the projects were consolidated, and the improvement then authorized, the deepening of the channels to 26 feet at mean low water and of varying widths, was completed in 1899.

In 1899 the House committee included in the bill of that year an appropriation of $4,500,000 for the deepening of the East, now known as Ambrose, Channel to 40 feet at mean low water, and the widening of the same to 2,000 feet. This was to be a deep, straight channel to the ocean. The Senate, however, reduced the appropriation to $4,000,000 and adopted a project to make Bay Ridge and Red Hook channels 1,200 feet wide and 40 feet deep at mean low water. The bill passed in that shape. It is difficult to understand the reasons that prompted Congress to eliminate Buttermilk Channel at that time. Under the projects previously adopted and completed, a through channel, with a depth of 26 feet at mean low water, had been made from the Narrows to the East River along the westerly shore of Brooklyn. All the wharves and warehouses were located on Buttermilk Channel.

The accommodations for docking along Red Hook and Bay Ridge channels are very meager, and without corresponding depth of water in Buttermilk Channel the benefits resulting from the expenditure of the $2,500,000 appropriated to deepen the Bay Ridge and Red Hook channels will be merely local. If any benefit commensurate with the amount to be expended is to be had, it is absolutely necessary that Buttermilk Channel be given the same depth at mean low water as the Red Hook and Bay Ridge channels.

A better idea of the importance of Buttermilk Channel can be formed by considering for a moment some statistics. It is true that figures are usually uninteresting, but often they are instructive and impressive. In 1899 statistics of the freight and its value as well as the number of vessels that were loaded and unloaded along the wharves of Buttermilk Channel were compiled. I submit them, confident that this committee will be amazed at their statement, especially when it is remembered that this channel is not more than 2½ miles in length:

Commercial statistics for the calendar year 1899.

	Tons.	Estimated value.
Receipts	5,857,292	$177,978,512
Shipments (estimated)	6,444,000	195,776,000
Total	12,301,292	373,754,512

Vessels arriving and departing (1899).

	Number.	Draft.	Tonnage.
		Feet.	
Steamers	1,246	18 to 19	1,000 to 6,800
Sail	507	12 to 26	500 to 3,000
Barges, etc	31,390	(a)	(a)
Total	33,143		

[a] No record.

It may be said, however—indeed, I have heard it asserted with tiresome frequency—that New York has had more than its share of the sums heretofore appropriated for harbor improvements. Careful investigation has convinced me that there is no justification for such statements. In 1899 the late Mr. Ambrose, in a statement submitted to the Committee on Commerce of the Senate, pointed out that of the $296,000,000 appropriated for the improvement of rivers and harbors, $4,047,000 had been authorized for the improvement of New York Harbor. The gentleman from Ohio [Mr. BURTON], in a statement of the amounts appropriated for rivers and harbors, Post-Office Department, and five other branches of the public service from 1879 to 1902, inclusive, shows that the amount appropriated for rivers and harbors is $301,874,130.06. Since the statement of Mr. Ambrose was prepared, $6,500,000 has been set aside for New York Harbor (although only about $2,000,000 has been appropriated), in all $10,547,000, or about 3 per cent of the total appropriations.

The total exports of the United States for the year ending June 30, 1901, were valued at $1,487,764,991. Of that sum $529,592,978 worth were shipped from the port of New York. The imports of the United States for the same year were $823,172,165, of which $527,259,906 arrived at New York. The gentleman from Massachusetts [Mr. LAWRENCE] yesterday read the following summary tables of commerce for the year ending June 30, 1901, prepared by the chief of the bureau of statistics of the Treasury Department, to show the rank to which the great ports of the country are entitled as shown by the value of their aggregate export and import trade:

Port.	Imports.	Exports.	Total.
New York	$527,259,906	$529,592,978	$1,056,852,884
Boston	61,452,370	143,708,232	205,160,602
New Orleans	20,462,307	152,776,599	173,238,906
Philadelphia	48,045,443	79,354,025	127,397,468
Baltimore	18,898,475	106,239,081	125,138,556
Galveston	953,801	101,857,300	102,811,101
San Francisco	35,161,753	34,596,792	69,756,545
Savannah	645,067	46,738,967	47,384,034
Newport News	4,090,451	32,567,912	36,658,363

These figures show that the total value of the exports and imports of the port that ranks next to New York, Boston, is only

about 20 per cent of the value of those of New York, while the combined value of the imports and exports of Boston, New Orleans, Philadelphia, Baltimore, Galveston, San Francisco, Savannah, and Newport News, the eight ports that rank next after New York, is not within 20 per cent of the value of the imports and exports of New York.

These figures are not cited in derogation of other ports than New York. No complaint against appropriations for the improvement of these harbors is made by me. I call attention to these figures in order to emphasize the enormous trade of New York and to contrast its value with the sums set aside for the improvement of its harbor.

The reports of the Army engineers show, too, that since the improvements of the harbor were begun, in 1886, the value of the foreign trade has increased $337,186,346. The entire cost of the improvements to date is less than two-thirds of 1 per cent of the increase in annual value of the foreign commerce of the port since the improvements were begun, and less than one-sixth of 1 per cent of the value of the present foreign commerce each year.

In view of these figures, Mr. Chairman, I repeat that it is remarkable that the committee did not include in this bill an appropriation for the improvement of Buttermilk Channel.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I ask unanimous consent to continue my remarks.

Mr. SULZER. I ask that my colleague's time be extended for five minutes.

There was no objection.

Mr. FITZGERALD. I have been told, and I expect to hear it repeated, that the commercial interests of New York have evinced no interest in this improvement; that they are indifferent to it; that the matter has not been pressed. This is a remarkable assertion, yet it has been made. Nevertheless, the commercial interests of New York expressed themselves emphatically in favor of this project, and knowledge of their action was brought to the Committee on Rivers and Harbors in no uncertain way. The Buttermilk Channel improvement has been indorsed by the municipal council of the city of New York, the New York Cotton Exchange, the Chamber of Commerce of the State of New York, the New York Board of Trade and Transportation, the Maritime Association of the Port of New York, the New York Produce Exchange, the Manufacturers' Association of New York, and the New York Coffee Exchange.

These organizations are, to say the least, fairly representative of the commercial interests of New York. It is true that large delegations did not appear before the committee during the present session to urge this appropriation. It is difficult to believe that the committee would have cared to have given time for such a purpose. The Committee on Rivers and Harbors consists of 17 members. Fifteen of the present committee were members of it during the last Congress, and heard convincing arguments of the importance and necessity of this project. Without a dissenting voice the committee recommended the appropriation contained in the amendment just offered by me. Can anyone seriously urge that, Barkis like, the committee was willing, but wished to be coaxed to make this appropriation?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FITZGERALD. I ask unanimous consent for ten minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks for ten minutes more. Is there objection?

There was no objection.

Mr. FITZGERALD. I called attention, in the last session, when the bill was under consideration, to the fact that the chairman of the committee on harbors and shipping of the Chamber of Commerce and the president of the pilot commissioners of the port of New York were asked by the Committee on Rivers and Harbors to designate which of two projects pending before the committee was more important, the improvement of Buttermilk Channel or the removal of the well-known obstacle to navigation in New York Harbor, the Diamond Reef, said:

> I do not hesitate to say that the latter (referring to the Buttermilk Channel improvement) should receive immediate attention, even if it necessitates the temporary deferring of the Diamond Reef works. The latter is a well-known danger, and while its removal is demanded, temporary extension of time thereon will not be attended with serious delay. The other, Buttermilk Channel, is now peremptorily demanded.

When the bill was under consideration in the House last year, my colleague from New York [Mr. ALEXANDER] in speaking to this project used the following language:

> Of what use would be the proposed new channel 2,000 feet wide and 40 feet deep if vessels were unable to reach the wharves after entering the bay? If a new outer channel is needed to admit the great boats of twelve, thirteen, and fifteen thousand tons burden, other interior channels are needed to take them to the upper harbor.

The committee at the last session was convinced that this was a proper project. No pretense is made that the committee was then in error. The importance of this project was emphasized several years since, when, by reason of a great fire on the Jersey shore, the North German Lloyd Company was compelled to seek dockage on the Brooklyn water front. After a number of ineffectual efforts to float their vessels when loaded through Buttermilk Channel they were compelled to abandon their docks and seek new wharves on the Jersey shore. The press of to-day, Mr. Chairman, contains an account of another great fire on that shore. I do not know its extent. It may be as extensive as the recent fire which horrified the country. It calls attention to the needs of the harbor. Traffic is congesting in the Lower Hudson. The committee points out that over 15,000,000 tons of freight is carried yearly on the Hudson River. Most of it comes to the lower part of the city. Lack of sufficient water in such places as Buttermilk Channel compels all vessels drawing over 24 feet to dock in that congested district. The remedy, the imperative need of the harbor, is more water along the Brooklyn front.

I have no opposition to make to this bill. I believe it proper to make liberal expenditures in order to improve the harbors and great rivers of the country, which are the highways of commerce. Money so spent is well expended, since it contributes to the prosperity of the people. Yet, Mr. Chairman, I must protest in the name of the great commercial interests of the city of New York against the discrimination—the unjust discrimination, in my opinion—that has been made against the gateway of the New World. In a bill that authorizes the expenditure of $24,014,107 for the fiscal year ending June 30, 1903, and $36,674,160 thereafter, New York Harbor should in fairness be given more than $100,000 for a subsidiary channel, and $25,000 more for other minor improvements.

New York is entitled to more liberal treatment; it should receive more consideration. For whose benefit are the channels in the harbor of New York improved? Certainly residents of New York receive some benefit; but do not forget that New York is merely a gateway—the great land terminus of the country—to which the products of every section of the country are sent for shipment abroad. The development and maintenance of its magnificent harbor is a national, not a local, improvement. It is for the benefit of the commerce of the whole country. Gentlemen from the interior continually clamor for cheaper freights. How can lower freights be expected if facilities at the great ports of the country are denied?

New York with its superb natural facilities needs but little. Some improvements, however, demand immediate attention. None is more pressing than the deepening of Buttermilk Channel. Its wharves and warehouses constitute the most magnificent system in the entire harbor. Lack of water cripples the efficiency of the plant in existence for years. Six and one-half millions have been authorized to permit vessels of the greatest draft and tonnage to come within sight of this system. Do not deny the money that will enable them to reach the docks. Permit them to take advantage of facilities at hand, and make effective the appropriations already made by Congress for the Bay Ridge and Red Hook channels.

I appeal to the chairman of the committee to make no objection to this amendment. It is identical with the provision inserted in the river and harbor bill of the last session. New York needs this appropriation; she deserves it. The commercial interests of the country deserve it. The committee concedes its propriety and necessity. Then why refuse it? [Applause.]

Mr. REEVES. The gentleman from New York [Mr. FITZGERALD] has not said and can not say more than any member of this committee would say in praise of the great harbor of New York; but notwithstanding that fact, there are some other reasons why it is unwise, as we think, to make this appropriation at this time. The truth is, in my judgment—and I think in that opinion many, if not all, of the members of this committee concur—that it would have been better to have improved the Buttermilk Channel than to have improved the Bay Ridge Channel, in New York Harbor; but, notwithstanding the opinion of members of the committee on that subject, that was not what the people of New York City asked for and wanted. Three years ago they pressed upon us, with a determination that could not be withstood, their desire for the improvement of Bay Ridge Channel to the exclusion of Buttermilk Channel, and we ultimately gave them what they wanted—the improvement of the Bay Ridge Channel.

Last year when we prepared the bill that failed of passage in the Senate, still recognizing the commercial advantages of the Buttermilk Channel the committee of the House again offered the improvement of this channel, but when it came to the Senate the interests of New York made their presentations there, with the result that the Senate cut down the appropriation that the House committee had authorized, of $300,000 in cash and a million and a half of authorization, reducing the amount to $112,500, accepting the opinion of the maritime interests of the city of New

York as given to that committee, that they were not interested at this time in the improvement of the Buttermilk Channel.

Mr. FITZGERALD. Will the gentleman permit a question?

Mr. REEVES. Yes; if it is brief.

Mr. FITZGERALD. Does not the gentlemank now that the Senate committee had no hearings at the last session and that the Bay Ridge and Red Hook channels were provided for, not by the House committee, but by the Senate committee?

Mr. REEVES. I do not know whether the Committee on Commerce gave hearings or not. The gentleman suggested that the House committee did give hearings last winter. In that he is mistaken. We were in favor of the improvement of this channel because we thought it a valuable one, but when we learned that the commercial interests of New York were not requiring this, but were requiring the other, we acquiesced in that state of affairs, and this winter in the preparation of this bill we felt that with the vast amount of demand for river and harbor improvement we would not crowd upon the city of New York an improvement that cost $1,800,0000, unless there was at least somebody representing the commercial interests of the city to say to us that they wanted it.

Mr. FITZGERALD. Mr. Chairman——

Mr. REEVES. Now, I can not yield to the gentleman. I have only five minutes, as the gentleman knows.

Mr. FITZGERALD. The gentleman can get all the time he wants.

Mr. REEVES. I should rather not be interrupted for the moment. The gentleman had fifteen minutes, and that ought to be sufficient.

The CHAIRMAN. The gentleman from Illinois declines to yield.

Mr. FITZGERALD. I just wished to correct the gentleman's statement. He is mistaken in the statement that he made.

Mr. REEVES. I do not care for your correction. I am not speaking outside of my own personal knowledge. I want to say to the gentleman that the committee has provided, if my memory serves me right, $2,400,000 for the improvement of Bay Ridge Channel, that is now in process of improvement in New York Harbor.

Mr. BURTON. Two million five hundred thousand dollars.

Mr. REEVES. The chairman corrects me by saying it is $2,500,000 instead of $2,400,000. In addition to that, we are providing for a channel leading out to deep water at a cost, in round numbers, of $4,000,000, and we do not think it is fair to other parts of the country to go any further in that direction at this time in New York Harbor. We do not think it is fair treatment of the other commercial interests of the country to put any more money in New York Harbor at this particular time, and we shall ask the committee to sustain that action.

The CHAIRMAN. The question is upon the adoption of the amendment offered by the gentleman from New York [Mr. FITZGERALD].

Mr. McCLELLAN. Mr. Chairman, I only want to call the attention of the gentleman from Illinois to the fact that during the last Congress the Buttermilk Channel project was indorsed by resolutions which were filed with the Committee on Rivers and Harbors from the municipal council of the city of New York, the New York Cotton Exchange, the Chamber of Commerce of the State of New York, the New York Board of Trade and Transportation, the Maritime Association of the port of New York, the New York Produce Exchange, the Manufacturers' Association of New York, and the Coffee Exchange of New York. Practically every commercial body in the city of New York passed formal resolutions in favor of the Buttermilk Channel, and copies of those resolutions were filed with the Committee on Rivers and Harbors.

Mr. BURTON. Mr. Chairman, it is very singular that these resolutions were not forwarded until the committee had practically made up the bill and agreed on every item in it. I favored this improvement last winter, but when this winter came I found the very persons who had been most strenuous in its advocacy did not want it placed on the bill. I may say that I courted advocacy for this improvement. I asked persons why it was that we heard nothing about Buttermilk Channel. I spoke to at least half a dozen who were here who would naturally be interested.

In the early portion of the session I spoke with the gentleman from Greater New York [Mr. FITZGERALD], and he said, "Why, yes; it ought to be done." But I do not at this time recollect any other member of this House or any man engaged in business in New York who spoke until recently in behalf of this improvement. On the other hand, several gentlemen who were here for weeks last winter advocating it said that it was not now important. I do not think you can expect the Committee on Rivers and Harbors to go groping around to find some place to put money. [Laughter.] I have always regarded this as an important improvement.

Mr. FITZGERALD. I know the gentleman does not wish to do me an injustice. This channel runs along the borders of my district. I wish the gentleman to recollect that I went to the gentleman myself, and not that he came to me, about this item of the bill.

Mr. BURTON. Possibly I had some conversation with the gentleman on other than one occasion. The gentleman is in favor of the improvement, and cordially in favor of it; and he is the only member of the House who, as I recollect, spoke in favor of it.

One gentleman who advocated it last winter said the reason why it was not now required was because the boats that had moved from Hoboken to the Brooklyn water front after the fire had now moved back, and also that the Brooklyn Warehouse Company, if that is the name by which it is called, had reorganized, and that they found that, with their available capital, they were not able to dredge the space between their piers to a greater depth than 26 feet, a depth which the channel has now. It seems to me that the people of the city of New York, in the influences brought to bear upon Congress, have made for the present a deliberate choice between Buttermilk Channel and that at Bay Ridge. In 1899 we placed upon the bill in the House an appropriation and authorization of $4,500,000 for the deep channel to the sea.

The House recommended only 35 feet, stating their reasons in the report of the committee, which were these: That the local engineer said that in any event he would dig to 35 feet first and later dig the remaining 5 feet to 40 feet, and that it would cost no more to first dig the 35 feet and then the additional 5 feet to 40 feet than to dig 40 feet in the first instance. In that form the bill went from this House to the Senate, where they amended it, cutting down our authorization and appropriation of $4,500,000 to $4,000,000, but providing that the channel should be 40 feet deep.

By a lucky stroke, for that is what it was, a contractor was found who offered for $4,000,000 to dredge to 40 feet. So the 5 feet more provided for by the Senate was contracted for with $510,000 (I think the original amount was $4,510,000, instead of $4,500,000) less than the estimate for 35 feet, which was the basis of the provision in the House bill. There was another amendment which was put on in the Senate, to the effect that $2,500,000 should be appropriated or authorized for Bay Ridge channel. This makes $6,500,000 for that harbor. Now, it seems to me that we ought not to be pressed to provide for another interior channel in that locality in the very next bill, after having appropriated or authorized $2,500,000 in 1899 for Bay Ridge.

I want to call attention to one feature of the gentleman's proposition. What use is there in dredging an interior channel 40 feet deep in the harbor of New York when the 40 feet deep channel to the sea is at least two years, and more likely three or four, or possibly five years, away? Why should you dig up there at the wharf 40 feet when no boat drawing 40 feet can go out to the sea? There is an absurdity on the face of that proposition. In view of all the circumstances, Mr. Chairman, it seems to me this amendment should be voted down, and let this channel have recognition at a later time.

Mr. ALEXANDER. Mr. Chairman, as the member of the Rivers and Harbors Committee, from New York, I desire to say to my colleague [Mr. FITZGERALD] that early in the session I corresponded with the gentleman in New York who a year ago had interested himself in Buttermilk Channel, advising him of the hearings before the committee, and suggesting the wisdom of bringing his friends to restate the Buttermilk Channel proposition. He replied that they would want nothing for Buttermilk Channel.

Mr. SULZER. Mr. Chairman, I did not hear the gentleman mention the name of this person from New York.

Mr. ALEXANDER. I did not mention it, and I do not care to mention it, because it is immaterial.

Mr. SULZER. Then you should not refer to it.

Mr. ALEXANDER. Within a week he visited this city and stated that they did not care to press the matter, giving the reasons which have been elaborately set forth by the chairman of the committee. I want to add that my colleague [Mr. FITZGERALD] spoke to me about the matter, showed his interest in it, and was desirous that something should be done. I stated the facts to him fully, and should have been glad to meet his desire if, under the circumstances, the committee had thought it desirable. He certainly did his part in the work.

Mr. FITZGERALD. I would like to ask if the gentleman he refers to was an official of the city of New York or an official of any commercial body?

Mr. ALEXANDER. He was the gentleman who presented the matter to us last winter and who accompanied the several delegations from New York. He was present before the committee at all hearings in regard to Buttermilk Channel.

Mr. FITZGERALD. Does not the gentleman know at that time this man had a special interest in the matter, and at this session he has none?

Mr. ALEXANDER. I do not know about that.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 27, noes 73.

So the amendment was not agreed to.

The Clerk, proceeding with the reading of the bill, read as follows.

Improving Breton Bay and Patuxent River, Maryland, in accordance with the reports submitted in House Documents numbered respectively 209, the larger project therein described being intended, and 170, Fifty-sixth Congress, first session, $9,000.

Mr. BURTON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 13, lines 20 and 21, strike out "the larger project therein described being intended," (with the comma) and insert after the words "first session," in line 22, the following: "the larger projects therein described being intended," (with the comma).

Mr. BURTON. Mr. Chairman, I will say that for each of these projects there are two estimates. As originally drawn the bill designated the larger one only for the former of the two. It should apply to each, and this amendment is intended to adopt the larger projects.

The question was taken; and the amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

Improving Brunswick Harbor, outer bar, and inner harbor, Georgia: Continuing improvement, $140,000, of which not exceeding $40,000 may be expended on the outer bar in accordance with the report submitted in House Document No. 355, Fifty-sixth Congress, first session. The improvement of the inner harbor shall be made in accordance with the report submitted in House Document No. 40, Fifty-sixth Congress, first session. Of the amount herein appropriated, $5,000, or so much thereof as may be necessary, shall be used to maintain the present depth of water in Academy Creek to the old Altamaha Canal.

Mr. BURTON. Mr. Chairman, I desire to introduce two amendments to that paragraph.

The Clerk read as follows:

On page 17, strike out the words "three hundred and fifty-five" and insert the words "one hundred and seventy-nine."

Strike out the word "first," in line 14, and insert the word "second."

After line 14 insert (striking out the period and inserting a comma) "the Secretary of War may, in his discretion, apply the amount expended on the outer bar upon either of the routes described in said report."

Mr. BURTON. Mr. Chairman, the reason for that is that there are two reports—one a preliminary and one a final report. It seemed best to designate the early or preliminary report. There are also two routes over the outer bar, for one of which the expense is $40,820 and the other a trifle under $65,000. It seems best to give the Secretary of War discretion to expend this amount on either of these two routes. These are the reasons for these two amendments. I ask unanimous consent that they may be voted on in gross.

The CHAIRMAN. Without objection, the two amendments will be voted on together. [After a pause.] The Chair hears no objection.

The amendments were considered, and agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

C. P. Goodyear, his heirs and assigns, shall be paid for 50 feet excess of width over the contract width of 24 feet depth at mean high tide on the outer bar of Brunswick, Ga., obtained, as shown by the report of H. L. Marinden, the officer detailed to make survey of such work, made to the Secretary of War on the 4th day of December, 1899, in the same proportion as he was paid for 100 feet widths of such depths, namely, $20,000; and that for the 50 feet excess of width over contract width of 25 feet depth at mean high tide, shown by said report, he or they shall be paid in the same proportion as he was paid for 100 feet width of 25 feet depth, namely, $25,000.

Mr. BURTON. Mr. Chairman, I think a word of explanation is due the committee upon this paragraph. The two amounts, one of $20,000 and the one of $25,000, aggregate $45,000. This is a reminiscence of one of the most bitter controversies ever had before the Committee on Rivers and Harbors. When I first was a member, in 1896, this controversy commenced, and it has continued ever since. I should say that this appropriation is not based upon any legal claim, but upon an equitable claim. Some years ago an estimate was made by the Government engineer in charge of that district, who at that time was Capt. Oberlin M. Carter, that it would cost $2,718,815 to secure a channel across this bar. This plan contemplated the building of two parallel jetties.

In view of the great expense Congress did not think it best to undertake the improvement, as the benefit would not be commensurate with the cost. C. P. Goodyear, an attorney, who had gone from New England to Brunswick, having confidence in the future of that port, offered to undertake, by dredging alone, without the construction of the jetties, to obtain a suitable channel across the bar. It was also a part of the method which he intended to adopt that dynamite should be used in the dredging. A contingent arrangement was made and included in divers river and harbor acts, by which he was to attempt to secure the channel sought, and if he did not obtain certain results he was to receive no pay. He did obtain these results, and has received $220,000, as against $2,718,815, which it was assumed that this channel would cost. As a result, the port of Brunswick has experienced a growth equal to that of any port on the Atlantic, Gulf, or the Pacific coasts.

In doing this work Mr. Goodyear obtained a channel materially in excess of that which he agreed to obtain for the $220,000. His contract was to have a channel 24 feet deep, 200 feet wide, and over the central portion of this channel 25 feet deep and 100 feet wide. What he did obtain was a navigable channel 24 feet deep with a minimum width of 256 feet—56 feet more than his contract called for—and a mean width of 464 feet. In the central portion he obtained a navigable channel 25 feet deep, with a minimum width of 150 feet, against 100 feet, which he had agreed to obtain, and a mean width of 305 feet. This additional channel width which he obtained is part of a larger project for the improvement of that channel—that is to say, whatever width he obtained in excess of what he agreed to obtain is a part, and an essential part, of this larger project, which otherwise would have to be dredged out by the Government.

It may be said, also, that contrary to the opinion of Captain Carter at that time to the effect that jetties were required, Mr. Goodyear proved that the work could be done, and much more economically done, by dredging alone. The Government engineers can not be held responsible for Captain Carter's action or recommendation in this matter. They have since united in the opinion that here and elsewhere the better course in such cases is to use the dredge and not rely on the much more expensive system of constructing jetties.

So that the equitable claim of Mr. Goodyear is that he has obtained part of a channel that would have to be obtained by the Government, and that he tried an experiment which was decried by the local engineer at the time, but which has since proved altogether successful.

It may be further said that in the accomplishment of the work on this channel Mr. Goodyear expended, as is shown to the satisfaction of the committee, an amount very much in excess of $220,000.

With this explanation, which I think is due to the committee, we desire that this provision shall receive the consideration of the Committee of the Whole. The gentleman from Oregon [Mr. TONGUE], who is more familiar than I am with this transaction, would perhaps like to be heard.

The CHAIRMAN. The Chair will suggest that no amendment has been offered.

Mr. TONGUE. Mr. Chairman, I move to strike out the last word. There is very little to be added to the statement made by the chairman of the Committee on Rivers and Harbors. The Government of the United States has received as much for the amount appropriated in this item as it will receive from almost any other provision of this bill. Mr. Goodyear, for whom the appropriation is made, was not an engineer. In 1890 he was a practicing attorney at Brunswick. He was interested, however, in the improvement of his city. The question of the improvement of the harbor was being considered. He was appointed chairman of a committee of public-spirited citizens selected to examine into the question of the means and methods of securing the needed improvement.

As has been said, Congress passed provision requiring an examination and an estimate for such improvement. The estimates made in pursuance of that provision were something over $2,700,000. This large amount arrested the attention of Congress. Captain Goodyear believed so large an appropriation unnecessary. He thought the entire plan unwise. In the course of numerous investigations and experiments, which as a public-spirited citizen he had made, he had discovered that there was a shorter channel, formerly used, but which had been stopped up. He believed that this channel could be reopened at a comparatively small cost, and he proposed that this be done. The engineering officers did not receive his suggestion very favorably. Finally, in order to attest his good faith, he offered to undertake the improvement on the plan of "no cure, no pay." The Government entered into a contract with him in which his pay was to depend upon his success. There were various contracts entered into from time to time. He believed that contracts would probably be given to him to secure the entire improvement. The Government, however, eventually stopped the work under the contract with Captain Goodyear; but when an account of stock was taken as to what had been done, it was discovered that Captain Goodyear had secured a greater depth and width of channel than his contract provided for.

The Government now proposes to utilize the work done by him. It is proposed to carry out the improvement and extend it, taking advantage of the improvements made by Captain Goodyear. The committee simply proposes to pay him for work that he has done—to repay him for the amount he has expended—not for all that he has done, but to the extent that the Government now proposes to utilize his work.

It was shown before the committee that when Captain Goodyear commenced these improvements in the interest of the public, he was a fairly prosperous attorney with some means to his credit; that he devoted his time and means to this improvement, and is now a bankrupt. As the Government proposes now to take advantage of what was accomplished through his time and labor and means, it ought at least to pay him the minimum value of the work which it is proposed to utilize.

I withdraw the pro forma amendment.

The Clerk read as follows:

Improving harbor at Black River (Lorain), Ohio: For repairs and maintenance, $6,000.

Mr. SKILES. Mr. Chairman, I move to strike out the last word. I would like to inquire of the distinguished chairman [Mr. BURTON] as to whether there is a continuing contract at Black River (Lorain), the amount of the same, if there is, what part has been expended, and the condition of the improvements at the present time?

Mr. BURTON. There is; and I will say to the gentleman that where a continuing contract is authorized for a locality, it is not customary to make any considerable appropriation year by year for maintenance, because the contract made, known as a continuing contract, includes maintenance to the end of the time required for completing the work. As an illustration, some years ago a continuing contract was made for the Patapsco River below Baltimore. The work will not be finished until October of this year. Until that date all the work of maintenance is done by the contractor who has that continuing contract.

In this case there was an amount authorized of $600,000 by the act of 1899, and there has been of that already appropriated $125,000. The estimates for the coming year are $300,000. The whole or a larger part of that will no doubt be appropriated for Lorain Harbor in the sundry civil bill. This amount of $6,000 was included in this bill as a precautionary measure, because some information was contained in the report of the engineers to the effect that other work outside of that in the continuing contract might require attention. Six thousand dollars is the full amount recommended by the Chief of Engineers for this project.

The CHAIRMAN. The Chair understands that the gentleman withdraws the pro forma amendment.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I do not believe that the chairman of this committee [Mr. BURTON] would intentionally do any member of this House an injustice in anything that he would say in discussing this bill or any other bill, so far as that is concerned. The gentleman knows that more than once on the floor of this House I have spoken of him in complimentary terms, and he knows that he has my best wishes; but I feel that what the gentleman has said has in effect done me an injustice, and it consists in this:

The gentleman alluded to a bill that I had introduced in the House (H. R. 3167) in his remarks and read a portion of it. I have the report of what the gentleman said here, but I will not stop to read it. He said in his speech, however, that the bill I introduced was for the completion of Lock No. 1 and at Harpeth. I shall read the bill to show that the gentleman did not exactly understand the bill. The bill reads as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, directed to complete the construction of the locks and dams on the Cumberland River below Nashville, Tenn., as early as practicable and open the same to deep-water navigation, and for this purpose the sum of $55,000, or so much thereof as may be necessary, is hereby appropriated for the completion of the excavations for the approaches to Lock No. 1 and the necessary bank protection about said lock and dam; and the sum of $90,000, or so much thereof as may be necessary, is hereby appropriated for the completion of Lock A at Harpeth Shoals; that the work at both locks be prosecuted at once to early completion, but that the work on the approaches and dams of Lock No. 1 be completed before the water from Lock A is backed up to interfere with said work.

Mr. Chairman, the official report of the engineer suggests that this Lock 1 be completed before the work is completed at Harpeth Shoals to prevent the water from backing up from Harpeth Shoals over the locality where Lock 1 is being located; but you will notice that the $55,000 was to pay for the "completion of the excavations for the approaches to Lock No. 1 and the necessary bank protection about such lock and dam." This was for "excavations and bank protection."

Mr. Chairman, having in my mind some doubt as to whether or not I had the proper amounts in the bill which I had introduced, and, indeed, whether or not the distinguished chairman had it in his mind as to exactly what amount of money should be appropriated for completing the Lock A at Harpeth Shoals and Lock No. 1, I did myself the honor of calling upon the distinguished gentleman and asking him not what they were going to put in the bill for the Cumberland, because that would have been impertinent and he would not have answered me, but, in a general way, what he thought would be necessary to complete those two locks, believing then, as the case has proved to be, that the committee would report an appropriation for Lock A and Lock No. 1, and no more.

The chairman of the committee [Mr. BURTON] replied that he had a letter from the engineer stating what amounts were necessary to complete Locks A and No. 1; that he would look it up by the next day and for me to call then, which I did, and he said he had failed to find the letter and that he would write to the engineer at once for the desired information and asked me to call again, which I did, but he still had not received a reply. The third time I called he had received a reply.

This is the first time, Mr. Chairman, that I have ever seen the gentleman from Ohio unable to answer promptly and clearly any question touching upon the river and harbor bill, but in this case he failed. Surely I may be excused for not knowing myself, not being a member of that committee. We discussed at the first meeting the probability that the price of labor and material had risen in the last year or two and the appropriation would have to be larger than heretofore; hence we both agreed that we should hear from the engineer before final action in the matter.

The letter received from the engineer I hold in my hand and will read, as follows:

WASHINGTON, *February 14, 1902.*

Hon. T. E. BURTON,
Chairman Committee on Rivers and Harbors,
United States House of Representatives.

SIR: In compliance with your verbal request I give herewith copy of a telegram sent you December 13, 1900:

"Replying to your letter of December 8, I have to say that if work is done by contract $175,000 will be required for completion of lock and dam at Harpeth Shoals and $100,000 for Lock and Dam No. 1, both on Cumberland River. The work can probably be done cheaper if carried on by day labor and use of Government plant. Funds for these works are practically exhausted.

"JOHN M. WILSON,
"*Chief of Engineers.*"

Map of river showing location of Harpeth Shoals and Lock No. 1 faces page 2156, part 3, Annual Report of 1890.

Very respectfully, your obedient servant,

G. L. GILLESPIE,
Brigadier-General, Chief of Engineers, United States Army.

Last session, believing that the committee would not make an appropriation except for Harpeth and Lock No. 1, I drew the bill last Congress, which I introduced, for such amounts as I was informed were needed. Taking the official estimates made to do the work at Locks A and No. 1, subtracting the amounts that had heretofore been appropriated, would give me and did give me, I thought, the amounts for the respective improvements that were needed for the time being and until a succeeding Congress could make a new appropriation, and I introduced a bill based upon such a calculation.

None of these dams, I dare say, could or would be completed at the price at which they were originally estimated. The price of labor and material varies and has varied, and for other reasons the appropriations have to be varied accordingly, and they have been, I believe, and will continue to be. Hence it was perfectly right and proper for the distinguished and learned chairman of this committee to have the engineer to state officially, as of this day and time, the amount necessary to complete these two improvements.

But the gentleman knows, and well knows, that when the Cumberland River Improvement Company and myself addressed this honorable committee a few weeks ago, that we all insisted on an appropriation sufficient to complete Lock A, at Harpeth, and Locks Nos. 1 to 7, inclusive, and, in addition, to locate Lock B on the Lower Cumberland and purchase a site for the same.

We did not stop at $55,000 for Lock 1 nor at $90,000 for Lock A, at Harpeth Shoals, and this honorable committee gave the Nashville committee and myself twice as much time to discuss the matter as had been previously assigned us.

So much, then, in defense of the proposition that my bills did not cover the entire situation. But this oversight is no excuse for abandoning the improvement of the Upper Cumberland at Locks Nos. 1 to 7, inclusive. Not at all. The project is entirely meritorious.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GAINES of Tennessee. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent for five minutes additional. Is there objection?

There was no objection.

Mr. GAINES of Tennessee. Mr. Chairman, Major Wilson and his predecessors, I may add, in quite a number of previous Congresses have said, as I now say, this improvement should be made. But the distinguished chairman now says it should not be. The same engineers who say we should lock and dam Harpeth Shoal and Lock No. 1 have recommended the completion of the locks and dams from No. 2 to No. 7, not only to improve commerce, but for the Government to get a return for the investment already made, amounting to quite a large sum of money.

Mr. Chairman, the committee follows the recommendations of these engineers upon the Harpeth Shoals and upon Lock 1, but say they intend to abandon the locks from 2 to 7, also highly recommended by these engineers. And why? The distinguished chairman said it would take about $6,000,000 to improve the Cumberland River above Nashville. I did not ask for $6,000,000, nor have I ever asked for $6,000,000, nor has the distinguished committee, composed of M. T. Bryan, F. F. Pierce, A. R. Gohlson, A. P. Jackson, W. C. Collier, C. C. Slaughter, and Edward Buford, representing the Cumberland River Improvement Association, ever asked for $6,000,000 to complete the Upper Cumberland.

But what do they ask? They ask now for the completion of the improvement at Harpeth Shoals, which everybody confesses is the most objectionable obstruction on the Cumberland River, or more so than any other. They ask for the completion of Lock 1, which will be completed under this bill, and for the completion of Locks 2 to 7, on the Cumberland River. They do not ask now for the completion of the 22 locks above Nashville that would cost about $6,000,000. All we ask now on the Upper Cumberland is to complete the improvement of Locks 1 to 7, which will cost about one million and three-quarters of dollars.

So if the gentleman had stated what I desire and what our people desire and think we are entitled to have, he would have said that I wanted the locks and dams already in the river completed. Then he would have stated the proposition exactly as I stated it in my speech. Then I do not believe the distinguished chairman of the committee [Mr. BURTON] would have been so condemnatory in his language.

I have not asked this Congress to give $6,000,000 to finish Locks 1 to 22.

What does the engineer, Mr. Adams, in his report of 1899, say?

It seems impossible to urge the cost that has first been indicated with too much vehemence, being apparently the only way of securing a return for the expenditures already incurred and may hereafter be incurred within a reasonable time and for a reasonable additional outlay. I do not hesitate, therefore—

He says—

to ask for the entire sum that will be required to carry the lower-river scheme of improvement and the lower portion of the upper-river scheme of improvement to completion at an early day.

I do not hesitate—

He says—

to ask for the entire sum that will be required—

To complete the locks and dams on the Lower Cumberland, that the committee have wisely undertaken to complete, because, he says, of the investment already made, and because of the increased commerce and the recompense and the return that will come to the people. He says we should at once proceed to appropriate money for the completion of locks and dams from lock No. 2 to No. 7, and proceed on down the Cumberland.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BURTON. Mr. Chairman, I assure the gentleman from Tennessee of my sincere good will, and appreciate his own friendly opinion as manifested now and in the past. I do not say this formally merely, but sincerely and earnestly. But I do not want him to be sensitive about what I said. I should not have due regard for the welfare of the House if in the dreary waste of figures that belong to such a bill as this, I should neglect to mention a humorous incident like this.

The gentleman from Tennessee has twice introduced a bill for the work on two locks and dams there, once in the Fifty-sixth Congress and once in this. The aggregate amount which he asked for these two locks and dams was $145,000—$50,000 for one and $95,000 for another, or $55,000 and $90,000, I have forgotten which. As I stated in my remarks, the committee "did him a blessing against his will." They put $275,000 in the bill last winter and in the pending one. This was done, as the gentleman has said, in pursuance of a telegram, a copy of which is in the letter which he has read. This telegram was sent to us by General Wilson a year ago, and it is copied bodily in the letter of this winter, which he has read. The gentleman has been very strenuous in looking after that measure both last winter and this. However, he introduced a bill again this winter, asking for only $145,000.

There is an explanation for this better than any given by the gentleman himself. It is evident that his secretary or some one merely copied bodily that bill of last winter and introduced it again, so that it might accomplish the same results that the other one was intended to perform, overlooking the fact that in the last bill $275,000 or $285,000 had been inserted by the Committee on Rivers and Harbors. But again I want to assure the gentleman—and this word may go to his constituents—that he has been active and careful in looking after their interests in this measure and in the whole Cumberland River.

I move that the committee do now rise.

Mr. GAINES of Tennessee. Just a word, Mr. Chairman.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12346, being the river and harbor appropriation bill, and had come to no resolution thereon.

JANITOR FOR COMMITTEE ON ENROLLED BILLS.

Mr. BULL. Mr. Speaker, I present a privileged report from the Committee on Accounts.

The Clerk read as follows:

House resolution 125.

Resolved, That the Chairman of the Committee on Enrolled Bills is hereby authorized to appoint a janitor to said committee room, to be paid out of the contingent fund of the House, at the rate of $60 per month, during the present Congress, until otherwise provided for by law.

With the following amendments:

At the end of line 4, after the word "the," insert the words "sessions of the."

At the end of the resolution insert the following:

"*Provided*, That the person appointed hereunder shall also perform janitor service in the enrolling room of the House."

The SPEAKER. The question is on agreeing to the amendments.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I would like to ask if the resolution is reported by the committee?

Mr. BULL. It is the unanimous report of the committee.

Mr. RICHARDSON of Tennessee. No statement was made that the committee had considered it.

The amendments were agreed to.

The resolution as amended was agreed to.

LEAVE TO PRINT.

Mr. BURTON. Mr. Speaker, I ask unanimous consent that all members who, either in the general debate or in the debate under the five-minute rule, speak upon the river and harbor bill may have leave to extend their remarks in the RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent that all gentlemen speaking upon the river and harbor appropriation bill, either in general debate or under the five-minute rule, have leave to extend their remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills of the following titles:

H. R. 1980. An act to establish a marine hospital at Savannah, Ga.;

H. R. 6300. An act to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis.;

H. R. 11474. An act for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States;

H. R. 11241. An act to amend an act entitled "An act to regulate in the District of Columbia the disposal of certain refuse, and for other purposes," approved January 25, 1898;

H. R. 11719. An act to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River;

H. R. 4607. An act to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr.;

H. R. 5224. An act for the relief of Edward Kershner;

H. R. 3278. An act to correct the military record of C. R. Dickson;

H. J. Res. 162. Joint resolution authorizing and requesting the President to extend to the Government and people of France and to the families of Marshal de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication of the monument of Marshal de Rochambeau to be unveiled in the city of Washington; and

H. J. Res. 161. Joint resolution authorizing the Secretary of War to loan tents to the Texas Reunion Association.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 469. An act granting an increase of pension to Hiram H. Kingsbury;

S. 502. An act granting a pension to Alexander Beachboard;

S. 8. An act granting a pension to Sarah B. Andrews;

S. 3704. An act granting an increase of pension to Frederick E. Rodgers;

S. 462. An act granting an increase of pension to Ann Demonbrun;

S. 3329. An act granting an increase of pension to Annie McElheney;

S. 3182. An act granting an increase of pension to Mary Louise Warden;
S. 335. An act granting an increase of pension to Joseph H. Barnum;
S. 577. An act granting an increase of pension to Joseph W. Burch;
S. 3322. An act granting an increase of pension to Joseph M. Clough;
S. 713. An act granting a pension to Frances E. Stebbins;
S. 1015. An act granting an increase of pension to Israel A. Benner;
S. 1041. An act granting a pension to Abbie M. Packard;
S. 1086. An act granting a pension to Charlott H. Race;
S. 1135. An act granting an increase of pension to Thomas J. Stowers;
S. 1139. An act granting a pension to Abby Clark McNett;
S. 1146. An act granting a pension to Adela S. Webster;
S. 1164. An act granting an increase of pension to Lewis W. Moore;
S. 1195. An act granting an increase of pension to Charles R. Bridgman;
S. 1256. An act to remove the charge of desertion from the military record of Stephen A. Toops;
S. 1331. An act granting a pension to Ann Eliza Trout;
S. 1467. An act granting an increase of pension to Cynthia A. McKenny;
S. 1626. An act granting an increase of pension to Michael Samelsberger;
S. 1641. An act granting an increase of pension to Frank J. Clark;
S. 1748. An act granting an increase of pension to Williamanna E. Lynde;
S. 1800. An act granting an increase of pension to Jennie C. Ruckle;
S. 1802. An act granting an increase of pension to Cornelia E. Wright;
S. 1913. An act granting an increase of pension to Caroline Michler;
S. 1933. An act granting a pension to Ella Bailey;
S. 1940. An act granting a pension to Francis Fuller Victor;
S. 2008. An act granting an increase of pension to Peter C. Monfort;
S. 2013. An act granting an increase of pension to Sidney Leland;
S. 2049. An act granting an increase of pension to Franklin Taylor;
S. 2100. An act granting an increase of pension to John McGrath;
S. 2267. An act granting an increase of pension to Clara A. Penrose;
S. 2303. An act granting an increase of pension to Noah F. Chafee;
S. 2394. An act granting an increase of pension to Sybil F. Hall;
S. 2422. An act granting an increase of pension to John W. Durham;
S. 2440. An act granting an increase of pension to John W. Gregg;
S. 2468. An act granting an increase of pension to Horatio N. Francis;
S. 2520. An act granting an increase of pension to Emma McLaughlin;
S. 2531. An act granting an increase of pension to William H. H. Scott;
S. 2562. An act granting a pension to Emma R. Pawling;
S. 2643. An act granting an increase of pension to Peter C. Cleek;
S. 2692. An act granting an increase of pension to Lucy W. Smith;
S. 2701. An act granting a pension to Thomas G. Foster;
S. 2767. An act granting an increase of pension to Albert D. Scovell;
S. 2732. An act granting an increase of pension to Marie J. Smyth;
S. 2802. An act granting a pension to Martha R. Osbourn;
S. 2867. An act granting an increase of pension to John A. Hazelton;
S. 2929. An act granting an increase of pension to Jacob Barton;
S. 2930. An act granting an increase of pension to Franklin B. Delaney;
S. 2947. An act granting an increase of pension to Elizabeth A. Shaw;
S. 3021. An act granting a pension to India Stewart;
S. 3026. An act granting an increase of pension to Marie U. Nordstrom;
S. 3036. An act granting an increase of pension to Jason Leighton;
S. 628. An act granting a pension to Annie D. Taggart;
S. 3054. An act granting an increase of pension to Alice De K. Shattuck;
S. 3097. An act granting an increase of pension to Joseph A. Nunez;
S. 3257. An act granting an increase of pension to Elizabeth K. Prescott;
S. 3258. An act granting a pension to Simon Partridge;
S. 3267. An act to change the boundaries between the southern and central judicial districts of the Indian Territory;
S. 3269. An act granting an increase of pension to Jane E. Tompkins;
S. 3284. An act granting a pension to Gilbert P. Howe;
S. 3328. An act granting an increase of pension to Heber C. Griffin;
S. 3403. An act granting an increase of pension to George M. Emery;
S. 3482. An act granting an increase of pension to Ida C. Emery;
S. 3553. An act granting an increase of pension to Mary A. Van Wormer;
S. 3559. An act granting an increase of pension to George E. Houghton; and
S. 665. An act granting a pension to Kate Pearce.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 324. An act granting a pension to Nellie Loucks—to the Committee on Invalid Pensions.
S. 1629. An act granting an increase of pension to James W. Humphrey—to the Committee on Invalid Pensions.
S. 3217. An act granting an increase of pension to Charles Dixon—to the Committee on Invalid Pensions.
S. 3283. An act to remove the charge of desertion from the military record of Charles K. Bolster—to the Committee on Military Affairs.
S. 3554. An act granting an honorable discharge to Thomas J. Brown—to the Committee on Military Affairs.
S. 3826. An act for the relief of Isaac P. Brown—to the Committee on Military Affairs.
S. 4304. An act granting a pension to John S. Nelson—to the Committee on Invalid Pensions.
S. 1363. An act granting an increase of pension to James A. McKeehan—to the Committee on Invalid Pensions.
S. 4413. An act granting an increase of pension to Martha A. Greenleaf—to the Committee on Invalid Pensions.
S. 4486. An act granting an increase of pension to Myra W. Robinson—to the Committee on Invalid Pensions.
Senate concurrent resolution 32:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause an examination to be made of the breakwater at Marquette, Mich., with a view to connect the said breakwater with the shore, and to report to Congress the result of such examination—

to the Committee on Rivers and Harbors.

S. 270. An act to prevent trespassers or intruders from entering the Mount Rainier National Park, in the State of Washington—to the Committee on the Public Lands.
S. 4409. An act to amend an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes," approved March 1, 1899—to the Committee on the District of Columbia.
S. 3673. An act to correct the military record of Jacob Cooper—to the Committee on Military Affairs.
S. 2109. An act granting an increase of pension to Charles C. Davis—to the Committee on Invalid Pensions.
S. 311. An act to provide for the purchase of a site and the erection of a public building thereon at Laramie, in the State of Wyoming—to the Committee on Public Buildings and Grounds.
S. 140. An act granting to the University of Utah additional lands adjacent to its site—to the Committee on the Public Lands.
S. 3371. An act removing the charge of desertion from the name of Jacob Bowman—to the Committee on Military Affairs.
S. 4363. An act granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve—to the Committee on the Public Lands.
S. 1348. An act to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries—to the Committee on Merchant Marine and Fisheries.
S. 1298. An act to provide for the purchase of a site and the erection of a public building thereon at Colorado Springs, in the State of Colorado—to the Committee on Public Buildings and Grounds.
S. 2845. An act to purchase from the compiler, Francis B. Heitman, the manuscript of the Historical Register United States Army from 1789 to 1901—to the Committee on Military Affairs.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SLAYDEN, indefinitely, on account of important business.

Mr. BURTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the ship *James and William*, Nicholas Monnycott, master, against the United States—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, with accompanying papers, a draft of a bill providing for the extension of the limits of the Yellowstone National Park—to the Committee on the Public Lands, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 12093) to authorize the construction of a bridge across the Neuse River at or near Kinston, N. C., reported the same without amendment, accompanied by a report (No. 1084); which said bill and report were referred to the House Calendar.

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 10517) to amend an act entitled "An act relative to recognizances, stipulations, bonds, and undertakings, and to allow certain corporations to be accepted as surety thereon," reported the same without amendment, accompanied by a report (No. 1088); which said bill and report were referred to the House Calendar.

Mr. BROUSSARD, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 11636) providing for the transfer of the title to the military reservation at Baton Rouge, La., to the Louisiana State University and Agricultural College, reported the same with amendments, accompanied by a report (No. 1086); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. OVERSTREET, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 3449) to establish an additional land office in the State of Montana, reported the same without amendment, accompanied by a report (No. 1085); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Iowa, from the Committee on Banking and Currency, to which was referred the bill of the House (H. R. 7659) to amend section 1 of an act entitled "An act to amend sections 5191 and 5192 of the Revised Statutes of the United States, and for other purposes," reported the same with amendment, accompanied by a report (No. 1089); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. OTJEN, from the Committee on War Claims, to which was referred the bill of the House (H. R. 7536) for the relief of the estate of George W. Saulpaw, reported the same without amendment, accompanied by a report (No. 1087); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Appropriations was discharged from the consideration of the bill (S. 258) providing additional funds for the establishment of a light-house and fog-signal station at Browns Point, on Commencement Bay, State of Washington; and the same was referred to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WACHTER: A bill (H. R. 12759) authorizing the payment of certain certificates—to the Committee on Claims.

By Mr. BROWNLOW (by request): A bill (H. R. 12760) to give longevity pay to employees in the classified civil service—to the Committee on Reform in the Civil Service.

By Mr. COCHRAN: A bill (H. R. 12761) to provide for the erection of a public building at Maryville, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. RYAN: A bill (H. R. 12762) to authorize the Mather Power Bridge Company, of New York, to construct in the Niagara River, at or near the city of Buffalo, N. Y., an experimental span for a power bridge—to the Committee on Interstate and Foreign Commerce.

By Mr. RAY of New York: A bill (H. R. 12763) to provide additional punishment upon a second or other conviction under the laws against counterfeiting—to the Committee on the Judiciary.

Also, a bill (H. R. 12764) amending the act of March 2, 1901, entitled "An act to carry into effect the stipulations and Article VII of the treaty between the United States and Spain"—to the Committee on the Judiciary.

By Mr. PAYNE: A bill (H. R. 12765) to provide for reciprocal trade relations with Cuba—to the Committee on Ways and Means.

By Mr. LEVER: A bill (H. R. 12795) to provide for the erection of a monument to Maj. Gen. Thomas Sumpter—to the Committee on the Library.

By Mr. BELL: A bill (H. R. 12796) providing for free homesteads in the Ute Indian Reservation in Colorado—to the Committee on the Public Lands.

By Mr. SMITH of Arizona: A bill (H. R. 12797) to ratify act numbered 65 of the Twenty-first Arizona legislature—to the Committee on the Territories.

By Mr. GRAFF: A bill (H. R. 12798) to fix the status of the officers of the Porto Rico Provisional Regiment of Infantry—to the Committee on Insular Affairs.

By Mr. GARDNER of Michigan: A bill (H. R. 12799) to prevent robbing the mail. to provide a safer and easier method of sending money by mail, and to increase the postal revenues—to the Committee on the Post-Office and Post-Roads.

By Mr. BURLESON: A concurrent resolution (H. C. Res. 45) relating to the printing of the American Ephemeris and Nautical Almanac—to the Committee on Printing.

By Mr. MORRIS: A memorial relative to Senate bill 1118, concerning the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. BRICK: A bill (H. R. 12766) granting an increase of pension to George M. Veach—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 12767) for the relief of the legal representatives of Reuben Opp, deceased, late of Lafayette, Ind.—to the Committee on War Claims.

By Mr. DAHLE: A bill (H. R. 12768) granting an increase of pension to Nels Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12769) granting an increase of pension to James F. Smith—to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 12770) granting a pension to Carrie M. Schofield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12771) granting a pension to William Kenney—to the Committee on Pensions.

By Mr. GILL: A bill (H. R. 12772) granting an increase of pension to David C. Peck—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 12773) granting an increase of pension to Edward Gordon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12774) granting an increase of pension to John M. Brown—to the Committee on Invalid Pensions.

By Mr. HENRY of Mississippi: A bill (H. R. 12775) for the relief of the heirs and assignees of Thomas Whaley and wife—to the Committee on Private Land Claims.

By Mr. LITTAUER: A bill (H. R. 12776) granting a pension to William H. Mosley—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: A bill (H. R. 12777) granting a pension to George H. Young—to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 12778) granting an increase of pension to Edward R. Blain—to the Committee on Pensions.

Also, a bill (H. R. 12779) granting an increase of pension to George Chamberlain—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 12780) granting an increase of pension to William H. Wheeler—to the Committee on Pensions.

By Mr. POWERS of Maine: A bill (H. R. 12781) for the relief of Lewis Merriam—to the Committee on Military Affairs.

Also, a bill (H. R. 12782) granting a pension to Asa C. Eastman—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 12783) to correct the military

record of William H. Harris—to the Committee on Military Affairs.

By Mr. SALMON: A bill (H. R. 12784) granting an increase of pension to Ira Munson—to the Committee on Invalid Pensions.

By Mr. SCHIRM: A bill (H. R. 12785) granting an increase of pension to John M. Barron—to the Committee on Invalid Pensions.

By Mr. SHATTUC: A bill (H. R. 12786) granting a pension to George W. Arnold—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 12787) granting a pension to Jefferson S. Brown—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 12788) granting a pension to Elizabeth McDonald—to the Committee on Invalid Pensions.

By Mr. TOMPKINS of Ohio: A bill (H. R. 12789) granting an increase of pension to Alexander S. Hempstead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12790) granting an increase of pension to William R. Milot—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12791) granting an increase of pension to Matthew Cherry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12792) to remove charge of desertion against William F. Elliott and granting his widow, Lydia, a pension of $24 per month—to the Committee on Military Affairs.

Also, a bill (H. R. 12793) restoring name of Acsah Barnes to pension roll and granting her a pension—to the Committee on Invalid Pensions.

By Mr. WACHTER: A bill (H. R. 12794) to refer to the Court of Claims the claim of Benjamin A. Pillsbury, owner of the schooner *A. B. Sherman*, for damages caused by collisions with United States war ships—to the Committee on the Judiciary.

By Mr. BURTON: A bill (H. R. 12800) granting an increase of pension to Horatio N. Whitbeck—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 12801) to pay D. Van Aken & Co. for services rendered in the relief of United States transport *Manitoba*, and United States naval boat *Saturn*, and the Van Aken expedition—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 12802) granting a pension to William H. McKenny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12803) granting a pension to Robert J. Tate—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Petition of the Atlantic Coast Seamen's Union, Port of Philadelphia, Pa., favoring eight-hour day labor—to the Committee on Labor.

Also, resolution of Society of Amalgamated Lace Curtain Operatives, Philadelphia, Pa., favoring exclusion of undesirable immigrants—to the Committee on Immigration and Naturalization.

By Mr. APLIN: Petitions of citizens of the Tenth Congressional district of Michigan, against the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of citizens of the Tenth Congressional district of Michigan, favoring passage of a law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. BALL of Delaware: Petition of United Labor League No. 1, Wilmington, Del., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Boiler Makers and Shipbuilders' Lodge No. 59, Carpenters' Union, and Labor League, all of Wilmington, Del., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BELL: Petition of Excelsior Engineers' Union, Victor, Colo., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Denver Trades and Labor Assembly, favoring the irrigation of the arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolution of Bricklayers' Union of Cripple Creek, Colo., favoring exclusion of Chinese from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. BRICK: Resolutions of Bricklayers' Union No. 18 and Typographical Union No. 128, of South Bend, Ind., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Painters and Paperhangers' Union of Elkhart, Ind., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BROMWELL: Resolution of Painters' District Council and Painters and Decorators' Union, of Cincinnati, Ohio, for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. BURK of Pennsylvania: Resolutions of the Atlantic Coast Seamen's Union, urging the passage of the eight-hour law—to the Committee on Labor.

Also, resolutions of the Lace Curtain Operatives of America, for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BURLESON: Petition of Boiler Makers' Union No. 265, of Smithville, Tex., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. CONNELL: Petition of the American Chamber of Commerce of Manila, suggesting needed legislation for the Philippine Islands—to the Committee on Insular Affairs.

Also, petition of citizens of Lackawanna County, Pa., asking Congress to take action with a view of stopping the war in South Africa—to the Committee on Foreign Affairs.

Also, resolutions of Interstate Irrigation Congress of Colorado and Nebraska delegates in joint convention, favoring irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Cigar Makers' Union No. 436, of Oliphant, Pa., and Locomotive Engineers' Division No. 468, of Carbondale, Pa., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of Division No. 12, Order of Railway Conductors, Scranton, Pa.; Bricklayers' Union No. 18, of Scranton; Cigar Makers' Union No. 436, of Oliphant; Typographical Union No. 239, Carbondale, and citizens of Archbald, Pa., favoring the continued exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. COOPER of Texas: Petition of Revival Division, No. 194, Locomotive Engineers, of Palestine, Tex., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. ESCH: Resolution of Business Men's Association of Sparta, Wis., against House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Business Men's Association of Sparta, Wis., in favor of the passage of the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the American Chamber of Commerce of Manila, P. I., suggesting needed legislation for the Philippine Islands—to the Committee on Insular Affairs.

By Mr. EVANS: Papers to accompany House bill 9987, granting a pension to Aaron Young—to the Committee on Invalid Pensions.

By Mr. FLEMING: Resolutions of Order of Railway Conductors, Division No. 202, of Augusta, Ga., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. GRAHAM: Petition of the Atlantic Coast Seamen's Union, port of Philadelphia, in favor of the eight-hour law—to the Committee on Labor.

Also, resolutions of the New York Retail Grocers' Union and United Retail Grocers' Union, of Brooklyn, N. Y., in opposition to the repeal of the duty on tea—to the Committee on Ways and Means.

By Mr. GREENE of Massachusetts: Resolution of Bay State Lodge, No. 88, Brotherhood of Railway Trainmen, of Worcester, Mass., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of board of aldermen of Boston, Mass., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. GREEN of Pennsylvania: Petition of citizens of Reading, Pa., asking for an amendment to the Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

Also, resolution of Iron Molders' Union No. 335, of Allentown, Pa., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Journeymen Bakers' Union No. 150, of Reading, Pa., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Typographical Union No. 86, American Federation of Labor, of Reading, Pa., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. HEMENWAY: Resolution of Painters and Paper Hangers' Union of Princeton, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. HENRY of Mississippi: Papers relating to the claim of Thomas Wheeler and wife—to the Committee on Private Land Claims.

By Mr. JACK: Petition of B. L. Junker, of Indiana, Pa., for removal of the tariff on hides—to the Committee on Ways and Means.

Also, resolution of Division 144, Railway Conductors, Derry,

Pa., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. JOY: Petition of C. A. McNair and 3 others, of St. Louis, Mo., against reciprocity concessions, to the sacrifice of American industries—to the Committee on Ways and Means.

By Mr. LACEY: Resolution of Phil Kearny Post, Grand Army of the Republic, Oskaloosa, Iowa, in favor of the militia-reorganization bill—to the Committee on the Militia.

Also, petition of Mrs. H. C. Guernsey and others, of Bloomfield, Iowa, in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

By Mr. LAWRENCE: Petitions of Iron Molders' Union of Westfield, Stationary Firemen's Union of Holyoke, and Barbers' Union of North Adams, Mass., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LITTLEFIELD: Resolutions of Stone Masons' Union No. 5, of Lewiston, Me., and Granite Cutters' Union, of Stonington, Me., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. McDERMOTT: Resolutions of Hoboken Typographical Union, No. 323, and Boiler Makers and Ship Builders' Lodge No. 16, of Jersey City, N. J., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Neptune Division, No. 169, Order of Railway Conductors, Jersey City, N. J., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. MERCER: Resolution of the city council of Omaha, Nebr., approving the bill for the suppression of train robberies in the Territories of the United States—to the Committee on the Territories.

Also, resolution of Burnside Post, No. 79, Grand Army of the Republic, Department of Nebraska, in favor of service pension and other pension legislation—to the Committee on Invalid Pensions.

By Mr. MOODY of Massachusetts: Resolutions of Boston (Mass.) Division, Order of Railway Conductors, approving Senate bill 1118 and House bill 11060—to the Committee on the Judiciary.

Also, petition of Major Boyd Post, Grand Army of the Republic, West Newbury, Mass., asking for a committee of investigation into the affairs of the Pension Office—to the Committee on Rules.

Also, resolutions of Major Boyd Post, Grand Army of the Republic, West Newbury, Mass., favoring the construction of war vessels in United States navy-yards—to the Committee on Naval Affairs.

Also, resolutions of M. E. Richards Post, Grand Army of the Republic, Pottstown, Pa., favoring construction of war vessels in United States navy-yards—to the Committee on Naval Affairs.

By Mr. MORRELL: Resolutions of Lace Curtain Operatives' Association, Philadelphia, Pa., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, petition of Atlantic Coast Seamen's Union, favoring the enactment of the eight-hour law—to the Committee on Labor.

Also, petition of the American Chamber of Commerce of Manila, P. I., suggesting needed legislation for the Philippines—to the Committee on Insular Affairs.

Also, resolution of Typographical Union No. 6, of New York City, urging the passage of bill increasing the salary of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Stone Masons' Union of Philadelphia, Pa., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. MORRIS: Resolutions of St. Paul (Minn.) Trades and Labor Assembly and Printing Pressmen's Union No. 53, of Duluth, Minn., favoring irrigation and reclamation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Department of Minnesota Encampment, Grand Army of the Republic, held in Minneapolis, Minn., asking for a more liberal construction of the pension laws—to the Committee on Invalid Pensions.

Also, petition of Cigar Makers' Union No. 294, Duluth, Minn., against reduction of the present tariff on cigars—to the Committee on Ways and Means.

Also, petition of Retail Grocers and General Merchants' Association of Minnesota, in favor of the passage of the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Mrs. H. H. Phelps, J. Madan, and others, of Duluth, Minn., for an amendment to the Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

Also, resolutions of Machinists' Union No. 197, of Brainerd, and Plumbers' Union No. 11, of Duluth, Minn., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, resolutions of German-American Central Bund of Minnesota, opposing the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of M. Clancy Division, No. 360, Order of Railway Conductors, Two Harbors, Minn., and Bessemer Division, No. 559, Locomotive Engineers, of Proctor Knott, Minn., favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, petitions of McQueen Division, No. 420, Locomotive Engineers, of Two Harbors, Minn., and Stone Masons' Union No. 4, Bricklayers' Union No. 3, and Carpenters' Union No. 361, all of Duluth, Minn., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Plumbers' Union No. 11, Brewery Workers' Union No. 133, Stonecutters' Association, Steam Fitters' Union No. 23, Railroad Trainmens' Lodge No. 569, Printing Pressmens' Union No. 53, Cigar Makers' Union No. 294, and Carpenters' Union No. 361, all of Duluth, Minn.; M. Clancy Division, No. 360, Order of Railroad Conductors, and Brainerd Division, No. 197, and Missabe Division, No. 405, Proctor Knott, Minn.; Stonecutters' Association, Sandstone Branch; Carpenters' Union No. 930, of St. Cloud, Minn.; Iron Molders' Union No. 226, of Brainerd, and Locomotive Engineers' Division No. 413, of Melrose, and No. 420, of Two Harbors, Minn., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. NEVIN: Petitions of the Gem City Boiler Company, Vienna Model Bakery, William J. Webber, W. H. Leslie, the National Waterproof Sign Company, the Dayton Steam Boiler Works, George J. Roberts & Co., the Dayton Ice Manufacturing and Cold Storage Company, Giele & Pflaum (printers), the Dayton Fan and Motor Company, the Royal Remedy and Extract Company, the Patterson Tool and Supply Company, the M. Ohmer's Sons Company, the New Era Iron Works Company, the Stillwell-Bierce & Smith Vaile Company, the Dayton Malleable Iron Company, the Walker Lithographing and Printing Company, the C. W. Raymond Company, D. L. Bates & Bro., the Canby, Ach & Canby Company, the Joyce Cridland Company, and of Kling Brothers, all of Dayton, Ohio, protesting against the passage of Senate bill 1118, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. OTJEN: Resolutions of the Merchants and Manufacturers' Association, of Milwaukee, Wis., for legislation amending the existing interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 23, of Milwaukee, Wis., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, petition of J. H. Morgan, F. Singleton, and others, in regard to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. PUGSLEY: Resolutions of Union No. 54, Bricklayers, Masons, and Plasterers, of New Rochelle; of Union No. 52, Bricklayers and Masons, of Mount Vernon; of Local Union No. 59, Advance Association of Steam and Hot Water Fitters and Helpers, of Yonkers; of Hudson Valley Lodge, International Association of Machinists, of North Tarrytown; of Cigar Makers' Union No. 81, of Peekskill; of Carpenters and Joiners' Union No. 42, of New Rochelle, and of Yonkers Lodge, No. 60, International Association of Machinists, all of New York, for enactment of law forbidding immigration of illiterate persons—to the Committee on Immigration and Naturalization.

Also, resolutions of Yonkers Typographical Union, No. 468; of Yonkers Hat Finishers' Association, Union No. 22, of Yonkers, N. Y.; of Bricklayers and Plasterers' Union No. 51, of New Rochelle, N. Y.; and of Granite Cutters' Union of Peekskill, N. Y., urging enactment of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of American Paper and Pulp Association of New York, favoring establishment of a permanent Census Bureau—to the Select Committee on the Census.

Also, resolutions of United Retail Grocers' Association of Brooklyn, N. Y., urging passage of pure-food bill—to the Committee on Agriculture.

Also, resolutions of the Omaha Commercial Club, of Omaha, Nebr., favoring reclamation and settlement of arid public domain—to the Committee on Irrigation of Arid Lands.

By Mr. PALMER: Petitions of Rev. Henry E. Spayd, Kathaine Wilcox, and others, of Luzerne County, Pa., for the passage of the antipolygamy amendment bill—to the Committee on the Judiciary.

Also, petitions of Division No. 272, Brotherhood of Locomotive Engineers; Mill Workers' Union No. 665, and Cigar Makers' Union, all of Wilkesbarre, Pa.; Black Diamond Lodge, No. 179, and E. B. Baldwin and others, of Pittston, Pa.: Brotherhood of Painters and Paper Hangers and Iron Molders' Union No. 344, of Hazelton; Carpenters' Union No. 414, of Nanticoke, and Plasterers' Association of Wilkesbarre, Pa., favoring an educational

test for restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petitions of Powder Makers' Union No. 8745, of Olivers Mills, Pa., and Metal Workers' Union No. 44, Cotton Workers' Union No. 8957, Brewery Workmen's Union No. 185, and Bricklayers and Masons' Union No. 30, all of Wilkesbarre, Pa., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. PATTERSON of Pennsylvania: Petition of Bricklayers and Plasterers' Union No. 47, of Pottsville, Pa., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. PATTERSON of Tennessee: Petition of Bricklayers' Union No. 1, of Memphis, Tenn., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, petition of Bricklayers' Union No. 1, of Memphis, Tenn., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. POWERS of Massachusetts: Resolutions of City Point Lodge, No. 507, Brotherhood of Railroad Trainmen, urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. RAY of New York: Resolution of Bricklayers' Union, Norwich, N. Y., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Printing Pressmen's Union of Binghamton, N. Y., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Indiana: Petition of Gottlieb Hitzemann, of Fort Wayne, Ind., in favor of the passage of House bill 9352, known as the pure-food bill—to the Committee on Interstate and Foreign Commerce.

By Mr. RUSSELL: Resolutions of Granite Cutters' Union of Oneco, and Bricklayers' Union No. 12, of Norwich, Conn., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers' Union No. 12, of Norwich, Conn., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Resolution of Painters' Union of Buffalo, N. Y., favoring exclusion of undesirable immigrants—to the Committee on Immigration and Naturalization.

Also, petition of the American Chamber of Commerce of Manila, urging legislation for the Philippines—to the Committee on Insular Affairs.

By Mr. SCHIRM: Resolution of Cigar Makers' Union No. 1, of Baltimore, Md., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. SHATTUC: Petitions of Glass Bottle Blowers' Branch No. 27, Carriage and Wagon Workers' Local Union No. 23, Type Founders' Union No. 4, Journeymen Plasterers' Association No. 1, Wood Workers' Union No. 158, Carriage Drivers' Union No. 270, Jewelry Workers' Union No. 4, Carpenters' Union No. 676, Allied Metal Mechanics' Union No. 95, and Stone Masons' Union No. 15, all of Cincinnati, Ohio, in favor of an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. SPERRY: Resolution of Lithuanian Politic Club, of Naugatuck, Conn., against any proposition to restrict the immigration of healthy and honest persons—to the Committee on Immigration and Naturalization.

Also, resolutions of Retail Clerks' Protective Association No. 441, of New Haven, Conn., favoring restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Retail Clerks' Protective Association No. 441, of New Haven, Conn., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. SAMUEL W. SMITH: Memorial of Reformed Presbyterian Church of Southfield, Mich., for the amendment or radical modification of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petitions of Lansing City Lodge, No. 384; Team Drivers' Union No. 298, and Plasterers' Union No. 184, of Flint, Mich., favoring the prohibition of immigrants, other than wives or children, who can not read—to the Committee on Immigration and Naturalization.

By Mr. SMITH of Kentucky: Papers to accompany House bill 12787, granting a pension to Jefferson G. Brown—to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: Resolution of Division No. 395, Order of Railway Conductors, Salt Lake City, Utah, asking for the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SULZER: Resolution of Typographical Union No. 228, of Norwood, Mass., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. THOMAS of Iowa: Papers to accompany House bill 8287, granting a pension to Peter Johnson—to the Committee on Invalid Pensions.

By Mr. WARNER: Resolutions of Columbian Division, No. 519, Brotherhood of Locomotive Engineers, Chicago, Ill., and F. W. Arnold Lodge, No. 44, Brotherhood of Locomotive Firemen, East St. Louis, Ill., urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Retail Clerks' Protective Union No. 514, of Clinton, Ill., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. WILLIAMS of Illinois: Letter of Robert J. Tate, to accompany House bill 6413, regarding his pension claim—to the Committee on Invalid Pensions.

By Mr. WOODS: Petition of San Francisco Labor Council, favoring the passage of House bill No. 9, relating to Army and Navy musicians competing with civilians in their occupation—to the Committee on Labor.

Also, petitions of officers of the California National Guard, favoring House bill 11654, increasing the efficiency of the militia—to the Committee on Militia.

SENATE.

THURSDAY, *March 20, 1902.*

Prayer by Rev. F. J. PRETTYMAN, D. D., of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CLAY, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

PERSONS IN CLASSIFIED SERVICE FROM NEW HAMPSHIRE.

The PRESIDENT pro tempore laid before the Senate a communication from the president of the Civil Service Commission, transmitting, in response to a resolution of the 13th instant, a list of persons in the classified service charged to the State of New Hampshire, with their legal residence, time when appointed, etc.; which, with the accompanying paper, was ordered to lie on the table and be printed.

GERTRUDE NOLASCO.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Gertrude Nolasco *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

W. T. RATLIFF.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of W. T. Ratliff, administrator of S. N. Clark, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

LOUISIANA PURCHASE EXPOSITION COMPANY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Industrial Expositions, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of February, 1902, furnished by the Louisiana Purchase Exposition Commission, in pursuance of section 11 of the act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory, etc., approved March 3, 1901.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 20, 1902.*

CLAIMS AGAINST COLOMBIA.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read:

To the Senate:

In response to the resolution of the Senate of May 15, 1900, requesting the President, "if not in his opinion incompatible with the public interest, to furnish the Senate with copies of all the correspondence and papers in regard to the claims of Messrs. Isaacs and Asch and other citizens of the United States against the Government of Colombia, growing out of the withdrawal of the military forces and police from Colon by the Colombian Government and the firing of the city by the insurgent Pedro Prestan, in the year 1885," I transmit herewith a report by the Secretary of State, with accompanying papers.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, March 20, 1902.

The PRESIDENT pro tempore. If there be no objection, the message and the index of papers referred to will be printed. The accompanying papers the Chair thinks ought not to be printed—at

present, at any rate. If there be no objection, the accompanying papers will not be printed, but all the papers will be referred to the Committee on Foreign Relations.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 8) granting a pension to Sarah B. Andrews;

A bill (S. 335) granting an increase of pension to Joseph H. Barnum;

A bill (S. 462) granting an increase of pension to Ann Demonbrun;

A bill (S. 469) granting an increase of pension to Hiram H. Kingsbury;

A bill (S. 502) gaunting a pension to Alexander Beachboard;

A bill (S. 577) granting an increase of pension to Joseph W. Burch;

A bill (S. 626) granting a pension to Annie D. Taggart;

A bill (S. 665) granting a pension to Kate Pearce;

A bill (S. 713) granting a pension to Francis E. Stebbins;

A bill (S. 1015) granting an increase of pension to Israel A. Benner;

A bill (S. 1041) granting a pension to Abbie M. Packard;

A bill (S. 1086) granting a pension to Charlotte H. Race;

A bill (S. 1135) granting an increase of pension to Thomas J. Stowers;

A bill (S. 1139) granting a pension to Abby Clark McNett;

A bill (S. 1146) granting a pension to Adela S. Webster;

A bill (S. 1164) granting an increase of pension to Lewis W. Moore;

A bill (S. 1195) granting an increase of pension to Charles R. Bridgman;

A bill (S. 1256) to remove the charge of desertion from the military record of Stephen A. Toops;

A bill (S. 1331) granting a pension to Ann Eliza Trout;

A bill (S. 1467) granting an increase of pension to Cynthia A. McKenny;

A bill (S. 1626) granting an increase of pension to Michael Samelsberger;

A bill (S. 1641) granting an increase of pension to Frank J. Clark;

A bill (S. 1748) granting an increase of pension to Williamanna E. Lynde;

A bill (S. 1800) granting an increase of pension to Jennie C. Ruckle;

A bill (S. 1802) granting an increase of pension to Cornelia E. Wright;

A bill (S. 1913) granting an increase of pension to Caroline Michler;

A bill (S. 1933) granting a pension to Ella Bailey;

A bill (S. 1940) granting a pension to Francis Fuller Victor;

A bill (S. 2008) granting an increase of pension to Peter C. Montfort;

A bill (S. 2013) granting an increase of pension to Sidney Leland;

A bill (S. 2049) granting an increase of pension to Franklin Taylor;

A bill (S. 2100) granting an increase of pension to John McGrath;

A bill (S. 2267) granting an increase of pension to Clara A. Penrose;

A bill (S. 2303) granting an increase of pension to Noah F. Chafee;

A bill (S. 2394) granting an increase of pension to Sybil F. Hall;

A bill (S. 2422) granting an increase of pension to John W. Dunham;

A bill (S. 2440) granting an increase of pension to John W. Gregg;

A bill (S. 2468) granting an increase of pension to Horatio N. Francis;

A bill (S. 2520) granting an increase of pension to Emma McLaughlin;

A bill (S. 2531) granting an increase of pension to William H. H. Scott;

A bill (S. 2562) granting a pension to Emma R. Rawling;

A bill (S. 2643) granting an increase of pension to Peter C. Cleek;

A bill (S. 2692) granting an increase of pension to Lucy W. Smith;

A bill (S. 2701) granting a pension to Thomas G. Foster;

A bill (S. 2732) granting an increase of pension to Marie J. Smyth;

A bill (S. 2767) granting an increase of pension to Albert D. Scovell;

A bill (S. 2802) granting a pension to Martha R. Osbourn;

A bill (S. 2867) granting an increase of pension to John A. Hazelton;

A bill (S. 2929) granting an increase of pension to Jacob Barton;

A bill (S. 2930) granting an increase of pension to Franklin B. Delaney;

A bill (S. 2947) granting an increase of pension to Elizabeth A. Shaw;

A bill (S. 3021) granting a pension to India Stewart;

A bill (S. 3026) granting an increase of pension to Maria U. Nordstrom;

A bill (S. 3036) granting an increase of pension to Jason L. Leighton;

A bill (S. 3054) granting an increase of pension to Alice DeK. Shattuck;

A bill (S. 3097) granting an increase of pension to Joseph A. Nunez;

A bill (S. 3182) granting an increase of pension to Mary Louise Worden;

A bill (S. 3257) granting an increase of pension to Elizabeth K. Prescott;

A bill (S. 3258) granting a pension to Simon Partridge;

A bill (S. 3267) to change the boundaries between the southern and central judicial districts of the Indian Territory;

A bill (S. 3269) granting an increase of pension to Jane E. Thompkins;

A bill (S. 3284) granting a pension to Gilbert P. Howe;

A bill (S. 3322) granting an increase of pension to Joseph M. Clough;

A bill (S. 3328) granting an increase of pension to Heber C. Griffin;

A bill (S. 3329) granting an increase of pension to Annie McElheney;

A bill (S. 3403) granting an increase of pension to George M. Emery;

A bill (S. 3482) granting an increase of pension to Ida C. Emery;

A bill (S. 3553) granting an increase of pension to Mary A. Van Wormer;

A bill (S. 3559) granting an increase of pension to George E. Houghton; and

A bill (S. 3704) granting an increase of pension to Frederick E. Rogers.

PETITIONS AND MEMORIALS.

Mr. PENROSE presented petitions of 47 citizens of Allensville, 44 citizens of Delaware County, 76 citizens of Loyalville, 87 citizens of Cambridge, 63 citizens of Saegerstown, 19 citizens of Fredericksburg, 42 citizens of Stillwater, 45 citizens of Lincolnville, 46 citizens of Milbach, 53 citizens of Silver Lake, 49 citizens of Sugar Grove, 37 citizens of Lemon, 47 citizens of Grover, 38 citizens of Blooming Valley, 43 citizens of Kantz, 44 citizens of Center Point, 118 citizens of Town Hill, 62 citizens of Erie, 99 citizens of Honesdale, 45 citizens of Spinnerstown, 18 citizens of Stone Church, 47 citizens of Wescoesville, 29 citizens of Etters, 48 citizens of Lick Dale, 94 citizens of Grotersford, 37 citizens of McDonald, 47 citizens of Faglesville, 86 citizens of Thompson, 21 citizens of Hickernell, 14 citizens of Mountville, 11 citizens of Jermyn, 17 citizens of Dryland, 14 citizens of Waterford, 27 citizens of Shurtlesville, 24 citizens of Meadville, 38 citizens of Amasa, 12 citizens of Waynesboro, 47 citizens of Enterprise, and of 43 citizens of Nescopeck, all in the State of Pennsylvania, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented memorials of 139 citizens of Apollo, 29 citizens of Pittsburg, 53 citizens of Bradford, and of 109 citizens of Allegheny, all in the State of Pennsylvania, remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a memorial of the Conference of the Foreign Missions Board of the United States and Canada, remonstrating against the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented petitions of Retail Clerks' Local Union No. 185, of Girardville; of Allegheny City Division No. 314, of Allegheny; of Bricklayers and Masons' Local Union No. 43, of Franklin; of Local Union No. 192, of Reading; of Team Drivers' Local Union No. 219, of Dubois; of Tailors' Local Union No. 115, of Souderton; of Coremakers' Local Union No. 83, of Meadville; of Plasterers' Local Union No. 8, of Philadelphia; of Local Lodge No. 323, Brotherhood of Railroad Telegraphers, of Freedom; of Bricklayers and Masons' Local Union No. 28, of Erie; of sundry citizens of Williamsport; of Bartenders' Local Union No. 187, of Bradford; of 49 citizens of Verona; of Miners' Local Union No. 1254, of McGovern; of Mine Workers' Local Union No. 1359, of Bowerton; of Lackawanna Division No. 12, Order of Railway Conductors, of Dunmore; of Steel and Copper Plate Printers' Local Union No. 2, of Washington; of Cigar Makers' Local Union No. 108, of Lock Haven; of the Amalgamated Society of Engineers, of Pittsburg; of Retail Clerks' Local Union No. 102, of Williamsport; of Typographical Union No. 239, of Carbondale; of Bricklayers' Local Union No. 18, of Scranton, all in the State of Pennsylvania;

of sundry citizens of Hartshorne, Ind. T.; of Teamsters' Local Union No. 85, of San Francisco, Cal.; of Local Division No. 389, Brotherhood of Locomotive Engineers, of Fremont, Nebr.; of Cigar Makers' Local Union No. 132, of Brooklyn, N. Y., and of the Immigration Restriction League, of Washington, D. C., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of Newspaper Writers' Union No. 11, of Philadelphia; of Typographical Union No. 262, of Uniontown; of Typographical Union No. 241, of Hanover; of Typographical Union No. 131, of Oil City; of Bridge and Structural Iron Workers' Local Union No. 13, of Philadelphia; of Bessemer Lodge, No. 252, Boiler Makers' Union, of Greenville; of Boiler Makers and Iron Shipbuilders' Local Union No. 156, of Oil City; of Boiler Makers' Lodge No. 147, of Susquehanna; of Boiler Makers' Local Union No. 17, of Chester; of Team Drivers' Local Union No. 219, of Dubois; of Switchmen's Local Union No. 179, of Pittston; of Iron Molders' Local Union, of Quakertown; of Iron Molders' Local Union No. 346, of Scranton; of Iron Molders' Local Union No. 313, of Chester; of Iron Molders' Local Union No. 77, of Allegheny; of Iron Molders' Local Union No. 54, of Easton; of Iron Molders' Local Union No. 33, of York; of Iron Molders' Local Union No. 1, of Philadelphia; of Iron Molders' Local Union No. 376, of Wrightsville; of Iron Molders' Local Union No. 287, of Lancaster; of Coopers' Local Union No. 108, of Philadelphia; of Coopers' Local Union No. 101, of Pittsburg; of Core Makers' Local Union No. 52, of Philadelphia; of Coopers' Local Union No. 100, of Freeport; of Bakers and Confectioners' Local Union No. 132, of Lancaster; of Stove Mounters' Local Union No. 42, of Reading; of the Stove Mounters, Steel Range Workers, and Pattern Fitters and Filers' International Union, of Philadelphia; of Jersey Shore Division No. 98, Order of Railroad Telegraphers, of Castanea; of Local Division No. 95, Order of Railroad Telegraphers, of Wellsboro; of Local Division No. 24, Order of Railroad Telegraphers, of Williamsport; of Glass Bottle Blowers' Local Union No. 72, of Smithport; of Core Makers' Local Union No. 77, of Braddock; of Flint Glass Workers' Local Union No. 4, of Pittsburg; of Flint Glass Workers' Local Union No. 55, of Washington; of Flint Glass Workers' Local Union, of Elwood City; of Lodge No. 14, Order of Railway Clerks, of Sunbury; of Flint Glass Workers' Local Union No. 5, of Pittsburg; of Street Railway Employees' Local Union No. 85, of Pittsburg; of Street Railway Employees' Local Union No. 165, of Girardville, of Street Railway Employees' Local Union No. 184, of Williamsport; of Street Railway Employees' Local Union, of New Castle; of Operative Potters' Local Union No. 33, of New Brighton; of Prosperity Lodge No. 22, International Association of Car Workers, of Philadelphia; of Cigar Makers' Local Union No. 402, of Quakertown; of Cigar Makers' Local Union No. 446, of Norristown; of Cigar Makers' Local Union No. 459, of Hazleton; of Brewery Workmen's Local Union No. 65, of Scranton; of Brewery Workmen's Local Union No. 22, of Uniontown; of Brewery Workmen's Local Union No. 163, of Wilkesbarre; of Brewery Workmen's Local Union No. 22, of New Castle; of Brewery Workmen's Local Union No. 22, of Kittanning; of Brewery Workmen's Local Union No. 225, of Pottsville; of Brewery Workmen's Local Union of Shamokin; of Coopers' Local Union No. 9, of Philadelphia; of Tile Layers' Local Union No. 4, of Pittsburg; of Garment Workers' Local Union No. 52, of Scranton; of Iron Molders' Local Union No. 15, of Philadelphia; of Iron Molders' Local Union No. 135, of New Castle; of Iron Molders' Local Union No. 141, of Bradford; of Iron Molders' Local Union No. 148, of Oil City; of Iron Molders' Local Union No. 335, of Allentown; of Iron Molders' Local Union No. 344, of Hazleton; of Iron Molders' Local Union No. 368, of Connellsville; of Iron Molders' Local Union No. 386, of Ford City; of Electric City Lodge, No. 129, Switchmen's Union, of Scranton; of Cigar Makers' Local Union No. 388, of Lincoln; of Operative Potters' Local Union No. 51, of Canonsburg; of Operative Plasterers' Local Union No. 60, of McKeesport; of Plasterers' Local Union No. 74, of Washington; of Plasterers' Local Union No. 94, of Harrisburg; of Plasterers' Local Union No. 107, of York; of Plasterers' Local Union No. 146, of Lancaster; of Plasterers' Local Union No. 150, of Wilkesbarre; of Cigar Makers' Local Union No. 439, of Carbondale; of Cigar Makers' Local Union No. 232, of Sellersville; of Cigar Makers' Local Union No. 489, of Souderton; of Cigar Makers' Local Union No. 107, of Erie; of Cigar Makers' Local Union No. 120, of Warren; of Cigar Makers' Local Union of East Greenville; of Cigar Makers' Local Union No. 242, of York; of Cigar Makers' Local Union of Lancaster; of Cigar Makers' Local Union of Wilkesbarre; of Cigar Makers' Local Union of Lincoln; of Local Union No. 46, of Royersford; of Local Union No. 198, of Reading; of Teamsters' Local Union No. 232, of Scranton; of Local Union No. 262, of Pottsville; of Local Union No. 241, of Scranton; of the Journeymen Barbers' Local Union No. 230, of Meadville; of Local Union No. 159, of Shenandoah; of Local Union No. 89, of Butler; of Local Union No. 54, of Gifford; of Local Union No. 51, of Canonsburg; of Local Union No. 133, of Pittston; of Local Union No. 235, of Lehighton; of the Iron Molders' Local Union of Pottsville; of Typographical Union No. 240, of Altoona; of Local Union No. 7, of Pittsburg; of Local Union No. 466, of Westchester; of the Operative Plasterers' Local Union of Beaver Falls, and of the Plasterers' Local Union of McKeesport, all of the American Federation of Labor, in the State of Pennsylvania, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

He also presented a petition of the Merchants' Exchange of San Francisco, Cal., praying for the adoption of an amendment to the Chinese-exclusion bill, granting unrestricted entrance into the United States of all merchants and members of the mercantile class of Chinese; which was ordered to lie on the table.

Mr. FOSTER of Washington presented a petition of Local Union No. 44, Plumbers, Steam and Gas Fitters' Association, of Spokane, Wash., praying for the enactment of legislation to restrict the immigration of cheap labor from the south and east of Europe; which was ordered to lie on the table.

Mr. McMILLAN presented petitions of sundry citizens of Wayne, Salem, Allenville, Center Line, Lawrence, and Trowbridge, all in the State of Michigan, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Painters and Paper Hangers' Local Union No. 312, American Federation of Labor, of Kalamazoo, Mich., and a petition of Painters, Decorators, and Paper Hangers' Local Union No. 37, American Federation of Labor, of Detroit, Mich., praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

He also presented a petition of Typographical Union No. 122, American Federation of Labor, of Kalamazoo, Mich., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a memorial of sundry citizens of Detroit, Mich., remonstrating against the passage of the so-called Hoar anti-injunction, bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented petitions of Local Union No. 94, of Bay City; of Typographical Union No. 160, of Muskegon; of Local Union No. 89, of Sagainaw, and of Typographical Union No. 122, of Kalamazoo, all of the American Federation of Labor, in the State of Michigan, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. WELLINGTON presented petitions of sundry citizens of Double Pipe Creek, Union Bridge, Travilah, Walkersville, Howard County, Sollers, New London, Warwick, Philopolis, Bittinger, Fairville, Howards, Rocks, and Glyndon, all in the State of Maryland, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. McLAURIN of South Carolina presented a petition of Carders and Spinners' Local Union No. 172, American Federation of Labor, of Graniteville, S. C., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented a petition of the Granite Cutters' Local Union, American Federation of Labor, of Columbia, S. C., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

Mr. SPOONER presented a petition of the Business Men's Association of Sparta, Wis., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented a memorial of the Business Men's Association of Sparta, Wis., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Carpenters and Joiners' Local Union No. 755, American Federation of Labor, of West Superior, Wis., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of the Cigar Makers' Local Union, of West Superior; of Wood Workers' Local Union No. 53, of Sheboygan; of Cigar Makers' Local Union No. 363, of Mankesha; of Cigar Makers' Local Union No. 182, of Madison; of Cigar Makers' Local Union No. 25, of Milwaukee; of Cigar Makers' Local Union No. 34, of Chippewa Falls; of Cigar Makers' Local Union No. 61, of La Crosse; of Cigar Makers' Local Union No. 162, of Green Bay; of Cigar Makers' Local Union No. 323, of Sheboygan; of the Plasterers' Association, of Milwaukee; of Iron

Molders' Local Union No. 301, of Manitowoc; of the Iron Molders' Local Union, of Neenah; of Coopers' International Union No. 85, of La Crosse; of Iron Molders' Local Union No. 310, of Racine; of Bricklayers' Local Union No. 8, of Milwaukee, and of Cigar Makers' Local Union No. 168, of Oshkosh; all of the American Federation of Labor, in the State of Wisconsin, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

He also presented petitions of Bricklayers' Local Union No. 2, of Superior; of Local Union No. 438, of Manitowoc; of Broom Makers' Local Union No. 1, of Milwaukee; of Team Drivers' Local Union No. 228, of Ashland; of Bricklayers and Stone Masons' Local Union No. 6, of Racine; of Federal Labor Union No. 9449, of Neenah, and of Bricklayers' Local Union No. 8, of Milwaukee, all of the American Federation of Labor, in the State of Wisconsin, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. SIMMONS presented petitions of Typographical Union No. 125, of Durham; of Typographical Union No. 54, of Raleigh; of Federal Labor Union No. 8413, of Gastonia; of Local Union No. 1, of Asheville, and of the Central Labor Union of Raleigh, all of the American Federation of Labor, in the State of North Carolina, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. CLAY presented a petition of Local Division No. 202, Order of Railway Conductors, of Augusta, Ga., praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was ordered to lie on the table.

Mr. WARREN presented a petition of Silver Crown Lodge, No. 46, Brotherhood of Boiler Makers and Iron Ship Builders, of Cheyenne, Wyo., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

Mr. HOAR. I present resolutions adopted by the legislature of Massachusetts, relative to the construction of a canal between Weymouth Fore River and Taunton River, in that State. I ask that the resolutions may be read and referred to the Committee on Commerce.

The resolutions were read, and referred to the Committee on Commerce, as follows:

Commonwealth of Massachusetts. In the year 1902. Resolutions requesting Congress to provide for an investigation by the United States Government of the feasibility of constructing a canal between Weymouth Fore River and Taunton River.

Resolved, That the general court of Massachusetts requests that the Congress of the United States shall take such action as will provide for an investigation by the United States Government of the feasibility of constructing a canal from Weymouth Fore River to Taunton River, by way of the city of of Brockton, in this Commonwealth, and for a report thereon, to be made as speedily as possible to Congress.

Resolved, That copies of these resolutions be sent by the secretary of the Commonwealth to the presiding officers of both branches of Congress and also to the Senators and Representatives in Congress from this Commonwealth.

In house of representatives, adopted March 6, 1902.
In senate, adopted, in concurrence, March 11, 1902.
A true copy. Attest:

WILLIAM M. OLIN,
Secretary of the Commonwealth.

Mr. HANNA presented a petition of sundry citizens of Cleveland, Ohio, praying for the enactment of legislation to classify the salaries of clerks employed in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the congregation of the Westminster Presbyterian Church, of Wooster, Ohio, remonstrating against the repeal of the anticanteen law; which was referred to the Committee on Military Affairs.

He also presented petitions of Carpenters' Local Union No. 25, of Toledo; of Carpenters' Local Union No. 82, of Lima; of Electrical Workers' Local Union No. 170, of Findlay; of Machinists' Local Union No. 407, of Canton; of the Central Labor Union of Youngstown; of the Central Labor Union of Lorain; of Woodworkers' Local Union No. 134, of Piqua; of Federal Labor Union No. 6876, of Chillicothe; of Carpenters' Local Union No. 660, of Springfield, and of Federal Labor Union No. 8649, of Sidney, all in the State of Ohio, praying for the repeal of the desert-land law; which were referred to the Committee on Public Lands.

He also presented petitions of sundry churches of Windham; of G. F. Heyman, of Monroeville; of the Woman's Christian Temperance Union, of Lockland; of the First Congregational Church, of Ruggles; of the Woman's Christian Temperance Union, of Oberlin; of the Congregational Church, of Geneva; of F. T. Kyle, of New Concord; of the Christian Endeavor Society, of Hunters' Corners; of the Woman's Christian Temperance Union, of Ashley; of sundry citizens of Kingsville, all in the State of Ohio; of the Indiana Society of Friends, of Richmond, Ind.; of Dr. Oscar H. Allis, of Philadelphia, Pa.; of Thomas McFadden, of Coraopolis, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors, firearms, and opium to the native races in the island possessions of the United States; which were ordered to lie on the table.

He also presented a petition of the Plumbers' Association, of Cleveland, Ohio, praying for the enactment of legislation to provide for a separate letting of the various branches of work in connection with the construction of the public buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Gendron Wheel Company, of Toledo, Ohio, praying for the adoption of certain amendments to the present bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented petitions of Farmers' Grange of Shalersville; of the Farmers' Institute of Adams County; of the Farmers' Institute of Loydsville; of Local Grange No. 998, Patrons of Husbandry, of Delaware County; of Local Grange No. 1507, Patrons of Husbandry, of Scioto; of the Farmers' Institute of Logan; of the Practical Farmers' Club, of Trumbull County, and of the Farmers' Institute of Garland; of J. T. Bentley and 16 other citizens of Kinderhook; of J. D. Bishop and 24 other citizens of Canal Winchester; of L. A. King and 38 other citizens of Oxford; of W. H. Lough and 55 other citizens of Campbellstown; of A. D. Heaton and 25 other citizens of Vigo; of C. G. Williams and 37 other citizens of Berkey; of J. A. Oldham and 38 other citizens of Reynoldsburg; of J. O. Dutton and 32 other citizens of Whipple; of A. L. Liggett and 22 other citizens of Decatur; of William T. Hann and 41 other citizens of Pennsville; of Albert M. Abel and 75 other citizens of Pennsville; of W. W. Hyslot and 15 other citizens of Springfield; of G. A. Hahn and 32 other citizens of Oberlin; of A. Frakes and 34 other citizens of Circleville; of G. W. Hughes and 36 other citizens of Circleville; of Herman Westerman and 38 other citizens of Cincinnati; of A. A. Moler and 46 other citizens of Hollowtown; of Bertrand Clark and 36 other citizens of Hibbetts; of J. M. Johnson and 87 other citizens of Chesterland; of F. M. Wilson and 79 other citizens of Selma; of J. S. Brubaker and 44 other citizens of Columbiana; of J. W. Melling and 47 other citizens of Eaton; of J. S. Hall and 43 other citizens of Brighton; of Samuel Bachman and 26 other citizens of Carroll; of H. H. Chapman and 46 other citizens of Gratiot; of Oliver W. Burns and 133 other citizens of Harrisville; of J. P. Wisby and 47 other citizens of Hamersville; of J. S. Miller and 40 other citizens of Rosemont; of Z. Y. Kauffman and 41 other citizens of De Graff; of E. C. Zinsmister and 39 other citizens of Durant; of W. W. Moore and 45 other citizens of Mantua; of M. Snead and 50 other citizens of Westboro; of M. W. Bower and 22 other citizens of Thompson; of G. Weber and 46 other citizens of Pandora; of G. W. Krohn and 45 other citizens of Pandora; of T. Usher and 42 other citizens of Hickley; of William Miller and 46 other citizens of Millersburg; of John Eberly and 38 other citizens of Bellevue; of Homer Fuller and 46 other citizens of Circleville; of Uriah Slusser and 46 other citizens of Louisville; of C. A. Pontius and 46 other citizens of Canton; of H. Hydell and 46 other citizens of Circleville; of P. J. Hofstetter and 47 other citizens of Dalton; of C. A. Patton and 46 other citizens of Jacksonboro; of Sanford Moler and 68 other citizens of Buford; of C. J. Baker and 268 other citizens of Kenton; of A. V. Teasse and 14 other citizens of Marysville; of W. P. Walker and 47 other citizens of Steubenville; of the East Plymouth Grange of East Plymouth; The Newark Grange, No. 1008, of Newark; of Nebraska Grange, No. 64, of St. Paul; of Liberty Grange, No. 174, of Delaware; of Montville Grange, No. 1403, of Medina; of Emerson Grange, No. 1426, of Emerson; of Andover Grange, No. 1468, of Andover; of Updegroff Grange, No. 1427, of Updegroff; of the Portage County Agriculture Society; of the Buckeye Grange, No. 1170, of Navarre; of the Farmers' Institute of Whitehouse; and of the Columbia Grange, No. 1451, of Columbiana; all in the State of Ohio, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented memorials of the Iron Molders' Union of Columbus, Ohio, and of the Ohio Federation of Labor of Columbus, Ohio, remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of J. M. Davis and 433 other citizens, of L. S. Boyce and 98 others, of Henry Stauffer and 293 other citizens, of L. S. Condit and 42 other citizens, of J. F. Shepherd and 59 other citizens, and of J. A. Barkley and 155 other citizens, all in the State of Ohio, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of Grand Army posts: The Newton Falls, No. 310, of Newton Falls; the Kyle, No. 41, of Wapakoneta; the Scioto, No. 287, of Harrisonville; the Zeigler, No. 512, of Perrysville; the G. W. Larimore, No. 445, of Versailles; the John Bartges, No. 561, of North Georgetown; the Eadie, No. 37, of

Cuyahoga Falls; the James P. Mann, No. 267, of Lewisville; the J. W. Ash, No. 679, of Kansas; the Moses Martin, No. 649, of Herron; the Quiggle, No. 289, of Swanton; the Wm. Nelson, No. 186, of Cincinnati; the John M. Mosely, No. 470; the Nerie, No. 110, of Bloomdale; the Ferd Laurens, No. 648, of Bolivar; the Roberts, No. 672, of Poplar; the Commander, No. 372, of Neptune; the Ferd Vandier, No. 70, of Middletown; the Army and Navy, No. 187, of Cleveland; the Mitchell, No. 45, of Springfield; the Stout, No. 108, of Fayette, all of the Grand Army of the Republic, Department of Ohio; of Machinists' Helpers' Union No. 9102, of Springfield; of Local Union No. 25; the Carpenters' Union No. 637, of Hamilton; the Carpenters' Union No. 650, of Pomeroy; the Bakers and Confectioners' Union No. 94, of Springfield; the Builders' Union No. 18, of Springfield; the Toledo Typographical Union, No. 63, of Toledo; the Federal Labor Union No. 8170, of Coshocton; the Retail Clerks' Union No. 414, of Steubenville; the Typographical Union No. 364, of Coshocton; the Core Makers' Union No. 22, of Springfield; the Boiler Makers' Union No. 9027, of Chillicothe; the International Association of Machinists No. 344, of Galion; the Central Trades Council of Sidney; the Journeymen Plumbers and Steam Fitters' Union No. 87, of Youngstown; the Carpenters and Joiners' Local Union No. 525, of Coshocton; the Journeymen Plumbers' Union No. 55, of Cleveland; the Metal Clippers' Protective Union No. 7446, of Springfield; the International Association of Allied Metal Mechanics No. 117, of Chillicothe; the Machinists' Union No. 225, of Dayton; the Iron Molders' Union No. 145, of Columbus; the Local Union No. 182, of Lima; the Iron Molders' Union No. 218, of Cleveland; the Carpenters' Union No. 705, of Lorain; the Iron Molders' Union No. 283, of Hamilton; the Carpenters' Union No. 11, of Cleveland; the Metal Polishers, Buffers, and Platers' Union No. 43, of Hamilton; the Metal Polishers' Union No. 48, of Middletown; the Iron Molders' Helpers' Union No. 7321, of Mount Vernon; the Carpenters and Joiners' Association No. 39, of Cleveland; the Good Hope Union No. 27, of Irondale, and the Carpenters' Union No. 676, of Cincinnati, of the American Federation of Labor, and of the International Association of Machinists of Toledo; the Canton Lodge, No. 407, of the International Association of Machinists, of Canton; of the International Typographical Union of Canton, and of the Mulharen O'Cain Post, No. 3, of the Grand Army of the Republic, of Eaton, all in the State of Ohio, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Pattern Makers' Association of Cincinnati; the Job Pressmen and Assistants' Union No. 12, of Dayton; the Brotherhood of Leather Workers, Union No. 55, of Marietta; National Brotherhood of Operative Potters No. 31, of East Palestine; the Central Labor Council of Cincinnati; the National Brotherhood of Operative Potters No. 24, of Wellsville; the Boot and Shoe Cutters' Union No. 210, of Cincinnati; Electrical Workers' Union No. 97, of Mount Vernon; Journeymen Tailors' Union No. 155, of Cincinnati; Wood Workers' Union No. 179, of Mansfield; Glass Bottle Blowers' Association of Zanesville; the Home Federal Labor Union, No. 6697, of Cincinnati; Lima Division No. 299, Order of Railway Conductors; the International Bakers, Local Union No. 128, of Lorain; the Cigar Makers' Union No. 86, of Mansfield; the Dayton Typographical Union, No. 57, of Dayton; the Shirt Waist and Laundry Workers' Union No. 34, of Springfield; the Bakers' and Confectioners' Union No. 174, of Canton; the Bartenders' Union No. 252, of Mansfield; the Central Labor Union of Mount Vernon; the Iron Molders' Union No. 143, of Mount Vernon; the Dayton Pattern Makers' League, of Dayton; Local Union No. 266, of Columbus; the Cleveland Waitresses' Union, No. 107, of Cleveland; the Bricklayers and Masons' Union No. 19, of Fremont; the Trades and Labor Council of East Liverpool; the Typographical Union No. 364, of Coshocton; the Carriage and Wagon Workers' Union No. 76, of Zanesville; International Brotherhood of Blacksmiths, Union No. 98, of Toledo; the Atkins Lodge Union No. 31, of Cleveland; Painters and Decorators' Union No. 490, of Chillicothe; International Association of Machinists, Union No. 105, of Toledo; Toledo Branch, Granite Cutters' Union, of Toledo; Screw Makers' Union No. 23, of Dayton; Painters, Decorators, and Paperhangers' Union No. 248, of Columbus; Electrical Workers' Union No. 38, of Cleveland; the Journeymen Tailors' Union No. 166, of Toledo; Carpenters and Joiners' Union No. 171, of Youngstown; Boot and Shoe Workers' Union No. 241, of Columbus; Cigar Makers' Union No. 48, of Toledo; United Garment Workers' Union No. 152, of Marietta; District Council of Carpenters and Joiners, Unions Nos. 104 and 396, of Dayton; Beer Drivers and Stablemen's Union No. 175, of Cincinnati; Iron Ship Builders' Union No. 135; Blacksmith's Union No. 207, of Chillicothe; Typographical Union No. 199, of Zanesville; the International Jewelry Workers, Union No. 4, of Cincinnati; American Flint Glass Workers, Union No. 96, of Steubenville; Laundry Workers' Union No. 1, of Toledo; Cigar Makers' Union No. 17, of Cleveland; Brotherhood of Electrical Workers, Union No. 178, of Canton; Hoisters and Engineers' Union No. 97, of Fairport; Kent Local Union, No. 22, of Kent; International Association of Machinists, Union No. 225, of Dayton; International Association of Machinists, Union No. 407, of Canton; Machinists' Union No. 55, of Columbus; Belmont Lodge, No. 46, Association of Iron, Steel, and Tin Workers, of Martins Ferry; Stage Employees' Union No. 5, of Cincinnati; the Iron Molders Helpers' Union No. 7321, of Mount Vernon; Stationary Firemen's Local Union No. 49, of Cincinnati; the Stove Mounters' Union No. 29, of Cleveland; Journeymen Bakers and Confectioners' International Union No. 94, of Springfield; the Cigar Makers' Union No. 481, of Cincinnati; the Springdale Lodge, No. 30, of Youngstown; the Amalgamated Wood Workers, Union No. 134, of Piqua; Lewis Avon Union, No. 34, of Martins Ferry; National Brotherhood of Operative Potters No. 1, of Toronto; Cigar Makers' Union No. 35, of Dayton; Local Union No. 95, of Grand River; Local Union No. 50, of Columbus; Trades and Labor Assembly of Marietta; Local Union No. 36, of Girard; Typographical Union No. 219, of Canton; Iron City Lodge, No. 94335, of Ironton; Pride of Findlay Lodge, No. 62, of Findlay; Local Union No. 28, of Toledo; the Amalgamated Society of Engineers' Union of Cleveland; Cigar Makers' Union No. 79, of Sandusky; Theatrical Stage Employees' Union No. 34, of Springfield; the Shirt, Waist, and Laundry Workers' Union No. 93, of Findlay; the Chippers' Protective Union of Springfield; Tuscarawas Lodge, No. 54, of New Philadelphia; the Cigar Makers' International Union No. 96, of Akron; North Baltimore Union, No. 43, of North Baltimore; the Trades and Labor Assembly of Columbus; Local Union No. 7, of Tiffin; the Labor Council of Ironton; the Wood Carvers' Union of Cleveland; Marine Engineers' Beneficial Association No. 2, of Cleveland; Coopers' Local Union No. 6, of Toledo; Steam Engineers' Union No. 81, of Cleveland; Milk Drivers' Union No. 320, of Newark; Stationary Firemen's Union No. 87, of Akron; the Columbus Typographical Union, No. 5, of Columbus; Shirt Waist and Laundry Workers' Union No. 81, of Zanesville; Eagle Lodge, No. 15, of Ironton; Lake Seamen's Union of Toledo; of D. L. Tyler and 14 other citizens of West Chester; of Daniel Steeling and 41 other citizens of Cincinnati; of A. P. Sheridan and 39 other citizens of Morgan County; of D. H. Thomas and 36 other citizens of Marietta; of Warren Reeves and 101 other citizens of Nelsonville; of Edward Hannaford and 43 other citizens of Cincinnati; of Charles Eberly and 95 other citizens of Preble County; of J. L. Bliss and 20 other citizens of Hamilton County; of D. T. Grove and 29 other citizens of Clark County; of F. M. Copenhefer and 63 other citizens of Montgomery County; of M. W. Cooper and 30 other citizens of South Salem; of N. C. Cisler and 27 other citizens of Glass; of E. W. Hagar and 48 other citizens of Cedarville; of Edward Workmaster and 49 other citizens of Wade; of J. L. Miller and 45 other citizens of Middletown; of Wesley Limle and 26 other citizens of Hillsboro; of Thomas J. McKenna and 49 other citizens of Marietta; of Samuel Coss and 34 other citizens of South Charleston; of John N. Hopkins and 29 other citizens of Westwood; of R. Humphrey and 47 other citizens of Urbana; of W. F. Sayre and 34 other citizens of Antiquity; of George A. Talbott and 37 other citizens of Urbana; of G. W. Myles and 22 other citizens of New Weston; of C. J. Nichols and 44 other citizens of Marion; of N. B. Rhyan and 30 other citizens of Tradersville; of J. A. Fisher and 25 other citizens of Hannibal; of A. E. Bootman and 49 other citizens of Kyger; of Arthur G. McKee and 51 other citizens of Cleveland; of Bert Smith and 29 other citizens of Champaign County; of David Fisher and 48 other citizens of Cincinnati; of J. E. Howe and 11 other citizens of Greenville; of Pressmen's Union No. 42, of Akron; of United Mine Workers of Mineral City; of Central Trades and Labor Council of Zanesville; of Cigar Makers' Union No. 173, of Zanesville; of H. Lilly, of Springfield; of Federal Labor Union No. 8170, of Coshocton; of Local Union No. 84, of Zanesville; of Local Union No. 9, of East Liverpool; of Iron Lodge No. 60, of Youngstown; of Bartenders' Union No. 216, of Toledo; of Gas Well Workers' Union No. 1, of Bowling Green; of Iron Molders' Union No. 352, of Bucyrus; of Painters' Union No. 206, of Canton; of Ship Calkers' Union No. 7562, of Cleveland; of Central Trades and Labor Council of Zanesville; of Stone Masons' Union No. 23, of Columbus; of United Mine Workers' Union No. 196, of Philo; of Press Feeders' Union No. 10, of Zanesville; of Typographical Union No. 69, of Newark; of Trades Union and Labor Council of Newark; of Belmont Central Labor Union, of Bellaire; of Local Union No. 142, of Mineral City; of United Mine Workers' Union No. 424, of Sand Run; of Coopers' International Union, of Brownesville; of Glass Bottle Blowers' Association of Massillon; of Amalgamated Woodworkers' Local Union No. 89, of Cincinnati; of United Mine Workers' Union No. 926, of Washingtonville; of Typographical Union No. 57, of Dayton; of Glass Blowers' Association, Branch No. 20, of Zanesville; of Press Assistants'

Union No. 17, of Cincinnati; of Ohio Laundrymen's Association of Cincinnati; of Mine Workers' Union No. 550, of Wadsworth; of Council No. 18, of Bellaire; of Council No. 34, of Middletown; of Council No. 5, of East Liverpool; of Council No. 24, of Dayton; of Council No. 18, of Mount Vernon; of Council No. 21, of Akron; of Council No. 39, of Dayton; of Council No. 39, of Tiffin; of Council No. 38, of Massillon; of Council No. 47, of McConnelsville; of Council No. 23, of Cleveland; of Council No. 40, of Dayton; of Council No. 20, of Mansfield; of Council No. 33, of Miamisburg; of Council No. 8, of Newark, and of Council No. 9, of Dayton, of the Daughters of Liberty, all in the State of Ohio, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. PENROSE, from the Committee on Commerce, to whom was referred the bill (H. R. 3136) for a public building for a marine hospital at Pittsburg, Pa., reported it without amendment, and submitted a report thereon.

He also, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 7018) for the relief of Robert J. Spottswood and the heirs of William C. McClellan, deceased, reported it without amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on Commerce, to whom was referred the bill (S. 3492) to authorize the establishment of a life-saving station at or near Eagle Harbor, on Keweenaw Point, Michigan, reported it with an amendment, and submitted a report thereon.

Mr. BURNHAM, from the Committee on Claims, to whom was referred the bill (S. 3421) for the relief of Eleonora G. Goldsborough, reported it with an amendment, and submitted a report thereon.

Mr. GAMBLE, from the Committee on Indian Affairs, to whom was referred the bill (S. 912) to reimburse certain Lower Brule Sioux Indians of South Dakota for property destroyed, reported it with an amendment, and submitted a report thereon.

Mr. MALLORY, from the Committee on Commerce, to whom was referred the bill (S. 4306) for the relief of Edward Haines, John Haugland, Wallace L. Reed, W. D. Davis, Martin Monson, Johann Bottjer, and the legal representatives of J. P. Ferwerda, deceased, reported it without amendment, and submitted a report thereon.

Mr. CLARK of Montana, from the Committee on Mines and Mining, to whom was referred the bill (H. R. 8327) to amend an act entitled "An act for the protection of the lives of miners in the Territories," reported it with an amendment, and submitted a report thereon.

Mr. KITTREDGE, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the bill (S. 255) for the improvement of the Mount Rainier National Park, in the State of Washington, reported it without amendment, and submitted a report thereon.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2305) granting an increase of pension to Lemuel Grove; and

A bill (H. R. 2273) granting a pension to Martha A. De Lamater.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7341) granting a pension to Elizabeth W. Simmons;

A bill (H. R. 5261) granting an increase of pension to John H. Coates; and

A bill (H. R. 5714) granting an increase of pension to Lucy B. Bevis.

Mr. ALDRICH. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 10530) to repeal war-revenue taxation, and for other purposes, to report it with amendments. I give notice that on to-morrow or the following day I shall ask the Senate to proceed to the consideration of the bill.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11145) granting an increase of pension to Mary F. Key; and

A bill (H. R. 10486) granting a pension to Alida Payne.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 1305) for the relief of Mrs. Arivella D. Meeker, reported it with an amendment, and submitted a report thereon.

HEARING ON PURE-FOOD BILLS.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. McCUMBER on the 14th instant, reported it without amendment; and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Manufactures be, and it is hereby, authorized to employ a stenographer to report the hearing before said committee on the pure-food bills now pending before it, said stenographer to be paid from the contingent fund of the Senate.

BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 4611) to authorize the West Elizabeth and Dravosburg Bridge Company to construct and maintain a bridge across the Monongahela River, in the State of Pennsylvania; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BERRY introduced a bill (S. 4612) granting a pension to William A. Daughtry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 4613) regulating bone or fertilizing factories in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BARD introduced a bill (S. 4614) granting a pension to Charles F. Dunn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 4615) to place the name of Paul Crum on the muster rolls of Company B, First Regiment North Dakota Volunteer Infantry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. WARREN introduced a bill (S. 4616) to grant title to the town of Juneau, Alaska, of lands occupied for school purposes, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 4617) to authorize a resurvey of certain lands in the State of Wyoming, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CULLOM introduced a bill (S. 4618) granting an increase of pension to Carlton R. Gatton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FORAKER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4619) granting an increase of pension to Clifford Neff Fyffe;

A bill (S. 4620) granting an increase of pension to William Ross (with an accompanying paper);

A bill (S. 4621) granting a pension to William Porter (with an accompanying paper);

A bill (S. 4622) granting a pension to William Hudson (with an accompanying paper);

A bill (S. 4623) granting an increase of pension to Lewis F. Ross (with an accompanying paper);

A bill (S. 4624) granting a pension to Stanislaus Gieringer (with an accompanying paper);

A bill (S. 4625) granting an increase of pension to William W. Russell (with an accompanying paper);

A bill (S. 4626) granting an increase of pension to Josiah Edwards (with an accompanying paper);

A bill (S. 4627) granting an increase of pension to Eli McPheron (with accompanying papers);

A bill (S. 4628) granting a pension to Henrietta Wexler (with an accompanying paper);

A bill (S. 4629) granting an increase of pension to John Behymer (with the accompanying papers);

A bill (S. 4630) granting an increase of pension to Martin Howe (with accompanying papers);

A bill (S. 4631) granting a pension to Charles E. Cole (with accompanying papers);

A bill (S. 4632) granting an increase of pension to Samuel Sines (with accompanying papers);

A bill (S. 4633) granting a pension to Charles Hoselton (with accompanying papers); and

A bill (S. 4634) granting a pension to Robert Levitt (with accompanying papers).

Mr. FOSTER of Louisiana introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4635) for the relief of the estates of Collins Adams and Lucy V. Weatherred, deceased;

A bill (S. 4636) for the relief of the estate of Carroll Jones, deceased; and

A bill (S. 4637) for the relief of Francois Petitfils (with an accompanying paper).

Mr. McCOMAS introduced a bill (S. 4638) granting a pension to Mrs. Joseph M. Sudsberg; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 4639) granting an increase of pension to John W. Shetter; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4640) removing the charge of desertion from the record of Robert V. Hancock; which was read twice by its title and referred to the Committee on Military Affairs.

AMENDMENTS TO RIVER AND HARBOR APPROPRIATION BILL.

Mr. FOSTER of Washington submitted an amendment providing for a survey of the Puyallup and other waterways, not already surveyed, of the harbor of Tacoma, in the State of Washington, and for furnishing plans and estimates of cost for further harbor improvement intended to be proposed by him to the river and harbor appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Commerce.

He also submitted an amendment proposing to increase the appropriation for improving Tacoma Harbor, Washington, from $75,000 to $150,000, and also proposing to appropriate not more than $147,000 to authorize the Secretary of War to enter into a contract for such material and work as may be necessary for its prosecution; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. MALLORY submitted an amendment authorizing the Secretary of War to use the whole or any part of the appropriation of $5,000 for dredging the channel to the depth of 8½ feet into the mouth of the Escambia River, Florida, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment providing for a survey of the two entrances to St. Andrews Bay, Florida, with a view to securing a 21-foot channel through one of the entrances and across the "Bulkhead" into that bay up to the town of St. Andrews Bay, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. McLAURIN of Mississippi submitted an amendment proposing to increase the appropriation for improving the Yazoo River and its tributaries, etc., in the State of Mississippi, from $55,000 to $100,000, and also proposing to appropriate $10,000 for the improvement of Yalobusha River, from Greenwood, Miss., to Grenada, Miss.; and, further, to increase the appropriation for improving Pearl River below Rockport, Miss., from $7,000 to $15,000, and also proposing to appropriate $5,000 for improving Pearl River from Rockport, Miss., to Jackson, Miss., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

SPANISH TREATY CLAIMS COMMISSION.

On motion of Mr. CULLOM, it was

Ordered, That certain letters written by Hon. William E. Chandler, president of the Spanish Treaty Claims Commission, addressed to the Committee on Foreign Relations, concerning the taking of testimony abroad by that Commission, be printed as a document.

COMMITTEE ON PACIFIC ISLANDS AND PORTO RICO.

Mr. FORAKER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Pacific Islands and Porto Rico be, and is hereby, authorized to employ a stenographer from time to time as may be necessary to report such testimony as may be taken by the committee or its subcommittees in connection with bills pending before it, and to have the same printed for its use; and that such stenographer be paid out of the contingent fund of the Senate.

CHINESE EXCLUSION.

Mr. PENROSE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate 300 copies and for the use of the Committee on Immigration 500 copies of S. 2960, "A bill to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent," with the report thereon and accompanying testimony.

JAMES O. JONES.

Mr. MORGAN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the sum of $100 be paid to James O. Jones, from the contingent fund of the Senate, for preparing the index, tables of contents, and briefs of the testimony taken before the Committee on Interoceanic Canals at the present session of the Senate.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. I move that the Senate proceed to the consideration of the bill (S. 3653) for the protection of the President of the United States, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT pro tempore. The amendments offered by the Senator from Georgia [Mr. BACON] are pending. Does the Senator desire the vote to be taken upon them as one amendment?

Mr. BACON. Yes; I am willing for the vote to be taken in that way.

The PRESIDENT pro tempore. The Senator from Georgia submits an amendment, which will be read to the Senate as one amendment.

Mr. BACON. Before the amendment is read I desire to say that if the amendment offered by the Senator from Texas [Mr. CULBERSON] is adopted the latter part of my amendment would be unnecessary. It might be well for the Senate first to act on the amendment offered by the Senator from Texas, because if that is adopted I should not offer any except the first amendment.

The PRESIDENT pro tempore. As the amendment offered by the Senator from Texas is a substitute, amendments to perfect the text of the bill must be first acted upon.

Mr. BACON. Certainly, other amendments must first be acted upon before the substitute can be offered as such, according to parliamentary rule.

The PRESIDENT pro tempore. The amendments proposed by the Senator from Georgia will be read.

The Secretary read as follows:

After the words "United States," in the first section, in line 6, page 1 of the bill, insert the following words: "because of his official position, or for the purpose of destroying the Government or impairing the execution of its constitutional powers."

Strike out from the first section the following words: "Or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws."

Insert after the word "shall," in section 3, line 1, page 2, the words "for the reason or for the purpose hereinbefore specified."

In section 3 strike out the words "or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws."

Insert after the word "shall," line 15, page 2, section 5, the words "for the reason or for the purpose hereinbefore specified."

Strike out from section 5, "or any officer thereof upon whom the powers and duties of the office of President of the United States may devolve under the Constitution and laws."

Mr. RAWLINS. Mr. President, I desire, as briefly as I can, to submit some remarks upon the pending bill.

Mr. HOAR. Will the Senator allow the Chair to have stated the precise pending question, so that the Senate may understand what is first to be acted on?

Mr. RAWLINS. Certainly.

The PRESIDENT pro tempore. The amendments offered by the Senator from Georgia which have just been read to the Senate are pending.

Mr. HOAR. That is pending now?

The PRESIDENT pro tempore. It is pending now.

Mr. HOAR. Very well.

Mr. RAWLINS. Mr. President, this is very important and, in some respects, far-reaching legislation. The purpose of all laws of a penal character is to secure the public peace and safety. No legislation ought to be considered or enacted in the spirit of revenge. I do not mean to imply by this suggestion that those who are proposing and advocating the passage of this bill have any other purpose than to secure and provide for the safety of those who are charged under the Constitution and laws of the United States with the performance of duties pertaining to the welfare of all the people of the nation.

Mr. President, the horror with which the country received the news of the assassination of the late honored President of the United States has not entirely subsided, and we are all conscious, more or less, of the embarrassment of discussing or making criticism of any measure which may tend to prevent the repetition of such a crime. Still the Senate has the duty of considering this legislation, and it is bound to consider and act upon it with a view to obtaining the most perfect measure and one that will subserve the most beneficial results with reference to the mischief which is intended to be provided against.

The remarks which I shall make, and the suggestions which I shall convey for the consideration of the Senate, will be with a view to the perfection of the measure, as it seems to me, in order that it may better, according to my opinion, accomplish the desired results. The first section of the bill provides—

That any person who shall, within the limits of the United States, etc., willfully and maliciously kill or cause the death of the President or Vice-President, etc., or willfully and maliciously cause the death of the sovereign or chief magistrate of any foreign country, shall be punished with death.

In ordinary criminal statutes providing for the punishment of murder we find certain elements which are not provided for in this bill. Any person who willfully and maliciously kills another according to the ordinary definition, without legal excuse or justification, is amenable to the penalty which is provided. This section contains no recognition of the ordinary qualification of such a statute, "without legal excuse or justification."

It is not to be supposed, and yet it is within the range of possibility, when we judge of human frailty and human nature, which

as much pertains to the people who may hold these offices as to other human beings, that in necessary self-defense a person, in order to save his own life, may be put under the horrid necessity of taking the life of an assailant who may for the time being occupy one of these high offices.

It is not within the range of contemplation, I confess, but it is possible that a person holding one of these high offices may be guilty of an offense which under the administration of the criminal law providing for the punishment of murder would be subject to capital punishment, and in the execution of a judgment to that effect the person taking the life of the President would act under legal justification.

I suppose, as a matter of course, that the Senator who introduced this bill and who advocates its passage expects that these ordinary limitations upon the definitions of offense would be applied, and yet the penal statutes providing for the punishment of murder in every State in the Union and in the law of Great Britain and of all the continental governments will be found to contain this express limitation, namely, that the offense must be without legal excuse or justification, and I see not why that clause is not inserted in the bill.

While the bill denounces the severest penalties against the acts which are herein specified, it falls far short of affording that complete protection to the President, if his protection is to depend alone upon Federal law, which ought to be provided. The second section of this proposed act provides—

> That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, attempt to commit either of the offenses mentioned in either of the foregoing sections shall be punished with death.

The legal definition of assault is a demonstration coupled with a present ability to afflict a physical harm. A person may assault the President of the United States, a person may commit an assault and battery upon the President of the United States, a person may assault the President with intent to maim him or to inflict upon him great bodily harm which may disable him from the performance of the duties of his office, but without the specific intent to kill him, and such a person, if the punishment is to depend upon the provisions of Federal law, arraigned for such an offense against the President must go free because this bill does not provide for his punishment.

Unfortunately, it seems to me, in this second section a punishment is denounced which may be out of all proportion to the degree of offense involved in the act which may be committed. The phrase is to "attempt" to kill the President or any of the persons named in the first section. What legal definition have we been furnished of the words "attempt to kill?" The word "assault" is a word of well-defined legal signification. An assault is a demonstration coupled with a present ability to do the intended harm—that is, to take the life of the President.

An attempt may fall far short of that. I have carefully reviewed the decisions relating to the question of attempt as it is an indictable offense under the common law. It was the lowest punishable or indictable offense in the common law. What is this offense known as an attempt? It is distinguished from the crime of an assault, which is a recognized and well-defined offense under the common law. It is distinguished from the crime of battery, which is also equally well defined and determined according to the principles of the common law. But what may amount to an attempt to commit an act is a metaphysical, uncertain question, which is not defined and is not definable by any standard which has found general recognition in the courts of this or any other country.

Mr. President, we may contemplate an aggravated case; we may say that a man who makes up his mind to take the life of a President or any other person, without legal excuse or justification, does the act which in the nature of things, but for an inadvertence or an inaccurate aim of the blow, would have resulted in the commission of that offense; that here are all the elements of perversity and malignity which in the nature of things constitute the crime at which the statute and the penalty are aimed. And yet, while we can in one sense view it in that light, and, in a spirit of revenge, at once declare that such a condition, such an attempt, and such an act ought to be punishable in the highest degree, it is a little strange that up to this time in the history of our country no State—at least, no State in recent years—has ever made such an act coupled with such an attempt a capital crime punishable with death. I think I am safe in saying that in no European country—not in Great Britain, from which source we have drawn our common law and the spirit, to a certain extent, of our institutions—do we find upon the statute books provisions making such an act a capital offense.

The reason for that, I think, is found in experience. The object of course is to protect the life of the President and the persons who are designated in the statute. When a case is brought before a court and jury and the prosecution has produced its evidence in many cases there will be a certain degree of uncertainty as to the reality and character of the attempt with which the act was accompanied which is to constitute the crime. The jury will be confronted with this feature. The case on the part of the prosecution generally leaves a degree of uncertainty as to the specific attempt which has not resulted in death, the act accompanying which has not resulted in the consummation of the offense defined in the first section of this proposed act.

It is an act which ought to be punished, but the jury will have in their minds a doubt, and may readily entertain a doubt. They will be informed by the court that they must find every material ingredient of the offense to have been shown by the prosecution beyond a reasonable doubt, and the result will be that it will be impossible to obtain a conviction. If you have a fair jury and a humane jury, which we are to presume to be the case, you will find it impossible to obtain a conviction of any crime under the provisions of the second section. Such is the ordinary experience of the history and administration of the criminal law in all countries. You must not make your penalty out of proportion to the act and expect a jury to convict and bring about the injustice of punishing a man in a degree far beyond what they may conceive he may possibly merit.

Instead of this section tending to promote the safety and welfare of the President, in my judgment, it will have the opposite tendency. No person will be convicted under it. When a person who ought to be punished in some degree proportioned to the offense which he has committed is brought face to face with 12 men and they are called upon to pass upon the life or the death of the defendant, in the face of the appeals which will be made to them in the defense to which he is entitled as provided in our Constitution, he will be acquitted.

Those who propose this legislation will find in the end that it does not subserve the purpose for which it is designed. It is well enough in the face of the great sorrow which has come to this nation, in a spirit of frenzy and desire to obtain revenge, to denounce unusual punishment, and when it comes to the calm administration of the statute we ought to be guided somewhat by the experience which is derivable from the history of the administration of the criminal law in all civilized countries.

But, Mr. President, an attempt to commit a crime is not synonymous with the word "assault," which means a demonstration coupled with a present ability to accomplish the thing. An attempt which involves only a certain degree of overt act, approximating in some degree the accomplishment of the intended result and accompanied by the intent which is characterized in the statute, I say has to be coupled with a present ability to do the harm he intended, where after proceeding to a certain point, upon reflection and upon the restoration of the reason which is to guide the action, the attempt and the purpose may be abandoned. There may be a repentance of the purpose. When you invite a jury to convict such a man of a capital offense you will invite it in vain unless the jury be packed, unless it be imbued with a spirit of revenge such as ought not to pertain to the fair administration of justice.

But, Mr. President, there is always a possibility of mistake as to the intent of a person. People make idle and unintended declarations. Acts frequently do not imply that which the ordinary mind would infer from their nature as constituting a demonstration of the real purpose of the person who may commit such an act, and as the criminal law is now administered in all civilized countries, those things have been taken into account, and they have only proceeded to the extreme penalty, namely, the penalty of capital punishment, when the purpose and intent has been so far demonstrated as to have been actually carried into execution. An assault with intent to commit murder is a misdemeanor, and is punishable by fine and imprisonment under the law in all the States.

Why is it that all the wise men in this country in all our sovereign States, in the light of the history of the administration of the criminal law, have failed to come up to the full measure of the standard of justice provided for in this legislation? What new light has dawned upon us at this juncture in the history and progress of civilization that we now ascertain that we may set up a bloody code of Draco? If a man is charged with a given intent, if he takes but one step which we may infer may be for the purpose of its execution, he shall be punished in the highest possible degree, and his life shall be taken.

Mr. President, it is impossible to know the intent so as to be able to ascertain it beyond the possibility of mistake. One man may infer one intent and another man may infer another intent; but we must make out a specific intent to kill. A man is presumed to intend the natural and necessary consequences of his act, not the natural and probable consequences of his act, but if he only attempts and does not assault, and it is not coupled with the present ability to do the harm, we should not punish him; but if he makes the assault, if he does it with the intent to do the harm but fails to do it, we may not yet know, if it is not accomplished, whether that degree of culpability pertain to him which would make the offense capital.

Mr. President, these are considerations which legislatures in all countries have deemed of importance and weight; but while we are undertaking to protect these representatives of the authority of the people of the United States under the Constitution, why not punish an actual assault upon the President? Why not provide for the punishment of battery upon the President? Why not provide for the punishment of an assault with intent to maim the President or to do him great bodily harm? Why omit these well-recognized offenses against the person of the President, and being against the person, against the authority of the President as the representative of the American people under the duties devolving upon him by our Constitution?

The third section of the bill provides:

SEC. 3. That any person who shall * * * aid, abet, advise, or counsel the killing of the President * * * shall be punished by imprisonment not exceeding twenty years.

There is a difficulty about that when it comes to the administration of it. Will the Senator from Massachusetts, will any Senator, point out in the criminal legislation of any State a provision analogous to that? I distinguish between the accessories before and after the fact of a crime committed otherwise denounced by law. The President may be, and these other officers may be, proceeding in perfect safety; no attempt, no physical demonstration of any sort, has been made involving the safety of the person of the President in the slightest degree; no corpus delicti, if I may be permitted to use a term which is only applicable in the case of homicide, where before you can convict of crime you must find that some person has been killed; but the imputation is made that somebody has counseled somebody else, has aided somebody else, has abetted somebody else, or has advised or counseled somebody else to kill the President who has not killed the President, who has not assaulted the President, who has made no demonstration to carry into effect the counsel which he may claim to have received.

When you bring that case before a jury you will find the same difficulty that will be found to pertain to a certain degree in the attempt to administer the second section of this proposed law. If the charge is made that some person has advised another to kill the President, was it made in earnest or in jest? Was it made only as our distinguished Brigadier-General Funston made it at a banquet, on the inspiration of the moment, when he advised that such men as the proponent of this bill ought to be hanged? It may be made in jest and distorted into seriousness by the maliciousness and evil intent of an informer or spy. Will it be made in order that there may be set a snare in every joy of life, where men in convivial and unguarded moments, in the spirit of humor and inspiration of other kinds, intimate that some august personage ought to be disposed of or gotten out of the way?

We hear upon the hustings, we hear at the banquet table, and we hear on various occasions intimations that "counsel, aid, and abet," in the sense of mere words, and are we to arraign all those people at the bar of justice and put them upon trial for conviction under the penalty of imprisonment for not to exceed twenty years? If we are to punish all those who advise in any way by any possibility of construction an assault on or the taking of the life of any of the persons named in this bill, why not include others in the category?

Mr. President, I simply invite attention to these things; and I have not much else to say. It seems to me they are considerations to which the Senate and the other House ought to devote some attention with a view to perfecting this measure. The only additional thing I care to say in respect to this subject is that we have had three Presidents, dear to the hearts of the American people, assassinated. There is a universal desire that some means be afforded that such a calamity in the future may be guarded against. I fully appreciate and sympathize with that desire, and I do not wish to impose any obstacle in the way of its accomplishment. If this statute had been in force at the time of the assassination of President Lincoln, would it have prevented it? If this legislation had been in force at the time of the assassination of President Garfield, would it have prevented it? If this proposed law had been upon the statute book at the time the cruel and cowardly blow was struck at the life of President McKinley, would it have prevented it?

The patriotism of the people of the United States has never failed. President McKinley was made President by a majority of the suffrages of the American people. When that result was declared, he was the President of all the people of the United States without regard to faction or party; and it is true that when the blow was struck against his life it was a blow struck against all the American people; and we were all horrified at the terrible crime. Yet, Mr. President, that blow could not have been struck anywhere within the limits of the jurisdiction of Congress, in the absence of this statute, without swift punishment being meted out to the man who struck it. The President would be as safe in the hands of the judiciary and the prosecuting officers in New York as he would be in the hands of any Federal administrator of the law seeking to impose just punishment for a crime of that character. There is no State in the American Union whose people would not have seen to it that the culprit who committed that foul deed did meet his just deserts, and he did meet those deserts.

Mr. President, it is urged that now, in the frenzy and horror and in the presence of a great crime and tragedy, involving all the people of this country, we place an imputation by the enactment of this legislation that somewhere in some State or in some Territory in the American Union the people would not arise to the exigency of that occasion and see that just punishment was meted out to any man anywhere who would strike a blow against the President whom the American people had chosen to exercise that office.

I can not conceive, Mr. President, that we are to place any imputation upon the character of any of our people anywhere on the idea that merited and just punishment would not be swiftly meted out to the man who should commit so foul a deed. You can trust the existing laws, which have never failed in the course of the history of our country and are not likely to fail anywhere for the punishment of any such offense.

What can we do but take life? What has been done but that the life of man who committed the foul deed in the past has been taken? If it is the example of the punishment we are seeking to provide, that example has already been set, and if persons who have the purpose in their heart of hearts to commit such a crime against the people of this country are to be deterred by reason of punishment, the deterrent is already in existence, and it stands as an eternal and universal menance to the cowardly assassin who would strike down the President of the United States.

But if we are to wrest this jurisdiction from the States, if we are to provide this legislation and undertake, as the representatives of the Federal Government, distinct from the States, to take care of the officers who are thus provided for, why should we stop short? Why should we not provide for the punishment of an assault upon the President, a battery upon the President, and an assault with intent to maim the President or to inflict bodily harm upon the President so as to disable him from performing the functions and duties of his high office? We fall short; we do not do what the States and Territories everywhere have done, because if an assault is committed upon the President anywhere the man who commits that assault will be punished.

Some Senators have risen here and spoken as if they thought this was a time and occasion in which to coin political capital out of the blood of our martyred President. They would in their frenzy drive us from the deliberate and careful consideration of this important question by raising the implication, perchance, that somebody in the United States was in sympathy with one who would strike down the President of all the people of this country. Mr. President, if anyone makes such an imputation I resent it. To suppose that any Senator would be deterred from making any just and reasonable and proper criticism of this bill on that account is to suppose that we have not the courage and the desire to perform any duty incumbent upon us, that we may endeavor to perfect this measure if it is to be passed, in order that it may achieve the best possible results for the safety of the President and the peace of the United States.

Mr. MALLORY. Mr. President, I desire to submit some of the impressions which I have received from a somewhat inadequate consideration of the very important questions presented by this measure. It is a measure of very great importance because it is a novel piece of legislation, and is, I think, in some respects without precedent in the legislation of this country. It is also very important because of the grave character of the subject that is treated, and it becomes us to discuss it and consider it in a manner in keeping with the gravity of the subject.

Mr. President, the point that has presented itself to my mind as being the one that deserves the most careful consideration on our part arises from the question of power in Congress to enact such legislation as this, the question whether we have the right to constitute it a crime against the United States to commit a personal assault upon the President of the United States at all times, under all conditions, and in all places within the jurisdiction of the United States.

There is no question that it is in the power of Congress to protect its officers in the performance of their duty. That principle has been enunciated and discussed by the courts of this country time and time again; and it were idle for us to waste time in discussing a question that has been so thoroughly and completely settled by the decisions of the highest judicial tribunals of the land. But our courts, Mr. President, have not gone to the extent of saying that the possession of a Federal commission throws a pallium over the holder thereof, so that under all circumstances, under all conditions, and in all places he shall have the right to resort to the Federal courts to protect him, irrespective of the fact that he may be at the same time charged with an offense against the laws of the State in which the offense is committed.

The case of Neagle, in 135 United States Reports, which has been

referred to here by different Senators, turned entirely, so far as the majority of the court were concerned, upon the contention on the part of that majority that Neagle in slaying Judge Terry was performing a duty imposed upon him by law. From the very earliest case down to the present time, Mr. President, it will be found that where the Federal courts have stepped in and assumed jurisdiction, exclusive of the jurisdiction of the States, of offenses committed within the jurisdiction of the State it has been upon the ground that the offense was committed against a Federal officer in the performance of his duty as such officer. I do not think that any instance can be cited where it has been held that the mere fact that a man holds a commission as a Federal officer gives to the Federal courts jurisdiction of offenses against that individual.

If that is so, Mr. President, then I take it that it is a most important point for us to consider the proposition in this bill to make an offense against the person of the President of the United States committed anywhere within the broad domain of the United States under the jurisdiction of any of the separate States under all circumstances an offense against the President in his character as President and as in the performance of his duty as President.

I confess, Mr. President, this point has given me a great deal of trouble, and I have devoted to it such consideration as the limited time that I have had has permitted me to give to it, and I have reached the conclusion, which I shall now endeavor to demonstrate, that in the case of the President and Vice-President there is an exception to all officers holding commissions under the United States.

It has been said here that the President is always and at all times President, but I have heard no reason assigned therefor. Taking up the Constitution, Mr. President, and referring to those provisions of that instrument which relate to the President and his duties, we find that the first section of the second article is as follows:

> The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected, as follows:

"The executive power shall be vested in a President of the United States of America." The first article, using very much the same language, declares that:

> All legislative powers herein granted shall be vested in a Congress of the United States.

The third article refers to the judiciary, the third branch of the Government, the third repository of part of the sovereign power of the people of the United States, and to that judiciary is given the judicial power of the United States; that is:

> The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish.

Under the executive power thus conferred, vested as it is in the President and in the President alone, all the executive functions of the Government of the United States are performed. The State Department, in all its various ramifications extending all over the world to its consuls and ministers, is simply carrying out the power which is vested in that one individual; the Treasury Department, with all its agencies extending all over the United States in its customs-collection districts and internal-revenue districts, is constantly exercising the power which is conferred on and vested in the President; the Interior Department and all the other departments of the Government are simply exercising power which is vested in the President and is in him; and I hold, Mr. President, that when the President ceases to exist at that very instant all executive power, all right to exercise a single one of the executive functions of those great departments, likewise terminates.

Now, Mr. President, in connection with this, I would invite the attention of the Senate to the language of the eighteenth paragraph of section 8 of the first article of the Constitution:

> The Congress shall have power * * * to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

I take it there will be no dispute that under that clause of the Constitution Congress has the power to enact all laws that are necessary and proper to enable the President to carry out the law, which he is required under another clause of the Constitution to do—to see that the laws are executed—and to surround him with such protection against interference of any character from any quarter as will enable those laws to be carried out without one instant's interruption. In that line the framers of the Constitution, when they considered the subject of the Legislature, incorporated into the Constitution the provision that "Senators and Representatives shall * * * in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses and in going to and returning from the same."

That was done not from any idea of the peculiar sanctity of the personality of Members and Senators, but from the necessity that was felt by the framers that when they were engaged in the high function of making laws for the entire country matters of minor importance should not be allowed to interfere with them in the performance of that duty.

But the legislative function is conferred upon Congress. It is not at all a continuing duty. It is not a duty that is going on day after day, hour after hour, minute after minute, as is the case with the Executive function. Congress adjourns, as the judiciary does, from time to time, and there are long intervals between the times when Representatives and Senators are acting in their official capacities and the times when they are acting simply in the character of private citizens.

I am mindful of the fact that under the tenth amendment to the Constitution—

> the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

And that section is just as much entitled to consideration as any other section of the Constitution. For that reason I hold that it is not in the power of Congress to throw the mantle of its jurisdictional protection around an official of the United States simply because he is an official of the United States.

It is not necessary, nor would it be proper, in view of the fact that the States have an immense reserve of police power in themselves, which is essential for them to have, that order and good government may be preserved within their limits. The right which the States have to their own autonomy and to have that autonomy unimpaired by the interference of any power, unless it is an interference by the United States in a case that is necessary or proper, is a fundamental right of the States, and one entitled to as much protection and consideration as any other.

I did not intend and I do not now intend to go into a lengthy discussion of this point, but I desire to have it distinctly understood that my view of so much of this measure as relates to the protection of the President and Vice-President is that we have a right to pass any legislation that is necessary or proper to protect their persons wherever they may be within the territorial jurisdiction of the United States. I base that upon the nature of the President's duties, the all-pervading power that is vested in him, which never ceases night or day, which is in operation at Porto Rico at one moment of the twenty-four hours and in the Philippine Islands at the same time; that is always in active existence, and that derives its origin and source from the well-spring that is vested in him—the well-spring of the Executive power of the United States.

I contend that there is no other official so situated except the Vice-President, who is required to stand ready at any time to assume the Presidential function and is performing his constitutional duty as long as he is ready and willing to assume that function. Therefore I can not give my indorsement to that portion of the pending bill which declares that any officer of the United States upon whom the powers and duties of the President may devolve is likewise to be placed under the jurisdiction of the United States and that the jurisdiction shall be taken from the State courts in cases of personal violence as to such officer.

The substitute offered by the Senator from Texas changes that provision, so as to make it apply to the officer, not who may have the duties devolve upon him, but to the officer who actually as a fact stands next in succession to the Presidency. The language of the substitute offered by the Senator from Texas is as follows:

> SECTION 1. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, willfully and maliciously kill the President of the United States or the official next in succession to the Presidency under the Constitution and laws of the United States—

That includes the Vice-President, and in such a situation as exists to-day, where the President has passed away and the Vice-President is performing the duties of President, is in fact President, the officer named in the act of 1886 as the first on the list who, in case of the death of the Vice-President, shall succeed to the Presidency, is protected under this provision. I think there is reason for it. I think it simply places that official in the same position of waiting, being in readiness to perform a function devolved on him by the Constitution if that function shall be devolved upon him, exactly as it is in the case of the Vice-President when the President is alive.

I can support such a provision, and I wish the Senator from Massachusetts would consent to have that feature of the proposition offered by the Senator from Texas incorporated in his bill in lieu of that provision which refers to these officers, all of whom are designated, seven in number, if I am not mistaken, and who may possibly, in the event of something that is hardly within human probability, succeed to the Presidency.

Mr. HOAR. Mr. President——

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. MALLORY. Certainly.

Mr. HOAR. Perhaps I may be permitted to say now that I can not for one consent to that change. The committee intended to have the protection coextensive with the law, passed under the constitutional power of Congress, providing for the succession.

For instance, there has been in English history the celebrated Thistlewood case, which was a scheme to slay the entire English cabinet, who were assembled at one supper; and it was one of the most dangerous conspiracies. It was detected, I think, within an hour—a very short time, at any rate—of the time for carrying it into effect. That was during the regency, I believe, before George IV became King. At any rate, it was somewhere very early in this century,

I will not interrupt the Senator except to state now that it seemed to us that the reasonable limit of protection would be to have it correspond with what Congress had considered the reasonable limit of provision for the succession.

Mr. MALLORY. I will say in response to that suggestion that there was on one occasion a gunpowder plot to blow up the Houses of Parliament, and that gunpowder plot may be revived, so far as Congress is concerned.

Mr. HOAR. It does not succeed to the Executive power. That is what we are dealing with now.

Mr. MALLORY. There is just as much reason, I think, to apprehend that there will be a gunpowder plot to blow up both Houses of Congress and the Capitol building and to legislate against it as to anticipate that there will be a plot to destroy the lives not only of the President and the Vice-President, but of seven of his Cabinet officers, all at one and the same moment. But I do not think it is necessary, even if I believed it was proper, under our constitutional power. I do not see any necessity for it, unless it is contemplated that the powers of darkness can be so arrayed against our institutions that as soon as one of these gentlemen steps into the position of President he can be obliterated and the next one in a few moments thereafter likewise obliterated until the whole seven are destroyed.

The substitute offered by the Senator from Texas provides for an automatic arrangement whereby if the President of the United States to-day were to pass away, the Secretary of State would become the President, and the Secretary of the Treasury would occupy the position corresponding to that of Vice-President under ordinary conditions. Consequently there would be no hiatus until the entire seven gentlemen representing all the Cabinet, I believe, except the Secretary of Agriculture, should have been destroyed or obliterated.

There are other features of the bill to which I take exception, and to which I found it difficult to reconcile myself. But I appreciate the importance of some legislation of this character and I have been very anxious to vote for it. If it could be so changed as to relieve us from the suspicion of undertaking to place a Federal officer entirely subject to the jurisdiction of the Federal courts, in the jurisdiction of the States, simply because he is a Federal officer, I think I would be able to bring myself to vote for the bill introduced by the Senator from Massachusetts, notwithstanding my objection to some of its other features.

I object, Mr. President, to the seventh section of the measure. I do not think it is necessary in the shape in which it is, and I think it would be a great mistake for Congress to adopt it as anything like a preventive of efforts to assassinate the President. I would object on general principles that it is antagonistic to our traditions, to our habits of thought, and to our customs that the President should surround himself with a body of janizaries or a sort of Pretorian guard, and never go anywhere unless he is accompanied by men in uniform and men with sabers as is done by the monarchs of the continent of Europe or as the King of Great Britain does with his household cavalry around him. I do not think it is in keeping with our system and with the ideas which prevail among the people of this country that the Chief Magistrate, who is a civil official, should be surrounded with all the pomp and ceremony of an autocrat.

For that reason I drew up an amendment to the seventh section. I do not think that even my amendment is necessary, because I believe that the provisions which that amendment makes can be secured without any legislation on our part. But in hopes that the idea might commend itself to the judgment of enough Senators to induce them to adopt it, I have written it out and may at the proper time offer it as a possible improvement on that set forth in the seventh section of the bill.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. MALLORY. Certainly.

Mr. SPOONER. The object of this section is not pomp.

Mr. MALLORY. I know that.

Mr. SPOONER. Does the Senator object to the President being surrounded by sufficient people to protect him against assassination because that involves perhaps a little pomp?

Mr. MALLORY. If the Senator will listen to my amendment he will see that I do not.

Mr. SPOONER. I have listened to the Senator's observations. I have not heard his amendment. I should be very glad to hear his amendment.

Mr. MALLORY. No; some of my objection is to this display of military show.

Mr. SPOONER. Nothing requires the guards to be in uniform.

Mr. MALLORY. The objection to that in connection with a civil official is one I think that suggests itself to every American citizen. We are not in the habit of witnessing it. Our courts are not conducted with the display and show that courts are conducted with in monarchical countries.

Mr. SPOONER. The courts are not the Commander in Chief of the Army and Navy of the United States.

Mr. MALLORY. No; I will admit that the President is the Commander in Chief of the Army and Navy of the United States, but his principal function is that of a civil official. It is true that he is Commander in Chief, and there have been Presidents of the United States perfectly competent to take command of the Army, but it never has happened so far as I know, notwithstanding our wars, that the President has actually assumed the position of Commander in Chief in the field.

My amendment is simply a substitute for section 7, and is as follows:

That the Secretary of the Treasury is authorized and directed to employ such number of competent, experienced, and discreet men in the Secret Service Division of his Department as he may deem necessary to guard and protect the person of the President of the United States and to prevent the consummation of designs and conspiracies against his personal security, and to cause them to be so employed and disposed as at all times to assure as effectually as possible the security of the person of the President.

Mr. SPOONER. The Senator will permit me. The President has had that for years——

Mr. MALLORY. I know he has.

Mr. SPOONER. And it has been inefficacious.

Mr. MALLORY. He has had it for years, and that is the reason why I say my amendment is not necessary; but I think it will inure a great deal more to the protection of the President against such assassins as the one who recently slew President McKinley than the proposition which is contained in the seventh section of the pending bill, for the simple reason——

Mr. SPOONER. I think the Senator from Alabama [Mr. PETTUS], whom I have heard is responsible at least in part for that provision, is entirely right about it. That is only a difference of opinion.

Mr. MALLORY. Of course. I admit that the Senator from Wisconsin is a gentleman whose opinion has great weight——

Mr. SPOONER. I did not mean that.

Mr. MALLORY. It has great weight with me. I defer a great deal to the Senator from Wisconsin. I defer a great deal to the views of the Senator from Alabama, than whom there is no one for whom I have higher respect.

Mr. SPOONER. If the Senator will permit me, in the first place, no one among the public knows whether anyone surrounds the President. They are detectives. Some one may be guarding him or may not. If it were known to the world at large that wherever the President went or wherever he met a large assemblage of people he was surrounded by armed men whose duty it was by law to protect him, does not the Senator think there would be much less likelihood of an assault upon him?

Mr. MALLORY. Not against such enemies of the human race as the leaders of anarchy generally are. They dedicate themselves to the mission.

Mr. SPOONER. If there is in the Army a soldier of average intelligence, or a half dozen, who would have permitted, under the circumstances which surrounded President McKinley, a man to come with his hand obscured and a weapon in his hand and fire twice at him, is too big a fool to be in the Army or anywhere else.

Mr. MALLORY. I am not denying that, Mr. President, but the history——

Mr. CARMACK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Tennessee?

Mr. MALLORY. Certainly.

Mr. CARMACK. I understand there were detectives accompanying the President. It was so reported in the papers. They were there with him for the purpose of guarding him and protecting him against such assaults. I understand that detectives were there when he was fired upon. Is that not true?

Mr. SPOONER. And they did not protect him. We are trying to provide some method that will be efficacious.

Mr. CARMACK. A skilled detective chosen for the purpose would be effective, if anyone would be.

Mr. SPOONER. We had better give it up, then.

Mr. MALLORY. I do not think we ought to give it up. I

think we ought to adopt that method which is best calculated both to punish the individual after the crime is committed and to prevent the commission of the crime. I do not believe surrounding the President or any other chief magistrate with a bodyguard armed cap-a-pie, ready at all times to shoot down an assassin, will be as efficient in preventing the recurrence of the assassination of leading men of the countries of the world as the methods which are suggested in my amendment. There have been a great many assassinations of the crowned heads of Europe——

Mr. PETTUS. Will the Senator allow me?

Mr. MALLORY. Certainly.

Mr. PETTUS. As I have been mentioned as the author of the seventh section, I will state again my reason for it, if the Senator will allow me.

Mr. MALLORY. I shall be very glad to hear it. I have not heard it yet.

Mr. PETTUS. It will be very short.

We have had three Presidents assassinated and another one attempted to be assassinated. In the case of the three Presidents they were assassinated in public by the approach of the assassin under such circumstances as would had given an Army officer ample notice that they ought not to be allowed to approach, particularly in the last case, as was referred to by the Senator from Wisconsin. There the President was approached by a man occupying a very suspicious position. The President was guarded, it is true, at the time, as I am informed, by men who were detailed, without authority of law, for that purpose, by men who are employed according to law for the purpose of detecting bad things going on in the Government—thieves, and men who embezzle the public funds. That is what they were employed for. That is their occupation according to law. In my opinion it is beneath the dignity of the Presidential office, in the first place, to have the President guarded in that way by that class of men.

But I sought no display, and the section says that it shall be done with as little display as possible. But I desire to have the President's person in charge of men, particularly commissioned Army officers and soldiers enlisted in the regular service of the Government, so that if anyone neglected to strike a blow when it was needed or if anyone neglected to watch when watching was his duty, he would be forever disgraced in the eyes of the whole country. In my opinion, if we had had a properly detailed guard from the Army of the United States, officered by Army officers of the United States, whether they were in citizen's dress or soldier's uniform, neither one of the Presidents of the United States who died under the assassin's blow would have been killed in that way.

Now, I do not pretend that you can guard the President of the United States from all harm, but the object is to do it as effectually as the ingenuity of man can devise. I know of no people on earth that I am more willing to address to that sort of duty than the officers of the Regular Army of the United States and the enlisted men directly under their control. Why? In the first place, they are honorable men. In the second place, their vocation is watching and fighting. In the third place, they will be forever disgraced in the eye of all mankind if they suffer any neglect or stop at any exposure of their person in the defense of the life of the President. It is not for display; it is not for parade; it is for safety, as far as human ingenuity can devise.

Mr. MALLORY. Mr. President, I do not question for one moment that if we surround the President of the United States by a bodyguard of officers and soldiers and place him in the middle of a hollow square all the time, there would be more difficulty in getting at him and in doing him any serious bodily harm than there would be if the President were to hold public receptions and offer no obstacle to approach to him by any individual who desired so to do; but I take it that no President of the United States will care to have himself surrounded by such a bodyguard. I am quite satisfied that the present Executive of the United States would not care to have such an accompaniment to all of his movements. Therefore, so far as the ability of any set of men, whether officers of the Army or men of the Army or any other men, to protect the life of the President is concerned, it is to a large extent necessarily dependent upon the circumstances that surround the particular case.

The Emperor of Russia is surrounded all the time, not merely by a bodyguard, but by thousands of guards. He moves nowhere without having a shield of men between him and the public and does not permit anyone to approach within reaching distance of him. Yet an Emperor of Russia has been assassinated. It is the same with other European nations. They have all had the experience that notwithstanding they have surrounded their monarchs with the most careful attention in the way of military guards, from time to time the assassin who had made up his mind to achieve his object at any cost, who had determined to sacrifice his life in the execution of his purpose, has been able to carry it out.

I contend, Mr. President, that, in the first place, you will find it an extremely difficult thing to get any President of the United States to go out into the country where he is supposed to meet the people of the country whom he represents and have himself entirely shut off from contact with them by the interposition of a guard of soldiers. It is far better, in my judgment, to strengthen and authorize by law the instrumentality which heretofore has been acting probably without strict warrant of law, to select trained and disciplined and competent men, and discreet men, for that purpose; and I take it that honorable, brave, and reliable men can be found for that duty just as well as they can for other duty.

Mr. PETTUS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Alabama?

Mr. MALLORY. Certainly.

Mr. PETTUS. I desire to ask the Senator from Florida if he has studied the seventh section and has seen that it is specially designed that there shall be no display, that there shall be none of the pomp of a bodyguard?

Mr. MALLORY. I am not harping on that now, Mr. President.

Mr. PETTUS. The Secretary of War is specially authorized to dress this guard of soldiers as he deems best. He can put them in citizen's garb just as well as he can dress them in the uniform of a soldier. The matter as to how they shall be dressed and what the number shall be is left to the discretion of the Secretary of War. The idea that it will be necessary to have a guard all around the President, that he shall be placed in a hollow square, is entirely foreign to that section.

The object is to have an efficient guard, and an efficient guard, as against an assassin, can be composed of a very few men. Does not the Senator know that there was nobody but that colored man at Buffalo who struck one blow in defense of the President? If there had been soldiers there, with an officer in command of them, the assassin would never have gotten there. We ought to honor that colored man for the courage he displayed.

Mr. MALLORY. I doubt very much, Mr. President, if there had been soldiers or anybody else there, that under the peculiar conditions of that occurrence anyone could have prevented the fatal shot from being fired. If a President goes among the people and allows crowds to approach in close proximity to his person he can not be protected at all times, at every instant of the ceremony that may be going on, from a possible shot from an assassin.

The advantage which the proposition which I have presented has to my mind, particularly over that which is advocated by the Senator from Alabama, is that it not merely proposes to have a guard for the President while the President is moving about, to prevent him from being assailed by an assassin then, but it also provides a trained corps of efficient men, whose business it is to keep posted as to the movements of anarchists or men suspected of being anarchists in this country, to observe their movements, and in the event that conspiracies are hatched to post themselves as to those conspiracies and obtain facts enough to justify the arrest of the individuals who are conspiring. In that way it is a preventive measure, and as a preventive measure I think it is far preferable to the mere surrounding of the President with a bodyguard to keep the people from getting within speaking distance of him.

But, Mr. President, while I object to that provision, that would not deter me from voting for the bill as proposed by the Senator from Massachusetts. As I have already said, I would be willing to accept one or two other provisions that are contained therein, though I do not approve of them; but I can not bring myself to the point of voting for a measure which, in my judgment, if it does not directly, does impliedly assert as a substantive proposition that it is in the power of Congress to vest jurisdiction in the United States courts in all cases of assault upon the person of anyone holding a commission under the United States Government. There is no authority for it in the Constitution.

Mr. SPOONER. If the Senator will allow me, who has claimed that?

Mr. MALLORY. I contend that part of this bill does that very thing—that portion which proposes to throw the shield of its protection over the officers of the Cabinet, down to the Secretary of the Interior—the seven. Whether it does or not, it seems to me that there is very strong ground for that contention, and that hereafter the argument may be very properly made that by this enactment we did place Federal officials, without reference to whether they were in the performance of their duty or not, under the jurisdiction of the United States courts at all times and in all places.

For that reason, Mr. President, I can not support the measure in the shape in which it is. I sincerely trust that the proposition embodied in the substitute offered by the Senator from Texas [Mr. CULBERSON] may commend itself to the judgment of the Senate. I should like very much to see a unanimous vote upon a

measure which proposes to protect the life of the President and Vice-President of the United States against the hand of the assassin in the future. I would be willing, I say, to sink many of the objections that I have to this bill and vote for it were it not that I feel and believe that in it is an assertion of the principle that an individual, because he happens to hold a commission of the United States, in a case in which there is an assault upon him, is exempt from the jurisdiction of the State courts, and is exclusively within the jurisdiction of the United States courts, though the offense is committed within the body of a county of a State.

In a case cited yesterday by the Senator from Wisconsin [Mr. SPOONER], the case of the United States *v.* Kirby (in 7 Wallace), the court took occasion to lay down a proposition bearing upon this point to some extent. The organ of the court says:

> No officer or employee of the United States is placed by his position or the services he is called to perform above responsibility to the legal tribunals of the country and to the ordinary processes for his arrest and detention when accused of felony in the forms prescribed by the Constitution and laws.

It may very readily happen that a Federal officer in a personal altercation may violate a municipal ordinance, but if it is to be recognized as law that the courts of the United States shall have jurisdiction of criminal cases affecting Federal officials simply because they are Federal officials, and whether they are performing any duty or not, there will be more trouble, more disturbance, more heart burning, more injury to the public weal arising from such a doctrine than Congress can cure in a half century of legislation.

I do not believe, Mr. President, that we have any such power. I do believe that we have ample power to give jurisdiction to the United States courts over all cases in which a Federal officer is interfered with in the performance of his duty. There is no dispute about that; it is not necessary to discuss it; it is settled. But it is not settled, and I do not think it ever will be settled, that the single fact that a man is a Federal officer, but not performing any duty as such, gives him exemption in cases of that character from the jurisdiction of the State courts when the State courts have jurisdiction over all other citizens in like cases.

Mr. HAWLEY. Mr. President, I am ready, if I had the wit and sarcasm of the late Mr. Ingalls, to make a rather violent and disrespectful speech. I will try to refrain from it.

I am astonished to see Senators of ability and common sense spending considerable time in defining a word like "attempt," for example, here. I am astonished to hear them misrepresent the bill and misunderstand the Constitution of the United States or the nature of the Government.

This definition of treason in the Constitution is superfluous. It is surplusage. There is no need of it at all. Every word concerning treason or even in the law we are about to pass might be thrown away and the power would remain then in the people of the United States to protect all their officers and their courts.

One of the judges of the Supreme Court said:

> We hold it to be an incontrovertible principle that the Government of the United States may, by means of physical force, exercised through its official agents, execute on every foot of American soil the powers and functions that belong to it. This necessarily involves the power to command obedience to its laws, and hence the power to keep the peace to that extent.

Again—

> The Government must execute its powers, or it is no government. It must execute them on the land as well as on the sea, on things as well as on persons. And, to do this, it must necessarily have power to command obedience, preserve order, and keep the peace.

The people of California understood these things better than some of us. In defining the duties of the sheriff, who corresponds to the United States marshal, they provided that—

> The sheriff must—
> First. Preserve the peace.
> Second. Arrest and take before the nearest magistrate for examination all persons who attempt to commit or have committed a public offense.
> Third. Prevent and suppress all affrays, breaches of the peace, riots, and insurrections which may come to his knowledge.

And the penal code of California declares, section 197, that homicide is justifiable when committed by any person "when resisting any attempt to murder any person or to commit a felony or to do some great bodily injury upon any person," or "when committed in defense of habitation, property, or person against one who manifestly intends or endeavors by violence or surprise to commit a felony."

Anybody would have been absolutely justified, of course, in shooting down that assassin at Buffalo. My friend from Massachusetts would have had a perfect right to kill the man when he was about to commit that murder.

I do not see why a person should object to a military guard, which, if there is any common sense in the country left, would consist perhaps of only one single stalwart fellow, a brave soldier. Suppose there should be two, three, or four. The criticism is as to his splendid uniform. Probably he would not have it. What is the objection to having him there? Is it the expense of two or three dollars? I do not think so.

We are told that guards such as are proposed in this law would not have prevented either of the assassinations of Presidents. Well, suppose it would not, shall we be acquitted if we do not take means to prevent such a crime, and prevent it by the simple measure of authorizing the Secretary of War to detail half a dozen, perhaps 20 if necessary, a company if necessary, a regiment if necessary, to protect the President?

The anarchists seem to be not well understood by everybody. Their purpose is to kill the whole line in succession of supreme rulers of any nation; to kill the President and Vice-President, and to kill the Secretary of the Treasury, the Secretary of State, and so on all the way down. That is what they would like to do. They would glory in doing it.

It is very well that the Congress of the United States has been wise enough to provide a succession of officers to take the place if one should be assassinated.

I am out of patience. I do not see why we hesitate five minutes or any longer than to call the roll, for I suppose somebody will want to have the roll called on this measure as he would on the Ten Commandments. I do not see why we should wait five minutes to pass this bill. We can not improve it. I have seen no force whatever in any criticism made of it. The best speech I have heard across the aisle here is the one made by the old veteran Senator from Alabama [Mr. PETTUS], who seemed to give common sense and a love of justice to it, and he is full of those things.

I am ready for a vote. I do not want to wait another minute. I have an utter abhorrence of anarchists. I would give a thousand dollars to get a good shot at an anarchist about to commit his particular allotted murder.

Mr. NELSON. Mr. President, two legal propositions have been advanced by the opponents of this bill which seem to me to be of a most astonishing character. Minor objections have been made, but they go mainly to the details of the bill.

The two fundamental objections which have been made comes from the Senator from Georgia [Mr. BACON] and from the Senator from Texas [Mr. BAILEY]. The Senator from Georgia argues that because in that paragraph of the Constitution defining the crime of treason and providing for the punishment of it, treason has been limited to one or two cases, that therefore we have not the power to punish other crimes that were known as treason under the English statute and under the common law.

That argument proves entirely too much and leads to an absurdity. It leads to this logical consequence, that we are powerless to punish any crime against the United States unless express authority is given in the Constitution. The argument amounts to this, that because you have omitted from the definition of treason many crimes that were crimes at common law or under the English statutes, therefore you can not punish those cases as you could under the common law, or punish them as capital offenses.

There are only three instances in the Constitution where authority is given in express terms to Congress to legislate in criminal cases. One is in the case of treason, the other is for counterfeiting the coin and securities of the United States, and the third is for punishing piracy and felony on the high seas. Save and except those three provisions of the Constitution no direct legislative authority is given to Congress to legislate in respect to crimes, to define crimes, or to provide for their punishment.

But if we look at our legislative history we will find that our statutes are full of criminal laws and provisions covering a multitude of other offenses never covered in those three provisions of the Constitution. We have a Post-Office Department. The Constitution authorizes the Congress to establish a Post-Office Department, but nothing is said in the Constitution about providing for prosecutions for violations of the postal laws of the country. That is implied in the power to establish a Post-Office Department. We have a right to enact such criminal laws as will protect the integrity and vitality of that Department.

We have criminal statutes making it a penal offense to commit trespasses upon the public lands of the United States. The United States Government has control over its public lands, and we make a trespass upon public lands a criminal offense and punish it as such.

The Constitution in express terms simply says that Congress may provide laws for punishing counterfeiting of the securities and the coin of the United States, but we have any number of statutes upon our statute books providing punishment for counterfeiting in other cases, as for counterfeiting legal documents of various kinds. We have a whole title in the Revised Statutes of the United States providing for the punishment of "crimes against the operations of the Government of the United States."

If we can protect the property of the United States, if we can protect its timber, protect its postal system, protect its currency, protect its judicial records, and pass general criminal legislation relating to the protection of property, manifestly we have the

same power to legislate when it concerns a grave matter like that of the murder of the Chief Magistrate.

That brings me to the principle involved in the amendment of the Senator from Texas [Mr. CULBERSON]. He would make the crime of killing the President—if I understand correctly—hinge upon the fact that the murderer did it with the intent to interfere with the operations of the Government of the United States and that he killed him on that account. That is not the gist of the offense. Of course, he must kill him with malice and willfully. There must be an intent in the language of the law to kill. But outside of that the gist of the criminal offense is that it deprives the people of the United States of the services of its Chief Magistrate.

As was well said by the Senator from Wisconsin [Mr. SPOONER] yesterday, the President of the United States, unlike almost any other officer of our Government, is constantly on duty. He is constantly at his post. He is not like Senators or members of the House. The Constitution has made a distinction in our case. We have an immunity from arrest in certain cases and from the service of civil process, but it only lasts while we are here in session and in going and coming. The distinction is recognized; but a distinction does not exist in the case of the President. The offense of killing the President consists in the fact that the Government is deprived of the services of its Chief Magistrate. He is always at his post, and it is like killing a soldier on his post. Whoever kills the President, no matter what his intent may be, whether he intends to do it to interrupt or embarrass the Government of the United States or not, the effect of the act is to interfere with the operations of the Government of the United States by depriving it of its Chief Magistrate.

Why do we punish murder in any case? We do not punish murder for the purpose of revenge. Murder is an offense because it is the highest kind of breach of the peace. Murder, if permitted to be untrammeled, amounts to the greatest kind of a breach and disturbance of society, and because of that fact we punish murder, but not for revenge.

The killing of the Chief Magistrate of this country or those entitled to the succession is not only an offense, as is the case at common law, depriving society of one of its citizens, but it is emphatically an offense against the Government of the United States.

Mr. President, to argue that this great Government of ours, while it can protect its property, while it can protect its marshals, its sheriffs, and all its other officers, while it can prevent depredations on its public lands or in its mines—while it can do all these things—it is yet helpless when it comes to the matter of protecting the life of its Chief Magistrate, is to advance a proposition which, seems to me, leads not only to an absurdity, but leads to the conclusion that this Government of ours is the most helpless government on the face of the earth.

Then, look at the amendment of the Senator from Texas [Mr. CULBERSON] from another standpoint, and that is the standpoint suggested by the Senator from Missouri [Mr. VEST]. If I understand the Senator's argument correctly, it is that if a man kills the President of the United States, the jury must determine—according to the spirit of that amendment—whether that killing was done with the intent to interfere with the Government of the United States, or whether it was done because the man who was assaulted was President—not as an individual—which amounts to the same thing.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Colorado?

Mr. NELSON. Certainly.

Mr. PATTERSON. I have listened with a great deal of interest to what the Senator has had to say on the subject of the President being always on duty, and that therefore the constitutional objection which was urged by the Senator from Georgia [Mr. BACON] did not exist. I want to ask the Senator whether he can say or will say the same thing about all the members of the Cabinet?

Mr. NELSON. I can not answer the Senator categorically, but I will answer him by giving an illustration. The members of the Cabinet are not always on duty, but they are always in line of succession, and I would call the Senator's attention to one fact. The Senator from Massachusetts [Mr. HOAR] this afternoon referred to an incident in English history where it was planned to kill the entire English cabinet, and I would remind the Senator from Colorado that we have had an instance where it was attempted on one great occasion to utterly cripple the entire executive department of this Government and dismantle it. That was at the time that President Lincoln was assassinated. Another assassin attempted to kill Vice-President Johnson, and another assassin attempted to kill the Secretary of State, Mr. Seward. There you have an instance of a systematic attempt to utterly dismantle the executive department of the Government.

What has happened in English history, as cited by my friend the Senator from Massachusetts, and what happened in our own history at the time of the assassination of President Lincoln, may happen in the future. There may on some future occasion be a conspiracy among anarchists to dismantle the executive department of the Government of the United States for the purpose of wrecking it. Those conspirators may combine, as was done in the case of President Lincoln, one set of them to kill the President, another the Vice-President, and another the different members of the Cabinet who are in the line of succession. Such a case may occur, as such a case has occurred, and it is important that we should have this legislation. I do not put it on the ground that these men are constantly in the exercise of the duties of their office, but I put it on the ground that all these officers are in the line of succession and are liable at any time, in case of an emergency, to be called upon to perform the duties of acting President of the United States.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Colorado?

Mr. NELSON. Certainly.

Mr. PATTERSON. It is important that the distinction should be made, and the very able argument of the Senator from Wisconsin [Mr. SPOONER] was devoted to establishing the proposition that the President was always on duty, and therefore providing for the case of his assassination was equivalent to or in the same line of legislation as that providing against the killing of United States marshals in the performance of their duty, or against the killing of United States surveyors in the discharge of their public duty. It was along that line that the able Senator from Wisconsin discriminated in favor of so much of the bill as relates to the killing of the President.

Now, I understand the Senator from Minnesota, in so far as members of the Cabinet are concerned, to place the constitutionality of this proposed legislation upon the ground that they are in line of succession for the office of President. Is not every boy in the United States in line of succession to the office of President?

Mr. NELSON. No more than every citizen of Colorado is in the line of succession for the Senatorship from that State.

Mr. PATTERSON. In the same way, I mean.

Mr. NELSON. In one sense, in a very remote sense, but that illustrates the ethereal nature of the argument against this bill. In a remote sense, all who are born in this country are in the line of succession to the Presidency, but it is a very remote matter, and never can be a practical question.

I justify the passage of this bill, Mr. President, on the ground that the President of the United States is the head of our executive department, and that to deprive the Government of the head of the executive department is at any time a grievous offense against the Government of the United States. I put it on the further ground that this Government of the United States has the same inherent power to protect the life of its President that it has to protect Federal property. I put it on the further ground that this Government of the United States is one independent of and existing outside of and beyond the several States of this Union, and that there ought to be a law on our Federal statute book to protect every incumbent of the Presidential office.

It is a sad thing to think of the fact that we have no law on our statute book protecting the life of the President, the life of the head of our executive department, and that we are at the mercy of the legislatures and the laws of 45 States and half a dozen Territories. There may be places within the boundaries of the United States, and I think there are probably within the Territorial possessions of the United States to-day, where there is no local legislation on this subject; where, if the President were murdered, there would be no legal method by which the murderer could be punished.

Such a condition is intolerable, and our great Government, like every other great government on the face of the earth, ought to be armed and equipped with proper power to punish every miscreant who attempts to destroy the incumbent of the executive department of the Government. Our Government has existed for over a hundred years without such a law, but it is only in recent times that we have been confronted with the necessity which is now apparent to everybody. It is only within the memory of the present generation that we have had three Presidents of the United States murdered by the hands of assassins, and the time is now ripe, and it seems evident to me that it is our clear and bounden duty, to equip the Government of the United States with as ample power to protect its Chief Magistrate against criminal assaults and assassination as we are equipped with means to protect the property of the United States, and that to deny this power to our Government is but to attempt to cripple its life and integrity, and deprive it of that power which is vital to the existence and to the life of every government on earth.

Mr. McCUMBER. Mr. President, from the debates on both sides of the Chamber in this discussion, one can hardly be relieved from the assumption that there is something of the character of partisanry. I am sorry to note that this seems to be the case. I do not believe, however, that it is intended to be so on the part of any Senator.

This bill is entitled "A bill for the protection of the President of the United States, and for other purposes." That is the clear title of the bill, and with the memory of this most gross outrage—this terrible crime—still vivid in our recollection, while the tears of grief are yet undried on the cheeks of nearly every American citizen, this bill, with this title, comes with exceeding force, and no Senator can vote against the bill or any portion thereof if it fairly interprets its own title without subjecting himself to the criticism at least that he is not awake to the necessity of some proper legislation to protect the President of the United States.

Mr. President, the people are asking for legislation; they are asking for that character of legislation which shall be a due and proper protection for the President. They, however, are demanding just legislation; and, to my mind, no legislation can be considered just, from an American standpoint, which operates with inequality upon any citizen or class of citizens in the United States; and so much of this bill as in effect so operates is not only against my conscience, but is far from being in harmony with my best judgment and the necessity for that character of legislation.

I had hoped that it would be my pleasurable duty at this session to vote for a measure which should emanate from the Judiciary Committee, and receive its approval, which should be aimed directly at the root of all this great evil.

I had hoped to vote for a measure which should not only be aimed at anarchy and anarchistic gatherings, but one which would send an armed force, or the executive force of the nation, into every one of these hell holes of iniquitous teaching in the United States—one potent enough to absolutely destroy any gathering intended to germinate these anarchistic doctrines; to go into any assemblage and break up and destroy any attempt to propagate their theories of destruction against the Government of the United States or against any government. I had hoped that this would be the case. But does this bill do that? Is there anything in the bill itself which is aimed directly at the root of this evil—at anarchy alone? No, Mr. President. It is simply changing an offense from a State to a Federal offense, and in a single instance is increasing the punishment for only one certain character of offense. Only two things are particularly important in this bill, the increased punishment being one.

I call attention to section 1 of this bill, which provides that any person who shall be guilty of murdering the President or anyone of those on whom the office of President might devolve in case of his death shall be punished by death. We have not changed any law whatever in this respect. That is the law of every State in the United States to-day. We have added nothing to its potency; and yet, Mr. President, I agree with that section in this bill. I have no objection whatever to making the offense a Federal offense and not one against the laws of the particular State in which the offense may have been committed. There is one provision, however, in that section which I can not say that I am entirely in harmony with.

I will speak for one moment upon the question of constitutionality. It is with a great deal of pleasure that I have listened to the extended arguments which have been made upon the Constitution of the United States. I have gained much information from them. But, Mr. President, no matter whether one is educated in the school of strict construction as to the powers that pertain to the States in the Constitution, or the powers which regulate the relations of the Government to the several States, here is one feature that can not be overlooked. When the makers of the Constitution had completed their work they brought into existence a nation. That nation is presumed to have all the ordinary functions of a complete sovereignty. So far, I say, as the relations between the States and the National Government may be concerned, the Constitution in many instances limited the authority of the States, but it nowhere limited the authority of the United States, that complete sovereignty in respect to those functions which pertain particularly to the self-preservation and the perpetuity of the nation.

Therefore any law which has that in view—any proposed legislation looking to that end—may be legal, though we may find no word or no syllable or no line in the Constitution that will give the particular authority. It is one of the implied authorities, and must be presumed unless we can find the inhibition in the instrument itself. So I do not doubt the right to pass legislation of this character. It has never occurred to me, Mr. President, if we have authority to pass special legislation for the protection of a United States marshal in the performance of his duties, that we have not equal power to protect the life of the President of the United States, who is always on duty and who always has functions to perform.

But, Mr. President, assuming now that it is constitutional, we come to the second section, and it is the provisions of that section which I can not harmonize with my idea of justice. The second section provides—

> That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, attempt to commit either of the offenses mentioned in the foregoing section shall be punished with death.

How does that section alone protect the life of the President of the United States? In order that the Secretary of the Interior may become the President of the United States eight lives must be taken before he can occupy that position and become eligible. We determine a law by applying it to a particular condition and seeing its effect.

It has been stated, Mr. President, by the Senator from Illinois [Mr. MASON] that this legislation has been demanded by the people of the United States; that it is legislation which every man in the United States is demanding to-day. I deny that proposition. The people of the United States are demanding proper and just legislation for the protection of the President of the United States. Let me give one example, for instance, and present it to any intelligent citizen of the United States to-day, and see whether he is in accord with the natural effect of legislation of that character.

I will take the average American citizen. Here is a good father, a good citizen; his only son has been assaulted; the bullet of an assassin has passed entirely through his body. This father, with all parental love, has hovered over that son in his condition between life and death for many days. At last the critical period is passed and the danger is over; the boy survives the assault that was made upon him, though possibly he may be a cripple, physically or mentally. The punishment for that particular offense may be five years or it may be twenty years in any penitentiary in the United States. On the same day some person who thinks he has been affronted by the Secretary of the Interior raises a gun for the purpose of aiming at him. He has taken the first step to carry his intent into effect, and, therefore, it is an attempt. Some one sees the act, and his hand is immediately stayed. The man who aimed that gun immediately goes to the gallows; that man must suffer the punishment of death. Now, Mr. President, when I present that case to the average American citizen and ask him if he considers it a just law, I differ from the Senator from Illinois, and I will say that ninety-nine men out of a hundred will say that it is unjust, and, not only that, but it has not even the merit of a necessity, so far as I understand this bill.

Mr. President, I am in favor of this bill if there be eliminated from it those things which I consider absolutely objectionable, one of which is making a man, by reason of his official position alone, a different character of American citizen, surrounding him with different laws for his protection, not merely as to the President of the United States, but as to one who by the most remote possibility on earth may become the Chief Executive of the nation. The chances in favor of every one of these eight persons being simultaneously wiped from off the face of the earth are about as remote as the chances of the earth suddenly dropping into the sun; and considering it in its absolutely remote condition, and remembering that a hundred thousand offenses against any one of these Secretaries may be committed in the shape of assaults with intent to kill, where one would be effective in changing the order or obliterating entirely the line of succession or devolution, as you may call it, even admitting that, it is so far fetched, so remote, that it can hardly be conceived that any law is required to meet such a case. But the law itself when it is placed upon the statute book becomes a living principle, a principle that says for the first time in the history of the Government of the United States, "We have found some person that we may place upon a different level from the balance of humanity simply because of his official position."

I would vote for this measure did it limit the assualt with intent to kill to the President or, in the case of his death, of another person occupying that position, to the particular person that the office of President would devolve upon, because, as I say, the chances are almost a million to nothing that the other condition could not possibly arise. If, however, it did arise, as suggested by the Senator from Massachusetts, by the destruction of all of these individuals, then the law would take effect, even although it covered one who should succeed, because all would be covered by it. But, Mr. President, I am opposed to it, as I have stated, upon that line entirely.

Then again, as I say, I do not believe that the people of the United States are expecting legislation of that character for the protection of the President. It may be that I am mistaken, but I do not believe the love of liberty and absolute equality of citizenship has so far been lost from the breast of the average

American citizen, that he has so far wandered from at least my ideal of what the standard of Americrn citizenship is, that he would say that this is a just and fair law.

But, Mr. President, where can you stop here on principle? I know the Senator from Massachusetts says that this is aimed at those who would destroy sovereignty; but it does not stop there. Its effect is aimed against those who would destroy individuality, no matter whether it pertains to sovereignty or not; and it is being urged upon that ground alone.

Mr. HOAR. If the Senator will permit me, I never said that.

Mr. McCUMBER. Then I do not understand the position of the Senator from Massachusetts, unless it is to be done for the protection of the United States, which is sovereign, by the protection of the President and those other officials upon whom the office of the Presidency would naturally devolve. No matter what he may have stated in exact words, that certainly is the meaning, or else there would be no basis whatever for a proposition of this kind to stand on. Now, if that be true, where will we stop? The judges of the Supreme Court as well have much to do with the natural functions of the Government.

Mr. President, in the United States every State is a necessary factor, and every governor of a State who may call a special session of the legislature to elect a United States Senator becomes one of the necessary functionaries through whom we may enforce the laws of the United States and provide for the law officers. So we can not consistently stop anywhere in a bill of this character if we go outside of the President himself.

Section 7 purposes to surround the President of the United States with a military guard of some character. I do not know just what it does intend, but I want to say that the only safeguard to the President of the United States is the love and affection of the people of the United States. That is the greatest safeguard in the world. How are you going to protect him simply by surrounding him with a military force or a whole regiment? Let him ride in his carriage from the White House down Pennsylvania avenue to the Capitol upon inauguration day, and will surrounding him by an army protect him? There might be a hundred Winchesters aimed from a hundred windows, and death migh result, although he had an army at his back. If there is any individual so lost to the sense of honor and justice and humanity that he is willing to give his life as a sacrifice for the consolation of destroying the President of the United States, there is no power on earth that is going to prevent him.

But this bill operates in a different manner. To have a law of this character upon our statute books will create the very incentive—the prejudice against the governing power of the United States. I do not believe it would ever be operative. I do not believe there is a man in the United States so noble of character that he would accept the Presidency of the United States who would go up the street under any circumstances with a bodyguard surrounding him. So its actual operation will be but little. But the moment you place the President or anybody else upon a different plane from the balance of humanity, the moment you surround him with bayonets, you are placing him where you have created a fortress over and beyond which the affections of the American people will not reach.

Every Senator present knows that anarchy is not a fungus which had its natural growth in the United States. It grew in the very shadow of the bayonets of the Old World and of the walls and fortresses which guarded monarchy there. It has been brought over here as a product of the old country. It is not indigenous to our soil. So we gain nothing there. I had hoped we would have a bill which would reach that class of individuals, and I believe with the proper character of amendment it could be done.

I have briefly explained why I can not support this bill just as it is. It may be possible that my education has been such that the idea of American citizenship and its equality is so firmly rooted in my whole nature that I am prejudiced against anything which seems to deviate from that principle. Be that as it may, I could not support a bill which provides that an attempt, even the slightest attempt, against the life of one individual shall be punished with death, while a much grosser offense against another person may be punished by a slight imprisonment. I can not vote for a bill which says that for the mere act of raising a gun toward the Secretary of the Interior a man must go to the gallows, while another may put a bullet clear through the body of the Secretary of Agriculture and at the same time may get a punishment of from five to twenty years in the penitentiary.

Mr. CARMACK obtained the floor.

Mr. HOAR. I should like, if the Senator from Tennessee will pardon me, to put into the RECORD, at the suggestion of another Senator, a brief message of President Grant, with the accompanying memorandum, sent to the House of Representatives in answer to an inquiry as to his habit of absence from the seat of Government, in which he states that the Presidential character is never laid aside.

Mr. McCOMAS. Have it read.

Mr. HOAR. It would take twenty minutes.

Mr. COCKRELL. That was in the Forty-fourth Congress, was it not?

Mr. HOAR. May 4, 1876. I do not think it is necessary to read it. It makes about two columns and a half and would take ten or fifteen minutes to read.

The PRESIDING OFFICER (Mr. CULBERSON in the chair). Without objection, the request of the Senator from Massachusetts will be complied with, and the papers will be inserted in the RECORD.

The papers referred to are as follows:

To the House of Representatives:

I have given very attentive consideration to a resolution of the House of Representatives passed on the 3d day of April, requesting the President of the United States to inform the House whether any executive offices, acts, or duties, and, if any, what, have within a specified period been performed at a distance from the seat of government established by law, etc.

I have never hesitated and shall not hesitate to communicate to Congress, and to either branch thereof, all the information which the Constitution makes it the duty of the President to give or which my judgment may suggest to me or a request from either House may indicate to me will be useful in the discharge of the appropriate duties confided to them. I fail, however, to find in the Constitution of the United States the authority given to the House of Representatives (one branch of the Congress in which is vested the legislative power of the Government) to require of the Executive, an independent branch of the Government—coordinate with the Senate and House of Representatives—an account of his discharge of his appropriate and purely executive offices, acts, and duties, either as to when, where, or how performed.

What the House of Representatives may require as a right in its demand upon the Executive for information is limited to what is necessary for the proper discharge of its powers of legislation or of impeachment.

The inquiry in the resolution of the House as to where executive acts have, within the last seven years, been performed, and at what distance from any particular spot, or for how long a period at any one time, etc., does not necessarily belong to the province of legislation. It does not profess to be asked for that object.

If this information be sought through an inquiry of the President as to his executive acts in view or in aid of the power of impeachment vested in the House, it is asked in derogation of an inherent natural right, recognized in this country by a constitutional guaranty which protects every citizen, the President as well as the humblest in the land, from being made a witness against himself.

During the time that I have had the honor to occupy the position of President of this Government, it has been, and while I continue to occupy that position it will continue to be, my earnest endeavor to recognize and to respect the several trusts and duties and powers of the coordinate branches of the Government, not encroaching upon them nor allowing encroachments upon the proper powers of the office which the people of the United States have confided to me, but aiming to preserve in their proper relations the several powers and functions of each of the coordinate branches of the Government agreeably to the Constitution and in accordance with the solemn oath which I have taken to "preserve, protect, and defend" that instrument.

In maintenance of the rights secured by the Constitution to the executive branch of the Government, I am compelled to decline any specific or detailed answer to the request of the House for information as to "any executive offices, acts, or duties, and, if any, what, have been performed at a distance from the seat of Government established by law and for how long a period at any one time and in what part of the United States."

If, however, the House of Representatives desires to know whether during the period of upward of seven years during which I have held the office of President of the United States I have been absent from the seat of Government and whether during that period I have performed or have neglected to perform the duties of my office, I freely inform the House that from the time of my entrance upon my office I have been in the habit, as were all of my predecessors (with the exception of one who lived only one month after assuming the duties of his office and one whose continued presence in Washington was necessary from the existence at the time of a powerful rebellion), of absenting myself at times from the seat of Government; and that during such absences I did not neglect or forego the obligations or the duties of my office, but continued to discharge all of the executive offices, acts, and duties which were required of me as the President of the United States.

I am not aware that a failure occurred in any one instance of my exercising the functions and powers of my office in every case requiring their discharge or of my exercising all necessary Executive acts in whatever part of the United States I may at the time have been. Fortunately, the rapidity of travel and of mail communication and the facility of almost instantaneous correspondence with the offices at the seat of government which the telegraph affords to the President in whatever section of the Union he may be enable him in these days to maintain as constant and almost as quick intercourse with the departments at Washington as may be maintained while he remains in the Capital.

The necessity of the performance of Executive acts by the President of the United States exists and is devolved upon him, wherever he may be within the United States during his term of office, by the Constitution of the United States.

His civil powers are no more limited or capable of limitation as to the place where they shall be exercised than are those which he might be required to discharge in his capacity of Commander in Chief of the Army and Navy, which latter powers, it is evident, he might be called upon to exercise possibly even without the limits of the United States. Had the efforts of those recently in rebellion against the Government been successful in driving a late President of the United States from Washington, it is manifest that he must have discharged his functions, both civil and military, elsewhere than in the place named by law as the seat of government.

No act of Congress can limit, suspend, or confine this constitutional duty. I am not aware of the existence of any act of Congress which assumes thus to limit or restrict the exercise of the functions of the Executive. Were there such acts, I should nevertheless recognize the superior authority of the Constitution and should exercise the powers required thereby of the President.

The act to which reference is made in the resolution of the House relates to the establishing of the seat of government and the providing of suitable buildings and removal thereto of the offices attached to the Government, etc. It was not understood at its date and by General Washington to confine the President in the discharge of his duties and powers to actual presence at the seat of government. On the 30th of March, 1791, shortly after the passage of the act referred to, General Washington issued an Executive proclamation having reference to the subject of this very act from Georgetown, a place

remote from Philadelphia, which then was the seat of government, where the act referred to directed that "all offices attached to the seat of government" should for the time remain.

That none of his successors have entertained the idea that their executive offices could be performed only at the seat of government is evidenced by the hundreds upon hundreds of such acts performed by my predecessors, in unbroken line from Washington to Lincoln, a memorandum of the general nature and character of some of which acts is submitted herewith; and no question has ever been raised as to the validity of these acts or as to the right and propriety of the Executive to exercise the powers of his office in any part of the United States.

U. S. GRANT.

WASHINGTON, *May 4, 1876.*

Memorandum of absences of the Presidents of the United States from the national capital during each of the several Administrations, and of public and Executive acts performed during the time of such absences.

PRESIDENT WASHINGTON

was frequently absent from the capital; he appears to have been thus absent at least one hundred and eighty-one days during his term.

During his several absences he discharged official and Executive duties, among them:

In March, 1791, he issued a proclamation, dated at Georgetown, in reference to running the boundary for the territory of the permanent seat of the Government.

From Mount Vernon he signed an official letter to the Emperor of Morocco, and from the same place the commission of Oliver Wolcott as Comptroller of the Treasury, and the proclamation respecting the whisky insurrection in Pennsylvania; also, various sea letters, the proclamation of the treaty of 1795 between the United States and Spain, the Executive order of August 4, 1792, relative to the duties on distilled spirits, etc.

When at Germantown he signed the commission of John Brackenridge as attorney of the United States for Kentucky, and that of engineer of the United States Mint.

He proposed to have Mr. Trujo officially presented, as envoy extraordinary and minister plenipotentiary from Spain, to him at Mount Vernon; but, although Mr. Trujo went there for the purpose, the ceremony of presentation was prevented by Mr. Trujo's having accidentally left his credentials.

PRESIDENT JOHN ADAMS.

President John Adams was absent from the capital during his term of four years, on various occasions, three hundred and eighty-five days.

He discharged official duties and performed the most solemn public acts at Quincy in the same manner as when at the seat of Government.

In 1797 (August 25) he forwarded to the Secretary of State a number of passports which he had signed at Quincy.

He issued at Quincy commissions to numerous officers of various grades, civil and military.

On the 28th of September, 1797, he forwarded to the Secretary of State a commission for a justice of the Supreme Court, signed in blank at Quincy, instructing the Secretary to fill it with the name of John Marshall if he would accept, and if not, Bushrod Washington. He issued a proclamation opening trade with certain ports of Santo Domingo, and signed warrants for the execution of two soldiers, and for a pardon.

PRESIDENT JEFFERSON

was absent from the seat of government, during his two terms of office, seven hundred and ninety-six days, more than one-fourth of the whole official period.

During his absence he signed and issued from Monticello seventy-five commissions, one letter to the Emperor of Russia, and nine letters of credence to diplomatic agents of the United States accredited to other governments.

PRESIDENT MADISON

was absent from the seat of government during his two Presidential terms six hundred and thirty-seven days.

He signed and issued from Montpelier, during his absence from the capital, 71 commissions, 1 proclamation, and 9 letters of credence to ministers, accrediting them to foreign governments, and, as it appears, transacted generally all the necessary routine business incident to the Executive office.

PRESIDENT MONROE

was absent from the capital, during his Presidential service of eight years, seven hundred and eight days, independent of the year 1824, and the two months of 1825 for which period no data are found.

He transacted public business wherever he happened to be, sometimes at his farm in Virginia, again at his summer resort on the Chesapeake, and sometimes while traveling. He signed and issued from these several places away from the capital numerous commissions to civil officers of the Government, exequaturs to foreign consuls, letters of credence, two letters to sovereigns, and 37 pardons.

PRESIDENT JOHN Q. ADAMS

was absent from the capital, during his Presidential term of four years, two hundred and twenty-two days.

During such absence he performed official and public acts, signing and issuing commissions, exequaturs, pardons, proclamations, etc.

Referring to his absence in August and September, 1827, Mr. Adams, in his memoirs, volume 8, page 75, says: "I left with him (the chief clerk) some blank signatures to be used when necessary for proclamations, remission of penalties, and commissions of consuls, taking of him a receipt for the number and kind of blanks left with him, with directions to return me, when I came back, all the signed blanks remaining unused, and to keep and give me an account of all those that shall have been disposed of. This has been my constant practice with the respect to signed blanks of this description. I do the same with regard to patents and land grants."

PRESIDENT JACKSON

was absent from the capital during his Presidential service of eight years five hundred and two days.

He also performed executive duties and public acts while absent.

He appears to have signed and issued while absent from the capital very many public papers, embracing commissions, letters of credence, exequaturs, pardons, and among them four Executive proclamations.

On the 26th of June, 1833, he addressed a letter from Boston to Mr. Duane, Secretary of the Treasury, giving his views at large on the removal of the "deposits" from the United States Bank and placing them in the State banks, directing that the change with all its arrangements should be, if possible, completed by the 15th September following, and recommended that Amos Kendall should be appointed an agent of the Treasury Department to make the necessary arrangements with the State banks. Soon after, September 23, a paper signed by the President and purporting to have been read to the Cabinet was published in the newspapers of the day. Early in the next session of Congress a resolution passed the Senate inquiring of the President whether the paper was genuine or not, and if it was published by his authority, and requesting that a copy be laid before that body.

The President replied, avowing the genuineness of the paper and that it was published by his authority, but declined to furnish a copy to the Senate, on the ground that it was purely executive business, and that the request of the Senate was an undue interference with the independence of the executive, a coordinate branch of the Government.

In January, 1837 (26th), he refused the privilege to a committee, under a resolution of the House of Representatives, to make a general investigation of the Executive Departments without specific charges, on the ground, among others, that the use of the books, papers, etc., of the departments for such purpose would interfere with the discharge of the public duties devolving upon the heads of the different departments, and necessarily disarrange and retard the public business.

PRESIDENT VAN BUREN

was absent from the capital during his Presidential term one hundred and thirty-one days.

He discharged executive duties and performed official and public acts during these absences.

Among the papers signed by President Van Buren during his absence from the seat of government are commissions, one of these being for a United States judge of a district court, pardons, etc.

PRESIDENT TYLER

was absent from the capital during his Presidential term one hundred and sixty-three days, and performed public acts and duties during such absences, signing public papers and documents to the number of twenty-eight, in which were included commissions, exequaturs, letters of credence, pardons, and one proclamation making public the treaty of 1842 between the United States and Ecuador.

PRESIDENT POLK

was absent from the capital during his Presidential term thirty-seven days, and appears to have signed but two official public papers during such absence.

PRESIDENT TAYLOR

was absent from the capital during the time he served as President thirty-one days, and while absent signed two commissions, three "full powers," two exequaturs, and the proclamation of August 11, 1849, relative to a threatened invasion of Cuba or some of the provinces of Mexico.

PRESIDENT FILLMORE

was absent from the capital during the time he served as President sixty days. During such absence he signed pardons, commissions, exequaturs, etc.

PRESIDENT PIERCE

was absent from the capital in all during his Presidential term fifty-seven days. The several periods of absence which make up this aggregate were each brief, and it does not appear that during these absences the President signed any public official documents except one pardon.

PRESIDENT BUCHANAN.

was absent from the capital during his Presidential term fifty-seven days, and the official papers which he is shown to have signed during such absence are three exequaturs and one letter of credence.

In addition to the public documents and papers executed by the several Presidents during their absences from the seat of goverment, constant official correspondence was maintained by each with the heads of the different Executive Departments.

Mr. CARMACK. Mr. President, I have no pretensions as a lawyer. I shall therefore make no attempt to contribute anything to the constitutional phases of this debate. Whatever knowledge of law I may once have had has become a great deal like my knowledge of Latin and Greek, a dim and fading memory. I simply know enough to steer clear of any debate on constitutional questions. Therefore I shall have nothing whatever to say upon the constitutional aspects of this question. I shall assume that Congress has complete constitutional power to enact such a law.

My objections to the bill do not go simply to the question of its constitutionality. I believe that the measure is bad in principle, and I think it is utterly and absolutely unnecessary. It has sometimes seemed to me that there is a disposition in this country to indulge a sort of superstitious worship of the penal code as a remedy for all the ills that afflict the body politic. Whenever any great or sudden calamity falls upon the country there is a general foot race to see who shall be first to the statute book with some new or more terrible penalty that shall make it forever impossible for such a calamity to happen again. Penal laws and a rigorous administration of the penal law are so vitally essential to well-ordered and well-governed society that men naturally fall into the habit of ascribing every evil that exists and every misfortune that may happen to some lack of severity either in the law or in the administration of the law.

When the news was flashed over the country that President McKinley had been assassinated, the press of the country was immediately deluged with all manner of proposed schemes of legislation, most of them utterly idle and futile, many of them utterly vicious and revolutionary in their character.

Mr. President, with all due respect—and a great deal of respect is due—to the distinguished author of this bill, I do not believe a more futile, a more unnecessary, a more utterly ineffective law ever encumbered the statute books of the country than the bill we now have under consideration. If it be the object of punishment not to wreak vengeance upon the criminal, but to prevent the recurrence of the crime, what possible good could this bill accomplish? What good would it have done if it had been already the law from the foundation of the Government? We have had three Presidents assassinated in the United States. Who can believe that if this bill had been the law of the country it would have saved the life of a single one of them, or would have had the slightest deterring effect upon the assassin?

The Senator from Massachusetts says the fact that we have had three Presidents assassinated indicates that there is some great and

urgent necessity for more legislation. I say if you had had this bill upon the statute books from the very foundation of the Government it would not have saved the life of a single one of the three Presidents who were assassinated, and it would not have prevented a single assault that has been made upon the life of a President.

The bill proposes to take away from the States the jurisdiction they have in these matters and to confer it upon the General Government. What good will that do? Again, I ask, what good would it have done if the jurisdiction of these offenses had been always exclusively in the Federal Government?

Of the three Presidential assassinations in the United States, two of them took place right here in the city of Washington, within the shadow of this Capitol, within the exclusive jurisdiction of the Federal Government. In the first case, the assassin made his escape from the city of Washington. After a long and arduous pursuit he was finally shot by his captors and died without being brought to trial. In the second case, the man was apprehended upon the spot, and after a long and tedious trial he was finally convicted and executed. The third case occurred within the State and jurisdiction of New York, and the man was promptly arrested, promptly tried, promptly convicted, and promptly executed. All the power of this great Government could not have killed him any quicker and could not have killed him any deader than did the State of New York.

Mr. President, as the Senator from Georgia [Mr. BACON] says, I am willing to go as far in the right direction as any living man to safeguard from violence the life of the President of the United States. I am willing to go as far within the limits of the Constitution and the principles of free government as any living man to stamp out that treason to all law and all government which flaunts itself under the name of anarchy. But it seems to me it is a very serious matter to assume, and to legislate upon the assumption, that the sovereign States of this Union—and I was delighted to hear the Senator from Massachusetts describe them as sovereign States—to assume that the great States of this Union have neither the will nor the power to protect any citizen, from the very highest to the very lowest, who may come within their borders.

Mr. President, there has been for many years a regrettable tendency to belittle the States, to enfeeble their power, to take from them their rightful jurisdiction and bestow it upon the courts of the United States. I say it is an unfortunate tendency, and in this case there is absolutely no necessity for it. So far as I am concerned, I will not assume, as I should have to assume in order to vote for this bill, that we can not trust in the power and patriotism of the States of this Union to protect the President of the United States.

Sir, whenever the President comes as an honored guest into the State of Tennessee, when he comes to visit the home of Polk and Johnson or to stand by the tomb of Old Hickory, I want him to feel that he is under the protection of Tennessee law and of Tennessee justice, and that he does not need to bring with him the shield of a Federal statute to protect him against the citizens of Tennessee. I do not want it proclaimed from the Capitol of this nation that the President of the United States can not sleep in peace and security under the roof of Tennessee without stationing a Federal sentry at the door. I say if the President of the United States comes within the borders of Tennessee—and the same is true of every other State in the Union—he will find ample security under her laws and the protection of her courts, and I do not want any legislation put upon the statute books on a contrary assumption.

Mr. President, the Senator from Massachusetts says that in times of great political excitement the President of the United States might not be safe and that his murderer might not be punished in certain parts of the country, and he referred to conditions which prevailed in some parts of the country at the time of the assassination of President Lincoln. That may have been true at that time, but I do not think we need to legislate upon the assumption that any such condition can ever exist again in this country. It is possible, sir, that at some time in the far future revolution may rise and madness and fury may take possession of the minds of the people; but if that time ever comes it is as likely to paralyze the arm and the power of the Federal courts as it is to paralyze the courts and the justice in any State in the Union. If such a time shall ever come, then all your penal statutes might as well have been written against wind and fire.

Mr. President, the Senator referred to section 7. He admitted that it was the only part of the bill which would have been at all effective in the past in protecting the lives of any of our Presidents. Leave out section 7, as the Senator from Massachusetts admits, and if the rest of the bill had always been the law Lincoln would still have been assassinated and Garfield would have been assassinated and McKinley would have been assassinated. Section 7 is the only part of the bill which, according to the Senator from Massachusetts himself, would have been at all effective and protective in the past.

Mr. HOAR. I did not say that.

Mr. CARMACK. I understood the Senator to say so. I asked the Senator whether if this bill had always been the law it would have saved the life of either one of our Presidents, and he proceeded to give me reasons based upon section 7.

Mr. HOAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Massachusetts?

Mr. CARMACK. Certainly.

Mr. HOAR. If the Senator will pardon me, I did not say the other sections of the bill would not have been effective and protective in the past. I said they would not have prevented these particular crimes.

Mr. CARMACK. As I understood the Senator, he said it would not have saved the life of either of the three Presidents.

Mr. HOAR. That is a very different proposition.

Mr. CARMACK. I so understand the Senator's statement. I said that, so far as concerned the three Presidents who were assassinated, if this bill had been the law it would not have saved the life of either one of them.

Section 7 provides:

> That the Secretary of War is authorized and directed to select and detail from the Regular Army a sufficient number of officers and men to guard and protect the person of the President of the United States without any unnecessary display.

As I said yesterday to the Senator, I have no particular objection to that section. If it were proposed to be enacted separately I should have no particular objection to it, but at the same time I believe that if that were the law of the country it would be utterly ineffective; and I say now that if this bill does become a law section 7 will be a dead letter from the very time it goes upon the statute book.

How are you going to protect the life of the President or protect him from violence by a detail of Army officers? It means that the President would have to be surrounded all the time; that he could not move out of the White House for a quiet stroll without, as the Senator from Florida said, being put into the middle of a hollow square like he was being marched out to be executed. He could not go to church without being surrounded by a military guard. He could not go out for a horseback ride without being surrounded by a cavalcade of horse guards to protect his person. I have no objection whatever to that being done. I have no objection because of the display it might make. It might be done, perhaps, without any great pomp or display; but at the same time it would be necessary, in order to be effective, to surround the President with men in such a way that it would become irksome and absolutely intolerable to any ordinary man.

Mr. President, the gentleman now in the White House would not tolerate that sort of thing for a moment. If this were made obligatory upon him, he would climb out of one of the back windows of the White House and slip out of the back gate and dodge through an alley, if it were necessary, in order to get away from his escort. He would not consent that every time he took a stroll, every time he took a horseback ride, every time he went to the theater, there should be a lot of military guards surrounding him; that when he is sitting in the box of the theater some man must stand there with a bayonet to keep anybody with supposed evil intent from coming near his sacred person.

I say President Roosevelt would not tolerate that for a moment. It would be absolutely unendurable to him, and in order to make that section at all effective, to make it impossible for assassins to attack the President of the United States by reason of the guard you put around him, you would have to have him absolutely surrounded by guards all the time. He would have to travel like the Czar of Russia or the Sultan of Turkey. As a matter of fact, the President can now have all of such protection he would tolerate. President McKinley had guards and Federal detectives all about him when he was shot.

Some Senators seem to lay a good deal of stress upon the fact that none of the States of the Union make it a capital offense to attempt the life of a person, and that in order to protect the life of a President it is necessary to make it a capital offense to assault him with intent to kill. I have no objection particularly to such a penalty being visited upon the man who assaults the President with intent to kill, but it seems to me it is utter nonsense to suppose that it would have any effect whatever in deterring men from such crimes. To make it known to the assassin that "we will hang you just as quickly for attempting to kill as we will for killing" certainly will not deter the man who goes there with the intention of killing, of committing a capital offense, and expecting to be hanged for his deed.

I can understand, on the other hand, that even in the moment of pulling the trigger, a sudden sense of the awfulness of the crime and a dread of punishment might come upon the would-be assassin and deflect his aim. I can understand that under such circumstances, having fired one shot, with the dread of the death

penalty coming upon him, he would not fire the second. But if you make it, as you do under this bill, a capital offense for a man to level his pistol, if the moment he draws his pistol and levels it at the President of the United States or any member of his Cabinet the crime becomes complete and the death penalty is fixed, then the man would have no other motive except to accomplish his purpose and to finish his deadly work.

Mr. President, it seemed to me there was a great deal of force in the remarks made by the Senator from North Dakota [Mr. MCCUMBER]. Here you propose in this bill to make it a capital offense for a man to attack with intent to kill the Secretary of the Interior. Out of private malice, because of personal feeling, if he were to attack the Secretary of the Interior in my State under circumstances that would make the assault murder only in the second degree if it resulted in death, he would under this bill become guilty of a capital offense; that is, if he "willfully and maliciously" kill or cause the death, or attempt it, of the Secretary of the Interior.

As the Senator says, not in one case out of ten thousand would a man attack the Secretary of the Interior or any of the members of the Cabinet low in the order of succession with any idea of making an assault upon the Government. He might do it from motives of personal revenge, growing out of a private quarrel; and I say that, under the terms of this bill, if he were to do it, and the assault was only such an assault as would have constituted murder in the second degree or manslaughter if it had resulted in death, then such mere assault upon the Secretary of the Interior dooms that man to the gallows. I say there is absolutely no justification for taking these members of the Cabinet and placing them upon a higher level than you would an ordinary citizen when it comes to the protection of the law.

Suppose a man in Tennessee should "willfully and maliciously" assault the Secretary of the Interior with intent to kill, but should do him no harm whatever. Suppose at the same time a man should willfully and maliciously kill the governor of Tennessee. The man who killed the governor of Tennessee would go to the penitentiary, and the man who shot at the Secretary of the Interior and missed him would be hanged.

Now, if I believed that this bill was necessary or that it would accomplish any good object, I might swallow any constitutional scruples I might have and vote for it. But I do not believe it will do any good on the face of the earth. I do not believe it will accomplish any good object. I do not believe it will make the lives and persons of our Presidents and other officials one whit safer than they are to-day.

As the Senator said, we have got to go to the root of the evil and deal with the causes that bring about these assaults upon our Presidents and that are bringing about assaults upon crowned heads and the presidents of other republics all over the world. Unless we can do that, making more penalties and taking away from the States their rightful jurisdiction will be utterly vain, and your laws will not be worth the paper upon which they are printed.

Mr. MONEY. Mr. President, it may be safely assumed that the same detestation for assassination and abhorrence for nihilism and anarchy obtains in the breast of one Senator as well as that of another. So no profession of particular virtue in this regard amounts to anything except to voice the common sentiment of every Senator here.

We are now a little bit in a state of hysteria. There was an assassination of a most amiable and lovely character, a beloved President of the United States, when surrounded by vast throngs of his fellow-countrymen. No man could ascribe to the assassin any sort of personal resentment, because the victim had never offended anybody. The result was that a wail of sorrow swept over the whole nation and a righteous and fiery rain and hail of public wrath and indignation was showered upon everybody who in the slightest degree sympathized with anarchism or nihilism. Then this great pressure coming from the public behind us, it was deemed fit to enact some sort of legislation, whether to be deterrent, punitive, or vindictive this bill discloses, and this measure has been presented and set forth as the best labors of the Committee on the Judiciary on this point.

I object to the bill, in the first place, mainly because it establishes the inequality of men before the law. The equality of all men before the law is the very foundation stone not only of this but of all free republics, and any contrary doctrine simply is to liquefy the foundation and let the superstructure fall. Mr. Gladstone pointed out the great differences between the Constitution of the United States and the constitution of England by saying that in the great Republic the Constitution was founded upon the equality of all men, and that the constitution of the Empire was founded upon the inequality of men.

This bill is another indication in my mind of the tendency toward imperial government. For that reason, Mr. President, I never could vote for a bill which established that inequality. I speak not of any assault upon the right of a State to try for offenses committed within its jurisdiction, because I believe that we have the power to protect the President of the United States and his successors legally in office, if we choose to do so. The question is whether it is wise to do it, whether it is expedient to do it, and whether the bill will be effective of the results that are desired and proposed by the committee which brings it to this body.

Now let us see, Mr. President, as to the utility of this measure. It was well stated by the Senator from North Dakota [Mr. MCCUMBER] and by the Senator from Tennessee [Mr. CARMACK] that if the bill had been enacted from the beginning of the Government the results would have been the same; and if the seventh section, to which objection has been made here, and properly made, had also been on the statute books the same result would have followed. How could a detail of soldiery, whether in full uniform or in citizens' clothes, have saved Mr. McKinley? When he was surrounded by that vast crowd of people who asked the pleasure and honor of shaking him by the hand, and when he was receiving them, one by one, as fast as they could come hurrying each other in the approach to him, how could anybody have prevented that assassination? Neither battalions nor parks of artillery, nor detectives in citizens' clothes, nor anybody could have prevented it.

Would any fear of punishment have deterred the criminal? He knew that he must certainly die for that offense, and not only that, Mr. President, but he gloried in the notoriety and what he called the honor of having slain the ruler of a great people. He even denied that he had an accomplice, because he would monopolize the whole glory of that bloody achievement in his own person. Was he afraid of statutes, or of details of soldiery, or detectives, or any other power human or Divine? No; he intended to remove, as he called it, the ruler of a great people for the distinguished honor which it would give him among his associates. They were the public whose opinions he respected and honored and feared, and no other. This man felt that he was designed by fate to do this thing, and it is useless to say that any provision of a statute could have prevented the President's assassination by his hand.

When Mr. Lincoln, one of the greatest and most beloved of all the Presidents of this country, sat in a box in a theater surrounded by his friends and admirers and lovers, the box being above the stage floor of that theater, if the whole audience had been armed with rifles and revolvers and bayonets could they have saved him? Could anyone have foreseen that an actor, who had free access to the theater, who lived night after night behind the scenes, would step forward in one moment, enter that box and shoot the President? Who could foresee it? If they had been there, as I said, all over the audience and sitting in the box they could not have prevented it.

Then, when Mr. Garfield was assassinated he was going into a depot in this city to take passage to New York with his friend the Secretary of State. The passengers or citizens of the country were crowding to the door before and behind him, and one coming in behind leveled his pistol and shot the President to the floor. Who could have prevented that? Can you station military guards at the doors of the depot when the President chooses to pay a visit to some other place, who will search every citizen who comes in before or behind him or mingles in that vast depot? Can you anywhere exercise this espionage, which seems to be the only feature in the bill that makes it effective? Are we to get back to Chinese methods and be governed by espionage?

Now, Mr. President, I do not think that this bill is worth a single cent. I object to it, I said, on the first ground of its establishing inequality. This is a thin wedge, which, after a while, as we progress in the present tendency toward imperialism, will be driven in tap by tap until the whole body is dissevered, and then we will have the classes, which we have so long decried and so long have fought against. There will be legislation then for individuals.

Take another case. This is a proposition to punish a man with death who attempts to assault any one of those in succession to the Presidency. It may be a private brawl. It may be a strictly personal matter. Suppose that I would go down here—I will say some other gentleman, not myself, for I am pacific—suppose some hot-blooded man goes down there who respects himself and out of that respect would resent an insult anywhere, in the chancery of Heaven, if it was offered there. He gets to talking with a gentleman who would not succeed to the Presidency in a hundred millions of years, counting the probabilities of all those before him being removed or dying or resigning or anything of the sort. In the course of a business conversation hot words come from contradictions or misunderstandings, and then there is an assault made by either one of the parties—it matters not which—and in the melée one of them is killed. Then that man has to be hung. If he is not guilty he is to be hung. In other words, a Senator of the United States beginning a conversation with a Secretary

who never will under any circumstances be President, and in an altercation with him of a purely personal character defends himself and inflicts an injury upon him, or assaults him, if you mean to have it that way, and the result is that he is to be tried in a Federal court and to be hung or executed in some way. One of the Senators on the other side went so far.

I wish to say now that I am delighted with the speech made by the Senator from North Dakota [Mr. MCCUMBER], which had in it the true ring of American republicanism and the love of the equality of all men—equality, fraternity, liberty.

One Senator, who I am sorry is not in his seat now, the Senator from Illinois [Mr. MASON], said the other day that this is such a tremendous affront, so serious and heinous an outrage against the sovereignty of the United States, that if any one of these official heads likely in the succession to become the Chief Executive should be assaulted or should assault another, the man ought to have such patriotism as to forbear, and he used the very strongest case that his imagination could conceive.

He said if even the sanctity of the household had been invaded by the President or one of his successors, he should have sufficient patriotism to forego his revenge or the satisfaction of his honor for at least the four years of the wrongdoer's term, or the eight years, if he is reelected. I have too much respect for that Senator to believe that he was talking seriously, and I will not accept his language as being serious. But, in my opinion, a man who, in a case of that sort, can wait four years will be very easily persuaded to wait four hundred years, and at the end of four hundred years he will compromise the case for a five-dollar bill. I do not want any such people in the United States as would for an instant delay in a matter of that kind.

Mr. President, I have as much respect for the office of President as any man in the Senate or anywhere else. I have as much respect for the incumbent of the office. I have seen a goodly number of Presidents inaugurated; I have had the pleasure of knowing them in business and socially; and I must say that I have never respected the man any more after he got in the chair than I did before. I do not think that any office on earth can ennoble any man, and I do not believe that any man with a proper self-respect can believe that any office can ennoble him or raise him in one single degree. I had as much respect for myself when I was a citizen without an office and never dreamed of holding one as I have to-day, or as I should have if I were twenty times the President of the United States or the autocrat of all the Russias.

This thing of bowing down before the fetich of a pseudo sovereign as the President of this country, according to the late administration of things—not the fault of the Executive, I will say—is something that is alarming to every man who loves the Republic. We are too reverential entirely. Time and again I have heard on this floor that we must not criticise the Supreme Court and that we must not criticise the President, although the papers and everybody else criticise the Senate and the House of Representatives, which is the great political department of this Government and its real sovereignty. It is the brain that devises the policies of the Government; it is the brain that protects and defends the Government. The Executive is merely the hand that executes the will of the brain and has just as much relation in its dignity as the brain does to the hand. The Supreme Court is simply the mind that resolves the meaning of the brain in its message to the hand.

It is the Executive that must do its bidding. The most dangerous thing that can happen to this Republic is when the Executive begins to think that he can think. He is simply to obey the orders that are given to him by the Congress of the United States, and the only time he can think is when the Constitution recognizes his right and makes it his duty to report upon the condition of the country in his messages to Congress.

Now, as for this detail of soldiery, I think that is absolutely ineffective. There is no way that you can make it effective. As was said by the Senator from North Dakota [Mr. MCCUMBER], a thousand rifles from a thousand windows could shoot down the President in the midst of a cavalcade of cavalry, parks of artillery, or a whole brigade of infantry. You are not bound to reach the President at arm's length. The far-carrying rifle of to-day will shoot 3 miles, and nobody would ever hear the sound of the report. There are a thousand ways by which the President could be killed, and there is not a single way that will be prevented by these soldiers.

The Senator from Wisconsin [Mr. SPOONER] thinks that soldiers will be effective. He says if the soldier could not have prevented this assassination he was too big a fool to be in the Army. I should like to ask the Senator from Wisconsin if he thinks that the average soldier of the United States Army is any brighter, is any more resolute than a man in the detective force? Certainly if he is one-tenth as brainy and smart and quick and resolute as the detective, then the detective ought to be dismissed from his business, for he is not fit for it. It is an uncommon man, possessing every manly quality, that makes a detective. He has got to have the keenest wit, the most brilliant perception, and the most resolute and lion-like courage to be a detective. The very best men of that class have continually surrounded the Presidents of the United States in all their movements. They have surrounded them in an utterly unobtrusive and unostentatious manner, and they have been as effective as any other men could have been. But there has not been a single assassination to date that could have been prevented by any means that Congress or any human brain could have devised. These acts of violence must come.

We have here not only the punishment of hanging or execution for the murder, but for the attempt to murder. Not only must there be an intention criminally, but there must be an overt act. Now, this is Draconian system, as it was denominated by my distinguished friend from Florida [Mr. MALLORY]. Here is a man at Paterson, N. J., said to be the foulest nest of anarchists in this country, who plotted the death of King Umberto, and if that man had conspired to take the life he could be hung here. But what becomes of the assassin of King Umberto? He was not executed. He is to-day a life prisoner for killing the King of Italy, but we would have hung the man in New Jersey who instigated, aided, or abetted that assassination. Yet Umberto was a most popular and able king. He was regarded by his subjects with as much affection as any other reigning sovereign in Europe.

There was a worse case than that. There are two regicides now in Europe serving life imprisonment for assassination. A man walked up to the Empress Elizabeth and drove a knife in her side when entering her carriage, a woman who was beloved by the people in all the Austro-Hungarian Empire for all the virtues that adorn the social and domestic life, perfectly harmless, an Empress unable to do anything substantive or affirmative, unable to do anything except acts of kindness and goodness, which she did, exposing herself at all times to all risks in absolute confidence in the affection of her subjects. She was smitten down by the assassin, and the assassin is serving a life term in prison. When they do not punish in those old countries the assassin himself with death, we propose to punish with death the man who aids and abets here in our country. I do not object to that. I am sorry that they did not hang both those assassins, and I am willing to hang those who abetted Umberto's assassin, so far as that is concerned, if proof can be made.

Mr. President, the bloodiest code is not the one that is best executed. On the contrary, it is generally a dead letter. You can make a code so severe that the public sentiment will revolt. I do not believe, however, that you can make it too severe, for death alone seems to be a sufficient punishment. I do not know that it will prevent. It may be punitive and it may be vindictive, but it satisfies outraged public sentiment and removes at least this miscreant from the face of the earth, and that is at least a little bit. I am willing to do that. If a measure can be devised to rid this country and the world of anarchists, I will vote for it. I should like to see them exterminated as vermin, as enemies of the human race, hostes humani generis. I want to do something that is effective.

It is not any honor particularly upon it; it does not show very exalted patriotism nor any great indignation at the assassination, nor any great sorrow for the death of the man assassinated, for us to go into extremes and put upon the statute books laws which will never be enforced. You can never get a jury that will hang a man who aided and abetted an attempt to murder. Of course the man who attempts to murder may be executed under this law, but in my opinion the whole business here will be ineffective. It will not promote in the slightest degree the object which we desire, which is the protection of the Chief Magistrate of this country and his statutory successors in office. If we can not do that, then we have done nothing except consumed a week of time.

I do not know any amendment that will make this bill suit me. I suppose I shall vote for the bill of the senior Senator from Texas [Mr. CULBERSON]. His substitute seems to be quite as effective and better, although I object to one clause in it. But there is a disposition to do something, and I suppose something will be done, not because it is going to effect anything, but it will please and satisfy a great many people who are not here, a great many good people throughout the land who believe that whenever they can get a statute passed the evil is remedied; and the country is full of such people. You can not find a crank in the United States on any subject but who can be persuaded that if he can get a law to carry out his idea the evil will be immediately swept out of existence. You can not make him believe that the law itself must be of such a form and character as to be operative. What he wants is to have it written in full on the statute books, and that is quite sufficient for him, and then he turns his attention to another fad, until he gets another statute, and so it goes on endlessly.

Mr. President, I think it was well said by the Senator from

Tennessee [Mr. CARMACK] that the present Executive would disdain and feel mortified and ashamed to be surrounded by any kind of guards, either in or out of uniform, on bicycles or on horses, on foot or in automobiles, or in any other way, to attend him in walks, in drives, going and coming to the theater, to the church, and so on. I do not believe any man who has not courage enough to take all the chances of the great office to which he aspires should ever be elected President of the United States. Of all things that ought never to be there it is the coward. He has no business to be in any office of responsibility, much less in any office of danger, because if he is there, there is more danger to result from cowardice toward the public than there is from assassination or any other form of evil to him; you can not trust him at all.

It is impossible then for us to frame any escort of any character that will in any degree affect the safety of the President of the United States wherever he may be. As I have shown, the difficulty is in searching people for weapons in a crowd like that at Buffalo, in the depot down here in Washington, and in the theater where Lincoln was killed. Here where the Federal power had complete jurisdiction and when both assassins knew that death would be the fate, these acts were committed, and they will never cease to be attempted and committed.

Mr. President, I have no disposition whatever to excuse in any manner any act that tends to the violation of the law. Then in much greater degree do I hold in abhorrence attempts on human life, and in still greater degree do I hold in abhorrence that crime of homicide which entails the greatest amount of difficulty, danger, and suffering to anybody. Have we found it necessary in the 45 States to have such a law as this passed to protect the governor? The governor is just as much essential to the full operation of the law and the administration of public justice as the President. Is not a State within its sphere just as sovereign? The governor of a State is also the commander of the armed forces of that State; and yet we have not on the statute books of any State of the 45 States composing this Union a single law that protects the governor of the State except equally with his fellow-citizens.

We have the instance of a governor shot down from a window in Kentucky, and the indignation, the sorrow, the grief, and the wrath of that people was stirred as deeply as it was when the beloved McKinley was shot down, yet there was no proposition from the legislature or the press or the people anywhere that Kentucky should put upon her statute book a law putting a citizen who happened for the time being to serve as her chief executive on a plane above his fellow-citizens. Equality of law was maintained as the greatest safeguard to everybody within the State of Kentucky, and the same law for all is the best safeguard for everybody within this great Republic.

For these reasons, Mr. President, I am constrained to vote against this bill, and I shall so vote though conscious of the fact that there are a great many people who will take it for granted—and it has been so stated by some people with a certain design, in my opinion—that those who oppose the passage of this bill may be considered as favoring anarchy and as indisposed to punish assassins and protect the President of the United States. It is not true, I do not care who says it; I know the Senator from Massachusetts [Mr. HOAR], the distinguished Senator who has charge of this bill, will pay no attention to anything of that sort, for it has been declared that he ought to have been hanged long ago for his declarations in regard to our policy in the Philippines.

Public clamor has nothing to do with my discharge of my duty. I know that some good people may condemn me because I do not vote for this bill, but I am here to vote my convictions of what is right and what is best, and I will take the responsibility of recording my vote in this instance against this bill.

Mr. MCLAURIN of Mississippi. Mr. President, I feel great hesitancy in undertaking to say anything in reference to this bill after the very able discussion by the Senators who have preceded me, and I should not do so were it not for the fact that I am unable to support the bill in its present shape and that I desire to give some of the reasons which actuate me in my opposition to the bill.

I suppose this bill has grown out of the fact that some six months ago the President of the United States was shot down, and that there is, therefore, a desire to pass some law, more for the purpose of showing that we abhor the existence of the element that probably produced the assassination of the President than for any other reason.

I live in a State where there is not an anarchist and where an anarchist can not live. The soil of that State is not adapted to the production of anarchy; its climate is not congenial to the existence of anarchy. I live in a State where the people abhor anarchy and abhor anarchists to such an extent that there is not one there; there has not been one there, and one can not live in that State.

The people of the State of which I am a citizen would be as much in favor as the people of any other portion of the country of any law that would put down not only anarchists, but the doctrine of anarchy.

I live in a State where the death of the late President of the United States was mourned as greatly and as sincerely as it was in any other portion of the United States. I live in a State that had great respect and great admiration for him. Notwithstanding the fact that they are of a different political faith, they admired and respected the late President of the United States to a degree that amounted to affection.

I will say another thing. The people of the section of country from which I come suffered more, and have all along suffered more, from the assassination of President Lincoln than any other section of the United States. There was not anyone in all the State of Mississippi who did not condemn the assassination of President Lincoln and who did not have abhorrence of the man who was guilty of it or of any who incited or aided or abetted him in it.

I heard it said the other day by the Senator from Massachusetts [Mr. HOAR] that there were those in his section of the country who approved of the assassination of President Lincoln. There was not one in the State which I have the honor in part to represent in this Chamber who approved of it; there was not one who did not condemn it. They condemned it because they believe in law; they condemned it because they abhor the cowardice of the assassin; they condemned it because they condemn murder; they condemned it because there was a feeling through all that section of the country that a great calamity had befallen us, which was not so great upon the section of country from which he came.

I am not one of those who believe that either one of the three assassinations of our Presidents could have been prevented by a guard. I am not one of those who believe that either one of the assassinations could have been prevented by a law which would have authorized the Secretary of War to detail any number of men from the Army, in any kind of uniform, for the protection of the President of the United States, because, as I understand the law at the time of the assassination of President Lincoln, it was then in the power of the President of the United States, he being the Commander in Chief of the Army and Navy of the United States, to have detailed any number of men from the military force to have protected him against assassination, but inasmuch as the Government had existed for nearly a century, inasmuch as during all that time there had been no effort made to assassinate the Chief Executive of the country, the President did not feel, nor did the Secretary of War feel, that there was any necessity for the attendance upon him of a military escort for his protection. The President felt, as did the people of the country feel, that the innate affection of the people for the chief ruler of the country whom they had selected to preside over the destinies of the nation was sufficient to protect him against all personal violence.

So it would have been if there had been upon the statute book at that time a law authorizing the Secretary of War to have detailed a force to have gone with the President of the United States as a bodyguard. It would not likely have been done, or if the law had been as it is proposed in this bill, not only authorizing this to be done—which could have been done under the laws at that time existing, and under the Constitution as it then existed—but directing that it should have been done, it would have been regarded as of so little moment, it would have been thought there was so little danger of any harm coming to the President of the United States in the theater which he was attending at that time, that, in all human probability, there would have been a very inefficient guard attending him if the law had absolutely directed the Secretary of War to have detailed a guard.

So, in my judgment, the very bill that is now proposed to be enacted into a statute, if it had been a law upon the statute book at that time, would have been inefficient to have protected the President of the United States from assassination. It certainly would have been "a consummation devoutly to be wished" by all the people of the State of which I am one of the representatives in this Chamber, if it could have been done, that his life should have been spared to us for the next four years from that time, so that he might have served out the term for which he had been chosen and for which he had been inaugurated by the people of the United States.

So far as the constitutional question has been argued, I agree with the Senator from Georgia [Mr. BACON]. I believe that he is correct, that the bill in its present shape impinges the Constitution of the United States. I believe that it can be so shaped that it will not be obnoxious to the Constitution of the United States. I believe the amendment of the Senator will go far to the accomplishment of that purpose, if it will not entirely accomplish that effect.

But I am opposed to this bill so far as it undertakes to make

any distinction in favor of one man—I do not care what his position may be, whether he is President of the United States or whether he occupies any other position—and against the other citizens of the United States. I am opposed to inequality of right between citizens of the United States before the law.

I believe, as was so forcibly stated by my colleague [Mr. MONEY] a few moments ago, that our Government is founded upon the equality of all men before the law. It does not make any difference whether he be the humblest citizen in the whole country or whether he be the President of the United States, as citizens all men should be equal before the laws of the country; there should be no inequality between them.

Of course, the President of the United States being selected for the purpose of representing the people of the United States in the Executive office, having certain functions devolved upon him by reason of the fact that he has been so selected and inducted into office according to law and according to the Constitution, it is very proper that a law should be enacted to protect him in the discharge of the duties thus devolved upon him, because they are duties and functions devolved upon him for the benefit of all the people of the country.

I have no objection to any law that shall accomplish that end; but outside of that, in his capacity as a citizen of the United States, he should stand before the law just as does the humblest individual in the United States. That is what was intended, according to my interpretation of the Constitution of the United States, when that instrument was formed. I do not believe that the framers of the Constitution intended that there should be any difference between the President of the United States and the humblest citizen of the United States before the laws of the country.

When the framers of the Constitution began to consider the question of treason against the United States, remembering that the country from which they had just been severed by a long and bloody revolution made the killing of the sovereign, the King of the country, treason, it was proposed to make it treason to kill the President of the United States; but the framers of the Constitution said, "No; the sovereignty of the Government of Great Britain rests in the King; he is not only sovereign, but it is the doctrine there that he is incapable of doing any wrong whatever." The sovereignty of the Government of the United States does not rest in the President of the United States; the sovereignty is in the States of the Union united, making the United States, the Government of which gets whatever power it has from the States which created it, and of which it is an offspring. That being so, they studiously refrained from putting any provision in that instrument making it treason to kill the President of the United States, thereby showing that it was the intention of the framers of the Constitution to put him on an equality with all the other citizens of the country.

The President is not the sovereign of the country. Sovereignty rests in the seventy or eighty million people of the country. Every man in the United States is a sovereign just as much as every other man; but the people delegate to certain officials the performance of certain functions for the benefit of all the people of the country. They select men to represent them in the Senate and House of Representatives of the United States. They select a man to represent them in the chief executive office of the United States. The power they exercise is defined and limited just as much so as there is a definition and limitation of the power of the humblest marshal or the humblest constable in the United States.

The President is hedged about by law, just as much as is any other officer in the country; and it is not true, in my humble judgment, as stated by the Senator from Florida [Mr. MALLORY] that if the President were to die the executive powers of the country would be dead until his successor was installed in office. The marshal who holds his office holds it until he is removed, he is bound by the rules of law, and his duties are defined by law just as much as are those of the President of the United States. He is guided in what he has to do by the laws of the country just as much as is the President of the United States. The President of the United States can not direct a marshal outside of the law and outside of the Constitution in the performance of any particular function, but he must discharge the duties pertaining to his office according to the law and according to the Constitution, by which he is controlled just as much as is the President of the United States in discharging the duties incumbent upon him.

Now, there is this mistake, if I may be allowed to say so without offending anyone, which is made by the Senators who undertake to argue that this bill can properly be enacted because it is in the power of Congress to protect the President of the United States, and that this is not making the offense described treason. They assume that a crime is committed against the individual or against his property. That is not true as a proposition of law. A man is not punished for his offense against an individual citizen or the property of an individual citizen, but he is punished because he has offended the State, or because he has offended the United States Government, which is the State in the case of a trial in the Federal courts. It is an offense against the Government for which he is tried, the commission of an unlawful act. Whether it is a violation of the mail laws or whether it is any other violation of law the offense is against the Government of the United States.

The citizen for any injury that is inflicted upon him individually, whether it be physical violence or whether it be against his property, must seek redress in a civil action before the courts; but when the Government prosecutes it prosecutes for the killing of one of its citizens or for the infliction of a wrong upon one of its citizens because it is an offense against the Government. The Government of the United States lays down its laws for the protection of its citizens, and says: "This law protects you, and the violation of this law is an offense." If you strike one of your fellow-men, you have offended against the State because you have offended against its laws, and when you are indicted and punished it is because you have committed an offense against the State and not an offense against the individual. True it is that the law is for the purpose of protecting all individuals in their rights, in their liberties, and in their property; but it is the violation of the law which is intended to accomplish that purpose that constitutes the offense against the State and for which the man is tried.

If a man shoots down the President of the United States in the State of New York he has offended the State of New York, whose law says "you must not commit murder." That law is for the purpose of preventing murder, that a man may be safe in his life, that he may go where he pleases without let or hindrance and without being subjected to harm or damage or hurt, and the law says "if you violate that law a certain penalty is attached to the violation thereof." It does not make any difference who it is and it does not make any difference whom he shoots down, if he violates the law he has offended the State, and it is just as much an offense against the State to violate its law in the shooting down of the humblest citizen—it does not make any difference who it is—in the shooting down of a tramp upon the streets or upon the highways, as it is for the shooting down of the President of the United States. It is the violation of the law, and it is an offense against the State because it is a violation of the law.

But when we say "if you attempt to kill one man you are violating the laws of the country, but if you attempt to kill another you have done no harm," that is an inequality which in itself is violative of the very spirit of our Constitution; and we must take the spirit as well as the letter of the Constitution. Suppose it is claimed that this difference is made because one man is President of the United States. Then it must be because it is made treason to kill the President of the United States.

While I am on this branch of the subject I want to call attention to the Neagle case, not because I think it is necessary to argue the points contained in that case—and I do not feel myself at all able to throw any light on the constitutional question after the very learned and able discussion of it by the Senator from Georgia—but I am not going to let this opportunity pass without putting into the RECORD, not only the opinion of the majority of the court in that case, but the opinion of the court delivered by Mr. Chief Justice Waite in another case.

Let us see to what the Neagle case, carried to its legitimate deduction, will lead. There was a man detailed for the purpose of protecting one of the justices of the Supreme Court of the United States, which I think was a very good thing to do, if the case was properly represented. By the ex parte testimony in that case—for it seems the defendant in that case did not introduce any testimony, and we only have the testimony of one side—the defendant seemed to rest upon the principle of law, which seems to me to be incontrovertible, and must have seemed so to counsel for the defendant in that case, that it made no difference whether the deputy marshal was engaged in a business which the United States laws required him to engage in or not, when the State law indicted him, not for doing that which the laws of the United States required him to do, but indicted him for a crime against the laws of California—the crime of murder; he was not indicted for protecting Justice Field; he was not indicted and not held for killing a man in defense of Justice Field; but he was held on the charge of the murder of a citizen of California, and it made no difference whether it was a citizen of California or a citizen of any other State; it made no difference whether he was a citizen of any State or not; he was indicted for violating the laws of California in the killing of a human being.

Mr. CARMACK. But in the jurisdiction of California.

Mr. MCLAURIN of Mississippi. In the jurisdiction of California and against the peace of the Commonwealth of California. He was indicted and held for that offense. When the writ of habeas corpus was applied for to take him out of the authority of

the sheriff of a county in that State, the sheriff said: "I hold him under a warrant of the State of California." The petitioner said: "I am held for performing an act which I am required to perform by the laws of the United States." There was the issue made. The sheriff said: "That is not true; he is held on a charge of murder, on a charge of violating the laws of the State of California, the highest crime against the State of California, except treason against the State—that of murder committed in the State." The case went to trial. The judge of the Federal court took away from the court and the jury in California the trial of that very question, and proceeded to try, on a writ of habeas corpus, the question whether or not the petitioner was guilty of a violation of the law of the State of California.

That ought to have been allowed to have been tried in California. If it was true that he was there present—it does not make any difference whether he was marshal, or deputy marshal, or whether he was an officer of the Government of the United States, or whether he was innocent of any charge at all—if he was present, and if there was a murderous assault being made upon a justice of the Supreme Court of the United States, or upon any other citizen, for that matter, it was not only the right of Deputy Marshal Neagle, but it was his duty to prevent the commission of that felony upon a justice of the Supreme Court, and it would have been equally his duty to have prevented the commission of a felony upon any other citizen or any other man, and not only would it be his duty to do it, but, under the old common law, he would have been punishable if he were not to do so, and that would have been a good defense in the court of the State of California. What right had the United States court to assume that the court of California would not discharge its duties? Now, what does Chief Justice Waite say in the case of ex parte Crouch? He says:

> It is elementary learning that if a prisoner is in custody of a State court of competent jurisdiction, not illegally asserted, he can not be taken from that jurisdiction and discharged on habeas corpus issued by a court of the United States simply because he is not guilty of the offense for which he is held. All questions which may arise in the orderly course of the proceeding against him are to be determined by the court to whose jurisdiction he has been subjected, and no other court is authorized to interfere to prevent it. Here the right of the prisoner to a discharge depends alone on the sufficiency of his defense to the information under which he is held.

That applies exactly to the case of Neagle.

> Whether his defense is sufficient is for the court which tries him to determine. If in this determination errors are committed, they can only be corrected in an appropriate form of proceeding for that purpose. The office of a writ of habeas corpus is neither to correct such errors nor to take the prisoner away from the court which holds him for trial, for fear if he remains they may be committed. Authorities to this effect in our reports are numerous.

Then Chief Justice Waite refers to Ex parte Watkins (28 U. S.), Ex parte Lange (85 U. S.), Ex parte Parks (93 U. S.), Ex parte Siebold (100 U. S.), Ex parte Virginia (100 U. S.), Ex parte Rowland (104 U. S.), Ex parte Curtis (106 U. S.), and Ex parte Yarbrough (110 U. S.). To these authorities he refers for support of that doctrine.

This is an illustration of the reason why this bill ought not to be passed. There, in the case of Crouch, a case exactly similar to that of Neagle, the defendant was denied a discharge, but in the case of Neagle, the defendant was discharged because he had killed a man who was making an assault upon a justice of the Supreme Court of the United States. Now, as much as it is to be desired that a justice of the Supreme Court of the United States should be protected, as every other officer ought to be protected in the discharge of his official duty, still the trial of that question ought to be left to the court in California, and two of the judges, including the Chief Justice, so held.

Now, I have some other objections to this bill, but before I proceed to state them I wish to read what is attributed in the papers to General Funston:

> All of those men who have fallen since December, 1900, have been victims of a lot of misinformed and misguided people here in the United States. It is perfectly proper for us to have all sorts of opinions as to what we should do with the Philippine Islands, but, for heaven's sake, let us keep them to ourselves until every square inch of that territory recognizes the sovereignty of the United States.

Here is an effort to stifle not only public opinion, but to stifle freedom of speech and the freedom of the press. Further than that the report proceeds:

> He then told of 24 American soldiers who had joined the Filipinos and who were afterwards captured and executed as traitors, and then said:
> "There are many men in the United States who did more with their mouths and minds to aid the insurgents than did these poor men with the Krag-Jörgensen rifles. I would rather see those men hanged for treason than to see one of our soldiers dead on the field of battle."

He would rather see those men hanged for treason, giving the idea that he has of treason. But I have some other objections to this bill. It provides:

> That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, willfully and maliciously kill or cause the death of the President or Vice-President of the United States, or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws, or who shall willfully and maliciously cause the death of the sovereign or chief magistrate of any foreign country, shall be punished with death.

The willful killing of a man is not murder. The malicious killing of a man is not murder. It must be willfully done with malice aforethought. Malice in the sense of the law is wrongful. It is that which is violative of law. Let me read the definitions of murder given by some of the law writers:

> Murder, as defined at common law, is where a person of sound memory and discretion unlawfully and feloniously kills any human being, in the peace of the sovereign, with malice prepense or aforethought, either express or implied. (Wharton's Criminal Law, sec. 303.)

Blackstone says:

> When a person of sound memory and discretion unlawfully killeth any reasonable creature in being, and under the King's peace, with malice aforethought, either express or implied. (4 Blackstone, 195.)

In the case of Sparf and Hansen *v.* The United States (156 U. S.) the court held this definition to be a good definition of murder:

> Murder is the unlawful killing of a human being in the peace of the State, with malice aforethought, express or implied. (Justice Gray, in Sparf and Hansen *v.* United States, 156 U. S., 111).

Now, in the State of Massachusetts this is the statutory definition of murder:

> Murder committed with deliberately premeditated malice aforethought, or in the commission of or attempt to commit a crime punishable with death or imprisonment for life, or committed with extreme atrocity or cruelty, is murder in the first degree. (Code 1882, sec. 1, p. 1134.)

That is the statutory definition of murder in Massachusetts. In this proposed act they say the willful and malicious killing. A malicious killing is not necessarily a murderous killing. "Malice" applies in the law not to hatred, but "malice" in the law is an act against the law wrongfully committed.

Mr. SPOONER. Will the Senator allow me? What is the difference between malicious killing and murderous killing?

Mr. McLAURIN of Mississippi. I was going to do that before I got through. Malicious killing is an unlawful killing, but it does not necessarily follow that it is a murderous killing.

Mr. SPOONER. But a malicious killing is a malicious killing.

Mr. McLAURIN of Mississippi. Yes, sir; that is just exactly what it is. It may be manslaughter or murder.

Mr. SPOONER. But where there is an excess of force it might be an unlawful killing and not a malicious killing.

Mr. McLAURIN of Mississippi. An unlawful killing is a malicious killing.

Mr. SPOONER. Not necessarily. That is only my judgment.

Mr. McLAURIN of Mississippi. I understand.

Mr. BACON. I would suggest to both Senators that possibly their difference arises from the fact that there are statutes in certain States—I know there is in Tennessee, for instance—which make the distinction such as the Senator draws. It is not one which existed at common law.

Mr. McCOMAS. Will the Senator from Mississippi permit me?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Maryland?

Mr. McLAURIN of Mississippi. Certainly.

Mr. McCOMAS. Homicide by negligence would not be a malicious killing.

Mr. McLAURIN of Mississippi. It might be. In my State a man was sent to the penitentiary for killing another with medicine when he was trying to doctor him.

Mr. McCOMAS. Take the case where Lord Coleridge delivered such a striking opinion, where the boys were in a cherry tree getting cherries and other boys were shooting at a target, and the bullet went high above the target and killed the boy off at a great distance in the cherry tree. That was held to be an unlawful killing. It was homicide by criminal negligence, but there was no malice.

Mr. McLAURIN of Mississippi. In a case where a man is violating the law, if his shooting per se is a violation of the law, and he kills a man, he is guilty of unlawful homicide, and the malice is in doing that which the law prohibits him from doing. That is malice in law. It does not require that a man should have enmity or hatred against another to constitute malice in law. It is the doing of that which the law prohibits him from doing.

Mr. McCOMAS. I do not want to divert the Senator in his argument, but take the case of Budenseick in New York, where in building tenement houses they used bad material for mortar and the tenements fell down and certain people therein died. Budenseick, it is true, under the statute, but the statute stated the common law of homicide by negligence, was convicted of manslaughter and sent to the penitentiary.

Take the case which occurred about a hundred years ago of an uncle and an aunt who loved a niece whom they had reared. They believed in the faith cure, and they called in no physician when the child had something like diphtheria. They prayed for the child, and she died. The English court convicted the uncle and the aunt, who loved the child, of criminal negligence, manslaughter. It was an unlawful homicide. There was no malice. In that case there were love and affection undoubtedly.

Mr. McLAURIN of Mississippi. Does not the Senator draw the distinction between malice which is ill will and malice in law which is a violation of the law? A man has never been held guilty of unlawful homicide unless it is held that he has been guilty of some violation of law in some particular. Criminal negligence is a violation of law which implies malice. So far as the law is concerned, the malice is in doing that which the law prohibits or else in leaving undone that which the law requires to be done. That is the malice. It does not require hatred or ill will. A man is guilty of manslaughter. It is a malicious act, so far as the unlawfulness of it is concerned, to commit manslaughter, and he may commit it when he is administering medicine with the best of motives; but if he is administering medicine in a criminal way, without knowing anything about what he is doing, the law punishes such a crime as that, if death results, as unlawful homicide and not as murder, because there is no malice aforethought in it. There is a difference between malice and malice aforethought. Malice at the time and malice aforethought. That makes the distinction.

Mr. CARMACK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Tennessee?

Mr. McLAURIN of Mississippi. Certainly.

Mr. CARMACK. I understand the point of the Senator's discussion is whether the words "willful" and "malicious" are sufficient to describe the crime of murder.

Mr. McLAURIN of Mississippi. Yes, sir; and I hold that they are not. They describe the crime of manslaughter, but not of murder.

Mr. CARMACK. I know in my State they are not sufficient under the statute to prescribe the crime of murder in the first degree.

Mr. McLAURIN of Mississippi. They are not so at common law.

Mr. CARMACK. That is what I supposed.

Mr. McLAURIN of Mississippi. It would be manslaughter at common law and not murder.

The objection I have to this bill is that it attaches the death penalty to manslaughter, and not only so, but it attaches the death penalty to an attempt to commit manslaughter. One of my objections to the bill is that you are undertaking to eradicate this anarchistic crime by harsh laws which will not reach the result, and which may do harm. It is not the harshness nor the cruelty of a punishment that deters men from committing crime. It is the certainty of punishment. You see men running out of a shower of rain to shelter, when they will stand unmoved when the lightning plays around them. Yet the shower of rain only wets them, whereas a bolt of lightning would kill. But there is a certainty of the man becoming wet if he stays in the shower of rain, and there is not one chance in a thousand that he will be hurt by lightning. It is the certainty of punishment that deters men from the commission of offenses denounced by the law.

As the Senator from Tennessee [Mr. CARMACK] well said, if this bill is calculated to do anything at all it is calculated to cause the man who has once started upon the enterprise of murder or of assassination to complete it, because it would make no difference with him if he knows the law—and if he does not know the law it would not make any difference with him—whether he killed the man or not, for if he started he would lay himself liable to the death penalty for the mere effort to do it, and he would go on, whereas the horror of the penalty attached to the crime might present itself to his mind, and he might desist if the proposed law was not on the statute book.

Now, you attach the death penalty to manslaughter of a sovereign who happens to be in this country, whereas for the same offense against a citizen of the country you would send a man to the penitentiary probably for a year.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Wisconsin?

Mr. McLAURIN of Mississippi. Certainly.

Mr. SPOONER. In the State of Wisconsin many years ago they abolished the death penalty, and if murder were committed upon an Indian reservation in the State, under the laws of the United States the punishment was death. What would the Senator do in such a case?

Mr. McLAURIN of Mississippi. That is not to be commended, I hope.

Mr. SPOONER. But it is a fact.

Mr. McLAURIN of Mississippi. That state of facts ought not to be repeated. It is not a fact which ought to be followed, I think.

Mr. SPOONER. It is an offense against another sovereign, which prescribes its own punishment.

Mr. McLAURIN of Mississippi. Which—this?

Mr. SPOONER. No; the case which I put. Under the laws of Wisconsin, murder was punished by imprisonment for life by the State. If it were committed upon an Indian reservation, the other sovereignty, the United States, punished murder by hanging.

Mr. McLAURIN of Mississippi. I think all murder ought to be punished by hanging, so far as that is concerned.

Mr. SPOONER. That is what I think.

Mr. McLAURIN of Mississippi. That is my idea about it; but I do not think the law ought to be made by the United States Congress to attach the death penalty to an attempt to commit manslaughter upon a sovereign of a foreign country, whereas if in the same jurisdiction an attempt were made to commit manslaughter on a citizen of the United States the criminal might be sent to the penitentiary for a year, or even in some of the States he might not be sent to the penitentiary at all, but might be punished by a fine.

Mr. SPOONER. The Senator thinks that murder ought to be punished by hanging. If the President of the United States was killed in the State which I in part represent, the murderer would be sentenced to the penitentiary for life. Does the Senator think that under an act of Congress, wherever committed, the murderer of the President of the United States ought to be hanged?

Mr. McLAURIN of Mississippi. I will say this with reference to it: I think if the President of the United States goes into the State of Wisconsin he ought to be protected by the laws of Wisconsin just like anybody else, and the killing of the President ought to be punished the same as the killing of anybody else.

If the Senator wants to know what I think ought to be done, I will state that I think the law ought to be made so that the man who commits murder in the State of Wisconsin should be hanged. That is my idea about it. But I am not the man to decide. It is for the people of Wisconsin to say what kind of a law they want on that subject.

Mr. SPOONER. I have profound respect for the Senator from Mississippi. What he suggests is one of the troubles here. The punishment which shall be inflicted by a State for the crime of murder ordinarily depends upon the legislation of the State. If it is a crime against the United States Government, it is for Congress to prescribe the penalty; and the question here is whether, when the President of the United States is murdered, we shall make it an offense against the United States punishable everywhere within the jurisdiction of the United States by hanging, or leave it to the penalty prescribed by the State in which he happens to be when he is assassinated.

Mr. McLAURIN of Mississippi. My idea is that when the President of the United States goes into the State of Wisconsin—the Senator's State—he ought to be willing, and he is willing, I am sure—any President would be—to look to the laws of the State to protect him, just exactly as they would protect any other citizen in the State of Wisconsin. That is my objection to this bill, that you would have the law in the State of Wisconsin protect the citizens of the State of Wisconsin differently from what it would the President, and would make it a higher penalty in Wisconsin to kill the President than to kill a citizen of Wisconsin. My idea is that when the President goes to Wisconsin he goes there as a citizen, and he is under the protection of the laws of Wisconsin, just like any citizen in Wisconsin is under the protection of the laws of that State, and if he should be murdered there the murderer ought to suffer the same penalty that would be inflicted upon him if he were to murder the humblest citizen. It is not a violation of the sacred person of the President that is to be punished, but the violation of the person of everyone who is within the jurisdiction of the State of Wisconsin. That is the offense against the law.

I wish to say another thing in reference to it. What difference could it make to the President, after he was killed, whether the man who killed him was sent to the penitentiary for life or whether he was hung? It could be of no benefit to the President of the United States.

Mr. SPOONER. No; of course it could not, but it might make some difference to him whether the punishment were such under the law of the State or under the laws of the United States, which I think it ought to be, and that is what this bill is for, to deter his assassination.

Mr. McLAURIN of Mississippi. Surely. The legislature of the State of Wisconsin has passed laws which that legislature, the law-making power, believes sufficient to protect the life of any person a citizen of Wisconsin, and if it is good enough to protect the life of any other citizen it seems to me it ought to be good enough to protect the President of the United States.

Mr. SPOONER. Will the Senator permit me to ask him a question?

Mr. McLAURIN of Mississippi. Certainly.

Mr. SPOONER. Does the Senator contend that the protection of all the officers of the United States in the discharge of official functions within the States should be left to the laws of the States and the judiciary of the States?

Mr. McLAURIN of Mississippi. I will answer the Senator very frankly. I believe it would be very safe to do that.

Mr. SPOONER. That is not my question.

Mr. McLAURIN of Mississippi. Will the Senator allow me to get through the answer?

Mr. SPOONER. I ask pardon.

Mr. McLAURIN of Mississippi. I think it would be very safe to do that, but I have said that I have no objection and do not oppose any law that will protect the President or any other officer of the United States in the discharge of his duty, and if the Senator had been in the Senate Chamber or had been paying attention to the humble remarks that I am making——

Mr. SPOONER. I did.

Mr. McLAURIN of Mississippi. The Senator will remember, then, that I said I had no objection to any law which would protect the President in the discharge of the duties that devolve upon him as President, or protect any other officer of the United States just as much so as the President in the discharge of the duties that devolve upon him in the office which he holds. The objection I have to the bill is that it makes a distinction between the man who occupies the Presidency as an individual and any other individual in the country. That is the objection I have to the bill.

Mr. SPOONER. Does the Senator mean that if the President is assaulted while signing a commission or approving a bill he is in the discharge of official duty and therefore the offense might be punished by hanging, but if while signing a bill he stops to take a drink of water he is not in the discharge of his official duty and the punishment should be provided by the laws of the State? It that what the Senator means?

Mr. McLAURIN of Mississippi. The Senator from Wisconsin is not only a great Senator, but he is a great constitutional lawyer——

Mr. SPOONER. Oh, no.

Mr. McLAURIN of Mississippi. And a great man, in my judgment; but I think he is refining to such an extent in this case that it shows he is driven from the position which he took. The President of the United States, in my judgment, when he is in Washington, is in the discharge of his official duties. He may discharge those official duties when he is out of the city of Washington, but if he were to go on a pleasure trip to the State of Wisconsin, and were there on a pleasure trip and not in the discharge of any of the functions of the office which he holds, then, in my judgment, he ought to be regarded like any citizen of Wisconsin.

Mr. SPOONER. I have never known any President to be on a purely pleasure trip. I have never known a President to be on any trip where he did not carry the burden of the Executive duty, and where he was not liable to be called upon and was not in fact called upon at almost any hour to discharge, by telegraph or otherwise, important Executive duties.

Mr. PATTERSON. I should like to ask the Senator from Wisconsin a question.

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Colorado?

Mr. McLAURIN of Mississippi. Certainly.

Mr. PATTERSON. I wish to ask the Senator from Wisconsin a question. He may not have heard of any President being absent on a purely pleasure trip. Has he heard of a Vice-President being absent on a purely pleasure trip?

Mr. SPOONER. That is not what I said.

Mr. PATTERSON. He is placed in precisely the same category with the President.

Mr. SPOONER. Not at all. That is another question. The Vice-President is always either discharging his duties in the Senate or liable to be called to discharge the duties as President of the Senate or——

Mr. PATTERSON. Or hunting mountain lions in Colorado.

Mr. SPOONER. Let me answer the Senator's question. Or waiting for the time to come under the Constitution, if it unhappily comes, when the Presidential duties devolve upon him, and wherever he is, he is under the obligation of the duty put upon him by the Constitution.

Mr. PATTERSON. That may be said of every Federal official.

Mr. SPOONER. It is not quite true. It is true of the President. In a qualified sense, not in the absolute sense as to which it is true of the President, it is true of the Vice-President. But I say literally, and I have known a little something during the last few years of the Presidential function, I have not known any waking hour when it could be fairly said of the President that he was not in the discharge of executive duty. What does the Senator say about that?

Mr. PATTERSON. About what?

Mr. SPOONER. I have not known any waking hour when the President might not fairly be considered to be in the discharge of his executive duty.

Mr. PATTERSON. I am very much in sympathy with the view taken by the Senator from Wisconsin, but then I have known Presidents to be off for a week duck hunting.

Mr. SPOONER. Duck hunting?

Mr. PATTERSON. Yes; away from all communication with the capital, away from telegraph and from mail. But, nevertheless, so far as the President is concerned, I am very deeply in sympathy with the view that the Senator from Wisconsin has stated. I am willing to allow the fiction to stand that he is always performing his duty.

Mr. SPOONER. I suppose the bill ought to be amended so as to read, "A bill to protect the President of the United States, except while he is duck hunting, or riding a horse, or sitting at a state dinner, or riding on the cars, or living in the Adirondacks, or seeking a little necessary recreation, and that you can shoot him at these or at any other times." Is that what the Senator means?

Mr. PATTERSON. No, sir; I am in sympathy with the fiction of the Senator from Wisconsin. I am willing, for the sake of having it certain that the slayer of a President shall suffer death, which he may not suffer by reason of the difference in the laws of the different States relating to homicide, to accept the fiction that the President is always on duty, whether sleeping or waking, hunting or in his office, attending a social function, or in the Presidential room of this building waiting to sign bills.

Mr. MONEY. Mr. President, I ask unanimous consent that my colleague may be permitted to proceed with his speech.

Mr. SPOONER. I beg pardon of the Senator from Mississippi.

Mr. McLAURIN of Mississippi. There is no begging of pardon necessary. The Senator has not offended at all.

I will now answer the question of the Senator from Wisconsin with reference to the President always being liable to be called on to sign a bill. That is true, and the same thing may be said in reference to a United States marshal. He is liable at any time to be called upon to serve process, but it is only while in the service of process, or going to serve process, or returning from the service of process that an interruption of him would be considered a violation of law.

It may be said also that a Senator or Representative in his working hours is performing some of the functions that pertain to his office, because he is generally thinking about some affair of State as well as the President. Still, I do not suppose because of the mere fact that he is thinking or considering something of that kind, he would be considered as being in the discharge of his official duty, unless in the sense that the lawyer charged his client $10 for thinking about his case at night.

I want to revert to what I said a while ago, because I may be misunderstood in reference to believing that all men who are guilty of murder ought to be hung. I had my doubt about whether I was in favor of capital punishment or not for a long time. That question gave me a great deal of trouble until about twelve years ago last month. A farmer's little girl in the State in which I live and in the county in which I was raised—a little girl 13 years old—went out one Sabbath morning about 9 o'clock behind the garden in the orchard to learn her Sunday-school lesson to recite that day in Sunday school. A negro laborer on the place went to where she was, shot her down, stood over her and put the pistol over her and shot her through five times—the balls were found in the ground—setting her clothes on fire.

After that I never had any doubts about whether capital punishment was right or not. I do not believe in a case of that kind there could be any less punishment than death adequate to the crime committed, not as a matter of vindictiveness or revenge, because however much our indignation may be aroused and however much we may be horrified at the commission of such an outrage and crime as that, nevertheless the law never ought to punish anybody out of a spirit of vindictiveness or revenge. All punishment ought to be deterrent. When the law says that for the commission of a certain crime a certain penalty will be attached, that penalty ought to be attached for the purpose of showing to those who are disposed to commit crime that if they commit the crime the penalty denounced in the statute book will be inflicted upon them. That is the object of it.

After that, as I said, I never had any doubt in my mind as to whether capital punishment was right or not. In the case of a little girl studying her Sunday-school lesson, innocent, unoffending, incapable of giving any offense because of her inability to do so, shot down by a brute, it does not make any difference who or what he was, willfully, in cold-blooded murder, I say in a case of that kind no penalty would deter such a crime as that except the death penalty. That is the reason why I say, as I said to the Senator from Wisconsin, that I believe that the penalty of murder ought to be upon the statute book of every State. But I believe just as much that it ought to be in the lawmaking power of that State to say what penalty shall be attached to any crime, and any man who goes into that State as a citizen ought to submit himself to the protection which the law gives the citizens of the State which he visits.

A word escaped me just now in reference to the President. I think that the President does sometimes go off on pleasure trips. I think it is proper for him to do so and that he ought to do so for recreation. The duties of the office of President are very arduous, the responsibilities are great, the strain upon the mental man is great, and there ought to be some way by which he can get off somewhere at some time for the purpose of recuperating his mental and physical strength. I do not think it is any reflection upon the Presidents to go off for the purpose of recuperating in any manner he sees proper, and when he does do so I do not feel that there is any great danger to the Government of the United States because of his absence.

Fortunately we have a form of Government here that does not depend upon any one man or any one official for its administration. It is administered by thousands of officers in the ramifications of government all through the country in a thousand ways, so that it does not make any difference, as far as the law is concerned, whether any officer is shot down, the law goes on; the country goes on; the Government goes on undisturbed, except that, as in the case of the President who was lately assassinated, and in the case of the other two Presidents who were very dear to the American people, it is a great sorrow and mourning that is entailed upon the American people of all races, of all conditions, of all political parties, and of all religions. But the Government goes on.

Mr. BACON. Will the Senator from Mississippi allow me to call his attention to the fact in this connection that when President Harrison died it was certainly over a week, and I do not know how much longer, before President Tyler took the oath, and there was no interregnum, no break, in the proper exercise of the functions of Government?

Mr. MALLORY. Who was performing the functions of the Government?

Mr. BACON. All the departments proceeded with their regular functions, and there never was any break.

Mr. McLAURIN of Mississippi. I suppose the same thing occurred when President Taylor died, though I do not know.

Mr. HOAR. May I ask the Senator from Georgia who performed the duties of the President in that time? He says there was no break. Will the Senator from Georgia, in giving this bit of history so interesting, state who performed the duties of President during that time?

Mr. BACON. I am not sure that it was any information to the Senator from Massachusetts. He knew the fact, I have no doubt, as to who was performing the duties. Of course that was not the question. The Senator from Mississippi was saying that the practical operation of our Government is such that there was no danger of an interregnum on account of the death of the President. I simply cited an extreme case—that Vice-President Tyler was in Virginia at the time. It was before the days of telegraphs and railroads, and, if I recollect aright, it was a week or more after the death of President Harrison before he assumed the functions of the office.

Mr. HOAR. And I understood the Senator to say that there was no break in the operations of the Government and that every department went on as usual. My question was, Who performed the great duties of President of the United States for that period if there was not a break?

Mr. BACON. If I do not unduly interrupt the Senator from Mississippi——

Mr. McLAURIN of Mississippi. Go ahead.

Mr. BACON. I will simply state that the practical result was that the officers of the executive department went forward in the discharge of their duties in the same way that they would have done if President Harrison had been alive. I am not speaking of what was the technical legal status, but of what was the practical operation. I will say that practically there was no interruption.

Mr. HOAR. But did not——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Massachusetts?

Mr. McLAURIN of Mississippi. Certainly.

Mr. HOAR. Did not every official whom the President had a right to appoint and who died in the interval leave an office without a successor for a week? Did not every criminal who might have been entitled to be pardoned for any good reason during that week have a week longer to serve? Did not every foreign minister accorded an audience with the President with reference to negotiating a treaty or making an application to the President or to be recognized in his functions have to wait a week, and so on?

Mr. BACON. Yes, Mr. President; that was all true. I am simply speaking of what was the practical operation. It is equally true whenever the President is absent from his office and for any reason—by reason, among others, of geographical location—the connection is sundered between him and his office, and it affects his office.

Mr. HOAR. But in that case the time when there will be such an interruption of his functions is selected by the President with reference to the public convenience and safety. In the case of a murder the time when the interruption shall take place is selected by the murderer.

Mr. MALLORY. Will the Senator from Mississippi permit me to ask the Senator from Georgia a question?

Mr. McLAURIN of Mississippi. Certainly.

Mr. MALLORY. The Constitution vests the executive power in the President. In the case of the death of President Harrison, when there was no one for a week to take his place as President, in whom was vested the executive power of the Government of the United States? I should like to have the Senator answer that question.

Mr. BACON. I heard the statement of the Senator from Florida to the effect that all the powers of the heads of the various Departments are powers of the President, which are really exercised by the different officials of the several Departments. I have not been able to see the correctness of that suggestion. If that were the case, we certainly would not have any power to prescribe by law what shall be the duties of those officers, because the powers of the President as an Executive are powers which are vested in him and which can neither be added to nor taken from by any act of Congress.

I had occasion, Mr. President, to discuss that question here somewhat more at length than I can with propriety now do. I have forgotten the particular occasion, but it was in the last Congress. I think it was on the question which arose out of the refusal of the Secretary of War to respond to a requirement of the Senate, in which I took occasion to discuss the origin of the powers of the heads of departments. Certainly it would trespass upon the Senate, and particularly upon the time of the Senator from Mississippi, if I now undertook to repeat what I then said, but I will say in all courtesy to my distinguished friend that I there expressed the views I would now repeat if I had the time to respond to his inquiry.

Mr. McLAURIN of Mississippi. Mr. President, I should like to say, in answer to the suggestion which was made by the Senator from Florida [Mr. MALLORY], that laws have been made for the government of all these officers, and if they are constitutional laws, the officers must obey them. The Secretary of the Interior, the Secretary of the Treasury, the Secretary of War, the Secretary of State—all the Secretaries and the marshals of the United States—have laws that govern them. They are governed by the laws, and the death of the President does not change the law at all. I will read this clause from the Constitution:

> The Congress shall have power * * * to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

One of the laws made to define and punish piracies and felonies may require the execution of the felon by the marshal of the United States. If the President were to be dead and no successor had been qualified at the time fixed for the execution of a criminal, this marshal would be required just as much to go on and execute him as if the President were alive. His duties are defined. He holds his office by law, and he executes the duties of his office by law; and it would be just as much his duty to go on and execute that man, the President being dead and no successor installed in his place, as it would be if the President were alive.

Uniform laws on the subject of naturalization and uniform laws on the subject of bankruptcy throughout the United States Congress may provide, and in doing that it may require the marshal to serve processes in these cases. When the marshal serves the process, it is one of the duties that pertains to his office. The Senator says that he is an executive officer and depends upon the life of the President for the execution of the duties of his office.

Mr. MALLORY. The Senator misunderstood me. I do not intend to say that at all. Of course he has a commission, which continues for four years. I admit that.

Mr. McLAURIN of Mississippi. Still he may be removed at the pleasure of the President.

Mr. MALLORY. There is something mean tby the Executive power. There is something meant when the Constitution says specifically that the Executive power is vested in the President. There is no provision for its being vested in anybody else. When the President dies, in whom is this function vested? The Constitution confers it upon somebody. That is the question. In the performance of duties I admit that the executive officers have to comply with the law; but where is this power, this thing which constitutes the source of all their acts, and the reason for it? What becomes of it?

Mr. McLAURIN of Mississippi. It does not constitute the source. The power that is vested exclusively in the President, when he dies, is not vested anywhere except in his successor. There can not be any question about that. But the President is not the source of all power of the Secretary of War or the Secretary

of the Treasury or of the marshal. He is not the source of that power. The source of that power and authority is the law. Of course their commission gives them authority. That commission is signed by the President according to the law. He appoints them. He appoints them for a stated term. He may remove them. If he is dead, he can not remove them, but as long as they are in office they exercise that authority and that power, and they have it not by the will of the President, but under the law of the United States that is passed by Congress.

When the marshal serves a process he does not serve that process by the will of the President, but he serves it under the law of the United States, he being marshal. So when the Secretary of the Treasury performs the functions of that office he performs the functions that are given to him by the law enacted by Congress. It is true that the President appoints him by and with the advice and consent of the Senate, but still the power he exercises is the power that is given him by law, not by the President, because the President can not delegate to him any power that is given to the President under the Constitution. Whatever power the President has it is not in his power to delegate. It is not given to him by the Constitution to be delegated to others. The constitutional power of any officer can not be by him delegated to anybody else, any more than a Senator's power as a Senator here can be delegated by him to some one else.

Now, I will state another objection I have to this measure, and I am going to close what I have to say by merely calling attention to it. I have stated that I object to saying "or counsel another to kill" without saying "to murder" or something to show that it is the counseling of the murder of the President, because a man may counsel to kill and not commit any crime at all. If A sees B about to be murdered by C, A may say, "Shoot to save your life," and that would be counseling him to kill him, but it is not a violation of law. But if he says to B, out of vindictiveness or to gratify any spirit of revenge, "Shoot him," then he is guilty of murder. However, a man may counsel to kill without counseling murder or counseling any crime at all, just as a man may kill without committing any crime against the laws of the State or of the Government.

Mr. PATTERSON. I should like to ask the Senator from Mississippi whether there is to be found in the statute books of any State or of the United States an offense that consists simply in counseling or advising the doing of a thing without the thing being done or being attempted or without a conspiracy?

Mr. McLAURIN of Mississippi. Nowhere that I know of at all.

Mr. PATTERSON. Then, why should we create a law such as has never been enacted before by any State or by the United States?

Mr. McLAURIN of Mississippi. That is a great objection, as the Senator from Colorado has correctly said, but that is not the greatest objection I find in the bill. A man might see some sovereign of a foreign country about to make a murderous assault upon another, or he might have reason to believe that he is about to make a murderous assault upon another, and he might counsel that other person to kill him. It might become necessary to kill him, or he may make no attempt to kill him, and yet under this law he might be sent to the penitentiary for twenty years.

Senators know that some of these foreign potentates have an idea that a private citizen has no right at all. One of them might come to this country and he might invade the rights of an American citizen in many ways. He might invade his household, for that matter. Another might counsel the killing of him and, as I said a while ago, if he should kill the man in what he conceived to be necessary self-defense, or if he should not hurt the sovereign at all, according to this provision he would be guilty of an offense for which he might be sent to the penitentiary for twenty years. I am not willing to vote for any such law as that.

But the fifth section is more objectionable to me than any one I find here:

> That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof—

Listen, now, to this—

> by spoken words, or by written or printed words, uttered or published, threaten to kill——

Mr. SPOONER. Will the Senator allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield?

Mr. McLAURIN of Mississippi. Certainly.

Mr. SPOONER. I understood the Senator to say that under the bill one who killed the President in self-defense would be within the provisions of the bill. Do I understand him correctly?

Mr. McLAURIN of Mississippi. I will repeat what I said. The third section provides:

> That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, aid, abet, advise, or counsel the killing of the President or Vice-President of the United States or any officer thereof upon whom the powers and duties of the President may devolve under the Constitution and laws, or shall conspire with any other person to accomplish the same, or who shall instigate, advise, or counsel the killing of the sovereign or chief magistrate of any foreign country, etc.

Now, then, the counseling of the killing of the sovereign of any foreign country is punishable by imprisonment not exceeding twenty years according to this bill. That is what I said and that is what the bill says. There can not be any dispute about that.

Mr. SPOONER. I understood the Senator to say that it would exclude the killing in self-defense.

Mr. McLAURIN of Mississippi. It would. It would exclude the man from defending himself against a murderous assault; that is, from counseling his friend to defend himself against a murderous assault by the sovereign of any foreign country. It is the killing. It does not admit of any plea. It goes on the idea, I suppose, that the king can do no wrong. This is certainly a very objectionable feature.

But, as I said, in the fifth section I find three words that are more objectionable to me than any other words in the whole bill, when taken in conjunction with what precedes. A man may be riding along the road and he may utter a threat that nobody in the world hears, and he becomes at once a felon. It is true he could not be convicted if no one heard him, unless he would go and plead guilty to it, but the law would make him a felon nevertheless if he should utter a threat to kill the President or Vice-President of the United States. I believe it does not include any of the sovereigns of foreign countries, but if he were to utter such a threat a mile from any house, out in the woods even, he would be a felon, and if he could not be convicted, nevertheless he would be a felon.

Mr. SPOONER. He might not be a felon, if the Senator will permit me, but if he uttered a threat a mile from anybody else he would be a fool.

Mr. McLAURIN of Mississippi. He might be still a fool, but I do not want to have him denounced as a felon. It would be a very bad doctrine to promulgate.

Mr. SPOONER. That is not what this means, obviously.

Mr. McLAURIN of Mississippi. It seems that the draftsman of this bill, or the committee, saw the difference between uttering and publishing, because if it is published somebody must read it, but it may be uttered without anybody's hearing it at all. As I have said, fool though he might be, he would not be a felon. There are a great many fools who are not bad men and I do not think any law ought to be enacted that would make him a felon.

I have said more than I intended to say on this subject when I took the floor. I have been interrupted frequently, and that has prolonged the discussion and prolonged what I had to say further than I otherwise would have consumed the time of the Senate. I am just as anxious as anybody else for the protection of the President of the United States. I believe that the President of the United States is just as safe without any law on the statute books specially directed to his protection as he would be with the most stringent law that could be enacted by the Congress of the United States. I believe, further, that there is now on the statute book all the law necessary for guarding the President from the commission of any offense against him that this measure would guard him against. All the preventive protection that can be given to him is given, in my judgment, by laws now on the statute books.

I have often prided myself on being a citizen of a country where every man is upon an equality before the law. It does not make any difference whether he is a Senator going down the street or a laborer, or whether he is the President of the United States going down the street or a laborer, or on the highway, or anywhere else, they are both equally protected by law, and both stand equal before the law of the country. It has been one of the matters of pride in which I have indulged, and of which I have boasted, that I live in a country the Government of which recognizes the equality of all men, of all races, and of all conditions of life before the law. Mr. President, I hope it will so remain.

Mr. CULLOM. Mr. President, if there be no disposition to dispose of the pending bill to-night, I shall move an executive session.

Mr. HOAR. There is.

Mr. BACON. I hope the Senator from Illinois will withdraw that motion for a moment.

Mr. CULLOM. I will withdraw it for a moment.

Mr. HOAR. Perhaps we can have a vote on the bill.

Mr. BACON. Before we vote I desire to submit an amendment. The amendments already on the table which were framed by myself, and which I gave notice I would offer, are amendments which simply change the phraseology of the pending bill, but it is difficult in thus changing the phraseology to have the full import properly understood and appreciated. I therefore propose to withdraw those amendments and to offer at the proper time what will be intended as a substitute for the bill, which will embrace the amendments which I have already offered and one other. I now ask that the amendment may be read and printed in order that we may have it before us.

Mr. HOAR. Would not that involve not having a vote to-night, for we can not get the amendment in print in time to vote on it to-night if it is to be printed?

Mr. BACON. Mr. President, of course it is not for me to say that we shall not vote to-night. I shall not interpose any objection if the Senate desire to vote.

I now ask that my amendment may be read, and then, if the bill goes over, I shall ask that it be printed; if not, we can vote on it to-night.

Mr. SPOONER. Let the proposed substitute be read, Mr. President.

Mr. HOAR. It may be read in a moment. I should like to say that it was said last night, when it was desired to get a time fixed for voting on the bill, that there was no reason to doubt we should get the vote to-night, but I suppose the debate has occupied a little longer time than Senators on the other side last night thought it would. Can we not now have some understanding about the time for voting on the bill and amendments?

Mr. BACON. Personally I have no objection, Mr. President——

Mr. HOAR. Mr. President——

Mr. BACON. I hope the Senator will permit me to reply, as he asked me a question.

Mr. HOAR. I thought the Senator had replied.

Mr. BACON. I was going to say that personally I should have no objection; on the contrary, I should very much prefer that there should be a vote to-morrow, because I shall be compelled to leave the city to-morrow evening, and I should be very much mortified if I were not present to vote on this bill.

Mr. HOAR. I will suggest an understanding that we take the vote to-morrow at 3 o'clock on the bill and pending amendments.

Mr. TELLER. I think the Senator had better say 4 o'clock.

Mr. HOAR. Very well; I will say 4 o'clock.

Mr. TELLER. I want to reserve the right to have five minutes allowed for debate on any amendment that may be offered so late in the day that, owing to the agreement, we can not have an opportunity to speak on them. The other day, when the vote was taken on the ship-subsidy bill, we were compelled to vote on propositions on which I should have liked, at least, to have expressed my opinion, and to have briefly given the reasons why I should vote for them or why I should not vote for them.

Mr. HOAR. I did not hear the suggestion of the Senator from Colorado.

Mr. TELLER. I want to reserve the right as to amendments that have not been heretofore offered and which may come in to-morrow, that each Senator, who so desires, may have five minutes for their discussion.

Mr. HOAR. Very well; I will agree to that. I will make the request with that reservation.

Mr. TELLER. I limit the request to those amendments offered after to-day. I suppose, as to the amendments which have already been printed and are now on the table, that every Senator has had a chance to examine and speak upon them. We should have until 4 o'clock to-morrow, in any event, to speak on those amendments offered up to this evening, but I do not intend to undertake to direct what ought to be done about the matter.

There is not only the amendment in the nature of a substitute, which has just been offered by the Senator from Georgia [Mr. BACON], but there is another amendment to be offered by my colleague [Mr. PATTERSON]. Those can, of course, be debated to-morrow before 4 o'clock, if we agree to fix that time for voting; but I think we ought to have a little time after 4 o'clock—say five minutes—on any amendment then offered.

Mr. HOAR. Very well, Mr. President. I will ask, then, that debate on the bill and the amendments now pending shall cease and that we vote at 4 o'clock to-morrow, and that after that time there shall be a debate of five minutes on each side, or by any Senator who chooses——

Mr. TELLER. I mean any Senator who wants to speak for five minutes on any amendment shall have the opportunity. The suggestion is now made to me by Senators on this side of the Chamber that we commence voting at 4 o'clock, and that then any Senator who wants to debate any amendment after 4 o'clock may have five minutes in which to do so.

Mr. HOAR. Very well; I will make that request.

The PRESIDENT pro tempore. The Senator from Massachusetts [Mr. HOAR] asks unanimous consent that at 4 o'clock to-morrow general debate on this bill shall cease, and that the vote shall be taken on the bill and all pending amendments and all amendments that may then be offered, and that as to the amendments the limitation of debate contained in Rule VIII shall apply.

Mr. HOAR. After 4 o'clock.

The PRESIDENT pro tempore. After 4 o'clock. Is there objection? The Chair hears none, and it is so ordered.

Mr. BACON. I now ask that the amendment I have offered may be read.

The PRESIDENT pro tempore. The amendment intended to be proposed by the Senator from Georgia [Mr. BACON] will be read.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill and to insert:

That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, willfully kill or cause the death of the President or Vice-President of the United States because of his official position, or for the purpose of destroying the Government or any departments thereof, or of impairing the execution of its constitutional powers, or who shall willfully and maliciously cause the death of the sovereign or chief magistrate of any foreign country, shall be punished with death.

SEC. 2. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, attempt to commit either of the offenses mentioned in the foregoing section shall be punished with death.

SEC. 3. That any person who shall, with the purpose aforesaid, within the limits of the United States or any place subject to the jurisdiction, aid or abet the killing of the President or Vice-President of the United States, or shall conspire with any other person to accomplish the same, or who shall aid or abet the killing of the sovereign or chief magistrate of any foreign country, or shall conspire with any other person to accomplish the same, shall be punished by imprisonment not exceeding twenty years.

SEC. 4. That any person who has conspired as aforesaid may be indicted and convicted separately, although the other party or parties to the conspiracy are not indicted or convicted.

SEC. 5. That any person who shall willfully and knowingly aid in the escape of any person guilty of either of the offenses mentioned in the preceding sections shall be deemed an accomplice after the fact, and shall be punished as if a principal, although the other party or parties to said offense shall not be indicted or convicted.

SEC. 6. That in all cases arising under this act the presumption of the law shall be that the killing or causing the death of the President or Vice-President of the United States, or the attempting to kill or cause the death of either of said officers, was because of his official position, or for the purpose of destroying the Government or any department thereof, or of impairing the execution of its constitutional powers.

The PRESIDENT pro tempore. Does the Senator desire to have the amendment printed?

Mr. BACON. Yes, sir.

The PRESIDENT pro tempore. The amendment will be ordered to be printed.

Mr. PATTERSON. Mr. President, I offered some amendments when the discussion of this bill first commenced. I desire to withdraw those amendments and offer what I now send to the desk as a substitute for the pending bill. It is not long, and I ask that it may be read and printed.

The PRESIDENT pro tempore. The proposed amendment will be read.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, murder the President or Vice-President of the United States, or the official next in succession to the President under the Constitution and laws of the United States, shall be punished with death; and an accessory before or after any such offense shall be deemed a principal and be punished with death; and any such accessory may be indicted, tried, and punished, although the other party or parties to such offense has not or have not been indicted or convicted.

SEC. 2. That any person who shall within the limits of the United States, or any place subject to the jurisdiction thereof, kill any of the official persons mentioned in section 1, under such circumstances as to constitute the killing manslaughter, he shall be imprisoned not more than twenty years.

SEC. 3. That any person who shall, within the limits of the United States or any place subject to its jurisdiction, assault any of the official persons mentioned in section 1 with intent to murder the person so assaulted, he shall be punished with death, or, in the discretion of the court, with imprisonment during his natural life, or for a period not less than twenty years.

SEC. 4. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, conspire to murder either of the official persons mentioned in section 1 shall be punished by imprisonment not more than twenty years; and any person who has conspired as aforesaid may be indicted and convicted separately, although the other party or parties to the conspiracy have not been indicted or convicted.

SEC. 5. That the Secretary of War is authorized and directed to select and detail from the Regular Army a sufficient number of officers and men to guard and protect the person of the President of the United States without any unnecessary display.

And the Secretary of War is authorized and directed to make special rules and regulations as to dress, arms, and equipment and duties of said guard, and shall publish only such parts of said rules and regulations as he may deem proper.

That the additional expenses of such guard so detailed shall be paid out of the Treasury, on accounts to be certified by the Secretary of War to the Secretary of the Treasury.

The PRESIDENT pro tempore. The amendment will be printed.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 21, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 20, 1902.

COLLECTOR OF CUSTOMS.

Nevada N. Stranahan, of New York, to be collector of customs for the district of New York, in the State of New York, to succeed George R. Bidwell, whose term of office has expired by

limitation. Mr. Bidwell is now serving temporarily in the office under a temporary commission issued during the recess of the Senate.

APPOINTMENTS, BY BREVET, IN THE VOLUNTEER ARMY.

To be colonel, by brevet.

Lieut. Col. Robert B. Wallace, First Montana Volunteer Infantry (since deceased), for distinguished gallantry in action at Manila, Luzon, P. I., February 5 and 10, 1899, to rank from February 5, 1899.

To be brigadier-general, by brevet.

Lieut. Col. Robert B. Wallace, First Montana Volunteer Infantry (since deceased), for distinguished gallantry in action at the Grande de la Pampanga River, Luzon, P. I., April 27, 1899, to rank from that date.

To be lieutenant-colonels, by brevet.

Maj. William H. Bishop, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Bamban, Luzon, Philippine Islands, November 9, 1899, to rank from that date.

Maj. J. Franklin Bell, engineer officer, United States Volunteers, for distinguished gallantry in action near the Tuliahan River, Luzon, Philippine Islands, March 25, 1899, to rank from that date.

Maj. William R. Grove, First Colorado Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Maj. Peyton C. March, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action near Porac, Luzon, Philippine Islands, September 28, 1899, and San Jacinto, Luzon, Philippine Islands, November 11, 1899, to rank from September 28, 1899.

Maj. Richard W. Young, Utah Light Artillery, United States Volunteers, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

To be colonels, by brevet.

Maj. William H. Bishop, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Mangatarem, Luzon, Philippine Islands, November 28, 1899, to rank from that date.

Maj. J. Franklin Bell, assistant adjutant-general, United States Volunteers, for distinguished gallantry in action at Santo Tomas, Luzon, Philippine Islands, May 4, 1899, and San Fernando, Luzon, Philippine Islands, May 24, 1899, to rank from May 4, 1899.

Lieut. Col. William R. Grove, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Bacolor, Luzon, Philippine Islands, August 9, 1899, and near Porac, Luzon, Philippine Islands, November 3, 1899, to rank from August 9, 1899.

Maj. Peyton C. March, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at Tilad Pass, Luzon, Philippine Islands, December 2, 1899, and Cayan, Luzon, Philippine Islands, December 5, 1899, to rank from December 2, 1899.

Maj. Richard W. Young, Utah Light Artillery, United States Volunteers, for distinguished gallantry in action at Tuliahan River, Luzon, Philippine Islands, March 25, 1899, and the Marilao River, Luzon, Philippine Islands, March 27, 1899, to rank from March 25, 1899.

To be majors, by brevet.

Capt. Frank F. Crenshaw, Twenty-eighth Infantry, United States Volunteers (since deceased), for distinguished gallantry in action at the Putol Bridge, Luzon, Philippine Islands, January 7, 1900, to rank from that date.

Capt. Wallace C. Taylor, First Nebraska Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Capt. Charles W. Van Way, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at Vigan, Luzon, Philippine Islands, December 4, 1899, to rank from that date.

To be lieutenant-colonels, by brevet.

Capt. Frank F. Crenshaw, Twenty-eighth Infantry, United States Volunteers (since deceased), for distinguished gallantry in action at Papaya, Luzon, Philippine Islands, June 5, 1900, to rank from that date.

Capt. Wallace C. Taylor, Thirty-ninth Infantry, United States Volunteers, for conspicuous gallantry in action at San Diego, Luzon, Philippine Islands, January 21, 1900, and near Los Banos, Luzon, Philippine Islands, March 10, 1900, to rank from January 21, 1900.

Capt. Charles W. Van Way, Thirty-third Infantry, United States Volunteers, for conspicuous gallantry in action near Langidan, Luzon, P. I., November 2, 1900, to rank from that date.

To be captains, by brevet.

First Lieut. Charles H. Boice, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action near Imus, Luzon, P. I., January 7, 1900, to rank from that date.

First Lieut. Alexander H. Davidson, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Porac, Luzon, P. I., September 28, 1899, to rank from that date.

First Lieut. Arthur M. Ferguson, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Porac, Luzon, P. I., September 28, 1899, to rank from that date.

First Lieut. William K. Moore, First Nebraska Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

First Lieut. Joseph T. Sweeney, Forty-third Infantry, United States Volunteers, for distinguished gallantry in action in the mountains of central Samar, Philippine Islands, March 8, 1900, to rank from that date.

First Lieut. Ernest O. Weber, First Nebraska Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, P. I., February 22, 1899, to rank from that date.

To be majors, by brevet.

First Lieut. Charles H. Boice, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action at Cabuyao, Luzon, Philippine Islands, September 14, 1900, to rank from that date.

First Lieut. Alexander H. Davidson, Thirty-sixth Infantry, United States Volunteers, for conspicuous gallantry in action near Porac, Luzon, Philippine Islands, October 17, 1899, to rank from that date.

First Lieut. Arthur M. Ferguson, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Lubao, Luzon, Philippine Islands, October 29, 1899, to rank from that date.

First Lieut. William K. Moore, First Nebraska Volunteer Infantry, for conspicuous gallantry in action at Quingua, Luzon, Philippine Islands, April 23, 1899, to rank from that date.

First Lieut. Joseph T. Sweeney, Forty-third Infantry, United States Volunteers, for distinguished gallantry in action at Catubig, Samar, Philippine Islands, April 19, 1900, to rank from that date.

First Lieut. Ernest O. Weber, First Nebraska Volunteer Infantry, for conspicuous gallantry in action at the Calumpit River, Luzon, Philippine Islands, April 25, 1899, to rank from that date.

To be first lieutenants, by brevet.

Second Lieut. Gordon Johnston, Forty-third Infantry, United States Volunteers, for conspicuous gallantry in action at Palo, Leyte, P. I., February 1, 1900, to rank from that date.

Second Lieut. Louis H. Leaf, Forty-third Infantry, United States Volunteers, for distinguished gallantry in action at Hilongas, Leyte, P. I., May 6, 1900, to rank from that date.

To be captains, by brevet.

Second Lieut. Gordon Johnston, Forty-third Infantry, United States Volunteers, for distinguished gallantry in action at Dagami, Leyte, Philippine Islands, March 31, 1900, to rank from that date.

Second Lieut. Louis H. Leaf, Forty-third Infantry, United States Volunteers, for distinguished gallantry in action at Babatungon, Leyte, Philippine Islands, December 14, 1900, to rank from that date.

APPOINTMENTS, BY BREVET, IN THE ARMY.

TO BE BRIGADIER-GENERAL, BY BREVET.

To rank from July 1, 1898.

Col. Charles A. Wikoff, Twenty-second Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

TO BE COLONELS, BY BREVET.

To rank from July 1, 1898.

Lieut. Col. Jacob H. Smith, Twelfth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Lieut. Col. Charles W. Miner, Sixth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Lieut. Col. Stevens T. Norvell, Ninth Cavalry (since retired from active service), for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Lieut. Col. John M. Hamilton, Ninth Cavalry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

TO BE LIEUTENANT-COLONELS, BY BREVET.

To rank from July 1, 1898.

Maj. Rudolph G. Ebert, surgeon, for distinguished conduct in the presence of the enemy in attending wounded under fire, Santiago, Cuba, July 1, 1898.

Maj. Henry S. Kilbourne, surgeon, for distinguished conduct in

the presence of the enemy in attending wounded under fire, Santiago, Cuba, July 1, 1898.

Maj. Samuel Q. Robinson, surgeon (since deceased), for distinguished conduct in the presence of the enemy in attending wounded under fire, Santiago, Cuba, July 1, 1898.

Maj. Stephen Baker, Fourth Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Egbert B. Savage, Eighth Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Casper H. Conrad, Eighth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. William H. Boyle, Ninth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Sumner H. Lincoln, Tenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Richard I. Eskridge, Tenth Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. William Auman, Thirteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Lyster M. O'Brien, Seventeenth Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. William S. McCaskey, Twentieth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. James Miller, Twentieth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. William M. Van Horne, Twenty-second Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Alfred C. Markley, Eleventh Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Albert G. Forse, First Cavalry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Henry W. Wessells, jr., Third Cavalry (since retired from active service), for most distinguished gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Henry Jackson, Third Cavalry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Thomas C. Lebo, Sixth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Theodore J. Wint, Tenth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Allyn Capron, First Artillery (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898. (Nominated for brevet of major, United States Army, for distinguished service at Wounded Knee, South Dakota, December 29, 1890, and near Drexel Mission, South Dakota, December 30, 1890.)

TO BE MAJORS, BY BREVET.

To rank from June 24, 1898.

Capt. Thomas T. Knox, First Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898.

Capt. Robert P. P. Wainwright, First Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Capt. Jacob G. Galbraith, First Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Capt. William H. Beck, Tenth Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Capt. Charles G. Ayres, Tenth Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Capt. James W. Watson, Tenth Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

To rank from July 1, 1898.

Capt. William B. Banister, assistant surgeon, for distinguished conduct in the presence of the enemy, in attending wounded under fire, Santiago, Cuba, July 1, 1898.

Capt. Henry C. Fisher, assistant surgeon, for distinguished conduct in the presence of the enemy, in attending wounded under fire, Santiago, Cuba, July 1, 1898.

Capt. William J. Turner, Second Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Charles W. Rowell, Second Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. John W. Hannay, Third Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Butler D. Price, Fourth Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Henry E. Robinson, Fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Edward H. Browne, Fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Leonard A. Lovering, Fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Frank B. Andrus, Fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Charles Byrne, Sixth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Lyman W. V. Kennon, Sixth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Alexander M. Wetherill, Sixth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Omar Bundy, Sixty Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Richard H. Wilson, Eighth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Colville P. Terrett, Eighth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Joel T. Kirkman, Tenth Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. John Drum, Tenth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Richard R. Steedman, Eleventh Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Harry L. Haskell, Twelfth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Wallis O. Clark, Twelfth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Palmer G. Wood, Twelfth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Robert K. Evans, Twelfth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Millard F. Waltz, Twelfth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. James Fornance, Thirteenth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Marion B. Saffold, Thirteenth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Albert B. Scott, Thirteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Charles H. Noble, Sixteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. George H. Palmer, Sixteenth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. William C. McFarland, Sixteenth Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. William Lassiter, Sixteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Leven C. Allen, Sixteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Samuel R. Whitall, Sixteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Samuel W. Dunning, Sixteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Theophilus W. Morrison, Sixteenth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Daniel H. Brush, Seventeenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. George H. Roach, Seventeenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Edward Chynoweth, Seventeenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Walter M. Dickinson, Seventeenth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. James T. Kerr, Seventeenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. John B. Rodman, Twentieth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Frederick H. E. Ebstein, Twenty-first Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Benjamin C. Lockwood, Twenty-second Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. John J. Crittenden, Twenty-second Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Robert N. Getty, Twenty-second Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. William H. Kell, Twenty-second Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Arthur C. Ducat, Twenty-fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. James E. Brett, Twenty-fourth Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Ammon A. Augur, Twenty-fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. John J. Brereton, Twenty-fourth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Charles Dodge, Twenty-fourth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Charles L. Hodges, Twenty-fifth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Charles Morton, Third Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. George A. Dodd, Third Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. George K. Hunter, Third Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Daniel H. Boughton, Third Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Eugene D. Dimmick, Ninth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. John B. Kerr, Sixth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. George H. Sands, Sixth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Augustus P. Blocksom, Sixth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Charles W. Taylor, Ninth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Charles J. Stevens, Second Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Thaddeus W. Jones, Tenth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. John Bigelow, jr., Tenth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. George S. Grimes, Second Artillery, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Charles D. Parkhurst, Second Artillery, for gallantry in battle, Santiago, Cuba, July 1, 1898.

To rank from July 2, 1898.

Capt. Clermont L. Best, First Artillery, for gallantry in battle, Santiago, Cuba, July, 2, 1898.

TO BE CAPTAINS, BY BREVET.

To rank from June 24, 1898.

First Lieut. Leigh A. Fuller, assistant surgeon, for distinguished conduct in the presence of the enemy, in attending wounded under fire, Las Guasimas, Cuba, June 24, 1898.

First Lieut. George L. Byram, First Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898.

First Lieut. Edmund S. Wright, First Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

First Lieut. Peter E. Traub, First Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

First Lieut. Robert J. Fleming, Tenth Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

To rank from July 1, 1898.

First Lieut. William J. Lutz, Second Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Charles H. Muir, Second Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. John L. Hines, Second Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. James H. McRae, Third Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. James W. McAndrew, Third Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. John C. McArthur, Third Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. William C. Neary, Fourth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Edward R. Chrisman, Sixth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. William H. Simons, Sixth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. S. J. Bayard Schindel, Sixth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Jules G. Ord, Sixth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Wendell L. Simpson, Ninth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Edgar F. Koehler, Ninth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Willis Uline, Twelfth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Wilbur E. Dove, Twelfth Infantry (since retired from active service), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Frank L. Winn, Twelfth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Hansford L. Threlkeld, Thirteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. John H. Parker, Thirteenth Infantry, for gallantry in battle while commanding gatling-gun detachment, Santiago, Cuba, July 1, 1898.

First Lieut. Ernest B. Gose, Thirteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Paul B. Malone, Thirteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Charles P. George, Sixteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Charles D. Clay, Seventeenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Arthur Johnson, Seventeenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Dennis M. Michie, Seventeenth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Briant H. Wells, Eighteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. William A. Sater, Eighteenth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. John A. Gurney, Nineteenth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Edward M. Lewis, Twentieth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Walter L. Taylor, Twenty-second Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. William H. Wassell, Twenty-second Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. George J. Godfrey, Twenty-second Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Albert Laws, Twenty-fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Henry G. Lyon, Twenty-fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Henry C. Keene, jr., Twenty-fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Charles E. Tayman, Twenty-fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. William P. Jackson, Twenty-fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. James A. Moss, Twenty-fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Vernon A. Caldwell, Twenty-fifth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Henry L. McCorkle, Twenty-fifth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Oren B. Meyer, Third Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. John A. Harman, Sixth Cavalry (since resigned), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Richard B. Paddock, Sixth Cavalry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Michael M. McNamee, Ninth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. John J. Pershing, Tenth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Malvern-Hill Barnum, Tenth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. James B. Hughes, Tenth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. William H. Smith, Tenth Cavalry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. William E. Shipp, Tenth Cavalry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. John D. Miley, Second Artillery (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Edward Anderson, Seventh Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. George S. Cartwright, Twenty-fourth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

First Lieut. Thomas J. Kirkpatrick, assistant surgeon, for distinguished conduct in the presence of the enemy in attending wounded under fire, Santiago, Cuba, July 1, 1898.

TO BE FIRST LIEUTENANTS, BY BREVET.

To rank from June 24, 1898.

Second Lieut. Henry C. Smither, First Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Second Lieut. Walter M. Whitman, First Cavalry, for gallantry

in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Second Lieut. Charles McK. Saltzman, First Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Second Lieut. George Vidmer, Tenth Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Second Lieut. Alexander M. Miller, jr., Tenth Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Second Lieut. Harry O. Williard, Tenth Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Second Lieut. Frank R. McCoy, Tenth Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

To rank from July 1, 1898.

Second Lieut. Dennis E. Nolan, First Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Halstead Dorey, Fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. John H. Hughes, Fourth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. John J. Bernard, Fourth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Reuben S. Turman, Sixth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Edmund N. Benchley, Sixth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Bert H. Merchant, Eighth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Thomas A. Wansboro, Seventh Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Louis H. Lewis, Ninth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Thomas M. Anderson, jr., Thirteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Benjamin T. Simmons, Sixteenth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Joseph N. Augustin, jr., Twenty-fourth Infantry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. John E. Hunt, Twenty-fifth Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Hugh D. Berkeley, First Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Lincoln C. Andrews, Third Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Alvord van P. Anderson, Sixth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Walter C. Short, Sixth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Edward E. Hartwick, Ninth Cavalry (since resigned), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Kenzie W. Walker, Ninth Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Isaac Newell, Twenty-second Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

APPOINTMENTS, BY BREVET, IN THE VOLUNTEER ARMY.

TO BE COLONELS, BY BREVET.

To rank from July 1, 1898.

Lieut. Col. George McC. Derby, chief engineer, United States Volunteers, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Lieut. Col. Edward J. McClernand, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago, Cuba, July 1, 1898.

TO BE LIEUTENANT-COLONELS, BY BREVET.

To rank from June 24, 1898.

Maj. William D. Beach, engineer officer, United States Volunteers, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Maj. Alexander O. Brodie, First United States Volunteer Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898.

To rank from July 1, 1898.

Maj. Joseph E. Maxfield, signal officer, United States Volunteers, for distinguished conduct in the presence of the enemy, Santiago, Cuba, July 1, 1898.

Maj. Walter D. McCaw, brigade surgeon, United States Volunteers, for distinguished conduct in the presence of the enemy in attending wounded under fire, Santiago, Cuba, July 1, 1898.

Maj. G. Creighton Webb, inspector-general, United States Volunteers, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Alfred C. Sharpe, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Philip Reade, inspector-general, United States Volunteers, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Maj. Frank Keck, Seventy-first New York Volunteer Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

TO BE MAJORS, BY BREVET.

To rank from June 24, 1898.

Capt. Albert L. Mills, assistant adjutant-general, United States Volunteers, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Capt. Robert H. Huston, First United States Volunteer Cavalry, for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

Capt. Allyn K. Capron, First United States Volunteer Cavalry (since deceased), for gallantry in battle, Las Guasimas, Cuba, June 24, 1898.

To rank from July 1, 1898.

Capt. William R. Sample, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Robert L. Howze, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. William E. Horton, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Ulysses G. McAlexander, assistant quartermaster, United States Volunteers, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Harvey C. Carbaugh, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Malcolm A. Rafferty, Seventy-first New York Volunteer Infantry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. James Stafford, assistant surgeon, Seventy-first New York Volunteer Infantry, for distinguished conduct in the presence of the enemy in attending wounded under fire, Santiago, Cuba, July 1, 1898.

Capt. James H. McClintock, First United States Volunteer Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Micah J. Jenkins, First United States Volunteer Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. William H. H. Llewellyn, First United States Volunteer Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Frederick Muller, First United States Volunteer Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. Maximiliano Luna, First United States Volunteer Cavalry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

Capt. William O'Neill, First United States Volunteer Cavalry (since deceased), for gallantry in battle, Santiago, Cuba, July 1, 1898.

TO BE CAPTAINS, BY BREVET.

To rank from June 24, 1898.

First Lieut. Joseph A. Carr, First United States Volunteer Cavalry (since deceased), for gallantry in battle, Las Guasimas, Cuba, June 24, 1898, and Santiago, Cuba, July 1, 1898.

First Lieut. George B. Wilcox, First United States Volunteer Cavalry, for gallantry in battle, Las Guasimas, Cuba, July 24, 1898, and Santiago, Cuba, July 1, 1898.

First Lieut. James R. Church, assistant surgeon, First United States Volunteer Cavalry, for distinguished conduct in the presence of the enemy in attending wounded under fire, Las Guasimas, Cuba, June 24, 1898.

To rank from July 1, 1898.

First Lieut. Woodbury Kane, First United States Volunteer Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

TO BE FIRST LIEUTENANTS, BY BREVET.

To rank from July 1, 1898.

Second Lieut. David J. Leahy, First United States Volunteer Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Horace K. Deveraux, First United States Volunteer Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. David M. Goodrich, First United States Volunteer Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. John C. Greenway, First United States Volunteer Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

Second Lieut. Richard C. Day, First United States Volunteer Cavalry, for gallantry in battle, Santiago, Cuba, July 1, 1898.

To be colonel, by brevet.

Lieut. Col. John Biddle, chief engineer, United States Volunteers, for gallantry in action at Coamo, P. R., August 9, 1898, to rank from that date.

To be majors, by brevet.

Capt. Augustus P. Gardner, assistant adjutant-general, United States Volunteers, for gallantry in action at Coamo, P. R., August 9, 1898, to rank from that date.

Capt. Andrew D. Burns, Sixteenth Pennsylvania Volunteer Infantry, for gallantry in action at Coamo, P. R., August 9, 1898, to rank from that date.

To be first lieutenant, by brevet.

Second Lieut. Lester H. Simons, Sixteenth Pennsylvania Volunteer Infantry, for gallantry in action at Coamo, P. R., August 9, 1898, to rank from that date.

APPOINTMENTS, BY BREVET, IN THE ARMY.

To be colonel, by brevet.

Lieut. Col. John W. French, Twenty-third Infantry (since deceased), for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, to rank from that date.

To be lieutenant-colonels, by brevet.

Maj. John A. Baldwin, Twenty-second Infantry, for distinguished gallantry in action near San Fernando, Luzon, Philippine Islands, August 9, 1899, to rank from that date.

Capt. Edward Chynoweth, Seventeenth Infantry, for distinguished gallantry in action near Masipinit, Luzon, Philippine Islands, November 11, 1899, to rank from that date. (Nominated for brevet of major, United States Army, for Santiago, Cuba, July 1, 1898.)

Capt. George A. Dodd, Third Cavalry, for conspicuous gallantry in action at Cullebeng, Luzon, Philippine Islands, April 15, 1900, and at the Badoc River, Luzon, Philippine Islands, April 25, 1900, to rank from April 15, 1900. (Nominated for brevet of major, United States Army, for Santiago, Cuba, July 1, 1898.)

Capt. Robert K. Evans, Twelfth Infantry, for distinguished gallantry in action at Angeles, Luzon, Philippine Islands, August 16, 1899, to rank from that date. (Nominated for brevet of major, United States Army, for Santiago, Cuba, July 1, 1898.)

Maj. Joseph F. Huston, Nineteenth Infantry, for conspicuous gallantry in action at Passi, Panay, Philippine Islands, November 26, 1899, and at Antique, Panay, Philippine Islands, January 18, 1900, to rank from November 26, 1899.

Maj. Charles Keller, Eighteenth Infantry (since deceased), for conspicuous gallantry in action at Jaro, Panay, Philippine Islands, March 16, 1899, to rank from that date.

Maj. Carroll H. Potter, Fourteenth Infantry (since deceased), for distinguished gallantry in action near Manila, P. I., February 5, 1899, to rank from that date.

Maj. Leopold O. Parker, Twenty-second Infantry (since retired from active service), for distinguished gallantry in action at Malinta, Luzon, Philippine Islands, March 26, 1899, to rank from that date.

Maj. William P. Rogers, Twentieth Infantry, for conspicuous gallantry in action at Cainta, Luzon, Philippine Islands, March 16, 1899, to rank from that date.

Capt. Marion B. Saffold, Thirteenth Infantry (since deceased), for gallantry in action near the Putol bridge, Luzon, Philippine Islands, October 8, 1899, to rank from that date. (Nominated for brevet of major, United States Army, for Santiago, Cuba, July 1, 1898.)

Capt. Millard F. Waltz, Twelfth Infantry, for distinguished gallantry in action at Angeles, Luzon, Philippine Islands, August 16, 1899, to rank from that date. (Nominated for brevet of major, United States Army, for Santiago, Cuba, July 1, 1898.)

Capt. Palmer G. Wood, Twelfth Infantry, for distinguished gallantry in action at Angeles, Luzon, Philippine Islands, August 16, 1899, to rank from that date. (Nominated for brevet of major, United States Army, for Santiago, Cuba, July 1, 1898.)

To be majors, by brevet.

Capt. Frank B. Andrus, Fourth Infantry, for conspicuous gallantry in action near Dasmarinas, Luzon, Philippine Islands, June 19, 1899, to rank from that date.

Capt. Daniel F. Anglum, Twelfth Infantry (since retired from active service), for distinguished gallantry in action at Dolores, Luzon, Philippine Islands, August 16, 1899, to rank from that date.

Capt. Benjamin Alvord, Twentieth Infantry, for conspicuous gallantry in action at Cainta, Luzon, Philippine Islands, March 16, 1899, to rank from that date.

Capt. William E. Birkhimer, Third Artillery, for distinguished gallantry in action at San Ildefonso, Luzon, Philippine Islands, May 12, 1899, to rank from that date. (Nominated for brevet of brigadier-general, United States Volunteers, for action near Cavite Viejo, Luzon, Philippine Islands, January 7, 1900, and near Taal, Luzon, Philippine Islands, July 17, 1900.)

Capt. Charles C. Ballou, Twelfth Infantry, for distinguished gallantry in action at Angeles, Luzon, Philippine Islands, August 16, 1899, to rank from that date.

Capt. John G. Ballance, Twenty-second Infantry, for distinguished gallantry in action at the Tuliahan River, Luzon, Philippine Islanas, March 25, 1899, and at Malinta, Luzon, Philippine Islands, March 26, 1899, to rank from March 25, 1899.

Capt. William C. Buttler, Third Infantry, for distinguished gallantry in action at San Miguel, Luzon, Philippine Islands, May 23, 1899, to rank from that date.

Capt. Bernard A. Byrne, Sixth Infantry, for most distinguished gallantry in action at Bobong, Negros, Philippine Islands, July 19, 1899, to rank from that date. (Nominated for brevet of colonel, United States Volunteers, for action at Argogula, Negros, Philippine Islands, August 30, 1899.)

Capt. Victor H. Bridgman, Sixth Artillery, for conspicuous gallantry in action at Pavia, Panay, Philippine Islands, November 21, 1899, to rank from that date.

Capt. Charles D. Clay, Seventeenth Infantry, for distinguished gallantry in action near Banlac, Luzon, Philippine Islands, March 25, 1899, to rank from that date.

Capt. George F. Chase, Third Cavalry, for distinguished gallantry in action near Manaoag, Luzon, Philippine Islands, November 14, 1899, and at San Fernando de Union, Luzon, Philippine Islands, November 20, 1899, to rank from November 14, 1899.

Capt. Frederick R. Day, Third Infantry, for distinguished gallantry in action at the Tuliahan River, Luzon, Philippine Islands, March 25, 1899, to rank from that date.

Capt. Herbert S. Foster, Twentieth Infantry, for conspicuous gallantry in action at Cainta, Luzon, Philippine Islands, March 16, 1899, to rank from that date.

Capt. John C. Gregg, Twenty-first Infantry (since deceased), for distinguished gallantry in action near Banlac, Luzon, Philippine Islands, March 25, 1899, and at the Nanca River, Luzon, Philippine Islands, March 31, 1899, to rank from March 25, 1899.

Capt. George H. G. Gale, Fourth Cavalry, for distinguished gallantry in action at Santa Cruz, Luzon, Philippine Islands, April 10, 1899, to rank from that date.

Capt. Woodbridge Geary, Thirteenth Infantry (since deceased), for gallantry in action on the Buena Vista road, near San Francisco de Malabon, Luzon, Philippine Islands, October 10, 1899, to rank from that date.

Capt. Herman Hall, Twenty-first Infantry, for distinguished gallantry in action at Malinta, Luzon, Philippine Islands, March 26, 1899, to rank from that date.

Capt. Alfred Hasbrouck, jr., Fourteenth Infantry, for distinguished gallantry in action at Santa Cruz, Luzon, Philippine Islands, April 10, 1899, to rank from that date.

Capt. James A. Irons, Twentieth Infantry, for conspicuous gallantry in action at Cainta, Luzon, Philippine Islands, March 16, 1899, to rank from that date.

First Lieut. William P. Jackson, Twenty-fourth Infantry, for distinguished gallantry in action near Sapundot, Luzon, Philippine Islands, June 23, 1900, to rank from that date. (Nominated for brevet of captain for Santiago, Cuba, July 1, 1898.)

Capt. Frank B. Jones, Twenty-second Infantry, for conspicuous gallantry in action at Taguig, Luzon, Philippine Islands, March 18, 1899, to rank from that date.

Capt. Frederick V. Krüg, Twentieth Infantry, for conspicuous gallantry in action at Cainta, Luzon, Philippine Islands, March 16, 1899, to rank from that date.

Capt. Francis J. Kernan, Second Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, to rank from that date.

Capt. Lewis M. Koehler, Fourth Cavalry, for distinguished gallantry in action near Papaya, Luzon, Philippine Islands, June 14, 1900, to rank from that date.

Capt. Harry A. Leonhaeuser, Twenty-fifth Infantry, for distinguished gallantry in action at O'Donnell, Luzon, Philippine Islands, November 18, 1899, and on Mount Arayat, Luzon, Philippine Islands, January 5, 1900, to rank from November 18, 1899.

Capt. Thomas M. Moody, Sixteenth Infantry, for conspicuous gallantry in action near the Maasim River, Luzon, Philippine Islands, December 6, 1899, to rank from that date.

Capt. Leon A. Matile, Fourteenth Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Capt. John Murphy, Fourteenth Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Capt. James H. McRae, Third Infantry, for distinguished gallantry in action on Mount Lumandan, Luzon, Philippine Islands, January 17, 1900, to rank from that date.

Capt. Hugh J. McGrath, Fourth Cavalry (since deceased), for

conspicuous gallantry in action near Putol, Luzon, Philippine Islands, October 8, 1899, to rank from that date.

First Lieut. John C. McArthur, Third Infantry, for distinguished gallantry in action near Baliuag, Luzon, Philippine Islands, May 23, 1899, to rank from that date. (Nominated for brevet of captain, United States Army, for Santiago, Cuba, July 1, 1898.)

Capt. William A. Nichols, Twenty-third Infantry, for distinguished gallantry in action near Manila, Philippine Islands, August 13, 1898, to rank from that date.

Capt. Joseph P. O'Neil, Twenty-fifth Infantry, for distinguished gallantry in action at Iba, Luzon, Philippine Islands, January 6, 1900, to rank from that date.

Capt. Edward B. Pratt, Twenty-third Infantry, for distinguished gallantry in action at Mariquina, Luzon, Philippine Islands, March 31, 1899, to rank from that date.

Capt. Benjamin A. Poore, Sixth Infantry, for distinguished gallantry in action near Tabuan, Negros, Philippine Islands, October 1, 1899, to rank from that date.

Capt. Benjamin H. Randolph, Third Artillery, for distinguished gallantry in action near Caloocan, Luzon, Philippine Islands, March 25, 1899, to rank from that date.

Capt. Henry J. Reilly, Fifth Artillery (since deceased), for distinguished gallantry in action at the Putol Bridge, Luzon, Philippine Islands, January 7, 1900, to rank from that date.

Capt. Frank De W. Ramsey, Ninth Infantry, for distinguished gallantry in action at the Zapote River, Luzon, Philippine Islands, June 13, 1899, to rank from that date.

Capt. Paul Shillock, assistant surgeon, for distinguished gallantry in action near Tabuan, Negros, Philippine Islands, October 1, 1899, to rank from that date.

Capt. Erneste V. Smith, Fourth Infantry, for distinguished gallantry in action near Papaya, Luzon, Philippine Islands, June 14, 1900, to rank from that date.

First Lieut. William H. Simons, Sixth Infantry, for distinguished gallantry in action at Passi, Panay, Philippine Islands, November 26, 1899, and at Antique, Panay, Philippine Islands, January 18, 1900, to rank from November 26, 1899. (Nominated for brevet of captain, United States Army, for Santiago, Cuba, July 1, 1898.)

Capt. Frank L. Winn, Twelfth Infantry, for distinguished gallantry in action at Angeles, Luzon, Philippine Islands, August 16, 1899, to rank from that date.

Capt. Fred Wheeler, Fourth Cavalry (since retired from active service), for conspicuous gallantry in action at Peteros, Luzon, Philippine Islands, March 14, 1899, and at the Tuliahan River, Luzon, Philippine Islands, March 25, 1899, to rank from March 14, 1899.

Capt. William H. Wilhelm, Twenty-first Infantry (since deceased), for distinguished gallantry in action at San Mateo, Luzon, Philippine Islands, August 12, 1899, to rank from that date.

Capt. Silas A. Wolf, Fourth Infantry, for conspicuous gallantry in action near Dasmarinas, Luzon, Philippine Islands, June 19, 1899, to rank from that date.

First Lieut. William H. Wassell, Twenty-second Infantry, for distinguished gallantry in action at Malinta, Luzon, Philippine Islands, March 26, 1899, to rank from that date. (Nominated for brevet of captain, United States Army, for Santiago, Cuba, July 1, 1898.)

To be captains, by brevet.

First Lieut. Robert S. Abernethy, Sixth Artillery, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, and near Caloocan, Luzon, Philippine Islands, March 25, 1899, to rank from March 25, 1899.

First Lieut. Alfred Aloe, Twelfth Infantry, for conspicuous gallantry in action at Masambique, Luzon, Philippine Islands, September 22, 1900, to rank from that date.

First Lieut. John W. Barker, Third Infantry, for distinguished gallantry in action on Mount Lumandan, Luzon, Philippine Islands, January 17, 1900, to rank from that date.

First Lieut. Albert S. Brookes, Eighteenth Infantry, for distinguished gallantry in action near Pilar, Panay, Philippine Islands, March 22, 1900, to rank from that date.

First Lieut. Arthur L. Conger, Eighteenth Infantry, for distinguished gallantry in action at Dumangas, Panay, Philippine Islands, June 14, 1900, to rank from that date.

First Lieut. Ward Cheney, Fifteenth Infantry (since deceased), for conspicuous gallantry in action near Dasmarinas, Luzon, Philippine Islands, June 19, 1899, to rank from that date.

First Lieut. Patrick A. Connolly, Twenty-first Infantry, for distinguished gallantry in action at the Zapote River, Luzon, Philippine Islands, June 13, 1899, to rank from that date.

First Lieut. William D. Connor, Corps of Engineers, for distinguished gallantry in action at the Tuliahan River, Luzon, Philippine Islands, March 25, 1899, to rank from that date.

First Lieut. Harry C. Clement, jr., Twenty-first Infantry, for distinguished gallantry in action near Calamba, Luzon, Philippine Islands, July 30, 1899, to rank from that date.

First Lieut. William F. Creary, Twelfth Infantry, for distinguished gallantry in action at Angeles, Luzon, Philippine Islands, August 16, 1899, to rank from that date.

First Lieut. Albert C. Dalton, Twenty-second Infantry, for distinguished gallantry in action at Malinta, Luzon, Philippine Islands, March 26, 1899, to rank from that date.

First Lieut. Joseph L. Donovan, Twenty-first Infantry, for distinguished gallantry in action at the Zapote River, Luzon, Philippine Islands, June 13, 1899, to rank from that date.

First Lieut. Peter W. Davison, Twenty-second Infantry, for distinguished gallantry in action at Malinta, Luzon, Philippine Islands, March 26, 1899, to rank from that date.

First Lieut. Halstead Dorey, Fourth Infantry, for distinguished gallantry in action near Banlac, Luzon, Philippine Islands, March 25, 1899, and at the Nanca River, Luzon, Philippine Islands, March 31, 1899, to rank from March 25, 1899.

First Lieut. Lloyd England, Third Artillery, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, and near Caloocan, Luzon, Philippine Islands, March 25, 1899, to rank from March 25, 1899.

First Lieut. Houston V. Evans, Sixth Infantry, for conspicuous gallantry in action at Argogula, Negros, Philippine Islands, August 30, 1899, to rank from that date.

First Lieut. Hanson E. Ely, Twenty-second Infantry, for distinguished gallantry in action at the Tuliahan River, Luzon, Philippine Islands, March 25, 1899, to rank from that date.

First Lieut. Adrian S. Fleming, Sixth Artillery, for distinguished gallantry in action at the Calumpit River, Luzon, Philippine Islands, April 25, 1899, to rank from that date.

First Lieut. Howard W. French, Seventeenth Infantry, for distinguished gallantry in action near Taytay, Morong, Philippine Islands, June 3, 1899, and near Calamba, Luzon, Philippine Islands, July 30, 1899, to rank from June 3, 1899.

First Lieut. William C. Geiger, Fourteenth Infantry (since deceased), for distinguished gallantry in action near Paete, Luzon, Philippine Islands, April 12, 1899, to rank from that date.

First Lieut. Hayden Y. Grubbs, Sixth Infantry (since deceased), for distinguished gallantry in action near Tabuan, Negros, Philippine Islands, October 1, 1899, to rank from that date.

First Lieut. Charles B. Hagadorn, Twenty-third Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, to rank from that date.

First Lieut. John R. R. Hannay, Twenty-second Infantry, for distinguished gallantry in action at Calaba, Luzon, Philippine Islands, October 19, 1899, to rank from that date.

First Lieut. Harry L. Hawthorne, Sixth Artillery, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

First Lieut. Alston Hamilton, First Artillery, for distinguished gallantry in action near Calamba, Luzon, Philippine Islands, July 30, 1899, to rank from that date.

First Lieut. James V. Heidt, Sixth Infantry, for distinguished gallantry in action near Tabuan, Negros, Philippine Islands, August 19, 1899, to rank from that date.

First Lieut. Charles F. Humphrey, jr., Twelfth Infantry, for distinguished gallantry in action at Angeles, Luzon, Philippine Islands, August 16, 1899, to rank from that date.

First Lieut. Adolphe H. Huguet, Twenty-second Infantry, for distinguished gallantry in action at the Zapote River, Luzon, Philippine Islands, June 13, 1899, to rank from that date.

First Lieut. James P. Harbeson, Twelfth Infantry, for distinguished gallantry in action at the Zapote River, Luzon, Philippine Islands, June 13, 1899, to rank from that date.

First Lieut. William G. Haan, Third Artillery, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

First Lieut. William L. Kenly, First Artillery, for distinguished gallantry in action at the Zapote River, Luzon, Philippine Islands, June 13, 1899, to rank from that date.

First Lieut. Maurice G. Krayenbuhl, Third Artillery (since deceased), for distinguished gallantry in action near Manila, Luzon, Philippine Islands, July 31, 1898, to rank from that date.

First Lieut. Louis B. Lawton, Ninth Infantry, for distinguished gallantry in action near Las Pinas, Luzon, Philippine Islands, June 10, 1899, to rank from that date.

First Lieut. Ivers W. Leonard, Twenty-second Infantry, for distinguished gallantry in action at Malinta, Luzon, Philippine Islands, March 26, 1899, to rank from that date.

First Lieut. Augustus C. Ledyard, Sixth Infantry (since deceased), for conspicuous gallantry in action near La Granja, Negros, Philippine Islands, December 7, 1899, to rank from that date.

First Lieut. Frank J. Morrow, Seventeenth Infantry, for distinguished gallantry in action near Camiling, Luzon, Philippine Islands, April 7, 1900, to rank from that date.

First Lieut. Frank D. Webster, Twentieth Infantry, for distinguished gallantry in action at the Tuliahan River, Luzon, Philippine Islands, March 25, 1899, and Santa Tomas, Luzon, Philippine Islands, May 4, 1899, to rank from March 25, 1899.

First Lieut. Carl A. Martin, Twenty-fifth Infantry, for distinguished gallantry in action on Mount Arayat, Luzon, Philippine Islands, January 5, 1900, to rank from that date,

First Lieut. Perry L. Miles, Fourteenth Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

First Lieut. Claude H. Miller, Twenty-fourth Infantry, for distinguished gallantry in action at Naguilian, Luzon, Philippine Islands, December 7, 1899, to rank from that date.

First Lieut. Peyton C. March, Fifth Artillery, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, to rank from that date.

First Lieut. William H. Mullay, Twenty-first Infantry (since deceased), for distinguished gallantry in action at the Zapote River, Luzon, Philippine Islands, June 13, 1899, to rank from that date.

First Lieut. William F. Nesbitt, Sixth Infantry, for conspicuous gallantry in action at Bobong, Negros, Philippine Islands, July 19, 1899, to rank from that date.

First Lieut. Winfield S. Overton, Seventh Artillery, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, and at Caloocan, Luzon, Philippine Islands, March 25, 1899, to rank from March 25, 1899.

First Lieut. Samuel McP. Rutherford, Fourth Cavalry, for distinguished gallantry in action at Quingua, Luzon, Philippine Islands, April 23, 1899, to rank from that date.

First Lieut. William T. Schenck, Twenty-fifth Infantry (since deceased), for distinguished gallantry in action on Mount Arayat, Luzon, Philippine Islands, January 5, 1900, to rank from that date.

First Lieut. David G. Spurgin, Twenty-first Infantry (since deceased), for distinguished gallantry in action at San Mateo, Luzon, Philippine Islands, August 12, 1899, to rank from that date.

First Lieut. David L. Stone, Twenty-second Infantry, for distinguished gallantry in action near Mount Corona, Luzon, Philippine Islands, July 22, 1900, to rank from that date,

First Lieut. Charles P. Summerall, Fifth Artillery, for conspicuous gallantry in action near San Cristobal, Luzon, Philippine Islands, January 1, 1900, and at Binang, Luzon, Philippine Islands, January 2, 1900, to rank from January 1, 1900.

First Lieut. Arthur Thayer, Third Cavalry, for distinguished gallantry in action at Magaldan, Luzon, Philippine Islands, November 13, 1899, to rank from that date.

First Lieut. Robert O. Van Horn, Seventeenth Infantry, for distinguished gallantry in action near Rosales, Luzon, Philippine Islands, January 15, 1900, and near Camiling, Luzon, Philippine Islands, April 7, 1900, to rank from January 15, 1900.

First Lieut. Orrin R. Wolfe, Twenty-second Infantry, for distinguished gallantry in action at Malinta, Luzon, Philippine Islands, March 26, 1899, to rank from that date.

First Lieut. Pegram Whitworth, Eighteenth Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, and at the Tuliahan River, Luzon, Philippine Islands, March 25, 1899, to rank from August 13, 1898.

To be first lieutenants, by brevet.

Second Lieut. Edward C. Bolton, Seventeenth Infantry, for distinguished gallantry in action at Sapang Gugo, Luzon, Philippine Islands, April 7, 1900, to rank from that date.

Second Lieut. Frand C. Bolles, Eighteenth Infantry, for distinguished gallantry in action at Jaro, Panay, Philippine Islands, February 12, 1899, to rank from that date.

Second Lieut. William D. Chitty, Third Cavalry, for conspicuous gallantry in action at Cullebeng, Luzon, Philippine Islands, April 15, 1900, and at the Badoc River, Luzon, Philippine Islands, April 25, 1900, to rank from April 15, 1900.

Second Lieut. George A. Cooper, Fifteenth Infantry (since deceased), for conspicuous gallantry in action near Mavitac, Luzon, Philippine Islands, September 17, 1900, to rank from that date.

Second Lieut. William B. Cowin, Third Cavalry, for conspicuous gallantry in action near Porac, Luzon, Philippine Islands, October 17, 1899, to rank from that date.

Second Lieut. Paul Draper, Twenty-second Infantry (since deceased), for conspicuous gallantry in action at San Antonio, Luzon, Philippine Islands, May 9, 1900, to rank from that date.

Second Lieut. James P. Drouillard, Sixth Infantry, for distinguished gallantry in action at Tabuan, Negros, Philippine Islands, August 19, 1899, to rank from that date.

Second Lieut. Henry A. Hanigan, Sixth Infantry, for distinguished gallantry in action near Tabuan, Negros, Philippine Islands, October 1, 1899, to rank from that date.

Second Lieut. Edward L. King, Eighth Cavalry, for distinguished gallantry in action near Paranaque, Luzon, Philippine Islands, June 10, 1899, to rank from that date.

Second Lieut. Benjamin M. Koehler, Sixth Artillery, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, to rank from that date.

Second Lieut. Percy M. Kessler, Third Artillery, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Second Lieut. Monroe C. Kerth, Twenty-third Infantry, for conspicuous gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Second Lieut. Conrad H. Lanza, Third Artillery, for distinguished gallantry in action at Marilao, Luzon, Philippine Islands, March 27, 1899, to rank from that date.

Second Lieut. James M. Love, jr., Twenty-first Infantry, for conspicuous gallantry in action near Calamba, Luzon, Philippine Islands, July 30, 1899, to rank from that date.

Second Lieut. Henry M. Merriam, Third Artillery, for distinguished gallantry in action near Manila, Philippine Islands, February 5, 1899, to rank from that date.

Second Lieut. Reginald E. McNally, Third Cavalry, for conspicuous gallantry in action at Cullebeng, Luzon, Philippine Islands, April 15, 1900, and at the Badoc River, Luzon, Philippine Islands, April 25, 1900, to rank from April 15, 1900.

Second Lieut. James F. McKinley, Sixth Cavalry, for conspicuous gallantry in action at Cullebeng, Luzon, Philippine Islands, April 15, 1900, and at the Badoc River, Luzon, Philippine Islands, April 25, 1900, to rank from April 15, 1900.

Second Lieut. Israel Putnam, Sixth Infantry (since resigned), for distinguished gallantry in action at Tabuan, Negros, Philippine Islands, October 1, 1899, to rank from that date.

Second Lieut. Ernest D. Scott, Sixth Artillery, for distinguished gallantry in action near Las Pinas, Luzon, Philippine Islands, June 10, 1899, to rank from that date.

Second Lieut. Frederick W. Van Duyne, Twenty-fourth Infantry, for distinguished gallantry in action at San Mateo, Luzon, Philippine Islands, August 12, 1899, to rank from that date.

Second Lieut. Clarence C. Williams, Sixth Artillery, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, to rank from that date.

Second Lieut. Henry N. Way, Fourth Infantry (since deceased), for conspicuous gallantry in action near Imus, Luzon, Philippine Islands, January 7, 1900, to rank from that date.

APPOINTMENTS, BY BREVET, IN THE VOLUNTEER ARMY.

To be major-generals, by brevet.

Brig. Gen. Irving Hale, United States Volunteers, for distinguished gallantry in action near Calumpit, Luzon, Philippine Islands, April 25, 1899, to rank from that date.

Brig. Gen. Samuel Ovenshine, United States Volunteers, for most distinguished gallantry in action at the Zapote River, Luzon, Philippine Islands, June 13, 1899, to rank from that date.

To be brigadier-generals, by brevet.

Col. William E. Birkhimer, Twenty-eighth Infantry, United States Volunteers, for conspicuous gallantry in action near Cavite Viejo, Luzon, Philippine Islands, January 7, 1900, and near Taal, Luzon, Philippine Islands, July 17, 1900, to rank from January 7, 1900.

Col. Alfred S. Frost, First South Dakota Volunteer Infantry, and Captain Twenty-second United States Infantry (since retired from active service), for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899; near Calumpit, Luzon, Philippine Islands, April 25, 1899, and at Marilao, Luzon, Philippine Islands, March 27, 1899, to rank from February 5, 1899.

Col. Alexander L. Hawkins, Tenth Pennsylvania Volunteer Infantry (since deceased), for distinguished gallantry in action at Guiguinto, Luzon, Philippine Islands, March 29, 1899, to rank from that date.

Col. Henry B. McCoy, First Colorado Volunteer Infantry, for distinguished gallantry in action at the Nanca River, Luzon, Philippine Islands, March 31, 1899, and at Guadaloupe Ridge, Luzon, Philippine Islands, June 10, 1899, to rank from March 31, 1899.

Col. John M. Stotsenburg, First Nebraska Volunteer Infantry (since deceased), for distinguished gallantry in action near Quingua, Luzon, Philippine Islands, April 23, 1899, to rank from that date.

Col. John H. Wholley, First Washington Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

To be colonels, by brevet.

Lieut. Col. John J. Brereton, Thirty-third Infantry, United States Volunteers (since deceased), for distinguished gallantry in action at San Jacinto, Luzon, Philippine Islands, November 11, 1899, to rank from that date.

Lieut. Col. Bernard A. Byrne, Fortieth Infantry, United States Volunteers, for conspicuous gallantry in action at Argogula, Negros, Philippine Islands, August 30, 1899, to rank from that date.

Lieut. Col. Victor D. Duboce, First California Volunteer Infantry, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Lieut. Col. Bobert L. Howze, Thirty-fourth Infantry, United States Volunteers, for distinguished gallantry in action at Tangadin Pass, Luzon, Philippine Islands, December 4, 1899; Bangued, Luzon, Philippine Islands, December 5, 1899, and Banna, Luzon, Philippine Islands, December 9, 1899, to rank from December 4, 1899.

Lieut. Col. Cassius M. Moses, First Colorado Volunteer Infantry, for distinguished gallantry in action near Banlac, Luzon, Philippine Islands, March 25, 1899, to rank from that date.

Lieut. Col. James Parker, Forty-fifth Infantry, United States Volunteers, for distinguished gallantry in action near Manaoag, Luzon, Philippine Islands, November 14, 1899, and Vigan, Luzon, Philippine Islands, December 4, 1899, to rank from November 14, 1899.

Lieut. Col. William C. Treumann, First North Dakota Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Maj. Robert H. Fitzhugh, commissary of subsistence, United States Volunteers (brevet lieutenant-colonel, United States Volunteers), for distinguished gallantry in action at the Marilao River, Luzon, Philippine Islands, March 27, 1899, to rank from that date.

To be lieutenant-colonels, by brevet.

Maj. Charles H. Anderson, First Colorado Volunteer Infantry, for distinguished gallantry in action at Mariquina, Luzon, Philippine Islands, March 16, 1899, to rank from that date.

Maj. William F. Allison, First South Dakota Volunteer Infantry, for distinguished gallantry in action at the Marilao River, Luzon, Philippine Islands, March 27, 1899, to rank from that date.

Maj. Lincoln C. Andrews, Forty-third Infantry, United States Volunteers, for conspicuous gallantry in action at La Paz, Leyte, Philippine Islands, April 26, 1900, to rank from that date.

Maj. Henry T. Allen, Forty-third Infantry, United States Volunteers, for distinguished gallantry in action at Catbalogan, Samar, Philippine Islands, January 27, 1900, to rank from that date.

Maj. John Q. A. Braden, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Bacolor, Luzon, Philippine Islands, August 9, 1899, to rank from that date.

Maj. Marcus D. Cronin, Thirty-third Infantry, United States Volunteers, for conspicuous gallantry in action at Vigan, Luzon, Philippine Islands, December 4, 1898, to rank from that date.

Maj. Carroll A. Devol, quartermaster, United States Volunteers, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5 and 22, 1899, to rank from February 5, 1899.

Maj. Charles M. Drake, surgeon, United States Volunteers, for distinguished gallantry in action at San Fernando, Luzon, Philippine Islands, November 20, 1899, to rank from that date.

Maj. Clarence R. Edwards, assistant adjutant-general, United States Volunteers, for distinguished gallantry in action at Santa Cruz, Luzon, Philippine Islands, April 10, 1899, to rank from that date.

Maj. Daniel W. Figgins, First Idaho Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Maj. John H. Fraine, First North Dakota Volunteer Infantry, for distinguished gallantry in action near Paete, Luzon, Philippine Islands, April 12, 1899, to rank from that date.

Maj. Charles A. Howard, First South Dakota Volunteer Infantry, for distiguished gallantry in action at the Marilao River, Luzon, Philippine Islands, March 27, 1899, to rank from that date.

Maj. Henry F. Hoyt, surgeon, United State Volunteers, for distinguished gallantry in action near Marilao, Luzon, Philippine Islands, March 29, 1899, to rank from that date.

Maj. William H. Johnston, Forty-sixth Infantry, United States Volunteers, for conspicuous gallantry in action at Taal, Luzon, Philippine Islands, January 19, 1900, to rank from that date.

Maj. John A. Logan, Thirty-third Infantry, United States Volunteers (since deceased), for distinguished gallantry in action at San Jacinto, Luzon, Philippine Islands, November 11, 1899, to rank from that date.

Maj. William L. Luhn, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Bamban, Luzon, Philippine Islands, November 9, 1899, to rank from that date.

Maj. John S. Mallory, inspector-general, United States Volunteers, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 23, 1899, and at the Marialo River, Luzon, Philippine Islands, March 27, 1899, to rank from February 23, 1899.

Maj. Harry B. Mulford, First Nebraska Volunteer Infantry, for conspicuous gallantry in action near Calumpit, Luzon, Philippine Islands, April 25, 1899, to rank from that date.

Maj. Charles H. Muir, Thirty-eighth Infantry, United States Volunteers, for conspicuous gallantry in action at Luta, barrio of Rosario, Luzon, Philippine Islands, January 13, 1900, and Taal, Luzon, Philippine Islands, January 19, 1900, to rank from January 13, 1900.

Maj. George H. Morgan, Twenty-eighth Infantry, United States Volunteers, for conspicuous gallantry in action at the Putol Bridge, Luzon, Philippine Islands, January 7, 1900, to rank from that date.

Maj. Edward McConville, First Idaho Volunteer Infantry (since deceased), for conspicuous gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Maj. Julius A. Penn, Thirty-fourth Infantry, United States Volunteers, for conspicuous gallantry in action at Tangadin Pass, Luzon, Philippine Islands, December 4, 1899, to rank from that date.

Maj. Paul F. Straub, surgeon, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Florida Blanca, Luzon, Philippine Islands, October 9, 1899, to rank from that date.

Maj. Charles G. Starr, inspector-general, United States Volunteers, for distinguished gallantry in action at Santa Cruz, Luzon, Philippine Islands, April 10, 1899, to rank from that date.

Maj. Hugh T. Sime, First California Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Maj. Putnam B. Strong, assistant adjutant-general, United States Volunteers, for distinguished gallantry in action at Guiguinto Bridge, Luzon, Philippine Islands, March 27, 1899, to rank from that date.

Maj. George F. Shiels, surgeon, United States Volunteers, for distinguished gallantry in action at the Tuliahan River, Luzon, Philippine Islands, March 25, 1899; at the Grande de la Pampanga River, Luzon, Philippine Islands, April 27, 1899, and at the Zapote River, Luzon, Philippine Islands, June 13, 1899, to rank from March 25, 1899.

Maj. Elmore F. Taggart, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action near Imus, Luzon, Philippine Islands, January 7, 1900, and at Malaybalay, Mindanao, Philippine Islands, February 28, 1901, to rank from January 7, 1900.

Maj. Joseph Wheeler, jr., Thirty-fourth Infantry, United States Volunteers, for distinguished gallantry in action near Papaya, Luzon, Philippine Islands, June 14, 1900, to rank from that date.

Maj. Hugh D. Wise, Forty-seventh Infantry, United States Volunteers, for distinguished gallantry in action at Donsol, Luzon, Philippine Islands, February 21, 1900, to rank from that date.

Maj. Frank White, First North Dakota Volunteer Infantry, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Maj. John J. Weisenburger, First Washington Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, and at Santa Cruz, Luzon, Philippine Islands, April 10, 1899, to rank from February 5, 1899.

To be majors, by brevet.

Capt. Thomas Q. Ashburn, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at San Jacinto, Luzon, Philippine Islands, November 11, 1899, to rank from that date.

Capt. Robert S. Abernethy, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Porac, Luzon, Philippine Islands, September 28, 1899, to rank from that date.

Capt. David F. Allen, Thirty-eighth Infantry, United States Volunteers, for conspicuous gallantry in action at Balagbog, Luzon, Philippine Islands, March 15, 1900, and near Taal, Luzon, Philippine Islands, July 6, 1900, to rank from March 15, 1900.

Capt. Harry Bell, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at San Antonio, near Bacolor, Luzon, Philippine Islands, August 9, 1899, to rank from that date.

Capt. George W. Biegler, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action near Looc, Luzon, Philippine Islands, October 21, 1900, to rank from that date.

Capt. Eugene V. N. Bissell, Forty-fourth Infantry, United States Volunteers, for distinguished gallantry in action near Lumbuyan, Panay, Philippine Islands, September 16, 1900, to rank from that date.

Capt. George H. Bentley, Forty-seventh Infantry, United States Volunteers (since deceased), for conspicuous gallantry in action near Daraga, Luzon, Philippine Islands, February 6, 1900, and at Lacog, Luzon, Philippine Islands, July 4, 1900, to rank from February 6, 1900.

Capt. Amos W. Brandt, Thirty-second Infantry, United States Volunteers, for distinguished gallantry in action at Abucay, Luzon, Philippine Islands, May 25, 1900, to rank from that date.

Capt. Alfred W. Bjornstad, Thirteenth Minnesota Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, to rank from that date.

Capt. James M. Burroughs, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at San Jacinto, Luzon, Philippine Islands, November 11, 1899, to rank from that date.

Capt. Alexander McD. Brooks, First Colorado Volunteer Infantry, for distinguished gallantry in action near Calumpit, Luzon, Philippine Islands, April 25, 1899, to rank from that date.

Capt. Charles G. Bickham, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action at the Putol Bridge, Luzon, Philippine Islands, January 7, 1900, to rank from that date.

Capt. Cornelius M. Brownell, Twenty-sixth Infantry, United States Volunteers, for conspicuous gallantry in action at Sara, Panay, Philippine Islands. December 22, 1899, to rank from that date.

Capt. John J. Bradley, assistant quartermaster, United States Volunteers, for conspicuous gallantry in action at Legaspi, Luzon, Philippine Islands, January 23, 1900, to rank from that date.

Capt. John Bordman, jr., Twenty-sixth Infantry, United States Volunteers, for conspicuous gallantry in action at Lambunao, Panay, Philippine Islands, August 21, 1900, to rank from that date.

Capt. Adam C. Carson, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action at Lumumbaro, Luzon, Philippine Islands, January 7, 1900, to rank from that date.

Capt. Samuel D. Crawford, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action at Point Bano, Luzon, Philippine Islands, November 2, 1900, to rank from that date.

Capt. Thomas J. Cunningham, First California Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Capt. Daniel F. Craig, Thirty-sixth Infantry, United States Volunteers, for conspicuous gallantry in action near Porac, Luzon, Philippine Islands, October 17, 1899, to rank from that date.

Capt. Thomas W. Darrah, Thirty-fifth Infantry, United States Volunteers, for distinguished gallantry in action at Legaspi, Luzon, Philippine Islands, January 23, 1900, to rank from that date.

Capt. John H. Dunn, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action at Lumumbaro, Luzon, Philippine Islands, January 7, 1900, to rank from that date.

Capt. Frank D. Eager, First Nebraska Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Capt. Richard T. Ellis, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at San Jacinto, Luzon, Philippine Islands, November 11, 1899, to rank from that date.

Capt. John S. Fair, Forty-third Infantry, United States Volunteers, for distinguished gallantry in action at Naporo, Samar, Philippine Islands, April 12, 1900, to rank from that date.

Capt. George H. Fortson, First Washington Volunteer Infantry (since deceased), for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Capt. Frank L. French, Thirty-fourth Infantry, United States Volunteers, for distinguished gallantry in action at Tangadin Pass, Luzon, Philippine Islands, December 4, 1899; Bandi, Luzon, Philippine Islands, December 8, 1899, and Banna Canyon, Luzon, Philippine Islands, December 9, 1899, to rank from December 4, 1899.

Capt. Godfrey R. Fowler, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at Mangatarem, Luzon, Philippine Islands, November 24, 1899, to rank from that date.

Capt. Frank A. Grant, Utah Light Artillery, United States Volunteers, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Capt. John F. Green, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at San Jacinto, Luzon, Philippine Islands, November 11, 1899, to rank from that date.

Capt. George E. Gibson, Thirty-fourth Infantry, United States Volunteers, for conspicuous gallantry in action at Mount Corona, Luzon, Philippine Islands, July 22, 1900, to rank from that date.

Capt. Daniel W. Hand, Forty-fifth Infantry, United States Volunteers, for distinguished gallantry in action at Lagonoy, Luzon, Philippine Islands, June 27, 1890, to rank from that date.

Capt. Joseph S. Hardin, Forty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Taal, Luzon, Philippine Islands, January 19, 1900, to rank from that date.

Capt. Harry A. Hegeman, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Bamban, Luzon, Philippine Islands, November 9, 1899, to rank from that date.

Capt. John Hallahan, First Montana Volunteer Infantry, for distinguished gallantry in action at Caloocan, Luzon, Philippine Islands, February 10, 1899, to rank from that date.

Capt. Warren H. Ickis, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Mangatarem, Luzon, Philippine Islands, November 28, 1899, to rank from that date.

Capt. Henry L. Jenkinson, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at the Buntayen Bridge, Luzon, Philippine Islands, November 8, 1899, and Tilad Pass, Luzon, Philippine Islands, December 2, 1899, to rank from November 8, 1899.

Capt. Maurice G. Krayenbuhl, commissary of subsistence, United States Volunteers (since deceased), for distinguished gallantry in action near Meycauayan, Luzon, Philippine Islands, March 26, 1899, to rank from that date.

Capt. Edward A. Kreger, Thirty-ninth Infantry, United States Volunteers, for conspicuous gallantry in action near Los Banos, Luzon, Philippine Islands, March 10, 1900, to rank from that date.

Capt. David E. W. Lyle, Thirty-seventh Infantry, United States Volunteers, for distinguished gallantry in action at Lagonoy, Luzon, Philippine Islands, June 27, 1900, to rank from that date.

Capt. Frank S. Long, Thirty-ninth Infantry, United States Volunteers, for conspicuous gallantry in action at Carmona, Luzon, Philippine Islands, January 3, 1900, to rank from that date.

Capt. Thomas Millar, First Wyoming Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, March 7, 1899, to rank from that date.

Capt. George W. Mathews, assistant surgeon, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Porac, Luzon, Philippine Islands, September 28, 1899, to rank from that date.

Capt. Charles W. Mead, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Bacolor, Luzon, Philippine Islands, August 9, 1899, to rank from that date.

Capt. John E. Moran, Thirty-seventh Infantry, United States Volunteers, for distinguished gallantry in action near Mavitac, Luzon, Philippine Islands, September 17, 1900, to rank from that date.

Capt. Charles P. Newberry, Thirtieth Infantry, United States Volunteers, for distinguished gallantry in action at Malosa Hill, Luzon, Philippine Islands, March 26, 1900, to rank from that date.

Capt. Albert H. Otis, First Washington Volunteer Infantry, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Capt. John S. Powell, Thirty-eighth Infantry, United States Volunteers, for conspicuous gallantry in action at Taal, Luzon, Philippine Islands, January 19, 1900, to rank from that date.

Capt. Lucius E. Polk, Forty-third Infantry, United States Volunteers, for distinguished gallantry in action at Hilongas, Leyte, Philippine Islands, May 6, 1900, to rank from that date.

Capt. Frank G. Russell, Thirty-fourth Infantry, United States Volunteers, for distinguished gallantry in action at Tangadin Pass, Luzon, Philippine Islands, December 4, 1899; Bandi, Luzon, Philippine Islands, December 8, 1899, and Banna Canon, Luzon, Philippine Islands, December 9, 1899, to rank from December 4, 1899.

Capt. Beverly A. Read, Thirty-eighth Infantry, United States Volunteers, for conspicuous gallantry in action at Talisay, Luzon, Philippine Islands, January 11, 1900, and Taal, Luzon, Philippine Islands, January 19, 1900, to rank from January 11, 1900.

Capt. Christopher J. Rollis, Thirty-fourth Infantry, United States Volunteers, for distinguished gallantry in action at Tangadin Pass, Luzon, Philippine Islands, December 4, 1899; Bandi, Luzon, Philippine Islands, December 8, 1899, and Banna Canon, Luzon, Philippine Islands, December 9, 1899, to rank from December 4, 1899.

Capt. Edgar Russel, signal officer, United States Volunteers,

for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, and Caloocan, Luzon, Philippine Islands, February 10, 1899, to rank from February 5, 1899.

Capt. Henry Steere, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Porac, Luzon, Philippine Islands, September 28, 1899, to rank from that date.

Capt. Charles G. Sawtelle, jr., assistant quartermaster, United States Volunteers, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, and at the Tuliahan Defile, Luzon, Philippine Islands, March 25, 1899, to rank from August 13, 1898.

Capt. Oscar Seebach, Thirteenth Minnesota Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, to rank from that date.

Capt. Albert Steinhauser, Forty-fifth Infantry, United States Volunteers, for distinguished gallantry in action near Labo, Luzon, Philippine Islands, May 28, 1900, to rank from that date.

Capt. Lester H. Simons, Forty-seventh Infantry, United States Volunteers, for conspicuous gallantry in action at Albay, Luzon, Philippine Islands, February 6, 1900, to rank from that date.

Capt. Robert Sewell, assistant adjutant-general, United States Volunteers, for distinguished gallantry in action at the Zapote River, Luzon, Philippine Islands, June 13, 1899, to rank from that date.

Capt. Hugh Thomason, Forty-eighth Infantry, United States Volunteers, for skill and gallantry in action at Dongon Pass, Luzon, Philippine Islands, May 6, 1900, to rank from that date.

Capt. Clayton P. Van Houten, First South Dakota Volunteer Infantry, for distinguished gallantry in action at the Marilao River, Luzon, Philippine Islands, March 27, 1899, to rank from that date.

Capt. William E. Whittington, First Idaho Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Capt. Edgar A. Wedgwood, Utah Light Artillery, United States Volunteers, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Capt. Charles R. Howland, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action at the Zapote River, Luzon, Philippine Islands, June 13, 1899, and at Angeles, Luzon, Philippine Islands, August 16, 1899, to rank from August 16, 1899.

To be captains, by brevet.

First Lieut. Richard W. Buchanan, Forty-fourth Infantry, United States Volunteers, for distinguished gallantry in action near Ormoc, Leyte, Philippine Islands, October 15, 1900, to rank from that date.

First Lieut. Edward T. Balch, Thirty-seventh Infantry, United States Volunteers, for conspicuous gallantry in action near the Maasim River, Luzon, Philippine Islands, December 6, 1899, to rank from that date.

First Lieut. Doe W. Burr, First Nebraska Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

First Lieut. Isaac W. Brewer, assistant surgeon, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Florida Blanca, Luzon, Philippine Islands, October 9, 1899, to rank from that date.

First Lieut. Harry C. Barnes, Thirty-fourth Infantry, United States Volunteers, for distinguished gallantry in action at Mount Corona, Luzon, Philippine Islands, July 22, 1900, to rank from that date.

First Lieut. Reuben D. Blanchard, Thirty-eighth Infantry, United States Volunteers, for conspicuous gallantry in action at Taal, Luzon, Philippine Islands, January 19, 1900, to rank from that date.

First Lieut. William Brown, Forty-fifth Infantry, United States Volunteers, for conspicuous gallantry in action at the Duyo River, Luzon, Philippine Islands, January 19, 1900, to rank from that date.

First Lieut. Milo C. Corey, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Bamban, Luzon, Philippine Islands, November 9, 1899, to rank from that date.

First Lieut. John G. Constable, Forty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Taal, Luzon, Philippine Islands, January 19, 1900, to rank from that date.

First Lieut. Robert T. Crawford, Thirty-second Infantry, United States Volunteers, for distinguished gallantry in action at Hermosa, Luzon, Philippine Islands, September 25, 1900, to rank from that date.

First Lieut. John F. Critchlow, Utah Light Artillery, United States Volunteers, for distinguished gallantry in action at the Guiguinto Bridge, Luzon, Philippine Islands, March 29, 1899, and at Bagbag, Luzon, Philippine Islands, April 25, 1899, to rank from March 29, 1899.

First Lieut. Harol D. Coburn, First Wyoming Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, March 7, 1899, to rank from that date.

First Lieut. Alexander B. Coxe, Thirty-ninth Infantry, United States Volunteers, for conspicuous gallantry in action at Carmona, Luzon, Philippine Islands, January 3, 1900, to rank from that date.

First Lieut. Leonard L. Deitrick, Thirty-fourth Infantry United States Volunteers, for distinguished gallantry in action near Papaya, Luzon, Philippine Islands, June 14, 1900, to rank from that date.

First Lieut. Edward T. Donnelly, Forty-third Infantry, United States Volunteers, for distinguished gallantry in action at La Paz, Leyte, Philippine Islands, April 26, 1900, to rank from that date.

First Lieut. Stewart McC. Decker, Thirty-fourth Infantry, United States Volunteers, for distinguished gallantry in action at Tangadin Pass, Luzon, Philippine Islands, December 4, 1899; Bandi, Luzon, Philippine Islands, December 8, 1889, and Banna Canyon, Luzon, Philippine Islands, December 9, 1899, to rank from December 4, 1899.

First Lieut. George M. Dreher, First Washington Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

First Lieut. Alpha T. Easton, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action at Talang, Luzon, Philippine Islands, July 17, 1900, to rank from that date.

First Lieut. John H. Evens, Forty-third Infantry, United States Volunteers (since deceased), for gallantry in action at Catbalogan, Samar, Philippine Islands, January 27, 1900, and Matignao, Samar, Philippine Islands, May 11, 1900, to rank from January 27, 1900.

First Lieut. Albert U. Faulkner, Twenty-seventh Infantry, United States Volunteers, for distinguished gallantry in action at Aringay, Luzon, Philippine Islands, November 19, 1899, to rank from that date.

First Lieut. George W. Gibbs, Utah Light Artillery, United States Volunteers, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

First Lieut. Alexander Goehr, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Bacolor, Luzon, Philippine Islands, August 9, 1899, to rank from that date.

First Lieut. Wilson G. Heaton, Thirty-fourth Infantry, United States Volunteers, for distinguished gallantry in action at Tangadin Pass, Luzon, Philippine Islands, December 4, 1899; Bandi, Luzon, Philippine Islands, December 8, 1899, and Banna Cañon, Luzon, Philippine Islands, December 9, 1899, to rank from December 4, 1899.

First Lieut. Jesse L. Hall, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at Aringay, Luzon, Philippine Islands, November 19, 1899, to rank from that date.

First Lieut. Solomon L. Jeffers, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at Licuan, Luzon, Philippine Islands, January 25, 1900, to rank from that date.

First Lieut. Charles E. Kilbourne, jr., signal officer, United States Volunteers, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

First Lieut. Laurin L. Lawson, Thirty-ninth Infantry, United States Volunteers, for conspicuous gallantry in action at Carmona, Luzon, Philippine Islands, January 3, 1900, to rank from that date.

First Lieut. John J. Lipop, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at Vigan, Luzon, Philippine Islands, December 4, 1899, and Malitcong, Luzon, Philippine Islands, May 19, 1900, to rank from December 4, 1899.

First Lieut. Jesse G. Lowenberg, Thirty-seventh Infantry, United States Volunteers, for distinguished gallantry in action on Mount Isarog, Luzon, Philippine Islands, September 28, 1900, to rank from that date.

First Lieut. Harry D. Lackore, Thirteenth Minnesota Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, to rank from that date.

First Lieut. Jonas H. Lien, First South Dakota Volunteer Infantry, for conspicuous gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

First Lieut. William L. Luhn, First Washington Volunteer Infantry, for conspicuous gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

First Lieut. Oscar A. McGee, Thirty-sixth Infantry, United

States Volunteers, for distinguished gallantry in action near Guagua, Luzon, Philippine Islands, September 15, 1899, to rank from that date.

First Lieut. Fred H. Parks, Eleventh Cavalry, United States Volunteers, for conspicuous gallantry in action at San Mateo, Luzon, Philippine Islands, December 19, 1899, to rank from that date.

First Lieut. Edward E. Philbrook, Forty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Taal, Luzon, Philippine Islands, January 19, 1900, to rankt from tha date.

First Lieut. Samuel Riggs, Forty-seventh Infantry, United States Volunteers, for conspicuous gallantry in action at Albay, Luzon, Philippine Islands, February 6, 1900, to rank from that date.

First Lieut. William C. Read, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Alos, Luzon, Philippine Islands, December 21, 1899, to rank from that date.

First Lieut. Philip W. Russell, First Nebraska Volunteer Infantry, for distinguished gallantry in action at Santo Tomas, Luzon, Philippine Islands, May 4, 1899, to rank from that date.

First Lieut. Perrin L. Smith, Thirty-ninth Infantry, United States Volunteers, for conspicuous gallantry in action at Carmona, Luzon, Philippine Islands, January 3, 1900, to rank from that date.

First Lieut. Philip K. Sweet, Forty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Lemery, Luzon, Philippine Islands, January 18, 1900, to rank from that date.

First Lieut. Edward E. Southern, First Washington Volunteer Infantry, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, and Santa Cruz, Luzon, Philippine Islands, April 10, 1899, to rank from February 5, 1899.

First Lieut. Henry J. Stewart, Forty-third Infantry, United States Volunteers, for distinguished gallantry in action at Gandara, Samar, Philippine Islands, March 27, 1900, to rank from that date.

First Lieut. Claudius M. Seaman, Forty-third Infantry, United States Volunteers, for conspicuous and meritorious services at La Granga, Samar, Philippine Islands, March 21, 1900, and Pambujan, Samar, Philippine Islands, May 6, 1900, to rank from March 21, 1900.

First Lieut. Henry S. Terrell, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action at the Putol Bridge, Luzon, Philippine Islands, January 7, 1900, to rank from that date.

First Lieut. V. Claris Talbot, First Nebraska Volunteer Infantry, for conspicuous gallantry in action near Manila, Luzon, Philippine Islands, February 22, 1899, to rank from that date.

First Lieut. Frank D. Tompkins, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at Tilad Pass, Luzon, Philippine Islands, December 2, 1899, to rank from that date.

First Lieut. John P. Teagarden, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action at Talang, Luzon, Philippine Islands, July 17, 1900, to rank from that date.

First Lieut. Samuel W. Widdifield, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Florida Blanca, Luzon, Philippine Islands, October 9, 1899, to rank from that date.

First Lieut. Bradley J. Wootten, Twenty-eighth Infantry, United States Volunteers (since deceased), for distinguished gallantry in action at Talang, Luzon, Philippine Islands, July 17, 1900, to rank from that date.

First Lieut. Fred L. Wilson, Forty-fourth Infantry, United States Volunteers, for distinguished gallantry in action near Lambuyan, Panay, Philippine Islands, September 16, 1900, to rank from that date.

First Lieut. Ben Lear, jr., Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Florida Blanca, Luzon, Philippine Islands, October 9, 1899, to rank from that date.

To be first lieutenants, by brevet.

Second Lieut. Charles F. Andrews, Forty-third Infantry, United States Volunteers, for conspicuous gallantry in actions at Paranas and Biason, Samar, Philippine Islands, March 11 and 24, 1900, to rank from March 11, 1900.

Second Lieut. Etienne De P. Bujac, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at Tangadin Pass, Luzon, Philippine Islands, December 4, 1899, to rank from that date.

Second Lieut. Mack K. Cunningham, signal officer, United States Volunteers, for distinguished gallantry in action near Imus, Luzon, Philippine Islands, June 19, 1899, to rank from that date.

Second Lieut. Charles S. Frank, Thirty-ninth Infantry, United States Volunteers, for conspicuous gallantry in action near Calamba, Luzon, Philippine Islands, January 1, 1900, to rank from that date.

Second Lieut. Burton Fisher, First Nebraska Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, March 7, 1899, to rank from that date.

Second Lieut. Theodore Gruener, Forty-sixth Infantry, United States Volunteers, for distinguished gallantry in action at Taal, Luzon, Philippine Islands, January 19, 1900, to rank from that date.

Second Lieut. William R. Harrison, Forty-seventh Infantry, United States Volunteers, for conspicuous gallantry in action at Daraga, Luzon, Philippine Islands, February 6, 1900, to rank from that date.

Second Lieut. Arthur P. Hayne, California Artillery, United States Volunteers, for distinguished gallantry in action at the Tuliahan River, Luzon, Philippine Islands, March 25, 1899, to rank from that date.

Second Lieut. James A. Hutton, First California Volunteer Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Second Lieut. George G. Jennings, First South Dakota Volunteer Infantry, for conspicuous gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Second Lieut. Marion B. Mabson, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action at Talang, Luzon, Philippine Islands, July 17, 1900, to rank from that date.

Second Lieut. Archie Miller, Thirty-second Infantry, United States Volunteers, for distinguished gallantry in action at Dinalupijan, Luzon, Philippine Islands, December 23, 1899, to rank from that date.

Second Lieut. Raymond C. Naylor, Utah Light Artillery, United States Volunteers, for distinguished gallantry in action at Masambong, near San Francisco del Monte, Luzon, Philippine Islands, March 25, 1899, to rank from that date.

Second Lieut. William H. Osborne, First Nebraska Volunteer Infantry, for distinguished gallantry in action at the Quingua River, Luzon, Philippine Islands, April 24, 1899, to rank from that date.

Second Lieut. Fred L. Perry, First Colorado Volunteer Infantry, for distinguished gallantry in action near Mandaloyan, Luzon, Philippine Islands, February 22, 1899, to rank from that date.

Second Lieut. Arthur N. Pickel, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at Vigan, Luzon, Philippine Islands, December 4, 1899, to rank from that date.

Second Lieut. Lyle H. Pedlar, Thirty-sixth Infantry, United States Volunteers, for distinguished gallantry in action near Bamban, Luzon, Philippine Islands, November 9, 1899, to rank from that date.

Second Lieut. Dennis P. Quinlan, Eleventh Cavalry, United States Volunteers, for distinguished gallantry in action at Aringay, Luzon, Philippine Islands, November 19, 1899, to rank from that date.

Second Lieut. George A. Seaman, Utah Light Artillery, United States Volunteers, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Second Lieut. George E. Steele, Forty-third Infantry, United States Volunteers, for distinguished gallantry in action at Terragona, Leyte, Philippine Islands, January 9, 1901, to rank from that date.

Second Lieut. William C. Webb, Utah Light Artillery, United States Volunteers, for distinguished gallantry in action at Santa Mesa, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Second Lieut. Joseph C. Wilson, Twenty-eighth Infantry, United States Volunteers, for distinguished gallantry in action at Lian, Luzon, Philippine Islands, September 26, 1900, to rank from that date.

Second Lieut. Charles L. Willard, Thirty-third Infantry, United States Volunteers, for distinguished gallantry in action at San Jacinto, Luzon, Philippine Islands, November 11, 1899, to rank from that date.

APPOINTMENTS, BY BREVET, IN THE ARMY.

To be brigadier-general, by brevet.

Col. Emerson H. Liscum, Ninth Infantry (since deceased), for conspicuous gallantry in action at Tientsin, China, July 13, 1900, to rank from that date.

To be lieutenant-colonels, by brevet.

Maj. James Regan, Ninth Infantry, for gallantry in action at Tientsin, China, July 13, 1900, to rank from that date.

Maj. Jesse M. Lee, Ninth Infantry, for gallantry in action at Tientsin, China, July 13, 1900; Yangtsun, China, August 6, 1900, and Pekin, China, August 14 and 15, 1900, to rank from July 13, 1900.

Capt. Henry J. Reilly, Fifth Artillery (since deceased), for conspicuous gallantry in action at Yangtsun, China, August 6, 1900, and Pekin, China, August 14 and 15, 1900, to rank from August 6, 1900. (Nominated for brevet of major, United States Army, for action at the Putol Bridge, Philippine Islands, January 7, 1900.)

To be majors, by brevet.

Capt. André W. Brewster, Ninth Infantry, for conspicuous gallantry in action at Tientsin, China, July 13, 1900, to rank from that date.

Capt. Charles R. Noyes, Ninth Infantry, for conspicuous gallantry in action at Tientsin, China, July 13, 1900, to rank from that date.

Capt. Henry G. Learnard, Fourteenth Infantry, for conspicuous, gallant, and efficient service in action at Pekin, China, August 14, 1900, to rank from that date,

Capt. Charles H, Martin, Fourteenth Infantry, for gallant and efficient services in action at Yangtsun, China, August 6, 1900, and Pekin, China, August 14 and 15, 1900, to rank from August 6, 1900.

Capt. John R. M. Taylor, Fourteenth Infantry, for gallant and efficient services in action at Yangtsun, China, August 6, 1900, and Pekin, China, August 15, 1900, to rank from August 6, 1900.

To be captains, by brevet.

First Lieut. Harry F. Rethers, Ninth Infantry, for conspicuous and gallant conduct in action at Tientsin, China, July 13, 1900, to rank from that date.

First Lieut. Harold Hammond, Ninth Infantry, for conspicuous and gallant conduct in action at Tientsin, China, July 13, 1900, to rank from that date.

First Lieut. Joseph Frazier, Ninth Infantry, for conspicuous gallantry in action at Tientsin, China, July 13, 1900, to rank from that date.

First Lieut. Edward A. Bumpus, Ninth Infantry (since deceased), for conspicuous and gallant conduct in action at Tientsin China, July 13, 1900, to rank from that date.

First Lieut. William K. Naylor, Ninth Infantry, for conspicuous and gallant conduct in action at Tientsin, China, July 13, 1900, to rank from that date.

First Lieut. Charles N. Murphy, Fourteenth Infantry, for gallant and efficient service in action at Yangtsun, China, August 6, 1900, to rank from that date.

To be first lieutenants, by brevet.

Second Lieut. Abraham U. Loeb, Ninth Infantry, for conspicuous and gallant conduct in action at Tientsin, China, July 13, 1900, to rank from that date.

Second Lieut. Robert S. Clark, Ninth Infantry, for conspicuous and gallant conduct in action at Tientsin, China, July 13, 1900, to rank from that date.

Second Lieut. William H. Waldron, Ninth Infantry, for conspicuous and gallant conduct in action at Tientsin, China, July 13, 1900, to rank from that date.

Second Lieut. Albert N. McClure, Fifth Cavalry, for gallant and distinguished conduct in action at Pekin, China, August 15, 1900, to rank from that date.

Second Lieut. Roy B. Harper, Seventh Cavalry, for conspicuous gallantry in action at Yangtsun, China, August 6, 1900, and Pekin, China, August 14 and 15, 1900, to rank from August 6, 1900.

To be brigadier-general, by brevet.

Col. Harry C. Egbert, Twenty-second Infantry (since deceased), for distinguished gallantry in action at the Tuliahan River, Luzon, Philippine Islands; March 25, 1899, to rank from that date.

To be major-general, by brevet.

Col. Harry C. Egbert, Twenty-second Infantry (since deceased), for distinguished gallantry in action at Malinta, Luzon, Philippine Islands, March 26, 1899, to rank from that date.

To be lieutenant-colonel, by brevet.

Maj. William A. Kobbé, Third Artillery, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

To be colonel, by brevet.

Maj. William A. Kobbé, Third Artillery, for distinguished gallantry in action at the Tuliahan River, Luzon, Philippine Islands, March 25, 1899, to rank from that date.

To be majors, by brevet.

Capt. Henry C. Cabell, Third Infantry, for distinguished gallantry in action at the Tuliahan River, Luzon, Philippine Islands, March 25, 1899, and Malinta, Luzon, Philippine Islands, March 26, 1899, to rank from March 25, 1899.

Capt. James Lockett, Fourth Cavalry, for distinguished gallantry in action at Manila, Luzon, Philippine Islands, February 5, 1899, to rank from that date.

Capt. William H. Sage, Fourteenth Infantry, for distinguished gallantry in action near Manila, Luzon, Philippine Islands, August 13, 1898, to rank from that date.

To be lieutenant-colonels, by brevet.

Capt. Henry C. Cabell, Third Infantry, for conspicuous gallantry in action at Guiguinto, Luzon, Philippine Islands, April 11, 1899, and Santo Tomas, Philippine Islands, May 4, 1899, to rank from April 11, 1899.

Capt. James Lockett, Fourth Cavalry, for distinguished gallantry in action at Marilao, Luzon, Philippine Islands, March 27, 1899, to rank from that date.

Capt. William H. Sage, Twenty-third Infantry, for distinguished gallantry in action at the Zapote River, Luzon, Philippine Islands, June 13, 1899, to rank from that date.

To be captains, by brevet.

First Lieut. Hamilton S. Hawkins, Fourth Cavalry, for distinguished gallantry in action near Porac, Luzon, Philippine Islands, November 2, 1899, to rank from that date.

First Lieut. George H. McMaster, Twenty-fourth Infantry, for distinguished gallantry in action near Santa Ana, Luzon, Philippine Islands, October 7, 1899, to rank from that date.

First Lieut. Thomas H. Slavens, Fourth Cavalry, for distinguished gallantry in action at the Abacan River, Luzon, Philippine Islands, November 1, 1899, to rank from that date.

To be majors, by brevet.

First Lieut. Hamilton S. Hawkins, Fourth Cavalry, for distinguished gallantry in action near Bamban, Luzon, Philippine Islands, November 9, 1899, to rank from that date.

First Lieut. George H. McMaster, Twenty-fourth Infantry, for distinguished gallantry in action at Naguilian, Luzon, Philippine Islands, December 7, 1899, to rank from that date.

First Lieut. Thomas H. Slavens, Fourth Cavalry, for distinguished gallantry in action near Porac, Luzon, Philippine Islands, November 2, 1899, to rank from that date.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 20, 1902.

SURVEYOR-GENERAL OF MONTANA.

Edward W. Beattie, of Helena, Mont., to be surveyor-general of Montana.

PROMOTION IN THE NAVY.

Lieut. Commander Robert M. G. Brown, United States Navy, retired, to be a commander in the Navy on the retired list in accordance with the provisions of an act of Congress approved March 11, 1902.

APPOINTMENT IN THE NAVY.

Dr. Robert Alexander Bachmann, a citizen of Pennsylvania, to be an assistant surgeon in the Navy.

COLLECTOR OF CUSTOMS.

Howard S. Nyman, of the District of Columbia, to be collector of customs for the district of Georgetown, in the District of Columbia.

MARSHALS.

Morgan Treat, of Virginia, to be United States marshal for the eastern district of Virginia.

S. Brown Allen, of Virginia, to be United States marshal for the western district of Virginia.

POSTMASTERS.

W. S. Cappeller, to be postmaster at Mansfield, in the county of Richland and State of Ohio.

Charles A. Skillman, to be postmaster at Lambertville, in the county of Hunterdon and State of New Jersey.

Eli A. Warren, to be postmaster at Bristol, in the county of Sullivan and State of Tennessee.

Mark H. Moody, to be postmaster at Waterbury, in the county of Washington and State of Vermont.

Frederick W. Ulrich, to be postmaster at South Bethlehem, in the county of Northampton and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 20, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

ARMY APPROPRIATION BILL.

Mr. HULL, from the Committee on Military Affairs, reported the bill (H. R. 12804) making appropriations for the support of the Army for the fiscal year ending June 30, 1903, which was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. HAY reserved all points of order on the bill.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12346, the river and harbor appropriation bill.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill, and the Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Improving harbor at Waukegan, Ill.: Continuing improvement, in accordance with the report submitted in House Document No. 343, Fifty-sixth Congress, first session, $100,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the project recommended in said report, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $245,000, exclusive of the amounts herein and heretofore appropriated.

Mr. BURTON. Mr. Chairman, I desire to offer the following amendment.

The Clerk read as follows:

On page 28, line 21, after the word "appropriated," insert: "*Provided further*, That the Secretary of War may, in his discretion, and in case the total costs shall not exceed the limit fixed herein, modify the location of the detached breakwater."

Mr. BURTON. The object of that, Mr. Chairman, is to give some degree of liberty to the engineer in charge to change the plans, with the proviso that it shall not increase the cost. It has been suggested by the local engineer and recommended by the chief.

The amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

Improving harbor at Ontonagon, Mich.: For maintenance, $5,000.

Mr. McLAIN. I move to strike out the last word.

Mr. Chairman, in making this motion I do it not for the purpose of seeking an opportunity to make war upon the Rivers and Harbors Committee. While the committee was in session we earnestly pressed for an appropriation for Gulfport and Pascagoula harbors, but the committee has seen proper to refuse our request.

I believed then, and so believe now, that these ports should have been recognized with a substantial appropriation by the committee. But I am seeking no quarrel with this committee; I submit to its decree in good temper. My chief object in thus presenting this amendment is to secure an opportunity to call the attention of the House to our great Mississippi coast, its natural harbors, its growing commerce, and its wonderful progress along all lines. It is true we have heretofore received liberal appropriations from Congress for these two ports, but we need more and we must have it.

We feel confident from the magnificent showing that can be made for them in the future, Congress will continue to lend a helping hand to each. They are growing and expanding daily, and nothing can permanently interfere with their march to success. I wish I had the time and you the patience for me to give you fully the many reasons for this assertion, but I must pass on. However, in this connection, I wish to give some facts and figures touching the importance and growth of these two ports and other points along our coast before I conclude my remarks.

When I said just now that I had no desire to make war on this committee, I am prompted to that course for the reason that I think it has discharged its duty honestly and faithfully from its standpoint, and for the further reason of its generous appropriations given to our coast in its last river and harbor act of March 3, 1899. At that time it gave to the port of Pascagoula $267,000, Horn Island Pass $50,000, Ship Island Pass $40,000, Gulfport $150,000, and the mouth of Pearl River $18,199. We now ask of this committee an additional appropriation for the port of Pascagoula and Gulfport.

The committee gave us a patient hearing, but after due deliberation has declined to give them any further aid for the present, assigning as one of the chief reasons that each of these ports is now under contract for improvement by virtue of the above-mentioned appropriations. The contract for the improvement of Pascagoula will soon be completed, and that of Gulfport will not be finished until April, 1903; or at least the contractor of this work has until then to complete it. I will here give you the reports of the Chief of Engineers made to the Secretary of War upon these two projects, which speak for themselves:

CHANNEL FROM GULFPORT TO SHIP ISLAND HARBOR, MISSISSIPPI.

The depth of water over the line of the proposed channel varies from 8.5 feet to 19 feet, and in the proposed basin there is an average depth of about 6 feet.

PLAN OF IMPROVEMENT.

To dredge a channel 300 feet wide and 19 feet deep at mean low water from the anchorage at Ship Island Harbor to Gulfport, Miss., and to construct at the end of this channel next the shore an anchorage basin of similar depth and not less than 2,640 feet by 1,320 feet in area.

The river and harbor act of March 3, 1899, authorizes contract for a channel and basin as above, at a cost not to exceed $150,000, and their maintenance for a term of five years after completion for the sum of $10,000 annually, and further provides that the necessary expenses for examinations, surveys, and inspections of the work shall be paid from the permanent indefinite appropriation made by section 4 of the river and harbor act approved July 5, 1884.

WORK OF THE PAST YEAR.

This work having been advertised in May, 1899, and no bids received on it, was readvertised on January 1, 1901, and one bid received, from Spencer S. Bullis, Gulport, Miss. Contract was finally awarded to Mr. Bullis, by the terms of which work was to commence within thirty days after notification of approval of contract by the Chief of Engineers and be completed within two years from date of commencement, the work of maintenance to commence immediately upon completion of channel and basin.

The cost of dredging the channel and anchorage basin is to be $150,000, and the cost of its maintenance for the term of five years after completion is to be $10,000 annually, subject to a penalty of $30 per day for each and every day said channel and anchorage basin is not maintained in accordance with the terms of the contract.

Dredging was commenced with a hydraulic dredge on the anchorage basin April 16, 1901. On June 3, 1901, a clam-shell dredge was placed at work on the channel, and dredging is in progress at the end of the fiscal year.

No money has yet been appropriated by Congress for this work.

On April 20, 1901, an allotment of $1,000 was made from the appropriation for operating and care of canals and other works of navigation, indefinite, for payment of expenses of inspections and examinations of the above work during the last three months of the fiscal year 1901. Under this allotment the work was surveyed and laid out, and the dumping of the material, etc., is being supervised by inspectors appointed by this office.

IMPROVEMENT OF PASCAGOULA RIVER AND HORN ISLAND HARBOR, MISSISSIPPI.

The present condition of the channel in Pascagoula River is such as to permit vessels of 12 feet draft to ascend to the lumber mills at Scranton and Mosspoint, Miss., while the original condition of the channel would not allow of its navigation by vessels of over 10 feet draft.

The harbor at Horn Island originally had a depth of 21 feet, except over the shoals known as the "Bulkhead" and the "Neck," where depths of from 17.5 to 19.7 feet were found, preventing the satisfactory utilization of a safe anchorage parallel with the northern beach of Horn Island and extending 7 miles westerly. There is now available a depth of 20 feet with a width of 200 feet over the "Bulkhead."

PLAN OF IMPROVEMENT.

The present project for the improvement of Pascagoula River, that of December 28, 1896, is to obtain a channel 12 feet deep by dredging from 3 miles above the mouth of Dog River to the 12-foot contour in Mississippi Sound, 150 feet wide above the railroad bridge at Scranton, Miss., and 300 feet wide below said bridge; and the present project for improving Horn Island Harbor, that of August 29, 1898, is to obtain a channel in the anchorage by dredging to a depth of 20 feet at mean low water, with a width of 500 feet. The estimated cost of both works was $317,600.

WORK OF THE PAST YEAR.

Under contract dated July 21, 1899, and supplemental contracts dated November 23, 1899, and March 25, 1901, work of dredging was continued throughout the fiscal year. From Horn Island anchorage 116,658 cubic yards of material, chiefly compact sand, little clay, shell, and mud, was removed, and the cut of 150 feet width dredged to a depth of 20 feet during the fiscal year of 1900 was widened to 400 feet throughout its length of 4,000 feet.

This channel has yet to be widened 100 feet, and it is proposed to do this during the early part of the fiscal year of 1902. This increased depth in the anchorage has afforded great relief to the shipping using it. By the removal of 536,784 cubic yards of material, chiefly compact white sand, variegated clay, shells, and soft black mud, from Pascagoula River channel below the railroad bridge at Scranton, the channel through reaches 1 to 6 was widened from 200 to 300 feet for the aggregate length of 8,035 feet; on reach 7 a channel 100 feet wide and 950 feet long was widened to 300 feet and completed throughout its length of 1,565 feet—this work being done by a hydraulic dredge with a 15½-inch suction. Reach 8, or the last reach, of 18,400 feet length, was dredged to a width of 200 feet, 50 feet width and 12,580 feet length of which was done during fiscal year of 1900—this work being done by two clam-shell dredges. The channel through reach 8 has to be widened by 100 feet more to complete the work on Pascagoula River channel, and this work will probably be completed by January 1, 1902.

In view of these facts, the committee is of the opinion that the additional appropriation asked for Gulfport and Pascagoula is premature, and it therefore, has declined to give to either any aid on this bill pending before the House. This action of the committee does not mean that it is of the opinion that these ports are unworthy of further improvement or that they will be ignored hereafter. I am sure the necessity for the improvement of these two points will continue to be so pronounced, along all lines, that they will receive from Congress, from time to time, all the aid needed.

I say this because I have a supreme confidence in the strength, growth, and development of this section of our Commonwealth,

and I have an abiding faith in Congress to do justice by it. Its progress, material and industrial, will soon reach such proportions as to force its attention upon this body with increased force from year to year. When these conditions arrive, as they will, I feel sure Congress will do that which is right and just toward it if we but press its cause. The entire Mississippi coast is in the Congressional district which I have the honor to represent.

I have given the subject of the improvement of its harbors much earnest thought and time. It has been my ambition to see a deep-water harbor on our coast while I have the honor to represent that section. But by the recent apportionment of my State into Congressional districts by our legislature my home county is not in the Congressional district in which the coast counties are placed. In parting with the coast, I do so with feelings of profoundest regret, and I take this occasion to say that should I be returned to Congress from the district in which I am now located I shall give the Representative from this coast district my heartiest cooperation in all matters looking to the development of this great section.

Mr. Chairman, it has always been the desire of Mississippi to secure a great harbor upon our very sea front—a harbor where the largest vessels may come with safety to discharge and receive cargoes. What we have already achieved inspires us to hope for the full fruition of our future efforts. Have we sufficient cause to thus believe that our efforts will ultimately be crowned with success? I think so. Now, let me place you in possession of all facts as to what has actually been done for our coast by the Government in the last river and harbor act. Once having this in possession, the question naturally arises: What further aid can we reasonably expect along this line from Congress, and what are the best methods to pursue?

Proceeding on this suggested method, I will begin by saying that by act of Congress approved June 16, 1898, the Secretary of War was authorized and directed to cause to be made a survey for a channel leading from Ship Island Harbor to the railroad pier at Gulfport and from Ship Island Harbor to Biloxi, and also for an anchorage basin at both places, with a view of ascertaining the cost of same and the advisability of doing the work. He was also required to report a plan for making and maintaining said channels and basins by necessary dredging and improvements, together with an estimate of the cost of same; and also to make survey for a channel 26 feet deep at mean low tide through Ship Island Pass, and to report the cost and advisability of making the same by dredging.

This survey was made by Maj. W. T. Rossell, and he filed his report with the Secretary of War December 17, 1898. He estimated the cost of dredging channels with depths of 17, 19, and 23 feet, respectively, as follows:

From Ship Island Harbor to Gulfport, channel 17 feet and 300 feet wide, $371,839; channel 19 feet deep, $573,967; channel 23 feet deep, $1,089,627.

From Ship Island Harbor to Biloxi, channel 17 feet deep, $496,924; channel 19 feet deep, $766,728; channel 23 feet deep, $1,586,559.

For anchorage basins 2,640 by 1,320: For Gulfport, a basin 17 feet, $138,296; one at 19 feet, $174,142; one at 23 feet, $245,432.

Basin at Biloxi: One at 17 feet, $172,325; one at 19 feet, $208,347; one at 23 feet, $272,828.

For Ship Island Pass he recommends that it be cut to 26 feet and estimates the cost of same at $40,000, and he recommends that this work be done.

Also, by act of Congress passed June 3, 1896, the Secretary of War was directed to make a survey of Pascagoula River with a view of obtaining a depth of 17 feet. This survey was made and report made thereon recommending that the channel be dredged to 12 feet, and estimates the cost at $267,600.

Also, by act of Congress passed May 7, 1896, the Secretary of War was directed to make a survey of the pass leading from the Gulf of Mexico into Horn Island Harbor, and a survey of said harbor and of the channel leading to and from said pass, with the view of ascertaining its cost and advisability of undertaking the work. Major Rossel made his report recommending the improvement of the anchorage at Horn Island Harbor and recommended $50,000 with which to do the work.

Also, an act was passed by Congress for a survey of the channel at the mouth of Pearl River leading to deep water in the Mississippi Sound, with a view to obtaining 17-foot channel at mean low-water tide. This survey was made, and the engineer in charge of the work reports that this channel is not worthy of improvement to a depth of 17 feet at mean low tide, but is worthy of improvement to a depth of 9 feet at mean low water, and recommends an appropriation of $18,199.

From the foregoing you see we have succeeded in getting Congress to authorize and direct the Secretary of War to cause to be made six different surveys upon our coast, with a view to ascertaining the cost of each and the advisability of doing the work. The engineers in charge have recommended four of these projects to Congress as worthy of improvement, to wit, Pascagoula Channel, Horn Island Harbor, Ship Island Pass, and the mouth of Pearl River.

You will see by reference to the river and harbor act passed by Congress March 3, 1899, that the sums of money heretofore mentioned were appropriated to each of these places, and said sums of money to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for the construction of these public works, etc. These contracts have all long since been let and all completed except the Pascagoula Channel and the Gulfport Channel, both of which are nearing completion. From this you see Congress recognized Gulfport by an appropriation, though not recommended by the engineer who made the survey, estimate, and report, thus making five projects on our coast to receive appropriations under the river and harbor act of March, 1899.

Congress refused to give Biloxi anything, and at first refused to give Gulfport anything, as neither was recommended for improvement by the engineer who made the survey and estimate for these two places. We did all in our power to secure recognition for Biloxi and Gulfport on the rivers and harbors bill of 1899. For each we had in our possession the survey and estimated cost of the work made by the Government, but the River and Harbor Committee refused to place either Biloxi or Gulfport on its bill for an appropriation, for the reason it was not recommended.

But after all efforts had failed Major Bullis, in the closing days of Congress—as a dernier ressort—authorized me to say to the Committee on Rivers and Harbors that his company would undertake to dredge a channel 19 feet deep and 300 feet wide from Gulfport to Ship Island Harbor, and the required anchorage basin, for $150,000. I introduced the bill as requested, and we succeeded in getting the following through Congress:

Gulfport, Miss., to Ship Island Harbor.—The Secretary of War is hereby authorized to enter into a contract or contracts to dredge a channel 300 feet wide and 19 feet deep at mean low water from the anchorage from Ship Island Harbor, on the Gulf of Mexico, to Gulfport, in Harrison County, in the State of Mississippi, and to construct at the end of said channel next the shore an anchorage basin of similar depth not less than 2,640 by 1,320 feet in area, at a cost not to exceed $150,000; and the Secretary of War is further authorized to contract for the maintenance of said channel and anchorage basin for the term of five years after its completion for the sum of $10,000 annually: *Provided*, That the necessary expense for such examination, surveys, and inspections of the work as may be required by this act, shall be paid from the permanent, indefinite appropriation made by section 4 of the river and harbor act, approved July 5, 1884: *And provided further*, That the depths provided for shall be at mean low water as determined by the engineer officer in local charge of the work.

Under this act the Secretary of War advertised for bids. Of course no one would bid except those who were willing to take the chances of spending some of their own money in doing a piece of work, for the estimated cost of which, by the Government engineer, was $748,109.96, with only $150,000 appropriated. I understand that Major Jones, president of the Gulf and Ship Island Railway, has taken or caused to be taken this work. This shows the confidence that Major Jones and others have in the establishment of a harbor here.

He is in truth and in fact placing upon the harbor of Gulfport an improvement that the Government, by actual calculation based upon a survey, estimated would cost $748,107. This does not include the enormous cost already expended there in constructing the wharf and the railroad pier. In undertaking this gigantic work, of course, Major Jones believes it a good investment for him, yet at the same time it will greatly benefit Gulfport and our State. Indeed, the future of Gulfport is bright, and in the near future it will witness the realization of its hopes in its fullest measure.

The Mississippi coast is about 75 miles long, the shore line running along the Mississippi Sound. From 6 to 12 miles out from shore are located a number of islands fronting the entire Mississippi Sound. Commencing on the east and running west the islands are in the following order: Petit Bois, Horn Island, Ship Island, and Cat Island. This forms a breakwater for the Mississippi coast. Ship Island is the largest of these islands, and it is about 12 miles from shore, lying in front of Biloxi, Mississippi City, and Gulfport.

Ship Island Harbor is the finest natural harbor on the coast of the Gulf of Mexico. It has long been known as a port of safety. Packenham's fleet gathered here in the war of 1812. The depth of the water in the harbor is from 18 to 35 feet, with surface room sufficient to anchor the entire shipping of Habana, Mobile, Galveston, and New Orleans. To the west of Ship Island lies Cat Island; to the east, Horn Island, the harbor for Scranton and Moss Point, the entrance thereto from the Gulf being Horn Island Pass.

The entrance proper to Ship Island Harbor from the Gulf is Ship Island Pass, lying between Ship Island and Cat Island, which had a natural depth of 22 feet at mean low water, but by the expenditure of the recent appropriation of $40,000 for its

improvement it is now 26 feet deep. This makes this channel 3½ feet deeper than Mobile channel, three-quarters of a foot deeper than Galveston, and as deep as the channel at the mouth or passes of the Mississippi River.

By the way of comparison, let me give you a few figures and facts in reference to the harbors of some of our neighboring cities on the Gulf of Mexico, which will show how grossly we have been neglected at the hands of the Government. The entire length of the Mobile Channel is 33.9 miles, with a continuous cut of 32.27 miles. It originally had a depth of 5½ feet through Choctaw Pass and 8 feet on Dog River bar. From 1870 to 1876 the channel was deepened to 13 feet. From 1881 to 1888 to 17 feet.

In 1888 a project was adopted to dredge the channel to 23 feet and the work was placed under a continuous contract. Since 1888 the total amount expended on this improvement to June 30, 1897, was $2,183,161. On this last date the channel had a depth varying from 20 to 23 feet. The natural depth of channel at Biloxi and Gulfport is about 9 feet, which gradually increases toward Ship Island Harbor, striking 17 feet of water within 4 or 5 miles out from either place. The money given Mobile channel since 1888 alone would give to Biloxi and Gulfport each a channel 308 feet wide and 23 feet deep.

Let me take another case, if you please. Over $8,000,000 has been given Galveston Harbor. This expenditure resulted in a depth of 24½ feet on the outer bar and 25½ feet on the inner bar. According to the Government's estimate, heretofore stated by me, an anchorage basin at Biloxi, a channel to Ship Island Harbor, at 23 feet deep, can be dredged for $1,859,387.01; the same character of work at Gulfport for $1,335,059.96; total for the two, $3,194,446.97. Therefore the two basins and channels of these two places can be built for less money than has been given Galveston Harbor by $4,805,553; or, in other words, for less than half. The two basins and channels can be built from Galveston's appropriation and have left $6,664,940.

I will go a step further. It is also estimated by the Government that Pascagoula Channel can be given a depth of 17 feet for $1,050,222. The combined sum necessary for the dredging of Biloxi and Gulfport Channel to 23 feet, along with anchorage basin for each, and that of Pascagoula Channel to 17 feet, based upon the survey and estimate of the Government, is $4,244,668.

Therefore this shows that these three projects upon our coast can be improved for about half of the sum of money already expended on Galveston Harbor. Suppose half or one-third or one-fourth—yes, one-eighth—of this amount was given to one of our ports, what developments you would behold! I do not invite your attention to these matters out of a spirit of envy, but that it may stir you to give us our just rights. We rejoice at the good fortune of Mobile, Galveston, and New Orleans and bid them Godspeed on the road to a higher success.

There is another thing I wish to lay before you. It is our export business of the district of Pearl River for the fiscal year ending June 30, 1901. The collector for this district gives me the following figures: Clearances to foreign ports, 299 vessels, with 236,368 tons, carrying 210,992,000 feet of lumber and timber valued at $2,835,829; clearances to Key West and domestic Atlantic ports, 36 vessels, with 17,473 tons, carrying 13,928,000 (estimated) feet of lumber and timber valued at $160,000 (estimated).

From this you see the total vessels, foreign and domestic, 335, with 253,841 tonnage; total feet of lumber 224,920,000, valued at $2,995,828. In this office there is no record kept of the business with New Orleans, Mobile, or other nearby ports. The distribution of the above foreign business credited to the ports of Pascagoula and Biloxi is as follows: Pascagoula, 201 vessels, 128,321 tons, 11,587,000 feet, total value $1,570,717; Biloxi, 98 vessels, 108,047 tons, 91,405,000 feet, total value $1,265,112. In this distribution of business of these two ports the domestic business is not given for the reason that I have not the figures.

I am reliably informed that the fish, oyster, and shrimp shipped from our coast alone amounts to several millions. Indeed it is said that Biloxi exports more canned oysters than any other port in the United States, barring Baltimore.

Immediately north of this coast lies a tier of counties literally covered with wooded wealth, and without doubt the finest pine forest standing in the Union. A few years ago it was without railroads, but to-day it is threaded with them.

All over this belt stands many sawmills, each with a capacity of 10,000 to 200,000 feet per day. The estimated number of feet of lumber now standing upon the soil of the counties immediately north of our coast is almost beyond computation. Into the statistics of this I will not go, for statistics, as a rule are dry and dull reading; but let me throw out a few basic facts from which any inquiring mind can get a flood of information upon the wonderful resources of our pine belt.

In the 25 counties east of the Illinois Central Railway (including Amite and Franklin west of it) and south of the Alabama and Vicksburg Railway, it is estimated to contain 5,860,000 acres of pine-timbered land, and from the best information I can get the estimated cut of timber per acre is from 4,000 to 8,000 feet. But, to be on the safe side, we can with confidence assume that 6,000 is a moderate estimate.

Now we have before us these figures: Total number of acres, 5,860,000; estimated cut per acre, 6,000; total number of feet, 34,160,000,000. At $10 per 100 feet it is worth $341,600,000.

On the various railroads running through this section of timbered land there are over 200 sawmills distributed and with an annual output as follows:

Fourteen on the Mobile and Ohio, with an output of 80,000,000 feet; 50 on the Northeastern, with 300,000,000 feet; 34 on the Illinois Central, with 250,000,000 feet; 70 on the Gulf and Ship Island, with 350,000,000 feet; 23 on the Louisville and Nashville, with 190,000,000 feet; grand total or annual output, 1,170,000,000 feet. At $10 per thousand feet it is worth $11,700,000, yielding an annual revenue equal to one-fourth of the entire cotton crop of the State.

It is estimated that it would take fifty years to consume the merchantable pine standing in the counties above named, assuming the rate of consumption to be as above related, and giving due allowance for the growth of young timber not at present merchantable. When this occurs, will the country be impoverished? Not by any means. The soil is light and easily cultivated, yielding abundant harvest under proper cultivation.

Immediately associated with this immense lumber business is the rosin and turpentine business, which is produced and gathered in vast quantities, bringing thousands of dollars into the country and giving employment to many people.

Such, in brief, is the lumber business in this tier of counties. Taking this vast annual income into consideration along with the agricultural productions, and many other lines of business all through this section, am I not justified in saying that this is a most remarkable, prosperous, and prolific part of our country? I think so. Many other things I could say about it; but I must pass on. We feel that our coast is standing at the door of great possibilities, yet with all this there is a grander future for it. While we take fresh courage and inspiration from the great improvement upon its harbors and channels within the past few years, yet we desire further aid from the Government.

To impartially contemplate what has been done for our coast, it is cheering and refreshing. When we consider this along with the lavish gifts God has given it in the way of natural harbors lying within 6 and 10 miles of our entire coast front, it emphasizes the fact that a most magnificent future awaits it. I do not think I speak extravagantly. Mississippi is a great State from center to circumference, but if there is one section that promises to blossom with more prosperity than any other, it is this coast and the country immediately north of it.

Its development in the past few years has been a wonder and a surprise. It will be a greater surprise in the next five years than it has been in the last ten. In the heart of this favored land some villages within the last eight years have developed into cities of 5,000 or more inhabitants each, and yet it is further dotted with scores of other towns from 500 to 3,000 inhabitants which are increasing in population and wealth daily.

Our coast alone is a big thing. Its possibilities are almost beyond the conception of the mind. It, too, is a wonderful surprise to all that pass that way. Great cities are there now, but they are getting stronger and greater with each day. Almost a solid town from Bay St. Louis to Ocean Springs; going 18 miles to the east of Ocean Springs, there we find along the Pascagoula River and Bay another solid town stretching from Pascagoula to Moss Point, a distance of 8 miles.

At this hour this coast bids fair to be the best thing in Mississippi. Within the last two years $465,000 has been expended by the Government on its harbors and channels. Some of the direct and immediate results of this expenditure are that vessels loaded to 26 feet pass in and out of Ship Island Harbor at low tide, out of Horn Island Harbor at 21½ feet, out of Pascagoula Bay and River at 13 feet, from Gulfport to Ship Island Harbor at 19 feet. With the reasonable prospects now before us, vessels drawing 21½ and 26 feet can anchor at the wharves on our very sea front at some of these places at no distant day. Is it any wonder that the coast towns have within the last few years gone from a few hundred inhabitants into the thousands?

Our coast has long been neglected by capital and railroads. The Government has been slow to aid it. For these causes the country has been in ignorance of its wonderful possibilities, but by the completion of the Gulf and Ship Island Railway and other roads the country is beginning to know it better. The wheels of progress have struck it with full force. It is coming right along and up the road to success. Conditions have arrived when we will secure the necessary appropriations for the development of its harbors. It has become a necessity.

Our progress, material and industrial, has reached that high-water mark as to force it. Nothing can plant itself across its track of onward march to defeat it. With the great natural harbor of Ship Island lying within bowshot of our shore, the cheapness with which a deep-water channel connecting our ports with this great harbor can be secured, have we not reasonable grounds to believe that we will get abundant aid from the Government, and that at no distant day the Mississippi coast will glory in one of the most magnificent ports in these United States? [Applause.]

I withdraw the pro forma amendment.

The Clerk, proceeding with the reading of the bill, read as follows:

Improving harbor at Duluth, Minn., and Superior, Wis.: Continuing improvement and for maintenance, $275,000, of which not less than $100,000 shall be expended in prosecuting the work of rebuilding the piers at the Wisconsin entry of said harbor, and $143,000, or so much thereof as may be necessary, may, in the discretion of the Secretary of War, be expended for the construction or purchase of a dredging plant.

Mr. RYAN. Mr. Chairman, I intended to move to strike out the paragraph on page 27, and with the consent of the chairman of the committee I will ask to recur to it.

The CHAIRMAN. The gentleman from New York asks unanimons consent to return to page 27. Is there objection?

Mr. BURTON. The gentleman wants, I suppose, to make a motion to strike out the provision for dredges?

Mr. RYAN. Yes.

Mr. BURTON. I have no objection to returning to the paragraph.

Mr. RYAN. Then, Mr. Chairman, I move to strike out in accordance with the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Strike out the paragraph beginning on line 13, page 27, and ending with line 7 on page 28.

Mr. RYAN. Mr. Chairman, by the provisions of this paragraph it is intended to build or purchase a suitable dredge for use by the Government in the improvement and maintenance of the harbors on Lake Erie. To carry out this project $175,000 is appropriated. It is also intended to purchase or build dredges to be stationed at Duluth and Grand River, as I am informed the dredges are to be of that class known as the English style of construction, which means a very large boat that propels and loads itself by suction, and after being loaded starts out to the dumping ground.

This is a very costly method of construction and also expensive to maintain. I do not think that, as a business proposition, the Government should engage in the construction and maintenance of dredging plants.

There is already an excessive amount of dredging machinery on the Great Lakes, and the resulting competition has forced prices away down. The Government is now paying for dredging at Chicago 7.45 cents per cubic yard; Toledo, 8¼ cents, and Duluth, 8 cents.

The Government can not do the work at as low a figure.

The dredging business has not been an extraordinarily profitable business, as is shown by the fact that two of the largest firms on the Great Lakes have been forced to discontinue owing to the low prices that they have received for their work.

Owing to the competition for the work on the lakes there has been no abuse by those who have invested their capital in this business, and as long as reasonable prices and satisfactory service are given the Government should not provide machinery to do this work.

The chairman of the committee [Mr. BURTON] must concede that the work has been satisfactorily done, and the Government should not go into competition with private enterprise unless as in the case of building war vessels, where enormous prices have been paid and the Government has every facility and must necessarily maintain navy-yards to keep the naval ships of the country in repair. I hope, Mr. Chairman, this paragraph will be stricken out.

Mr. BURTON. Mr. Chairman, there are three dredges provided for in this bill on the Great Lakes and tributary waters. One is for a dredge, to cost not exceeding $100,000, in the Grand River between Grand Rapids and Lake Michigan. That for years to come would be used only in that part of the river between Grand Rapids and the lake. The other is for $143,000 for a dredge at Duluth-Superior. The other is an authorization for a dredge costing $175,000 for the harbors at Toledo, Sandusky, Cleveland, Fairport, and Conneaut, and the amount of the cost, $175,000, is apportioned between those ports. Now, there are two reasons why this provision for dredges, particularly at Duluth-Superior, and in the district on the south side of Lake Erie are very salutary. In the first place, a demand for a dredge may arise over night.

There may be a storm which throws sand or some other obstacle into the mouth of a harbor and threatens to interfere with the use of the channel. Such a situation, of course, needs immediate attention, and a dredge should at once be sent there. Now, if you undertake to do that sort of work by contract you would have to prepare specifications, advertise for thirty days, and send the contract on here to Washington for approval; and it would be, at the least calculation, sixty days before anything could be done.

There is another special call for a provision of this kind at Duluth-Superior. The channel there has recently been dredged out, and for the first few years of its use there will be frequent caving and shoaling. It is desirable to have a dredge immediately at hand to go to work as soon as any obstruction appears.

Now, that consideration in itself is a sufficient reason. Another good reason is this: On the Great Lakes there are, as the gentleman said, a great many firms and corporations engaged in the dredging business. We all desire that these gentlemen may have the utmost success in their business. We hope they will have plenty to do and that their work for the Government will be done at a reasonable price. I know a great many of them and count them as personal friends. But they have been getting together recently with a view to forming either a trust or making a "gentleman's agreement" to fix the price of dredging. It is very desirable that some provision for these dredges should be made, so that they may operate as a check upon extortionate prices in case there should be a combination.

Mr. RYAN. Have not the prices charged for Government work by those companies on the lakes been reasonable and just?

Mr. BURTON. Certainly. I want to call attention to several other places in the country. Take the dredges that have been used in the Cape Fear River below Wilmington, N. C. The work of dredging there has been done by the Government at prices altogether below those charged by private or outside contractors.

But I do not know that I have answered the gentleman's question. Some of my colleagues say that I misunderstood it. Will the gentleman repeat it?

Mr. RYAN. I asked whether the prices at which contracts had been let for Government work on the Great Lakes had not been reasonable and just?

Mr. BURTON. Oh, yes. But the gentleman knows that the private contractors are going to fix their prices just as high as they can. They are not enlisted in their business for the sake of philanthropy or to undertake the dredging work of the Government at a low price.

Mr. RYAN. But the gentleman will concede that no contractor engaged in the business of doing work for the Government is engaged in it for any other reason than to make money, yet when the public work is done by contract better results, as a rule, in my judgment, can be obtained than otherwise.

Mr. BURTON. The gentleman is entirely mistaken in that. The dredging work on the Mississippi, which has been carried on upon a very large scale, has been done by Government dredgers exclusively, and in a number of other places it is done in the same way. As I was remarking a few minutes ago, the dredging work on the Cape Fear River below Wilmington has been done as cheaply as anywhere in the United States, at a cost, I think I may say, below the cost of similar work done by any private contractor in the country.

Mr. FITZGERALD. Will the gentleman yield to me a moment?

Mr. BURTON. Certainly.

Mr. FITZGERALD. Will the gentleman tell us something about the capacity of these proposed dredges? In connection with the contracts that were let for work in the harbor of New York there has been some difficulty in building dredges of adequate capacity. There is nothing in this provision which indicates the capacity of the dredges proposed to be built, or anything of that kind.

Mr. BURTON. I want to suggest to the gentleman that if he expects Congress to fix the specifications for every dredge that is to be built, or for all work of this kind that is to be done, there will be little time for any other business aside from this bill. That is a matter which is very properly and safely left to the Department having this subject in charge.

Mr. FITZGERALD. I do not ask that Congress do anything of that kind. My question sought simply to elicit some information. The gentleman in incorporating this provision in the bill must have had in mind dredges of a certain capacity; there must have been some recommendation for an appropriation of this kind which would enable the Department to build dredges of a certain capacity. I simply asked whether the gentleman could tell us anything about the size of these dredges or the amount of work that they would be able to do.

Mr. BURTON. There are two things which settle that question very simply. First, the amount appropriated or authorized. That gives a very decided indication concerning the will of Congress about the size of the dredges. Second, the projects where the work is to be done have a depth and width which is definitely fixed in each case.

I assure the gentleman there will be no difficulty whatever in providing proper models and sizes for these dredges.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from New York.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

Improving Allegheny River, Pennsylvania: Continuing improvements and for maintenance, $10,000.

Mr. SIBLEY. Mr. Chairman, I desire to offer the amendment which I will send to the Clerk's desk.

The Clerk read as follows:

Amend by adding to line 10, page 46: "For the removal of obstructions in the channel of the Allegheny River between Oil City, Pa., and Corydon Dam, $5,000."

Mr. BURTON. Does the gentleman desire to be heard on that?

Mr. SIBLEY. I do not, except to state, Mr. Chairman, that the channel is obstructed and wrecks the barges that are shipped down the river that carry the products of the Lower Allegheny, Monongahela, and Ohio rivers to their final market, and it has entailed a great expense and loss, and a very small sum of money, perhaps much less than $5,000, will remove entirely those obstructions. I think this a very proper amendment, to clear the channel of so magnificent a waterway as the Allegheny River.

Mr. BURTON. Mr. Chairman, the appropriation, at least so far as regards the most important part of that river, is not needed, because it is expected that the $10,000 to be appropriated, while not for work clear up to Olean, N. Y., is for work up to Warren, Pa., which, I believe, is about 50 miles above Franklin, is it not?

Mr. SIBLEY. Yes.

Mr. BURTON. I will read from the report on that subject.

The head of principal navigation on the river for several years has been at Hickory, and hence improvements have been confined almost exclusively to the stream below that point. Urgent requests are now made for improvement of the river from Hickory upstream to near Warren, a distance of about 30 miles [that is, 30 miles above Hickory], on account of recent establishment of sawmills and a boat yard at Irvinton, near Warren, for furnishing river shipments of lumber, barges, and coal-boat bottoms.

As I understand the gentleman from Pennsylvania, the main object in inserting this amendment was to provide a better channel for those barges to go down the river.

Mr. SIBLEY. Yes.

Mr. BURTON. Now, the provision in the bill had in view that very object. I read further from the report:

It is intended to devote the available balance of funds to a cleaning of the low-water channel from Hickory to New Kensington [which I believe is near Pittsburg, the lower part of the improvement] and to minor repairs for temporary maintenance of Nicholson Dam and Red Bank Dike.

Now, to this paragraph I ask the special attention of the gentleman from Pennsylvania:

The additional appropriation recommended is for open-channel work from Warren to Hickory, maintenance of channel below Hickory, etc.

Now, there is a balance, or was a balance, on hand at the date of the last report of $2,189. That would be expended in maintenance in the general way mentioned in the report, and the remaining $10,000 would be for dredging and improvements up to Warren. That is as far as there has ever been any survey or estimate of which I can find any trace, and to go above Warren would be certainly contrary to our rules, because we have before us neither survey, estimate, nor recommendation. In the first place, I think the gentleman from Pennsylvania will find that ample provision has been made for the situation which he describes. If he wants to go further than that, or, in other words, if he wants to go above Warren, why, there is no warrant for this House to do so.

Mr. SIBLEY. I would like to ask the chairman if there is any other stream of the size of the Allegheny River, with its volume of water, its length, the marvelous resources that line its banks, that has received so small a sum from the Federal Treasury for its betterment?

Mr. BURTON. Oh, I think, Mr. Chairman, I can state to the gentleman from Pennsylvania at least 20. I do not know about the volume of water.

Mr. SIBLEY. I doubt if you have ever been up the Allegheny Valley. If the gentleman will take a trip, starting from Pittsburg at daylight, he will find that when night overtakes him, riding on an express train, he is still by the side of a majestic river, and I think then the gentleman will have a little higher appreciation of what the Allegheny River is.

Why, our creeks are larger than most of the rivers provided for in this bill. We have French Creek, up in our country, which is bigger than nine out of ten of the rivers that this appropriation bill provides for and we only call it a creek. Now, for over 200 miles of this river you have appropriated $10,000, and I think that inasmuch as this money will not be wasted that is not needed to remove the obstructions—and much of that work of removal of obstructions has already been done by private expense—if you let that $5,000 go in there, Mr. Chairman, it is not presuming too much upon that fair portion of this river and harbor appropriation that we would like to have up in that corner of Pennsylvania. I am going to call for a vote on my amendment.

Mr. BURTON. Just one word further, Mr. Chairman. Let us see about the Allegheny River and whether it has been treated badly. There has been expended on this river within the last ten years for locks and dams $1,013,500; for the open-channel work there has been expended $250,000, making $1,263,500 that has been expended on this river within a comparatively short time. It has a total tonnage of 440,000. I have no doubt the trip which the gentleman from Pennsylvania details would be a very interesting one, and, from his description of it, exceedingly poetical and picturesque; but we are compelled to look at this from a commercial standpoint, and I want to say, first, that this river has received its full share. Then, too, there is a large balance on hand now, or that will be appropriated in the sundry civil bill—some $3,000 or $4,000—for building a dam at Six-mile Island. I am going to offer an amendment about it in a moment. The rest of the river has not been neglected.

The CHAIRMAN. The question is upon the adoption of the amendment offered by the gentleman from Pennsylvania [Mr. SIBLEY].

The question being taken, on a division (demanded by Mr. BURTON) there were—ayes 25, noes 60.

Accordingly, the amendment was rejected.

Mr. BURTON. Mr. Chairman, there is an amendment that I desire to offer at this point.

The CHAIRMAN. The gentleman from Ohio offers the following amendment; which the Clerk will report.

The Clerk read as follows:

After line 10 insert:

"The Secretary of War is authorized and directed to prosecute the work of constructing the dam at or near the head of Six Mile Island: *Provided*, That the expenditure shall not exceed the present limit of cost until further estimate shall have been submitted and said limit of cost extended by law."

Mr. BURTON. Mr. Chairman, just a word. There were three dams provided for on the Allegheny River by the act of 1896. On the second or middle of those dams, at Six Mile Island, there was difficulty in obtaining title. There was a controversy, that it is not worth while to detail at length, in regard to some land belonging to the city of Pittsburg. The city claimed that the cession of this land and the operation of the dam there would foul the water supply, as I understand it. For that reason work was postponed for some years.

The site has now been obtained, but in the meantime the contractor who bid upon the work some four or five years ago has asked to be released on what seems to be a reasonable ground, namely, that he made the contract at a time when materials and labor were cheaper than now. He has already been released, and it is probable that the amount authorized by the act of 1896 will not finish this dam; but in order that the work may not be delayed this provision is inserted, authorizing the Department to prosecute this work and expend the money so far as it may go.

There is a similar provision in the bill for the locks and dams between St. Paul and Minneapolis, made necessary by the increase in the cost of labor and materials, which I might as well mention now.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Ohio [Mr. BURTON], chairman of the committee.

The amendment was agreed to.

The Clerk read as follows:

Improving York River, Occoquan, Lower Machodoc, Nandua, Aquia, and Carters creeks, Virginia, $16,000.

Mr. BURTON. Mr. Chairman, I wish to offer an amendment there.

The CHAIRMAN. The gentleman from Ohio offers the following amendment.

The Clerk read as follows:

On page 47, line 16, add after the word "dollars:"

"In the improvement of Carters Creek the Secretary of War may, in his discretion, spend an amount sufficient to dredge a channel in the eastern branch, near Galley Hook Point, so as to afford a depth of 12 feet by a width of 100 feet."

The amendment was agreed to.

The Clerk read as follows:

Improving Neuse and Trent rivers, North Carolina: Continuing improvement and for maintenance, $20,000, of which amount so much thereof as may be necessary may, in the discretion of the Secretary of War, be expended in deepening the Neuse River at and below Newbern, in accordance with the report submitted in House Document No. 317, Fifty-fourth Congress, second session. The said Trent River shall be improved in accordance with the report submitted in House Document No. 121, Fifty-sixth Congress, second session, and of the amount herein appropriated $5,000 may be expended at Newbern.

Mr. BELLAMY. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amend by inserting after the word "Newbern," in line 4, page 49, the following:

"Improving Cape Fear River, North Carolina, above Wilmington, 'in

accordance with the report submitted in House Document No. 180, Fifty-sixth Congress, second session, $250,000, to be expended in obtaining a navigable channel from Wilmington to Fayetteville, having a depth of 8 feet at mean low water;' so that the paragraph will read: 'Improving Cape Fear River, North Carolina, above Wilmington, in accordance with the report submitted in House Document No. 180, Fifty-sixth Congress, second session, $250,000, to be expended in obtaining a navigable channel from Wilmington to Fayetteville, having a depth of 8 feet at mean low water.'"

Mr. BELLAMY. Mr. Chairman, I should like the attention of the committee. Those members of the House who will take occasion to read the last census report, and also to peruse that very splendid article written by General Merriam, at the head of the Census Bureau, in the last edition of the Manufacturers' Record, on "The industrial growth of the South," will be amazed to note the stupendous growth of the State of North Carolina in cotton manufacturing, and also the increase in the general material development of all the resources of that State. In the number of manufacturing establishments in the cotton line she now exceeds every other State in this Union. In the manufacture of furniture she is rapidly becoming the great center of that industry. She has already become famous for her manufactures of tobacco, and the Durham brand is known throughout the habitable globe.

Right here, in passing, allow me to say, if we are not disturbed in the peace and the security which is now prevailing throughout that State, and never through negro domination again have our treasury squandered, or our taxes again made more burdensome than we can bear and our people become demoralized, that we will leap rapidly to the front and become the greatest manufacturing State in this Union. For nearly a third of a century a black cloud, the menace of negro domination, has been hovering over the South, and just at this period, when we are about to peacefully settle the racial question, when peace and contentment are prevailing throughout the Southland, when sectionalism has been virtually buried, when the hearts of the two sections of our common country by the dreadful calamity which has befallen us recently have been united as by a common household sorrow, when our people had begun to study the great economic questions of this country rather than partisan politics, when the sunlight of progress and hope has begun to disperse forever that ever-threatening black cloud and solve the race question peacefully forever, we are startled and awakened by another effort to interfere in our domestic concerns, to stir up sectional strife and bitterness, and "tear agape the healing wound afresh."

Mr. Chairman, we Southern people are heartily tired, yea, sick nigh unto death, of sectional strife. We love the Union, and we will ever defend and maintain its honor. Yes, Mr. Chairman, the Southern people desire to contribute their share to the upbuilding of the moral and material growth of our great nation; but for a sinister motive some few members on the other side of this Chamber, doubtless for the purpose of sowing again the seeds of sectional discord, have introduced into this Chamber a most adroitly concocted scheme, for partisan and political advantage, to tear asunder again the sections of this now united country. The hands of the dial of time must not be turned backward, but must be allowed to point to a bright and hopeful future of industrial progress and prosperity. And I to-day ask the conservative and patriotic members on the other side, many of whom I have the honor to count as friends, who love national unity more than they do partisan politics, to frown down upon and condemn that measure, which is fraught with so much evil to our people.

Now, Mr. Chairman, let me come to the subject. There is not a city in the South that has contributed to the manufacturing growth of this country more than——

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWLANDS. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended ten minutes.

The CHAIRMAN. The gentleman from Nevada asks unanimous consent that the time of the gentleman from North Carolina be extended for ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BELLAMY. There is not a city in the South that has contributed more largely to the development of the manufacturing interests than the little town of Fayetteville, on the Cape Fear River. It is situated about a hundred miles from Wilmington and 125 miles from the sea.

In the year 1796 the State of North Carolina conceived the idea of opening up that river to Fayetteville, which was then and still is the head of navigation. Fayetteville then was the distributing point for North Carolina and part of Tennessee, South Carolina, and Kentucky. The State granted to the Cape Fear Navigation Company a charter to improve it, and it was improved by that company until about twenty years ago, when the Government of the United States, in the exercise of its privilege and power to regulate the commerce of the country, took from the corporation that owned the bed of the stream its contract and compensated it for it, and put it forever under Government control and supervision.

That little town has 40 manufacturing industries. It has a most industrious, intelligent, and progressive people, many of whom are the lineal descendants of those who followed the banner of Prince Charlie at Culloden. During the last year its tonnage was 129,622 tons. It increased 14,775 tons over the year before. The value of its tonnage was $1,150,000 and its manufactured products $5,800,000; and yet, notwithstanding that in the last bill which went to the Senate, and was there killed in the last day of the last session, it had an appropriation of $250,000 for the improvement of this stream, this bill actually omits every dollar of the appropriation then given and ignores it altogether.

Mr. Chairman, the engineer in charge of the improvements of the Cape Fear River uses this language:

This proposed expenditure of $1,325,000 is for the benefit of actual present commerce, valued at about $6,000,000 annually, on which, according to the Fayetteville citizens' letter, there would be a resulting saving in rates of about $70,000 annually, which is over 5 per cent of the estimated cost. On this basis, and for the reasons outlined above and elaborated in the accompanying letters from the citizens' committee and the Chamber of Commerce, Produce Exchange, and Merchants' Association of Wilmington, I consider the improvement a worthy one and recommend that it be undertaken by the United States.

That was the recommendation of that most competent, clever, and able engineer, Captain Lucas, and $250,000 was put into the last bill for that purpose. Now, Mr. Chairman, it is a practical scheme; it is a necessary one for the life of that neighborhood. In Georgia the Government of the United States has entered upon a similar improvement in deepening the waterways leading from Savannah up to Augusta, and where there was only 2 feet some time ago, in a report which I saw yesterday from a Georgia paper, I see now that the cotton mills and other industries at Augusta are able to carry their freights down to Savannah in 4 to 8 feet of water.

What is desired is a similar improvement for the Upper Cape Fear, and I do appeal to the members of this body to give to that section, the Upper Cape Fear, this appropriation, which will secure that end. The following is the article:

RIVER BOATS DRAWING 5 FEET CAN NOW GET TO AUGUSTA.

Capt. C. E. Gillette said yesterday that during the last two years the depth of the channel of the Savannah River between here and Augusta had been increased 2 feet, and that whereas two years ago boats drawing 3 feet of water found it difficult to make the passage from Savannah to Augusta, vessels drawing 5 feet now make the trip with ease.

The improvement has not been effected without the expenditure of time, thought, and money. Congress originally appropriated $250,000 for the work on the river, which has been made available as occasion required and as projects and contracts were submitted and approved.

The work of improvement has been principally by spur dams and training walls, which have tended to increase the depth of the channel by reducing its width. Formerly there was a succession of shoals for about 20 miles down the river from Augusta, which rendered it necessary for the river boats to stop at this distance from the city and lighter some considerable portion of their cargoes to the wharves. Most of these shoals have been removed, and opposite the wharves at Augusta, where formerly there was not more than 2 or 3 feet of water, there is now between 7 and 8.

There are, of course, other shoals at various points in the river between Savannah and Augusta, but these are being as rapidly removed as circumstances will permit. Work on a contract involving the expenditure of about $90,000 is now in progress, the contractors being Hunter & Frey, of Memphis.

Mr. Chairman, I have extensive data bearing upon the subject which I can not, in the short time given me, elaborate upon here, and therefore I must content myself with publishing them in the RECORD, and at the same time hope the few remarks that I have made to the members of this House will induce them to agree with me in this amendment:

IMPROVING CAPE FEAR RIVER BETWEEN WILMINGTON AND FAYETTEVILLE.

The object of this improvement is to obtain all the year round depth of not less than 4 feet, which will involve the improvement of about 70 miles of river on which the present governing depths are 2 feet at ordinary low water and 9 inches at extreme low water. Such low-water depths now result in a practical suspension of navigation during three or four months annually, with the result that the stream is useless for purposes of navigation during a third of the year, and much business which would go to it if certain navigation were assured is now always shipped by rail and at a higher rate.

The estimated present commerce is about 115,000 tons annually, valued at $1,150,000, and with navigation all the year round this present business would probably at once increase at least 50 per cent, to over 170,000 tons, valued at about $1,700,000. With certain navigation throughout the year, much of the product of about 40 mills now operating at and near Fayetteville would be shipped by river to Wilmington, and thence by steamer to the North, instead of, as now, by rail to Norfolk and thence by steamer to the North. This Fayetteville mill product has an estimated value of $5,800,000, of which three-fourths, valued at $4,350,000, could be shipped by river. This makes a total of about $6,000,000 worth of annual present shipments which would probably utilize the river if certain navigation were established.

As to probable development resulting from the improved navigation, it is claimed in Fayetteville that 12 or 15 mill enterprises, some with capital already subscribed, are only waiting assurance of certain river navigation to begin the construction of buildings and plant at that city.

There is also a possibility, and perhaps a probability, of the improvement of the river resulting in the reestablishment of Fayetteville as a distributing point for a large section of country. This point is brought out and explained in the accompanying letter from the Fayetteville citizens' committee, their claim being that Fayetteville would, under such circumstances, become such distributing point for a section of country the business of which is estimated in their letter at 6,000,000 tons annually, valued at $165,000,000.

With certain navigation there would be a probable development of the Cape Fear River Valley, much of which is good farming land. Under present conditions the success of a year's crop depends entirely on the use of the

river for transportation to market. During low-water stages the farmers have the alternative of a long, costly haul, or the loss of their crop, if perishable. This section of the country is also interested in the proposed improvement because it will afford much better mail and passenger carrying facilities than now exist.

The wholesale merchants of Wilmington are much interested in the proposed improvement because it means to them a chance of extending their business to Fayetteville and vicinity, which they can not now get because unable to compete with merchants of Richmond and Norfolk, Va., on account of existing rail rates, although Fayetteville is only 83 miles by rail from Wilmington, while it is 211 miles by rail from Richmond and 204 miles from Norfolk.

The interest of Fayetteville is much greater than that of Wilmington, because, although at the head of navigation, its water route to the North can not now compete with the rail routes. North-bound shipments are now usually sent by rail to Norfolk, and thence by water north. All railroads now entering Fayetteville belong to one system, and there is practically no competition. The accompanying letter from the citizens of Fayetteville states the case in a concise and comprehensive form, and shows a probable immediate business affecting Fayetteville of approximately $5,500,000 annually. Reference has already been made to the possible much greater interest affected if the improvement of the waterway resulted in the establishment of Fayetteville as a distributing point.

Estimates are called for to obtain a depth of 4 feet, 6 feet, or 8 feet at all seasons. The least depth mentioned, 4 feet, can, in my opinion, be obtained with certainty only by a system of locks and dams, as the low-water discharge at Fayetteville is about 212 cubic feet per second, and the fall in the 70 miles below Fayetteville about 20 feet.

The river has been under improvement about twenty years, under a project to clear the river to Fayetteville and obtain a continuous channel—depth not stated—by jettying and dredging, at a cost estimated, in 1893, at $275,000, of which about half has been spent. The appropriations have been spread over so many years, and in such small amounts, that the improvement thus far attained is local in character, and the present governing depth between Wilmington and Fayetteville is little, if any, better than it was twenty years ago. With the expenditure of $135,000, in addition to as much already spent, it is believed that the low-water depth can be increased about 1 foot, making the governing depth 21 inches, instead of about 9 inches, as at present. I do not believe it possible to obtain a navigable channel of 4 feet certain depth at all seasons by jettying and dredging.

The minimum depth proposed, 4 feet, can be obtained with certainty by the construction of three locks with movable dams, the locations of which are approximately shown in the accompanying profile sheet of the Cape Fear River, such locks to have a lift of 8 feet. By making the lift 9 feet, instead of 8 feet, and doing a little dredging, the maximum proposed depth, 8 feet, could be obtained. The difference in cost of 4 feet and 8 feet navigation would probably not exceed $30,000, a little over 2 per cent of the cost of obtaining 4 feet navigation. This difference between costs for 4 feet and 8 feet navigation is so small that it is not deemed necessary to estimate the cost of the intermediate depth of 6 feet.

The form of lock and dam proposed is similar to those used in Kanawha River, and consists of a lock of 8 feet lift with a chamber 150 feet long and 28 feet wide and a movable dam about 170 feet long. Such a lock will accommodate any boat capable of navigating the river. Movable dams are deemed necessary because the river is subject to freshets ranging from 40 to 60 feet at Fayetteville to 20 to 30 feet at the lowest proposed lock.

The estimate is as follows:

Three locks, as above described, with movable dams, $400,000 each	$1,200,000
Superintendence and contingencies, 10 per cent	120,000
Total	1,320,000

This estimate may appear excessive, but it should be borne in mind that there is no solid rock for foundations, and the estimates are based on bottom of foundations at about 28 feet below low-water surface. In addition, the stream has caving banks, necessitating bank protection for an unusually long distance below each dam, to protect from scour.

This proposed expenditure of $1,320,000 is for the benefit of an actual present commerce valued at about $6,000,000 annually, on which, according to the Fayetteville citizens' letter, there would be a resulting saving in rates of about $70,000 annually, which is over 5 per cent of the estimated cost. On this basis, and for the reasons outlined above and elaborated in the accompanying letters from the citizens' committee of Fayetteville, and the Chamber of Commerce, Produce Exchange, and Merchants' Association of Wilmington, I consider the improvement a worthy one and recommend that it be undertaken by the United States.

There are forwarded herewith, under separate cover, a map of Wilmington Harbor, one sheet of profiles of Cape Fear River between Wilmington and Fayetteville, and two sheets of cross sections of river bed and valley at proposed lock and dam sites.

Respectfully submitted.

E. W. VAN C. LUCAS,
Captain, Corps of Engineers.

Brig. Gen. JOHN M. WILSON,
Chief of Engineers, U. S. A.
(Through the Division Engineer.)

Resolution of the general assembly of North Carolina requesting the Senators and Representatives in Congress from that State to exert their united influence to secure the adoption of the plan for improving the Cape Fear River, recommended by Captain Lucas, U. S. A., as transmitted to Congress by the Secretary of War.

Whereas the maintenance of water transportation in competition with rail is of the greatest importance to all of the citizens of the entire Cape Fear section; and

Whereas the Chamber of Commerce of the city of Fayetteville, and the Chamber of Commerce, the Produce Exchange, and the Merchants' Association of the city of Wilmington have secured a survey and a recommendation for an appropriation for the improvement of the Upper Cape Fear River: Therefore

Resolved by the senate (the house of representatives concurring): First. That our Senators and Representatives in Congress be requested to exert their united influence to secure the passage of an amendment to the river and harbor bill at this session authorizing the adoption of the plan for improving the Cape Fear River recommended by E. Van C. Lucas, Corps of Engineers, U. S. A., Wilmington, N. C., as transmitted to Congress by the honorable Secretary of War.

Second. That a copy of this resolution be forwarded to each of our Senators and Representatives.

In the general assembly read three times, and ratified this the 18th day of January, A. D. 1901.

(Captain Lucas's plan provided for slack-water navigation between Wilmington and Fayetteville so as to secure an 8-foot channel at low water. The bill for this purpose was adopted in the conference committee of the Senate and House, and an appropriation made for beginning the work. It was, however, lost, along with the rest of the river and harbor bill, on March 4 last.)

[The Observer, Fayetteville, N. C., Friday, March 14, 1902.]

LAST NIGHT'S PUBLIC MEETING—REPORT OF THE COMMITTEE ON IMPROVEMENT OF THE CAPE FEAR RIVER.

The following report of the committee appointed for the purpose was unanimously adopted:

The chamber of commerce, at the suggestion of the citizens' committee on improvement of the Cape Fear River, having called this meeting for the purpose of consulting with the citizens of Fayetteville, and the meeting, through its committee, having considered the matter of the proposed improvement of the Cape Fear River, finds as follows, viz:

The Cape Fear River between Wilmington and Fayetteville was, up to some twenty years ago, under the control of the State of North Carolina. The State had, in the year 1796, chartered the Cape Fear Navigation Company, whose duty it was to secure continuous navigation of the river, in return for which service the company was authorized to charge tolls on the commerce using it. In order to set commerce free and more effectually to accomplish the object sought for, the Federal Government bought out the navigation company, took charge of the river, made Fayetteville a port of entry, and adopted a plan for securing continuous navigation which was estimated to cost $275,000, $135,000 of which has been expended. The plan consisted of the enlargement of the system of jetties inaugurated by the old navigation company, but which the increasing effects of deforestation at the head waters of the river have rendered ineffectual, and, as since declared by Captain Lucas, the Government engineer in charge, practically worthless.

The failure of the jetty plan to secure continuous navigation led to the present agitation of the subject, and a preliminary survey was ordered by Congress for the purpose of ascertaining by what plan such navigation could be secured. The engineer's report showed that nothing short of a slack-water system, at a cost of $1,320,000, would accomplish the object sought; and it only remained to demonstrate that such an expenditure was commercially feasible. The English plan, self-evidently sound, for proving "a commercial case" before Parliament for such an undertaking, was adopted, and the commercial feasibility of the proposed improvement demonstrated many times over.

Every possible, as well as every actual, contention against the soundness of the proposition that the Government has bound itself in duty, by its act in freeing this river and taking charge of it, to maintain it as a navigable highway, has been met and overthrown. The general assembly of North Carolina, at its last session, unanimously adopted a resolution urging our Senators and Representatives in Congress to secure the passage of an act to carry out the proposed improvement. Our Senators and Representatives have recently (viz, on the 16th of January), sitting as a deliberative body, adopted a resolution binding themselves to exert every effort to secure the necessary legislation; and in their presentation of the reasonable needs of North Carolina before the Rivers and Harbors Committee they gave the chief place to the improvement of the Upper Cape Fear, asking that $250,000, out of a total of $515,000 asked for by them, be appropriated to this particular work.

Notwithstanding these facts, we are informed that the Rivers and Harbors Committee granted every request made for North Carolina by our delegation, with the single exception of this one—and that, too, the only one asked for by the State, as such, or by any State, and, as noted above, the chief one made by the delegation.

We are informed by Mr. BELLAMY, the member of Congress from this district, that the committee was controlled in its decision by the report of the division engineer at Baltimore, Col. Peter C. Hains, who had declared that he did not believe that the whole amount of traffic (approximately $165,000,000) proved to exist in the territory traffically tributary to Fayetteville would be diverted to the Cape Fear River on completion of the proposed work; and that the effect, if it, or part of it, should be so diverted, would be merely to transfer existing business from one port to another.

It is within common knowledge that the Government has appropriated several times as much as is asked for for the Upper Cape Fear improvement in full to improvements which have secured but a sixth of the possible traffic named; and it is obvious, we respectfully submit, that the diversion of business from one port to another is the effect of every such improvement, as was notably the case with the spot-cotton business of New York, which has been diverted by the improvement of Southern harbors. It is also obvious that the ground upon which the Government justifies its act in causing such diversion of business is the lessening of the cost of transportation to considerable bodies of consumers and producers, as has been so conclusively demonstrated would be the effect of the proposed improvement of the Cape Fear and the setting free thereby of a portion of the forces employed in the production of wealth.

Now, therefore, in view of the foregoing facts and considerations, it is hereby

Resolved 1. That we reiterate our conviction that we are entitled, as of right, to a fair, not to say generous appropriation from Congress for the carrying out of this the greatest of the State's works of internal improvement, undertaken by our own and assumed by the Federal Government.

2. That the secretary of the chamber of commerce be instructed to bring the action of this meeting to the attention of our Senators and Representatives in Congress, with the request that they use the facts recited for the purpose of securing an amendment to the river and harbor bill either in the House or in the Senate, as may seem best to them.

3. That the secretary be also instructed to bring said action, together with the recent presentation and exhibits made by the chairman of the citizens' committee before the Rivers and Harbors Committee, to the attention of Colonel Hains, the division engineer referred to above, with the respectful request that he reconsider his report in the light of the facts recited and cooperate with us and our Senators and Representatives in securing the amendment desired.

4. That the secretary be also instructed to bring the said action, etc., to the attention of Col. William H. Love, the secretary at Baltimore of the National Rivers and Harbors Congress, with the request that he employ his good offices with Colonel Hains to secure his cooperation as suggested.

5. That our thanks are hereby tendered to our delegation in Congress for making the appropriation for the improvement of the Cape Fear the chief item embodied in their request of the Rivers and Harbors Committee, and for their caucus action in reference thereto; and to those chambers of commerce and other commercial bodies and those newspapers of the State which have had the intelligence to perceive the importance to North Carolina of this great State work, destined to lift us out of the condition of commercial inferiority which has been so long the State's chief reproach, and the patriotism and independence to speak out in its favor, and whose kind words and sympathy have so greatly encouraged us.

E. J. HALE,
H. C. BASH,
JNO. G. SHAW,
H. R. HORNE,
Committee.

LETTER OF THE FAYETTEVILLE (N. C.) CHAMBER OF COMMERCE.

CHAMBER OF COMMERCE,
FAYETTEVILLE, N. C., *August 8, 1900.*

DEAR SIR: The Fayetteville Chamber of Commerce desires to call your attention to the great necessity which exists for the improvement of the navigation of the Cape Fear River from Wilmington, N. C., to Fayetteville, N. C., the head of its navigable waters. Fayetteville, N. C., for almost a century enjoyed the advantage and distinction of being, commercially, the most important inland town in the State. This condition was brought about by its position at the head of the Cape Fear River, upon whose splendid waters all the heavy shipment of salts, iron, molasses, coffee, and merchandise generally found their way through Fayetteville all over the western counties of the State, reaching into East Tennessee and into the States to the north and south of us. The building of railroads in the last quarter of a century and more deflected these shipments elsewhere, and the Cape Fear River did not receive that attention which its importance to the people of a large section of North Carolina would seem to have warranted. Latterly Fayetteville, N. C., has attracted the attention of several manufacturing capitalists, and is beginning to be regarded as a promising manufacturing center, as is shown by the following industries, the most of which have been erected very recently here and in vicinity.

Hope Mills, 15,000 spindles, 750 looms; Holt Morgan Mills, 10,000 spindles, 500 looms; Holt Williamson Mills, 5,200 spindles; Fayette Cotton Mills, 3,120 spindles; Bluff Mills, 200 looms; Murchison Mills, 3,000 spindles, 100 looms; Cumberland Mills, 3,000 spindles; Ashely-Baily Silk Mills, 100 looms; La Fayette Knitting Mills; Lacy Manufacturing Company Furniture Mills; Fayetteville Cotton Oil and Fertilizer Company, 40 tons daily; Carolina Machine Shops; Ward's Foundry; Emmitt's Roller Corn Mill; Williams Furniture Factory; McNeill's Roller Rice and Grist Mill; Clark's Machine Shop; Carolina Roller and Grist Mill; Watson Planing Machine Mill; Tobacco Warehouse; Fayetteville Wooden Ware Company; Tolar Hart Holt Mills, 15,000 spindles; E. A. Poe's Brickyard Works; several sawmills and other industries.

All these produce vast amounts of freight, and many of these works already use the river in their transportation and in this way enjoy a large profit in saving on freights alone. The present tonnage of river freights is 50,000 tons, but if water could be assured the year round, even with the present river transportation facilities and the present business, there would be no trouble in increasing the tonnage 100 or even 150 per cent. But we have in the near future the certain prospects of electric power at $15 per horse per annum. This will in a few years (with our other advantage) bring a great many new and important industries to our city. We know of three very large ones that will come here certainly as soon as the electric power reaches us. This is to be produced by the waters of the Cape Fear River at a point some miles above us, and the fact of its coming here seems to be well assured.

It is almost impossible for us to estimate the amount of freight in tons that would seek the river transportation if a regular depth of water was assured. But from the great advantage in freight rates that would favor water transportation we know that several more steamboats would go on at once, and that soon the Cape Fear River would regain its old-time importance, blessing a large section of the State by its beneficent freight rates.

Fayetteville, N. C., is a port of entry, and the Cape Fear River is under the control of the Government. There is no stream in North Carolina that will bring so much in return for every dollar expended upon its improvement by the Government.

Yours, truly,

F. R. ROSE,
Secretary Chamber of Commerce.

Capt. E. W. VAN C. LUCAS,
United States Engineer.

LETTER OF A COMMITTEE OF CITIZENS OF FAYETTEVILLE, N. C.

FAYETTEVILLE, N. C., *November 21, 1900.*

SIR: The undersigned, the committee appointed at the citizens' meeting held on the occasion of your visit on Thursday last, have taken up the subjects of inquiry suggested by you, and have pleasure in reporting as follows:

THE PRESENT RIVER TRAFFIC.

The tonnage of the traffic by the steamboats between this city and Wilmington, as reported by the United States engineer office at Wilmington for the year ending December 31, 1899, was, in round numbers, 115,000. We are informed that its value would average $10 per ton, which would give a total value of $1,150,000.

EXISTING LOCAL RAILWAY TRAFFIC WHICH WOULD SEEK THE RIVER IF IMPROVED.

In reply to printed forms issued to our merchants, traders, and manufacturers, made out, when necessary, under supervision, we find that there have been received at and shipped from Fayetteville by rail during the past twelve months 112,295 tons of merchandise of all kinds, valued at $5,812,614. It is estimated that at least three-fourths of this would at once be diverted to the river for transportation if the proposed improvement were made and the speedy and regular dispatch of freights which it would make possible were established.

TRAFFIC FROM A DISTANCE WHICH WOULD BE DIVERTED TO THE RIVER IF FAYETTEVILLE WERE MADE A "BASING POINT."

We are informed that as soon as the proposed improvement in navigation and the dispatch of freights is effected Fayetteville would be made what the traffic managers call a basing point for freight rates. The effect of this, we are informed, will be to cause all railways which run within the territory thus tributary to Fayetteville to make rates from Fayetteville. By the term "the territory thus tributary to Fayetteville" we mean all the country which is nearer to Fayetteville than to any other basing point, the railway commission laws requiring the rates therein to be proportionately less than to such other basing points.

We inclose a map * * * which will show the territory thus delimited as tributary to Fayetteville. The basing points nearest to Fayetteville are Richmond and Norfolk, Va., on the north and Charleston, S. C., on the south. We have drawn lines at right angles across air lines between Fayetteville and the three cities named, respectively, and at points midway between Fayetteville and them. Line A is the dividing line between Richmond and Fayetteville; line B the dividing line between Norfolk and Fayetteville, and line C that between Charleston and Fayetteville. It will be seen that, while the northeast section of North Carolina falls within the territory allotted to Richmond and Norfolk, a considerable portion of southwest Virginia and a considerable portion of northeast South Carolina, each larger than the first-mentioned, fall within the territory of Fayetteville. As the improvements referred to would also cause Wilmington to be made a basing point, the map would be changed thereby to a comparatively small extent, the effect of the change being to add more to the joint territory of Wilmington and Fayetteville.

We also inclose a copy of a United States Government report on the Manchester Ship Canal * * * in which is described (pp. 5-9) the manner employed in Great Britain for "proving" a commercial reason for the granting of a charter by Parliament for such an undertaking. We shall, in this case, employ the same method, in a general way, because such matters in the older countries have necessarily reached a more exact standard. An important consideration in our favor in relying upon such a method is the fact that the railway-commission laws in this country now require connecting lines to transport freight delivered to them, whether a tariff of through rates has been established or not, and, as before mentioned, at rates proportioned to the "length of haul."

Without entering upon a consideration of how far westward beyond the borders of North Carolina the traffic influence of the proposed improvements would extend, we ask attention to the significant coincidence that the territory now delimited on our map is almost the same as that which was tributary to Fayetteville in the last of the eighteenth century, in the first part of the present century, and up to the railroad era. The fact that Canova's statue of Washington was brought from Italy to Wilmington, was thence landed at Fayetteville, and finally hauled overland to Raleigh in the latter period is merely an illustration of the general conditions of transportation at that time.

The proposed improvement, therefore, would not establish a novel condition, but would restore the normal relation of the Cape Fear to a vast territory, which the overworking of the railroad idea and the effect of deforestation upon the water courses have disturbed; or we may state the case this way, that it would be the reestablishment of normal conditions by a development of the problem of transportation, which conditions had been disturbed by a cruder stage of the movement.

Within the limitations of our map, as thus restricted, it will be seen that there is a population equal to that of the State of North Carolina (some 1,900,000). The population which by a liberal estimate might be considered as involved, in one way or another, in the production of the existing river traffic and the existing railway traffic divertible to the river, in and out of Fayetteville, may be said to include that of Cumberland County, in which Fayetteville lies (30,000), and one-fourth of that of the contiguous counties of Sampson (7,000), Bladen (5,000), Robeson (9,000), Moore (6,000), and Harnett (4,000)—a total of 61,000. The territory, then, on the map, this side of the Blue Ridge, contains a population thirty times as great as the population at present tributary to Fayetteville.

We therefore have this proposition:

	Tons.	Value.
Existing river traffic	115,000	$1,150,000
Three-fourths (the divertible portion) of existing railway traffic in and out of Fayetteville—three-fourths of 112,295 tons and three-fourths of $5,812,614	84,221	4,359,460
In round numbers	200,000	5,500,000
Thirty times these figures would give the tonnage and value of traffic which, other things being equal, would find a cheaper route to and from the great markets by way of the Cape Fear River if improved as suggested—that is, 30 by 200,000 tons and 30 by $5,500,000	6,000,000	165,000,000

In this connection it is worth noting that Mr. Walter L. Holt, one of the chief owners of cotton mills in this county and in Alamance County, 100 miles distant, finds that he gets his oils, dyes, and machinery and ships his finished products by river from his Fayetteville (Cumberland) mills for an average of but half the freight rate which he is obliged to pay by rail to and from his Alamance mills.

THE RAILWAY COMMISSION'S FIGURES.

We further inclose a letter from the North Carolina corporation (railway) commission, * * * from which it will be seen that the actual freight-traffic movement for the past year over the roads converging at Fayetteville, and within the territory indicated on our map, amounted to 1,497,976 tons, or one-fourth of the tonnage (6,000,000) which we have estimated by the per capita method for the whole territory east of the mountains. It will be observed also that the commission's letter expresses the hope that "the Government will see the importance of this station (Fayetteville), which, by reason of its situation, should again become the distributing point for the central and western North Carolina territory."

Attention may also be called to the fact that Fayetteville, at the head of navigation, 100 miles inland, is the only point on the Atlantic Coast Line between Richmond and Charleston (the present basing points) which is situated on navigable water.

How far the inertia of settled routes of trade may act in restraint of the possibilities indicated above is, of course, a matter of conjecture.

THE COMMERCIAL CASE.

We assume that while the Government undertakes works of the kind now proposed for the public benefit, and without expectation of a direct return for its outlay, it is nevertheless influenced by the same conditions which influence private capitalists. That is to say, if the cost of the proposed improvement should be $1,000,000, it would be a sound commercial undertaking, commending itself to the Government from this point of view, if the additional traffic secured by reason of the outlay, or the resultant economies of transportation on existing traffic, should yield 5 per cent on that amount. Five per cent on $1,000,000 is $50,000.

It is apparent that the economies of transportation which such an improvement would render possible—twelve months' running of the boats instead of nine months, the cheaper proportionate handling of larger loads, etc.—would leave a margin for tolls for the use of the improved waterway, if the work were done by a private corporation, far in excess of the reasonable rate of 5 per cent on $1,000,000. An average of 25 cents a ton on the class of freight (115,000 tons) now carried by the river and 50 cents a ton on the class of freight (84,221 tons) now carried by the railways in and out of Fayetteville, but divertible to the river, would produce a revenue of $70,860, or over 7 per cent, on the existing Fayetteville traffic alone. A toll of 10 cents a ton would more than pay for the whole investment of $1,000,000 in two years if all the traffic of the tributary country were diverted this way.

Such speculations as to what might be done if the river were the property of private capitalists instead of that of the Government are useful as indicating how very far within the margin of commercial safety the Government would be acting if it should make such an expenditure.

We desire, in conclusion, to heartily reiterate for ourselves the expression

of thanks which the meeting that appointed us unanimously voted to you, sir, for the interest which you have taken in this great work.

We remain, with high esteem, yours, obediently,

W. S. COOK.
Mayor of Fayetteville and Chairman of the Citizens' Meeting.
E. J. HALE.
W. L. HOLT.
F. R. ROSE.
R. L. WILLIAMS.
W. M. MORGAN.
A. H. SLOCOMB.
H. C. BASH.
J. A. KING.

Capt. E. W. VAN C. LUCAS,
Corps of Engineers, U. S. A.

LETTER OF THE NORTH CAROLINA CORPORATION COMMISSION.

DEPARTMENT OF THE NORTH CAROLINA
CORPORATION COMMISSION,
Raleigh, November 20, 1900.

DEAR SIR: I have the honor to acknowledge receipt of your letter, bearing date November 19, asking for information touching the tonnage of freight moved over the railroads to and from Fayetteville.

Replying to this inquiry, I am very sorry to have to say that I can not give you the information as you desire it, as we do not receive at this office the tonnage movement from each station along the various lines of railroads in the State; but we do get the total tonnage of freight from the entire road, which compilation gives the freight originating on the road and freight received from connecting roads, together being the total freight tonnage handled by the road. This information I take pleasure in furnishing you, which you will find herewith inclosed. (Detailed figures omitted by Captain Lucas. The total tonnage amounts to 1,137,947 for Wilmington and Weldon Railroad: 360,032 for Cape Fear and Yadkin Valley Railway; total, 1,497,979.)

Table No. 1 is compiled from the last statement of the Cape Fear and Yadkin Valley Railway Company; Table No. 2 is for the Wilmington and Weldon Railroad (main line), including Wilson and Fayetteville branch and other of its branches proper.

I trust the statements will enable your committee to make an estimate of Fayetteville's proportionate amount of this tonnage. I am very glad to know that some steps are being taken toward opening up the Cape Fear River between Wilmington and Fayetteville, and I trust the Government will see the importance of this station, which by reason of its situation should again become the distributing point for the central and western North Carolina territory.

I am, sir, very respectfully,

H. C. BROWN, *Clerk.*

Hon. E. J. HALE,
Chairman Citizens' Committee, Fayetteville, N. C.

LETTER OF THE WILMINGTON (N. C.) CHAMBER OF COMMERCE.

THE WILMINGTON CHAMBER OF COMMERCE,
Wilmington, N. C., November 19, 1900.

DEAR SIR: Your letter of the 12th duly received and referred to our committee on harbor, shipping, and commerce. Our chamber appointed a committee December 21, 1899, to ask for anchorage basin at Wilmington, feeling that the size and importance of our port, the largest and only deep-water port in the State, upon which the Government has expended large sums to give it 20 feet of water, require and need an anchorage basin, at which ships coming here can swing in safety, the present channel being too narrow to allow this. We are not prepared to care for vessels that this increased depth of water gives us. Our business has and is materially increased each year, and with this basin we will be in position to care for many more vessels and increased commerce.

This being a fresh-water port south of Hatteras, makes it particularly desirable for the shelter and care of smaller war ships and torpedo boats. From our geographical position we are particularly well situated for steamers trading between Cuban and Porto Rican ports, it being a shorter and safer route than any port north of Hatteras. We have good railroad facilities, capital, and energy, which will unite and make good use of these needed improvements. We are not prepared at this time to give statistics showing the present commerce of this port. This, no doubt, you have on file in your office, but if we can do anything to obtain this much-desired basin we will be pleased to do so.

Navigable rivers are sure and steady feeders, and those living near such streams receive many direct and indirect benefits. Before the time of railroads they were the channels upon which commerce moved. To-day they control and adjust rates made by railroads upon which commerce can move freely and cheaply. Therefore how necessary to the welfare of a country.

The Cape Fear River has been the great gateway for the people of North Carolina for many years, and even with its uncertain waters, being navigable only about eight months in the year, and then only to boats of very light draft—2 feet or under—has proven of inestimable value to the section through which it runs and is tributary thereto, particularly to the port of Wilmington. With increased depth of water, say 6 feet the year round, an immense tonnage will come this way, the people of our State will be materially benefited thereby, and the commerce and future of Wilmington be assured.

Our chamber appreciates highly the services rendered by you and the marked improvement of our river under your administration, and will gladly cooperate with you in any and all things tending to the continuance and improvement of this needed work.

Very respectfully,

MARCUS W. JACOBI,
President.

Capt. E. W. VAN C. LUCAS,
Corps of Engineers, U. S. A.

Mr. REEVES. Mr. Chairman, the amendment offered by the gentleman from North Carolina is to improve Cape Fear River above Wilmington. I want to ask the attention of the committee to the estimate of cost by the Chief of Engineers. The making of this improvement so as to give 4 feet channel in depth is estimated to cost $1,320,000. To give an 8-foot channel is to cost $1,350,000.

The division engineer, Colonel Haines, speaking of this improvement, makes the following statement as his conclusion:

That the prospective business may reach the value of $165,000,000 annually, as estimated, if the river be improved as recommended, I do not believe. Moreover, much of the prospective business would not be in the nature of an increase, but merely a diversion from Fayetteville and Wilmington of business already existing at other points.

The improvement of this river by means of locks and movable dams is an expensive one, and after it be completed if it is to be efficiently maintained much larger appropriations must be made annually than has formerly been the case. The cost of 8-foot navigation is so little in excess of 4-foot navigation that the 8-foot depth is the one by all means to be preferred if the plan for slack-water navigation be adopted. While I am of opinion that Cape Fear River is worthy of improvement, I can not subscribe to the opinion that it is worthy of improvement at the expense herein indicated.

If this amendment is adopted it simply means that we are to go directly in the face of the division engineer as to the advisability of doing it at this time. The improvement of the river below Wilmington has been carried on and is being carried on at a very large expense. The committee, after the most careful investigation we could make, felt that this proposed amendment was in no ways up to the standard or average in worth of improvements contained in this bill. If this amendment is made, and equal justice is done to other projects the country over, of equal importance and of equal value, then this bill, instead of carrying $60,000,000, ought to be, in my opinion, $150,000,000. The time has not come for taking up the character of the improvements that is asked for here in this amendment. This was the unanimous conclusion of the committee after the most careful investigation that we could give it, and we must ask this committee to vote down the proposed amendment.

Mr. BELLAMY. I will ask the gentleman if it is not fair to state this to the committee—that Colonel Hains himself, in reporting the amount to the present session of Congress, omitted any appropriation for the improvement of the river for the maintenance of the present operations there until Congress had provided for this improvement recommended by the engineer below?

Mr. REEVES. Without intending the least discourtesy to the gentleman, I have been unable, on account of the confusion, to hear his suggestion. I do not know what he said.

Mr. BELLAMY. I ask if Colonel Hains in his report to this body the present fiscal year did not omit any appropriation for continuing the present improvements of the Upper Cape Fear, expecting the committee to make the permanent improvement suggested in Major Lucas's report?

Mr. REEVES. Oh, no; I do not think so at all.

Mr. BELLAMY. He says that he recommends no further appropriation be made until the committee adopts the project.

Mr. REEVES. Yes; I expressly stated that. I read his opinion as to the improvement of the river, that it should not be undertaken at this time. I so read from his report.

Mr. BURTON. Just one word, Mr. Chairman. I spoke on this subject briefly yesterday. There is no line of river and harbor improvements where the appropriations have been so extravagant or the methods pursued so open to criticism as in the construction of locks and dams. We have half a score of rivers on hand now, on some of which the completion of the project would cost six to ten million dollars. Several of these provisions have been scattered over different reaches of the river, as if the intention were to make provision for a lock and dam for every Congressional district. Unfortunately, the statement I have made is not an exaggeration. Now, if there is anything desirable for this committee and the House to do, it is to stop this building of locks and dams, unless in pursuance of some carefully devised plan and after full consideration of the results.

We have omitted recommendations for several rivers where large improvements have already been made, where there are unfinished locks and dams, and now this new one comes in with a million three hundred and fifty thousand dollars more. We are asked to begin this by appropriating $250,000, and we might as well face the fact that it means a million three hundred and fifty thousand dollars. If we do anything on it at all, we might as well appropriate $250,000 and authorize $1,100,000 additional. If we did that and took care of other projects of this nature, it would absolutely break down our bill.

I can not give very much attention or respect to the argument that one State should have an improvement made because some other State has it. That is a good deal like the boy who says, "Tom has a whistle, and I want a whistle, too." Because appropriations have been made for other States, that is no reason why similar appropriations should be made for North Carolina. Suppose appropriations have been made for other States irrationally, shall they be made irrationally for North Carolina, too? Suppose that we are selecting out a few works, intending to push them to completion; ought we not to pursue that policy and abandon the construction of new and expensive locks and dams until we have secured some results from those already commenced.

I regard this as an amendment of very vital importance, because it is so objectionable, and I hope it will be promptly voted down.

The question being taken, the amendment of Mr. BELLAMY was rejected, there being—ayes 31, noes 61.

The Clerk read as follows:

Improving North East and Black rivers and Cape Fear River above Wilmington, N. C.: Continuing improvements and for maintenance, $10,000.

Mr. THOMAS of North Carolina. Mr. Chairman, I move to amend by striking out the last word. I deem it my duty to the district which I have the honor to represent, to the State which I represent in part on this floor, to myself, and to the Committee on Rivers and Harbors to state clearly, in order to avoid any possible misconstruction, my individual position in regard to the pending bill.

Mr. Chairman, I am heartily in favor of the amendment presented by my colleague [Mr. BELLAMY]. I voted for it and used all the influence I possess for its adoption. I have always been in favor of that proposition. In the Fifty-sixth Congress I succeeded in having inserted in the emergency river and harbor bill a provision for a survey for 4, 6, or 8 feet depth of water in the Upper Cape Fear River. That survey was made. In the same Congress I also advocated an appropriation for the Upper Cape Fear River (when the river and harbor bill was up for consideration) upon the floor as well as before the Rivers and Harbors Committee. In the Fifty-seventh Congress I went before the Rivers and Harbors Committee and again advocated this appropriation for the Upper Cape Fear River. So that from the beginning to this hour my position has been clear and unmistakable. I have been in favor of the proposition and have voted for and strongly advocated it.

My distinguished colleague from the Sixth district of North Carolina [Mr. BELLAMY] has also been indefatigable in his efforts for this proposition. I do him the credit to say that on and off the floor of the House he has spared no pains to have this provision included in the pending bill. I am also, Mr. Chairman, most heartily in favor of the proposition of my colleague from the First North Carolina district [Mr. SMALL] for a great inland waterway, which will be not only a protection to the commerce of the State of North Carolina, but to the National Government, in war as well as in peace. I do my colleague from the First district the justice to say that he has been indefatigable in his efforts in behalf of that proposition. I have also used whatever influence I possess for the inland waterway along the North Carolina coast.

So that, Mr. Chairman, I have earnestly advocated both these propositions of my colleagues'. My record upon these propositions, as well as upon all other matters in which the State of North Carolina is concerned, is clear and beyond question; and I am ready here and now, in the House of Representatives and through the conference committee of the House and Senate, when the bill goes to conference, to seek to amend this bill in order to get these appropriations included, and to get what I think the State of North Carolina is entitled to in the way of additional river and harbor improvements.

But in regard to the pending bill, Mr. Chairman, my position must also be clearly understood. My colleague [Mr. SMALL] stated yesterday that there is included in the bill the sum of $29,500 only for the Third North Carolina district. Now, sir, that statement is not entirely correct even as to the amount; for it does not include the Northeast and Black rivers, for which an appropriation is in the bill.

What does the Third North Carolina district get in this bill, and what would I antagonize if I should individually antagonize this whole measure? The Committee on Rivers and Harbors has included in the pending bill an appropriation for improving the Neuse and Trent rivers—the two largest rivers I believe in my State next to the Cape Fear River. That provision inserted in this bill I do not propose shall be underestimated. That provision gives 8 feet low-water depth in the Neuse and Trent rivers, which have an extensive commerce especially in North Carolina pine lumber.

It means a navigable channel of 8 feet depth at low water in those rivers, so that the lumber barges and the great steamers which ply on them can carry quickly and safely their freights to Norfolk, to Philadelphia, and to other Northern markets. I have seen near the city of Newbern these lumber barges stuck in the mud by reason of an insufficient depth of water. This bill carries $20,000 for that navigable channel of 8 feet depth at low water, and this item means also, Mr. Chairman, an additional sum, if I remember correctly, of at least $60,000 for the completion of this new project, committing the Government to this expenditure.

This project is of incalculable value to the people who live along and who are interested in the commerce of those rivers. Again, the Committee on Rivers and Harbors included in this bill an item of $9,500 for the improvement of an inland waterway between New River, Onslow County, and Beaufort, in the county of Carteret.

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMAS of North Carolina. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for five minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that he may proceed for five minutes. Is there objection?

There was no objection.

Mr. THOMAS of North Carolina. This bill includes, as I was saying, Mr. Chairman, also, an appropriation for a project which had been for some years abandoned—between New River, in the county of Onslow, and Beaufort, in the county of Carteret. It opens up an inland waterway of vast importance to the people of Onslow and Carteret counties. Therefore, I do not propose to underestimate the importance of that proposition. The bill includes a survey for New River—the appropriations under the old project having been somewhat of a failure—and upon this survey will be based undoubtedly in the future additional appropriations for New River, in Onslow County.

To say the least, it is an important entering wedge. It includes also a survey, which was demanded by the Chamber of Commerce of Goldsboro, in the county of Wayne, for a 3-foot depth at low water from Goldsboro to Newbern, in the Neuse River. It includes a survey in which I am much interested, and which, through the joint efforts of my colleague [Mr. SMALL] and myself, was incorporated in this bill for Carrot Island Slough, a most important thoroughfare to the people of Carteret County.

Therefore, with all these appropriations in this bill of such great importance to the counties of the Third district, I do not see how, in the discharge of my duty, I can do more than seek to amend the bill. While I am heartily in favor of the Upper Cape Fear appropriation, and the great inland waterway appropriation, and other appropriations for the State of North Carolina, and while I yield to none of my colleagues, all of whom are diligent and able men, in loyalty to my State, at the same time I do not feel I should go so far as to antagonize these various appropriations, of the utmost importance to the people in my district, included in this bill.

I feel that this would be unjust to the people I represent and unjust to the committee. I am ready to amend the bill; I am ready to amend it here and to strive to amend it elsewhere. As between my colleagues and myself there is merely a difference of opinion as to the proper method to be pursued. I do not, however, see how, in the discharge of my duty, I can antagonize this bill. I am willing to do everything in my power to amend it and to see that the State of North Carolina gets what my colleagues and I think we are entitled to (and we should have both the Upper Cape Fear and inland waterway appropriations); but it seems to me that antagonism of the pending bill is useless, as well as hopeless, and that the same results can be accomplished by a different method.

That, Mr. Chairman, is my position, stated clearly and emphatically, I hope. I shall vote for the amendments of my colleagues. I shall do all in my power to secure both the amendment for the inland waterway and the amendment for the Upper Cape Fear, as I have always done in the past; but when it comes to active opposition of this bill, in which are included so many other most important projects and new projects, not large in amount, it is true, but great in their importance to the people of the district which I have the honor to represent, it does not seem to me that this would be the right thing to do or that I should go any further than to seek to amend the bill in every proper way in my power. [Applause.]

The CHAIRMAN. I understand the gentleman withdraws the pro forma amendment.

Mr. NEWLANDS. Mr. Chairman——

The CHAIRMAN. Does the gentleman wish to speak on the proposition of the amendment?

Mr. NEWLANDS. In the debate of yesterday, Mr. Chairman, while the gentleman from Louisiana was considering the effect of the overflow of the Mississippi River upon the agricultural lands of Arkansas, Mississippi, and Louisiana, he was asked by the gentleman from Tennessee whether the storage of water in the arid regions of the Northwest and West would not diminish the torrential flow, and it is with reference to that matter that I wish to say a few words to this committee, and particularly to the members of the Rivers and Harbors Committee.

The flow of the Mississippi River is supplemented by the flow of rivers tributary to it, part upon the east of that river and part upon the west. The main tributary upon the east is the Ohio River, of which the Tennessee and the Cumberland rivers are tributaries. The tributaries on the west are the Missouri River, of which the Platte River is a tributary, and the Arkansas River. All these rivers have numerous rivers tributary to them, and all have their sources in the snows of the Rocky Mountains. These snows melt in the late spring and the early summer and precipitate a torrential flood into these rivers. That flood reaching the Lower Mississippi adds to and supplements the torrent there.

Now, what is the problem of the Mississippi River, with reference to which so large expenditures have been made during a series of years? Why, the problem there is that they have too much water in the early part of the summer, threatening an overflow of the banks and a destruction of millions of acres in three great States now devoted to agriculture. What is the difficulty later on? Why, it is that there is too little water; and hence improvements upon the Mississippi River are of two classes—first, the construction of levees, and, second, the dredging of shoals and sand bars. The levees are purely intended for the protection of the agricultural lands on each side of them. There is no pretense that they are necessary for the purpose of promoting navigation during those months, for the river is so swollen as easily to permit of navigation. But later on the stream is reduced to a thread; sand bars and shoals appear, and so it is necessary to dredge the river for the purpose of aiding navigation. The difficulty, then, with the Lower Mississippi River is the unequal flow of that river; torrential in the early summer and reduced to a narrow stream later on.

Now, what is the problem with the arid region? Why, it is the same problem. The flow of the river is unequal. The flow of those rivers derived from the melting snow is torrential in the early summer and is reduced to almost nothing in the late summer, when the water is required for the purpose of ripening the crops. So that the problem is the same, the evil is the same. Now, what do we propose to do in the arid region? Why, we propose to equalize the flow of these streams by retaining the flood waters in great artificial reservoirs at the headwaters of the Missouri, of the Platte, of the Arkansas River, and the numerous rivers that are tributary to them and which take their source in the snows of those mountains.

But the answer is that these reservoirs can not possibly store enough water to materially diminish the torrential flow below. I admit that, but there is a secondary storage of water which is the result of the construction of these reservoirs. Why are these reservoirs constructed? Simply because in the spring and early summer the flow of the river is torrential. The settler who wishes to reclaim land on the banks of the stream or at a distance of 4 or 5 or 6 or 10 miles, and who proposes to construct a ditch or canal to the public lands for the purpose of spreading out the waters over the land for the cultivation of crops, ascertains upon investigation that in the months of July and August there is not sufficient water flowing in the river, and that his crops will lack the moisture required to mature them.

The CHAIRMAN. The time of the gentleman from Nevada has expired.

Mr. NEWLANDS. I ask unanimous consent that my time may be extended ten minutes.

The CHAIRMAN. The gentleman from Nevada asks unanimous consent that his time may be extended ten minutes. Is there objection?

There was no objection.

Mr. GAINES of Tennessee. Before the gentleman goes on, I wish he would tell us how much water will be kept out of the Missouri River, and therefore out of the Mississippi River, by these reservoirs.

Mr. NEWLANDS. I will speak of that a little later. I was saying that the man who wishes to divert water for the purpose of reclaiming land upon the bank of a stream or distant 10, 15, or 20 miles finds upon inquiry and observation that that stream is reduced to a thread in July, when the water is most needed. During the months of March, April, May, and June he would have an abundance of water, but in July, when it is most needed, the water would not be forthcoming and the crops would become the victims of the sun and of drought.

So the very purpose, or the primary purpose, of the storage of this water in the mountains is to furnish the comparatively small supply that will be required by great areas of cultivated land during the months of July and August. We will assume, then, that enough storage is accomplished for that purpose by storing the flood waters in the winter and spring of the year in the mountains. Immediately following that the settlers would enter upon large areas of land in the great plains which constitute a part of what is called the Great American Desert, and would immediately divert from and take out of the river by means of canals and ditches vast quantities of flood waters which can not be stored in the reservoirs; for, of course, all of such flood waters can not be stored.

The result will be that millions of acres will take up like a sponge these flood waters, which otherwise would go down the Missouri River and down the Platte River and down the Arkansas River into the Mississippi River, and thus add to the flow of the torrent there. Later on these waters used in irrigation gradually seep back through the soil into the river and equalize its flow, and thus, instead of having a torrential flow during two months of the year you have an equal and sustained flow throughout the entire summer season. Thus the waters which now go to waste in the Gulf of Mexico in the period of two months would gradually make their way back to the Gulf during a period of many months, maintaining an equalized and sustained flow of that river.

Go to the Mississippi River and to the Missouri River in the months of July and August and September, and inquire of the people there what the difficulty is, and they will tell you there is too little water. Go there in the months of March, April, and May and ask what the difficulty is, and they will tell you there is too much water. The problem which we have to meet is the equalization of the stream, the maintenance of an equal and sustained flow. Now, the gentleman from Louisiana, whilst admitting that there may be something in the theory that the reclamation of the arid lands of the West would tend toward an equalization of the stream, claims that only one-third of the torrential waters of the Mississippi River come from the Missouri, the Platte, and the Arkansas rivers.

I do not know whether his figures are correct or not for I have not inquired into that matter. The Missouri is an immense stream, and I supposed that its flow alone was larger than one-third of the Mississippi. But assuming that it is only one-third, if this storage system should have the effect only of reducing its flow partially it would be of great benefit. Of course the work on the Lower Mississippi River will never be ended. That work will be perpetual, because whatever our efforts may be, it will be necessary to raise these levees from time to time and to repair them in order to protect the adjoining agricultural lands. But surely the expense can be very much reduced by reducing the volume of the torrent.

You must increase your expenditures just as that torrent increases, and you can diminish them just as that torrent diminishes. Then, when it comes to the dredging of the river, by maintaining an equal and sustained flow over the river during the year you will do away with the necessity of the great expenditure for dredging that river. Why, $7,000,000 have been expended on the Missouri River on work which has been abandoned by this committee, work which would have been unnecessary had we undertaken this great work in the reclamation of this vast area. As to the magnitude of this storage, the committee should bear in mind the fact that we do not propose merely the storage of a teacupful in the mountains and urge that that will diminish the flow of the Mississippi River.

Mr. SHAFROTH. Will the gentleman yield to me for a statement?

Mr. NEWLANDS. Certainly.

Mr. SHAFROTH. I have a statement from the Geological Department relative to two streams in the State of Colorado, on one of which 27 reservoirs have been constructed and on the other one 34 have been constructed, and that they consume practically all the water of those two streams.

Mr. NEWLANDS. All the flood water?

Mr. SHAFROTH. All the flood waters. That of course is only one indication in this early stage of the development of this great reclamation scheme.

Mr. NEWLANDS. The gentleman from Colorado speaks of about 50 reservoirs in his own State constructed by private enterprise, the effect of which has been to absorb all the flood waters of those two streams. Now, recollect that in this arid region there are about 70,000,000 acres of land that can be reclaimed. Of that 70,000,000 acres one half, say, 35,000,000 acres, probably lie upon the eastern slope, that slope that furnishes the water of the Missouri and Mississippi rivers. Imagine an annual diversion from the streams over the arid plains of flood waters covering ultimately 35,000,000 acres with water 2 feet deep, and imagine the effect of that in diminishing this extraordinary and torrential flow of the Mississippi River.

Now, this work has been too long postponed. Jefferson Davis, when Secretary of War, fully informed regarding the conditions in Louisiana, Mississippi, and Arkansas, and as an army officer and engineer fully informed regarding the great Rocky Mountain region, urged that this reservoir system should be established in the Rocky Mountains, with a view to diminishing the torrential flow of the Mississippi River. That was more than fifty years ago; and yet we have been halting in this great work, which not only means diminishing the flow during the torrential period of the Mississippi, but the equal and sustained flow in that river, for the purposes of navigation and also for the development of a country now arid capable of sustaining millions of people. Is it not about time for us to annex that country to the United States and give it a part of our benificent legislation intended for the equal and harmonious growth of the Republic? [Loud applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

The Clerk read as follows:

Improving Cape Fear River, North Carolina, at and below Wilmington: Continuing improvement and for maintenance, $150,000, of which amount so much as may be necessary may be used in the construction of mooring dolphins, in accordance with the approved project.

Mr. BURTON. Mr. Chairman, I desire to offer an amendment there.

The Clerk read as follows:

On page 49, line 13, after the word "project," insert:
"*Provided*, That of the amount herein appropriated, $1,000, or so much thereof as may be necessary, shall be expended in moving obstructions at the mouth of Brunswick River, in accordance with the estimate in Senate Document No. 130, Fifty-sixth Congress, second session."

Mr. BURTON. That, Mr. Chairman, is to open the mouth of a river near Wilmington by the expenditure of a small amount. It was added as a Senate amendment to the bill last winter. There was no survey authorizing its insertion at that time when the House bill was passed, and in pursuance of the general policy of not inserting that which had not been estimatad for, no provision was made; but now the estimate has been submitted in proper form.

Mr. BELLAMY. Mr. Chairman, it is very necessary, I will state, and if the House wishes an explanation of it I will offer one. But I do not think there is any necessity after the chairman has made his statement.

The question was taken; and the amendment was agreed to.

Mr. BELLAMY. Now, Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Amend by striking out in line 10, page 49, the words "one hundred and fifty" and insert the words "two hundred;" so as to read "two hundred thousand dollars."

Mr. BELLAMY. Mr. Chairman, the defeat of the last river and harbor bill has entailed on the country a great deal of loss. In the improvements that were progressing on Cape Fear River below Wilmington by the failure to have the appropriation available to carry on these improvements as they had been going on the dredges were tied up and all work ceased, and the consequence has been that, according to the estimate of the engineer as contained in volume 1 of the annual reports of the War Department, the deterioration arising therefrom has been $128,000, consisting of the following items:

Deterioration has occurred as follows:

By shoaling in Alligator Creek, Lilliput, Old Brunswick Cove, Midnight, and Reaves Point shoals, about 600,000 cubic yards; estimated cost of redredging	$80,000.00
Damage by storm, New Inlet dam; estimated cost of restoration	8,000.00
Damage by storm, Swash Defense dam; estimated cost of restoration	30,000.00
Damage by decay, etc., Snows Marsh dike; estimated cost of restoration	30,000.00
Total deterioration	128,000.00
July 1, 1900, balance unexpended	96,279.97
March 22, 1901, received for rent of dredge *Cape Fear*	7,593.57
	103,873.54
June 30, 1901, amount expended during fiscal year	71,796.07
July 1, 1901, balance unexpended	32,077.47
July 1, 1901, outstanding liabilities	2,221.74
July 1, 1901, balance available	29,855.73
Amount (estimated) required for completion of existing project	885,000.00
Amount that can be profitably expended in fiscal year ending June 30, 1903, for works of improvement and for maintenance, in addition to the balance available July 1, 1901	200,000.00
Submitted in compliance with requirements of sundry civil act of June 4, 1897, and of section 7 of the river and harbor act of 1899.	

Now, in the present bill there is appropriated only $150,000 for the entire lower Cape Fear. The amount recommended by the engineer in charge, both the local and the chief engineer in charge of the southern department, Colonel Hains, is $885,000 for the completion of the existing project. Therefore, if you take the $128,000 necessary to repair the damage done by storms last year, it leaves simply $12,000 toward the improvement of $885,000 which has been recommended by the Chief of Engineers.

Now, I say it is the most nearsighted, unbusiness-like policy that I know of. There these improvements are going on, and only $12,000 becomes available for the improvements of this year, and next session there will be necessarily appropriated $150,000 more to repair the damages that will be caused by this small appropriation failing to be effective. Therefore I ask this body to amend that and make it $200,000, which is the smallest amount that ought to be made available, and then we will only receive for that improvement $200,000 out of the $885,000 recommended. I think it is reasonable; I think it is business sense to give it, and I warn this body at this time of what the consequences will be at the next session if you fail to adopt this amendment.

Mr. BURTON. Mr. Chairman, this difference in the amount carried in the bill and that recommended was pressed so strongly that I asked the War Department to call to Washington the engineer in charge, Mr. Lucas. I spent the greater part of an evening with him in looking over this project, and at one time I thought it might be necessary to add to this appropriation of $150,000 perhaps ten or twenty thousand dollars to bring it up to compare with the other appropriations in the bill, but after going over it very carefully with the local engineer and considering the project further it did not seem best to raise the amount inserted in the bill.

There is one thing the gentleman from North Carolina [Mr. BELLAMY] ought to state, and that is that there is a balance on hand of $20,000 in addition to this amount appropriated. One hundred and fifty thousand dollars is as large an amount for Cape Fear below Wilmington as has been appropriated for some years, and I think we are giving it generous treatment.

In reply to the statement made by the gentleman that this is exceedingly unbusinesslike to make this appropriation, I would ask him to consider carefully the difficulties under which the committee labor. It has been repeatedly stated on this floor that we have estimates aggregating over $300,000,000.

Now, according to his argument, the businesslike way to do would be to bring in a bill appropriating and authorizing $300,000,000. Does the gentleman think for an instant that this House would favorably consider such a bill? Does he think for an instant that the country would sustain Congress in passing a bill carrying three hundred millions, or even one hundred and fifty million dollars?

If he desires us to make larger appropriations I say to him, as I have said to commercial bodies, "Go out into the country and educate public opinion, that force which in this country is as despotic and as absolute as the standing army in Russia; go to the people and demand that these appropriations be larger." The Committee on Rivers and Harbors could have brought in a bill carrying one hundred and fifty millions or two hundred millions, and it would have been beneficial to the country, but the will of the people is not that we should do anything of the kind, and, I take it, such is not the will of Congress.

Now, I want to compare the gentleman's project with that of Brunswick, Ga. Brunswick is a port growing much more rapidly than Wilmington. It has a tonnage greater than Wilmington, and it has a commerce more varied than that of Wilmington. It has not only an outer bar, which must be taken care of, but an inner bar; and yet for both outer bar and inner bar we appropriated, or recommended an appropriation, of $140,000. That, too, when there was no balance on hand. On looking over the subject with the engineer, we found they could take care very well at Wilmington of the improvements they now have.

There is one other point which it seems to me I should state to the committee. Southport, at the mouth of this river, some 25 or 30 miles below Wilmington, has a magnificent harbor. A railroad to that place is already in sight, and while Wilmington will no doubt continue to hold prestige as a commercial point, it is a question whether the future commercial development, so far as navigation is concerned, will not be at Southport rather than Wilmington. Briefly considering all the circumstances, quite as generous provision has been made for this project, possibly more generous provision, as for others in the bill. I trust the Committee of the Whole will promptly vote down the amendment.

Mr. BELLAMY. I infer from the remarks just made by the distinguished chairman of the committee that he is not acquainted with the immediate vicinity of Southport and Wilmington.

Mr. BURTON. I have never been there.

Mr. BELLAMY. It is your misfortune that you have not.

Mr. BURTON. I have many, many misfortunes. [Laughter.]

Mr. BELLAMY. And our people will be delighted to have you come there and acquaint yourself with the needs of the best port south of Norfolk, and they will, I assure you, give you a most cordial and hospitable welcome.

Mr. BURTON. I thank the gentleman.

Mr. BELLAMY. But I wish to state that of the appropriation that the committee is making in this bill, $128,000, the greater portion goes down to the mouth of the river near Southport, leaving of the $885,000 recommended only $12,000 for this part of the river.

Mr. BURTON. The gentleman is slightly in error. Eight hundred and eighty-five thousand dollars is the amount required for the completion of the work. The local engineer did not recommend the expenditure of the whole of that amount at this time; only $378,000.

The question being taken, the amendment was rejected.

The Clerk read as follows:

Improving Coosa River, Georgia and Alabama, and the Oostenaula and Coosawattee rivers, Georgia, $25,000, of which amount $5,000, or so much thereof as may be necessary, shall be expended upon the last-named rivers, and the balance upon the channel of the Coosa River between its source and the site of Lock No. 4. From the balance remaining on hand to the credit of the lower portion of said Coosa River between Wetumka and the railroad bridge a further sum of $10,000 shall be expended upon that portion of said

river above the said railroad bridge, and the Secretary of War shall cause a survey to be made of the Coosa and Alabama rivers with a view to determining the advisability of securing 6-foot navigation in said rivers, and the probable expense thereof. The said survey shall also contain a report upon the advisability of further prosecuting the present project for locks and dams in the Coosa River, and the expense of such survey or surveys shall be paid from the unexpended balance remaining to the credit of the said lower portion of the Coosa River, between Wetumka and the railroad bridge.

Mr. BURTON. I desire to perfect this paragraph by the introduction of certain verbal amendments, which I ask the Clerk to read.

The Clerk read as follows:

One page 51, line 14, change the comma after "four" to a period; same line, change letter "f" in "from" to a capital; line 16, insert after the word "bridge" a comma; line 18, after the word "bridge," change the comma to a period, and change the "a" in the word "and" to a capital; also in line 22, change the period after the word "thereof" to a semicolon, and begin the following word, "the," with a small letter.

The amendment was agreed to.

Mr. THOMPSON. I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend by striking out on page 51, lines 8 to 25, inclusive, and lines 1 and 2 on page 52, and substituting therefor:

"Improving Coosa River, Alabama, between Wetumpka and railroad bridge: Continuing improvement, $15,000, which amount, with the balance on hand, or so much thereof as may be necessary, may, in the discretion of the Secretary of War, be expended for the completion of Lock and Dam No. 31.

"Improving Coosa River, Georgia and Alabama: For maintenance and continuing improvement, $75,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete Lock and Dam No. 4 in said river, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $199,845, exclusive of the amounts herein and heretofore appropriated, and the balance on hand, together with any amounts herein appropriated, not reqiured for the completion of said lock and dam, may be used for completing the work at Horse Leg Shoal, and dredging and improving the channel between Rome, Ga., and Lock No. 4."

Mr. THOMPSON. Mr. Chairman, I offer this amendment in all seriousness and good faith, hoping the Committee of the Whole will adopt it, thereby placing the Coosa River in the same standing in this bill that it had in the bill recommended to this House by the River and Harbor Committee less than two years ago. If Coosa River, Mr. Chairman, was worthy of an appropriation two years ago, I can not see why it is not worthy of this governmental support to-day.

The distinguished chairman of this committee, in presenting his bill to the House, said that the committee had considered all projects presented to them upon their merits, without reference to making the distribution by States; yet when we began to discuss the merits of the Coosa River yesterday he attempted to divert the attention of the House from that question by presenting some statistics which he had gotten from the Census Bureau, collected in 1890. Such statistics are a reflection upon the gentleman offering them, because they show that he has not kept pace with the progress of this country, and especially of the great State of Alabama. It is unfair and unjust to try to prejudice members of this House against the appropriation for the Coosa River by presenting here as an argument against it the assessed value in 1890 of three or four counties lying adjacent to this river.

The gentleman, in further support of his argument against the appropriation for the Coosa River, said that the River and Harbor Committee had dealt generously with Alabama, contradicting the very policy that he had laid down when he presented his report in general to this House. I confess, Mr. Chairman, that the River and Harbor Committee has dealt generously with Alabama, and as an Alabamian I thank the committee for the liberal appropriations they have made to our State. But, according to the policy and principle of this improvement and of this committee as suggested by the chairman, it is no argument to assert that the Coosa River, one of the most deserving streams in all this land, should be cut off, ignored, and especially after the Government has expended $1,200,000 upon its improvement.

The gentleman says he has disregarded the applications in behalf of a great many streams where money has been expended. But his principal argument yesterday against this river was that it was not meritorious because the assessed value of a few adjacent counties in 1890 was only $8,000,000. I have in my hand a report of the engineers made in 1890, in which they say:

There are nine counties in Alabama lying immediately upon the Coosa and cut off from all water communication with the Alabama, to wit: Elmore, Chilton, Coosa, Shelby, Talladega, St. Clair, Calhoun, Etowah, and Cherokee. These counties have a population of over 150,000 souls. They have in cultivation nearly 700,000 acres of land. Their territory covers nearly 1,500,000 acres. The assessed valuation of their property is over $13,000,000.

That is the report incorporated there by the engineers, which I presume is just as correct as the one presented here yesterday from the Census Bureau. Now, Mr. Chairman, in the Manufacturers Record of February, presented by the able chief of the Census Department, among other things, he says that during the past fifty years capital invested in Alabama has increased in round numbers from $3,000,000 to $70,000,000.

The increase in the number of establishments from 1890 to 1900 is 88 per cent, and yet the chairman of this committee, with the power he has by virtue of being in charge of one of the most important committees in this House, undertakes to prejudice the members of this House against the Coosa River by presenting statistics here which are twelve years old and should not be considered an argument against this great enterprise. I say, Mr. Chairman, that the people whom I have the honor to represent in the Fifth district of Alabama——

[Here the hammer fell.]

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that the time of my colleague may be extended five minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the time of his colleague may be extended five minutes. Is there objection?

There was no objection.

Mr. THOMPSON. I say, Mr. Chairman, that the Coosa River has been unjustly treated by this committee, with all due respect to the distinguished chairman and the members thereof. I do not say, sir, that they have done it intentionally. The chairman of this committee seemed very sensitive yesterday because some of those who believe in the justness of their claims had seen fit to criticise him and his committee for striking us down now after a million and a half dollars of the Government's money has been expended here. He said to me that some of the papers down in Alabama had seen fit to criticise him.

Mr. Chairman, it seems to me that his public experience might have gotten him accustomed to newspaper criticisms by this time, and I want to say that the people all over my section of the State feel indignant over this treatment, not only those who live in the three or four counties referred to by the distinguished chairman, because that is an unfair estimate, for the Coosa River rises up in the mountains of Georgia, flows down through the mineral district of our State, which, as was stated here yesterday, is one of the richest mineral districts in the world, and it is unfair when the chairman of the committee tries to prejudice the members of this House against this appropriation by presenting statistics giving the valuation of three or four counties amounting to $8,000,000.

It is unfair, Mr. Chairman, and I appeal to the members of this House to reinstate the Coosa River appropriation in this bill. We only ask for $15,000 to finish and complete Lock and Dam 31, and $175,000 to complete the work that is unfinished at Lock and Dam 4, which is liable to be washed away perhaps before this committee can consider its claims again. [Applause.]

Mr. BALL of Texas. Mr. Chairman——

The CHAIRMAN. Does the gentleman wish to speak on this proposition?

Mr. BALL of Texas. Yes. I am sure that there is not a member of the Committee on Rivers and Harbors but that would have been glad indeed to have made a substantial recognition of the Coosa River in this bill. So far as I am personally concerned, certainly the ties of blood and of kindred and the regard that I have for the State of Alabama, as well as for the gentlemen who so well and honorably represent it, would have impelled me to have voted for the appropriation asked; but, Mr. Chairman, while the members of Congress from Alabama interested in this improvement have left no stone unturned, have exhausted every legitimate and honorable effort in pressing the matter upon the Rivers and Harbors Committee, yet in the judgment of that committee, with the single exception of the gentleman from Alabama [Mr. BANKHEAD], the committee was unable to comply with their wishes, and its members are compelled, in their judgment, at this time to vote against further recognition for the Coosa River.

Now, I do not think that there is anybody upon the Rivers and Harbors Committee that is prejudiced against the Coosa River. I am sure the chairman of that committee is not, but when gentlemen insist upon attacking the work of the committee they ought not to criticise the chairman or any member of the committee for attempting at least to justify themselves before the House for their action, and show that good reasons exist for failing to make the desired appropriation. Now, so far as the State of Alabama is concerned in this bill, no State in proportion to its population and its commerce has been more liberally recognized. Certainly the State from which I come has not fared any better than the State of Alabama, although our commerce largely exceeds that of that splendid old Commonwealth; and, as I say, no State in the Union in proportion to her population and commerce, so far as I know, has been better cared for in this bill than the State of Alabama. Now, Mr. Chairman, it is probable that if there was no money to be spent on rivers and harbors except that demanded by the Coosa River, that the Rivers and Harbors Committee would have been able to consider the matter of making a larger appropriation there, with due regard to the public interests and to the wishes of all concerned, with greater favor.

But here is a project the completion of which, according to late estimates received from the engineers, amounts to some $8,000,000.

It is one of the most expensive rivers to improve, in proportion to the mileage of commerce to be served, of any that has been presented to the Committee on Rivers and Harbors for their consideration. Now, I believe that there is much merit in Coosa River in a great many respects. Certainly they are establishing splendid manufacturing industries in that section, and they have a volume of water sufficient in many respects to support a large commerce, and there is a good commerce in certain sections of that river. The Committee on Rivers and Harbors have not abandoned the Coosa River. We have simply been unable at this time to see our way clear to give it a more liberal recognition than we have, and do not believe at present that the extension and expensive improvements contemplated are justified.

In the selection of the various projects which come before us and are pressed upon us we are compelled to ignore some and to accept others, and in the judgment of the committee, without a single exception save only the gentleman from Alabama [Mr. BANKHEAD], it was decided that at this time we could not give more substantial recognition of this river, which all of us would be glad to provide for more liberally if we could justify ourselves, having due regard for the proper expenditure of the public money and size of the bill which we are permitted to bring in, in doing so.

Mr. BURTON. Mr. Chairman, the arguments in favor of this amendment prove to the House a very noticeable fact, namely, that the worse a project is the more steadfast and eloquent is its support. They prove, further, that if any member of this House, whether belonging to the Committee on Rivers and Harbors or not, sees fit to oppose an absolutely unworthy project he must lay himself liable to accusations of prejudice and of trying to mislead the members of this House.

I regard this project as the most objectionable of all those in the whole list of river and harbor improvements for which there have been recommendations made. It proposes, in a stretch of about 142 miles, to build 31 locks and dams. On that there has already been expended about $1,300,000. The balance required to complete it would be something over $6,000,000 according to the estimates made in 1890, and before. Captain Judson, an able young engineer, was in charge of this improvement, and he states frankly that when he first was assigned to duty there he thought favorably of it, but on further examination he was compelled to change his mind, first, because 4-foot navigation would not do any practical good.

Mr. BURNETT. May I ask the gentleman what further examination Captain Judson shows he ever made?

Mr. BURTON. Well, there is oftentimes benefit, as the gentleman himself knows, in reflection; and after Captain Judson had been there some time he not only gave further examination, but, I take it, he gave reflection to it as well, and I trust that some reflection will be given to this project by the gentleman from Alabama. Captain Judson is a young man, and he changed his mind. The gentlemen from Alabama who advocate this improvement are comparatively young men, and I trust they will change their minds. No doubt they are ambitious to add still further to their very considerable stock of knowledge, and I trust when this addition is made they will go through the same process of evolution as Captain Judson.

Mr. BURNETT. I will ask the gentleman if Captain Judson did not change his mind in about three months; if he did not make an official report on the 30th of June, in favor of this project, and on the 24th of October, a little more than three months afterwards, make a report that was absolutely contradictory of the other?

Mr. BURTON. I want to say about that that it does not matter if he changed his mind over night. It is not a question of whether he changed his mind or not. It is a question of the validity of the arguments that he gives, and the arguments that he gives are that 4-foot navigation would do no good whatever; that with 31 locks to go through coming and going there would be an exhaustion of the coal supply and an exhaustion of the profits of the trip; and if you have 6-foot navigation, which you must have in order to do any good, from $20,000,000 to $30,000,000 will be required. It is evident the estimates were too small. Why, there is one lock that I believe was estimated to cost $200,000, and they have already expended nearly $400,000 on it, as I recall, and it is yet in an unfinished condition.

Now, what are the claims of the Coosa River? As my colleague on the committee [Mr. BALL of Texas] has said, the State of Alabama is treated very liberally in this bill. We are providing at large expense for the improvement of the Black Warrior River, and it is not fair to the rest of the country while we are canalizing this latter stream at great expense, possibly costing $6,000,000, to take up another river that in some places is only 25 or 30 miles from the one which we are now improving. The Committee on Rivers and Harbors is like an organization located in a building on a great eminence with windows all around. Suppose some man should come in from Alabama and say, "Shut down that window!" Then some one from Kansas or Arkansas should come and say, "Shut down this other window," and then requests to close down all around until there is but one window left looking out on one project. Some persons regard no improvements as important except their own.

We can not afford to take any such restricted view as that. I wrote a letter to some gentleman down in that locality giving courteously my reasons why the Coosa should not be improved, and the result was he abused me in his newspaper. Now, I would like to know how can a man so permeated with narrowness and selfishness have any conception of our responsibility for all of this country. The Coosa River is not the whole country; the State of Alabama is not the whole country. There are 45 States here which we must provide for. I do not blame gentlemen for being in earnest, but they say I misled this House, in that I gave the statistics of 1890.

I wrote to a Department of this Government and asked for the latest available statistics of the assessed valuation of these counties. I took the report as a correct one and used it; and the committee will recall that what I sought to bring out most prominently was the amount of taxes paid on real estate. I said then and I say now that it is evident in these counties and parts of counties bordering this improvement, which is to cost $4,900,000, the amount that they ask the Government to expend is more than has been paid in fifty years for municipal, State, and county taxation upon their real estate.

I think that that is a little too much to ask of this Government. They tell of the great coal fields on this river. Now, it has navigation of 150 miles or so already, and yet I have looked back for years in the reports and there is not a single ton of coal that was ever shipped on this river during these years. That illustrates what sort of a project can be brought in here, and if we bring in evidence to show how extravagant it is, and how poor the prospect is, if anyone opposes it he must be set down as being prejudiced against the appropriation.

Gentlemen of the committee, I am willing to submit to any accusation, provided I first point out how objectionable such a project as this proposed. The committee, as well as myself, purposes to do business at the old stand, and whenever a scheme like this appears we intend to point it out to this committee, and if you gentlemen desire to take the responsibility of wasting the public moneys you may do it; but we purpose to face our responsibility and perform our duty. [Loud applause.]

The CHAIRMAN. The question is on the amendment of the gentleman from Alabama.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BURNETT. Division.

The committee divided; and there were—ayes 18, noes 67.

So the amendment was rejected.

Mr. BURNETT. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read, as follows:

Amend by adding as a separate paragraph after line 2, page 52, the following:

"For the completion of Lock and Dam No. 4 in said Coosa River, Georgia and Alabama, the sum of $192,000, and the balance of said sum, if any be left after the completion of said lock and dam, shall be expended in the completion of Horse Leg Shoals, and dredging and improving the channel between Rome, Ga., and Lock No. 4."

Mr. BURNETT. Mr, Chairman, having addressed the committee on this subject a day or two ago, I will extend any further remarks I desire to make in the RECORD, and will yield my time to my colleague [Mr. BOWIE].

The CHAIRMAN. Without objection, the gentleman from Alabama yields his time to his colleague.

[Mr. BOWIE addressed the committee. See Appendix.]

Mr. BURTON. Mr. Chairman, I want to say that this is the proposition that I supposed we were discussing before, and that the arguments I made a little while ago apply equally to this. This proposition is to expend $190,000 for increasing the navigable length of a river now 150 miles long to 162 miles. In the 150 miles already navigated there is a tonnage of 33,000 tons. It is probable there would be an increase by the extension for 12 miles of about 2,500 or 3,000 tons, and for this increase we are asked to expend $192,000.

The gentlemen have seen fit to criticise my figures that I gave yesterday about the assessed valuation. I ask those gentlemen to publish in the RECORD the figures. I wish to be fair to them, but I challenge them to show that the figures I gave for that lower improvement—taking into account that it does not extend up the whole distance between these two counties, Talladega and another, are incorrect.

Mr. BOWIE. Will the gentleman permit a question?

Mr. BURTON. Certainly.

Mr. BOWIE. The Chairman gave merely the real estate in the lower counties, and did not include the personal property, but the figures that I gave——

Mr. BURTON. I so stated distinctly to the committee, that I gave real estate, and the figures are real estate and improvements. I did not assume to give the value of the personal property.

Mr. BOWIE. And the value of the personal property nearly doubles that of the real estate.

Mr. BURTON. Oh, certainly; we know that is true of many localities.

Mr. BOWIE. Well, I did not know it was true in every locality.

Mr. BURTON. Oh, it is not double, certainly, in many cases, but we all understand that the personal assessment makes the total very much larger.

Mr. BOWIE. But the figures which I gave with reference to the four counties that border on lock 4, which is near the corner of four counties, show that for the $192,000 which we ask by this amendment under discussion the taxed values of those four counties amount to over $24,000,000, as taken from the Eleventh Census.

Mr. BURTON. I would suggest to the gentleman that his figures are altogether wrong. That would not convey a fair impression. What would be correct would be to give the assessed valuation along the 12 miles to be improved, not along through all these counties that have already navigation for 150 miles. The man who could convince anyone of the accuracy of figuring in that manner would certainly be a genius, and no one could figure against him.

Mr. BOWIE. Will the gentleman permit a question?

Mr. BURTON. Certainly.

Mr. BOWIE. Is it not a fact that the people along the whole line of the river would be benefited by increasing the length of the navigable stream?

Mr. BURTON. Very, very slightly.

Mr. BOWIE. I think the gentleman is mistaken in that.

Mr. BURTON. Anyone can judge of that proposition, whether extending 150 miles of navigation to 162 miles confers any benefit of a very radical nature on the rest of the 150 miles. I do not think that requires any argument.

Mr. BOWIE. Undoubtedly it does, Mr. Chairman, if the gentleman will pardon me.

Mr. BURTON. Oh, some benefit, but very slight.

Mr. BOWIE. It brings it right down into the Coosa coal fields and into the Coosa Valley, which is as fine a farming section as there is in Alabama, and into the region of two independent railroad systems, the Southern and the Birmingham and Atlantic.

Mr. BURTON. I want to say in response to the statement of the gentleman that the statements made before the committee have always been to the effect that those coal fields were not limited to those 12 miles.

Mr. BOWIE. Not at all.

Mr. BURTON. And that in glowing terms it has been claimed that they were all along on the river.

Mr. BOWIE. That is true.

Mr. BURTON. So that there is not any unusual advantage in opening up those 12 miles. It is not likely that it would add a ton of coal to the coal already shipped down the river. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment of the gentleman from Alabama.

The question was taken; and the amendment was rejected.

Mr. ROBERTSON of Louisiana. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Louisiana offers the following amendment.

The Clerk read as follows:

Between lines 2 and 3 on page 52 insert: "For improving the harbor of Habana, Cuba, to be expended under the supervision of the Secretary of War, $2,500,000."

Mr. BURTON. Oh, Mr. Chairman, I have no objection to having a little pleasantry here, but on that I raise a point of order.

Mr. ROBERTSON of Louisiana. I hope the gentleman will permit me to make a statement as to the relevancy of this amendment here.

The CHAIRMAN. Does the gentleman insist upon a point of order?

Mr. BURTON. Certainly.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BURTON. Oh, I have no objection. I trust the gentleman may be heard if he desires to, but of course I reserve all points of order.

The CHAIRMAN. Very well; the Chair so understands it.

Mr. ROBERTSON of Louisiana. Mr. Chairman, this amendment is offered at this point in the bill because it is just before the beginning of the words in it which apply to the improvement of the rivers and harbors of the State of Florida, the nearest point to the island of Cuba. It has been stated, Mr. Chairman, upon many occasions upon this floor that under the provisions of the Platt amendment we had placed certain restrictions over the independence of Cuba and had so restricted her that it was necessary for us to give her some relief.

Section 5 of the Platt amendment, which I believe is pertinent here, reads as follows:

That the government of Cuba will execute, and as far as necessary extend the plans already devised, or other plans to be mutually agreed upon for the sanitation of the cities of the islands, to the end that a recurrence of epidemics and infectious diseases may be prevented, thereby assuring protection to the people and the commerce of Cuba, as well as to the commerce of the southern parts of the United States.

Under the provisions of that section of the Platt amendment, I believe that if we owe anything at all to Cuba we have so impressed upon her the necessity of the improvement of the harbor at Habana that we should undertake it here at this time. There is no point from which we can begin which will afford more relief to the people of Cuba and which will go more directly to those people than the expenditure of this money, which, in addition to the fact that it may improve the harbor, will protect it against the accumulation of filth, and thereby avoid epidemics. Now, as to the power of this House to make an appropriation of this kind, I would say that I believe that holding the island, as we do, under our military power, the Government has the right to do that which may be necessary to protect those people from the standpoint of health, and also to assist the island in her commerce.

I know very well, Mr. Chairman, that this House at the time we passed the resolution declaring war against Spain disclaimed any disposition or intention to exercise sovereignty, jurisdiction, or control over these islands, except for the pacification of the same, etc. But, Mr. Chairman, that was modified, both by the adoption of the treaty and also by the adoption of the Platt amendment on the 2d day of March, 1901, when the act making appropriations for the Army for the fiscal year ending June 30, 1902, was passed.

It seems to me, Mr. Chairman, that this is a proper method to pursue in assisting Cuba. If Cuba is in need of real help, here is the opportunity and here is the place to do it.

We have said also in the adoption of the treaty that as the island upon the evacuation by Spain is to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge obligations that may under international law result from the fact of its occupation for the protection of life and property.

Now, sir, we also have said that we would see that a stable government was established in Cuba. At what time can we look for that, Mr. Chairman? We understand that unless we give relief to Cuba in a short time insurrections will take place there and no stable government can exist. Hence the military occupation of the island must continue, at least for some time to come.

This appropriation for the cleaning out of Habana Harbor, excellent work upon which has already been done by our military authorities there, will go a long way toward relieving those people of additional taxation.

It is also required by another section of the Platt amendment that—

the said government shall not assume or contract any public debt, to pay the interest upon which and to make reasonable sinking fund provision for the ultimate discharge of which the ordinary revenues of the island, after defraying the current expenses of government, shall be inadequate.

Even if her revenues should not be sufficient to meet her expenditures, she can not issue bonds, as other nations may, under this section of the Platt amendment.

I submit, Mr. Chairman, that if there is a time when we can come to the relief of Cuba in the proper way this is the time. The mere sop to the whale, Mr. Chairman, in a reduction of 20 per cent of the duties upon sugar, the benefits of which will go into the pockets of the sugar trust, is no relief for Cuba, and never will be.

[Here the hammer fell.]

Mr. BURTON. Mr. Chairman, I ask for a decision on the point of order.

The CHAIRMAN. The Chair will ask the gentleman to state his point of order.

Mr. BURTON. The point of order was that that amendment is entirely out of place in this bill. It is not germane to the bill, and I may state in addition that there is no estimate for it. We might as well make an appropriation for something in the South Sea Islands.

Mr. ROBERTSON of Louisiana. Oh, no; it is not quite that bad.

The CHAIRMAN. The Chair is of the opinion that the amendment is not germane to that part of the bill to which it is offered, and also is of opinion that it is not germane to the bill at all, and therefore sustains the point of order.

Mr. BURTON. I desire to offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 52, line 4, change the period after "dollars" to a comma, and add: "of which amount so much as may be necessary may be expended upon the St. Johns River between the said Volusia Bar and Lake Monroe."

The amendment was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. BOUTELL having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

On March 15, 1902:

H. R. 7035. An act for the relief of Charles Hurrle.

On March 18, 1902:

H. R. 1375. An act for the relief of Louis Weber;

H. R. 4381. An act to authorize the Central Railway of West Virginia to build a bridge across the Monongahela River at or near Morgantown, in the State of West Virginia;

H. R. 10305. An act to amend section 14 of the act approved June 29, 1898, entitled "An act to provide for the construction of a bridge across the Niagara River;"

H. R. 9332. An act to authorize the Dothan, Hartford and Florida Railway Company to construct a bridge across East St. Andrews Bay, navigable water, at a point about 1 mile east of Farmdale, in the State of Florida;

H. R. 7458. An act to re-form the western judicial district of the State of Arkansas; and

H. R. 299. An act for the relief of William C. Dodge.

On March 20, 1902:

H. R. 11306. An act to extend the time for the construction of a bridge across the Mississippi River at Burlington, Iowa;

H. R. 280. An act for the relief of James M. Stradling;

H. R. 1381. An act for the relief of J. V. Davis;

H. R. 9280. An act for the relief of Hugh C. Preston; and

H. R. 718. An act to correct the military record of James L. Proctor.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For the removal of the water hyacinth from the navigable waters of the States of Florida and Louisiana, so far as it is an obstruction to navigation, $50,000: *Provided*, That the amount herein appropriated and the unexpended balance of amounts heretofore appropriated for this purpose in both of said States may, in the discretion of the Secretary of War, be used in exterminating or removing such plant by any mechanical, chemical, or other means whatsoever.

Mr. COOPER of Texas. Mr. Chairman, I would ask if the chairman of the committee would permit this section to be passed and an amendment to be offered later. This is the section providing a fund or appropriation to destroy hyacinths in the Florida rivers.

Mr. BURTON. I am willing to have it passed, so far as I am concerned. The idea is to postpone it, to be considered when the rest of the section relating to appropriations is read.

Mr. COOPER of Texas. Yes. I just heard it read. Conditions similar to that prevail in Texas, and I want to consult with members of the committee and ask for an amendment with reference to other rivers.

Mr. BURTON. I can not consent to any amendment increasing this amount. I have not understood that there was any such condition in Texas——

Mr. COOPER of Texas. There is.

Mr. BURTON (continuing). As would make it desirable that that State should be included.

Mr. COOPER of Texas. Navigation is largely obstructed, and therefore I would like this passed over.

Mr. BURTON. Then, Mr. Chairman, I ask that unanimous consent be given that the consideration of this paragraph be postponed until the balance of section 1 is read.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the reading of this paragraph may be postponed until the balance of section 1 has been read. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Improving the Black Warrior, the Warrior, and the Tombigbee rivers, Alabama: Continuing improvement with a view to securing a navigable depth of 6 feet in said rivers from Mobile to Mulberry and Locust forks in said Black Warrior River, $574,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary for constructing Locks and Dams 1, 2, and 3 in the Tombigbee and Warrior rivers, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $500,000, exclusive of the amounts herein and heretofore appropriated: *Provided further*, That $10,000 of the amounts herein or heretofore appropriated for said project may, in the discretion of the Secretary of War, be expended for continuing improvement and for maintenance on said river from Tuscaloosa to Demopolis; and the Secretary of War is authorized and directed to cause a survey to be made of the necessary lock sites in Tombigbee River between Demopolis and McGrews Shoals, and of Locks 5 and 6 in the Black Warrior. An unexpended balance of $14,000 remaining from the appropriation heretofore made for the construction of Locks and Dams Nos. 4, 5, and 6 on the Warrior River is hereby transferred to be expended for the improvement of Black Warrior River in the completion of Lock No. 4.

Mr. BURTON. Mr. Chairman, I desire to offer an amendment.

The Clerk read as follows:

On page 55, line 3, insert after the word "made" the words "to determine the location."

Mr. BURTON. Mr. Chairman, as it now reads the Secretary of War is authorized and directed to cause a survey to be made for the necessary lock sites. The locality of those lock sites has not yet been determined, and by the amendment as suggested it would read "to cause a survey to be made to determine the location of the necessary lock sites." This is a more correct description of what is to be done.

The CHAIRMAN. The question is on the amendment offerde by the gentleman from Ohio.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Improving Tombigbee River, Alabama, from the mouth to Demopolis: For maintenance, $20,000: *Provided*, That $4,000 may, in the discretion of the Secretary of War, be expended between Columbus and Walkers Bridge, Mississippi.

Mr. CANDLER. Mr. Chairman, I gave notice the first day this bill was taken up that at this point in the bill I would offer the amendment then read by me, and I now offer it and send it to the Clerk's desk and ask that it be read.

The Clerk read as follows:

Insert between lines 16 and 17, page 55, after the word "Mississippi," in line 16, the following:

"Improving the Tombigbee River from Demopolis, Ala., to Columbus, Miss.: Continuing improvement with a view to securing a navigable depth of 6 feet at low water in said river from Demopolis, Ala., to Columbus, Miss., $100,000; and the Secretary of War is authorized and directed to cause a survey to be made of the necessary lock sites in said river between Demopolis, Ala., and Columbus, Miss."

Mr. CANDLER. Now, Mr. Chairman, as I said then, I will repeat now, I offer this amendment in all candor and sincerity. I am in the utmost good faith and greatest earnestness about it. I appeal to this House not to carelessly consider it, but to give it your undivided attention and solemn and serious consideration, because I assure you this is a worthy and deserving project. I know I have been, and am now, persistent about this improvement. I have urged it earnestly upon the committee as a body and upon the individual members thereof in personal interviews, and upon many members of this House, and as I walk through the corridors of this great Capitol building, and when I appear on this floor, the remarks of my fellow-members oftentimes reach my ears as they say, good naturedly, of course, "There goes Tombigbee." [Laughter.]

That is all right, for you could not call me a name that is nearer my heart, and you could not refer to anything in which I feel a greater interest. You can call me "Tombigbee" the remainder of my days if you will adopt this amendment. This is not a new project, but is one in which the noble people of Lowndes, Monroe, Itawamba, and Noxubee counties, Miss.—yea, in fact, one in which my whole State has been greatly interested for years and years. This river was surveyed as early as 1872 by the authority of the Government, and from then until now the interest and desire has been intense to see it opened up to navigation the year round. By the river and harbor act of September 19, 1890, Congress adopted a channel depth of 6 feet at low water, but no provision has been made so far by appropriations to secure that channel. I am asking you now to begin the work to eventually bring about that much-desired result.

It is a beautiful stream from Columbus, yea from Fulton, and even as high up as Walkers bridge to the great Gulf of Mexico. Never blocked with ice, it flows through a country better timbered, richer in agricultural resources and mineral wealth than any other river of its length in this Union. The fall of the river from Columbus to Demopolis is 107.8 feet, and the distance of this part of this river is 156 miles. Deepen it and open it up and the current will keep it open. In its murmerings from its beautiful southern sunlit bosom it appeals to you to prepare it to carry the wealth which is produced along it shores out into the Gulf and on to the nations of the earth. [Applause.]

The tonnage on it in 1895 was 20,152 tons; in 1896, 23,213 tons, and in 1897, 24,857 tons. Last year there were brought into the Bigbee Valley 10,250 carloads of merchandise, and carried directly across this river for reshipment at New Orleans 16,000 carloads of coal. All of these 26,250 carloads of products would have been carried on the silvery and dancing waves of the lovely Tombigbee if you had begun this improvement when the 6-foot channel depth was adopted and pushed it to completion.

There is one stave factory in Columbus which ships 1,000 carloads annually, and there is also there one of the largest and most prosperous cotton factories in the country, the "Tombigbee Cotton Mills," the shipments of which amount to hundreds of carloads each year, and you must know that these mills would patronize the Tombigbee River, from which it takes its name. The Tombigbee parallels the great iron and coal fields for 150 miles, being within 25 miles of the finest deposit of hemitite ore on this continent, and there is produced in the rich and fertile valley of the Tombigbee one-twelfth of the raw cotton of the whole South, and along its banks there is an almost inexhaustible virgin forest of timber of great variety and size, including white oak, pitch pine, black walnut, beech, cypress, cottonwood, hickory, water oak, red oak, and sycamore.

At Demopolis there is nearing completion a $2,000,000 plant for the manufacture of cement from lime rock, which is inexhaustible and extends up to Columbus, right along this river. This plant will ship about 500 barrels per day. The distinguished chairman of this committee said in his speech that a river which could furnish 100,000 tons was entitled to be improved. Give us this improvement and we will furnish the tonnage. Now, in view of this enormous tonnage in sight, as soon as this river is opened up, I must believe you will agree with me that this is a most deserving project.

If you do not come to its relief now I serve notice on you that I intend to be as faithful in the advocacy of the improvement of the Tombigbee as my distinguished friend, Major HEPBURN, of Iowa, is in his opposition to the river and harbor bill, and every time the question of river and harbor improvement comes before this House, so long as I have the honor to remain here, I will make this historic Chamber resound with the virtues of the Tombigbee, until these beautiful walls will have driven into them in letters of living light the word "Tombigbee," so as it will greet you at every turn. [Laughter and applause.]

This river must be improved in the interest of commerce. You have played long enough with this improvement by making small temporary appropriations. Give the people this substantial appropriation, improve this beautiful river, and the people will call you blessed, and this river will sing your praises forever in its murmurings to the Gulf as it bears the increased tonnage and the enlarged commerce and productions, yet untold and unnumbered. This is one of the oldest rivers in all this country. It has been traveling the even tenor of its way since America was discovered, and I do not know how much longer. The maps show that when Columbus first visited America it was then right where it is now. [Renewed laughter.]

Mr. THOMPSON. The gentleman has said that this river was the oldest river in this country. Will he tell us how much older it is than the Coosa River in Alabama?

Mr. CANDLER. I said one of the oldest. [Laughter.] You can not get me to say anything against Alabama, because the best, the noblest, and sweetest possession I have on earth is my wife, and I found her in Alabama, and persuaded her to leave that great State and remove to Mississippi, and one of the chief inducements was that she would be nearer the beautiful Tombigbee. [Laughter and applause.]

Mr. THOMPSON. How old is your river?

Mr. CANDLER. It has been where it is now ever since America was discovered, and I was just saying that I did not know how much longer.

If you ever intend to begin this improvement, now is the "accepted time." [Laughter and applause.] When it is opened there will be no trouble to navigate it by day and night, for vessels can travel each and every twenty-four hours, for there will be no storms to disturb, no ice to block, and the silvery moon will light up the crystal waves of this river by night and the dazzling sun will lend its transcendent rays by day. They both in their usual and ordinary trips travel the full length of this river, because there is no other place in the universe where their added graces will bring so much in return as along this beautiful river which is possessed of indescribable grandeur. [Great applause.]

Now, I am sure a river where you can secure navigation for every twenty-four hours the year round, and where there is such a certain and unquestioned and unquestionable promise of tonnage, is worthy of your immediate attention and of a substantial appropriation. The chairman of this committee, my friend Mr. BURTON, of Ohio, invited us in his opening speech to point out where the committee had erred, if we could, and said they would join us in correcting the error.

He is a most efficient and competent chairman and a most amiable, obliging, and lovable gentleman, and he and every member of this great Committee on Rivers and Harbors have been, personally, very kind to me, and therefore, at his request, I have courteously and in the kindest spirit, but earnestly and sincerely, pointed out this error in not putting this important appropriation in this bill, and now I beg that he will not oppose this amendment, but join with me and the many others who have promised their support and insert it here on page 55, where it so justly belongs. [Applause.]

Mr. HENRY of Mississippi. Will my colleague allow me to ask him a question?

Mr. CANDLER. Certainly.

Mr. HENRY of Mississippi. What would be the tonnage of the river if this improvement was made?

Mr. CANDLER. I am glad my distinguished friend and congenial colleague suggests this important question about what the tonnage would be, because I firmly believe I have already conclusively shown that the tonnage is there now, and that much more will be forthcoming as soon as you give us the year-round navigation; but in case I should be mistaken in that and there should be a small deficiency in that respect, I promise you that after I serve my country long and well here in this House, and there is no longer any absolute necessity for my remaining here for the "general welfare" of this Republic and the "perpetuity of the Union," I will retire and go to the prettiest spot in all the world, the country traversed by the Tombigbee, and supplement the tonnage with my ponderous weight, and spend the remainder of my ripe and useful old age in riding peacefully up and down the Tombigbee in the many lovely steamers which will be placed in that inviting field for trade as soon as the river is opened, and I now invite you one and all to join me at intervals as you may retire from the heat and turmoil of active conflict. [Laughter and great applause.]

Mr. JONES of Washington. Will the gentleman tell us whether this river reaches Tupelo?

Mr. CANDLER. Tupelo is at a point a little farther up; but I want to call your attention to the fact that if you will improve this river as it goes on up toward Tupelo, by and by we will be in easy reach of that point, which I am sure my good friend and distinguished predecessor, the Hon. John M. Allen, convinced you was the hub of the earth and the center of trade, and which you will remember is the location of that great industry, the Tupelo fish hatchery. [Loud laughter.] So, call me "Tombigbee," if you desire, but vote for this appropriation and receive the thanks of a nation and the smiles and benediction of an approving Heaven. [Applause.] I am indebted to my good friend, Maj. John P. Mayo, of Columbus, Miss., a most excellent gentleman and a veteran of the Spanish-American war, for the following interesting statistics, to which I now invite your careful attention. This will further answer the question of my colleague [Mr. HENRY]:

Statistics of counties adjacent to Tombigbee River.

County.	Cotton grown.	Actual receipts.	Square miles.	Corn (estimated).	Population.
	Bales.			*Bushels.*	
Lowndes, Miss	20,920	$100,000	504	78,450	29,905
Noxubee, Miss	25,025	200,000	1,050	94,840	30,846
Monroe, Miss	26,184	100,000	762	98,235	31,216
Clay, Miss	16,080	50,000	390	60,225	19,563
Baldwin, Ala	508	400,000	1,591	1,905	13,194
Clarke, Ala	13,102	300,000	1,213	48,675	27,790
Choctaw, Ala	12,181	100,000	509	45,690	18,136
Greene, Ala	21,080	200,000	937	77,970	24,182
Marengo, Ala	34,437	100,000	681	129,105	38,313
Mobile, Ala	360	300,000	1,278	1,350	62,740
Sumter, Ala	32,994	100,000	896	122,970	32,710
Washington, Ala	1,820	200,000	659	6,825	11,134
Pickens, Ala	19,230	235,000	937	67,305	24,402
Total	223,501	2,385,000	11,416	845,545	334,131

Estimating the total crop at 10,000,000 bales, these counties adjacent to the Tombigbee produce one-eighteenth of the total.

The following estimates appear by using the following values: Mules, $65 per head; cows, $10 per head; calves, $5; hay and other crops, 10 per cent of the total value of cotton and corn:

	Number.	Value.
Mules	44,700	$2,915,500
Cows	89,400	894,000
Calves	44,700	233,500
Hay and other crops		2,507,157

Placing the value on farming lands at the low value of $4 per acre, we have in the counties touching the Tombigbee River the enormous value of $28,224,960, to say nothing of municipal properties, factories, etc., in these counties.

The census bulletins show that Mississippi has increased 155.8 per cent in the last half century, and, while almost altogether an agricultural State, the proximity of the Tombigbee Valley to the coal fields make it an ideal manufacturing section, with exhaustless possibilities.

Twelve months in the year the coal fields of Alabama pour an ebon stream across the fair breast of the State of Mississippi to reach the Mississippi River, the great highway of commerce, at

Greenville. This vast tonnage, aggregating thousands upon thousands of tons, would at once seek the nearest way to the sea by the Tombigbee and find an outlet through the port of Mobile and go out to the nations of earth through the Gulf of Mexico. [Applause.]

Along this thoroughfare of travel where now there is comparative silence and inactivity there would arise a new existence; church spires, clamorous school bells, and the trumpet sound of factory whistles and bustling commerce would make you happy that you voted for my amendment and made all this possible. I beg you to contemplate this fair land and improve this river and thereby pour into the channels of commerce its slumbering possibilities. The richest lands of the Tombigbee Valley have never been touched, and the river moves as when the red man trod its banks and lies like the sleeping beauty of old, awaiting the magic touch of river improvement and consequent progress, to awaken it to new life. [Applause.]

It is yours, my fellow-members, to realize the splendid dream of Bienville, who, when writing to his king, said of Mississippi: "No monarch ever ruled so rich a land. No people could be happier than when its wealth of soil would be turned to proper account." Reviewing the past we behold, among other wonderful people, the sturdy Hollanders fighting with the boisterous North Sea for land, and beating fierce waves back, step by step, till the lateral line reached far into the ocean's domain.

All this to secure wild stretches of arid sand and soft marsh, while we have at our doors a marvelous area ready for the husbandmen and the factories as soon as the necessary work is done which would surely bring a rich and an immediate return. Mississippi, with outstretched hands, appeals to you, her brave, loyal, and chivalrous men and her cultured, lovely, and precious women will be grateful to you, increased and paying commerce will praise you, bustling, hustling business will laud you, and an approving conscience will make you happy if you vote for my amendment and thereby bring about this great and beneficent improvement in this beautiful stream, the historic and "lovely Tombigbee." [Prolonged applause.]

Mr. BURTON. Mr. Chairman, the speech of the gentleman from Mississippi has at least secured two things: The Tombigbee from Demopolis, Ala., to Columbus, Miss., is now on the map, and has a permanent place in history as well. Without any tinge of sarcasm, I want to congratulate the gentleman from Mississippi cordially on the speech he has made. It shows his district in Mississippi has a high ideal of the men whom they shall send to Congress; and if this were a social club, I should be glad to consent to the additional appropriation. But this stream was certainly very generously treated by the committee.

There is a balance of $15,000 on hand, and for some reason or other they do not seem to have any way to spend that balance. The total tonnage of this portion of the river it about 5,500 tons, and it does not seem to have grown much recently. It has been less than 10,000 tons for many years, and it is certainly not one of those upon which we can afford an increase. I therefore trust that the House will vote the amendment down.

The question was taken on the amendment; and the Chairman announced that the noes appeared to have it.

Mr. CANDLER. Division.

The committee divided; and there were—ayes 32, noes 56.

So the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. PAYNE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9227) granting an increase of pension to Frederick Shafer.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 2418. An act to ratify an agreement with the Indians of the Devils Lake Reservation, in North Dakota, and making appropriation to carry the same into effect;

S. 4469. An act extending the time for the completion of a wagon-motor bridge across the Missouri River, at St. Charles, Mo., as provided by an act approved June 3, 1896, and as extended by the act approved January 27, 1900; and

S. 149. An act to provide for holding terms of court in the district of Utah.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Improving Bayou Bartholomew, Boeuf River, Tensas River, and Bayou Macon, and Bayous D'Arbonne and Comey, Louisiana: For maintenance, $15,000.

Mr. BURTON. Mr. Chairman, I offer an amendment to correct the spelling. I move to strike out the word "Comey" and insert the word "Corney."

The amendment was agreed to.

The Clerk read as follows:

Improving the mouth of the Sabine and Neches rivers, Texas, to be applied upon the construction of an 8-foot channel across Sabine Lake, not including revetment, in accordance with House Document No. 299, Fifty-fourth Congress, second session, $79,000: *Provided*, That in the discretion of the Secretary of War said channel may be connected with the Port Arthur Canal: *Provided further*, That, in case such connection is made, boats shall be allowed to pass through the said canal without payment of any tolls.

Mr. COOPER of Texas. Mr. Chairman, I offer two amendments, which I send to the Clerk's desk, and I will ask the Clerk to read the first one.

The Clerk read as follows:

On page 57, line 14, after the word "channel," strike out the word "across" and insert in lieu thereof "at or near the west margin of."

Mr. COOPER of Texas. Mr. Chairman, I want to call the attention of the chairman of the Committee on Rivers and Harbors to the report of the Secretary of War, House Document No. 299, which says that the engineer should be authorized—I would like the attention of the chairman of the Committee on Rivers and Harbors——

Mr. BURTON. Does the gentleman desire to ask me a question?

Mr. COOPER of Texas. No; I want to make an explanation, and to get the benefit of the gentleman's support, if I can. The appropriation in this bill is based on this report, and the report is ambiguous and might be misleading to the officer authorized to execute the law. The gentleman will note that the report provides for a channel of various depths. The bill provides for the excavation of an 8-foot channel across the lake. It was intended by the committee, as I understand, to provide for a channel near the west margin of the lake. The engineer in his report recommends the channel to be excavated near the west margin of the lake; and in mentioning the 8-foot channel he speaks of the channel "across the lake." I want that made certain which is ambiguous, and have the bill provide for a channel at or near the west margin of the lake.

Mr. BURTON. I think, Mr. Chairman, it is better to let the provision remain as it is. The executive document will make it clear; the 8-foot depth serves to relieve any ambiguity. This has been submitted to officers of the War Department, and the Department regards it as the proper phraseology for this place.

Mr. COOPER of Texas. I call the gentleman's attention to page 3 of the report of the Secretary of War, in which he says that the channel should follow close to the west shore, say in 2 feet of water, thus excluding the cost of revetment. Now, there is a contradiction to that statement in what he says on page 4 in reference to the 8-foot channel. There he says that the channel should run direct from the pass to the river. So, if the committee intended that it should go on or near the west shore, they ought to so state in specific terms. As it is, the engineer may conclude to dig the channel through the lake, when it was intended that the channel should be dug at or near the margin of the lake.

Mr. BURTON. I can see no reason for the change. If we are authorized to dig there, it is in accordance with the project. I should have been glad if the gentleman had called my attention to this a week or more ago instead of on the floor of the House. I should be unwilling to consent to the amendment after it has been submitted to and approved by officers of the Department.

Mr. COOPER of Texas. Well, Mr. Chairman, I ask unanimous consent that the amendment and paragraph be passed until I can confer with the chairman with reference to this matter.

Mr. BURTON. I have no objection to that, though, of course, it is desirable to finish up an item as we go along.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the paragraph just read, and the amendment pending, be passed for the present. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Texas. Now, Mr. Chairman, I ask that the second amendment be reported.

The Clerk read as follows:

Amend on page 57, in line 17, by striking out the words "seventy-nine" and inserting in lieu thereof the words "one hundred and fifty," so that it shall read "one hundred and fifty thousand dollars."

Mr. COOPER of Texas. Mr. Chairman, I am conscious of the fact that, since my amendment provides for an increase of the appropriation, I am likely to meet with disappointment. From the statements which have been made by the distinguished chairman of the committee, it is apparent that there is not an "i" to be dotted nor a "t" to be crossed in this bill without his consent; and the position which he assumes seems to meet with the approval of the House.

The bill that he and his committee have reported meets my approval. I am satisfied that they have labored industriously, honestly, and wisely to get up a bill that would meet the demands and result in benefit to the country. I know they have been sincere and honest in their labors, and I have no criticism to pass upon them, but otherwise, to commend them for their energy, their industry, their integrity, and their honesty; but humanity has never reached that point of perfection where there were not mistakes made, and this committee could make some errors. In reference to the proposition which I submit they have committed an error. I am indebted to them and grateful to them for the sum of money which they propose to appropriate for this particular improvement; yet, Mr. Chairman, with that expenditure of money alone, in view of the contingencies and possibilities that may arise, it will be impossible to obtain the results that they expect.

The conditions in that section of the country are such as exist nowhere else. If I had the ear of this House I know I could get their judgment in my favor. I must first state the physical conditions before this House can understand the demand I make. The Neches River and the Sabine River are two deep, navigable streams, capable of supporting the merchant marine naval ships of the world. They have a depth of 30 feet. They enter into Sabine Lake—a shallow lake—and from thence flow through Sabine Pass, now having a depth of 25 feet, to the Gulf of Mexico, for which an appropriation has been made sufficient to maintain that depth of water for the next two years, with the hope and expectation that abundant appropriations will hereafter be made to perfect and complete the jetties already undertaken by the Government.

Now, the object of this appropriation is to dig an 8-foot channel through Sabine Lake, connecting the deep waters of the Sabine and Neches rivers with the deep water at Sabine Pass. Let me make this statement to the House, that may astonish even the chairman of the committee, who is better informed than anyone else on subjects of this kind, that there is more commerce in tonnage originating within a radius of 100 miles of Beaumont than the commerce that originates on the Gulf coast elsewhere or upon the Atlantic coast up to Baltimore. In the towns of Orange and Beaumont there are mills that manufacture annually 250,000,000 feet of lumber. Within the circumference I have given there are more than 50 sawmills daily manufacturing lumber.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Texas. I ask for a few minutes longer—five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks for five minutes. Is there objection?

There was no objection.

Mr. COOPER of Texas. Mr. Chairman, I want members upon the other side of the House, as well as those upon this side, to understand that there is no humor in this proposition of mine. I am in earnest about it. I say there is more tonnage originating within a radius of 100 miles of the project here proposed than at any place upon the Gulf or Atlantic coast as far north as Baltimore.

Within the past sixteen months a freak of nature, a caprice unparalleled in the world's history, has occurred there, and the yield of a most valuable product has grown to be enormous. I refer, of course, to oil. The oil fields near Beaumont are capable of producing within three months more oil than the whole world produced last year. That oil must seek its foreign market through the channel I have described. The ships that will transport the oil and the lumber produced and manufactured there can not be sent abroad unless you give the depth of water we are asking. There we have the products, we have the commerce; all we ask is a meager appropriation—the bagatelle of $70,000—to give a barge service that will afford some relief to the people and the industries there.

Now, gentlemen, these are merely statements, but a case fully and fairly presented carries with it its own argument. I submit it to you; and I appeal to the chairman of this committee to give, if he can, a single reason for withholding his approval to this appropriation except that he does not want to mar his bill by the addition of any correction or the addition of any sum of money, because if this be granted other appropriations less meritorious might be added. If the gentleman will give me a single reason why this appropriation should not go in, I will withdraw my amendment. I want to add that the proposition contained in the bill provides that this canal may be connected with the Port Arthur Canal, a private enterprise extending halfway from Sabine Pass to the mouths of these two rivers, and that this can only be done with the consent of the Secretary of War and with the consent of the owners of this private canal.

Suppose that this canal company should refuse to permit this connection, then, according to the report of the engineer, there will not be sufficient funds now appropriated to carry this channel anywhere except out into the middle of the lake.

The engineer in his report says that this improvement will cost $150,000, and with this sum expended from the mouths of the two rivers to Sabine Pass it will be immaterial whether or not the Port Arthur Canal Company consents that this connection be made, the commerce and the shipping of that region of country will be benefited and will receive the relief demanded.

Mr. Chairman, I appeal in fairness and honesty, not only to the chairman of the Rivers and Harbors Committee, but to members on both sides of this Chamber, to give this small sum, this bagatelle, to afford the relief sought, and if the appropriation be made much will be obtained and much benefit rendered the commercial products and people of this section.

Mr. BURTON. Mr. Chairman, this is one of those cases where a considerable traffic is in sight. The great oil development in Texas is adding largely to the wealth not only of that portion of the United States, but to that of the whole country; and this location is worthy of very careful consideration. I believe there is none, however, that has been more carefully considered by the committee than this. I want to state in the first instance that this is not the only problem before Congress in that locality. There has been expended for the harbor at Sabine Pass, through which all this traffic must find its outlet to the sea, and without which any improvements to the channel of Sabine Lake would be useless, $3,436,452, an amount larger in proportion to the results than upon any harbor in the United States, for it has developed a traffic per year less than that for a few days in the harbors of New York and Philadelphia.

Not only has this large amount been expended, but because of storms and insufficient construction the improvements made there are out of repair and a very considerable amount will have to be expended to restore those works so as to secure a channel 25 feet in depth. The businesslike course to pursue is, first, to provide for an outlet to the sea, so that whatever is brought down by rail or by this channel can find access to the ocean.

It was perhaps a little under protest that the committee made any appropriation for the channel through this lake; but in view of the very considerable amount of timber along the Sabine and Neches rivers, and the fact that oil may perhaps be carried by boat, though it is doubtful whether it will not be carried by pipe line to the ocean side, in view of those two lines of development, the committee concluded to recommend the expenditure of $75,000 here. The appropriation in the paragraph is $79,000, but $4,000 of the $79,000 is to be used at the mouths of the Sabine and Neches rivers. I submit, Mr. Chairman, that this project has received all the recognition by the committee that it deserves, and the amount fixed herein should not be increased.

Mr. COOPER of Texas. Mr. Chairman, the worthy chairman of Committee on Rivers and Harbors is frank and fair, yet his statements are misleading. He undertakes to show that this project is not worthy of improvement, and that the amount of shipments through Sabine Pass has cost more per ton than any other port. Now, there can not be tonnage at Sabine Pass until there is an opportunity for tonnage at Sabine Pass. I hold in my hand a letter received yesterday from one of the mill men at Orange, in which he gives me the statement that in the last two months he has lost over $2,000 in demurrage, in the effort to get barges across Sabine Lake to Sabine Pass, at which point he might ship his freight.

The manufacturers of lumber decline to undertake to send their goods that way for the reason that it is too uncertain and expensive. Now, give them the benefit of the barge service that can be obtained if my amendment is adopted, let them have an opportunity to get to Sabine Pass, and the tonnage at that port will exceed the tonnage of any port upon the Gulf of Mexico, because the tonnage will largely be lumber, rice, and oil. Reference has been made to the oil concerns and the pipe lines to Port Arthur and Sabine Pass. Let us not sacrifice the small and poor companies for the interests of the big and rich ones. Within twelve months, or since the development of the first well, over $7,000,000 has been expended in improvements in the Beaumont oil fields; more than 140 miles of casing has been put into wells and pipe lines.

The rich companies have the advantage of the poor companies, who are unable to reach the seaboard. This oil field is within 2 miles of the Neches River, and the poor companies that are unable to build pipe lines and build tanks, if the Congress will pass my amendment, will have an opportunity equal to the rich companies, and then they will have the advantage of the opportunity of the markets of the world, which are to-day denied. To-day there is stored there more than 5,000,000 barrels of oil—stored in tanks in the Beaumont fields.

Now, this appropriation is not sought for Sabine Pass. What we

want—and I appeal again to the chairman of this committee—is an opportunity to get to Sabine Pass, and this appeal is for a community that has expended more than $10,000,000 in one year in industrial and manufacturing improvements, and is erecting manufacturing industries upon the banks of those streams that will revolutionize the industrial conditions of this country and may change the geography of the location of the factories of this country by affording cheap fuel for the North, the East, and the West, and by bringing other great manufacturing industries to or near Beaumont, because cheap fuel is the basis of success in all manufacturing and industrial pursuits. The sum asked is a small sum, and this is not for Sabine Pass, but it is for a project worthy of your consideration, and I believe that this House will adopt it if I can get the chairman of the committee to say that he will not object to it.

Mr. Chairman [the gentleman from Ohio, Mr. BURTON], with frankness again I say that I invite you to give me a good reason why this appropriation should not be made. If it is dollars and cents, then look to the Treasury. If it is dollars and cents, look to the fairness and liberality of the people of this country who want to pay for it. If you do not consent to the amendment proposed, then give these people an opportunity to help themselves. Let them give what the Government refuses to give. Permit them to appropriate of their own funds and expend it themselves.

Mr. BURTON. Just a word, Mr. Chairman. The gentleman from Texas has asked me to give a valid reason why this should not be raised. I will merely state one. There are at least a hundred other projects in this bill that have equal claims for additional appropriations. Their claims may not have been stated as earnestly or eloquently, but I take it it is the duty of the committee to regard the projects not with reference to the ability with which their claims are presented, but with a view solely and entirely to their merits. I ask for a vote.

The question was taken; and on a division (demanded by Mr. COOPER of Texas) there were—ayes 36, noes 64.

So the amendment was rejected.

Mr. COOPER of Texas. Mr. Chairman, I now offer an amendment to insert in this bill, after the words "eight-foot channel," the words "or more."

The CHAIRMAN. Will the gentleman state on what line and what page?

Mr. COOPER of Texas. On page 57, line 14.

My object in asking this amendment is this: The bill provides for an appropriation of $79,000 for an 8-foot channel. Should Congress not come to the relief of the commerce and the shipping interests at Orange and Beaumont, I believe the people interested will do so, and I hope the Secretary of War will permit them to supplement the sum appropriated in this bill, and if that is done I do not think they should be limited to an 8-foot channel.

Mr. BURTON. Mr. Chairman, concededly this amount will not secure 8-foot navigation through the lake, and I can hardly see what reason there is for inserting any such provision as this. Of course the minimum depth is that which determines the navigation, and if there are places where it is only 6 feet there can be no navigation for boats of deeper draft than 6 feet. So there can be no reason for dredging part of it deeper than 8 feet.

Mr. COOPER of Texas. The chairman of the committee [Mr. BURTON] may not have understood the explanation I made. That was to the effect that I expect the citizens of the cities of Beaumont and Orange will supplement the appropriation made by Congress out of their individual purses to get the depth of water there sufficient to give them an opportunity to send their products to foreign markets. Now, if they do that and pay for it out of their own money I do not think they should be limited to an 8-foot channel. What objection can there be to Congress permitting them to dig a deeper channel if they do it themselves?

Mr. BURTON. There is plenty of opportunity for them to work in the Sabine and Neches rivers outside of this. Other improvements will have to be made, and it is almost beyond belief to me that anything should be done there which would require in any part of this lake a greater depth than 8 feet. A through channel could not be secured for any amount in contemplation here.

There is another objection to it, and that is that the project is for a depth of 8 feet, and I do not see what authority we have to vary from the survey and estimates made by the engineer.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Texas [Mr. COOPER].

The amendment was rejected.

The CHAIRMAN. The Chair will ask the gentleman from Texas if it is understood that his previous amendment, proposed to be inserted at this same place, is passed over at this time, or does he desire that disposed of now?

Mr. COOPER of Texas. Mr. Chairman, I prefer that it be passed over until I can confer with the chairman of the Committee on Rivers and Harbors.

The Clerk read as follows:

Galveston Ship Channel and Buffalo Bayou, Texas: Continuing improvement, $300,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be required to prosecute such improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $700,000, exclusive of the amounts herein and heretofore appropriated. The amounts herein appropriated and authorized shall be expended upon divisions 1 and 2 in developing in each of said divisions a channel of uniform depth and width between the respective termini thereof.

Mr. BALL of Texas. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Texas [Mr. BALL] offers an amendment, which will be reported by the Clerk.

The Clerk read as follows:

On page 58, line 8, after the words "Divisions A" and before the word "channel," insert the word "similar."

Mr. BALL of Texas. Mr. Chairman, this is simply a pro forma amendment, to make certain what might otherwise be ambiguous, and to carry out the intention of the committee in making the appropriation.

Mr. BURTON. Mr. Chairman, whatever opinion anyone may have in regard to this, I understand it to be in the line with the action of the committee, and I have no objection to it.

The amendment was agreed to.

The Clerk read as follows:

Improving Tennessee River: Continuing improvement at Colbert and Bee Tree Shoals by the construction of a lateral canal, continuing improvement, $200,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary for prosecuting the work of constructing said lateral canal, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $400,000, exclusive of the amounts herein and heretofore appropriated.

Mr. BURTON. Mr. Chairman, I offer an amendment there.

The Clerk read as follows:

On page 61, line 24, strike out the words "continuing improvement,"

Mr. BURTON. These words are repeated two lines above.

The question was taken; and the amendment was agreed to.

Mr. MOON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After the word "river," on page 61, line 22, insert:
"Improvement of mountain section of river, $100,000, according to plans reported to the Fifty-sixth Congress by Major Kingman, of United States Engineer Corps."

Mr. MOON. Mr. Chairman, perhaps there is no one in this House——

Mr. BURTON. Will the gentleman kindly yield to an interruption? I did not quite understand that amendment. What is it?

Mr. MOON. The amendment proposed is on page 61, after the word "river," in line 22——

Mr. BURTON. What is inserted?

Mr. MOON. The proposition is that $100,000 be devoted to the improvement of the mountain section of the river, according to the plans of Major Kingman, of the Corps of Engineers.

Perhaps no one knows better than I do that a river and harbor bill is never reported until it has a sufficient number of votes in its favor to pass it, each and every section of it, under any and all circumstances. Yet there are times when it is proper that a measure of resistance be offered to this bill. I must concede that the river, taken as a whole, has been treated well by the committee. It has received a larger appropriation this time than it has in a great number of years; in fact, the appropriation is greater than the aggregate appropriation has been in a number of years—larger, perhaps, than it ever was. Yet it is felt by the people living on certain portions of the river that they have not been dealt with fairly.

In order that the House may understand fully the question that I desire to present to them, I will state that a day or two since a telegram was received from the Chamber of Commerce of Chattanooga, in which an explanation was asked as to why no more money was appropriated for the mountain section. In reply to that telegram it was stated that the policy of the River and Harbor Committee was to continue the work at one point until entirely completed and then proceed to another, beginning below and going up the river; and it was added that it was this policy for the Tennessee River or nothing. That telegram was signed by myself and gentlemen on the River and Harbor Committee, Mr. BURTON, Mr. REEVES, and Mr. BANKHEAD. In reply to that telegram I have the following, which I send to the Clerk's desk to be read.

The Clerk read as follows:

CHATTANOOGA, TENN., *March 20, 1903.*

Hon. JOHN A. MOON, T. E. BURTON,
WALTER REEVES, AND J. H. BANKHEAD,
House of Representatives, Washington, D. C.:

Chattanooga uses the Tennessee River more than any other city and should not be ignored. Bill as reported and policy outlined in your telegram would give no local relief for twenty years. We respectfully demand an

appropriation for the mountain section and the adoption of the project proposed by Major Kingman for its improvement.

NEWELL SANDERS, *President*,
J. A. PATTEN,
A. J. GAHAGEN,
Z. C. PATTEN,
TOMLINSON FORT,
A. W. CHAMLISS,
CHAS. A. LYESLEY,
R. S. SHARP,
Committee Chamber of Commerce.

Mr. MOON. Mr. Chairman, I must concede, because I believe it is the sensible way to proceed, that the committee are wise when they determined in these great improvements to begin with the greatest obstruction at the lower part of the river and proceed upward. As a general policy that is undoubtedly correct. I can not consistently offer any objection to that general policy; but there are exceptions to all general rules, and I am persuaded that this committee in dealing with this particular question have not properly considered the interests of the mountain section.

It is impossible, of course, for me to present to this House in the few minutes I have the necessity for the improvements there. I would not undertake that in a short speech. But it is known to the committee, it is known to the membership of this House, that there is a large commerce between the city of Chattanooga on this river and the main point of obstruction, Colbert and Bee Tree Shoals, and that much work has been done upon the river along that point.

It is necessary that the commerce be preserved, maintained, and increased in the interest of the whole people that live on the banks of this river. The prosperity of three States is involved in the proper consideration of this question. It will take a number of years to complete the removal of the obstructions below. It is clear that there can be no outlet finally to the Mississippi for the commerce above the shoals until the removal of the shoals provided for in this section shall have been completed, yet that intermediate commerce between Chattanooga and Decatur——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. Mr. Chairman, I will ask the committee to extend my time for five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that his time may be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOON. The commerce between Chattanooga and the obstructions at Culbert and Bee Tree shoals ought to be fostered and encouraged. The city of Chattanooga is one of 50,000 inhabitants. It has eight or ten railroads. The freights are very heavy. The main source of competition against the rates charged by railroad companies is this river. The merchants of that city have put a line of boats upon it in order to protect themselves against discrimination in freight rates. The tonnage is heavy. This committee ought to consider the present necessity and the pressing necessities of that situation; and while the rule adopted, while the policy undertaken to be pursued by the committee I concede to be correct as a general proposition, yet this is an exception which I hope the committee will take into consideration.

Having said this much, Mr. Chairman, and realizing that it is impossible for me to discuss this question fully now, and the same having been fully presented heretofore to the committee, and because the House understands the issue, I desire to interrogate the chairman of the Committee of Rivers and Harbors, with his permission.

Mr. BURTON. I beg the gentleman's pardon.

Mr. MOON. With the permission of the gentleman from Ohio, I will ask him a few questions. I desire to know, Mr. Chairman, first, if the unexpended balance from the last appropriation is sufficient to keep up the maintenance of the river between Chattanooga and Decatur?

Mr. BURTON. I should be inclined to think so. There is a balance of $8,611.34. That was the amount the 1st of March.

Mr. MOON. I desire to ask the gentleman, inasmuch as I know he feels interested for the present growing commerce in the city of Chattanooga, why it is that some part of the appropriation for the river between Chattanooga and the shoals was not placed in the mountain section and not concentrated in one place.

Mr. BURTON. Because the members of the committee are decidedly opposed to scattering work in that manner. The whole $600,000 being required for Culbert and Bee Tree shoals, that being the next obstruction as you go up the river, it was thought desirable to expend money there first.

Mr. MOON. How much will it take to complete the removal of the obstruction at Culbert and Bee Tree shoals?

Mr. BURTON. Perhaps double the amount appropriated, and it may be more.

Mr. MOON. About $1,500,000?

Mr. BURTON. Yes; perhaps so.

Mr. MOON. Has the committee adopted a policy of improving the river above until you reach the city of Chattanooga, until all obstructions are removed?

Mr. BURTON. We have recommended an appropriation for that which is rather larger than the average appropriation that has been made. We have recommended $50,000 for the Tennessee above Chattanooga——

Mr. MOON. I am not speaking of that. I understand there is $50,000 appropriated for Chattanooga above, and that is sufficient under the present conditions; but after you have completed the Bee Tree Shoals, then do you propose to proceed to the mountain section?

Mr. BURTON. That is a question which future Congresses will have to determine, but this amount of $600,000 was recommended with a view of beginning the work of improving the whole mountain section of the river between Riverton and Chattanooga.

Mr. MOON. I understand from the chairman, then, that it is the policy the committee has adopted to immediately complete the Culbert and Bee Tree shoals, and then at the earliest date pass to Chattanooga and above?

Mr. BURTON. That is a matter upon which we can not outline any policy, because this bill is final as far as it goes.

Mr. MOON. I understand that as far as this Congress goes that is true?

Mr. BURTON. It is based upon the idea that the best manner in which to prosecute the work is by beginning below and working up.

Mr. MOON. Now, getting down to the question I have before the House, I will ask the chairman of the committee if, in his judgment, in order to preserve and foster the commerce now growing larger and to protect the largest city on the Tennessee River against discrimination from freight rates, is it not for the interest of the public that you now grant some sum for improvement between Chattanooga and the Culbert Shoals?

Mr. BURTON. I do not think so.

Mr. MOON. Why is not this an exception, under the peculiar state of facts, to the general rule stated by the chairman?

Mr. BURTON. Because more than 200 miles below Chattanooga you have an insuperable obstacle, and you must remove that obstacle before the river is of any material use to Chattanooga.

Mr. MOON. I understand; but that obstacle is so far down that freights carried from Chattanooga down and to Chattanooga should be cared for and the public protected against discrimination as to freights between Chattanooga and the shoals by proper improvement of this stretch of the river.

Mr. BURTON. What they want is not partial navigation reaching Decatur or some local point, but to get clear out to the mouth of the Tennessee, and in order to do that it is essential that all these obstacles be removed.

The CHAIRMAN. The time of the gentleman from Tennessee has expired. The question is on the adoption of the amendment offered by the gentleman from Tennessee [Mr. MOON].

The question was taken; and the amendment was not agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

Improving Cumberland River, Tennessee, above Nashville: For the completion of Lock and Dam No. 1 and for maintenance, $105,000.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Amend by adding on page 62, after line 21:

"That the Secretary of War is hereby authorized, in his discretion, to grant leases or licenses to the owners of land abutting on said river at or near the lock or dam aforesaid, for the use of the water power created by said dam, at such a rate and on such conditions and for such periods of time as may seem to him expedient; and he is also authorized, in his discretion, to issue permits for the construction, maintenance, and operation of inlet and outlet canals and other structures on such plans as he may approve, for the diversion of water aforesaid: *Provided*, That any lease or license so granted shall be limited to the use of the surplus water not required for navigation, and no structure shall be built and no operations be conducted which shall in any manner injure navigation, interfere with the operations of the Government, or impair the usefulness of any improvement made by the Government for the benefit of navigation, and the right of Congress to alter, amend, or repeal the provisions of this paragraph is hereby expressly reserved."

Mr. RICHARDSON of Tennessee. Mr. Chairman, this amendment has been drawn by the War Department and submitted to the chairman of the Committee on Rivers and Harbors. I believe it meets with his approval. I venture to say there is no objection to it, and I hope it will be agreed to.

Mr. BURTON. Mr. Chairman, this amendment proposes to grant the use of water for water power at Nashville. It is an amendment which has not been considered by our committee, but personally I have no objection to it.

Permit me to say that any such privilege as this should be very carefully guarded, so that navigation may not be injured. I think the provision here is carefully guarded, and the sole question is whether such a right should be granted by Congress or not. Upon that question the members of this House are quite as

competent to decide as any member of the Rivers and Harbors Committee.

I take it the gentleman from Tennessee knows best what is desired by his State. So far as the interests of navigation are concerned, I think the amendment is unobjectionable. It provides for proper restrictions under the direction of the Secretary of War, and directs that official to fix the compensation to be paid.

Mr. MOON. I do not rise to offer any serious objection to this amendment——

The CHAIRMAN. The Chair will state that unless by unanimous consent debate on the amendment is exhausted.

Mr. MOON. How long a debate has there been on this question?

The CHAIRMAN. Debate on an amendment is limited to five minutes in favor and five minutes in opposition.

Mr. MOON. So I understand, but there has been nothing said against this proposition.

The CHAIRMAN. Does the gentleman rise to speak in opposition to the amendment?

Mr. MOON. What I have to say may be directed against the amendment so far as I may desire to speak in that line. [Laughter.] I do not expect to speak for the amendment, but to submit to the House some reasons why we ought to weigh very carefully the question of adopting the amendment. If the Chair sees fit so to determine, he may count me as against the amendment.

Mr. Chairman, this is the beginning of the granting of a series of rights or franchises upon navigable streams of the United States that ought to be guarded very carefully. This franchise seems to be an innocent thing; it does not seem to be worth much; but you give to the Secretary of War absolutely the power to give away or sell this privilege. I think the provision ought to be more carefully guarded. There ought to be some provision made for determining, at least, the minimum amount that the Secretary of War shall ask for this privilege. It is probable that the right ought to be first offered to the municipalities that may be concerned. In other words, we ought first to consider the interests of the general public, instead of those of a private corporation, for it is clear that the purpose of this grant is to create electric power to run machinery of factories, etc., in the cities.

I would not have a word to say upon this subject but for one fact that has been recently presented to me, which I think is a very important one to be stated to the House in the consideration of this question. I perhaps would never have thought of raising any question in this matter but for the fact that, as the House will remember, we were discussing a few moments ago the question of building a lock and dam on the Tennessee River below the city of Chattanooga.

I have in my possession a proposition from one of the strongest firms in the United States to turn into the Treasury of the United States the sum of $891,000 in cash, to be expended in the construction of that lock and dam under the direction and control of the Secretary of War, and the only remuneration asked by these people is the identical privilege which by this amendment you propose the Secretary of War shall give away. If this privilege is worth $891,000—substantially $1,000,000—at that place on that river, then if located near the great city of Nashville it is worth perhaps more. This same right or privilege would be worth to its owners, if these financiers of New York be not mistaken, a million and a half dollars.

Is it wise, then, for this House to adopt an amendment no more carefully guarded than this one? I think the wise thing to do would be, not to leave this matter merely in the discretion of the Secretary of War, unguarded, but to make some provision in this bill by which the Secretary of War before granting these privileges shall give the exclusive opportunity to the adjacent municipalities to make a bid upon the proposition, and next (if the cities do not want it) to allow corporations and individuals to compete, and then to submit the proposition to the consideration of Congress before any such rights are sold or given away. The lock and dam are not in my district, but I felt it proper that the House should know what it was doing, if the facts presented are indicative of anything and offered any information worth considering.

Mr. GAINES of Tennessee. Mr. Chairman——

The CHAIRMAN. The gentleman can not be recognized except by unanimous consent.

Mr. GAINES of Tennessee. Then I ask unanimous consent, because this matter is one affecting my own city, and I want to understand it a little more.

The CHAIRMAN. If there be no objection, the gentleman will be recognized——

Mr. REEVES. For how long?

Mr. GAINES of Tennessee. I hope the gentleman will indulge me a few moments. I want to find out something about this proposition, as it concerns my people.

Mr. REEVES. If the request be for five minutes, I will not object; otherwise I must. We want to go on with this bill.

Mr. GAINES of Tennessee. I think I can get through in much less time.

The CHAIRMAN. In the absence of objection, the gentleman will proceed for five minutes.

Mr. GAINES of Tennessee. Mr. Chairman, I never saw this amendment until about two hours ago, when my colleague [Mr. RICHARDSON] called my attention to it. As he introduced it, and stated, I believe, that it was prepared under the direction of the War Department, I would like him to explain the provision to the House. For my part, I have not had a chance to investigate it or to ascertain whether it properly guards the rights of the Government as well as the rights of the people living in the neighborhood of the proposed project. Now, I will ask my colleague whether the amendment has been prepared under the direction and by the authority of the War Department?

Mr. RICHARDSON of Tennessee. I stated that in the beginning, and I repeat it. I called on the chairman of the committee to assist me in the matter, and was referred to the War Department, and the Secretary or War——

Mr. BURTON. I will state it was not drawn by the Secretary of War, but in the Engineer's Office.

Mr. GAINES of Tennessee. Drawn by whom?

Mr. BURTON. It comes from the office of the Chief of Engineers. It was not drawn by or under the direction of the chief personally, but in his office.

Mr. GAINES of Tennessee. Drawn by authority, then, of the War Department?

Mr. RICHARDSON of Tennessee. Yes; that is right.

Mr. BURTON. I do not know that you could say that exactly, that it was drawn by authority of the War Department. It gave their best form for a bill of this kind to safeguard the rights of the Government.

Mr. GAINES of Tennessee. The gentleman will understand that if it is drawn by the War Department or authorized by the War Department it is prima facie evidence that it is properly drawn. That is what I am trying to get at.

Mr. BURTON. Mr. Chairman, "authorized by the War Department" has a specific meaning in such a case as this. It means that a measure is sent there, considered by them, approved, and transmitted back to Congress here. That is not true of this measure, but so far as the form is concerned I take it to be in just as good shape as it would be if it has gone through that course of reference to the War Department and had been sent back approved.

Mr. GAINES of Tennessee. I will ask the gentleman further, is this provision drawn as similar provisions have heretofore been drawn for such purposes?

Mr. BURTON. Quite as strongly in the interest of navigation and, if anything, a little more strongly.

Mr. GAINES of Tennessee. You think that the rights of the Government, as well as the rights of the abutting owners, are fully guarded in the first instance?

Mr. BURTON. Of course in a provision of this kind it would be drawn in the first instance to safeguard the rights of the Government.

Mr. GAINES of Tennessee. Of course; that is right.

Mr. BURTON. As regards safeguarding the rights of the Government and the protection of navigation and the protection of works adjacent to the canal and locks, I would say yes.

Mr. GAINES of Tennessee. Mr. Chairman, now, just a word. Quite a number of months ago, about a year, I would say, one of my constitnents—I believe he is now a constituent of mine—spoke to me about whether or not such a privilege as this could be had by a grant of Congress, and I stated to him that of course Congress would control the dams and locks, and of course would have the right to control the water and the diversion of it. Since that time, however, I have not seen the gentleman, nor has he conferred with me, nor do I know anything about this further than what you have heard yourselves here to-day, together with the fact that my colleague [Mr. RICHARDSON] states to me privately that parties who are interested in this matter come here in my absence last summer and investigated this matter, with the result that they now make this request and ask this privilege from Congress.

Inasmuch as those who better understand what it is—that is, the chairman of the Committee on Harbors and Rivers and my colleague who introduces the amendment and reports it—think that all the rights of the Government, as well as those of the abutting owners, are properly guarded, I shall not make any objection.

Mr. MOON. May I ask the gentleman a question?

Mr. GAINES of Tennessee. Yes.

Mr. MOON. Do you think it better to grant this privilege to a private corporation than to give the preference to the city of Nashville to use it if it desires?

Mr. GAINES of Tennessee. I will state, as a general proposi-

tion, I think the latter entirely right and good policy, but fortunately I think the city of Nashville has her own lighting plant.

[Here the hammer fell.]

Mr. GAINES of Tennessee. Just a few moments more, Mr. Chairman. I hope the gentleman will indulge me just a couple of minutes.

Mr. REEVES. It will have to be very brief, because I am going to insist on the rule. I want to be courteous, however.

Mr. GAINES of Tennessee. I am very sorry to see my friend so very urgent about the matter.

The CHAIRMAN. The question is upon the adoption of the amendment offered by the gentleman from Tennessee.

Mr. GAINES of Tennessee. Mr. Chairman, there was no objection to my proceeding for two minutes.

The CHAIRMAN. The Chair understands the gentleman from Illinois to object.

Mr. GAINES of Tennessee. On the contrary, the gentleman did not object, but said that he wanted me to hurry through, and that I will proceed to do.

The CHAIRMAN. The Chair will ask the gentleman from Illinois if the Chair was correct in understanding him to object?

Mr. REEVES. My statement was if it is the matter of a minute I will not object; I want to be courteous——

The CHAIRMAN. But the gentleman asked for two minutes.

Mr. REEVES. Then I object to it.

Mr. GAINES of Tennessee. Then, Mr. Chairman, the gentleman objects to a matter that involves the rights of my own people.

The CHAIRMAN. The question is on the adoption of the amendment.

Mr. GAINES of Tennessee. And I think it is a great wrong and discourteous——

The CHAIRMAN. The gentleman will be in order.

Mr. GAINES of Tennessee. I know it, but this involves the rights of my own people and I want to be heard.

The CHAIRMAN. The gentleman will be in order.

Mr. GAINES of Tennessee. I know I am out of order. I generally am when I want to make a speech for my own people, Mr. Chairman——

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Tennessee.

The question was taken.

The CHAIRMAN. The noes appear to have it.

Mr. RICHARDSON of Tennessee. Then, Mr. Chairman, I ask for a division. Up, gentlemen, up, there is no objection to this amendment. The chairman of the committee does not object.

A division being taken, the Chairman announced—ayes 45, noes 6.

So the amendment was agreed to.

Mr. WHITE. Mr. Chairman, I move to strike out the last word. On day before yesterday I had occasion to present an amendment to the bill, looking to the further progress in the work of the improvement of the river that separates Kentucky and West Virginia, the Big Sandy River. I then offered such reasons as occurred to me for this improvement, perhaps in a very imperfect way, but the basis upon which I proceeded was the engineer's report and the former work done on this stream. I thought it was proper that the progress of the work should go forward.

I can not concur with some of the reasons that seem to be urged here in support of the entire work of this committee and in opposition to every amendment, and while I want to be very distinctly understood by the chairman and the members of the committee in saying that I have nothing in view that would in the least go toward any disbelief in their entire sincerity and the propriety of their motives for the general public welfare in this work, yet it does seem to me that there is perhaps some error in the logic of the situation here. At least, I can not understand it.

It has been urged here by the honorable chairman [Mr. BURTON] that there is a certain standard or a certain scale, as you may call it, by which all this matter can be measured in some way. Now, when it is admitted here that there is a vast deposit of coal on this river, the improvement of which would be a benefit to two States and would furnish a great outlet for coal to the Ohio River, I can not conceive how you can make a standard and say, "We will give so much to this locality to start on, and then we will give a small amount to that other locality over yonder, and that is the standard we will go by and nothing else shall prevail." It has been remarked that if that standard should be interfered with, perhaps if you gave an increase of $2,000 here, you would have to raise the whole standard everywhere else in proportion. I think that is an erroneous idea.

I think, also, there is an error in the proposition that you can take the taxable property of certain counties along a river which it is proposed to improve and in that way arrive at the question as to whether the improvement ought to be made or not. The very effect of the improvement may be to increase the value of that property. I say now before this committee that near the foot of the Cumberland Mountains, 100 miles from the mouth of the Big Sandy River, is the town of Pikeville, that has only about 1,000 inhabitants.

If this river should be improved to that town, in my candid judgment there would perhaps be 10,000 inhabitants there within ten years, and the taxable property of Pike County would be increased perhaps three or four fold. That is one reason why the improvement ought to be made. To say that there is not enough taxable property there and urge that as a reason for not making an improvement is, I think, entirely illogical.

Mr. Chairman, I said I would offer this amendment. I intended in good faith to do so; but seeing that there is a standard erected here that will defeat it, while I shall not cease my efforts at all to get this work done, I will not offer the amendment at the present time, hoping that at some future time we may have this development that, in my judgment, will bring a great public benefit to the entire country, and especially to the Ohio Valley, and untold blessings to the people in the section where this improvement would be made.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows;

Improving Ohio River from its head to its mouth: Continuing improvement, $400,000, of which amount $21,000, or so much thereof as may be necessary, shall be expended in the construction of an ice pier at Maysville, Ky.; $41,000 in the improvement of the Falls of the Ohio near Louisville: *Provided*, That not to exceed $3,000 of this appropriation, or so much thereof as may be necessary, may be used, in the discretion of the Secretary of War, in removing the deposits of every description which have accumulated at and near the ice piers now standing at various places along said river.

Mr. IRWIN. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Kentucky offers an amendment which the Clerk will report.

The Clerk read as follows:

On page 63, line 14, insert the words "two hundred" before the words "forty-one thousand;" so that it will read: "Two hundred and forty-one thousand dollars in the improvement of the Falls of the Ohio near Louisville."

Mr. IRWIN. Mr. Chairman, I desire to call the attention of the distinguished chairman of the Rivers and Harbors Committee to the following extract from the Louisville Courier-Journal of March 17, 1902:

The fight against Mr. IRWIN has as its mainstay the failure of the Congressmen to get a cent for the improvement of the river here.

Local Republicans claim this is unprecedented, and shows the Congressman is absolutely without influence. It is pointed out that this is one of the most important places in the United States for river improvement, and that it will take many hundreds of thousands of dollars to conclude the work already begun. Despite the fact that this work is unfinished—and to discontinue it for a year or two would involve a great loss to the Government—Mr. IRWIN, it is said, was entirely overlooked by the committee.

I wish to say that I appeared before the Rivers and Harbors Committee several times and was accorded an attentive hearing each time.

The chairman of the committee [Mr. BURTON] has been very kind and courteous on all occasions in which I have spoken about the interests of my district. I asked the committee to call for a survey and estimate of cost of heightening and extending the present cross dam at the head of the Falls of the Ohio, so as to afford a 6-foot stage of water for 50 miles above Louisville, Ky. This was granted, and provision for same is in the pending rivers and harbors bill. In company with Captain Seibert, United States engineer, long stationed at Louisville, I asked, on his statement of the necessities at Louisville, that the Rivers and Harbors Committee incorporate an appropriation of at least $200,000, instead of the $41,000, which is in the bill, to be used for continuing the work already begun.

Now, I do not need to ask the distinguished chairman of Rivers and Harbors Committee to state whether or not the failure to secure a greater appropriation for improvement of the Ohio River is chargeable to my lack of zeal or to the fact that I was simply overlooked as not worth considering, as charged in the article above quoted, because Captain Seibert and myself presented fully the claims of the improvements needed at the Falls of the Ohio, but it would be an obligation to me if the chairman [Mr. BURTON] would state fully the reasons controlling the committee in their action as to the appropriations at Louisville, Ky.

Mr. BURTON. Mr. Chairman, I want to say in response to the gentleman from Kentucky [Mr. IRWIN] that he did his full duty, and did it well, in advocating improvements in his locality. Any criticism alleging that he neglected to look after the interests of his district, or that he was without influence, is entirely without foundation.

I want to say that in the making up of this bill the members of the committee have not allowed themselves to be swayed by influence. We have endeavored to consider every item for ourselves, to judge of what should be done, what amount of appropriation should be made, and then to make up our bill; and it

was not because some one of influence in the business world, or in the political world, sent word to us that he would like this or that done that any item was inserted in the bill.

So that the criticism made that the gentleman from Kentucky did not have influence is made along radically wrong lines in the first place. I want to say for him that he came with Captain Sibert, and came along stating clearly the claims of his district and setting forth what could be done in that part of the river. I do not see but that he did as much as anybody could have done.

Now, no appropriation was made for a dam at the falls because there was no estimate and report before us upon which we could base action; and if there is any one rule which we ought to observe with the utmost strictness it is to insert no provision in this bill except it is made in pursuance first of a preliminary examination and then of an estimate. In the first instance a preliminary examination is made. If the report is favorable, it is followed by a survey and detailed estimate, giving the cost.

In some very rare instances we have departed from this rule, but it is only in case of unusual exigency or exceptional circumstances. The reason why the gentleman from the Louisville district could not obtain any appropriation for this dam was that those who prior to his term represented the district had brought before Congress no resolution of a preliminary nature such as our rules require. Thus, if there has been any omission it is not his, but that of his predecessors.

I do not wish to reflect upon them; but that is the plain truth of the matter. Now, then, just a word about the reasons why we should not pass this amendment. It will be noticed by reference to this paragraph that $400,000 is the total amount appropriated for the general improvement of the Ohio River from its source to the mouth. Under this amendment we would be diverting of that amount $241,000 for expenditure in one particular place. Certainly the House ought not to consider that proposition. It should be voted down.

The CHAIRMAN. The question is upon the adoption of the amendment offered by the gentleman from Kentucky.

The question was taken; and the amendment was rejected.

Mr. WILLIAMS of Illinois. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend by inserting after the word "Louisville," in line 16, page 63, the following:

"Twenty-five thousand dollars to complete the levee at Shawneetown, Ill."

Mr. WILLIAMS of Illinois. Mr. Chairman, if I can have the attention of the committee I will detain it but for a very few moments. This levee at Shawneetown, Ill., has been constructed by appropriations made by the Federal Government, some by the State government, and by the city of Shawneetown itself. The exact amount appropriated by the Federal Government I can not say at this time. Appropriations have been made, however, by piecemeal and without any estimate as to what the work would cost.

I shall not attempt to conceal from the committee the fact that the Government has been unfriendly to appropriations and works of this kind. While this levee has been and is of substantial benefit to the harbor of Shawneetown, it is of a special benefit to the citizens themselves. I understand that objection is made by the Government and by the Committee on Rivers and Harbors to appropriations which are supposed to be for the protection of private property.

In this particular case I desire to call the attention of the committee to this fact, which I think distinguishes the levee at Shawneetown from that of other cases considered similar to it. Shawneetown is one of the oldest towns in the State of Illinois. It was where the Government land office was located for several years. The town was laid out by the Government itself and the lots sold to the people. I think it stands upon a different footing from a place where a town site has been selected by the people themselves. This levee to-day is in an incomplete and unsafe condition. It was partially built in 1898, at the time that Shawneetown was visited by a very destructive flood which produced great loss of life and property, and in which some forty or fifty people were lost.

The people to-day, of course, depend upon that levee in case of great floods, and I think to leave it as it is really places them in a worse condition than if there was no levee there at all, because, as in the case of 1898, if there should be a break in the levee, as there is likely to be, it would certainly prove very destructive to life and property. A careful estimate made by those familiar with the work and its cost shows that it will require $25,000 to widen the base of that levee, to riprap it, and make it complete, in order not only to protect that harbor, the city, and the people there, but to preserve the benefits of the money already expended by the Federal Government, by the State, and city itself.

I appeal to gentlemen on both sides of this Chamber to give this proposition their support. Of course, there is no estimate by the Government to complete the work, for the reason that the appropriations for this work have been made without any survey or estimate and the work completed so far as the appropriation would reach. In a talk with Major Mackenzie I learned that they simply go ahead and expend the money and make the best job they can without making any report as to what further should be done in regard to it. This appropriation, after a hearing before the Senate committee one year ago, was incorporated in the bill by the Senate committee, and if the bill had passed last year this $25,000 would have been diverted from the appropriation for the Missouri River to Shawneetown levee.

It does not increase the total appropriation in the bill, but simply diverts that amount for this levee; and, owing to its present unsafe condition, the amount of money that has been expended on it by the citizens and the State as well as the Government, and as this amount that is asked will make it safe and protect the people, the harbor, and the amount that has already been expended, I trust that this committee will give it their support.

Mr. BURTON. There is a principle involved in this amendment that the House ought to understand. The gentleman moves that $25,000 be appropriated for levees on the Ohio River at Shawneetown. This bill has been very carefully prepared, and there is not, outside of one stretch of river which I will mention, a single appropriation for levees or for bank protection. We regarded the omission of these items as a distinct advance on some prior bills. We have endeavored to exclude, with the utmost care, any appropriation for levees except on the Lower Mississippi.

Now, as regards the lower Mississippi, whatever we may think of the policy of national aid to levee construction there, it is a policy which has been adopted and pursued by the Federal Government for more than twenty years. In some places these levees are constructed on one side of the river, so if corresponding levees are not made on the other side works constructed by the Government would cause very considerable damage because of the unusual overflow that would result on the other side.

True, we have made a general appropriation or recommendation for the Mississippi below Cairo, and a considerable share of the amount will be expended for levees. Very likely if this came to us as an original question the committee would have recommended against it. But it is not an original question. In prior bills Congressmen now and then have been fortunate enough to secure appropriations for levees for the protection of banks along the Upper Mississippi and Ohio and also the Missouri rivers. Such appropriations are always likely to be wasted, and I know of none in which there is quite so great a danger of a steal.

If you trace the history of them, as a general thing the money has been expended for shoreing up some railroad pier, or protecting the banks where some railroad has its roadway, or helping somebody who has no valid claim, on the principle that "To him that hath shall be given." We desire by one radical step to cut all that out, and wherever in this bill there is any provision for riprapping, or anything of that kind, there is coupled with it a provision to the effect that the money shall be expended if "it is necessary for navigation," or "so far as it is necessary to relieve navigation," or something of that kind.

Now, should this item go in, in plain justice the bill ought to be recommitted to the Committee on Rivers and Harbors, and we ought to put in two or three millions which we have considered very carefully and omitted.

Mr. WHITE. Mr. Chairman, I would like to ask the gentleman if there is any apprehension on the part of the committee, or on the part of the gentleman, that because there might be a special appropriation for the Ohio River at this point, there would have to be inaugurated a general system of levees along the stream? Does the gentleman have any such idea as that?

Mr. BURTON. I do if you do justice. I do not if you intend to show partiality or select one location and favor it to the expense of all the rest.

Mr. WHITE. Does the gentleman think the Ohio River stands on the same footing, requiring levees to protect a large and extensive territory, like the Mississippi, so that if you made a special appropriation for some one point on the Ohio, it would involve a general erection of levees along the banks of the stream?

Mr. BURTON. There is no difference in principle between a levee costing $25,000 and one costing $5,000,000.

Mr. WHITE. Then, if there were special reasons why a levee should be erected to protect a city from damage, or anything of that kind, it could not be done because of the apprehension that it might inaugurate a system of levees?

Mr. BURTON. Oh, the precedent that it would make is not all. It should not be done because it is not right to do it.

Mr. WHITE. Then the gentleman thinks it is dependent upon precedent and not upon the circumstances of each particular case?

Mr. BURTON. It depends upon breaking down a very bad precedent that we are very anxious to break down.

Mr. WHITE. Can not we have exceptions to the general rule of the committee?

Mr. BURTON. Not without the committee pointing them out to the House and asking them not to show a partiality which the committee does not think it best to show.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WILLIAMS of Illinois. Just one moment, Mr. Chairman.

The CHAIRMAN. Debate upon this amendment is exhausted.

Mr. WILLIAMS of Illinois. I just want a moment to call the attention of the committee to the fact that the objection which the chairman of the committee makes to this appropriation is not upon the merits of this particular case, but upon the general principle of appropriation for levees. I think I have said that there are special reasons why this should be made an exception, since the work has been entered upon and is incomplete.

Mr. BURTON. Mr. Chairman, I move to strike out the last word. There is no exception in this case; there are other localities whose claims are quite as strong, if not stronger. There are cases where the damage would be many times as great and where the claims are equally as great. I want to say another thing about the Lower Mississippi. However objectionable the construction of levees there may be, the abutting communities and landowners have paid more than one-half of the expense of constructing those levees. This is a proposition that the United States shall do it and pay the expense out of the Federal Treasury without any assistance from the parties who are to receive the benefit by this protection of their private property.

In this connection I may use again an illustration which I stated here, I think, a year ago. Ever since I was admitted to the bar I have, as trustee, had charge of a valuable tract of land embracing 40 acres. It is upon a navigable stream, and the current washes away the banks from time to time. Sometimes 2 or 3 acres are washed away, and sometimes a couple are added to this tract. Now, I will not say that I would like to have the United States pay the expense of riprapping to protect against erosion by that stream, because I do not think it would be right; but it would be just as proper for me to come to Congress and ask it as to ask the adoption of the proposition now before us.

The only thing for us to do, gentlemen of the committee, and I trust it will be done in no uncertain manner, is to vote that we do not expect in the future to allow railroad companies or anybody else to come here and influence Congress to protect banks or piers that should be protected by themselves. I do not say that the amendment of the gentleman from Illinois is in any such interest, but he will find——

Mr. WILLIAMS of Illinois. The gentleman will allow me to say that it is not.

Mr. BURTON. I presume it is not; but I want to say to the gentleman that those who will benefit by such a policy as this contemplates will be those who are strong in their influence, who can make some special showing. In the past funds appropriated in this way have gone very largely for the benefit of railway and other corporations, where certainly they should not have gone.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

The question being taken, the amendment was rejected, there being—ayes 39, noes 62.

The Clerk read as follows;

Improving Ohio River: Continuing construction of Locks and Dams Nos. 2, 3, 4, 5, and 6, $275,000, of which amount $175,000, or so much thereof as may be necessary, shall be expended in completing Lock and Dam No. 6: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be required to prosecute the construction of Locks and Dams Nos. 2, 3, 4, and 5 for an amount not to exceed $300,000, to be paid for as appropriations may from time to time be made by law, exclusive of the amounts herein and heretofore appropriated.

Mr. BURTON. I offer an amendment to the paragraph just read.

The Clerk read as fallows:

After the word "appropriated," in line 4, page 65, insert:

"An examination at and below Pool No. 1 in said river shall be made with a view to securing increased depth and additional harbor facilities for the city of Pittsburg; and the estimate of the cost thereof shall be submitted."

Mr. BURTON. The object of this amendment is to give this survey the preference which will belong to it by reason of being inserted in the body of the bill.

The amendment was agreed to.

The Clerk read as follows:

Improving Muskingum River, Ohio: Continuing improvement, $10,300.

Mr. BURTON. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole, reported that that committee had had under consideration the river and harbor appropriation bill and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 8292. An act granting a pension to Hester Thomas;
H. R. 9296. An act granting a pension to Mary E. Chapman;
H. R. 5073. An act granting a pension to Christina Daniels;
H. R. 7846. An act granting a pension to Michael Tynan;
H. R. 2669. An act granting a pension to Isabella Compton;
H. R. 10956. An act granting an increase of pension to Frances K. Morrison;
H. R. 2786. An act granting an increase of pension to William K. Hoffman;
H. R. 7424. An act granting an increase of pension to John Craig;
H. R. 6864. An act granting an increase of pension to Milton A. Embick;
H. R. 7771. An act granting an increase of pension to Frank Seaman;
H. R. 1325. An act granting an increase of pension to William J. Wallace;
H. R. 5109. An act granting an increase of pension to Frederick M. Hahn;
H. R. 2547. An act granting an increase of pension to William M. Guy;
H. R. 10132. An act granting an increase of pension to John Garner;
H. R. 4468. An act granting an increase of pension to John B. Kurth;
H. R. 7968. An act granting a pension to Norris L. Lungren;
H. R. 6487. An act granting a pension to Kaize Washburn;
H. R. 7320. An act granting an increase of pension to James Mantach;
H. R. 2123. An act granting a pension to Elizabeth M. Folds;
H. R. 3873. An act granting a pension to William C. Flowers;
H. R. 3769. An act granting a pension to Susan Terry; and
H. R. 9991. An act for the relief of F. E. Coyne.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1475. An act for the relief of Jean Louis Legare, of the Dominion of Canada—to the Committee on Claims.

S. 3666. An act to authorize the sale of a part of the Fort Niobrara Military Reservation, in the State of Nebraska—to the Committee on the Public Lands.

S. 4366. An act granting a pension to John Y. Corey—to the Committee on Pensions.

S. 149. An act to provide for holding terms of court in the district of Utah—to the Committee on the Judiciary.

S. 4469. An act extending the time for the completion of a wagon-motor bridge across the Missouri River at St. Charles, Mo., as provided by an act approved June 3, 1896, and as extended by the act approved January 27, 1900—to the Committee on Interstate and Foreign Commerce.

S. 2418. An act to ratify an agreement with the Indians of the Devils Lake Reservation in North Dakota, and making appropriations to carry the same into effect—to the Committee on Indian Affairs.

LOUISIANA PURCHASE EXPOSITION COMPANY.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying documents, referred to the Select Committee on Industrial Arts and Expositions, and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of February, 1902, furnished by the Louisiana Purchase Exposition Commission, in pursuance of section 11 of the "Act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory," etc., approved March 3, 1901.

THEODORE ROOSEVELT.

WHITE HOUSE, *March —, 1902.*

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. JOY, for twenty days, on account of important business.

To Mr. SHELDEN, for two weeks, on account of important business.

Mr. BURTON. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mary E. O. Dashiell against The United States, was taken from the Speaker's table, referred to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HILL, from the Committee on Coinage, Weights, and Measures, to which was referred the bill of the House (H. R. 12704) to increase the subsidiary silver coinage, reported the same without amendment, accompanied by a report (No. 1092); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Washington, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11845) relating to grants of land to the Territory and State of Washington for school purposes, reported the same with amendments, accompanied by a report (No. 1093); which said bill and report were referred to the House Calendar.

Mr. DICK, by instruction of the Committee on Militia, to which was referred the bill of the House (H. R. 11654) to promote the efficiency of the militia, and for other purposes, reported the same with amendments, accompanied by a report (No. 1094); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MUDD, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 12086) to extend the time for the construction of the East Washington Heights Traction Railroad Company, reported the same without amendment, accompanied by a report (No. 1097); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MOODY of Oregon, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 8238) for the relief of the heirs of Mary Clark and Francis or Jenny Clark, deceased, and for other purposes, reported the same with amendment, accompanied by a report (No. 1095); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was refered the bill of the House (H. R. 6463) for the relief of the heirs and legal representatives of those who were killed by the explosion of the gun-cottton factory at the United States torpedo-factory station at Newport, R. I., reported the same without amendment, accompanied by a report (No. 1096); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were thereupon referred as follows:

A bill (H. R. 9777) for the relief of Helen F. Lasher—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11616) granting an increase of pension to Isaac Harris—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HULL (from the Committee on Military Affairs): A bill (H. R. 12804) making appropriation for the support of the Army for the fiscal year ending June 30, 1903—to the Union Calendar.

By Mr. MERCER: A bill (H. R. 12805) requiring the Anacostia and Potomac River Railroad Company to extend its Eleventh street line, and for other purposes—to the Committee on the District of Columbia.

By Mr. MANN (by request): A bill (H. R. 12806) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897—to the Committee on Ways and Means.

By Mr. REEVES: A bill (H. R. 12807) to amend section 4929, Revised Statutes, relating to design patents—to the Committee on Patents.

By Mr. GRAFF: A bill (H. R. 12808) to regulate the manufacture and sale of process butter and renovated butter—to the Committee on Agriculture.

By Mr. BABCOCK: A bill (H. R. 12809) regulating bone or fertilizing factories in the District of Columbia—to the Committee on the District of Columbia.

By Mr. DE GRAFFENREID: A bill (H. R. 12861) to regulate corporations engaged in interstate commerce, and for other purposes—to the Committee on the Judiciary.

By Mr. BARTHOLDT: A bill (H. R. 12862) granting pensions to enrolled militia and nonenlisted persons—to the Committee on Invalid Pensions.

By Mr. BURLESON: A resolution (H. Res. 170) requesting the President to transmit to the House of Representatives copies of all correspondence relating to and papers bearing on the matter of the recent request of Lieut. Gen. Nelson A. Miles, United States Army, to be assigned to duty in the Philippine Archipelago—to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. BLACKBURN: A bill (H. R. 12810) for the relief of William Lewis Bryan—to the Committee on Claims.

By Mr. BULL: A bill (H. R. 12811) for the relief of William McCarty Little—to the Committee on Naval Affairs.

By Mr. CURRIER: A bill (H. R. 12812) granting an increase of pension to Otis T. Hooper—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 12813) granting a pension to Harriet M. Ritter, widow of Frederick D. Ritter, late assistant surgeon Fourth Pennsylvania Reserves, Thirty-third Infantry—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 12814) granting a pension to Catherine McGuinn—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 12815) granting an increase of pension to John Fifer—to the Committee on Invalid Pensions.

By Mr. GORDON: A bill (H. R. 12816) granting an increase of pension to John Dugan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12817) granting an honorable discharge to John Rose—to the Committee on Military Affairs.

By Mr. GRAHAM: A bill (H. R. 12818) granting a pension to Mary Saylor—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 12819) restoring to the pension roll Nancy J. Ogle—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 12820) granting an increase of pension to Adam Hand—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 12821) granting a pension to William T. Vanderpool—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 12822) granting an increase of pension to Michael O. Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12823) granting an increase of pension to James Plummer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12824) granting an increase of pension to Charles L. Overley—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 12825) granting an increase of pension to Horatio C. Beals—to the Committee on Invalid Pensions.

By Mr. KYLE: A bill (H. R. 12826) granting a pension to Mary Jane McCafferty—to the Committee on Invalid Pensions.

By Mr. MORRIS: A bill (H. R. 12827) granting a pension to Jennette Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12828) granting a pension to Mary E. Culver—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 12829) for the relief of Annie R. Cheseldine—to the Committee on War Claims.

By Mr. NEVIN: A bill (H. R. 12830) granting a pension to Leonhart Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12831) granting a pension to Robert T. Knox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12832) granting an increase of pension to Peter B. Roach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12833) granting an increase of pension to Mitchell Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12834) granting an increase of pension to Charles F. Kimmel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12835) granting an increase of pension to Thomas Kane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12836) granting an increase of pension to George Kauffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12837) granting an increase of pension to Louis Kellar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12838) to remove the charge of desertion from record of William Lewellen—to the Committee on Military Affairs.

Also, a bill (H. R. 12839) to remove the charge of desertion from record of Benjamin T. Buford, Company H, Third Kentucky Volunteer Infantry—to the Committee on Military Affairs.

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 12840) for the relief of sundry officers of the Ninety-sixth Regiment Pennsylvania Volunteers to reimburse them for losses of personal effects destroyed under orders for the benefit of the service—to the Committee on War Claims.

By Mr. POWERS of Maine: A bill (H. R. 12841) granting a pension to William King—to the Committee on Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 12842) granting an increase of pension to George Wood—to the Committee on Invalid Pensions.

By Mr. SHATTUC: A bill (H. R. 12843) granting an increase of pension to Julius Reno—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 12844) granting an increase of pension to Charles H. Strong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12845) granting a pension to S. Effie Parkhill and the minor heirs of Clayton Parkhill—to the Committee on Pensions.

By Mr. BOREING: A bill (H. R. 12846) for the relief of William E. Hancock—to the Committee on War Claims.

Also, a bill (H. R. 12847) for the relief of John H. Dickerson—to the Committee on Military Affairs.

Also, a bill (H. R. 12848) for the relief of William H. Evans—to the Committee on Military Affairs.

Also, a bill (H. R. 12849) for the relief of John Stilts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12850) for the relief of Elijah S. Howard—to the Committee on Military Affairs.

Also, a bill (H. R. 12851) granting a pension to Cleveland M. Grider—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12852) granting a pension to Henry C. Gay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12853) granting a pension to Robert Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12854) granting a pension to John Perkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12855) granting an increase of pension to Milton Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12856) granting an increase of pension to William K. Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12857) granting a pension to Lemuel L. Stockton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12858) granting a pension to James M. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12859) granting a pension to Cyrus Waits—to the Committee on Invalid Pensions.

By Mr. LEWIS of Pennsylvania: A bill (H. R. 12860) granting an increase of pension to Benjamin K. Spangler—to the Committee on Invalid Pensions.

By Mr. HENDERSON: A bill (H. R. 12863) granting an increase of pension to William J. Millett—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Papers to accompany House bill 11311, granting increase of pension to A. J. Hertzog—to the Committee on Invalid Pensions.

Also, resolutions of the New Century Club, of Philadelphia, Pa., for securing a national forest reserve in the Appalachian Mountains—to the Committee on the Public Lands.

Also, resolution of Painters and Paper Hangers' Union No. 370, of Connellsville, Pa., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. ADAMS: Resolution of the New Century Club, of Philadelphia, Pa., in favor of the Appalachian National Park Association—to the Committee on the Public Lands.

By Mr. ALEXANDER: Resolutions of Buffalo Branch, Society of Engineers, and Painters' Union No. 43, of Buffalo, N. Y., in favor of an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolution of Bricklayers' Union No. 45, Buffalo, N. Y., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Retail Lumber Dealers' Association of Utica, N. Y., favoring amendments to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. BARTHOLDT: Resolution of Fennimore Association, No. 5, of St. Louis, Mo., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, petition of employees of the Mississippi River Convention, in favor of the bill for the retirement of Government employees in the classified service—to the Committee on Reform in the Civil Service.

Also, petition of Glass Bottle Blowers' Union No. 5, of St. Louis, Mo., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. BEIDLER: Resolutions of Cleveland Branch, Journeymen Stonecutters' Association; of Core Makers' Local Union No. 7; of International Union of Steam Engineers, Cleveland Lodge; of Lake Front Lodge, No. 260, Brotherhood of Railroad Trainmen; of Patternmakers of Cleveland and vicinity, and of Photo Engravers' Union No. 24, all of Cleveland, Ohio, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of International Association of Machinists, Pearl Lodge No. 238, of Cleveland, Ohio, favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Shiloh Baptist Church, of Cleveland, Ohio, relative to cutting down representation from States disfranchising any of their citizens—to the Committee on the Election of President, Vice-President, and Representatives in Congress.

Also, protest of Manufacturers' Club of Cincinnati, Ohio, against Senate bill 1118, regarding injunctions, etc.—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of Granite Cutters' Union of Stonington, Me., advocating extension of Chinese-exclusion act—to the Committee on Foraign Affairs.

By Mr. CALDERHEAD: Resolution of Brotherhood of Railroad Trainmen of Greenleaf, Kans., favoring the exclusion of undesirable immigrants—to the Committee on Immigration and Naturalization.

Also, petition of the American Chamber of Commerce of Manila, urging legislation for the Philippines—to the Committee on Insular Affairs.

Also, resolution of Brotherhood of Railroad Trainmen of Harrington, Kans., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. CORLISS: Resolutions of Painters and Decorators' Union No. 37, and Switchmen's Union No. 13, Detroit, Mich., for an amendment to the immigration laws—to the Committee on Immigration and Naturalization.

Also, resolutions of Order of Railway Conductors of Detroit and Jackson, Mich., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. CRUMPACKER: Petition of Colored Republican Club of Cook County, Ill., for the enforcement of the fourteenth amendment—to the Committee on Rules.

Also, resolutions of Billings Lodge, No. 262, Michigan City, Mich., and Plasterers' Union No. 165, of Hammond, Ind., for better immigration—to the Committee on Immigration and Naturalization.

Also, petition of Martin Post, No. 216, Grand Army of the Republic, Department of Indiana, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, petition of Billings Lodge, No. 262, of Michigan City, and Trades and Labor Council of Hammond, Ind., for the exclusion of Chinese laborers—to the Committee on the Judiciary.

By Mr. CUMMINGS: Petition of the United Retail Grocers of Brooklyn, N. Y., in favor of the passage of the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 6, of New York City, urging the passage of the bill increasing the salary of letter carriers in cities of the first class to $1,200 and in cities of the second class to $1,000—to the Committee on the Post-Office and Post-Roads.

By Mr. CURRIER: Petition of Woman's Christian Temperance Union of Jefferson, N. H., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

Also, communication of Armenia S. White, of Concord, N. H., favoring the abolishment of the regulation of vice in our island possessions—to the Committee on Insular Affairs.

Also, resolutions of Granite Cutters' Union of Fitzwilliam, N. H., favoring the continued exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. DALZELL: Resolutions of Harrisburg Lodge, No. 383,

of Harrisburg, Pa., and Mantua Lodge, No. 140, of Philadelphia, Pa., and Lodge No. 338, of Bevona, Pa., Brotherhood of Railroad Trainmen, favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, petition of the American Chamber of Commerce of Manila, P. I., suggesting needed legislation for the Philippine Islands—to the Committee on Insular Affairs.

Also, petitions of Rev. R. J. Gault and other citizens of New Alexander, Latrobe, and vicinity; also petition of J. R. Colledge and others, of Verona, Pa., in regard to Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolution of Cigar Makers' Union of Carbondale, Pa., in regard to the reduction of duty on cigars—to the Committee on Ways and Means.

Also, resolution of Technical Society of Pittsburg, Pa., in regard to bill relating to introduction of metric system in the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. DAVIS of Florida: Petition of heir of J. S. Powell, late of Duval County, Fla., for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of David Mizell, of Orange County, Fla., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. DEEMER: Petition of George W. Moyer Post, No. 379, Grand Army of the Republic, Department of Pennsylvania, for investigation of administration of Bureau of Pensions—to the Committee on Rules.

Also, resolution of Railroad Telegraphers, Division No. 95, New York Central and Hudson River Railway, favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. DOUGLAS: Petition of the Woman's Republican Club of New York City, in relation to immigration—to the Committee on Immigration and Naturalization.

By Mr. DOVENER: Petition of Marion Moore and 11 others, of Marion, W. Va., for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Iron and Steel Workers' Union No. 5, of Wheeling, W. Va., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. EMERSON: Resolutions of the Smith M. Weed Lodge, Brotherhood of Railway Trackmen, favoring the passage of the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. FITZGERALD: Resolutions of Wholesale Grocers' Association of New York, protesting against the reduction of the Indian warehouse at New York to a suboffice with a clerk in charge, and asking that steps be taken to remedy the situation—to the Committee on Appropriations.

Also, memorial of the American Chamber of Commerce of Manila, suggesting needed legislation for the Philippine Islands—to the Committee on Insular Affairs.

By Mr. GILL: Petition of citizens of Hannibal, Ohio; of Lewis Avon Lodge, No. 34, of Martins Ferry, Ohio; of Retail Clerks' Union of Steubenville, and of Stone Masons' Union No. 40, of Steubenville, favoring an educational restriction on immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Stone Mason's Union No. 40 and of Journeymen Stonecutters' Union, of Steubenville, Ohio, favoring an extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of J. G. Riethmiller Post, No. 658, of Hannibal, Ohio, favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, petition of citizens of the Sixteenth Congressional district of Ohio, for an amendment to the Constitution preventing polygamous marriages—to the Committee on the Judiciary.

By Mr. GOLDFOGLE: Petition of New York Retail Grocers' Union, in favor of the passage of House bill 9352, known as the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Wholesale Grocers' Association of New York, asking for the continuation of the Indian warehouse at New York as heretofore established—to the Committee on Appropriations.

Also, resolution of the Retail Lumber Dealers' Association of New York, for legislation amending the existing interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, petition of District No. 15, Association of Machinists, New York City, favoring the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, petitions of Tobacco Workers' Union, District Lodge of Association of Machinists, and National Trades Building Council of America, favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. GOOCH: Petition of Retail Clerks' Union No. 423, of Newport, Ky., favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petitions of Machinists' Union of Ludlow; Newport Lodge, No. 5, Retail Clerks' Association, and Barbers' Union, all of Newport, and Railroad Trainmen, Lodge No. 345, and Carpenters' Union No. 785, both of Covington, Ky., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. GRAHAM: Resolution of the New Century Club, Philadelphia, Pa., in favor of the Appalachian national park and forest reservation—to the Committee on the Public Lands.

Also, resolutions of Eli Hemphill Circle, No. 40, Ladies of Grand Army of the Republic, Tarentum, Pa., favoring a bill providing pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and over, and increasing widows' pensions to $12 per month—to the Committee on Invalid Pensions.

Also, resolutions of United Labor League of Weston, Pa., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. GREENE of Massachusetts: Resolutions of the general court of Massachusetts, asking for an investigation of the feasibility of constructing a canal from Weymouth Fore River to Taunton River—to the Committee on Rivers and Harbors.

Also, resolutions of the Loom Fixers' Union of Fall River, Mass., favoring an educational restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. GRIFFITH: Petition of Blish Milling Company, of Seymour, Ind., in support of House bill No. 9059, in relation to merchandise consigned to English ports—to the Committee on Interstate and Foreign Commerce.

By Mr. KNAPP: Resolutions of Painters, Decorators, and Paper Hangers' Union No. 306, of Fulton and Oswego Falls, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of the Oswego City Division, No. 152, Brotherhood of Locomotive Engineers, favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. KNOX: Resolution of Weavers' Union of Lawrence, Mass., favoring the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LANHAM: Resolutions of Greenville Lodge, No. 605, Brotherhood of Railroad Trainmen, of Greenville, Tex., urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of El Paso Lodge, No. 80, of El Paso, Tex., and C. O. Wheeler Lodge, No. 409, of Cleburne, Tex., Brotherhood of Railroad Trainmen, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. LAWRENCE: Petition of Brotherhood of Railroad Trainmen of Worcester, Mass., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Carpenters' Union of Lenox; Mule Spinners' Union of Adams, and Decorators' Union of North Adams, Mass., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LINDSAY: Resolution of Retail Lumber Dealers' Association of the State of New York, in favor of House bill No. 8537, amending the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Wholesale Grocers' Association of New York and vicinity, in reference to the Indian warehouse in New York City—to the Committee on Appropriations.

By Mr. LITTLEFIELD: Petition of citizens of Weld, Franklin County, Me., in favor of an extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. LLOYD: Petition of Typographical Union No. 88, of Hannibal, Mo., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Carpenters' Union of Kirkville, Mo., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LOUDENSLAGER: Resolutions of Miller Hill Grange, Vineland Grange, Pomona Grange, and Mickleton Grange, of New Jersey, protesting against the irrigation of arid lands of the West—to the Committee on Irrigation of Arid Lands.

Also, resolution of Carpenters' Union No. 20, Camden, N. J., favoring restrictive immigration—to the Committee on Immigration and Naturalization.

Also, petition of Central Trades and Labor Council, of Bridgeton, N. J., favoring the building of war ships in the navy-yards—to the Committee on Naval Affairs.

By Mr. McANDREWS: Petition of Marine Engineers' Beneficial Association, relating to licensing marine engineers—to the Committee on the Merchant Marine and Fisheries.

By Mr. McCLEARY: Resolutions of the board of directors of the St. Paul (Minn.) Chamber of Commerce, relative to the tariff on sugar—to the Committee on Ways and Means.

Also, resolutions of Photo-Engravers' Union No. 6, of Minneapolis, Minn., relative to repeal of desert-land act—to the Committee on the Public Lands.

By Mr. McDERMOTT: Resolution of Bricklayers' Union No. 29, of West Hoboken, N. J., and Central Labor Union of Hudson County, N. J., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. MOODY of Massachusetts: Resolutions of Ipswich (Mass.) Textile Union, No. 52, favoring an educational immigration test—to the Committee on Immigration and Naturalization.

By Mr. MUTCHLER: Resolutions of Oak Hall Lodge, No. 211, Locomotive Firemen, Easton, Pa., favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of Typographical Union No. 228, of Norwood, Mass., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, resolution of Bricklayers, Masons, and Plasterers' Union No. 8, Bethlehem, Pa., favoring the continued exclusion of Chinese laborers from the United States—to the Committee on Foreign Affairs.

By Mr. NEEDHAM: Petitions of officers of the California National Guard, favoring House bill 11654, increasing the efficiency of the militia—to the Committee on Militia.

By Mr. NEVIN: Resolutions of Miami Valley Division No. 320, Order of Railway Conductors, of Dayton, Ohio, and of Stove Mounters' Union No. 8, of Hamilton, Ohio, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of same organization, for an extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, protests of the Beaver Soap Company; of the Buckeye Iron and Brass Works; of the Dayton Globe Iron Works Company; of the Ferneding-Heymann Company; of Miami Valley Division, No. 320, Order of Railway Conductors; of the William Focke's Sons' Company; of the Bimm Dayton Ice Company; of Staniland & Schneble, and of the Dayton Lumber and Manufacturing Company, all of Dayton, Ohio, against the passage of Senate bill 1118—to the Committee on the Judiciary.

By Mr. NEWLANDS: Petition of 729 citizens of Wadsworth, Carson City, Stillwater, Virginia City, Battle Mountain, and Reno, Nev., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. PALMER: Petition of Andrus Kiskiarviczus and others, protesting against the exclusion of healthy and honest immigrants—to the Committee on Immigration and Naturalization.

Also, petition of Retail Clerks' Association of Wilkesbarre, Pa., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers' Union No. 6, of Hazleton, Pa., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Mr. PATTERSON of Pennsylvania: Affidavit to accompany House bill 5222, relating to the correction of the military record of John Lucid—to the Committee on Military Affairs.

Also, affidavits to accompany House bill 11936, to amend the military record of John Muldowney—to the Committee on Military Affairs.

By Mr. ROBINSON of Indiana: Petition of Bert W. Beideler, Auburn, Ind., in favor of the Lacey bill, for the protection of game in Alaska—to the Committee on the Territories.

Also, petition of Company D, Third Infantry, Indiana National Guard, of Fort Wayne, Ind., in favor of House bill 9972—to the Committee on Militia.

By Mr. RUCKER: Resolution of Order of Railway Conductors, Division No. 42, Trenton, Mo., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. RUPPERT: Petition of Retail Lumber Dealers' Association of New York State, indorsing House bill 8337, conferring certain authority on the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Wholesale Grocers' Association of New York City relative to the removal of the Indian warehouse from that city—to the Committee on Appropriations.

By Mr. RYAN: Resolution of the Wholesale Grocers' Association of New York, protesting against reduction of Indian warehouse in New York—to the Committee on Appropriations.

Also, resolution of Retail Lumber Dealers' Association of New York, favoring House bill 8337, amending the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Buffalo District Council of Carpenters, favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers' Union No. 45, Buffalo, N. Y., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. SHERMAN: Resolutions of Typographical Union No. 62, of Utica, N. Y., opposing the passage of Senate bill 2894 and House bill 5777—to the Committee on Patents.

By Mr. SOUTHWICK: Petition of Admiral Farragut Garrison, No. 135, Brooklyn, N. Y., favoring the enactment of House bill 7486, to promote the efficiency of the clerical service in the Navy, etc.—to the Committee on Naval Affairs.

By Mr. SAMUEL W. SMITH: Petition of Cigar Makers' Union No. 186, Flint, Mich., urging that no reduction be made in the import duty on cigars from Cuba and the Philippine Islands—to the Committee on Ways and Means.

By Mr. HENRY C. SMITH: Petition of Carpenter Post, No. 180, Grand Army of the Republic, Department of Michigan, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolution of the military department of Michigan, in favor of House bill 11654—to the Committee on Military Affairs.

Also, resolution of Carpenter Post, No. 180, of Ypsilanti, Grand Army of the Republic, Department of Michigan, favoring the construction of war vessels in the Government navy-yards—to the committee on Naval Affairs.

By Mr. STEWART of New York: Resolutions adopted by the Pattern Makers' Union of Schenectady, N. Y., favoring the exclusion of Chinese laborers from the United States—to the Committee on Foreign Affairs.

By Mr. STEVENS of Minnesota: Resolutions of the Minnesota legislature, in favor of Senate bill 1118, to limit the meaning of the word "conspiracy," etc., in certain cases—to the Committee on the Judiciary.

Also, letter of C. J. Whellams, secretary Northwestern Manufacturers' Association, of St. Paul, against the passage of Senate bill 1118—to the Committee on the Judiciary.

Also, resolutions of Retail Grocers' Association of Minnesota, in favor of pure-food bills—to the Committee on Agriculture.

Also, resolutions of Department of Minnesota, Grand Army of the Republic, for a more liberal construction of the pension laws—to the Committee on Pensions.

Also, resolutions of the Northwestern Manufacturing Association, of St. Paul, Minn., in favor of opening up the arid land regions—to the Committee on the Public Lands.

Also, resolutions of the St. Paul Chamber of Commerce, favoring a reduction of the tariff on sugar—to the Committee on Ways and Means.

By Mr. SULZER: Resolution of Wholesale Grocers' Association of New York, in relation to the Indian warehouse in New York City—to the Committee on Appropriations.

Also, resolution of Typographical Union No. 198, of Fort Worth, Tex., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. VAN VOORHIS: Resolution of Local Union No. 371, United Mine Workers, Byesville, Ohio, favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Allied Metal Workers' Union No. 84, Bottle Blowers' Union No. 20, Chain Makers' Union No. 14, Iron Molders' Union No. 140, and Brewery Workers' Union No. 57, all of Zanesville, Ohio, and Barbers' Union No. 255, of Marietta, Ohio, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. VREELAND: Petition of citizens of Olean, N. Y., favoring the Alaska game preserve bill—to the Committee on Agriculture.

Also, resolutions of Musicians' Association No. 108, Dunkirk Team Drivers' Union, and Journeymen Tailors' Union of Olean, and Panama Post, Grand Army of the Republic, Department of New York, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. WADSWORTH: Resolutions of Bricklayers and Masons' Union No. 2, of Niagara Falls, N. Y., favoring legislation to exclude Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. WANGER: Resolutions of the New Century Club, of Philadelphia, Pa., for securing a national forest reserve in the Appalachian Mountains—to the Committee on the Public Lands.

By Mr. WEEKS: Petition of citizens of Macomb and St. Clair counties, Mich., against the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. WOODS: Resolutions of the Chamber of Commerce of

San Francisco, Cal., for an appropriation for the purpose of diverting the waters of the Mormon Channel into Calaveras River—to the Committee on Rivers and Harbors.

Also, resolutions of the California Miners' Association, San Francisco, Cal., favoring the creation of a Cabinet department of mines and mining, and for the enactment of the so-called mineral-lands bill—to the Committee on Mines and Mining.

By Mr. WRIGHT: Resolutions of Machinists' Union No. 305, of Susquehanna, Pa., favoring reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Machinists' Union No. 305, of Susquehanna, Pa., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. YOUNG: Petition of the Atlantic Coast Seamen's Union, port of Philadelphia, in favor of the eight-hour law—to the Committee on Labor.

Also, resolution of the New Century Club, of Philadelphia, Pa., for a national forest reserve—to the Committee on the Public Lands.

Also, resolution of Brotherhood of Locomotive Firemen, Lodge No. 319, Philadelphia, Pa., favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

SENATE.

FRIDAY, *March 21, 1902.*

Prayer by Rev. F. J. PRETTYMAN, D. D., of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. It is approved.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 1325) granting an increase of pension to William J. Wallace;

A bill (H. R. 2123) granting a pension to Elizabeth M. Folds;

A bill (H. R. 2547) granting an increase of pension to William M. Guy;

A bill (H. R. 2669) granting a pension to Isabella Compton;

A bill (H. R. 2786) granting an increase of pension to William K. Hoffman;

A bill (H. R. 3769) granting a pension to Susan Terry;

A bill (H. R. 3873) granting a pension to William C. Flowers;

A bill (H. R. 4468) granting an increase of pension to John B. Kurth;

A bill (H. R. 5073) granting a pension to Christina Daniels;

A bill (H. R. 5109) granting an increase of pension to Frederick M. Hahn;

A bill (H. R. 6487) granting a pension to Kaize Washburn;

A bill (H. R. 6864) granting an increase of pension to Milton A. Embick;

A bill (H. R. 7320) granting an increase of pension to James Mantach;

A bill (H. R. 7424) granting an increase of pension to John Craig;

A bill (H. R. 7771) granting an increase of pension to Frank Seaman;

A bill (H. R. 7846) granting a pension to Michael Tynan;

A bill (H. R. 7968) granting a pension to Morris L. Lungren;

A bill (H. R. 8292) granting a pension to Hester Thomas;

A bill (H. R. 9296) granting a pension to Mary E. Chapman;

A bill (H. R. 9991) for the relief of F. E. Coyne;

A bill (H. R. 10132) granting an increase of pension to John Garult; and

A bill (H. R. 10956) granting an increase of pension to Frances K. Morrison.

PETITIONS AND MEMORIALS.

Mr. HOAR presented a petition of sundry citizens of Massachusetts, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Painters' Local Union No. 48, American Federation of Labor, of Worcester, Mass., and a petition of the Loom Fixers' Association, American Federation of Labor, of Fall River, Mass., praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Lowell, Mass., praying for the enactment of legislation to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Bricklayers, Masons, and Plasterers' Local Union No. 13, American Federation of Labor, of Taunton, Mass., and a petition of the Granite Cutters' Local Union, American Federation of Labor, of New Bedford, Mass., praying for the reenactment of the Chinese exclusion law; which were ordered to lie on the table.

Mr. MITCHELL presented a petition of Carpenters' Local Union No. 536, American Federation of Labor, of Baker City, Oreg., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented petitions of Mount Hood Division, No. 91, Order of Railway Conductors, of Portland; of Leather Workers and Horse Goods Local Union No. 56, of Portland; or Cigar Makers' Local Union No. 202, of Portland, and of Local Union No. 91, of Cornucopia, all of the American Federation of Labor, in the State of Oregon, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Liberal, Perrydale, Eugene, Dilley, and Scappoose, all in the State of Oregon, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Mosier, Oreg., praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Chamber of Commerce of Stockton, Cal., praying that an appropriation be made for the construction of a diverting canal to carry the flood waters of Mormon Channel into the Calaveras River, in that State; which was referred to the Committee on Commerce.

Mr. SCOTT presented a petition of Iona Grange, No. 299, Patrons of Husbandry, of Hoodsville, W. Va., praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Bricklayers' Local Union No. 1, of Wheeling, W. Va., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented memorials of Neff Bros. & Co., of Sistersville; the C. L. Ritter Lumber Company, of Charles Town; of J. W. Penn, of Bluefield; of J. L. Pentz, of Charles Town; of the Bolin & Bruce Company, of Bluefield; of F. Howald, of Rush Run, and of L. V. Rogers, of Grafton, all in the State of West Virginia, remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. PERKINS presented a petition of the Chamber of Commerce of Stockton, Cal., praying that an appropriation be made for the construction of a diverting canal to carry the flood waters of Mormon Channel into the Calaveras River, in that State; which was referred to the Committee on Commerce.

He also presented a petition of Local Division No. 115, Order of Railway Conductors, of San Francisco, Cal., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table,

He also presented a petition of sundry officers of the National Guard of the State of California, praying for the enactment of legislation to increase the efficiency of the militia; which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of San Francisco; of Local Union No. 376, of Vallejo; of the Amalgamated Society of Engineers, of Sacramento, and of Painters, Paper Hangers, and Decorators' Local Union No. 267, of Los Angeles, all of the American Federation of Labor, in the State of California, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Scotts Valley, Hollister, Petaluma, Areata, Pescadero, San Luis Obispo, Cayucos, Tomales, and Alton, all in the State of California, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. DILLINGHAM presented a petition of sundry citizens of Morrisville, Vt., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Local Division No. 24, Order of Railway Conductors, of St. Albans, Vt., praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was ordered to lie on the table.

Mr. GALLINGER presented a petition of Concord Division,

No. 335, Order of Railway Conductors, of Concord, N. H., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of the Trades League, of Philadelphia, Pa., praying for the adoption of an amendment to the river and harbor bill authorizing communities, corporations, companies, or individuals to improve commercial channels at their own expense, etc.; which was referred to the Committee on Commerce.

Mr. WETMORE presented petitions of Local Union No. 616, Amalgamated Society of Engineers, of Providence; of Cigar Makers' Local Union No. 10, of Providence; of Cigar Makers' Local Union No. 94, of Pawtucket; of Typographical Union No. 225, of Newport, and of the Allied Printing Trades Council, of Providence, all of the American Federation of Labor, in the State of Rhode Island, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

Mr. DEPEW presented petitions of Journeymen Tailors' Local Union No. 45, of Syracuse; of Iron Molders' Local Union No. 173, of Yonkers; of the Pattern Makers' Association of Buffalo; of Garment Cutters and Trimmers' Local Union No. 141, of Utica; of the Trades Assembly of Utica; of the Pattern Makers' Local Union of Schenectady; of Plumbers and Steam Fitters' Local Union No. 105, of Schenectady; of the Plumbers and Gas Fitters' Local Union of Brooklyn; of Journeymen Barbers' Local Union No. 141, of Buffalo; of Typographical Union No. 9, of Buffalo; of the Federation of Labor of Geneva; of Cigar Makers' Local Union No. 52, of Elmira; of Carriage Wagon Workers' Local Union No. 59, of Albany; of Carpenters and Joiners' Local Union No. 212, of Mount Vernon; of Beer Wagon Drivers' Local Union No. 185, of Niagara Falls; of Federal Labor Union No. 8631, of North Tonawanda; of Labor Protective Union No. 8079, of Mineville; of Painters and Decorators' Local Union No. 89, of Oswego; of Press Printers' Local Union No. 51, of New York City; of Local Union No. 90, of Schenectady; of the Central Federation of Labor of Troy; of Iron Molders' Local Union No. 12, of Rochester; of Machinists' Local Union No. 323, of Brooklyn; of Cigar Makers' Local Union No. 141, of New York City; of the Central Labor Union of Tonawanda; of Carpenters and Joiners' Local Union No. 42, of New Rochelle; of Iron Molders' Local Union No. 246, of Frankfort; of Carpenters and Joiners' Local Union No. 187, of Geneva; of Machinists' Local Union No. 100, of Amsterdam; of Painters' Local Union No. 155, of Poughkeepsie; of Metal Polishers' Local Union No. 57, of Elmira; of Stereotypers' Local Union No. 1, of New York City; of Iron and Steel Workers' Local Union No. 1, of Lockport; of Carpenters and Joiners' Local Union No. 322, of Niagara Falls; of Carpenters and Joiners' Local Union No. 251, of Kingston; of Oystermen's Local Union No. 8201, of Sayville; of Carpenters and Joiners' Local Union No. 72, of Rochester; of Cigar Makers' Local Union No. 429, of Niagara Falls; of Carpenters and Joiners' Local Union No. 26, of Syracuse; of Painters and Paperhangers' Local Union No. 202, of Canandaigua; of Typographical Union No. 62, of Utica; of Leather Workers' Local Union No. 21, of Olean; of the American Wire Weavers' Protective Association of Brooklyn; of Typographical Union No. 19, of Elmira; of Machinists' Local Union No. 313, of New York City; of Typographical Union No. 44, of Rome; of Painters' Local Union No. 148, of Rome; of Boot and Shoe Workers' Local Union No. 246, of Jamestown; of Branch No. 2, Brewery Workmen's Local Union No. 4, of Lockport; of Boilermakers and Iron Ship Builders' Local Union No. 125, of Dunkirk; of Steam Engineers' Local Union No. 71, of Rochester; of Barbers' Local Union No. 178, of Jamestown; of Painters, Decorators, and Paperhangers' Local Union No. 324, of Elmira; of Machinists' Local Union No. 405, of New York City; of Painters' Local Union No. 43, of Buffalo; of Coopers' Local Union No. 33, of Buffalo; of Bartenders' Local Union No. 228, of Albany; of Cigar Makers' Local Union No. 5, of Rochester; of Carpenters and Joiners' Local Union No. 929, of New York City; of Carpenters and Joiners' Local Union No. 368, of Clayton; of Cigar Makers' Local Union No. 144, of New York City; of Waiters' Local Union No. 196, of Buffalo; of Painters and Decorators' Local Union No. 367, of Seneca Falls; of Wood Carvers and Modelers' Local Union of New York City; of Painters and Decorators' Local Union No. 86, of Jamestown; of Press Feeders, Helpers, and Job Pressmen's Local Union No. 23, of New York City; of Watch Case Engravers' International Association, of New York City; of the United Hatters' Association of North America, of Brooklyn; of Street and Building Laborers' Local Union No. 7507, of Rochester; of Machinists' Local Union No. 439, of Lockport; of Brewery Workmen's Local Union No. 238, of Jamestown; of Carpenters and Joiners' Local Union No. 66, of Jamestown; of Shirt, Waist, and Collar Cutters' Local Union No. 80, of Albany; of Boiler Makers' Local Union No. 202, of Schenectady; of Mailers' Local Union No. 6, of New York City; of the Musicians' Protective Association, Local Union No. 108, of Dunkirk, all in the State of New York; of the Trades and Labor Council of Vallejo, Cal., and of Journeymen Bakers and Confectioners' Local Union No. 10, of Washington, D. C., all of the American Federation of Labor, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of General D. S. Stanley Garrison, No. 36, of Buffalo, and of Admiral Farragut Garrison, No. 135, of Albany, of the Army and Navy Union, in the State of New York, praying for the enactment of legislation to promote the efficiency of the clerical service in the United States Navy; which were referred to the Committee on Naval Affairs.

He also presented petitions of Cigar Makers' Local Union No. 311, of Auburn; of the Lake City Trades and Labor Council, of Oswego; of Cigar Makers' Local Union No. 68, of Albany; of Painters, Decorators, and Paper Hangers' Local Union No. 357, of Dunkirk; of Kincaid Division, No. 150, Order of Railway Conductors, of Utica; of Carpenters and Joiners' Local Union No. 497, of New York City; of Carpenters and Joiners' Local Union No. 369, of North Tonawanda; of Journeymen Bakers' Local Union No. 148, of Newburgh; of the Lake Seamen's Union, of Tonawanda; of Chapman Division No. 45, Order of Railway Conductors, of Oneonta; of Bakers' Local Union No. 14, of Rochester; of Piano and Organ Makers' Local Union No. 16, of New York City; of the Granite Cutters' Local Union, of Peekskill, and of Bricklayers and Masons' Local Union No. 63, of Mechanicsville, all in the State of New York, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of Local Unions Nos. 43, 96, 177, 185, 28, 40, 57, 14, 282, 318, 12, 8, 6, 15, 387, 403, 396, 43, 2, 332, 16, 51, 186, 173, 488, 6, 5, 81, 89, 125, 132, 136, 141, 210, 213, 251, 265, 430, 221, 185, 1, 54, 125, 129, 168, 236, 238, 24, 13, 11, 7, 33, 83, 132, 16, 80, 100, 56, 8, 16, and 357, of Binghamton, Buffalo, Glens Falls, Port Chester, Elmira, Rochester, Utica, Kingston, New York, Corning, Silver Creek, Albany, Mount Vernon, Rouses Point, Canandaigua, Mohawk, Syracuse, Jamestown, Niagara Falls, Middletown, Peekskill, Schenectady, Norwich, Brooklyn, Hudson, Rome, Amsterdam, Waverly, Oswego, Gloversville, Auburn, Troy, Newark, Rock, and Dunkirk, all of the American Federation of Labor, in the State of New York, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

He also presented petitions of Councils Nos. 7, 8, 9, 11, 15, 19, 21, 22, 25, 29, 32, 37, 38, 39, 41, 42, and 58, of New York City, Newburgh, Brooklyn, Jamestown, Syracuse, Utica, Islip, Suffern, Port Jefferson, and Port Ewen, all of the Daughters of Liberty, in the State of New York, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. KITTREDGE presented the petition of Mark Marion and 46 other citizens of Kidder, S. Dak., and the petition of A. H. Wheaton and 36 other citizens of Brookings, S. Dak., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. TELLER. I present a resolution of the senate of Colorado, praying that the good offices of the Government of the United States be tendered in the settlement of the dispute between Great Britain and the Boers. I ask that the resolution may be read and referred to the Committee on Foreign Relations.

The resolution was read, and referred to the Committee on Foreign Relations, as follows:

Senate resolution No. 13. By Senator Rush.

Whereas the tradition of our nation and the sentiments of our people from the inception of our Government have been most ardently in favor of any and all peoples struggling for liberty, as evidenced by our active sympathy earnestly expressed in the cases of Poland, Hungary, Greece, and the South American Republics; and

Whereas the present efforts of the South African Republics for the right of self-government enlist the sympathy of the entire world for their heroism and self-sacrifice and form a noble counterpart to our own endeavors of a century and a quarter ago and for the same glorious object; and

Whereas the policy adopted with reference to Boer women and children, whereby the latter are being practically exterminated, is so pitiable that their condition appeals to the humanity of the world at large and constrains us to solemnly protest in the name of Colorado against such policy, which can be but an abiding sorrow amongst all civilized peoples for generations to come; and

Whereas the history of Great Britain has in many ways been glorious and beneficial in its influence on mankind because of the justice, humanity, and mercy practiced by the English people on many notable occasions, yet these recent examples of oppression and cruelty must inevitably detract from this noble heritage, lessen her influence among the nations of the earth, and necessarily alienate from her those peoples who have been and still desire to be her friends: Now, therefore, be it

Resolved by the senate of the State of Colorado, In view of the deplorable situation and in the name of that justice, humanity, and mercy of which England has furnished the world so many notable examples, and in the name of millions of God's people who prize their liberty, we hereby appeal to the President and the Congress of the United States to make dignified and earnest protest against the further continuance of these pitiable conditions, to the end that liberty may not be taken from a free people nor a single republic

perish or be destroyed, and to tender the good offices of this Government to secure this desired result; and be it further

Resolved, That a copy of these resolutions, duly signed by the governor and attested by the secretary of state, be forwarded to the President of the United States and to the Senators and Representatives in Congress from this State.

D. C. COATES,
President of the Senate.
JAMES B. ORMAN,
Governor of the State of Colorado.

Attest:
[SEAL.]
DAVID A. MILLS,
Secretary of State.

Mr. CLARK of Montana presented a memorial of the Montana Agricultural Association, remonstrating against the enactment of legislation providing for the leasing of the public domain, and praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Public Lands.

He also presented a petition of Miners' Local Union No. 57, Western Federation of Miners, of Aldridge, Mont., and a petition of Miners' Local Union, Western Federation of Miners, of Winston, Mont., praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

Mr. COCKRELL presented a petition of Car Coach Painters' Local Union No. 204, American Federation of Labor, of St. Louis, Mo., and a petition of Local Union No. 4, American Federation of Labor, of Kansas City, Mo., praying for the enactment of legislation to prohibit the immigration of persons other than wives and children who can not read; which were referred to the Committee on Immigration.

He also presented petitions of Local Division No. 100, Order of Railroad Telegraphers, of Kansas City; of Local Division No. 3, Order of Railway Conductors, of St. Louis; of Musicians' Protective Union No. 34, of Kansas City; of Bricklayers and Masons' Union No. 7, of Jefferson; of Feed, Fuel, and Ice Teamsters' Union No. 128, of St. Joseph, and of Typographical Union No. 88, of Hannibal, all of the American Federation of Labor, in the State of Missouri, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. PENROSE presented a petition of 40 citizens of Philadelphia, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Brotherhood of Painters, Decorators, and Paperhangers of America, of Hazleton, Pa., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented petitions of the United Labor League of western Pennsylvania, of Pittsburg, and of Machinists' Local Union No. 305, American Federation of Labor, of Susquehanna, in the State of Pennsylvania, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a memorial of 28 citizens of Pittsburg, Pa., remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented petitions of 42 citizens of Lancaster, 92 citizens of Quarryville, 29 citizens of Soleburg, 32 citizens of Lyckenstown, 39 citizens of Yostville, 36 citizens of Bradford, 47 citizens of Keown, 30 citizens of Lyndell, 46 citizens of Troy, 12 citizens of Amasa, 20 citizens of Fleetville, and of Susquehanna Grange, No. 74, Patrons of Husbandry, of South Montrose, all in the State of Pennsylvania, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented petitions of Journeymen Tailors' Local Union No. 56, of Philadelphia; of Typographical Union No. 14, of Harrisburg; of Local Division No. 95, Order of Railway Telegraphers, of Wellsboro; of sundry citizens of South Bethlehem, West Bethlehem, and Bethlehem; of Railway Conductors' Local Division No. 144, of Derry; of Hodcarriers' Local Union No. 7351, of Reading; of Just in Time Lodge, No. 346, Brotherhood of Railroad Telegraphers, of Bethlehem; of Stone Masons' Local Union No. 35, of Philadelphia; of Southwest Union, No. 63, Brotherhood of Railroad Telegraphers, of Scottdale; of Bricklayers' Local Union No. 18, of Scranton; of 48 citizens of New Alexandria; of 59 citizens of Pittsburg; of Tobacco Workers' Local Union No. 59, of Wilkesbarre; of 98 citizens of Brownville, all in the State of Pennsylvania, and of Bricklayers and Masons' Local Union No. 2, of Lincoln, Nebr., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. FAIRBANKS presented a petition of Britton Division, No. 138, Order of Railway Conductors, of Garrett, Ind., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a memorial of Typographical Union No. 97, of Peru, Ind., remonstrating against the adoption of certain amendments to the copyright law; which was referred to the Committee on Patents.

He also presented petitions of Coppes Brothers & Zook, of Nappanee; of the Manitou Flouring Mills, of Rochester, and of the Winter Wheat Millers' League, of Indianapolis, all in the State of Indiana, praying for the adoption of certain amendments to the interstate-commerce law; which were referred to the Committee on Interstate Commerce.

He also presented memorials of the Charles Hegewald Company, of New Albany, and of the I. H. Force Handle Company, of New Albany, in the State of Indiana, remonstrating against the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of Frank Kordell and sundry other citizens of Centerville, of J. F. Stillwell and sundry other citizens of Syracuse, and of St. Joseph Valley Grange, No. 584, Patrons of Husbandry, of South Bend, all in the State of Indiana, praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by direct vote of the people; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Cory Post, No. 477, of Cory; of Post No. 97, of San Pierre; of Rose Lawn Post, No. 253, of Rose Lawn; of Huckleberry Post, No. 391, of Butlerville, and of General Lyon Post, No. 34, of Otwell, all of the Department of Indiana, Grand Army of the Republic, in the State of Indiana, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

Mr. HANNA presented a memorial of the Lake Seamen's Union, International Seamen's Union, of Cleveland, Ohio, remonstrating against the enactment of legislation to change the name of the United States Marine-Hospital Service to that of the United States Health Service; which was referred to the Committee on Commerce.

He also presented a petition of the Manufacturers' Club of Cincinnati, Ohio, praying for the enactment of legislation authorizing the appointment of a commission to study and make a full report upon the commercial and industrial conditions of China and Japan; which was referred to the Committee on Commerce.

He also presented a petition of the congregation of St. John's African Methodist Episcopal Church, of Cleveland, Ohio, praying for the enactment of legislation to make effective the provisions of the Constitution cutting down the Congressional representation of States disfranchising its citizens; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of New Concord, Norwich, Rix Mills, and Chandlersville, all in the State of Ohio, praying for the adoption of certain amendments to the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a memorial of the Lake Seamen's Union, International Seamen's Union, of Cleveland, Ohio, and a memorial of the Lake Seamen's Union, International Seamen's Union, of Toledo, Ohio, remonstrating against the enactment of legislation to amend chapter 7 of the Revised Statutes, relating to the employment of seamen in the merchant marine of the country; which were referred to the Committee on Commerce.

He also presented a memorial of Subordinate Association No. 19, Lithographers' International Protective and Beneficial Association of the United States and Canada, of Coshocton, Ohio, remonstrating against the enactment of legislation to amend the law relating to copyright; which was referred to the Committee on Patents.

He also presented a memorial of Cleveland Chapter, American Institute of Architects, of Cleveland, Ohio, remonstrating against the enactment of legislation to change the title of Architect of the United States Capitol; which was ordered to lie on the table.

He also presented petitions of Ship Carpenters' Local Union No. 6976, American Federation of Labor, of Toledo; of Mutual Lodge, No. 225, International Association of Machinists, of Dayton; of the Watch Case Engravers' International Association of America, American Federation of Labor, of Canton; of Local Union No. 705, Brotherhood of Carpenters and Joiners of America, of Lorain; of the Central Labor Council, American Federation of Labor, of Cincinnati; of Local Union No. 245, Carpenters and Joiners' International Union, of Cambridge; and of Lodge No. 341, International Association of Machinists, of Hamilton, all in the State of Ohio, praying for the repeal of the so-called desert-land law and the commutation clause of the homestead act; which were referred to the Committee on Public Lands.

He also presented a petition of the Retail Grocers' Association

of Dayton, Ohio, and a petition of the Retail Grocers' Association of Cincinnati, Ohio, praying for the passage of the so-called pure-food bill; which were referred to the Committee on Manufactures.

He also presented a petition of Egbert Command, No. 101, Corps of Ohio, Spanish War Veterans, of Toledo, Ohio, praying for the adoption of a resolution tendering the thanks of Congress to Miss Clara Barton and providing for the presentation to her of a gold medal; which was referred to the Committee on the Library.

He also presented petitions of the Woman's Christian Temperance Union of Norwalk, of the congregation of the Congregational Church of Norwalk, and of sundry citizens of Ohio, all in the State of Ohio, praying for the enactment of legislation to prohibit the regulation and control of vice by the board of health of Manila, P. I.; which were referred to the Committee on the Philippines.

He also presented a memorial of the League of German-American Societies of Dayton, Ohio, remonstrating against the enactment of leigslation to restrict immigration; which was ordered to lie on the table.

Mr. FRYE presented a memorial of the Mercantile Club of Kansas City, Kans., remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented petitions of sundry citizens of New Monmouth, of Bricklayers and Plasterers' Local Union No. 1, American Federation of Labor, of Lewiston, in the State of Maine; of Local Division No. 183, Order of Railway Conductors, of Cumberland, Md., and of Local Division No. 58, Order of Railway Conductors, of Cedar Rapids, Iowa, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. BARD presented a petition of 12 officers of the National Guard of California, praying for the enactment of legislation to increase the efficiency of the militia; which was referred to the Committee on Military Affairs.

Mr. FORAKER presented petitions of Cigar Makers' Local Union No. 87, of Salem; of Tobacco Workers' Local Union No. 25, of Cincinnati; of International Broom Makers' Local Union No. 79, of Circleville; of Amalgamated Glass Workers' International Union No. 9, of Cincinnati; and of International Team Drivers' Local Union No. 101, of Piqua, all of the American Federation of Labor, in the State of Ohio, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of Kilnmen's Local Union No. 9, of East Liverpool; of Kilndrawers' Local Union No. 17, of East Liverpool; of Operative Potters' Local Union No. 20, of Steubenville ;of Dishmakers' Local Union No. 29, of East Liverpool; of Operative Potters' Local Union No. 31, of East Palestine; of Warehousemen's Local Union No. 48, of East Liverpool; of Operative Potters' Local Union No. 24, of Wellsville; of Operative Potters' Local Union No. 55, of Wellsville; of Operative Potters' Local Union No. 57, of Niles; of Barbers' Local Union No. 53, of Lancaster; of Journeymen Barbers' Local Union No. 105, of Akron; of Ashtabula Division, No. 36, Order of Railway Telegraphers, of Andover; of Railroad Telegraphers' Division No. 48, of Jackson; of Glass Workers' Local Union No. 16, of Columbus; of Glass Workers' Local Union No. 96, of Steubenville; of Flint Glass Workers' Local Union No. 81, of Toledo; of Flint Glass Workers' Local Union No. 39, of Ryesville; of Wood Workers' Local Union No. 158, of Cincinnati; of Wood Workers' Local Union No. 89, of Cincinnati; of Wood Workers' Local Union No. 162, of Youngstown; of Wood Workers' Local Union No. 179, of Mansfield; of Typographical Union No. 364, of Coshocton; of Typographical Union No. 238, of Steubenville; of Typographical Union No. 199, of Zanesville; of Journeymen Bakers' Local Union No. 128, of Lorain; of Bakers and Confectioners' Local Union No. 174, of Canton; of Tile Layers and Helpers' Local Union No. 21, of Dayton; of Tile Layers' Local Union of Cleveland; of Stone Cutters' Local Union of Steubenville; of the Marine Engineers' Beneficial Association of Ashtabula; of the Marine Engineers' Beneficial Association of Toledo; of Iron Molders' Local Union No. 218; of Iron Molders' Local Union of Mount Vernon; of Iron Molders' Local Union No. 385, of Hillsboro; of Iron Molders' Local Union No. 352, of Bucyrus; of Iron Molders' Local Union of Ironton; of Iron Molders' Local Union No. 45, of Dayton; of Iron Molders' Local Union No. 283, of Hamilton; of Iron Molders' Local Union No. 307, of Alliance; of Iron Molders' Local Union No. 151, of Bellaire; of Iron Molders' Local Union No. 172, of Toledo; of Iron Molders' Local Union No. 379, of Steubenville; of Flint Glass Workers' Local Union No. 124, of Toledo; of Iron Molders' Local Union No. 60, of Hamilton; of Iron Molders' Local Union No. 98, of Columbus; of Iron Molders' Local Union No. 132, of Zanesville; of Iron Molders' Local Union No. 250, of Massillon; of Iron Molders' Local Union No. 328, of Crestline; of Iron Molders' Local Union No. 61, of Salem; of Blacksmiths' Local Union No. 98, of Toledo; of Core Makers' Local Union No. 70, of Toledo; of Garment Workers' Local Union No. 42, of Cleveland; of Leather Workers on Horse Goods, Local Union No. 49, of Cincinnati, and of Dray and Express Men's Local Union No. 193, of Toledo, all of the American Federation of Labor, in the State of Ohio, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

Mr. ELKINS presented a petition of Local Union No. 1944, United Mine Workers of America, of Shinnston, W. Va., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Marion County; of Bricklayers' Local Union No. 1, American Federation of Labor, of Wheeling, and of Local Division No. 369, Order of Railway Conductors, of Parkersburg, all in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

LIMITATION OF "CONSPIRACY."

The PRESIDENT pro tempore. The Presiding Officer has received a memorial from Mr. Samuel Gompers, president of the American Federation of Labor, protesting against the last bill, the Chair supposes it is called the conspiracy bill or the injunction bill, presented by the Senator from Massachusetts [Mr. HOAR], and as that measure has been reported to the Senate, he asks that the memorial and the letter of the attorney of the Federation may be printed in the RECORD. Is there objection?

Mr. HOAR. I think that would introduce a very awkward practice. We very frequently deny like requests to print memorials and especially to print arguments in the RECORD.

The PRESIDENT pro tempore. Then he asks that it may be printed as a document.

Mr. HOAR. I would suggest that it be referred to the Judiciary Committee. The memorialists may be quite sure that the Judiciary Committee will consider with the highest respect the desire of a gentleman representing so important an association in this country and that undoubtedly they will find some way to do in substance what he desires, which is to give the Senate an opportunity to see it.

Mr. MITCHELL. Is there any objection to printing it as a document?

Mr. HOAR. I do not know.

Mr. MITCHELL. I should really like to see it printed as a document.

Mr. HOAR. I have no doubt that will be the report; but it seems to me that if we permit any citizen, however highly respected, to have communications printed, either as a document or in the RECORD, we can not deny it to every other citizen. Therefore there should be in all such cases a request from a Senator. Now, my suggestion was that the memorial be referred to the Judiciary Committee, and I made the statement that it would undoubtedly be treated with the greatest respect. I suppose the committee would report in favor of granting the request, but if the Senator from Oregon knows enough of the general matter to make the request that it be printed as a document, I think that entirely comes within a reasonable rule of proceeding.

Mr. MITCHELL. I quite agree with the Senator from Massachusetts that the request should come from a different source in order to have it printed either as a document or in the RECORD. In this case the request is that it be printed in the RECORD. I ask that it be printed as a document.

Mr. HOAR. That is all right.

The PRESIDENT pro tempore. The Senator from Oregon asks unanimous consent that the memorial and the accompanying letter be printed as a document. Is there objection? The Chair hears none, and it is so ordered.

Mr. HOAR. I wish to say that I interposed, not with the least purpose of disrespect to Mr. Gompers, but to preserve an orderly and regular proceeding in the Senate.

Mr. MITCHELL. Certainly.

REPORTS OF COMMITTEES.

Mr. HARRIS, from the Committee on Indian Affairs, to whom was referred the bill (S. 4264) providing that the statutes of limitations of the several States shall apply as a defense to actions brought in any courts for the recovery of lands patented under the treaty of May 10, 1854, between the United States of America and the Shawnee tribe of Indians, reported it without amendment, and submitted a report thereon.

Mr. DEPEW, from the Committee on Commerce, to whom was referred the bill (H. R. 3148) for a marine hospital at Buffalo, N. Y., reported it without amendment, and submitted a report thereon.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 9171) granting an increase of pension to William R. Howsley, to submit an adverse

report thereon. This soldier has died since the date the bill passed the House of Representatives, and I ask for its indefinite postponement.

The PRESIDENT pro tempore. The bill will be indefinitely postponed.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11011) granting an increase of pension to Emily J. Tallman;

A bill (H. R. 10906) granting a pension to John W. Meade;

A bill (H. R. 9178) granting an increase of pension to John M. Howe;

A bill (H. R. 1694) granting an increase of pension to Henry Ball;

A bill (H. R. 2781) granting an increase of pension to Patrick Lee;

A bill (H. R. 5862) granting an increase of pension to Rollin Tyler; and

A bill (H. R. 1696) granting an increase of pension to Frederick A. Condon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 10044) granting an increase of pension to William Larzalere, reported it with an amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (H. R. 10924) granting an increase of pension to Elias M. Haight, reported it without amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 637) for the erection of a public building at Georgetown, S. C., reported it with an amendment to the title, and submitted a report thereon.

JOHN Y. COREY.

Mr. GALLINGER. Mr. President, a few days ago the Senate passed a bill (S. 4366) granting a pension to John Y. Corey. It went to the House of Representatives, but that body passed a separate bill granting a pension to the same soldier, but at a different rate. I now report back the bill (H. R. 10404) granting a pension to John Y. Corey, with an amendment, and ask for its present consideration.

The PRESIDENT pro tempore. It will be read to the Senate.

The Secretary read the bill; and by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Pensions was, in line 8, before the word "dollars," to strike out "twelve" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Y. Corey, late of Company B, Eighth Regiment United States Infantry, and pay him a pension at the rate of $25 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. GALLINGER. I move that the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 4366) granting a pension to John Y. Corey.

The motion was agreed to.

BILLS INTRODUCED.

Mr. DEBOE introduced a bill (S. 4641) for the relief of Benjamin Franklin Handforth; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4642) granting an increase of pension to Annie Dowery; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. NELSON introduced a bill (S. 4643) granting an increase of pension to Phœbe L. Peyton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PRITCHARD introduced a bill (S. 4644) for the relief of Richard Berry; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4645) for the relief of Mrs. M. Elizabeth Hartgrove and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4646) to provide for the erection of a monument to Gen. Nathaniel Greene on the battlefield of Guilford Court-House; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Library.

He also introduced a bill (S. 4647) to amend section 4929 of the Revised Statutes, relating to design patents; which was read twice by its title, and referred to the Committee on Patents.

He also introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 4648) granting an increase of pension to Nehemiah P. Oakes;

A bill (S. 4649) granting a pension to Ola A. House;

A bill (S. 4650) granting an increase of pension to Delania Ferguson;

A bill (S. 4651) granting a pension to John Gallaps;

A bill (S. 4652) granting a pension to Margaret Lipps;

A bill (S. 4653) granting a pension to Alice Smith; and

A bill (S. 4654) granting a pension to Isaac F. Moore.

Mr. DILLINGHAM introduced a bill (S. 4655) granting an increase of pension to Oliver K. Wyman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4656) granting an increase of pension to Orlando S. Osborn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 4657) for the erection of a statue of Commodore John D. Sloat in the city of Monterey, Cal.; which was read twice by its title, and referred to the Committee on the Library.

Mr. GALLINGER introduced a bill (S. 4658) granting an increase of pension to Charles F. Rand; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 4659) granting an increase of pension to Henry V. Sims; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. CARMACK introduced a bill (S. 4660) for the relief of the estate of Zeno T. Harris, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PENROSE introduced a bill (S. 4661) to correct the military record of William H. Everson; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PETTUS introduced a bill (S. 4662) for the relief of David K. Maxwell; which was read twice by its title, and referred to the Committee on Claims.

Mr. FOSTER of Louisiana introduced a bill (S. 4663) to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FORAKER introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 4664) granting a pension to Maurice W. Canaan;

A bill (S. 4665) granting a pension to Sarah J. Fisher;

A bill (S. 4666) granting a pension to Ed. M. Duff;

A bill (S. 4667) granting a pension to Charles J. Terwilliger;

A bill (S. 4668) granting a pension to John I. Throckmorton;

A bill (S. 4669) granting an increase of pension to John Irvin;

A bill (S. 4670) granting an increase of pension to Franklin Wise;

A bill (S. 4671) granting an increase of pension to William A. Aultman;

A bill (S. 4672) granting an increase of pension to Cyrus Spriggs;

A bill (S. 4673) granting a pension to George S. Foreman;

A bill (S. 4674) granting an increase of pension to John G. Reece;

A bill (S. 4675) granting an increase of pension to Lillian T. Wood;

A bill (S. 4676) granting a pension to Isaac Neer;

A bill (S. 4677) for the relief of John E. Welch; and

A bill (S. 4678) granting an increase of pension to Granville M. Hemphill.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. HARRIS submitted an amendment providing that all enlisted men who served as commissioned officers of United States Volunteers organized in 1898 and 1899, or who have served or may be serving in the Porto Rico Provisional Regiment or in the Philippine Scouts, may have such period of service counted as if it had been rendered as enlisted men and they be entitled to all continuous-service pay, and to count such service in computing the time necessary to enable them to retire, intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. PERKINS submitted an amendment proposing to appropriate $100,000 for improving Oakland Harbor, California, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

SELDEN E. WHITCHER.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4488) granting an increase of pension to Selden E. Whitcher, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the sum proposed insert "sixteen;" and the Senate agree to the same.

P. J. McCUMBER,
N. B. SCOTT,
E. W. CARMACK,
Managers on the part of the Senate.

W. A. CALDERHEAD,
J. N. W. RUMPLE,
J. A. NORTON,
Managers on the part of the House.

The report was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 1529) granting an increase of pension to John G. Brower;

A bill (H. R. 2673) granting an increase of pension to John Vale;

A bill (H. R. 3272) granting an increase of pension to Israel P. Covey;

A bill (H. R. 4260) to correct the military record of James A. Somerville;

A bill (H. R. 4456) granting a pension to Ruth B. Osborne;

A bill (H. R. 5289) granting a pension to Malvina C. Stith;

A bill (H. R. 5543) granting an increase of pension to Samuel W. Skinner;

A bill (H. R. 6018) granting a pension to Sue Emma McJunkin;

A bill (H. R. 7074) granting a pension to Benjamin F. Draper;

A bill (H. R. 7823) granting an increase of pension to Jacob D. Caldwell;

A bill (H. R. 8293) granting a pension to Amanda Jacko; and

A bill (H. R. 9397) granting a pension to John S. Lewis.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9227) granting an increase of pension to Frederick Shafer.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. I move that the Senate proceed to the consideration of the bill (S. 3653) for the protection of the President of the United States, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT pro tempore. There is no amendment pending now.

Mr. ALDRICH. If there is no Senator ready to speak upon the pending bill I should be glad to call up the war-revenue repeal bill and have it read. If we dispose of both measures to-day the Senate could readily adjourn over until Monday. However, I do not want to interfere with the discussion of this bill.

Mr. HOAR. I have no objection at all, if no one is ready to speak, to laying the bill aside temporarily for a while in order that the Senator from Rhode Island may call up the bill which he has in charge. Of course, if any Senator is ready to speak on the bill before the Senate, I shall want to have it proceeded with.

Mr. ALDRICH. I am quite willing to have it understood that as soon as anyone desires to proceed with the discussion of the bill for the protection of the President it shall be taken up.

Mr. PATTERSON. How long will the reading of the revenue repeal bill occupy?

Mr. ALDRICH. Very few minutes.

The PRESIDENT pro tempore. The Senator from Rhode Island asks that the Senate proceed to the consideration of the bill (H. R. 10530) to repeal war-revenue taxation, and for other purposes. If there be no objection——

Mr. HOAR. The pending bill is laid aside informally, not displaced?

Mr. ALDRICH. Informally.

The PRESIDENT pro tempore. The Chair understands that the Senator from Massachusetts can move to take it up at any moment he pleases in the morning hour, and it would come up as unfinished business afterwards.

Mr. HOAR. I understand that the bill has been taken up.

The PRESIDENT pro tempore. It has been.

Mr. HOAR. So it will not require a new vote. The Senator from Rhode Island asked that it might be laid aside informally with the statement that at any time if any Senator desired to proceed he would consent. I want to have it stand in that way, if the Chair has no objection.

The PRESIDENT pro tempore. The bill will be temporarily laid aside and the revenue-repeal bill taken up by the Senate.

REPEAL OF WAR-REVENUE TAXATION.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10530) to repeal war-revenue taxation, and for other purposes, which had been reported from the Committee on Finance with amendments.

Mr. ALDRICH. I ask that the committee amendments be considered and acted upon as the reading proceeds.

The PRESIDENT pro tempore. The Senator from Rhode Island asks unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the amendments of the committee shall first receive the consideration of the Senate. Is there objection? The Chair hears none, and it is so ordered. The bill will be read.

The Secretary proceeded to read the bill. The first amendment of the Committee on Finance was, in section 1, page 2, line 2, after the word "tax," to strike out the words "of one dollar and sixty cents;" in line 3, after "imposed," to strike out "thereon" and insert "by law," and in line 6, after the word "barrel," to insert "as authorized and defined by section 3339 of the Revised Statutes of the United States;" so as to read:

That there shall be paid on all beer, lager beer, ale, porter, and other similar fermented liquor, brewed or manufactured and sold, or stored in warehouse, or removed for consumption or sale within the United States, by whatever name such liquors may be called, in lieu of the tax now imposed by law, a tax of $1 for every barrel containing not more than 31 gallons; and at a like rate for any other quantity or for any fractional part of a barrel, as authorized and defined by section 3339 of the Revised Statutes of the United States.

The amendment was agreed to.

The next amendment was, in section 3, page 2, line 22, after the word "law," to strike out "of 12 cents per pound;" so as to read:

That upon tobacco and snuff manufactured and sold, or removed for consumption or use, there shall be levied and collected, in lieu of the tax now imposed by law, the following taxes.

The amendment was agreed to.

The next amendment was, in section 3, page 4, line 3, after the word "tobacco," to insert "and snuff;" so as to read:

That in addition to the packages of smoking tobacco and snuff now authorized by law there shall be packages of 1½ ounces, 2 ounces, 2½ ounces, 3 ounces, 3½ ounces, and 4 ounces; and there may be a package containing 1 ounce of smoking tobacco.

The amendment was agreed to.

The next amendment was, in section 3, page 4, to strike out all after line 7 to the end of the section in the following words:

And provided further, That on all original and unbroken factory packages of smoking and manufactured tobacco and snuff held by manufacturers or dealers at the time such reduction of tax shall go into effect, upon which the tax has been paid, there shall be allowed a drawback or rebate of the full amount of such reduction of tax, but the same shall not apply in any case where the claim has not been presented within sixty days following the date of the reduction; and no claim shall be allowed or drawback paid for a less amount than $10. It shall be the duty of the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to adopt such rules and regulations and to prescribe and furnish such blanks and forms as may be necessary to carry this section into effect.

And the Commissioner of Internal Revenue is authorized to employ ten agents, to be known and designated as internal-revenue agents, in addition to the number now authorized in section 3152 of the Revised Statutes as amended, and the existing provisions of law in all other respects shall apply to the duties, compensation, and expenses of such agents.

And in lieu thereof to insert:

SEC. 4. That on all original and unbroken factory packages of smoking and manufactured tobacco and snuff held by manufacturers or dealers on July 1, 1902, upon which there has been paid a higher tax than that provided for in the preceding section of this act, there shall be allowed a drawback or rebate equal to the full amount of the difference between such higher tax and the tax imposed by this act, after making the proper allowance for discounts and rebates heretofore authorized, but the same shall not apply in any case where the claim has not been presented within sixty days after July 1, 1902; and no claim shall be allowed or drawback paid for a less amount than $10. It shall be the duty of the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to adopt such rules and regulations and to precribe and furnish such blanks and forms as may be necessary to carry this section into effect.

The amendment was agreed to.

The next amendment was, in section 6 (7), page 6, line 14, after "That," to insert "section 4 of said act of March 2, 1901, and," and in line 21, after the word "repealed," to insert "except paragraph 3 of Schedule A of said act of March 2, 1901;" so as to make the the section read:

SEC. 6 (7). That section 4 of said act of March 2, 1901, and sections 6, 12, 18, 20, 21, 22, 23, 24, 25, Schedule A, Schedule B, section 27, 28, and 29 of the act of June 13, 1898, and all amendments of said sections and schedules be, and the same are hereby, repealed, except paragraph 3 of Schedule A of said act of March 2, 1901.

The amendment was agreed to.

The next amendment was to strike out section 7, in the following words:

SEC. 7. That section 30 of said act of June 13, 1898, and amendments thereof, be amended to read as follows:

"SEC. 30. That the tax or duty imposed by section 29 of the act of June 13, 1898, above referred to, shall be due and payable in one year after the death of the testator and shall be a lien and charge upon the property of every person who may die before this act shall take effect for twenty years or until the

same shall within that period be fully paid to and discharged by the United States; and every executor, administrator, or trustee having in charge or trust any legacy or distributive share, as aforesaid, shall give notice thereof in writing to the collector or deputy collector of the district where the deceased grantor or bargainer last resided within thirty days after he shall have taken charge of such trust, and every executor, administrator, or trustee, before payment and distribution to the legatees, or any parties entitled to beneficial interest therein, shall pay to the collector or deputy collector of the district of which the deceased person was a resident, or in which the property was located in case of nonresidents, the amount of the duty or tax assessed upon such legacy or distributive share, and shall also make and render to the said collector or deputy collector a schedule, list, or statement, in duplicate, of the amount of such legacy or distributive share, together with the amount of duty which has accrued, verified by his oath or affirmation, to be administered and certified thereon by some magistrate or officer having lawful power to administer such oaths, in such form and manner as may be prescribed by the Commissioner of Internal Revenue, which schedule, list, or statement shall contain the names of each and every person entitled to any beneficial interest therein, together with the clear value of such interest, the duplicate of which schedule, list, or statement shall be by him immediately delivered, and the tax thereon paid to such collector; and upon such payment and delivery of such schedule, list, or statement said collector or deputy collector shall grant to such person paying such duty or tax a receipt or receipts for the same in duplicate, which shall be prepared as hereinafter provided.

"Such receipt or receipts, duly signed and delivered by such collector or deputy collector, shall be sufficient evidence to entitle such executor, administrator, or trustee to be credited and allowed such payment by every tribunal which, by the laws of any State or Territory, is, or may be, empowered to decide upon and settle the accounts of executors and administrators. And in case such executor, administrator, or trustee shall refuse or neglect to pay the aforesaid duty or tax to the collector or deputy collector, as aforesaid, within the time hereinbefore provided, or shall neglect or refuse to deliver to said collector or deputy collector the duplicate of the schedule, list, or statement of such legacies, property, or personal estate, under oath, as aforesaid, or shall neglect or refuse to deliver the schedule, list, or statement of such legacies, property, or personal estate, under oath, as aforesaid, or shall deliver to said collector or deputy collector a false schedule or statement of such legacies, property, or personal estate, or give the names or relationship of the persons entitled to beneficial interests therein untruly, or shall not truly and correctly set forth and state therein the clear value of such beneficial interests, or where no administration upon such property or personal estate shall have been granted or allowed under existing laws, the collector or deputy collector shall make out such lists and valuation as in other cases of neglect or refusal, and shall assess the duty thereon; and the collector shall commence appropriate proceedings before any court of the United States, in the name of the United States, against such person or persons as may have the actual or constructive custody or possession of such property or personal estate, or any part thereof, and shall subject such property or personal estate, or any portion of the same, to be sold upon the judgment or decree of such court, and from the proceeds of such sale the amount of such tax or duty, together with all costs and expenses of every description to be allowed by such court, shall be first paid, and the balance, if any, deposited according to the order of such court, to be paid under its direction to such person or persons as shall establish title to the same.

"The deed or deeds, or any proper conveyance of such property or personal estate, or any portion thereof, so sold under such judgment or decree, executed by the officer lawfully charged with carrying the same into effect, shall vest in the purchaser thereof all the title of the delinquent to the property or personal estate sold under and by virtue of such judgment or decree, and shall release every other portion of such property or personal estate from the lien or charge thereon created by this act. And every person or persons who shall have in his possession, charge, or custody any record, file, or paper containing, or supposed to contain, any information concerning such property or personal estate, as aforesaid, passing from any person who may die, as aforesaid, shall exhibit the same at the request of the collector or deputy collector of the district, and to any law officer of the United States in the performance of his duty under this act, his deputy or agent, who may desire to examine the same. And if any such person, having in his possession, charge, or custody any such records, files, or papers, shall refuse or neglect to exhibit the same on request, as aforesaid, he shall forfeit and pay the sum of $500: *Provided*, That in all legal controversies where such deed or title shall be the subject of judicial investigation the recital in such deed shall be prima facie evidence of its truth, and that the requirements of the law had been complied with by the officers of the Government: *And provided further*, That in case of willful neglect, refusal, or false statement by such executor, administrator, or trustee, as aforesaid, he shall be liable to a penalty of not exceeding $1,000, to be recovered with costs of suit. Any tax paid under the provisions of sections 29 and 30 shall be deducted from the particular legacy or distributive share on account of which the same is charged."

And to insert in lieu thereof the following:

SEC. 8. That all taxes or duties imposed by section 29 of the act of June 13, 1898, and amendments thereof, prior to the taking effect of this act, shall be subject, as to lien, charge, collection, and otherwise, to the provisions of section 30 of said act of June 13, 1898, and amendments thereof, which are hereby continued in force, as follows:

"SEC. 30. That the tax or duty aforesaid shall be due and payable in one year after the death of the testator and shall be a lien and charge upon the property of every person who may die as aforesaid for twenty years, or until the same shall, within that period, be fully paid to and discharged by the United States; and every executor, administrator, or trustee having in charge or trust any legacy or distributive share, as aforesaid, shall give notice thereof, in writing, to the collector or deputy collector of the district where the deceased grantor or bargainer last resided within thirty days after he shall have taken charge of such trust, and every executor, administrator, or trustee, before payment and distribution to the legatees, or any parties entitled to beneficial interest therein, shall pay to the collector or deputy collector of the district of which the deceased person was a resident, or in which the property was located in case of nonresidents, the amount of the duty or tax assessed upon such legacy or distributive share, and shall also make and render to the said collector or deputy collector a schedule, list, or statement, in duplicate, of the amount of such legacy or distributive share, together with the amount of duty which has accrued, or shall accrue, thereon, verified by his oath or affirmation, to be administered and certified thereon by some magistrate or officer having lawful power to administer such oaths, in such form and manner as may be prescribed by the Commissioner of Internal Revenue, which schedule, list, or statement shall contain the names of each and every person entitled to any beneficial interest therein, together with the clear value of such interest, the duplicate of which schedule, list, or statement shall be by him immediately delivered, and the tax thereon paid to such collector; and upon such payment and delivery of such schedule, list, or statement said collector or deputy collector shall grant to such person paying such duty or tax a receipt or receipts for the same in duplicate, which shall be prepared as hereinafter provided.

"Such receipt or receipts, duly signed and delivered by such collector or deputy collector, shall be sufficient evidence to entitle such executor, administrator, or trustee to be credited and allowed such payment by every tribunal which, by the laws of any State or Territory, is, or may be, empowered to decide upon and settle the accounts of executors and administrators. And in case such executor, administrator, or trustee shall refuse or neglect to pay the aforesaid duty or tax to the collector or deputy collector, as aforesaid, within the time hereinbefore provided, or shall neglect or refuse to deliver to said collector or deputy collector the duplicate of the schedule, list, or statement of such legacies, property, or personal estate, under oath, as aforesaid, or shall neglect or refuse to deliver the schedule, list, or statement of such legacies, property, or personal estate, under oath, as aforesaid, or shall deliver to said collector or deputy collector a false schedule or statement of such legacies, property, or personal estate, or give the names and relationship of the persons entitled to beneficial interests therein untruly, or shall not truly and correctly set forth and state therein the clear value of such beneficial interest, or where no administration upon such property or personal estate shall have been granted or allowed under existing laws, the collector or deputy collector shall make out such lists and valuation as in other cases of neglect or refusal, and shall assess the duty thereon; and the collector shall commence appropriate proceedings before any court of the United States, in the name of the United States, against such person or persons as may have the actual or constructive custody or possession of such property or personal estate, or any part thereof, and shall subject such property or personal estate, or any portion of the same, to be sold upon the judgment or decree of such court, and from the proceeds of such sale the amount of such tax or duty, together with all costs and expenses of every description to be allowed by such court, shall be first paid, and the balance, if any, deposited according to the order of such court, to be paid under its direction to such person or persons as shall establish title to the same.

"The deed or deeds, or any proper conveyance of such property or personal estate, or any portion thereof, so sold under such judgment or decree, executed by the officer lawfully charged with carrying the same into effect, shall vest in the purchaser thereof all the title of the delinquent to the property or personal estate sold under and by virtue of such judgment or decree, and shall release every other portion of such property or personal estate from the lien or charge thereon created by this act. And every person or persons who shall have in his possession, charge, or custody any record, file, or paper containing, or supposed to contain, any information concerning such property or personal estate, as aforesaid, passing from any person who may die, as aforesaid, shall exhibit the same at the request of the collector or deputy collector of the district, and to any law officer of the United States, in the performance of his duty under this act, his deputy or agent, who may desire to examine the same. And if any such person, having in his possession, charge, or custody any such records, files, or papers, shall refuse or neglect to exhibit the same on request, as aforesaid, he shall forfeit and pay the sum of $500: *Provided*, That in all legal controversies where such deed or title shall be the subject of judicial investigation, the recital in said deed shall be prima facie evidence of its truth, and that the requirements of the law had been complied with by the officers of the Government: *And provided further*, That in case of willful neglect, refusal, or false statement by such executor, administrator, or trustee, as aforesaid, he shall be liable to a penalty of not exceeding $1,000, to be recovered with costs of suit. Any tax paid under the provisions of sections 29 and 30 shall be deducted from the particular legacy or distributive share on account of which the same is charged."

The amendment was agreed to.

The next amendment was, in section 10 (11), page 16, line 19, after the words "provided for," to insert "in the preceding section;" so as to make the section read:

SEC. 10 (11). That this act, except as otherwise specially provided for in the preceding section, shall take effect July 1, 1902.

The amendment was agreed to.

The next amendment was to add the following as an additional section to the bill:

SEC. 12. That the repeal of existing laws or modifications thereof embraced in this act shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before the said repeal or modifications; but all rights and liabilities under said laws shall continue and may be enforced in the same manner as if said repeal or modifications had not been made. Any offenses committed and all penalties or forfeitures or liabilities incurred prior to the passage of this act under any statute embraced in or changed, modified, or repealed by this act may be prosecuted or punished in the same manner and with the same effect as if this act had not been passed.

The amendment was agreed to.

The PRESIDENT pro tempore. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

Mr. HOAR. Mr. President, I had desired to move an amendment to this bill, but I doubt whether I ought to do it unless it have the approbation of the committee. I will state, therefore, what I had in mind, and ask the Senator from Rhode Island whether, in his judgment, such an amendment would be in place here.

It is very well known, Mr. President, that the law for raising the revenue for war purposes imposed a tax on legacies or devises to charitable institutions, including institutions of education, libraries, and similar institutions. The effect of that was that if anybody desired to give a sum of money to lighten the burdens of Government by accomplishing so far from private sources what the Government must do if individuals did not, he could only do it at the cost of paying 10 per cent for other Government purposes.

In other words, the law as enacted taxed any individual if he wished to give his estate to the public. That, I think, struck the country as very unreasonable and unjust, and it was repealed by the law of last winter so far that it was enacted that the tax should not be imposed in future, and also that any tax which had been assessed but not paid should not be collected.

The effect of that was to leave in the Treasury moneys that had

been paid by persons who had been diligent and prompt in obeying the law as it then stood by paying devises or legacies to institutions of learning and put a reward upon a delay. I was entirely in favor of that provision; it was absolutely right as far as it went; but it seemed to me then and seems to me now that we ought to refund to the institutions concerned—of course it all goes to public objects—the taxes that have been so promptly paid.

I desire to ask the Senator from Rhode Island if in his opinion such an amendment would find an appropriate place in this bill. Of course I do not undertake to commit the chairman or his committee in regard to the policy one way or the other, but I simply wish to learn whether it would be in accordance with his desire to have that amendment proposed now. I shall not propose it if the committee think it out of place here.

Mr. ALDRICH. Mr. President, without entering upon a discussion of the question as to what should be done in the case the Senator from Massachusetts has cited, it seems to me that it must be apparent to all the Senate that such an amendment would be manifestly out of place upon this bill. This is simply a bill for the repeal of war-revenue taxation, and it contains no other provisions of any kind. So I feel bound by the unanimous expression of the committee to resist all amendments of every nature.

Mr. HOAR. Under those circumstances, Mr. President, of course I shall not propose the amendment now.

Mr. PATTERSON. Mr. President, I should like to be heard upon the bill providing for the protection of the President, unless it is the intention to pass the pending bill now. I have no desire to interfere with the Senator from Rhode Island, if such is the intention.

Mr. ALDRICH. I ask the Senator from Colorado to allow this bill to proceed to the stage of final passage, and then I promised the Senator from South Carolina [Mr. TILLMAN], who wants to be heard upon a certain feature of the bill, that he should have the opportunity to do so.

Mr. CLAY. I wish to ask the Senator from Rhode Island a question. As I understand it, this bill repeals all war-revenue taxes imposed by the law passed in 1898.

Mr. ALDRICH. All of them.

Mr. CLAY. Except as to bucket shops?

Mr. ALDRICH. That tax was imposed in 1901.

Mr. CLAY. I think the Senator from Rhode Island is correct as to that.

Mr. ALDRICH. It repeals absolutely all the war-revenue taxes imposed in 1898. It retains only the tax upon bucket shops, which was imposed in 1901.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

Mr. BACON. I desire to make an inquiry of the Senator from Rhode Island. I have not had time to read the bill; it is quite a long one; and I wish to ask whether there is any particular provision in the bill as to the time the repeal of these taxes is to take effect?

Mr. ALDRICH. The act is to take effect upon the 1st of July, 1902, as to everything except the repeal of the duty on tea. The repeal as to that takes effect on the 1st of January, 1903.

Mr. BACON. That is the only exception?

Mr. ALDRICH. That is the only exception. As to the repeal of all the other taxes, the act takes effect on the 1st of July next.

The PRESIDENT pro tempore. Shall the amendments be engrossed and the bill read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDENT pro tempore. The question now is, Shall the bill pass?

Mr. ELKINS. I ask the Senator from Rhode Island if this bill has been unanimously reported from the Committee on Finance?

Mr. ALDRICH. It is a unanimous report of that committee.

I ask now that the vote upon the final passage of the bill be deferred until after the vote upon the anarchy bill, so called, so as to enable the Senator from South Carolina [Mr. TILLMAN] to make some remarks on the bill.

The PRESIDENT pro tempore. The Chair hears no objection, and it is so ordered.

PROTECTION OF THE PRESIDENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3653) for the protection of the President of the United States, and for other purposes.

Mr. PATTERSON. Mr. President, owing to the peculiar nature of the bill under consideration and the interest the people generally take in it, I think that if the bill as it shall finally be put to a vote does not meet the views of Senators so that they may vote for it, every Senator so circumstanced should state as clearly as he can the objections he has to it, which prevent him from giving the bill his support.

With the main objects of the bill I am in entire accord. I want to see a law upon the statute books that will provide that one who kills the President or the Vice-President of the United States shall be indicted and tried in the Federal courts—not that I have fear of any miscarriage of justice in the State courts and under State laws, but for the sole reason that in quite a number of the States the death penalty is not imposed for murder, and I think it would be a calamity to have such a man as the murderer of the late President sentenced simply to imprisonment for life. He would always be in the public eye; he would always prove an incentive to those who are in sympathy with him to extol him as a martyr; the press would seek him and would be filled from time to time with descriptions of the man, his doings, his habits, and his words.

Such a result as that would, in my opinion, tend very greatly to incite weak-minded and vain men to crimes of a similar character. When the bill accomplishes that end, when it provides for the trial of one who murders the President or the Vice-President in the Federal courts, then I think the true purpose of legislation of this kind will have been accomplished.

I do not desire to dwell upon mere generalizations. I desire to recur to the features of the bill which I can not support and which I know a number of other Senators can not support. In the first section the language is:

> Shall * * * willfully and maliciously kill or cause the death of the President.

There has been much controversy between Senators as to the effect of language of that kind—"maliciously kill or cause the death"—some Senators contending that that is a description of murder at common law; others that it is not a description of murder at common law, and therefore confusion would be transmitted to the courts through such a law when a person charged with the offense should come to trial.

It seems to me that if there is language about which there is no controversy, and which has been used time and again by Congress in denouncing the unlawful and felonious killing of individuals within territory that is under the jurisdiction of the United States, that language should be employed, and thus remove all controversy over the meaning of words.

Mr. HOAR. Mr. President, may I interrupt the Senator for a moment? Perhaps it may save him some little debate.

Mr. PATTERSON. I yield to the Senator.

Mr. HOAR. I am perfectly willing, speaking for one—and I think there will be no objection anywhere—if it will remove such doubt as the Senator suggests, to have the word "murder" used in this bill, and then to add to it something which has been furnished me, which I believe is in the handwriting of the Senator himself and drawn by him.

Mr. PATTERSON. Yes; most of it.

Mr. HOAR. I have added a sentence or two, to which I think the Senator will not object. The purpose of the amendment is to add these words:

> And any person indicted under the provisions of this section may be convicted of manslaughter, or of assault with intent to kill, if the facts, in the opinion of the jury, do not warrant such conviction and do not warrant a conviction for murder. And any person found guilty of manslaughter or such assault hereunder shall be imprisoned not more than twenty years.

That is the Senator's precise language, except that I have added "or of assault with intent to kill," to cover the case of manslaughter, which is, I believe, in all the State laws, so far as I know. In all the States an indictment for murder will warrant a conviction of manslaughter or of assault with intent to kill.

I beg the Senator's pardon for the interruption. If the insertion of that amendment will remove the Senator's objection, I shall be glad to agree to it.

Mr. PATTERSON. Mr. President, that language removes my objection to that part of section 1. The use of the term "murder" instead of "maliciously kill or cause the death of" makes it perfectly clear, and on the trial of a person accused of this offense the courts would have the volumes of judicial decisions with which to safely guide the jury in determining the guilt or innocence of the accused.

As to the number of persons included in section 1, I agree with the Senator from North Dakota [Mr. MCCUMBER] and with several Senators upon this side that it is wholly unnecessary to include within the purpose of this measure others than the President and he who is next in succession to him as President of the United States.

The provisions of the bill that I am particularly opposed to are those which declare that advising or counseling or threatening the death of the President or Vice-President is a crime to be punished by imprisonment for a long term of years. My objection to those provisions are fundamental. I say, without fear of successful contradiction, that the Congress of the United States has never declared that the mere advising or counseling of any crime is a crime, and no State legislature has ever declared that the counseling or advising or any unlawful act is a crime.

That I may not labor under a misapprehension, I would ask the Senator from Massachusetts whether or not the following is the purpose of the provisions to which I refer, namely, that if one shall advise or counsel the murder of the President or Vice-President, whether that advice or counsel be acted upon or not, nevertheless, so advising is a crime to be punished by imprisonment?

Mr. HOAR. Mr. President, I can only answer for myself. Speaking for myself, I think ordinarily that is a greater crime than that of the actual doer of the deed; that the crime is complete, and should be deemed complete when the wicked advice is given, and that it should be punished.

Mr. PATTERSON. Mr. President, if one aids or abets a crime, if one advises or counsels a crime, and the crime is committed, he is then punishable without language of this kind. If the President of the United States should be killed and it could be established that any person had advised or counseled that killing, or had aided or abetted that killing, he would be equally guilty with the principal as an accessory before the fact. Therefore, I think I was not mistaken when I concluded that the object of this provision was to make counseling or advising this offense a crime, although the thing that was advised or counseled was never committed, and no attempt was made to commit it.

I say again that no act of Congress can be found, and no act of a State legislature can be found, which has declared to be criminal the simple advising or counseling of a criminal act if no step is taken thereafter toward carrying into effect the counsel or the advice.

As I suggested, if one aids or abets or if one counsels or advises, and the evil act is done as a result of that aid or abetting or counseling or advising, then he who counsels or advises is punishable as an accessory before the fact.

I want to call the attention of the Senate to what one of the most eminent writers upon criminal law has said upon provisions of this character. I am not only sustained in my position by the absence of legislation of this character, but by the deliberate judgment, expressed in strong language, by the best writers upon criminal law that the jurisprudence of our country has produced; and I take it that, unless there is some unusual and extraordinary reason, the experiences of the past and the deliberate judgment of those who have devoted a lifetime to controversies of this nature should be a strong and sure guide to any legislative body. I call the attention of the Senate to what Mr. Wharton, in his first volume on Criminal Law, says upon questions of this kind:

> Mere words, unless they are libelous, seditious, obscene, or provocative of breaches of the public peace, are not the subject of penal judicial action. Even when they express illegal purposes they are often merely speculative; are uttered often by weak men as braggadocio, and always belong to a domain which criminal courts can not invade without peril to individual freedom and to the just and liberal progress of society.

Turning to another section, I find the subject treated upon more at large. I read from section 179 of the same volume:

> But is a solicitation indictable when it is not either (1) a substantive indictable offense, as in the instances just named, or (2) a stage toward an independent consummated offense? And the better opinion is that, where the solicitation is not in itself a substantive offense, or where there has been no progress made toward the consummation of the independent offense attempted, the question whether the solicitation is by itself the subject of penal prosecution must be answered in the negative.
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> For we would be forced to admit, if we hold that solicitations to criminality are generally indictable, that the propagandists, even in conversation, of agrarian or communistic theories are liable to criminal prosecution; and hence the necessary freedom of speech and of the press would be greatly infringed. It would be hard also, we must agree, if we maintain such general responsibility, to defend, in prosecution for soliciting crime, the publishers of Byron's Don Juan, of Rousseau's Emile, or of Goethe's Elective Affinities. Lord Chesterfield, in his letters to his son, directly advises the latter to form illicit connections with married women; Lord Chesterfield, on the reasoning here contested, would be indictable for solicitation to adultery.
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> Undoubtedly, when such solicitations are so publicly and indecently made as to produce public scandal they are indictable as nuisances or as libels. But to make bare solicitations or allurements indictable as attempts not only unduly and seriously extends the scope of penal adjudication, but forces on the courts psychological questions which they are incompetent to decide, and a branch of business which would make them despots of every intellect in the land. What human judge can determine that there is such a necessary connection between one man's advice and another man's actions as to make the former the cause of the latter? An attempt, as has been stated, is such an intentional preliminary guilty act as will apparently result, in the usual course of natural events, if not hindered by extraneous causes, in the commission of a deliberate crime. But this can not be affirmed of advice given to another, which advice such other person is at full liberty to accept or reject.

It seems to me that that language might well have been prepared with special reference to the sections of the bill now under discussion. Let me see, Mr. President, whether the language here used comes within the description of this eminent law writer. Section 3 begins:

> That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, aid, abet, advise, or counsel the killing of the President or Vice-President of the United States—

I meet a friend. He may be the most loyal man within the limits of the country; he may be the devoted admirer of the one who, for the time being, is the occupant of the White House. My suggestion to him would no more have effect upon his mind than would the falling of the dew upon the back of an elephant; yet if I say to him, Smith or Jones, "I think you should kill the President of the United States," under this bill I am indictable for a heinous crime, and must be punished by a long imprisonment in the penitentiary.

The law does not intend, Mr. President, to punish anything but that which is an unlawful act or the equivalent of an unlawful act. The nearest we approach to a departure from that is in the crime of conspiracy; and even in defining that crime, where there is more than advice, where there is more than suggestion, where the minds of two men meet upon a proposition to commit an unlawful act—it may be to murder the President of the United States—under the law of conspiracy, as it is found in the statute books of Congress to-day, no offense has been committed. Conspiracy is thus defined in section 5440 of the Revised Statutes:

> SEC. 5440. If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, all the parties to such conspiracy shall be liable to a penalty of not less than $1,000 and not more than $10,000, and to imprisonment not more than two years.

There must not only be a meeting of the minds, the agreement of the parties, but the conspiracy to do the particular crime; but before an offense is committed, even where the conspiracy exists, one of the parties to the conspiracy must commit some overt act, do some act in the way of the complete fruition of the plans they had adopted.

But, Mr. President, this is not even to be a conspiracy. There is to be no act to follow. The crime is complete when one may advise or counsel another to commit the offense mentioned, although, as suggested a short time ago, there never was the slightest probability that he who was advised would commit it or that he would even attempt to commit it.

Mr. President, I take it that if this bill is placed upon the statute books it will not have a tendency to suppress anarchy or anarchists. Either this bill is aimed at the anarchist, or it is aimed at nobody, or it is aimed at everybody. Anarchists are usually very careful and very prudent in formulating their conspiracies. If you can prove the conspiracy, and any overt act has been committed to forward its purpose, then the conspirators are indictable and triable. But the number of anarchists in this country, thank God, is small, while our population numbers seventy or eighty millions of souls.

But such a thing as this is entirely possible. In the heat of a political campaign some man with an ill-regulated temper, who is given to the use of abusive language upon slight pretext, in the heat of debate, or in the privacy of conversation, may be induced to utter an expression indicative of a desire that the President or Vice-President should be murdered. Whoever hears a suggestion of that kind may proceed, under this bill, to a district attorney and induce an indictment, and, if it can be established that he uttered the words, though without any evil intent, the words themselves will be taken by the court to indicate the purpose charged in the statute, and he must be consigned to prison for many years.

But that is not all, Mr. President. In times of great political excitement men, apparently without cause, become easily incensed sometimes against those who have been their friends, or against political enemies. They may decide to furnish a terrible example, or to make political capital, or to secure some salve to private malice, and without language to justify it, may proceed to the district attorney and charge the object of his malice with having uttered threats against the life of the President, or with advising some one to compass his death. What is there for the district attorney to do but to bring the matter before a grand jury, to secure an indictment, and to put the accused upon his trial?

There need be no act proven; no act toward the commission of the thing threatened or advised. It remains a mere question of dependence upon the memory of the one who may make the accusation or the malevolence that may actuate one to the extent of inventing a charge against the person he is aiming at.

Mr. President, instead of suppressing anarchy, every provision such as this creates anarchy. Such provisions are calculated to create a reign of terror. They place the good name and the liberty of any good citizen at the will of any evil-minded and evil-disposed person. Those who have been engaged in the practice of the law know that the easiest method of establishing a false claim is by proof of alleged statements by a defendant. This is the most difficult kind of testimony to overcome, however false the statements may be.

I have had cases where a number of evilly disposed persons have combined to overwhelm a client by a proof of declarations. A half a dozen would testify to a declaration at one time, and another, another, and another, and all that could be interposed against this accumulation of alleged declarations was the simple denial of the accused himself.

There is not nearly so much probability of convicting an innocent person of a conspiracy where something more than proof of mere statements or declarations is required. If, in addition, there must be an act done, then there is a combination of difficulties in the way of one who seeks to convict one of such a crime. But where one may be indicted and tried for an offense that consists wholly of words spoken, you have opened the door to persecutions that will come nearer creating anarchy than any body of anarchists can create.

We can not expect to overcome every evil that exists in the country. We can not bridle men's tongues so that the words they utter will be measured by our ideas of propriety. We can not erect a standard of moral conduct and force every other citizen to reach that standard or suffer some legal penalty. We must submit to evil. We must realize that we are in the midst of evils, but to evade them we must not fly to evils that are of far greater moment. It is far better that some ill-bridled tongue in some village community or in some populous city be permitted to say that in his judgment the President of the United States should die, or to advise some friend of his to kill him, than to open the door to a pandora box of evils which, in my judgment, will force the American people before a law of this kind is long upon the statute books to demand its repeal.

I have an idea that it may be a century before another President will be assassinated. It may be years and years and years before anybody will conspire to make away with another President of the United States. But it is likely to be next year or the year following or the year following that, with this law upon the statute books, that some individual, to gain political advantage, to overcome the influence of some political enemy, or to wreak some private revenge, will appear before the United States attorney to charge someone with having advised or counseled the killing of a President. We are liable, from the time a law of this kind is placed on the statute books, to hear of charges of crimes of this character, when without it the probabilities are we would live generations without the press of the country being called upon to give currency to any such charge.

It is for these reasons that I can not give my support to the provisions found in sections 3 and 5 of this measure.

Let me now call attention to section 5. It is as follows:

That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, by spoken words, or by written or printed words, uttered or published, threaten to kill, or advise or counsel another to kill the President or Vice-President of the United States, etc.

I can imagine, Mr. President, unless by the mere fact of some one becoming President he is stripped of all the weaknesses to which human flesh is heir, that some man, with ample grounds for anger against the President of the United States, may threaten in his own home or in his village or city to kill the President. There may be this mere declaration in a moment of anger, incited by a sense of injury suffered, but with no finger raised to carry the threat into effect, and yet under the provisions of this bill he is liable to indictment and to a long term of imprisonment for the words. "Threatening" is even worse, so far as the abuses that may follow are concerned, than are the words "counsel or advise."

What is the definition of the "advise" or "counsel," taken from the Standard Dictionary? Let us see. "Advise; to offer an opinion to, by way of counsel." If one offers an opinion by way of counsel to anybody that the President should be killed, he has committed a crime. Another definition: "Give suggestions or advice to concerning a course or act."

All that one has to do is to reflect, not alone upon the possibilities of the abuse of such a statute, but the probabilities of its abuse. These sections are denounced by every law writer. They are provisions that the sound judgment of every great judge has pronounced against, and that must convince every reflecting lawyer are liable to result in persecutions as groundless as they may be malevolent.

In the amendment I have prepared I have attempted to overcome these difficulties. I believe that he who murders the President or Vice-President should be hanged; that he who commits an assault with intent to murder the President or Vice-President should be punished commensurately with his crime; that he who enters into a conspiracy to murder the President or Vice-President should pay the just penalty, and that accessories before or after the fact should be treated as principals, and tried and convicted whether the principals have been tried or convicted or not, and also that those who are engaged in a conspiracy, each and all of them, should be tried and convicted, even though other members of the conspiracy may have escaped.

It seems to me that when provisions effectuating such results are placed upon the statute books, Congress has done all that it legitimately may do in a country where freedom of speech and the freedom of the press are among the most cherished rights secured to American citizens.

The first section of the measure I have prepared is as follows:

That any person who shall, within the limits of the United States, or any place subject to the jurisdiction thereof, murder the President or Vice-President of the United States, or the official next in succession to the President under the Constitution and laws of the United States, shall be punished with death; and an accessory before or after any such offense shall be deemed a principal and be punished with death; and any such accessory may be indicted, tried, and punished, although the other party or parties to such offense has not or have not been indicted or convicted.

Then upon the subject of manslaughter section 2 provides:

That any person who shall, within the limits of the United States, or any place subject to the jurisdiction thereof, kill any of the official persons mentioned in section 1 under such circumstances as to constitute the killing manslaughter, he shall be imprisoned not more than twenty years.

Upon the subject of assault or attempts to kill section 3 provides:

That any person who shall, within the limits of the United States, or any place subject to its jurisdiction, assault any of the official persons mentioned in section 1 with intent to murder the person so assaulted, he shall be punished with death, or, in the discretion of the court, with imprisonment during his natural life, or for a period not less than ten years.

It is accepted throughout Christendom that where a homicide by reason of the attendant circumstances does not amount to murder, but is only manslaughter, a less penalty than death should be inflicted within the discretion of the trial judge, and that is what is intended by the section I have read.

The next section relates to conspiracy. It reads:

SEC. 4. That any person who shall, within the limits of the United States, or any place subject to the jurisdiction thereof, conspire to murder either of the official persons mentioned in section 1 shall be punished by imprisonment not more than twenty years; and any person who has conspired as aforesaid may be indicted and convicted separately, although the other party or parties to the conspiracy have not been indicted or convicted.

And the other sections are those contained in the bill reported by the Senator from Massachusetts without change of any kind.

I do not believe, Mr. President, that there is any necessity now, or that there has ever been in this country, to resort to unusual and extraordinary measures to preserve the Government of the United States. A President may be assassinated, and all that it results in is the loss of the life of the man, and the sorrow and gloom which pervade the world by reason of his death; but so far as the Government is concerned, it is as safe an hour after the fatal shot as it was the hour before.

I venture the assertion that if the President, Vice-President, and every member of his Cabinet and every member of the Senate and the House of Representatives were in the twinkling of an eye stricken from off the face of the earth the Government of the United States would still live, unimpaired and unimperiled. So deep seated is the love of order in the American heart, so completely are the American people wedded to the institutions of the country, that with every official stricken down, naturally, instinctively, and without any undue disorder the people would assemble, and within a time which would seem magical all of the vacant positions would be filled and this Government would be moving on as though a finger had never been raised against it.

So all we are called upon to do is to provide an unerring punishment for those who may take the life of our President, or assault him with intent to do the deed, or who conspire for the purpose of depriving him of life. But in doing this we should not depart too far from the provisions that are made to restrain and punish other citizens of the country for like offenses against other people.

If we make this punishment uniform throughout the country, and unerring and certain, if it is provided beyond escape that such an offender shall be properly tried in a Federal court, and wherever the offense is proven that the penalty of death shall follow, and if we provide for the trial in a Federal court, with full and ample punishments, of conspiracies to effect such results, and all assaults with intent to commit such offenses, we have done all that the American Congress, representing the American people, are called upon to do, and that is all I am willing to do.

That the bill provides for the punishment by death of those who murder some other officials than the President or Vice-President does not present insuperable objections to me. The objections I can not surmount are those to which I have at length called attention. When we invent new offenses and punish men merely for words spoken—it may be in the privacy of their own homes, or in the field standing at the plow, or when holding the implements of their trade—we are striking a blow at good order, we are making sad inroads upon the right of free speech.

No man execrates more than I do he who even in the heat of temper advises the killing of any person, especially the President of the United States; but simply to prevent a thing of that kind I do not think it is at all necessary to place it in the power of the evil-minded to create hundreds of criminals where none would exist without the law.

These provisions will not reach the anarchists; they will not prevent their assembling, nor insure their punishment. They will

not prevent the devices of those who seek to overthrow all government.

Mr. RAWLINS. Before the Senator concludes I wish to ask him a question. I am in harmony with the provisions of the amendment proposed by the Senator. I wish to call attention to this point. Suppose there is an indictment under this bill against an individual for assault with intent to murder the President, and the evidence tends to disclose a case of assault with intent not to murder but to inflict bodily harm. The person could not be convicted or punished. The same suggestion would apply to assault and assault and battery on the President. It might be embraced in the higher charge, but there are no provisions for punishment either in the bill or in the proposed amendment.

Mr. PATTERSON. It seems to me that where the circumstances attending an assault are such as to indicate that the assault was not made with the purpose to take life, but simply to inflict a personal injury, then we may well leave the prosecution of any such offense to the local tribunals. I can well understand that a President or Vice-President may provoke an assault. He may give such provocation as that in anger one might strike at the President with a weapon that was not deadly in its nature and was not calculated to produce death, and from the very nature of the weapon used it would be perfectly clear that the assailant did not attempt death. Under such circumstances the laws of the different States are practically as one. Whether the offense would occur in the District of Columbia or in an adjoining State or in any State the law that punishes an assault and battery with intent to commit a great bodily injury would amply meet the occasion.

Mr. RAWLINS. The Senator has had much experience in the administration of criminal law. It has occurred to me that it would tend to the humane administration of the law to obviate the difficulty I suggest, because if a person should be indicted for an assault on the President with intent to commit murder and the evidence would only warrant a conviction of assault with intent to do bodily harm, and the jury were told they could not convict under that evidence for a lesser offense, the jury would be more inclined, rather than set the defendant free, to render a verdict for the higher offense, while if they were permitted to consider the different degrees all the way down we would be more likely to obtain exact justice.

There is another suggestion in that regard, that as the Federal courts take jurisdiction of the protection of the person of the President, it might for the time being, if not wholly, exclude the interference of the State or local authorities. For that reason it occurred to me that it might be wise to cover the whole category, from the lowest to the highest degree.

Mr. PATTERSON. I have not the slightest objection to giving the Federal courts jurisdiction of attempts at personal injury to the President or the Vice-President, which would in their attendant circumstances fall below the crime of manslaughter. The principle is precisely the same. Where you say that a Federal court, in the case of an injury to the President, may indict the offender for manslaughter, there is no reason why, if the offense does not amount to manslaughter, he should not be convicted of the intent to commit great personal injury.

So far as these matters are concerned, there is nothing vital in any of them. The vital objections to this bill are that it creates offenses simply out of words spoken without any result following, words which of themselves do not disturb the peace and words which of themselves do not constitute substantive crimes, such as the subornation of perjury, the interference by advice with the performance of the duties of a judicial officer.

Those are substantive offenses, because in every case there is something more than mere counsel or words; but the evil in this measure is that a Senator or a Representative or a citizen, however high or low, may be accused of having in the privacy of his own home counseled or advised the taking off of a President, and he may be punished by long imprisonment, although it was never possible that the person advised would do the act and that no attempt had been or would be made to commit it.

Mr. HOAR. Mr. President, may I ask the Senator a question?

Mr. PATTERSON. Certainly, with pleasure.

Mr. HOAR. I ask him whether he does distinguish in principle, and if so, how in principle, between the provisions of this bill and the United States statute reported in the penal code by the three commissioners, now on our table, and adopted from the New York penal code. I will read the sections:

SEC. 346. A person who instigates, aids, encourages, or does any act to further a pugilistic encounter within the meaning of the section last preceding, or sends or publishes a challenge or acceptance of a challenge for such an encounter, or carries or delivers such a challenge or acceptance, or trains or assists any person in training or preparing for such an encounter, is punishable by a fine not to exceed $500 or by imprisonment not to exceed one year, or both.

SEC. 347. Any words spoken or written, or any signs directed or made to any person, expressing or implying, or intended to express or imply, a desire, request, invitation, or demand to engage in any fight, such as is mentioned in the two sections last preceding, shall be deemed a challenge within the meaning of the section last preceding.

My question is whether, in his judgment, the Senator is quite warranted, with this lying on our tables, in saying that we have gone back to the dark ages with this legislation, and next, what I said before, if it be reasonable and proper to say that a person who instigates another man to fight, and by any words or acts encourages him to it, shall be punished, is it so absolutely horrible to punish a man who in that way tries to promote the murder of the President of the United States?

Mr. PATTERSON. Mr. President, the offenses that are referred to in the statute (and if I had the book I would perhaps answer it more intelligently) fall practically on the margin line between what are denominated substantive offenses and offenses that it may be attempted to create simply by advice or counsel. It is recognized by the books that the sending of a challenge is a breach of the peace. If A sends a challenge to B, or B accepts the challenge, then there is a breach of the peace so imminent that the law denounces it in many of the States; and that is recognized by the author from which I read as one of the substantive offenses which does not come within his denunciation.

Mr. HOAR. Mr. President, I ask for my information. I am sure there must be some answer to my question, which I do not at this moment, however, see. Does not the Senator consider the murder of the President to be a breach of the peace?

Mr. PATTERSON. Oh, certainly. The Senator from Massachusetts hardly felt that he was under a necessity to ask that question to get the answer.

Mr. HOAR. I did. I put it, if the Senator will pardon me, in all seriousness.

Mr. PATTERSON. Let me ask the Senator if to commit a robbery is a breach of the peace?

Mr. HOAR. Yes.

Mr. PATTERSON. Will any statute be found that makes it a crime to advise or suggest to somebody to go and commit a robbery?

Mr. HOAR. I should think very likely there would be. There ought to be.

Mr. PATTERSON. None can be found. There is a class of offenses, such as challenging to duel and prize-fight combats, where to bring the parties together would necessarily result in a breach of the peace. That legislatures have denounced and made criminal; but that is not in line with what is attempted in this bill. Here is an offense probably by but one individual. A says to B, "I advise you to go and commit that particular offense." It does not require anybody to cooperate with him to commit the act. In other words, if it is robbery, if it is larceny, if it is murder, if it is any cognate offense simply to advise or counsel its commission, if it is never committed or attempted it is not to be treated as a crime; and so says Mr. Wharton.

Mr. HOAR. Now, Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield?

Mr. PATTERSON. Certainly.

Mr. HOAR. I want to explain my difficulty, if the Senator will allow me.

Mr. PATTERSON. Certainly.

Mr. HOAR. I asked the Senator, who thought we had gone back to the Dark Ages for this proposal, why it was that it was so objectionable to provide that a man who should instigate or counsel another to murder the President should be punished, while at the same time we punish the man who instigates or counsels a person to send a challenge or accept one, or the person who instigates or counsels another to engage in a prize fight, without regard to the fact whether the advice is taken or the counsel is acted upon. To that the Senator answered that a prize fight is a breach of the peace, and that seemed to be his distinction, as far as I understood it. That is what puzzles me, because, in the first place, I do not understand why it is not a breach of the peace to murder the President, and, in the next place, I do not understand how, if both be a breach of the peace, it makes a difference in the principle.

Mr. PATTERSON. Let me call the attention of the Senator to Wharton on Criminal Law. I ask his attention to the cases by which the statements of the author are supported, and perhaps that will enable Senators to discriminate between offenses of that character, the fighting of duels, of fistic combats, where two or more are brought together for the purpose of engaging in a fight. Section 179 commences as follows:

Are solicitations to commit crime independently indictable?

The Senator will agree that that question is directly pertinent to the investigation we are now making.

Are solicitations to commit crime independently indictable?

But let me also suggest to the Senator that you may make this a crime. If this law is enacted you have made that which was never a crime before a crime. If some State legislatures have gone beyond the confines that have been marked out by courts

and legislatures in the past they do not necessarily stand as precedents for the present. But I want to meet the Senator upon the ground he himself has laid down.

Mr. HOAR. Perhaps before the Senator proceeds he will allow me to read one more provision from this penal code, which is copied from the statute of my own State.

Mr. PATTERSON. Certainly,

Mr. HOAR. It is as follows:

SEC. 262. Whoever willfully, in any manner, advises, encourages, abets, or assists another in taking the latter's life, is guilty of aiding suicide, and shall be imprisoned not less than seven years.

Mr. PATTERSON. I take it that wherever that law has been made applicable you will find that it has been made applicable to an accomplished offense; that is, where a prize fight has been fought, where one has committed suicide, and then by reason of aiding, abetting, or counseling, or advising one has become an accessory to it, he has been prosecuted and punished.

Now, let me, reading this author, show how the discriminations are made. The question is, I quote, "Are solicitations to commit crime independently indictable?" The Senator admits that all that this section denounces is a solicitation to commit crime.

I continue to read:

They certainly are, as has been seen, when they in themselves involve a breach of the public peace, as is the case with challenges to fight and seditious addresses. They are also indictable when their object is interference with public justice, as where a resistance to the execution of a judicial writ is counseled.

I found the case referred to to support that proposition. It was one in which an officer was about to execute the writ, and in the presence of the officer the person who was accused advised resistance, and resistance followed. I continue:

Or perjury is advised.

In that case the perjury had been committed. It is distinctly stated in the opinion which is the basis of this language, by the author, that conviction could not have followed, although he was indicted for subornation of perjury, unless the crime itself, the substantive crime of perjury, had been established.

Now, again:

Or the escape of a prisoner is encouraged.

That is where a prisoner was induced to escape from the custody of an officer and he actually made his escape, but was subsequently recaptured.

Or the corruption of a public officer.

This is where a person was indicted for bribing a public officer. He had induced him to violate his duty, and to do so had tendered him a bribe.

I continue to quote:

They are indictable, also, when they are in themselves offenses against public decency, as is the case with solicitations to commit sodomy, and they are indictable, also, when they constitute accessoryship before the fact.

Now, I call the attention of the Senator from Massachusetts to this language. After naming the very class of offenses to which the Senator from Massachusetts called my attention——

Mr. MITCHELL. May I ask the Senator from Colorado a question right at that point?

Mr. PATTERSON. Certainly.

Mr. MITCHELL. The statement which is made is that it was indictable as to the accessories before the fact.

Mr. PATTERSON. Yes, sir.

Mr. MITCHELL. Now, suppose a man advises another and that other man so advised kills the President.

Mr. PATTERSON. Then he is a principal.

Mr. MITCHELL. But is not this authority to the effect that in a case of that kind it can be made a substantive offense?

Mr. PATTERSON. As a matter of course. There is no question in the world about that.

Mr. MORGAN. May I interrupt the Senator?

Mr. PATTERSON. Certainly.

Mr. MORGAN. I want to offer an amendment, to come in at the close of any bill that may be prepared by a Senator on this side, which, I think, covers the ground which the two Senators now addressing each other have in mind. If the Senator will indulge me, I will read it.

Mr. PATTERSON. Certainly.

Mr. MORGAN. It is as follows:

The advocacy or encouragement of the assassination of an officer of the United States, or the executive head of a foreign government, that is evidenced by any act or declaration that is so intended is a crime against the United States, and is punishable by imprisonment at hard labor for a period not to exceed fifty years; and it shall not excuse the act or declaration that is made criminal by this act that it is not directed at any particular individual, but includes and is directed at any person who may hold such office.

I merely call attention to it that the Senator may know I shall offer this amendment, to come in at the end of the bill.

Mr. PATTERSON. I am glad the Senator from Oregon [Mr. MITCHELL] called my attention to the language I have quoted, because it will help clear up confusion that exists in the minds of some Senators at least. Where one advises another to commit an offense and the offense is committed, or counsels it and the offense is committed, or the attempt is made by virtue of the counsel to commit the offense, he may be an accessory before the fact, but the fact itself is the crime, and if there is no crime there can be no accessory to that crime.

The point that I am making against the measure is that if the Senator from Oregon should lose the placidity that is always with him, if perchance he should be so incensed at some President, whether of his own party or another, as to in the privacy of his own house suggest that he should be killed, he would be indictable, although he had no idea of committing the offense and although the person to whom he might make the suggestion never had any thought of committing it.

Mr. VEST. Mr. President, may I ask the Senator from Colorado a question for information?

Mr. PATTERSON. Certainly.

Mr. VEST. I have listened with very great interest to the Senator's argument and I am anxious to understand it fully. Suppose that one of the authors of this new cult of anarchy should, as the woman did whose name I forget——

Mr. HOAR and others. Miss Goldman.

Mr. VEST. Suppose Miss Goldman should advocate the killing of the President or any of the heads of the Government, and do it in a public address, and no one should act upon that advice, could Miss Goldman be punished under his argument?

Mr. PATTERSON. I think so.

Mr. VEST. What for?

Mr. PATTERSON. For the use of language calculated to disturb the peace. That would be a seditious utterance in public.

Mr. VEST. That is exactly the point.

Mr. PATTERSON. And the probable or the possible outcome is to incite the hearers of the individual to the commission of violence.

Mr. VEST. That is the very point to which I am coming. Then, if I understand the Senator from Colorado, if the bill were amended so as to use before the words "counsel and advise" the words "in any public address or publication," would it meet his objection?

Mr. PATTERSON. Then I could not, from the standpoint of usual and ordinary legislation for the preservation of the public peace, make any objection to it. The objections that I am now making would not go to an occasion of that kind. No injustice could then be done, Mr. President, for if A or B or C from the public rostrum advises a crowd to commit a crime, whether it is the assassination of a President or robbery or any felony, he is doing that which is calculated to disturb the public peace, and thereby he has committed a substantive offense that is indictable at the common law.

But what I object to is that under the provisions of this bill a man may in his own parlor, talking to a single individual, be guilty of this offense, although he never contemplated doing the act and it was impossible for the person he addressed to commit the act. If the results would be confined to actual cases of deliberate advice, although it would be in violation of well-settled principles of jurisprudence, having in mind our political institutions, there would not be so great an objection, because it might by some show of possibility be said that a man who advised the assassination of the President even in private should be punished for it.

But, Mr. President, I refer to the possibility of the evils that may flow from such a measure. A may appear before a district attorney and swear that B advised him to assassinate the President, and B may be indicted upon that single testimony, and he may be put upon his trial, and the only witness appearing against him be the person who made the charge. The charge may be as false as hell, and yet the person be convicted. It is against the possible and probable evils that bristle all over and all around this provision that I am raising my voice.

I want to reread for the benefit of the Senator from Massachusetts, who was not here, I think, when I first read it, this paragraph from Wharton on Criminal Law, for the purpose of showing how well supported I am in the position I take:

But is a solicitation indictable when it is not either (1) a substantive indictable offense, as in the instances just named, or (2) a stage toward an independent consummated offense? And the better opinion is that where the solicitation is not in itself a substantive offense, or where there has been no progress made toward the consummation of the independent offense attempted, (3) the question whether the solicitation is by itself the subject of penal prosecution must be answered in the negative; (4) for we would be forced to admit, if we hold that solicitations to criminality are generally indictable, that the propagandists, even in conversation, of agrarian or communistic theories are liable to criminal prosecution; and hence the necessary freedom of speech and of the press would be greatly infringed.

It would be hard, also, we must agree, if we maintain such general responsibility to defend, in prosecutions for soliciting crime, the publishers of Byron's "Don Juan," of Rousseau's "Emile," or of Goethe's "Elective Affinities." Lord Chesterfield, in his letter to his son, directly advises the latter to form illicit connections with married women. Lord Chesterfield, on the reasoning here contested, would be indictable for solicitation to adultery.

Undoubtedly, when such solicitations are so publicly and indecently made as to produce public scandal, they are indictable as nuisances or as libels. But to make bare solicitations or allurements indictable as attempts, not only unduly and perilously extends the scope of penal adjudication, but forces on the courts psychological questions which they are incompetent to decide, and a branch of business which would make them despots of every intellect in the land.

What human judge can determine that there is such a necessary connection between one man's advice and another man's actions as to make the former the cause of the latter? An attempt, as has been stated, is such an intentional preliminary guilty act as will apparently result, in the usual course of natural events, if not hindered by extraneous causes, in the commission of a deliberate crime. But this can not be affirmed of advice given to another, which advice such other person is at full liberty to accept or reject.

I want to call the attention of the Senator from Massachusetts to the fact that the books recognize the distinction between the fighting of duels and the fighting of fistic combats and mere advice or counsel to commit a felony, such as murder or robbery. In every case whether the logic may be good or whether the line of demarcation may be clear it is not for me to say, but that the line has always existed is beyond a doubt. I again challenge a Senator to find a statute where punishment is prescribed for mere advice or counsel to commit robbery, or advice or counsel to commit larceny, or advice or counsel to kill somebody, and where the counsel or advice was not given in public.

I say that no such law can be found, and if it does exist it transcends the clear injunctions that are laid upon all legislative bodies by the ablest writers upon criminal law that have lived in this country or in Great Britain.

Mr. HOAR. If the Senator from Colorado will pardon me, I have exactly the answer to that last suggestion of his which he challenged me to find. It is not robbery or murder, but it is the same thing—where the thing is never acted upon, the thing is done by one man in secret. This is the United States law—the old law:

Whoever entices or procures or attempts or endeavors to entice or procure any soldier in the military service of the United States, or who has been recruited for such service, to desert therefrom.

Then the same thing follows about sailors. It is true this is not a robbery or a murder in this section, but I can not understand the reason why it should be proper to punish a man who in his own house in secret endeavors to entice a soldier or sailor to desert, although the soldier or sailor scorns the advice and the thing is done in secret, proved by the testimony of one man, and it is so dreadful a thing to punish the endeavoring to entice or incite a man to murder the President of the United States. The fact that one of them is now the law and the other is not of course is what makes it proper to pass this law. But any reason for a distinction I can not understand.

Mr. PATTERSON. Let me ask the Senator why he does not make the advising or counseling of the commission of all crimes, of murder generally, of robbery, of arson, or of other felony, criminal?

Mr. HOAR. Because I am not at this time making a general criminal law or penal code.

Mr. PATTERSON. Here and there you will find acts of that character, but you will discover that they are in the nature of misdemeanors of such a slight and insignificant character that they do not and can not rise to the dignity of offenses of this magnitude. I can well understand that anyone who procures a soldier to desert is committing an offense, if it has been made an offense by the statutes of the United States. But the language of the act goes farther than the words counsel or advise. It requires more. It is an "attempt" or "endeavor" that there constitutes the offense. But, in any event, it is not impossible that laws violative of this principle may have found their way to the statute books. But you find no such law made applicable to any of the great offenses as they exist either at the common law or as they exist by statute.

Mr. HOAR. May I answer that question by citing one right in point that I have open here also?

Mr. PATTERSON. Certainly.

Mr. HOAR. It is the old law, "Crimes against the existence of the Government."

SEC. 5334. Every person who incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States, or the laws thereof, or gives aid or comfort thereto, shall be punished by imprisonment not more than ten years.

Mr. PATTERSON. Yes, sir; but there he must have incited the rebellion. You can not be said to have incited an act unless the act itself is committed or put in operation. The rebellion must have occurred before it can be said that anybody was incited to enter upon it.

Mr. HOAR. There, again, I respectfully differ with my friend.

Mr. PATTERSON. Then I can only submit the differences between us to a discriminating Senate.

Mr. SPOONER. Will the Senator allow me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. PATTERSON. Yes, sir.

Mr. SPOONER. Suppose a man hires another to kill a particular man and pays him for doing it, ought not that to be an offense, though the man was not killed?

Mr. PATTERSON. If one hires another, there is an overt act.

Mr. HOAR. So is this.

Mr. SPOONER. Is not advising another to kill an overt act?

Mr. PATTERSON. I will make this statement in reply, that there has been no provision made in any State against an act of that kind; there is no prohibition; but if the attempt is made, if the killing follows, then the one who hires him to do the act is an accessory before the fact. And again, if one hires another to commit the act, the employer and employee are guilty of a conspiracy, for the two minds have met upon the agreement to murder.

Mr. SPOONER. Of course, but suppose one advises another to shoot the President, ought that not to be an offense?

Mr. PATTERSON. Mr. President, I thought I had made myself clear. I say no, not because the advice is not morally wrong, not because it is not highly culpable in the field of morals, but because, if you make the simple counseling or advising to do a criminal act a crime, then the wrongs that may be perpetrated under such a law are of far greater magnitude than to allow counsel of that kind to go unpunished. It is the abuse that such a law is sure to encourage that causes me to hesitate and decline to vote to put it upon the statute book.

Mr. MITCHELL. May I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Oregon?

Mr. PATTERSON. Yes, sir.

Mr. MITCHELL. Would the Senator be satisfied with section 3 provided the words "advise or counsel" were stricken out and the word "or" inserted between the words "aid" and "abet?"

Mr. PATTERSON. I would not hesitate a moment, for then there would be no objection in the world to that provision, because if you aid and abet a killing, there must be a killing.

Mr. MITCHELL. I should like to have the Senator's definition of what he understands may be included in the word "abet."

Mr. PATTERSON. To aid, to assist.

Mr. MITCHELL. Suppose, for instance, to illustrate exactly what I mean, somebody kills another, and it turns out that a third person had advised and counseled the killing; would that be aiding and abetting?

Mr. PATTERSON. Certainly he would be an accessory before the fact; he would be a principal to the killing.

Mr. MITCHELL. What is the objection, then, to making that which is an offense when the crime is committed a substantive offense?

Mr. PATTERSON. Simply because, replying to the honorable Senator from Oregon, the courts and law writers have denounced legislation of that kind, and because its liability to abuse is so great that it would be better to suffer the evil that follows from permitting the evils it punishes than to bring upon our heads the multitude of evils that such legislation is certain to produce.

Mr. MITCHELL. The Senator does not deny the right or power on the part of Congress?

Mr. PATTERSON. No, sir; I do not deny that. Congress can pass any law, but, as a matter of course, it is for the Supreme Court to say whether it is properly done. I have very grave doubt whether this bill is constitutional, but I do not place my opposition to it upon the mere question of constitutionality. I place it upon the ground that it is evil legislation—legislation that must be fraught with the worst possible results to the peace and quietude and to the rights of American citizens.

Mr. FAIRBANKS. Mr. President, I gave to this bill, when in the Committee on the Judiciary, my most cordial approval, and I am glad of an opportunity to emphasize my support of it here in the Senate. The bill has been drafted deliberately and with great care by the learned and distinguished chairman of the Committee on the Judiciary [Mr. HOAR].

It seemed to me, when the bill was reported, that it would pass the Senate substantially without debate. The purpose of it was so manifest, its provisions so clear and comprehensive, that it seemed to me that no one could or would challenge either the power to enact it or the policy of its enactment.

I have been amazed, Mr. President, by the apparent party division which has occurred in the discussion of this measure. With a very few notable exceptions, the two sides of this Chamber are now distinctly arrayed for and against the general provisions of the measure. Sir, it has seemed to me that this were not a bill to arouse partisan feeling or sentiment—that it would not and could not reasonably become the subject of party difference. There is nothing in it that seeks to advance the interest of any party in the United States. Its purpose is the advancement of the good of all.

It is a singular fact that in the consideration of a penal measure

such as we have before us Senators should divide upon partisan lines with respect to it. It has seemed to me, as the debate has progressed during the last few days, that there is a conflict here between those who adhere to the doctrine of States' rights, if I may use the expression, and those who liberally construe the powers of the Federal Government; that there is a contest between the advocates of States' rights and those who believe in the supreme Federal authority within its appropriate sphere.

The suggestion has frequently been made that crimes such as are contemplated in this measure should be cognizable in the criminal courts of the State where the particular crime described may be committed. Mr. President, it has seemed to me that the crimes denominated in this measure are essentially crimes for the congizance of the Federal jurisdiction.

Some question has been raised as to the constitutional warrant for this measure. I have no sympathy with respect to that feature of the debate. It seems to me that the power of self-preservation is inherent in the national sovereignty. When the fathers of this Republic adopted the Constitution they did not intend to put any limitation upon the power of the Congress of the United States to enact whatever measure it should deem essential for the preservation of the life and integrity of the Government. The President of the United States is the representative of the sovereign power of the Government, and any blow struck at him is in the strictest sense a blow against the Government itself.

It has been suggested, Mr. President—and the distinguished senior Senator from Georgia [Mr. BACON] was the first to make the suggestion—that this bill is repugnant to our democratic theory of government; that it is unequal in its operation; that it is discriminating between citizens of the Republic, who should stand before the law upon a plane of absolute equality.

The honorable Senator, whom I regret to observe is not in the Chamber, said that Congress should not take cognizance of crimes committed against the President as an individual, but should only take notice of those that might be committed against him as the official representative of the United States.

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Texas?

Mr. FAIRBANKS. With very great pleasure.

Mr. CULBERSON. I should like to ask the Senator if he believes that Congress has any constitutional power to punish the offense of the murder of a private individual within any State of the Union?

Mr. FAIRBANKS. That question does not arise here. We are not dealing with crimes against private individuals, but with crimes against public officials.

Mr. CULBERSON. Then, Mr. President, I suggest to the Senator to differentiate, if he pleases.

Mr. FAIRBANKS. I will do it immediately; and if I do not satisfy the Senator——

Mr. CULBERSON. If the Senator does differentiate, I suggest to him that he will probably find that there is something in the position of the Senator from Georgia that the killing must be not simply of an individual, but of some official of the Federal Government, and possibly in the capacity of or because of or by reason of his official position.

Mr. FAIRBANKS. The inquiry of the Senator is a very natural and very proper one. Mr. President, I can not dissociate the individual citizen, who is clothed with all the powers and functions of the Chief Executive of the nation, from the official himself. I do not believe there is a duality in the Chief Executive office. From the time when the President of the United States takes the oath of his high office upon the eastern portico of this Capitol until his term expires under the Constitution he is clothed with all of the attributes and the functions and the responsibilities of the Presidency of the United States.

From the beginning of his term to the close he is the President, no matter where he may be or what he may be doing. This bill, I would suggest to the distinguished Senator from Texas [Mr. CULBERSON], is not for the benefit of the mere individual; it is a bill primarily in the interest of the Government of the United States. We seek here by law to put about the Chief Executive office, for the benefit of the people of the United States, all the protection which in our wisdom may seem essential. Whether waking or sleeping, the incumbent of the great office of the Presidency is the representative of the Government of the United States; he is the very incarnation of supreme Federal authority.

There is no intermittent incumbency. After the President takes his oath he has no power to divest himself of the functions and prerogatives of the Presidency for one single moment of time. So we are, Mr. President, here dealing with the President; not with the individual.

Mr. MCCUMBER. May I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from North Dakota?

Mr. FAIRBANKS. Certainly; with very great pleasure.

Mr. MCCUMBER. Does the Senator also hold that an assault with intent to kill committed against the Attorney-General, while there are seven persons above him who may hold the position of President in the event of the death of the President, is a blow against the sovereignty of the United States?

Mr. FAIRBANKS. I think it is.

Mr. MCCUMBER. Then that would apply equally to members of the Supreme Court, would it not?

Mr. FAIRBANKS. I would say that Congress has the power——

Mr. MCCUMBER. I admit the power.

Mr. FAIRBANKS. I then say to my honorable friend that it is a question of policy, in my judgment.

Mr. MCCUMBER. I simply wish to get the position of the Senator as to whether an assault of this character while the President is still living, while all the persons who would succeed to that office in the event of his death are still living, and where even the death of the Attorney-General would not in any way affect the matter of the person upon whom the office would devolve—whether that could honestly be construed as an assault against the sovereignty of the United States?

Mr. FAIRBANKS. It is theoretically possible that the killing of the Attorney-General might disturb the Presidential succession.

Mr. MCCUMBER. But only upon the assumption, if I may disturb the Senator again——

Mr. FAIRBANKS. It is no disturbance.

Mr. MCCUMBER. Only upon the assumption that all of the other seven, who would precede the Attorney-General, would be killed almost at the same time. Is not that correct?

Mr. FAIRBANKS. May I ask the Senator a question?

Mr. MCCUMBER. Yes.

Mr. FAIRBANKS. Is it not possible that they might all be killed at the same time in some calamity or by some conspiracy? Is not that possible?

Mr. MCCUMBER. There is a bare possibility of it.

Mr. FAIRBANKS. And it is against that bare possibility that we propose to interpose this great law.

Mr. MCCUMBER. If that be true, as I stated, the assault against the Attorney-General would have to be made almost at the same time; and that, while it is a bare possibility seems to me to be so remote as to be hardly worthy of consideration.

Mr. HOAR. Mr. President, I suggest that was the very plan when Lincoln was assassinated. It was carried out by the attack upon Mr. Seward; it was carried out by one of the conspirators going to Secretary Stanton's house, and finding General Grant with him, seeing there were two men to attack instead of one, he went away without committing the deed; and another, Atzerodt, had been assigned to attack Vice-President Andrew Johnson.

Mr. MCCUMBER. My question was whether or not a simple assault upon the Attorney-General alone, where there is no assault or attempted assault upon any of the other members of the Cabinet who would precede him in holding this official position, could be construed, standing by itself, as an assault against the sovereignty of the United States?

Mr. FAIRBANKS. I think it is within the absolute competency of Congress to so determine.

Mr. MCCUMBER. I have no doubt or question of the ability of Congress to enact such legislation.

Mr. FAIRBANKS. Then it becomes merely a question of policy.

Mr. President, the people of the United States are interested in this question. They are interested in preventing, so far as possible, any assault upon the executive department which might result in times of great turmoil and passion in the absolute overthrow of the Government itself. It is within the range of my vision improbable, but it is not impossible.

Who would have dreamed that the crime could have been committed which was committed in the city of Washington in 1865? Who is there that could have anticipated the blow that was aimed at the head of the Government in 1881 in the city of Washington? Who, Mr. President, on the face of the earth could have foreseen the unspeakable tragedy at Buffalo?

We find, sir, within the limits of the past few months a magnificent evidence of the self-restraint of the American people. This proposed law is not conceived in passion; it is a deliberate utterance. It has seemed to the American people that now is the time to throw about the Chief Executive Officer of the United States all of the reasonable safeguards which our highest intelligence can suggest.

The Senators on the other side of the Chamber say the law will be ineffective; that it will accomplish no good; that it would not have prevented the three great tragedies to which I have alluded. It might not have prevented them; it will not prevent all crime in the future, Mr. President; but that it will be an additional safeguard and go some way toward preserving from violence and

attack the occupant of the Presidential office there can be no possible doubt.

One of the distinguished Senators in opposition said yesterday that the bill suggested imperialism. How frequently we have heard that word in the last few years! In season and out of season it has been invoked. It never occurred to me, Mr. President, that in the contemplation of this penal measure the word "imperialism" could possibly enter into the debate. But here it is. In what does the imperialism consist, and where in this measure, drafted by the able and distinguished Senator from Massachusetts [Mr. HOAR], is there lurking any suggestion of imperialism? It is in the seventh section, and what is that? Is this section a strange, unnatural, and unreasonable provision? Let us see. I find nothing occult about it; I find nothing strange about it. In the language of that section—

The Secretary of War is authorized and directed to select and detail from the Regular Army a sufficient number of officers and men to guard and protect the person of the President of the United States.

Would there have been the same criticism about it if there should have been a detail of detectives from the Secret Service? Would there have been any suggestion of imperialism had the distinguished Senator from Massachusetts so drafted the bill as to authorize the Secretary of War or any other Cabinet officer to designate private citizens for the protection of the person of the President? No. The mere fact that the detail is to be made from the Army of the United States is made the basis of the charge of imperialism.

Mr. President, I have not that fear of the Army of our country which seems to possess our friends in opposition. During the few years of my presence here I have heard the Army arraigned and held up to the condemnation of the world as being a grave menace to the liberties of the people of the United States. When the Secretary of War, under the authority granted by the section of the bill just read, shall detail officers and men from the Army he will detail men of capacity, not tyrants, not our arch enemies, but men sworn to obey the law, men who, out of their love for the Government, are willing and ready always to lay down their lives that it may not perish or suffer dishonor.

One of the opposing Senators—I believe it was the Senator from Tennessee [Mr. CARMACK]—said yesterday that this section was repugnant to our democratic theories of government; contrary to the genius of our institutions; that the President would be surrounded by bayonets, and that there would be on all occasions the manifestation of military power and military display. No, Mr. President; that is unnecessary under the carefully guarded and wise provisions of this section.

The author of this bill, in order to guard against that very charge and that very possibility has written here the significant words "without any unnecessary display." And furthermore—

The Secretary of War is authorized and directed to make special rules and regulations as to dress, arms, and equipment, and duties of said guard, and shall publish only such parts of said rules and regulations as he may deem proper.

The detail may be appareled in civilian dress; they may attend the President or they may not, in the wise discretion of the Secretary of War. When there is need for protection it will be furnished as it is furnished now by another Department of the Government, and if there be at any time great peril—and we can see but a little way into the future—here upon the statute books is the authority placed in the hands of the Secretary of War to make such adequate provision as in his judgment is necessary to save the people from the loss of the President of the United States.

Mr. President, the measure is a brief one, and it seems to me an eminently judicious and wise one. There are no harsh provisions in it. There is no suggestion of cruelty in it, as was indicated by the honable Senator from Colorado. It deals with as grave and serious a subject as can engage our attention. There is no precedent for it. Now is the time to make a precedent. The supreme power is in the Congress of the United States. The bill will not accomplish all. It will not be an absolute insurance against assault upon the President and others in the line of succession; but we may indulge the hope that it will in some measure better safeguard the President who, by the suffrage of his countrymen, has become the embodiment of the majesty and power of the great Republic.

Mr. HOAR. Mr. President, nobody seems inclined to take the floor just now, and I should like to put on record by itself what I think I have said before with respect to the theory on which the committee went in including the Cabinet officers. We considered that when the law settled what was the necessary precaution in having at hand to succeed to the Presidential office other officials in case the Presidency and Vice-Presidency were both vacant, it settled what officer should be surrounded with such securities, whatever they were, as we thought fit to give to the executive power of the Government.

If the matter had rested as the Constitution left it before Congress had passed any law, with the President and Vice-President alone, we should have stopped there in enacting this security, but as with the almost universal acceptance of the people we have concluded that there should be seven high officials besides upon whom that office might devolve, we have included them, so that if there should be another and successful conspiracy like that against Lincoln, or another and a successful conspiracy like the Thistlewood case, where they expected to destroy the whole Cabinet, there should be a punishment for it, if it were aimed against all the persons whom we had provided might succeed, or if without conspiracy there were an attempt at the same time to destroy each one of these officials.

Now, suppose Lincoln had been slain and Johnson had been slain, as that most dangerous conspiracy purposed, and Stanton had been slain. One of the conspirators went to Stanton's house. It was intended to strike down the Cabinet. Finding Grant with him, who had gone in just before to the room where Stanton was alone, the ruffian retreated without accomplishing his purpose. That is not unlikely in times of great excitement and turmoil. So it seems to me that whenever we say there shall be an officer ready to take the Executive office in case those coming before him fall, we ought also when we come to say that the crime against the Executive office shall be treated as a crime against the Government of the United States, the same limitations should apply; and that is the theory on which the committee went.

Mr. MCCUMBER. Mr. President, replying most briefly to the statement of the Senator from Massachusetts in reference to the theory upon which section 1 was made a part of this bill, I only wish to observe that while the theory as expressed by him is certainly most commendable, we must judge all acts from the standpoint of their natural operation, and when I see such a wide divergence between the theory and the operation of this bill, I can hardly allow the theoretical conclusion of the committee to bind me in supporting the bill if the operation is entirely antagonistic to it.

Mr. President, in all sincerity I asked the Senator from Indiana [Mr. FAIRBANKS] the simple question whether or not he considered a mere assault with intent to kill, without even endangering or taking the life of the Attorney-General, an assault against the Government itself, as against our sovereignty. His answer was predicated upon the theory that the Attorney-General and all of those who would take precedence in falling into this official position in case of the death of the President would all be wiped off the face of the earth substantially at one time. The question I presented, however, was the simple one whether or not an assault upon the Attorney-General, such as is provided in section 2 of the bill, which is punishable by death, while all of the other officers were still in existence, would be either a blow against the sovereignty or could be construed as in any way endangering the line of succession.

There can be but one answer to that question, and that is a negative answer. An assault to-day upon the Attorney-General or the Secretary of the Interior, simply with intent to kill him, where that attempt is not carried into effect, would not in any way affect the matter upon whom the office would devolve, because the President would still hold it. I speak of this, certainly, not from a partisan standpoint. I am sorry I can not agree with the majority upon this side of the Chamber, but my objection is not to the constitutionality but the advisability of section 2 of the bill. I have noticed that nearly all those persons who have spoken on the subject confined themselves to the President. I agree with them there. I agree with this bill so far as it seeks to protect the life of the President, but it does seem to me to be unjust, it does seem to me more or less inhumane when a mere assault with intent to kill one person, seventh in the line of succession, not carried into effect in the slightest degree, results in the gallows for that individual. But I object to it more particularly because it raises one class of citizens above another in the operation of all of the laws of the United States, and on that ground alone, and so far as it pertains to section 2 alone, I find the bill objectionable.

Mr. HOAR. The Attorney-General may not be seventh in the line of succession. He may be first after the Vice-President. The person who may succeed is only the Cabinet officer who has been appointed, by the advice and consent of the Senate, and has taken the oath. This condition is likely to happen in time of disturbance, at the coming in of a new President. For instance, take the case of President Hayes. Suppose the Attorney-General is the only member of the Cabinet who has taken the oath——

Mr. MCCUMBER. I can answer that.

Mr. HOAR. And the Vice-President has not taken the oath; that he is sick. The Attorney-General might be second.

Mr. MCCUMBER. If all of the lives of the others have been destroyed——

Mr. HOAR. They have gone out.

Mr. MCCUMBER. Whether they have gone out or otherwise, by a violent death by reason of the act of any person, he may be punished by death. If, on the other hand, he goes further than

that, and if all the rest have gone out, if you can possibly conceive of a condition of that character, then if a man kills the Attorney-General he will be punished by death under the first subdivision, and if he simply makes an assault it does not destroy the line of succession, and therefore we need not impose such a heavy penalty as the death penalty for a mere assault, say, with intent to kill.

Mr. HOAR. The object of this bill is to suppress the crime against the Government by making a serious impairment or endangering of its operations, and if it be proper to punish the crime of attempting to kill the President, then the question is whether you should go beyond that, and if so, how far? Now it seems to me that you should go beyond it to include all the persons whom the law includes as entitled to the succession in any contingency, making seven persons besides the President and Vice-President. The case of President Hayes's succession excited great public feeling. There was at the time a threat by a very worthy and enthusiastic gentleman to bring a hundred thousand Kentuckians here to stop that performance.

Now, suppose after the old Cabinet had gone out and President Grant had gone out, too, and the Vice-President, those attempts had been made. There might very naturally have been a time when President Hayes's Cabinet had not got here from their various places of residence and that nobody but the Attorney-General would be here. Some unexpected thing always happens in such cases. Instead of speculating on what is probable or what may happen, it seems to me the statesmanlike and the business-like way is to say we will have so many persons ready to take it up, and then we will protect them alike by what we deem sufficient legal securities.

I think one of the most comforting things that was said to the people in my part of the country when President McKinley died, and there was a terrible feeling of insecurity and danger to the Republic, nobody knowing how far the anarchists' schemes might spread, that "you can not endanger this Republic. There are nine strong men, of whom you have destroyed but one. Eight in succession are ready to take up the burden and carry out the policy which the American people have indorsed in their recent election." Now, that was a comforting thought. I think the fact that our strand did not consist of one or two or three threads only, but that there were nine, was a comforting thought.

That being true, is it not also true, if that is a reasonable arrangement, that whatever security is proper and constitutional and reasonable and republican for one of these, should be provided for them all? It is very likely that at a time when these offenses are most likely to happen one of the latest on the list in the succession statute may be the only man who stands between the Presidency and the interruption of the executive power.

Mr. McCUMBER. But, Mr. President, according to the terms of this bill it does not stop in its operation at the mere matter of the Attorney-General or any of these other officers being killed because they would be next in succession, and it seems to me if that is the intention of the framers of this bill it should be limited to the cases where such killing would operate to break the line of succession. A mere assault upon the Secretary of the Treasury or the Secretary of the Interior to-day would neither endanger nor would it operate to break the line of succession in any way whatever, and hence if that is the object, why not word the bill so that it will correspond with the object as expressed by the Senator from Massachusetts?

But he goes further and makes the mere assault upon any of these other persons, independent of whether or not it affects the succession, a crime punishable by death, and to that extent places them entirely upon a different standing from other American citizens without the virtue of a necessity in order to protect the succession. That is the effect.

Mr. HOAR. If it were not for my profound respect for the Senators who are convinced by the argument, I do not think I should let the notion that we ought to put into this bill that a crime is committed "because of the official character of the person" impress me very seriously. Suppose somebody burns a United States court-house or post-office or puts a bomb in it. He means to destroy the thing, and he knows that the destruction of the thing will give injury to the property of the United States. Did anybody ever hear that you should put into the criminal law that if he did it because it was a court-house of the United States or because it was a post-office of the United States he was to be tried in a Federal court, and if he did not, he should be tried in a State court? The man knowingly and maliciously does or tries do what is an offense against the Government.

In the case of the Secretary of the Interior or the Attorney-General, he tries to destroy, and knows he is trying to destroy, one of the legal safeguards which Congress in its wisdom deems necessary to the Presidential office. We say that anybody who strikes at any one of them shall be punished for an offense against the people of the United States. The man, Mr. Knox, is not taken into a class, but the great office, which is what we are protecting, the Constitution and laws have made something different from the position of a private citizen.

Neither the Senator from North Dakota nor I claim any distinction from our neighbors and friends when we go home. But nobody can arrest either of us here or when we go or come for a debt, and no court can seize upon us for trial or punishment for anything but treason or felony or breach of the peace. Does the Senator from North Dakota think he is in a class or that I am in a class or that the republican framers of the Constitution meant to create a class when they said that when the Senate is in session or I am going or coming to or from attendance here my creditor should not take me for debt, and that no court should call upon me as a witness or should punish me for contempt or should imprison me for any offense, even perjury or assault, however heinous, unless it were a felonious assault, because I was in a class? It is because the office of Senator of the United States is necessary for the welfare of the American people and the functions of that office shall not be interrupted by anybody. That is what the Constitution did.

Now, the proposed law says that there shall be no interruption in the Executive function, or as little interruption as the law of humanity will admit, for the protection of the American people. If a man is sentenced to be hung to-morrow in Providence, R. I., and some evidence come which shows he was an innocent man, so that there should be a respite or a pardon within an hour to save the man's life, the law says that man shall not go to his death because we can not have a President of the United States for a week. If news come by telegraph that our legation in China is in deadly peril and that men, women, and children are in danger of having their throats cut by a barbarous mob, this law says there shall be somebody in Washington who in fifteen minutes can order our troops from the Philippine Islands to go to the rescue, and we shall not wait a week.

How many men are we to have ready to succeed, one after another, that that great power and function may not fail? The Congress of the United States, lately on the fullest consideration, said there ought to be nine. If there ought to be nine men ready, counting the existing President, there ought to be nine men whose lives shall be safe against criminals who try to strike at the security of the Government, and those nine should be protected by law as far as possible. If the law be reasonable, it is reasonable in its application to everyone. If the law be unreasonable, it is unreasonable in its application to anyone.

But I can not see, as I said before, any foundation for the suggestion that there is a class. Did Grover Cleveland and Benjamin Harrison, when they passed out of that portal, constitute a class? They went back as equals to the equal citizenship from whence they came. But when they are in that building, clothed with the Presidential office, it is the dignity and the majesty of the American people which is theirs, and which we are bound in their persons to protect.

We protect the flag from outrage. Is one bit of bunting or one bit of silk any better than another? Not at all. But when you put the Stars and Stripes on it and it floats at the head of a regiment of American soldiers it is the dignity and authority of the American people of which it is the symbol. Then if a man aim a blow or a shot at it, if he would tear it or rend it or soil it or haul it down where it is rightfully representing freedom and justice and the doctrine of the United States Constitution, he is committing the one intolerable and inexpressible outrage which it is possible for any man to commit. Is it any less an intolerable and inexpressible outrage when a man strikes at the dignity and authority of the American people as it is clothed and embodied and represented in the person of the living citizen whom the American people themselves have selected and chosen as their honored and lawful representative?

The PRESIDING OFFICER (Mr. MITCHELL in the chair). The bill is in Committee of the Whole and open to amendment. If there are no further amendments the bill will be reported to the Senate. The Chair understands that the unanimous agreement was that no vote should be taken before 4 o'clock. What is the pleasure of the Senate?

Mr. ALDRICH. If there is no one to speak further upon the pending bill, I ask that it be informally laid aside and that we may proceed with the further consideration of the revenue repeal bill.

The PRESIDING OFFICER. Is there objection to the proposition of the Senator from Rhode Island? The Chair hears none.

REPEAL OF WAR-REVENUE TAXATION.

The Senate resumed the consideration of the bill (H. R. 10530) to repeal war-revenue taxation, and for other purposes.

The PRESIDING OFFICER. The question is on the final passage of the bill.

Mr. TILLMAN. Mr. President, this bill comes to the Senate with the unanimous report of the Committee on Finance. It

involves wiping off the statute books the special taxes levied or provided for the war with Spain. There is one item in it differing from all others, inasmuch as it is a tariff item. If it were not that any strenuous effort which I might have made in regard to this tariff item might have provoked a tariff debate and in some measure jeopardized the repeal of these war taxes I would not have consented to let the bill reach its present stage without offering an amendment. I do not propose to offer an amendment, but I desire to present briefly to the Senate some reasons why section 50 of the old law, which is repealed, ought to remain upon the statute books.

I will say in this connection that, while I doubt whether even at the next session of Congress there will be any tariff legislation or an attempt at tariff legislation, I shall at the very earliest opportunity seek to have section 50 of the war-revenue act, or something similar to it, remain upon the statute books or be reenacted. Section 10 of the bill under consideration provides:

That section 50 of the act of June 13, 1898, be repealed, to take effect January 1, 1903.

As to the other items in the bill I believe the repeal is to go into effect on the 1st of July next. Section 50 of the act of June 13, 1898, reads as follows:

That there shall be levied, collected, and paid upon tea when imported from foreign countries a tax of 10 cents per pound.

I will state the reasons why I think a duty on tea is a perfectly proper and legitimate and, in fact, one of the most legitimate tariff duties we have, and it ought to be continued.

In the first place, if we remove this duty on tea, which we are going to do unless we should reenact the law next December, the tea now in the country will be immediately enhanced in value to the amount of the remitted duty. This is about $9,000,000, and the owners of that tea—the importers—will be benefited to that extent, which is a vicious thing to do.

The next reason is that, having lost this $9,000,000 revenue which we derive, we will to that extent reduce the source of income which may be in the near future very necessary. We are discussing here, or intend to discuss at some time, I hope, an act for the construction of an isthmian canal. But without discussing any ulterior uses of money in the Treasury, it is always a handy thing to have plenty of it there and not be facing a deficit, as we were some few years back. When we receive into the Treasury an amount which causes nobody any damage and which indirectly, by reason of certain conditions, may prove the means of creating a new industry or of establishing diversified agriculture in the South, I think it appeals or should appeal very strongly to the good sense of the Senate. It is well understood——

Mr. PETTUS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Alabama?

Mr. TILLMAN. Certainly.

Mr. PETTUS. Will the Senator allow me a question for information?

Mr. TILLMAN. With pleasure.

Mr. PETTUS. Does the Senator intentionally say that if we repeal this duty the tea now in the United States will be enhanced in value? If so, I should like to know it. That is what he said, but I thought perhaps it was a slip.

Mr. TILLMAN. I suppose there is tea in bond upon which the duty has not been paid. The Senator will not pretend to deny that at the expiration of the period named that tea thus held will get the benefit of the remitted duty before it reaches the consumer.

Mr. PETTUS. But the Senator spoke of increasing the value of the tea on which the duty had been already paid to the amount of $9,000,000. He said that that tea would be increased in value.

Mr. TILLMAN. I did not speak of the tea upon which the duty had already been paid, because I do not think that that will be the effect. I am speaking of the tea that is in the country. I did not intend to convey the idea that taking this tax off was going to increase the value of the tea, because I do not believe that. That is an absurdity. What I intend to say, and what I thought I did say, is that by taking this tariff off of tea of 10 cents a pound the tea that is now in the country and in bond would go to the consumer at practically the same price, and the importers or the owners of it would get the advantage of the $9,000,000. That is all I wish to say.

It is stated by those who are most familiar with this subject that the tariff on tea has improved the quality of the imports and has not in the least degree raised the price, and that we simply have by reason of this tariff tax obtained an improved or better quality of tea than we ever had before when we were getting it free of duty. I have here the official statements of several tea experts employed by the Government. Mr. William Penn Nixon, collector of customs at the port of Chicago, under date of December 30, 1901, says:

Replying to the letter of the Treasury Department dated the 14th instant, herewith inclosed, asking for information in regard to tea, for transmission to Mr. George Hewlett, chairman of the board of tea experts, I have the honor to say that I have consulted with the tea examiner relative to the subject-matter, and to report that in his opinion the tea imported since the imposition of the 10 cents per pound duty has been of higher grade, on the average, than that imported prior thereto. It has also eliminated, to a great extent, the attempted importations of teas of very low grade, which was common in 1897 and previous years.

There are two other similar statements from the Government collectors which I will ask to have inserted as bearing upon this subject.

The PRESIDENT pro tempore. The Chair hears no objection. The matter referred to is as follows:

From Mr. I. McGay, United States examiner of teas, port of New York, N. Y., dated December 19, 1901:

"In compliance with your request to be informed as to the quality of teas now being imported into this port as compared with previous years, I have to state from my personal knowledge that the class of teas now being entered at this port for consumption, and more especially importations of the past four years, are of much better quality, on the average, than that of previous years, and that more pure, good teas are now being imported than at any time since the enactment of the law of March 2, 1897."

From Mr. C. Toohey, United States examiner of teas, port of San Francisco, Cal., dated December 20, 1901:

"The Department has requested me to advise you as to the quality of teas now being imported into this port comparing favorably or not with imports of former years. I beg to state that the qualities have improved steadily, so that there are seldom causes presented at this time for rejections by the regular importers through this port."

Mr. TILLMAN. So it follows, if I am not in error, that this duty on tea has secured for the Treasury $9,000,000, and it has obtained for the consumer the better quality of tea, and it has not raised the price a particle.

Now, then, if that be true, it seems to me that we are getting a benefit here to the consumer and getting a benefit to the Government. The tariff is purely a revenue tariff, which my friends on my left must, of course, consider as a very necessary and desirable quality in any tariff, and which ought not to be objectionable to my friends on my right when no other interest is injured and one little baby of an industry is possibly benefited. It is for the reason that I desire to present to my friends the protectionists in this Chamber that phase of it that I have concluded to speak at all.

Every government in Europe, at least all the principal European governments, has found it a legitimate and proper source of taxation. The Russian Government levies 45 cents per pound, and it is well known that by reason of the high quality necessary for tea to be able to bear that burden the Russians have the best tea in the world. The Chinese and all the other tea growers send their best tea to Russia. The duty on tea in France is 21 cents; in Germany it is 11 cents; in Austria-Hungary it is 20 cents; in Spain it is 28 cents; in Portugal, 48 cents; in Norway, 24 cents; in England, 8 cents. None of those countries make any tea. They regard tea as a proper and legitimate source of taxation.

Mr. President, to show that this tariff on tea has been of no injury to anybody, but that in spite of it the consumption has increased, I will give here the withdrawal from the bonded warehouses for the last four years:

From June 13, 1898, to June 30, 1899, when the war revenue went into effect, there were withdrawn from bonded warehouses 48,934,990 pounds. There was supposed to be of the estimated stock of free tea—that is, tea that has come in without any duty at that time—25,000,000 pounds on hand, making something like 73,000,000 or 74,000,000 pounds for the consumption of that year.

The withdrawals for the next twelve months, from July 1, 1899, to June 30, 1900, were 79,976,745 pounds.

From July 1, 1900, to June 30, 1901, it was 83,613,402 pounds, and for the six months from July 1 to December 31, 1901, 43,525,936 pounds, or an estimated average of 87,051,972 for the current year, showing that the tariff has not decreased consumption. According to our experts it has increased the quality. We have $9,000,000 which seem to have dropped out of the sky, you might say, or rather has come to us without any harm or injury to anyone. The price has not gone up.

So why do you repeal this duty on tea? The only reason that I can see is because it was mixed in with the war-revenue bill, and we are endeavoring, as we all desire to do, to get rid of all the war taxes, at least this batch—I believe this is the last lot. But I do not propose to obstruct or bring into the discussion a tariff debate which would be prolific in amendments offered to this bill to repeal the tariff on this and to change the tariff on that and to do all kinds of things which some of us think ought to be done. Even on the other side of the Chamber, I think Senators will acknowledge that we have some articles upon which the tariff is too high and which they would be willing to lower if they were in the business just now of tariff tinkering.

There is another aspect of this matter. Away back, along in the administration of Mr. Le Duc, Commissioner of Agriculture at that time, an effort was set on foot in South Carolina to test the practicability of making tea in that climate and in that country by one of our distinguished scientists, I will say, because there is no better chemist in the United States, I expect, than Dr. Charles U.

Shepard. He has devoted his time and money and attention to this subject. Being a kind of retired business man, having quit his profession actively, and having plenty of this world's goods, he took up the culture of tea as a fad.

After the expiration of Mr. Le Duc's term, and the indifference with which two or three of his successors had treated the experiment, he pursued it with great ardor, and four or five years ago he had so far succeeded that the Senate, at my suggestion, appropriated a certain amount of money in the Agricultural appropriation bill to lend Government aid to his experiments with machinery and the methods of manipulation, so as to demonstrate, if possible, the practicability of the land in our section of the country being made profitable by tea culture and the use of negro children as laborers in picking the leaves.

I submit the following letter from Dr. Shepard on this subject:

OFFICE OF SPECIAL AGENT TEA CULTURE,
UNITED STATES DEPARTMENT AGRICULTURE,
Pinehurst, Summerville, S. C., February 20, 1902.

MY DEAR SIR: I would most respectfully ask your assistance in defeating the repeal of the war tax on foreign teas so wisely and welcomely established by yourself. Under its kind assistance, and that of Congress in providing funds for experimentation in tea culture, the hope of successfully launching a new industry in the Southern States has favorably progressed. In this immediate neighborhood a tea estate of 1,000 acres is being gradually established, and foreign capitalists are seeking to invest $200,000 in another.

In addition to numerous smaller undertakings, correspondence with the officers of some of the leading trunk lines of the South and Southwest leads me to believe that they will locate large experimental tea estates along their railroads.

But the repeal of the tax on foreign teas will deprive American growers of assistance equivalent to the difference in the cost per pound of tea between the local and oriental price of labor, and not only discourage those who have embarked in this industry which promised so well for them, as it also did for idle hands and waste places in the Southern States, but prevent others who are now favorably considering the project from attempting to follow them.

Yours, very respectfully,

CHARLES U. SHEPARD,
Special Agent for Tea Culture.

HON. BENJAMIN R. TILLMAN,
United States Senate, Washington, D. C.

I have here the last report of our present able and most practical Secretary of Agriculture, a man whose common sense appeals to the respect of everyone who comes in contact with him, and this is his official statement as to the present status:

In my last report attention was called to the efforts being made by the Department in the production of tea. For several years Dr. Charles U. Shepard, a public-spirited citizen of Summerville, S. C., has been experimenting with a view of obtaining information as to the practicability of producing American tea, and his efforts promised so much of value that it seemed proper for the Department to render assistance in certain directions. To this end arrangements were made with Dr. Shepard whereby certain machinery, etc., were to be furnished in order to settle some questions pertaining to the commercial production of tea.

Throughout the work the question of labor has been an important one; but through Dr. Shepard's efforts there has been adopted a method for utilizing the labor of colored children. What Dr. Shepard has accomplished in this matter in his region could undoubtedly be brought about in other sections of the South, where much idle labor is awaiting proper utilization. Dr. Shepard has established schools on his place, and in these the children are received and educated, and at the same time are taught to pluck tea and perform other work in connection with the production of the crop. For such work fair wages are paid, and in this way interest is maintained.

The experiments so far conducted have shown that tea may be produced in the United States in two ways: (1) By families in their gardens, as was demonstrated years ago to be entirely feasible, and (2) on a commercial scale, after the manner followed by the British East Indian tea establishments and the beet-sugar industry.

The work at Summerville was started with a view of ascertaining whether under favorable conditions tea plantations could be made to yield as much as the average oriental production, and whether the crop could be marketed at a fair profiit. The results obtained have been affirmative, the crop of 1900, although not so large as expected early in the season, exceeding that of any previous year by at least 12 per cent, and the entire product being sold before it was all gathered to a prominent Northern distributing house at a price that gave a fair profit.

As further evidence that tea can be profitably grown in the United States, capitalists are already making preparations to begin the work in certain parts of the South on a more or less extensive scale. A company with a capital of $50,000 is being organized, and will endeavor to secure a location having soil and climatic conditions adapted to the growth of tea, and where labor, such as Dr. Shepard utilizes, can be secured.

From what has already been accomplished it has been shown that a good grade of tea can be grown and put on the market in bulk at a cost not exceeding 15 cents per pound. Under average conditions an acre will yield 400 pounds of marketable tea, and this, at 15 cents per pound, would make the expense of growing it $60 per acre. The tea should sell in bulk for at least 30 cents per pound, and the profit on this basis would be 100 per cent. Besides the cost of marketing, however, there are other expenses to be considered, namely, the salary of a superintendent and the interest of the money invested in the plant, which would, of course, cut down the profits.

The Secretary does not mention anything about the interest on the money invested in the land itself. He continues:

From the foregoing it seems that the commercial possibilities of tea production in this country can no longer be questioned, but there are still many points to be settled, especially as regards the improvement of the product. During the past year experiments have been undertaken for the purpose of determining the effect of irrigation on tea and of shading the plants from the direct rays of the sun. Work has also been inaugurated with a view of reducing the cost of the preparation of tea, especially the green tea. The experiments in irrigating and shading, which will be continued, have given promising results, the shaded plants giving nearly double the yield of the unshaded, and a much finer grade of leaf.

In the future special attention will be given to the manufacture of pure green tea. This subject is now claiming the attention of both inventors and planters in the British colonies, as they begin to realize the hopelessness of bringing American tea drinkers to use the black tea instead of the green. The manufacture of green tea in the United States can be made successful only by the invention of machinery which shall take the place of expensive hand labor and prevent the waste which accompanies the latter. These questions are all being investigated by the Department, etc.

Mr. President, the point to which I desire to attract the attention of Senators is that we have in South Carolina and necessarily in the whole Southern belt a very large negro population. In this especial neighborhood, where Dr. Shepard's tea plantation lies, the relative proportion of whites and blacks is about seven to one—seven negroes to one white person. Along the entire coast belt in my State, where this tea will be grown, if ever, that is about the proportion of negro people to white people.

Merely alluding in passing to the possibilities of the utilization of this labor, which is now running to waste and largely in a very pauperized and miserable condition, I will pass on to the other phase, to which I ask the especial attention of the Republicans in this Chamber. That party has stood almost since its organization for protection to American industries, for the assistance of all the infant industries that are promising, that would enable Americans to produce what Americans consume. If there is any one subject upon which Republicans all are dyed in the wool, it is probably the protective idea.

You have carried that theory to such an extent that, notwithstanding it is contended—and I think with great truth and force—that protection has gone mad, and that we are now not satisfied with giving the infants the bottle, but that after the infants are grown and have become giants any effort to take the bottle away or to take away the beef or whatever other food they feed upon and grow so fat raises a howl; and when, by reason of the fact that they are protected against foreign competition, they have come together in combinations, organizing trusts to monopolize the American market and force the consumers to pay the combination or monopoly any price they see fit to charge, which shall not exceed the cost price plus the tariff and plus the transportation charges, nothing seems to be farther from the thought of the Republicans in this Chamber than any reform of the tariff which shall give the consumers of the United States relief from these overgrown tariff infants that have become such gluttons.

But here is a poor, little, measly Southern tariff baby, with only one protected citizen, so far, one South Carolinian, who is getting 10 cents a pound protection, but whose efforts in a scientific way have so far demonstrated the practicability and successful inauguration of a new industry there, and it is proposed to strike that from the statute books and leave on those books all of these other trust-protected industries or schedules.

Having called your attention to the fact that we have a little baby in South Carolina that might, with your assistance and benevolence, yield some aid and comfort to those little colored children in the way of calico frocks, handkerchiefs, ribbons, and a little better food, and in time enable capital to go into those lands, which are now selling for from only one to five dollars an acre, and by training the negroes in planting tea, have that region blossom like the rose; and notifying you that, whenever an opportunity offers, if I am in this Chamber, I propose to press for a tariff both on tea and on coffee—although we have not any coffee plantations down there, yet we have got some in Porto Rico, we are going to have some in the Philippines, and we have got some in Hawaii—but as a Democrat, desirous of having a revenue tariff mainly, with incidental protection, I will let this bill come to a vote and subside for the present.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

The bill was passed.

MARINE HOSPITAL AT BUFFALO, N. Y.

Mr. DEPEW. I ask unanimous consent for the immediate consideration of the bill (H. R. 3148) for a marine hospital at Buffalo, N. Y., which was favorably reported this morning by the Committee on Commerce.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PETTUS. I want to suggest to the Senator from New York that I think he has got a few words in the bill which are too broad. The bill provides that the State of New York shall cede jurisdiction over the proposed site to the United States "for all purposes." That is never done in these cases. The jurisdiction is ceded to the United States, but not for all purposes. I merely suggest to the Senator from New York that he leave out of the bill the words "for all purposes.

Mr. DEPEW. This is a House bill, and if amended it will have to be returned to that body.

Mr. PETTUS. Such words are never inserted in bills of this character. The States always maintain the right to execute process and things of that sort. It is sufficient if jurisdiction is ceded to the United States, but if ceded "for all purposes" it

would not be possible for the State to exercise any jurisdiction whatever.

Mr. DEPEW. The State of New York is perfectly willing and anxious to have the United States have this land for all purposes.

Mr. HOAR. Mr. President, if you have a United States building in which the United States has exclusive jurisdiction "for all purposes," then anybody may go there to escape a constable or to commit any small offense day or night. You will have a little Alsatia in a populous city, because you have nothing but United States law and United States authority there.

Mr. DEPEW. Then, Mr. President, I will move to strike from the bill, on page 2, line 1, the words "for all purposes."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 2, line 1, after the word "same," it is proposed to strike out "for all purposes;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise procure a suitable site, and cause to be erected thereon, at the city of Buffalo, N. Y., a suitable and commodious building for a marine hospital (the plans and estimates for said building to be prepared, examined, and approved in accordance with the law in such cases made and provided), at a total cost which shall not exceed the sum of $135,000 when finally completed: *Provided*, That no money appropriated for said building shall be used until a valid title to the site selected shall be vested in the United States, nor until the State of New York shall have ceded jurisdiction over the same during the time the United States shall be and remain the owner thereof.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MARY F. KEY.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (H. R. 11145) granting an increase of pension to Mary F. Key.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Mary F. Key, widow of Richard S. Key, late of Company D, Palmetto Regiment, South Carolina Volunteer Infantry, war with Mexico, and to pay her a pension of $16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PROTECTION OF THE PRESIDENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3653) for the protection of the President of the United States, and for other purposes.

Mr. HOAR. Mr. President, in section 3, page 2, line 11 of the bill, the word "instigate" should be stricken out and the words "aid, abet" substituted. That change was ordered by the Senate wherever the word "instigate" occurs, but it seems to have escaped the notice of the clerks. I ask unanimous consent that that modification be now made.

The PRESIDENT pro tempore. The Senator from Massachusetts proposes an amendment, which will be stated.

The SECRETARY. On page 2, section 3, line 11, after the word "shall," it is proposed to strike out "instigate" and insert "aid, abet."

The amendment was agreed to.

Mr. MORGAN. Mr. President, I submit the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Alabama will be stated.

The SECRETARY. It is proposed to add at the end of the bill, as a new section, the following:

SEC. —. The advocacy or encouragement of the assassination of an officer of the United States, or the executive head of a foreign government, that is evidenced by any act or declaration that is so intended, is a crime against the United States, and is punishable by imprisonment at hard labor for a period not to exceed fifty years. And it shall not excuse the act or declaration that is made criminal by this act, that it is not directed at any particular individual, but includes and is directed at any person who may hold such office.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Alabama. [Putting the question.] By the sound the "noes" have it.

Mr. MORGAN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PLATT of Connecticut. Mr. President, I ask that the amendment may be again read. It has not been printed, I believe. I hope we shall have order in the Senate when it is being read.

The PRESIDENT pro tempore. The amendment will be again read.

The Secretary again read the amendment of Mr. MORGAN.

Mr. BACON. Mr. President, under the rule I believe five minutes' debate is in order, but I rise really for information. I have listened with very great care to the reading and endeavored to grasp the scope of that amendment. I desire to ask the distinguished author of it whether the purpose of that amendment and the effect of it, if adopted, would be to make it a crime to advocate the assassination of any officer of the United States of any one of the departments?

Mr. MORGAN. That is right.

Mr. BACON. In other words, to make it a crime to advocate the assassination of any officer either of the legislative, executive, or judicial departments of the Government.

Mr. MORGAN. Yes, sir; that is the intention of it.

Mr. TELLER. Mr. President, I do not know what the effect of that amendment will be, but apparently it is to enlarge this bill very much beyond the scope of what anybody during this debate has thought good policy, even though we might have the power to enact it. I think I shall vote "nay" on it.

Mr. HOAR. Mr. President, when I first heard that amendment read I thought it provided a penalty of fifteen years and not fifty years, and it struck me that there was no great objection to it; but the more I think of it the more it seems to me that it is not wise to go beyond this bill for the protection of the Executive office and go into the general question of protecting all the officers of this Government and foreign countries. We want to have such a provision in a separate measure, well considered, and containing, very likely, a good deal more than this provision. I think the putting into any penal legislation a provision that the maximum penalty shall be fifty years' imprisonment will strike the public rather unpleasantly. So I shall vote against it.

Mr. FAIRBANKS. I will ask the Senator from Massachusetts if there is not pending before the Judiciary Committee a bill dealing with this general subject which will receive consideration?

Mr. HOAR. There is pending a bill for that purpose, covering the whole matter of anarchy and the overthrow of all public authority.

Mr. MORGAN. Mr. President, I feel very much more concerned in repressing anarchy and assassination than I do in punishing somebody who has committed the act itself. We are much more concerned in that. This country has got to be a sort of place of refuge for men who come here and concoct anarchy and assassination and proclaim it from the house tops; they organize societies, and, under the existing law, unless you can trace up a conspiracy to commit a special murder upon a special person they entirely escape all punishment and all recognition as criminals.

Now, there are some anarchists in this country to-day, avowed and open-mouthed anarchists, who ought to be locked up for life. Yet if the Senator from Massachusetts objects to locking a man up for life and wants to lock him up for fifteen years only, I will amend this amendment, with his permission and the consent of the Senate, so as to reduce the extreme penalty to fifteen years.

But this amendment, Mr. President, if we will put it into this bill, will show a purpose on the part of the Congress of the United States to stop this business of cultivating anarchy in secret meetings and in public meetings also, which is now pervading the whole of large neighborhoods in this country, doing enormous mischief and bringing us into a state of suspicion with foreign governments.

The assassination of the late King of Italy seemed to be directly attributable to a combination that was formed in New Jersey. That is the opinion of the world, and I share in it; I believe in it. We ought, therefore, to protect foreign executive officers, the heads of governments, against the machinations of the people who find shelter in this free, liberal Republic of ours. Republican institutions are terribly disgraced when they become a resort and place of refuge for anarchists and assassins.

Now, this bill is entirely harmless as to any person who does not intend by the promotion of anarchy, either by act or by word, to commit any mischief whatsoever. A person might perhaps theorize upon the subject of anarchy; but if he has an intention in doing so and in advocating anarchy to make a specific application of it to any officer of the United States Government, he is a criminal, and ought to be so held under the laws of the United States, and ought to be convicted and locked up, I would say, for life. That is my opinion of such a person as that.

This bill furnishes no protection whatever to the judiciary. Do we not remember the terrible trial that we had in the Neagle case in California, where a judge's life was threatened and was actually assailed, or about to be assailed, when a person arose who was an attendant upon that judge and shot the man to death who proposed to assassinate him? Shall we give no shelter to the judiciary of this country, the most exposed men of the land, those who continually come in contact with criminals? Why do we protect our Presidents and Vice-Presidents and members of the Cabinet, and leave the Supreme Court and the Federal judiciary entirely unprotected and unprovided for?

We will not do this country justice, Mr. President, to pass this bill without some provision like that which I have offered. It is very true it has not been considered by a committee, but it is so

simple a matter that I can scarcely consider that any lawyer in this body or any person else, even though he be nonprofessional, would want to know anything more about it than merely a statement of the proposition. I have no particular desire to advocate it, but at the same time I think it is right.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent to modify his amendment.

Mr. MORGAN. Yes, by inserting "fifteen years," if the Senator from Massachusetts insists upon it.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the amendment is modified by changing the term of fifty years to fifteen.

Mr. BEVERIDGE. I rose to call the attention of the senior Senator from Massachusetts to the modification, and to ask, therefore, whether the Senator accepts the amendment?

Mr. HOAR. I should like better to have this particular matter dealt with in the bill now pending before the Committee on the Judiciary, which will be a comprehensive one on that subject, but I do not see any objection, particularly, to this amendment now. I am quite indifferent to it. I shall not resist it personally. I am not authorized to accept it for the committee, but I shall not resist it.

Mr. MORGAN. I withdraw the request for the call of the roll if the President pro tempore will put the question to the Senate on a viva voce vote.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Alabama.

The amendment was rejected.

The PRESIDENT pro tempore. Are there further amendments?

Mr. BACON. I have offered an amendment in the nature of a substitute. Of course, it is not in order if there are other amendments to the original text of the bill.

The PRESIDENT pro tempore. Are there amendments to the original text of the bill?

Mr. BAILEY. The Senator from Mississippi [Mr. MCLAURIN] has offered some amendments which have been printed. He was called from the Chamber suddenly a few moments ago and asked me to present these amendments on his behalf. There are several, and all of them to the same purpose, and I take it they can all be voted on in gross without objection.

The PRESIDENT pro tempore. The Senator from Mississippi [Mr. MCLAURIN], through the Senator from Texas [Mr. BAILEY], submits amendments, which will be stated.

The SECRETARY. Between the words "willfully" and "kill," in line 5 on page 1, insert the following, to wit: "feloniously and of malice aforethought" and strike out the following words in said line, to wit: "or cause the death of."

In lines 8 and 9 on page 1, strike out the words "cause the death of" and insert in lieu thereof the following, to wit: "feloniously and of malice aforethought kill and murder."

Between the words "the" and "killing," in line 3 on page 2, insert the word "felonious;" and in line 8 on same page, between the words "the" and "killing," insert the word "felonious."

In line 18, page 2, strike out the words "threaten to kill or."

In line 19, page 2, between the words "to" and "kill," insert the word "feloniously."

Mr. HOAR. Mr. President, I hope the amendments will not be adopted. The tendency of legislation in many of the States is to get rid of the word "felonious." They have made in various States new definitions, making the fact whether or not it is a felony depend upon the punishment. We abandoned it in Massachusetts in the year 1852, now fifty years ago. I was myself a member of the legislature, and introduced and carried through the measure striking out the word "felonious" in criminal pleading. The objection is that where you use the word "felonious" you can not join in the same indictment any other form of offense which is not felonious. There are in many jurisdictions provisions about felony; for instance, that the prisoner who is under bail may appear by his counsel and be absent himself, and may plead by counsel unless the matter be a felony. The word does not add anything or subtract anything from the substance of the offense, but it only brings in a great many ancient common-law refinements in modes of procedure which have been found exceedingly embarrassing.

I am not prepared to debate the question without refreshing my memory by looking at the authorities; but I am quite sure that nothing good will be accomplished by it and that a great deal, if not of mischief, at least of inconvenience, will result.

The PRESIDENT pro tempore. The question is on agreeing to the amendments proposed by the Senator from Mississippi.

The amendments were rejected.

The PRESIDENT pro tempore. Are there any further amendments?

Mr. BAILEY. On behalf of my colleague [Mr. CULBERSON], who has also been unexpectedly called from the Chamber, I desire to submit an amendment in the nature of a substitute.

The PRESIDENT pro tempore. The Senator from Texas submits, on behalf of his colleague, an amendment. It will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

SECTION 1. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, willfully and maliciously kill the President of the United States or the official next in succession to the Presidency under the Constitution and laws of the United States, or who shall willfully and maliciously kill the sovereign or chief magistrate of any foreign country, shall be punished with death.

SEC. 2. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, attempt to commit either of the offenses mentioned in the foregoing section shall be punished with death.

SEC. 3. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, advise or counsel the killing of the President of the United States or the official next in succession to the Presidency under the Constitution and laws of the United States, or shall conspire with any other person to accomplish the same, or who shall advise or counsel the killing of the sovereign or chief magistrate of any foreign country, or shall conspire with any other person to accomplish the same, shall be punished by imprisonment not exceeding twenty years.

SEC. 4. That any person who has conspired as aforesaid may be indicted and convicted separately, although the other party or parties to the conspiracy are not indicted or convicted.

SEC. 5. That any person who shall willfully and knowingly aid in the escape from punishment of any person guilty of either of the offenses mentioned in the preceding sections shall be deemed an accomplice after the fact, and shall be punished as if a principal, although the other party or parties to said offense shall not be indicted or convicted.

Mr. HOAR. I trust the amendment will not be adopted. It strikes out a great deal of the virility of the whole measure. The reasons have been very thoroughly debated. It does not provide the persons in the line of succession except the Vice-President, and it leaves out altogether the care for the person of the President. I hope it will be voted down.

Mr. BATE. Before we vote upon the amendment, I desire to move an amendment to the amendment to strike out the word "death," the last word in the second section, and to insert in lieu thereof "imprisonment not exceeding twenty years."

The PRESIDENT pro tempore. The Senator from Tennessee moves an amendment to the amendment, which will be stated.

The SECRETARY. On page 1, line 12, strike out the word "death" where it occurs at the end of the line and insert "imprisonment not exceeding twenty years."

Mr. BATE. That it may be understood, I will state that it is in the section in which the word "attempt" is used. It makes the penalty death for the attempt. I am opposed to that, and that is the reason why I offer the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Texas [Mr. CULBERSON].

The amendment was rejected.

Mr. BACON. I now ask that the amendment offered by me may be placed before the Senate.

The PRESIDENT pro tempore. The Senator from Georgia offers an amendment, which will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause, and insert:

That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, willfully kill or cause the death of the President or Vice-President of the United States, because of his official position or with the intention to destroy the Government, or any department thereof, or of impairing the execution of its constitutional powers, or who shall willfully and maliciously cause the death of the sovereign or chief magistrate of any foreign country, shall be punished with death.

SEC. 2. That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, attempt to commit either of the offenses mentioned in the foregoing section shall be punished with death.

SEC. 3. That any person who shall, with the intent aforesaid, within the limits of the United States or any place subject to the jurisdiction thereof, aid or abet the killing of the President or Vice-President of the United States, or shall conspire with any other person to accomplish the same, or who shall aid or abet the killing of the sovereign or chief magistrate of any foreign country, or shall conspire with any other person to accomplish the same, shall be punished by imprisonment not exceeding twenty years.

SEC. 4. That any person who has conspired as aforesaid may be indicted and convicted separately, although the other party or parties to the conspiracy are not indicted or convicted.

SEC. 5. That any person who shall willfully and knowingly aid in the escape of any person guilty of either of the offenses mentioned in the preceding sections shall be deemed an accomplice after the fact, and shall be punished as if a principal, although the other party or parties to said offense shall not be indicted or convicted.

SEC. 6. That in all cases arising under this act the presumption of law shall be that the killing or causing the death of the President or Vice-President of the United States, or the attempting to kill or cause the death of either of said officers, was because of his official position, and with the intent to destroy the Government, or a department thereof, and to impair the execution of its constitutional powers.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Georgia.

Mr. BACON. Let us have the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Maryland [Mr. MCCOMAS]. If he were present, I should vote "yea."

Mr. BAILEY (when Mr. CULBERSON's name was called). My colleague is unavoidably detained from the Chamber. His regular pair is with the Senator from Wisconsin [Mr. QUARLES], but by an arrangement it has been transferred to the Senator from Pennsylvania [Mr. PENROSE]. If my colleague were present, he would vote "yea."

Mr. DEPEW (when his name was called). I have a general pair with the Senator from Louisiana [Mr. MCENERY], and the Senator from Idaho [Mr. HEITFELD] has a general pair with my colleague [Mr. PLATT of New York]. We have exchanged pairs, and the Senator from Idaho and I will vote. I vote "nay."

Mr. FOSTER of Washington (when his name was called). I am paired with the Senator from Mississippi [Mr. MCLAURIN]. I transfer the pair to the Senator from Oregon [Mr. SIMON] and will vote. I vote "nay."

Mr. HANSBROUGH (when his name was called). I have a pair with the senior Senator from Virginia [Mr. DANIEL]. I do not know how he would vote, and I will take the liberty of transferring the pair to the junior Senator from Illinois [Mr. MASON], and will vote. I vote "nay."

Mr. DRYDEN (when Mr. KEAN'S name was called). My colleague is necessarily absent. He is paired with the senior Senator from Washington [Mr. TURNER].

Mr. BAILEY (when the name of Mr. MCLAURIN of Mississippi was called). The Senator from Mississippi [Mr. MCLAURIN] has been called from the Chamber, and he requested me to state that he is paired regularly with the Senator from Washington [Mr. FOSTER] and that the pair, by agreement and for convenience, had been transferred to the Senator from Oregon [Mr. SIMON]. The Senator from Mississippi requested me to state that if present he would vote for any bill or amendment which sought to punish any offender who killed the President or any of the officers intended to be protected by this bill, by reason of their official position, and that he would vote against any proposition which did not recognize that distinction. In accordance with that statement, if he were present he would vote "yea" on this amendment.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. MCLAURIN]. If he were present, I should vote "nay."

Mr. QUARLES (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. I transfer the pair to the senior Senator from Pennsylvania [Mr. PENROSE], and will vote. I vote "nay."

Mr. SIMMONS (when his name was called). I have a pair with the junior Senator from Minnesota [Mr. CLAPP]. If he were present, I should vote "yea."

Mr. WARREN (when his name was called). I have a regular pair with the senior Senator from Washington [Mr. TURNER]. I understand a mutual agreement has been made whereby the Senator from Washington stands paired with the senior Senator from New Jersey [Mr. KEAN]. The pair will remain during the voting. So I shall vote. I vote "nay."

The roll call was concluded.

Mr. BEVERIDGE. I have a standing pair with the senior Senator from Montana [Mr. CLARK]. I voted, and I now observe that he is absent. I therefore transfer my pair to the senior Senator from Nebraska [Mr. DIETRICH] and will let my vote stand, and I will vote on subsequent roll calls.

Mr. ALLISON. My colleague [Mr. DOLLIVER] is necessarily absent, and is paired on all questions regarding the bill with the senior Senator from Mississippi [Mr. MONEY]. If my colleague were present, he would vote "nay." I do not know how the Senator from Mississippi would vote.

Mr. BAILEY. In view of the statement of the Senator from Iowa, I desire to state that if the Senator from Mississippi [Mr. MONEY] were present, he would vote "yea."

The result was announced—yeas 14, nays 49; as follows:

YEAS—14.

Bacon,	Carmack,	Martin,	Tillman,
Bailey,	Clay,	Patterson,	Vest.
Bate,	Foster, La.	Rawlins,	
Blackburn,	Mallory,	Taliaferro,	

NAYS—49.

Aldrich,	Cockrell,	Fairbanks,	Hanna,
Allison,	Cullom,	Foraker,	Hansbrough,
Bard,	Deboe,	Foster, Wash.	Harris,
Beveridge,	Depew,	Frye,	Hawley,
Burnham,	Dillingham,	Gallinger,	Heitfeld,
Burrows,	Dryden,	Gamble,	Hoar,
Burton,	Dubois,	Gibson,	Kearns,
Clark, Wyo.	Elkins,	Hale,	Kittredge,
Lodge,	Perkins,	Scott,	Wellington,
McCumber,	Pettus,	Spooner,	Wetmore.
McMillan,	Platt, Conn.	Stewart,	
Mitchell,	Proctor,	Teller,	
Nelson,	Quarles,	Warren,	

NOT VOTING—25.

Berry,	Jones, Ark.	Mason,	Quay,
Clapp,	Jones, Nev.	Millard,	Simmons
Clark, Mont.	Kean,	Money,	Simon,
Culberson,	McComas,	Morgan,	Turner.
Daniel,	McEnery,	Penrose,	
Dietrich,	McLaurin, Miss.	Platt, N. Y.	
Dolliver,	McLaurin, S. C.	Pritchard,	

So Mr. BACON'S amendment was rejected.

Mr. PATTERSON. I submit an amendment in the nature of a substitute, and ask to have it read.

The PRESIDENT pro tempore. The Senator from Colorado offers an amendment, which will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That any person who shall, within the limits of the United States, or any place subject to the jurisdiction thereof, murder the President or Vice-President of the United States, or the official next in succession to the President under the Constitution and laws of the United States, shall be punished with death; and an accessory before or after any such offense shall be deemed a principal and be punished with death; and any such accessory may be indicted, tried, and punished, although the other party or parties to such offense has not or have not been indicted or convicted.

SEC. 2. That any person who shall, within the limits of the United States, or any place subject to the jurisdiction thereof, kill any of the official persons mentioned in section 1 under such circumstances as to constitute the killing manslaughter, he shall be imprisoned not more than twenty years.

SEC. 3. That any person who shall, within the limits of the United States, or any place subject to its jurisdiction, assault any of the official persons mentioned in section 1 with intent to murder the person so assaulted, he shall be punished with death, or, in the discretion of the court, with imprisonment during his natural life, or for a period not less than ten years.

SEC. 4. That any person who shall, within the limits of the United States, or any place subject to the jurisdiction thereof, conspire to murder either of the official persons mentioned in section 1, shall be punished by imprisonment not more than twenty years; and any person who has conspired as aforesaid may be indicted and convicted separately, although the other party or parties to the conspiracy have not been indicted or convicted.

SEC. 5. That the Secretary of War is authorized and directed to select and detail from the Regular Army a sufficient number of officers and men to guard and protect the person of the President of the United States without any unnecessary display.

And the Secretary of War is authorized and directed to make special rules and regulations as to dress, arms, and equipment and duties of said guard, and shall publish only such parts of said rules and regulations as he may deem proper.

That the additional expenses of such guard so detailed shall be paid out of the Treasury, on accounts to be certified by the Secretary of War to the Secretary of the Treasury.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Colorado.

Mr. TELLER. Let us have the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. FOSTER of Washington (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. MCLAURIN]. If he were present, he would vote "yea." I transfer my pair to the Senator from Oregon [Mr. SIMON], and will vote. I vote "nay."

Mr. DRYDEN (when Mr. KEAN'S name was called). My colleague is absent. He is paired with the senior Senator from Washington [Mr. TURNER].

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

Mr. PRITCHARD (when his name was called). I again announce my pair with the junior Senator from South Carolina [Mr. MCLAURIN]. If he were present, I should vote "nay."

Mr. QUARLES (when his name was called). I desire to renew the statement regarding my pair and its transfer made upon the last vote. I will vote. I vote "nay."

Mr. SIMMONS (when his name was called). I desire to state again that I am paired with the Senator from Minnesota [Mr. CLAPP]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 18, nays 45; as follows:

YEAS—18.

Bacon,	Carmack,	Mallory,	Teller,
Bailey,	Clay,	Martin,	Tillman,
Bate,	Dubois,	Patterson,	Vest.
Berry,	Harris,	Rawlins,	
Blackburn,	Heitfeld,	Taliaferro,	

NAYS—45.

Aldrich,	Dryden,	Hansbrough,	Platt, Conn.
Allison,	Elkins,	Hawley,	Proctor,
Bard,	Fairbanks,	Hoar,	Quarles,
Beveridge,	Foraker,	Kearns,	Scott,
Burnham,	Foster, La.	Kittredge,	Spooner,
Burrows,	Foster, Wash.	Lodge,	Stewart,
Clark, Wyo.	Frye,	McComas,	Warren,
Cockrell,	Gallinger,	McMillan,	Wellington,
Cullom,	Gamble,	Mitchell,	Wetmore.
Deboe,	Gibson,	Nelson,	
Depew,	Hale,	Perkins,	
Dillingham,	Hanna,	Pettus,	

NOT VOTING—25.

Burton,	Jones, Ark.	Mason,	Quay,
Clapp,	Jones, Nev.	Millard,	Simmons,
Clark, Mont.	Kean,	Money,	Simon,
Culberson,	McCumber,	Morgan,	Turner.
Daniel,	McEnery,	Penrose,	
Dietrich,	McLaurin, Miss.	Platt, N. Y.	
Dolliver,	McLaurin, S. C.	Pritchard,	

So Mr. PATTERSON'S amendment was rejected.

The PRESIDENT pro tempore. Are there further amendments?

Mr. MALLORY. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. Strike out all of section 7 and insert:

SEC. 7. That the Secretary of the Treasury is authorized and directed to employ such number of competent, experienced, and discreet men in the secret-service division of his Department as he may deem necessary to guard and protect the person of the President of the United States and to prevent the consummation of designs and conspiracies against his personal security, and to cause them to be so disposed as at all times to assure as effectually as possible the security of the person of the President.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Florida [Mr. MALLORY].

The amendment was rejected.

Mr. TELLER. I have an amendment that I desire to offer as a substitute for section 7.

The PRESIDENT pro tempore. The Senator from Colorado offers an amendment, which will be read.

The SECRETARY. Strike out section 7 and insert the following:

SEC. 7. That the Secretary of War is hereby directed to employ a sufficient number of persons to guard and protect the person of the President of the United States; and he shall make all necessary rules and regulations as he may consider necessary as to equipment and duties of said guard, and shall publish only such parts of said rules and regulations as he may deem proper.

Mr. TELLER. Mr. President, I believe that amendment will accomplish all that is sought or desired by the seventh section. It will not be objectionable, as the seventh section is, because of the use of the Army to perform a purely civil function. It is contrary to American doctrine that the Army should be used except in case of war or in case of extreme violence by large forces. I believe this is better adapted to accomplish what the friends of the bill see fit than the section as it stands in the bill.

I wish to say, however, that, as much as the seventh section is objectionable to me, I propose to vote for the bill, even if this amendment is voted down. I have voted for several amendments to-day that I believed would have greatly improved the bill, but the majority do not seem to be in accord with my views on that subject. I am anxious that some bill shall be passed covering this question. Although I am not satisfied with some features of the bill, I expect to vote for it on its final passage.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Colorado [Mr. TELLER].

The amendment was rejected.

Mr. McCUMBER. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. Amend section 2 by striking out all of said section after the word "commit," in line 2 on page 2, and inserting in lieu thereof the words:

Such offense against the President of the United States shall be punished with death.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. BACON. Let us see what is the connection. We do not know what is the full purport of the amendment.

Mr. HOAR. I should like to have the clause read as it would read if amended as proposed.

The PRESIDENT pro tempore. The section will be read as it would stand if amended.

The SECRETARY. On page 2, line 2, after the word "commit," insert:

Such offense against the President of the United States shall be punished with death.

So that if amended section 2 would read:

That any person who shall, within the limits of the United States or any place subject to the jurisdiction thereof, attempt to commit such offense against the President of the United States shall be punished with death.

Mr. HOAR. The amendment proposes to leave out everyone except——

Mr. McCUMBER. It simply leaves out everyone except the President.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from North Dakota [Mr. McCUMBER].

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading; and it was read the third time.

The PRESIDENT pro tempore. Shall the bill pass?

Mr. HOAR. On the passage of the bill I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BAILEY (when Mr. CULBERSON'S name was called). My colleague [Mr. CULBERSON] is unavoidably detained from the Senate and is paired with the Senator from Pennsylvania [Mr. PENROSE]. If my colleague were present, he would vote "nay."

Mr. ALLISON (when Mr. DOLLIVER'S name was called). My colleague [Mr. DOLLIVER] is necessarily absent from the Chamber. If he were present, he would vote "yea." He is paired with the senior Senator from Mississippi [Mr. MONEY].

Mr. FOSTER of Washington (when his name was called). I have a general pair with the Senator from Mississippi [Mr. McLAURIN]. I transfer that pair to the Senator from Oregon [Mr. SIMON] and I vote "yea."

Mr. HALE (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES]. Otherwise I should vote "yea."

Mr. DRYDEN (when Mr. KEAN'S name was called). My colleague [Mr. KEAN] is absent and is paired with the senior Senator from Washington [Mr. TURNER].

Mr. PETTUS (when Mr. MORGAN'S name was called). The senior Senator from Alabama [Mr. MORGAN] is absent. He is paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. PRITCHARD (when his name was called). I again announce my pair with the junior Senator from South Carolina [Mr. McLAURIN]. I transfer that pair to the junior Senator from Nebraska [Mr. MILLARD], and vote "yea."

Mr. QUARLES (when his name was called). I desire to repeat the announcement of my pair and its transfer. I vote "yea."

Mr. SIMMONS (when his name was called). I am paired with the junior Senator from Minnesota [Mr. CLAPP]. I am informed that if the junior Senator from Minnesota were present he would vote "yea." I will therefore vote. I vote "yea."

The roll call having been concluded, the result was announced—yeas 52, nays 15; as follows:

YEAS—52.

Aldrich,	Dillingham,	Hansbrough,	Perkins,
Allison,	Dryden,	Harris,	Platt, Conn.
Bard,	Dubois,	Hawley,	Pritchard,
Beveridge,	Elkins,	Heitfeld,	Proctor,
Burnham,	Fairbanks,	Hoar,	Quarles,
Burrows,	Foraker,	Kearns,	Scott,
Burton,	Foster, La.	Kittredge,	Simmons,
Clark, Mont.	Foster, Wash.	Lodge,	Spooner,
Clark, Wyo.	Frye,	McComas,	Stewart,
Cockrell,	Gallinger,	McMillan,	Teller,
Cullom,	Gamble,	Martin,	Vest,
Deboe,	Gibson,	Mitchell,	Warren,
Depew,	Hanna,	Nelson,	Wetmore.

NAYS—15.

Bacon,	Blackburn,	Mallory,	Taliaferro,
Bailey,	Carmack,	Patterson,	Tillman,
Bate,	Clay,	Pettus,	Wellington.
Berry,	McCumber,	Rawlins,	

NOT VOTING—21.

Clapp,	Jones, Ark.	Mason,	Quay,
Culberson,	Jones, Nev.	Millard,	Simon,
Daniel,	Kean,	Money,	Turner.
Dietrich,	McEnery,	Morgan,	
Dolliver,	McLaurin, Miss.	Penrose,	
Hale,	McLaurin, S. C.	Platt, N. Y.	

So the bill was passed.

IMITATION DAIRY PRODUCTS.

Mr. PROCTOR. I move that the Senate proceed to the consideration of House bill 9206, known as the oleomargarine bill.

Mr. BAILEY. Mr. President, I rise to a parliamentary inquiry. Is that the regular order of business without a motion?

The PRESIDENT pro tempore. It is not.

Mr. BERRY. The Senator from Vermont makes the motion now.

Mr. BAILEY. Without a motion, I desire to inquire what would be the regular order.

The PRESIDENT pro tempore. The Senator from Vermont moves that the Senate proceed to the consideration of the bill indicated by him.

Mr. PROCTOR. It is the first bill on the Calendar, at the point reached when the Calendar was last under consideration.

Mr. BAILEY. Then it would be the regular order whenever the Senate proceeded to consider the Calendar?

Mr. PROCTOR. It would be.

Mr. BAILEY. It would be the regular order of business?

Mr. GALLINGER. Under Rule VIII.

Mr. HOAR. Would it not be under the restricted rule as to five minutes' debate, or under Rule VIII?

Mr. BAILEY. I am seeking for information.

Mr. HOAR. I ask the Chair if this motion were not made and the bill came up as the first on the Calendar, whether it would not be under the restriction of Rule VIII. So this motion brings it under the general rule of debate.

Mr. CULLOM. It takes it up for consideration without any limitation.

The PRESIDENT pro tempore. What was the inquiry of the Senator from Texas?

Mr. BAILEY. I desire to inquire of the Chair whether, in the absence of the motion submitted by the Senator from Vermont, this bill would be the regular order?

The PRESIDENT pro tempore. It would not.

Mr. BAILEY. Then, I desire to inquire of the Chair, if this motion should be voted down what would be the regular order of business?

The PRESIDENT pro tempore. The Chair is inclined to think it would be No. 1 on the Calendar. There is no Calendar under Rule IX now; it is all Calendar under Rule VIII; and the first bill under Calendar Rule VIII, passed over without prejudice, is the bill to amend an act entitled "An act to establish a code of law for the District of Columbia." The Senator from Vermont moves that the Senate proceed to the consideration of a bill which will be read by title.

Mr. TELLER. Mr. President, I wish to make an inquiry.

The PRESIDENT pro tempore. The Senator from Colorado will state it.

Mr. TELLER. I understood somebody to state—I have not had a chance to look at the RECORD—that this bill is No. 1 on the Calendar, and would come up at 2 o'clock.

The PRESIDENT pro tempore. No; it is the first bill at the point which has been reached in the morning hour under Rule VIII. The question is on the motion of the Senator from Vermont.

Mr. BATE. I should like to ask the Senator from Vermont a question about the bill. Does he propose to go on and consider the bill at once?

Mr. PROCTOR. The motion is to take it up for consideration and to make it the unfinished business of the Senate.

Mr. BATE. Not with a view of proceeding with it now?

Mr. PROCTOR. No.

The PRESIDENT pro tempore. The bill will be read by title.

The SECRETARY. A bill (H. R. 9206) to make oleomargarine and other imitation dairy products subject to the laws of any State or Territory or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter; also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Vermont.

The motion was agreed to.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. ALDRICH. Pending that, I hope the Senator from Illinois will permit me to make a motion which I think will have general acquiescence. I move that when the Senate adjourns to-day it adjourn to meet on Monday next.

The PRESIDENT pro tempore. Does the Senator from Illinois withdraw his motion for that purpose?

Mr. CULLOM. Yes, sir.

The PRESIDENT pro tempore. The Senator from Rhode Island moves that when the Senate adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

Mr. CULLOM. I renew my motion.

The PRESIDENT pro tempore. The Senator from Illinois moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 7 minutes p. m.) the Senate adjourned until Monday, March 24, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 21, 1902.

APPOINTMENT IN THE ARMY.

Artillery Corps.

William W. Chance, of the District of Columbia, late captain and signal officer, United States Volunteers, to be first lieutenant, September 23, 1901, to fill an original vacancy.

CONFIRMATIONS.

Executive nomination confirmed by the Senate March 5, 1902.

POSTMASTER.

Jennie McA. Park, to be postmaster at Libonia, in the county of Franklin and State of Pennsylvania.

Executive nomination confirmed by the Senate March 14, 1902.

POSTMASTER.

Jessie Ranton, to be postmaster at Sheldon, in the county of Iroquois and State of Illinois.

Executive nominations confirmed by the Senate March 21, 1902.

COLLECTOR OF CUSTOMS.

Marshall L. King, of Virginia, to be collector of customs for the district of Alexandria, in the State of Virginia.

APPOINTMENTS IN THE ARMY.

Infantry Arm.

Robert Lindsay Weeks, of New York, to be second lieutenant, March 7, 1902.

Albert G. Goodwyn, of Alabama, to be second lieutenant, March 15, 1902.

John M. Kelso, jr., of Arkansas, to be first lieutenant, Fortieth Infantry, United States Volunteers (now first lieutenant in the Philippine Scouts), to be second lieutenant, February 2, 1901.

To be chaplains.

Rev. Paul Traugott Brockmann, of Wisconsin, March 13, 1902.
Rev. Francis Brooks Doherty, of California, March 13, 1902.
Rev. James Ossewaarde, of Michigan, March 13, 1902.
Rev. Patrick Perfecto Carey, of New York, March 13, 1902.
Rev. George Herbert Jones, of Washington, March 13, 1902.
Rev. Julian Emmet Yates, of Kansas, March 13, 1902.

MEDICAL OFFICERS OF VOLUNTEERS.

William A. McVean, of Ohio, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, March 14, 1902.

Thomas S. Lowe, of Maryland, contract surgeon, United States Army, to be assistant surgeon, United States Volunteers, with the rank of captain, March 11, 1902.

PROMOTIONS IN THE ARMY.

Infantry Arm.

Maj. Philip Reade, Fourth Infantry, to be lieutenant-colonel, March 12, 1902.

Capt. John C. F. Tillson, Fourteenth Infantry, to be major, March 12, 1902.

First Lieut. John K. Moore, Fifteenth Infantry, to be captain, March 8, 1902.

First Lieut. Claude H. Miller, Twenty-sixth Infantry, to be captain, March 10, 1902.

First Lieut. Harold B. Fiske, Eighteenth Infantry, to be captain, March 12, 1902.

First Lieut. John H. Hughes, Fourth Infantry, to be captain, March 12, 1902.

POSTMASTERS.

Alexander McLean, to be postmaster at Lompoc, in the county of Santa Barbara and State of California.

William W. Millikin, to be postmaster at Dothan, in the county of Henry and State of Alabama.

Charles H. McOmber, to be postmaster at West Troy, in the county of Albany and State of New York.

George M. Mayer, to be postmaster ot Olean, in the county of Cattaraugus and State of New York.

Frank E. Holmes, to be postmaster at New Berlin, in the county of Chenango and State of New York.

Sanford B. Strout, to be postmaster at Evergreen, in the county of Conecuh and State of Alabama.

Abner Allison, to be postmaster at Mount Gilead, in the county of Morrow and State of Ohio.

Herbert Newhard, to be postmaster at Carey, in the county of Wyandot and State of Ohio.

John P. Moran, to be postmaster at White Plains, in the county of Westchester and State of New York.

Roderick L. Leland, to be postmaster at Clifton Springs, in the county of Ontario and State of New York.

George C. Silsbee, to be postmaster at Avoca, in the county of Steuben and State of New York.

John J. Hodnett, to be postmaster at Tempe, in the county of Maricopa and Territory of Arizona.

George W. Brown, to be postmaster at Wayne, in the county of Delaware and State of Pennsylvania.

H. S. Mooney, to be postmaster at Cardington, in the county of Morrow and State of Ohio.

George G. Radcliff, to be postmaster at Watsonville, in the county of Santa Cruz and State of California.

David W. Morris, to be postmaster at Modesto, in the county of Stanislaus and State of California.

Russell H. Chandler, to be postmaster at Yuma, in the county of Yuma and Territory of Arizona.

Charles Earwicker, to be postmaster at New Rochelle, in the county of Westchester and State of New York.

John J. Roehrig, to be postmaster at Rosebank, in the county of Richmond and State of New York.

Egbert L. Hodskin, to be postmaster at Fairport, in the county of Monroe and State of New York.

S. C. Daugherty, to be postmaster at Jeannette, in the county of Westmoreland and State of Pennsylvania.

George B. Hayden, to be postmaster at Upland, late North Ontario, in the county of San Bernardino and State of California.

W. S. Hoge, to be postmaster at Athens, in the county of McMinn and State of Tennessee.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 21, 1902.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

WAR CLAIMS.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the House nonconcur in the Senate amendment to bill H. R. 8587 and ask for a conference.

The SPEAKER. The gentleman from Pennsylvania, from the Committee on War Claims, asks to discharge the Committee of the Whole House from the further consideration of the bill H. R. 8587, that the House nonconcur in the amendment of the Senate, and ask for a conference. Is there objection?

Mr. PAYNE. Reserving the right to object, I would like to know if this is the $3,000,000 amendment that the Senate put onto a little bill of the House involving a few hundred thousand dollars that went over there.

Mr. MAHON. I will say to the gentleman that this is the omnibus bill which was referred to the Committee on War Claims, who made a unanimous recommendation that the House nonconcur in all Senate amendments and ask for a conference.

Mr. PAYNE. Then, Mr. Speaker, I believe that that bill ought to be thoroughly discussed in the Committee of the Whole House, and every one of these large claims thoroughly understood by the House before the bill goes to a conference. If the bill goes to a conference, it comes here on a conference report, subject to the previous question, with little time for debate and little time for the House to understand these claims, and therefore I feel compelled to object to the request.

The SPEAKER. Objection is made.

Mr. CALDERHEAD rose.

Mr. MAHON. Mr. Speaker.

The SPEAKER. Does the gentleman from Kansas yield to the gentleman from Pennsylvania?

Mr. CALDERHEAD. Yes.

Mr. MAHON. I would like to make another request.

The SPEAKER. The gentleman will submit it.

Mr. MAHON. This is the day that belongs to war claims. That committee has but one day in a month. I do not want to get in the way of the river and harbor bill, but I think we are entitled to some consideration, and I ask unanimous consent that next Wednesday be given to the War Claims Committee in place of to-day, at which time we can consider this bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that next Wednesday be assigned to the War Claims Committee in place of this day.

Mr. PAYNE. Well, not to interfere with revenue or appropriation bills.

Mr. MAHON. If the gentleman wants to consider this bill in the Committee of the Whole, I will give him a chance.

Mr. PAYNE. Well, not to interfere with revenue or appropriation bills?

Mr. MAHON. No; I am now cutting out a day for an appropriation bill.

Mr. CANNON. Mr. Speaker, let Wednesday take care of itself when we reach it.

The SPEAKER. Objection is made.

FREDERICK SHAFER.

Mr. CALDERHEAD. Mr. Speaker, I call up the conference report to the bill (H. R. 9227) granting an increase of pension to Frederick Shafer.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 9227, "An act granting an increase of pension to Frederick Shafer," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

W. A. CALDERHEAD,
J. N. W. RUMPLE,
J. A. NORTON,
Managers on the part of the House.

J. H. GALLINGER,
J. R. BURTON,
T. M. PATTERSON,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

Statement in the case of H. R. 9227, granting an increase of pension to Frederick Shafer.

The result of the conference is that the bill granting an increase of pension to Frederick Shafer is recommended to pass at $40 per month, the same as it originally passed the House.

W. A. CALDERHEAD,
J. N. W. RUMPLE,
J. A. NORTON,
Conferees.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

SELDEN E. WITCHER.

Mr. CALDERHEAD. Mr. Speaker, I call up the conference report on the bill (H. R. 4488) granting an increase of pension to Selden E. Witcher.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 4488, "An act granting an increase of pension to Selden E. Witcher," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the sum proposed insert "sixteen;" and the Senate agree to the same.

W. A. CALDERHEAD,
J. N. W. RUMPLE,
J. A. NORTON,
Managers on the part of the House.

P. J. McCUMBER,
N. B. SCOTT,
E. W. CARMACK,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

Statement in the case of H. R. 4488, granting an increase of pension to Selden E. Whitcher.

The result of the conference on the bill granting an increase of pension to Selden E. Whitcher is that it be recommended to pass at $16 per month, the House receding from the increase to $20 per month, and the Senate agreeing to an increase from $6 to $16 per month.

W. A. CALDERHEAD,
J. N. W. RUMPLE,
J. A. NORTON,
Conferees.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. CALDERHEAD, a motion to reconsider the last two votes was laid on the table.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BINGHAM. Mr. Speaker, I am directed by the Committee on Appropriations to report back the legislative, executive, and judicial appropriation bill and ask unanimous consent that the House nonconcur to all of the amendments of the Senate and ask for a conference.

The SPEAKER. The gentleman from Pennsylvania, by order of the Committee on Appropriations, presents the legislative appropriation bill, with Senate amendments, and asks a general disagreement to all the amendments of the Senate and that a conference be asked. Is there objection?

Mr. MAHON. I object.

The SPEAKER. Objection is made.

HERBERT A. BOOMHOWER.

The SPEAKER laid before the House the bill (H. R. 4821) granting an increase of pension to Herbert A. Boomhower, with a Senate amendment thereto.

The Senate amendment was read.

Mr. SULLOWAY. I move that the House nonconcur in the Senate amendment and ask for a conference.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. SAMUEL W. SMITH, Mr. DARRAGH, and Mr. KLEBERG.

JAMES A. SOMERVILLE.

The SPEAKER also laid before the House the bill (H. R. 4260) to correct the military record of James A. Somerville, with a Senate amendment thereto.

The Senate amendment was read.

Mr. ESCH. I move that the House concur in the Senate amendment.

The motion was agreed to.

JACOB D. CALDWELL.

The SPEAKER also laid before the House the bill (H. R. 7823) granting an increase of pension to Jacob D. Caldwell, with a Senate amendment thereto.

The Senate amendment was read.

Mr. SULLOWAY. I move that the House concur in the Senate amendment.

The motion was agreed to.

SAMUEL W. SKINNER.

The SPEAKER also laid before the House the bill (H. R. 5543) granting an increase of pension to Samuel W. Skinner, with a Senate amendment thereto.

The Senate amendment was read.

Mr. SULLOWAY. I move that the House concur in the amendment of the Senate.

The motion was agreed to.

RUTH B. OSBORNE.

The SPEAKER also laid before the House the bill (H. R. 4456) granting a pension to Ruth B. Osborne, with a Senate amendment thereto.

The Senate amendment was read.

Mr. SULLOWAY. I move that the House concur in the Senate amendment.

The motion was agreed to.

ISRAEL P. COVEY.

The SPEAKER also laid before the House the bill (H. R. 3272) granting an increase of pension to Israel P. Covey, with a Senate amendment thereto.

The Senate amendment was read.

Mr. SULLOWAY. I move that the House concur in the Senate amendment.

The motion was agreed to.

JOHN VALE.

The SPEAKER also laid before the House the bill (H. R. 2673) granting an increase of pension to John Vale, with a Senate amendment thereto.

The Senate amendment was read.

Mr. SULLOWAY. I move that the House concur in the Senate amendment.

The motion was agreed to.

JOHN G. BROWER.

The SPEAKER also laid before the House the bill (H. R. 1529) granting an increase of pension to John G. Brower, with a Senate amendment thereto.

The Senate amendment was read.

Mr. SULLOWAY. I move that the House concur in the Senate amendment.

The motion was agreed to.

JOHN S. LEWIS.

The SPEAKER also laid before the House the bill (H. R. 9397) granting a pension to John S. Lewis, with a Senate amendment thereto.

The Senate amendment was read.

Mr. BROMWELL. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

AMANDA JACKO.

The SPEAKER also laid before the House the bill (H. R. 8293) granting a pension to Amanda Jacko, with Senate amendments thereto.

The amendments were read.

Mr. BROMWELL. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

BENJAMIN F. DRAPER.

The SPEAKER also laid before the House the bill (H. R. 7074) granting a pension to Benjamin F. Draper, with a Senate amendment thereto.

The Senate amendment was read.

Mr. BROMWELL. I move that the House concur in the Senate amendment.

The motion was agreed to.

LUE EMMA M'JUNKIN.

The SPEAKER also laid before the House the bill (H. R. 6018) granting a pension to Lue Emma McJunkin, with Senate amendments.

The Senate amendments were read.

Mr. BROMWELL. Mr Speaker, I move to concur in the Senate amendments.

The motion was agreed to.

MALVINA C. STITH.

The SPEAKER also laid before the House the bill (H. R. 5289) granting a pension to Malvina C. Stith, with a Senate amendment.

The Senate amendment was read.

Mr. BROMWELL. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. KYLE, until April 1, on account of important business.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12346, being the river and harbor appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union, Mr. OLMSTED in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of Union for the further consideration of the bill H. R. 12346, the river and harbor bill, and the Clerk will proceed with the reading of the bill by paragraphs for amendment.

The Clerk read as follows:

Improving Detroit River, from Detroit to Lake Erie, in accordance with the report submitted in House Document No. 712, Fifty-sixth Congress, first session, and designated as "Plan A," $500,000, of which amount the Secretary of War may expend $10,000 in the said river north and west of Grosse Isle for the deepening of the channel to Wyandotte, Mich.: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to prosecute said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $1,250,000, exclusive of the amounts herein and heretofore appropriated.

Mr. HENRY C. SMITH. Mr. Chairman, I have an amendment I desire to offer to this section, but for the purpose of accommodating a member of the committee I ask unanimous consent that I may bring it up at the close of this section and discuss it at that time.

Mr. BURTON. I have no objection, Mr. Chairman.

The CHAIRMAN. The gentleman from Michigan asks that the amendment which he desires to propose may be deferred until the reading of the section is concluded. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Improving Black River, at the mouth, and Rouge River, Michigan: For maintenance, $7,500.

Mr. BURTON. Mr. Chairman, I have an amendment to offer. In line 10, after the word "river," there be inserted the words "also the harbor of Monroe."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was agreed to.

Mr. BURTON. I also move, Mr. Chairman, that there be inserted as an amendment after line 11, the words which I will send to the desk.

The Clerk read as follows:

On page 16, after line 11, insert "improving Clinton River, Michigan. The Secretary of War is hereby authorized in his discretion to use any sums heretofore appropriated and now unexpended in extending the channel up to the entrance of the old Clinton and Kalamazoo Canal."

Mr. BURTON. Mr. Chairman, I would say in explanation of that amendment that there is a small balance on hand—about $4,000—to the credit of the Clinton River, and this upper portion of the river seems worthy of improvement; so that the amendment can do no harm, and may do some good. I ask its adoption.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The Clerk read as follows:

Improving Saginaw River, Michigan: Continuing improvement and for maintenance, $50,000: *Provided*, That one-half of said amount may be expended above and one-half below the county line between Saginaw and Bay counties, and of the amount to be expended above said county line the Secretary of War may expend, in his discretion, not to exceed $5,000, from the amount herein appropriated, for improvement above the Saginaw County line, in dredging Shiawassee and Bad rivers up as far as St. Charles, in accordance with House Document No. 135, Fifty-fifth Congress, second session.

Mr. BURTON. Mr. Chairman, I offer an amendment to that section.

The Clerk read as follows:

On page 68, line 19, omit the words "Saginaw County" and substitute the words "said county."

Mr. BURTON. That is merely to make the section a little plainer in designating the boundary lines.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Improving Middle and West Neebish channels, St. Marys River, Michigan, in accordance with the report submitted in House Document No. 128, Fifty-sixth Congress, second session, $500,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be required to prosecute said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $4,000,000, exclusive of the amounts herein appropriated and heretofore appropriated for the improvement of Hay Lake Channel. And the Secretary of War is authorized, in his discretion, to first complete the work on said channel between Hay Lake and Mud Lake.

Mr. BURTON. Mr. Chairman, I offer an amendment which I desire to have read at the Clerk's desk.

The Clerk read as follows:

Amend paragraph with reference to St. Marys River, Michigan, page 69, at the end of line 11, by adding the following:

"Subject to the express precedent conditions hereinafter mentioned, the Michigan-Lake Superior Power Company of Sault Ste. Marie, Mich., its successors and assigns, after first obtaining consent of the Secretary of War and the Chief of Engineers and their approval of the said canal and remedial works proposed, is hereby authorized to divert water from the St. Marys River into its water-power canal now being constructed at Sault Ste. Marie, Mich., for water-power purposes while and so long as such works and diversion of water from said river shall not injuriously affect navigation therein, nor impair or diminish the water levels or any natural increase thereof, either in Lake Superior or in the United States ship canal and locks or the navigable channels, locks, or ship canals connected therewith, whether natural or artificial, now existing or which may hereafter be established or created by the United States for navigation purposes.

"And conditioned further, that said company shall establish, maintain, and operate suitable and sufficient remedial and controlling works in the rapids of said river to the approval of the Secretary of War and the Chief of Engineers; and said company shall maintain and operate said canal and works in accordance with any rules and regulations that may hereafter be recommended by any international commission and that shall become operative. Whenever in the judgment of the Secretary of War the operation of said canal and remedial and controlling works, or either of them, either in themselves or in conjunction with any other canal or canals in the United States or Canada which now or hereafter may exist, is injuriously affecting water levels or the navigation of Lake Superior, the river St. Marys, or other channels, locks, or ship canals connected therewith as hereinbefore provided, he shall impose upon said company such rules and regulations for the operation of said canal and remedial works as may in his opinion be necessary to prevent such injury.

"It shall become his duty and he shall have the authority to enter upon the property of said company and to close said canal in whole or in part to the extent necessary to maintain water levels and to require said company, at its own expense, to remove, add to, or modify said works or any part thereof to the extent necessary to maintain water levels. Neither the Secretary of War, nor the Chief of Engineers, or any officer or other person acting under direction of them or either of them, shall be in any way liable by reason of anything done in the execution of this provision.

"Any remedies provided, however, shall be cumulative and shall be without prejudice to any other remedies, either of the United States or of individuals, for failure of said company to maintain said levels for navigation purposes as herein provided.

"Nothing herein contained shall be held to affect any existing riparian or other rights of any person or corporation or the existing remedies therefor or any action at law or equity now pending. The right is hereby expressly reserved to Congress to alter, amend, or repeal the provisions contained in this paragraph."

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

The unexpended balances remaining from appropriations for St. Marys River at the Falls shall be expended as follows: Twenty thousand dollars, or so much thereof as may be necessary, at the Sailors Encampment, with a view to avoid collisions and groundings at that point; $25,000, or so much thereof as may be necessary, to pay the salaries and expenses of the commission created by section 4 herein; of the remainder, a sufficient amount may be expended for the completion and further improvement of the St. Clair Flats Canal, heretofore referred to and described in House Document No. 234, Fifty-sixth Congress, second session. The balance remaining after the diversions above set forth shall be expended for the widening and improvement of the St. Marys Falls Canal above the locks, in accordance with the project submitted in House Document No. 128, Fifty-sixth Congress, second session. The provision of section 4 of the act approved June 6, 1900, entitled "An act making provision for emergencies in river and harbor works, etc.," giving authority to divert from the fund herein described an amount not exceeding $100,000 to restore and make available a channel formerly used through Lake George Channel, is hereby repealed.

Mr. BURTON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 69, lines 23 and 24, strike out the words "the balance remaining after the diversions set forth," and insert "so much of the balance remaining after the diversions above set forth as may not be required after completing said project."

The amendment was agreed to.

The Clerk read as follows:

Improving Wabash River, Indiana and Illinois, below Vincennes: Continuing improvement, $5,000; which amount, together with the unexpended balance of any appropriations heretofore made for the improvement of said river, or so much thereof as may be necessary, may be expended in making a survey and estimate of the cost of improving said Wabash River below Vincennes, with a view to the necessities of commerce.

Mr. BURTON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 71, line 18, after the word "commerce," substitute a comma for a period and insert "and in making a proper examination of Wabash River above Vincennes to Perrysville, also of the Little Wabash River to Carmi, and in case of such preliminary examination favorable report shall be made, the Secretary of War may in his discretion direct detailed surveys of the same to be made."

The amendment was considered, and agreed to.

The Clerk read as follows:

Reservoirs at headwaters of the Mississippi River, and Mississippi River between Brainerd and Grand Rapids, Minn.: Continuing improvement and for maintenance, $250,000, of which amount $10,000 may be expended between Brainerd and Grand Rapids. The amount herein appropriated, except as above provided, and the unexpended balance of former appropriations shall be expended as follows: For the necessary renewal and repair of Winnibigoshish, Leech Lake, and Pokegama Falls reservoir; in making a further investigation, including an examination and survey, of the Pine River and Sandy Lake reservoirs, with a view to determining whether or not it is advisable to renew and repair said reservoirs; in making a further investigation, in the discretion of the Secretary of War, which shall include an examination and survey of Willow River in Aitkin County, to determine the causes of and the means of preventing excessive floods in the river between the Government dam at Sandy Lake and Brainerd, and the effect thereof on navigation; in making full and accurate surveys of the flowage lines of Winnibigoshish, Leech Lake, Pokegama Falls, Sandy Lake, and Pine River reservoirs, and in permanently marking such lines on the ground; not to exceed $75,000 for the purchase of the lands or easements therein which are necessarily subject to overflow by reason of the legitimate operation of said reservoirs when completed

Mr. BURTON. Mr. Chairman, I move to amend by substitution, in line 2, on page 76, of the word "reservoirs" for "reservoir," making it plural instead of singular.

The amendment was agreed to.

The Clerk read as follows:

Improving the Mississippi River from the mouth of the Missouri River to St. Paul, Minn.: Continuing improvement, $400,000: *Provided*, That on and after the passage of this act additional contracts may be entered into by the Secretary of War for such materials and work as may be necessary to carry on continuously the systematc improvement of the Mississippi River between the points mentioned, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $1,200,000, exclusive of the amounts herein and heretofore appropriated: *And provided further*, That the amount to be expended upon the improvement of said river between the points mentioned shall be limited to $400,000 per year for four years; and of the amount herein appropriated for said portion of said river there shall be expended the sum of $20,000, or so much thereof as may be necessary, for the improvement of Quincy Bay and for removing the sand bar at the steamboat landing at Quincy, Ill., and the further sum of $10,000 for the maintenance, repair, and riprapping of the natural and artificial banks along the eastern shore of the Mississippi River from Warsaw, Ill., to Quincy, Ill., so far as the same will subserve the maintenance of the navigable channel of the river, and the further sum of $15,000, or so much thereof as may be necessary, for dredging the channel and harbor and removing sand bars at Hannibal, Mo., and the further sum of $10,000, or so much thereof as may be necessary, for the improvement of the harbor at Muscatine, Iowa, and the further sum of $14,000, or so much thereof as may be necessary, for the construction of a harbor of refuge on the east shore of Lake Pepin, in the Mississippi River, according to the project reported October 27, 1891, and the further sum of $1,500 for removing the bar in the Mississippi River at the mouth of Fountain City Bay at the foot of North street, Fountain City, Wis. The $10,000 heretofore appropriated by the sundry civil act of March 3, 1899, for the improvement of the Mississippi River at Davenport, Iowa, with the further sum of $5,000 to be taken from amounts appropriated in this paragraph, shall be applied for the construction of a harbor of refuge from ice at a point at or below the said city of Davenport, and other necessary improvements of said harbor. Hamburg Bay is hereby included in and made a part of the general project for the improvement of the Mississippi River.

Mr. JETT. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amend by adding after the word "river," in line 6, page 78, "and the further sum of $50,000 is hereby appropriated for the maintenance, repair, and riprapping of the artificial and natural banks of the eastern shore of the Mississippi River opposite the mouth of the Missouri River and extending south therefrom."

Mr. JETT. Mr. Chairman, I have learned that it was the policy of this committee to expend no more money riprapping the banks of various rivers of the country; that it was their object only to look after navigation. I see, however, that they have provided appropriations just preceding this making provisions for the riprapping of the banks of certain rivers. I have been of the opinion, and am now of the opinion, that the interests of transportation ought not only to be looked after, but that the landowners along the river should have their interests and property rights protected. I am frank to say that heretofore some money has been expended on the east bank of the Mississippi River directly opposite where the Missouri enters into the Mississippi. Some money has been expended within the last three or four years—somewhere in the neighborhood of $150,000. Much benefit has been derived by the owners of the property on the Illinois side of the Mississippi River by so doing, and the expenditure of $50,000 more would protect the interests there so that for years and years to come the overflow of these bottom lands would not take place.

The expenditure of the small sum that has been expended protects hundreds and hundreds of acres of very valuable farming land, and the fact is that where the channel of the Mississippi River is to-day only a few years ago was a most magnificent and prosperous orchard, and by reason of the fact of the flowing of the Missouri River at this point into the Mississippi it has destroyed hundreds of acres of exceedingly valuable farming land on the Illinois side. The expenditure of this sum of $50,000 more

would protect the farming interests here to such an extent that for years and years no more appropriations would be asked at the hands of the Congress. Mr. Chairman, I do not like to take up the time of the committee, but I believe this is a feasible proposition, and is one in which the people of this section of the country are all interested.

Mr. REEVES. Mr. Chairman, I think if I had any prejudice one way or the other it would be in favor of this amendment. The truth about it is, however, that where the Missouri River enters the Mississippi River it has been digging out on the opposite side, the Illinois side, and quite a large area of land has been washed down the river. In the bill that passed in 1896 $50,000 was appropriated to riprap and prevent the further destruction of it in that way, and since that time, if my memory serves me right, a similar amount has been appropriated. Of these amounts appropriated there is to-day an unexpended balance, the precise figures of which I can not give, but somewhere between $20,000 and $30,000.

Mr. JETT. I want to suggest to my friend that one reason why that has not been expended is because it is not enough with which to make any headway. It is not enough money for them to proceed with at this time.

Mr. REEVES. The only embarrassment is here, Mr. Chairman. We called before the committee on this very item the engineer in charge of the Mississippi River at this point, and questioned him upon the necessity or advisability of this improvement. He stated to us that the excavation now being made in that way is already as large, or practically as large, as it ever will be; and in the upper part of the excavation there has been, as he stated, an increase of only some 12 feet in three years; that at the lower part of the excavation the digging and carrying out had progressed a little faster, so that a little more had been done. But upon cross-examination by myself in person, in behalf of my colleague (for I wanted him to secure this appropriation if it is necessary), the engineer specifically stated that it was not a necessary improvement in any way for the benefit of navigation.

Now, following the principle we have been trying to follow throughout this bill, of confining our appropriations to such projects as will benefit navigation, there was no equitable or just basis upon which I could present a claim in behalf of my colleague's proposition. If the proposition were to give the money to him personally, I think I would be tempted to vote for it anyhow.

Mr. JETT. Thank you.

Mr. REEVES. But I can not say to this Committee of the Whole that this project is in the interest of navigation in the light of the information given to the committee by the engineer in charge of that portion of the river. Therefore, I did not press it.

Mr. JETT. I suppose, Mr. Chairman, that the statement of the engineer that only about 12 feet washout has taken place at the upper part, directly opposite where the Missouri enters the Mississippi, is true, but that is because at that point between $120,000 and $125,000 has been expended; but the force of the water coming out of the Missouri River is so great that it is below this point where the great difficulty is experienced at this time.

Mr. REEVES. I think that the only proper thing to be done here is to let the citizens interested in this project bring it to the attention of the Engineer Department. Let them formulate that which in there opinion is necessary to be done, and submit the proposition to the Corps of Engineers, that we may have their guidance, which is all we can go by.

Mr. BURTON. Mr. Chairman, this amendment is so vitally important that I am unwilling to allow it to pass without a word. It is in the same line with the one introduced yesterday in reference to the town of Elizabethport, on the Ohio River. We have in every case, outside of that portion of the Mississippi River below Cairo, excluded appropriations for the mere protection of the banks against erosion. The gentleman's argument in support of this amendment shows clearly what he expects. He says he believes it the duty of Congress not only to protect navigation, but to protect the farming and other lands of owners along the river.

Now, I want to say to the friends of river and harbor improvements, and to the enemies of such improvements as well, that if we undertake to take care of banks that are eroded along the navigable or nonnavigable streams of this country the amount needed to carry out such a policy will in time exceed the total amount expended for the improvement of navigation on the rivers and harbors of this country. Such appropriations would break down your bill. Should this amendment be adopted, then this House, if it acted fairly, ought to recommit this bill to the committee with instructions to put on two or three million dollars more in places similarly situated.

Now, with reference to this particular place, it has already had an appropriation of $100,000, and what does the gentleman say about that? Why, he says that it has protected several hundred acres of valuable land. Well, in order to make the expenditure of money profitable, the amount ought to protect not merely several hundred acres, but several thousand acres, for $100,000 is a pretty penny to pay for a few hundred acres of land.

Now, Mr. Chairman, I trust there may be no hesitation in rejecting this proposition. If riprapping is required in the interest of navigation, it can be done from the general fund.

Mr. BARTHOLDT. Will the gentleman allow me a suggestion? If the theory of the amendment offered by my friend from Illinois [Mr. JETT] should be approved by this House, would it not become necessary to appropriate about two or three million dollars for the Missouri River?

Mr. BURTON. It would; for the Missouri alone.

The question being taken on the amendment of Mr. JETT, it was rejected.

The Clerk read as follows:

The Secretary of War shall cause an examination to be made of the Mississippi River at the foot of the Des Moines Rapids, near Keokuk, Iowa, to determine whether a dam constructed at the foot of said rapids would be a benefit or impediment to the navigation of said river.

Mr. BURTON. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "river," in line 9, page 79, insert "he shall also cause an examination to be made of the locks of the Des Moines Rapids Canal to determine the necessity for and cost of enlarging such locks."

Mr. BURTON. Mr. Chairman, we propose to insert this amendment upon the request of some commercial organizations representing manufacturers and others, who state that the present locks are not wide enough. I do not anticipate any recommendation that they be widened, because any modification would be exceedingly expensive; but it seemed only fair and just to these gentlemen, in view of the fact that this examination can be made without expense, or practically without expense, that this examination be made.

The question being taken, the amendment of Mr. BURTON was agreed to.

The Clerk read as follows:

Improving Mississippi River from Head of the Passes to the mouth of the Ohio River, including salaries, clerical, official, traveling, and miscellaneous expenses of the Mississippi River Commission: Continuing improvement, $2,000,000, which shall be expended under the direction of the Secretary of War, in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees, and for surveys, including the survey from the Head of the Passes to the headwaters of the river, in such manner as in their opinion shall best improve navigation and promote the interests of commerce at all stages of the river: *Provided*, That on and after the passage of this act additional contracts may be entered into by the Secretary of War for such materials and work as may be necessary to carry on continuously the plans of the Mississippi River Commission, as aforesaid, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $6,000,000, exclusive of the amounts herein and heretofore appropriated, which latter amount shall be expended at the rate of $2,000,000 per annum for three years, beginning July 1, 1903: *Provided further*, That the money hereby appropriated and authorized to be expended, in pursuance of contracts, or otherwise, or so much thereof as may be necessary, shall be expended in the construction of suitable and necessary dredge boats and other devices and appliances, and in the maintenance and operation of the same, with a view of ultimately obtaining and maintaining a navigable channel, from Cairo down, not less than 250 feet in width and 9 feet in depth at all periods of the year, except when navigation is closed by ice: *And provided further*, That of the sums hereby appropriated and authorized to be expended the Mississippi River Commission may expend, in its discretion, as approved by the Chief of Engineers, during the period of four years an amount aggregating $620,000 in continuing improvement at New Orleans, La.; Natchez and Vidalia, Miss. and La.; Greenville, Miss.; Helena, Ark.; Memphis, Tenn., including Wolf River; New Madrid and Caruthersville, Mo., and rectification of Red and Atchafalaya rivers, Louisiana: *And provided further also*, That the Chief of Engineers shall have authority to temporarily remove one or more of the dredges now under the control of the Mississippi River Commission from the river below Cairo to the river between Cairo and St. Louis, and to so operate the same as, in his judgment, will be most beneficial to the commerce of the whole river, and to expend from the sum herein appropriated and authorized to be expended for the maintenance and operation of such dredge or dredges between St. Louis and Cairo a sum not to exceed $50,000 per annum for four years.

Mr. BURTON. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "expend," in line 23, page 81, insert a comma; and after the word "expended," in line 24, insert "in this paragraph."

The amendment was agreed to.

Mr. PATTERSON of Tennessee. Mr. Chairman, I move to strike out the last word. I desire to ask information of the chairman of the committee in regard to this provision beginning on line 8, on page 81. It has special reference to the Wolf River. I notice the sum appropriated and authorized in the proviso is $620,000, and it is to be expended in the manner indicated, part of it at Memphis, Tenn., including Wolf River. What I desire information of the chairman is as to how that amount was arrived at and what proportion of that amount can be expended in the improvement of the Wolf River.

Mr. BURTON. I would ask the gentleman from Louisiana [Mr. RANSDELL], who made that computation, to answer the

question of the gentleman from Tennessee. It is the average amount appropriated, I will say, for the last four years.

Mr. RANSDELL of Louisiana. Mr. Chairman, in determining that amount we took the average which had been appropriated for those harbors during quite a number of years in the past. They were about as follows: For the harbor of New Orleans, $55,000; for the harbor of Natchez and Vidalia, $25,000; Greenville, $12,500; Helena, $5,000; Memphis, including Wolf River, $35,000; New Madrid, $5,000; Caruthersville, $5,000; rectification of Red and Atchafalaya rivers, $12,500. That makes a total annual appropriation for those harbors of $155,000, and four times that amount would be $620,000, which is the amount computed, about which the gentleman inquires.

Mr. PATTERSON of Tennessee. As I understand the gentleman, in making this appropriation and this authorization the figures were based upon the figures just read by the gentleman.

Mr. RANSDELL of Louisiana. They were based upon those figures.

Mr. PATTERSON of Tennessee. Do I understand further that it is in the discretion of the Commission to expend just what they see proper at any point of this appropriation and authorization?

Mr. RANSDELL of Louisiana. Well, that would be a matter of construction. That is the way I construe the law, and that is the way, I think, the committee intended it to be construed.

Mr. PATTERSON of Tennessee. That is the way the committee so construed it?

Mr. RANSDELL of Louisiana. Yes.

Mr. PATTERSON of Tennessee. One other question, Mr. Chairman, and I will have done. Do I understand, then, that the engineer at the harbor of Memphis could expend the total amount on the improvement of the Wolf River if the exigencies of the case required it, in his judgment?

Mr. RANSDELL of Louisiana. Well, I think that would be left entirely to the discretion of the Mississippi River Commission, and not to the engineer. This whole amount would be expended under the direction and supervision of the Mississippi River Commission, and if they should find the exigencies there so much greater than those at any other harbor I imagine they could expend whatever they saw fit, not to exceed in any one year $155,000.

Mr. PATTERSON of Tennessee. And the total amount, as I understand you, under this basis, could be expended for the improvement of the Wolf River; that would go to the harbor and Wolf River together if in the opinion of the Commission it was necessary.

Mr. RANSDELL of Louisiana. Well, I would not like to say that. I am not sufficiently posted as to the relative merits of Wolf Harbor and the harbor of Memphis proper. I think, though, that it will be left entirely to the discretion of the Mississippi River Commission as to just what should be expended on Wolf River and what on the harbor proper.

Mr. PATTERSON of Tennessee. That answers the question, because I put it in the form if it was in the discretion of the Commission. This could be expended in the discretion of the Commission.

Mr. RANSDELL of Louisiana. That is my understanding.

Mr. PATTERSON of Tennessee. With this explanation I ask leave to withdraw the pro forma amendment.

The Clerk read as follows:

Improving the Missouri River from the mouth to Stubbs Ferry, Montana: For snagging and maintenance, $80,000; and the Secretary of War shall cause an examination to be made of the lower portion of said river with a view to ascertaining whether navigation can be maintained at a reasonable cost by dredging and the removal of obstacles; also at and near Hermann, West Glassgow, Lexington, and St. Joseph with a view to ascertaining what improvements in those localities, if any, are necessary for navigation.

Mr. CLARK. I offer the following amendment which I send to the desk, and which the chairman of the committee agrees to.

The Clerk read as follows:

Page 82, line 12, after the word "navigation," insert: "and such dikes or other construction as may be necessary to protect public or private property may be located in said stream and upon the banks thereof by abutting owners and municipalities: *Provided*, That they do not interfere with the proper navigation of said river: *And provided further*, That the same are approved by the Government engineer having the improvement of said river in charge."

Mr. BURTON. I wish to state that the committee has no objection to the adoption of that amendment.

The CHAIRMAN. The question is on the adoption of the amendment of the gentleman from Missouri.

The amendment was agreed to.

Mr. SHACKLEFORD. Mr. Chairman, I desire to offer the following amendment to that section, which I will ask the Clerk to read.

The Clerk read as follows:

Amend by striking out of lines 5 and 6, on page 82, the words "eighty thousand" and insert in lieu thereof the words "five hundred thousand."

Mr. SHACKLEFORD. Mr. Chairman, it would not be in accordance with my judgment if I were to say I have strong hopes that my amendment will be adopted. Considering the temper both of the Rivers and Harbors Committee and of this House, I think that the chances for its adoption are not bright.

At the same time, Mr. Chairman, I am not willing to see those hundreds of miles of river traversing the productive country, a portion of which I have the honor to represent, pass entirely out of this bill without entering on behalf of my people my protest. I have moved to increase from $80,000 to $500,000. That is not as much as we should have, in consideration of the importance of that stream; but I present it now, Mr. Chairman, in order that the country may know that our section does not consent that we be dropped from the appropriations by the Rivers and Harbors Committee, and that it may be understood that we do not concede that the Missouri River is not a navigable stream.

Mr. Chairman, they tell us that that river does not now carry a sufficient amount of commerce to entitle it to consideration. Why? Because this committee has not taken proper steps to control the stream. Navigation is not safe because of snags, bars, and other obstructions which the Government ought to remove.

Another reason, they tell us, why the river should not be improved is because we have so many railroads there that carry the commerce and that the river does not carry it. That, I say, Mr. Chairman, is the very reason why the Missouri River should have consideration at the hands of this House. We have better railroad rates along the Missouri River than we have remote from it. Why? Because the railroads know that the stream is there. They know that the Missouri River can carry commerce. They know that in the past it has carried it. They know that even now it would carry it if the railroads were to exact the same rates of freight from us that they do from those districts that do not border upon that stream.

If the Missouri River, without being improved at all, as it is now, serves to reduce the rates charged by the railroads, how much more powerful would it be in that direction if it were properly improved, as this committee sees fit to improve the other streams of the country? We lie there without any member on the Committee on Rivers and Harbors. We have nobody on that committee who can say a word in our behalf. The hundreds of miles of the Missouri River, stretching out over that garden of the Republic, find no member upon this Committee on Rivers and Harbors.

That is not only so in this Congress, but it was so in the last Congress, and I do not know how far back. We have nobody there to plead our cause, we have nobody there to press our measures, and by the time the river and harbor bill gets up to the Missouri River, where we have no committeeman, the pork barrel is so full that they have no need of us and we are forgotten. The time has been when members of this House who inveigh against improving the Missouri River could see at any landing a magnificent steamer pass up that great river every day in the week. From St. Louis to Fort Benton the Missouri River carried the commerce of all that great territory before railroads came there. Why does it not do that now?

Why, as I said a moment ago, it is because Congress has permitted the river to be neglected, and for the other reason that the railroad puts down its rate in order to kill off the river transportation; and as long as the river can be kept in such a condition that it will keep our railroad rates down it is immaterial to us whether it carries the freight or whether it be carried by the railroads at such reduced rates as the river causes. It serves a useful purpose in either case, and should be improved along with the other streams embraced in this bill.

For these reasons, Mr. Chairman, I say that that great artery of commerce which nature has given us ought to participate in the appropriations made for these purposes and ought not to be discriminated against by this committee that is expending such large sums of money.

Mr. BURTON. Mr. Chairman, I am surprised, and I do not know but I am a little glad to know that the Missouri River has a defender here. Have they lost all sense of humor along the banks of the Missouri that they come in to us and say that it is important to the navigation of the country? The gentleman from Missouri who has just spoken speaks of "pork." If there is any district in the United States that has been gorged with pork it is his own, because it has received appropriations for about $2,650,000, "for the systematic improvement of Reach So-and-so." The systematic improvement! Why, if you were to go out there with a microscope you could not find a trace of the improvement over the whole space where that $2,650,000 was expended.

A man brought up in that kind of surroundings very naturally comes here and talks about pork in a river and harbor bill, because he has been accustomed to see the money wasted. He has seen it in his own district and in his own immediate locality; but the committee thought it was best to stop this foolishness—that is, to take the Missouri River off the books, to recognize the fact that there is no commerce there, that the millions that have been

spent there have been wasted, and to confine this bill, as far as possible, to the legitimate purposes of navigation.

I am sorry that the surroundings of the gentleman have been such and that his experience of the expenditures on rivers and harbors have been such as to lead him to call these appropriations "pork." But ought he to stand in our way when we try to make it a legitimate bill? Ought the country to stand in the way? Ought this House not to declare itself on this subject and stop that class of appropriations immediately?

Mr. COWHERD. Before the gentleman takes his seat, will he yield to me for a question?

Mr. COCHRAN. I move to strike out the last word of the amendment.

The CHAIRMAN. The gentleman from Missouri [Mr. COCHRAN] moves to strike out the last word.

Mr. COCHRAN. I will yield to my colleague for a moment.

Mr. COWHERD. I should like to ask how many boats the $80,000 appropriated will maintain—whether one or more?

Mr. BURTON. More than one; probably three or four. The expense varies according to the size of the boat and the extent of territory over which it works. I should say $20,000 to $30,000 would be the annual expense of maintaining a boat.

Mr. COWHERD. The boats are there? They will not have to be equipped?

Mr. BURTON. They have an abundance of equipment.

Mr. COWHERD. One other question. I would like to ask the gentleman if it has not been demonstrated by experience on the Mississippi River that the dredge boat will keep open the channel?

Mr. BURTON. I want to state that engineers say that the conditions are altogether different on the Missouri, and they question whether a dredge will give any navigable channel. We have asked for a survey, and that another very thorough investigation be made, but it is very doubtful whether the methods employed on the Missouri will accomplish the same results as on the Mississippi.

Mr. COWHERD. The point I am getting at is, whether keeping the channel dredged would not maintain the current and enable it to take off water at flood times, and in this way minimize the damage to abutting lands.

Mr. BURTON. I doubt very much whether it would. I think that any dredging that might be done will afford very slight relief and would not give any considerable benefit. The overflows are so large and the amount of water so great that the dredging would only be like a drop in a bucket.

Mr. COWHERD. But one reason is that these channels being filled up stop the current.

Mr. BURTON. Dredging might give some aid in the way of protection to the banks, but I do not believe it would accomplish much.

Mr. COWHERD. Your committee would not consent to an amendment to put a dredge boat in before this survey?

Mr. BURTON. We would not think it best. There is to be a thorough survey, and I do not think the engineer would regard it with favor.

Mr. COWHERD. If the gentleman will permit me to ask him one question further, has there not already been a survey at Lexington, Mo., and a favorable report made?

Mr. BURTON. That is with reference to the question of riprapping the banks, I think. We desire a reexamination to be made. We have, however, no confidence that it is required in the interest of navigation.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. COCHRAN. Mr. Chairman, I agree neither with the views of my colleague nor with the views expressed by the chairman of the Rivers and Harbors Committee. Let us be honest about this thing. The Missouri River carried the traffic of one-fourth of the continent when rivers were the best common carriers. Remove the railroads and it would do the same thing to-morrow. It did this when only trivial sums were spent by the Government in river improvements, and under the same circumstances would be equally useful, even though little attention were paid to it by Congress. A new common carrier now occupies the place formerly held by our great rivers. Trunk-line railroads now parallel the Missouri from St. Louis to Sioux City. We have low freight rates because the river is there. Let the railroads advance rates and maintain them permanently—high rates for a considerable period—and boats would resume the navigation of the river. Neglected entirely, the availability of the river as an efficient restraint upon the railroads will be lost. Gentlemen mention the Missouri as if it were an unimportant stream.

Why, there is a ferryboat at my own town that makes a round trip of 15 miles three times every day. It carries greater tonnage and is a larger boat than can be floated on nine-tenths of the rivers provided for in this bill; there are steamers at other points larger than could be used on the largest river in Arkansas. As for the creeks, inlets, and bays in New England that are so well provided for, you could add them to the tributaries of the Missouri and they would not amount to anything. The gentleman says that the traffic on the Missouri is not great.

A little flotilla of scows with 10-horsepower engines on them—such as figure as steamboats on some of the rivers provided for in this bill—would not amount to anything on the Missouri River. These little scows that are hauling logs and lumber on creeks with channels 3 and 4 feet deep ought not to cut a figure in statistics of tonnage, but they do.

On the Missouri River, before the railroads were built, scores and scores of steamers as fine as ever floated upon the Mississippi were engaged. The river was navigated by these large boats for a distance of about 700 miles. Thence to Fort Benton steamers larger than ever will be used on the majority of the rivers provided for in this bill carried on an enormous traffic.

The railroads reduced freight rates to such a figure that steamers were driven off the river, and thus the people have had, in large degree, the benefits that would accrue from navigation. Let the river be wholly neglected and become entirely unfit for navigation and rates will soon be increased by the railroads. So that this great river has stood as a check upon the railroad corporations as to rates in that region. Only a few years ago we had a meeting at the town of my colleague [Mr. COWHERD] which served notice on the railroads that the Missouri River has its uses, even though few steamboats ply its waters.

The merchants and great shippers of that region subscribed nearly half a million of dollars with which to put steamers on the river, because the railroads were charging extortionate rates on certain classes of goods. The railroads made concessions and the scheme was dropped.

At St. Joseph the river flows for a distance of 3 miles parallel with a populous business center. For this whole distance it is wearing away the banks and destroying property of great value. We say to the River and Harbor Committee: "Look at this destruction of the property." With only a superficial consideration of the circumstances the committee replies: "We do not appropriate money to benefit or save property from destruction. You must do that yourselves." But, gentlemen, the law steps in and prohibits us from making any improvement that will interfere with navigation. The committee says the river is not navigable, and therefore no appropriation will be made for its improvement.

The law says it is navigable and therefore we shall not improve it except in pursuance of the theory that it is navigated. If we were to make the requisite improvements to save the town from injury, regardless of navigation, it would throw the stream west of the drawspan of a railroad bridge. Half a dozen cities on the Missouri River are in that fix. The Government says to us: "You shall not do thus and so; it will impair navigation." Then when we ask Congress to do the work, the answer of the committee is, "No; the river is not navigable." Thus, at a city of 110,000 inhabitants, the business center is endangered, the ancient port threatened with destruction, and yet nothing is to be done, because, forsooth, the chairman of the Committee on Rivers and Harbors and his colleagues have investigated and found little travel or commerce on the river.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. COCHRAN. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Missouri asks that he may extend his remarks for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. COCHRAN. Now, then, coming right down to it, what are the towns and cities on this river to do? The Government will not permit them to improve a river except upon a scale so expensive that it is not to be thought of. This is on the theory that it is navigable. The Committee on Rivers and Harbors drops the river from consideration on the theory that it is not a navigable stream. Is there any way by which Congress may declare that the Missouri River is no longer a navigable stream?

Mr. BURTON. Will the gentleman yield for a question?

Mr. COCHRAN. Certainly.

Mr. BURTON. Does the gentleman regard it within the power of Congress to declare in express terms that a stream of the size of the Missouri River is not a navigable stream?

Mr. COCHRAN. I have just propounded that question myself. I think not. Therefore I deny the right of the Committee on Rivers and Harbors to so determine. I deny the justice of the committee's position, which is, that in reference to great public improvements which are so indispensable, and which we can not ourselves lawfully build, shall be turned down on the theory that the stream is not navigable.

Mr. BURTON. Is not the question rather this: Is there commerce on the river—is there navigation—rather than whether it is capable of navigation?

Mr. COCHRAN. I see appropriation after appropriation here for streams that never have been navigated and streams that never could be navigated, and yet you are making appropriations trying to make them navigable.

Mr. BURTON. I do not recall them. I published a list in the RECORD the other day, and if the gentleman will point them out——

Mr. COCHRAN. I do not say they are on this bill; but that has been the policy of the Government.

Mr. BURTON. I wish the gentleman would point them out.

Mr. COCHRAN. I shall take the time hereafter to do that, and I think I shall photograph some that a cow could jump across. [Laughter.]

Mr. BURTON. I think it is the gentleman's duty to do it. If the Committee on Rivers and Harbors in the House have made an appropriation for any stream like that——

Mr. COCHRAN. I did not intend to say that there are any in this bill. I have not examined the bill with reference to this question; but I will say to the gentleman that it is significant that all appropriations made for rivers and harbors from the foundation of the Government down to 1870 are as a mere bagatelle compared with appropriations now made.

Mr. SHACKLEFORD. Mr. Chairman, I would like to interrupt both gentlemen. [Laughter.]

Mr. COCHRAN. I decline to be interrupted further. I have only three minutes. Now, coming back to the original proposition, is it just, under all the circumstances attending the matter, for the Committee on Rivers and Harbors to expunge the Missouri River from the map as a navigable stream as far as practical legislation is concerned? I think I have made it plain that such a course is not justified by the constant reiteration of the statement that the traffic on the river is not large. What difference does it make whether the traffic is large or small if the maintenance of the river as a navigable stream guarantees to the people of a large area freight rates as low as would result from its navigation?

[Here the hammer fell.]

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Missouri [Mr. COWHERD].

The question was considered; and on a division (demanded by Mr. COWHERD) there were—ayes 25, noes 58.

So the amendment was lost.

Mr. COWHERD. I offer the amendment which I send to the desk.

The Clerk read as follows:

At the end of line 12, page 82, add:

"For improving the same at Lexington, Mo., by removing the bar in front of the city, $15,000."

Mr. COWHERD. Mr. Chairman, just opposite Lexington, Mo., there is a railroad—in fact, there are two roads. There is a ferry carrying freight and passengers from the landing across the river to the city. Now, in recent years a bar has formed immediately in front of the city, shutting off this landing, so that freight and passengers have to be landed a mile or two farther down and then brought up to the city.

In addition to that, I will say frankly that one reason for asking this appropriation is because this bar has cut off the city from the use of its waterworks. This appropriation was introduced in the last Congress. A survey was made by the Department and an appropriation, if I remember rightly, was recommended, and I will request the chairman of the committee to inform us whether there was not a recommendation from the Department approving the appropriation.

Now, this is a small, wee lamb, and I am very much in hope that I can induce the chairman of the committee to wink at it and let it go through. I realize from the fate of the other amendments to this bill that I need such approval.

Mr. BURTON. Mr. Chairman, I should be very glad to accommodate the gentleman from Missouri and "wink at" this proposition, but although this may be a very "small lamb," yet a number of these "small lambs" make a deal of bleating and form quite a flock.

If we put this provision on the bill there are certainly a dozen other places on the Missouri River for which we should provide in the same way.

Mr. COWHERD. Have they been recommended by the Department?

Mr. BURTON. Their condition is just about the same as your proposition.

Hermann is similarly situated, and in its behalf the demand is most urgent. In that case there is considerable navigation, which is not merely across the river, but along it. The same is true of the gentleman's own city—Kansas City.

The great difficulty with appropriations for the Missouri River has been that by these appropriations certain localities have been favored. I think we ought to stop that policy right now, and whatever amount may be appropriated for this river we ought to appropriate for the whole.

In response to the other gentleman from Missouri [Mr. COCHRAN] I want to say to him and to his constituents that he will have no difficulty in securing any improvements they may desire to make at their own expense. I think I can say that the War Department will be very glad to have his constituents construct dikes to protect their own property if they will do it. We have, indeed, in this bill an express provision—a provision voted in on motion of the gentleman's colleague [Mr. CLARK] for work of that kind. I repeat my request that if the gentleman knows of any stream appropriated for in this bill that has no navigation, or on which there is no possibility of navigation, he will state it to the House. I think it is his privilege and duty to do so. It is possible there are a few which might be pointed out—I have myself designated them—I do not recall more than one or two, however, where only the capability of navigation exists. But those are not like the Missouri, on which we have already spent millions without result. Indeed, with the result of leaving navigation worse than before the appropriations were made.

Mr. COCHRAN. The chairman of the committee has said that the bill authorizes my constituents to make any improvements they may desire to make.

Mr. BURTON. That was offered as an amendment by your colleague.

Mr. COCHRAN. But does not that amendment expressly provide that the improvement so made must not interfere with navigation?

Mr. BURTON. Certainly.

Mr. COCHRAN. If such an improvement, erected at the expense of the citizens, makes navigation impossible, would that be permitted?

Mr. BURTON. Probably not. But there is no difficulty whatever in your making all the improvement you may want to make for the protection of your own property.

Mr. COCHRAN. It is identically such an improvement as I have described that we want to make. In no other way could we protect the property exposed—that is, without expenditures too large to be undertaken by the owners of the property.

Mr. Chairman, I ask unanimous consent to proceed on this subject for three minutes.

Mr. BURTON. The gentleman must, of course, understand that no man can be permitted to use his own property in such a way as to injure the property of others.

Mr. COCHRAN. So I assume. Mr. Chairman, I move to strike out the last word.

Mr. BURTON. There will be no objection to the gentleman proceeding three minutes by unanimous consent.

Mr. COCHRAN. Mr. Chairman, the improvement necessary to be made at St. Joseph, in order to conserve navigation and at the same time to protect private property, would be the mere completion of the work already begun by the United States. The sum required for this improvement would be larger than any community could afford to expend. Disregarding the effect of improvements upon navigation, dikes could be built, at comparatively small expense, which would probably create a sand bar where the drawspan of a railroad bridge now is, and thus close the river to navigation.

What right has the Government to begin the necessary improvement, carry it on to a certain point, rendering subsequent improvements more difficult, and then say, "You can now go on with this work if you please, but you must not impair navigation?"

The same rule would apply with equal justice to every section of the country. Why not say to the people of Arkansas or Maine, Dredge and build locks and dams on your rivers; the Government offers no objection.

They could do it as easily and at as small expense, in view of the benefits conferred, as we the Missouri River.

The plain truth is—and it has become a scandal—that this bill is so organized that where an appropriation is made it is justified on the theory that the river is important as a navigable stream, and where an appropriation is refused, the refusal is justified by the contention that the river is not important for purposes of navigation. Hence we witness an anomalous proceeding. Enough neighborhoods having been taken care of to insure the passage of the bill, no important amendments are permitted. No matter how important the interest, no matter how valid the arguments in support of it, the beneficiaries of the bill are content with it, and so it is to go through as it came from the committee.

Mr. BURTON. Will the gentleman yield to a question?

Mr. COCHRAN. Yes.

Mr. BURTON. I really think that he is hardly just to the committee without making a specification of his charges. I challenge him to verify the statement that he has made that it is divided around; and I challenge his earlier statement that there

are streams in this bill which have no navigation for which appropriations have been made.

Mr. COCHRAN. I call the attention of the gentleman again to the fact that I have not said that. I have said in general that the history of appropriations of this kind for thirty years has been that the Government has spent enormous sums of money on streams that never have been navigated and never will be, and that after making these expenditures many of them have been abandoned as nonnavigable. I have not examined this bill; it was not necessary.

Mr. BURTON. I think before the gentleman discusses this bill and makes accusations generally against the river and harbor improvement, he should be sure of his facts.

Mr. COCHRAN. I will ask the gentleman a question so as to see if he is sure of some of his facts. What is included in the tonnage which statistics tell us is carried on many of the rivers mentioned in this bill? Is it not lumber and logs?

Mr. BURTON. Yes; and is not that legitimate?

Mr. COCHRAN. Is this tonnage to be taken as evidence of a commerce sufficient to justify appropriations? Lumber and logs may be floated down in rafts and barges—barges that are frequently thrown away at the end of the journey.

Mr. BURTON. Well, I would state——

Mr. COCHRAN. Is that fair?

Mr. BURTON. Does the gentleman desire me to answer the question?

Mr. COCHRAN. Yes.

Mr. BURTON. I should not think that a large amount should be appropriated for any river merely for the purpose of floating logs; but if, as in some cases in this bill, the lumber that is floated down amounts in value to $500,000 or a million dollars, then it is proper to make an appropriation of perhaps $10,000 to make that floating down possible.

Mr. COCHRAN. Yes; to make that floating down possible. I suppose it is necessary in order to float lumber down the Mississippi or the Ohio rivers. Streams were used for this purpose long ago, when the river valleys were Indian reservations, without a white man within a thousand miles. When the tonnage of a river, as relating to its value for navigable purposes, is presented to the committee as the basis of estimates, it seems to me that the utility of the river for the purposes of general commerce ought to be shown. It should be shown that cities and towns along the river use it for the shipment of freight, and not merely that at certain seasons of the year or certain stages of the water some junks are loaded with lumber and coal and floated down, and their contents stated in tons in order to secure the next appropriation. The bill is indefensible on the theory that the tonnage on rivers thus arrived at proves the necessity of these expenditures.

In general, I am in favor of river and harbor improvements, but I doubt if any river and harbor bill that has ever come on this floor has been drawn strictly within the constitutional requirements, by which we are limited to appropriations necessary to promote navigation. No friend of this bill will declare that the vast system of levees and other superficial improvements on the banks of Southern rivers are intended solely to protect navigation. So patent, so plain is it that this is the case, that when these improvements come up for consideration the defenders of these appropriations call attention to the fertility of the vast regions redeemed by the construction of these levees, to the value of the crops grown on them, and to the necessity of their construction for the conservation of the general welfare of the country.

[Here the hammer fell.]

Mr. COWHERD. Mr. Chairman, I believe the gentleman has a motion pending and I can take the floor in opposition to his motion to strike out the last word, because I want the last word in as well as all the others. I take the floor, Mr. Chairman, to call attention of the House again to this small amendment of mine. I am afraid the members of the committee will have lost the purport of it in this general discussion that has gone on about the river and harbor bill. Now, I do think that this amendment should not be voted down because the chairman says there is probably one other place upon the river that is equally as deserving. It seems to me that if both are deserving probably both should be recognized, but as to the other place I am going to let that take care of itself. I call the attention of the House to the fact that this bill provides for a survey on which to base an appropriation hereafter to be made for Lexington. That survey has already been made and the recommendation of the Department already obtained, and it is favorable. Therefore I think if any appropriation is to be made it should be made now.

Mr. BURTON. I should like to ask the gentleman in what volume that survey is reported. As I recall there was a provision in the bill of last winter for this—the bill which failed.

Mr. COWHERD. My recollection of the matter is that there was a small appropriation made in the last bill that passed; not the one of last winter which failed, but the bill before that, which passed; and the Department, in expending that, reported back to Congress that it was not sufficient to finish the work, and recommended an additional appropriation.

Mr. BURTON. Oh, Mr. Chairman, this amendment is as objectionable as any here. This may seem a small amount, but this bill has been carefully prepared, and a little item like this will be quite as much out of line with the rest of the bill as would an item of $300,000. If we should put in $15,000 here, we ought to do it in a number of other places as well. We have ordered a survey of this locality, and if in pursuance of that survey it shall be reported that some improvements are desirable, why, the question can be taken up at a later time.

The CHAIRMAN. The question is upon the adoption of the amendment to the amendment offered by the gentleman from Missouri, which is to strike out the last word of the amendment.

Mr. COWHERD. The gentleman who offered that formal amendment is not here, but I will withdraw it for him.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn. The question now is upon the adoption of the amendment offered by the gentleman from Missouri.

The amendment was rejected.

Mr. BURTON. The gentleman from Missouri desires the insertion of another locality there, to be examined. I shall be glad if the Chair will yield to him.

The CHAIRMAN. The gentleman from Missouri.

Mr. RUCKER. In line 10, page 82, between the word "Glasgow" and the word "Lexington," I move to insert the words "Wilhites Bend."

Mr. BURTON. I have no objection to that. I take the gentleman's statement that it is a place that is worthy of examination. I understand the fact to be that it is a place of some importance.

Mr. RUCKER. Yes.

The CHAIRMAN. The gentleman from Missouri offers an amendment which he has just stated, and which will be reported by the Clerk.

The Clerk read as follows:

On page 82, in line 10, after the word "Glasgow," insert the words "Wilhites Bend."

The amendment was agreed to.

The Clerk read as follows:

St. Francis River, Missouri: For improvement of said river from Sunk Lands to Poplin, Mo., according to the report printed on page 2000 of the Report of the Chief of Engineers for 1897, $10,000.

Mr. SMITH of Arizona. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

At the end of line 11, page 84, insert:

"Improving the Colorado River from Yuma, Ariz., to the international boundary line by constructing a levee on the Arizona side of said river to confine the flood waters of the channel, $100,000."

Mr. SMITH of Arizona. Mr. Chairman, every amendment offered thus far looking in any way to the protection of the property along the banks of the rivers has met with defeat before this Committee of the Whole House, but this is a case far different from those that have been heretofore presented in that the lands lying south of Yuma, Ariz., on the Arizona side of that river, down to the international boundary line, compose a tract about 20 miles long by 7 miles wide, containing about 90,000 acres of probably the richest land on the face of the earth. Upon it, when properly reclaimed, there can be raised the fruits of the Tropics in the greatest profusion.

Much of this land is Government land. The erection of this levee of which my amendment speaks has a double purpose, the protecting not only of the lands belonging to the United States, and from which they can obtain a revenue, but also the protection of the farms already occupied by industrious pioneers, who have paid the Government for their lands, and, secondly, the proposed work will improve the navigation of the river. From Yuma to the Gulf of California and from the Gulf to the ports of the world the Colorado River is navigable. There are steamboats plying it now and new ones in process of construction for the same trade. For the last sixty years that has been the point of entry to the great middle western territory of the United States.

This levee, if built at the points where the river at times of flood comes from its natural channel and makes false channels, emptying a great flood of water over these lands, will confine the river to its place and save these valuable lands from utter destruction. That is the result which will be accomplished by the expenditure of this amount of money. It can not be claimed by the chairman of the committee nor by any member of it that this is an effort to protect private property alone. Even if it were, I take the broader ground that if the land did belong to the citizens

of the United States this navigable stream of the United States should not be permitted to go forth and devastate the land of private owners.

The river is the property of the Government. The land is the land of the individual owner, and the Government has no more right to trespass on him by permitting its river to flow over his land than he has to dam the river against the Government itself. To this extent I disagree with the committee that formulated this bill, for there is more than the mere fact of navigation which ought to be considered in a river and harbor bill, because we have no other means of making an appropriation under our present rules for protecting the land against flood.

Mr. Chairman, this appropriation is very important to those whom I have the honor to speak for on this floor. They have no vote here. I have no right here, further than to plead their cause. Our transportation rates from Yuma are simply ruinous. The only railroad touching that country has no competitor, and it charges "all the traffic will bear." There is no excuse for a River and Harbor Committee of this House, and no defense for any river or harbor appropriation, except that it cheapens transportation by bringing the river traffic in competition with the railroad traffic. Here you have an ideal condition before you demanding action. This great river, when properly confined, gives us a competing line with the railroad. Through it Arizona's product can be cheaply carried all along the western coast from Puget Sound to Cape Horn, and by way of the Panama road lessen our freights to every Eastern port and Eastern city.

For the little sum of $100,000 this great and necessary work can be done. The farmer will be able to get his crops to market with some profit. As it is, he is simply at the mercy of the railroad. Gentlemen, if you knew how hard the life of a pioneer farmer is, and understood the fortitude he daily exercises, the heat and burden he daily bears, you would feel inclined to see that he had at least an equal chance with his more favored Eastern brethren along the banks of the Missouri, the Mississippi, the Ohio, and the Tennessee.

But, as I said before, this amendment involves even more than the question of cheaper freight rates. It involves the homes of these men who are struggling as men have seldom struggled to build homes for their wives and children. They are creating a world in the West. They need and they deserve national aid. No man in my presence, I think, will dare deny that the mighty levees on the Mississippi have been built to protect the great States through and along which it flows from being inundated and destroyed by its mad rush of waters. Untold millions have been so expended and greater sums yet will be dedicated to this very purpose.

I commend such appropriation, but I protest against its local application. We are as much entitled to your aid, if not more entitled, than any other part of the United States. Arizona has been for forty years pouring her contributions into the Federal Treasury, and in all that time has received nothing save the $10,000 with which the levee along the banks of the Gila was constructed, and I distinctly remember that when I placed that item on the river and harbor bill in the House every member of the River and Harbor Committtee opposed it.

The $100,000 which Arizona here pleads for is not one-twentieth of what she has paid into the very Treasury from which she begs this small return. Can I make the case any stronger than these simple facts make it? I have heretofore presented to you through regular channels the resolutions and petitions forwarded me by the people of Yuma County, which petitions set forth their appeal, their just demands, stronger than I can hope to do it. Yet you have been blind to their condition and deaf to their call. Of the hundred amendments offered to the present bill not one has been adopted. Let me hope a better fate for this one. I see my time has expired. I ask earnestly for the adoption of my amendment. Be fair to yourselves by aiding a cause so just.

Mr. BURTON. Mr. Chairman, I do not think this requires any extended discussion. This is a proposition to construct, at large expense, levees on the Colorado River. The gentleman says that they have the very richest land on earth. The Committee on Rivers and Harbors has cause for congratulation in the fact that at least a hundred times a year they learn that "the richest land on earth" is found in an equal number of different localities. It causes us additional pride in our country to know that the richest land and the finest coal fields and many other superlative things are not confined to any one locality, but exist in multitudes.

Mr. SMITH of Arizona. Are you glad to have fine lands in order to drown them?

Mr. BURTON. That is a matter which nature determines. We do not have control of that. I have no doubt that the stream is an important one, and we have recognized its importance. Notwithstanding the fact that a very few years ago an adverse report was made upon a survey and examination of this river, we have directed that another survey be made, which I think is certainly all that can be asked.

Mr. SMITH of Arizona. Was not the original survey made from Yuma up the river toward The Needles?

Mr. BURTON. I do not think so; but it is possible that I may be in error.

Mr. SMITH of Arizona. Was not that survey made from that point up?

Mr. BURTON. I may be in error in regard to it. My authority is a statement from the War Department giving a list of localities ordered to be surveyed in this bill which have heretofore been surveyed. It was made by experts there who had this bill before them. I ask for a vote, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

Improving Upper Columbia and Snake rivers, Oregon and Washington: Continuing improvement and for maintenance, $25,250. The unexpended balance of the appropriation heretofore made for the improvement of the Clearwater River, Idaho, is hereby made available for the improvement of the above-named rivers. Of the several sums herein provided for, $28,000, or so much thereof as may be necessary, may be expended in completing the improvement and for maintenance of the Snake River between Riparia and Lewiston, in accordance with the project recommended in House Document No. 127, Fifty-sixth Congress, second session, and $10,000, or so much thereof as may be necessary, may be expended in the improvement of the Snake River above Lewiston.

Mr. CUSHMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Add a new section to the bill, as follows:

"Columbia River, between Vancouver, Wash., and the mouth of the Willamette River: Continuing said improvement and maintenance, $22,000."

Mr. CUSHMAN. Mr. Chairman, in offering this proposed amendment I certainly have no desire in any way to interfere with the symmetrical harmony of this bill, which has heretofore been alluded to. I believe, however, that good and sufficient reasons exist why an amendment of this character should be favorably considered and accepted by this committee. In the first place, this bill as it now stands makes no appropriation whatever for that particular portion of the Columbia River which lies immediately below the city of Vancouver.

The river and harbor appropriation bill as reported to this House last year contained an appropriation for this particular portion of the Columbia River amounting to $8,000. The Senate added to that $8,000 the sum of $10,000, making $18,000, which amount was accepted in conference. Hence $18,000 is the sum which would have been appropriated for this project a year ago if the last river and harbor bill had not failed of passage. Certainly it does not lie in the mouth of any man to say that there exists less reason to-day for making this improvement than existed a year ago. The city of Vancouver is growing. Its commerce is growing. Its industries are increasing and flourishing. In fact, everything surrounding the city or connected with it is increasing except the appropriation in the river and harbor bill. In this particular there has been a decided "slump."

It is true that in June, 1901, we secured the allotment of $8,000 from the emergency river and harbor fund to be applied at this point. But this $8,000 was for repairing the dike, and not for the dredging of a channel, which is the main project. Now, then, the Chief of Engineers recommended that $22,000 (in addition to the $8,000 from the emergency fund and the other amounts now available) be appropriated at this point, and the amendment which I have offered simply includes the amount recommended by the Chief of Engineers.

The city of Vancouver, in the State of Washington, is located on the Columbia River, about 5 miles above the point where the Willamette River flows into the Columbia. There has been expended by the Government a vast amount of money on the Columbia River and the Willamette River to make them navigable for deep-sea vessels from the mouth of the Columbia up to the mouth of the Willamette and from the mouth of the Willamette up to the city of Portland. The people of Vancouver, through their Representatives on this floor, make the very modest request that a very small portion of the immense sums appropriated for the Columbia River be expended at a point and in a manner to make that stream navigable for deep-sea vessels to the city of Vancouver. And I consider their request in this regard not only exceedingly reasonable, but remarkably modest. Of the millions expended on this river they only ask for an inconsiderable fraction.

This amendment is especially reasonable in view of the fact that it is recommended by the Chief of Engineers, and in view of the further fact that the cost of the proposed improvement is so small, and in view of the further fact that an immense amount of money has been expended on the lower reaches of the Columbia and the Willamette, and, last of all, the fact that the River and Harbor Committee has practically determined to improve the Upper Columbia River at The Dalles and Celilo and its tributary,

the Snake River, flowing in above The Dalles and Celilo. Therefore this proposed improvement just below the city of Vancouver contemplated by my amendment will lie directly in the path between the improvements on the Upper Columbia River and those on the Lower Columbia.

I will allude briefly to one additional reason, and then I will conclude. The statement is sometimes made that there is no deep-sea commerce at Vancouver now to justify this proposed expenditure. That is true, and it is likewise true that there can not be any deep-sea commerce there until the channel is so improved that deep-sea vessels can come up to the city of Vancouver. It is likewise true that there would not be any deep-sea commerce at Portland, Oreg., to-day if the Government had not spent millions and millions of dollars to dredge out a channel to that city. And yet it is one of the peculiarties of the advocates of this river and harbor bill that those who lift their voices in favor of a channel to Portland likewise array themselves against a channel to Vancouver.

The city of Vancouver is one of the splendid little cities of the State of Washington. Although a city of several thousand inhabitants and having in its outskirts the largest military post in the State of Washington, this city has up to this period in its history been totally without railroad facilities of any kind. But since the date of the Engineer's reports (which constitute the data from which the River and Harbor Committee make their estimates) the line of the Northern Pacific Railroad has been completed to the city of Vancouver, and in the near future that point, in my judgment, will offer as splendid facilities for deep-sea shipping as the city of Portland offers, and it is a number of miles nearer to tide water. For all these reasons I think the committee ought to give this proposed amendment their favorable consideration.

Mr. REEVES. Mr. Chairman, the committee carefully considered this proposed project on at least two or three different occasions and concluded that it ought not to recommend the appropriation asked for. Briefly, this is the condition: Vancouver is on the Columbia River 5 miles above the mouth of the Willamette River. Portland is on the Willamette a short distance above its mouth. The two rivers, coming together, converge so that Vancouver is directly across from Portland, and is not more than 6 or 8 miles distant, or approximately that. There is a splendid harbor at Portland, a city of nearly or quite 100,000 population, and it is so near that it is not possible to establish and make of any service another deep harbor at that short distance from Portland.

The business in that region of country is at Portland, and, in the very nature of things, must be. Now, to expend money to make a deep-water harbor within 6 or 7 miles of Portland seemed to the committee to be an unworthy attempt to establish another deep-water harbor.

My friend says that there is no deep-water traffic there because the deep water is not there, and that is true. But if the deep water was there I think it would be one of those cases, Mr. Chairman, where we say that there is a splendid dam site, but no mill at the dam site.

There is no business to come there; it is at Portland, and centers there because of the very means of transportation. In the opinion of our committee it was a useless experiment to attempt it, and, frankly stated, a profligate expenditure of money, and therefore we rejected it, and we trust the committee will follow in our wake.

Mr. CUSHMAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington [Mr. CUSHMAN] is recognized.

Mr. CUSHMAN. In response to the remarks made by the gentleman from Illinois [Mr. REEVES] regarding the profligate waste of public money, I desire very briefly to call to the attention of this House, and likewise to the attention of the gentleman himself, his own remarks, made to this House on Monday last, March 17, when he was addressing the House on the general topic of river and harbor improvements as contemplated in this bill. Bear in mind, now, he was speaking on the subject of "the profligate waste of public money." The gentleman was speaking about the mouth of the Columbia River. I quote from page 3105 of the RECORD:

> And we are doing much for that river in this bill—nearly a million of dollars to be expended at the mouth of the river—and some critic of this kind of legislation may rise up after a while and point to the mouth of the Columbia River as one of the places where we have most foolishly expended money. I for one have grave doubts as to whether or not the project at the mouth of the river, at an expense in round numbers of $4,000,000, will not be a total failure when finished.

Now, I simply say that any committee that is willing to expend $4,000,000 on a project at the mouth of a river where they say it is likely to be a total failure when it is finished ought not to shy at a proposition to expend $22,000 at a point on this river where it is conceded that the improvement when made will be permanent.

Mr. REEVES. Mr. Chairman, if I may conclude the debate on this matter, I used the language quoted only three or four days ago, and I am perfectly willing to stand by what I said. But the gentleman from Washington must recognize this difference, that there are nearly 2,000,000 tons of freight on the Columbia River, and whether this proposition is a failure or not, we must make the effort to find an outlet for it.

Mr. BURTON. And it is an outlet for an empire?

Mr. REEVES. Yes; it is an outlet for an empire, and that condition does not exist at Vancouver. There is nothing at Vancouver but an Army post, practically speaking. The very nature of its environment is such that there can not be, because across the way 5 or 6 miles is situated a city of 100,000 population.

I repeat, for the benefit of my friend, if it is any benefit to him, that in my judgment some future critic of river and harbor legislation may rise up and say we wasted the money at the mouth of the Columbia River. The reason of it is that there does not appear to be currents and cross currents enough to carry away the sand that is brought down through the river, and therefore the bar that we are trying to get over may simply be moved out further into the ocean; but the plan adopted is the best the engineers of the Army could give us, and we must take care of the 2,000,000 tons of freight. The gentleman must realize that these conditions do not exist at Vancouver.

The CHAIRMAN. Does the gentleman from Washington withdraw his pro forma amendment?

Mr. CUSHMAN. I do.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken; and on a division (demanded by Mr. BURTON) there were—ayes 18, noes 25.

So the amendment was lost.

The Clerk read as follows:

> Improving Cowlitz and Lewis rivers, including the North Fork of the Lewis River, Washington: Continuing improvement and for maintenance, $9,500.

Mr. BURTON. I offer the amendment which I ask the Clerk to read.

The Clerk read as follows:

> After the paragraph just read insert:
> "Willapa River and Harbor: The balance on hand to the credit of this improvement may, at the discretion of the Secretary of War, be expended in snagging and otherwise improving the North and Nasal rivers."

Mr. JONES of Washington. I observe that the amendment mentions the North and Nasal rivers. Does it include also the Willapa River?

Mr. BURTON. The balance on hand is for improving Willapa River and Harbor. It is not necessary to specify the river, as the project already includes it.

Mr. JONES of Washington. I did not so understand.

The question being taken on the amendment of Mr. BURTON, it was agreed to.

The Clerk read as follows:

> Improving Puget Sound and its tributary waters, Washington: Continuing improvement and for maintenance, $15,000, of which amount $10,000, or so much thereof as may be necessary, may, in the discretion of the Secretary of War, be expended in removing the log jam in Nooksack River.

Mr. BURTON. I offer the amendment which I send to the desk.

The Clerk read as follows:

> After "Nooksack River," in line 20, page 89, insert:
> "And the Secretary of War may modify the existing plans for removing the said lock dam; provided that the cost thereof is not increased."

The amendment was agreed to.

The Clerk read as follows:

> Improving the Okanogan and Pend Oreille rivers, Washington: Continuing improvement and for maintenance, $10,000.

Mr. JONES of Washington. I offer the amendment which I send to the Clerk.

The Clerk read as follows:

> In line 25, page 89, strike out the word "ten" and insert in lieu thereof "twenty-five;" so as to read $25,000.

Mr. JONES of Washington. I have troubled the chairman of the Committee on Rivers and Harbors so much, and he has been so uniformly kind, courteous, and patient, that I have considerable hesitation in offering this amendment. But these two projects, now combined into one, are projects that the honorable chairman of this committee did not have the privilege of visiting while he was in the State of Washington. We regret this very much, because we feel satisfied that if he had visited and investigated personally these projects he would have placed in this bill an amount similar to that placed in the bill at the last session of Congress.

The estimate of the engineer for the improvement of the Okanogan River is $15,000. The estimate made for the Pend Oreille River is that $10,000 should be expended by the local engineer

during the coming fiscal year. These amounts were appropriated in the last bill. We think that $25,000 ought now be appropriated, so that the work upon the Okanogan River may be completed. The engineer in his report states:

The country adjacent to the Okanogan River is rapidly developing and filling up with settlers, and it is important that the improvement should be completed as early as practicable.

He also states that the improvement, until it is completed, will be of comparatively little benefit. I know as a matter of fact that that country is rapidly developing. An Indian reservation of 1,500,000 acres has been thrown open to settlement within the last two years, and it is rapidly being settled.

I also realize the fact that the tonnage on this river and upon the Pend Orielle River is very small; that it is but little over 1,000 tons. But, Mr. Chairman, the fact is that the tonnage can not increase until the improvements are made; and it is also true that when the improvement is made there can be no doubt that the tonnage will largely increase.

Furthermore, this is the only way by which the people in this territory can get their products to market. The Okanogan River flows a distance of 87 miles from Canadian territory and empties into the Columbia River, and the only means these people have of getting their products down is to transport them down this river to the Columbia and thence to the line of the Great Northern. The same is true of the Pend Oreille River. There they have to transport their products 65 miles to get connection with the Great Northern. Where the improvements are being made in the Pend Oreille it is a total and absolute obstruction to the navigation of the river, and, as the engineer says, the improvements will amount to absolutely nothing until they are completed.

We ask that an amount be appropriated sufficient to complete this work in the near future. I know as a matter of fact that tons and hundreds of tons of ore are lying upon the dump in this country simply awaiting means of transportation. I realize the difficulties that the honorable chairman of this committee has undergone in preparing this bill. I know the great care with which he has looked after all these different items. I know that he would like to put these items upon this bill. I trust that he will now feel justified in doing it.

We believe that it will result, we know that it will result, in wonderful good to these people and to this section of the country, where there is no immediete prospect of any other means of communication. These people are struggling there to build up their homes; they have gone in there after these improvements were made; they were evidently encouraged by the fact that the Government had commenced them, and they hope and believe that the Government will furnish to them the means of getting their products to market; and I do hope that the chairman of this committee will feel justified in allowing this amendment to be adopted. I know that he would like to see it adopted, at any rate. [Applause.]

Mr. BURTON. As the gentleman from Washington has said, it is not a question of what the committee would like to do, but what they can do. I presume $30,000, perhaps $60,000, could be advantageously expended upon those rivers. To a certain extent in our bill we have provided for the development of commerce where no commerce now exists, but in view of the limitations placed upon us, in view of the amounts beyond which we do not feel we ought to go, the majority of the provisions have been for places where commerce already exists.

Now, there is no project which in proportion to its importance receives more than these two rivers. I published in the RECORD of Tuesday morning a list of rivers and creeks having an inconsiderable tonnage. Some may call that a black list. I think, however, many of the streams included in that list are important. If anyone will examine it, he will notice that these two, if not showing the very least tonnage of any streams in that list, are, at least, very near to the bottom of it. One has a tonnage of only 1,733 and the other of 1,921.

Now, of course it can be said that this is because the work is not finished. You can say that, gentlemen of the committee, of 100 or 200 other projects in this bill—that the reason why there is not more commerce is because they are in an unfinished condition. These afford nothing exceptional, and in addition to that they make a very poor showing as regards present development. For that reason this amendment ought not to be sustained. The appropriation is certainly generous, considering their importance.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Washington.

The question being taken, on a division (called for by Mr. JONES of Washington) there were—ayes 14, noes 40.

So the amendment was rejected.

The Clerk read as follows:

For emergencies: To provide for the restoration of channels, or river and harbor improvements heretofore established or made by the Government, or herein provided for, where by reason of emergency occurring after the passage of this act the usual depth of such channels or customary use of such improvement can not be maintained and there is no sufficient fund available for such restoration, $200,000. The amount herein provided shall be allotted by the Secretary of War: *Provided*, That in no case shall such allotment be made unless recommended by the local engineer having such channel or improvement in charge, and by the Chief of Engineers, respectively: *Provided further*, That for no single channel or improvement shall a sum greater than $10,000 be allotted, and in spending any such allotment advertising for bids may be dispensed with on the recommendation of the local engineer.

Mr. ADAMS. I offer the following amendment, which I will ask the Clerk to read.

The Clerk read as follows:

After the word "engineers," line 16, page 90, insert the following:

"Any person or persons, corporations, municipal or private, who desire to improve any navigable river, or any part thereof, at their or its own expense and risk may do so upon the approval of the plans and specifications of said proposed improvement by the Secretary of War and Chief of Engineers of the Army. The plan of said improvement must conform with the general plan of the Government improvements, must not impede navigation, and no tolls shall be imposed on account thereof, and said improvement shall at all times be under the control and supervision of the Secretary of War and Chief of Engineers."

Mr. ADAMS. Mr. Chairman, I offer this amendment with the kind permission of the chairman of the Rivers and Harbors Committee, and can state that it meets with his approval. I offer the amendment also at the suggestion of the Trades League of the City of Philadelphia, which represents all the business interests of that port. The reason and necessity for this amendment being made to the bill is that the committee in their wise discretion have deemed advisable not to make appropriations for those portions of rivers which are located within the geographical limits of cities and municipalities.

The object of this amendment is to empower those municipalities or corporations to make these improvements at their own expense for the benefit of the commerce of said port. The amendment has been carefully drawn. All these improvements must conform to the general plan of the Government for the improvement of the navigable streams; the specifications must be submitted to the Secretary of War and the Chief Engineer of the Army; the operations under this plan are to be under their supervision until completion; no obstruction must be placed to the navigation of these streams.

No tolls shall be allowed to be charged, and every provision that could possibly clash with the general improvement of the navigable waterways of our country has been provided against. As I say, this amendment meets with the approval of the chairman of the Committee on Rivers and Harbors, and I submit it to the judgment of the House.

Mr. BURTON. Mr. Chairman, I have no objection to that amendment. I certainly should not object to the principle, and my colleague [Mr. REEVES] has examined it in detail and made some suggestions which have been incorporated in the amendment, particularly the one forbidding the charge of tolls.

I think this right exists now, but it is well to define it in this manner. I take it, the reason why the amendment was introduced by the gentleman from Pennsylvania [Mr. ADAMS] is because in the city of Philadelphia they have, by municipal taxation or the issuance of bonds, raised a considerable amount to be applied in these improvements. The citizens of Philadelphia in the past have expended a considerable amount at that port, for which they are entitled to due credit.

I want to say that in my own city we have, during fifty or sixty years, expended the very large sum of $2,200,000 for improvements in navigable waters. I certainly think no harm can be done by this provision.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the amendment may be reported again.

The CHAIRMAN. Without objection, the amendment will be again reported by the Clerk.

The amendment was again read.

The amendment was agreed to.

The Clerk completed the reading of section 1.

Mr. HENRY C. SMITH. Now, I ask to return to page 67, to the amendment which was withheld.

The CHAIRMAN. The gentleman from Michigan now calls up the amendment which he offered yesterday, or which was considered pending, and an explanation of which was deferred until the reading of the first section had been completed.

The Clerk read the amendment, as follows:

Strike out in line 18, page 67, after the word "as," the words "Plan A" and insert in lieu thereof "Plan C."

Mr. HENRY C. SMITH. Mr. Chairman, what is sought to be accomplished by this amendment is this: In the river and harbor bill of 1899 an authorization was made to survey the Detroit River for the purpose of ascertaining the best method for a through deep channel between Duluth and Lake Erie, which included a survey of the Detroit River.

At the point under consideration Grosse Ile lies in the Detroit River, and on the easterly side of this island is the Canadian shore and the Canadian channel. On the westerly side of this island is

the American shore and the American channel. Between these two channels is Plan B, referred to by the report of that survey.

Mr. BURTON. Which plan do I understand the gentleman from Michigan to advocate?

Mr. HENRY C. SMITH. Plan C, the American plan. Now, this committee, after receiving the preliminary report, which by its language and terms is said to be only a preliminary report, has decided in favor of expending between $1,000,000 and $2,000,000 in the blasting of solid limestone rock a distance of 12 miles to the width of 600 feet and to the depth of 8 feet, in addition to the channel which now exists. This blasting of rock and this improvement is all in Canadian water and on Canadian soil. The report of the preliminary survey approximates the cost of this channel to be something like $2,000,000.

Colonel Lydecker, who made the report, suggests in it that he has not sufficient information at hand to determine the relative cost of the channel on the American side; but from the preliminary investigation he concludes that it would cost about $10,000,000. Now, I want to submit to this committee that the matter of cost is not the thing to be considered. This same report says that this English channel will be a crooked channel, a dangerous channel, and not the best channel. Colonel Lydecker further says in his report that the Canadian land owners are making claims against this Government, and that we have received no concessions from the Canadian government to permit us to dig this channel on Canadian soil.

Now, from the opening of navigation in 1834 until 1874 all of the shipping coming from the south, coming from Lake Erie into the Detroit River, passed to the west, passed along the American shore, and that channel was found to be of sufficient depth and capacity to accommodate all of the commerce between the Great Lakes until the Canadian Southern Railway Company completed a railroad bridge at the southerly end of Grosse Ile, and obstructions came, and about that time the policy of the River and Harbor Committee changed.

Mr. BURTON. One word, Mr. Chairman. I do not really think this proposition worth serious consideration. The idea of it is plain enough. In the Detroit River, near to its junction with Lake Erie, there are three channels proposed. One of them is in Canadian waters, or the largest part of it. A great deal of money has been expended upon this one, and it is the one now used. Another, the central one, is partly in Canadian waters and partly in waters of the United States. There is a third channel, which is only in waters of the United States.

Mr. HENRY C. SMITH. Will the gentleman permit me one question?

Mr. BURTON. Certainly.

Mr. HENRY C. SMITH. A Canadian engineer has stated in his report that which is to be excavated is in Canadian waters, has he not?

Mr. BURTON. That may be true. The greater part of the work on that has been done. This is a mere matter of sentiment. When a mariner sailing the Great Lakes starts out from Buffalo and Cleveland to Duluth, he does not stop and make his course according to the question of whether the prow of the boat goes into Canadian waters or waters of the United States; and it would be perfectly absurd for him to do so. He goes along for a distance in the waters of the United States and then in the waters of Canada.

Now, there are some people of a jingo disposition that think we ought to have the channels exclusively in our country. Why, an old swivel gun which they used before the war of 1812, entirely out of date now, would sweep all that traffic along the Detroit River; so what is the use of there being any point made whether it is in the Canadian channels and Canadian waters or in waters of the United States. Now, sir, what has been done? Up to date the money that has been expended has been in the channel to which commerce has adapted itself. That is the one on the Canadian side. To complete it will require $1,650,000. To complete the second one, partly in Canadian waters and partly in waters of the United States, would cost $8,000,000. To complete the one which the gentleman from Michigan advocates would cost $10,000,000. In other words, he asks us to spend $8,250,000 for sentiment! The price is too high.

Mr. HENRY C. SMITH. Mr. Chairman, in reply to the chairman of this committee I want to say that it is not a question of jingoism with our people up there and it is not a question of sentiment. It is a question of commercialism, a question of the protection of our people in the United States. At the time this channel was taken from the American to the Canadian side the little place of Trenton now was then the city of Trenton. There were three extensive shipbuilding yards, and there were factories all along the shores on the American side in my district.

A Canadian engineer, receiving American money, conceived the idea of changing this channel to go on the easterly side of this island, on the Canadian side of this island, instead of the American side. What has been the result? The boats passing to and fro by this island used to stop on the American side. They got their coal from there, they got their supplies from there, and Trenton grew as never a city grew; but the very minute that they changed this to the Canadian side, where the Canadian engineer lived, over in Amherstburg, and where his reports are dated and made, these boats stopped and there got their supplies, and the people of Amherstburg grew rich and thrived.

The very report of this engineer—one disinterested engineer says that there are a million tons of freight at Wyandotte and Trenton to-day fairly begging on its bended knees and asking these great boats to stop and take it away, and that these boats decline to do it, but hug the Canadian shore and let the American commerce go. Why, gentlemen——

Mr. BURTON. One minute. I do not want the gentleman to pause in such an eloquent passage, but does he know of a single boat of any draft such as would use this Canadian channel that ever stopped there? No stop was ever made there by any of these through boats.

Mr. HENRY C. SMITH. I know that during the last year several boats were built at Wyandotte, one of the largest boats that could be built, and we had to get them out by lighters.

Mr. BURTON. I am not asking about shipbuilding.

Mr. HENRY C. SMITH. Perhaps I misapprehended the gentleman's question. Now, I think that I apprehend what he meant. These boats do not stop, I know. But the $20,000,000 in the river and harbor bill charged to the State of Michigan is for the benefit of the four ports, Chicago, Duluth, Cleveland, and Buffalo, and between these terminals not one of these great freighters stop and not one pound of freight is left or one pound of freight taken. That is what we object to. The entire purpose of this bill, so far as Michigan is concerned, is not for the benefit of Michigan, but for the benefit of these great ports, and these great ports alone.

I desire, in addition to what I have said, to be a little more specific. In the first place, under the river and harbor act of March 3, 1899, provision was made for a survey of the river from Detroit to Lake Erie, with plan and estimate of cost of such improvements as would secure a safe and convenient channel 21 feet deep between said points.

Up to this time no definite action had been taken, so far as I can learn, looking toward the permanent improvement and use of the Canadian channel or Plan "A," referred to in the item under consideration.

From 1837 until 1874 the American channel, as described in plan "C," referred to in the preliminary report on survey of Detroit River, above referred to, had been almost exclusively used. Extensive shipyards were at Trenton and other large manufacturing industries. The town was prosperous and strong and gave promise of becoming a great and thriving city, as I have before said. Indeed, it is referred to in the reports and documents as the city of Trenton. The records of Congress show that Senator Zachariah Chandler, who so ably and for so many years represented Michigan, continually and gallantly fought for the American channel.

From 1874 until 1892 the large vessels coming from the South and East out of Lake Erie naturally rounded near the Canadian shore, which shortened the distance some, but this was a rocky, narrow, and dangerous channel. But, upon the importunities of the owners of the larger boats, interested only in through traffic, improvements were made in the Canadian channel, and, regardless of its narrow, rocky, and dangerous condition, this committee has been persuaded to the belief that this channel and not the American channel should be improved and used.

It is plain that this Canadian channel serves only two interests—the through shipping, by lessening the distance and the time a trifle, and the little village of Amherstburg, in Canada. At the same time other interests on the American side have been seriously hurt. The shipyards and the factories at Trenton, before referred to, have been entirely destroyed, and this beautiful place, which gave such hope of a prosperous future, would have been almost destroyed except for the recent discovery of limestone rock and other products, which have given to it a new lease of life and a new prosperity.

If the old channel can be brought back and used, it will be rejuvenated into new life, and the old industries will be revived and new ones will come, and the day of prosperity will be at hand. The boats that pass up and down the lakes continuously throughout the seasons will stop here as of yore for supplies, and will be supplied with American goods from American stores, and the money will be kept in America. The dredging and the improvements of the channel will be carried on by Americans on the American side and Americans will reap the benefit.

Now all is changed. The lake boats stop at Amherstburg for coal and other supplies, and the little stores in that little village have become almost wholesale stores; the dredging and supplies

are furnished by Canadian citizens, and the money is kept in Canada; and while Trenton perishes, Amherstburg grows almost beyond the power of Canadians to realize. Another thing: A million and a half tons of freight along the river front from Trenton to Ecorse would use this waterway if the American channel was improved, and boats would stop to get and leave freight which it is desirable to ship by water.

And since the investigation of the committee in December 1900, the Pennsylvania Salt Company has built a large plant, and many other factories and industries have been established along this river front, which, if properly aided and assisted, is destined to be one of the workshops of the world. A protective tariff has done much to build up this territory, and all it now needs to permit it to grow by leaps and bounds in the forward march in industry is better freight rates and shipping facilities than are now afforded. An improvement of the American channel will bring about the desired results.

Another thing: The aim and end of the improvements authorized by the committee is for the sole purpose of stimulating and assisting the boats engaged in the through business. We are told that nearly 26,000,000 tons of freight pass through the Detroit River annually. This is true; it passes through, but all the freight that originates along the Detroit River receives no benefit from this appropriation.

The Great Lake freighters, plying up and down the lakes, a fleet in comparison with which the fabled and imaginary fleets of the past were as nothing, these wonderful boats in which we take such a just pride, will not take on nor leave off one pound of freight except at the four ports heretofore named. The reports accompanying this bill show that 1,000,000 tons of freight would use this waterway every year if the channel were improved and these boats would take or deliver freight. They further show that the iron and other material used in the shipyards must be taken to Detroit and reshipped, because these boats can not pass directly into Wyandotte, and must pass beyond and then return, which would increase the distance nearly 2 miles.

In other words, these great boats have driven the smaller ones from the lakes, and now they will not accommodate the shippers. This is the logical result of combination and greed, of which I will speak further on.

I want to show that there are not sufficient facts, clear and definite, before Congress to permit this body to act intelligently and to choose with certainty which plan should be adopted, and I want also to show that this Government has obtained no right to place this channel in Canadian waters, and that serious damage may result.

Gen. John M. Wilson, Chief of Engineers of the United States Army, in transmitting to the Secretary of War his preliminary report on the survey of the Detroit River, before referred to, recognizes the fact that the information to enable him or the Congress to come to a right conclusion is not at hand. He says:

Lieutenant-Colonel Lydecker presents three plans, designated as "A," "B," and "C," and while he believes that plans "A" or "B," or a combination of them, are the only ones calling for serious consideration, neither time nor data now available permits a conclusive discussion of the matter at present. It is proposed to make further surveys during the present season in relation to these plans, and it is expected that final report, with detailed plans and estimates, will be submitted in time for consideration by Congress at its next session.

And Colonel Lydecker, in his report of May 29, 1900, referred to by General Wilson, bears out this conclusion, wherein, after reciting the facts, he said:

It is therefore requested that this report be regarded as a preliminary one outlining the controlling features of the situation and suggesting three plans of improvement.

He further says:

It was necessary to direct operations so as to meet pressing emergencies in the shortest time possible, instead of following a comprehensible plan of improvement that would bring about the best final results.

Speaking of the Canadian channel, which is all in Canadian waters by the boundary line established under the treaty of August 9, 1842, he says:

In its present condition the channel is neither a safe nor convenient one for the enormous commerce passing through it.

Speaking of plan "A," he says:

Approximate estimates of the amount of excavating indicates that the cost of this plan would be from one and three-quarters to two millions of dollars. * * * This channel would continue to be wholly in Canadian waters, and its construction would probably be attended with some complications resulting from claims for damages by property owners on the main shore of Canada in the vicinity of Amherstburg, such action having been threatened in connection with operations heretofore undertaken in that locality.

Speaking of plan "B," he says:

It would make the straightest, safest, and most convenient channel possible in that locality.

Speaking of plan "C," he says that it would be wholly in American waters; that local interests along the Wyandotte-Trenton Channel have urged that due consideration be given to plans for a channel that shall be entirely in American territory, but that—

Neither time nor date now available permits a conclusive discussion of the matter at present; that no work beyond that now contemplated could be undertaken in this part of the channel (Canadian) without dangerously increasing the liability of damage to plant engaged in the work or to vessels engaged in traffic through the restricted channel.

And he concludes with this good advice:

It would therefore appear judicious to await a determination of the question of lake-level regulation before the final adoption of any local project that is independent of such regulation.

In the report of the Chief Engineer, Document No. 2, Fifty-seventh Congress, it is stated that this improvement of the Detroit River was commenced in 1874, under a project for excavating the channel through a reef of limestone bed rock, known as "Limekiln Crossing," and operations have been continued since that time; that this covers a distance of about 12 miles; that the channel is to be deepened from about 13 feet to 21 feet to a width of 600 feet in solid limestone rock, which is to be done by drilling, blasting, and dredging limestone bed rock.

It is further shown, on page 3191, that—

Extensive hydrographic surveys relating to improvements in progress or projects for future work were made, in which 162,536 located soundings were recorded, 54,525 of which were taken through the ice. All have been duly reduced, platted, and traced.

And yet these figures and the results are not placed before Congress, except in the report of Engineer Dixon, which is dated at Amherstburg, Ontario, July 1, 1901, and which was made on Canadian soil and which contains no details. He says, on page 3197:

A detailed report, giving results and estimates based on these surveys, was submitted under date of December 24, 1900.

Also—

That the office work of reducing the soundings taken when making these several surveys to the plane of reference and of platting the reduced soundings on tracing linen has been completed and the tracings transmitted.

Yet none of these facts are laid before the committee or before Congress.

The report of Colonel Lydecker, of Mr. Dixon, and of Mr. Muehle referred to I desire to quote from and place in the RECORD. Colonel Lydecker says:

This channel leaves the main channel of the Detroit River opposite the village of Ecorse, Mich., and enters Lake Erie at the foot of Grosse Isle, the distance from its head to deep water in the lake being about 15 miles. A railway bridge, with double swing draw, spans the channel just below the city of Trenton, about 8 miles below Ecorse. The general depth of channel down to the bridge is over 20 feet, and its width between contours of 20-foot depths ranges from 300 to 1,000 feet within these limits. Below the bridge the channel is obstructed by numerous shoals, and can be safely navigated only by light-draft vessels. For this reason the channel west of Grosse Isle is not used for through commerce, nor is there any place bordering on it having any considerable local commerce by water at present.

In the report of Mr. Muehle it is plainly shown why there is no lake commerce, for he states that the people are anxious to use this waterway, and would use it if they were permitted to do so, and that without doubt a million tons of freight would be shipped through this channel every year if the channel were used.

The report further shows that:

The total freight handled at Wyandotte annually is stated to be about 800,000 tons, the inshipments being mainly coal, stone, and structural steel and the outshipments finished products of the Alkali Works; that the daily output of the Sibley Stone Quarries, at Trenton, is 1,500 tons, and the freight handled at Trenton 500,000 tons a year; that two small steamers are engaged in local traffic, but that one of them does not come to Trenton.

He further says:

The depth of water in the channel west of Gross Isle is now ample for local commerce down to the railroad bridge. To obtain the same channel depth from the bridge to deep water in Lake Erie would be a work of great magnitude, and the cost would probably be several million dollars. The expenditure that would be needed to open up this line as a through channel of deep water, for local commerce only, is believed to be wholly inadmissible at present. The question of making it a through channel for general commerce was referred to in my report of May 29, 1900, in relation to securing a safe and convenient channel 21 feet deep from Lake Erie to Detroit, and will be further discussed in a more full and complete report that will probably be submitted for consideration during the next session of Congress.

I am of the opinion, for the reasons above indicated, that nothing relating to present or prospective local commerce will justify any deepening of this channel at this time. I also question the advisability of adopting it as a through line of interlake commerce, but, as hereinbefore indicated, this is a matter that will be dealt with in another report.

They also indicate that a deepening of the channel was not the real object sought by those who were active in having the item, to which this report refers, placed in the last river and harbor act; but that a more convenient connection with the through channel of Detroit River is what is desired, with special reference to providing a direct approach around the head of Gross Isle to the alkali works and shipyards at Wyandotte. Though no call has been made for report on such a project, I beg to state that existing commercial interests do not, in my opinion, justify any considerable expenditure for that purpose at present.

I desire to say in this connection that $10,000 is placed in this bill for this purpose, and to thank the committee for this, which will help our people much, and which they will appreciate.

And from Mr. Dixon's report, it appears that he was asked to find out the amount of shipping only, and not to make any suggestions as to the advisability of using the American channel,

for he says in his report of October 10, 1900, that he has the honor to submit:

The following report as to the population, industries, and amount of freight handled at Wyandotte and Trenton, Mich., that would be affected by an improvement such as contemplated by the act of Congress dated June 6, 1900.

But at the end of the report, after speaking of the amount of freight, and that it is carried by railroads, he makes one plea for the American channel, and says:

If better facilities for shipping could be obtained, the greater part of this freight would be carried by vessels at a much less cost, and undoubtedly other industries would be located along this part of the Detroit River.

And Engineer Muehle makes a plea for this American river front. Speaking of the two plants of the Michigan Alkali Company, he says:

Both are located along the shore of the Detroit River and have superior facilities for shipping by water, yet the company is compelled to receive and ship nearly all materials and the products of their factories by rail, owing to the absence of a convenient and direct connection between the main channel of the Detroit River and the channel on the west side of Grosse Isle, along which the growing cities of Wyandotte and Trenton are situated.

He further says that the American channel width averages from 800 to 1,000 feet.

I want to say a word about this boat combine and, in connection therewith, of combines generally. Our people believe in progress and forward march generally. I believe that it is the duty of Government to assist the people and to better their commercial and financial welfare. But I do not believe that Government ought to cripple the weak to aid the strong, and I believe that when these combinations become so strong that they fairly defy the Government and refuse to serve the public, as these great shipping companies refuse to take the freight along this territory, as the chairman of this committee admits they do, that then they ought not to have the sole benefit of Government aid.

I recognize the fact that when a man gets little he desires more, and when he gets more he wants much; this is but natural. That when a farmer gets 40 acres of land he wants 80 acres, and when he gets 80 acres he wants 120 acres, and when he gets 120 acres he wants 160 acres, and when he gets 160 acres he wants to be a Republican, and wants a continuation of Republican Administration. But I do not want capital to endanger our liberties and confuse us socially. Capital is attracted by the thought that it may find a place where the markets and the output may be controlled, but these trusts are a gamble in ninety-nine cases out of a hundred.

The founders of the trust will get out, and the load will be carried by the "suckers." The gambling must wear out the gamblers in time, and the country will be strewn with trust wrecks. The trust is dealing with a hostile public, and must fail in time. This is the end of all fiat-value crazes. Destroy personality and the result is annihilation. Capital combines because it pays to combine. Labor combines because it pays to combine. People of like interests get together, and where their interests clash they fall apart. The salvation of the country lies in the salvation of the individual. The whole secret of relief lies in the application of the governmental principle of "special favors to none."

Now, in the face of these figures and conclusions, and with the danger that is liable to come to this Government by reason of placing this channel and blasting night and day with dynamite in Canadian waters and on Canadian soil, it is most imprudent to pursue this work. And certainly no further expenditures should be made on the Canadian side until definite facts and conclusive figures are placed before Congress showing to a certainty the relative cost of the three plans.

There never seems to have been any difficulty in using the American channel until the Canadian Southern Railroad bridge was built. And fair-minded and impartial men, familiar with the channel and the territory, insist that the bar near the bridge is sand and easily removed, and not solid rock, as that on the Canadian side. And among other arguments they show that this channel has become filled up by the river pouring sand into this channel.

In any event, even though it should cost more, and these great boats are hindered a few minutes in their onward way, and this great commerce is retarded for a minute, and the distance is a little greater, still, I submit, that it is far better that we spend American money on American soil, and that we build and use the American channel for American shipping, and that we plan and carry out our improvements for the American citizens on the American side, who pay taxes to support the Government of the United States and who will take up arms and make defense for the Stars and Stripes.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Michigan.

The question was considered; and the amendment was lost.

Mr. GAINES of Tennessee. Mr. Chairman, I ask unanimous consent to return to the Cumberland River items on page 62 of the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to recur to the Cumberland River items on page 62 of the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. GAINES of Tennessee. Mr. Chairman, in looking over the RECORD this morning I find that no account is given of the consideration of the first item in this bill, which appropriates $185,000 for the Harpeth Shoals or Lock A in Cumberland River, Tennessee. You will find no report of it in the RECORD. The RECORD only refers to the item $105,000 for Lock No. 1 as considered. I would ask that the first item for $185,000 be read and considered by the committee.

The CHAIRMAN. The Chair does not quite understand the gentleman.

Mr. GAINES of Tennessee. There is no report in the RECORD of the item for $185,000 for Lock B on Cumberland River having been considered yesterday by the committee. The item referring to the Upper Cumberland is reported in the RECORD as having been considered yesterday.

The CHAIRMAN. The Chair will state to the gentleman from Tennessee that it is not customary to publish in the RECORD that part of the bill to which there are no amendments, only to put in the RECORD the last paragraph that is read to which the amendment refers.

Mr. GAINES of Tennessee. Very well, Mr. Chairman. I wanted to be sure about it. Now, I ask for the consideration of the following amendment to the amendment that was adopted yesterday with reference to Lock No. 1, which has already been considered by the committee. In other words, my amendment is to the amendment offered by the gentleman from Tennessee [Mr. RICHARDSON].

The Clerk read as follows:

Insert after Mr. RICHARDSON'S amendment, on page 62:

"*Provided further*, That before leasing or licensing such water privileges, or issuing permits for the construction and operation of such canals, or otherwise disposing of any water power or privilege, the Secretary of War shall first advertise the same in one or more daily papers at Nashville, for sixty days immediately preceding, stating specifically the right or privilege proposed to be leased or conveyed, with its exact limitations, inviting bids for the same, and he may in his discretion then lease the same for a specific term of years at so much per year to be paid semiannually in cash into the Treasury, the proceeds to be used in reimbursement to the Treasury of the United States of funds heretofore expended in the improvement of the Cumberland River, or for future applications toward the maintenance and extension of said improvement."

Mr. GAINES of Tennessee. Mr. Chairman, I will state that I called at the War Department this morning and submitted this amendment to General Gillespie and his assistant, Colonel Mackenzie. The wording and policy of the amendment was approved. The last part appropriating the proceeds for reimbursement of the Treasury or to appropriate it for the improvement of the Cumberland River hereafter, was drawn literally by General Gillespie himself.

Mr. BURTON. Is this done by agreement with the gentleman from Tennessee [Mr. RICHARDSON] or is there to be a controversy about the amendment?

Mr. GAINES of Tennessee. The location of the dam is at my own home. It is within 2 miles of the capital. It is within a mile and three-quarters of my own door. The amendment that was presented yesterday and passed by the committee, I say, was handed to me by my colleague [Mr. RICHARDSON] about two hours before it was passed upon by the committee. Since the House adjourned yesterday I have investigated, and for the first time, the matter. I had no time to do so yesterday.

I will state that I have never received a letter from a single individual in the Sixth Congressional district about such an improvement or such an amendment. Not a single individual has opened his mouth to me about it at any time, except, as I stated yesterday, about a year ago one of my constituents asked me who controlled the right to grant this privilege, and I told him Congress. The matter having passed entirely from my mind in the meantime, I thought no more about it.

I will state that Senator BATE, the senior Senator from Tennessee, who also lives at the city of Nashville, approves the amendment which I have had read to the committee, and he says that he has never heard one word from anybody about the amendment introduced by my colleague [Mr. RICHARDSON] until I spoke to him about it last night.

Now, Mr. Chairman, General Gillespie said to me this morning that there was a great deal of electric machinery being planted all over the country, and the policy was being suggested of employing the waste water power of many of the locks and dams in giving power to the various electric plants and other like machinery throughout the country; that at the city of Nashville we could get 1,000 horsepower easily, and that it is "worth from $500 to $1,000 per horsepower," which, if correct, would produce enough money, I may add, not only to build the locks and dams below the city of Nashville, which will cost about $1,300,000, but to build every one of the 22 locks above the city of Nashville.

The honorable committee will remember that I have struggled hard and faithfully to get an appropriation to do this work, and that I have only received at the hands of this honorable committee an appropriation of $285,000 to finish Lock 1 at Harpeth Shoals, in territory contiguous to the city of Nashville, and Lock No. 1, just below Nashville. And, Mr. Chairman, I can not stand here in the presence of this honorable body, and in the presence of my own struggling and ambitious people, who expect me to represent them here and get this improvement accomplished, and see this valuable power, worth more than enough to the work on the entire Cumberland River which the Government has laid out to be done, and which we want done, given away to any man without protesting, whether it be my brother or my father, if living, or the best friend I have on earth—my country first, my friends next. Yet the amendment which was passed yesterday by this honorable committee provides for giving this invaluable right away for nothing. Such an act would be a "waste"—a travesty on my people's rights.

This work is at my home, yet I was not consulted about it. Not one word was said to me until my colleague [Mr. RICHARDSON] spoke to me yesterday afternoon.

Why, sirs, three weeks ago the matter was brought to the attention of the assistant civil engineer, Mr. McKenzie, at the War Department, as he stated to me; and the amendment that was adopted yesterday was prepared at that time by General Gillespie and his assistant, Colonel McKenzie. So I say, with all due deference to my distinguished colleague, that in justice to me it seems to me I might have been consulted, so that I might at least have enlightened myself so as to make yesterday the explanation which I make to-day in sincerity and in earnestness, knowing exactly what I am talking about and feeling deeply the wrong about to be committed.

I got up early this morning, went to the War Department, and obtained the data which I have stated already—the proposition that this power be sold to the highest bidder, under direction of the War Department, and that the proceeds be put into the Treasury of the United States to reimburse the Government for the work already done, or, in the discretion of the honorable Secretary of War, to be done, in finishing up the locks and dams upon the Cumberland River which this honorable committee say should be done only in part now for want of funds. If this amendment of mine is adopted, at least I will have a chance made and saved to finish this work with little cost, if any, to the Government, and I appeal to the committee to unite with me and do so.

[Here the hammer fell.]

Mr. RICHARDSON of Tennessee. Mr. Chairman, there can be no controversy between my colleague [Mr. GAINES] and myself with respect to this proposition. I have no interest in it, except that a constituent of mine and a constituent of my colleague asked me last August to come to Washington City with them and go to the Secretary of War and ask for this privilege. I did so in connection with Senator CARMACK. My colleague was then out of the country, or I suppose he would have been invited to come. We went to the Secretary of War and presented the matter to him, and after a good deal of discussion, extending over several days, he stated, as I remember, that he preferred that Congress should act in the matter.

We called his attention to the fact that in several instances like privileges had been given, on the Upper Mississippi and other rivers of the country, and that was admitted. But it was thought best that Congress should give its consent. But we were not so informed until after we returned home. Then a letter came finally settling that question—that is, that the Secretary of War would decline to grant the request and would let Congress pass upon it. I heard no more and thought no more of it until, I suppose, two or three weeks ago, when I received a letter from my constituent, who is now temporarily in the district represented by my colleague, recalling the subject to my recollection and asking whether attention had been given to the matter of obtaining consent from Congress.

I could not give the exact date of that letter, but I went soon after that to the distinguished chairman of the committee [Mr. BURTON] and conferred with him about it. It was only a few days ago—not three weeks, as my colleague was informed—the chairman of that committee wrote me a letter and inclosed me the amendment which I offered yesterday, or substantially that amendment. I sent it at once to Nashville, and asked if that was satisfactory; and I received a reply, dated March 15, saying that that amendment or some similar amendment would be satisfactory. I then called to see the chairman of the committee, and, on account of the fact that he was occupied, he suggested that I see him the day before yesterday.

So only the day before yesterday, I believe it was—the chairman of the committee will correct me if I am mistaken—within the past three days, at any rate, the amendment was agreed upon. So that I could not until then have submitted it to my colleague. I had no objections to doing so. Three days or two days ago, when the amendment was finally agreed upon in the shape offered, I determined to submit it to my colleague. Yesterday morning I handed it to him and supposed it to be satisfactory. I did not suppose there would be any objection, because a like privilege had been granted, as I have stated, in other instances. When the Department suggested that there ought to be a charge for the privilege (which the chairman of the committee concurred in) I interposed no objection, and supposed that the Secretary of War would make a reasonable charge.

Now, beyond that I have no connection with the matter; and it is wholly immaterial to me except to do my duty to the gentleman who had asked me to come to Washington, and at whose expense I came here last August with the view of getting this privilege from the Department. That is all there is in it. I introduced the amendment in perfect good faith. It may be that it is worth what my colleague suggests. I do not know what it is worth, but the amendment leaves it optional with the Secretary of War to charge the full amount that the privilege may be worth.

It leaves it in the discretion of the Secretary of War to terminate it whenever he deems it is interfering with navigation and it reserves the right to Congress to repeal, alter, and amend it at any time. Now, that is about the whole of the case as far as I know, and beyond that I have no interest, and could have none, of course.

Mr. GAINES of Tennessee. If necessary, Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Tennessee moves to strike out the last word.

Mr. GAINES of Tennessee. My colleague is mistaken when he says that he showed me this amendment yesterday morning. It was yesterday afternoon, about 2.30 o'clock.

Mr. RICHARDSON of Tennessee. It was soon after we met.

Mr. GAINES of Tennessee. About half past 2 o'clock. I would state to the House I had no chance yesterday to look into the matter. I never heard of it before. You can see it is an almost invaluable right, and I was delighted and astonished yesterday evening when my colleague, Mr. MOON, stated he was offered and he has now in his pocket, or had yesterday, a proposition from one of the wealthiest concerns in New York, thoroughly reliable, to pay for the lock and dam at Chattanooga $895,000 cash, as he stated yesterday afternoon in his speech.

He is a lawyer, and he is a man of good judgment, as you all know. If this power at Chattanooga is worth to an electrical concern, or anybody else, that amount of money, then at Nashville, which is three times as large as Chattanooga, it will be worth nearly $3,000,000, which will more than pay for all the locks and dams that we want built on the Lower Cumberland, and the excess will help to pay the cost of the locks and dams—1 to 7—above the city of Nashville, which we desire to finish at once.

I would state, Mr. Chairman, that the honorable officers in the Engineering Department of the War Department this morning approved the amendment which I submitted to them and which has been read from the desk, and here is a pencil memorandum added to it by General Gillespie at the War Department. This Lock No. 1 is at my own home. It is in my own district. The Cumberland River does not touch the district of my colleague, and I do not understand that he opposes the amendment at all; he simply undertakes to explain what he offered yesterday. And in addition to that I will say to you another thing, that the amendment which was passed yesterday confined the right to lease to the abutting owners and no one else, which is wrong, I think. Let me read it to you:

> That the Secretary of War is hereby authorized, in his discretion, to grant leases or licenses to the owners of land abutting on said river at or near the lock or dam aforesaid, for the use of the water power created by said dam, at such a rate and on such conditions and for such periods of time as may seem to him expedient, etc.

Now, as I remember, the abutting owner on one side is the old race-horse association, and the other side is a turnpike running alongside of the river at this lock site. So you see, if the right of the Government to lease to the abutting owner, and no one else, is granted, why, then you can only lease to him, and if he does not want to lease it you can not lease to any person who is not an abutting owner.

The power, then, to lease becomes worthless. The abutter not wanting to lease this privilege or to sell his abutting property bars any proposed lessee unless he can reach it for public purposes by the power of eminent domain. Such an abutter would become autocratic and deprive the public of the benefit of this otherwise invaluable privilege. This morning General Gillespie said to me this power or franchise is valued at $500 to $1,000 per horsepower, and that at this lock, No. 1, we can get 1,000 horsepower; but still we are about to give it away.

Mr. BURTON. I see, Mr. Chairman, that this is liable to lead to a personal controversy.

Mr. GAINES of Tennessee. Not at all.

Mr. RICHARDSON of Tennessee. Not at all.

Mr. BURTON. Is there a variance of opinion between the two gentlemen?

Mr. GAINES of Tennessee. Not that I see.

Mr. BURTON. Does the gentleman from Tennessee [Mr. RICHARDSON] consent to this amendment?

Mr. RICHARDSON of Tennessee. I do not consent to it. If the committee see fit to adopt it, I have no objection to it.

Mr. BURTON. I thought, perhaps, we could bring this discussion to a close. I should like to make a brief statement myself before it is finished.

Mr. RICHARDSON of Tennessee. What I wanted to do was to call my colleague's attention to what has been done. Of course, he claims to state the facts. I have a statement from a constituent of his, Mr. Brandon, who says that he owns the land. I do not know who owns it, but Mr. C. H. Brandon——

The CHAIRMAN. The Chair will state that the time of the gentleman from Tennessee [Mr. GAINES] has expired.

Mr. GAINES of Tennessee. I yield to my colleague.

Mr. RICHARDSON of Tennessee. I do not know who owns it. My colleague says it belongs to the race track.

Mr. GAINES of Tennessee. That is my recollection. I am not a race-horse man, but that is my recollection. Unless the gentleman from Ohio desires to say something, I call for a vote, Mr. Chairman.

Mr. BURTON. Just a word, Mr. Chairman. I think this is primarily a matter for the gentlemen from Tennessee to settle. I think we should listen with the utmost respect at any rate to their arguments. I simply repeat what I said yesterday on the subject:

> This amendment proposes to grant the use of water power at Nashville. It is an amendment which has not been considered by our committee, but personally I have no objection to it.
>
> Permit me to say that any such privilege as this should be very carefully guarded, so that navigation may not be injured. I think the provision here is carefully guarded, and the sole question is whether such a right should be granted by Congress or not. Upon that question the members of this House are quite as competent to decide as any member of the Rivers and Harbors Committee.

I drew a form of amendment myself and gave it to the gentleman from Tennessee [Mr. RICHARDSON], but I think he chose that suggested by the War Department. I did not regard that as any slight upon myself. I think the form which he chose a little better, a little briefer. The question now before the committee is, shall we leave this to the Secretary of War for him to fix the compensation, or is that water privilege of such value that we ought to have competition upon it?

While it is probable that the Secretary of War would demand a reasonable sum, if it is thought by the gentleman representing that district that competitive bidding would bring a higher price, and if he regards it as a very valuable franchise, I should think we should adopt his amendment, because what we want is not to let this privilege get away without due compensation. There have been quite a number of instances where these permits have been granted by Congress, possibly some cases where a quasi permit has been granted by the War Department without. I want to make no objection, however, to the amendment of the gentleman from Tennessee.

Mr. RICHARDSON of Tennessee. Will the gentleman yield to me for a moment? I want to ask him if there is any precedent for the Secretary of War leasing a privilege like this to the highest bidder after advertising?

Mr. BURTON. I am not aware that there is. The precedents are not numerous in any event.

Mr. GAINES of Tennessee. They are not very numerous, but I think it has been done. I inquired about this at the War Department and Colonel Mackenzie gave me the names of the Green River and Barren River in Kentucky and the Muskingum River in Ohio, where the power is sold, and General Gillespie gave me the name of some other river I do not recall.

Mr. BURTON. I do not understand that in those cases it has been left to competitive bidding. I do not know of any such case.

Mr. GAINES of Tennessee. No; but they approve the amendment which I have offered, and it was read to them this morning, and the original of it was written by General Gillespie. The gentleman from Ohio can look at it, if he chooses. He thinks the bidding ought to be competitive, because there are valuable rights. He says there is 1,000 horsepower there and every horsepower is worth from five hundred to a thousand dollars per horsepower, which will more than do all the work that the Government wants to do on the Cumberland.

Mr. BURTON. I want to say in regard to the precedents, I think the cases of the Green River and Barren River and the Muskingum River were cases where water power was leased by the State, the State having first commenced the improvement of these rivers, and the improvement and public works on the rivers were at a later time transferred to the United States. In some of those cases there are water privileges which are embarrassing, because they were granted in perpetuity before they were turned over to the Government.

Mr. MANN. May I ask the gentleman a question?

Mr. BURTON. Certainly.

Mr. MANN. Several times we have had controversies before the Committee on Interstate and Foreign Commerce in reference to water power in navigable streams. I should like to ask the gentleman's opinion as to whether the right to the water power is a right of the Government or a right of the owners of the adjoining property, and whether the interest of the Government is that of the owner of the water power or simply the controller of a navigable stream for the purposes of commerce?

Mr. BURTON. Oh, I think the rights clearly exist in the Government. The distinction is rather an academic one as to who is the owner. In my opinion the right exists in the Government to make these leases. There are a number of public works in the States of Ohio and Kentucky and elsewhere, where canals and locks have been built by the State through its board of public works or some other organization, and their rights to lease these privileges and receive compensation for them have been recognized very generally; I think I may say universally.

Mr. MANN. Do I understand this case is a case where they want the use of water power coming from locks?

Mr. BURTON. It flows from the river above the locks. It is carried around by races. It is a natural channel, a canalized river. These leases have been sustained, not only in the case of canals, but of rivers that were canalized, or furnished with locks and dams.

Mr. MANN. Is there not a distinction?

Mr. BURTON. I do not think so.

Mr. MANN. Is there not a distinction between leasing water power from canals or locks which the Government constructs and leasing water power on rivers where the Government only has control for navigable purposes?

Mr. BURTON. I do not think so. I have never given that subject very elaborate consideration, but I know these leases have been made where locks and dams were constructed on a river and prices paid by the lessees.

Mr. MANN. Mr. Chairman, of course I understand that the Government, having the power to permit the construction of a dam or to withhold that permission, can say to the adjoining property owners, "You must pay us before we will give the permission or we will refuse that permission." But the Government has no authority, as I understand it, to permit anybody to control the water power, except to permit the owners of adjoining properties to construct a dam. The Government does not own the water power.

Mr. BURTON. That question may cause some embarrassment in the matter of competitive bids. But I do not think it is necessary for us to go into that. I am very well satisfied that leases have been made where rivers have been canalized in this manner, and the right to use the water by individuals has been granted as if it were the property of the Government.

Mr. RICHARDSON of Tennessee. If the gentleman will permit me—would you consider a provision of that kind of any value to anyone except the person who owned the adjoining property? In other words, how could another party get any benefit from it if he did not own the land? How could he get to the water, or how could he get to the fore bay or dam built in connection with the Government dam? How could he use it unless he could get to it, and how could he get to it unless he owned the land?

Mr. BURTON. Of course there might be an embarrassing question in connection with that. Any corporation——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURTON. I move to strike out that portion of the amendment of the gentleman from Tennessee that is in pencil. The words beginning with "the proceeds to be used."

Any corporation, municipal or otherwise, having the right of eminent domain could secure the course which the power canal should take.

Mr. GAINES of Tennessee. That is what I was about to state to my colleague. A public corporation, of course, under the right of eminent domain, could take the banks for a public purpose.

Mr. BURTON. I want to call attention to this——

Mr. MANN. May I ask the gentleman another question?

Mr. BURTON. Certainly.

Mr. MANN. The gentleman has such a large knowledge on the subject of rivers and harbors——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURTON. I made a motion, if the Chair please.

The CHAIRMAN. Then, if the gentleman would like to be recognized——

Mr. BURTON. I offered an amendment to strike out a portion of the amendment of the gentleman from Tennessee, beginning with "the proceeds to be used," etc., the latter part of the amendment.

Mr. MANN. The property right of the owner of the adjoining property to the river is not over the navigation, but as to the flow in the river.

Mr. BURTON. I suppose his riparian rights included the natural flow of the river. This would be the practical effect, however, in the construction of these locks on this river. The Government would have to acquire the property for a limited distance on both sides for the purpose of the improvement, and it could certainly prevent anyone else from enjoying this privilege, because at the place where the lock is to be built, where the water power is created, the Government would be the owner.

Mr. MANN. The reason why I ask is we have had the same sort of question. Here is a proposition, one to permit the Secretary of War to lease to the owners of adjoining property, and the other ordering the Secretary of War to advertise for bids. Now, I can not see, unless the gentleman can show, how the Secretary of War can advertise for bids to grant the right to anyone except the owner of the adjoining property.

Mr. BURTON. There is a question whether the bidders are not restricted in number.

Mr. MANN. Absolutely.

Mr. TONGUE. Will the gentleman permit me to ask him a question in this connection?

Mr. BURTON. There is one portion of the argument on this amendment that I want to conclude, and then I will yield to the gentleman.

Mr. TONGUE. It is in connection with this that I desire to ask the gentleman a question. Is it necessary that the owner should be one person? Can not it be on both sides of the river and even above and below?

Mr. BURTON. Certainly.

Mr. TONGUE. So that the competition may be between the owners of the riparian rights and still be more than one.

Mr. BURTON. This latter portion of the amendment offered by the gentleman from Tennessee is certainly objectionable. It reads:

> The proceeds to be used in reimbursement to the Treasury of the United States or funds heretofore expended in the improvement of the Cumberland River, or for further applications toward the maintenance and extension of said improvement.

Will the gentleman from Tennessee withdraw that?

Mr. GAINES of Tennessee. That was added at the Engineer's Office this morning by General Gillespie himself after we talked the matter over.

Mr. BURTON. That is a question for Congress to decide and not the engineers. This amendment would leave to the executive department the decision of the question how the money is to be expended which would be paid under the lease. Congress should not abdicate the right to decide the question how the money shall be expended.

Mr. GAINES of Tennessee. The gentlemen will remember that the resolution is repealable at any time—that is, the original resolution to which this is an amendment.

Mr. BURTON. I do not think we should depend upon the possible repeal of a provision in the bill. We should make a proper provision now. So I move that the portion of the amendment referred to be stricken out. It is that portion of the amendment in pencil beginning with the words "The proceeds to be used in reimbursement to the Treasury of the United States or funds heretofore expended in the improvement of the Cumberland River, or for further applications toward the maintenance and extension of said improvement." As far as the disposition of the proceeds of the lease is concerned they would go to the Treasury without your ordering it.

Mr. GAINES of Tennessee. I regret very much to withdraw it, but if the gentleman raises objections to it, I accept his amendment and withdraw that portion of it. Now, Mr. Chairman, I call for a vote on my amendment.

The CHAIRMAN. If there is no objection, the gentleman from Tennessee will be permitted to modify his amendment. [After a pause.] The Chair hears no objection.

Mr. SMITH of Kentucky. I would like to ask the gentleman from Tennessee a question. Is there anything in his proposition that permits the Secretary of War to reject a bid? Do you not compel him to accept the bids that are made?

Mr. GAINES of Tennessee. No; it is within his discretion. The amendment reads "in the discretion of the Secretary of War," or words to that effect. In other words, if the bid is not what it should be, he can reject it.

The CHAIRMAN. Without objection, the pro forma amendment offered by the gentleman from Tennessee will be withdrawn.

There was no objection.

Mr. BURTON. Mr. Chairman, I understand the gentleman from Tennessee withdraws that portion of the amendment which was in pencil at the end of the amendment.

The CHAIRMAN. That has already been done. The question is on the adoption of the amendment of the gentleman from Tennessee as modified by him with the unanimous consent of the committeee, in pursuance of the suggestion of the gentleman from Ohio.

Mr. CANDLER. Is there any objection to having the amendment again read?

Mr. GAINES of Tennessee. It is only to require the privilege to be put up to the highest bidder and sold.

Mr. BURTON. Mr. Chairman, I think there should be this addition at the end of the amendment, "and the Secretary of War shall have the right to reject any and all bids."

Mr. GAINES of Tennessee. I think that is included in the amendment, but I accept it. That is very proper.

The CHAIRMAN. Without objection, the amendment of the gentleman from Tennessee will be modified according to the suggestion which is made by the gentleman from Ohio.

There was no objection.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Tennessee as modified by the unanimous consent of the committee.

The question was considered; and the amendment was agreed to.

Mr. BURTON. Mr. Chairman, I ask unanimous consent to return to page 55 of the bill.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to page 55 of the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTON. To the item included in lines 12 to 16, inclusive. Now, Mr. Chairman, I move to amend by inserting after the word "dollars," in line 14, the word "thereof." The reason for that is this: There is just a little ambiguity whether this reference to $4,000 does not create an additional appropriation. The intent of the committee was to recommend the appropriation of $20,000 for the Tombigbee River, of which $4,000 might be expended on this upper portion.

The amendment was considered, and agreed to.

Mr. BURTON. There is a further provision in section 1 which was passed over—that referring to the water hyacinth, Florida and Alabama, page 53. I understand the gentleman from Texas [Mr. COOPER] desired to have that section passed. At his request it was passed until the conclusion of the reading of section 1, at which time it was to be taken up again.

Mr. BALL of Texas. I think the chairman of the committee has made some agreement with the gentleman from Texas as to a change.

Mr. BURTON. This is another provision. This is in regard to the water hyacinth. The other was in regard to the Sabine Lake, where a change was made. I think I may take it for granted that the gentleman from Texas has abandoned his intention to amend the paragraph in regard to the water hyacinth. However, I will ask unanimous consent that it be passed over until the close of the reading of the bill.

The CHAIRMAN. There is another amendment pending, offered by the gentleman from Texas, on page 57.

Mr. BURTON. Yes. I will send up two amendments to the Clerk's desk.

The Clerk read as follows:

> Page 57, strike out lines 12 to 18, inclusive, and to and including the word "canal," in line 19, and insert in place thereof:
>
> "Improving mouths of Sabine and Neches rivers, Texas, in accordance with House Document No. 299, Fifty-fourth Congress, second session, by connecting the same with Sabine Pass by a channel 8 feet deep through Sabine Lake: Continuing improvement, $79,000. The amount herein appropriated shall not be expended in the construction of revetments, nor shall any plan be adopted which shall require the construction of revetments: *Provided further*, That in the discretion of the Secretary of War he may select a route at or near the west shore of said lake, and said channel may be connected with Port Arthur Canal."
>
> After line 21 insert:
>
> "In case funds shall be furnished by the citizens of Orange and Beaumont, or in any way to secure a channel along the route herein described of a greater depth than 8 feet, the amount herein appropriated may be expended in securing a greater depth than herein designated."

Mr. BURTON. I will say that that paragraph has been redrawn after consultation with the gentleman from Texas [Mr. COOPER], and I think it secures and protects the rights of the Government.

The CHAIRMAN. The Chair will state the situation as he understands it. This paragraph was passed over, leaving an amendment offered by the gentleman from Texas [Mr. COOPER] pending. Is that to be withdrawn?

Mr. BALL of Texas. Mr. Chairman, I move that the substitute offered by the chairman of the committee be adopted.

The CHAIRMAN. The question will first be on the amendment offered by the gentleman from Texas [Mr. COOPER] on yesterday. If that is voted down the substitute offered by the gentleman from Ohio would be in order. The first question is on the adoption of the amendment offered by the gentleman from Texas [Mr. COOPER].

The question was considered; and the amendment was lost.

The CHAIRMAN. The question now is on the two amendments as a substitute offered by the gentleman from Ohio.

The question was considered; and the amendments were agreed to.

The Clerk read as follows:

SEC. 4. That the President of the United States is hereby authorized to invite the Government of Great Britain to join in the formation of an international commission, to be composed of three members from the United States and three who shall represent the interests of the Dominion of Canada, whose duty it shall be to investigate and report upon the conditions and uses of the waters adjacent to the boundary lines between the United States and Canada, including all of the waters of the lakes and rivers whose natural outlet is by the River St. Lawrence to the Atlantic Ocean; also upon the maintenance and regulation of suitable levels; and also upon the effect upon the shores of these waters and the structures thereon, and upon the interests of navigation, by reason of their diversion from their natural flow; and, further, to report upon the necessary measures to regulate such diversion, and to make such recommendations for improvements and regulations as shall best subserve the interests of navigation in said waters. The said commissioners shall report upon the advisability of locating a dam at the outlet of Lake Erie, with a view to determining whether such dam will benefit navigation, and if such structure is deemed advisable, shall make recommendations to their respective Governments looking to an agreement or treaty which shall provide for the construction of the same, and they shall make an estimate of the probable cost thereof. The President, in selecting the three members of said commission who shall represent the United States, is authorized to appoint one officer of the Corps of Engineers of the United States Army, one civil engineer well versed in the hydraulics of the Great Lakes, and one lawyer of experience in questions of international and riparian law, and said commission shall be authorized to employ such persons as it may deem needful in the performance of the duties hereby imposed; and for the purpose of paying the expenses and salaries of said commission the Secretary of War is authorized to expend from the amounts heretofore appropriated for the St. Marys River at the falls, the sum of $20,000, or so much thereof as may be necessary to pay that portion of the expenses of said commission chargeable to the United States.

Mr. MANN. Mr. Chairman, I move to amend by striking out the last word. If I can have the attention of the learned chairman of the Committee on Rivers and Harbors, I should like to inquire as to the purpose or general theory upon which this proposition is based. What is the expectation in regard to raising the level of the waters in Lake Erie?

Mr. BURTON. As I stated somewhat fully in my opening remarks, Lake Erie at its outlet has several times been obstructed by an ice jam, which has caused the level of the lake to rise. It is a matter of experience that such a rise in the level affects not merely the lower portion, but the whole lake alike. There seems to be no slope in the water, so that if there is an increase of 16 inches at Buffalo there is the same at Toledo. In view of that fact and the further fact that for some years the level of the lake has been very much lower than the ordinary mean level, it is thought best to consider whether it would not be well to locate a dam at that place, which would raise the depth of water in the respective harbors on the lake.

Mr. MANN. As I understand, that is a matter that would require international agreement.

Mr. BURTON. Certainly.

Mr. MANN. Is the gentleman able to inform us whether there is any likelihood that the Canadian or British Government will accede to this agreement?

Mr. BURTON. So far as we have information, it is favorable to such a result. The navigation interests in Canada are equally anxious that something of this kind should be done.

Mr. MANN. One reason I have asked this question is because I have been informed that the Canadian people or the Canadian government have in serious contemplation the construction of a canal from Georgian Bay, or the rivers flowing into it, to connect eventually with the Ottawa River, with the view of carrying the commerce of the Western lakes by way of Montreal without going through Lake Erie at all.

Mr. BURTON. Oh, that is a project which has been under consideration for years. I will say to the gentleman that it is quite probable such a canal will be built. But even if it were, it would very slightly affect the traffic of the lower lakes. There is no vessel man who has any apprehension from the construction of that canal. It might perhaps diminish his profits somewhat; but if it were built the great majority of the freight now carried to the lower lakes would still be carried.

Mr. MANN. If a canal like that were built, would it not make quite a difference in the transportation of grain intended for export? It would undoubtedly shorten very considerably the route.

Mr. BURTON. No doubt a considerable amount of grain and other articles would go through this proposed canal from Georgian Bay. But there is another factor to be considered—one which the gentleman knows more about than I do.

Mr. MANN. If there is any one thing that I know more about than the gentleman does, I congratulate myself.

Mr. BURTON. That is a very friendly expression on the part of the gentleman——

Mr. MANN. A sincere one.

Mr. BURTON. I take it certainly as very friendly, but it is one of those statements which are not to be put down in the book as true. [Laughter.]

Some months ago a boat line was established to run from Chicago through to European ports; but it was found that the insurance rate was so high for boats going below Montreal and Quebec that the line could not be run profitably. For a considerable portion of the year that route is almost impracticable, and it is not at all likely that the quantity of freight—certainly not of iron ore or coal—on Lake Erie, will be at all diminished. Nor is it probable that the quantity of grain would be very greatly diminished, even if this canal should be constructed.

What happens so often in the case of railroads would probably happen in this case. When a railroad is built to parallel or compete with another already in the field some people think that the effect must be to cut the traffic right in two, and that neither road will be able to live. But usually the new road is built in response to a demand for increased facilities, and in a few years each does quite as much business as the first one did before.

[Here the hammer fell.]

Mr. MANN. I ask unanimous consent to occupy five minutes more.

There was no objection.

Mr. MANN. Mr. Chairman, I do not wish to make a speech on this question, but simply to elicit information for my own benefit.

I had never anticipated that there would be a boat line which would run by this proposed Canadian canal to European ports. I never anticipated that the boat line, which was originally started to run from Chicago to England, could possibly succeed. I do not believe there is any chance that a vessel that is best suited for ocean navigation will be profitably used in lake navigation or canal navigation.

But it may become a very important matter, I may say to the gentleman from Ohio [Mr. BURTON], to whom I defer in matters of judgment, particularly relating to rivers and harbors; it may become a very important question whether grain going from the Western ports can go on a direct route through a short canal in Canadian waters, or whether it shall go on the present very indirect route up to the north end of Lake Michigan and back again down through Detroit River and through Lake Erie to Buffalo, and then most of it run on a long route south to New York City.

It becomes of the greatest importance, in view of the proposition of the Canadians to construct this short line, that every facility shall be opened up for the transportation interests in this country, in order that this export may continue to go from American ports. I withdraw the pro forma amendment.

Mr. BURTON. I desire to offer an amendment, which I will send to the Clerk's desk.

The Clerk read as follows:

Page 95, line 10, insert "the diversion of these waters from or change in."

Mr. BURTON. I think it states the object of the commission a little more clearly and meets the situation better.

The question is on the adoption of the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The Clerk read as follows:

SEC. 6. That any regulations heretofore or hereafter prescribed by the Secretary of War in pursuance of the fourth and fifth sections of the river and harbor act of August 18, 1894, may be enforced as provided in section 17 of the river and harbor act of March 3, 1899, the provisions whereof are hereby made applicable to the said regulations.

Mr. BURTON. I offer the following amendment to that.

The Clerk read as follows:

In line 7, page 97, after the word "ninety-four," insert "and any regulations hereafter prescribed in pursuance of the aforesaid section 4 as amended by section 11 of this act."

Mr. BURTON. I would state that this amendment is offered in anticipation of our passing section 11, and I suggest that we wait until that section is read and passed upon.

The Clerk read as follows:

SEC. 10. That the Secretary of War is hereby authorized to extend the time of completion of any bridge, the construction of which has been or may hereafter be authorized under any law of Congress, whenever application to him shall be made before the expiration of the time limited, and the reason for such extension shall be deemed by him to be sufficient; and the provisions of section 9 of the river and harbor act of March 3, 1891, are hereby made applicable alike to the completed and uncompleted portions of the Illinois and Mississippi Canal. Whenever the Secretary of War shall approve plans for a bridge to be built across said canal he may, in his discretion, and subject to such terms and conditions as in his judgment are equitable, expedient, and just to the public, grant to the person or corporation building and owning such bridge a right of way across the lands of the United States on either side of and adjacent to the said canal; also the privilege of occupying so much of said lands as may be necessary for the piers, abutments, and other portions of the bridge structure and approaches.

Mr. BURTON. Mr. Chairman, in the earlier part of that section a question of jurisdiction arises between committees of this House, and as I recognize the necessity of comity in the bringing forward of all legislation, I ask the House to strike out the words in section 10 from the word "That," at the beginning of line 22 on page 98, to and including the word "and" at the beginning of line 3 on page 99, and also that the section be amended by changing, in line 3 of page 99, the letter "t" in the word "the" to a capital "T."

The CHAIRMAN. Without objection, the amendments offered by the gentleman from Ohio will be considered together. [After a pause.] The Chair hears none.

Mr. BURTON. The remainder of the section pertains to the regulation of bridges across a navigable waterway for which the Committee on Rivers and Harbors has recommended appropriations and for which appropriations have been made by Congress. Thus it would seem clear that jurisdiction of the subject-matter belongs to the Committee on Rivers and Harbors.

The CHAIRMAN. The question is on the adoption of the amendments offered by the gentleman from Ohio.

The question was taken, and the amendments agreed to.

The Clerk read as follows:

SEC. 11. That the Secretary of War is hereby authorized to prescribe regulations to govern the speed and movement of vessels and other water craft in any public navigable channel which has been improved under authority of Congress whenever, in his judgment, the public necessity requires such regulations. Such regulations shall be posted in conspicuous and appropriate places for the information of the public; and every person and every corporation which shall knowingly and willfully violate such regulations shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding $500, or by imprisonment (in the case of a natural person) not exceeding six months, in the discretion of the court: *Provided*, That the said regulations may be enforced as provided in section 17 of the river and harbor act of March 3, 1899, the provisions whereof are hereby made applicable thereto.

Mr. BURTON. I desire to offer an amendment to that section by substituting the following, which I will send to the desk.

The Clerk read as follows:

SEC. 11. That section 4 of the river and harbor act of August 18, 1894, be and is hereby, amended so as to read as follows:

"SEC. 4. That it shall be the duty of the Secretary of War to prescribe such rules and regulations for the use, administration, and navigation of any or all canals and similar works of navigation that now are, or that hereafter may be, owned, operated, or maintained by the United States as in his judgment the public necessity may require; and he is also authorized to prescribe regulations to govern the speed and movement of vessels and other water craft in any public navigable channel which has been improved under authority of Congress, whenever, in his judgment, such regulations are necessary to protect such improved channels from injury, or to prevent interference with the operations of the United States in improving navigable waters or injury to any plant that may be employed in such operations.

"Such rules and regulations shall be posted in conspicuous and appropriate places for the information of the public; and every person and every corporation which shall violate such rules and regulations shall be deemed guilty of a misdemeanor and, on conviction thereof in any district court in the United States within whose territorial jurisdiction such offense may have been committed, shall be punished by a fine not exceeding $500 or by imprisonment (in the case of a natural person) not exceeding six months, in the discretion of the court."

Mr. BURTON. Mr. Chairman, I will state briefly the reason for this amendment. When this bill was reported to the House I was not aware of the existence of another statute pertaining to canals. It is part of the river and harbor act of 1894. Section 4 of the river and harbor act of 1894 provides similar regulations and similar penalties in the use, administration, and navigation of any or all canals and similar works of navigation. It seemed desirable not to have two separate sections or statutes upon these two subjects so intimately connected, and therefore this section is redrawn so as to cover both canals and natural channels improved by the Government, thereby intending to include all navigable waters under improvement by the Government.

I want to say further that this does not conflict with the regulations that have been established or the statutes which have been passed giving to the Revenue-Cutter Service a certain amount of authority. Briefly speaking, the dividing line between those statutes and these is to this effect: Those pertain to the rules of the road on through navigation; these pertain to the movement of vessels in channels where there are artificial works or where there are improvements under way. The line of division is clearly drawn. I ask for a vote.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Ohio.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Channel from New Haven Harbor via Oyster Point to Kimberly avenue bridge on West River.

Mr. BURTON. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

On page 104, after line 3, insert:

"DELAWARE.

"Delaware Bay, Harbor of Refuge, with a view to ascertaining what further protection is necessary."

The amendment was agreed to.

The CHAIRMAN. The Chair will ask the gentleman from Ohio if he correctly stated the place at which he desired the amendment to be inserted?

Mr. BURTON. It comes immediately after line 2. The word "Delaware" should be in capitals, as a designation of the State.

The CHAIRMAN. The amendment stated "line 3." Without objection, it will be inserted as suggested.

Mr. BURTON. "After line 2" would designate it more accurately.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

ILLINOIS.

Mississippi River at Moline, with a view to the construction of a lock.
Rock River, from the mouth to Rockford.
Little Wabash River.

Mr. BURTON. I have some question whether this does not belong to a different section, but I will offer the amendment here.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The amendment was read, as follows:

On page 105, in line 1, strike out "Little Wabash River" and insert "Ohio River, channels at or near Elizabethtown."

The amendment was agreed to.

The Clerk read as follows:

Ohio River, below the mouth of Green River, with a view to the construction of a movable dam, so as to make a harbor at Henderson, Ky., and Evansville, Ind., and to give a depth of 6 feet on the lower miter sill on Lock No. 1, Green River.

Mr. ZENOR. Mr. Chairman, I desire to offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

After the words "Green River," at the end of line 8, page 105, add the following:

"Ohio River, below the mouth of Salt River, with a view to the construction of a movable dam, so as to make a harbor at New Albany, Ind., and Louisville, Ky., of an average depth of 6 feet below the Ohio Falls."

Mr. ZENOR. Mr. Chairman, I presume it will not be questioned by any member of this House that the Ohio River is a very important waterway. The amendment which I have just had the honor to submit simply seeks to secure a preliminary survey of a point designated, at the mouth of Salt River, which is located about 20 miles below the Ohio Falls. The city of New Albany is located below the Ohio Falls, on the Indiana side, and contains a population of about 22,000. The city of Louisville, upon the Kentucky side, has a population of about 225,000 people. The waters below the Ohio Falls during the months of August, September, and October are usually so shallow that none of the large steamers that ply on the Ohio River can navigate them.

Indeed, Mr. Chairman, the waters below the Ohio Falls in many places during those months scarcely afford sufficient depth of water to enable steamers of the smallest kind to navigate this part of the river, and during the lowest stages render it absolutely impossible for any but the smallest craft to ply upon that part of the river which carry only very small amounts of freight. There are no railroads paralleling this river below the Ohio Falls on either side, and with the exception of Westpoint, on the Kentucky side, and Cannelton, on the Indiana side, no railroad touches upon said river for more than 100 miles below the falls, and the farmers and people throughout this great section of country are entirely dependent upon river transportation. For want of proper facilities for transporting their products to market they suffer annually the loss of thousands of dollars in not being able to ship their fruits and other perishable products to the markets. They are at the mercy of Congress, and I earnestly beg of you to adopt this amendment and thus inaugurate this improvement in this part of the river.

Now, this is in pursuance of a system that has been adopted by the Committee on Rivers and Harbors in the establishment of a general system of improvements on this river. This system involves the construction of locks and movable dams for the purpose of creating a stage of water having an average depth of 6 feet. I venture the assertion that there is no point on the Ohio River which is more important. As suggested, for this great reach there are no railroads running parallel to the Ohio River, excepting the one which touches the river at the point mentioned.

From there on for a hundred miles below there is no railroad touching the river, so that, as already stated, the people living along the Ohio for more than a hundred miles below the Ohio Falls are absolutely dependent for transportation of their products to market upon the Ohio River. Large sections of this country grows fruit, and the farmers are interested in fruit culture. In my own county, bordering upon this river for 60 miles below the Ohio Falls, the people in the southern part of the county have no facilities of transportation other than this river, and during that part of the year—the latter part of the summer and early fall—just when they most need these facilities, when their apples,

peaches, and other fruits are ripe and must be marketed, they are compelled in many instances to see it rot and perish in the orchards or at the wharves for want of facilities of shipment, all on account of the low water and scarcity of boats able to get through the channel of this river. Sometimes even these small and light-draft boats are hung up on sand bars and in shoal places for two or three or more days, at a great loss to freight and cargo.

I trust the chairman of the committee will consent, or at any rate will not object, to this amendment being adopted, for the reason that it involves no expenditure of money and is of the utmost importance to my people. It merely provides for a preliminary survey to ascertain the advisability of the establishment or location of a dam at this particular point. The last westerly point at which a dam has been located is Home City, immediately below Cincinnati, for the purpose of affording a harbor at the city of Cincinnati.

There is another consideration to which I wish to call attention in connection with this matter that makes it exceedingly important. If this dam is located at the mouth of or below Salt River it will afford navigable water up that river for perhaps 30 or 40 miles. I see that there is a provision in this bill authorizing a preliminary survey of the Salt River up to Shepherdsville.

Now, inasmuch as this involves no expenditure of money, and simply gives authority for this preliminary survey for this movable dam at this particular point, I trust that the members of this House will authorize the Secretary of War to make this preliminary survey for the purpose of ascertaining the feasibility of making that particular improvement.

Mr. BURTON. Mr. Chairman, this proposition was not presented until after our bill was introduced in the House; in fact, not until yesterday. On examination of it I can not see that it has any merit.

Mr. ZENOR. Will the distinguished chairman allow me to make one suggestion?

Mr. BURTON. Certainly.

Mr. ZENOR. I desire to suggest to the chairman that the phraseology of the amendment which was handed to the chairman on yesterday is somewhat different to the amendment which I have just submitted and which has just been read by the Clerk.

Mr. BURTON. I do not think that makes a change, however, in the effect of the provision. A survey has been made of the Ohio River down as far as Cincinnati at great expense. In this bill there is a provision for surveys with a view to the construction of dams below the mouth of Green River and above the falls or at the head of the falls at Louisville. These two are certainly all that Congress ought to attempt for at least four years to come in that part of the river. There is a reason why Green River was selected rather than Salt River.

Green River is already improved and also affords a very considerable tonnage—600,000 to 800,000 tons. Salt River has not been improved. There is no development there, and we have included in this bill a provision for a survey to determine whether it is worth improving or not. When it has been surveyed and it has been determined to be worth improving, and Congress has taken up that improvement, there will be time to put in a provision for a survey for a dam below the mouth of Salt River. I would suggest another thing, that there is no reason for this survey for the dam below Salt River, which would not apply to the whole of the Ohio from Cincinnati to the mouth.

Mr. PALMER. Do I understand the gentleman to say that there is no tonnage or traffic on Salt River?

Mr. BURTON. Well, there is a common saying sometimes applied to defeated candidates. It is to the effect that those is a duty on salt, but no duty on Salt River. I suppose there is not very much tonnage.

Mr. PALMER. I think, Mr. Chairman, the Democrats are tired of going up Salt River.

Mr. PIERCE. We are going to send you up Salt River this fall.

Mr. PALMER. You can not get any provision on the river and harbor bill to do that.

Mr. SMITH of Kentucky. Mr. Chairman, I desire to submit a few remarks upon this proposition.

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. SMITH of Kentucky. I move to strike out the last word.

Mr. Chairman, I am sure that this is a very important improvement, as stated by the gentleman from Indiana, whose district abuts the Ohio River at that point on one side, while mine abuts that part of the river on the opposite side. This proposition is indorsed by the Ohio Valley Improvement Company, that has given very considerable attention to it, and it is their deliberate judgment that a dam on the Ohio River at this point would give all the navigation that is asked for on Salt River.

Now on this bill the committee have given a survey to Salt River, which is eminently just and proper. It seems to me that it would be well to have at the same time a survey of the Ohio River and all the information that we can get as to the benefits that will be derived from the construction of a lock and dam on the Ohio River.

If it turns out upon the survey that a lock and dam at this point on the Ohio River will give the navigation that is desired on Salt River, then, of course, it would be better to have the lock and dam on the Ohio River, because it will give slack-water navigation the year round to twenty-odd miles of the Ohio River, a section of that river in which perhaps there have been more disasters to navigation than in any other section over the length of that whole stream. I fully concur in all that the gentleman from Indiana has said in behalf of this movement, and I hope this committee will authorize the survey.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the question is on the amendment of the gentleman from Indiana.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

Ohio River, above the Falls at Louisville, with a view to the construction of a dam.

Mr. BURTON. Mr. Chairman, I desire to offer a substitute for that.

The Clerk read as follows:

On page 10, lines 9 and 10, after the words "Ohio River," in line 9, erase the words "above the Falls at Louisville, with a view to the construction of a dam," and insert "at the head of the Falls at Louisville, with a view to the enlargement of the present dam or a construction of a new one."

The amendment was agreed to.

The Clerk read as follows:

Medomac River to the head of navigation.

Mr. BURTON. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

On page 107, after line 20, insert the words "Maryland. Patapsco River, with a view to a deep channel from the main channel in said river to the drawbridge at the mouth of Bear Creek."

The amendment was agreed to.

The Clerk read as follows:

Weymouth Fore River.

Mr. BURTON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 107, after line 25, insert "Weepecket Rock."

The amendment was agreed to.

The Clerk read as follows:

Marquette Harbor and vicinity, with a view to ascertaining whether further harbor of refuge facilities are needed, and if so, at what point.

Manistique Harbor.

Mr. BURTON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 108, after line 17, insert "Charlevoix Harbor, with a view to obtaining a channel 18 feet in depth from Lake Michigan to Pine Lake."

The amendment was considered, and agreed to.

The Clerk read as follows:

Big Black River, from mouth to the Illinois Central Railroad bridge.

Mr. HEMENWAY. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman, the chairman of the committee, a question. I see there is $5,000 appropriated for the Wabash River. I desire to ask him if there is $15,000 in addition to that appropriation.

Mr. BURTON. I think there is at least that amount. At the last report there was about $20,000, I think, for the portion below Vincennes. There has been an addition to the provision for the survey, so that it now includes the Little Wabash and the Wabash above Vincennes, but it is thought that the amount appropriated, with that on hand, will be amply sufficient. After examination I see that the amount is $15,320 at the date of the last report; but that, with the $5,000 appropriated herein, will be amply sufficient.

Mr. HEMENWAY. The gentleman thinks that will be a sufficient amount?

Mr. BURTON. Yes; with the $5,000. Mr. Chairman, I would like to return for a minute to the amendment proposed to section 6, which was passed over because it was dependent upon the adoption of section 11.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to section 6. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTON. I will state that section 11 having been adopted, the amendment offered to section 6 is now in order.

The Clerk read as follows:

On page 97, section 6, line 7, after the word "ninety-four," insert "and any regulation hereafter prescribed in pursuance of the aforesaid section 4 is amended by section 11 of this act."

The amendment was agreed to.

Mr. BURTON. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BURTON. I take it that section 6 has been matured by the reading, and that the section now stands as amended.

The CHAIRMAN. The Chair so understands the situation.

The Clerk read as follows:

MISSOURI.

Missouri Chute, with a view to ascertaining whether the closing of the same is required in the interest of navigation.

Mr. ROBB. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend by inserting after the word "navigation," in line 16, page 109, the following:

"*Provided*, That if the improvement be deemed advisable and urgent the same may be immediately made and the cost thereof paid out of the amount appropriated for the improving of the Mississippi River from the mouth of the Ohio to and including the mouth of the Missouri River: *Provided*, The estimated cost of said improvement shall not exceed $25,000."

Mr. ROBB. Mr. Chairman, that amendment does not call for any additional appropriation. It simply provides that if upon preliminary survey and examination the improvement is deemed urgent, then that not exceeding $25,000 taken from the amount appropriated for the improvement of the Mississippi River lying between the mouth of the Ohio and the Missouri may be used at this point and the work done immediately.

Now, the reason I offer the amendment is this: The river is cutting in there and is about to destroy a little town of between 200 and 300 population. It is not alone for the protection of the town, it also improves the river. It is not made absolute, but it is left, under that amendment, within the judgment of the engineers, the persons having the work in charge. If after making that survey and examination in their judgment it will not cost more than $25,000, and in their judgment the improvement should be made immediately, then under the amendment they are authorized to use this amount of that appropriation.

I hope the amendment will be adopted. I can not see any good reason why it should not be adopted. The committee has been kind in authorizing this survey. It was authorized at the last Congress, but the bill failed in the Senate. No doubt when the survey is made the report will be in favor of closing up the Missouri chute. It ought to have been closed up long ago, and I hope it will be closed up in the immediate future. If this amendment is adopted there will be no additional cost to the Government. It will not interfere with other appropriations to any considerable extent. It will protect the people interested and will improve the navigation of the river at that point.

Mr. BURTON. Mr. Chairman. I really think that if the gentleman from Missouri [Mr. ROBB] had understood our rules he would not have made this motion. It is a proposition to do a thing that this committee, during my recollection, has never done. The rule is well established that a preliminary examination should first be ordered, and if on that preliminary examination there is a favorable report, a detailed survey and estimate of cost may, in the discretion of the the Secretary of War, be made.

So that there is no possibility—indeed such is the provision of a positive statute—of an appropriation for a project that is to be surveyed until a later bill is passed after the report upon the survey. Formerly the law was even stronger than that. It required first a preliminary examination, then a detailed survey by a later act, and not until still later the making of an appropriation by Congress, if it should be deemed proper. But the law in this particular was changed in 1899.

As I have said, I do not recall a single case where it has been provided that if a survey should result in a favorable report the Government should at once go on and spend money. Why, sir, if we should adopt the gentleman's amendment, why should we not make a similar provision to every item in this whole list of surveys? Why should we not add on in every case a provision carrying with it an appropriation? What else would the gentleman have us do, what else would be right, than that we should in each of these cases add a provision that if the result of the survey should be favorable, such and such an amount should be expended?

What is the object of having these preliminary examinations, anyway? The object is that we may have information, and that with such information before it Congress may act intelligently and deliberately. It would be a most unfortunate departure from the rule to adopt any such amendment as that of the gentleman from Missouri.

Mr. ROBB. I will inquire of the gentleman whether, without any provision for a survey, a part of the appropriation of, I believe, $600,000 for the improvement of the Mississippi River from the Ohio to the Missouri might not be used in this way?

Mr. BURTON. Certainly, if the interests of navigation required it. We have been very careful, however, in regard to that matter in this bill. We have not provided for a single diversion of the appropriation on that stretch between the mouth of the Missouri and Cairo.

Mr. ROBB. All I ask is to make that certain which is now uncertain. It may be that——

Mr. BURTON. There are a great many other localities that would be glad to have that which is uncertain made certain—localities, too, that have very strong claims.

The question being taken on the amendment of Mr. ROBB, it was rejected.

The Clerk read as follows:

Black Rock Harbor, with a view to obtaining a suitable channel for deep-draft vessels around the rapids and shoals at the head of the Niagara River.

Mr. BURTON. I offer the amendment which I sent to the desk.

The Clerk read as follows:

After line 11, page 110, insert "Sheepshead Bay."

The amendment was agreed to.

The Clerk read as follows:

NORTH CAROLINA.

Lockwoods Folly River.

Mr. BURTON. I have been requested to offer an amendment to insert at this point a provision for a survey of Livingston Creek, North Carolina. I would like to hear some statement from the gentleman from North Carolina [Mr. BELLAMY] as to the necessity for such an amendment.

Mr. BELLAMY. Mr. Chairman, this item was included in the last river and harbor bill, but it has been omitted from this—I suppose by inadvertence. Livingston Creek is a stream that empties into the Cape Fear River some 15 or 20 miles above Wilmington. On that stream is located the town of Cronly, at which place is located a large fertilizer factory, known as Acme Factory. At the same place there is also a large brick-making establishment, which supplies to a great extent the city of Wilmington with the bricks used for building purposes. Frequently, flats loaded with bricks or produce, coming down that stream, are sunk by reason of the snags. It will cost very little to make this survey and have the improvement made.

Mr. BURTON. For how long a distance, probably, can this river be navigated?

Mr. BELLAMY. I suppose about 20 miles.

Mr. BURTON. By vessels of what draft?

Mr. BELLAMY. By vessels of, I suppose, from 8 to 10 feet—probably 12.

Mr. BURTON. Is there a farming territory bordering on the stream?

Mr. BELLAMY. Yes, sir; a very excellent farming territory.

Mr. BURTON. How many towns are there on this stream?

Mr. BELLAMY. There is the town of Cronly, at which the Acme fertilizer factory, of which I have just spoken, is situated. That is a considerable town.

Mr. BURTON. What is the population?

Mr. BELLAMY. About 1,500, I should say.

Mr. BURTON. Is there any navigation on that stream now?

Mr. BELLAMY. Yes, sir; it is used by flatboats and barges for the transportation of fertilizer and brick. Frequently the boats run upon snags and are sunk.

Mr. BURTON. I will say frankly I do not like to see placed upon this bill provisions for these minor streams. These applications are getting to be numerous. We have tried to eliminate a good many; but I am willing that the provision asked for by the gentleman from North Carolina be inserted. I send the amendment to the desk.

The Clerk read as follows:

Insert between lines 13 and 14, page 110, the words "Livingston Creek."

The amendment was agreed to.

The Clerk read as follows:

Indian Island Slough, from Pamlico River to mouth of South River, with a view of obtaining a depth of 7, 8, and 9 feet, respectively, and 100 feet wide, or as wide as may be necessary.

Carrot Island Slough, beginning at a point opposite Middle Marshes, and thence through Carrot Island Slough and Lewis Thoroughfare to the main channel in Newport River, with a view of obtaining a navigable depth of 7, 8, 9, and 10 feet at mean low water.

Neuse River, from Goldsboro to Newbern, with a view to securing a depth of 3 feet.

New River.

Mr. BURTON. I suggest to the gentleman who amended this that it is not in the proper form it should appear in the bill. I will introduce a pro forma amendment by moving to strike out the words "New River," and yield a few moments to the gentleman from North Carolina [Mr. SMALL], and ask him to explain about the Perquimans River.

Mr. SMALL. Mr. Chairman, the Perquimans River is a considerable stream, and the town of Hertford is located on that river, a town of about 2,500 inhabitants. The principal industry there is the manufacture of lumber, and frequently that manufactured lumber in being sent out of the river by barges had to be lightered down the river in order to avoid certain obstructions to the navigation of that river just at or below the town of Hertford. There is plenty of depth of water, but the difficulties are

these obstructions in the river. The cost of the survey will be very slight, and I can not conceive that the cost of the work, if there shall be a favorable report and it shall receive a favorable consideration of the House hereafter, will exceed $1,000.

Mr. BURTON. "The Perquimans River at and below Hertford?"

Mr. SMALL. Yes.

Mr. BURTON. Then I withdraw the pro forma amendment, and move to amend by inserting the words:

Perquimans River at and below Hertford.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The Clerk read as follows:

PENNSYLVANIA.

Susquehanna River below Northumberland.

Mr. BURTON. Mr. Chairman, I desire to offer the following amendments at this point.

The Clerk read the amendments, as follows:

Page 112, after line 18, "Susquehanna River, near Wilkesbarre, with a view to ascertaining the desirability of removing the two dikes constructed in said stream, and in case such removal is reported to be desirable the Secretary of War is authorized to allow the same to be done."

Also the following:

Page 112, lines 19 and 20, strike out the words "four, five, and seven" and insert "three, four, and five."

The CHAIRMAN. Without objection, the amendments will be considered together. [After a pause.] The Chair hears none. The question is on the adoption of the amendments.

The amendments were agreed to.

The Clerk read as follows:

Monongahela River, Locks and Dams 1, 4, 5, and 7.

Mr. BURTON. Mr. Chairman, I would state that the amendments just adopted referred to the paragraph which the Clerk has just read.

The CHAIRMAN. Without objection, the amendments will be considered as applying to the paragraph just read.

The Clerk read as follows:

Beaver River, from the Ohio River to the northern end of Beaver Falls Borough, with a view to slackwater navigation.

Mr. BURTON. I offer the following amendment.

The Clerk read as follows:

Page 112, at the bottom of the page, strike out lines 23, 24, and 25.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The Clerk read as follows:

SOUTH CAROLINA.

Charleston Harbor, to ascertain the advisability of extending the piers with a view to providing a harbor of refuge.

Mr. BURTON. Mr. Chairman, I desire to offer an amendment there which will not be necessary to send to the desk. It is as follows:

Strike out the word "piers" and insert the word "jetties" in line 13.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The Clerk read as follows:

Edisto River.

Mr. BURTON. I move to amend; after the words "Edisto River" add the words "from the mouth to the Aiken and Edgefield line."

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The Clerk read as follows:

Elk River.

Mr. BURTON. I offer the following amendment:

The Clerk read as follows:

Page 113, after line 22, add the words "Big Hatchie River from its mouth to Rialto."

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. BURTON. Also the following.

The Clerk read as follows:

Page 113, strike out lines 23 and 24 and insert "Obion and Forked Deer rivers."

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. FINLEY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 113, at the end of line 20, amend by adding "Wateree River from its mouth to Camden."

Mr. BURTON. I have no objection if there be entered this proviso:

Provided, That no amount shall be expended for the improvement of said river until further order of Congress.

Mr. FINLEY. Then, Mr. Chairman, I withdraw the amendment which I just offered and offer the following, which I will ask the Clerk to read.

The Clerk read as follows:

Amend on page 113, at the end of line 20, by adding "Wateree River from its mouth up to Camden, and until further action by Congress improvement on said river is suspended."

Mr. BURTON. I have no objection to that.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

The Clerk read as follows:

VIRGINIA.

Oyster Harbor.
Alexandria Harbor.

Mr. BURTON. I move that the words "Alexandria Harbor," in line 8, be stricken out. The following item includes all that is intended.

The amendment was agreed to.

The Clerk read as follows:

Alexandria Harbor, with a view to improving the channel in Hunting Creek and across the Potomac to Maryland.

Mr. BURTON. Mr. Chairman, I desire to offer an amendment after line 10.

The amendment was read, as follows:

Page 115, after line 10, insert the words:

"WASHINGTON.

"Duncan Rocks, Straits of Juan De Fuca, with a view to the removal of the same."

After the above:

"Columbia River, between Vancouver and the mouth of the Willamette, with a view to ascertaining the effect of the dikes and other works between the points named."

The amendment was agreed to.

The Clerk read as follows:

WEST VIRGINIA.

Little Kanawha River, with a view of continuing the improvement thereof to Burnsville.
Cheat River.
New River at its confluence with the Green Brier River.

Mr. BURTON. Mr. Chairman, an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which will be read by the Clerk.

The Clerk read as follows:

Page 115, after line 15, insert:
"Big Kanawha River, from Lock 2 to the falls.
"Elk River, with a view to open river navigation."

The amendment was agreed to.

The Clerk resumed and completed the reading of the bill.

Mr. BURTON. Mr. Chairman, one or two minor points. On page 115, in line 15, I am told that the word "Greenbrier" is a single word. I ask unanimous consent that that correction be made, consolidating the two words and changing the capital B to a small b.

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

Mr. BURTON. In the amendment as finally adopted on page 62 there is a sentence reading:

The Secretary of War shall reserve—

Or—

reserves the right to reject any and all bids.

I ask unanimous consent that that be made to read:

The Secretary of War shall reserve the right to reject any and all bids.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the amendment heretofore adopted be changed in accordance with the suggestion he has just made. Is there objection?

There was no objection.

Mr. BURTON. The gentleman from Texas [Mr. COOPER] is now present. Does he desire to be heard?

Mr. COOPER of Texas. Mr. Chairman, consent was given yesterday that the provision of the bill making an appropriation for the destruction of the water hyacinth be passed over.

The CHAIRMAN. Has the gentleman an amendment pending?

Mr. COOPER of Texas. I intended to offer an amendment giving to Texas the same benefits and opportunities that Louisiana and Florida have for the destruction of this plant; but I propose to refrain now from offering the amendment, with this explanation: I am told by those in charge of this bill that this appropriation was only for the purpose of experimenting with the destrution of the water hyacinth.

The provision says it is for their destruction. I think Texas